

Foster 3025 (Vol. 1)

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/19/94

Bruce E. Abbott, Officer, Uniform Division, United States Secret Service (USSS), was interviewed at the Office of the Special Counsel, 1001 Pennsylvania Ave, NW. Officer Abbott was informed as to the identity of the interviewing agent and informed of the nature of the interview. He then provided the following information:

His office is located at 1310 L Street, NW, Washington, D.C., and his telephone number is 202-395-2020. He has been employed by USSS for 13 years and has been assigned to The White House compound for the last nine years. He is usually assigned at one of three guard posts in the west wing of The White House, including post E-1, the ground level side entrance to the west wing which is most often used by White House staffers to enter or leave the west wing.

Officer Abbott stated that he was not assigned to work in the west wing on July 20, 1993, the day of Vincent Foster's death. He first learned of Foster's death via the news on his car radio as he was driving to work in the early morning hours of July 21. Abbott said that he did not know Vincent Foster either professionally or personally but that he did know him to be a White House staffer whose office was located on the 2nd floor of the west wing and he visually recognized Foster when he saw him on the compound.

Officer Abbott advised that he worked the 6:30 am - 3:00 pm shift on July 21, 1993 on post E-1 which allows entry to the west wing off of West Executive Avenue inside The White House compound. Abbott advised that he was aware that Vincent Foster's office was directly above post E-1 where he was to be that day and since he had just learned of Foster's death, he arrived at work with a heightened sense of awareness and expecting a potentially eventful day on post E-1. He said that he learned in late morning that a temporary USSS post had been established just outside Foster's office door but he was not sent to that post. Abbott said that, for the most part, his tour of duty on post E-1 was ordinary and routine. He said that during his July 21 tour

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of duty he observed White House staffers come and go through the E-1 entrance although he, for the most part, cannot recall specifics regarding these individuals. He said that he recalls seeing Bernard Nussbaum, Maggie Williams, and Patsy Thommasson arrive that morning through E-1 but that he could not recall at what time each of them arrived. He said that he believed that Bernard Nussbaum arrived at about 8:30.

Officer Abbott advised that there was one thing that he considered to be unusual and out of the ordinary. He explained that at approximately 6:45-6:50 am, shortly after he assumed his post, he heard the elevator door open behind him. He said that since post E-1 is on the ground floor, this elevator was coming down from either the 1st or 2nd floor of The White House west wing. He was also aware that it opens just outside Vincent Foster's door on the 2nd floor. When he heard the door open he turned to see Craig Livingstone, a Presidential staff appointee, and another man, whom he did not recognize, stepping from the elevator. Abbott said that the man with Livingstone was carrying a cardboard box with its top open. Several dark colored (perhaps black) looseleaf ring-type binders were visible inside the box. Livingstone was carrying a dark (perhaps brown) satchel-type leather briefcase. Abbott described the briefcase as being the type that lawyers routinely carry that does not open like a suitcase but rather opens from the top between two built-in leather handles.

Abbott advised that there were several things about this incident that caused him to take particular note. He explained that Craig Livingstone was a Special Assistant to Bernard Nussbaum in charge of White House staff security matters. He therefore felt it was quite possible that the two men were coming from Nussbaum's (perhaps Foster's) second floor office. He said that he felt it was also unusual for Livingstone to be in the west wing at that early time of day since his (Livingstone's) office was located in the Old Executive Office Building and not in The White House. He said it was also unusual to see Livingstone dressed in only pants and shirt, as he was on that day, since he always wore a suit and tie to work. He added that the man with Livingstone, carrying the box, was also dressed in only a shirt and pants. Lastly, he said that while some White House staffers routinely arrive early for work, few arrive before 6:30 am, and it was obvious that these two men had gone to the west wing earlier that morning, since they were now clearly leaving rather than arriving. He said the two men walked past

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him and exited through entrance E-1 without comment. He was not able to see them past that point or to see if they entered a car.

Officer Abbott said that later on July 21, he advised USSS Inspector Dennis Martin as to what he had seen relative to Livingstone, the man with him, and what they were carrying out. He said that he gave this information to Inspector Martin thinking it might be helpful, since he knew Martin was serving as USSS liaison to the U.S. Park Police's and the FBI's investigation into Foster's death. Abbott said he does not recall telling anyone else about this.

Abbott said that he saw nothing else during his tour of duty that day that he considered to be out of the ordinary. Abbott described the man with Craig Livingstone as follows: Sex-male, race-caucasian, age-25 to 30 years, height-approximately 5'10", build-slender to medium, clothing-shirt and pants, name-unknown (Abbott stated that he had never seen this man before).

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/23/94

BRUCE E. ABBOTT, Officer, Uniform Division, United States Secret Service (USSS) was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue, NW. This was a follow-up interview conducted at the request of Associate Special Counsel MARK STEIN. Present, and directing questions to Officer ABBOTT was Associate Special Counsel STEIN. Officer ABBOTT, prior to answering any questions, was advised as to the official identity of the interviewing attorney and of the agent present. He also was informed of the nature of this interview by Mr. STEIN. He then provided the following information:

He has been employed by USSS for thirteen years and has been assigned to The White House compound for the last nine years. He currently works different USSS posts within The White House west wing according to USSS personnel needs. He explained that posts within the west wing and in the USSS White House Control Center has historically been assigned by seniority and are currently assigned by seniority and merit. One of the posts where he is often assigned is E-1, the ground level side entrance to the west wing which is most often used by White House staffers to enter or leave the west wing.

On July 21, 1993, he was assigned to post E-1, working the 6:30 am - 3:00 pm shift. He had learned of VINCENT FOSTER's death via a radio news broadcast on his car radio as he was driving to work that morning. Following the USSS "role call" in the Old Executive Office Building at 6:30 am, he reported to post E-1, filling in for another officer who was absent on that day, arriving on post at approximately 6:40-6:45 am. Officer ABBOTT explained that post E-1 is near the west wing elevator and has a view down two ground floor west wing hallways. E-1 is "usually pretty quiet" until approximately 7:00 am when some "secretarial type" White House staffers begin arriving for work.

ABBOTT said he took his post on the morning of July 21 with a "heightened sense of awareness" having just learned of VINCENT FOSTER's death and expecting a potentially eventful day because of a key staffer's alleged suicide.

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"Around 7:00 am" (approximately 6:50-7:15 am) he saw what appeared to him to be an unusual sight. "CRAIG LIVINGSTONE, Director of White House personnel security" and another man whom he had never seen before that morning, got off of the elevator near his post and exited the west wing carrying a briefcase and box(s). He explained that he recognized CRAIG LIVINGSTONE because he had previously seen this individual on The White House compound several times and knew who he was by sight and by title. He said that he also knew LIVINGSTONE, because of his position in "security", was authorized access to the west wing. He heard the motor of the elevator, which is located near his post, running before he saw LIVINGSTONE and the other man exit the elevator. He explained that because the area around E-1 was very quiet at that time he could easily hear the elevator motor running before the elevator stopped and the door opened. He noted that the elevator motor ran for quite some time, longer than it would run for a trip from the first floor to the ground floor. He therefore deduced that the elevator was coming from the second floor where VINCENT FOSTER's office was located. ' CRAIG LIVINGSTONE exited the elevator carrying a "dark color leather" satchel type briefcase that he believes to have been brown. He explained that this type of briefcase opened from its top "like a clam shell" rather than like a suitcase. The man with LIVINGSTONE was carrying one or more cardboard boxes with several dark colored looseleaf ring-type binders in the boxes. These binders were visible in that their edges extended above the top of the open box (s). The binders were stacked vertically in the boxes on their edges one next to the other. Because of his heightened sense of awareness and observation following his having learned of FOSTER's death, and knowing that this elevator opened just outside FOSTER's second floor office, he thought that these two men may have been coming from FOSTER's office, although they did not seem to be acting secretly or suspiciously.

ABBOTT described CRAIG LIVINGSTONE's clothing as being "semi casual" and explained that he was wearing a shirt, perhaps a tie, but no suit jacket. He said that the man with LIVINGSTONE was dressed "more casually" with no suit jacket and no tie. He said that LIVINGSTONE had a "somber" look on his face. When asked by Mr. STEIN if he found LIVINGSTONE's dress to be unusual, he said that he did not in that he had seen LIVINGSTONE dressed similarly on The White House compound on previous occasions. He said that the two men stopped momentarily at the ground floor-door then exited. ABBOTT did not see which way they went once they exited the west wing nor did he see if they entered a car

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parked nearby.

Responding to questions of Mr. STEIN, ABBOTT said that while he was not "100 percent sure" that the man he saw carrying the briefcase from the west wing was CRAIG LIVINGSTONE, he was "75 to 80 percent sure". He added that he saw this same man, whom he believed to be CRAIG LIVINGSTONE, later that same morning near DAVID WATKINS' office on the ground floor of The White House west wing dressed in the same manner as the man he had seen at approximately 7:00 am that morning. He added that he has no reason to believe that this man was not CRAIG LIVINGSTONE. He said that LIVINGSTONE has a "somewhat distinctive look" with a "large round face" and large build. ABBOTT further advised that he was sure enough that this man was CRAIG LIVINGSTONE to have identified him by name when he (ABBOTT) reported what he had seen to his USSS superior later on the morning of July 21. He explained that he advised USSS Inspector DENNIS MARTIN in a "one-on-one conversation" at approximately 10:00 am of the two men he had observed carrying articles out of The White House. When asked by Mr. STEIN why he advised Inspector MARTIN, ABBOTT said he found this incident to be potentially significant in view of FOSTER's recent death because he believed the articles being carried out of The White House by these two men "could have" or "may have" been from FOSTER's office.

When Mr. ABBOTT was asked by Mr. STEIN to describe the man with CRAIG LIVINGSTONE he said that he was "not particularly focused" on this man because he clearly recognized CRAIG LIVINGSTONE and, knowing LIVINGSTONE's position in "White House Personnel Security", he knew that he (LIVINGSTONE) was authorized access to The White House west wing. He therefore assumed that anyone with LIVINGSTONE on The White House compound was officially authorized to be there. He added that this man's build and attire were somewhat covered by the box(s) he was carrying. ABBOTT provided the following information regarding the man he saw with LIVINGSTONE:

Sex:	Male
Race:	Caucasian
Age:	21-25 years
Hair:	Dark brown or black
Height:	Approximately 6 feet
Build:	Medium
Other Information:	"Young looking" and wore no eyeglasses

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Responding to a specific question by Mr. STEIN, ABBOTT said that he did not know who TOM CASTLETON was and that he had never heard the name.

Officer ABBOTT was shown 212 color photographs of male White House staffers previously provided to the Office of the Special Counsel by The White House. Officer ABBOTT carefully looked at each of these photographs and provided the following observations:

He identified a photograph of DAVID CRAIG LIVINGSTONE as being CRAIG LIVINGSTONE and said the man depicted in this photograph is the man he saw carrying a brown leather briefcase out of The White House west wing at approximately 7:00 am on July 21, 1993. Officer ABBOTT, after viewing all of the photographs, was unable to identify any of the men depicted in these photographs as being the man he saw with CRAIG LIVINGSTONE on the morning of 7/21/93 carrying a box or boxes out of The White House west wing.

The following descriptive data regarding Officer ABBOTT was obtained through observation and interview:

Name:	BRUCE EDWARD ABBOTT
DOB:	FOIA(b)(6) FOIA(b)(7) - (C)
POB:	
SSAN:	
Height:	5'10"
Weight:	185 lbs.
Home address:	5 Griffin Court Fredricksburg, VA 22407
Home telephone number:	703-786-6280
Work telephone number:	202-395-2020

In response to a question from Associate Special Counsel STEIN, Officer ABBOTT said that he wants what he has told Special Counsel personnel during his interviews to be held in confidence.

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 10/20/94

BRUCE E. ABBOTT, Officer, Uniform Division, United States Secret Service (USSS) was re-interviewed at the Office of the Special Counsel, 1001 Pennsylvania Avenue, NW. Officer ABBOTT was informed of the identity of Special Agent WILLIAM E. COLOMBELL and advised that the purpose of the re-interview was to clarify information that was previously provided by him. Mr. MARK STEIN, an attorney with the Independent Counsel's office was also present and participated in portions of this re-interview.

Officer ABBOTT stated that he feels certain that it was Mr. CRAIG LIVINGSTONE who he observed on the morning of July 21, 1993 exiting from the West Wing elevator, basement level of The White House and passing directly by him at post E-1. He also feels certain that LIVINGSTONE was carrying a satchel type leather briefcase, dark in color. Another unknown white male did exit the elevator with LIVINGSTONE and was carrying some type of a box. Both men exited the basement area of The White House together, in a manner that led him to believe that they were both involved in carrying out a related responsibility or job. He added that he can't recall whether they were conversing and pointed out that it is possible that they just happened to be on the same elevator at the same time and each was about his own business but that was not his impression.

ABBOTT advised that in prior interviews, he believed he stated that it was his impression they had come from the second floor West Wing of The White House. He advised that on reconsideration, he really can't say this and any observation to that affect would have been based only on the fact that as best he recalls the elevator had run for a longer period of time before it reached the basement level, thus suggesting to him that the elevator had come from the second floor.

ABBOTT was informed that in prior interviews he had stated that his observations of LIVINGSTONE in the basement level West Wing occurred "around 7:00 am" (approximately 6:50-7:15 am). He was asked if he could further elaborate concerning the time frame of his observations. He stated that to the best of his

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by SSA WILLIAM E. COLOMBELL Date dictated 10/18/94

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recollection, his observations of LIVINGSTONE and the second unknown male occurred shortly after he came on duty at station E1; that would have been at approximately 6:45-7:15 am. He went on to state that it is possible that his observations could have been as late as 8:30 am that morning.

ABBOTT stated that to the best of his recollection, the only individual that he spoke to regarding his observations was Inspector DENNIS MARTIN of the U.S. Secret Service, Uniform Division. He feels certain that he did not make his observation known to anyone other than Inspector MARTIN and has no recollection whatsoever of discussing these matters with any member of the U.S. Park Police.

Mr. ABBOTT was asked if, since his prior interviews, there was anyone else he could think of (either USSS personnel or White House staffer) who might have also observed LIVINGSTONE that morning. He could not think of anyone.

At the conclusion of the re-interview, Mr. ABBOTT was shown the briefcase of VINCENT FOSTER and asked if it resembled or was identical to the briefcase being carried by Mr. LIVINGSTONE on the morning of July 21, 1993. He stated that the briefcase shown to him did not resemble the briefcase that was being carried by Mr. LIVINGSTONE.

The re-interview concluded with Mr. ABBOTT being shown a number of photos of male White House interns who were working at The White House as of July 21, 1993 (total of 50 separate photographs). He was asked to review these photographs and was unable to identify any one of them as resembling or being identical to the person he saw with CRAIG LIVINGSTONE.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/12/94

Roger C. Adams, Counsel to the Deputy Attorney General, appeared at the Office of the Independent Counsel, Washington, D.C. as scheduled at 11:15 a.m. for interview. Mr. Adams was advised of the identity of the interviewing agents and that the interview was in connection with the events associated with the inventory of Vincent Foster's White House office after Foster's death on July 20, 1993. The agents were also assisted in this interview by Carl Stich, Assistant to Independent Counsel, Robert B. Fiske, Jr. Mr. Adams provided the following information:

Adams said he had some notes regarding this issue that he would be referring to during the interview. Those notes were subsequently provided to the interviewers. Adams first heard of Vincent Foster's death on the morning of July 21, 1993 on the radio. Later that morning, following a staff meeting in the Deputy's office which ended around 10:15 a.m., Phillip Heyman, the Deputy Attorney General, pulled him aside and asked him to be on standby to meet with the U.S. Park Police regarding a search of Vincent Foster's White House office. He was told that he would be tasked with determining privilege issues, both executive and attorney-client, for documents found in the Foster office.

Adams advised that he had been on detail assignment to the White House Counsel office during the period February 1, 1993 through April 25, 1993. His office was located in the old Executive Office Building, where most White House Associate Counsel offices are located (other than those of Nussbaum and Foster). Adams' job on this detail was to assist in the vetting process with ethics review for White House nominees. Adams was familiar with financial disclosure matters and government conflict of interest rules. He was interviewed by Webb Hubbell for this position. He reported directly to Bill Kennedy and Beth Nolan of the White House staff. He was not involved with Vincent Foster while on this detail.

Adams advised that to the best of his knowledge he had seen or met Vincent Foster on three occasions. The first occasion was on February 1, 1993, his first day on the job to the

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 by SA H. Alexis Suggs
SA William T. Guyton Date dictated 4/11/94

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detail to the White House Counsel office. He saw Foster in passing sometime between 1:00 and 2:00 p.m., and introduced himself to Foster. He noted Foster's reaction was that of someone meeting a career employee. Foster looked up and was startled and vacant and a bit hesitant to say hello; it was not a warm meeting. The second occasion was at a birthday party for White House Counsel Nussbaum in Nussbaum's office. He saw Vincent Foster across the room at this party. However, Foster didn't make an effort to say hello to Adams on this occasion. Foster did not mix with guests and "work the room" like Nussbaum did. The third occasion was not actually a meeting but merely being in Foster's presence. It occurred at the end of his detail to the White House at a gathering for taking photographs. He explained that he and others assigned to the detail to the White House were with Nussbaum, Kennedy and others for a photo session of five to ten minutes in Nussbaum's office. Even though Foster's office is adjacent to Nussbaum's, Foster did not come out of his office to thank the group, but rather continued his work in his office, thus verifying to Adams stories of Foster's intense nature.

Adams mentioned this detail assignment to the White House to Heyman when he asked him to participate in the Foster office search. They agreed that it probably didn't constitute a conflict of interest; however, it was perhaps a perception problem. Heyman said that he would check with the Attorney General. At approximately 2:00 p.m., Adams received a phone call from the Attorney General regarding a proposed meeting for Adams with Charles Hume from the U.S. Park Police at the White House for the search of Foster's office. Adams again explained the perception problem to the Attorney General, as he wasn't sure that the Attorney General and Heyman had had a chance to speak concerning this situation. The Attorney General advised that she would talk with Heyman. Adams was subsequently advised that it would be okay to go to the White House and that David Margolis, a career employee of the Department of Justice (DOJ), would also attend. Adams noted that it was typical DOJ practice to have more than one individual go to meetings on significant issues and he did not think otherwise in this case.

Adams advised that he understood the purpose of DOJ representation at the search was to determine privilege of documents, both attorney-client and Presidential. It was believed the White House would accept DOJ opinion regarding this

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privilege over that of the U.S. Park Police. Adams did not know if the White House had requested DOJ assistance or if DOJ had taken the initiative to participate. Generally speaking, Heyman was sending one of his people, Adams did not question his motivation.

Wednesday Meeting, 7/21/93 at Nussbaum's Office:

At approximately 4:30-5:00 p.m., Margolis and Adams met in Nussbaum's office with the following individuals: Detective Pete Markland and Charles W. Hume, U.S. Park Police; FBI Special Agents Scott M. Salter and John K. Danna; Assistant Special Agent In Charge (ASAIC) Donald A. Flynn, U.S. Secret Service; Cliff Sloan, Steven Neuwirth and Bernie Nussbaum, White House Counsel's office. The main purpose of this meeting was to set the ground rules for the search of Vincent Foster's office. The search would be conducted to locate any material or items which would help determine if Foster's death was a homicide or a suicide, i.e., a suicide note. It was agreed that because of the lateness of the day, the actual search would not be conducted until the next morning, Thursday, July 22, 1993.

The procedure agreed to was that Margolis and Adams would look at each document. Adams noted that there was an extremely clear understanding that he and Margolis would review the documents. He said he knew this because at one point Neuwirth said that Nussbaum would look at the documents and decide and Nussbaum responded, "No, no. The Department of Justice will look." Also, Margolis had clearly said "this is what we're going to do" referring to the earlier comment that they would review each document. Earlier in Heyman's office, Margolis had discussed this process with Heyman.

A U.S. Secret Service agent had been posted at the door of the Foster office and it was agreed that to relieve this individual, a special lock would be placed on the door. Only one key would be available for this lock.

Also at this meeting, Nussbaum mentioned that on Tuesday evening, July 20, 1993, he did a quick search of the top of the desk in Foster's office, looking for a suicide note. He also indicated that other people had "straightened up the top of the desk" the morning of July 21, 1993. Nussbaum said that he did not take anything out of the office. He added he saw a

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maintenance employee take a wastebasket out of the office and had ordered him to return this trash which was then placed back into the office in a plastic bag.

It was agreed that they would meet the following morning at 10:00 a.m. to conduct the search of Foster's office.

Adams and Margolis left the White House after the July 21st meeting and returned to DOJ where Margolis briefed Heyman regarding the results of this July 21, 1993 meeting. Margolis and Adams also chatted with others in Margolis' office regarding the procedure agreed to. These individuals included Rod Rosenstein and Cyndi Monaco. All were satisfied with the procedure as established.

10:00 a.m. Meeting with Nussbaum, July 22, 1993:

Upon arriving in Nussbaum's office on July 22, 1993 at approximately 10:00 a.m., Nussbaum announced to Margolis and Adams that he (Nussbaum) changed his mind regarding the procedures to be followed for the search. Neuwirth may also have been present for this change of plans announcement. Nussbaum said that he would look at the documents found in Foster's office and determine their relevancy. Adams and Margolis argued with Nussbaum regarding the change and said that under the new procedure we will look very bad and that the change was a huge mistake. The original process had been established to insure that objective people would determine privileged documents. Margolis and Adams had a reputation of not talking with the press and for this reason had been selected for this assignment. Nussbaum listened to the arguments. Margolis then said he was going to call Heyman, and did so. He then handed the phone to Nussbaum, who did more listening than talking during his conversation with Heyman. Adams later learned that Heyman had told Nussbaum that he was making a mistake. Margolis had indicated that it was a White House mistake and would look bad for them versus a Department of Justice problem. At the end of the Nussbaum conversation with Heyman, Nussbaum indicated that he would get back to Heyman. Adams and Margolis were asked to wait.

Margolis, being a smoker, spent much of the time waiting with Adams outside and in the lobby. Nussbaum came down at one point during the delay and said they should be sure not to leave. Margolis and Adams also received word that they could

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leave for lunch and did so to the Old Executive Office Building cafeteria. Thereafter, Nussbaum called them into his office. Adams noted that he felt the arguments were getting through to Nussbaum and that he appeared to be listening. The delay lasted approximately two to two and a half hours. Adams speculated that part of the delay was consultation with Neuwirth, but that part of it could also have been with the President and/or First Lady. He didn't know of anyone else who would keep the White House Counsel waiting for such a long period of time.

Search of Vincent Foster's Office, July 22, 1993:

The search of Vincent Foster's office actually began at 2:00 or 2:15 p.m., July 22, 1993, and lasted for an hour or an hour and ten minutes. The search was conducted by Nussbaum picking up items or folders and announcing that "this is privileged" or that it was something that Foster was working on with other White House counsel. Adams did not remember Nussbaum distinguishing between attorney-client and Presidential privilege.

The briefcase found in the office was described by Adams as being old and brown. It was down behind Foster's desk and a question arose whether Foster carried it back and forth to work or not. Nobody seemed to know the answer to this question. Nussbaum pulled several documents from the briefcase but the other participants in the search never got to actually see that the briefcase was empty. Adams did remember that nothing was put back into the briefcase. He also remembered seeing what appeared to be an airline ticket envelope being found in the briefcase. He believed that most of the items found were personal in nature and given to Foster's family attorney.

At this point in the interview, Adams was shown a diagram (attached) of Foster's White House office and asked to locate on it where the various members of the search team were located during the search. He said that he and Margolis were seated directly in front of the desk and to their left was FBI Special Agent Scott Salter. Nussbaum sat in Foster's desk chair behind the desk, flanked on the left by Neuwirth and that Sloan floated around back and forth behind the desk. Another individual by the name of Roy Neal (phonetic) from the Rose Law Firm and assigned with the White House Chief of Staff (McLarty)

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office to deal with property/security of the Foster office. Neal spoke with Nussbaum on one or two occasions during the search and came in and out of the office on several occasions. The Foster family attorney was also "floating." Adams could not remember the whereabouts of the other participants in the search.

Nussbaum searched the desk, credenza and bookcase. Adams could not say if everything had been pulled out of the various drawers and compartments. Nussbaum was in total control of the search. When asked about this, Adams replied "the judge has ruled." He explained that this was not his first meeting with Nussbaum and that he understood Nussbaum to be aggressive, peppy and a fast talker.

Toward the end of the meeting, someone asked that the computer be turned on. This request was denied by Nussbaum on the grounds that privileged documents could be seen and secondly that he didn't think Foster used the computer very much and therefore wasn't going to turn it on.

Adams also remembers thinking at the time that there were various drawers in tables in the office which hadn't been looked in but he didn't think he would be effective by asking for a search of these drawers at that point in the meeting. Adams clarified that in looking for a note regarding Vincent Foster's death, they would be looking for anything that would shed light on the matter, to include scandal or threat information. It was an unspoken assumption that Nussbaum would show the Department of Justice people and investigators anything related to Foster's death. Adams said that he was not sure he would have recognized the names Madison or Whitewater at the time of the search.

Adams indicated that approximately four to five boxes of material were located during the search. They were divided into piles consisting of counsel work, which would have to be "divvied up" among other White House Counsel attorneys and personal papers of Vincent Foster, which would be given to the Foster family attorney (consisted of less than one box), and that very little, if anything, was given to the U.S. Park Police. Adams did not personally review any of the documents.

No other locations outside Vincent Foster's office were searched. The plastic bag of trash replaced into Foster's office was looked at by Nussbaum, but Adams doesn't remember if anything

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was taken out of this bag. Adams does not remember any phone or mail logs being located. With respect to incoming and outgoing mail, he said that Nussbaum reviewed documents on top of the desk at the beginning of the search and would have included any such items at that time.

Adams described the demeanor of the U.S. Park Police and FBI as "not happy." They didn't say anything to Nussbaum, but had indicated to him that they didn't like the delay in the search. They were taking their lead from Margolis. Adams said that at one point during the search, FBI Special Agent Salter stood up to stretch and was told or asked by Sloan that "you're not looking at documents, are you?" Salter said that he was not. Asked if this was done in a humorous way, Adams replied that at the time, it was not taken as humor.

Heyman was advised by Margolis of the procedure actually followed in the search. Heyman was not surprised. He had left it that Nussbaum would call him back; however, Adams believed that Nussbaum had not done this. Nussbaum not calling had irritated Heyman, but not surprised him.

Other Information:

On Wednesday, July 28, 1993, at a 1:00 p.m. birthday reception for Adams, Adams remembers Margolis calling him aside to tell him about the finding of a note from Foster in the briefcase. Margolis had a transcription of the note which was ultimately given to Floyd Clarke at the FBI.

At this point in the interview, Adams provided a copy of his notes concerning a meeting with Tom Collier, Chief of Staff for the U.S. Department of Interior's Secretary Babbit on July 29, 1993. These notes detail Collier's concern with the U.S. Park Police investigation of the Foster suicide and White House involvement with same. These notes are attached to this 302.

Adams also noted that Heyman had asked him for a list of what the White House Counsel had done which he or the DOJ didn't like. This list was requested about July 29, 1993, shortly after the meeting with Collier. Copies were given to Heyman and Margolis and Adams kept one for himself. A copy of these notes is also attached to this 302.

LR-35063

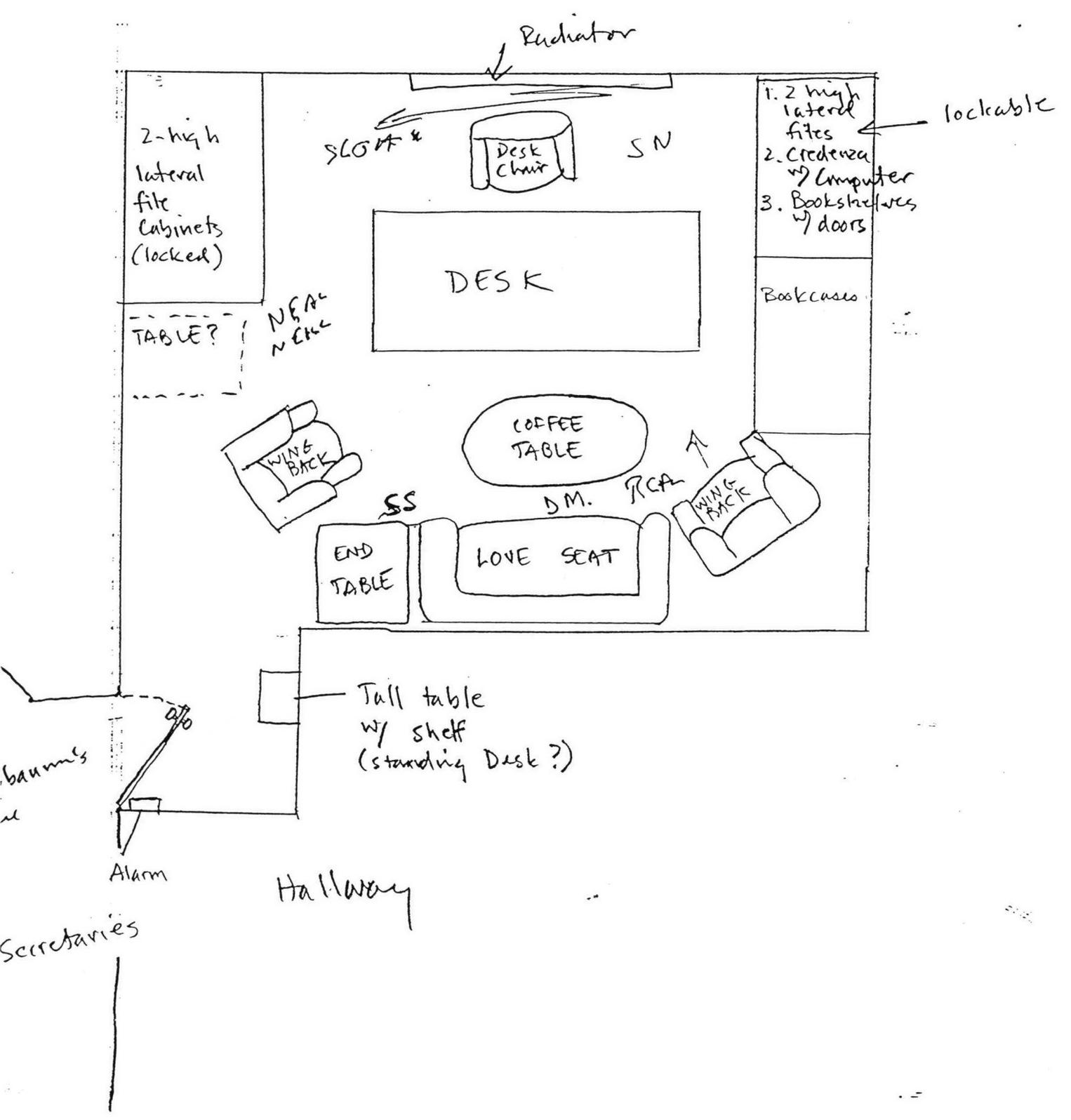
Continuation of FD-302 of Roger C. Adams, On 4/11/94, Page 8

The first paragraph of the notes concerning the July 29, 1993 meeting with Collier describe a meeting held July 21, 1993. Collier did not attend this meeting but was aware of it and was concerned that Rose Law Firm alumni would be primarily interested in protecting Vincent Foster's reputation. They could possibly do this at the expense of the U.S. Park Police and therefore Collier was standing up for his investigators. The White House may have suspected leaks from the U.S. Park Police.

Margolis did not walk out of the search of Foster's office was that they wanted to get as much information as possible. They had been selected by Heyman for this job because of their reputation for being circumspect and not leaking items to the press and "being an individual who would do what I was told."

The following description of Adams was obtained through observation and interview:

Name:	Roger C. Adams
Title:	Counsel to the Deputy Attorney General
Race:	White
Sex:	Male
DOB:	
POB:	
SSAN:	
Address:	9016 Admiral Vernon Terrace Alexandria, Virginia 22309
Phone:	(202) 514-2707 (work) (703) 780-7266 (home)
Employment:	On Detail Assignment from the Criminal Division since May 6, 1993. Total employment at Department of Justice - 22 years.



Meeting with Tom Collier, (208-7351) Chief of Staff for Secretary Babbitt 7/29/93 DM and RCA

Told us of a meeting on Wednesday, July 21 at about 11:00 A.M. to discuss how the investigation would be handled. Present were

David Watkins
Bill Kennedy
Webb Hubbell
James Hamilton
Bernie Nussbaum
Charles Hume, Park Police and probably Pete Markland (a Park Police Detective)

George Stephenopolous, who went in and out and said have the Park Police handle it as it would any other investigation.

This was the first indication David and I had of this meeting.

Next topic was DM and RCA told Collier of the Wednesday meeting where we went over the ground rules for the search the next day

Told Collier of the Meeting between DM, RCA and Nussbaum on Thursday morning at which Bernie said he would examine the documents himself and we would not see them. Told him how we argued with Bernie that that was not a good idea, big mistake, Nussbaum made us wait while he considered the question, and at after 1:00 conducted the search with him and his staff only actually seeing the documents.

Collier called the White House (probably yesterday 7/28

Received calls back from Roy Neill, McClarty's Deputy and BILL Burton (a Rose law firm alumni who may have been present during the office search representing the Chief of Staff's Office. These calls were defensive in tone, said the investigation by the Park Police was done routinely and if a screw up in the investigation it was by the Park Police. It was probably at this point we discussed the brief case. We told Collier there was no way Nussbaum would have let the Park Police see it. "We'd have had to get it by force."

Recommendations by Collier

1. Take investigation away from Park Police and give it to FBI. Park Police can't handle this in his opinion both because they can't handle the high level WH people (then who could) and because they are capable of doing a stabbing in a Nat'l Park but not a case like this (Valid concern???) He said we have a window here to do something before the press forces us to do it with inevitable stories about the investigation being botched up because the note

wasn't found.

2. If we don't do the preceding, do not allow the White House to continue to call this a routine suicide investigation.

3. White House better get its act together to deal with adverse press/public reaction.

His underlying thoughts are that this investigation was controlled by Rose law firm persons who had as their first concern protecting the name and memory of Foster. That is the way the press will play it over the next few weeks. Naturally, this will make the Park Police look bad. He also mentioned that Secretary Babbitt, said to have great political instincts, believes WH Counsel will be in real trouble over this whole investigation and is likely on the way out.

Note found is being pieced together by Park Police lab. Collier has a "suspicion" which he said was not backed by evidence that it may have been torn by someone other than Foster.

In the late afternoon of Wednesday, July 21, we met in the office of White House Counsel Bernard Nussbaum with Mr. Nussbaum, Steve Neuwirth and Cliff Sloan of his staff, and representatives of the FBI and Park Police to go over the ground rules for a search of Mr. Foster's office. All agreed that because of the hour the search would not begin until the next day. At that point the Secret Service had stationed an agent by the door to Mr. Foster's office and a Secret Service agent who was at the meeting announced that a special lock would be placed on the door and that he personally would hold the key to secure it overnight. However, Mr. Nussbaum stated that he had already conducted a quick search of the "top of the desk" the previous evening to see if he could find a note. Moreover, other persons in the Counsel's office had entered the office during early morning business hours. Specifically, Mr. Nussbaum had allowed a secretary to enter the office to "straighten up" the top of the desk, and cleaning personnel had entered to empty a waste basket. Mr. Nussbaum or someone else in the Counsel's Office noticed the basket being removed and had retrieved the contents. They were in a plastic bag in the office.

At the Wednesday meeting there was agreement that the Justice Department attorneys would look at each document or at least each file to determine if it contained privileged material, in which case it would not be examined by the Park Police or FBI. We would not read the documents or make notes, but merely examine them long enough to determine if they were covered by the attorney-client privilege or possibly executive privilege. As an example of the clarity of this agreement, Mr. Neuwirth at one point, apparently trying to summarize it, said that "Bernie would look at each document and determine privilege. If he determined no privilege, it could be shown to the law enforcement officers." He was immediately corrected and Mr. Nussbaum agreed that the Justice Department representatives would see the documents to determine privilege. The next morning, however, Mr. Nussbaum had changed his mind and said he would look at the documents and decide privilege issues himself. The Justice Department attorneys pointed out that that was inconsistent with the previous day's agreement and would cause problems. We stated that the Counsel's Office would be better off to allow the Department attorneys to decide or at least help decide, privilege issues, because that would allow the White House to say that the issue was considered independently. Moreover, we stated that we had been asked to undertake this particular assignment at the White House in part because we had reputations of not talking to the press or "leaking." Mr. Nussbaum did not immediately begin the search but waited for about two and one half hours -- during which time he said he was considering whether to allow us to see the documents -- before deciding that only he and Associate Counsels Neuwirth and Sloan would see the documents.

During the search, Messrs. Nussbaum, Neuwirth, and Sloan stayed behind Mr. Foster's desk and examined documents pulled from the desk, nearby credenzas, and a briefcase. No other persons actually saw the documents. At one point during the search, Mr.

Sloan stated to an FBI agent who was standing: "You're not standing to get a look at the documents are you?" The agent indicated he was not, but sat down. In the particular setting, the remark was (to put it charitably) extremely offensive.

During the search, documents were removed from a briefcase. As with documents taken from the desk and credenzas, Mr. Nussbaum glanced at them quickly and made comments such as "these are privileged, they're things we're working on in the office," or "this has to do with something he was working on for the President," or "this is personal." We were not able to see the briefcase to see exactly what was in it. By the same token, we could not see the drawers to see if all material had been accounted for in them.

We asked to have the computer in Mr. Foster's office turned on. Mr. Nussbaum said he did not know how to do so and, in any event, he would not do so in our presence in case there were privileged documents on the computer. He said he would have a staff member examine the contents of the computer after we left. (Press reports in morning newspapers of that day had stated, without attribution, that no suicide note had been found on his computer.)

The Washington Post subsequently reported on Friday, July 23, that the search by Mr. Nussbaum had been "under the supervision" of Justice Department lawyers. It is extremely likely that the White House provided this characterization of the search.

I am not sure of the exact days involved, but there was a delay of almost 24 hours between the time a note was found torn up in the bottom of the brief case and notification of the Department.

On approximately July 28, 1993, we were informed by Thomas Collier, Chief of Staff to Secretary of the Interior Bruce Babbitt, that he had called the office of David Gergen at the White House to express concern over White House lack of cooperation with the Park Police investigation. He ultimately spoke to two persons, a Mr. Burton, and Roy [Neal] or [Neill], both of whom took a very aggressive tone and stated that any foul-up in the investigation was the fault of the Park Police, not the White House.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/9/94

ROGER C. ADAMS, Counsel to the Deputy Attorney General, U.S. Department of Justice (DOJ), telephone (202) 514-2707 (work), (703) 780-7266 (home), was interviewed at the Office of the Independent Counsel, Washington, D.C. ADAMS was advised of the identity of the interviewing agent and that the interview was a follow-up to his interview with the Office of Independent Counsel on April 12, 1994. CARL STICH, Assistant to Independent Counsel, ROBERT B. FISKE, JR., assisted with the interview. ADAMS provided the following information:

In answer to a question regarding whether he and DAVID MARGOLIS, also from the DOJ, went to the White House on July 21, 1993 with a plan for the search of VINCENT FOSTER's White House office, ADAMS replied he was not sure if PHIL HEYMAN, Deputy Attorney General, DOJ, had talked with BERNARD NUSSBAUM, Chief White House Counsel, at that time regarding the search. In any event, there was quickly an agreement that MARGOLIS and ADAMS would look at the documents found in FOSTER's office. There was no real disagreement about that. ADAMS was clear on this because at one point, STEVE NEUWIRTH, Associate White House Counsel, objected to the DOJ looking at the documents and NUSSBAUM and MARGOLIS both indicated by either saying "no, no" or their body language, that in fact MARGOLIS and ADAMS would be allowed to look at the documents. ADAMS said there was no real "hammering out" of the rules for the search at any meeting he attended on July 21, 1993.

ADAMS was asked if there had been any discussion with the U.S. Park Police (USPP) regarding the DOJ facilitating the USPP relationship with the White House. ADAMS answered that facilitate, yes, in a sense, but mostly though, the DOJ was involved so somebody other than the White House Counsel's office could determine the issue of privilege. ADAMS did not know if this had been clearly articulated to the USPP. He said that he, himself, had not done this. ADAMS said he had had a conversation with Attorney General RENO regarding meeting with CAPTAIN HUME of the USPP and conducting the search of FOSTER's office on July 21, 1993. After this conversation, MARGOLIS joined the team and once

Investigation on 6/8/94 at Washington, D.C. File # 29D-LR-35063

by SA William T. Guyton WTG:deg Date dictated 6/8/94

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Continuation of FD-302 of ROGER C. ADAMS, On 6/8/94, Page 2

at the White House, it then became clear that the search would not be conducted that night as there was not enough time left and the White House Counsel's office staff was tired.

There were discussions regarding the USPP deferring to the DOJ personnel. As an example, ADAMS said he remembered a ride back to the Department and/or when walking with the USPP and talking with them. He couldn't recall the exact substance, but it must have been regarding the circumstances of the search of FOSTER's office.

ADAMS was asked if the Park Police were active participants in dealing with the White House. ADAMS replied that he remembered MARGOLIS and NUSSBAUM doing the talking. ADAMS said that MARGOLIS probably said something to the investigators to the effect that, "This sounds reasonable to me, what do you guys think?" ADAMS couldn't remember MARGOLIS doing exactly this but said that MARGOLIS would "instinctively" make the investigators feel comfortable by saying this type of thing. ADAMS did recall a statement after the search during the ride back to DOJ with the Park Police, wherein MARGOLIS said, "This is not what we agreed to do."

ADAMS said he knew of only one meeting on July 21, 1993 regarding the procedures for the search. He is "reasonably confident" that everyone in the room during that meeting signed the list for attendance at the meeting. ADAMS had previously provided this list.

On July 22, 1993, NUSSBAUM announced at the search that he, and not the DOJ or investigators, was going to look at the documents. ADAMS cannot recall his exact words, but NUSSBAUM made this clear. MARGOLIS then replied something to the effect that, "BERNIE, you're making a big mistake."

ADAMS was asked if there was a clear understanding with the Park Police that they had to ask for documents to be put in the pile for later review. ADAMS replied that during the search, NUSSBAUM would say things such as, "This is privileged; this is stuff he's (FOSTER) working on for the President; this is something personal; etc. Mostly, NUSSBAUM did not indicate the subject matter of the document. He would, however, occasionally identify something as being an airline ticket, etc. ADAMS did not recall any discussion regarding the need for the Park Police

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Continuation of FD-302 of ROGER C. ADAMS, On 6/8/94, Page 3

to speak up regarding the placement of documents in certain piles. He felt there was an understanding that if the Park Police would express an interest in a particular item, that item would be put in the review pile. He did not know if there was an understanding that this pile was subject to further review for privilege. ADAMS did not think that NUSSBAUM was claiming to make an absolute final decision when he called out the placement of any particular document.

ADAMS was asked if he recalled NUSSBAUM refusing any request for document placement. ADAMS answered he did not but that his recollection was not 100%.

ADAMS said that during the search there were plenty of documents the Park Police didn't express an interest in. There were some in which individuals in the room other than NUSSBAUM said would be somehow relevant. There were also some documents that NUSSBAUM deemed relevant. ADAMS said it was probably more along the lines that NUSSBAUM would say, "This is not really relevant, but maybe it is" and then put it in the pile for review.

When asked about the search of the briefcase found in FOSTER's office, ADAMS could not recall whether or not NUSSBAUM actually looked down into the briefcase to be sure it was empty.

ADAMS said it was his understanding that the search of FOSTER's office was more an intention to look at all documents in the office versus a surface scan.

ADAMS said that the term "Whitewater" wouldn't have meant much to him at the time. He would have looked at a Whitewater document at that time more from the standpoint of a blackmail type crime against FOSTER himself, rather than giving it any other meaning.

ADAMS said the USPP was not vociferous in their demands. There was no need for them to be so at the Wednesday (July 21, 1993) meeting, as agreement had been quickly reached. At the search itself on July 22, 1993, the Park Police didn't know about PHIL HEYMAN's contacts with the White House regarding the conduct of the search. It had been agreed that the DOJ would stay for the office search, even under NUSSBAUM's conditions, so that they would get at least a little information rather than

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Continuation of FD-302 of ROGER C. ADAMS, On 6/8/94, Page 4

leave and perhaps get nothing.

ADAMS again stated that there was quick agreement that the Park Police would be in the room during the search of FOSTER's office. He did not recall an original understanding that he and MARGOLIS would initially review the documents in FOSTER's office while the Park Police would conduct interviews of White House personnel.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/26/94

ROGER C. ADAMS, Counsel to the Deputy Attorney General, U.S. Department of Justice, telephone number (202) 514-2707 was telephonically contacted as a follow-up to his previous interviews. After being advised of the identity of the interviewing agent and of the purpose of the interview, ADAMS provided the following information:

He was asked if he ever received a copy of the U.S. Park Police report concerning the death of VINCENT FOSTER, JR., Deputy White House Counsel who died July 20, 1993. ADAMS answered that he had never been given a copy of this U.S. Park Police report and, in fact, had never even seen a copy of the report. He said he had not been given copies or seen any photos in connection with the FOSTER death to include autopsy or death scene photos.

ADAMS was asked if he had any contact with The White House concerning the report or the photos and he answered no.

ADAMS suggested that perhaps DAVID MARGOLIS (Associate Deputy Attorney General, U.S. Department of Justice), could provide additional information concerning the Park Police report and/or photos.

Investigation on 7/25/94 at Washington, D.C. File # 29D-LR-35063
(telephonically)

by SA WILLIAM T. GUYTON Date dictated 7/26/94

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/16/94

Dr. Martin G. Allen, MD, 2121 Wisconsin Avenue, NW, Washington, D.C. (telephone number 333-3833) was telephonically contacted at his office and advised as to the identity of the interviewing agent and informed of the nature of the inquiry. After verifying the identity of the interviewing agent, Dr. Allen agreed to be telephonically interviewed regarding the death of Mr. Vincent Foster. Dr. Allen provided the following information:

Dr. Allen, who is a practicing psychiatrist with offices at 2121 Wisconsin Avenue, NW, Washington, D.C. confirmed the fact that he had previously informed U.S. Park Police (USPP) officials that he did not render any professional services to Mr. Vincent Foster and that Mr. Foster was not scheduled for an appointment with him. He advised that since he does not have a secretarial staff or receptionist and personally handles all appointments, he is convinced that neither Mr. Foster nor any intermediary contacted him for an appointment. He also stated that he had no prior association with Mr. Vincent Foster or any member of his family.

In response to a question regarding how, in his opinion, his name was located in the possession of Mr. Foster after his death, Dr. Allen believes that Dr. Oscar Mann, a Washington, D.C. internist, was the source of this referral. However he was unaware of the identity of the individual who had initially contacted Dr. Mann seeking his assistance for psychiatric services.

Investigation on 5/11/94 at Washington, D.C. File # 29D-LR-35063
(telephonically)

by Lawrence J. Monroe Date dictated 5/12/94

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/18/94

Robert Brian Almasy, Uniform Division, United States Secret Service (USSS), was interviewed at the Office of the Special Counsel, 1001 Pennsylvania NW. Officer Almasy was informed as to the identity of the interviewing agent and informed of the nature of the interview. He then provided the following information:

He has been employed by USSS for almost 10 years and has been assigned to The White House compound that entire time. His regular assignment is to serve as relief for other USSS Uniform Division Officers on posts guarding the two entrances into The White House west wing, post E-1, the ground level post which allows entry off of West Executive Avenue inside The White House compound and post E-4 (west lobby) which allows entry into the west wing from the 1st floor of The White House. He was so employed at the time of Vincent Foster, Jr.'s death on July 20, 1993.

On July 20, he was assigned to work the 2:30 pm - 11:00 pm shift on posts E-1 and E-4. He said that for the most part this was a "normal, routine shift". Officer Almasy said that he first learned of Vincent Foster's death when he received a phone call from USSS Control Center while on post at approximately 10:00 pm. He said that while he cannot recall who telephoned him, he does recall that the Control Center said that they had learned that a White House staffer named Vincent Foster had been found dead (no location given) and was calling him to ask if he knew who Vincent Foster was. He stated that he looked up the name on his list of White House staffers having access to the west wing and found the name Vincent Foster and his title which he gave to the Control Center. He said there was no further discussion or explanation from the Control Center regarding this matter. He said that he did not know Vincent Foster either professionally or personally prior to his death but did know who Vincent Foster was by sight in that he (Foster) often entered or left The White House west wing through entrance E-1.

Officer Almasy stated that during his shift on post E-1

Investigation on 4/18/94 at Washington, D.C. File # 29D-LR-35063 SUB A

by FOIA(b)(7) - (C) Date dictated 4/18/94

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Continuation of FD-302 of Robert Brian Almasy, On 4/18/94, Page 2

and E-4 the evening of July 20 he did observe some White House staffers come and go through these two entrances, although he cannot recall any specifics regarding these individuals. He was specifically asked if he recalled seeing Bernard Nussbaum, Maggie Williams, and/or Patsy Thomasson enter or leave the west wing that evening. He reiterated that he simply could not recall specifically whom he saw enter or leave the west wing that evening. He advised that he went off duty and went home at approximately 11:00 pm.

Officer Almasy stated that he also worked the 2:30 - 11:00 pm shift on July 21 and sat on both posts, E-1 and E-4, that evening. He said that during the early evening, approximately 5-5:30 pm, USSS Inspector Dennis Martin came to him on post and said that a temporary post was being established outside Vincent Foster's west wing office. Officer Almasy reported to this new post at approximately 6:30-7:00 pm where he relieved USSS Officer Brent Chenery. Officer Almasy stated that no one entered or placed anything in Vincent Foster's office while he was on duty there. He advised, however, that while he was at this post there were "secretaries" as well as Bernard Nussbaum standing near the door and engaged in conversation. He advised that while he cannot recall many specifics of these conversations, he does recall that they were discussing attending Foster's funeral in Arkansas.

Officer Almasy stated that at approximately 7:45-8:00 pm a USSS Assistant Special Agent in Charge (perhaps Don Flynn), a locksmith, and a USSS Technical Security Division employee arrived at the door for the purpose of installing a lock. Almasy said that he did not see the lock installed because shortly after this group arrived, he was dismissed from this post at approximately 8:00 pm by the Assistant Special Agent in Charge present. Almasy returned to post E-4 in the west wing lobby where he was on duty until 11:00 pm at which time he left and went home.

Officer Almasy advised that his office is located at 1310 L Street NW and his telephone number is 202-395-2020.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/14/94

MARI L. ANDERSON, Staff Assistant in The White House Office of Personnel Security, telephone (202) 456-2345 was interviewed at the Office of the Independent Counsel in Washington, D.C. Also present was SSA WILLIAM T. GUYTON and Independent Counsel attorney MARK STEIN. After being advised of the identity of the interviewing agents and MARK STEIN and the nature and purpose of the interview, ANDERSON provided the following information:

ANDERSON advised that she was the staff assistant working directly under CRAIG LIVINGSTONE in The White House Office of Personnel Security on July 20, 1993. ANDERSON described the Office of White House Personnel Security as an informal office. She said that she was the only paid employee who was not leaving soon. The rest of the people working in the office were either soon to retire or were interns. She described her relationship between herself and CRAIG LIVINGSTONE as definitely one of supervisor to subordinate and said that they did not operate as a team.

ANDERSON advised that on July 21, 1993 she arrived to work at 9:00 am. LIVINGSTONE had been there early in the morning and recalls his telling her that he had been up really late the night before and had to be in really early that morning. She recalled 7 or 8:00 in the morning as his arrival time at The White House. She cannot recall whether it was 7:00 or 8:00 or whether he said "7 or 8:00". ANDERSON advised that she felt very strongly that LIVINGSTONE would have told her if he had gone anywhere but directly to The White House that morning. He would generally explain what he had been doing in order to justify whether or not he was feeling well or wanted to be bothered. She said that he looked terrible that morning and after a while wanted to sit quietly without interruption. It was a normal course of their business relationship that she would "run interference" and so he would explain to her what he had all been doing. He told her that he had been at the FOSTER's residence the previous night, that he had identified the body of VINCE FOSTER, JR. and he did not mention anything about being at the

Investigation on 7/11/94 at Washington, D.C. File # 29D-LR-35063

by SSA H. ALEXIS SUGGS Date dictated 7/12/94

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Continuation of FD-302 of MARI L. ANDERSON, On 7/11/94, Page 2

FOSTER residence earlier the morning of July 21.

With regard to a memorandum entitled "REPORT FROM CRAIG LIVINGSTONE" dated July 21, 1993, comprised of approximately one and a half pages of typed written paragraphs which purport to chronicle LIVINGSTONE's activities on July 20 and 21, ANDERSON knows that she did not type this document. Having been shown a copy of it, she said that it looked familiar but she can not say whether it is familiar to her from having seen it in July of 1993 or from her recent exposure to the memorandum. She went on to explain that she has searched for this document three separate occasions with no success.

The first occasion was in March 1994 when the Office of the Independent Counsel served The White House with a general subpoena for documents. At that time, the Office of Personnel Security was searched for all documents thought to be responsive to the subpoena. She does not recall seeing it at that time. The second incident was at a request by LIVINGSTONE to her personally to search the office for anything that had FOSTER's name on it or related to his death and papers. ANDERSON said that at that time, she went through every file folder, every drawer, every disk and the hard drive in the office searching for anything that fit that description. She said that she did this the week of May 16, 1994. She said that LIVINGSTONE said that he remembered there was a memo that talked about what had happened that day that he had written. It did not ring a bell with her at the time and she never found anything like that. Based on her extensive search of the office for that memo specifically at that time she does not believe that the memo was done anywhere in The White House Office of Personnel Security. The third time that she searched again for the memo was approximately two weeks after the second search (some time the beginning of June 1994.) when LIVINGSTONE again asked her to double check. It was at that time that LIVINGSTONE showed ANDERSON a copy of the memo that was also shown to her by writer. At that time LIVINGSTONE also showed her some handwritten notes that he had.

ANDERSON said that LIVINGSTONE could type but not very well and has only received a computer for his desk within the last month. ANDERSON said that she does not recall LIVINGSTONE saying that he was going to do a chronology that day but she remembers there was general talk about the chronology of what had happened among individuals in the office.

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Continuation of FD-302 of MARI L. ANDERSON, On 7/11/94, Page 3

ANDERSON said that she does not recall any movement of materials in the day (and days) after VINCE FOSTER's death. She explained that LIVINGSTONE does not move material for people. She said that he does not consider it his job or the Office of Personnel Security's job to do such tasks. There are also security considerations that he has articulated, in that one can be moving materials that one doesn't know what they are from one area of The White House into another that may not be appropriate for security reasons. She said that there was also a little bit of "pompousness" in his attitude that he won't move boxes. She said that she knew of nobody in The White House that he would not say "no" to if they asked him to move something. And when asked if there was anybody in The White House that he felt so loyal to he would not want to say "no" to, she said that he was particularly loyal in a "corny" sort of fashion to the First Family, implying that the President and First Lady might be exceptions.

ANDERSON advised that she knows of nothing moved the night of July 20 or in the several days thereafter either from The White House or from the Counsel's office. She was not able to speculate whether or not the Counsel's office would have been able to tell LIVINGSTONE to move something but commented that the Counsel's office was the direct supervisory entity of the Office of Personnel Security. With regard to black binders, ANDERSON commented that they are throughout The White House.

ANDERSON said that she does not know where LIVINGSTONE was between his time of arrival at The White House the morning of July 21 (sometime between 7 and 8:00 am) and when she first saw him that morning (sometime between 10 and 11:00 am). She assumed he was somewhere in the Counsel office but he could of been anywhere. She advised that LIVINGSTONE parks on the eclipse right in the very front spot. The Secret Service lets him park there because they like him. She further opined that the morning of July 21, LIVINGSTONE "looked horrid". It was a fairly quiet day and she remembers that he did sit quietly at his desk working on something in the afternoon but she doesn't know what and she couldn't remember when. ANDERSON usually left for the day between 6:30 and 7:00 pm. She could not recall when LIVINGSTONE left that day.

ANDERSON speculated that, from what she observed of LIVINGSTONE and the other subordinates in the Office of Personnel Security, LIVINGSTONE would be likely to task LUIS COLON, LISA

2. LR-35063

Continuation of FD-302 of MARI L. ANDERSON, On 7/11/94, Page 4

WETZL, and MELISSA EVANTASH, in that order of preference, for small tasks such as typing a memo for him or doing an errand. She advised that COLON was used a lot to run errands and do physical things and that he arrived to work at 9:00 to 9:30 on July 21, 1993 as he usually did.

ANDERSON said that people can only move freely and unescorted between the OEOB and The White House if they have a "hard" pass. She said the only interns she knew of who are present in the early morning hours (prior to 6am) are those who prepare the press clippings and they are restricted to their office space in the OEOB.

During the interview ANDERSON provided the following information about herself:

DOB:
POB:
SSAN:

FOIA(b)(6)
FOIA(b)(7) - (C)

Home Address:

2727 29th Street, NW Apt. 236
Washington, D.C. 20008

Home Phone:

(202) 667-1923

Position:

Staff Assistant, White House
Office of Personnel Security

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 10/18/94

MARI LYNN ANDERSON was interviewed in the offices of the Office of the Independent Counsel (OIC), 1001 Pennsylvania Avenue, N.W., Suite 490 North, Washington, D.C. Assistant Counsel BRETT M. KAVANAUGH, OIC, participated in the interview of ANDERSON. After being advised of the official identities of the interviewing agents and the nature of the interview, ANDERSON provided the following information:

After she graduated from the University of Georgia in 1991, ANDERSON went to work in the office of presidential candidate AL GORE in Little Rock, Arkansas. During August 1992, ANDERSON was a volunteer in Mr. GORE's office but did not travel with the campaign. From September 1992 through November 4 or 5, 1992, ANDERSON worked with LAURA SPINING and ROY NEEL of Mr. GORE's staff handling correspondence and archiving of materials.

ANDERSON came to Washington D.C. in November 1992 and began working for the inaugural committee organizing the ceremonies and balls held in conjunction with the inauguration of President BILL CLINTON. ANDERSON was working at the inaugural committee when she was offered a position in the White House Office of Personnel Security (WHOPS) by CRAIG LIVINGSTONE. ANDERSON accepted LIVINGSTONE's offer and she began working at the WHOPS on February 17, 1993. LIVINGSTONE was personally responsible for hiring ANDERSON for her position at the WHOPS.

ANDERSON had met LIVINGSTONE for the first time when she was still in college and was working at the Democratic National Convention in Atlanta, Georgia in 1988. ANDERSON had an internship which enabled her to work at the convention, and she worked with LIVINGSTONE for approximately two weeks at that time. LIVINGSTONE prefers to fill positions on his staff with former interns or other people who have worked for him in the past.

NANCY GEMMELL previously held the staff assistant position which is currently held by ANDERSON. GEMMELL was a career employee at the White House and had been serving there since the administration of President LYNDON JOHNSON. She was

Investigation on 9/30/94 at Washington, D.C. File # OIC-35063

by SAs WILLIAM E. COLOMBELL and RUSSELL T. BRANSFORD ^P _{RTB:rtb} Date dictated 10/3/94

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Continuation of OIC-302 of MARI LYNN ANDERSON, On 9/30/94, Page 2

allowed to remain in her position until she retired from federal service in mid-1993.

On July 21, 1993, ANDERSON arrived for work at approximately 9:00 a.m., and GEMMELL was already at work in the WHOPS office. GEMMELL typically arrived at work by 8:30 a.m. at the latest. Several interns, including LISA WETZL, MELISSA EVANTASH, LUIS COLON, and ANTHONY AOUDE, were also at work in the WHOPS office that day. During a conversation that morning, GEMMELL told ANDERSON that LIVINGSTONE had been at the White House very early that morning or had called into the office very early that morning. GEMMELL asked ANDERSON to tell the interns working in the WHOPS about the suicide of Deputy White House Counsel VINCENT W. FOSTER, Jr. the preceding night, and she instructed ANDERSON to refer all calls about FOSTER's death to other offices at the White House. When GEMMELL told ANDERSON about FOSTER's death, GEMMELL mentioned that LIVINGSTONE had gone out the preceding night to identify FOSTER's body and had been up late.

ANDERSON does not know if GEMMELL saw LIVINGSTONE in the office earlier in the morning of July 21 or if LIVINGSTONE had only called in to the WHOPS office. ANDERSON does not know with certainty what time GEMMELL arrived at the WHOPS office that morning. GEMMELL usually drove to work with her husband BILL, who was employed in the calligraphy section at the White House.

The first time ANDERSON saw LIVINGSTONE on July 21, 1993 was at approximately 10:00 a.m. in the WHOPS office. ANDERSON had not observed LIVINGSTONE when he actually entered the office. ANDERSON recalls LIVINGSTONE saying that he had been at the White House complex at approximately 7:00 a.m. on July 21, 1993. Her recollection of LIVINGSTONE's remark in this regard stems from a conversation they had that same date. ANDERSON believes there is a sixty percent chance that she is correct in recalling that LIVINGSTONE told her that he had been at the White House complex early on July 21, 1993.

During a subsequent conversation that morning, LIVINGSTONE told ANDERSON that he had gone to a hospital to identify FOSTER's body. LIVINGSTONE also mentioned that he had gone to the FOSTER residence in order to deal with an entourage of media people.

Later on July 21, 1993, LIVINGSTONE told ANDERSON that

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he wanted her to begin wearing a pager due to the difficulty he had experienced in attempting to locate her the previous evening following the death of FOSTER. LIVINGSTONE said he had wanted ANDERSON to go to the FOSTER residence the night of July 20 to screen off members of the media, but LIVINGSTONE had been unable to contact ANDERSON because she was not at home that evening. LIVINGSTONE did not make any similar statements about having wanted ANDERSON to go to the FOSTER residence the morning of July 21, 1993. ANDERSON's roommate at that time told ANDERSON that LIVINGSTONE had not conveyed any sense of urgency when he called ANDERSON's residence the night of July 20, 1993.

After LIVINGSTONE had retained his attorneys and was attempting to reconstruct his activities on July 21, 1993, he asked ANDERSON if she remembered what he had done that day. ANDERSON told him that she remembered him saying that he had been at the White House at 7:00 that morning. LIVINGSTONE did not attempt to change or correct ANDERSON's recollection since it was apparent to ANDERSON that LIVINGSTONE did not know himself what time he had arrived at work that morning. ANDERSON does not recall what LIVINGSTONE said he had been doing that morning. ANDERSON does not recall LIVINGSTONE saying anything about being at the FOSTER residence that morning, but she does recall LIVINGSTONE mentioning that he had been at the residence the night before, i.e., July 20, 1993.

During July 1993, the WHOPS was organizationally under the purview of Associate White House Counsel WILLIAM H. KENNEDY III. In March 1994, Associate White House Counsel BETH NOLAN was given responsibility for the WHOPS.

ANDERSON believes that LIVINGSTONE first learned of FOSTER's death when he was contacted by officials of the National Park Service. ANDERSON believes it is traditional for the White House security director to be the individual who goes out to positively identify the bodies of high-ranking White House officials who have died.

KENNEDY frequently called the WHOPS to check on the status of matters being handled by WHOPS personnel. These calls were usually of a routine nature because KENNEDY's position required him to be knowledgeable about the status of background investigations being conducted on members of the White House staff. KENNEDY would usually call about problems or issues which arose in the course of a background investigation.

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Continuation of OIC-302 of MARI LYNN ANDERSON, On 9/30/94, Page 4

LIVINGSTONE had a habit of calling either KENNEDY or NOLAN and telling them that he needed something from them as soon as possible even when a quick response from them was not really necessary.

When LIVINGSTONE first began looking for his memorandum containing a chronology of his activities on and about July 20, 1993, he had no clue who had typed the memorandum and he did not have a copy of it. Due to the amount of effort being expended to locate the memorandum, ANDERSON sensed that the memorandum was a critical area as was the fact that the memorandum could not be found on a disk or hard drive of a computer.

ANDERSON used to type documents for LIVINGSTONE and she believes she would most likely have been the person who would have typed a chronology memorandum for LIVINGSTONE on July 21, 1993. ANDERSON has heard that the original memorandum was found on a computer in the White House Office of Administration, which is located on the ground floor of the West Wing of the White House.

There was a safe in the office of White House Counsel BERNARD NUSSBAUM which his executive assistant, BETSY POND, was sometimes unable to open. On occasion, LIVINGSTONE or TONY MARCECA, who was detailed from the Department of Defense to the WHOPS, would go over to the White House Counsel's Office suite to open the safe.

LIVINGSTONE lives by himself in a one bedroom condominium in Chevy Chase, Maryland and owns an Acura automobile and a Volvo automobile. He has had social relationships with a number of female members of the White House staff as well as with women from outside the government. LIVINGSTONE used to be very good friends with MICHAEL JONES, who has served as a director in a farming and irrigation program at the United States Department of Agriculture since May or June of 1993. However, LIVINGSTONE declined to serve as best man at JONES's wedding, and LIVINGSTONE and JONES no longer have much contact with each other. SARA HADLEY RUSSELL is a friend of LIVINGSTONE and lives directly next door to him. RUSSELL is a consultant who has had a contract with the Small Business Administration (SBA) and another contract with the United States Olympic Committee in Colorado Springs, Colorado. RUSSELL also worked on the California inaugural ball with an individual named JOHN HOYT.

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LIVINGSTONE's telephone number at home formerly was (301) 654-5478. However, LIVINGSTONE told ANDERSON that the press had learned of that number so he had his telephone number changed to a new number which is not known by ANDERSON.

In approximately May or June of 1994, ANDERSON began to have problems with LIVINGSTONE. LIVINGSTONE asked the employees of the WHOPS who had been working there on or about July 20, 1993 to assist him in reconstructing the events of that day. ANDERSON recalls that LIVINGSTONE made this request of the staff shortly after he retained private attorneys to represent him regarding the pending OIC investigation. Specifically, there was friction between ANDERSON and LIVINGSTONE when ANDERSON declined to be interviewed by LIVINGSTONE's attorneys unless her personal attorney could be present during the interview. ANDERSON told LIVINGSTONE that she was not comfortable with a format under which she would be interviewed by attorneys protecting LIVINGSTONE's interests with no one else present to look after ANDERSON's interests.

LIVINGSTONE told ANDERSON that someone had identified him as removing documents from the West Wing, and he said it was very important for him to find out what time he had arrived at work on July 21, 1993. LIVINGSTONE handled the submission of a request to the United States Secret Service for a copy of a computer printout which reflected the time when LIVINGSTONE entered the White House compound on that date.

LISA WETZL may have spoken to LIVINGSTONE's attorneys but ANDERSON is not certain. LIVINGSTONE's attorneys attempted to contact MELISSA EVANTASH, but ANDERSON is not certain if they were successful. ANDERSON was concerned about the attorneys calling EVANTASH because EVANTASH's father had just passed away and there were also problems involving EVANTASH's mother and other people. ANDERSON does not know if the attorneys contacted either LUIS COLON or ANTHONY AOUDE. ANDERSON does not believe any of the staff members of the WHOPS other than she would have refused to speak with LIVINGSTONE's attorneys.

On August 22, 1994, ANDERSON and LIVINGSTONE had a conversation about ANDERSON leaving her employment in the WHOPS. Both ANDERSON and LIVINGSTONE recognized that there had been a tension between them ever since she had declined to speak with his attorneys. When LIVINGSTONE proposed that ANDERSON be prepared to cease her employment at the WHOPS in November 1994,

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Continuation of OIC-302 of MARI LYNN ANDERSON, On 9/30/94, Page 6

ANDERSON suggested that the effective date be moved up to October 1, 1994. The day of this interview (September 30, 1994) is ANDERSON's final day working at the WHOPS through mutual agreement between ANDERSON and LIVINGSTONE. ANDERSON has not been discharged and her departure was mutually agreed upon. ANDERSON will continue to work at the White House as a volunteer in another area.

LIVINGSTONE does not usually write memoranda on events which have occurred. ANDERSON has no knowledge of LIVINGSTONE saying that someone else had instructed him to generate the memorandum in which he provided the chronology of his activities on and about July 20, 1993. LIVINGSTONE recalled that he had written the memorandum because of the nature of the incident.

On July 21, 1993, LIVINGSTONE was "wound tight" all day. LIVINGSTONE received a telephone call in the WHOPS office from someone and then left the office. ANDERSON does not know from whom LIVINGSTONE received the telephone call. LIVINGSTONE spent most of that afternoon outside the office. There were several calls that day from the White House Counsel's Office to the WHOPS, but this number of calls was not unusual given the quantity of work shared by the two offices. ANDERSON spoke to NUSSBAUM's assistant, BETSY POND, once that day, and WILLIAM KENNEDY called the WHOPS once or twice. No inquiries, whether by telephone call or fax, came into the WHOPS that day regarding the death of FOSTER.

Approximately two to three weeks after FOSTER's death, LIVINGSTONE and ANDERSON drove out to the Anacostia section of Washington, D.C. to pick up FOSTER's automobile from an impound lot. LIVINGSTONE drove back to the White House in FOSTER's automobile while ANDERSON drove LIVINGSTONE's car.

LIVINGSTONE's parents live in the Maryland suburbs of Washington, D.C., and he has a brother who is employed at the United States Department of Energy in the Washington, D.C. area.

ANDERSON knows of no employees who work in offices near or adjacent to the WHOPS, who arrive at work very early, and who might have been in a position to observe LIVINGSTONE's activities on July 21, 1993. Because the doors to offices in the Old Executive Office Building, including the WHOPS, are usually kept closed, it is generally not possible for passersby in the hallway or staff members in other offices to know with certainty which

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Continuation of OIC-302 of MARI LYNN ANDERSON, On 9/30/94, Page 7

WHOPS staff members are in the WHOPS at any given time.

No one coached ANDERSON prior to her interview by OIC investigators. LIVINGSTONE knew that OIC investigators had been attempting to reach ANDERSON because he became aware of telephone messages left for ANDERSON at the WHOPS. After ANDERSON was first interviewed by OIC investigators, LIVINGSTONE asked ANDERSON what had been discussed, but ANDERSON declined to tell LIVINGSTONE anything about her interview. LIVINGSTONE indicated to ANDERSON that he believes he is being made a scapegoat or that someone on the White House staff is out to get him.

When asked for her personal opinion as to whether LIVINGSTONE was involved in the movement of documents on July 21, 1993, ANDERSON responded that she has a gut feeling that LIVINGSTONE may have moved documents.

Nobody with whom ANDERSON is familiar at the White House knows how LIVINGSTONE got his job at the WHOPS. ANDERSON believes that LIVINGSTONE could not get a position with the presidential campaign because he had been blackballed, but ANDERSON does not know who may have been responsible for the blackball. LIVINGSTONE performed some advance work for Vice President GORE, but LIVINGSTONE was not part of the first-line campaign staff.

There were three telephone lines in the WHOPS in July 1993 with the following numbers: (202) 456-2345, (202) 456-2346 and (202) 456-2849. LIVINGSTONE described telephone number (202) 456-2849 as his private line when he provided the number to people, but this number was actually just another number for the WHOPS. LIVINGSTONE had a secure telephone on his desk which he used for many of his calls. LIVINGSTONE had this secure telephone moved to his desk from its former location in the vault. LIVINGSTONE's older model secure telephone has been replaced by a newer model.

EDGAR BUENO was a paralegal who formerly worked with WILLIAM KENNEDY and BETH NOLAN in the White House Counsel's Office. BUENO was primarily a paralegal working for KENNEDY, but he also worked for NOLAN and FOSTER. BUENO is currently a law student at the George Washington University National Law Center in Washington, D.C.

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Continuation of OIC-302 of MARI LYNN ANDERSON, On 9/30/94, Page 8

ANDERSON knows of no one who can advise whether LIVINGSTONE was at the Old Executive Office Building early in the morning of July 21, 1993.

ANTHONY MARCECA, who was the individual detailed to the White House from the Department of Defense, arrived at the WHOPS in August 1993 and worked there through February 1994.

When asked to identify any persons who may have helped LIVINGSTONE move boxes on the morning of July 21, 1993 based on either their roles at the White House or their relationships with LIVINGSTONE, ANDERSON furnished the names of LUIS COLON, ANTHONY AOUDE, and TOM CASTLETON.

Based on observation and interview, ANDERSON is described as follows:

Name:	MARI LYNN ANDERSON
Sex:	Female
Race:	White
Date of Birth:	<div style="border: 1px solid black; padding: 2px; display: inline-block;"> FOIA(b)(6) FOIA(b)(7) - (C) </div>
Place of Birth:	
Social Security	
Account Number:	
Address:	2727 29th Street, N.W. Apartment 236 Washington, D.C.
Home telephone:	(202) 667-1923

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/12/94

BERYL FRANKLIN ANTHONY, JR., former U.S. Representative, Fourth District, Arkansas, was interviewed regarding events surrounding the death of VINCENT W. FOSTER, JR. FOSTER was the former Deputy Counsel to the President, The White House, Washington, D.C. (WDC). ANTHONY was interviewed in the presence of his attorney, JAMES HAMILTON of the law firm of Swidler & Berlin, 3000 K Street, N.W., WDC. Also participating in the interview was Mark Stein, Attorney, Office of the Independent Counsel (OIC). The interview was conducted at the Office of the Independent Counsel, 1001 Pennsylvania Ave., N.W., WDC. After being appraised of the purpose of the interview and the identities of all participants, ANTHONY thereafter provided the following information:

ANTHONY was the brother-in-law of VINCENT W. FOSTER, JR. He is married to SHELIA ANTHONY, FOSTER's sister. FOSTER was described to be a quiet man when it came to the expression of his opinion of issues. FOSTER lived with ANTHONY and his wife, SHELIA, for approximately 90 days upon his arrival in Washington. FOSTER came to Washington as part of the Clinton Administration on January 20, 1993.

FOSTER rarely talked about his work, but did mention to ANTHONY his concern regarding the White House Travel Office affair. Most of the Travel Office related conversation occurred in bits and pieces between FOSTER, ANTHONY, and other individuals. The thrust of FOSTER's discussions regarding the Travel Office, centered around the Federal Bureau of Investigation (FBI) lying in its report to the Attorney General regarding the Travel Office investigation. ANTHONY had no reason to believe that the FBI misrepresented its position to the Department of Justice. FOSTER never relayed to ANTHONY what the FBI lied about.

ANTHONY thought that FOSTER's statement regarding the FBI lying, was an uncharacteristic statement to have been made by FOSTER. The reason ANTHONY specifically recalls this particular assertion is that it was so uncharacteristic of FOSTER that it

Investigation on 6/6/94 at Washington, DC File # 29D-LR-35063

by SA DANA M. GILLIS Date dictated 8/27/94

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Continuation of FD-302 of BERYL FRANKLIN ANTHONY, JR., On 6/6/94, Page 2

made an impact on ANTHONY. ANTHONY was only cursorily familiar with the White House Travel Office affair. Most of his knowledge was gained through newspaper reports. ANTHONY thought that FOSTER's remarks regarding the Travel Office and the veracity of the FBI's report to the Attorney General might have been in regards to WILLIAM KENNEDY, another member of the White House Counsel's office.

FOSTER's statement regarding the FBI lying, was a contemporaneous statement recalled to have been made prior to the White House issuing its own report of the Travel Office affair. ANTHONY recalls FOSTER making his statement about the FBI on more than one occasion. At no time did ANTHONY ask any follow-up questions with regards to FOSTER's opinion about the FBI.

In addition to the White House Travel Office affair, ANTHONY was aware that FOSTER was troubled by a series of editorials that were written about him in the Wall Street Journal newspaper. ANTHONY was under the impression that the newspaper articles bugged him more than did the Travel Office affair. According to ANTHONY, this appeared to be the case whenever FOSTER made any comments in ANTHONY's presence. FOSTER would frequently discuss the Wall Street Journal articles with SHELIA and with BERYL ANTHONY. FOSTER was of the opinion that the Wall Street Journal articles were written with the intent to ruin the Clinton Administration and furthermore thought that they were written with a sense of willful maliciousness. FOSTER viewed the Wall Street Journal articles as tearing his reputation down in an almost "smirky way." ANTHONY advised FOSTER to forget about the articles. FOSTER was described to have been unable to cope with the criticism of the Washington press corp. FOSTER came from a background of praise and adoration and the criticism was quite foreign to his previous experience.

ANTHONY initiated several conversations with FOSTER to try to get him to put everything back into perspective and not take these articles too seriously. ANTHONY recalls the Wall Street Journal articles occurring at about the same time as the White House began to receive criticism for the nomination of ZOE BAIRD for the position of Attorney General. Also in the press at this time were stories regarding BAIRD, the White House Travel Office and other issues for which the Clinton White House was under a great deal of criticism. FOSTER rationalized these problems to be his fault. It was at about this time that ANTHONY

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Continuation of FD-302 of BERYL FRANKLIN ANTHONY, JR., On 6/6/94, Page 3

began to detect depression on the part of FOSTER. SHELIA ANTHONY asked BERYL ANTHONY to talk to FOSTER about this condition. BERYL ANTHONY would try to make contact with FOSTER to console him during this time period. ANTHONY believes that FOSTER was upset regarding the loss of control that he had as part of the political forum in WDC. ANTHONY thought that FOSTER carried too much of the burden for criticism received by the Administration on his (FOSTER's) shoulders. ANTHONY was able to describe FOSTER's condition as depression in that

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BERYL ANTHONY was aware that his wife, SHELIA ANTHONY, encouraged FOSTER to seek professional help for his condition.

ANTHONY found out later that FOSTER had gotten medical advice in Little Rock. ANTHONY recalled that FOSTER's depression occurred sometime after his (FOSTER's) initial 90 day stay with the ANTHONYs. This whole depression episode probably started prior to FOSTER's wife moving to WDC.

FOSTER became increasingly alarmed at the threats made by Republican lawmakers in area newspapers regarding holding hearings on the Travel Office matter. FOSTER felt he needed counsel if hearings did occur. He feared that his role at the White House may become adversarial as a result of the Travel Office matter. On July 12, 1993, BERYL ANTHONY gave FOSTER the names of three attorneys he could utilize in the event Congress held hearings on the Travel Office Affair. ANTHONY did not recall the names of the attorneys.

ANTHONY did not recall FOSTER ever discussing Whitewater or Madison Guaranty.

With regard to knowledge of guns possessed by FOSTER, ANTHONY advised that one Thanksgiving his father-in-law showed him a weapon that belonged to his (FOSTER SENIOR's) father. This occurred approximately 25 years ago. ANTHONY advised that he did not have any weapons in his home.

ANTHONY was aware that LISA FOSTER, FOSTER's spouse knew of a gun in the FOSTER home in Little Rock. LISA FOSTER asked ANTHONY to take possession of the gun. According to ANTHONY, there was no ammunition in the gun he took possession

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Continuation of FD-302 of BERYL FRANKLIN ANTHONY, JR., On 6/6/94, Page 4

of. ANTHONY was unable to identify from a USPP photograph the gun located at the death site where FOSTER's body was located. ANTHONY was also shown the gun that was found at the death site and he was unable to identify it as the one belonging to the FOSTER family.

ANTHONY is convinced that press reports and the viciousness of the WDC political establishment was what contributed to FOSTER's death. In ANTHONY's opinion, FOSTER's role as Deputy Counsel to the President caused his demise. ANTHONY provided no further information of investigative value.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/3/94

SHEILA FOSTER ANTHONY was interviewed at the United States Department of Justice, Washington, D.C., where she serves as Assistant Attorney General for Legislative Affairs. JAMES HAMILTON, who is associated with the law firm of Swidler & Berlin, Washington, D.C., and who is representing the FOSTER family, was present during the interview. Also participating in the interview were MARK STEIN and CARL STICH, Associate Counsels with the Office of the Independent Counsel, Washington, D.C. After ANTHONY was advised of the official identities of the interviewing agents and that the interview pertained to the circumstances of the death of her brother, VINCENT W. FOSTER, JR., on July 20, 1993, she furnished the following information:

Among the duties of the Office of the Assistant Attorney General for Legislative Affairs are the clearance of bills before they are forwarded to the Office of Management and Budget and a role in the selection of nominees for positions as United States Attorneys, United States Marshals and Federal Judges. ANTHONY's office also corresponds with Congress and assists in attempting to advance legislation which is regarded as important to members of Congress.

ANTHONY has not been interviewed previously by either the United States Park Police (USPP) or the Federal Bureau of Investigation (FBI) regarding the death of her brother.

ANTHONY has no personal knowledge regarding the gun which was found with the body of VINCENT W. FOSTER, JR. ANTHONY's father, VINCENT W. FOSTER, owned a number of handguns, rifles and shotguns. The elder MR. FOSTER was very ill with cancer approximately two years ago, and he eventually died as a result of the disease in June 1991. Prior to his death, the elder MR. FOSTER had hinted to other family members that he might use a weapon to take his own life. Either VINCENT FOSTER, JR. or ANTHONY's sister, SHARON BOWMAN, or possibly both of them removed the guns owned by the elder MR. FOSTER from his home in Hope, Arkansas. ANTHONY recalls that the guns were removed from the house sometime during the period of March to May 1991, but

Investigation on 4/28/94 at Washington, DC File # 29D-LR-35063

by SA Dana M. Gillis
SA Russell T. Bransford RTB:deg Date dictated 5/2/94

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ANTHONY is not certain exactly when this event took place. Both SHARON BOWMAN and VINCENT FOSTER, JR. had told ANTHONY that they were concerned that the elder MR. FOSTER might use one of the guns in the house to take his own life.

SHARON BOWMAN is familiar with guns since she took riflery courses in her youth and has hunted in the past.

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FOIA(b)(7) - (C)

SHEILA ANTHONY was born on [REDACTED] SHARON FOSTER BOWMAN was born on [REDACTED] VINCENT W. FOSTER, JR. was born on January 15, 1945. All three siblings grew up in the same household in Hope, Arkansas and were children of the same parents.

VINCENT W. FOSTER, JR. attended Hope Elementary School and Hope High School in Hope, Arkansas. During the summer of 1964, FOSTER resided with ANTHONY in Little Rock, Arkansas, and was employed in a bank there, possibly the Worthen Bank. Following his graduation from high school, FOSTER attended Davidson College in North Carolina and graduated in 1967. FOSTER studied law at the Vanderbilt University Law School for approximately one to one and one-half years, but dropped out to join the National Guard in New Jersey during the Viet Nam war. After he decided to return to the study of law, FOSTER enrolled at the University of Arkansas Law School because the semester structure at the school coincided with the time when he wanted to return to the study of law. Immediately after he graduated from law school, FOSTER went to work for the Rose Law Firm in Little Rock, Arkansas.

During one of his summer vacations from undergraduate school, FOSTER was employed at the Arkansas State Mental Hospital. FOSTER had previously indicated a desire to major in the study of psychology, but ANTHONY now believes that FOSTER's experience at the State Mental Hospital may have changed FOSTER's mind in this regard.

After the elder MR. FOSTER died from his illness, ANTHONY and SHARON BOWMAN went to clean their parents' home in Hope, Arkansas and found one remaining gun in the house. ANTHONY's recollection is unclear at this time, but she believes that the weapon may have been a pistol. ANTHONY has fired rifles in the past but has never shot a handgun. However, ANTHONY does know the difference between a revolver and a semi-automatic

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Continuation of FD-302 of SHEILA FOSTER ANTHONY, On 4/28/94, Page 3

pistol. ANTHONY only recalls seeing a black-colored pistol from among the handguns owned by her late father. This pistol is the gun which ANTHONY and SHARON BOWMAN found while they were clearing their parents' house after the death of the elder MR. FOSTER.

ANTHONY does not know if VINCENT FOSTER, JR. owned any guns. ANTHONY does not recall any discussion about whether the ammunition in her parents' home was removed from the house. FOSTER never spoke with ANTHONY about having a desire to either own or purchase a handgun. ANTHONY does not know if FOSTER had a gun with him in Washington, D.C. FOSTER never discussed guns with ANTHONY, and ANTHONY is not aware of any conversations between FOSTER and her husband, BERYL ANTHONY, about guns.

ANTHONY and BERYL ANTHONY have no handguns in their own home. The ANTHONYS do have hunting rifles in their home, but ANTHONY does not know what kind of ammunition is kept there.

FOSTER came to Washington, D.C. for the inauguration on January 20, 1993. FOSTER stayed with ANTHONY for perhaps two and one-half months until FOSTER and his family moved into a residence on Cambridge Place, N.W., in Washington, D.C. ANTHONY is aware that some repairs and work had to be performed on the house on Cambridge Place before the FOSTER family could move in.

After FOSTER began working as Deputy Counsel to the President, he was working long and hard hours. The issues involved in his work were broad and constant. On a typical day for FOSTER, he would leave home between 7:00 a.m. and 8:00 a.m. and return home between 10:00 p.m. and 11:00 p.m. There were no secretaries working in the White House Counsel's office for the first few weeks of the new Administration, which further contributed to an overwhelming workload for the attorneys in the Counsel's office. FOSTER never discussed specific matters of his work with ANTHONY. ANTHONY and FOSTER would often talk to each other during the day so that they could coordinate the times that they departed work since they were frequently driving to work together. FOSTER would occasionally go out to eat while he was still at work, but when he ate, it was frequently later in the evening, such as between the hours of 8:30 p.m. and 9:00 p.m.

FOSTER was very distressed over the Travel Office matter. ANTHONY recalls that she and FOSTER spoke about the

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Continuation of FD-302 of SHEILA FOSTER ANTHONY, On 4/28/94, Page 4

Travel Office case when they were having dinner together on one occasion. ANTHONY tried to reassure FOSTER and told him he had always exhibited good judgment. FOSTER responded that he had not shown good judgment this time. After the White House report on the Travel Office was issued, FOSTER told ANTHONY that he felt badly for WILLIAM KENNEDY, who was also an attorney in the White House Counsel's office. FOSTER told ANTHONY that KENNEDY was getting more criticism than he deserved.

ANTHONY recalls having two conversations with FOSTER about the Travel Office case. One of these conversations occurred when the issue of the firing of the Travel Office employees first broke in the press. The second conversation occurred when the White House report regarding the Travel Office case was issued. This latter conversation occurred over the telephone at a time when FOSTER was no longer living with ANTHONY. ANTHONY believes that FOSTER's distress at that time was severe. ANTHONY was unable to make FOSTER understand that the treatment of the Travel Office case was par for the course in a very partisan city such as Washington, D.C. ANTHONY does not now recall whether FOSTER was more distressed during the second conversation or not. She does recall that FOSTER was very distraught over a series of articles which had appeared in the Wall Street Journal newspaper regarding FOSTER. ANTHONY now recalls that she told FOSTER that no one who had voted for BILL CLINTON would read the Wall Street Journal anyway. FOSTER did not find ANTHONY's remark to be humorous, and he still appeared to be upset. The only newspaper article which FOSTER and ANTHONY specifically discussed from the Wall Street Journal was an article entitled "Who is Vincent Foster?". ANTHONY recalls that FOSTER was upset over two aspects of this particular article. FOSTER had learned that there had been confusion at the White House regarding the sending of a photograph of FOSTER to the Wall Street Journal to accompany the article. FOSTER complained to ANTHONY that the Communications Office at the White House had not sent the photo of FOSTER to the Wall Street Journal, and that this failure to forward the photograph may have triggered the critical article which appeared in the paper. FOSTER was also upset that the Wall Street Journal article denigrated the Rose Law Firm.

ANTHONY has no knowledge of FOSTER continuing to be affected by Rose Law Firm business once he left the firm. FOSTER

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Continuation of FD-302 of SHEILA FOSTER ANTHONY, On 4/28/94, Page 5

was a "lawyer's lawyer" who never discussed his clients with people outside his firm.

Prior to assuming a post in the Commerce Department after the CLINTON administration took office, ANTHONY had been an attorney with the law firm of DOW, LOHNES & ALBERTSON in Washington, D.C. ANTHONY was employed at this firm for approximately fifteen years, during which time she became acquainted with DEBORAH GORHAM. GORHAM worked at this same law firm for approximately seven years, all of which coincided with ANTHONY's employment there. After FOSTER arrived in Washington, D.C., ANTHONY inquired at her former firm's personnel office in an effort to identify any qualified secretaries who might be leaving the firm. The Personnel Director at the law firm suggested GORHAM's name to ANTHONY. ANTHONY spoke to GORHAM and then gave GORHAM's telephone number to FOSTER. GORHAM was subsequently interviewed by FOSTER, but she turned down his offer of a job because the salary was too low. FOSTER had not known GORHAM prior to her name being furnished to him by ANTHONY. ANTHONY assumed at that time that there was no longer any possibility of GORHAM being hired by FOSTER. However, GORHAM and FOSTER continued to negotiate about the salary which he could offer her, and eventually she was hired as his secretary in the Counsel's office at the White House.

ANTHONY called and spoke to GORHAM last week to ask how she was doing. ANTHONY had not spoken to GORHAM since approximately December 1993. ANTHONY and GORHAM did not speak specifically about FOSTER, but they each spoke about their respective families.

GORHAM has not said anything to ANTHONY about FOSTER being depressed prior to his death. She has not mentioned anything about FOSTER being depressed either directly or indirectly. ANTHONY believes it is possible that GORHAM may have spoken about FOSTER's mental state with his wife, LISA FOSTER. ANTHONY presumes that GORHAM and LISA FOSTER spoke to each other during the summer months of 1993.

In terms of her relationship with FOSTER, ANTHONY was extremely close to him and they spoke to each other often. ANTHONY saw FOSTER daily when he was living with her. ANTHONY spoke to FOSTER two to three times a week after he and his family moved to their home on Cambridge Place in Washington, D.C.

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Continuation of FD-302 of SHEILA FOSTER ANTHONY, On 4/28/94, Page 6

ANTHONY last saw FOSTER in July 1993. On approximately July 2, 1993, FOSTER surprised ANTHONY during a dinner held at his residence by having ANTHONY's daughter attend the dinner. ANTHONY was aware of the dinner in advance, but she was unaware that FOSTER had arranged for ANTHONY's daughter to fly to Washington from Texas in order to be present for ANTHONY's confirmation as Assistant Attorney General. ANTHONY does not recall exactly when this dinner occurred, but she believes it was either in the latter part of June or the first part of July. During this same time frame, ANTHONY and her husband went to supper with LISA and VINCENT FOSTER, JR. and their daughter LAURA at the Cactus Cantina restaurant in Washington, D.C. The FOSTERS had first gone to the ANTHONY residence to have drinks, and they then walked to the restaurant, which was near the ANTHONY residence.

From the time that FOSTER first came to Washington, D.C. until his death, ANTHONY observed several noticeable behavioral and emotional changes in him. One noticeable change during FOSTER's first few months in Washington was that he was tired and seemed to feel a great deal of pressure. During the months just prior to his death, FOSTER told ANTHONY that he was unable to sleep and was waking up every two hours. ANTHONY spoke to FOSTER by telephone on July 16, 1993, which ANTHONY recalls as the last Friday prior to July 20, 1993. ANTHONY noted that FOSTER's voice was different in its tenor, and his voice sounded strained. ANTHONY recalls noticing the strain in FOSTER's voice because it sounded so much like the strain she had heard in her father's voice when he had been distraught during his illness. ANTHONY believes that the phone call that Friday was the first time that she had heard the change in tenor in FOSTER's voice. FOSTER exhibited many characteristics of a depressed person, most noticeable of which was the fact that he had no sense of humor left. This telephone conversation with FOSTER also concerned the seriousness with which he viewed events and circumstances.

In late April 1993, VINCENT and LISA FOSTER took ANTHONY to dinner to help them celebrate their anniversary. ANTHONY encouraged FOSTER to leave Washington, D.C. and go away on weekends. FOSTER had become quite concerned when people in Congress began to speak of holding hearings on the Travel Office case. ANTHONY does not know if FOSTER was taking sleeping pills, and he did not mention doing so to her.

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Continuation of FD-302 of SHEILA FOSTER ANTHONY, On 4/28/94, Page 7

FOSTER had an excellent reputation in Arkansas, and he had received numerous awards there. FOSTER had been inducted into an honorary association of trial lawyers while still in Arkansas. ANTHONY did not discuss with FOSTER why he elected not to go to a ceremony in Arkansas where he was to be honored by the Arkansas Bar Association as "Lawyer of the Year." ANTHONY believes that some event arose which prevented FOSTER from attending the ceremony, but she does not recall the nature of this event.

In terms of coping with problems in his life, FOSTER never seemed to have any difficulties. FOSTER became a partner at the Rose Law Firm in two years and was slated to become President of the Arkansas State Bar. The only problems which FOSTER experienced in his personal life were in regard to his teenage children. ANTHONY was able to commiserate with FOSTER in this regard as she also had teenage children. For the most part, FOSTER enjoyed a "charmed" life. However, he had been very distraught over his father's illness. ANTHONY recalls that FOSTER cried when he called to tell her their father had been diagnosed with cancer. FOSTER picked up ANTHONY at the airport in Arkansas when she flew there following the death of their father. ANTHONY and FOSTER shared stories about growing up with their father, and she now recalls that was perhaps the only time she actually saw FOSTER cry. FOSTER had been very close to his father, and his father's will had been prepared through the Rose Law Firm. Following the death of the elder MR. FOSTER, FOSTER's mother depended very much on FOSTER. ANTHONY is uncertain how FOSTER dealt with this situation since she returned to Washington, D.C. not long after the funeral services for her father. FOSTER did not appear to be acting differently to ANTHONY at that time.

On July 16, 1993, which ANTHONY recalls as the last Friday before July 20, 1993, FOSTER called ANTHONY and wanted to discuss two topics of significance. First, FOSTER told her that he was battling depression for the first time in his life. ANTHONY responded by asking FOSTER to allow her to help him. She offered to contact a doctor for FOSTER. FOSTER then expressed concern that if he were to be seen by a doctor, his security clearance could be jeopardized. ANTHONY attempted to reassure FOSTER by saying that she would determine the parameters for a visit with a doctor prior to actually scheduling an appointment for FOSTER. The second topic which FOSTER brought up with

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Continuation of FD-302 of SHEILA FOSTER ANTHONY, On 4/28/94, Page 8

ANTHONY during this same phone call was to ask ANTHONY to recommend a place on the Eastern Shore of Maryland where he and his wife could go that weekend. ANTHONY told FOSTER that she would check with her husband and call FOSTER back. ANTHONY later called LISA FOSTER and recommended two or three places on the Eastern Shore where the ANTHONYS had previously stayed. ANTHONY also called a friend who had received treatment from a psychiatrist in the past. The friend provided ANTHONY with the name of one psychiatrist. The friend later called ANTHONY back approximately thirty minutes later and furnished ANTHONY with the names of two additional psychiatrists.

ANTHONY called one of the psychiatrists and asked how she could structure a visit to him so that the visit would be unrecorded until FOSTER could decide whether to start a course of treatment. ANTHONY then called FOSTER back that same day and furnished him with the names of the three psychiatrists. She encouraged FOSTER to make an appointment with one of the psychiatrists, but he said that he wanted to think about that course of action over the weekend.

ANTHONY does not believe that she ever spoke to LISA FOSTER about FOSTER's statement that he was battling depression. She remembers speaking with LISA FOSTER about trying to get FOSTER to leave work earlier during the week or to go away on weekends. ANTHONY recalls that LISA FOSTER wanted FOSTER to come home more.

ANTHONY believes that LISA FOSTER came to Washington, D.C. to look for a family house in March 1993. LISA FOSTER continued to travel back and forth between Little Rock, Arkansas and Washington, D.C. in an effort to prepare the house so that it would be ready for her family to move into it. LAURA FOSTER, FOSTER's daughter, came to Washington, D.C. when her school semester was over, which was possibly in April 1993. FOSTER's youngest son was still attending school in Little Rock. The FOSTER family also had a foreign student living with them in Little Rock at that time. LISA FOSTER came to Washington, D.C. permanently in mid to late May 1993.

On July 19, 1993, possibly in the morning, ANTHONY called FOSTER. FOSTER stated that he was feeling good and that the weekend had gone pretty well. FOSTER said that he was not yet ready to see a psychiatrist in Washington, D.C., but he told

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Continuation of FD-302 of SHEILA FOSTER ANTHONY, On 4/28/94, Page 9

ANTHONY that he had called his physician in Little Rock and had gotten a prescription. FOSTER did not tell ANTHONY anything further about the preceding weekend. FOSTER said that going away from the city was such a good idea that he would like to do it more often or possibly every weekend.

To the best of ANTHONY's knowledge, FOSTER was not receiving any type of medical treatment.

FOIA(b)(6)
FOIA(b)(7) - (C)

One of the male first cousins of ANTHONY's mother committed suicide. ANTHONY believes that this cousin was born in approximately 1914 and was in his twenties or thirties when he committed suicide. ANTHONY does not know whether FOSTER was aware of the circumstances of this relative's suicide.

ANTHONY has no knowledge of FOSTER having any financial difficulties, problems with gambling, or any type of extramarital involvement. In terms of identifying a person in whom FOSTER would confide, ANTHONY hopes that FOSTER would have confided in either herself or his wife. FOSTER also had a number of close friends in the Rose Law Firm. However, FOSTER, although known to be a good listener, was a very private person. ANTHONY does not believe that FOSTER was close to either a minister or a priest. FOSTER did not attend church very often after he grew up except for certain family occasions.

At the last dinner which FOSTER shared with ANTHONY, FOSTER confided to her that he was considering resigning from his post at the White House. FOSTER indicated that the job in the White House Counsel's office was not right for him. FOSTER was not specific about what was causing him to consider resignation. Among the reasons that became apparent to ANTHONY were the Travel Office investigation, the stress of his job, and the constant overwork. ANTHONY hoped that FOSTER would choose to resign the position.

In terms of changes in personal appearance, ANTHONY noted that FOSTER's face had become gray and drawn. FOSTER had

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Continuation of FD-302 of SHEILA FOSTER ANTHONY, On 4/28/94, Page 10

been thin when he arrived in Washington but had gained a significant amount of weight while working at the White House. ANTHONY believes that the weight gain may be at least partly attributable to the fact that FOSTER was not eating well and was eating quite a bit of fast food due to the overwork situation. FOSTER began to lose weight during the last six weeks prior to his death and weighed much less than he had weighed in January 1993. However, ANTHONY is unable to estimate the amount of weight FOSTER lost in terms of pounds. FOSTER did not mention to ANTHONY any problems with headaches, loss of appetite, indigestion or vomiting.

(Religion was not particularly important to FOSTER. He had been raised as a Presbyterian and had attended a Presbyterian college. LISA FOSTER was a Catholic, however, and LISA and the children were raised as Catholics. Therefore, FOSTER would go alone when he attended church.)

Among the activities which FOSTER engaged in to relax was reading. FOSTER had a swimming pool in the back yard of his home in Little Rock, and he and the family enjoyed swimming in their pool. FOSTER also enjoyed cooking and traveling, and he took his family on numerous trips. FOSTER did not participate in many sports, but he enjoyed attending his childrens' games and watching them play. ANTHONY did not observe any recent changes in FOSTER's interests or hobbies after he arrived in Washington.

FOSTER typically worked Monday through Saturday each week. On alternating Sundays, either FOSTER or BERNARD NUSSBAUM was on standby duty to be available to deal with matters which arose at the White House Counsel's office.

In terms of describing FOSTER's relationship with his wife, ANTHONY regarded it as warm and real. FOSTER was married to LISA FOSTER for approximately twenty-five years. ANTHONY regarded FOSTER as an excellent father who spent much time with his children. In particular, FOSTER was very conscientious about spending time with each of his children so that they each received individual attention. FOSTER would occasionally take one of the children on a trip with him just so the child could receive this individual attention. FOSTER was very interested in everything that his children did.

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Continuation of FD-302 of SHEILA FOSTER ANTHONY, On 4/28/94, Page 11

In terms of describing FOSTER, ANTHONY believes that he was a man of great integrity and honesty. He also had a dry sense of humor. FOSTER felt very strongly about giving back to the community in which he lived and he was involved in charitable organizations in Little Rock. The only occasion known to ANTHONY when FOSTER ever got into trouble occurred when he was in college and he wrecked a car.

FOSTER was able to blend in at the Rose Law Firm because the firm shared many of his positions on social issues. For example, the Rose Law Firm had taken a stand against racial segregation. FOSTER had worked for a black attorney during one of his summers while attending school. FOSTER had a very strong sense of fair play and he was a very thoughtful person who was always gracious to his family and friends. FOSTER particularly enjoyed hosting friends and social events at his home. FOSTER also counseled both of ANTHONY's children, but only when they came to him first for advice. In all their lives together, ANTHONY and FOSTER never had a cross word, and she knows absolutely nothing bad about FOSTER.

To the best of her knowledge, ANTHONY is not aware of any incidences of FOSTER going to parks in the Washington, D.C. area. FOSTER never mentioned to ANTHONY any visits to Fort Marcy Park in Virginia. Following FOSTER's death, ANTHONY read in the newspaper that FOSTER had driven a Honda automobile to Fort Marcy Park on the date of his death. FOSTER did not have the Honda automobile with him when he lived with ANTHONY initially following his arrival in Washington, D.C. ANTHONY recalls that the Honda was dark in color since she subsequently saw the automobile in front of FOSTER's residence.

ANTHONY is aware of a letter which FOSTER sent to his mother from his office shortly before his death. ANTHONY was with her mother on the day when she opened the letter from FOSTER. The letter from FOSTER concerned oil leases which had been passed on to FOSTER's mother from her late husband's estate. In attempting to recall what was in the envelope, ANTHONY now believes that there was an extremely brief cover letter which had been typewritten, and which contained one to two sentences asking FOSTER's mother to sign the enclosed form and return it to the oil company. The cover letter bore the handwritten signature of FOSTER.

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Continuation of FD-302 of SHEILA FOSTER ANTHONY, On 4/28/94, Page 12

ANTHONY recalls FOSTER as being a person who was more likely to call on the telephone than write a letter.

ANTHONY's mother still resides in Hope, Arkansas. ANTHONY is not aware of any other letters which may have been sent by FOSTER shortly before his death. ANTHONY has no knowledge of whatever insurance policies were maintained by FOSTER, but she assumes that there were such policies.

ANTHONY does not believe that there was a single cause for FOSTER taking his own life. She believes that inquiries by the media, the pressure caused by the Travel Office case, and overwork at the White House were all factors. An additional source of stress may have been FOSTER's realization that he had made a mistake in coming to Washington, D.C., and this realization may have contributed to his decision to end his life. In addition, PHILLIP CARROLL of the Rose Law Firm had been very angry at FOSTER for leaving the firm. CARROLL and FOSTER did not speak to each other for a period of several months after FOSTER left the firm and came to serve the Administration. Eventually, CARROLL and FOSTER mended their relationship and resumed speaking to each other. However, ANTHONY believes that FOSTER may have felt boxed in due to his falling out with CARROLL, and he may have feared that he would have been viewed as a failure if he had returned to the Rose Law Firm after resigning from the CLINTON Administration.)

FOSTER personally prepared the speech he delivered as the commencement address at the University of Arkansas Law School in May 1993. ANTHONY recalls that FOSTER discussed the speech with her prior to delivering the address. ANTHONY and other family members attended the commencement ceremony and heard FOSTER's address because they were all in Arkansas to celebrate Mother's Day that weekend. In reflecting on FOSTER's address that weekend, ANTHONY now believes that she heard the same strain in his voice that day that she heard later during the telephone call on July 16, 1993. ANTHONY believes that FOSTER's address was videotaped and that a video tape and transcript of the address may be available through the law school.

ANTHONY knows of no other information which could be of assistance in investigating FOSTER's death.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/20/94

SHIELA FOSTER ANTHONY was telephonically interviewed regarding events occurring subsequent to the death of her brother, VINCENT W. FOSTER, JR., on July 20, 1993. Participating in the interview were JAMES HAMILTON, of the law firm of Swidler & Berlin, Washington, D.C., and MARK STEIN, Associate Counsel with the Office of the Independent Counsel (OIC), Washington, D.C. (WDC). After being apprised of the identities of parties participating in the interview, ANTHONY thereafter furnished the following information:

ANTHONY stayed at the FOSTER residence, 3027 Cambridge Place, NW, WDC, on the evening of July 20, 1993. Present at the FOSTER residence that evening were LISA FOSTER, and her three children. ANTHONY noted that LISA FOSTER and her daughter LAURA, were the first to go to bed that evening. ANTHONY stayed up and talked to LISA FOSTER's son VINCENT, prior to going to bed. Everyone in the home was in bed no later than 1:00 or 2:00 am.

ANTHONY awakened between 7:00 and 7:30 am on July 21, 1993. She did not look out of residence windows and therefore was unaware of any presence by individuals from The White House or from members of the press. At approximately 9:00 am on July 21, BARBARA PRYOR arrived at the FOSTER residence to transport ANTHONY to her (ANTHONY's) residence. Upon leaving the FOSTER residence, ANTHONY did not recall seeing anyone from The White House or members of the press.

ANTHONY does not know CRAIG LIVINGSTONE.

ANTHONY vaguely recalls that someone may have been at the FOSTER home prior to her departure. She did not recall if that was a family member or a close friend of the family.

No further information of investigative value was provided.

(telephonically)

Investigation on 7/20/94 at Washington, D.C. File # 29D-LR-35063 SUB A

by SA DANA M. GILLIS:DMG/sla Date dictated 7/20/94

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/13/94

ANTHONY MICHAEL AOUBE, currently the Assistant to the Director of Communication at George Washington University, telephone number (202) 994-3840 was contacted telephonically. After being advised of the identity of the interviewing agent and the nature and purpose of the interview AOUBE provided the following information:

AOUBE advised that as of July 20, 1993, he was working as an intern in The White House Office of Personnel Security under the direct supervision of CRAIG LIVINGSTONE. He advised that he remembers the events of July 20 and 21, 1993 and recalls that it was LIVINGSTONE who had identified VINCE FOSTER, JR.'s body the night of his death.

AOUBE said that his job entailed various typing projects for LIVINGSTONE. Mostly what he characterized as administrative projects relating to background investigation. He advised that he did not type anything entitled report from CRAIG LIVINGSTONE dated July 21, 1993, which was described as a page and a half of typewritten paragraphs chronicling LIVINGSTONE's activity on July 20 and 21, 1993. He said that he would have remembered typing such a memo and has not done so then or in the intervening months.

AOUBE advised that LIVINGSTONE was the ranking supervisor in the office and everybody reported to him directly. He said that he did not carry any boxes for LIVINGSTONE either in July 1993 or thereafter. He also had not heard of anybody doing so or allegations of such activities until he had read later in the media that there were such allegations.

AOUBE advised that his date of birth is
and place of birth

FOIA(b)(6)
FOIA(b)(7) - (C)

(telephonically)

Investigation on 7/7/94 at Washington, D.C. File # 29D-LR-35063

by SSA H. ALEXIS SUGGS Date dictated 7/12/94

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 2/14/95

FOIA(b)(3) - Fed. R. Crim. Pro. 6(e) - Grand Jury

Investigation on 2/8/95 at Washington, D.C. File # 29D-LR-35063

by FOIA(b)(7) - (C) Date dictated 2/12/95

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/21/94

Jacqueline G. Arends was interviewed at 283 Russell Senate Office Building, Washington, D.C. She had requested the interview to provide information possibly related to the death of Vincent Foster. After being advised of the identity of the interviewing agents, Ms. Arends provided the following information:

On the day of Vincent Foster's death, July 20, 1994, she was traveling westbound on the George Washington Parkway (GWP) at approximately 5:30 -6:30 p.m. She advised that she lives in McLean, Virginia and travels this route frequently to and from work in Washington, D.C. On several occasions she has stopped at the Fort Marcy Park along the GWP to meet friends. On this particular night, as she was driving by the entrance to Fort Marcy Park, she noticed a well-dressed man out of his car opening the gate to the park. She noted that because it was still light, it was very unusual for the park gate to be closed as the park is usually open until dusk. She didn't think anything further about this incident until learning the following day that Vincent Foster had been found dead earlier that same day in this park. She did not come forward earlier with this information as she believed it to be insignificant. At the urging of her mother, she decided to make her observations known to the FBI at this time.

She described the vehicle being driven by this individual as a light blue 190 Mercedes 4-door sedan. She could not remember seeing the license plate and could remember no other distinguishing characteristics of the vehicle, just that it was not a brand new automobile. She described the man from the car as being "well-dressed." She further described him as a white male, slim, short brown hair, dark suit, aged 30s to early 40s and of average height. She did not remember noticing him wearing glasses. He had no other distinguishing characteristics which she could recall. She remembered thinking that this man was probably going to get into trouble opening the gate to the closed park.

Investigation on 3/21/94 at Washington, D.C. File # 29D-LR-35063
 by FOIA(b)(7) - (C) SA William T. Guyton Date dictated 3/21/94

D-LR-35063

Continuation of FD-302 of Jacqueline G. Arends, On 3/21/94, Page 2

She advised that along this portion of the Parkway, she usually travels about 50 miles per hour but also noted that she was in the right lane and in the process of slowing down for an upcoming curve when she noticed the gentleman at the gate. The entrance to the park is on the right side of the GWP. She could not recall any additional information concerning either the man or his car.

Ms. Arends was asked what she knew about the character of Fort Marcy Park. She advised that it was an overlook to the Potomac with a nice view. She was not aware that the park had any particular reputation such as a hangout for homosexual activity, drugs, drinking, lovers' lane, etc. On her visits to this park, she only saw professional people and tourists frequenting the park. She said there was only a very small window of opportunity for other types of activity at the park as it is frequently patrolled by various police agencies. She also noted that it was a radar setup point for the P.D. on the Parkway.

The following description of Arends was obtained through observation and interview:

Name:	Jacqueline G. "Jackie" Arends
Race:	White
Sex:	Female
DOB:	
POB:	
SSAN:	
Address:	718 Ridge Drive McLean, Virginia 22101
Telephone:	(202) 224-5842 (work); (703) 442-9408 (home)
Work Address:	283 Russell Senate Office Bldg. Washington, D.C. 20510
Title:	Legislative Assistant for Foreign Policy and Defense Senator Larry Pressler South Dakota (since August 1993)

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 3/22/95

STEPHANIE SIMONTON ATCHLEY was interviewed in a conference room located at 4301 West Markham, Little Rock, Arkansas, regarding events surrounding the death of VINCENT W. FOSTER, JR., former Deputy Counsel to the President of the United States. FOSTER died on July 20, 1993. After being apprised of the purpose of the interview and the official identities of the interviewing agents, ATCHLEY thereafter provided the following information:

ATCHLEY moved to Little Rock in 1983, where she met FOSTER. ATCHLEY's acquaintance with FOSTER is the result of a business relationship between FOSTER and ATCHLEY's spouse, JERRY ATCHLEY. ATCHLEY recalls spending her first Christmas in Little Rock with the FOSTERS.

ATCHLEY only saw FOSTER a couple of times in the months prior to his (FOSTER's) departure for Washington, D.C. (WDC). ATCHLEY was aware that the FOSTER family was stressed by the separation caused when FOSTER departed for WDC. ATCHLEY surmised that the separation from his family was probably very stressful for FOSTER. LISA FOSTER was not happy with the prospect of moving to WDC.

ATCHLEY was aware that once BILL CLINTON had been elected President, the transition period was stressful on FOSTER. ATCHLEY noted that FOSTER appeared to have been stressed by the time she saw him in WDC, during the period leading up to the Presidential inaugural in January 1993. ATCHLEY saw FOSTER again in May 1993, for lunch during a trip ATCHLEY made to WDC. At that luncheon, FOSTER was distant and cold. He appeared to have been too stressed to have met ATCHLEY for lunch. ATCHLEY was accompanied by ROBBIE THOMAS-KNIGHT, a friend, who was also a psychologist. ROBBIE THOMAS-KNIGHT noted the same behavior in FOSTER, with regard to him appearing to have been stressed. ATCHLEY's luncheon meeting with FOSTER coincided with the time period during which the Travel Office incident surfaced.

According to ATCHLEY, signs of depression in

Investigation on 2/8/95 at Little Rock, AR File # 29D-LR-35063

SA RUSSELL T. BRANSFORD
by SA DANA M. GILLIS DMG:sla Date dictated 3/22/95

9D-LR-35063

Continuation of OIC-302 of STEPHANIE SIMONTON ATCHLEY, On 2/8/95, Page 2

individuals manifest themselves through irritable behavior; someone suffering from depression would be cold and distant. These attributes would be typical of depression in upper middle class males.

FOSTER had never been known to fail before. He may have been stressed by thoughts of resigning his position in the CLINTON administration and additionally could have been stressed being put in a position where his family was forced to move to WDC.

FOSTER probably struggled with both isolation and depression. In retrospect, ATCHLEY saw minor symptoms characteristic of a mild depression prior to FOSTER departing for WDC.

FOSTER probably thought he had an obligation to follow President CLINTON to Washington as part of the new administration. FOSTER would have felt he had a responsibility to come to WDC to support his friends and acquaintances from Arkansas.

FOSTER needed a great deal of recognition. ATCHLEY considers this to be a factor of increasing pressure on FOSTER. Under stress, FOSTER was the type of person to take on blame for everything. FOSTER never discussed depression with ATCHLEY, although minor signs of depression would show themselves.

Just prior to FOSTER leaving Arkansas for WDC, FOSTER seemed to be opening up more. FOSTER appeared to be more personally available to family and friends. FOSTER, like others of his personality type, would not typically know how cold he appeared to be coming off to others. FOSTER would not acknowledge or apologize to his friends about his depressive episodes.

Prior to FOSTER moving to WDC, ATCHLEY had what she considered to be her only real fight with FOSTER. During the transition period between the BUSH and CLINTON administrations, ATCHLEY telephoned FOSTER to thank him for some wine that he had sent. In the course of the conversation, ATCHLEY launched into a diatribe about a lack of women in the CLINTON cabinet. FOSTER became furious and staunchly defended the President as well as the President's record on women in his cabinet. ATCHLEY thought this was a thin-skinned response and she further described FOSTER

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Continuation of OIC-302 of STEPHANIE SIMONTON ATCHLEY, On 2/8/95, Page 3

to have been defensive and angry.

In June 1993, ATCHLEY was informed by LISA FOSTER that VINCENT FOSTER found Wall Street Journal articles written about him to be painful in nature. FOSTER was a very private man and not one to seek press coverage. Any recognition sought with regard to the press would have been strictly professional.

ATCHLEY did not find it unusual for FOSTER not to attend the Arkansas Lawyer of the Year Ceremony. Of consideration in his decision would have been whether his appearance may have caused some tension between his responsibilities at the White House and taking time off to accept the award. The job in WDC would have taken precedence over acceptance of the award.

At some point in 1993, SHEILA ANTHONY expressed to ATCHLEY that FOSTER came to ANTHONY looking for psychiatric help. FOSTER did not seek counseling or advice from ATCHLEY.

With regard to anti-depressant medication, ATCHLEY noted that it would take approximately two to four weeks to take effect. Initially, an individual might have an odd feeling upon first taking an anti-depressant. The weird symptoms might be described as "feeling nutty" the first few days.

ATCHLEY was not aware of anyone in the field of psychology doing a psychological profile of FOSTER.

Suicide is not a rational act according to ATCHLEY. It could be a short term psychotic episode with the act of suicide being considered most hurtful. FOSTER's suicide could have been a product of a psychotic depression. ATCHLEY noted that this explanation is only one of many possible reasons for his suicide. ATCHLEY further noted that she was not in an informed position to make, in a medical sense, such an interpretation. Suicide can be an impulsive act. ATCHLEY thinks that FOSTER probably did not leave the White House with the intent to kill himself. His mental state probably deteriorated over the next few hours which in turn may have given him the capacity to commit suicide.

After considering the option of suicide, it might typically take up to an hour before someone could make the decision to take his/her life. Some people will get drunk prior to committing the act. The impulsiveness of suicide would not

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Continuation of OIC-302 of STEPHANIE SIMONTON ATCHLEY, On 2/8/95, Page 4

have allowed FOSTER to leave a note or communicate with his family prior to taking his life. The goal of suicide is just to stop the emotional pain one feels. ATCHLEY did not think FOSTER would have written down why he decided to end his life.

ATCHLEY may have heard from LISA FOSTER about VINCENT FOSTER's concerns regarding her (LISA FOSTER's) adjustment to WDC.

[FOIA(b)(7) - (C)]

ATCHLEY noted that if FOSTER had been asked to do something improper he would have refused to do it. She does not think anyone could force him to do something like that. He could tolerate imperfections in others but not in himself. With regard to being asked or forced to do something improper, ATCHLEY is not aware of anything FOSTER might have been asked to do or forced to do that may have made him feel that suicide was his only option to get away from the situation. ATCHLEY noted trial attorneys get pushed by clients all the time to do something that is considered to be on the edge ethically.

ATCHLEY felt that the Rose Law Firm (RLF) probably would have taken FOSTER back had he expressed a desire to return to Little Rock. ATCHLEY feels that if FOSTER had come home, he probably would have killed himself in Little Rock, given the thinking on FOSTER's part that he had somehow failed. ATCHLEY was aware of several other individuals that may be able to provide some insight into FOSTER and what was troubling him. ROBBIE THOMAS-KNIGHT, work telephone number 501-374-0708, and her husband DAVID KNIGHT may be in a position to provide further information related to FOSTER. DAVID KNIGHT is a former partner with RLF. He is currently the Chief Counsel for STEPHENS, Inc. (phonetic). WILSON and PEGGY JONES are two other individuals that may be able to provide some insight related to FOSTER. WILSON JONES is a current partner with RLF.

According to ATCHLEY, LISA FOSTER and the FOSTER children are the only ones that appeared to be aware that FOSTER was in deep trouble. According to ATCHLEY, WEBSTER HUBBELL knew that FOSTER was stressed as did DAVID WATKINS. ATCHLEY was of the impression that neither HUBBELL nor WATKINS thought FOSTER would kill himself.

ATCHLEY's only discussions with FOSTER on the issues of death and suicide occurred during the time of the death of

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Continuation of OIC-302 of STEPHANIE SIMONTON ATCHLEY, On 2/8/95, Page 5

VINCENT W. FOSTER, Sr., FOSTER's father. At the time of VINCENT W. FOSTER, Sr.'s illness and subsequent death, FOSTER, Jr. obtained a copy of ATCHLEY's book which was written on the topic of cancer and behavior patterns of cancer victims. At that time, FOSTER spoke with ATCHLEY and appeared to be sad and upset. FOSTER was worried about his father. After speaking with ATCHLEY, FOSTER appeared to feel enormously better. ATCHLEY was aware that guns had been taken out of the residence of VINCENT W. FOSTER, Sr. in connection with FOSTER, Sr.'s diagnosis of cancer. ATCHLEY thought FOSTER, JR. having a gun would have been very out of character.

ATCHLEY also provided background information with regard to depression. Depression and suicide are noted to run in families through generations. Biological stressors are factors that could trigger depression. ATCHLEY believes that depression could have been a trigger for FOSTER to have committed suicide. She also feels that FOSTER may have been biologically predisposed to depression. It might not necessarily take a major event in order to serve as a catalyst for a depressive individual to commit suicide. It could be as simple as not having a good coping mechanism to deal with stress and depression. For example, FOSTER would not let others know what he was going through. A weak point in the character of someone like FOSTER is the trait of perfectionism.

ATCHLEY was telephoned by JACKSON "BUCK" FARROW (phonetic) at approximately midnight on July 20, 1993, and informed that FOSTER had committed suicide. ATCHLEY telephoned THOMAS-KNIGHT as well as ATCHLEY's daughter.

ATCHLEY arrived at the FOSTER residence in WDC at about 11:00 A.M. on July 21, 1993. DONNA KAYE MCLARTY was at the residence upon ATCHLEY's arrival. WEBSTER HUBBELL arrived at the FOSTER residence sometime later, accompanied by his spouse SUZIE HUBBELL. Others at the FOSTER residence on July 21, 1993, were BILL KENNEDY; JOHN SLOAN and his spouse; HARRIET BYNUM; BILL WOODYARD and his spouse. The SLOANs and HARRIET BYNUM came to WDC at approximately 3:00 P.M. or 4:00 P.M. via chartered aircraft on July 21, 1993.

During the course of flying FOSTER's body from WDC to Little Rock, other individuals on the aircraft were JOHN SLOAN, and HARRIET BYNUM. Upon arriving in Little Rock, the FOSTER family stayed with the sister of LISA FOSTER. ATCHLEY recalls

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Continuation of OIC-302 of STEPHANIE SIMONTON ATCHLEY, On 2/8/95, Page 6

that KAKI HOCKERSMITH may have been at the sister's residence.

ATCHLEY provided her background as follows: She attended Portland State, studying history and pre-law. She eventually received a Bachelors degree in Psychology from Texas Christian University. The majority of ATCHLEY's work concerned studying the behavior of cancer patients. She has written books in this particular area of study as well as led support groups. She has conducted approximately 5,000 hours of group therapy for cancer patients. ATCHLEY holds a PhD from The Fielding Institute, Santa Barbara, California. ATCHLEY has completed two years of post doctorate study in psychology at Harvard University. ATCHLEY currently holds the title of Director of the Behavioral Medicine Program, University of Arkansas for Medical Sciences.

In the course of the interview, interviewing agents displayed to ATCHLEY a note believed to have been authored by FOSTER, that was discovered subsequent to FOSTER's death. ATCHLEY was aware that LISA FOSTER suspected the note referred to issues that were bothering VINCENT FOSTER. ATCHLEY noted that if FOSTER had torn up the note he may not have wanted to discard it in the White House, risking discovery, based on its personal nature.

In the course of the interview, ATCHLEY noted that FOSTER was considered to be a workaholic. ATCHLEY described FOSTER to be a heavy drinker but there was no concern by either herself or other family members or associates that he was an alcoholic. FOSTER would do most of his drinking around eating. ATCHLEY never saw FOSTER act as if he was intoxicated.

STEPHANIE SIMONTON ATCHLEY is described from observation and interview as follows:

Date of Birth:	[Redacted]
Place of Birth:	[Redacted]
Race:	Caucasian
Sex:	Female
Social Security Account Number:	[Redacted] FOIA(b)(6) FOIA(b)(7) - (C)
Work Address:	Behavioral Medicine Program 4301 West Markham Slot 543 Little Rock, AR 72205

B

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/6/94

ROGER GEORGE BAILEY, Chief of Security, Saudi Arabian Ambassador's residence, 650 Chain Bridge Road, McLean, Virginia, telephone number (703) 276-7474, was advised of the identities of FBI Agents William E. Colombell and H. Alexis Suggs. He was further advised that the agents were involved in an ongoing investigation concerning the death of Vincent Foster at Fort Marcy Park on July 20, 1993 and wished to interview him for any possible information or assistance he could provide to this investigation.

MR. BAILEY stated that he is in charge of a large security staff that maintains security for the Ambassador, his family and visitors on a 24-hour basis. He stated on July 20, 1993, his records reflect that the Ambassador and his family were not present in the Washington, D.C. area. While security was maintained at the residence, it was not of the heightened level required when the Royal Family is present. MR. BAILEY pointed out that his security force has no jurisdiction or authority regarding Fort Marcy Park. However, the park does represent a security risk because of its higher elevation and proximity to the Saudi Arabian compound, enabling park visitors to have a somewhat unobstructed view of portions of the Saudi Arabian compound. As a general rule, his security officers do not concern themselves with activities in the park. He pointed out that only when it becomes apparent to them that park visitors appear to have an unusual or prolonged interest in the Saudi compound will he send a security officer over to check. These occasions occur infrequently and usually in the late Fall or Winter months when there is very little foliage. BAILEY pointed out that in the Spring and Summer months, because of the thick foliage, his security staff is unable to observe any activity in the park with the exception of possible joggers or runners who use an opening in the park fence that runs along the Chain Bridge Road side of the park. MR. BAILEY provided the agents with a visual overview of security cameras utilized by his force, demonstrating that one camera has a clear view of the opening in the park fence. MR. BAILEY noted that since this fence opening is located directly across Chain Bridge Road from the Saudi

Investigation on 4/20/94 at McLean, Virginia File # 29D-LR-35063

by SSA William E. Colombell
SA H. Alexis Suggs WEC:deg Date dictated 5/6/94

D-D-LR-35063

Continuation of FD-302 of ROGER GEORGE BAILEY, On 4/20/94, Page 2

Arabian compound, any unusual activities (i.e., three or four individuals congregating near this area) would draw the immediately attention of his security force. MR. BAILEY reviewed his security logs for July 20, 1993, advising that there is no recording of any incident at Fort Marcy Park or any place else on the Saudi Arabian compound on that particular date.

MR. BAILEY explained that because of the way the park is physically laid out and because of the heavy foliage and tree cover, his security forces are unaware of the comings and goings of those visitors to the park using the main entrance and parking lot off of the George Washington Memorial Parkway. He provided a report prepared by Thompkins Building and Contracting at the request of the FBI, setting out the construction projects and activities that were ongoing during the period July 19-21, 1993. This report reflects a large construction complement was working on the parking garage, service quarters and main house during that period and that a number of concrete trucks and other heavy equipment would have been operating all over the general site. MR. BAILEY pointed out that the construction ongoing in July and 1993 and continuing to this date results in considerable background noise. He also pointed out that much of the air traffic for National Airport flights is located directly over the Potomac River and Saudi Arabian compound area. BAILEY noted that when a plane passes overhead, parties conversing on the Saudi compound grounds have to pause in their conversation until such time as the plane passes. MR. BAILEY also noted that almost on a daily basis, yard and garden maintenance work is present, operating lawn mowers and leaf blowers. He also pointed out that there is considerable heavy traffic on Chain Bridge Road, all of which adds to the noise pollution in the area. MR. BAILEY concluded that it would be highly unlikely that his security force would have heard a loud retort or possible gunshot coming from the park area.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/29/94

PAT BALOD, the White House Federal Credit Union (WHFCU), Old Executive Office Building, Washington, D.C. 20500, telephone number (202) 456-2900, was contacted telephonically to elicit further information about an account which had been maintained by VINCENT W. FOSTER, Jr. at WHFCU.

FOIA(b)(3) - Fed. R. Crim. Pro. 6(e) - Grand Jury

After being advised of the official identity of the interviewing agent and the nature of the interview, BALOD furnished the following information:

The last two digits of an account number appearing on a WHFCU monthly account statement are numbers used by a company in Minnesota which contracts with WHFCU to process the drafts of WHFCU customers. These last two digits differ from the last two digits used in the WHFCU internal record keeping system for tracking accounts. Therefore, the fact that FOSTER'S account number is reflected as 11533-7-0 on some WHFCU documents and as 1153306 on other WHFCU documents does not indicate that FOSTER had more than one account with WHFCU. FOSTER only had one account with WHFCU and the number which actually represents his account number is 11533.

WHFCU imposes a \$1.00 service charge on an account holder for every transaction conducted by the account holder on an automated teller machine (ATM) which is not operated by WHFCU. WHFCU only has one ATM, and it is located at the offices of WHFCU at 17th Street and Pennsylvania Avenue, N.W., Washington, D.C. The fact that the FOSTER account statement for July 1993 reflects one ATM transaction at a location described as "Cathedral 2" is consistent with FOSTER'S account being charged \$1.00 for conducting one ATM transaction at an ATM which is not operated by WHFCU. WHFCU does not operate an ATM referred to as "Cathedral 2."

(telephonically)

Investigation on 6/10/94 at Washington, D.C. File # 29D-LR-35063

by SA RUSSELL T. BRANSFORD RTB:rtb Date dictated 6/10/94

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/29/94

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(telephonically)

Investigation on 6/10/94 at Washington, D.C. File # 29D-LR-35063

by SA RUSSELL T. BRANSFORD RTB:rtb Date dictated 6/10/94

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/9/94

MARK A. BARONDESS, Attorney for the law firm of SANDGROUND, BARONDESS & WEST, P.C., 8000 Towers Crescent Drive, Vienna, Virginia 22182, telephone number (703) 761-4200, arranged an interview with an individual to be known henceforth as SOURCE. BARONDESS helped to coordinate a telephone conference call with SOURCE from the Office of the Independent Counsel (OIC), 1001 Pennsylvania Avenue, N.W., Washington, D.C. Participating in the telephone interview of SOURCE were MARK STEIN, Associate Counsel, OIC; CARL STICH, Associate Counsel, OIC; DANA M. GILLIS, Special Agent, Federal Bureau of Investigation (FBI); and RUSSELL T. BRANSFORD, Special Agent, FBI. After being apprised of the identities of individuals participating in the telephonic interview, SOURCE thereafter provided the following information:

SOURCE was in The White House Map Room on July 20, 1993 and overheard a conversation that was believed to have been related to the death that day of Deputy White House Counsel, VINCENT W. FOSTER, JR. In the course of the overheard conversation, SOURCE recalls hearing the words "we found a note." The individual making this comment was male. To further describe the area in which the conversation was overheard, SOURCE described the Map Room to have a number of maps in the room and was located in the residence portion of The White House.

Upon entering the Map Room, the SOURCE saw GEORGE STEPHANOPOLOUS, Press Secretary DEE DEE MEYERS, MARK GEARAN, White House Chief of Staff, THOMAS F. (MACK) MCLARTY, and one unidentified individual. SOURCE did not believe that this was a formal meeting. Among other issues brought up in the course of the conversation, one concerned who would inform the President and what would that individual say. SOURCE believed informing the President had to deal with the aforementioned note. SOURCE further described the mood in the meeting to be one of panic. It appeared as if the staff was in disarray. There was a lot of walking back and forth to a room down the hallway. There was a lot of whispering between individuals and hovering together.

(telephonically)

Investigation on 5/5/94 at Washington, D.C. File # 29D-LR-35063by SA Dana M. Gillis
SA Russell T. Bransford DMG:deg Date dictated 5/9/94

29D-LR-35063

Continuation of FD-302 of MARK A. BARONDESS, On 5/5/94, Page 2

The SOURCE heard the comments related to a note between 9:15 and 9:30 p.m. on July 20, 1993. The SOURCE was the only other individual in the Map Room at the time the comment regarding the note was made.

SOURCE heard that it was decided that MCLARTY and STEPHANOPOULOS would talk to the President. SOURCE believes that the President was then informed. The SOURCE saw MCLARTY and STEPHANOPOULOS re-enter the Map Room with the President at some point. The SOURCE stepped into a hallway after hearing the comment that the note was found. SOURCE further described his/her actions during this time period as walking in and out of the Map Room. SOURCE noted that the entire staff left the Map Room after it was decided that MCLARTY and STEPHANOPOULOS would talk to the President. SOURCE was standing in a doorway to a library in the residence area of The White House when STEPHANOPOULOS and MCLARTY came to talk to the President. SOURCE did not hear what went on in the Map Room once STEPHANOPOULOS, MCLARTY and the President returned to that area. STEPHANOPOULOS and MCLARTY were with the President for a period of approximately 20 minutes to a half hour.

SOURCE may have been told by someone in The White House that FOSTER was dead. It should be noted that upon the President's departure from the Map Room, the SOURCE did not hear anything else.

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OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 9/23/94

HEATHER M. BECKEL, Executive Assistant in the Office of the President (for GEORGE STEPHANOPOULOS) telephone 202-456-7105 was interviewed at her place of employment at The White House on September 21, 1994. After being advised of the identity of the interviewing agents and the nature and purpose of the interview, BECKEL provided the following information:

BECKEL advised that she had left her position in the Press Office and moved with GEORGE STEPHANOPOULOS when he changed jobs from being the Director of the Office of Communications over to the Office of the President. She advised that an individual named STEVE COHEN took her position in the Press Office.

BECKEL advised that she was not at The White House on July 20, 1993 in the evening when it was learned that VINCE FOSTER, JR. had killed himself. She heard of the death on July 21, 1993 watching the early morning news on television at her home. She advised that at that time, she believes she got to work at approximately 6:30 and would have gone directly to the President's suite in the West Wing. She knew who VINCE FOSTER was but did not have a personal relationship with him aside from saying hello. She described the office atmosphere that morning as very quiet. GEORGE STEPHANOPOULOS was already there when she arrived to work. She asked STEPHANOPOULOS what was going on and they talked a little bit about what STEPHANOPOULOS was reading in the newspaper that morning about FOSTER and what was known about him and his death. He did not tell her that he had discussed the matter with anybody else that morning, including CRAIG LIVINGSTONE, but she added that that would have been out of character for him to tell her such a thing if it had happened.

BECKEL advised that she knows who CRAIG LIVINGSTONE is but does not believe that she knew who he was in July 1993. She advised that she does not recall seeing any individual in the West Wing early on July 21, 1993 who was dressed in less formal attire than they normally would have been, or who was carrying a box, or anybody that she did not recognize. She advised that she does not remember specific events or conversations of that

Investigation on 9/21/94 at Washington, D.C. File # 29D-LR-35063

by SSA H. ALEXIS SUGGS

by FOIA(b)(7) - (C) Date dictated 9/22/94

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Continuation of OIC-302 of HEATHER M. BECKEL, On 9/21/94, Page 2

morning-just primarily feelings that she had.

BECKEL said that several months ago, CRAIG LIVINGSTONE asked her about a chronology of events that he had prepared. He thought he remembered that he had given a copy to STEPHANOPOULOS and BECKEL believes that STEPHANOPOULOS had never had it, inasmuch as it was STEPHANOPOULOS' habit to put all documents in his out box with instructions what he wanted done with it. She would pick it up and either follow instructions, or, if no instructions were attached to a document, decide herself what to do with it. HEATHER had never seen a copy of the chronology and so surmises that GEORGE had not either.

BECKEL said that she felt horribly for the FOSTER family over VINCE FOSTER's death and she remembers a general concern for the family, but she does not remember any discussion about sending anybody to the FOSTER residence, nor did she learn after the fact that anybody had been sent to the FOSTER residence.

She advised that there was an intern in the Office of the President at that time, JENNIFER PIERCE, who had been either a sorority sister or friend of LAURA FOSTER. She remembers that this intern was concerned about how to express her condolence and remembers that the girl was wondering whether she should go out to the house or just call or what she should do. BECKEL describes PIERCE as a white female "currently" blonde, fair skinned, blue eyes, approximately 5'5" or 5'6" and very pretty. BECKEL telephonically contacted the interviewing agent after the interview and provided PIERCE's phone number and address: 2603 Cottonwood, Jonesboro, Arkansas, (501) 935-0738.

As part of the interview, BECKEL provided the following personal information:

Date of Birth:
Place of Birth:
Social Security Number:
Position:

FOIA(b)(6)
FOIA(b)(7) - (C)

Former Position:

Executive Assistant in
the Office of the President
(for GEORGE STEPHANOPOULOS)
since June 1993.
Staff Assistant
White House Press Office.-

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/14/94

Ms. TRACY BECKETT 4907 Van Walbeek Place, Annandale, Virginia, home phone (703) 642-9716, work phone (202) 456-2018 was advised of the identities of Special Agent's WILLIAM E. COLOMBELL and MICHAEL G. NOBLETT. She was informed that the agents wished to speak to her regarding her use of the computer currently located on her desk in The White House Office of Management and Administration, Old Executive Office Building, Room 145. General Counsel CHRISTOPHER D. CERF, Executive Office of the President, was present during the interview of Ms. BECKETT. Ms. BECKETT stated that she has been using the personal computer currently located on her desk since August of 1993. She stated that when The White House Office of Management and Administration moved their offices from the west wing of The White House to the Old Executive Office Building, she took this computer with her. She stated that to her knowledge, no one else has used this computer in the past two to three months other than herself nor has the computer been removed from her office for repairs or for any other reason.

Investigation on 7/13/94 at Washington, D.C. File # 29D-LR-35063
by [FOIA(b)(7) - (C)] Date dictated 7/13/94
by SSA WILLIAM E. COLOMBELL

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/14/94

ERIN NOELLE BERTOCCI currently an intern at The Office of the Vice President at The White House, telephone (202) 456-9015 was contacted telephonically. After being advised of the identity of the interviewing agent and the nature and purpose of the interview, BERTOCCI provided the following information:

BERTOCCI advised that as of July 20, 1994, she working as an intern in The White House Office of Personnel Security under the direct supervision of CRAIG LIVINGSTONE. In her capacity in that job, she rarely did any typing assignments and she knows that she did not type any "report from CRAIG LIVINGSTONE" dated July 21, 1993 which was a chronology of LIVINGSTONE's activities with regard to VINCE FOSTER, JR.'s death on July 20 and 21, 1993. BERTOCCI advised that based on her knowledge of LIVINGSTONE, she believes that he would have handwritten such a memorandum and handed it to someone to type, probably MARI ANDERSON. She advised that there were only three computers in the office and she herself never saw LIVINGSTONE working at a typewriter keyboard. She suspects that he may have given a handwritten copy of the memo to WILLIAM KENNEDY.

Although BERTOCCI knows that she herself did not do the memo and she has never seen a copy of it, she has a specific recollection of LIVINGSTONE saying that he was going to prepare such a chronology on July 21. She believes that he said this after doing something with regard to FOSTER's car or maybe after a meeting. She recalls that DEE DEE MYERS called and said that they should not be talking to the press and thereafter CRAIG LIVINGSTONE instructed them not to handle any press calls at all.

BERTOCCI advised that she does not believe LIVINGSTONE had been at The White House all night. She has a recollection that LIVINGSTONE had either gotten to bed at 2:00 am or gotten up at 2:00 am in order to identify VINCE FOSTER's body. In any case, he told her that he had gotten to bed very late and had been up really early. She said that he "looked like hell". LIVINGSTONE was not in the office at 8:00 am when BERTOCCI got there. She does not know if he was there at The White House but

(telephonically)

Investigation on 7/8 & 7/12/94 at Washington, D.C. File # 29D-LR-35063by SSA H. ALEXIS SUGGS Date dictated 7/12/94

-LR-35063

Continuation of FD-302 of ERIN NOELLE BERTOCCI, On 7/8 & 12/94, Page 2

she had not seen him yet. She advised that she and LIVINGSTONE have a "blue pass" and believes there is a permanent record kept of all comings and goings of individuals carrying such passes.

She said that she has a vague recollection of LIVINGSTONE "going back" to some place where everybody was gathering. She speculated that it was either to the park or the FOSTER residence or the hospital, she did not know. But she had the sense that he had gone back to this place before he had arrived at the office. The timing possibly 5 or 6 am until about 8:30 am.

Her duties as an intern during July, 1993 pertained primarily to the security tracking system. She did not assist LIVINGSTONE in carrying any documents, papers or boxes out of The White House or out of VINCE FOSTER's office. Moreover, she never heard of anybody assisting LIVINGSTONE or anybody else carrying anything out of The White House or out of VINCE FOSTER's office.

BERTOCCI was subsequently contacted by telephone by writer on July 12, 1994 in order to ask if LIVINGSTONE had talked to her about these matters or otherwise attempted to refresh her recollection. BERTOCCI advised that he had not. In fact, not only had she not talked with CRAIG LIVINGSTONE in recent months, but it would have been natural for him to contact her when she returned to her job as a White House intern and he did not. It appeared to her that he was leaning over backwards not to give the appearance of influencing her at all.

She advised that it seemed unusual to her that LIVINGSTONE had been asked to identify the body and to go back to wherever it was he had gone the following morning. She did not think it was part of his job and was not aware of his knowing VINCE FOSTER that well. But she admitted there were other examples of his being involved in things which surprised her. She commented that CRAIG is quite close to his father and his father might know more specifics as to his activities the morning after FOSTER's death. In addition, she speculated that LIVINGSTONE probably gave the memorandum to BILL KENNEDY and that it was typed in BILL KENNEDY's office. She also suggested that NANCY GEMMEL, a former employee in the office who is now retired, would probably know because she was known to "know everything".

NY-35063

Continuation of FD-302 of ERIN NOELLE BERTOCCI, On 7/8 & 12/94, Page 3

As part of the interview BERTOCCI provided the following personal information:

DOB:

POB:

Home Telephone (D.C.):

FOIA(b)(6) FOIA(b)(7) - (C)

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 1/31/95

[FOIA(b)(3) - Fed. R. Crim. Pro. 6(e) - Grand Jury]

Investigation on 1/27/95 at Fairfax, Virginia File # 29D-LR-35063

by [FOIA(b)(7) - (C)] Date dictated 1/29/95

LD-LR-35063

Continuation of OIC-302 of _____, On 1/27/95, Page 2

FOIA(b)(3) - Fed. R. Crim. Pro. 6(e) - Grand Jury

200-D-LR-35063

Continuation of OIC-302 of _____, On 1/27/95, Page 3

FOIA(b)(3) - Fed. R. Crim. Pro. 6(e) - Grand Jury

200-LR-35063

Continuation of OIC-302 of _____, On 1/27/95, Page 4

FOIA(b)(3) - Fed. R. Crim. Pro. 6(e) - Grand Jury

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 2/7/95

FOIA(b)(3) - Fed. R. Crim. Pro. 6(e) - Grand Jury

Investigation on 2/1/95 at Fairfax, Virginia File # 29D-LR-35063

by FOIA(b)(7) - (C) Date dictated 2/5/95

D-LR-35063

Continuation of OIC-302 of _____, On 2/1/95, Page 2

FOIA(b)(3) - Fed. R. Crim. Pro. 6(e) - Grand Jury

D-LR-35063

Continuation of OIC-302 of _____, On 2/1/95, Page 3

FOIA(b)(3) - Fed. R. Crim. Pro. 6(e) - Grand Jury

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 2/14/95

FOIA(b)(3) - Fed. R. Crim. Pro. 6(e) - Grand Jury

Investigation on 2/10/95 at Fairfax, VA File # 29D-LR-35063

by FOIA(b)(7) - (C) Date dictated 2/12/95

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/18/94

Kenneth "Bud" Hobert Blair, Vice President and co-owner, Federal Security Systems, was interviewed at the Office of the Special Counsel, 1001 Pennsylvania NW. Mr. Blair was advised as to the identity of the interviewing agent and of the nature of the interview. He then provided the following information:

Federal Security Systems is a locksmithing business and is located at 152A Hillwood Avenue, Falls Church, Virginia 22046, telephone number 703-241-4575. Mr. Blair stated that his home address is 28 South French Street, Alexandria, Virginia 22034 and his home telephone number 703-370-2256.

Mr. Blair stated that approximately 90 percent of his business is with various Federal Government agencies and as such on July 21, 1993, his business had an open purchase agreement with the Technical Security Division of the United States Secret Service (USSS). He advised that this purchase agreement remains in effect today and covers the installation, repair, and "keying" of locks.

On July 21, 1993, Mr. Blair received a telephone call from a USSS Technical Security Division employee, Kevin Robbins, who Mr. Blair knows to be a locksmith employed by Secret Service. He received this phone call at approximately 2-3:00 pm with Robbins advising that USSS needed to have a dead bolt lock installed on a door in the west wing of The White House that evening. Robbins explained that he was uncertain as to when this lock could be installed but it had to be installed that evening. At approximately 5:30 pm, Mr. Blair received another call from Kevin Robbins who asked him to come to The White House at 7:00 pm.

Kenneth Blair said that he arrived at The White House met by Kevin Robbins, and at approximately 8:00 pm, Kevin Robbins escorted him upstairs to the 2nd floor of the west wing where they met two USSS agents. Blair was shown the door on which he was to install the lock and observed that it was closed when he arrived. A USSS agent went with him as he opened the door and

Investigation on 4/14/94 at Washington, D.C. File # 29D-LR-35063 SUB A

by FOIA(b)(7) - (C) Date dictated 4/14/94

D-LR-35063 SUB A

Continuation of FD-302 of Kenneth Blair, On 4/14/94, Page 2

took and extension cord into the office to plug in. Kevin Robbins left at that point and Blair assumes that he went home. Blair began his work and finished installation of the lock at approximately 10:30-10:45 pm, at which time he locked the door and was escorted out of The White House.

Mr. Blair advised that the lock that he placed on the door that evening was one of his company locks that he brought with him. He stated, however, that Kevin Robbins provided the key cylinder for the lock and the keys which were all USSS property. He said that there were only two keys to this lock and that one of the two agents present (name unknown) kept the keys in his possession throughout installation of the lock and had them when he (Blair) left that evening.

Mr. Blair stated that although he was working in the entrance to the office, he paid no attention to the office itself and could offer no description as to the interior of the office or the content of the office. He did advise that during the time that he was working on the door he observed no one enter the office nor did he observe anyone place anything in or take anything from the office. He said that he did not know the name of the individual who normally occupied this office but that he surmised a week or two after the installation of the lock that this was probably Vincent Foster's office. He said that he came to this conclusion after hearing numerous television news broadcasts concerning Foster's death. He stated that he had never met or known Vincent Foster.

Mr. Blair made available a copy of his company's invoice regarding installation of the lock on the door that evening.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/28/94

On February 23, 1994, FBI Special Agent Dana M. Gillis requested that David Bobzien, County Attorney, Fairfax County, Virginia, provide the Office of the Independent Counsel with a copy of electronic traffic generated in the course of response to the death site of Vincent Foster, Jr. by the Fairfax County Emergency Medical Service (EMS). Attached is a copy of the February 25, 1994 letter of response by Bobzien with corresponding attachments. Bobzien's letter and attachments are attached and made a part of the record hereto.

It should be noted that a document titled Fairfax County, Virginia memorandum dated February 24, 1994 to David Bobzien from Chief Deputy Mark S. Wheatley regarding personnel responding to the Foster death call contained the name James Sutton as part of the crew of Truck One. It should be noted that Victoria Abbott Jacobs was the driver of Truck One, rather than James Sutton. Jacobs was interviewed regarding her participation in the dispatch call regarding Vincent Foster, on March 11, 1994. Also contained in the report are extended narratives generated by individuals responding to the dispatch to Fort Marcy Park on July 20, 1993. Bobzien also provided a handwritten index to the electronic reports. The index contained an explanation of the abbreviations utilized in the generation of electronic transmission information.

Also attached is one copy of a document titled Fairfax County Public Safety Communications Center, Fairfax, Virginia, March 9, 1994, event number 932011315. This document is a transcript of the 911 telephone call received by the Fairfax County Public Safety Communications Center on July 20, 1993. This transcript details the incoming telephone call regarding Vincent Foster, Jr. A second document related to the March 9th communication is subtitled Fire and Rescue Department Event History Header Record. This document is an outline detailing the events related to the 911 telephone call regarding Foster.

Investigation on 2/23/94 at Falls Church, Virginia File # 29D-LR-35063

by SA Dana M. Gillis Date dictated 3/28/94

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 9/12/94

SHARON BOWMAN, sister of VINCENT W. FOSTER, JR. was interviewed at the Office of the Independent Counsel, 1001 Pennsylvania Ave., N.W., Washington, D.C. (WDC), regarding events that may have contributed to the death of her brother. Participating in the interview were her attorney, JAMES HAMILTON, of the law firm of Swidler & Berlin, 3000 K Street, N.W., WDC and Mark Stein, Attorney, Office of the Independent Counsel (OIC). After being appraised of the purpose of the interview and the identities of all parties participating, BOWMAN thereafter provided the following information:

BOWMAN did not consider herself to be a close confidant of her brother's. She further noted that in the recent past, she had had infrequent contact with her brother. She was not aware of FOSTER's depression until after his death.

BOWMAN was aware that FOSTER's spouse, LISA FOSTER, was concerned about her husband (VINCENT FOSTER). BOWMAN did not know what that concern was about.

BOWMAN arrived in Washington, D.C. on July 20, 1993, the day of FOSTER's death. This trip was BOWMAN's first visit to WDC. After VINCENT FOSTER came to Washington as part of the Clinton Administration, he returned to Little Rock on a couple of occasions. The last time BOWMAN saw FOSTER was in May, 1993 when he returned to Arkansas to deliver a graduation speech at the University of Arkansas Law School. During his stay, FOSTER appeared to be tired which BOWMAN attributed to knowledge of FOSTER working long hours. BOWMAN was aware that FOSTER was under a great deal of stress with his job.

In describing her brother, BOWMAN used the word reticent with regard to his personality. In conversations between BOWMAN and FOSTER there was no talk of what he was working on at the White House.

BOWMAN was aware that FOSTER was working long hours in the White House Counsel's Office. From LISA FOSTER, BOWMAN was

Investigation on 6/6/94 at Washington, DC File # 29D-LR-35063
by SA DANA M. GILLIS Date dictated 8/27/94

29D-LR-35063

Continuation of FD-302 of SHARON BOWMAN, On 6/6/94, Page 2

aware that FOSTER was disturbed by the burning of the David Koresh compound in Waco, Texas, and was concerned with "Travelgate." BOWMAN did not recall any reference to the Wall Street Journal articles that she is aware of since FOSTER's death that may have been a contributing factor to his depression.

Regarding the gun that was found at the death scene, BOWMAN was aware that her father owned several guns. These weapons were recalled to be hunting rifles and several pistols. BOWMAN used the term "pistol" in a generic sense for handgun. BOWMAN was aware that VINCENT FOSTER, SR.'s will was written by BERYL ANTHONY's daughter, indicated who the senior FOSTER's gun collection would go to. BOWMAN did not have any strong concern that her father would use one of the guns in his collection to take his own life. VINCENT FOSTER, SR. had made an offhand comment that caused SHELIA ANTHONY, her sister, to acquire the guns from the senior FOSTER's residence.

VINCENT FOSTER, SR. maintained a gun in his bedside table which was known to have been taken from him. This particular gun had previously been identified by BOWMAN. BOWMAN believed that VINCENT FOSTER, JR. took the guns out of her father's house upon her father's death. The afternoon of VINCENT FOSTER SR.'s funeral, SHARON BOWMAN showed one of the guns to her son. At that time the guns were taken by VINCENT FOSTER, JR. BOWMAN recalls that she received two guns. She was aware that one of the guns was a ".22 automatic pistol." BOWMAN thought BERYL ANTHONY may have some of the guns but was unsure. BOWMAN remembers that her father had a gun similar to a revolver that was displayed to her during the course of the interview. She remembered the detailing on the handle of the gun but remembers the handle on the gun she saw to be brown. Upon reflection she could not be sure about the color of the handle. BOWMAN thought her father may have had a gun similar to the gun she was displayed in the course of the interview, in his bedside table.

BOWMAN does not recall FOSTER, SR. having made mention of the weapon that was displayed to her in the course of the interview. BOWMAN admitted that she had never really carefully examined the gun that was thought to have come from her father's night table. BOWMAN was unable to say whether the gun that was displayed to her during the course of the interview belonged to her father.

BOWMAN believes that her son may have been fascinated

200-LR-35063

Continuation of FD-302 of SHARON BOWMAN, On 6/6/94, Page 3

by the fact that the gun was a Colt revolver. BOWMAN's son, LEE FOSTER BOWMAN, can be telephonically contacted at telephone number, (212) 412-6859. As far as the color of the handle of the gun being brown in color, BOWMAN believes the earlier reference to the gun having a brownish handle may have come from JOHN SLOAN who showed her a photograph of the gun subsequent to her brother's death.

BOWMAN did not recall if the pistol in her father's bedside table was loaded. BOWMAN was aware that her brother, VINCENT FOSTER, may have gone back to their father's residence at a later time and acquired ammunition for the weapon believed to have come from her father's bedside table. BOWMAN does not have any old ammunition in her possession. BOWMAN was unable to provide any further information of investigative value.

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/5/94
30186401.wtg

LEE FOSTER BOWMAN, nephew of VINCENT FOSTER, JR. was interviewed at his place of employment, Barclay's Bank, 222 Broadway, New York City, New York 10038. He was advised of the identity of the interviewing agent and of the purpose of the interview. BOWMAN provided the following information:

He is the grandson of VINCENT FOSTER Senior who died in 1992, and nephew of VINCENT FOSTER, JR. who died July 20, 1993. When he was 10 to 16 years old (approximately), he used to go with his grandfather to a fishing club located in Millwood, Arkansas and a hunting cabin in Yellowcreek, Arkansas. On these occasions, which numbered about two or three per year, he would shoot some of his grandfather's firearms. His grandfather collected weapons and was a "big sportsman". BOWMAN recalled seeing that his grandfather possessed about 3 pistols/revolvers; about 4 shotguns; and two or three rifles. BOWMAN mostly shot a .22 automatic pistol that looked something like a luger. It had a dark barrel and wooden handle. He also shot a larger caliber revolver that his grandfather kept in a holster. He also shot a rifle and shotgun. BOWMAN said he knew the difference between a pistol and a revolver.

BOWMAN was asked if his uncle, VINCENT FOSTER, JR., ever accompanied him on these trips and he answered, "Maybe once". He could not recall any additional details regarding this.

BOWMAN went duck hunting with his grandfather at the Yellowcreek hunting cabin which was located between Hope, Arkansas and Texarkana. His grandfather taught him safety of the weapons. He remembered his grandfather keeping one of the handguns in a bedside table, one in his truck and one at the hunting lodge. He said when his grandfather died, his uncle inherited the weapons. This included at least a "couple of pistols" and a shotgun.

BOWMAN had no knowledge of his uncle VINCENT FOSTER, JR. bringing any of these weapons to Washington, D.C. from Little

Investigation on 6/28/94 at New York, New York File # 29D-LR-35063

by SA WILLIAM T. GUYTON Date dictated 6/29/94

J-LR-35063

Continuation of FD-302 of LEE FOSTER BOWMAN, On 6/28/94, Page 2

Rock, Arkansas with him when he joined the CLINTON administration.

BOWMAN was shown the .38 caliber colt revolver believed to have been used by VINCENT FOSTER, JR. on July 20, 1993 to kill himself. BOWMAN was asked if he recognized this weapon. BOWMAN said, "The gun does not ring a bell particularly". BOWMAN said the ".38 caliber" nature of the weapon was familiar, but that he didn't remember the black handle and the dark color of the metal. He indicated that he was familiar with the cylinder and barrel portion of this size or caliber of a weapon except for the color of the metal.

BOWMAN was asked if he could think of anyone else who could possibly identify his grandfather's firearms. He answered that probably other members of the hunting and fishing club and friends of his grandfather could do this. When asked to identify these individuals, BOWMAN said that there was a Dr. SYKES who was a dentist in Hope, Arkansas (his son is also a dentist). BOWMAN said he did not know if SYKES was still alive or not but that SHEILA or BERYL ANTHONY or his mother could probably help identify Dr. SYKES whereabouts. BOWMAN also said that his great uncle CHARLIE (last name not recalled) who lives in Yellowcreek, Arkansas may also be helpful. He further identified CHARLIE as being married to his grandfather's sister. BOWMAN also suggested that BERYL ANTHONY could possibly be of additional assistance.

The following description of BOWMAN was obtained through observation and interview:

Name:	LEE FOSTER BOWMAN
Race:	White
Sex:	Male
DOB:	
POB:	
SSAN:	
Residence:	Number 3 Sheridan Square (7th Avenue and West 4 Street) New York, NY 10014
Telephone:	(212) 366-9613
Present Employment:	Associate-Derivative Sales Person Barclay's Bank 222 Broadway-8th Floor (between Vessey and Fulton

JR-LR-35063

Continuation of FD-302 of LEE FOSTER BOWMAN, On 6/28/94, Page 3

Telephone:

Streets)
New York, NY 10038
(212) 412-6859

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 9/12/94

KEITH O. BOYKIN, Special Assistant to the President and Director of News Analysis since January 1993, telephone (202) 456-7150, was interviewed telephonically. After being advised of the identity of the interviewing agent and the nature and purpose of the interview, BOYKIN provided the following information:

BOYKIN advised that he was made Director of News Analysis in January 1993 and held that position until April 1994 when he was made the Director of Specialty Press. He was Director of the Office of News Analysis in July 1993 when VINCE FOSTER, Jr. committed suicide. He advised that he vaguely remembers FOSTER's death but had no specific recollection of July 20 or July 21, 1993. He advised that he probably worked both days and that he found out about VINCE FOSTER's death at home while watching the news. He wondered how things would be at work when he arrived there. He was handling the distribution of the clippings while LARRY SAMPAS, a volunteer who handled those responsibilities, was gone that week on vacation. BOYKIN estimates that on July 21 it would have been his practice to arrive at The White House between 6:30 and 7:00 am and added that at that time of the morning only two or three people are generally in the West Wing. GEORGE STEPHANOPOULOS being one (who he estimated arrives about 6:30 in the morning every morning) and the people from the News Analysis Department.

BOYKIN advised that interns are used on a regular basis in the News Analysis Department although at times when interns are not available, staff members are used to assemble and distribute the press clippings. In July 1993, BOYKIN thinks there were probably plenty of interns available but if not, the staff members were LARRY SAMPAS (Deputy), KEN CHITESTER (the head of the department) and JULIE OPPENHEIMER (she left White House employment possibly the end of November 1993). He could not recall the names of any of the interns or volunteers working for News Analysis in July of 1993 but said that the current Director KEN CHITESTER probably has information on the identities of those individuals.

(telephonically)

Investigation on 9/1/94 at Washington, DC File # 29D-LR-35063

by SSA H. ALEXIS SUGGS Date dictated 9/7/94

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Continuation of OIC-302 of KEITH BOYKIN, On 9/1/94, Page 2

BOYKIN said that he does not recall any discussion at any Communications Office meetings or during any other conversation on the issue of Press Office presence at the FOSTER residence in the wake of FOSTER's death. He advised that such a thing would have been discussed at their daily meeting and he does not recall hearing of it. He also advised that he did not receive any call from CRAIG LIVINGSTONE in connection with FOSTER's death in any way. The only contact he ever has with CRAIG LIVINGSTONE involves passes for interns.

BOYKIN speculated that on the evening of July 20, 1993, he left The White House at approximately 8:00 pm and reiterated that he doesn't remember anything specific about the day of July 21, 1993. He also does not recall seeing CRAIG LIVINGSTONE anytime during that day.

As part of the interview BOYKIN provided the following personal information:

Date of Birth:
Place of Birth:
Social Security Number:
Position:

FOIA(b)(6) FOIA(b)(7) - (C)

Special Assistant to the President and Director of Specialty Press (since April 1994); Director of White House News Analysis (January 1993 - April 1994)

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/2/94

On May 18, 1994, C. BRANTLEY BUCK, Partner ROSE LAW FIRM was interviewed at the FBI offices in Little Rock, Arkansas. Also present was his attorney C. MICHAEL BUXTON of the firm VINSON & ELKINS, the Willard Office Building, 1455 Pennsylvania Avenue, NW, Washington, D.C., telephone number 202-639-6613. After being advised of the identity of the interviewing agents and the nature and purpose of the interview, BUCK provided the following information:

BUCK advised that he had known VINCE FOSTER, JR. for approximately 20 years to their connection with the ROSE LAW FIRM in Little Rock, Arkansas. Their contact was on a weekly basis. He characterized their relationship as fairly close, primarily professional, and noted that did not socialize outside the office. The last time he saw VINCE FOSTER was at BILL CLINTON's inauguration.

He described FOSTER as very professional and very intelligent. He was not a very outgoing individual and probably the type to internalize problems and difficulties. They did not have the kind of relationship where FOSTER would have confided problems to BUCK.

BUCK speculated that FOSTER's confidants would have been WEBB HUBBELL, BILL KENNEDY and perhaps JOHN and HELEN SLOAN.

BUCK advised that he didn't know how FOSTER handled stress, but noted that he appeared to cope extremely well with it. It was his impression that FOSTER was very successfully in coping with a terrific amount of stress which BUCK imagined the first year of FOSTER's tenure at The White House would have been.

BUCK was not aware of any problems that FOSTER may have been having such as gambling or financial difficulties or extra-marital affairs. With regard to health matters, he recalled that FOSTER exercised regularly and that physical fitness seemed to be important to him. He used the ROSE LAW FIRM gym facilities on a daily basis. He felt that it certainly would have been a factor

Investigation on 5/18/94 at Little Rock, Arkansas File # 29D-LR-35063

by SA H. ALEXIS SUGGS
FOIA(b)(7) - (C) Date dictated 5/25/94

200D-LR-35063

Continuation of FD-302 of C. BRANTLEY BUCK, On 5/18/94, Page 2

in increasing FOSTER's stress if he was not able to work out any longer.

BUCK opined that from a laymen's standpoint and with hindsight, FOSTER appears to have suffered from classic depression. He found out about FOSTER's suicide from CAROLYN HUBER who called him from Washington, D.C. on July 20, 1993 at approximately 11:30 pm D.C. time to notify him of FOSTER's death.

BUCK advised that the reason he called FOSTER on July 20 related to the preparation to the blind trust for President and First Lady CLINTON. BUCK explained that he was preparing the blind trust and coordinating the effort through VINCE FOSTER. He further explained that once the contents of a blind trust are certified by the Office of Government Ethics, there is a 30 day period within which the documents all have to be executed. BUCK had sent documents to Washington, D.C. for President CLINTON to sign. BUCK had in his possession already, documents for HILLARY CLINTON to sign and it was expected that HILLARY CLINTON would be coming through Little Rock and would be available to sign remaining documents on or about July 21. She had been gone for two or three weeks on a trip to Japan. BUCK had many documents for HILLARY CLINTON to sign and a few that the President needed to sign. VINCE FOSTER was supposed to make sure that the President signed the documents and that they were mailed to BUCK in Little Rock.

BUCK had called VINCE FOSTER on July 19 to check on the status of the documents and hadn't been able to reach FOSTER. He called again on the 20th, FOSTER returned his call at 12:17 D.C. time. BUCK called back at approximately 1:00 pm D.C. time. There were no difficulties with the blind trust per say FOSTER had been handling the whole matter completely normally. It was done the only tasks which needed to be completed were ministerial. As it turned out BUCK did not receive the documents from President CLINTON but there was no permanent damage because he evidently did get all the documents executed within the 30 day period.

BUCK advised that he has only spoken to LISA FOSTER on a casually basis, so he does not know her well. He did not know FOSTER to hunt or have an interest in guns but FOSTER didn't seem like the type to hunt or have such an interest. He was surprised when he heard that FOSTER had used a gun since FOSTER seemed to be a very non-violent person. It was, however, a no nonsense

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Continuation of FD-302 of C. BRANTLEY BUCK, On 5/18/94, Page 3

foolproof method of committing suicide and that was consistent with the way FOSTER went about completing tasks.

The only change that BUCK noticed in FOSTER after he became Deputy Counsel was that FOSTER was not normally a very talkative person but he became noticeably less talkative after going to The White House. BUCK said that he would try to joke back and forth a little bit and be met with a stony silence on the phone. He attributed it to the fact that FOSTER was no longer a partner in the firm and he was just not able to "chit-chat" anymore. From early January and February 1992, FOSTER was very businesslike. BUCK advised that this didn't cause any ill feeling between the two and he did not know whether other individuals had experienced or noticed the same thing with FOSTER. He did not have the impression that FOSTER didn't have time to talk with him anymore because he wasn't important. BUCK advised that with regard to the telephone tag they were playing on July 20, he believes that FOSTER would have or should have known why BUCK was calling him that day.

Around the time that the Wall Street Journal articles were appearing about ROSE LAW FIRM partners, BUCK had occasion to be talking business with FOSTER and jokingly ask him if he made the Journal today. FOSTER simply replied, "No, and I hope I never do again". BUCK advised that it seemed like a very normal response. FOSTER was never irate nor very angry. He doesn't recall ever seeing FOSTER lose his temper.

As part of the interview, BUCK provided the following personal information:

Name:
DOB:
POB:
Social Security No.:
Position:

C. BRANTLEY BUCK

FOIA(b)(6) FOIA(b)(7) - (C)

Partner, ROSE LAW FIRM
Little Rock, Arkansas
since 1976

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 10/18/94

EDGAR DENNIS BUENO was interviewed in the offices of the Office of the Independent Counsel (OIC), 1001 Pennsylvania Avenue, N.W., Suite 490 North, Washington, D.C. (WDC). Also participating in the interview was OIC Assistant Counsel BRETT M. KAVANAUGH. After being advised of the official identities of the interviewing agents and the nature of the interview, BUENO furnished the following information:

BUENO is currently a first year law student at the George Washington University National Law Center, WDC. He graduated from the University of Chicago in Chicago, Illinois, with an undergraduate degree in political science in June 1992. BUENO then held an unpaid internship at the National Governors Association in WDC. BUENO volunteered to work in the BILL CLINTON presidential campaign in 1992, and he began working at the campaign headquarters at 1317 F Street, N.W., WDC. In late November 1992, BUENO took a paid job in the transition counsel's office at 1120 Vermont Avenue, N.W., WDC, which was the office where vetting was conducted for potential high-level appointees in the incoming CLINTON Administration. The position of transition counsel was held by JIM HAMILTON, and other attorneys in the office included WARREN CHRISTOPHER and GARY GINSBURG. BUENO was asked by GINSBURG to perform tasks such as copying SF-86 forms, which were background questionnaires completed by candidates for appointments, and sending out such forms as these to potential appointees.

Although BERNARD NUSSBAUM was White House Counsel, Deputy White House Counsel VINCENT W. FOSTER, Jr. was also making many decisions during the early days of the CLINTON Administration. During either the last week of January 1993 or the first week of February 1993, GINSBURG and BUENO went to the White House to attempt to determine whether they would be given permanent positions in the Administration once the transition period was over. They met with FOSTER to discuss their interest, and they were both moved into permanent positions. BUENO became a paralegal working directly for Associate White House Counsel WILLIAM H. KENNEDY III. GINSBURG, LIZ FINE and STEVE SILVERMAN

Investigation on 10/5/94 at Washington, D.C. File # OIC-35063

by SAs WILLIAM E. COLOMBELL and
RUSSELL T. BRANSFORD RTB:rtb Date dictated 10/7/94

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Continuation of OIC-302 of EDGAR DENNIS BUENO, On 10/5/94, Page 2

transferred over from the transition office to the White House, where they continued the vetting process for potential appointees. GINSBURG and FINE have left the White House and are currently working at the United States Department of Justice (DOJ). SILVERMAN continues to work at the White House.

Although GINSBURG and FINE worked with the White House Counsel's Office in vetting candidates and processing nominees toward their confirmation hearings, GINSBURG and FINE knew that they did not formally have positions as Associate White House Counsels. BUENO's office was in the Old Executive Office Building (OEOB) so he was never physically located in the offices of the White House Counsel's Office in the West Wing of the White House. FOSTER's office was in the West Wing, and he would typically call BUENO's office in the OEOB to inquire about the status of the appointment process for specific candidates, e.g., to inquire how close the background investigation was to being completed. FOSTER might have also called to ask for the latest statistics on how many positions had been filled in relation to the number of available positions to be filled. BUENO was not familiar with any of the other work being performed by FOSTER.

KENNEDY had not sought a position in the CLINTON Administration but was asked to join. FOSTER's presence in the CLINTON Administration was part of what attracted KENNEDY to join the White House staff. KENNEDY was unable to participate in a large portion of the process for nominating appointees until he became familiar with it. KENNEDY was clearly assigned to get people through the appointment process during the time that BUENO worked for KENNEDY.

BUENO served at the White House from February 1993 through August 1994. After the death of FOSTER on July 20, 1993, BUENO began working for Associate White House Counsel BETH NOLAN.

BUENO first heard of Whitewater during the campaign, but he is not certain of the context in which he heard of it. He recalls that Whitewater was mentioned in connection with a report issued by attorney JIM LYONS.

BUENO did go to work at the White House compound on July 20, 1993. He believes that he arrived at work that day at his usual time, which would have been between 8:00 and 8:30 a.m. BUENO did not see FOSTER during the last ten days to two weeks prior to FOSTER's death.

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In previous weeks, whenever BUENO passed FOSTER in a hallway, FOSTER would always greet him or somehow acknowledge BUENO's presence. However, when BUENO last saw FOSTER, which was approximately two weeks before FOSTER's death, FOSTER did not even say hello to BUENO. On that occasion, FOSTER was exiting NOLAN's room when BUENO saw him. Although FOSTER looked at BUENO, he did not greet BUENO, which BUENO thought was very unusual under the circumstances.

BUENO is certain that he did not see FOSTER on July 20, 1993. BUENO does not recall any instances of KENNEDY attempting to reach or speak with FOSTER on July 20, 1993. BUENO left work at the White House that evening sometime between 6:30 and 7:30 p.m.

BUENO did not learn of FOSTER's death until the morning of July 21, 1993 when BUENO was still at home preparing to go to work. On that date at approximately 7:15 a.m., BUENO happened to turn on his television, which was tuned to the "Today" show. BUENO saw a photograph of FOSTER displayed on his television screen but the audio portion of the program was not yet audible on BUENO's television so BUENO could not hear why FOSTER's photograph was being shown. BUENO later switched channels to another station and eventually heard a story about FOSTER's death the preceding night.

BUENO believes that he arrived at work at the White House between 8:00 and 8:30 a.m. on July 21, 1993. When BUENO arrived at his office, MARTHA STANLEY, who was the secretary for both KENNEDY and NOLAN, was the only person in the suite (Room 136 of the OEOB). BUENO and STANLEY sat at STANLEY's desk and spoke with each other until other people began to come into the office. At approximately 9:00 or 9:30 a.m., BUENO learned that there was going to be a White House staff meeting with President CLINTON on the fourth floor of the OEOB. Just prior to the start of this meeting, BUENO observed WEBB HUBBELL, MARSHA SCOTT, and KENNEDY holding hands with each other.

In terms of KENNEDY's actions following the death of FOSTER, BUENO knows that CRAIG LIVINGSTONE and KENNEDY went somewhere, possibly the morgue, to identify FOSTER's body the night of July 20, 1993. BUENO himself had no assignments relating to FOSTER's death.

BUENO has not wanted to immerse himself in the details

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of how FOSTER died. He has spoken with another White House staff member, PETER PAPPAS, about the rumors surrounding FOSTER's death, but he has only spoken about the rumors and has not attempted to investigate them or their validity. At the time of BUENO's conversation with PAPPAS, PAPPAS was serving as an Assistant Counsel to the President on a temporary basis, but he is currently working at the United States Department of State. BUENO does not recall hearing of anyone being assigned to handle FOSTER's documents after FOSTER's death.

On July 21, 1993, LIVINGSTONE came to Room 136 in the OEOB looking for KENNEDY. BUENO believes that LIVINGSTONE came to this office between 9:00 and 9:15 a.m. but probably closer to 9:15. LIVINGSTONE's visit occurred sometime before the meeting of the White House staff with President CLINTON. BUENO told LIVINGSTONE that KENNEDY was not in the office yet. During this exchange, LIVINGSTONE was actually in the reception area of the suite, which is the area where STANLEY sits. LIVINGSTONE did not mention what he had done that morning or why he was looking for KENNEDY. LIVINGSTONE told BUENO that he and KENNEDY had driven somewhere the previous night to identify FOSTER's body. BUENO does not recall how LIVINGSTONE was dressed that morning or whether his clothing was unusually rumpled or casual. BUENO does recall that LIVINGSTONE appeared distraught.

BUENO did not have to prepare a chronology of his activities on or about July 20, 1993. He cannot recall if LIVINGSTONE or anyone else mentioned anything about a chronology at that time. BUENO believes LIVINGSTONE may have prepared a chronology but he is not certain of this recollection. BUENO considers it most likely that he heard about the chronology through a conversation, but he cannot recall with whom he may have been speaking. BUENO thinks that he may have heard about the chronology from LIVINGSTONE. BUENO does not know if someone told LIVINGSTONE to prepare the chronology. BUENO believes it is likely that the chronology was prepared in anticipation of inquiries from the press. LIVINGSTONE is the type of person who would have prepared such a document on his own initiative and without being instructed by someone else to do so.

BUENO was present during a conversation on July 22 or July 23, 1993 in which KENNEDY complimented LIVINGSTONE for doing a good job on the night of July 20, 1993. KENNEDY told BUENO that BUENO would have been proud of the way LIVINGSTONE had performed that evening.

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BUENO has no knowledge of anyone removing documents from the White House. BUENO was not asked to remove documents or assist LIVINGSTONE in any other way during the time period around July 20, 1993.

While BUENO was employed as KENNEDY's paralegal, one of his tasks was to send forms related to background investigations both to appointees as well as to other agencies such as the Federal Bureau of Investigation and the Internal Revenue Service. BUENO also reviewed the completed forms to ensure that they had been completed correctly. BUENO was also responsible for hand-carrying the completed background investigation reports to the Senate so that these reports could be reviewed by the appropriate senators involved in confirmation hearings for appointees. BUENO received his work assignments from KENNEDY himself. During the course of his work, BUENO would see LIVINGSTONE on a day-to-day basis. BUENO had kept a mailbox in LIVINGSTONE's office downstairs in the OEOB so he had to go to LIVINGSTONE's office to check his mail each day.

If a background investigation on an appointee had been initiated by someone in the transition office, e.g., an early appointee such as NUSSBAUM, then the transition office staff member who moved to an assignment at the White House was still responsible for the completion of that background investigation. For the first month of his tenure as KENNEDY's paralegal, BUENO continued to check on the status of background investigation forms as he had done in the transition office.

BUENO does not know how LIVINGSTONE obtained a job in the White House Office of Personnel Security. Once LIVINGSTONE was hired, BUENO turned over responsibility for background investigations being conducted on White House employees to LIVINGSTONE.

KENNEDY had three safes in his office, and each of the safes had five drawers. The background investigation reports were maintained in green legal size folders and were kept locked in KENNEDY's safes. Only KENNEDY knew the combinations to these safes. BUENO is not aware of any system used to track the exact location of individual background investigation files once they were removed from KENNEDY's safes, e.g., when BUENO brought a file up to Capitol Hill to be reviewed by a senator.

BUENO does not recall LIVINGSTONE mentioning going to

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FOSTER's house the night of July 20, 1993 or the morning of July 21, 1993. BUENO does not recall whether LIVINGSTONE was in attendance at the meeting of the White House staff with President CLINTON on July 21, 1993.

BUENO last spoke to LIVINGSTONE and KENNEDY when BUENO completed his employment at the White House on August 15, 1994. BUENO went back to the White House on approximately September 15, 1994 to see KENNEDY but he did not have an opportunity to speak with KENNEDY because KENNEDY was on the telephone.

Based on observation and interview, BUENO is described as follows:

Name:	EDGAR DENNIS BUENO
Sex:	Male
Race:	White
Date of Birth:	[REDACTED] FOIA(b)(6)
Place of Birth:	[REDACTED] FOIA(b)(7) - (C)
Address:	801 15th Street South Arlington, Virginia 22202
Hone telephone:	(703) 415-1761

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/29/94

DALE BRENT BUMPERS, born [FOIA(b)(6)] [FOIA(b)(7) - (C)] currently employed as Assistant United States Attorney (AUSA) for the Eastern District of Arkansas, was contacted at his place of employment at the TCBY Building, 5th Floor, was advised of the identity of the interviewing Agent, the purpose of the interview, and the fact that the interview was being conducted at the direction of Independent Counsel ROBERT B. FISKE, JR.

Mr. BUMPERS confirmed that he was employed as AUSA in the Little Rock United States Attorney's Office during 1993. He stated he does not remember if AUSA FLETCHER JACKSON spoke to him in July of 1993 or at any other time about the investigation of DAVID HALE's business, CAPITAL MANAGEMENT SERVICES, being conducted by the Federal Bureau of Investigation (FBI) at that time, nor does he remember if AUSA JACKSON ever mentioned to him that a search warrant was being planned or was about to be executed on HALE's business. BUMPERS said he believes that AUSA JACKSON never spoke to him about the investigation or the search warrant and that he was not aware of either at the time the search warrant was executed.

BUMPERS said he believes that the first time he heard about the search warrant for CAPITAL MANAGEMENT SERVICES was from someone not affiliated with the U.S. Attorney's Office or the FBI, but someone on the street. He declared he cannot remember who talked to him but believes it was at least a week to a month after the suicide of VINCENT FOSTER. This person mentioned a speculation about a possible connection between FOSTER's suicide and the search of CAPITAL MANAGEMENT SERVICES. The remarks were made in passing, and BUMPERS said he could not remember who mentioned this or why the subject came up. He declared he did not speak with anyone in the U.S. Attorney's Office, the FBI, or anyone else about the investigation and search warrant involving DAVID HALE and CAPITAL MANAGEMENT SERVICES prior to July 20, 1993.

Investigation on 6/24/94 at Little Rock, Arkansas File # 29D-LR-35063-Sub 17

by [FOIA(b)(7) - (C)] Date dictated 6/24/94

Stamp: SERIALIZED, FILED, JUN 30 1994, FBI - LITTLE ROCK

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/17/94

CHARLES WILLIAM "BILL" BURTON, Deputy Assistant to the President and Policy and Staff Director for the Chief of Staff, the White House, Washington, D.C., was interviewed at the Office of the Independent Counsel, Washington, D.C. as scheduled at 10:30 a.m. MR. BURTON was advised of the identity of the interviewing agents and of the purpose of the interview. Assisting with the interview was CARL STICH, Assistant to Independent Counsel, ROBERT B. FISKE, JR. Also present during the interview was MR. BURTON's attorney, CHARLES M. CARBERRY, from the law firm JONES, DAY, REAVIS & POGUE. MR. BURTON provided the following information:

He started at the White House officially on May 10, 1993. Prior to that time, he assisted at the White House on a consulting basis since the transition. BURTON grew up in Texarkana, Arkansas and was back in that town from 1976 through 1977. He spent the years 1975 through 1984 in Hope, Arkansas. From 1983 through 1984, he owned a newspaper in Hope. It was during this period of time that he knew VINCE FOSTER's father who was a "city father" in Hope. BURTON said VINCE himself was not much of a public persona in Arkansas. He is not sure when he first met VINCE FOSTER, but it may have been in court. After selling the Hope newspaper, BURTON went to Little Rock and worked for the Associated Press. He then enrolled in law school at the University of Arkansas at Little Rock and during the school year clerked at the Rose Law Firm (RLF). While at RLF, BURTON had a professional relationship with FOSTER. He said he primarily worked with associates who worked with FOSTER while at RLF. During the campaign and extending into the new administration prior to his permanent employment, BURTON assisted with energy policy. White House Chief of Staff MCLARTY had come to the White House out of the energy industry and often turned to BURTON for assistance in this area. BURTON moved to Washington, D.C. during the transition and had been considered for a number of other posts within the administration.

Investigation on 5/16/94 at Washington, D.C. File # 29D-LR-35063

by SA William T. Guyton FOIA(b)(7) - (C) *WTG* WTG:deg Date dictated 5/16/94

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Following law school graduation, BURTON worked until May 1993 at the JONES DAY law firm in Austin, Texas, handling primarily litigation work. BURTON received a letter from VINCE FOSTER as an endorsement to join the Arkansas Bar Association.

BURTON said he knew President CLINTON since CLINTON had been a candidate for the Attorney General in Arkansas.

BURTON described FOSTER with the following adjectives: best reputation; integrity; ethical; brilliant lawyer who had scored first on the Bar exam; not a real colorful fellow; and someone who had not had his name in the paper except for charitable work.

BURTON said he did not socialize with FOSTER. He could only remember having lunch with him on one occasion during the transition. BURTON never attended the weekly dinners with the Arkansas group in Washington, D.C. after CLINTON became President.

BURTON said he had occasional day-to-day contact with VINCE FOSTER at the White House. He said these occasions totaled no more than six to ten during the period May through July 1993.

At this point, BURTON noted that he sometimes had difficulty in separating what is known today versus what he knew at the time of FOSTER's death.

Asked if he had noticed any changes in VINCE FOSTER just prior to his death, BURTON answered that FOSTER always seemed like a pretty serious fellow, down to business. BURTON's sense was that FOSTER had more concentration and furrowed brow in the weeks prior to his death. BURTON did not recall discussing this with anyone.

BURTON saw FOSTER for the last time two weekends before FOSTER's death. The occasion was a Saturday or Sunday at the White House when both were working. They had come to the White House independently but FOSTER, BURTON and someone else whose name BURTON could not recall, ended up being together and perhaps discussing the Travel Office situation. They were trying to do the right thing and it wasn't coming out that way. FOSTER was concerned about his reputation.

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FOSTER had been concerned about how DAVID WATKINS was being treated by the press. BURTON didn't recall FOSTER saying he was concerned about BILL KENNEDY.

When asked if VINCE FOSTER was working on Whitewater-related matters prior to his death, BURTON answered that he didn't know. BURTON knew FOSTER did some personal legal work for the CLINTONS while at RLF. FOSTER would have continued some of this work at the White House, particularly as it related to financial disclosure forms, etc.

On the evening of July 20, 1993, just prior to 9:00 p.m., BURTON received a telephone call from DAVID WATKINS, Assistant to the President for Management and Administration. WATKINS was calling the Chief of Staff's office and BURTON was sitting in the reception area when he received the call. WATKINS reported that he had learned from the duty officer of the U.S. Park Police (USPP) that VINCENT FOSTER had died. BURTON said his memory was hazy because of the flurry of activity that followed, but he could recall walking to the residence of the White House where the President and others from the Senior White House Staff were. The President was appearing on the LARRY KING show live that evening from 9:00-10:00 p.m. BURTON pulled MCLARTY out of the room where he was watching the show and informed MCLARTY of FOSTER's death. MCLARTY was visibly affected by this news.

BURTON then went to further confirm the death and circumstances surrounding it. With his newspaper reporter background, he ended up calling several USPP investigators, the hospital, an ambulance company and also BRUCE BABBIT, Secretary for the Interior. He called BABBIT to offer White House help and cooperation in the FOSTER death investigation by the USPP. BABBIT reacted, as others had, by being shocked and was also appreciative and understanding. BURTON remembers he told BABBIT the White House wanted no special treatment from the Park Police. BURTON did not recall the FBI/DOJ involvement being discussed at this point. He termed the call to BABBIT as a "courtesy call."

When asked to describe what he had learned of FOSTER's death at this point, BURTON said he spoke with the lead investigative officer at the scene who described the appearance, wallet and scene of the death as a classic suicide. He said FOSTER's thumb was in the trigger and blood under FOSTER not in the grass nearby the body. He said the thumb being in the --

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trigger was a classic key indicator to the USPP of suicide. Not many people know that this is how a gun is held to commit this type of suicide. BURTON asked and was told that no note was found, but that FOSTER's car, a Honda, had been found.

Just past 9:30 p.m., BURTON returned to tell MCLARTY that it was clear that it was FOSTER and appeared to be a suicide. It was apparent to BURTON at this point that DEE DEE MYERS, GEORGE STEPHANOPOULOS, MARK GEARAN and others present from the White House had been told of FOSTER's death by MCLARTY. At that point, BILL KENNEDY and CRAIG LIVINGSTONE called to their location indicating they had identified FOSTER's body at the hospital. BURTON said this group was in one of the "colored rooms" on the ground floor of the White House, and at times used the U.S. Secret Service telephone at the station located in that hallway.

BURTON remembered people asking at various times about the presence of a note and the answer always being no. There was no discussion at this point of searching FOSTER's White House office.

MCLARTY asked the President to terminate his interview with LARRY KING. The President, MCLARTY, BURTON and perhaps a Secret Service agent rode from the library of the White House on the elevator to the second floor residence of the President and met in a private room. It was at this point, approximately 10:00 p.m. or shortly thereafter, that MCLARTY formally advised the President that his friend, VINCENT FOSTER, had committed suicide. The President reacted with shock. BURTON described his conversation with Park Police regarding the death scene and thereafter excused himself and returned to the ground floor. MCLARTY and the President stayed in the room.

BURTON could recall no discussions regarding a note or search of FOSTER's office. He recalled the topics being discussed as (1) notification of FOSTER's relatives and friends; and (2) a press statement. BURTON himself handled some of the White House contacts for funeral arrangements and the obtaining of FOSTER's personal effects.

BURTON went back to the Chief of Staff's suite. SYLVIA MATHEWS of the Office of Economic Counsel had volunteered to sit at PATTY's desk in the foyer of MCLARTY's office to answer --

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telephones. BURTON himself used MCLARTY's office to notify FOSTER's friends and relatives. BURTON noted that he called mutual friends in Hope, Arkansas, of himself and VINCE FOSTER's mother, GEORGE and EFFIE FRASIER. The FRASIERS told MRS. FOSTER (ALICE MAE) in person of her son's death.

At one point, BURTON saw SYLVIA MATHEWS on the floor going through a sack of trash. She had determined on her own, apparently, that FOSTER's office may have been cleaned and had somehow asked for the trash from the cleaning ladies and had been told what she had was from FOSTER's office. BURTON could not recall how she knew, but MATHEWS also reported that the burn bag in FOSTER's office was empty. BURTON's memory was hazy, but he said there was not much trash from FOSTER's office. BURTON said the trash was of "some concern to me." He said he told MATHEWS it was important to keep the trash together. MATHEWS sealed the trash with masking tape and put it in ROY NEAL'S office for safekeeping.

The President and MCLARTY and others from the White House went to see LISA FOSTER at her residence that evening. BURTON stayed at the White House during that time to handle matters from that location. DEE DEE MYERS and MARK GEARAN were working on a press release.

BURTON was asked if he went to FOSTER's office that evening. He answered that he did not recall leaving the first floor of the West Wing. FOSTER's office is on the second floor of the West Wing. BURTON said he went home about somewhere between 2:00 a.m. and 5:00 a.m., probably 4:00 a.m.

BURTON returned to the White House on the morning of July 21, 1993 in time for the 8:00 a.m. Senior Staff Meeting. He said nothing memorable occurred at that meeting. He also said the days are "telescoped." BURTON's normal day at the White House is from 7:00 a.m. to 9:00 or 10:00 in the evening. On the morning of July 21, 1993, BURTON again called BRUCE BABBIT at Interior. BURTON said he now understood from the White House Counsel's office, that the USPP would be officially investigating the FOSTER death. BURTON said there had been some discussion of having the Department of Justice (DOJ) come in to act as facilitator with the White House to avoid the appearance of any coverup during the investigation. BURTON offered that BABBIT should call the Chief of Staff's office at the White House and

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let them know of any roadblocks occurring during the investigation. BURTON said he did not recall attending a USPP briefing on the investigation to date on the morning of July 21, 1993.

BURTON had several conversations with the USPP over the next several days. He said it was hard to recall the time and content of any one of these meetings. He also cautioned that during this time period, he was doing other things. BURTON was talking with the family, helping with funeral arrangements, arranging for Air Force One and a plane for FOSTER's body to be sent to Arkansas, working with the Park Police and for a while it seemed like acting as Park Police contact with the White House. This contact duty eventually shifted to the White House Counsel's office. Basically, BURTON was assisting with logistics.

BURTON did not recall a meeting on the afternoon of July 21, 1993 with Park Police and other investigators regarding how VINCENT FOSTER's office would be searched. BURTON did recall talking with MCLARTY and NUSSBAUM about the search. He said MCLARTY ran the Chief of Staff's office as a "broker" in dealing with overlapping responsibilities in the White House. BURTON participated in the decision for the search which had been primarily determined by NUSSBAUM. Concerns voiced were that the search be completely as open as possible and yet preserve the confidentiality and privileges of the Presidency; basically protecting the Presidency. BURTON did not recall who among the group was where on the spectrum of concerns. He did recall that nobody took the position that "let them have at it" with respect to law enforcement entering FOSTER's office without restriction. BURTON knew of discussions in NUSSBAUM's office with the Park Police, etc. BURTON was in MCLARTY's office and remembers a discussion concerning bringing JACK QUINN in for his viewpoint.

DAVID MARGOLIS, DOJ attorney, was the USPP agent with the White House. BURTON recalls that the Park Police thought the terms of the search were almost an overkill. As an example, concerning some of FOSTER's private papers, MARGOLIS raised an issue and the Park Police volunteered that these documents could be taken home by FOSTER's family attorney. The Park Police were there to find out if the death had been a suicide or if there was a note present in the office. The process followed was that NUSSBAUM would describe a folder or document to let the investigators know what it was. BURTON said there weren't half a

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dozen times that it came up that anything was of interest to them (law enforcement). He gave an example - telephone logs. BURTON said the USPP got to see everything they wanted to see. BURTON said he was at the search partly as MCLARTY's representative to report back to the Chief of Staff. BURTON did not recall how it came that he would be at the search. BURTON had no knowledge of the President and/or First Lady being consulted regarding issues surrounding the search and he said it seems like he would have known if this had occurred. BURTON knew that MAGGIE WILLIAMS was involved in some conversations, as FOSTER had acted as personal lawyer for the President in the past.

When questioned, BURTON said that he was not aware of any documents being removed from FOSTER's office on the evening of July 20, 1993 and the early morning hours of July 21, 1993. He does not recall any reference or accusations or rumors to such removals.

BURTON said he was at the search of the FOSTER office at the start and conclusion and also there most of the time. He left the room on a couple of occasions to take unrelated phone calls.

BURTON remembers that one of the first items to be searched in FOSTER's office was a briefcase. He said that White House staff consisting of STEVEN NEUWIRTH, CLIFF SLOAN and himself surrounded NUSSBAUM behind the desk with the investigators and attorneys from DOJ in front of the desk. The desk surface was actually reviewed first and then two briefcases. BURTON remembered an accordion-style briefcase and a catalog-style briefcase. He said the pile of personal documents was created from items taken out of the briefcases. BURTON saw no more files in the briefcases and doesn't recall seeing otherwise. He said he had been previously interviewed concerning the search of FOSTER's office and referred the interviewers to this earlier recorded interview as it had occurred closer to the time of the events in question. BURTON did not recall NUSSBAUM looking into the briefcase. BURTON never heard any rumors or discussion concerning the torn up note which was eventually found being returned to FOSTER's office after the search on July 22, 1993. BURTON was asked if FOSTER was the kind of person who ripped stuff up prior to throwing it away. BURTON said he did not know but cited FOSTER as being a careful attorney. BURTON said it was his understanding that the burn bag system in the White House was

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primarily for Top Secret and Military Secret material which was to be thrown away.

BURTON was asked to further described his six to ten contacts noted earlier with FOSTER during the course of their dealings from May to July, 1993. BURTON said that FOSTER was always courteous. As an example, FOSTER always called first to arrange an appointment with Chief of Staff MCLARTY. FOSTER would check with BURTON regarding legal issues and status of appointment matters.

BURTON said he could not think of anything else relevant to the investigation.

BURTON was asked if he was aware of anyone from the Park Police or Interior contacting the White House regarding the conduct of the USPP investigation of the death of VINCENT FOSTER. BURTON replied that in an "after the fact manner" TOM COLLIER, Chief of Staff for BRUCE BABBIT, Secretary of Interior, had called him (BURTON). Allegations were made by COLLIER that the White House was mishandling and blocking the investigation. BURTON said he felt these issues were being raised only after bad publicity had surfaced. They were also raised when most of the investigation had been done and the note found. BURTON said he turned COLLIER's complaints over to ROY NEAL. BURTON said his conversation with COLLIER was a "heated" discussion. BURTON said he probably wasn't as polite to COLLIER as he should have been. BURTON said as far as he knew, there were no changes following his discussion with COLLIER, other than it seemed that the DOJ went into "ascendancy as lead agency."

Following a break with his attorney, BURTON returned to the interview with the following two issues, stating that he had conferred with his attorney regarding relevancy of these issues.

BURTON had handled the rings and FOSTER personal affects to include a watch, wallet and beeper. With respect to the beeper, BURTON checked it upon receiving it from investigators and noted that FOSTER's name showed up on the readout, indicating there were no pages on it. He said as follow-up, the White House Communication Agency perhaps could determine whether or not additional paging records are kept. BURTON said that PATSY THOMASSON or DAVID WATKINS or JOEL KLEIN

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Continuation of FD-302 of CHARLES WILLIAM "BILL" BURTON, On 5/16/94, Page 9

would be the link with the White House Communication Agency to follow-up on this issue, if necessary.

BURTON also reported that some period of time after the death of FOSTER and the note being located, perhaps in the Fall of 1993, before Whitewater was back in the news, he spoke with JIM BLAIR, an attorney, about a friend of his, SAM HEAUR, who was MCDUGAL's attorney. MCDUGAL had acquired CLINTON's Whitewater interest. Shortly before FOSTER died, he was in the process of trying to get corporate records from the CLINTONS. BRUCE LINDSEY and MAGGIE WILLIAMS were contacted by BURTON and the matter was left with WILLIAMS.

BURTON was asked if he knew the attorneys BARNETT and/or KENDALL. BURTON said he had met BARNETT at FOSTER's funeral on the bus ride from Hope to Little Rock.

The following description of BURTON was obtained through observation and interview:

Name:	CHARLES WILLIAM "BILL" BURTON
Title:	Deputy Assistant to the President and Policy and Staff Director for the Chief of Staff
Race:	White
Sex:	Male
DOB:	FOIA(b)(6) FOIA(b)(7) - (C)
POB:	
SSAN:	
Address:	2239 N. Quincy Street Arlington, Virginia 22207
Telephone:	Residence: (703) 351-0381 Work: (202) 456-6797

Attorney, CHARLES M. CARBERRY, JONES, DAY, REAVIS & POGUE, 599 Lexington Avenue, New York, New York 10022, telephone (212) 326-3939/3920.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/29/94

HARRIET E. BYNUM telephonically contacted the interviewing agent in response to a call placed to BYNUM by the interviewing agent earlier on May 25, 1994. BYNUM is employed as an insurance sales agent by MAZZANTI, BYNUM & ASSOCIATES, 2 Convention Center Place, Suite 102, Convention Center Holiday Inn, Pine Bluff, Arkansas 71601, telephone number (501) 536-8058. BYNUM resides at 315 Martin Street, Pine Bluff, Arkansas, telephone number (501) 534-6334. After being advised of the official identity of the interviewing agent and that the interview pertained to the circumstances of the death of VINCENT W. FOSTER, Jr. on July 20, 1993, BYNUM provided the following information:

BYNUM was the writing agent who sold a universal life insurance policy, policy number L011391790 with a value of \$700,000.00, to VINCENT W. FOSTER, Jr. The policy was issued by the North American Company for Life and Health Insurance (NACOLAH), Chicago, Illinois, and the anniversary date on the policy was July 14, 1990.

BYNUM does not recall exactly why NACOLAH documents reflect three different annual premium amounts (\$2421.00, \$2618.00 and \$3857.00) for FOSTER's flexible premium adjustable life insurance policy, but she believes the annual premium rates were increased due to a decline in prevailing interest rates. In order to ensure the ability of NACOLAH to pay the full \$700,000.00 in the event of FOSTER's death, NACOLAH had to make assumptions about the rate of return on NACOLAH's investments during the life of FOSTER's policy with NACOLAH. When prevailing interest rates began to decline, NACOLAH had to increase the amount of FOSTER's annual premium because NACOLAH would need to invest more money at the lower than projected rates of interest in order to have enough funds accumulated to pay FOSTER's survivors the full \$700,000.00.

BYNUM recalls being contacted by FOSTER when he was notified of the increase in the amount of the annual premium.

(telephonically)

Investigation on 5/25/94 at Washington, D.C. File # 29D-LR-35063by SA RUSSELL T. BRANSFORD RTB:rtb Date dictated 5/29/94

29D-LR-35063

Continuation of FD-302 of HARRIET E. BYNUM, On 5/25/94, Page 2

BYNUM had previously discussed with FOSTER the possibility of the premium changing from the figure she had originally furnished him, and she simply explained to him about the decline in interest rates at that time.

The annual premium payment is normally due on the anniversary date of the policy each year. In the case of FOSTER's policy, his premium for 1993 was due on July 14, 1993. Bills to remind the policy holder of the upcoming anniversary date are normally sent out by NACOLAH approximately three to four weeks before the due date. When she was asked by the interviewing agent whether June 22, 1993 could have been the date when NACOLAH last sent a bill to FOSTER, BYNUM concurred and noted that date was, in fact, approximately three to four weeks before the due date on FOSTER's policy.

The date June 22, 1993 had been reflected as the last billing date on a NACOLAH document which had been reviewed by the interviewing agent prior to the interview.

On a term insurance policy, the premium must normally be paid within thirty-one days of the due date or the policy is considered lapsed and no benefits are payable. However, in the case of a universal life policy such as the policy purchased by FOSTER, the due date holds less significance. FOSTER had paid \$5,021.00 to NACOLAH when he purchased the policy. BYNUM recalls that this \$5,021.00 represented money which FOSTER had received from either Massachusetts Mutual Life Insurance Company or The Mutual Life Insurance Company of New York when FOSTER had closed out a policy with one of these two companies. BYNUM had applied \$3,857.00 of FOSTER's \$5,021.00 to FOSTER's premium payment for the first year, leaving FOSTER substantially in advance of his premium payments due with NACOLAH. As a result of this early payment as well as the return NACOLAH had been able to earn on FOSTER'S premium payments, FOSTER may not have needed to make any premium payment in 1993. FOSTER did not have to make a premium payment in 1993 as long as the interest rates for the returns to NACOLAH from the investment of FOSTER'S premiums remained higher than the mortality cost to NACOLAH. In short, FOSTER could have made no premium payments for as long as eighteen to twenty-four months after the premium was due in July 1993, yet the full \$700,000.00 face amount of his policy would have been paid upon FOSTER'S death.

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Continuation of FD-302 of HARRIET E. BYNUM, On 5/25/94, Page 3

BYNUM is familiar with the clauses pertaining to suicide in FOSTER's policy since the terms of FOSTER's policy were quite standard. If FOSTER had committed suicide within two years of the anniversary date of his policy, i.e., on or before July 14, 1992, then FOSTER's survivors would only have received the amount of the premiums paid to NACOLAH by FOSTER up to that time. However, since FOSTER died after July 14, 1992, his survivors were entitled to the full \$700,000.00 amount of the policy.

BYNUM knew FOSTER for many years, and she traveled to Washington, D.C. following his death on July 20, 1993. BYNUM considered FOSTER a friend, but they had limited contact with each other after FOSTER left Arkansas and went to Washington, D.C. in January 1993. BYNUM considers FOSTER's widow, LISA FOSTER, to be her best friend. BYNUM spoke with LISA FOSTER in Washington, D.C. shortly after FOSTER's death in an effort to assist LISA FOSTER in whatever ways she could, including the filing of a claim with NACOLAH. During her conversations with LISA FOSTER, BYNUM learned that LISA FOSTER had made a premium payment to NACOLAH shortly before FOSTER's death. Based on her previously described knowledge that the prompt payment of FOSTER's insurance premium in July 1993 was not necessary to ensure that NACOLAH would pay off on the policy, BYNUM is quite certain that the payment of the premium by LISA FOSTER on the day before FOSTER's death was strictly coincidental. BYNUM is not certain when LISA FOSTER's premium payment was received by NACOLAH, but she believes it was in relatively close proximity in time to the date of FOSTER's death.

BYNUM knows of no concerns held by anyone at NACOLAH regarding the timing of the payment of the premium on FOSTER's policy. Following FOSTER's death, BYNUM contacted NACOLAH to request prompt processing of the death claim. BYNUM took this action on her own initiative because she knew the difficulties LISA FOSTER was encountering in moving from Washington back to Little Rock.

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 2/22/95

HARRIET EASON BYNUM was interviewed at her place of business, Bynum Investment Services, 415 West 6th Avenue, Suite B, Pine Bluff, Arkansas 71611, telephone number (501) 541-9094. After being advised of the official identity of the interviewing agent and the nature of the interview, BYNUM provided the following information:

BYNUM has known VINCENT W. FOSTER, Jr. since she was approximately fourteen years old. BYNUM grew up in Clarendon, Arkansas, while FOSTER lived in Hope, Arkansas. BYNUM and FOSTER attended Presbyterian churches, and they met at church-related activities during the summers when they were in junior high and high schools. FOSTER was one year older than BYNUM.

BYNUM later had contact with FOSTER during one of the summers between FOSTER's college years. FOSTER lived with a relative in Little Rock during that summer, and BYNUM saw FOSTER often as part of a large group of people who socialized together.

When FOSTER and his wife moved to Fayetteville, Arkansas, for FOSTER to attend law school, BYNUM went up to Fayetteville to see them the first week they were there. BYNUM's husband, F. WILSON BYNUM, also studied law at the University of Arkansas School of Law in Fayetteville but was one semester behind FOSTER. The BYNUMs and FOSTERS have remained the closest of friends since leaving Fayetteville.

The BYNUMs spent election night in November 1992 with the FOSTERS at the FOSTERS' house in Little Rock.

The BYNUMs know President BILL CLINTON and First Lady HILLARY RODHAM CLINTON, but their only social contacts with the CLINTONS have been through the FOSTERS. WILSON BYNUM has worked with HILLARY RODHAM CLINTON on legal matters, but these matters preceded the election of President CLINTON. BYNUM has worked with HILLARY RODHAM CLINTON on social and community issues such as child advocacy.

Investigation on 2/7/95 at Pine Bluff, Arkansas File # 29D-LR-35063

by SA RUSSELL T. BRANSFORD RTB:rtb Date dictated 2/13/95

LD-LR-35063

Continuation of OIC-302 of HARRIET EASON BYNUM, On 2/7/95, Page 2

BYNUM did not see FOSTER in the last few months preceding his death on July 20, 1993. The BYNUMs had airplane reservations and tickets to travel to Washington, D.C. (WDC), in October 1993, but these plans were changed due to FOSTER's death:

ROSEMARY CONRAD, who is a friend of both the BYNUMs and the FOSTERS, travelled to WDC during the first two weeks of June 1993 and visited with FOSTER. CONRAD may be able to provide information about FOSTER's behavior on that occasion.

BYNUM did not travel to WDC to visit FOSTER after he moved there following the inauguration of President BILL CLINTON in January 1993. BYNUM probably spoke to FOSTER a couple of times after he went to WDC. On one occasion, FOSTER called BYNUM shortly after the inauguration with a question about life insurance. FOSTER, along with other new White House employees, had recently attended an orientation meeting about benefits available to federal government employees. BYNUM was in the insurance business at that time and she had already sold a life insurance policy to FOSTER. FOSTER called BYNUM to ask her advice about whether the premium on the government life insurance plan was competitively priced. BYNUM obtained the facts on the government plan from FOSTER, and she compared the government plan with other insurance plans available through insurance brokers in Arkansas. BYNUM later recommended to FOSTER that he enroll in the government plan since the government rate was better than BYNUM had been able to find in the private sector. These contacts with FOSTER probably occurred in late January or early February of 1993. BYNUM probably last spoke to FOSTER sometime prior to April 1, 1993.

BYNUM has two children who are very close in age to two of FOSTER's children. One of BYNUM's children is approximately one month older than LAURA FOSTER, while BYNUM's other child is approximately three months older than BRUGH FOSTER.

BYNUM recalls that FOSTER used to have severe mood swings even while he was still living in Little Rock and working at the Rose Law Firm. BYNUM and her husband would occasionally travel to Little Rock from Pine Bluff and spend a weekend with the FOSTERS. For example, on Saturday they might go to a sports event and go out to dinner. The BYNUMs would then spend the night at the FOSTERS' residence rather than drive back to Pine Bluff. BYNUM recalls that FOSTER would sometimes be extremely quiet on Sunday morning, staying mostly to himself. Even if the

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Continuation of OIC-302 of HARRIET EASON BYNUM, On 2/7/95, Page 3

BYNUMs and LISA FOSTER became loud or excited, FOSTER would remain quiet and either read the newspaper or study documents from work, especially if he were preparing for a major trial. FOSTER would never be hostile to his guests, and he would not ask them to quiet down, but it was clear to BYNUM that he wanted no part of what was going on in his own house. If the noise and revelry grew too distracting, FOSTER would pick up his things and go into another room without saying anything to his guests.

BYNUM has observed the video tape of FOSTER delivering the commencement address at the University of Arkansas School of Law in May 1993. BYNUM believes that FOSTER's spirit was clearly absent as he delivered the address, but she does not mean this comment in a religious sense. FOSTER's personality was not inside his body as he gave the speech. FOSTER's image on the video tape appeared "ghostly" to BYNUM.

On one occasion, BYNUM watched the video tape of the commencement address with FOSTER's daughter, LAURA FOSTER. LAURA FOSTER commented to BYNUM that the person on the tape was not her father. LAURA FOSTER said that though the person delivering the address looked like her father on the outside, the traits she knew within him were not evident as he made that speech.

BYNUM has viewed photographs of FOSTER taken during the last two months of his life, and she recalls that in these photographs FOSTER had very puffy eyes and a glazed expression on his face.

On July 20, 1993, at approximately 9:00 p.m., WILSON BYNUM answered the telephone at home and was told by the caller, JOHN SLOAN, that FOSTER was dead. WILSON BYNUM hung up the phone and told BYNUM that FOSTER had died. BYNUM was incredulous and asked her husband to repeat what he had just said. WILSON BYNUM repeated that FOSTER had died. There was no mention of how FOSTER had actually died during this conversation. JOHN SLOAN and his wife HELEN did not believe FOSTER had died by suicide, and they called the BYNUMs again approximately forty-five to sixty minutes after the first call to further discuss what had happened to FOSTER.

BYNUM also spoke by telephone with ROSEMARY CONRAD that same night about FOSTER's death. CONRAD had been called by SKIP RUTHERFORD, who notified her of FOSTER's death. During their telephone conversation with each other, neither CONRAD nor BYNUM

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Continuation of OIC-302 of HARRIET EASON BYNUM, On 2/7/95, Page 4

mentioned suicide. That night BYNUM also arranged plane reservations to WDC aboard United Airlines using the tickets BYNUM had planned to use for the trip to WDC in October 1993.

On July 21, 1993, at approximately 8:00 a.m., WILSON BYNUM received a telephone call from DOUG BUFORD, who said there was room for BYNUM on a private aircraft which would be flying friends of the FOSTER family to WDC. BYNUM called United Airlines back and canceled her earlier reservations. The private airplane left Little Rock around 11:30 a.m. and flew to Fayetteville, Arkansas, to pick up CONRAD and her son. The airplane with BYNUM aboard eventually arrived in WDC around 4:00 that afternoon.

BYNUM knows of no money problems or other personal or family problems which may have led FOSTER to suicide.

FOSTER was right-handed.

BYNUM believes that FOSTER killed himself because of the intense personal criticism to which he had been subjected, particularly by writers of the Wall Street Journal. BYNUM believes FOSTER would have regarded the critical articles as a form of personal character assassination. FOSTER also likely felt intense pressure about his options in terms of resigning his post at the White House Counsel's Office. FOSTER felt there was no way out of his position at the White House, and he felt he could not return to Little Rock even though he could have. FOSTER was such a perfectionist that he would have found it intolerable that he had not been successful in his work in WDC. The pressure on himself may have been mostly or totally self-imposed.

BYNUM's comments about FOSTER's state of mind prior to his death are based solely on her knowledge of FOSTER and are not based on anything he said to her.

BYNUM recalls hearing that a professor from either Georgetown University or George Washington University in WDC called the FOSTER house after FOSTER's death and spoke about Type A personalities. BYNUM recalls being told that suicides among Type A personalities are rare, occurring at a rate of approximately three percent. BYNUM regarded FOSTER as having a Type A personality, i.e., FOSTER was constantly driven and was always striving for success and perfection.

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Continuation of OIC-302 of HARRIET EASON BYNUM, On 2/7/95, Page 5

BYNUM is not certain in her own mind how FOSTER was able to commit suicide without leaving a note explaining his actions to his family or without having some sort of final conversation with his children. BYNUM believes that FOSTER felt the personal pressure so intensely that he just blocked out of his mind the likely effects of his death on his wife and children.

Based on observation and interview, BYNUM is described as follows:

Name:	HARRIET EASON BYNUM
Sex:	Female
Race:	White
Date of Birth:	
Place of Birth:	
Social Security Account Number:	
Residence:	315 Martin Street Pine Bluff, Arkansas
Home Telephone:	(501) 534-6334.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/1/94

WILLIAM MICHAEL CAHILL was interviewed in a conference room at the Office of the Independent Counsel, 1001 Pennsylvania Avenue, N.W., Suite 490 North, Washington, D.C. CAHILL is an officer with the United States Secret Service (USSS), Uniform Division, White House Branch. After being advised of the official identities of the interviewing agents and the nature of the interview, CAHILL provided the following information:

CAHILL is currently assigned to the USSS Control Center for the White House Branch, which is where he was assigned on July 20, 1993, the date of the death of White House Deputy Counsel VINCENT W. FOSTER, Jr. CAHILL is assigned to the C Section of the White House Branch, and his normal hours of work are from 2:00 p.m. to 10:00 p.m. CAHILL believes he was assigned to monitor alarms on the alarm board in the USSS Control Center on July 20, 1993.

When an officer of the USSS is assigned to monitor the alarm board at the USSS Control Center, the officer is responsible for receiving telephone calls from persons securing or opening offices within the White House. If the alarm board reflects that an alarm has been tripped in one of the offices in the White House, the officer on the alarm board position is responsible for calling the office in which the alarm has been activated to determine the reason for the alarm being triggered. The officer assigned to the alarm board is also responsible for having an officer of the USSS sent to the site of the alarm to check on the cause of the alarm. The officer who responds to the site of the alarm is, in turn, responsible for radioing the USSS Control Center to confirm that anyone found at the site of the alarm is named on the list of persons authorized to be in the space where the alarm was activated. If no person is still at the site of the alarm, the responding officer is responsible for verifying that the location is secure and radioing the USSS Control Center that nothing was found. If the responding officer finds someone at the site of the alarm who is not on the authorized access list, the officer will detain that person and have that person call the White House staff member on the

Investigation on 7/27/94 at Washington, D.C. File # 29D-LR-35063

SAs DANA M. GILLIS and
by RUSSELL T. BRANSFORD RTB:rtb Date dictated 8/1/94

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Continuation of FD-302 of WILLIAM MICHAEL CAHILL, On 7/27/94, Page 2

authorized access list who authorized entry for this person to verify that such access was authorized by the staff member.

Typically, there are four officers and one sergeant assigned to the USSS Control Center at any given time. CAHILL does not recall with certainty which other officers were assigned with him in the USSS Control Center on July 20, 1993. Based on his knowledge of which officers are assigned to C Section with him, CAHILL believes that USSS Officers MATT DRISCOLL and TIM SCHMIDT were working with him in the USSS Control Center on July 20, 1993. CAHILL believes that the fourth officer assigned to that group could have been either STEVE McCORMACK, TRENT KELTNER or C.B. BROWN.

CAHILL does not recall receiving an alarm call at the suite of the White House Counsel's Office on July 20, 1993. It is very possible that another officer within the USSS Control Center could have received a call from someone at the Counsel's office suite without CAHILL's knowledge.

At this point in the interview, CAHILL was asked to review a single sheet of paper labeled an "on-line activity report" which is a log that reflects intrusion detection events in the office suite of White House Counsel BERNARD NUSSBAUM on July 20 and 21, 1993. After CAHILL reviewed the document, the interview continued.

The log reflects that on July 20, 1993 at 2004 hours (8:04 p.m.), the alarm in the White House Counsel's Office suite, which had been in "access" mode, i.e., employees were free to move about the suite as during the business day, was placed into alarm mode by an individual named CASTLETON. The next entry on the log reflects that, again at 2004 hours, the alarm was placed into secure mode, meaning the alarm was turned on and would signal an intrusion into the office suite. The log reflects the entrant/operator on this event as CASTLETYON, which is likely a misspelling of the name CASTLETON. CAHILL believes that the reason for the alarm being triggered may be that CASTLETON reentered the office suite after the alarm had been turned on or CASTLETON had not yet left the suite when the alarm system was reset.

The log further reflects that on July 20, 1993 at 2114 hours (9:14 p.m.), the alarm in the White House Counsel's Office suite was shown as secure and then reset. CAHILL is unfamiliar

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Continuation of FD-302 of WILLIAM MICHAEL CAHILL, On 7/27/94, Page 3

with this particular sequence of events. In his experience, the log should reflect an access event, rather than a secure event, before a reset event. CAHILL cannot account for the fact the log does not reflect an access event between 8:04 p.m. and 9:14 p.m. on July 20, 1993.

CAHILL does not know if the White House Counsel's Office suite currently has a motion detector as part of the alarm system or if it was so equipped on July 20, 1993.

CAHILL has not been into either the White House Counsel's Office suite or the office of First Lady HILLARY RODHAM CLINTON since the CLINTON Administration took office. There is no video camera system set up in either of these two offices. CAHILL is only aware of one video camera location in the White House, and that camera is located in the basement of the mansion.

CAHILL has no knowledge of any documents being taken from FOSTER's office on or about July 20, 1993. CAHILL does not know MARGARET "MAGGIE" WILLIAMS, Chief of Staff for the First Lady.

CAHILL does not know CRAIG LIVINGSTONE, but he knows that LIVINGSTONE is head of White House security and his office may be in Room 84. CAHILL does not have any interaction with LIVINGSTONE, but he recalls seeing a USSS memorandum in which USSS officers are directed not to use LIVINGSTONE's name in their reports. CAHILL has no knowledge of LIVINGSTONE taking any documents out of the west wing of the White House.

Based on observation and interview, CAHILL is described as follows:

Name:	WILLIAM MICHAEL CAHILL
Sex:	Male
Race:	White
Date of Birth:	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> FOIA(b)(6) FOIA(b)(7) - (C) </div>
Place of Birth:	
Social Security	
Account Number:	
Residence:	8649 Centerton Lane Manassas, Virginia 22111
Home Telephone:	(703) 335-2252
Work Telephone:	(202) 395-4497

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/19/94

PAUL R. CAREY, Special Assistant to the President for Legislative Affairs, the White House, (202) 456-6493, was interviewed at his office at the White House. After being advised of the nature and purpose of the interview and the identity of the interviewing agent, CAREY provided the following information:

CAREY advised that he remembers the night of July 20, 1993, the night that VINCE FOSTER, JR. killed himself. CAREY advised that he did not come into the White House at all.

The following morning, he had responsibilities in connection with being confirmation coach for newly appointed FBI Director, LOUIS FREEH. He was busy with those duties the entire morning of July 21, 1993. He probably arrived to his office in the West Wing between 7:30 and 8:30 a.m. He may have gone over to the West Wing to his boss, HOWARD PASTER's office for a staff meeting at approximately 8:30 a.m., but because of his duties on the Hill later that morning, he is absolutely positive that he would have been wearing his suit and tie. He and LOUIS FREEH met with Senator BIDEN and Senator HATCH. They met in the anteroom of Senate Judiciary Committee at approximately 11:30 a.m.

CAREY advised that the earliest person in the Legislative Affairs Office in the West Wing would probably arrive approximately 7:30 in the morning. He further advised that it is extremely rare for him to ever be in his office earlier than 7:30 in the morning and he goes directly to his office in the East Wing.

As part of the interview, CAREY provided the following personal information:

Name:	Paul R. Carey
DOB:	FOIA(b)(6)
POB:	FOIA(b)(7) - (C)
SSN:	
Height:	5' 11"

Investigation on 8/6/94 at Washington, DC File # 29D-LR-35063

by SSA H. ALEXIS SUGGS Date dictated 8/9/94

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Continuation of FD-302 of PAUL R. CAREY, On 8/6/94, Page 2

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/1/94

On May 17, 1994, JOHN PHILLIP CARROLL, Senior Law Partner, Rose Law Firm, Little Rock, Arkansas appeared at the offices of the FBI together with his attorney C. MICHAEL BUXTON of the law firm VINSON and ELKINS, the Willard Office Building, 1455 Pennsylvania Avenue, NW, Washington, D.C., telephone (202) 639-6571. After being advised of the identity of the interviewing agents and the nature and purpose of the interview, CARROLL provided the following information:

CARROLL advised that he had known VINCE FOSTER, JR. since FOSTER came to the firm approximately 20 years ago. He "bonded with him" and has been close to the family as well. He is the godfather of VINCENT, III, VINCE FOSTER, JR.'s son. Their homes are approximately 3 blocks apart from one another in Little Rock and he considers himself close to the whole family. CARROLL characterized FOSTER as "prince of the world". He noted that FOSTER had graduated from law school first in his class in 1970 or 1971, had been editor of the law review, and was a very, very, fine lawyer. He was smart and he wrote beautifully.

CARROLL said when FOSTER told him he was going to Washington, D.C., it came as a bolt of lightning for him. CARROLL simply was not expecting such a move. FOSTER had announced his candidacy for the Presidency of the Arkansas Bar Association and CARROLL was so disappointed that FOSTER was leaving the firm for Washington, D.C. that he actually commented that he wished former President Bush had won the election because then he wouldn't have lost FOSTER. But CARROLL said he understood that it was like being drafted and that FOSTER couldn't really refuse such an honor.

CARROLL advised that FOSTER's suicide is a complete mystery to him. The commencement address that FOSTER gave in May, 1993 seems to tell so much about FOSTER to people who will listen. FOSTER himself had prosecuted law suits representing insurance companies whose interest it was to prove that a decedent had committed suicide but he was not aware that FOSTER had any particular empathy for people who committed suicide or

Investigation on 5/17/94 at Little Rock, Arkansas File # 29D-LR-35063

by SSA H. ALEXIS SUGGS

FOIA(b)(7) - (C)

Date dictated 5/24/94

J-LR-35063

Continuation of FD-302 of JOHN PHILLIP CARROLL, On 5/17/94, Page 2

otherwise was involved emotionally with the topic.

In his experience, FOSTER handled stress wonderfully and had no problems tackling difficult problems. He said that FOSTER had good stamina, physically and mentally. He knew FOSTER to work out every day, and described him as strong and good looking.

As far as CARROLL knew, FOSTER's family life was ideal. He had a happy marriage. He was happy with his children, in fact, CARROLL opined that FOSTER had "perfect children".

Asked about possible stress points in FOSTER's life, CARROLL advised that before the election, FOSTER told CARROLL about the rumor that he believed was about to hit the press that he and HILLARY RODHAM CLINTON were having an affair. He advised CARROLL that he was having his telephone number changed and would not be at the office for a couple of days. He seemed shocked and concerned about it. He was making the changes because he did not want to run into the press. He was telling CARROLL in order to give CARROLL and others at the law firm some kind of forewarning as to what was coming. As it turned out, it was not such a public furor as FOSTER expected and he came back within about a week. CARROLL said that he had no knowledge of any extramarital affair between FOSTER and any person, nor did he believe it was possible. He believes that FOSTER was a very moral man and a family man.

CARROLL was not aware that FOSTER had any financial problems. He knew that FOSTER had a good income from the Rose Law Firm. As far as he could remember, FOSTER's father had been moderately well off, so as far as he knew, there should not have been any financial difficulties. He advised that there was no Rose Law Firm subsidy to any country club membership or anything else that he was specifically aware of.

CARROLL knows LISA FOSTER and her children to be of the Catholic religion. VINCE FOSTER himself came to mass with the family only on high holidays, otherwise FOSTER did not attend church.

CARROLL suggested that possible confidants of FOSTER would have included a young architect who is also executor of FOSTER's estate, JOHN SLOAN and his wife HELEN, 4014 South Lookout, Little Rock, Arkansas 72205, work telephone: 501-376-

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Continuation of FD-302 of JOHN PHILLIP CARROLL, On 5/17/94, Page 3

6681, residence telephone: 501-663-5556; also possibly BILL WOODYARD (with the MITCHELL Law Firm in Little Rock); JERRY ATCHLEY (who owns a radio station and whose wife is a psychiatrist); WEBB HUBBELL; and BILL and HILLARY CLINTON.

The only case that CARROLL was ever aware of that FOSTER was not able to handle well was a case involving a client who was extremely difficult. FOSTER eventually came to CARROLL and said that he simply could not deal with the client. Figuratively speaking, he threw up his hands and asked CARROLL to take it over for him and complete it. CARROLL did so.

FOSTER left Little Rock in January 1992 for the inauguration. CARROLL did not attend the inauguration ceremonies and he did not see VINCE FOSTER until May of 1992 when FOSTER returned to Little Rock for commencement ceremonies of his law school. At that time CARROLL did not observe any change in FOSTER's appearance or any change in his demeanor. CARROLL said that at the commencement ceremony at University of Arkansas Law School, FOSTER gave a splendid delivery with no stress showing during the speech.

Asked about anything he may have heard concerning FOSTER's state of mind, he advised that LISA told him, or perhaps he read it, that FOSTER had spent some time just sitting or lying in a darkened room. He knows no more than that. He advised that WEBB HUBBELL told him that the FOSTERS and the HUBBELLS had gone for a weekend away from Washington, D.C. just before FOSTER died and that they had all had a wonderful time. During that weekend, FOSTER himself seemed quite "chipper".

CARROLL observed that FOSTER never had a defeat. He had handled a case for HILLARY RODHAM CLINTON with regard to her health care task force that the Wall Street Journal was critical of. He also commented that BILL KENNEDY had gotten censured for the Travelgate matter. He read these things in the press and doesn't know anything about these things firsthand.

CARROLL is not aware of any history of suicide or depression in the FOSTER family. He commented that all the members of FOSTER's family are successful. It appears to be an ideal family. FOSTER's father was a successful real estate person and therefore a political force in Arkansas. FOSTER's sister is a successful attorney and his other sister who resides in Arkansas was a beauty queen. FOSTER had not seemed

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Continuation of FD-302 of JOHN PHILLIP CARROLL, On 5/17/94, Page 4

overwrought over his father's death and he was closer to his father than to his mother.

FOSTER's hobbies included, swimming and gardening. CARROLL never knew anything about FOSTER's having anything to do with guns.

CARROLL thinks that young VINCENT, FOSTER's son, is taking his father's suicide very hard. There is some concern that he is not talking to his mother LISA about it. He knows that DREW is graduating from High School about now and LAURA has transferred colleges. He knows no additional information.

CARROLL advised that he heard of FOSTER's death on July 20, late in the evening. Judge ARNOLD called him about midnight. Somebody (CARROLL does not know who) from Washington, D.C. had called Judge ARNOLD. A little later that night WEBB HUBBELL called him and notified him. On July 21, both CARROLL and his wife flew to Washington, D.C. He discussed the death with HUBBELL and HUBBELL himself communicated no suspicions to him at the time that FOSTER's death was anything but a suicide. During the interview CARROLL provided the following personal information:

Name:	JOHN PHILLIP CARROLL
Date of Birth:	August 1, 1925
Place of Birth:	Fort Smith, Arkansas
Social Security Number:	430-32-7478
Address:	2424 North Fillmore Street Little Rock, Arkansas 72207
Position:	Senior Law Partner Rose Law Firm Little Rock, Arkansas A. position he's held for 44 years

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 2/22/95

JOHN PHILLIP CARROLL, who is also known as PHILLIP CARROLL, was interviewed in a conference room in the offices of the Federal Bureau of Investigation (FBI), 10825 Financial Centre Parkway, Building 2, Suite 200, Little Rock, Arkansas. CARROLL was formerly a senior partner at the Rose Law Firm (RLF) in Little Rock, but he took the status "of counsel" on February 1, 1995. Also present during the interview was DAVID L. WILLIAMS, who is an attorney with RLF and who was representing CARROLL. After being advised of the official identities of the interviewing agents and the nature of the interview, CARROLL provided the following information:

CARROLL first learned of the death of Deputy White House Counsel VINCENT W. FOSTER, Jr. on the night of July 20, 1993, several hours after FOSTER's body was found. CARROLL was at home and had already gone to bed when he received a telephone call from Judge RICHARD ARNOLD, who is a judge on the United States Circuit Court of Appeals for the Eighth Circuit. CARROLL does not recall whether he received the call from Judge ARNOLD before or after midnight. CARROLL thinks he was asleep and was awakened by the ringing of his telephone. Judge ARNOLD advised CARROLL that FOSTER had killed himself in Washington, D.C. (WDC). CARROLL does not recall who notified Judge ARNOLD of FOSTER's death, but he recalls Judge ARNOLD saying that he had learned of the death from someone in WDC. CARROLL knows Judge ARNOLD because CARROLL's wife DIANE was a childhood friend of Judge ARNOLD in Texarkana, Arkansas. Judge ARNOLD later served as administrative secretary to Senator DALE BUMPERS.

WEBB HUBBELL also called CARROLL that same night and confirmed for CARROLL that FOSTER was dead. CARROLL recalls that HUBBELL said that CARROLL should not believe FOSTER died by suicide because that could not have been the case. Neither HUBBELL nor CARROLL could believe that FOSTER had committed suicide. CARROLL does not recall HUBBELL's exact words, but he recalls that HUBBELL said in some way that FOSTER's death could not have been suicide.

Investigation on 2/9/95 at Little Rock, Arkansas File # 29D-LR-35063

by SAs DANA M. GILLIS and RUSSELL T. BRANSFORD RTB:rtb Date dictated 2/15/95

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Continuation of OIC-302 of JOHN PHILLIP CARROLL, On 2/9/95, Page 2

On July 21, 1993, CARROLL spoke with a number of people about flying to WDC in response to FOSTER's death. When CARROLL first made plans to go to WDC, he intended to return to Little Rock that same night, i.e., July 21, 1993, by commercial airliner. Instead, CARROLL and his wife flew to WDC aboard a private aircraft owned by Stephens, Incorporated, which had offered the use of the plane and crew to a number of FOSTER's friends. Other people who flew to WDC with the CARROLLs on the Stephens, Incorporated aircraft were JOHN and HELEN SLOAN, HARRIET BYNUM from Pine Bluff, Arkansas, and a woman and her son from Fayetteville, Arkansas. CARROLL does not recall who told him that Stephens, Incorporated was making an airplane available, but he believes he was told by either JESS ASKEW or AMY STEWART, both of whom are attorneys at RLF. CARROLL presumes that WARREN STEPHENS would have been responsible for making the decision to make the airplane available.

The airplane arrived at Dulles Airport outside WDC in mid- to late-afternoon. CARROLL's party was met at the airport by White House official CAROLYN HUBER, who was waiting with a van to transport the party from the airport to the White House. CARROLL has the impression that the route of the van to the White House passed by the park where FOSTER's body had been found. The van arrived at the White House at approximately 4:30 p.m.

In discussing the events of July 1993 with his wife in preparation for the instant interview, CARROLL was reminded by his wife that he called RLF from the White House shortly after his arrival there on July 21, 1993. Telephone records should be able to reflect what time that call was made.

Once at the White House, CARROLL learned that he and his wife had been invited to have dinner and stay there that night. The CARROLLs called to cancel the reservations they had previously made for return flights to Little Rock by commercial airline that night. After spending a period of time at the White House, CARROLL, his wife and other members of their party were driven by van to the FOSTER residence.

CARROLL recalls seeing LISA FOSTER, FOSTER's widow, and BRUGH FOSTER, FOSTER's son, at the house. CARROLL does not recall seeing VINCENT W. FOSTER III at the house. CARROLL and his party were at the FOSTER house for several hours. After HUBBELL came to the FOSTER house, CARROLL and HUBBELL went out into the garden and talked. HUBBELL told CARROLL about the past

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Continuation of OIC-302 of JOHN PHILLIP CARROLL, On 2/9/95, Page 3

weekend when the FOSTERS joined the HUBBELLS on a trip to the coast, and HUBBELL said that FOSTER had appeared cheerful during the trip. HUBBELL said nothing to CARROLL which would indicate HUBBELL suspected foul play was involved in the death of FOSTER. President BILL CLINTON also visited the FOSTER house that night and spoke with everyone there.

Among the people CARROLL recalls seeing at the FOSTER house were BILL WOODYARD, who is a lawyer in Little Rock, and BECKY CARROLL, who is the CARROLLS' daughter and who knew the FOSTERS as she was growing up. CARROLL also saw the ATCHLEYS at the FOSTER house that night. Mrs. ATCHLEY is a psychologist at the medical school in Little Rock and Mr. ATCHLEY runs a radio station in Little Rock. Mrs. ATCHLEY was very supportive to LISA FOSTER that night and made suggestions to her about how to handle the grief. BRUGH FOSTER sat with his arm around his mother. HUBBELL's wife SUSIE visited the FOSTER house, and CARROLL recalls that she came and went. DONNA McLARTY and HARRIET BYNUM were also at the house. Most of the people at the FOSTER house were personal friends of the FOSTERS. Also present was a young lady whose name CARROLL cannot recall but who works on the White House staff and who rode in the van from the White House to the FOSTERS' house. The daughter of this young lady from the White House also works at the White House. CARROLL cannot recall the daughter's name, but he recalls that this mother and daughter used to live next door to the FOSTERS in Little Rock. Perhaps twenty to thirty people were at the FOSTERS' house.

Sometime that evening, CARROLL spoke with JOHN GILL, who had formerly been president of the Arkansas Bar Association. GILL wanted to discuss with CARROLL a plan to have the bar association honor FOSTER's memory in some fashion. GILL wanted to clear this proposal through LISA FOSTER, and he asked CARROLL for his assistance. LISA FOSTER did not like GILL and she was somewhat hostile to this proposal.

CARROLL had no conversation with LISA FOSTER about the events leading up to the death of FOSTER. LISA FOSTER said nothing to CARROLL about the reasons why FOSTER may have taken his life. Since the time of FOSTER's death, LISA FOSTER has been to the CARROLLS' house several times, but the occasion has never been appropriate to discuss FOSTER's death, and LISA FOSTER has never volunteered any information about the death to CARROLL.

CARROLL does not recall any discussion while he was at

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Continuation of OIC-302 of JOHN PHILLIP CARROLL, On 2/9/95, Page 4

the FOSTER house that night of a suicide note or any other note having been found. CARROLL has no recollection of any discussion that night about the note which was later found torn up in the bottom of FOSTER's briefcase. CARROLL may have asked HUBBELL about the existence of a note, but he has no recollection of asking such a question or of receiving such an answer. CARROLL heard no discussion about a search being conducted of FOSTER's office at the White House. CARROLL's only knowledge of such a search being conducted comes from what has appeared in newspapers. CARROLL may have engaged in a discussion about the gun found with FOSTER and about how FOSTER obtained the gun. CARROLL wondered for a long time about the origin of the gun found with FOSTER's body. CARROLL has since read that the gun may have belonged to FOSTER's father.

CARROLL cannot believe he heard any discussion about sealing FOSTER's office. He does not believe that such a subject would have been discussed at that time. The conversations that evening were solicitous and were concerned with being nice to LISA FOSTER.

CARROLL does not recall what time he and his wife left the FOSTER house that night, but it was dark out. There had been food at the house and guests had eaten snacks. BILL WOODYARD had a chauffeur-driven automobile, and he offered use of the car to the CARROLLS. The CARROLLS accepted WOODYARD's hospitality and were driven back to the White House in this automobile, probably arriving at approximately 8:30 or 9:00 p.m. When they arrived at the White House, the CARROLLS were told by one of the ushers that their bags had been moved from their original guest room to the Lincoln bedroom. CARROLL and his wife spent their first hour in the Lincoln bedroom just looking around and appreciating its history.

When the CARROLLS awoke the following morning (July 22, 1993), they ate breakfast at the White House and later visited briefly with President CLINTON. CAROLYN HUBER showed the CARROLLS some of the other rooms in the residence portion of the White House. Later in the day, the CARROLLS were driven to Andrews Air Force Base whence they flew home to Little Rock aboard a military aircraft.

The aircraft on which the CARROLLS flew was one of the two or three presidential aircraft which were flown from WDC to Little Rock that day. Others on the plane included BILL KENNEDY

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Continuation of OIC-302 of JOHN PHILLIP CARROLL, On 2/9/95, Page 5

and his wife; DAVID WATKINS; the ATCHLEYS; and the flight crew, composed of United States Air Force personnel. CARROLL does not know whether HUBBELL was on that airplane. The plane was not full, but there was a "healthy size" group aboard. CARROLL believes his wife spoke with BILL KENNEDY on the plane. CARROLL's conversations with the KENNEDYS were very casual. CARROLL did not overhear or participate in a discussion about a note.

On that same day, the CARROLLS conversed with Mrs. ATCHLEY, who advised them of the problems overcoming feelings of grief after a suicide. Mrs. ATCHLEY spoke with them about what LISA FOSTER would be going through.

CARROLL does not recall any specific details about FOSTER's last weekend, but he remembers that it was generally known at that time that the FOSTERS and HUBBELLS had gone to the Eastern Shore and FOSTER had a good time there.

When FOSTER returned to Arkansas to present the commencement address at the University of Arkansas School of Law, he stopped by the RLF offices to work on some late revisions to his address and he visited with CARROLL. This was the last time CARROLL ever saw FOSTER alive. FOSTER was absolutely normal and cheerful and he spoke about how busy he was. FOSTER did not seem at all suicidal.

CARROLL heard no discussion at FOSTER's funeral about the reasons for FOSTER committing suicide.

At this point in the interview, CARROLL was provided with a typewritten transcript of the torn, handwritten note which had been found in FOSTER's briefcase six days after his death. CARROLL was asked to read the transcript of the note and offer his observations about the remarks in the note. CARROLL then advised the following:

CARROLL has no reason to believe that FOSTER did not write the note. CARROLL had no conversations with FOSTER, either in detail or in passing, about any of the issues mentioned in the note.

FOSTER was very ethical, moral, conscientious and modest. CARROLL cannot believe FOSTER would do anything illegal or unethical. CARROLL never saw FOSTER do anything which he

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Continuation of OIC-302 of JOHN PHILLIP CARROLL, On 2/9/95, Page 6

regarded as unethical or illegal. As a lawyer and as a person, FOSTER was as close to being perfect as CARROLL has seen. CARROLL would have been proud to have FOSTER as his son.

During FOSTER's conversation with CARROLL at RLF when FOSTER was in Arkansas for the commencement address, FOSTER did not express any problems to CARROLL. Sometime after FOSTER left RLF to join the CLINTON administration in January 1993, CARROLL received a letter from FOSTER in which FOSTER wrote of the pressure he was feeling. CARROLL later drew quotes from this letter in an article about FOSTER which CARROLL wrote for the magazine of the Arkansas Bar Association. CARROLL does not now recall when he received that letter from FOSTER, but CARROLL's magazine article may mention that date.

When FOSTER came to CARROLL to tell him that he was leaving RLF to go join the CLINTON administration in WDC, CARROLL said to FOSTER, "Damn, I wish BUSH had won." CARROLL regretted the remark, and he later sent a letter to FOSTER in WDC in which he apologized for responding in that manner to FOSTER's announcement.

When FOSTER told CARROLL he was going to take a job in WDC, it hit CARROLL like a bolt from the blue. CARROLL feels that FOSTER did his patriotic duty in going to join the administration since he had been asked to join by President CLINTON. CARROLL compares FOSTER's situation to being asked to defend the country in time of war, and CARROLL believes that FOSTER could not have put his own career in Little Rock ahead of service to his country. CARROLL had a tremendous admiration for FOSTER, and there was no period of estrangement after FOSTER left RLF. CARROLL does not recall how many weeks in advance that FOSTER came to CARROLL to tell him of FOSTER's imminent departure from RLF. FOSTER announced his departure to CARROLL in a conversation in which FOSTER clearly was not seeking CARROLL's advice and counsel. CARROLL believed that FOSTER's mind was already made up.

FOSTER's announcement of his departure allowed sufficient time for other partners at RLF to smoothly take over FOSTER's cases. The only case which CARROLL personally took over from FOSTER was a libel case involving a television station in Texarkana.

CARROLL is not certain whether FOSTER maintained

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Continuation of OIC-302 of JOHN PHILLIP CARROLL, On 2/9/95, Page 7

contact with anyone else at RLF after his departure from the firm. GEORGE CAMPBELL of RLF may have told CARROLL that he visited FOSTER in WDC. CARROLL does not think he ever called FOSTER at the White House.

CARROLL and FOSTER had both worked in the litigation section of RLF along with HILLARY RODHAM CLINTON, WEBB HUBBELL, JERRY JONES, KEN SCHIEMAN, JESS ASKEW and AMY STEWART. FOSTER was generally closest to Mrs. CLINTON and HUBBELL.

CARROLL has never heard that FOSTER may have wanted to leave his post at the White House.

Several months prior to Christmas of 1993, CARROLL learned of HUBBELL's legal problems relating to his false billings of RLF clients and embezzlement of RLF funds. Some of the people in Little Rock traveled to WDC for a Christmas party. Among these people were JERRY JONES and RON CLARK from RLF, who spoke to HUBBELL in WDC and left a packet of documents with HUBBELL when they left. The packet contained documents relating to HUBBELL's practice of paying off his personal credit cards with RLF checks. At the time of FOSTER's death, CARROLL had no knowledge of HUBBELL's legal difficulties.

CARROLL has no information that FOSTER knew of HUBBELL's embezzlement from RLF and false billings of RLF clients at the time of FOSTER's death. CARROLL did not have any discussions with FOSTER about HUBBELL's embezzlement and false billings.

CARROLL has no recollection of the search warrants which were executed on July 21, 1993, in connection with DAVID HALE.

CARROLL only recalls having three contacts with FOSTER after FOSTER left RLF to join the CLINTON administration. These three contacts were: FOSTER's personal visit with CARROLL at RLF in May 1993 in connection with FOSTER's commencement address; the letter to FOSTER from CARROLL in which CARROLL apologized to FOSTER for his outburst when FOSTER announced his departure from RLF; and the letter to CARROLL from FOSTER in which FOSTER mentioned the pressure he was experiencing in WDC.

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Continuation of OIC-302 of JOHN PHILLIP CARROLL, On 2/9/95, Page 8

CARROLL's daughter, BECKY CARROLL, resides at 3420 38th Street, N.W., Unit E419, WDC 20016, telephone number (202) 244-2163.

Based on observation and interview, CARROLL is described as follows:

Name:	JOHN PHILLIP CARROLL
Sex:	Male
Race:	White
Date of Birth:	August 1, 1925
Place of Birth:	Fort Smith, Arkansas
Social Security Account Number:	430-32-7478
Home Address:	2424 North Fillmore Street Little Rock, Arkansas
Home Telephone:	(501) 663-6025

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 3/29/95

REBECCA ELIZABETH CARROLL was interviewed in an office at the Office of the Independent Counsel (OIC), 1001 Pennsylvania Avenue, N.W., Suite 490 North, Washington, D.C. (WDC). After being advised of the official identities of the interviewing agents and the nature of the interview, CARROLL provided the following information:

CARROLL has a private practice as a psychotherapist and maintains an office at 8525 Colesville Road, Suite 1, Silver Spring, Maryland 20910, telephone number (301) 589-4210. CARROLL has completed her course work for her PhD at Howard University and only has to successfully defend her doctoral dissertation in order to receive her degree.

CARROLL has not lived full-time in Little Rock, Arkansas since 1972. She has lived in WDC since 1981.

CARROLL knew former Deputy White House Counsel VINCENT W. FOSTER, Jr. since the time she was a child. She does not recall her age when she first met FOSTER, but it occurred when FOSTER joined the Rose Law Firm (RLF) in Little Rock. CARROLL's father, JOHN PHILLIP CARROLL, was a partner at RLF and seemed to view FOSTER as the son he never had.

CARROLL does not recall with certainty when she last saw FOSTER prior to his death on July 20, 1993, but she believes it was on an occasion when VINCENT W. FOSTER III was visiting his father in WDC during the younger FOSTER's spring break in 1993. CARROLL went with the FOSTERS to a meal at the Cactus Cantina Restaurant in WDC. FOSTER engaged in typical family-type conversation and did not appear any different than when CARROLL had seen him on other occasions.

CARROLL had fewer than ten contacts with FOSTER from the time FOSTER arrived in WDC as a member of the CLINTON administration until his death. A number of these contacts occurred when CARROLL was visiting LISA FOSTER at the FOSTER home and saw FOSTER briefly at the house. CARROLL also encountered

Investigation on 3/29/95 at Washington, D.C. File # 29D-OIC-LR-35063

by [FOIA(b)(7) - (C)] and RUSSELL T. BRANSFORD RTB:rtb Date dictated 3/29/95

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Continuation of OIC-302 of REBECCA ELIZABETH CARROLL, On 3/29/95, Page 2

FOSTER on occasion by happenstance when they would both go to the same restaurant for a meal. CARROLL's residence is located very close to the home of one of FOSTER's sisters, SHEILA F. ANTHONY. CARROLL did not see FOSTER at all in the last month of his life.

When CARROLL telephoned the FOSTER residence, she generally spoke with LISA FOSTER because FOSTER was usually busy or at work. CARROLL recalls one telephone conversation she had with LISA FOSTER about FOSTER's condition prior to his death. This telephone conversation occurred at about the time of Father's Day in 1993 (Sunday, June 20). CARROLL called LISA FOSTER for some suggestions on what to get for CARROLL's father as a Father's Day gift. During the course of the conversation, LISA FOSTER mentioned to CARROLL how tired and overworked FOSTER had been. LISA FOSTER said that FOSTER had recently lost weight and had experienced difficulty sleeping. CARROLL did not interpret LISA FOSTER's comments as a request for professional advice and CARROLL did not offer any such advice since she regarded the conversation as personal rather than professional. Because the conversation was personal and CARROLL was in that mode of thinking, she did not associate LISA FOSTER's comments with possible symptoms of depression at that time.

Following FOSTER's death, CARROLL spoke to one of her sisters, who recalled earlier unusual behavior on the part of FOSTER when the FOSTERS still lived in Little Rock. CARROLL's sister related that she had visited at the FOSTERS' house on several occasions and had been taken aback at outbursts by FOSTER directed at his wife. FOSTER had grown angry and shouted at LISA FOSTER even though CARROLL's sister was present at the time. CARROLL's sister recalled such incidents because they seemed so out of character for FOSTER because FOSTER was typically quiet and well-mannered in front of guests.

CARROLL believes such incidents could be consistent with the behavior of someone who was depressed since irritability can frequently be a symptom of depression. CARROLL herself recalls that FOSTER was quiet and moody while he was still living in Arkansas. These observations lead CARROLL to speculate that FOSTER may have been suffering from depression for a period of years before his death. FOSTER's behavior during that period may have been consistent with that of someone suffering from depression because such people have highs and-lows which can be affected by events in the normal courses of their lives. Exceptionally high achievers such as FOSTER who suffer

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Continuation of OIC-302 of REBECCA ELIZABETH CARROLL, On 3/29/95, Page 3

from depression can sometimes continue to function for extended periods of time if they can make it through the lowest emotional points. Suicide is the final resort such people turn to as a way to get away from their pain.

FOSTER never asked CARROLL for her professional assistance, and he never asked her to make a professional referral. No one ever asked CARROLL to make a referral on behalf of FOSTER. CARROLL has no knowledge that FOSTER ever sought or received mental health care. Such matters were simply not discussed at the time CARROLL was still living in Arkansas. Because she did not know FOSTER as a peer, CARROLL has no idea of the identities of people in whom FOSTER would confide because she does not know who would be regarded as FOSTER's closest friends. CARROLL knows of no other professionals in her field who may have been close friends with FOSTER or might be able to offer insights into FOSTER's state of mind.

CARROLL first learned of FOSTER's death when she saw a story about it on the front page of the newspaper on July 21, 1993. CARROLL believes she saw the newspaper story at approximately 7:00 that morning. CARROLL telephoned her parents to tell them what happened but they had already learned of FOSTER's death. CARROLL's parents were still in shock about FOSTER's death, and her father could not believe that FOSTER had taken his own life. CARROLL briefly discussed with her parents their plans to fly to WDC that day.

During that time in 1993, CARROLL had a job on Tuesday nights so she would not have been home on the night of July 20, 1993, until approximately 9:30 p.m. CARROLL was not contacted by anyone about FOSTER's death that night.

CARROLL called LISA FOSTER's house on the morning of July 21, 1993, to offer condolences and she went to the FOSTER residence sometime in the early afternoon that day. CARROLL does not recall whether she arrived at the FOSTER house prior to the arrival there of her parents, but she recalls being told by White House staff that her parents would be picked up at the airport and brought into WDC. CARROLL recalls seeing ROBIN DICKEY, MARSHA SCOTT, and GAIL and BILL KENNEDY at the FOSTER house as well as all three of the FOSTER children. CARROLL attended high school with GAIL KENNEDY, whose maiden name was GAIL GREEN. CARROLL was introduced to a number of other people at the FOSTER house but they were not people she had met before or has seen

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Continuation of OIC-302 of REBECCA ELIZABETH CARROLL, On 3/29/95, Page 4

since that time. CARROLL only recalls that there was a large number of people there whom she did not know. CARROLL has no specific recollection of any discussion of a note by FOSTER having been found or of any effort being made to find such a note.

CARROLL did not know many of the people at the FOSTER house, including the younger people who were friends of the FOSTER children, because she did not fit into the age groups which were represented there. CARROLL is approximately ten years younger than LISA FOSTER so she does not have many friends from that generation. Similarly, she is older than the FOSTER children and does not have much in common with their friends.

CARROLL has maintained contact with LISA FOSTER and has had a number of conversations with her about FOSTER's death and his condition prior to his death. Based on LISA FOSTER's descriptions of FOSTER as well as information CARROLL has read in the press, she believes FOSTER suffered from depression. CARROLL has no doubt that FOSTER died as the result of suicide and she has no knowledge which would lead her to conclude otherwise.

Based on observation and interview, CARROLL is described as follows:

Name:	REBECCA ELIZABETH CARROLL, also known as BECKY CARROLL
Sex:	Female
Race:	White
Date of Birth:	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> FOIA(b)(6) FOIA(b)(7) - (C) </div>
Place of Birth:	
Social Security Account Number:	
Residence:	
Home Telephone:	(202) 244-2163

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/5/94

PAUL CASTELLITTO, Attorney at Law, was contacted at the offices of his firm, SHARP & LANKFORD, 1785 Massachusetts Avenue, N.W., Washington, D.C., telephone number (202) 745-1700. After being advised of the official identities of the interviewing agents, CASTELLITTO provided the following information:

As a result of previous discussions involving WILLIAM H. KENNEDY, III, V. THOMAS LANKFORD, Jr., who is KENNEDY's attorney, and representatives of the Office of the Independent Counsel (OIC) in Washington, D.C., an agreement was reached that KENNEDY would turn over to representatives of OIC a number of articles which were found in a Honda automobile previously operated by Deputy White House Counsel VINCENT W. FOSTER, Jr. The automobile and its contents had been found in Fort Marcy Park, Virginia during an investigation there by the United States Park Police of the circumstances of FOSTER's death on July 20, 1993. The below described articles were still in FOSTER's automobile when it was released to White House staff by USPP personnel. KENNEDY has retained the articles since the automobile was retrieved from the USPP, and he has turned over the articles to his attorney with the knowledge that the articles would be provided to representatives of OIC.

Prior to the arrival of the interviewing agents, CASTELLITTO prepared a memorandum containing a detailed inventory of the articles provided by KENNEDY. Special Agent RUSSELL T. BRANSFORD signed the memorandum and received a copy of the signed original. After the interviewing agents confirmed the accuracy and completeness of the inventory memorandum, CASTELLITTO turned over the items described in the memorandum to the interviewing agents.

A copy of the memorandum describing the items received from CASTELLITTO is attached and incorporated herein.

Investigation on 6/16/94 at Washington, D.C. File # 29D-LR-35063 - *JIM BELL*
 by SAs DANA M. GILLIS and RUSSELL T. BRANSFORD RTB:rtb Date dictated 6/16/94

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/2/94

THOMAS CASTLETON, Intern, Office of the Counsel to the President, appeared in the Office of the Independent Counsel, 1001 Pennsylvania Avenue, N.W., and hand-delivered a sealed manila envelope measuring approximately 18 inches by 24 inches, addressed to CARL STICH, Associate Independent Counsel. On the outside of this manila was taped a white letter-size envelope addressed also to MR. STICH, with a return address reading "The White House, Washington." MR. STICH was present with Special Agent [redacted] at the time this envelope was delivered. The white envelope was opened by MR. STICH and was found to contain a letter from CLIFFORD M. SLOAN, Associate Counsel to the President, which was dated April 29, 1994. The text of this letter read as follows: "Joel Klein asked me to send you the enclosed material, which were received by The White House from the Department of Justice in August, 1993."

The large manila envelope was opened by MR. STICH in the presence of SA [redacted] Associate Independent Counsel, MARK STEIN, and Associate Independent Counsel, RODERICK LANKLER. The large manila envelope was found to contain a slightly smaller manila envelope with a handwritten inscription reading, "Evidence provided by Chief Counsel to President re Vincent W. Foster - Death." This smaller manila envelope was found to contain the following items: A one-page letter dated August 9, 1993 from DAVID MARGOLIS, Acting Associate Deputy Attorney General, which was addressed to HONORABLE BERNARD W. NUSSBAUM. Nine pages -- stapled together with a cover sheet captioned, "Federal Bureau of Investigation, United States Department of Justice Laboratory Worksheet" and regarding FBI file number 72-WF-187908. One sheet of white lined paper with handwritten notes in both black and blue ink with "Did not photograph" written in the middle of the page. Two pieces of paper measuring approximately 5 inches by 8 inches with each being captioned, "Photographic work request and evidence receipt." One form captioned, "Evidence receipt" and dated 8/2/93 with an attached smaller, yellow form dated 8/2/93 and captioned, "Evidence acknowledgment." Six pages with gray smudges and coloring containing what appears to be handwritten notations. One page captioned, "Lab number 30802079D" relevant

Investigation on 4/28/94 at Washington, D.C. File # 29D-LR-35063

by [redacted] FOIA(b)(7) - (C) Date dictated 4/29/94

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Continuation of FD-302 of THOMAS CASTLETON, On 4/28/94, Page 2

to "Victim: Foster, Vincent." One piece of paper measuring approximately 3 inches by 4 inches captioned, "Washington Field, DC Lab Number: 30802079DUD." Three white copies and one yellow copy of an FBI Laboratory report dated August 6, 1993, reporting that indented writing had been found by the FBI Laboratory on notebook paper. One plastic envelope containing torn 8 by 11 photographic negatives with envelope bearing post-it note reading, "This packet is confidential trash from special photo (all work on case)." One plastic 8-1/2 by 14 envelope containing fourteen 8-1/2 by 11-1/2 gray, black and white smudged photographs of handwriting. One page xerox copy of handwriting bearing date 8/6/93, with unreadable initials, stapled to typewritten transcript of photographed writing, with handwritten inscription reading, "Received from AD John Hicks on 8/6/93. Reviewed and determined to have no --- to inquiry. Will be delivered to DOJ in sealed envelope." And then the name "Larry A. Potts 8/6/93." One manila clasp-style envelope measuring approximately 8-1/2 by 12 containing three pieces of plastic, each stapled to a piece of white paper with plastic appearing to contain handwritten notations. One empty brown envelope measuring approximately 10 by 11. Three large, black photographic negatives measuring approximately 14 inches by 18 inches. Original and one white copy of FBI Laboratory report dated August 6, 1993, stapled to a large yellow and white paper sealed envelope, with a notation reading "Evidence, do not open. Press firmly."

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/4/94

Thomas Edward Castleton (date of birth, FOIA(b)(6)
FOIA(b)(7) - (C))
 SSAN: [REDACTED]; Special Assistant to the Counsel to the President of the United States, was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue, NW. Mr. Castleton was advised as to the identities of the interviewing agents and of the nature of the interview. He then provided the following information:

He has been employed in his current position since June 16, 1993 and was so employed on July 20, 1993, the date of Vincent Foster, Jr.'s death. Mr. Castleton stated that his responsibilities during July, 1993 were primarily to "staff documents". He explained that his duties at that time involved tracking incoming documents and responses to these documents from either Bernard Nussbaum, his immediate superior, or on some occasions from Vincent Foster, Jr. As part of his duties, he was responsible for following up on correspondence that required action and/or an answer and performing liaison contacts throughout The White House to facilitate such answers/actions. He stated that all communications coming through the Counsel to the President's office were logged in and tracked via computer to include the logging and computer listing of the outgoing answer to incoming communications. He advised that the only exception to this was internal memoranda which was not logged or tracked via computer for reasons of expediency.

Mr. Castleton advised that he had only worked in the Counsel's suite approximately four and one half weeks prior to Vincent Foster's death. He therefore did not feel that he knew Vincent Foster well enough to evaluate his personality although he did say that he noticed a gradual change in his demeanor. Castleton explained that Foster seemed more quiet, more withdrawn, less sociable, and generally tired. He said that although he talked with Foster on a daily basis, their conversations were almost entirely about business related matters. He advised however that it was his sense that Foster was frustrated with Washington life and was homesick for Little Rock.

Investigation on 5/3/94 at Washington, D.C. File # 29D-LR-35063 SUB A

by WILLIAM T. GUYTON
[REDACTED] FOIA(b)(7) - (C) Date dictated 5/3/94

J-LR-35063 SUB A

Continuation of FD-302 of Thomas Edward Castleton, On 5/3/94, Page 2

Castleton advised that he last saw Vincent Foster at approximately 1:00 pm on July 20, 1993. He said that Foster had asked Linda Tripp, another Special Assistant in the Counsel's office to pick up lunch for him and bring it to his office. He then sat at the coffee table in his office, ate his sandwich, then took his briefcase and his suit jacket and left the office saying "I'll be back later". Castleton said that it was his belief that Foster was going to a meeting or an appointment. He said that he assumed this because Foster usually did not take his suit jacket when he was going anywhere else within The White House. He also said that Foster seemed to be in good spirits when he left the office. Mr. Castleton said that primarily because of the lunch hour, he (Castleton) and Linda Tripp were the only two persons in the office at the time Foster departed.

Thomas Castleton stated that he knows of no problems of any sort that Vincent Foster had that would have caused him to take his life. He said that he cannot recall Foster mentioning any physical ailments or pain and the only thing physical he can recall was that he either heard Foster say or heard someone else in the office comment that he was losing weight.

Castleton was asked how he felt about Vincent Foster and responded that he "looked up to him" and that he felt that Foster was a "model lawyer". He explained that Foster was restrained, not impulsive, professional, careful, very bright and reflective, and a man who cared greatly for his family. Castleton said that he recalls meeting Foster's wife on one occasion when Foster brought her into the office and introduced her to the workers in the Nussbaum/Foster suite. He said that while he could "just tell" that Foster's family was important to him, he did not feel that he could offer a substantial opinion regarding Foster's relationship with his wife, having only met her one time.

Thomas Castleton said that he does not recall Foster ever discussing any hobbies or leisure time activities although he does recall that Foster took a "short vacation" about a week before his death.

Mr. Castleton was asked who most often visited Foster in his office. He responded that Webb Hubbell, Cliff Sloan, and Steve Neuwirth were seen in Foster's office on a fairly regular basis. He said that he saw Hillary Clinton in Foster's office approximately four times during the five weeks he was employed

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Continuation of FD-302 of Thomas Edward Castleton, On 5/3/94, Page 3

prior to Foster's death. Castleton said that Marcia Scott was probably closer to Vincent Foster than many and visited with him fairly often. He said that while Deborah Gorham, Foster's secretary, appeared more upset than any other employee in the Nussbaum/Foster suite following his death, both Neuwirth and Scott were also visibly shaken by his death.

Mr. Castleton stated that the Counsel to the President suite was a place of intense and, at times, frenetic activity and that the demands of the job had placed great stress on Foster. He was asked to elaborate as to what particular aspects of Foster's job were placing the greatest stress on him. He responded by saying that The White House Travel Office scandal was the "crisis of the month" and that it and its surrounding issues and heavy news media criticism regarding the Travel Office were all very troubling issues to Foster.

On July 20, 1993, Castleton arrived at work at approximately 8:00 am. He said that he recalls leaving that evening at approximately 8:00 pm and did not come back to work until the next morning. Castleton said that approximately 5:30-5:45 am on July 21, he was awakened at his residence by a phone call from Betsy Pond, Executive Assistant to Bernard Nussbaum, who advised him that Foster had been found dead the night before of an apparent suicide. He said that it is his belief that Ms. Pond was phoning him from her residence. Castleton said that he was surprised but not shocked by this news because he was well aware of the heavy workload, stress, and pressures he was dealing with in the Counsel's office and he was also aware that Foster had been dealing with this for months before he (Castleton) arrived. Castleton explained that, at that point in time, Bill Clinton's popularity ratings were very low, there were numerous derogatory articles in national newspapers regarding the administration, and they had not been able to locate Foster by phoning his residence or by electronically paging him the night before. He stated that because of these facts, he was not totally surprised to hear that Foster was dead. He said that he recalled Betsy Pond phoning Foster's residence during the late afternoon of July 20 and he also recalls Foster's wife phoning the Counsel suite that same afternoon trying to locate him. Castleton said that Betsy Pond made no special request of him (Castleton) including coming in early that day during her telephone call. He stated that he arrived at the Counsel's suite at approximately 8:00 am on July 21.

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Continuation of FD-302 of Thomas Edward Castleton, On 5/3/94, Page 4

Thomas Castleton stated that shortly after he arrived at work on July 21, 1993, he began hearing discussion in the office about having the Secret Service "seal Foster's office". He said that at about 10:30 - 11:00 am a Secret Service Uniform Officer was posted outside Foster's door to restrict entry to that office. He said that he heard later during the afternoon of July 21, that Betsy Pond had gone into Foster's office to "straighten up a pile of papers on his desk" shortly after her arrival at work that morning and prior to the Secret Service officer being posted outside Foster's door. He said that he is aware of no one else entering Foster's office on July 21 prior to the Secret Service officer being posted.

Thomas Castleton said that he is aware of black ring type binders that Vincent Foster used for various purposes and kept in his office. He said that while he is not aware of the contents of all of these binders, it is his belief that some contained information on judicial candidates/nominees and some contained information on medical malpractice, issues that Foster was researching.

Castleton said that he was aware that an inventory/search of Foster's office took place during the afternoon of July 22, 1993, but he was not present during that search and can therefore not comment as to what happened.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/12/94

THOMAS EDWARD CASTLETON, Special Assistant to the Counsel to the President, voluntarily appeared at the Office of the Special Counsel, 1001 Pennsylvania Avenue, NW, and was interviewed. With Mr. CASTLETON and representing him were attorneys CHRIS TODD and MIRIAM FISHER of the law firm of JOHNSON and GIBBS, Washington, D.C. (202-682-4514). Also present during the interview and directing the majority of questions to Mr. CASTLETON was Associate Special Counsel CARL STICH. Mr. CASTLETON was advised as to the official identity of the interviewing Associate Special Counsel and of the agent present. This was a follow-up interview to a previous interview of Mr. CASTLETON (5/3/94) with this interview being conducted at Mr. CASTLETON's request. Mr. CASTLETON provided the following information:

During the evening hours of a day shortly after VINCENT FOSTER, Jr.'s death, Mr. CASTLETON was working in the NUSSBAUM/FOSTER suite of offices when he was asked to carry a box and other items from the 2nd floor of The White House west wing to the residence portion of The White House. Mr. CASTLETON said that while he cannot be certain of the date or time of day, he remembers that this incident took place after FOSTER's death and before White House staffers went to Arkansas to attend FOSTER's funeral. He said it is quite possible that this took place on July 22, 1993 and while he cannot recall the precise time of day, he does remember that it was getting dark outside.

Mr. CASTLETON said that MARGARET "MAGGIE" WILLIAMS came into the NUSSBAUM/FOSTER suite reception area and asked if someone could help her move a box from HILLARY CLINTON's office to the residence portion of The White House. CASTLETON said that since he was the youngest and most junior staffer in that office at the time, the job fell to him. He accompanied MAGGIE WILLIAMS to HILLARY CLINTON's office on the 2nd floor of The White House west wing where he was shown a box measuring approximately 3 feet long by 2 feet wide by 18 inches deep sitting either on or near a couch. He carried this box and two evening gowns to the residence area of The White House accompanied by MAGGIE WILLIAMS.

Investigation on 6/9/94 at Washington, D.C. File # 29D-LR-35063 SUB A

by FOIA(b)(7) - (C) Date dictated 6/10/94

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Continuation of FD-302 of THOMAS EDWARD CASTLETON, On 6/9/94, Page 2

He cannot recall if WILLIAMS carried anything as they walked. MAGGIE WILLIAMS directed him to a room in the residence area that, to CASTLETON, appeared to be used, at that time, primarily as a storage area. CASTLETON explained that this room had little furniture and what furniture was there was unarranged. He said that the room also contained many boxes of what appeared to be CLINTON family memorabilia stacked and placed here and there. MAGGIE WILLIAMS directed him to put the box and the two gowns into a closet in this room which he did.

Mr. CASTLETON said that MAGGIE WILLIAMS or someone else told him later that same day that the box contained personal documents belonging to the CLINTON's that had been held in VINCENT FOSTER's office. CASTLETON does not know exactly what was in the box nor does he recall MAGGIE WILLIAMS or anyone else advising him as to how, by whom, or when the material in the box was moved from FOSTER's office to HILLARY CLINTON's office. CASTLETON advised that he cannot even be certain who told him that the documents belonged to the CLINTON's and had previously been in FOSTER's office.

In response to a question from Associate Special Counsel STICH regarding CASTLETON's knowledge of CHRIS CERF, CASTLETON said that he had met CERF in early 1994 but had not met him or known who he was at the time of FOSTER's death.

Associate Special Counsel STICH displayed copies of 4 documents to CASTLETON asking him if he could identify these documents and/or if he had personally prepared any of these documents. One of the documents was handwritten, 2 appeared to be type-written, and one appeared to be computer/printer generated. CASTLETON said that he had seen all four of these documents before but had only had personal dealings with two of them. He said he believed the document captioned "Volume in Drive A has no label" was a printout of items on file in DEBORAH GORHAM's White House office computer. He said that he believed the handwritten document was possibly prepared by STEPHEN NEUWIRTH although he could not be certain.

Mr. CASTLETON, referring to a document captioned "Office of VINCENT W. FOSTER, JR.", beginning with page 6 and going through page 8 said that this was part of a document he had obtained from DEBORAH GORHAM and used during an "inventory" that he was asked to make of VINCENT FOSTER's office. CASTLETON said that the check marks and handwritten notations on this document

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Continuation of FD-302 of THOMAS EDWARD CASTLETON, On 6/9/94, Page 3

were place there by him. In the presence of the interviewing agent and at the request of Mr. STICH, CASTLETON wrote the following on this document: "From DEBORAH GORHAM document w/TOM CASTLETON handwritten notes."

THOMAS CASTLETON referring to an 8 page typewritten document with the first page captioned "DEBORAH GORHAM's desk" said that he had personally generated this document during the "inventory" that he was asked to perform on items in FOSTER's office and in GORHAM's office area. As he went through desks and cabinets during this "inventory" in FOSTER and GORHAM's work areas, he noted on this document what he found. Everything on this list and on the 3 page list given to him by DEBORAH GORHAM was moved by him to BILL KENNEDY's White House office during November and December 1993 after DEBORAH GORHAM had left her White House employment. In the presence of the interviewing agent and at the request of Mr. STICH, CASTLETON wrote the following on this document: "Generated by TOM CASTLETON."

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 9/21/94

THOMAS EDWARD CASTLETON was interviewed in a conference room at the Office of the Independent Counsel (OIC), 1001 Pennsylvania Avenue, N.W., Suite 490 North, Washington, D.C. Also present during the interview was CASTLETON's attorney, K. CHRIS TODD, of the law firm JOHNSON & GIBBS, 1301 K Street, N.W., Suite 800 East, Washington, D.C., telephone number (202) 682-4500. After being advised of the official identities of the interviewing agents and the nature of the interview, CASTLETON provided the following information:

CASTLETON received his undergraduate from Harvard University in the spring of 1993 and began working at the White House within a matter of a few days. CASTLETON had applied for a position at the White House in April 1993 by sending copies of his resume to a number of White House offices, including the White House Counsel's Office (WHCO). VINCENT W. FOSTER, Jr., Deputy White House Counsel, responded to CASTLETON's application by telephoning CASTLETON and speaking with him for approximately twenty minutes. FOSTER advised CASTLETON that there could be a position opening up shortly in the WHCO, and he encouraged CASTLETON to join the WHCO since the experience would be beneficial, given CASTLETON's intent to return to school to study law.

CASTLETON did not have detailed knowledge of the nature of the work being performed by FOSTER prior to FOSTER's death on July 20, 1993. There were aspects of FOSTER's work, e.g., issues pertaining to staffing and matters involving pro se litigation filed against the President of the United States, which dovetailed with the work being performed by CASTLETON. FOSTER was the person in the WHCO who had been designated to deal with the pro se matters, and he was responsible for reviewing the filings to determine whether they had any merit. If the filings had merit, FOSTER was then responsible for determining if there was a need for the WHCO to respond to the filings or if the matters would be handled more appropriately by referring them to the United States Department of Justice (DOJ) or some other agency of the executive branch. During the period of four to

Investigation on 9/15/94 at Washington, D.C. File # 29D-LR-35063 - *JIM BELL*
 by SAs WILLIAM E. COLOMBELL and RUSSELL T. BRANSFORD RTB:rtb Date dictated 9/15/94

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Continuation of OIC-302 of THOMAS EDWARD CASTLETON, On 9/15/94, Page 2

five weeks in which CASTLETON worked with FOSTER, CASTLETON had no knowledge of any matter which FOSTER would have referred to a private attorney or to an attorney outside the federal government.

The workload of the WHCO was heavy and FOSTER's share of the workload would have been substantial. CASTLETON also knew that FOSTER was involved with matters relating to the regular White House deputies meetings. CASTLETON had no knowledge in July 1993 about the body of work FOSTER was performing as a senior White House official.

On July 20, 1993, one of the members of the WHCO staff went to the White House Mess at FOSTER's request to get his lunch. Approximately five minutes after the staff member had left, FOSTER emerged from his office and asked CASTLETON if the staff member had returned yet. CASTLETON volunteered to go to the White House Mess to check on the status of the meal. FOSTER did not ask CASTLETON to check on the meal, and FOSTER did not give any indication that there was an urgency to his eating the meal. CASTLETON recalls that FOSTER left the WHCO between approximately 12:50 p.m. and 1:40 p.m. on July 20, 1993.

In the late afternoon of July 20, 1993, LISA FOSTER called the WHCO at least twice in an effort to reach FOSTER. CASTLETON believes there were also a number of people inside the White House who were trying to reach FOSTER and who may have attempted to page him, but CASTLETON does not recall the identities of any of these individuals. CASTLETON does not recall whether these other people were employed in the WHCO or just within the White House. CASTLETON did not field any of the calls from people trying to reach FOSTER so he has no firsthand knowledge of the identities of these people. CASTLETON cannot rule out WILLIAM H. KENNEDY III or MARGARET "MAGGIE" WILLIAMS as persons who were trying to contact FOSTER that day, but he does not recall with certainty that either of them was among the people trying to reach FOSTER.

On July 20, 1993, the location of CASTLETON's desk within the WHCO suite was in the back left hand corner of the reception area, which was also known as the front office. Since March 1994, CASTLETON has been working in room 140 of the Old Executive Office Building (OEOB).

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Continuation of OIC-302 of THOMAS EDWARD CASTLETON, On 9/15/94, Page 3

At this point in the interview, CASTLETON was asked to view a set of keys which had been in FOSTER's possession on July 20, 1993. CASTLETON viewed the larger key and stated that this key had a shape which resembles the shape of keys used for many of the locks in the White House compound. CASTLETON was unable to positively identify any of the specific keys or the locks which these keys operate.

CASTLETON does not know if FOSTER had a locking filing cabinet in his office within the WHCO suite. CASTLETON does know that there were locking cabinets located near his own desk in the front office. On July 20, 1993, FOSTER had two filing cabinets which were for his use and were located in the front office on the side of DEBORAH GORHAM's desk furthest from FOSTER's office. The fronts of these filing cabinets faced the entrance to the WHCO suite and were approximately two to three feet inside the threshold to the suite. These cabinets were approximately the same height as the adjacent desk and were probably cabinets with two drawers. CASTLETON did not take note at that time where FOSTER's files were kept in FOSTER's office.

CASTLETON mostly worked with White House Counsel BERNARD NUSSBAUM but also worked indirectly with FOSTER through GORHAM. CASTLETON never observed FOSTER using any file drawers in NUSSBAUM's office. CASTLETON knows of no drawer in NUSSBAUM's office which was used by or set aside exclusively for FOSTER. There was a safe located in NUSSBAUM's office which was used by a number of people in the WHCO, and GORHAM knew the combination for this safe. CASTLETON does not know if FOSTER knew the combination to this safe.

On July 21, 1993, BETSY POND called CASTLETON at his residence between 5:30 a.m. and 6:30 a.m. CASTLETON was living in the Merrifield, Virginia area at that time but he has since moved to Arlington, Virginia. POND told CASTLETON about FOSTER's death and said that she had not wanted CASTLETON to learn about the incident from another source. POND also told CASTLETON that people in the WHCO would have to pull it together. CASTLETON arrived for work at the White House that day at approximately 8:00 a.m. after traveling into the city by Metro subway. At that point in his employment at the White House, CASTLETON had a temporary hard pass which permitted him to enter the White House compound. CASTLETON entered the compound via the northwest-gate, where he simply displayed his pass to the United States Secret

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Continuation of OIC-302 of THOMAS EDWARD CASTLETON, On 9/15/94, Page 4

Service (USSS) officers on duty and entered.

CASTLETON is familiar with CRAIG LIVINGSTONE, whom he met had met prior to July 20, 1993 through work-related contacts at the White House. CASTLETON did not know LIVINGSTONE prior to becoming employed at the White House, and he does not regard LIVINGSTONE as a close friend.

When CASTLETON entered the WHCO suite the morning of July 21, 1993, LIVINGSTONE was not in the suite. CASTLETON does not know if LIVINGSTONE entered the WHCO suite on July 21, 1993 but he can deduce that, based on the circumstances of FOSTER's death, it is likely that LIVINGSTONE would have come into the WHCO suite that day, probably during the morning. Since LIVINGSTONE was chief of security for the White House and there was a concern about sealing FOSTER's office prior to the arrival of law enforcement authorities, CASTLETON deduces that it is not unlikely that LIVINGSTONE would have come to the WHCO suite on July 21, 1993. However, CASTLETON himself did not observe LIVINGSTONE in the WHCO suite on July 21, 1993.

CASTLETON has no knowledge of any documents being removed from the WHCO suite or, more specifically, from FOSTER's office on July 21, 1993. During the time that CASTLETON was present in the WHCO suite on July 21, 1993, he saw no one go in or out of FOSTER's office. During the first few days immediately after FOSTER's death, once FOSTER's office had been sealed, the only occasion when CASTLETON saw anyone enter FOSTER's office was when officials of the United States Park Police, the Federal Bureau of Investigation, DOJ, and members of the White House security staff entered FOSTER's office and conducted a review of documents with NUSSBAUM and others. CASTLETON saw no one removing or examining documents from the file drawers near GORHAM's desk. CASTLETON did not observe or hear any reports of documents being removed from the safe in NUSSBAUM's office.

To the best of his recollection, CASTLETON did not observe LIVINGSTONE carrying any boxes or briefcases at the White House compound on July 21, 1993. CASTLETON notes for the record that he does not recall seeing LIVINGSTONE under any circumstances on that date. CASTLETON can affirm that he did not assist LIVINGSTONE or anyone else in moving documents from FOSTER's office or the WHCO suite to any other location on July 21, 1993. CASTLETON did not assist or participate in any way in

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Continuation of OIC-302 of THOMAS EDWARD CASTLETON, On 9/15/94, Page 5

taking documents or items from the offices of either MAGGIE WILLIAMS or HILLARY RODHAM CLINTON to any other location on July 21, 1993.

CASTLETON has not had any conversations with LIVINGSTONE in the last three or four months. CASTLETON has no knowledge of LIVINGSTONE appearing to be upset or distraught on July 21, 1993. There is nothing CASTLETON can point to in that regard.

At this point in the interview, CASTLETON was asked why his involvement in assisting WILLIAMS in moving a box of documents was not discussed during the initial interview of CASTLETON by OIC investigators. CASTLETON's attorney, Mr. TODD, provided his recollection about how this matter was brought to the attention of OIC investigators. CASTLETON resumed with the interview and furnished the following information:

In CASTLETON's first interview by OIC investigators, the focus of the interview was on identifying any possible motives which may have driven FOSTER to commit suicide. As a result, CASTLETON's involvement in moving the documents did not leap out at him. CASTLETON does not presently recall the circumstances of how the issue of him moving the documents came to light.

CASTLETON does not recall if WILLIAMS asked CASTLETON directly or through an intermediary to assist her in moving the documents. He does not recall if the box of documents was in the office of WILLIAMS or First Lady HILLARY RODHAM CLINTON when he picked it up. If CASTLETON had to guess, he would guess that the box was in the office of HILLARY RODHAM CLINTON. The box was closed but was not taped shut. CASTLETON does not recall if the box had a lid on it or if it was a self-closing box, but he is confident that the box was not the type of box used for copier paper. There were no markings or writing on the box. CASTLETON could not see inside the box, but he recalls that the box weighed between ten and seventeen pounds. When CASTLETON carried the box, he carried it with both his hands and he had two gowns draped over the top of the box. CASTLETON carried these items as he and WILLIAMS went to the residence portion of the White House and rode up in an elevator. CASTLETON and WILLIAMS walked out of the elevator into a hallway where CASTLETON observed two doors, both of which were open. The door to CASTLETON's right opened

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Continuation of OIC-302 of THOMAS EDWARD CASTLETON, On 9/15/94, Page 6

into a room which was furnished like a study or library. The other door opened into a storage room in which boxes, pictures and other items were apparently stored in no discernible pattern.

Officers and agents of the USSS did not examine or open the box when CASTLETON brought it into the residence portion of the White House. CASTLETON did not have to display a special pass or sign a log in order to enter the residence portion of the White House. WILLIAMS did not make any remarks to CASTLETON about secrecy in general or about keeping the movement of the documents a secret. One person, whose identity CASTLETON cannot recall, told CASTLETON that the box contained files which involved personal issues pertaining to the CLINTONS. This person did not say to CASTLETON, as has been reported in a Newsweek magazine article, that the files would be reviewed by the CLINTONS' personal attorney. CASTLETON was told by this person that HILLARY RODHAM CLINTON, and possibly President BILL CLINTON, would review the materials and make a determination what had to be done with them. CASTLETON cannot recall the identity of this person, but he is able to eliminate a number of people as having been the person who made this remark to him. The person was not BERNARD NUSSBAUM because he was not present. The person could have been BETSY POND, LINDA TRIPP or possibly MAGGIE WILLIAMS but was probably not DEBORAH GORHAM.

CASTLETON still does not know if the files contained in the box were personal in the sense of being documents such as tax returns or something similar. CASTLETON is not even certain at this time if there was only one box of documents. However, if there was a second box, CASTLETON is confident that such a box was moved at the same time as the other box. If there were a second box, it is possible CASTLETON carried both the boxes or WILLIAMS may have carried one of them. CASTLETON has no impression that there was still a box left behind in the office after he and WILLIAMS left the office and went to the residence portion of the White House. No one else was with CASTLETON and WILLIAMS when they went to the residence.

CASTLETON does not know who removed FOSTER's computer from FOSTER's office after his death.

Of the people who work in LIVINGSTONE's office, CASTLETON is familiar with MARI ANDERSON and LISA WENZL (as spelled by CASTLETON). CASTLETON also recalls an older male

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Continuation of OIC-302 of THOMAS EDWARD CASTLETON, On 9/15/94, Page 7

named TONY (Last Name Unknown) (LNU) who had an Italian surname and worked in LIVINGSTONE's office. CASTLETON does not know if TONY (LNU) is still working in LIVINGSTONE's office.

CASTLETON met JOHN CAREY, who was a member of the White House staff, on only one occasion, which may have been CAREY's last day of work at the White House. CAREY came to the WHCO suite to say farewell to a number of people but particularly to BETSY POND, whom he appeared to know well. CAREY is possibly now serving as General Counsel at the Federal Emergency Management Agency (FEMA).

WEBB HUBBELL was a regular visitor to the WHCO suite, primarily due to his position at DOJ as well as his role in the judicial selection process. HUBBELL and FOSTER had a close relationship and appeared to be good friends. CASTLETON does not recall any occasions on which HILLARY RODHAM CLINTON visited FOSTER in the WHCO suite, but he does recall FOSTER visiting her in the First Lady's office.

CASTLETON is aware that FOSTER used black binders to store documents because CASTLETON handled several such black binders in the course of clearing FOSTER's office in November 1993. CASTLETON recalls that most of these binders contained information relating to judicial selections. He has no knowledge regarding the contents of the remaining binders.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/14/94

SA WILLIAM E. COLOMBELL advised CHRISTOPHER D. CERF, General Counsel, Executive Office of the President, White House, Washington, D.C. that the purpose of his visit to The White House was to have FBI laboratory agents search specific computer data banks located in The White House in an effort to retrieve a two-page document prepared by Mr. CRAIG LIVINGSTONE, White House Security Office back on July 21, 1993. General Counsel CERF accompanied the agents and had complete oversight of the agent's activities while they searched computers in The White House Security Office located in the Old Executive Office Building and computers located in the Chief Counsel to the President suite of offices on the west wing of The White House (July 12, 1994). General Counsel CERF also accompanied the agents as they conducted searches of computers located in The White House Office of Management and Administration, Old Executive Office Building (July 13, 1994). The document in question was located in a computer found in The White House Office of Management Administration and a separate report regarding the search of these computers has been prepared by the FBI laboratory.

Investigation on 7/12-13/94 at Washington, D.C. File # 29D-LR-35063-

by SSA WILLIAM E. COLOMBELL
[REDACTED] FOIA(b)(7) - (C) Date dictated 7/13/94

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/21/94

Captain JAMES M. CHARRON, Fairfax County Police Department (FCPD), was contacted at his place of business, the Public Safety Communications Center (PSCC), 3911 Woodburn Road, Annandale, Virginia, telephone number (703) 280-0527, where he serves as Commander for Emergency Operations. After being advised of the official identity of the interviewing agent and the nature of the interview, Captain CHARRON allowed the interviewing agent to listen to two (2) 911 calls which had been placed to the PSCC on July 20, 1993, which was the date of the death of VINCENT W. FOSTER Jr. The calls had been recorded on a MAGNASYNC MOVIOLA Logging Audio Communications Tape which had a capacity of forty (40) tracks for recording calls.

The first call, which was placed at approximately 5:59 p.m., pertained to the finding of a body in Fort Marcy Park, Virginia. The male caller declined to identify himself, and an attempt was made to refer the call to the United States Park Police (USPP) Communications Center after the calltaker, MARIANNE WHITE, determined that the body had apparently been found in a National Park. However, on this call WHITE was unable to transfer the call through to the USPP Communications Center since the call was not answered there. This call was recorded on track 12 of the tape.

The second call, which was placed at approximately 6:00 p.m., pertained to an apparent traffic accident on George Washington National Parkway near Route 123 in Fairfax County, Virginia. This call was successfully transferred by the calltaker, CHRISTOPHER FOX, to the USPP Communications Center after he determined the accident had also occurred in USPP jurisdiction. This call was recorded on track 15 of the tape.

After listening to the two calls, the interviewing agent furnished Captain CHARRON with an original signed letter from RODERICK C. LANKLER, Office of the Independent Counsel, requesting custody of the original forty track tape. Captain CHARRON accepted the letter and produced a letter of receipt prepared by FCPD, which was then signed by Captain CHARRON and

Investigation on 4/21/94 at Annandale, Virginia File # 29D-LR-35063

by SA RUSSELL T. BRANSFORD RTB:rtb Date dictated 4/21/94

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Continuation of FD-302 of Captain JAMES M. CHARRON, On 4/21/94, Page 2

the interviewing agent. Captain CHARRON then turned over custody of the original FCPD MAGNASYNC MOVIOLA forty track tape, labeled tape T-1, to the interviewing agent at 1:18 p.m. The interviewing agent then produced a form FD-597, Receipt for Property Received, which was again signed by both parties and a copy of which was furnished to Captain CHARRON.

The interviewing agent initialed and dated the upper right corner of the face of the box containing the tape as well as the reel of the tape itself.

A copy of the FCPD letter of receipt is attached to this memorandum and is incorporated herein.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/12/94

Brent J. Chenery, Officer, Uniform Division, United States Secret Service (USSS) was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue NW. Officer Chenery was advised as to the identity of the interviewing agent and informed of the nature of the interview. He then provided the following information:

He has been employed by USSS for four years, all of which have been at The White House compound. For the past two years, he has been assigned to post "E-4" which is also known as the "west lobby" post on the 1st floor of the west wing of The White House. He was so employed at the time of Vincent Foster Jr.'s death on July 20, 1993. His office is located at 1310 L Street NW and his telephone number is 202-395-2020.

Officer Chenery stated that he did not know Vincent Foster either personally or professionally and had never spoken to him prior to his death. Mr. Chenery stated that he worked the 2:30 pm - 11:00 pm shift at post E-4 on July 20, 1993. He said that this was a "routine, ordinary" day where he was aware of nothing extraordinary happening in the west of The White House. He advised that he does not recall any White House staffers passing through post E-4 that evening entering the west wing of The White House. He stated that he specifically does not recall seeing Bernard Nussbaum, Patsy Thomasson, or Maggie Williams enter or leave The White House through the west lobby entrance that evening. Mr. Chenery explained that it is not unusual to not see few, if any, White House staffers entering or leaving The White House through the west lobby entrance because this entrance is used by visitors with prearranged appointments and by people being brought through The White House on special public tours. White House staffers, therefore, routinely avoid using the west lobby entrance to enter or leave the west wing. Mr. Chenery stated that most White House staffers either enter or leave the west wing of The White House through the "E-1" entrance which is off of West Executive Avenue, thus avoiding any congestion caused by people awaiting appointments or awaiting tours in The White House's west wing lobby. Mr. Chenery reiterated that he noted

Investigation on 4/11/94 at Washington, D.C. File # 29D-LR-35063 SUB A

by FOIA(b)(7) - (C) Date dictated 4/12/94

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Continuation of FD-302 of Brent J. Chenery, On 4/11/94, Page 2

nothing unusual happening at The White House during his shift on July 20.

On July 21, 1993, Officer Chenery reported to post E-4 as usual at approximately 2:30 pm. At approximately 4:30 pm he was ordered to report to a temporarily established post in The White House counsel's suite of offices "to make sure that no one took anything out of Mr. Foster's office". He reported to that location at approximately 5:30 pm where he relieved USSS officer Joe Phillips. He had also been advised that he was to check with Bernard Nussbaum for allowing anybody entrance into Vincent Foster's office.

At 6:34 pm an individual known to Chenery as Cliff Sloan, a White House staffer came to the door of Vincent Foster's office and wanted to enter. Chenery advised him that he could not enter without prior approval. At that point Nussbaum walked out of his office and told Officer Chenery that it was o.k. for Mr. Sloan to go into the office because he only wanted to place a bag of trash back into the office that had been previously removed. Chenery stated that Nussbaum said that this trash could be evidentiary regarding Foster's death. The trash was contained in a clear plastic "zip-top" bag about the size of a football allowing one to easily see the contents. Mr. Chenery stated that the entire time that Sloan was in Foster's office (10-15 seconds) he was with him and was watching the bag. Chenery stated that he opened the door to the office and Sloan took one or two steps into the office and placed the plastic bag against the wall near the door. The only thing Sloan said to him was that "GSA" had picked up this trash the night before. Sloan did not say how he had managed to retrieve the trash or from whom he had obtained it. Mr. Nussbaum never entered the office at this time and Sloan exited the office after placing the bag on the floor. Shortly thereafter, USS Sergeant Callahan came to Foster's office to check on Chenery to see if he needed a break. Chenery told Sergeant Callahan about Nussbaum authorizing Sloan to enter the office to place a trash bag on the floor. Callahan advised that he in turn would tell USSS Assistant Special Agent in Charge, Don Flynn about this. Chenery stated that through observation he could see that the bag contained what appeared to be several wrappers from candy bars and a small amount of what looked like dark brown or black dirt, perhaps from a spilled potted plant or perhaps coffee grounds. Officer Chenery stated that he was relieved from this post at approximately 7-7:15 pm by USSS Officer Robert Almasy and that he (Chenery) went back to his

-LR-35063 SUB A

Continuation of FD-302 of Brent J. Chenery, On 4/11/94, Page 3

regularly assigned post (E-4) on the 1st floor. Officer Chenery stated that no one else, other than Sloan, entered Foster's office or tried to enter the office while he was on duty in front of the office door.

Officer Chenery stated that during his tour of duty in front of Foster's office door he did not see any other USSS personnel except those mentioned hereinbefore. He further advised once he returned to post E-4, nothing out of the ordinary happened that night that he observed. He specifically said that he saw no one installing a lock on Foster's door or coming to the door to survey it in preparation of a lock installation. He advised that he has not returned to Vincent Foster's office since the evening July 21, 1993.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/22/94

M. Morgan Cherry, Investigator, M. Morgan Cherry & Associates, Ltd., came to the Office of the Independent Counsel, Washington, D.C. to provide information possibly related to the Whitewater investigation. Cherry asked to be interviewed in the presence of a white male individual who would only identify himself as Mr. Walters (not his true name). Walters described himself as an attorney and business acquaintance of Cherry for years. Walters said he did not wish to be further identified as he is a lobbyist on Capitol Hill. Cherry declined to be interviewed without Mr. Walters present. Cherry provided the following information:

He is a licensed investigator in the State of Virginia and for more than twenty years has performed White Collar Crime investigations throughout the United States. He said that perhaps 5% of his business was in the Washington, D.C. area. His company assists business and non-law enforcement investigators with matters having an interstate nature. He advised his company's network of sources has also provided information which has generally been accurate to Federal law enforcement, such as the FBI and Customs in the past. He named FBI agents [redacted] (while assigned to the Brooklyn/Queens office), [redacted] (WMFO) and [redacted] (now retired - Atlanta) as individuals who could speak to his reliability in the past. - - -

FOIA(b)(7) - (C)

Both Cherry and Walters advised they were not looking for anything in return for providing this information. They were not "brokering" for the source of the information or employed as his agents. Their motivation was described as "just to get the story out." Walters further commented that he doesn't want to participate beyond this meeting.

The source's motivation to have Cherry contact law enforcement was to "clean" or "seal" source's record. Cherry explained his introduction to the source. About two weeks ago, an "asset" of Cherry's called and advised Cherry that a long-term friend (the Source) had called him and advised that he was in Broward County Jail (Florida) on a probation violation in

investigation on 4/21/94 at Washington, D.C. File # 29D-LR-35063

by SA William T. Guyton
SA Russell T. Bransford Date dictated 4/22/94

D-LR-35063

Continuation of FD-302 of M. Morgan Cherry, On 4/21/94, Page 2

connection with bad checks. This source also needed to post bond in two other jurisdictions on similar bad check pending matters: a \$3,500 check written to a car dealership being prosecuted in Hillsboro County, Florida and a \$1,000 bad check matter being prosecuted in Pinellas County, Florida. Appearance dates for these two matters were uncertain. The source's worry was that he would have to do actual time for one or both of these offenses. His situation relative to the probation violation in Broward County was most likely going to result in a house detention deal.

Cherry's asset, who Cherry described as reliable in the past, said that he had trained the source and that whenever the source gets in trouble, the Source calls him (Cherry's asset).

FOIA(b)(6)
FOIA(b)(7) - (C)

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Continuation of FD-302 of M. Morgan Cherry, On 4/21/94, Page 3

FOIA(b)(7) - (C)

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Continuation of FD-302 of M. Morgan Cherry, On 4/21/94, Page 4

FOIA(b)(7) - (C)

Cherry believes [redacted] is not involved in felonies, drugs or violent crimes. Cherry has heard that the source of [redacted] problems is women. As indicated above, [redacted] has talked with someone else about this information. [redacted] has also indicated his phone calls to Cherry may have been monitored.

Cherry provided his business card and other telephone information as follows:

Name:	M. Morgan Cherry
Title:	Investigator
Company:	M. Morgan Cherry & Associates, Ltd.
Address:	Suite 1600, 5203 Leesburg Pike, Falls Church, Virginia 22041
Telephone:	(703) 941-0066 or (800) 800-8593
Fax Number:	(703) 824-7860
Home Telephone:	(703) 972-7249

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OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 9/12/94

KENNETH R. CHITESTER, Director Office of News Analysis, (202) 456-5693, was interviewed at the Office of Independent Counsel on September 7, 1994. After being advised of the identity of the interviewing agents and the nature and purpose of the interview, CHITESTER provided the following information:

CHITESTER advised that his employment with The White House began in January 1993 when he was Deputy Director of the Office of News Analysis in the Office of Media Affairs, Office of Communications in The White House. He was Deputy Director from January 1993 until April 1994 when he assumed the position of Director for the Office of News Analysis. He explained that the office monitors news media, prepares approximately 40 weekly reports and summaries, and assembles daily newspaper clippings and summaries of newscasts. They also prepare weekly editorial compilations and political cartoon packages and provide on-site news analysis when the President travels. These items are distributed to all the offices throughout The White House. Much of the work in the office is done during the early morning hours as newspapers come out as early as 2:00 am but the bulk of them are delivered to The White House at 4:30 am. It is between that time and 6:00 am that newspaper articles are clipped and assembled. They are delivered to the Printing Office at 6:00 am. The Office of News Analysis is most busy from 4:30 am until the completion of the press clippings. This work is all completed in the Old Executive Office Building.

CHITESTER explained that originally the Office of News Analysis had three staff members, Director KEITH BOYKIN, himself and an Assistant Director, JULIE OPPENHEIMER. LARRY SAMPUS worked the night shift on a volunteer basis for approximately 10 months. He was on the staff during the time frame of VINCE FOSTER's suicide but CHITESTER could not recall whether he was there on July 20 and 21 of 1993 or not. OPPENHEIMER was in charge of scheduling volunteers and interns to assist with the News Analysis chores. She left in approximately December 1993. LARRY SAMPUS left for a brief period (possibly October 1993) and returned several months later to take JULIE's place as the third

investigation on 9/7/94 at Washington, D.C. File # 29D-LR-35063

by SSA H. ALEXIS SUGGS
SA DANA M. GILLIS Date dictated 9/9/94

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Continuation of OIC-302 of KENNETH R. CHITESTER, On 9/7/94, Page 2

staff member.

CHITESTER advised that he has no specific recollection of July 20, 1993. He also has no specific recollections with regard to Wednesday, specifically Wednesday morning, July 21, 1993. During that time period, it was his pattern to arrive at The White House and go directly to the Old Executive Office Building where the Media Affairs Office is located. He generally arrived there between 6:30 and 7:00 in the morning. KEITH BOYKIN arrived somewhat later, usually between 7:00 and 7:30. He advised that JULIE OPPENHEIMER was probably the first to arrive and guessed that at that time she was arriving at approximately 4:30 in the morning. She would work with various interns and volunteers to assemble the press clippings and get them to the print shop at 6:00 am. Generally the first 20 copies are assembled and available for the 7:30 meeting which is held daily at the Communications Office at the West Wing at The White House.

CHITESTER advised that OPPENHEIMER advised him of VINCE FOSTER's death when he arrived to work on Wednesday, July 21, 1993. He does not recall if FOSTER's death was on the news channels or not. He estimated that he would have left the Old Executive Office Building at approximately 7:25 in order to make his way over to the West Wing to the Communications Office meeting at 7:30.

CHITESTER said that he did not know who VINCE FOSTER was. The News Analysis Department has nothing to do with the Counsel's office and he does not recall any discussion of the presence of press at the FOSTER residence on Wednesday morning, July 21, 1993. The only specific recollection he has of July 21 is a staff meeting held at which the President spoke at approximately 12:30 pm. He does not recall hearing of an individual outside the Communications Office helping with press matters. He does not recall anything about the Communications Office sending anybody to assist with handling the press to the FOSTER residence and he does not recall hearing anything concerning CRAIG LIVINGSTONE. He knows who CRAIG LIVINGSTONE is but deals with him only with regard to passes for the volunteers and interns assigned to the News Analysis Office.

CHITESTER advised that although he has no specific recollection of Wednesday, July 21, in July of 1993 his job was monitoring wire services and he was beginning to do some travelling with the President. He therefore did not generally

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Continuation of OIC-302 of KENNETH R. CHITESTER, On 9/7/94, Page 3

participate in the distribution of reports and news clippings to The White House proper. He advised that his recollection is that usually two interns per session (there are three sessions per year) and about three dozen volunteers are assigned to the News Analysis Department. The volunteers generally work anywhere from 4 to 40 hours per week and are "groupies" who help monitor the network for White House related information. OPPENHEIMER did all the work coordinating work hours with interns and volunteers. CHITESTER said he is not absolutely sure they had interns at the time of VINCE FOSTER's death and he could not recall any names of them. He did however provide to the interviewing agents some copies of in-house White House memorandum which had names of individuals and looked like a schedule for volunteers.

CHITESTER advised that News Analysis personnel would be distributing press clippings in The White House West Wing as early as 7:00 am. There was a period (he cannot remember when) when they had an abundance of volunteers and were able to get the job done early and be delivering the clippings sometime between 6:30 and 7:00 am.

People distributing the clippings generally carried them in their arms. They were stacks of legal-sized materials stapled together. They do not ever use binders for this. Originals of a five-day summary are kept in black binders but the supply store is downstairs in the Old Executive Office Building. There is no occasion when News Analysis individuals would be carrying a box of empty binders from the West Wing over to the Old Executive Office Building.

The only other individual who is known to be around the West Wing early in the morning is GEORGE STEPHANOPOULOS.

CHITESTER has no memory of contact with CRAIG LIVINGSTONE during that entire week and no specific memory of contact on July 21, 1993 and he added that such contact would be unlikely given his patterns of going directly to the Old Executive Office Building and being focused on monitoring news media.

As part of the interview CHITESTER provided the following personal information:

Name: KENNETH R. CHITESTER
 Date of Birth: FOIA(b)(6)
FOIA(b)(7) - (C)

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Continuation of OIC-302 of KENNETH R. CHITESTER, On 9/7/94, Page 4

Place of Birth:	[Redacted]
Social Security Number:	[Redacted]
Local Address:	150A North Bedford Street Arlington, VA 22201-1136
Residence Telephone:	703-527-3577
Position:	Director, Office of News Analysis April 1994 - Present
Previous Position:	Deputy Director Office of News Analysis January 1993 - April 1994

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/18/94

FLOYD CLARKE, former Acting Director of the FEDERAL BUREAU OF INVESTIGATION (FBI), was interviewed at his current place of employment, MacANDREWS & FORBES, 1455 Pennsylvania Avenue, N.W., Suite 575, Washington, D.C., telephone (202) 628-2600. After being advised of the official identities of the interviewing agents and the nature of the interview, CLARKE was asked to review an article entitled "EX-CHIEF: POLITICS KEPT FBI OFF FOSTER CASE," which was written under the byline of CHRISTOPHER RUDDY and was printed in the NEW YORK POST newspaper on Thursday, February 3, 1994. CLARKE read the newspaper article, which contained statements by former FBI Director WILLIAM S. SESSIONS about the role of the FBI in the investigation of the death of VINCENT W. FOSTER Jr. CLARKE then provided the following information:

CLARKE was Acting Director of the FBI on July 20, 1993, which was the date of the death of VINCENT W. FOSTER Jr., Deputy Counsel to the President. CLARKE had been appointed Acting Director on July 19, 1993 following the removal from office of the former FBI Director, WILLIAM S. SESSIONS. On July 19, 1993, CLARKE was called over to the UNITED STATES DEPARTMENT OF JUSTICE (DOJ) to meet with Attorney General JANET RENO and Deputy Attorney General PHILLIP HEYMANN, and they advised CLARKE that Director SESSIONS was going to be removed from office at 3:00 p.m. that same day. CLARKE and HEYMANN then went to FBI Headquarters where they were present with Director SESSIONS when he received a telephone call from President BILL CLINTON advising Director SESSIONS of his removal from office. Former Director SESSIONS remained in the FBI Headquarters building that afternoon, and he returned to the building several times later to review documents. However, during these later visits to the building, former Director SESSIONS was kept in an isolated area and he was not allowed to take official FBI documents from the building with him.

During the earlier meeting at DOJ between Attorney General RENO, HEYMANN and CLARKE, a determination was made that JOSEPH R. DAVIS, Assistant Director of the FBI Legal Counsel

investigation on 4/14/94 at Washington, D.C. File # 29D-LR-35063

by SAs DANA M. GILLIS and RUSSELL T. BRANSFORD RTB:rtb Date dictated 4/18/94

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Continuation of FD-302 of FLOYD CLARKE, On 4/14/94, Page 2

Division, would act to interface between former Director SESSIONS and the FBI. CLARKE has never discussed the matters surrounding the death of FOSTER with either former Director SESSIONS or DAVIS, and CLARKE has not had any substantive conversations with SESSIONS since SESSIONS was removed from office.

CLARKE recalls receiving a telephone call from either HEYMANN or DAVID MARGOLIS at DOJ and being told by the caller that media inquiries were being received at DOJ about a slowing of the investigation into the circumstances of FOSTER's death. CLARKE then spoke with LARRY A. POTTS, Assistant Director of the Criminal Investigative Division of the FBI, and was advised that the FBI was strictly monitoring the investigation being conducted primarily by the UNITED STATES PARK POLICE (USPP). POTTS further assured CLARKE that there were no encumbrances to the investigation whatsoever.

In his role as Acting Director of the FBI, CLARKE was not aware of any indication of resistance from either DOJ or the White House to the FBI becoming involved in the investigation of FOSTER's death. CLARKE believes that any restraint on the FBI's involvement was imposed by officials of the FBI in an effort to ensure that the FBI would be acting within its lawful authority. During this same time period, CLARKE spoke with ROBERT M. BRYANT, who was then the Special Agent in Charge of the Washington Metropolitan Field Office (WMFO) of the FBI, in whose territory the death of FOSTER was believed to have occurred. BRYANT had spoken earlier with USPP Chief ROBERT E. LANGSTON, and he assured CLARKE that neither WMFO nor USPP were being hindered in their investigations.

CLARKE perceived the role of the FBI in the initial investigation of FOSTER's death to be one of consulting with and supporting USPP, i.e. the FBI was monitoring the USPP investigation and providing assistance as requested. Once a handwritten note believed to have been written by FOSTER was discovered, the role of the FBI became more active as the FBI Laboratory was asked to perform a number of examinations.

CLARKE believes the FBI was not more active initially in the investigation of FOSTER's death because no specific jurisdiction authorizing the involvement of the FBI was apparent.

CLARKE believes there is no merit to the statement by former Director SESSIONS that the FBI's investigative role in the

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Continuation of FD-302 of FLOYD CLARKE, On 4/14/94, Page 3

FOSTER death was compromised. Based on the fact that former Director SESSIONS left office the day before FOSTER's death, CLARKE does not know how former Director SESSIONS can speak knowledgeably about the FBI's role in the FOSTER death investigation.

CLARKE concluded by stating there is no basis in fact for the proposition that either the White House or DOJ exerted influence to keep the FBI from becoming involved in the investigation of FOSTER's death.

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 9/13/94

PAUL CLARKE, Captain United States Air Force was interviewed telephonically at his current duty station at Davis Montahn Air Force Base, Tucson, Arizona, address 612 AIF-INA, 5340 East Gufford Way, Davis Montahn Air Force Base, Tucson, Arizona 85707-4224, telephone (602) 750-3856. After being advised of the identity of the interviewing agent and the nature and purpose of the interview, CLARKE provided the following information:

CLARKE advised that in July 1993, he was Director of Public Affairs for the National Security Council and/or Assistant Press Secretary for Foreign Affairs (it was the same position). He did not normally have anything to do with White House affairs per se, but confined himself to the National Security Council issues. On the night of July 20, 1993, CLARKE was substituting for his immediate supervisor as Press Office Duty Person for that night. The switchboard of The White House called him at his residence between 9:00 and 11:00 pm to notify him that VINCE FOSTER's body had been found in Fort Marcy Park, Virginia. At the time, CLARKE did not know who VINCE FOSTER was. In response to the notification by the switchboard, CLARKE telephoned Press Secretary DEE DEE MYERS at The White House. She gave him, over the phone, the text of a written statement that could be released to press persons.

PAUL remained at his residence the entire evening, -- never leaving. He got only a few telephone calls and he guessed that most calls were being taken directly by The White House since so many people were there that night. He has no specific recollection of the night but he does not believe that he was up all night taking telephone calls.

CLARKE explained that Foreign Affairs was his area of responsibility and interest. To his knowledge VINCE FOSTER did not have anything to do with National Security Council issues.

Additionally, CLARKE advised that he does not know who CRAIG LIVINGSTONE is. His only recollection of the following day

(telephonically)

Investigation on 9/9/94 at Washington, DC File # 29D-LR-35063

by SSA H. ALEXIS SUGGS Date dictated 9/12/94

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Continuation of OIC-302 of PAUL CLARKE, On 9/9/94, Page 2

was a general state of shock that people felt as a result of the death of a colleague. CLARKE also does not remember hearing any rumors about papers being moved or any other irregularities with regard to VINCE FOSTER's office or papers.

As part of the interview CLARKE provided the following personal information:

Date of Birth:	[FOIA(b)(6)]
Place of Birth:	[FOIA(b)(7) - (C)]
Social Security Number:	[FOIA(b)(7) - (C)]
Residence:	5624 East 18th Street Tucson, Arizona 85711-5104
Residence telephone:	(602) 748-9280
Family telephone number in the San Francisco area:	(415) 457-5528

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/2/94

LORAIN WOLFE CLINE, Secretary at the Rose Law Firm, Little Rock, was interviewed on May 18, 1994 at the FBI offices in Little Rock, Arkansas. Also present during the interview was C. MICHAEL BUXTON, Attorney at Law with VINSON and ELKINS, The Willard Office Building, 1455 Pennsylvania Avenue, NW, Washington, D.C., telephone number (202) 639-6613. After being advised of the nature and purpose of the interview and the identity of the interviewing agents, CLINE provided the following information:

CLINE advised that she had known VINCE FOSTER, JR. since September 2, 1986 when she came to work at the ROSE LAW FIRM as FOSTER's legal secretary. She described FOSTER as a wonderful person and said that she had adored him. She said he was ethical, moral, a good family man and, above all, a perfectionist. She described him as "a prince of a fellow". She added that he was a workaholic but that he nevertheless seemed to have balance in his life. He was active in the bar and in other community activities and in sports. He worked out every morning but was at his desk between 9:00 and 9:30 every morning. He stayed at work typically until 6:30-7:30 at night.

The only time CLINE saw VINCE FOSTER lose his temper was an occasion in 1992 when her computer was not functioning right and he let out a curse word. He later apologized to her although he had not sworn at her personally, merely in her presence. He had been under pressure and had to get a brief out and she was having difficulty typing it because of the computer problem.

She further described him as an intense person. He was a perfectionist but not abnormally so. He was moody but that was just his personality. She thought he was reserved and quiet but not depressed. She was surprised to read in the media that he had been depressed. She has no idea why he would have committed suicide. She learned of his suicide when CAROLYN HUBER called her from Washington, D.C. at 10:21 Little Rock time on the evening of July 20, 1994. HUBER characterized the death as a

Investigation on 5/18/94 at Little Rock, Arkansas File # 29D-LR-35063

by SA H. ALEXIS SUGGS
 [REDACTED] FOIA(b)(7) - (C) Date dictated 5/25/94

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Continuation of FD-302 of LORAIN WOLFE CLINE, On 5/18/94, Page 2

suicide. CLINE said it was very traumatic for her.

CLINE advised that FOSTER always worked very long hours. LISA FOSTER would occasionally call him during the day and CLINE never got any inkling that LISA was trying to find out if FOSTER was alright. She was not aware of any difficulties that they may have been having financial or otherwise.

CLINE advised that there were never any bad rumors about VINCE FOSTER whatsoever. There were rumors about others in the ROSE LAW FIRM, but never about FOSTER. He had a happy marriage and he loved his family very much. He loved to cook, he did some gardening, he liked to swim. She is not aware that he collected anything and based on a visit or two to his home, did not observe any guns in his residence. She noted that he was not the gun type, meaning not an outdoorsman.

With regard to rumors about an extra-marital affair between FOSTER and HILLARY CLINTON, CLINE said that she knew nothing about it until FOSTER himself told her that there were such rumors. He was telling people about it because he wanted his family and her and others at the law firm to hear it before they read about it in the press. She believes that there is absolutely no truth to the rumors.

CLINE saw FOSTER on May 8, 1993, as he gave the commencement address at his old Law School. He acted excited and "up" and looked good. CLINE last saw FOSTER on May 22, 1993 when she travelled to Washington, D.C. for a weekend with other secretaries from the ROSE LAW FIRM. The group had lunch with FOSTER at The White House Monday before they left. At that time, CLINE observed no personality changes in FOSTER but noticed that he had lost some weight. The only conversation she recalls having with him during the lunch at The White House was an exchange where she asked him, "Are you having fun yet?", and he responded, "Well it's an experience. We have one 'gate' after another." She was aware that there had been critical articles in the Wall Street Journal about FOSTER. She knew them to be lies and they did not discuss the article. She observed that FOSTER was not accustomed to being criticized. He wanted to serve his country and give back what society had given to him. It seemed that he was bound to have been hurt and disappointed. She last spoke with him, by telephone, the later part of June. She still did not note any changes in him at all.

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Continuation of FD-302 of LORAIN WOLFE CLINE, On 5/18/94, Page 3

CLINE observed that in the secretary/lawyer relationship, he was very good about keeping in touch with her. He would always let her know where he was and when he was going to be back. He was meticulous about keeping an accurate and complete calendar. With regard to how he handled trash, if he didn't need something he would crumple it up and pitch it in the wastebasket. He generally did not tear things up. She knew him to make lists of things--not lists of things that were bothering him, but lists of things to do. In that respect he was very organized.

CLINE advised that she could not picture FOSTER as having a problem which he could not figure out how to solve. She concluded by saying that FOSTER was the very best lawyer at the ROSE LAW FIRM. He had no need of confidants. His closest friends at ROSE LAW FIRM were PHILIP CARROLL, WEBB HUBBELL, and HILLARY CLINTON. Close personal friends would have included, JERRY ACHLEY (PHONETIC), JOHN SLOAN, JUDGE WILSON, and LISA's sister KATHY.

As part of the interview CLINE provided the following personal information:

Name:	LORAIN WOLFE CLINE
DOB:	FOIA(b)(6)
POB:	FOIA(b)(7) - (C)
Social Security No.:	
Residence/Address:	5212 Stratford Road North Little Rock, AK 72116
Telephone:	501-758-2258
Position:	Legal Secretary at the Rose Law Firm 120 East 4th Street Little Rock, AK
Telephone:	501-377-0372

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/19/94

WILLIAM COBBS, GSA Building Manager for The White House Field Office, Old Executive Office Building, Room 48, telephone (202) 395-3154 was interviewed at his place of work. After being advised of the identity of the interviewing agent and the nature and purpose of the interview, COBBS provided the following information:

COBBS advised that he has held his current position as GSA Building Manager for The White House Field Office since April 1989. He has responsibility for all operations and maintenance services for all the 16 buildings which make up The White House complex. It involves overseeing approximately 220 employees, including all housekeeping, mechanical and moving service employees. Some of the work that their office is responsible for is provided by contract employees and some is done by GSA employees.

COBBS advised that he has a general recollection of the time period on or about July 20, 1993, when VINCE FOSTER, JR. was found dead. He did not know VINCE FOSTER and did not have any direct involvement with the activities of that night or the following day. His only connection with the events surrounding VINCE FOSTER's death was a memo he received dated March 7 from JOEL KLEIN advising them to cease the removal of all wastebasket trash containers effective March 7, 1994.

COBBS advised that he knows CRAIG LIVINGSTONE professionally and deals with his office primarily regarding the update of building passes for GSA employees. He has almost daily contact with CRAIG LIVINGSTONE in that regard. They do not have personal conversations at any time and there have been no special requests from CRAIG LIVINGSTONE. The normal course of their business relationship is that COBBS will need something from LIVINGSTONE's office, not the reverse.

On the subject of who might be present during early morning hours in the West Wing, COBBS advised that the cleaning crew, that works all night, gets off at 6:00 am in the morning.

Investigation on 8/17/94 at Washington, DC File # 29D-LR-35063

by SSA H. ALEXIS SUGGS Date dictated 8/19,94

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Continuation of FD-302 of WILLIAM COBBS, On 8/17/94, Page 2

He speculated that perhaps the Navy Mess personnel were getting ready to serve breakfast. He did not know how early they started and pointed out that their activities would be confined to the basement level of the West Wing where the mess is located. In addition, GSA mechanics, who service the rest of The White House, start their shift at 7:30 am. Some of them start arriving about 7:00 am but they are located over in the Old Executive Office Building and would not be moving over to the west wing until after 7:30 am. The U.S. Secret Service, however, is probably a more important point of contact on this topic since no GSA or contract employee goes anywhere in the West Wing without a Secret Service person being with them.

Secret Service also handles all the locks in the West Wing except those denying access to mechanical space (meaning electrical vaults and such).

In the writer's presence, COBBS examined a log book kept by the Engineer's Shop for July 20 & 21, 1993 and found no entries providing any significant information regarding activities by GSA or contract employees in or around the West Wing. COBBS advised that when safes need to be moved normally a contract moving company is utilized for that purpose. They are also used for moving furniture. Moving furniture is a constant requirement. Nothing of any significant size is ever moved without a written request and subsequent work order through GSA. COBBS has no recollection of any requests for moving filing cabinets, desks, safes or any other large items from, or within the Counsel's office or elsewhere close by in the West Wing on or about July 20-21, 1993. COBBS advised that he will speak with appropriate subordinates and have the records checked for July and August 1993 to see if there were such work orders.

As part of the interview COBBS provided the following personal information:

Date Of Birth:	September 26, 1936
Place Of Birth:	Pamplin, Virginia
Social Security Number:	224-46-8812
Home Address:	101 Essenton Drive Upper Marlboro, Maryland
Home Phone:	(301) 249-1094

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/5/94

TERRI L. COBEY, who resides at Box 58C, Route 427, Nanjemoy, Maryland, 20662 was advised of the identities of FBI Agents Colombell and Gillis and that they wished to ask her some follow-up questions regarding her recollection of events that took place on the Second Floor, West Wing of the White House on July 20, 1993, the night that VINCENT FOSTER died.

MS. COBEY is unable to recall if there were any staffers present in the Chief Counsel's suite of offices when she, the U.S.S.S. Officer and the other cleaning lady (MS. WALTERS) arrived to clean the office. She also could not recall if the U.S. Secret Service Officer had to use his key to open the office for them. Usually, there is no one in the Second Floor, West Wing of the White House late in the evening when they do their cleaning. On this particular night, there were White House staffers present although she is not sure whether they were there when they (the cleaning crew) first arrived or whether they came in shortly thereafter. She recalls that there was a white male (middle age, medium build, dark hair, clean shaven) and at least two women; one was a black female (short in stature, kind of heavy), the second a white female (young, shoulder length hair). She was unable to provide any additional descriptive data regarding these parties.

She and the other cleaning lady picked up the regular trash out of the wastepaper baskets, adding that both of them emptied trash in the secretary's area, with WALTERS emptying the trash in the Chief Counsel's office, and herself emptying trash in the office that belonged to VINCENT FOSTER. She recalled that there was what she described as a light blue tablet or folder in the regular trash basket in MR. FOSTER's office. She removed the plastic trash container, containing the light blue tablet, and placed it with the regular trash on her cart out in the hall.

Shortly thereafter, the white female approached her and asked her if she had taken any trash from FOSTER's office. She was able to retrieve the light blue tablet and gave it to this woman, adding that it was never returned to her to be put back in

Investigation on 8/5/94 at Washington, DC File # 29D-LR-35063

by SSA WILLIAM E. COLOMBELL Date dictated 8/5/94

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Continuation of FD-302 of TERRI L. COBEY, On 8/5/94, Page 2

the trash. She explained that she never observed either of these women or the white male actually in MR. FOSTER's office. She did see them enter and exit the doorway to the Chief Counsel's suite of offices.

Later, after she had left the Chief Counsel's suite of offices and returned to the hallway, she observed both the black female and the white female walking on at least two separate occasions back and forth between the Chief Counsel's suite of offices and the First Lady's Office. She clearly remembers the black female going into the First Lady's Office at least two times. She was unable to state whether either of these women were carrying any type of paper or documents or files while they were walking between the two offices. She concluded by stating that she doubts that she would be able to identify these two women or the white male from a spread of photographs.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/2/94

Terri L. Cobey was advised as to the official identity of the interviewing agent and as to the nature of the interview. She then provided the following information:

Her address is Box 58C, Route 425, Nanjemoy, Maryland 20662 and her telephone number is 301-743-9271. She said that her telephone number at work is 202-395-3270.

Ms. Cobey advised that she is employed by the General Services Administration (GSA) as a cleaning employee and routinely works the 9:30 pm - 5:45 am shift at The White House. She said that her responsibilities are to clean, dust, vacuum, and remove non-confidential trash from bathrooms and offices located on the 2nd floor of the west wing of The White House.

Ms. Cobey was asked if she recalled working the evening of July 20, 1993. She stated that she could not remember if she worked that evening or not. She said that she recalled learning of Vincent Foster, Jr.'s death but she could not recall when or how she learned of his death. In response to a specific question, she said that she can not recall any male or female staffers entering the suite of offices occupied by Bernard Nussbaum and Vincent Foster on the evening of July 20, 1993. She similarly advised that she can not recall if she cleaned that suite of offices or removed any trash from those offices during her shift on July 20. She also stated in response to a specific question that she does not recall seeing anybody remove anything from those offices on that evening.

Investigation on 4/29/94 at Washington, D.C. File # 29D-LR-35063 SUB A

by FOIA(b)(7) - (C) Date dictated 5/2/94

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/12/94

Thomas C. Collier, Jr. appeared at the Office of the Independent Counsel, Washington, D.C. as scheduled at 1:00 p.m. for interview. Mr. Collier was advised of the identity of the interviewing agents and that the purpose of the interview was to discuss his involvement in the U.S. Park Police investigation of the death of Vincent Foster. In addition to the interviewing agents, Roderick C. Lankler and Carl Stich, Assistants to Independent Counsel, Robert B. Fiske, Jr., also assisted with the interview. Also present during the interview was Edward B. Cohen, Special Assistant and Counselor to the Secretary, U.S. Department of Interior. Mr. Collier provided the following information:

He is presently Chief of Staff for Mr. Bruce Babbitt, the Secretary for the U.S. Department of the Interior, Washington, D.C. He advised that he would be speaking from recollection, as he had no notes or diaries associated with the Vincent Foster death investigation.

Collier advised, by way of background, that at the time of Vincent Foster's death on July 20, 1993, the Park Service did not have a Director. Therefore, it was not clear among investigators assigned to the matter as to where to go in the Interior Department hierarchy for assistance with problems with White House access to persons or documentation. Collier advised these investigators did not call him at the time the death investigation was initiated.

Collier's involvement began with the public disclosure that a Foster note had been found. Collier first learned about the discovery of the Foster note from the newspaper. The following day, or if it was on a weekend, the following Monday, Collier called the U.S. Park Police Chief (Langston) in charge of the investigation. Langston and two other officers then met with Collier. He asked the Chief if he was concerned with his access to information, and the Chief answered that he was very concerned that he had not had the proper access and was very exercised about the matter. The Chief was embarrassed that they had not

Investigation on 4/12/94 at Washington, D.C. File # 29D-LR-35063-

by SA William T. Guyton FOIA(b)(7) - (C) Date dictated 4/12/94

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Continuation of FD-302 of Thomas C. Collier, Jr., On 4/12/94, Page 2

seen the note during their earlier investigation and had not been allowed to conduct their investigation in an appropriate way.

During the discussion, it became clear to Collier that no one had challenged Bernie Nussbaum, White House Counsel, regarding the manner of the investigation. He asked if the Chief's concerns were regarding previous events or still occurring. The Chief replied he was still having trouble regarding ground rules and access to needed persons and paper. The Chief had been dealing with Nussbaum primarily and understood that the Department of Justice people were also dealing with Nussbaum. It was at this point that Collier decided that he should intervene.

He spoke with Secretary Babbit concerning the situation and it was agreed that Babbit would stay out of it and Collier follow up on the matter.

The following morning, Collier called Mack McLarty. McLarty, in turn, had Bill Burton return the call to Collier within the hour. Collier expressed the following concerns to Burton: (1) the fact that he disagreed with the process in place for U.S. Park Police access to documents; (2) the cooperation the U.S. Park Police were getting concerning ground rules to be followed, etc.; and (3) a concern that the White House people involved in the decision making concerning this case were too close to Foster and as a result, grieving and not making rational decisions. Burton took exception with each of Collier's concerns. Burton advised that he also had worked at the Rose Law Firm and asked if Collier believed he too should be excluded from the matter. Collier said yes.

At this point, Collier again spoke to Secretary Babbit to relay White House reaction to his concerns. This meeting was interrupted by a call from Roy Neal. Collier advised that Roy was "hot," and told Collier that this was "none of his damn business." Neal also said that the White House was not going to deal with Collier on the issue. Collier responded that the U.S. Park Police did report to him and that he had discussed the matter with Secretary Babbit and he felt the matter was very much his business.

Collier thereafter had a telephone conversation and meeting with Phil Heyman, Deputy Attorney General, U.S. ---

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Continuation of FD-302 of Thomas C. Collier, Jr., On 4/12/94, Page 3

Department of Justice, to express his concerns regarding the Park Police investigation. Collier "found a sympathetic ear" with Heyman. He advised that when he met with Heyman, David Margolis was also present, as were a couple of others, perhaps FBI agents. Heyman said he would handle the concerns expressed by Collier with the White House.

Collier advised he had no prior knowledge of the search procedure which had been used when Vincent Foster's White House office had been searched a day or two after his death. When asked why there had been no objections by the U.S. Park Police, the response Collier had received was that it was the Counsel to the President.

Collier told Heyman that he wanted someone at the White House not close to Vince Foster who could help the U.S. Park Police get appropriate access. That same afternoon or the next morning, David Gergen called Collier and they met. Collier again explained to Gergen that his concern was: (1) access to documents so that the U.S. Park Police could see all the documents they needed; (2) access to all witnesses; and (3) ground rules acceptable to the U.S. Park Police to include no White House Counsel being present during interviews. Access and scheduling had been made difficult to this point in the investigation. Collier explained that he was at least as much concerned with political ramifications as well as legal implications as he was raising these concerns. He wanted to avert a U.S. Park Police scene. Gergen responded favorably to Collier's concerns and said the White House would comply completely. Gergen said "we'll open the Oval Office" if necessary for interviews.

Gergen had agreed with everything Collier suggested to him. Collier said he did not know of another single problem from that point forward with the investigation and that he had been proactive in trying to find out about any further problems. He felt that the conversation Heyman had had with the White House "had taken." Webb Hubbell had had early access issues involvement in this matter but had moved out of the investigation.

For the following three to four days, Collier spoke with Chief Langston on a daily basis concerning the conduct of the investigation. Each time, he received a positive response from the Chief that everything was going well. Collier also

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Continuation of FD-302 of Thomas C. Collier, Jr., On 4/12/94, Page 4

spoke with Gergen on three to five occasions the next few days for follow-up.

When asked if he (Collier) thought the investigation should remain a U.S. Park Police investigation, Collier responded that he recommended it be merged with the DOJ investigation concerning the Foster note, so that just one investigation would be done. He wanted his Park Police to work with the FBI, whom he believed had a little more experience.

With respect to the search of Foster's office, Collier said that he had a fuzzy recollection concerning the distribution of documents to three piles during the search and that he had had a concern that the "personal" documents hadn't been made available to the U.S. Park Police.

Collier said he never discussed the Foster investigation with Nussbaum, even though he had had a lot of dealings with him. He felt they both consciously avoided discussing the issue.

Collier said that he had come to know Vince Foster during the period of time that Secretary Babbit had been a candidate for the U.S. Supreme Court. Foster had been a major player in the vetting process. He had also dealt with Foster on four or five other appointments. He had noted no change in Foster's emotional or mental condition. Foster did not appear to be any more or less intense during the occasions they had dealings. When asked to objectively characterize Foster, Collier stated that Foster was "not gregarious" and at a large meeting concerning a critical issue, Foster had little to say, but that people listened when he spoke, not because of his closeness to the President, but because of the merits of what he had to say. He didn't notice anything unusual about Foster.

When asked if anyone else at Interior had been contacted by Chief Langston concerning frustrations with the investigation, Collier answered that he thought perhaps Assistant Secretary George Frampton may have been in on a discussion concerning Park Police concerns. Collier said he was not sure of this, but the normal course of events would be for the Chief to go to a career employee in charge of the Park Service, then to the Director of the Park Service, which was vacant at the time, and then to Frampton.

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Continuation of FD-302 of Thomas C. Collier, Jr., On 4/12/94, Page 5

Collier did not recall expressing an option that the Park Police would pull out of the Foster investigation. He said that he wouldn't deny having said this either. He did not believe Chief Langston had suggested this.

Collier's follow-up to his intervention in this matter included an assumption on his part that all documents necessary for the investigation, such as those received by Jim Hamilton, attorney for the Foster family and the Presidential Counsel, had been produced, as necessary, to the Park Police investigators. Collier explained that it was not his intention to be another roadblock in the Chief's investigation. He was not concerned with what they were finding or where they were heading, but rather with any access problems they might be having.

When asked about his understanding concerning the search of Foster's office, Collier said that he was told that it was not a homicide investigation, but rather verification of a him what that meant. His concern was who was making the determination concerning the documents. He left the investigation up to the Chief. He does not recall any discussion regarding the security of Foster's office.

Collier said that it was clear to him in reflection that Burton was grieving and not being rational during their conversation concerning the conduct of the White House in this investigation. Burton had strongly objected to Collier's concerns regarding witness and document access and people at the White House being too close to Foster to make decisions. Burton said that the matter was being handled as it should be and that's the way it would be handled. Conversations with both Burton and Neal had said that the matter was a White House issue and it didn't need Collier's assistance. Collier, in reply, had said that the matter was his business.

The following description of Collier was obtained through observation and interview:

Name:	Thomas C. Collier, Jr.
Title:	Chief of Staff to Secretary Bruce Babbitt U.S. Department of Interior
Race:	White
Sex:	Male

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Continuation of FD-302 of Thomas C. Collier, Jr., On 4/12/94, Page 6

DOB:
POB:
SSAN:

FOIA(b)(6)
FOIA(b)(7) - (C)

Home Address: 101 West Cedar Street
Alexandria, Virginia 20231
Work Address: 19th and C, N.W.
Washington, D.C. 20240
Telephone: (703) 683-0169 (home)
(202) 208-5043 (work)

Edward B. Cohen is the Special Assistant and Counselor to the Secretary of Interior, 1849 C Street, N.W., Suite 6120, Washington, D.C. 20240. Telephone: (202) 208-4123.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/17/94

[redacted] FOIA(b)(7) - (C) [redacted] Special Agent in Charge, Minneapolis Division, Federal Bureau of Investigation (FBI), was interviewed at FBI Headquarters, Washington, D.C. (WDC). After being apprised of the identities of the interviewing agents and the purpose of the interview, [redacted] thereafter provided the following information:

[redacted] had no idea why the FBI was not initially involved in the investigation of the death of VINCENT W. FOSTER, JR. FOSTER was the former Deputy Counsel to the President, The White House. [redacted] was unaware of any FBI communications to support assertions made by former FBI Director WILLIAM SESSIONS in an article published in the New York Post. The assertions made by SESSIONS centered around the FBI being kept out of the investigation into Foster's death due to strained relations between the FBI and The White House, based on the FBI investigation into possible fraud against the government on the part of White House Travel Office personnel.

[redacted] noted that [redacted] former Deputy Assistant Director for Investigations, would be someone to talk to who might be in a position to provide information regarding conversations related to the FOSTER death investigation. [redacted] was listed as a second individual that may be able to provide some information regarding the assertions made by former Director SESSIONS. [redacted] could not recall if he had talked to either [redacted] regarding the FBI's role in the FOSTER death investigation.

[redacted] was unable to provide any further information.

Investigation on 4/12/94 at Washington, D.C. File # 29D-LR-35063 SUB A

by SA RUSSELL T. BRANSFORD
SA DANA M. GILLIS/dmg/sla Date dictated 5/16/94

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FEDERAL BUREAU OF INVESTIGATION

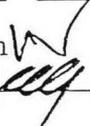
Date of transcription 4/20/94

Dennis M. Condon, Special Agent, Federal Bureau of Investigation, appeared at the Office of the Independent Counsel, Washington, D.C., as scheduled at 2:00 p.m. for interview. Agent Condon was advised of the identity of the interviewing agents and of the purpose of the interview. Agent Condon provided the following information:

He was involved in the Vincent Foster death investigation only on July 21st and 22nd, 1993. As of 5:00 p.m. on July 22, 1993, he was on vacation for a period of three weeks, and therefore not involved in the Obstruction of Justice (OOJ) case opened on the turning over of the note found in the office of Vincent Foster.

On July 21, 1993, he and Agent Scott Salter were asked by their supervisor, John Danna, to go to the White House to assist the U.S. Park Police in their investigation of the death of Vincent Foster. Agent Condon did not recall the times associated with his activity on July 21, 1993, but only remembered "sitting around" at the office of U.S. Secret Service Agent Don Flynn. Condon estimates that it was probably late morning or early afternoon when he was asked to go to the White House. Nothing much was accomplished on July 21, 1993 that Condon can remember except that it was agreed that Vincent Foster's office would be sealed and that the Park Police and FBI would come back the following day to conduct interviews and search Foster's office. It was Condon's understanding at that time that the FBI would be observers. He believed the FBI was involved "in case" the Foster death was more than a suicide or otherwise involved something within the jurisdiction of the FBI. Condon believed the case was clearly a U.S. Park Police matter as the death had occurred in a Federal park.

On the morning of Thursday, July 22, 1993, at approximately 9:00 a.m., Condon met at the White House with two Department of Justice (DOJ) attorneys, Dave Margolis and Roger Adams; two U.S. Park Police investigators, Hume and Markland; and

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 by SA William T. Guyton 
 FOIA(b)(7) - (C) Date dictated 4/20/94

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Continuation of FD-302 of Dennis M. Condon, On 4/20/94, Page 2

U.S. Secret Service Agent, Don Flynn. Again, there was a lot of "waiting around."

With respect to the morning of July 22, 1993, Condon said that several interviews were done with White House secretaries concerning the Foster death. He remembers Foster's office was locked up on July 22, 1993. All of the interviews were done with White House attorneys present. Condon described their involvement in the interviews as passive; they did not ask questions or object to questions being asked.

Sometime on the afternoon of July 22, 1993, the FBI agents, DOJ attorneys, U.S. Park Police and Secret Service walked to Foster's office to conduct a search of that office. At this point in the interview, Condon was shown an FD-302 written by himself and Scott Salter (attached) regarding the search of Vincent Foster's office on July 22, 1993. Condon reviewed this FD-302 and stated that the facts were as stated. He noted in response to a question that in the last paragraph of the FD-302 referring to items which were found or not found during the search, that this paragraph could be clarified by adding that relevant or non-relevant items were identified by Bernard Nussbaum, White House Counsel.

Agent Condon elaborated on the search of Foster's office by saying that Nussbaum sat at Foster's desk with Neuwirth and Sloan, also of the White House, standing behind him, looking over his shoulder. Margolis was sitting in front of the desk with the rest of the group sitting or standing behind Margolis. He remembered Nussbaum reviewing documents and deciding whether they would be put in a pile of Foster's personal papers or Presidential-related papers. Condon also noted that as Nussbaum reviewed the items, he would place them face down in a particular pile. None of the investigators present were permitted to look at anything. Condon remembers thinking "why are we here" and also realizing that they had no search warrant for Foster's office and therefore would be limited by the ground rules set.

At one point during the search, Agent Salter stood to stretch and either Neuwirth or Sloan made the comment to Salter to the effect that, excuse me agent, are you standing because you're trying to look at documents on the desk? Salter responded to the admonition with a comment such as, let's not get carried

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Continuation of FD-302 of Dennis M. Condon, On 4/20/94, Page 3

away. At the end of the search, the attorney who had made this statement apologized to Salter.

Condon understood that the search of Foster's office was an effort to locate a suicide note or any other indication that Foster had met with foul play or anything else bearing on Foster's death.

Condon said that the search was limited to the Foster office space. No other areas, such as the reception room, were searched. Condon did not recall if there was a computer in Foster's office. He did not recall any safe or the searching of any safe. Condon also said that because of his location in the room and the fact that he was sitting, he wasn't sure if everything was removed from desk drawers or other cabinets or not. This was left up to Nussbaum, who was conducting the search. Condon also remembered some bookcases on the right side of the room and indicated they had been searched by Nussbaum. Condon believed that everything in the Foster office was searched.

Condon said the briefcase found in Foster's office was searched by Nussbaum but that no suicide note had been seen at the time of the search. The details of the briefcase search are in the attached FD-302 previously referred to.

Condon said that the trash in Foster's office had been searched by Nussbaum and Nussbaum may have put something from the trash in one of the piles.

Agent Condon said that he and Salter were taking their cue from the DOJ people during the search. David Margolis was the most vocal of the departmental attorneys. Margolis did question Nussbaum on occasion during the search about the placement of documents in any particular pile. Condon described the exchange between Nussbaum and Margolis as friendly and never being really confrontational. Condon sensed that Margolis was not content with how the search was going. Margolis seemed surprised at the procedure followed and was not entirely happy with it. Condon also had the sense that Margolis had questioned the methodology of the search with Nussbaum.

Condon advised that the pile of personal papers located during the search was given to the Foster family attorney who was

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Continuation of FD-302 of Dennis M. Condon, On 4/20/94, Page 4

present at the search. Condon could not recall his name, but described him as being in his early 40's. Condon believed that his supervisor, John Danna, would perhaps remember the name.

Condon believed the FBI was involved in this case to assist the U.S. Park Police and not be the lead agency. Assaults and killings of certain government figures are handled by the squad to which Condon is assigned and, therefore, he and Salter were selected to assist the Park Police in this matter.

Condon felt the FBI had been used. He found it insulting that FBI agents had not been allowed to at least review White House level documents. He said that had he seen anything concerning Whitewater and/or Madison, he would not have considered it significant at the time of the search in July, 1993.

Special Agent Condon entered on duty with the FBI on February 21, 1984. He is currently assigned to Squad C-4, a reactive criminal squad. His work telephone number is (202) 252-7876.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/6/93

The undersigned Special Agents (SAs) were present at the West Wing of the White House when an inventory was conducted of the contents of VINCENT FOSTER's office. The following individuals were present during the inventory:

BERNARD NUSSBAUM	The White House
STEVEN NEUWIRTH	The White House
CLIFFORD SLOAN	The White House
CHARLES WILLIAM BURTON	The White House
DONALD FLYNN	U.S. Secret Service
PAUL IMBORDINO	U.S. Secret Service
DAVID MARGOLIS	Department of Justice
ROGER ADAMS	Department of Justice
Captain CHARLES HUME	U.S. Park Police
Detective PETER MARKLAND	U.S. Park Police
SA DENNIS M. CONDON	FBI
SA SCOTT M. SALTER	FBI

The inventory was conducted by BERNARD NUSSBAUM. Only individuals employed by the White House were permitted to look at the items and documents within the office. During the inventory, BERNARD NUSSBAUM removed the contents of a leather, satchel type briefcase which had been on the floor adjacent to the desk. The briefcase was identified as belonging to VINCENT FOSTER. The items which were in the briefcase (papers and files) were removed and reviewed by NUSSBAUM. After those items were reviewed they

Investigation on 7/22/93 at Washington, D.C. File # WMFO 175B-WF-187743

by SA DENNIS M. CONDON
SA SCOTT M. SALTER:plj Date dictated 8/5/93

were not placed back in the briefcase but they remained on top of the desk. NUSSBAUM then pick up the briefcase and placed the briefcase against the back wall of the office. At the time, NUSSBAUM placed the briefcase against the back wall it appeared as though the briefcase was empty. At no time did the undersigned agents observed the inside of the briefcase.

Items which were found during the inventory to be strictly personal in nature and not related to VINCENT FOSTER's work at the White House were removed from the office and turned over to an attorney who represented the FOSTER family. No items were found during the inventory which were determined to be relevant to the investigation of FOSTER's death.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/21/94

John David Corum, Officer, Uniform Division, United States Secret Service (USSS) was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue NW. Officer Corum was advised as to the identity of the interviewing agent and informed of the nature of the interview. He then provided the following information:

He has been employed by USSS for seven years, the last three of which have been at The White House compound. He is normally assigned to USSS guard post E-6 which is located outside the entrance to the Oval Office in The White House. He advised, however, on July 20, the date of Vincent Foster, Jr.'s death, and on the following day July 21, he was assigned to USSS guard post E-1 at the ground floor side entrance to the west wing of The White House. Officer Corum's office is located at 1310 L Street NW and his telephone number is 202-395-2020.

Officer Corum said that he knew Vincent Foster only by his title and the fact that he was the Associate Counsel to the President under Bernard Nussbaum and that he occupied an office on the 2nd floor of The White House's west wing. He said that he did not know Foster personally or professionally but did recognize him visually when he saw him on The White House compound. Officer Corum said that only a few of The White House staffers come and go from the Oval Office. He said that Bernard Nussbaum was a "regular" but that he only saw Vincent Foster enter the Oval Office on three or four occasions.

On July 20, 1993, Officer Corum worked the 2:30 - 11:00 pm shift on post E-1. He said that he could recall nothing unusual or out of the ordinary about that day. He specifically said that although he saw numerous White House staffers come and go through post E-1, he could recall no specifics about these individuals.

On July 21, 1993, Officer Corum, again, worked the 2:30 - 11:00 pm shift on post E-1. He said that like July 20, he could recall nothing unusual or out of the ordinary about his

Investigation on 4/20/94 at Washington, D.C. File # 29D-LR-35063 SUB A

by FOIA(b)(7) - (C) Date dictated 4/20/94

-LR-35063 SUB A

Continuation of FD-302 of John David Corum, On 4/20/94, Page 2

tour of duty on post E-1 that day except that there were fewer White House staffers entering and leaving the west wing through E-1. He was specifically asked if he could recall Bernard Nussbaum, Maggie Williams, or Patsy Thomasson entering or leaving the west wing on that day. He advised that he could not.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/9/94

DEBORAH L. COYLE, Personal Secretary to the President, was interviewed in a ground floor conference room in the west wing of The White House. Prior to any questions being asked of Mrs. COYLE she was advised as to the official identities of the interviewing agents and of the nature of the interview. She provided the following information:

While her official title is Personal Secretary to the President, she also works for BRUCE LINDSEY, Assistant to the President and Senior Advisor. Prior to assuming her current position at The White House, she was employed at the Rose Law Firm in Little Rock, Arkansas for many years and thereafter worked as Assistant to the Chief of Staff for then Arkansas Governor BILL CLINTON. Following BILL CLINTON's election to the Presidency, she worked on the Presidential Transition Team for MAC MCLARTY. In early 1993, NANCY HERNRAICH, Deputy Assistant to the President for appointments and scheduling, whom she has known since 1987, asked her if she would like to take the position of Personal Secretary to the President. She agreed and has been so employed since early 1993.

Prior to his death, she had known VINCENT FOSTER since 1986, having met him at the Rose Law Firm. She described their relationship as "business associates and friends". She knew FOSTER's wife and had met various members of his family. While she had never been directly supervised by FOSTER, she recalled working with him and other Rose Law Firm attorneys on numerous large projects. She described FOSTER as being "very much in control and a take charge man". She said that he was "very methodical and organized". She advised that she has no idea why VINCENT FOSTER decided to take his own life and that his doing so came as a complete surprise and shock to her. Mrs. COYLE said that during the first four or five months of 1993 when she, FOSTER, and other Arkansans in the administration were working in Washington before their spouses joined them, they would often go out to dinner on Tuesdays as a group. After their spouses joined them the Arkansan members of the administration and their spouses tried to get together for dinner on a monthly basis. She usually

Investigation on 6/8/94 at Washington, D.C. File # 29D-LR-35063 SUB A

by SA WILLIAM T. GUYTON

by FOIA(b)(7) - (C) Date dictated 6/8/94

200-LR-35063 SUB A

Continuation of FD-302 of DEBORAH L. COYLE, On 6/8/94, Page 2

organized/arranged these dinners at various restaurants in the Washington, D.C. area. The regular attendees at these dinners were: VINCENT FOSTER, WEBB HUBBELL, MARSHA SCOTT, BILL KENNEDY, JOHN EMERSON, NANCY HERNRAICH, and DEBORAH COYLE, although others joined them on some occasions.

Mrs. COYLE last saw VINCENT FOSTER alive on Monday, July 19, 1993. Although she can not recall the circumstances of this meeting, she believes it was a casual contact, perhaps in a hallway. She did recall that the "Arkansas group" had no plans to go to dinner on Tuesday, July 20. She first learned of VINCENT FOSTER's death in a telephone call to her residence on the evening of July 20, 1993. This telephone call came from BRUCE LINDSEY at approximately 10-10:30 pm who advised her that VINCENT FOSTER was dead and "had shot himself". While LINDSEY did not ask her to come to The White House or give her any type of instructions, she asked if there was anything she could do. After a brief conversation, she and LINDSEY agreed that there would probably be a large number of news media telephone calls coming into The White House and there were people who needed to be notified of FOSTER's death. She therefore went to The White House to help accomplish these tasks, arriving at approximately 11:00 pm.

Upon arriving at The White House she entered the west wing and went to her 1st floor office where she encountered BRUCE LINDSEY. While she was at The White House until approximately 2-3:00 am the next morning, time seemed compressed and events seemed to blur and run together. Shortly after arriving at her office, she went upstairs to the 2nd floor suite of NUSSBAUM/FOSTER. From the entrance to the suite she could see that this was "a busy place and it was crowded". She recognized BERNARD NUSSBAUM but can not recall the names of anyone else she saw inside the suite. She said that she did not go into the NUSSBAUM/FOSTER suite once she realized that the people inside were not immediately recognizable to her. She explained that her reason for going to the NUSSBAUM/FOSTER suite was to see if she could offer any help or sympathy to the persons who normally work in that suite of offices whom she knew. She cannot recall having seen anyone in the office who normally worked there except BERNARD NUSSBAUM. She was on the 2nd floor of the west wing for "less than a minute" before she went back to her office. She stayed in her office the remainder of the evening answering incoming telephone calls and making a series of "notification calls" to people in the Washington area and in Arkansas regarding

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Continuation of FD-302 of DEBORAH L. COYLE, On 6/8/94, Page 3

FOSTER's death. Shortly after she returned to her office from the 2nd floor (perhaps 11:30 - 11:45 pm) BERNARD NUSSBAUM came to her office and she, NUSSBAUM, and LINDSEY talked for approximately 20 minutes. Their conversation centered on FOSTER's state of mind, the tragedy of his death, and any potential "signals" that he may have been giving off that they perhaps missed. Numerous news media calls began coming in at approximately midnight. She also recalls numerous people stopping by her office that evening to include, MARSHA SCOTT, PATSY THOMASSON, and others. She does not recall seeing TIMOTHY KEATING at The White House that evening or during the early morning hours of July 21. She recalled CRAIG LIVINGSTONE coming by her office late on the evening of July 20 (perhaps around midnight). She recalls LIVINGSTONE coming by because they discussed his having gone to the hospital with BILL KENNEDY to identify FOSTER's body and the emotional impact that this experience had had on him. She does not recall them discussing any other matters.

Mrs. COYLE did not go to the FOSTER residence during the evening hours of July 20 or the early morning hours of July 21, 1993. She does recall, however, being aware that numerous White House employees had gone there to express their condolences. She has no knowledge of anyone being at the FOSTER residence during the 5:30-7:30 am time frame on the morning of July 21, 1993 for the purpose of handling news media inquiries.

She has no knowledge of anyone removing any items or documents from VINCENT FOSTER's office on the evening of his death or during the early morning hours of July 21, 1993. No one at The White House has discussed any such thing with her and she can recall no one having told her that they had been in VINCENT FOSTER's office during the late evening hours of July 20, 1993. She further recalls no conversations wherein anyone said that they had been in or near FOSTER's office looking for a suicide note although she does seem to recall people indicating at some point in time, that such a note had not been found. She has not been asked to handle, move, transport or mail any items or documents that she believes came from VINCENT FOSTER's office. Similarly, she has not done so.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/29/94

DEBORAH L. COYLE, Personal Secretary to the President, The White House, Washington, D.C., telephone number (202) 456-2668 was interviewed just outside the West Executive Avenue entrance to the west wing of The White House. The interview was conducted at this outside location as COYLE could not locate any interior White House space which could provide privacy for the interview. COYLE was advised of the identity of the interviewing agents and of the purpose of the interview. This was a follow-up to COYLE's interview on June 8, 1994. COYLE provided the following information:

She was asked to focus on the time she was at The White House on the evening of July 20, 1993 through the early morning hours of July 21, 1993 just after the death of VINCENT FOSTER, JR., Deputy White House Counsel. She had previously advised in an interview conducted June 8, 1994 that she was at The White House from approximately 11:00 pm on the evening of July 20, 1993 until approximately 2:00 or 3:00 am the next morning. COYLE was asked who she saw at The White House during this period of time and she provided the following names in response to this question: BRUCE LINDSEY, BERNARD NUSSBAUM, CHERYL MILLS, KIMBERLY MARTEAU and her husband JOHN EMMERSON, CRAIG LIVINGSTONE, and MARSHA SCOTT. She said there may have been others but those were the names that she could recall at this time.

COYLE was asked to describe the circumstances in which she saw each of these people. She saw LINDSEY in his office on the 1st floor of the west wing of The White House. She had seen NUSSBAUM and MILLS in LINDSEY's office. She had seen MARTEAU and EMMERSON in the hallway outside her office door. She had seen SCOTT also in the hallway.

COYLE advised she had seen LIVINGSTONE when he "put his head in my door". She recalled talking with LIVINGSTONE about his (LIVINGSTONE's) identifying the FOSTER body that evening. She described the discussion with LIVINGSTONE as an "unloading sort of thing" by him with her. She said LIVINGSTONE, on

Investigation on 7/27/94 at Washington, D.C. File # 29D-LR-35063
 by SSA H. ALEXIS SUGGS
SSA WILLIAM T. GUYTON Date dictated 7/28/94

9 R-35064

Continuation of FD-302 of DEBORAH L. COYLE, On 7/27/94, Page 2

occasion, comes to her with such "unloading" discussions. When asked if LIVINGSTONE was an emotional person, she said it would be best to describe him as a "sensitive person". COYLE said her meeting with LIVINGSTONE that evening was some time just after midnight. She did not recall discussing with LIVINGSTONE what else he was doing that night or planned to do either that night or the next day. She had no conversation with him regarding any press involvement by him the next morning at the FOSTER residence. She was asked if she remembered receiving a phone call during the evening or early morning hours of July 20-21, 1993 from WEBSTER HUBBELL concerning White House presence at the FOSTER residence early on July 21, 1993, in connection with press concerns. She answered she did not remember such a contact by HUBBELL.

COYLE was asked what time she arrived at The White House on the morning of July 21, 1993. She said it would have been between 7:30 and 8:00 am. She did not recall seeing CRAIG LIVINGSTONE on the morning of July 21, 1993.

COYLE volunteered at the end of the interview that her encounter with LIVINGSTONE "could have been the next morning" but her recollection was that she had seen him at The White House at about midnight on July 20, 1993.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/25/94

John K. Danna, Supervisory Special Agent, Federal Bureau of Investigation, appeared at the Office of the Independent Counsel, Washington, D.C. as scheduled at 2:00 pm for interview. Supervisor Danna was advised of the identity of the interviewing agents and the purpose of the interview. Supervisor Danna provided the following information:

He first became involved in the death investigation of Vincent Foster at the request of the U.S. Park Police (USPP) on 7/21/93. A Captain Hume, USPP, called Danna and asked for the FBI's assistance. At approximately 12:30 pm, 7/21/93, Danna and two agents from his squad, Scott Salter and Dennis Condon, arrived at The White House to provide assistance.

They were advised by Captain Hume that David Margolis, an attorney from the U.S. Department of Justice (DOJ), would also be joining them. It was clear that Hume felt his investigation concerning the death of Vincent Foster, was being delayed and that he was being given the run around. Danna's feeling was that things were not going the way Hume wanted it to go and therefore he had called the FBI. Sometime during this initial meeting with Hume, a U.S. Secret Service Agent advised that the Vincent Foster office had been sealed.

At about 3:00 pm, David Margolis and Roger Adams, DOJ attorneys, arrived.

This group then met with Bernard Nussbaum, White House Counsel, in Nussbaum's office. They were advised that the office of Vincent Foster had been sealed until 10:00 am the following day (7/22/93). Items in Foster's office would be "gone over" at that time. The purpose would be to look for a suicide note and to examine documents in Foster's office and segregate any privileged documents between the President and The White House counsel office. It was also agreed at this meeting with Nussbaum, that interviews of White House secretaries would begin on 7/22/93 at approximately 8:30 am.

Investigation on 4/25/94 at Washington, D.C. File # 29D-LR-35063

by FOIA(b)(7) - (C)
WILLIAM T. GUYTON Date dictated 4/25/94

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Continuation of FD-302 of John K. Danna, On 4/25/94, Page 2

Danna described this meeting on 7/21/93 as a preliminary, quick meeting. He said it was clear that Nussbaum was in charge. Margolis was making decisions and talking with Nussbaum on behalf of the DOJ. The procedure agreed to was that Margolis and Adams would review the documents in Foster's office with Nussbaum. Danna could not recall any comment being made at this meeting on who had been in Foster's office prior to its being sealed.

Danna added that a second short meeting between Nussbaum and most of the others occurred immediately after the first meeting, but that Captain Hume and himself stayed out of this second meeting as they had already left Nussbaum's office. Danna said this second meeting was simply Nussbaum asking some of the people who were still in the office to stay a minute.

Danna said the FBI had no predication to be involved in the Foster death investigation other than assisting at the request of the USPP. Based upon this, a preliminary inquiry was opened because of who the person involved was. The USPP was the lead agency.

Danna offered FBI laboratory assistance to Captain Hume. Hume said that the USPP didn't need this assistance, that it was being handled. Danna said that he had offered this assistance because of the good relationship which existed between the USPP and the FBI.

The U.S. Attorney's Office, Eastern District of Virginia, had been advised of the FBI's participation in the investigation. Danna said the AUSA involved was probably AUSA Larry Leiser.

At the time of the Foster investigation, Danna said that the terms Whitewater and Madison were not mentioned.

Danna had no further involvement, apart from 7/21/93, in the Foster investigation or related matters. He was aware of an obstruction of justice case being opened on July 30, 1993 and being supervised by FBIHQ Supervisor, Patrick Foran.

Danna was asked if he was aware of any instance of indented writing being identified in connection with the Foster matter. He replied that it sounds familiar but he could not remember any specifics.

-LR-35063

Continuation of FD-302 of John K. Danna, On 4/25/94, Page 3

Supervisory Special Agent Danna entered on duty with the FBI as an agent on June 16, 1975; he was first employed by the FBI on January 31, 1972. He is currently serving as the Supervisor of Squad C-4, Washington Metropolitan Field Office. His work telephone number is (202) 252-7844.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/20/94

On May 12, 1994, Supervisor JOHN K. DANNA, Squad C4, Washington Metropolitan Field Office, telephone (202) 252-7844, was interviewed regarding the FBI's jurisdiction in the VINCENT FOSTER death investigation. FOSTER, Deputy White House Counsel, died July 20, 1993.

DANNA advised that the FBI's jurisdiction in this matter was Title 18, United States Code, Section 1751, Presidential and Presidential Staff Assassination, Kidnapping and Assault (PPSAKA). VINCE FOSTER, as a Presidential staff member, was believed to be covered under this statute.

A preliminary inquiry versus an investigation was opened at the time of FOSTER's death to determine FBI interest in the matter.

If it had been ascertained that FOSTER was killed, the FBI would have conducted a full investigation of the death. The FBI assisted the U.S. Park Police during the period of the "preliminary inquiry" which was opened in the matter long enough to determine that the death of FOSTER was a suicide. DAVID MARGOLIS, U.S. Department of Justice (DOJ) attorney, asked the FBI to stay in the case initially to see if anything else surfaced regarding this death/suicide.

On May 19, 1994, Supervisory Special Agent ANDREAS STEPHENS, Violent Crimes Unit, Criminal Investigative Division, FBI Headquarters, telephone (202) 324-4294, provided FBI manual citations regarding preliminary inquiries and the PPSAKA violation. STEPHENS had been the FBI Headquarters Supervisor at the time of VINCE FOSTER's death on July 20, 1993.

This documentation indicated that a "preliminary inquiry" should be conducted solely to obtain the information necessary to make an informed judgment as to whether an investigation is warranted . . . Once a "reasonable indication" of criminal activity has been developed during a "preliminary inquiry," an investigation may be instituted. When a

Investigation on 5/12-19/94 at Washington, D.C. File # 29D-LR-35063

by SA William T. Guyton WTG:deg Date dictated 5/20/94

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Continuation of FD-302 of JOHN K. DANNA, On 5/12-19/94, Page 2

"preliminary inquiry" fails to disclose a "reasonable indication" of criminal activity to justify an investigation, the "preliminary inquiry" should be terminated.

Once it was determined that the FOSTER death was a suicide, the FBI's "preliminary inquiry" was closed. Primary jurisdiction was then properly that of the U.S. Park Police (USPP) since the death had occurred in a U.S. park, Fort Marcy Park, under USPP jurisdiction.

Additional documentation provided by STEPHENS indicated that Title 18, U.S.C., Section 1751, as amended October 6, 1982, makes it a Federal offense to assassinate, kidnap, assault, attempt to kill or kidnap, or conspire to kill or kidnap, certain Presidential and Vice-Presidential staff members. This statute is entitled the "Presidential and Presidential Staff Assassination, Kidnapping and Assault Statute." The Amendment also provided that the government need not prove the subject in such an investigation knew that the victim was protected under this statute.

The amendment of October 6, 1982 extended protection under the statute to an additional thirty Presidential and Vice-Presidential staff members. The documentation provided by STEPHENS indicated that these individuals have titles such as Counselor to the President, Chief of Staff, Assistant to the President (for a particular expertise), and certain Deputies of these officials. It is not practical to identify these protected individuals by name or title, as the list may change periodically in accord with personnel actions of the President or Vice-President. Furthermore, during a change of administration, the number of protected staff members may increase or decrease and their job titles may differ from the previous administration. STEPHENS indicated it was believed that VINCE FOSTER, as Deputy Counsel of the White House, was covered under this statute.

When the FOSTER note was found and turned over to law enforcement (July 26 & 27, 1993, respectively), an FBI Obstruction of Justice (OOJ) case was opened. This matter was supervised by Supervisory Special Agent, PATRICK J. FORAN. The OOJ investigation was predicated upon a request from the U.S. Department of Justice to enter the investigation being conducted by the U.S. Park Police and to focus FBI efforts on the turning over of a note found in the office of VINCENT W. FOSTER, JR. The

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Continuation of FD-302 of JOHN K. DANNA, On 5/12-19/94, Page 3

note was turned over to law enforcement officials on July 27, 1993, approximately thirty hours after being found. The report of the FBI's OOJ investigation was sent to the DOJ, and no further action was taken as there was no indication of any wrongdoing. White House personnel never had any intention of not turning the FOSTER note over to investigators.

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 1/17/95

JANE MARIE DANNENHAUER was interviewed in the offices of the Office of the Independent Counsel (OIC), 1001 Pennsylvania Avenue, N.W., Suite 490 North, Washington, D.C. After being advised of the official identities of the interviewers and the nature of the interview, DANNENHAUER provided the following information:

DANNENHAUER formerly was employed at the White House for a total of approximately sixteen years. She was first employed in the White House Office of Security (WHOS) from 1972 through 1977 where she served as a staff assistant. DANNENHAUER remained in this post for the first few months of the administration of President JIMMY CARTER before she took a position on Capitol Hill, where she worked in a congressional office from 1977 through 1981. DANNENHAUER rejoined the staff at the WHOS in 1981 as Assistant to the Counsel to the President for Security, and she remained there until March 1, 1993. While she was in this position, DANNENHAUER had four women working for her.

When DANNENHAUER left the White House staff in 1993, she was replaced in her post by CRAIG LIVINGSTONE. Several changes occurred after the administration of President BILL CLINTON took office. The WHOS was renamed the White House Office of Personnel Security (WHOPS). The processing and review of background investigations for presidential appointees were removed from the responsibilities of WHOPS. WHOPS continues to handle typical White House employees, and DANNENHAUER believes WHOPS continues to handle the processing of White House staff below the level of presidential appointees.

DANNENHAUER left her post in 1993 as the result of an involuntary termination. After the election of the Democratic Party candidate in November 1992, DANNENHAUER knew that she would be leaving her post on the White House staff. Positions in DANNENHAUER's office have always been considered political appointments, probably because the office handles the processing of presidential appointees.

Investigation on 1/11/95 at Washington, D.C. File # 29D-LR-35063

by SAs DANA M. GILLIS and RUSSELL T. BRANSFORD RTB:rtb Date dictated 1/17/95

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Continuation of OIC-302 of JANE MARIE DANNENHAUER, On 1/11/95, Page 2

When DANNENHAUER served the CARTER administration during its first three months, she trained her replacements. Members of the CARTER administration made changes in some of the WHOS office procedures but also kept some of the existing policies in place.

When the CLINTON administration took office, presidential appointments were no longer within the purview of WHOPS. DANNENHAUER assumes that matters pertaining to presidential appointments were then handled within the White House Counsel's Office (WHCO). WHOPS continued to make requests for background investigations, even for presidential appointees, through the Special Inquiry (SPIN) unit of the Federal Bureau of Investigation (FBI).

WHOPS is physically located in the Old Executive Office Building (OEOB) adjacent to the White House. The WHOS office was formerly in the White House but grew too large for the space available there and was moved to the OEOB. WHOS was already located in the OEOB when DANNENHAUER arrived there in 1972.

During DANNENHAUER's tenure with WHOS and WHOPS, documents were always hand-carried from WHOPS to the WHCO due to the sensitivity of these papers. Documents were taken to the WHCO fairly often, sometimes daily, and only WHOPS personnel who had White House passes would transport them.

During her tenure at WHOS, DANNENHAUER was not aware of anyone other than her assistant or herself seeing the background investigation reports in her office since these reports were regarded as highly sensitive. WHOS had a check-out system for the reports, and a card file was maintained to show who had each of the files at any given time. These files were stored in folders in a Diebold filing device with revolving drawers. DANNENHAUER sealed all these files, and the files were sent to the National Archives sometime prior to January 20, 1993.

DANNENHAUER is not totally familiar with the organizational structure of WHOPS, but she believes White House Counsel BERNARD NUSSBAUM and Deputy White House Counsel VINCENT W. FOSTER, Jr. would have had responsibility over WHOPS. Prior to her departure from the White House staff, DANNENHAUER briefed five attorneys from the incoming White House staff about the operation of WHOPS, but none of these attorneys had responsibility over WHOPS at that time. Among these five

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Continuation of OIC-302 of JANE MARIE DANNENHAUER, On 1/11/95, Page 3

attorneys were BETH NOLAN, CHRISTINE VARNEY and STEPHEN NEUWIRTH. DANNENHAUER again briefed NOLAN later in addition to another female attorney whose name DANNENHAUER does not recall. A decision was made that neither the White House Counsel or the Deputy White House Counsel would have administrative responsibility for WHOPS.

The last person DANNENHAUER spoke to about WHOPS prior to her departure was Associate White House Counsel WILLIAM H. KENNEDY III. DANNENHAUER briefed KENNEDY more than LIVINGSTONE about the operation of WHOPS because LIVINGSTONE had indicated to DANNENHAUER that he was not certain he would be remaining in WHOPS since he was seeking another position on the White House staff. DANNENHAUER made a suggestion about limiting the number of White House passes issued, but she does not know if this suggestion was ever followed.

During the transition period prior to January 20, 1993, attorney JAMES HAMILTON handled contacts between the transition office and the FBI. DANNENHAUER's office at WHOPS remained the point of contact for the security offices of all other agencies within the executive branch.

DANNENHAUER does not know which attorney actually handled the documents pertaining to presidential appointees but it was possibly BRUCE LINDSEY, who headed the presidential personnel office. DANNENHAUER regards it as possible that documents pertaining to presidential appointees were not sent to DANNENHAUER's office following the inauguration because DANNENHAUER was still there and there may have been a feeling that DANNENHAUER could not be trusted since she was a holdover employee from the previous administration. Officials at the White House wanted DANNENHAUER to leave her post at the end of February 1993, but DANNENHAUER asked to remain until March 1, 1993, since that would be an easier date of retirement for her to later recall.

LIVINGSTONE was not at WHOPS on January 20, 1993. During later days and weeks, LIVINGSTONE would come to his office at WHOPS, but he would leave and be out of his office for the remainder of the day. At the end of January 1993 and the beginning of February 1993, LIVINGSTONE began coming to his office but he was not in his office on a steady basis. During this time period, LIVINGSTONE told DANNENHAUER that he was interested in serving as the military assistant in the White

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Continuation of OIC-302 of JANE MARIE DANNENHAUER, On 1/11/95, Page 4

House military office, which was a position usually held by a civilian, making LIVINGSTONE eligible for the post. Because of this desire to leave his post in WHOPS, LIVINGSTONE did not appear to want to devote much time to learning about WHOPS operations or to being trained about the operations of other agencies with whom he would be interacting at WHOPS. DANNENHAUER briefed LIVINGSTONE during her last two weeks on the job at the White House.

NANCY GEMMELL, who had worked with DANNENHAUER for twelve years, was allowed to remain in her position in WHOPS until she reached eligibility for retirement. GEMMELL stayed at WHOPS a final few months until she achieved twenty-five years of service, which made her eligible for retirement. GEMMELL had to remain on the job until May or June of 1993 to reach retirement eligibility, and she retired from her position sometime during the summer months of 1993. Three other holdover employees of WHOS also left after the election in 1992. BETTY MARY CHILDS retired from her position on January 20, 1993, while KAREN JOHNSON found another position outside the White House and left the WHOS staff prior to January 20, 1993. A third employee, LESLIE MERKLE, who is married to attorney PATRICK MERKLE, was a part-time employee who also left the WHOS staff. GEMMELL and DANNENHAUER were the only holdover employees still on the staff of the WHOS (or WHOPS) after January 20, 1993. DANNENHAUER was the only WHOS or WHOPS employee considered a presidential appointee.

LIVINGSTONE did not yet have an official title during the period when DANNENHAUER worked with him on the WHOPS staff. DANNENHAUER does not know if LIVINGSTONE holds the rank of assistant to the president. DANNENHAUER does not think LIVINGSTONE was serving under a presidential appointment while DANNENHAUER was on the WHOPS staff.

DANNENHAUER never met either NUSSBAUM or FOSTER. DANNENHAUER speculates that they saw no need to meet her, perhaps because no presidential appointments were processed through DANNENHAUER's office.

LIVINGSTONE has called DANNENHAUER several times since she retired, and all of these calls have pertained to routine work-related questions such as where to route specific matters. LIVINGSTONE has probably called DANNENHAUER several times since the death of FOSTER on July 20, 1993. LIVINGSTONE placed

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Continuation of OIC-302 of JANE MARIE DANNENHAUER, On 1/11/95, Page 5

possibly a dozen calls to DANNENHAUER during 1993, and the purpose of the calls was usually mundane, e.g., WHOPS received a letter from the Department of Defense and LIVINGSTONE needed to know how to respond to the letter. In none of these calls did LIVINGSTONE tell DANNENHAUER anything about his personal situation, and LIVINGSTONE only asked about routine matters pertaining to the operation of WHOPS. DANNENHAUER has not been contacted by LIVINGSTONE, LIVINGSTONE's attorneys, or any member of the White House staff regarding the death of FOSTER.

DANNENHAUER may have spoken with former Deputy White House Counsel JOHN SCHMITZ in relation to FOSTER's death. Following media accounts referring to a safe in FOSTER's office, SCHMITZ telephoned DANNENHAUER to inquire whether there had been a safe in SCHMITZ's office, which would likely have been the office later occupied by FOSTER. DANNENHAUER did not recall a safe in the Deputy White House Counsel's Office, only file cabinets. There may have been a file safe, i.e., a safe configured like a file cabinet with drawers in it, in the office but DANNENHAUER does not recall ever seeing such an object in the office. Any important documents were kept in a safe in DANNENHAUER's office.

Upon her departure from the White House staff, DANNENHAUER had several concerns about how the WHOPS would be operated once she left. DANNENHAUER was concerned that there was a lack of control over the FBI background investigation reports. DANNENHAUER does not know if the entire WHCO staff had access to these reports or if there were internal controls limiting access. DANNENHAUER was also disturbed that volunteers were brought in to work at WHOPS. When DANNENHAUER ran WHOPS, she only used volunteers to type cards, and she did not allow the volunteers to look at any of the files. Further, all of the volunteers who worked for DANNENHAUER underwent background investigations.

In addition to DANNENHAUER, other holdover officials who had worked at the White House during DANNENHAUER's tenure included TERRY GOOD, who was director of Records Management for the White House, and LEE JOHNSON, who was GOOD's assistant and who had come to the position from the National Archives approximately one year before DANNENHAUER left the White House staff. Another such White House employee was MAUREEN HUDSON, who worked in the correspondence office under SHIRLEY GREEN.

LIVINGSTONE mainly handled the staff of WHOPS.

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Continuation of OIC-302 of JANE MARIE DANNENHAUER, On 1/11/95, Page 6

DANNENHAUER knows very little about LIVINGSTONE's background or personal life. DANNENHAUER believes LIVINGSTONE is from the local area around Washington, D.C., and his mother or parents may live in Chevy Chase. LIVINGSTONE has told DANNENHAUER that he is a friend of President CLINTON.

There were two volunteers working in the WHOPS when DANNENHAUER left: MARI ANDERSON and a white male whose name DANNENHAUER is unable to recall. MARI ANDERSON began as a volunteer but eventually was employed in a paid position. There was also a black male whose name DANNENHAUER does not know who worked in WHOPS, but he was only at WHOPS rarely, coming in and out of the office only as the workload required.

DANNENHAUER will be moving in mid-March 1995 to a new residence in the Timbers Edge condominiums, where her address will be 2468 Timberside Drive, Columbus, Ohio. DANNENHAUER does not yet know what her telephone number will be at her new address but she will call the interviewing agents with that information when it becomes available.

DANNENHAUER knows of no other information which may be of assistance to OIC investigators.

Based on observation and interview, DANNENHAUER is described as follows:

Name:	JANE MARIE DANNENHAUER
Sex:	Female
Race:	White
Date of Birth:	<div data-bbox="841 1467 1044 1541" data-label="Text">FOIA(b)(6) FOIA(b)(7) - (C)</div>
Place of Birth:	
Social Security	
Account Number:	
Residence:	1600 South Eads Street Apartment 1237 North Arlington, Virginia 22212
Home Telephone:	(703) 521-2482

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/6/94

ROBERT ARTHUR DENNING, Security Officer at the Saudi Arabian Ambassador's residence, 6050 Chain Bridge Road, McLean, Virginia, was advised of the identities of FBI Agents William E. Colombell and H. Alexis Suggs, and was further informed that the FBI was conducting an ongoing investigation into the death of Vincent Foster at Fort Marcy Park on July 20, 1993 and wished to interview him regarding any possible information or assistance he could furnish.

MR. DENNING stated that he was working a day shift on that particular day and would have been present at the Saudi Arabian compound during the hours of 12:00 noon through 6:00 p.m. He stated that he would have spent a significant portion of the day on the security gates adjoining Chain Bridge Road.

MR. DENNING stated that he did not observe any unusual activities, nor did he hear any possible gunshots emanating from Fort Marcy Park. He pointed out that if such incidents occurred, there would have been a recording made and a log maintained by the security force. MR. DENNING pointed out that on occasion, the security force will hear car and truck backfires that echo off the Potomac River. He also pointed out that for the past year dating back to before July 20, 1993, considerable heavy construction has been ongoing at the Saudi Arabian compound. He said this construction, coupled with traffic noise from Chain Bridge Road and aircraft noise from overhead, makes it difficult to carry on normal conversations. He stated that in his opinion, under the circumstances described above, it would be highly unlikely that he or other security officers would have overheard a loud retort or gunshot from the park. He again noted that if such an occurrence had occurred, it would require a written notation in the security log. He stated that based on conversations he had with his supervisor, MR. BAILEY, no such notations were recorded on that particular date.

MR. DENNING supplied the following background information about himself:

Residence: 12502 Fan Leaf Court
Fairfax, Virginia 22033
Home telephone: (703) 352-5469

Investigation on 4/20/94 at McLean, Virginia File # 29D-LR-35063

by SSA William E. Colombell
SA H. Alexis Suggs WEC:deg Date dictated 5/6/94

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/3/94

Mr. Barry H. Deutschman, R. Ph, owner of Morgan Pharmacy, 3001 P Street NW, Washington, D.C. 20007, was interviewed at the Morgan Pharmacy. Mr. Deutschman was advised as to the identity of the interviewing agent and informed of the nature of the inquiry. He then provided the following information:

Mr. Deutschman stated that a review of his records reflects that based on a July 1993 telephonic request by a Dr. Larry Watkins, Little Rock, Arkansas, the Morgan Pharmacy filled a prescription for Mr. Vincent Foster. Morgan Pharmacy records according to Mr. Deutschman indicate that the prescription for Mr. Foster was for 30 tablets of DESYREL, generic name Trazodone. A further review of these records reflect that one to three tablets or 50 to 150 milligrams was prescribed to be taken prior to bedtime.

While pharmacy records did not indicate time of the receipt of this prescription request by Dr. Watkins, it was Mr. Deutschman's recollection that the request was received by his pharmacy late morning or early afternoon of July 19, 1993 and that the medication was delivered by one of his employees to the Foster residence later that afternoon and certainly before closing time of 6:00 pm on July 19, 1993. According to Mr. Deutschman available pharmacy records failed to indicate any prior medication being prescribed for Mr. Vincent Foster.

Mr. Deutschman advised that while Mrs. Foster had an account at his pharmacy he had no personal relationship with any members of the Foster family. Mr. Deutschman also advised that he was seriously concerned about the confidentiality of his records and any public release of the above furnished information. He maintained that any future requests specifically obtaining more details regarding this particular prescription would require a subpoena. He however reiterated his prior comment that his records fail to reflect any prior prescribed medication being dispensed at his pharmacy for Mr. Vincent Foster.

Investigation on 4/26/93 at Washington, D.C. File # 29D-LR-35063

by FOIA(b)(7) - (C) Date dictated 4/29/93

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/24/94

Robert J. Dillon, Lieutenant, Uniform Division, United States Secret Service (USSS) was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue, NW. Lt. Dillon was advised as to the identity of the interviewing agent and of the nature of the interview. He then provided the following information:

He has been employed by USSS for eleven years and is currently assigned to the USSS Foreign Missions Branch. He was, however, in July, 1993, working the "midnight" shift serving as the Deputy Watch Commander overseeing activities of all USSS Uniform Division Officers on The White House compound during that shift. As such, he was the immediate supervisor of the USSS Sergeant in Charge of the USSS White House Control Center.

He first learned of Vincent Foster, Jr.'s death at approximately 9:30 pm, shortly after he came on duty. He did not, at first, recognize Foster's name as being that of a high ranking White House staffer. He had not known Foster.

Lt. Dillon said he does not recall his July 20-21, 1993 shift being particularly busy or eventful for USSS employees on duty that night. He said he does not recall any unusual west wing alarm activity that evening and does not recall anyone requesting access to the Bernard Nussbaum/Vincent Foster suite of offices. He further advised that he does not believe he had occasion to go to the west wing of The White House that night. He said that while there was talk during his shift of the USSS possibly being asked to secure the Nussbaum/Foster suite the next day, nothing was done during his shift in this regard.

Lt. Dillon said that he is familiar with Officer Henry O'Neill and his duties. He is aware that O'Neill escorts a GSA cleaning crew into alarmed areas of The White House west wing and that he (O'Neill) is personally responsible for picking up "burn bag" trash in the west wing during his shift. Lt. Dillon said he does not recall Officer O'Neill advising him that he (O'Neill) had seen White House staffers in the Nussbaum/Foster suite during

Investigation on 5/24/94 at Washington, D.C. File # 29D-LR-35063 SUB A

by FOIA(b)(7) - (C) Date dictated 5/24/94

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Continuation of FD-302 of Robert J. Dillon, On 5/24/94, Page 2

the late evening or early morning hours of July 20-21. He further advised that he does not recall Officer O'Neill telling him that he (O'Neill) had decided that this suite should not be cleaned by the GSA employees during that particular shift and that no trash was picked up in that suite during the "midnight" July 20-21 shift.

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OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 5/8/95

LINDA A. DONAGHY was interviewed in the offices of the Office of the Independent Counsel, (OIC), 1001 Pennsylvania Avenue, N.W., Suite 490 North, Washington, D.C. (WDC). After being advised of the official identity of the interviewing agent and the nature of the interview, DONAGHY provided the following information:

DONAGHY currently serves as Deputy General Counsel of the Justice Management Division at the United States Department of Justice (DOJ), where her telephone number is (202) 514-3452.

DONAGHY has worked almost continuously at DOJ since 1971. The only breaks in DONAGHY's service occurred when DONAGHY took time off for the birth of her son and for two brief tours of duty at the White House Counsel's Office (WHCO).

DONAGHY served in the WHCO for periods of time under both the BUSH and CLINTON administrations. During May and June of 1989, DONAGHY served at the White House on the Presidential Ethics Commission. DONAGHY most recently served in the WHCO from approximately February 1, 1993, through May 3, 1993. It is DONAGHY's understanding that MICHAEL CARDOZO and WEBSTER "WEBB" HUBBELL were responsible for some of the staffing decisions regarding DOJ. CARDOZO and HUBBELL contacted DONAGHY's superior at that time, JANIS SPOSATO, and SPOSATO recommended DONAGHY for an assignment as a detailee to the WHCO. DONAGHY went to the WHCO at the same time as another DOJ official, ROGER ADAMS.

Upon her arrival at the WHCO, DONAGHY initially did not have a supervisor or a clear sense of what her duties were. Within a matter of a few days, Associate White House Counsel BETH NOLAN reported for duty at the WHCO. Shortly thereafter, Associate White House Counsel WILLIAM H. KENNEDY III also assumed his duties. The offices used by DONAGHY and her co-workers were located in WHCO offices in room 126 1/2 in the Old Executive Office Building (OEOB).

DONAGHY's duties required her to review copies of the

Investigation on 5/4/95 at Washington, D.C. File # 29D-OIC-LR-35063

by SA RUSSELL T. BRANSFORD RTB:rtb Date dictated 5/4/95

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Continuation of OIC-302 of LINDA A. DONAGHY, On 5/4/95, Page 2

federal government's Standard Form 278 (SF-278), which is a financial disclosure form filed by nominees and appointees. DONAGHY would review the forms to identify any financial conflicts between the individuals' personal holdings and the positions for which they were being considered. There were very few nominees when DONAGHY began working at the WHCO because the administration was still in its early stages. Once the number of nominees increased and the nominees actually submitted their SF-278s to the WHCO, DONAGHY and her colleagues reviewed the forms and attempted to resolve any conflicts through consultations with the designated agency officials (DAOs) for ethics matters in the agencies where the nominees would be working.

DONAGHY had no role in the nomination process for WEBSTER HUBBELL since, DONAGHY believes, HUBBELL was not even nominated for the post of Associate Attorney General until after DONAGHY had completed her assignment at the WHCO. However, DONAGHY was involved in reviewing the SF-278 forms of most of the nominees for positions at DOJ during her tenure at the WHCO.

As part of her duties and responsibilities at the WHCO, DONAGHY was occasionally asked for legal opinions and legal memoranda regarding ethics issues. DONAGHY usually gave oral legal advice to NOLAN, who may have incorporated the advice into memoranda she later wrote. On occasion, DONAGHY would also receive telephone inquiries from White House employees who were attempting to learn the types of outside activities in which they could engage without violating the new restrictions on sources of outside income.

DONAGHY saw FOSTER very rarely since her office was in the OEOB while FOSTER's office was in the West Wing. DONAGHY recalls that she was introduced to FOSTER during the first few days of her assignment at the WHCO. FOSTER had come to the WHCO offices in the OEOB to meet the new WHCO staff members, and DONAGHY was among the people FOSTER met. DONAGHY later observed FOSTER at a birthday party for White House Counsel BERNARD NUSSBAUM sometime in March 1993.

DONAGHY did not attend the daily meetings of the WHCO associate counsels because the detailees were not invited to do so. There were no regularly scheduled meetings which the WHCO detailees were required to attend, but KENNEDY and NOLAN would occasionally convene meetings of the members of their staff.

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Continuation of OIC-302 of LINDA A. DONAGHY, On 5/4/95, Page 3

DONAGHY had no telephone conversations with FOSTER.

DONAGHY recalls that several other people were detailed from a number of outside agencies to the WHCO staff. JACKIE WASHINGTON arrived at the WHCO late in DONAGHY's tenure there and was still on the WHCO staff when DONAGHY left to return to DOJ. WASHINGTON may have served on the WHCO staff for a year. WASHINGTON had come to the WHCO staff from the Department of Labor, possibly from the office of the solicitor there, and she was back at the Labor Department in January 1994. FRANK SOBOL was a detailee who seemed to have more of a close working relationship with FOSTER. The other detailees whom DONAGHY recalls serving at the WHCO were ADAMS, RICHARD WERKSMAN and PHYLLIS ANDERSON.

ADAMS and DONAGHY joined the WHCO staff on the same day and also left on the same day. ADAMS and DONAGHY went to the WHCO suite in the West Wing shortly before their departure from the WHCO staff to have their pictures taken with NUSSBAUM. ADAMS later related to DONAGHY that FOSTER had been in the WHCO suite while their photographs were being taken, but DONAGHY does not recall seeing FOSTER that day.

DONAGHY regarded FOSTER as being very self-confident, almost to the point of arrogance. However, DONAGHY also believes that FOSTER's confidence could have masked shyness. DONAGHY has no direct knowledge of FOSTER's character or state of mind, but SOBOL told her that FOSTER was extremely conscientious and very much a perfectionist.

Prior to FOSTER's death on July 20, 1993, DONAGHY did not engage in any discussion about FOSTER's mental state. Prior to FOSTER's death, DONAGHY did not hear any remarks regarding FOSTER's mood or state of mind.

DONAGHY had no involvement in the White House Travel Office matter.

On July 21, 1993, DONAGHY was at home preparing to go away on a family trip for several days. At approximately 8:00 or 9:00 a.m., DONAGHY heard a radio report concerning FOSTER's death. DONAGHY did not go to the White House that day, and she was out of town for the next several days. Upon returning to work, DONAGHY discussed FOSTER's death with ADAMS and MARTHA STANLEY, who was secretary to KENNEDY and NOLAN. DONAGHY

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Continuation of OIC-302 of LINDA A. DONAGHY, On 5/4/95, Page 4

probably spoke with STANLEY on the Monday following FOSTER's death.

DONAGHY did not have any knowledge of or involvement in the finding of a note in FOSTER's briefcase .

Two other DOJ employees who were detailed to the WHCO staff were CYNTHIA McMANUS and HELEN JONES. JONES worked in the WHCO suite in the West Wing of the White House. JONES was detailed to the WHCO staff for a shorter period of time than McMANUS. DONAGHY does not recall the length of the period that JONES served on the WHCO staff. JONES currently works in the office of the Deputy Attorney General (DAG) at DOJ.

Among other White House staff members who worked with the WHCO staff were GARY GINSBURG, LIZ FINE and PETER PAPPAS. GINSBURG and FINE were both involved in political vetting of nominees. GINSBURG and FINE left the White House staff and went to work at DOJ, where GINSBURG worked in the Office of Legislative Affairs and FINE worked in the DAG's office. GINSBURG has since left DOJ, and DONAGHY is not certain where he is currently working. DONAGHY believes FINE is currently on maternity leave from the DAG's office. PAPPAS left the White House staff and took a position at the United States Department of State.

Based on observation and interview, DONAGHY is described as follows:

Name:	LINDA A. DONAGHY
Sex:	Female
Race:	White
Date of Birth:	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> FOIA(b)(6) FOIA(b)(7) - (C) </div>
Place of Birth:	
Social Security	
Account Number:	
Residence:	17100 MacDuff Avenue Olney, Maryland 20832
Home Telephone:	(301) 774-8346

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/2/94

CHARLES K. "CHARLIE" DORSEY, Special Agent, Federal Bureau of Investigation, appeared at the Office of the Independent Counsel, Washington, D.C., as scheduled at 1:00 p.m. for interview. DORSEY was advised of the identity of the interviewing agent and of the purpose of the interview. Agent DORSEY provided the following information:

He first became involved in the VINCENT FOSTER matter at the request of his supervisor, JOHN DANNA, when the FBI re-entered the investigation from an Obstruction of Justice (OOJ) standpoint when the FOSTER note was found and revealed to the public on July 27, 1993. DORSEY understood that the purpose of the investigation was to trace the evolution process of the note found by STEVEN NEUWIRTH. DORSEY conducted or assisted with a total of twelve interviews in the OOJ matter. He also initiated the Behavioral Science Unit, FBI Academy, input into this investigation. He was also involved with the FBI Laboratory Division's aspect.

DORSEY was asked about White House cooperation during the OOJ investigation. He responded that all White House personnel interviewed were totally "forthwith" and did not try to pull rank. He could not recall any evasive conduct by anyone during the investigation. There was no stonewalling by anyone. DORSEY stated that the cooperation of the U.S. Secret Service during this investigation was particularly noteworthy, especially the assistance provided by Agent DON FLYNN.

DORSEY was asked if anyone during the course of the investigation objected to the term "obstruction of justice" being used. He said the only instance he could recall was during the first interview of the investigation. He said that the investigation was initiated with an interview of STEVEN NEUWIRTH, Assistant White House Counsel, who had found the FOSTER note. When NEUWIRTH was advised by the interviewing agents, DORSEY and SCOTT SALTER, that an investigation had been requested by the Department of Justice concerning an obstruction of justice matter pertaining to the FOSTER note, NEUWIRTH responded by questioning

Investigation on 5/2/94 at Washington, D.C. File # 29D-LR-35063

by SA William T. Guyton Date dictated 5/2/94

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Continuation of FD-302 of CHARLES K. "CHARLIE" DORSEY, On 5/2/94, Page 2

whether he was a subject and did he need a lawyer. He was told that he was not a subject of the investigation at this point and was being interviewed in the normal course of the investigation. He was the first interview being conducted as he was the individual who had found the FOSTER note. NEUWIRTH thereafter excused himself. The agents then waited for approximately one hour before resuming their interview of NEUWIRTH. It is DORSEY's belief that BERNARD NUSSBAUM, Chief White House Counsel, must have been out of pocket during this time period and that NEUWIRTH was waiting to discuss the interview with him. During the course of the interview, it was obvious that NEUWIRTH was not enjoying the interview. NEUWIRTH said he found the FOSTER note in a briefcase in FOSTER's office as he was packing items from the office. He had turned the briefcase upside down or on its side. NEUWIRTH was surprised to find the FOSTER note in the briefcase.

NEUWIRTH's reaction to the OOJ inquiry was tempered with NUSSBAUM's activities. NUSSBAUM seemed genuine and was the White House point of contact. He was "the guy" to make available whoever, whenever. Everything flowed from NUSSBAUM. He facilitated the White House interviews for the FBI. DORSEY said it was obvious NUSSBAUM ran a tight ship and had his finger in everything.

DORSEY was asked about his interviews of BERNARD NUSSBAUM, MARGARET WILLIAMS, and PATSY THOMASSON. He was asked if these individuals had been questioned during their interviews regarding personally taking anything from VINCENT FOSTER's White House office after his death and also whether they were aware of anyone else who had done so. DORSEY stated that the THOMASSON FD-302 and interview notes reflect that she was asked these questions and answered no to both. DORSEY said he would be surprised if WILLIAMS and NUSSBAUM had not been asked these same questions, but could not specifically recall that the questions had been asked.

DORSEY was asked about the indented writing found on a pad of paper taken from FOSTER's office. He said that on July 30, 1993, at the end of the day, or on August 3, 1993, he and Agent SALTER went to the White House to actually see FOSTER's office. NUSSBAUM opened the office for them and during the course of looking at the office, DORSEY noticed a pad of paper and asked NUSSBAUM if he could have it. DORSEY said "we'll see if this is what he (FOSTER) wrote it (the note) on." NUSSBAUM

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Continuation of FD-302 of CHARLES K. "CHARLIE" DORSEY, On 5/2/94, Page 3

agreed and was given a receipt for the pad. DORSEY then turned this pad of blank paper over to the FBI Laboratory's Document Section at the same time as he turned over the FOSTER note. DORSEY understood that some indented writing was located on this pad, but he never saw the pad again or the indented words raised and understood that the pad and results of the examination were sealed. It was DORSEY's understanding that this writing dealt with a trust fund concerning the President's daughter and had been considered privileged information.

FOIA(b)(7) - (C)

DORSEY was asked about information he received concerning the presence of "a second letter," allegedly involving FOSTER's death. This information had been provided to DORSEY through another FBI agent, [redacted] and had been reported in the OOJ report concerning the FOSTER note. DORSEY said that this information had been received from ROGER KAMMERDEINER, a Physical Security Specialist, U.S. Secret Service. DORSEY said it had been determined that there was no second letter. DORSEY also said that he had heard this was not the first time that KAMMERDEINER had embellished a story.

DORSEY stated all investigation conducted regarding the FOSTER matter had been reported in either the U.S. Park Police Report or the FBI's OOJ Report.

SA DORSEY entered on duty with the FBI as a Special Agent on January 4, 1987 and is currently assigned to Squad C-4, a reactive criminal squad, Washington Metropolitan Field Office. His work telephone number is (202) 252-7786.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/4/94

MATTHEW JOHN DRISCOLL, was interviewed at the Office of the Independent Counsel, 1001 Pennsylvania Avenue, NW, Suite 490 North, Washington, D.C. (WDC). DRISCOLL is an Officer with the United States Secret Service (USSS), Uniformed Division, White House Branch. After being apprised of the identity of the interviewing agent and the purpose of the interview, DRISCOLL thereafter provided the following information:

DRISCOLL is currently assigned to the Control Center and also serves on the USSS Advanced Team. On the evening of July 20, 1993, DRISCOLL was working in the Control Center further described to be working on "the board." From this position DRISCOLL handled telephone and radio traffic into the Control Center. On the evening of July 20, 1993, DRISCOLL remembers working a 3:00 pm to 11:00 pm shift in the Control Center.

DRISCOLL first heard of the death of Deputy White House Counsel VINCENT W. FOSTER, JR. on a commercial radio station. He later heard on a CNN News television broadcast that FOSTER was dead. This broadcast was believed to have occurred between 7:00 and 7:30 pm on July 20, 1993.

DRISCOLL does not recall receiving any special instructions in the Control Center with regard to responding to the death of FOSTER. He recalls no incoming telephone or radio traffic addressing the death of FOSTER. DRISCOLL knew who FOSTER was by name and also knew him through visual recognition. They had no formal relationship.

Regarding alarms within The White House complex, DRISCOLL was aware that upon entering an alarmed area, an individual has approximately 30 seconds after the alarm is set to call the USSS Control Center. Once the individual calls into the Control Center he provides his or her name which is then checked against an access roster maintained within the Control Center. If for some reason the staffer forgot to call the Control Center, a USSS Officer would telephone the office. If no answer was received, an officer was sent to investigate. A violation of the

Investigation on 7/20/94 at Washington, D.C. File # 29D-LR-35063

by SA DANA M. GILLIS:DMG/sla Date dictated 8/3/94

-LR-35063

Continuation of FD-302 of MATTHEW JOHN DRISCOLL, On 7/20/94, Page 2

aforementioned procedure with regard to the alarms was written up on a security violation form, Secret Service Form 2046. This form was also utilized to record radiation reports, fire, and alarms. The form 2046 is maintained in central files for storage. USSS records are stored in Room 560 of the Old Executive Office Building which is an alarmed area.

DRISCOLL was unaware of any cameras being located within the Counsel's office or within the interior portions of The White House mansion.

DRISCOLL was unaware of any documents being moved from the Counsel's office and more specifically the office of FOSTER on the evening of July 20, 1993. He also had no knowledge of documents being moved from the west wing of The White House on the morning of July 21, 1993. DRISCOLL did hear rumors several days later about documents being removed from FOSTER's office.

DRISCOLL did know the name of MARGARET WILLIAMS, and was aware that she is the Chief of Staff to the First Lady. CRAIG LIVINGSTONE was known to DRISCOLL as The Chief of White House Security. He was aware that this was a political appointment. DRISCOLL had no information regarding LIVINGSTONE or the possibility that LIVINGSTONE may have removed documents from the west wing of The White House on the morning of July 21, 1993.

DRISCOLL was aware that a USSS guard post was eventually established outside FOSTER's office subsequent to his death on July 20, 1993.

DRISCOLL advised that orange grounds passes for The White House complex allow unescorted access to the Old Executive Office Building only. A blue White House compound pass provides unescorted access to both the Old Executive Office Building and to the west wing of The White House. With each pass, White House staffers are given a personal identification number to be utilized upon entry into the White House complex. This PIN number is in effect for a one year period of time. DRISCOLL did note that if a staffer were allowed automobile access within The White House complex on Old Executive Office Drive, there would be no record of the individual being on The White House grounds.

MATTHEW JOHN DRISCOLL is described from observation and

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Continuation of FD-302 of MATTHEW JOHN DRISCOLL, On 7/20/94, Page 3

interview as follows:

Sex:	Male
Race:	White
Date of Birth:	[FOIA(b)(6) FOIA(b)(7) - (C)]
Place of Birth:	
Social Security Number:	
Home Address:	9482 Scarlet Oak Drive Manassas, VA 22110
Home Telephone Number:	703-368-6634
Work Telephone Number:	202-395-2020

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/18/94

CHARLES C. EASLEY, Security Officer for the Executive Office of the President (EOP), was interviewed at his office in the New Executive Office Building, 725 17th St., N.W., Washington, D.C., (202) 395-6206. After being advised of the identity of the interviewing agent and the nature and purpose of the interview, EASLEY provided the following information:

EASLEY advised that he is Security Officer for the "career side" of the White House personnel. He has held this position since October 1, 1986. He advised that part of his job responsibilities is to monitor the safes in all of the White House offices, including keeping records of their combinations. He advised that the Secret Service used to handle the safes, but they started to use a private contractor and that situation was unacceptable. EASLEY picked up the responsibilities for them in the very beginning of the Bush administration.

EASLEY advised that he works for PATSY THOMASSON with MARY BECK and JOHN KRESMEN (phonetic) in his chain of command in between himself and PATSY THOMASSON. He is not in any way associated with the National Security Council. He advised that he holds the combinations for any safe that he has changed the combination of. He advised that this administration has been somewhat remiss about following procedures for the frequency of changing combinations but conceded that the documents held in these safes are not necessarily classified.

EASLEY advised that he has a general recollection of the time period on and about July 20, 1993 when VINCE FOSTER, JR. committed suicide. He did not have any direct involvement in any of the activities surrounding VINCE FOSTER's death, including the disposition of his office or the safes in the General Counsel's office following his death.

EASLEY advised that there used to be three two-door safes in the General Counsel's office. They were all in what was BERNARD NUSSBAUM's office. There has never been a safe in the secretary's areas or in what was VINCE FOSTER's office. One safe

Investigation on 8/6/94 at Washington, DC File # 29D-LR-35063

by SSA H. ALEXIS SUGGS Date dictated 8/9/94

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Continuation of FD-302 of CHARLES C. EASLEY, On 8/6/94, Page 2

was removed early in the Clinton administration because everybody seemed to be having problems opening it. BERNARD NUSSBAUM had it taken out.

The Facilities Management Officer, JOHN DAWSON, would have had GSA movers remove it from the office. The Facilities Management Officer himself would have a record of any requests to move a safe out of the office.

EASLEY believes that there are two safes in the General Counsel's office currently. He has not changed the combinations on those safes since VINCE FOSTER's death. LLOYD CUTLER wanted to keep everything the same as it was when FOSTER died. Referring to his records, EASLEY advised that the bar code for both safes in CUTLER's office (formerly BERNARD NUSSBAUM's office) reads February 10, 1993 which was the last time the combinations were changed. He does not know when the previous change was, but guesses it was sometime in the beginning of 1985. Such records are destroyed.

EASLEY said he has had telephone calls from the New York Post and the Washington Post, asking him about safes in the General Counsel's office and he has not answered any of their questions. However, after the Washington Post telephone call, there had been numerous meetings with DEE DEE MYERS, PATSY THOMASSON, WILLIAM KENNEDY, DAVID GERGEN, and DAVID WATKINS, starting in March and April 1994 with regard to passes and other security matters relating to passes. None of these discussions had to do with safes or with VINCE FOSTER's office. One of the incidents that caused some stir was when DEE DEE MYERS said that she had access to classified information without having been granted a clearance. Numerous meetings followed her disclosure of that fact.

With regard to the safes in the Counsel's suite, he advised that these are small, two-door safes, but they are not readily movable, weighing approximately 620 pounds. In order to move such a safe you would need a special dolly and it would be a rather major endeavor that would take several people.

EASLEY said that he is acquainted with CRAIG LIVINGSTONE. Approximately two to three months ago, LIVINGSTONE asked EASLEY, "Did I tell you I had taken a box of something out of VINCE FOSTER's office?" EASLEY said, "No, I don't think so, why?" and LIVINGSTONE proceeding to tell him that somebody from

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Continuation of FD-302 of CHARLES C. EASLEY, On 8/6/94, Page 3

the Park Police or Secret Service had turned him in for taking a box out of VINCE FOSTER's office. Again approximately a month or so ago, LIVINGSTONE again asked EASLEY if he had asked him whether or not he had told him he had taken a box of something out of the office and said that somebody had "finked on" or "ratted on" him.

As an aside EASLEY said that LIVINGSTONE likes to boast about how important he is and likes to get involved in things other than what other security officers have handled. He said that LIVINGSTONE wanted to be head of the White House military office. He also boasts that his mother knows the First family really well. He claims that HILLARY RODHAM CLINTON is "always stopping him" in the hall and asking him how his mother is.

EASLEY advised that most classified information in the White House comes from either the National Security Council or the Situation Room. He further advised that there is no systematic use of polygraph exams at the White House for security or other reasons. Employees are not required to sign anything giving the White House the right to polygraph them.

As part of the interview, EASLEY provided the following personal information:

DOB:	November 23, 1939
POB:	Portageville, Missouri
SSN:	496-40-0743
Address:	4131 Pinewood Terrace Chesapeake Beach, MD 20732
Position:	Executive Office of the President Security Officer since 10/1/86

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/7/94

On June 6, 1994, MARVIN KRISLOV Assistant Counsel and NEIL EGGLESTON Associate Counsel to the President, both individuals from The White House, appeared at the Office of the Independent Counsel and was interviewed by MARK STEIN of the Office of the Independent Counsel and SA H. ALEXIS SUGGS with regard to a production that The White House had made in response to a subpoena. The production that we asked them about was broken into 4 parts.

Part 1 KRISLOV and EGGLESTON identified (a 3-page item which lists cabinets and their contents and is titled on the first page, "Office of VINCE W. FOSTER, JR." with a 6 at the top of the page) as a document which was located in the files moved by TOM CASTLETON from the West Wing to the Old Executive Office Building. CASTLETON advised them that it came from DEBORAH GORHAM's desk and that the handwriting is CASTLETON's. Neither individual had any idea what pages 1-5 would have been.

Part 2 (an 8-page assortment of typed lists, the first page of which is entitled, "DEBORAH GORHAM's desk" contents:) KRISLOV and EGGLESTON recognized as lists compiled by TOM CASTLETON and confirmed that the description of them in JOEL KLEIN's cover letter was in error. KRISLOV said that they will be different from GORHAM's list of files. They were compiled at the time that the boxes were brought to the Old Executive Office Building sometime mid-November when JOEL KLEIN was moving into FOSTER's office. Each list corresponds to a box which held documents. They therefore do not hold any documents that were given to the CLINTON's private attorney.

Part 3 is a hand-written listing of VINCE FOSTER's working files. KRISLOV and EGGLESTON both confirmed that it was handwritten by STEPHEN NEUWIRTH. They believe it was done shortly after VINCE FOSTER's death.

Part 4 of the production is an 11-page handout with what appears to be computer printout listings of directories. KRISLOV and EGGLESTON explained that these were the indexes of

Investigation on 6/6/94 at Washington, D.C. File # 29D-LR-35063

by SSA H. ALEXIS SUGGS Date dictated 6/7/94

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Continuation of FD-302 of MARVIN KRISLOV & NEIL EGGLESTON, On 6/6/94, Page 2

everything that had been in DEBORAH GORHAM's hard drive as of the time it was downloaded onto floppy disks. The floppy's are maintained in MARVIN KRISLOV's office. KRISLOV advised that nothing has been erased from the directories and that the check marks on the list correspond to documents which were printed into hard copies so that people could continue working with them.

At the conclusion of the interview, MARK STEIN advised KRISLOV and EGGLESTON that the Office of the Independent Counsel wanted hard copies of select documents from part 4, disks 4 and 5. KRISLOV and EGGLESTON agreed to produce the requested documents as soon as possible, meaning the next day or so.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/28/94

NEIL EGGLESTON, Associate White House Counsel, telephonically contacted the interviewing agent from EGGLESTON's office in the White House, where his telephone number is (202) 456-7901. EGGLESTON placed the call in response to an inquiry from the interviewing agent regarding records of a blood pressure check obtained by VINCENT W. FOSTER, Jr. on July 16, 1993. After being advised of the official identity of the interviewing agent, EGGLESTON provided the following information:

EGGLESTON was assigned to follow up on the matter of the blood pressure check by JOEL KLEIN, Deputy Counsel to the President. EGGLESTON obtained from KLEIN a copy of a document which reflected that FOSTER's blood pressure was checked at the White House Medical Unit on July 16, 1993. Using the document, EGGLESTON went to the Medical Unit in the Old Executive Office Building and displayed the document in an effort to identify its author. DEBBIE BEATTY, a nurse in the Medical Unit, recognized the handwriting on the document as her own.

BEATTY advised EGGLESTON that she had no recollection of measuring FOSTER's blood pressure. She reviewed the records maintained within her office and found no record of FOSTER visiting the office on July 16, 1993 or any other date. BEATTY advised EGGLESTON that each instance of a patient visiting the office is normally recorded in her office's computerized record-keeping system so that the Medical Unit can compile statistics on the number of patients treated. While BEATTY could not provide a specific reason why her office had no record of a visit by FOSTER, she offered one possible explanation. According to BEATTY, her office is frequently visited by White House employees whose physicians have directed them to have their blood pressures measured periodically. These employees usually bring forms provided by their personal physicians, and the Medical Unit staff will normally record the blood pressure readings on these forms, which are then turned over to the personal physicians by their patients. In such instances, no record of the office visit is made by the Medical Unit staff. If a patient comes in for a blood pressure check but does not have a form from the personal

(telephonically)

Investigation on 6/22/94 at Washington, D.C. File # 29D-LR-35063 JIM BELLby SA RUSSELL T. BRANSFORD RTB:rtb Date dictated 6/23/94

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Continuation of FD-302 of NEIL EGGLESTON, On 6/22/94, Page 2

physician, then the staff will normally record the reading on a form like the form shown to BEATTY by EGGLESTON. In these instances as well, the Medical Unit would not necessarily generate a record of a patient visit, usually due to the press of time and the number of other patients awaiting treatment.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/3/94

JEFF L. ELLER, Director for Media Affairs at The White House, work number 202-456-5650, home address 140D Kentucky Avenue, SE, Washington, DC, residence phone 202-544-4662 was interviewed at his office in the Old Executive Office Building Number 170. After being advised of the identity of the interviewing agent and the nature and purpose of the interview, ELLER provided the following information:

ELLER advised that he was at home on the evening of July 20, 1993 when he received a telephone call notifying him of the death of VINCE FOSTER, JR. He said that he came into The White House in response to the call and estimated his time of arrival between 10:00 and 11:00 pm. He first went to MARK GEARAN's office in the west wing. Having learned that the President had already left The White House to go to the FOSTER residence and anticipating that there may be press presence at the residence as well, ELLER had a White House driver and car drive him to the FOSTER residence. ELLER was unaccompanied except for the driver of the vehicle (a log of who signs out cars may provide the exact time of departure and arrival back to The White House if that is necessary.)

ELLER advised that on the way to the FOSTER residence he was in telephonic contact with CRAIG LIVINGSTONE who was in another vehicle. They were both trying to find their way in unfamiliar neighborhoods in order to find FOSTER's residence. They arrived at FOSTER's residence at approximately the same time and parked near one another. ELLER said that he himself was only there about 30 minutes during the time that the President was there. His only focus and reason for being there was to deal with the press in case the press found out that the President was there and converged on the area. He estimated his time at the residence as being approximately 11:00 to 11:30 pm. As soon as the President left ELLER returned to The White House going first to GEARAN's office and then over to his own office in the Old Executive Office Building. He stayed there for a while reading press clippings and went home sometime between 1:00 and 2:00 am on the morning hours of 7/21/93.

Investigation on 8/2/94 at Washington, D.C. File # 29D-LR-35063

by SSA H. ALEXIS SUGGS Date dictated 8/2/94

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Continuation of FD-302 of JEFF L. ELLER, On 8/2/94, Page 2

ELLER advised that he did not have any conversations that he can recall with CRAIG LIVINGSTONE while at the residence the night of July 20 nor with anybody else. He remembers standing alone. He doesn't remember any conversations with anybody about potential press problems the following day at the FOSTER residence.

ELLER advised that his usual time of arrival at The White House is between 6:45 and 7:00 in the morning. He does not recall specifically what time he arrived on July 21, 1993 but advised that his normal routine was to pick up DAVID DREYER who lives very close to him, drive into The White House, check into his office at the Old Executive Office Building and read press clippings until the 7:30 staff meeting which is held in the West Wing Communications Office. The duration of that 7:30 meeting varies depending upon what is going on in the world and at The White House. It is not uncommon for him to remain in the West Wing Press Office for a little while after and talk with people, so he may have been over in the Press Office around 8:00 that morning. He does not, however, recall any telephone calls from anybody at the FOSTER residence or any telephone calls concerning the issue of the press presence at the FOSTER residence. He also does not recall if that issue was discussed during 7:30 staff meeting.

ELLER advised that he and his staff manages contacts with local and state reporters who do not normally cover The White House everyday. That does not include reporters located in the District of Columbia itself. He advised that assigning somebody to go out to the FOSTER residence to deal with the press was not something he would have been responsible for. He went to the Foster residence the night before only because it needed to be covered and not because it was part of his normal job responsibilities. It also would not be an area of responsibility that he would have carried through to the next day. In any case, he knows that he did not participate in any assignment of that nature, either himself nor did he delegate anyone of his staff to do an errand of that nature. He would have remembered it if he had. He also has no knowledge of anyone else having responsibility for such a task.

ELLER advised that an individual named LARRY SAMPAS handles the overnight shift in the Office of Communications which ends at 7:30 in the morning and supervises the printing and assembly of The White House press clippings that is done during

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Continuation of FD-302 of JEFF L. ELLER, On 8/2/94, Page 3

the overnight shift. They are rarely printed before 7:00 am but occasionally they are. When finished, the stacks of legal sized white colored press clippings are distributed throughout The White House. ELLER does not remember their ever being put in binders and cannot recall their ever being carried around in boxes. It is sometimes a two person job to distribute them. The West Wing receives them first. If two people are doing the distribution at least one has to have a blue pass which allows free access back and forth between The White House and the Old Executive Office Building.

ELLER advised that SAMPAS first started at The White House in January, 1993 as a volunteer who was unpaid. He had to leave for a paying job but returned at a later time. ELLER was not able to recall whether or not SAMPAS was at The White House in July, 1993. ELLER also advised that he does not keep a list of the interns who served in his own office in July, 1993.

ELLER recalls seeing MARK GEARAN, RICKI SIEDMAN, DAVID GERGAN and DEE DEE MYERS the night of July 20, 1993, at The White House. He does not recall seeing MAGGIE WILLIAMS nor PATSY THOMASSON nor SUSAN THOMASES.

ELLER advised that there are approximately three individuals who work for the Presidential Protective Detail (PPD) who bear a reasonable physical resemblance to CRAIG LIVINGSTONE. The PPD office is in W16 in the west wing of The White House and he knows they have a spread of photographs of each individual. ELLER advised that shifts of these individuals change sometime around 6:30 - 7:00 am and there is a good deal of movement of these individuals in the West Wing of The White House and elsewhere at that time. He did not know what other offices in the West Wing or the OEOB normally have activities very early in the morning. The Press Office is generally the most active office at that time of the morning. He said that the Office of Management and Administration (DAVID WATKINS old office) was not generally up and running early in the morning.

As part of the interview, ELLER provided the following personal information:

Name: JEFF L. ELLER
 Position: Director of Media Affairs at
 The White House
 Date of Birth: FOIA(b)(6)

FOIA(b)(7) - (C)

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Continuation of FD-302 of JEFF L. ELLER, On 8/2/94, Page 4

Place of Birth: [Redacted]
Social Security Number: [Redacted] FOIA(b)(6)
Local Address: [Redacted] FOIA(b)(7) - (C)
Residence telephone: 140B Kentucky Avenue, SE
Washington, DC
202-544-4662

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 11/7/94

JOHN B. EMERSON, Deputy Director of White House personnel, was interviewed at the Office of the Independent Counsel. EMERSON's work telephone number is 202-456-7953. He was told of the identities of the interviewers and nature of the interview.

EMERSON first met VINCENT FOSTER after the presidential inauguration on January 20, 1993. EMERSON had recently moved from California to Washington, DC and was alone. DEB COYLE and BRUCE LINDSEY, EMERSON's superior, would arrange social occasions such as dinners for the new people at The White House, especially those from Arkansas. EMERSON would talk to FOSTER at these events as well as at work. KIMBERLY MARTEAU, EMERSON's wife, also attended these functions when she moved to Washington in late April or early May 1993.

EMERSON said he spoke to VINCE FOSTER on Monday, July 19, 1993 as well as on the day of FOSTER's death, July 20th. EMERSON related that he saw FOSTER on Monday at the regularly scheduled Department Deputy's meeting. FOSTER appeared, in EMERSON's words, "lackluster." EMERSON next saw FOSTER on July 20 at lunch time. EMERSON, whose office at the time was on the first floor of The White House west wing, walked to FOSTER's office on the second floor of the west wing to ask FOSTER a question. FOSTER was eating lunch and, in EMERSON's words, "really looked down." EMERSON commented on that and FOSTER told him about "how tough things were" and about having a fun weekend with his friends, the HUBBELL's, on the Eastern Shore. FOSTER mentioned a recent editorial that appeared in the Wall Street Journal that was critical of him. EMERSON said FOSTER seemed to "shrug it off" and said he realized the importance of getting out of town "to clear your head." EMERSON agreed, asked his question and returned to his office.

That night, at about 10:30 pm, EMERSON received a telephone call at his home from BRUCE LINDSEY. LINDSEY told EMERSON that VINCE FOSTER was dead, and that it appeared to be a suicide. EMERSON hung up the phone and he and his wife, KIMBERLY

Investigation on 11/3/94 at Washington, DC File # 29D-LR-35063

by FOIA(b)(7) - (C) *[Handwritten initials]* Date dictated 11/3/94

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Continuation of OIC-302 of JOHN B. EMERSON, On 11/3/94, Page 2

MARTEAU, drove to The White House. They wanted to be with people they knew both to receive and provide comfort and consolation. They arrived around 11:00 pm and went to BRUCE LINDSEY's office on the first floor of the west wing. EMERSON recalled seeing DEB COYLE, BRUCE LINDSEY, BILL BURTON, CHERYL MILLS, DANA LAWRENCE and possibly MARK GEARAN. BRUCE LINDSEY made many phone calls to notify people about the death. EMERSON and MARTEAU remained in LINDSEY's office or in the hallway outside it until they exited The White House at about 1:00 am.

EMERSON said he never heard any conversation about FOSTER's office, papers, etc. Most conversation was in shocked and grieving tones. EMERSON pointed out that he stayed on the first floor, while FOSTER's office was on the second floor. EMERSON was not able to see the elevator or stairs to the second floor. Most people at The White House that evening left at about the time EMERSON did.

The next day, July 21, 1993, EMERSON arrived at work shortly before a senior staff meeting at 8:00 am. He noted everyone was depressed and dazed. He doesn't recall many details about that day. Later he recalled, a meeting was called for the entire staff in room 450 of the Old Executive Office Building. President CLINTON, Chief of Staff MCLARTY and Counsel NUSSBAUM spoke.

EMERSON said he was not coached, or told what to say to investigators. He never heard anyone give directions about FOSTER's office, documents or belongings.

Name:
Date of Birth (DOB):
Social Security Account
Number (SSAN):

JOHN B. EMERSON

FOIA(b)(6)
FOIA(b)(7) - (C)

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/5/94

FOIA(b)(3) - Fed. R. Crim. Pro. 6(e) - Grand Jury

Investigation on 5/5/94 at Washington, D.C. File # 29D-LR-35063

by SA William T. Guyton WTG:deg Date dictated 5/5/94

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/9/94

Supervisory Special Agent (SSA) [FOIA(b)(7)-(C)] Federal Bureau of Investigation (FBI), was interviewed regarding her recollection of the number of United States Park Police (USPP) investigative reports received by the FBI, related to the investigation into the death of VINCENT W. FOSTER, Jr. After being advised of the identity of the interviewing agent and the nature of the interview, [] thereafter provided the following information:

[] received a copy of the USPP report from Captain CHARLES HUME, USPP, on February 3, 1994. [] provided a copy of that report to Special Prosecutor ROBERT FISKE, Deputy Special Prosecutor RODERICK LANKLER, FBI Special Agent DANA M. GILLIS, and FBI SSA [] still has custody of one copy of the USPP report. Her report is maintained in a locked file cabinet with limited access.

No further information of investigative value was provided.

(telephonically)

Investigation on 6/8/93 at Washington, D.C. File # 29D-LR-35063by SA DANA M. GILLIS/DMG:sla Date dictated 6/9/94

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 2/1/95

JOE ERRERA, Supervisory Special Agent, FBI Laboratory, DNA unit; (202) 324-4364, was advised of the identity of the interviewing agent and the purpose for the interview. ERRERA provided the following information:

ERRERA examined the underwear of VINCENT W. FOSTER. One of the examinations that ERRERA conducted was for semen. ERRERA stated that this is not a routine exam, and that he was simply attempting to isolate any DNA material that was foreign to the decedent.

ERRERA located a three to four inch semen stain on the inside front of the decedent's underwear. ERRERA also located a small unconfirmed blood smear on the right front of the underwear. ERRERA stated that it is his opinion that the stain is a blood stain, as the stain did not test positive for blood. ERRERA stated that this stain is attributable to through-the-pants seepage, or handling of the body.

The semen stain could have survived laundry, but that is unlikely due to the condition of the underwear. ERRERA stated that the underwear contained an amount of starch, which indicates that the underwear was fresh, as well as the solubility of the stain, which was difficult to isolate from the underwear due to the amount of starch. Additionally, the semen stain would have been more degraded if it had passed through the laundry. -ERRERA stated that the stain was consistent with after laundering.

ERRERA stated that the stain was probably due to spontaneous ejaculation resulting from the nature of the wound; the decedent died of a head wound. However, ERRERA stated that the pathologist would need to confirm this.

ERRERA stated that he did not test the underwear for urine, but observed a yellowish stain on the underwear which was consistent with urine.

Investigation on 1/27/95 at Washington, D.C. File # 29D-LR-35063

by [FOIA(b)(7) - (C)] Date dictated 1/29/95

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/26/94

MELISSA FAITH EVANTASH was contacted telephonically at her residence, 407 Conshohocken State Road, Bala Cynwyd, Pennsylvania 19004, telephone number (610) 664-4393. EVANTASH was born on [redacted] and her Social Security Account Number is [redacted]. After being advised of the official identity of the interviewing agent and the nature of the interview, EVANTASH provided the following information:

FOIA(b)(6)
FOIA(b)(7) - (C)

EVANTASH was an intern in the Office of Personnel Security at the White House from February 1993 through February 1994. During this same time period, EVANTASH was an undergraduate student at George Washington University (GWU) in Washington, D.C. EVANTASH is currently an undergraduate student at Georgetown University in Washington, D.C. and will begin her senior year of studies in September 1994.

EVANTASH does not recall any specific details about her activities on July 20, 1993, which was the date of the death of Deputy White House Counsel VINCENT W. FOSTER, Jr. EVANTASH worked at the White House on both July 20 and 21, 1993 and she probably arrived there on both these dates at her typical starting time of 9:30 a.m. She does not recall arriving at work earlier than usual on these dates. Although EVANTASH never met FOSTER, she recalls that people who knew FOSTER were very sad once news of his death spread.

EVANTASH performed a variety of tasks at the Office of Personnel Security, including such duties as typing, filing and working on specific projects. EVANTASH typed a large number of memoranda during her work at the White House but she has "no clue" whether she typed or read a memorandum bearing a chronology of the activities of CRAIG LIVINGSTONE on and about July 21, 1993. LIVINGSTONE's requests for typing of memoranda and other documents were typically distributed to various members of the staff at the Office of Personnel Security. Any documents containing information of a more sensitive nature would have been typed by LIVINGSTONE's assistant, MARI ANDERSON.

(telephonically)

Investigation on 7/6/94 at Washington, D.C. File # 29D-LR-35063-Sub 17-Jim
Bellby SA RUSSELL T. BRANSFORD RTB:rth Date dictated 7/6/94

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Continuation of FD-302 of MELISSA FAITH EVANTASH, On 7/6/94, Page 2

One of EVANTASH's fellow interns, LUIS COLON, is a native of Puerto Rico and he may have already returned there from Washington, D.C. COLON will begin attending law school in Puerto Rico in the fall of 1994.

ANTHONY AOUDE, another fellow intern, is president of a student organization, whose name EVANTASH cannot recall, at GWU in Washington, D.C. EVANTASH believes that AOUDE can be located easily by contacting the office of the registrar at GWU.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/25/94

On March 21, 1994, Supervisory Special Agent (SSA) WILLIAM E. COLOMBELL and Resident Agent (RA), [redacted] FOIA(b)(7) - (C) FEDERAL BUREAU OF INVESTIGATION (FBI), took custody of the below listed items of evidence relating to the U.S. Park Police investigation of the death of VINCENT FOSTER on July 20, 1993.

The list is as follows:

- | <u>ITEM #</u> | <u>DESCRIPTION</u> |
|---------------|---|
| 1. | Colt, Army Special, 38 cal. 6 shot, 4", revolver serial #356555 (355055) with paper bag |
| 2. | 1 round 38 cal. r-p 38spl HV |
| 3. | 1 casing 38 cal. r-p 38spl HV |
| 4. | 1 pair eyeglasses |
| 10. | Black colored suit jacket |
| 11. | Blue silk tie |
| 13. | Miscellaneous papers |
| 14. | Key ring marked Cook Jeep sales with keys |
| 16. | White long sleeved shirt |
| 17. | White T-Shirt |
| 18. | White boxer shorts |
| 19. | Blue grey colored pants with black belt |
| 20. | Pair black colored socks |
| 21. | 1 pair, black colored dress shoes, size 11 Medium |

Investigation on 3/21/94 at Washington, D.C. File # WMFO 29D-LR-35063

by [redacted] and SSA WILLIAM E. COLOMBELL, WEC:jfw Date dictated 3/21/94 *copy OIC Sub 17*

O D-LR-35063

Continuation of FD-302 of EVIDENCE OF VINCENT FOSTER, On 3/21/94, Page 2

22. Lock seal envelope containing pulled head hairs
23. Washington D.C. map
24. 2 pairs of sunglasses
25. Birthday card
26. Piece of white paper with red writing
27. Box of 4 checkbooks
28. Insurance ID card
29. 1 Sierra Nevada Pale Bock Malt Liquor 12oz.
30. 1 Miller Lite beer 12 oz. (empty)
31. 1 empty pack Marlboro Lights cigarettes
32. 8 oz. bottle of Kaopectate
33. Corkscrew (CLOS DU BOIS)
34. Contents of front ashtray
35. White legal envelope "White House" return, containing pieces of torn note.
36. Vial of whole blood.
37. Brown paper, original around revolver
38. Brown paper on which clothes were dried
39. Negatives of film used at crime scene
Film (photos) taken by Officer SIMONELLO

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/1/94

RODGER L. FIRESTONE, Jr. was interviewed in a conference room at the Office of the Independent Counsel, 1001 Pennsylvania Avenue, N.W., Suite 490 North, Washington, D.C. FIRESTONE is a sergeant with the United States Secret Service (USSS), Uniform Division, White House Branch. After being advised of the official identities of the interviewing agents and the nature of the interview, FIRESTONE provided the following information:

FIRESTONE is currently a supervisor in the K-9 section of the USSS Uniform Division. On July 20, 1993, which was the date of the death of Deputy White House Counsel VINCENT W. FOSTER, Jr., FIRESTONE worked a shift from 2:00 p.m. to 10:00 p.m. in the USSS Control Center.

At the outset of the interview, FIRESTONE was asked to review a single sheet of paper labeled an "on-line activity report" which is a log that reflects intrusion detection events in the office suite of White House Counsel BERNARD NUSSBAUM on July 20 and 21, 1993. After FIRESTONE reviewed the document, the interview continued.

The log reflects that on July 20, 1993 at 2004 hours (8:04 p.m.), the alarm in the White House Counsel's Office suite, which had been in "access" mode, i.e., employees were free to move about the suite as during the business day, was placed into alarm mode by an individual named CASTLETON. FIRESTONE believes that the intrusion alarm for the suite was in access mode just prior to CASTLETON departing the suite. When CASTLETON was preparing to leave the suite, he apparently called the USSS Control Center and told the officer who answered the telephone that he was leaving the suite. FIRESTONE surmises that one of two events probably then occurred: either CASTLETON did not leave the suite immediately or the officer in the USSS Control Center immediately set up (turned on) the alarm for the suite, i.e. immediately after CASTLETON hung up the telephone but before CASTLETON had an opportunity to depart the suite. As a result, when CASTLETON left the suite, the alarm was triggered, sending a

Investigation on 7/27/94 at Washington, D.C. File # 29D-LR-35063
by SAs DANA M. GILLIS and RUSSELL T. BRANSFORD RTB:rtb Date dictated 8/1/94

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Continuation of FD-302 of RODGER L. FIRESTONE, Jr., On 7/27/94, Page 2

signal to the USSS Control Center and causing an entry to be generated on the log about the alarm.

Between the hours of 8:04 p.m. and 9:14 p.m. on July 20, 1993, the White House Counsel's Office suite was not protected by the alarm system because the alarm had already been triggered when CASTLETON departed. Since the alarm remained triggered during this seventy (70) minute period, any authorized entries or unauthorized intrusions into the suite during that period would not have been detected by the alarm system.

FIRESTONE has no direct knowledge regarding the actions of the officer monitoring the alarm board at the USSS Control Center on the night of July 20, 1993. However, based on his review of the log and his knowledge of how the USSS Control Center operates, FIRESTONE offered the following description of how events may have transpired in relation to the alarm at 8:04 p.m. on that date:

The officer monitoring the alarm board at the USSS Control Center received the signal that the alarm at the White House Counsel's Office suite had been triggered at 8:04 p.m. Knowing that CASTLETON had just called the USSS Control Center to report that he was about to depart the suite, the monitoring officer assumed the signal reflecting an activated alarm in the suite was a malfunction caused by CASTLETON failing to set up the alarm properly. No USSS officer was sent to the suite because such malfunctions are quite common, with one or more sometimes occurring per shift. Since the USSS officers' shift ended at 10:00 p.m., the officer monitoring the alarm board probably began to check the alarm board at approximately 9:00 p.m. so that he could turn over the board to the officer relieving him without any unresolved matters. At or about 9:14 p.m., the officer monitoring the alarm board observed that the alarm in the White House Counsel's Office suite was still activated from the event at 8:04 p.m. Therefore, at 9:14 p.m. the officer monitoring the alarm board was able to reset the alarm in the suite from his remote location in the USSS Control Center.

The audible alert sound on the alarm board, which is designed to alert the monitoring officer that an alarm has been triggered, may have been silenced inadvertently by the monitoring officer during the course of his work. If the audible alert were silenced, the screen monitored by the officer at the alarm board would have shown the phrase "acknowledged time out."

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/1/94

RODGER L. FIRESTONE, Jr. was interviewed in a conference room at the Office of the Independent Counsel, 1001 Pennsylvania Avenue, N.W., Suite 490 North, Washington, D.C. FIRESTONE is a sergeant with the United States Secret Service (USSS), Uniform Division, White House Branch. After being advised of the official identities of the interviewing agents and the nature of the interview, FIRESTONE provided the following information:

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At the outset of the interview, FIRESTONE was asked to review a single sheet of paper labeled an "on-line activity report" which is a log that reflects intrusion detection events in the office suite of White House Counsel BERNARD NUSSBAUM on July 20 and 21, 1993. After FIRESTONE reviewed the document, the interview continued.

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Investigation on 7/27/94 at Washington, D.C. File # 29D-LR-35063

by SAs DANA M. GILLIS and
RUSSELL T. BRANSFORD RTB:rtb Date dictated 8/1/94

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Continuation of FD-302 of RODGER L. FIRESTONE, Jr., On 7/27/94, Page 2

signal to the USSS Control Center and causing an entry to be generated on the log about the alarm.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/4/94

RODGER L. FIRESTONE, JR. was interviewed at the Office of the Independent Counsel, 1001 Pennsylvania Avenue, NW, Suite 490 North, Washington, D.C. (WDC). FIRESTONE is a Sergeant with the United States Secret Service (USSS), Uniformed Division, White House Branch. After being advised of the identities of the interviewing agents and the purpose of the interview, FIRESTONE thereafter provided the following information:

On July 20, 1993, FIRESTONE was assigned as the Control Center Supervisor, in the Old Executive Office Building. In this capacity, FIRESTONE oversaw operations of the shift to which he was assigned. The shift was composed of four other USSS officers. These officers were responsible for maintaining White House compound alarms, setting up of protective details, and scheduling. FIRESTONE worked a 2:00 pm to 10:00 pm shift on July 20, 1993, the date of the death of Deputy White House Counsel VINCENT W. FOSTER, JR.

FIRESTONE had no specific recollection regarding any activities related to the death of FOSTER. Control Center personnel may have first become aware of FOSTER's death through the monitoring of network television sets carrying network programming within the Control Center. He could not recall if the announcement of FOSTER's death was part of a network or local television newscast. FIRESTONE recalls receiving no special instructions with regard to the handling of FOSTER's death. According to FIRESTONE there was no official White House notification of FOSTER'S death while he was on duty on the evening of July 20, 1993.

FIRESTONE did not know VINCENT W. FOSTER, JR. Officers working with him in the Control Center may have recognized FOSTER's name. FIRESTONE noted that the USSS Control Center is in a separate building from the Office of the Counsel to the President, the office in which VINCENT FOSTER worked.

According to FIRESTONE, when an individual departs an area containing an alarm, the individual would call into the

Investigation on 7/20/94 at Washington, D.C. File # 29D-LR-35063
by SA DANA M. GILLIS:DMG\sla Date dictated 8/3/94

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Continuation of FD-302 of RODGER L. FIRESTONE, JR., On 7/20/94, Page 2

Control Center within a two minute time period of the alarm being tripped. If no one calls the Control Center after an alarm indication has been received, a USSS officer would be sent to investigate the location of the alarm. If an unauthorized person was entering the scene or an area is unsecure, a security violation form is filled out (SSF-2046). FIRESTONE had no recollection of an alarm going off on the evening of July 20, 1993. FIRESTONE advised that copies of form SSF-2046 are maintained for past and current years by the USSS. Previous years are maintained in a central filing system.

FIRESTONE was not aware of any cameras being located within the Counsel's office suite at The White House.

FIRESTONE had no knowledge of documents being removed from the Counsel's office suite on the evening of July 20, 1993. His only knowledge of documents possibly being removed from FOSTER's office is from news reports. He had no knowledge of any documents being moved from either FOSTER's office or subsequently being moved from the west wing of The White House on the morning of July 21, 1993.

FIRESTONE did not know MARGARET WILLIAMS, Chief of Staff to the First Lady. CRAIG LIVINGSTONE was somewhat familiar to FIRESTONE. LIVINGSTONE may have had an office in the west wing of The White House.

Subsequent to the death of VINCENT FOSTER, JR., FIRESTONE was aware that a USSS post was set up outside FOSTER's office. Officer PHILLIPS, was one of the Officers assigned to that post.

RODGER L. FIRESTONE, JR. is described from observation in interview as follows:

Sex:	Male
Race:	White
Date of Birth:	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> FOIA(b)(6) FOIA(b)(7) - (C) </div>
Place of Birth:	
Social Security Number:	
Work Telephone Number:	
	(202) 395-4342

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Continuation of FD-302 of RODGER L. FIRESTONE, Jr., On 7/27/94, Page 3

FIRESTONE does not recall which officer was monitoring the alarm board in the USSS Control Center on the night of July 20, 1993. Although there may be USSS records which reflect the name of the officer assigned to monitor the alarm board that night, these records would only reflect the assignments which were made and not necessarily the assignments actually worked by the officers that night.

FIRESTONE knows of no documents or reports, other than the log shown to him by the interviewing agents, which would have been generated regarding the fact that the alarm system was not functioning to detect intrusions at the White House Counsel's Office suite between 8:04 p.m. and 9:14 p.m. on July 20, 1993.

Based on observation and interview, FIRESTONE is described as follows:

Name:	RODGER L. FIRESTONE, Jr.
Sex:	Male
Race:	White
Date of Birth:	<div style="border: 1px solid black; display: inline-block; padding: 2px;">FOIA(b)(6)</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">FOIA(b)(7) - (C)</div>
Place of Birth:	
Social Security	
Account Number:	
Work Telephone:	(202) 395-4342

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/5/94

Donald A. Flynn, Assistant Special Agent in Charge (ASAC), White House Division, United States Secret Service, (USSS) was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue NW. ASAC Flynn was advised as to the identities of the interviewing agents and informed of the nature of the interview. He then provided the following information:

He has been employed by USSS for 12 years and is currently in charge of USSS agent liaison with the Uniform Division of USSS concerning security matters at The White House. He has been in his current position for approximately two and one half years and was so employed at the time of Vincent Foster, Jr.'s death on July 20, 1993. His office is located in the Old Executive Office Building, Room 150 and his telephone number is 202-456-2443.

On the evening of July 20, 1993, he was contacted at his residence and informed of Vincent Foster's apparent suicide. On the morning of July 21, he was on duty at The White House when he was telephonically contacted by the USSS Director's Office at approximately 10-10:30 am. Linda Tripp, a Special Assistant to White House Counsel, Bernard Nussbaum, had contacted the USSS Director's Office on behalf of Mr. Nussbaum requesting that USSS provide appropriate means to secure Vincent Foster's office. ASAC Flynn proceeded immediately to Bernard Nussbaum's office where he spoke with Ms. Tripp and Mr. Nussbaum and was told that an investigation would shortly be underway regarding Mr. Foster's death and that he should "seal this office". ASAC Flynn looked into Foster's office, saw no one and positioned himself at a point in the Counsel reception area that allowed him a view of the entrances of both Nussbaum and Foster's offices. He thereafter telephonically requested sufficient uniformed USSS personnel to establish an hour-by-hour watch on Mr. Foster's office door. He assumed that these watch shifts would continue indefinitely until USSS was advised that they were no longer necessary. USSS Officer, Michelle Macon, took over this newly established guard post at approximately 11 am and ASAC Flynn left the area. Prior to leaving, however, he explained to Macon and

Investigation on 4/5/94 at Washington, D.C. File # 29D-LR-35063 ~~SUB A~~

Sub 17(OIC)
-46

by SA WILLIAM T. GUYTON

by FOIA(b)(7) - (C)

Date dictated 4/5/94

-LR-35063 SUB A

Continuation of FD-302 of Donald A. Flynn, On 4/5/94, Page 2

instructed her to explain to subsequent officers relieving her that it would be necessary for them to make note of anyone entering Foster's office and to ascertain why they were so entering. ASAC Flynn was shown a copy of a handwritten document captioned "log of persons entering Mr. Foster's office" with entries for July 21, 1993 and July 22, 1993. He advised that this is a copy of the handwritten log that he kept with entries given to him by various USSS employees who were on duty at the entrance to Foster's office. ASAC Flynn stated that other than this temporary log, USSS also has, for years, maintained an on-going log showing access to the Presidential Counsel suite of offices before and after normal working hours. Since the door to the Presidential Counsel suite is alarmed and monitored by a 24-hour a day USSS center, the first person entering this space in the early morning and the last person leaving this space in the late evening are required to check in with the USSS monitoring center. ASAC Flynn stated that USSS Inspector, Dennis Martin, could make available copies of this alarm log for pertinent dates.

ASAC Flynn said that shortly after positioning a uniformed USSS officer outside Foster's door, he briefed the USSS Director on requests made of USSS and actions taken to that point. During that conversation he was advised that USSS and Department of Justice (DOJ) officials had discussed the possibility of putting a lock on Foster's door to seal it for investigation.

At approximately 1:00 pm Captain Hume and Detective Pete Markland of the United States Park Police and Special Agent (SA) Scott Salter and SA John Danna of the Federal Bureau of Investigation (FBI) came to USSS Inspector Dennis Martin's office. They had come to The White House for the purpose of searching Foster's office but apparently did not believe that they, at that time, had proper authorization to conduct the search. A lengthy series of telephone calls ensued to Park Police and FBI officials seeking this authority and at approximately 4:30-5:00 pm two DOJ attorneys, David Margolis and Roger Adams, arrived at the west wing lobby of The White House to join this group. ASAC Flynn escorted the four Law Enforcement Officials and two DOJ attorneys to the office of Bernard Nussbaum at approximately 5 pm where they met Mr. Nussbaum, Cliff Sloan, Steve Neuwirth and James Hamilton who was identified as the Foster family's attorney. ASAC Flynn noted that a USSS uniformed officer was on duty outside the door to Foster's office when they

LR-35063 SUB A

Continuation of FD-302 of Donald A. Flynn, On 4/5/94, Page 3

arrived.

Once the group was inside Mr. Nussbaum's office, a meeting took place that involved considerable conversation as to how and when a search/inventory of Foster's office would take place in an attempt to find any indication as to why Foster may have committed suicide. During this meeting Mr. Nussbaum said that he, Maggie Williams and Patsy Thomasson had been in Foster's office during the evening of July 20, following his death. He also mentioned that he (Nussbaum) and his secretary, Betsy Pond had been in Foster's office during the morning hours of July 21. After considerable conversation regarding a potential search for a "suicide note" in Foster's office, Flynn recalled a telephone call being made to Phil Heyman at the Department of Justice. During this telephone call the DOJ and Nussbaum apparently agreed that a search of Foster's office would take place on July 22. Mr. Nussbaum also said to the group that a lock was to be placed on Foster's office following the July 21 meeting. The meeting then broke up with the attendees agreeing to meet in Nussbaum's office the next afternoon to conduct the search/inventory.

ASAC Flynn stated that when the meeting was over he began making telephone calls to arrange to have a lock placed on Foster's door. During these conversations he learned that USSS Technical employees Roger Kammerdiner and John Wills had at approximately 4-5:00 pm come by Foster's office to survey the door for the purpose of determining what type of lock would best secure it. USSS Security Specialist, Kevin Robbins and a USSS contract employee, Kenneth Blair arrived at Foster's office at approximately 8 pm where they met with ASAC Flynn and began installing the lock. ASAC Flynn dismissed the USSS uniformed officer from the Foster post at approximately 8 pm. The lock installation and door alterations were accomplished by approximately 10:30 pm at which time ASAC Flynn and all USSS personnel departed the 2nd floor of The White House west wing. ASAC Flynn advised that the lock that was placed on Foster's door was property of the USSS and was a unique lock in that it had only one master key and one copy rather than being a series key lock. ASAC Flynn explained that most locks that are placed on doors have a series key and that anyone having a copy within the series, which is relatively easy to obtain, could open the lock. When ASAC Flynn and the other USSS personnel departed the 2nd floor that night, Flynn had the master key and only copy to the lock in his possession.

LR-35063 SUB A

Continuation of FD-302 of Donald A. Flynn, On 4/5/94, Page 4

At approximately 1 pm on July 22, 1993, a group of men met in the office of Bernard Nussbaum, as previously agreed, for the purpose of searching/inventorying Foster's office. ASAC Flynn described the group as: Mr. Nussbaum, Steve Neuwirth, Cliff Sloan, and Bill Burton, all members of The White House staff; Michael Spafford, an attorney representing the Foster family; David Margolis and Roger Adams, DOJ attorneys; Captain Charles Hume and Detective Pete Markland, U.S. Park Police; SAs Scott Salter and Dennis Condon, FBI; and ASAC Paul Imbordino and himself (Flynn). At approximately 1:15 pm Flynn unlocked the door to Foster's office and the group entered. Bernard Nussbaum sat at Foster's desk with Burton, Neuwirth and Sloan all behind Foster's desk. The remainder of the group either sat or stood in front of Foster's desk. Nussbaum then proceeded to go through Foster's desk, his brief case, and papers on the top of his desk and various papers and binders in a filing cabinet and book shelves. In the process of going through these documents, Nussbaum was placing them in 3 stacks: personal items, items of privileged information relating to President and Mrs. Clinton, and White House related papers. Throughout this process Nussbaum generally decided which stack each document went in to, but from time to time Burton, Neuwirth, or Sloan would look at a document and whisper advice to Nussbaum. At no time were the law enforcement officials or DOJ attorneys present allowed to peruse the documents. There seemed to a general understanding that the purpose of this search was to hopefully find a suicide note or other items that would indicate why Foster may have committed suicide. The sorted items were placed in cardboard boxes with the items in the "personal" stack given to Michael Spafford for the Foster family. At the conclusion of this meeting, Mr. Nussbaum advised ASAC Flynn that there was no further need to secure the Foster office. He asked for and was given the keys to Foster's office. At 2:49 pm the search of Foster's office ended and everyone exited the Foster office. ASAC Flynn stated that while he does not recall anything specific being said during or after the meeting, regarding the method of the search, the Park Police Law Enforcement personnel present appeared surprised and displeased at the way the search had been conducted and that they were not given any material located during the search.

ASAC Flynn stated that he did not know Foster prior to his death and that he has not been in the Foster office since the "search" ended on July 22, 1993. He further stated that to the best of his knowledge, the USSS has not been asked to further secure Foster or Nussbaum's offices since July 22, 1993.

JR-35063 SUB A

Continuation of FD-302 of Donald A. Flynn, On 4/5/94, Page 5

ASAC Flynn was specifically asked if there was a safe or safe-type cabinet in Foster's office. He stated that he does not recall seeing one and does not believe that there was a safe in the office.

COMMUNICATION RECC

Subject
Date
Location
Company
Address
Phone

Log of Persons entering Mr Foster's Office

Wednesday July 21st 1993

11:10A MR Nussbaum Received a small P&W photo (off. MRCM)

6:34P Cliff Sloan, to replace a bag of trash previously taken from Mr. Foster's Trash Can (off. Cheney)

8:02P Kevin Robbins, Kenneth Blair, to place the lock on the door to Foster's Office. (SA Flynn)

10:32P Lock installed, Door Secured by Flynn

Thursday July 22nd 1993

1:15P MR Nussbaum, Steve Newmuth, Cliff Sloan, Bill Buisson, Michael Spafford, David Macgolis, Peter Adams, Capt Charles Hume, Pete Mackland, Scott Salter, Dennis Casden, Paul Imberdino, Dan Flynn.

2:49P Discontinued security on door, Keys given to Mr. Nussbaum by Flynn.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/17/94

Donald A. Flynn, Assistant Special Agent in Charge (ASAC), White House Division, United States Secret Service, (USSS) was contacted in his office. ASAC Flynn, having previously been advised as to the official identity of the interviewing agent and the nature of the interview provided the following information:

At approximately 10:30 pm on the evening of July 21, 1993, USSS Security Specialist, Kevin Robbins and a USSS contract employee, Kenneth Blair completed the installation of a deadbolt lock on the door of Vincent Foster's office. ASAC Flynn had remained throughout the installation process, had supervised same, and was given the only two keys to this lock upon the completion of its installation. Flynn said that he locked the door and that he, Robbins, and Blair all left the suite at approximately 10:30 pm and went home. He said that he does not recall moving the alarm switch in Foster's office into the "secure" position, thus activating the alarm for the Nussbaum/Foster suite, prior to leaving. He further advised that he does not believe that he did place this alarm in an active mode and he does not recall making any telephone calls to the USSS White House Control Center to advise them that he, Robbins and Blair were leaving the suite for the evening. He said that this would explain why a USSS Control Center test on the suite's alarm system at 11:20 pm on July 21 (as reflected on USSS alarm control log) showed the suite's alarm system in an "access" mode.

Investigation on 5/13/94 at Washington, D.C. File # 29D-LR-35063 SUB A

by FOIA(b)(7) - (C) Date dictated 5/16/94

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/8/94

Inspector PATRICK J. FORAN Federal Bureau of Investigation, was interviewed regarding his recollection of the number of United States Park Police (USPP) investigative reports received by the FBI regarding the investigation into the death of VINCENT W. FOSTER, JR. After being advised of the identity of the interviewing agent and the nature of the interview, FORAN thereafter provided the following information:

FORAN recalls reviewing one copy of the USPP report related to the investigation of the death of FOSTER. FORAN did not make any copies of the Park Police report. He was not aware of whether or not anyone else within the FBI made a copy of the Park Police report. After FORAN reviewed the Park Police report, it was then sent to FBI Headquarters investigative files.

FORAN thought that DAVID MARGOLIS, of the United States Department of Justice (DOJ), might be a point of contact regarding the number of copies of the USPP report that was provided to DOJ. Another individual who may be able to provide information regarding the number of USPP reports provided to DOJ might be ROGER ADAMS. ADAMS serves as an assistant to MARGOLIS.

No further information of investigative value was provided.

Investigation on 6/6/94 at Washington, D.C. File # 29D-LR-35063
(telephonically)
by SA DANA M. GILLIS:DMG/sla Date dictated 6/6/94

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/16/94

ELIZABETH BRADEN FOSTER was interviewed in the offices of her attorney, JAMES HAMILTON, who is associated with the law firm of Swidler & Berlin, 3000 K Street, N.W., Washington, D.C. ELIZABETH FOSTER, who is also known as LISA FOSTER, is the widow of VINCENT W. FOSTER, JR., former Deputy Counsel to the President, who will be referred to as FOSTER in the remainder of this report of interview. Also participating in the interview of LISA FOSTER was RODERICK C. LANKLER, Deputy Counsel, Office of the Independent Counsel, Washington, D.C. After LISA FOSTER was advised of the identities of the interviewing agents and the nature of the interview, she furnished the following information:

LISA FOSTER arrived in Washington, D.C. to set up a permanent residence for her family on June 5, 1993. After her arrival, she and FOSTER went jogging along Rock Creek Parkway in the vicinity of Dumbarton Oaks. FOSTER appeared to LISA FOSTER to be jogging at his normal pace that day. After they finished jogging, LISA FOSTER and FOSTER went to a small neighborhood store, purchased orange juice and bagels, and went home and had breakfast. LISA FOSTER recalls that day as being a day of fun and one of their best days together in recent times.

When LISA FOSTER and FOSTER still lived in Arkansas, FOSTER used to jog approximately three to four times per week. LISA FOSTER also began to play tennis at that time. LISA FOSTER and FOSTER would frequently go to a nearby track where each of them would jog at his or her own pace.

When LISA FOSTER saw FOSTER after she arrived in Washington, D.C., she believed that he appeared awful. She believed that most of the weight which FOSTER had lost by that time had been lost prior to his arrival in Washington, D.C.

On June 8, 1993, LISA FOSTER noticed that FOSTER was emotionally down and was slumped in his chair just as his father had been when his father was ill. LISA FOSTER recalls that FOSTER always was worried and stressed. FOSTER told LISA FOSTER

Investigation on 5/9/94 at Washington, D.C. File # 29D-LR-35063

by SA Dana M. Gillis and SA Russell T. Bransford RTB:deg Date dictated 5/16/94

D-LR-35063

Continuation of FD-302 of ELIZABETH BRADEN FOSTER, On 5/9/94, Page 2

that nothing at the White House was going right and he mentioned the example of the ZOE BAIRD nomination.

LISA FOSTER recalls that FOSTER did go jogging on Monday, July 19, 1993 but did not go jogging on July 20, 1993.

FOSTER complained to LISA FOSTER that he was suffering from insomnia, but he did not want to take sleeping pills because he was afraid that he would become addicted to them. FOSTER would get up in the morning and say to LISA FOSTER that he had not slept at all. FOSTER's typical work day began at 8:00 or 8:30 a.m. and continued until 9:30-10:00 p.m.

LISA FOSTER is aware that FOSTER had his blood pressure checked at the White House infirmary on or about July 16, 1993. FOSTER had complained to LISA FOSTER that his heart had been pounding. LISA FOSTER recalls that the blood pressure reading taken on FOSTER on July 16, 1993 did not sound particularly high. FOSTER told her that the White House medical personnel had taken his blood pressure again the same day, approximately ten minutes after the first reading. LISA FOSTER recalls that the initial blood pressure reading was approximately 160/100 and that the later reading was approximately 140/90. After FOSTER related the results of these blood pressure readings to LISA FOSTER, she told him that she would call DR. LARRY WATKINS, their family physician back in Little Rock, Arkansas. LISA FOSTER is not aware of any other time when FOSTER may have gone to have his blood pressure checked. LISA FOSTER is aware that FOSTER's father had suffered a stroke and his mother takes medication for high blood pressure.

LISA FOSTER is not aware of any history of depression within the FOSTER family. No one has ever mentioned such a family history to LISA FOSTER. LISA FOSTER is aware that an aunt of FOSTER had some sort of problem and never got married, but LISA FOSTER is not aware of any more specific information about the nature of this problem.

LISA FOSTER is not aware of FOSTER ever having been treated for depression previously or having had medication for depression prescribed for him.

When asked why she and her son called FOSTER's office at the White House on several occasions to ask about FOSTER's well-being, LISA FOSTER responded that she used to call her

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husband when he worked at the Rose Law Firm all the time, especially if she wanted money. VINCENT FOSTER was very quiet, and LISA FOSTER may have called his secretary just to get a better feel for his condition and state of mind. LISA FOSTER believes that her son, VINCENT W. FOSTER, III, may have called BERNARD NUSSBAUM, Counsel to the President, to confirm whether NUSSBAUM would be speaking to a group of legal aides who were working on Capitol Hill. VINCENT W. FOSTER, III was working for Arkansas Senator DALE BUMPERS at the time and was interested in trying to attend such a speech by NUSSBAUM. LISA FOSTER does not specifically recall any other occasions when she may have called FOSTER's office.

When LISA FOSTER was asked whether FOSTER ever experienced anxiety as a component of his depression, she responded by recalling the night that ZOE BAIRD withdrew from consideration to become Attorney General of the United States. LISA FOSTER recalls that FOSTER came to bed at approximately 2:30 a.m. and he was sweating profusely and just sick. FOSTER felt that everyone was criticizing him, even at home. FOSTER did not enjoy being in the public eye. As an indication of FOSTER's anxiety, LISA FOSTER cites the fact that he told her that he didn't have time to do the taxes. LISA FOSTER recalls that he began to start more of his sentences with the phrase "I just can't handle...." While the FOSTER family was still living in Little Rock, if FOSTER became anxious, he would just go out to his swimming pool in the backyard and work by the pool, particularly if there was a trial approaching. FOSTER was very intense. If an upcoming trial involved a major case, then preparation for that trial would be all that FOSTER would do. FOSTER had a one-track mind when he was preparing for or engaged in a trial. Once FOSTER began working at the White House, there were no breaks in his effort and also no successes. FOSTER was used to always winning, and LISA FOSTER does not recall any instances of FOSTER losing before he joined the administration.

FOSTER has had panic attacks in the past and LISA FOSTER thinks that he had one at least five years ago. At that time, FOSTER told LISA FOSTER that his heart was acting up. FOSTER had a heart monitor attached to him for 24 hours but no abnormalities were found. FOSTER also told LISA FOSTER that he was afraid to speak before crowds, and he said that his knees would shake under such circumstances. LISA FOSTER counseled him to work through his anxiety and ignore its effects simply by

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anticipating he would feel anxious whenever he spoke before a crowd. LISA FOSTER recalls that when FOSTER spoke before a crowd, he would sweat and turn slightly green in color. LISA FOSTER believes that FOSTER's commencement speech at the University of Arkansas Law School is a very good example of how FOSTER appeared when he was suffering such an anxiety attack. LISA FOSTER recalls that he appeared very stiff while making that address. LISA FOSTER recalls three other occasions when FOSTER appeared to be suffering from some sort of panic attack. On one such occasion, FOSTER called the FOSTER residence in Little Rock and left a recorded message on the answering machine about the need for him to resign from the Little Rock Country Club because of its alleged discriminatory practices. LISA FOSTER recalls that the sound of FOSTER's voice on the tape made her believe that FOSTER had been crying. The other two occasions when FOSTER sounded choked up and tense were when the Branch Davidian complex near Waco, Texas had burned, and the occasion of the issuance of the White House report on the Travel Office affair in which FOSTER was reprimanded.

LISA FOSTER does not recall any incidents in which FOSTER was hospitalized for physical or mental ailments. She recalls that FOSTER once cut his chin and received stitches as an outpatient. She cannot recall any other instances when FOSTER received care at a hospital.

[FOSTER was greatly affected by the death of his father, VINCENT FOSTER, SR. FOSTER did not sob when his father died, but he also did not remain unaffected by the death. FOSTER cared for his father during the last few months of his father's life when he was suffering from cancer. LISA FOSTER recalls that she and FOSTER were told by the doctors that FOSTER's father would live approximately six to eighteen months. As soon as the FOSTER family left Arkansas and arrived in Michigan for a vacation, they learned that FOSTER's father was dying. FOSTER attempted to return to Arkansas from Michigan quickly, but he did not arrive home in time to be with his father before his father passed away. After the funeral for FOSTER's father had been held, FOSTER returned to Michigan with the intention of spending time with his family. Instead, he used his time with the family in Michigan to write thank you notes to people who had offered condolences to the other members of his family and himself.]

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LISA FOSTER did have contact with DR. LARRY WATKINS subsequent to FOSTER's death. DR. WATKINS was the first person she called after she learned of her husband's death. She called DR. WATKINS the night of July 20, 1993 and asked him what in the hell happened. She also asked DR. WATKINS, "Could it have been the pill?" DR. WATKINS responded to LISA FOSTER that the pill could not have been the cause of the suicide and he further stated that FOSTER's depression must have been acute. DR. WATKINS is an internist who provided full physical examinations to both LISA FOSTER and FOSTER every two years.

In speaking with DR. WATKINS, LISA FOSTER learned that FOSTER had called DR. WATKINS and told him that he thought he was fighting depression. DR. WATKINS related to LISA FOSTER that he had then called in a prescription for an anti-depressant drug. LISA FOSTER did not know ahead of time that FOSTER was going to call DR. WATKINS, and she did not overhear the conversation between FOSTER and DR. WATKINS.

When LISA FOSTER was asked whether it would have been uncharacteristic of FOSTER to reach out to someone regarding a problem such as depression, she replied that FOSTER would have reached out if he were really scared or were at home rather than at the White House. During one conversation, FOSTER told LISA FOSTER that SHEILA (FOSTER's sister, SHEILA ANTHONY) says sometimes that "it" is chemical. FOSTER did not explain to LISA FOSTER what he was referring to when he talked about "it" or "this thing." LISA FOSTER did not understand what his reference meant when he referred to it as being chemical. LISA FOSTER offered to call a doctor for FOSTER but he said that he would make the call.

FOSTER had a prescription for a sleeping pill called Restoril (phonetic). LISA FOSTER had filled a new prescription for this sleeping pill, but she is now unable to find the pills. LISA FOSTER believes that FOSTER threw the pills away so that she would not be able to consume them once she learned of his death.

Prior to FOSTER's death, SHEILA ANTHONY never mentioned depression to LISA FOSTER in relation to FOSTER.

When asked whether FOSTER had ever approached LISA FOSTER for help in dealing with his problem with depression, LISA FOSTER recalls that he mentioned his depression to her on

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approximately July 16, 1993. LISA FOSTER then arranged to go away for the weekend with FOSTER to the Tidewater Inn on the Eastern Shore of Maryland. LISA FOSTER made all the arrangements for the weekend and asked FOSTER to be home by 3:00 p.m. that Friday, which was July 16, 1993. Instead, FOSTER arrived home at approximately 4:00 p.m., and she and FOSTER had to drive through terrible traffic to reach the inn. Because FOSTER appeared to be under stress to her, LISA FOSTER offered to drive. FOSTER agreed to have her drive, but there was no opportunity to pull over and change drivers so FOSTER ended up driving the entire way to the Tidewater Inn.

LISA FOSTER has no knowledge of any available records which might indicate that her husband had previously received psychiatric counseling.

FOSTER did not experience either stress or depression while he was studying in law school. FOSTER never had to study at night because he was able to do his studying during the morning hours prior to class. After rising in the morning and driving LISA FOSTER to her place of employment, FOSTER would return home and study.

FOSTER did not attend his graduation from law school for a number of reasons. FOSTER graduated during the middle of the school year, i.e., in the month of January. Because of the timing of his graduation and because FOSTER had already begun work at the Rose Law Firm in Little Rock, Arkansas, FOSTER would have had to take off time from work in order to attend graduation. Other reasons why the FOSTERS did not attend the graduation were that the trip back to Fayetteville, Arkansas would have involved significant expenses and LISA FOSTER was pregnant at the time. LISA FOSTER recalls that the graduation ceremony was nothing special because it was conducted as part of the same ceremony held for other schools within the University.

LISA FOSTER has many copies of the text of FOSTER's commencement address to the University of Arkansas School of Law. She also has a copy of the videotape of that address by FOSTER. The text of FOSTER's speech is contained in the most recent copy of the University of Arkansas Law Review.

During the last few months of his life, FOSTER was reading such books as The Making of a President, Ross Perot's

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book, a book entitled Putting People First, and other books, titles unrecalled, on the subject of ethics. LISA FOSTER is unable to recall the titles of any of the books which FOSTER may have been reading for pleasure just prior to his death.

LISA FOSTER and her family did employ housekeepers in their residences in both Little Rock and Washington. In Little Rock, LISA FOSTER employed a housekeeper for approximately 22 years. In Washington, LISA FOSTER employed a woman named LORETTA SEARS who came to clean the FOSTER residence once a week. SEARS had worked for the tenants who had resided previously in the FOSTER house. LISA FOSTER does not believe that SEARS ever saw FOSTER because he typically left for work prior to her arrival at the house and he always returned home after SEARS had already departed.

When asked whether NUSSBAUM had given her an envelope in his office at the White House, LISA FOSTER responded yes, that he had given her a number of torn pieces of yellow in a white envelope. The envelope was already in the office when LISA FOSTER arrived there. NUSSBAUM showed the contents of the envelope to LISA FOSTER, and he assembled the pieces of yellow paper so that she could read the writing on it. NUSSBAUM had already had a transcript prepared of the content of this note. LISA FOSTER believes that she saw this torn note on the evening of July 26, 1993. When she saw the note, LISA FOSTER recognized the writing as being the handwriting of FOSTER. LISA FOSTER was not allowed to touch the note, and there was no other envelope or note.

LISA FOSTER's attorney, JAMES HAMILTON, interjected at this point in the interview that he had been at the White House when LISA FOSTER examined the note.

LISA FOSTER is not aware of any other note relating to the death of FOSTER.

LISA FOSTER is not aware of any personal or family reason which would account for FOSTER researching medical malpractice issues. First Lady HILLARY RODHAM CLINTON had asked FOSTER to write the malpractice section of the newly proposed health care plan. In addition, one of FOSTER's first legal cases had been a case involving medical malpractice.

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LISA FOSTER is not aware of any indication, nor does she suspect, that her husband had become aware of anything illegal or highly damaging to either the CLINTONS or the White House which would have presented him with irreconcilable pressures. LISA FOSTER notes that FOSTER never told her anything about his clients.

FOSTER never expressed any concern to LISA FOSTER about either Whitewater or Madison Guaranty Savings & Loan. LISA FOSTER had never even heard of either of these entities at that point in her life.

When asked to furnish an opinion as to what FOSTER may have been working on that caused him stress or might explain his condition of depression, LISA FOSTER responded that the Travel Office fiasco may have been the source of the stress. She noted that if the Travel Office had been the only difficulty facing FOSTER, it would not have been so bad. At one point, FOSTER called the family together and warned his family that the next six months might be particularly difficult. Toward the end of his life, FOSTER had no sense of joy or elation at work. The Branch Davidian incident near Waco, Texas was also causing him a great deal of stress. LISA FOSTER believes that FOSTER was horrified when the Branch Davidian complex burned. FOSTER believed that everything was his fault. On such issues as the ZOE BAIRD nomination and gays in the military, it seemed that the White House Counsel's Office was not doing a particularly good job, although LISA FOSTER felt that the attorneys themselves were doing good work. FOSTER was extremely fond of NUSSBAUM. If either President CLINTON or NUSSBAUM was being criticized, FOSTER felt that he was also being criticized. FOSTER was very happy about the nominations of JANET RENO as Attorney General of the United States and RUTH BADER GINSBURG as a Supreme Court Justice.

At this point in the interview, HAMILTON interjected that he sat next to Justice GINSBURG when she was first nominated for her position, and he noted that FOSTER was very touched by Justice GINSBURG's speech.

LISA FOSTER stayed home and did not attend the nomination ceremony for Justice GINSBURG.

LISA FOSTER is not aware of what may have been in her husband's office at the White House that led White House staff to

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search FOSTER's office immediately after her husband's death. LISA FOSTER also does not know anything about what may have caused NUSSBAUM to conduct an official search of her husband's office in a manner which excluded investigators from law enforcement agencies.

LISA FOSTER is not exactly aware of what role her husband played in the firing of the seven individuals from the White House Travel Office. FOSTER was distressed because he felt that if he had spoken first with WILLIAM KENNEDY, who was also an attorney in the White House Counsel's Office, then the Federal Bureau of Investigation would not have been called into the case. However, no one heeded FOSTER's advice on this matter.

LISA FOSTER is aware that FOSTER was compiling a list of attorneys to represent him regarding the White House Travel Office matter. FOSTER wanted to have an attorney represent him because he did not have time to do his work at the White House and prepare a defense for himself. LISA FOSTER recalls that Senator DOLE had written a letter on July 15, 1993 requesting a Congressional investigation of the Travel Office matter. VINCENT W. FOSTER, III had attended a Senate Judiciary Committee meeting when an investigation of the Travel Office matter was called for but the motion to conduct such an investigation was tabled. VINCENT FOSTER, III told LISA FOSTER about the proposal for Congressional hearings, but she did not think that it was a big deal.

LISA FOSTER does not think that FOSTER contacted any of the attorneys on the list of attorneys which had been furnished to him by BERYL ANTHONY. LISA FOSTER is aware that FOSTER contacted her attorney, JAMES HAMILTON, as well as attorney JAMES LYONS and, although she was not privy to the conversations, she believes that these conversations related to the Travel Office matter.

FOSTER had not kept a diary during the course of his relationship with LISA FOSTER. He used to keep trip logs whenever the family went on vacation. At the end of each day of a trip, FOSTER would write down what the family had done that day while on vacation. However, FOSTER did not keep such notes when he was at home or in relation to his work. LISA FOSTER believes that FOSTER may have begun to keep a diary on election night of

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1992 because he believed that from that time period forward would be a period worth remembering.

LISA FOSTER does not believe it would have been uncharacteristic of her husband to maintain such a diary because he was very excited about the formation of the new administration. As an indication of this excitement, she notes that he chose to write about election night, the inauguration, and the nomination of Attorney General JANET RENO.)

LISA FOSTER's daughter, LAURA FOSTER, was the primary driver of the Honda automobile which was found at Fort Marcy Park, Virginia on July 20, 1993. The Honda automobile belonged to LAURA FOSTER and also to one of LISA FOSTER's sons. The son and daughter shared the automobile. LAURA FOSTER had used the Honda while she was attending Vanderbilt University and then had driven it to Washington. The Honda automobile was the only car which FOSTER and LAURA FOSTER had with them in Washington until LISA FOSTER arrived with the other family members and with the Lexus automobile owned by their family.

It was not only typical for FOSTER to drive the Honda to work at the White House, it was imperative.

The contents found in the Honda on July 20, 1993, e.g., the cigarette pack, beer cans, and corkscrew, belonged to LISA FOSTER's son. FOSTER himself did not smoke. FOSTER's sons had gone to the beach the weekend preceding July 20, 1993, and the refuse from the weekend was still in the passenger compartment of the Honda when it was searched by police at Fort Marcy Park.

The Honda is no longer in the possession of LISA FOSTER because she sold the car to her brother-in-law, who in turn is leasing the car to her brother in Nashville, Tennessee.

LISA FOSTER describes the color of the Honda as taupe or grayish. She further describes it as a light color.

FOSTER had not made specific plans for the weekend which followed his death. He had spoken with LISA FOSTER about going away for that weekend and about coming home early from work so they could get an early start on the weekend. LISA FOSTER had talked to him about trying to go away every weekend. They had

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spoken about trying to go to Pennsylvania the following weekend but had not made any reservations.

There were no domestic problems between LISA FOSTER and FOSTER during the entirety of their twenty-five year relationship.

[In terms of people in whom her husband would confide, LISA FOSTER believes that he would have confided in herself and his sister, SHEILA ANTHONY. FOSTER would also be likely to confide in his children, particularly his daughter LAURA. FOSTER would also confide in his son, VINCENT FOSTER, III, and he would have confided in his father if his father were still alive.]

On the evening of July 19, 1993, LISA FOSTER cooked dinner at home. When FOSTER returned home from work, he came into the house and smiled at LISA FOSTER while saying that a quarter to eight was not bad. LISA FOSTER responded to him that she was thinking that he would be home at 6:30 or 7:00 p.m. That night, FOSTER received a call from President CLINTON, who invited FOSTER to come to the White House to watch a movie. When FOSTER turned down the invitation from the President, LISA FOSTER was happy. She prepared scallops for all of the family members except for her son BRUGH, who was eating spaghetti.

FOSTER did not mention any conversations from earlier in the day of July 19, 1993 which might have disturbed him.

LISA FOSTER has some knowledge of three letters which were sent out by FOSTER from his office on July 19, 1993. LISA FOSTER is aware of a letter from FOSTER to his mother regarding some leases for mineral rights. LISA FOSTER only saw this letter after FOSTER's death because, as a result of FOSTER's mother signing the letter, LISA FOSTER inherited the mineral rights. LISA FOSTER does not recall exactly how she saw these mineral leases. One of the remaining two letters may have been for payment of a life insurance premium, but LISA FOSTER does not recall whether she or FOSTER mailed this letter.

FOSTER had never spoken to LISA FOSTER about visiting Fort Marcy Park in the past, and she had never heard of the park prior to her husband's death.

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LISA FOSTER does not know whether VINCENT FOSTER ever visited Fort Marcy Park prior to the day of his death but she doubts it.

LISA FOSTER has no idea what her husband did after he left the White House on July 20, 1993. She has checked both gas receipts and credit card receipts, but no purchases or other clues have been identified.

LISA FOSTER had no contact, including telephone calls, with her husband after he left their home on the morning of July 20, 1993. LISA FOSTER recalls one unusual event that morning which was that FOSTER asked her what she was going to be doing that day. It was uncommon for FOSTER to ask her about her plans, and it was also memorable to her that he asked because she was unusually busy that day.

LISA FOSTER is not aware of FOSTER returning home after leaving his office at the White House on July 20, 1993. It is her opinion that he did not return home on that date.

LISA FOSTER is not aware of any particular local spots frequented by FOSTER, such as restaurants or bars, which might assist investigators in attempting to trace FOSTER's activities on July 20, 1993. A Washington restaurant, La Tomate, was the only place where FOSTER would eat out during the business day.

On July 20, 1993, LISA FOSTER played tennis at approximately 8:30 a.m. At 11:45 a.m., she attended a meeting relating to multiple sclerosis. Prior to attending the meeting, LISA FOSTER woke her son so that he could drive her to the meeting. DONNA KAY MCLARTY had also invited LISA FOSTER out. LISA FOSTER had been in Washington for approximately six weeks, but she and MCLARTY had not seen each other much, so they agreed to go to a restaurant at the Four Seasons Hotel for lunch. At approximately 3:30 p.m., LISA FOSTER and MCLARTY took a taxi back to FOSTER's house. From there, LISA FOSTER and MCLARTY went to the MCLARTY residence where their respective sons met with each other. At approximately 5:00 p.m., LISA FOSTER returned home and called the White House to speak to her husband. LISA FOSTER thought that it was NANCY HEMREICH's week to be at the office, but she was told by DEBORAH GORHAM that HEMREICH's week would be the following week. GORHAM told LISA FOSTER that FOSTER was unavailable to come to the phone.

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When asked whether she had made a remark about FOSTER putting the gun in his mouth, LISA FOSTER replied that when she was notified of his death, someone kept saying that FOSTER had shot himself in the head. LISA FOSTER recalls that she was very concerned about how FOSTER had shot himself because she was trying to imagine what he looked like and wondering whether he had suffered. She further said that she was concerned about whether he had blown his head off.

FOSTER had never spoken with LISA FOSTER before about suicide and he had never attempted suicide before. LISA FOSTER believes that her husband took his life because he was so terribly depressed.

LISA FOSTER has no doubts that her husband took his own life and she had no such doubts on the night of July 20, 1993.

LISA FOSTER was concerned about the autopsy being performed on her husband because she wanted to know his mental state at the time that he died. She also wanted to know if he had taken the sleeping pills or if he had been consuming alcohol or was drunk. She did not have any influence or input into causing the autopsy to be conducted so promptly.

In terms of other drugs which may have been prescribed for FOSTER in the past, LISA FOSTER is aware of the sleeping pill Restoril having been prescribed. She also recalls that an antibiotic was prescribed for FOSTER in approximately December 1992. LISA FOSTER recalls that Feldene was prescribed for treatment of FOSTER's tennis elbow.

LISA FOSTER is aware that her husband took one 50 milligram dose of Trazadone on the evening of July 19, 1993 because she told her husband to take one pill and she watched him take it. She does not know if he took any sleeping pills on that evening. On the morning of July 20, 1993, FOSTER told LISA FOSTER that he did not go out for a jog because it would take him too long to cool off. LISA FOSTER notes that her house has only one bathroom for such a large family. She notes further that, due to her relatively early departure from home on July 20, 1993, there were several family members attempting to use the single bathroom during the same period of time.

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At this point in the interview, LISA FOSTER was asked to examine a pair of eyeglasses which had been found in Fort Marcy Park on July 20, 1993. LISA FOSTER held the glasses, examined them, and then stated that the eyeglasses appeared to be those of her husband. LISA FOSTER noted that the tips of the stems of the eyeglasses had bite marks on them, which was an observation consistent with one of her husband's habits. FOSTER had frequently chewed on the tips of his eyeglasses as a nervous habit.

LISA FOSTER then examined a revolver which had been brought to the interview by the interviewing agents. FOSTER examined the revolver, which had also been found at Fort Marcy Park on July 20, 1993, and stated that she believed it may be a gun which she formerly saw in her residence in Little Rock, Arkansas.

LISA FOSTER then examined a photocopy of a handwritten note which has previously been identified as having been written by her late husband. LISA FOSTER believes that the original note was written on or about July 11, 1993. LISA FOSTER is not entirely certain of this date and believes that the note was written sometime during the period between July 4 and July 20, 1993. She believes that the note was written by FOSTER in their Washington residence on a day when there were a number of young people in her house. Her son was working as a Senate aide and there were a number of other aides visiting him on that day. LISA FOSTER invited FOSTER to go with her to the store, but he declined to accompany her. FOSTER was upstairs in bed, alternately trying to sleep and work. LISA FOSTER suggested to FOSTER that he write down everything that "they" did wrong. She suggested to FOSTER that he go on the offensive and not continue to take responsibility for every mistake which was made in the White House. FOSTER agreed with LISA FOSTER's suggestion, and he sat up in bed and appeared energized. FOSTER told LISA FOSTER that he had not resigned yet, and he said that he had already written his opening argument in his defense. LISA FOSTER believes that the torn note which was found was actually FOSTER's opening argument in the event he had to testify before Congress.

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Although LISA FOSTER did not view or read the note on the day that FOSTER appeared to be energized by her remarks, she is confident that the comments written in the note were written on that same day. LISA FOSTER knows that FOSTER was upset about the Federal Bureau of Investigation (FBI) being called in regarding the Travel Office matter, but she does not believe that FOSTER believed that the FBI had lied. People know that representatives of the media were getting deals through the White House Travel Office. LISA FOSTER is aware that people knew of these deals, but she herself knew nothing about FOSTER's remarks in the note pertaining to the Republicans or the usher's office. LISA FOSTER believes that FOSTER was concerned about excessive costs being incurred by the usher's office, but FOSTER never discussed these matters with her.

On Tuesday night, July 13, 1993, FOSTER spoke with LISA FOSTER about resigning. LISA FOSTER encouraged him to stay in his position in the White House Counsel's office. She advised him that Congress would take a recess in August 1993. LISA FOSTER then suggested to FOSTER that he should stay in his current post until Christmas of 1993. LISA FOSTER understood clearly that FOSTER was speaking about the Travel Office when he was speaking of his depression and his concerns.

LISA FOSTER is aware of the whereabouts of some ammunition which was kept at the FOSTER residence in Little Rock prior to her husband's death. She recalls finding a number of shotgun shells in the top drawer of her dresser. She also recalls that there were a number of shotgun shells kept in a closet. In searching her house, LISA FOSTER found a number of 20 gauge and 12 gauge shotgun shells, some .22 caliber ammunition, and possibly some small handgun ammunition. LISA FOSTER does not recall seeing any such ammunition at her house in Washington, D.C.

LISA FOSTER believes that she may have seen the handgun which she examined previously during the interview at her residence in Washington. LISA FOSTER recalls that as she was packing her belongings in Little Rock in preparation for coming to Washington, D.C., she found a handgun inside a travel trunk which had been packed by FOSTER prior to his departure for Washington. Specifically, as LISA FOSTER was packing in Little Rock, she came across a silver-colored gun, which she then packed in with her other property. When LISA FOSTER unpacked the gun in

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Washington, FOSTER saw the gun and commented on it. LISA FOSTER had not had a prior conversation with FOSTER about bringing a gun to Washington, D.C., but she argued with FOSTER when the gun was unpacked. LISA FOSTER told FOSTER that she did not want any guns in her house in Washington.

LISA FOSTER is not aware of any photographs which may be kept in Arkansas which would depict the guns owned by FOSTER's late father. She is only aware of snapshots of family members going hunting.

LISA FOSTER is not aware of any records from the elder MR. FOSTER's estate which might describe the firearms he had owned. She is aware of a handwritten note from the elder MR. FOSTER regarding the disposition of his property after he passed away. According to this note, all of the elder MR. FOSTER's guns were left to FOSTER and a diamond was left to LISA FOSTER. After the funeral for FOSTER's father, FOSTER went down to his father's house and retrieved the guns. LISA FOSTER believes that there were approximately three to five handguns included in the guns retrieved by her husband. She believes that her husband obtained all of the guns which were left by FOSTER's father.

LISA FOSTER does not know where her husband kept the guns left to him by his father while the FOSTERS were still living in Little Rock.

LISA FOSTER believes that the shotguns from the estate of the elder MR. FOSTER are currently in the possession of her brother-in-law, who is the husband of her sister. SHARON BOWMAN, FOSTER's sister, has one handgun. LISA FOSTER believes that BERYL ANTHONY has one of the handguns from the estate here in Washington, D.C., but she has not asked ANTHONY that specific question.

FOSTER himself did not like guns. FOSTER's father had given guns to LISA FOSTER's sons, which displeased LISA FOSTER. LISA FOSTER also knows that FOSTER kept a gun in a closet in their home in Washington, D.C. LISA FOSTER was aware of the location of one gun inside her residence in Washington and she found that gun still in its usual location on the night of July 20, 1993. The gun which she found on that date was not the silver gun which she had earlier found in the trunk in Little Rock. LISA FOSTER believes that the gun found at Fort Marcy Park

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Continuation of FD-302 of ELIZABETH BRADEN FOSTER, On 5/9/94, Page 17

may be the silver gun which she brought up with her other belongings when she permanently moved to Washington. LISA FOSTER does not know with certainty, but she suspects that there were some bullets at the house in Washington, D.C.

Sometime within the last two weeks prior to July 20, 1993, LISA FOSTER told FOSTER to remove the guns from their house in Washington. FOSTER told LISA FOSTER not to remark about the guns in front of the boys. LISA FOSTER believes that she may have told her husband twice during that time to remove the guns, but she never checked to see if the guns had actually been removed.

LISA FOSTER assumes that ammunition was given to her husband in conjunction with his receipt of the guns from his father's gun collection, but she does not know for certain. She never knew FOSTER to buy any ammunition except for shotgun shells when he went hunting.

To the best of LISA FOSTER's knowledge, FOSTER never carried a handgun in his automobile. She never knew FOSTER to carry a gun with him to work. FOSTER parked his automobile in slot 16 on Executive Boulevard West whenever he was at the White House. LISA FOSTER knows that the trunks of vehicles are checked when the vehicles are driven onto the White House grounds. When not in use, the Honda was typically parked on the street adjacent to the FOSTER residence while the FOSTER family's Lexus was parked in a space behind their house.

LISA FOSTER believes that the guns which were brought by her family from Little Rock to Washington were transported on the moving van with their other belongings.

LISA FOSTER does not know where her husband might have obtained the two loose bullets which were discovered in the handgun found at Fort Marcy Park.

LISA FOSTER is not aware of any background information regarding her husband's possession of guns which could assist in tracing the gun found in his hand at Fort Marcy Park. SHARON BOWMAN told LISA FOSTER that FOSTER's father kept a gun by his bed while he was still living, and LISA FOSTER believes that that gun may be the same revolver she was shown by the interviewing agents.

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Continuation of FD-302 of ELIZABETH BRADEN FOSTER, On 5/9/94, Page 18

FOSTER's father served in the United States Navy during the World War II period and may have been stationed in California.

It is difficult for LISA FOSTER to believe that FOSTER may have come home on July 20, 1993 to get a gun.

LISA FOSTER still remembers her last contact with FOSTER on the morning of July 20, 1993 in their kitchen. She recalls that FOSTER was standing very stiffly in the kitchen prior to departing for work. LISA FOSTER now believes that he may have had the gun with him in his briefcase at that time. FOSTER did not kiss her goodbye before he left for work, but she notes that his not kissing her was not unusual for him. She believes that her son was at home and sleeping until approximately 2:00 p.m. on that afternoon. However, she has not questioned her son about whether he was asleep that afternoon because she has not wanted to expose her children to too many of the circumstances of their father's death.

LISA FOSTER believes that FOSTER was suffering from a major depression which was brought about by working too hard for such a long period of time away from his family. She believes that no one loved his children more than her husband.

FOSTER was unable to attend the ceremony in which the Arkansas Bar Association named him the Lawyer of the Year because he had to go to Boston, Massachusetts that same day to interview Judge STEPHEN BREYER. Judge BREYER was a candidate for a vacancy on the United States Supreme Court, but he was bedridden as a result of a traffic accident.

At this point in the interview, Attorney JAMES HAMILTON interjected that he had traveled to Boston to interview Judge BREYER with FOSTER on that occasion.

LISA FOSTER believes that FOSTER thought he would be able to attend the Arkansas Bar Association ceremony up until the very last minute. Both LISA FOSTER and FOSTER were very upset that they were unable to attend. She believes that his inability to attend the ceremony would have weighed very heavily on FOSTER and would have caused him to feel embarrassed before his peers in Arkansas.

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Continuation of FD-302 of ELIZABETH BRADEN FOSTER, On 5/9/94, Page 19

At the conclusion of the interview, HAMILTON, on behalf of LISA FOSTER, again asked that the original handwritten note which had been torn up be turned over to LISA FOSTER at the conclusion of the investigation. HAMILTON also reiterated his request that a photograph of the note not be released by the Office of the Independent Counsel should such a request be received under the Freedom of Information Act.

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 9/20/94

BRIAN FOUCART, former Acting Director of The White House Office of Administration, was interviewed by conference call with his attorney RANDALL TURK (202) 833-5127. After being advised of the identity of the interviewing agents and the nature and purpose of the interview, FOUCART provided the following information:

FOUCART advised that his current position is Special Assistant to the Bureau Chief of Cable Services Bureau in the Federal Communications Commission (FCC). His address and telephone are 2033 M Street, NW, (202) 416-1135.

FOUCART advised that he remembers July 21, 1993, the day after VINCE FOSTER, JR.'s death, only vaguely. He does not remember it as any different than any other day except that there was a pervasive focus on the news of VINCE FOSTER's death. No requests for action came into his department that related to VINCE FOSTER's death that he was aware of, either that day or in the following weeks.

FOUCART advised that any requests for the movement of safes or filing cabinets or any other such items within or out of the Counsel's office would have been initiated on a "Facilities Request Form" which would have had to come across his desk for his signature so that he could authorize payment to GSA for those services. FOUCART advised that The White House would pay GSA to provide such services and therefore the vehicle for getting those tasks done is the work order that is generated in response to a facilities request form. FOUCART said there was no such form to request the movement of a safe or filing cabinet or any other items from VINCE FOSTER's office or from The White House Counsel's office following VINCE FOSTER's death. He advised that the best way to double check his memory would be to check with GSA to see if they had any work orders for such a task.

FOUCART advised that he knows CRAIG LIVINGSTONE and that LIVINGSTONE did not make any requests of any kind of

(telephonically)

Investigation on 9/14/94 at Washington, D.C. File # 29D-LR-35063by SSA H. ALEXIS SUGGSFOIA(b)(7) - (C)Date dictated 9/15/94

D-LR-35063

Continuation of OIC-302 of BRIAN FOUCART, On 9/14/94, Page 2

connection with VINCE FOSTER's death. The only conversation they ever had on the topic of VINCE FOSTER came later in the Summer and occurred in passing at the doorway of the West Wing where FOUCART was standing, having a cigarette. FOUCART commented to LIVINGSTONE that FOSTER's car was taking up two parking spots in the Executive parking area and since spaces were limited, could LIVINGSTONE see if it were possible to have it moved. FOUCART said that he could not remember any other personal conversations between himself and LIVINGSTONE.

As part of the interview, FOUCART provided the following personal information:

Date of Birth:
Place of Birth:
Social Security Number:

FOIA(b)(6) FOIA(b)(7) - (C)

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription /7/95

MARY KATHERINE FRIEDRICH was interviewed in the offices of the Office of the Independent Counsel (OIC), 1001 Pennsylvania Avenue, N.W., Suite 490 North, Washington, D.C. (WDC). FRIEDRICH is currently a personnel assistant (payroll technician) in the Executive Office of the President of the United States (EOP), Office of Administration (OA), Personnel Management Division (PMD), and her office is in the New Executive Office Building (NEOB), 725 17th Street, N.W., WDC, telephone number (202) 395-1143. After being advised of the official identities of the interviewing agents and the nature of the interview, FRIEDRICH provided the following information:

In July 1993, FRIEDRICH served as a security assistant in the PMD security office, which is administratively located within OA and EOP. Her office was physically located in the NEOB. On approximately July 15, 1993, FRIEDRICH was notified that she had been named to fill the position in which she currently serves. FRIEDRICH had to train her replacement in the security office so she was unable to move into her current post until August 1993. The PMD security office performs a number of functions: conducting of pre-employment interviews pertaining to a candidate's suitability; submitting requests for Federal Bureau of Investigation (FBI) name checks; performing drug tests; processing of SF-86 forms, which are standard personnel questionnaires; granting of security clearances; performing monthly security briefings; initiating five-year renewals on background investigations; sending requests for White House passes to the United States Secret Service (USSS); and monitoring of the thirty day rule to ensure that new employees submit all required paperwork necessary to conduct a background investigation within the first thirty days of their employment.

The White House Counsel's Office (WHCO) typically receives the final background investigation reports once they have been completed by the FBI. Staff members of the WHCO then review the reports to identify or resolve any remaining issues. Associate White House Counsel WILLIAM H. KENNEDY III was usually the person who would review these reports and provide

Investigation on 2/28/95 at Washington, D.C. File # 29D-OIC-LR-35063

SAs DANA M. GILLIS and
by RUSSELL T. BRANSFORD RTB:rtb Date dictated 2/28/95

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Continuation of OIC-302 of MARY KATHERINE FRIEDRICH, On 2/28/95, Page 2

notification of approval of the appointee to FRIEDRICH's office, which would then issue a White House pass to the appointee.

FRIEDRICH's responsibilities required her to have somewhat frequent contact with the WHCO. For example, FRIEDRICH would pass along the completed SF-86 forms to the White House Office of Personnel Security (WHOPS). She would also carry completed forms for Internal Revenue Service (IRS) record checks to the WHCO. Most calls to FRIEDRICH's office from the WHCO were made by EDGAR BUENO.

On the night of July 20, 1993, FRIEDRICH was at home when she learned of the death of Deputy White House Counsel VINCENT W. FOSTER, Jr. She believes she learned of FOSTER's death on a television newscast. FRIEDRICH learned further details about FOSTER's death the following day because it was a major news item. FRIEDRICH was not contacted by anyone from either the White House or the WHCO that night about either FOSTER's death or any related duties or tasks.

FRIEDRICH rarely has occasion to enter the West Wing of the White House, and she has only been in the West Wing perhaps twice in the past few months.

FRIEDRICH is aware through press accounts that BERNARD NUSSBAUM, PATSY THOMASSON and MAGGIE WILLIAMS were at the White House the night of July 20, 1993. FRIEDRICH now knows each of these people but she has not discussed their activities that night with them.

FRIEDRICH has not heard anything about anyone being asked to open safes in the WHCO offices on July 20, 1993.

CHUCK EASLEY was FRIEDRICH's supervisor in July 1993. EASLEY exclusively handled matters relating to safes on the White House compound, and EASLEY would have been the person to have been called to open a safe. FRIEDRICH's office received such calls for assistance in opening a safe on a frequent basis. Staff members of the WHCO, including BETSY POND and FLORENCE CHAMPAGNE, called EASLEY's office several times for assistance in opening safes. DEB GORHAM from the WHCO also called with such a request a couple times.

If someone called EASLEY's office and requested assistance in opening a safe when EASLEY was not in the office,

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Continuation of OIC-302 of MARY KATHERINE FRIEDRICH, On 2/28/95, Page 3

FRIEDRICH would write a note to EASLEY on a message pad telling him who had called and what the caller had wanted. FRIEDRICH does not recall writing a note to EASLEY that a safe needed to be opened on or about July 20, 1993.

FRIEDRICH does not recall receiving a telephone call to open a safe in the WHCO suite after FOSTER's death. FRIEDRICH is only aware of requests to open safes being made by telephone call. FRIEDRICH is not aware of her office ever receiving any written requests to open a safe. FRIEDRICH does not recall receiving any calls to open safes the week of FOSTER's death. FRIEDRICH does not recall receiving a telephone call, e-mail or any other form of communication to request assistance in opening a safe in the WHCO suite that week.

FRIEDRICH did not keep a detailed calendar in July 1993. Her calendar would typically reflect matters pertaining to personnel issues such as when certain forms pertaining to appointees were submitted. When FRIEDRICH left her former post to take her current position, she left her 1993 calendar with EASLEY so that he could use it as a reference for pending personnel matters. FRIEDRICH would not have recorded on her calendar a call from someone at the WHCO requesting assistance with opening a safe. FRIEDRICH would have left EASLEY a message written on a "while you were out" slip of paper.

When FRIEDRICH leaves a telephone message for EASLEY, it is written on a single slip of paper, i.e., no carbon copy of the message slip is generated. EASLEY discards the message slips after he is through with them.

FRIEDRICH has been telephoned by a female reporter, name not recalled, from the Washington Post newspaper. The reporter said she wanted to get together with FRIEDRICH for about ten minutes to talk about FOSTER. FRIEDRICH told the reporter she had nothing to say to her and eventually hung up the phone after declining to meet with the reporter. FRIEDRICH subsequently reported the reporter's call to FRIEDRICH's supervisor, AL RODRIGUEZ, and to MARY BECK, Director of PMD. FRIEDRICH knows of no other calls or attempts to contact FRIEDRICH by this reporter. There were no repercussions for FRIEDRICH from reporting the call from the reporter to RODRIGUEZ.

FRIEDRICH does not know how the female reporter learned FRIEDRICH's name or decided to call her. It is possible someone

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Continuation of OIC-302 of MARY KATHERINE FRIEDRICH, On 2/28/95, Page 4

could have looked in a White House telephone book and seen from the listings that FRIEDRICH was working for EASLEY during July 1993.

Prior to the instant interview, FRIEDRICH advised BECK that she was going to be interviewed by OIC staff. BECK told FRIEDRICH that BECK had been interviewed by OIC staff and it had not been a bad experience. BECK did not give FRIEDRICH any instructions about how to respond to questions posed by OIC staff.

FRIEDRICH was the only person working with EASLEY during July 1993, and EASLEY was the sole custodian of the safes. No one else in the White House complex has access to the combinations to safes in the complex. EASLEY has confirmed, when asked by FRIEDRICH, that no one else, including USSS officials, can open safes in the White House compound.

FRIEDRICH has not seen any White House memoranda with instructions about the OIC investigation.

FRIEDRICH has no knowledge about anyone being called to open White House safes on or about July 20, 1993. It is possible that WHOPS could have been called by someone seeking access to a White House safe. CRAIG LIVINGSTONE was director of WHOPS at that time, and he continues to hold that post. Other members of the WHOPS staff at that time were MARI ANDERSON and LISA WETZL, who were both security assistants. NANCY (LAST NAME UNKNOWN) (LNU) also worked in WHOPS in 1993 and she had worked there during the prior administration as well. NANCY LNU no longer works at WHOPS because she retired in either May 1993 or May 1994.

Offices at the White House normally maintain rosters of interns since there are no applicable payroll records because the interns are not paid. These rosters should reflect which interns were working during a given period of time. No interns work in FRIEDRICH's office.

FRIEDRICH had no contact with WHOPS in relation to FOSTER's death. FRIEDRICH has not spoken with anyone at WHOPS about whether anyone at WHOPS was asked to open WHCO safes on or about July 20, 1993.

FRIEDRICH knows of no other information which could be

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Continuation of OIC-302 of MARY KATHERINE FRIEDRICH, On 2/28/95, Page 5

of assistance to OIC investigators.

In July 1993, FRIEDRICH was living at 12316 Village Square Terrace, Apartment 202, Rockville, Maryland 20852. She is unable to recall what her telephone number was at that time, but she will attempt to retrieve it from her records and provide it to the interviewing agents.

Based on observation and interview, FRIEDRICH is described as follows:

Name:	MARY KATHERINE FRIEDRICH, also known as KATE FRIEDRICH
Sex:	Female
Race:	White
Date of Birth:	<div style="border: 1px solid black; display: inline-block; padding: 2px;">FOIA(b)(6)</div> <div style="border: 1px solid black; display: inline-block; padding: 2px;">FOIA(b)(7) - (C)</div>
Place of Birth:	
Social Security Account Number:	
Residence:	
Home Telephone:	(301) 570-4199

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OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 3/1/95

Following an interview conducted earlier in the day at the offices of the Office of the Independent Counsel (OIC) in Washington, D.C. (WDC), MARY KATHERINE FRIEDRICH telephonically contacted the interviewing agent and provided the following information:

Upon returning to her office, FRIEDRICH retrieved her calendar for 1993 from her former supervisor, CHUCK EASLEY. FRIEDRICH will retain the calendar until a determination can be made as to the appropriate manner in which the calendar can be reviewed by OIC investigators.

FRIEDRICH has not yet reviewed her records to identify her home telephone number during July 1993. She will furnish this number to the interviewing agent when she is able to find it.

Based on a review of her work calendar and her attendance records, FRIEDRICH believes she was called by a female reporter from the Washington Post newspaper on either February 16 or February 17, 1995. FRIEDRICH does not recall specifically how the reporter referred to FRIEDRICH, e.g., by calling her MARY or KATE. FRIEDRICH typically answers her telephone "Hi, this is KATE FRIEDRICH," so the reporter could have learned from that greeting that FRIEDRICH uses "KATE" as her first name. Only close family members refer to FRIEDRICH as "MARY." FRIEDRICH has used the first name "KATE" for all her adult life.

(telephonically)

Investigation on 2/28/95 at Washington, D.C. File # 29D-OIC-LR-35063

by SA RUSSELL T. BRANSFORD RTB:rtb Date dictated 3/1/95

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OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 3/6/95

MARY KATHERINE FRIEDRICH telephonically contacted the interviewing agent at the Office of the Independent Counsel (OIC), 1001 Pennsylvania Avenue, N.W., Suite 490 North, Washington, D.C. During a previous interview, FRIEDRICH had been asked by OIC staff members to review her records and identify the telephone number at her place of residence in July 1993. FRIEDRICH advised the following:

FRIEDRICH's home telephone number during July 1993 was (301) 984-2339.

(telephonically)
Investigation on 3/3/95 at Washington, D.C. File # 29D-OIC-LR-35063
by SA RUSSELL T. BRANSFORD RTB:rtb Date dictated 3/6/95

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 3/15/95

At approximately 3:07 p.m., MARY KATHERINE FRIEDRICH telephonically contacted the investigating agent at the Office of the Independent Counsel, 1001 Pennsylvania Avenue, N.W., Suite 490 North, Washington, D.C. FRIEDRICH was familiar with the investigating agent from previous contacts, and she provided the following information:

Approximately ten minutes before FRIEDRICH's call to the investigating agent, FRIEDRICH was approached by her former supervisor, CHUCK EASLEY, regarding her 1993 calendar. EASLEY said that the calendar was his property and he asked FRIEDRICH to return the calendar to him. EASLEY explained that he had been under the belief that FRIEDRICH was only borrowing the calendar for a short period of time but, since she might need the calendar for a longer period, he asked FRIEDRICH to return the calendar to him and she complied with his request.

EASLEY maintains all the old calendars from the Office of Security, and FRIEDRICH is confident that EASLEY will take care to preserve and safeguard her 1993 calendar.

(telephonically)
Investigation on 3/13/95 at Washington, D.C. File # 29D-OIC-LR-35063
by SA RUSSELL T. BRANSFORD RTB:rtb Date dictated 3/15/95

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OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 1/31/95

BARBARA L. GAGE, Administrative Manager, Office of the Chief Medical Examiner, Northern Virginia District, 9797 Braddock Road, Suite 100, (703) 764-4640 was advised of the identity of the interviewing agent and the purpose for the interview. GAGE provided the following information:

GAGE recalled numerous problems with the office's x-ray machine in the early summer of 1993. GAGE would call the company regarding the problems when the doctors asked her, or told her of them. GAGE does not specifically recall telephoning the company during this time. However, GAGE identified a handwritten note referencing telephone calls she made to an individual named "KEITH" at the x-ray machine company on 6/8/93 and on 8/5/93.

GAGE stated that the x-ray machine was purchased in May, and delivered to the Northern Virginia Medical Examiner's Office in June 1993.

Subsequent to the interview GAGE provided the date of birth, address, and social security number for JAMES BURGESS, who was formerly employed at the Northern Virginia Medical Examiner's office as a Medical Examiner's Technician, and who assisted Dr. BEYER in the FOSTER autopsy. The following information was provided by GAGE:

Name:	JAMES BURGESS
DOB:	[FOIA(b)(6)]
Social Security #:	[FOIA(b)(7) - (C)]
Address:	320 Appomattox Street Apt. #2B Hopewell, Virginia 23860

Investigation on 1/27/95 at Fairfax, Virginia File # 29D-LR-35063

by [FOIA(b)(7) - (C)] Date dictated 1/29/95

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OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 9/23/94

JEREMY M. GAINES, Press Assistant The White House Press Office, telephone 202-456-2580 was interviewed at The White House on September 21, 1994. After being advised of the identity of the interviewing agents and the nature and purpose of the interview, GAINES provided the following information:

GAINES advised that he was on duty at The White House on the evening of July 20, 1993. He was present because the President was doing the LARRY KING Live Show from The White House and he was assisting with that. He recalls that the program was cut short because of the death of VINCE FOSTER and he recalls sitting in the Press Office when he heard the news. He stayed that evening until approximately 11:00 pm and he was the individual who put out the press release to members of the press regarding the death of VINCE FOSTER. He knew who VINCE FOSTER was but he didn't have a personal relationship with him at all.

GAINES has no specific recollection of the morning of July 21, 1993. His normal arrival time during that time period was between 8-8:30. It was his job to coordinate the setting up of all Presidential activities with regard to the press. He was not involved in any events or discussions concerning VINCE FOSTER that he can recall. In addition he doesn't recall anything regarding the FOSTER residence or press presence or Press Office coverage of that location.

GAINES advised that he knows who CRAIG LIVINGSTONE is and characterized their relationship as merely a business acquaintance. He does not see CRAIG LIVINGSTONE often in the Press Office and he has never heard his name in connection with the death of VINCE FOSTER or activities at the FOSTER residence. Asked if he would recognize CRAIG LIVINGSTONE's voice on the phone, GAINES advised that he probably would, however, GAINES said that after VINCE FOSTER's death, he was not working the phones and does not have any recollection of taking a phone call from CRAIG LIVINGSTONE at any time. He said he believes that CRAIG LIVINGSTONE oversees security issues but does not know what he does on a day-to-day basis.

Investigation on 9/21/94 at Washington, D.C. File # 29D-LR-35063

by SSA H. ALEXIS SUGGS

FOIA(b)(7) - (C) Date dictated 9/22/94

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Continuation of OIC-302 of JEREMY M. GAINES, On 9/21/94, Page 2

GAINES further advised that he knows he did not have job duty the morning of 7/21/93. He does not normally attend early Press Office meetings in the upper Press Office. He does attend the lower Press Office meeting somewhat later but has absolutely no recall of any of the meetings following VINCE FOSTER's death or any other discussion related to VINCE FOSTER or his residence.

As part of the interview GAINES provided the following personal information:

Date of Birth:
Place of Birth:
Social Security Number:
Position:

FOIA(b)(6) FOIA(b)(7) - (C)

Press Assistant
White House Press Office
January 1993 to Present

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/11/94

MARK D. GEARAN, Assistant to the President, Communications, The White House, Washington, D.C., was interviewed via telephone conference call while he was traveling with the Presidential party in Bonn, Germany. GEARAN's attorneys, JUSTIN SIMON and JUDY HAMMERSCHMIDT were parties on this conference call, as was MARK STEIN, Assistant to Independent Counsel, ROBERT B. FISKE, JR. After being advised of the identities of the interviewing agent and Counsel from the Office of the Independent Counsel and the purpose of the interview, GEARAN provided the following information:

GEARAN was asked when was the first time he saw a chronology prepared by CRAIG LIVINGSTONE, dated July 21, 1993 regarding events at the time of VINCENT W. FOSTER, JR.'s death on July 20, 1993. GEARAN said he did not recall the first time he saw this chronology. He said it was in a collection of documents that had been compiled during a March 1994 file review. The topics of this review concerned White House documents, Whitewater documents and VINCENT FOSTER related documents. He did not remember seeing the document necessarily at the time of the March file review but this document was in the pile of segregated documents when he had gone back to look through this pile concerning questions on VINCENT FOSTER.

At this point in the discussion, Attorney SIMON interjected that there had been a subpoena to GEARAN regarding Whitewater and FOSTER material. At that time, they had "picked out everything," whether or not it was responsive to the subpoena. Some documentation was actually sent in March of 1994 and some of it kept segregated. The chronology in question was then later found in connection with a request received from Capitol Hill. The chronology document had been kept in GEARAN's file from the March review.

In an effort to further clarify the time period in which he first saw this chronology, GEARAN recalled reviewing documents for in-house committees and remembered observing a copy of the chronology with a handwritten phone extension on the top

(telephonically)

Investigation on 7/11/94 at Washington, D.C. File # 29D-LR-35063by SA William T. Guyton *WTG*:deg Date dictated 7/11/94

R-35063

Continuation of FD-302 of MARK D. GEARAN, On 7/11/94, Page 2

right-hand corner. He said this review was "relatively recently" and he could provide further information regarding the actual timeframe from records he had available back in Washington, D.C. GEARAN said the chronology was found in a pile of VINCENT FOSTER segregated files. He said he maintained the documents, along with some Whitewater-related material, in a credenza behind his desk in his West Wing office of the White House.

GEARAN was asked if he had previously seen the chronology with the handwritten telephone extension in the upper right-hand corner before the time of the review for the in-house committees. He answered he didn't remember specifically seeing the document at the time of the review in March 1994.

GEARAN was asked if he saw a copy of the chronology without the handwritten telephone extension on it at any time. GEARAN answered that he was aware of the chronology at a prior time (before seeing the copy with the handwritten notation). He was not sure of the timeframe, but that it was before seeing the copy with the telephone extension written on it. GEARAN did not know why he had two copies of this same chronology. He did not recall actually receiving the document.

GEARAN said that a telephone extension number on the document was typical for him if someone personally gave the document to him. He could then contact the originator of the document for additional information for press inquiries, etc. However, he cannot specifically recall that this was done in the instance of the chronology. GEARAN could not recall the time it was received, but noted that in July of 1993, the White House was providing information to the press on this matter.

GEARAN was asked if there had been press inquiries at a later time and he answered that there had been "scattered" press inquiries until last week.

GEARAN was asked if he possibly received the chronology at a time later than July 1993. His attorney interjected that he was reluctant to let GEARAN "speculate" and reminded that GEARAN "doesn't remember" the time he received the document.

Attorney SIMON responded to a question regarding the strength of the belief that the chronology was received in July 1993 by saying that the events of the night in the detail

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Continuation of FD-302 of MARK D. GEARAN, On 7/11/94, Page 3

presented in the chronology were only relevant in July 1993. A later period would not have required this detail of information.

GEARAN was asked that based on this did he believe he received the chronology on or about July 21, 1993. GEARAN answered that he didn't "have a hard recollection." He said it was "more logical than not" in that time period for press briefing purposes.

GEARAN was asked if he had requested the document and he answered that he didn't remember asking for it. He was asked if it was typical that he would ask for such chronologies and he said that no, it was not typical; he would request information for guidance but not in the form of a chronology.

GEARAN was asked if he had any information concerning CRAIG LIVINGSTONE going to the VINCENT FOSTER residence on the morning of July 21, 1993. GEARAN answered that "I can't tell you that was." GEARAN was asked if he remembered LIVINGSTONE calling the Communications Office at the White House that morning and he answered "no, I don't recall."

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/2/94

MARK D. GEARAN, Assistant to the President and Deputy Chief of Staff, telephone 456-2140 was interviewed at his office in The White House. Also present were his attorneys JUSTIN SIMON and JUDY HAMMERSCHMIDT of DICKSTEIN SHAPIRO & MORIN Attorneys at Law, 2101 L Street, NW, Washington, D.C. 20037-1526, telephone 202-828-2211. After being advised of the identity of the interviewing agent and the nature and purpose of the interview, GEARAN provided the following information:

GEARAN confirmed he was at The White House on the evening of July 20, 1993 when VINCENT FOSTER, JR. committed suicide in Fort Marcy Park, Virginia. GEARAN advised that he remained at The White House until very late that night dealing with the crisis. He said that he did not recall receiving any call from the FOSTER residence that evening. Specifically he does not recall any call having to do with dealing with press problems either that night or the following morning at the FOSTER residence. He also does not recall any telephone call from WEBB HUBBELL that evening. He knows that earlier in the evening, GEORGE STEPHANOPOULOS spoke to WEBB HUBBELL advising him of FOSTER's death. GEARAN said he was sitting next to STEPHANOPOULOS when that call was made earlier in the evening. The issue of handling the press at the residence was not discussed. The only other conversation that night of possible relevance was a conversation GEARAN believes he may have been having with DAVID WATKINS on the issue of CRAIG LIVINGSTONE accompanying WILLIAM KENNEDY to the hospital to identify FOSTER's body.

GEARAN advised that the morning of July 21, 1993 he would have arrived at his office no later than 7:30 am. He knows he was not present at The White House as early as 6-6:45. It was not an extraordinarily early morning for him. There's a staff meeting every morning at 7:30 and that is why he knows he would not have arrived later than 7:30 am. There is a senior staff meeting held at 8:00 am every morning. People typically at the senior staff meeting include LORRAINE VOLES, ARTHUR JONES, STEVE COHEN, DAVID LEVY and CHAD GRIFFEN.

Investigation on 8/1/94 at Washington, D.C. File # 29D-LR-35063

by SSA H. ALEXIS SUGGS Date dictated 8/2/94

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Continuation of FD-302 of MARK D. GEARAN, On 8/1/94, Page 2

The staff meeting at 7:30 am will typically include RAHN EMANUEL, DAVID DREYER, JEFF ELLER, STEVE COHEN, DAVID LEAVY, LORRAINE VOLES, ARTHUR JONES, BOB BOURSTIN, MICHAEL WALDMAN and KEN CHITESTER. Because of these meetings GEARAN advised that virtually everybody in the press office was at the office usually by 7:30 am. He further advised that the whole issue of dealing with the press at the FOSTER residence has "merged" and he cannot remember whether discussions of the issue date to July 21 or subsequent conversations.

GEARAN said that he does not recall any person, in particular, any female being sent to the FOSTER residence to deal with potential press problems on the morning of July 21, 1993. He said that no authorized spokesperson was sent but he qualified that by saying GEARAN himself would not have been the person to handle that issue. It would have been more likely LORRAINE VOLES or ARTHUR JONES or DEE DEE MYERS.

GEARAN reaffirmed the fact that he does not recall seeing LIVINGSTONE the morning of July 21 and doesn't remember when he first saw LIVINGSTONE after FOSTER's death. He does not recall seeing him on July 20 in the evening at The White House.

GEARAN also advised that he does not recall seeing PATSY THOMASSON, SUSAN THOMASSES or MAGGIE WILLIAMS the evening of July 20 at The White House.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/28/94

MARK DANIEL GEARAN, White House Director of Communications, was interviewed in his office at the White House. Present during the interview was GEARAN's attorney, JUSTIN D. SIMON, of the law firm DICKSTEIN, SHAPIRO & MORIN, 2101 L Street, N.W., Washington, D.C. 20037-1526, telephone number (202) 828-2211. Also participating in the interview was MARK STEIN, Associate Independent Counsel, Office of the Independent Counsel, Washington, D.C. After being advised of the official identities of the interviewers and the nature of the interview, GEARAN provided the following information:

On the evening of July 20, 1993, GEARAN was on the ground floor of the White House as President BILL CLINTON was being interviewed on the "Larry King Live" television program on the Cable News Network (CNN). While he was monitoring the President's performance, GEARAN was told by Deputy Chief of Staff BILL BURTON about the death of Deputy White House Counsel VINCENT W. FOSTER, Jr. A number of other people were also on the ground floor of the White House during the broadcast of the President's interview. Among these people were MACK McLARTY, GEORGE STEPHANOPOULOS, DEE DEE MYERS, RICKI SEIDMAN, DAVID DREYER, BRUCE LINDSEY and BERNARD NUSSBAUM of the White House staff. Also present were a number of CNN employees including WENDY WALKER WHITWORTH, who is a producer for CNN, and another CNN producer whose name GEARAN cannot recall. This second producer was in the CNN truck parked outside the White House. Several other CNN employees were also present, including the usual CNN make-up artist, whose name GEARAN also cannot recall.

At some point after he learned of FOSTER's death, GEARAN returned to his office in the west wing of the White House. Among the people who visited GEARAN's office during this period of time that night were MYERS, STEPHANOPOULOS, DREYER, SEIDMAN, LINDSEY and BURTON. GEARAN does not recall seeing MAGGIE WILLIAMS in his office. GEARAN recalls seeing HOWARD PASTER in GEARAN's office but not in the residence portion of the White House. GEARAN believes that PASTER was dressed in casual clothes rather than in business attire.

Investigation on 6/13/94 at Washington, D.C. File # 29D-LR-35063 - Jim Bell
 by SA RUSSELL T. BRANSFORD RTB:rtb Date dictated 6/14/94

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Continuation of FD-302 of MARK DANIEL GEARAN, On 6/13/94, Page 2

The members of GEARAN's staff were putting together a statement for the President to deliver about the death of FOSTER. DREYER was in GEARAN's office working on the statement and was attempting to include in the statement the few details known at that time. GEARAN did not coordinate the production of this statement with LISA CAPUTO, Press Secretary for the First Lady. GEARAN does not recall giving a copy of this statement to MAGGIE WILLIAMS.

GEARAN does not recall seeing White House Counsel NUSSBAUM in GEARAN's office, only on the ground floor of the residence portion of the White House. GEARAN does not recall seeing NUSSBAUM carrying anything in his hands or arms.

GEARAN does not recall seeing CRAIG LIVINGSTONE on the night of July 20, 1993. GEARAN has infrequent contact with LIVINGSTONE because he only talks with LIVINGSTONE whenever there are security-related matters to discuss. GEARAN knows LIVINGSTONE, however, having met him during the presidential campaign. GEARAN did not ask LIVINGSTONE for a copy of a chronology of LIVINGSTONE's activities on or about July 20, 1993.

GEARAN recalls that the issue arose of the need for someone to view the decedent's body and identify it as that of FOSTER. Either LIVINGSTONE or DAVID WATKINS called GEARAN and raised the issue of positively identifying the body as that of FOSTER. GEARAN was in the basement of the residence at the White House when this issue was raised and McLARTY, STEPHANOPOULOS, and MYERS were also there. GEARAN thought someone should go with White House Associate Counsel BILL KENNEDY to identify the body since performing that task was a lot to ask of KENNEDY, who had been a close friend of FOSTER for a number of years. GEARAN may have spoken with LIVINGSTONE about this issue but he doubts that he would have instructed LIVINGSTONE to accompany KENNEDY to the hospital for the identification.

At this point in the interview, GEARAN was asked to review a copy of the memorandum which had been prepared by LIVINGSTONE as a chronology of his activities on or about July 20, 1993.

GEARAN does not recall leaving MYERS's telephone number at the hospital as a point of contact. GEARAN recalls learning that the body had been positively identified as that of FOSTER, but he does not recall how he acquired this knowledge. GEARAN

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Continuation of FD-302 of MARK DANIEL GEARAN, On 6/13/94, Page 3

also does not recall receiving a telephone call from either LIVINGSTONE or KENNEDY while they were still at the hospital to which FOSTER's body had been taken.

GEARAN does not recall having a conversation with LIVINGSTONE about what LIVINGSTONE should do the morning of July 21, 1993. GEARAN does not recall ordering or suggesting on July 20, 1993 that LIVINGSTONE go to the FOSTER residence the following day to assist in dealing with the media. GEARAN did not learn subsequently that LIVINGSTONE had been at the White House on the evening of July 20, 1993 or early in the morning of July 21, 1993.

GEARAN typically arrives at the White House between 7:00 and 7:30 a.m. each business day.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/28/94

MARK DANIEL GEARAN was interviewed telephonically by the investigating agent, who was located at the Office of the Independent Counsel, 1001 Pennsylvania Avenue, N.W., Suite 490 North, Washington, D.C. GEARAN was interviewed as part of a conference call which included GEARAN's attorney, JUSTIN D. SIMON, who is with the law firm DICKSTEIN, SHAPIRO & MORIN, 2101 L Street, N.W., Washington, D.C. 20037-1526, telephone number (202) 828-2211. After being advised of the official identity of the interviewing agent and the nature of the interview, GEARAN provided the following information:

GEARAN does not recall the manner by which CRAIG LIVINGSTONE furnished to GEARAN a memorandum bearing a chronology of LIVINGSTONE's activities on July 20 and 21, 1993. GEARAN does not recall whether LIVINGSTONE provided him with the chronology memorandum during July 1993 or more recently than that. GEARAN also does not recall reviewing LIVINGSTONE's memorandum.

FOIA(b)(3) - Fed. R. Crim. Pro. 6(e) - Grand Jury

SIMON recalls that the documents contained in GEARAN's files were not bound or attached to the file jackets in any way, i.e., all of the documents were loose within the file folders.

GEARAN believes that the LIVINGSTONE memorandum was in his files in March 1994 but he cannot state with certainty when the memorandum was placed into his files. The location of a document in one of GEARAN's files is not necessarily indicative of when the document was filed in relation to other documents in the same file. Documents in his files are not filed chronologically based on when they are received in GEARAN's

(telephonically)

Investigation on 6/22 & 24/94 at Washington, D.C. File # 29D-LR-35063

by SA RUSSELL T. BRANSFORD RTB:rtb Date dictated 6/24/94

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Continuation of FD-302 of MARK DANIEL GEARAN, On 6/22 & 24/94, Page 2

office.

Based on previous observation and interview, GEARAN is described as follows:

Name:	MARK DANIEL GEARAN
Sex:	Male
Race:	White
Date of Birth:	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> FOIA(b)(6) FOIA(b)(7) - (C) </div>
Place of Birth:	
Social Security Account Number:	
Residence:	
	2800 Farm Road Alexandria, Virginia 22302

On June 24, 1994, attorney SIMON telephonically contacted the interviewing agent to clarify a point raised in the earlier interview of his client GEARAN on June 22, 1994. SIMON stated that he has subsequently spoken with fellow attorney JUDITH L. HAMMERSCHMIDT, who also practices at DICKSTEIN, SHAPIRO & MORIN. HAMMERSCHMIDT reminded SIMON that GEARAN's files were securely stored in March 1994 but were not completely reviewed for documents until a later date. SIMON advised the interviewing agent that the reason for his call was to clarify that GEARAN believes that the LIVINGSTONE memorandum was in GEARAN's files in March 1994 but GEARAN cannot state with certainty that the memorandum was in his files at that time because the files were not comprehensively reviewed until later.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/26/94

FOIA(b)(6)
FOIA(b)(7) - (C)

NANCY ANNE GEMMELL was contacted telephonically at her residence, 8119 Gale Street, Annandale, Virginia 22003, telephone number (703) 560-2048. GEMMELL was born on [redacted] in [redacted]. GEMMELL was formerly employed in the White House Office of Personnel Security as an executive assistant/administrative assistant. After being advised of the official identity of the interviewing agent and the nature of the interview, GEMMELL provided the following information:

GEMMELL retired from her position at the White House on August 14, 1993. During her period of service in the White House Office of Personnel Security under the CLINTON Administration, GEMMELL's immediate supervisor was CRAIG LIVINGSTONE. LIVINGSTONE's assistant was MARI ANDERSON.

GEMMELL cannot recall with certainty whether she was at work at the White House on July 20 and 21, 1993. One of her aunts passed away in Pennsylvania during the summer of 1993 so it is possible she was out of town on those dates. However, GEMMELL was trying consciously not to miss any work days at that time since she knew her retirement was imminent. GEMMELL is inclined to believe she was at the White House on those dates.

GEMMELL never met Deputy White House Counsel VINCENT W. FOSTER, Jr. during her service at the White House.

GEMMELL was not involved in the preparation of a chronology of the activities of LIVINGSTONE on and about July 21, 1993. To the best of GEMMELL's knowledge, LIVINGSTONE would have prepared such a chronology for himself.

The Office of Personnel Security occupied one room with several desks in it. There was also a vault where sensitive personnel files were stored.

Other than ANTHONY AOUDE, LUIS COLON and STEVE POLLACK, GEMMELL can only recall one other male who worked in the office. TONY (Last Name Unknown) (LNU) was a civilian employee of the

(telephonically)

Investigation on 7/5/94 at Washington, D.C. File # 29D-LR-35063-Sub 17- *JIM BELL*

by SA RUSSELL T. BRANSFORD RTB:rtb Date dictated 7/5/94

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Continuation of FD-302 of NANCY ANNE GEMMELL, On 7/5/94, Page 2

Department of Defense who was detailed over to the White House. TONY LNU was a male in his early fifties, and he arrived at the Office of Personnel Security at approximately the same time that GEMMELL departed the office upon her retirement.

When asked who in the office would likely have prepared a document for LIVINGSTONE on short notice, GEMMELL responded that POLLACK was very good at doing things quickly.

AOUDE was an unpaid intern in the Office of Personnel Security.

POLLACK began working in the Office of Personnel Security as an unpaid intern and later returned as a volunteer. GEMMELL knew POLLACK to prepare documents for LIVINGSTONE on a word processor. POLLACK was also employed in an unknown capacity at a pilots association in the Washington, D.C. area.

LISA WETZL started working in the Office of Personnel Security as a volunteer but worked her way up into a paid position. WETZL was brought onto the rolls as a paid employee at approximately the time that GEMMELL was retiring.

GEMMELL's routine was not altered by the death of FOSTER, but MARI ANDERSON told GEMMELL that LIVINGSTONE was very upset about FOSTER's death.

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 3/28/95

TERRY WARREN GOOD was interviewed in a conference room in the offices of the Office of the Independent Counsel (OIC), 1001 Pennsylvania Avenue, N.W., Suite 490 North, Washington, D.C. (WDC). Participating in the interview was OIC Associate Counsel BRETT M. KAVANAUGH. After being advised of the official identities of the interviewers and the nature of the interview, GOOD provided the following information:

GOOD is the Director of the Office of Records Management (ORM) at the White House, and his office is located in Room 80 of the Old Executive Office Building (OEOB), telephone number (202) 456-2240. GOOD came to the White House in January 1969 from his position at the National Archives, and he was part of a group charged with developing plans for the first presidential library. When President RICHARD M. NIXON resigned, GOOD stayed on with the National Archives staff. In 1975, GOOD joined the Central Files operation at the White House, which was later renamed the Office of Records Management. GOOD has been in charge of this office since shortly before the end of President RONALD REAGAN's second term in office.

ORM receives papers and documents when the White House staff no longer has a need for them. Materials are usually sent to ORM in boxes if there is a large quantity of documents. ORM encourages the contributors of documents to enclose an inventory of the contents of these boxes when they are submitted to ORM. Such an inventory would typically consist of a list of the file labels in each box but would not reflect each and every document contained in the file folders inside the box.

Under the Presidential Records Act, members of the White House staff cannot take original documents or even copies thereof with them when they leave government service.

After a document has been sent to the White House and after it is no longer being used by White House staff, the document is forwarded to ORM. Staff members at ORM evaluate the importance of the document, index it, and then optically scan the

Investigation on 3/23/95 at Washington, D.C. File # 29D-OIC-LR-35063

by SA RUSSELL T. BRANSFORD RTB:rtb Date dictated 3/23/95

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Continuation of OIC-302 of TERRY WARREN GOOD, On 3/23/95, Page 2

document. They then code the document using one or more of the three thousand codes available to denote agencies or subjects mentioned in the document. The document is then filed using the primary subject code, i.e., the code which best reflects the primary subject matter of the document. Letters of response to the document as well as back-up letters and related documents are filed later with the first document as they are received at ORM.

At this point in the interview, GOOD was asked to review a memorandum for the record, dated May 27, 1994, which GOOD had prepared regarding a typewritten chronology and handwritten notes provided to him by CRAIG LIVINGSTONE. GOOD then provided the following information:

GOOD does not normally write a memorandum for the file when documents are received at ORM. LIVINGSTONE came to ORM perhaps one to two months before the date reflected on GOOD's memorandum. LIVINGSTONE asked GOOD to conduct a search for a chronology which LIVINGSTONE had prepared regarding his actions on and about July 20, 1993. LIVINGSTONE told GOOD that he had given copies of the chronology to three or four people. LIVINGSTONE said that he was going to be interviewed and he needed a copy of the chronology in order to prepare for his interview. LIVINGSTONE may have said that he was going to be interviewed by OIC staff.

The staff at ORM was unable to find a copy of LIVINGSTONE's chronology anywhere in their files. GOOD first saw the chronology when it was later brought to him by LIVINGSTONE.

GOOD was familiar with LIVINGSTONE because the ORM office and the office in which LIVINGSTONE works, the White House Office of Personnel Security (WHOPS), are adjacent and share a walk-in vault.

When ORM staff could not find a copy of LIVINGSTONE's chronology, LIVINGSTONE appeared to be worried, concerned and maybe even frightened. LIVINGSTONE told GOOD that someone claimed to have seen LIVINGSTONE leaving the West Wing with a box. GOOD believes LIVINGSTONE also told GOOD that none of the three or four people to whom LIVINGSTONE had furnished copies of the chronology were forthcoming with LIVINGSTONE in terms of producing a copy for LIVINGSTONE. GOOD believes that one of these three or four people told LIVINGSTONE that LIVINGSTONE's attorney would have to contact that person's attorney regarding

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Continuation of OIC-302 of TERRY WARREN GOOD, On 3/23/95, Page 3

the document. GOOD does not know the identity of the person who made that remark to LIVINGSTONE. GOOD does not recall the identities of the three or four people to whom LIVINGSTONE reportedly furnished the chronology. GOOD believes MARK GEARAN's office may have been one place where LIVINGSTONE furnished his chronology. GOOD does not recall any of the names mentioned by LIVINGSTONE in this context.

LIVINGSTONE is in the business of dealing with records and would have an awareness about the propriety of moving records. Based on his limited knowledge of LIVINGSTONE, GOOD believes there is no basis for believing that LIVINGSTONE has done something illegal.

When LIVINGSTONE found a copy of his chronology, he said to GOOD that ORM should have a copy of it. After GOOD received the chronology on behalf of ORM and reviewed it, he also thought it was important for ORM to have the document. GOOD viewed the chronology more as a legal matter than as a historical matter.

GOOD does not know if LIVINGSTONE had been looking for a handwritten or typed version of the chronology when he first approached ORM. GOOD guesses that LIVINGSTONE was looking for the handwritten version but he would not swear to that recollection.

GOOD does not know whether LIVINGSTONE signed and dated the handwritten chronology in GOOD's presence in May 1994 but GOOD does not believe LIVINGSTONE did so.

GOOD has no knowledge of the removal of any documents from the office of Deputy White House Counsel VINCENT W. FOSTER, Jr. prior to the official search of FOSTER's office.

GOOD and his assistant, LEE JOHNSON, are the ORM officials who go to West Wing offices each morning to pick up mail and documents being routed to ORM. The White House Counsel's Office (WHCO) suite is one of the offices they visit each day. Each West Wing office has a box, called a Federal Records Center (FRC) box, where documents to be picked up by ORM staff are placed. These FRC boxes typically contain pieces of mail while memoranda and larger quantities of documents are usually sent in boxes or cartons to ORM.

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Continuation of OIC-302 of TERRY WARREN GOOD, On 3/23/95, Page 4

The mail in these FRC boxes can be divided into two types: mail which is not worth responding to and mail which requires a response. Mail which requires a response usually is abstracted and routed to the appropriate people. Often, such mail and documents are sent from the WHCO suite in the West Wing through ORM to the WHCO offices in the OEOB.

There is no log kept which would identify which ORM employee went to the West Wing to pick up mail and documents there on a given day. GOOD and JOHNSON are usually the people who perform this task. If GOOD and JOHNSON are both absent from work on the same day, there are two other ORM employees who have blue passes which enable them to enter the West Wing. When GOOD and JOHNSON go to the West Wing offices to pick up documents, they do not dawdle or converse with the employees in the offices other than to exchange greetings.

JOHNSON is a male, 50 years old, 5'10" tall, 145 pounds, thin-boned, wears glasses, has a moustache, and has light brown thinning hair.

If materials sent to ORM are contained in binders, the documents are removed and put into an expansion folder.

GOOD never actually met FOSTER, but he did see him on occasion. FOSTER appeared to be a nice, quiet individual.

GOOD recalls that the door to FOSTER's office was closed in the days after FOSTER's death, but he does not recall if he first noticed the door closed on July 21 or July 22, 1993. GOOD recalls that the door remained closed for some time but he does not recall how long.

After the documents have been picked up from the West Wing offices, the documents which need to be tracked are processed very quickly. The documents which will be filed rather than tracked may be filed the same day they were picked up or may be filed within two or three days. Mail for which no response is necessary will just be filed.

When a document is received at ORM, the date it was received by ORM is entered automatically in the records of the filing system. It is not always apparent from which staff office a document may have been received, but by and large all documents can be traced back to their sources.

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Continuation of OIC-302 of TERRY WARREN GOOD, On 3/23/95, Page 5

At this point in the interview, GOOD referred back to his memorandum of May 27, 1994, and advised the following:

The letters C.F. indicate that the document was considered confidential.

The number 065740 on the document is a computer-generated number issued for that particular document.

The letters JL indicate that the document refers to a Justice or Legal matter since these are the principal subject codes assigned to the document.

The initials EF on the upper left corner of the document reflect the initials of the person who put the document into the computer, in this case EVERLENE FISHER.

The interview of GOOD then resumed, and GOOD provided the following information:

All confidential files are kept in a vault which is shared by ORM and WHOPS. LIVINGSTONE occupies an office which was formerly part of the ORM office space. There are four mechanical filing machines in the vault, two of which belong to ORM and two of which belong to WHOPS.

Confidential documents are not optically scanned because the scanning machine is not sufficiently secure.

ORM hours of operation are typically from 7:30 a.m. to 10:30 or 11:00 at night. The ORM office is also open on Saturdays, usually from 7:00 a.m. to 3:30 p.m. GOOD typically works from 9:00 a.m. to 5:30 or 6:00 p.m. JOHNSON is usually in the ORM offices until 7:00 or 8:00 p.m. at least two nights per week. These hours of operation are the same as the hours worked by ORM staff in 1993.

GOOD had perhaps three to four encounters with LIVINGSTONE over a period of weeks. During the course of these encounters, LIVINGSTONE told GOOD he thought he was being set up by someone. LIVINGSTONE said he just wanted to clear himself and get out of his position at WHOPS. He also spoke about having to retain an attorney and the resultant expense. LIVINGSTONE stated to GOOD that he had not moved the boxes about which he had been interviewed.

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Continuation of OIC-302 of TERRY WARREN GOOD, On 3/23/95, Page 6

LIVINGSTONE did not deal with anyone at ORM other than GOOD and JOHNSON. GOOD has not been contacted by LIVINGSTONE's attorney.

ORM did not receive many documents from FOSTER's office following FOSTER's death. GOOD was not surprised at the dearth of such documents because he would have expected any pending matter assigned to FOSTER to have been reassigned to another WHCO staff member. GOOD would have been surprised if the WHCO had sent many of FOSTER's documents to ORM. GOOD understands that the FOSTER documents are kept in a separate location.

JOHN PODESTA is GOOD's immediate supervisor. PODESTA is Assistant to the President and Staff Secretary.

One copy each of GOOD's memorandum of May 27, 1994, and LIVINGSTONE's typed and handwritten chronologies are attached and incorporated herein.

Based on observation and interview, GOOD is described as follows:

Name:	TERRY WARREN GOOD
Sex:	Male
Race:	White
Date of Birth:	FOIA(b)(6) FOIA(b)(7) - (C)
Place of Birth:	
Social Security Account Number:	
Residence:	
Home Telephone:	(301) 935-5678

C. F.

065740

JL

May 27, 1994

MEMORANDUM FOR THE RECORD

FROM: TERRY GOOD
RE: REPORT OF CRAIG LIVINGSTON

A000276

Today, Mr. Livingston gave to me a copy of his handwritten notes and a copy of a more formalized typed version of these notes outlining his recollection of events from the evening of July 20 into the early morning hours of July 21, 1993, relating to the death of Vincent Foster.

He dated and signed the handwritten notes 7/23/93. There is no signature nor date on the typed version.

REPORT FROM CRAIG LIVINGSTONE

July 21, 1993

A000277

I arrived home from the White House approximately 9:00 p.m. on Tuesday, July 20, 1993.

As I was walking through my door my phone was ringing. When I answered it a male identified himself as U.S. Secret Service and asked me to stand by for Inspector Dennis Martin.

Inspector Martin identified himself to me. The Inspector informed me that the Park Police had called to inform them that apparently Vincent Foster had committed suicide on GW Parkway at around 6:00 p.m. that evening.

I had just left the Larry King set with POTUS and was concerned that POTUS might learn about this on live TV. I called White House Operator to page Mark Gearan. Gearan told me that they were advised of the issue. I told Gearan that I was going to Fairfax Hospital to identify the body. Gearan instructed me to do so.

I then called Bill Kennedy who said he would meet me at Fairfax Hospital. I did this because Kennedy is a close friend of the Foster Family and I thought it would help them if he said he saw the body.

I left my home and proceeded to Fairfax Hospital. I met Bill Kennedy at approximately 9:30 p.m. at the ER of Fairfax Hospital.

Kennedy and I met with a Fairfax Police Officer at the Hospital. I spoke to the White House to let them know Kennedy and I were at the scene.

While the Fairfax Police Officer attempted to secure permission for us to view the body. I called the Hospital switchboard to see if anyone was making any unusual inquiries about patients. They responded no.

During this time period (9:30 - 9:45 p.m.) phone calls were received/exchanged between Kennedy -- Bernard Nussbaum -- Webster Hubbell from my location. These calls were informational and attempted to determine if the Foster family had been notified, what their location was, etc.

At approximately 9:45 p.m. we were escorted to a viewing room by a Senior Nurse. We stopped at a glass partitioner with a curtain behind it which was opened. At this time Kennedy and I confirmed to the Nurse that the body was Vincent Foster. We returned to a consultation room where upon I called Thomas (Mack) McClarty -- I handed the phone to Kennedy who informed McClarty that Vincent Foster was dead. (Approximately 9:55 p.m.)

I suggested to Mark Gearan that before I leave I give the hospital a contact name for inquiries. He said to give Dee Dee Meyers number. I did this and drove Kennedy to Vincent Foster's home.

We were at the Foster home until approximately 2:00 a.m. At around 1:30 a.m. several vehicles responded to the address. They "sprayed" the block and left at about 1:45 a.m.

On Wednesday, July 21, 1993, I drove by the house at 6:30 a.m. and stayed until 8:00 a.m. There was no press activity.

At 11:00 a.m. on July 21, 1993, I met with:

Bernard Nussbaum
George Stephanopoulos
Webster Hubbell
David Watkins
Bill Kennedy
Robert Langston, Chief, U.S. Park Police
Robert Hines, Commander, U.S. Park Police
Don Flynn, USSS
Arnie Cole, USSS

At this briefing informal discussion took place as to the nature of the investigation. Nussbaum said that the Attorney General's Office would be contacted to oversee investigation. Stephanopoulos restated to the U.S. Park Police to "follow whatever the normal course of investigation is and the White House would assist as required."

John Council being in here

A000273

- 5 - 6 pm Appx. Time of Death
(according to Commander Robert H. Hines, US Park Police)
- 6 Citizen (unknown) calls Fairfax Fire/Rescue
- 6:04 Fairfax Fire/Rescue calls US Park Police
(because it is Park land)
- 6:15 Park Police arrive at scene
- 7:40 Medical Examiner arrives on scene
- 8:10 (9 appx.) Body Moved to Fairfax Hospital
- 8:30 USSS notified by Park Police
- 8:45 USSS notifies David Watkins

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/7/94

On June 1, 1994, DEBORAH GORHAM former Executive Assistant to VINCE FOSTER, Jr. and currently a legal secretary at the law firm of DOW, LOHNES and ALBERTSON, 1255 23rd Street, NW, Washington, D.C. 20037, telephone 202-857-2865 was interviewed with regard to a production of materials made by The White House that involved files of hers. Also present during the interview was DAVID E. MILLS of the law firm DOW, LOHNES and ALBERTSON. Having been advised of the nature and purpose of the interview and being already acquainted with the interviewing special agent, GORHAM provided the following information:

GORHAM advised that she was not a part of the inventory of FOSTER's office on July 23, 1993, either before or after it took place, and she therefore knows nothing about what materials were placed in what piles. Later the following week, possibly the following Tuesday, BERNARD NUSSBAUM called GORHAM into FOSTER's office and asked her to help NUSSBAUM figure out what was in each drawer. GORHAM advised that two drawers in FOSTER's office had an index list which she was responsible for preparing and maintaining. The location of the first drawer was in the large cabinet to the left as one is sitting at FOSTER's desk in the bottom of the cabinet. It is the top right drawer of the four in that location. GORHAM advised that there should have been a file index list in the very front of the drawer and it was missing. The second drawer that usually has an index list is one containing what GORHAM characterized as slightly sensitive documents pertaining to individuals. For example, MAC MCLARTY and WEBB HUBBELL.

GORHAM said that when she was helping NUSSBAUM go through the file drawers, she read off "1992 1040", the "Arkansas Bar Continuing Legal Education Program", at which point NUSSBAUM told her to stop and he said that he would have MAGGIE WILLIAMS take a look at what was there and take what she wanted. A little later, after GORHAM had gotten NUSSBAUM's lunch and he had eaten it, WILLIAMS came into the office and took two boxes of documents away. GORHAM also recalls that it was at that time that she looked in the middle drawer of FOSTER's desk and found numerous

Investigation on 6/1/94 at Washington, D.C. File # 29D-LR-35063

by SA H. ALEXIS SUGGS Date dictated 6/6/94

J-LR-35063

Continuation of FD-302 of DEBORAH GORHAM, On 6/1/94, Page 2

personal papers including an insurance policy at which time she asked NUSSBAUM if they had looked in that drawer. He said, "No. What's in there?" and she concluded from that that those papers had not been included during the inventory.

With regard to black binders in FOSTER's office, GORHAM said she had a very vague recollection that perhaps there were black binders which contained materials used in preparing the health care report for HILLARY RODHAM CLINTON. She said that an unidentified young lady who said she was working on health care matters came and got the binders. She could not recall if this was before or after FOSTER's death.

GORHAM said that it was more likely that people were referring to black binders holding names and backgrounds of potential appointees to judgeships which the office of RON KLAIN, Associate Counsel, had sent over to the Counsel's office. One binder held Supreme Court candidates or nominees and the other held Circuit Court of Appeals candidates or nominees. GORHAM considered them sensitive in the sense that they held background information on the individuals and the very fact that the individuals names were in the binders was in itself sensitive. But they were not kept under lock and key. She has no idea who else would have an interest in having those binders. She made a set of binders for FOSTER and also for NUSSBAUM. She assumes that RON KLAIN's office kept a set for themselves. She also typed up an index for the front of each binder. She does not remember seeing the binders on or about July 20 and so does not recall whether or not they were in FOSTER's office immediately after his death.

With regard to the production of documents made by The White House, GORHAM noted that she left the West Wing on September 4, 1993 and from then until November (when she left the employ of The White House), any lists that she had been responsible for were not updated by her or to her knowledge. She questioned whether or not there was any kind of an accounting of what documents were added or subtracted from the inventory.

With regard to the first document in the production, comprised of three pages beginning with a page number 6 at the top and titled, "OFFICE OF VINCE W. FOSTER, Jr." and ending on the third page with a notation updated 10/25/93 (tagged "Part 1"), GORHAM said that she recognized this document as a font that she used in order to create the indexes. She did not recognize

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Continuation of FD-302 of DEBORAH GORHAM, On 6/1/94, Page 3

the fax information listed across the top of the page except to recognize one of the fax numbers as The White House Counsel's office fax number. She said that pages 1-4 would have listed outer cabinet contents and she does not know what page 5 would have been. GORHAM said that cabinet 1 was the cabinet on the left in FOSTER's office and was the cabinet that held the documents on people that she considered slightly sensitive. Cabinet 2 was the cabinet holding documents relating to the First Family's personal and legal materials. She noted that she has a firm recollection of the first 11 entries but starting with the 12th (which reads CLINTON-Campaign 92' correspondents), she does not have a firm recollection of the following documents being in that particular drawer. In addition she did not recall typing the word "remove" after the documents which have that notation following it.

With regard to the listing under cabinet 3 and cabinet 4, GORHAM does not recall the location of these cabinets but recalled the files were, indeed, kept in the cabinets in FOSTER's office.

The way that GORHAM would use this list which comprises Part 1 would be to insert a "hard return" to generate separate pages to put individual indexes in the front of each file drawer. When she wanted to update the list she would simply delete the "hard returns", update the list, print new pages and use them to replace the old ones. She was unable to tell if the production corresponded to the list as she had last updated it. She noted that the date 10/25/93, was after she had already left the West Wing, and so she suspected that it was updated after she left.

Part 2 of the production is an 8 page collection of typed lists of various lengths. The first one reads "DEBORAH GORHAM's desk contents:" and is followed by 7 items. GORHAM explained that CLIFF SLOAN asked her to listen to all of FOSTER's tapes that she could find and transcribe whether they were garbled or not. She does not know what they were looking for. "VINCE's tapes" were transcriptions of all of the micro-cassette dictation tapes which she could locate. She does not recall what the following three items were. She did not comment on the "travel" file or the "miscellaneous" file and she said that "FOSTER Printed Rolodex" was maintained in a black binder. The 2nd page, entitled "VINCE FOSTER's desk files" were the files located in the large bottom right desk drawer filled with numerous manila folders. She said that she herself did not

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Continuation of FD-302 of DEBORAH GORHAM, On 6/1/94, Page 4

create this list and does not know who did.

All of the subsequent lists to the end of part 2 are lists of files which were located in the cabinets in front of DEBORAH GORHAM's desk outside of FOSTER's office. With regard to box number 4 which lists, among other things, the RTC, GORHAM said that these files would have held things that were non-sensitive in nature, perhaps newspaper clippings.

Part 3 of the production is a handwritten list entitled, "Privileged and confidential attorney/client work product VWF-working files-desk-right middle drawer". GORHAM was not able to identify the handwriting, but guessed that possibly it was STEPHEN NEUWIRTH's. It looks like it might be an approximate duplicate to what was in the large bottom right desk drawer but not exactly, citing, as an example, item number 12 - "DEBORAH GORHAM" (her own name), which is not on the typewritten listing in part 2 of the production. She was unable to comment further on what this document may have entailed. This part of the production was 6 pages long.

Part 4 of the production is comprised of 11 pages and appears to be hard copy printouts of directories from floppy disks. At first, GORHAM suggested that the entries for circuit lists and district lists are possibly the indexes which were kept in front of the black binders holding the lists of nominees or candidates received from RON KLAIN's office. She advised that the document called Fayette was a copy of FOSTER's commencement speech that he made at the Arkansas Law School.

The 2nd page is a file called "Medical" and she advised that it was the final Medical report which was sent to HILLARY RODHAM CLINTON. The 3rd directory holds "Budget VWF" and "Budget 1 VWF". GORHAM advised that this was the budget for the Counsel's Office and it was outdated in that FOSTER stopped editing it to update it as of April 1993.

The next two, titled Disk 4 and 5 respectively, begin lists of entries which GORHAM suggested are back-up files to documents which were on the hard drive to her stand-alone computer. She characterized them as various letters memos and itineraries, etc. which GORHAM typed for FOSTER. She recognized most, but not all, titles as her work, noting that she started work on 3/8/93 and left the West Wing on 9/4/93. She also did not recognize documents from 7/19/93 to 9/2/93, and 10/6/93 to

-LR-35063

Continuation of FD-302 of DEBORAH GORHAM, On 6/1/94, Page 5

10/25/93.

Disk 6 hold printouts of sub-directories, CLINTON, Health, and Speeches. Disk 7 holds Data (calendars), and PL, which are execution files, never actually used at all. She was not able to identify the significance of any of the check marks by the file titles.

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 1/11/95

HELAINÉ A. GREENFELD, Civil Rights Division, U.S. Department of Justice (DOJ), was interviewed in a conference room in the offices of the Office of the Independent Counsel (OIC), 1001 Pennsylvania Avenue, NW, Washington, D.C. (WDC), regarding her knowledge of events surrounding the death of VINCENT FOSTER, JR. FOSTER was the former Deputy Counsel to the President of the United States. After being apprised of the identities of the interviewing agents and the purpose of the interview, GREENFELD thereafter provided the following information:

GREENFELD worked with The White House on the nomination process regarding current Supreme Court Justice RUTH BADER GINSBURG. She graduated from Georgetown University Law School circa 1992. GREENFELD's husband, RICHARD MINTZ (phonetic), worked on the 1992, CLINTON Presidential Election campaign. From February 1993, until June 1993, GREENFELD volunteered in the office of the First Lady of the United States, serving in the correspondence unit. GREENFELD was looking for employment during this time period. GREENFELD departed The White House on June 18, 1993, with June 24, 1993, being her first day at DOJ. Her first assignment at DOJ dealt with the GINSBURG nomination. GREENFELD's work on the nomination required her to work within The White House until August, 1993. A DOJ secretary, MARTHA (LNU) was detailed to The White House along with GREENFELD. This secretary was known to have worked for ANN BINGAMAN, Assistant Attorney General for the Antitrust Division, DOJ.

In preparing for the Judicial Committee's hearings regarding the nomination of Justice GINSBURG, GREENFELD put together the Congressional questionnaire that would be utilized by the Senate Judiciary Committee in its evaluation of nominee GINSBURG. GREENFELD also coordinated meetings related to the nomination and conducted moot hearings in order to prepare nominee GINSBURG for the hearings. ..

The hearings regarding the nomination of GINSBURG to the Supreme Court commenced on July 20, 1993. The hearings were scheduled to run for four days. GREENFELD may have been at The

Investigation on 1/5/95 at Washington, D.C. File # 29D-LR-OIC-35063

by SA RUSSELL T. BRANSFORD
SA DANA M. GILLIS DMG:sla Date dictated 1/10/95

J-LR-OIC-35063

Continuation of OIC-302 of HELAINA A. GREENFELD, On 1/5/95, Page 2

White House on July 19, 1993, but does not believe she went to The White House on days that the hearings were scheduled.

In the course of her work at The White House, GREENFELD had no involvement in any issues related to FOSTER's death.

GREENFELD noted that documents were couriered from The White House to Capitol Hill during the entire course of the confirmation process related to GINSBURG. She was specifically aware of two bulk transfers of documents related to the GINSBURG nomination. One transfer of documents consisted of looseleaf binders some time in late June, 1993. The second bulk transfer of documents occurred the night before the Senate Judiciary Committee hearings. This transfer included personal files that GREENFELD would use throughout the course of the hearings.

The binders were described to be large, black, three-ring binders that had clear, plastic identification windows on the spine of the binders. Labels were subsequently prepared to insert into the identification windows. The binders were prepared in the Old Executive Office Building (OEOB). White House messengers were believed to be the individuals handling the transfer of documents from The White House to Capitol Hill. GREENFELD does not recall any occasion where she would have had to call The White House in the course of the GINSBURG hearings.

Two interns assisted GREENFELD in preparing GINSBURG for the hearings. One intern, CARLOS (LNU), was from The White House Counsel's office. SAMANTHA ROSENBERG (PHONETIC) was hired by GREENFELD. ROSENBERG was a student at the University of Maryland Law School. GREENFELD noted that JENNIFER MILLER (phonetic) currently believed to be a student at Stanford University Law School, may know the whereabouts of CARLOS LNU.

GREENFELD has no reason to believe any documents that were assembled by her regarding the GINSBURG nomination were at any time in FOSTER'S office. GREENFELD had no knowledge of what documents may have been in FOSTER'S office. GREENFELD noted that FOSTER was involved in the vetting process related to the selection of GINSBURG for a seat on the Supreme Court, prior to her nomination.

GREENFELD learned of the death of Deputy White House Counsel VINCENT W. FOSTER, JR., on the morning of July 21, 1993. GREENFELD had met FOSTER on one occasion, in a line at The White

LD-LR-OIC-35063

Continuation of OIC-302 of HELAINA A. GREENFELD, On 1/5/95, Page 3

House mess. She was introduced to FOSTER by a friend of hers from the Counsel's office.

GREENFELD did not go to the FOSTER residence on the night of FOSTER's death nor the day after the death. GREENFELD did not attend FOSTER's funeral.

GREENFELD was aware that CRAIG LIVINGSTONE worked in the area of security, related to The White House. She met LIVINGSTONE through her husband during the course of the CLINTON Presidential campaign. She remembers having to go through LIVINGSTONE in order to get her White House pass for access to White House offices. She has had no other professional contacts with LIVINGSTONE. GREENFELD did not remember having any contact with LIVINGSTONE or needing his services during the week of July 19, 1993, although she does not rule out the possibility of having seen him that week. GREENFELD did not believe LIVINGSTONE would have visited her on Capitol Hill during that week. GREENFELD may have had contact with LIVINGSTONE since the GINSBURG hearings but does not recall that being the case.

GREENFELD's husband, RICHARD MINTZ, is an Assistant to the Secretary of Transportation in the area of public affairs.

No further information of investigative value was provided.

HELAINA A. GREENFELD is described from observation and interview as follows:

Date of Birth:	[REDACTED]
Place of Birth:	[REDACTED]
Race:	White
Sex:	Female
Social Security Account Number:	[REDACTED] FOIA(b)(6) FOIA(b)(7) - (C)
Residence:	3388 Stuyvesant Place, NW Washington, DC 20015
Residence telephone:	202-537-2942

H

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 2/14/95

FOIA(b)(3) - Fed. R. Crim. Pro. 6(e) - Grand Jury

Investigation on 2/10/95 at Alexandria, VA File # 29D-LR-35063

by FOIA(b)(7) - (C) Date dictated 2/12/95

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/18/94

ROBERT J. HEDAYA, M.D. (**PROTECT IDENTITY**), 4701 Willard Avenue, Chevy Chase, Maryland (telephone number 301-657-4749), was interviewed at his medical office and advised as to the identity of the interviewing agents and informed of the nature of the inquiry. He then provided the following information:

DR. HEDAYA is a practicing psychiatrist specializing in depression matters and confirmed the fact that he had telephonically informed representatives of the U.S. Park Police that he had not treated MR. VINCENT FOSTER but did provide the following chronology of events relative to MR. FOSTER's death:

HEDAYA advised that on Friday, July 16, 1993, he received a telephonic request from MRS. BARBARA PRYOR, the wife of U.S. SENATOR DAVID PRYOR, Arkansas, if he, DR. HEDAYA, would be available to discuss with a MRS. SHEILA ANTHONY a problem associated with a relative of MRS. ANTHONY who was in "a crisis situation." DR. HEDAYA agreed to this request by MRS. PRYOR and shortly thereafter received a telephone call from MRS. SHEILA ANTHONY who called to his attention that her brother was extremely depressed and in need of psychological counseling. MRS. ANTHONY also informed him at this time that her brother occupied a very sensitive position at the White House and was dealing on a daily basis with Top Secret matters and that his depression was directly related to highly sensitive and confidential matters. It was DR. HEDAYA's distinct impression that MRS. ANTHONY's brother was in a bind, needed desperately to talk to someone but had grave concerns about discussing these issues with a doctor, believing he could not speak freely since his depression was a direct result of sensitive and confidential issues. It was also DR. HEDAYA's impression in his discussion with MRS. ANTHONY that her brother's depression was a relatively recent event in his life and that MRS. ANTHONY did not mention, nor did he question her, as to what specific Top Secret or Confidential matters were directly causing his depression.

Investigation on 5/17/94 at Chevy Chase, MD File # 29D-LR-35063

by [FOIA(b)(7)-(C)] SSA William E. Colombell LJM:deg Date dictated 5/18/94

D-D-LR-35063

Continuation of FD-302 of DR. ROBERT J. HEDAYA, On 5/17/94, Page 2

Based on the above factors, DR. HEDAYA informed MRS. ANTHONY that he would see her brother "off the record" for one counseling session. DR. HEDAYA characterized "off the record" as meaning no record would be maintained in his office relative to the counseling of MRS. ANTHONY's brother but can't recall whether MRS. ANTHONY or he (DR. HEDAYA) suggested a "off the record" counseling session. DR. HEDAYA advised that although he would have been faced with a difficult counseling session, i.e., providing medical advice when the cause of the depression was in fact confidential or sensitive, he agreed to the counseling session with the hope that at a minimum, he could have provided basic educational therapy regarding the causes of depression and suggested ways to cope with this disease. After MRS. ANTHONY informed DR. HEDAYA of the identity of her brother as MR. VINCENT FOSTER, she informed DR. HEDAYA that MR. FOSTER would be in contact with him that day.

DR. HEDAYA advised that he is positive that MR. FOSTER never contacted his office for an appointment and he had no contact with any member of the FOSTER family or any family associates until he believes the evening of July 21, 1993 when he received on his voice mail a telephonic message from SENATOR DAVID PRYOR informing him that MR. VINCENT FOSTER had apparently taken his life and would he (DR. HEDAYA) contact him relative to

[REDACTED] - He - - - - FOIA(b)(7) - (C)
 immediately placed a call to SENATOR PRYOR's office or residence and left a message on SENATOR PRYOR's voice mail that he would be glad to render such services. However, SENATOR PRYOR never re-contacted him and therefore DR. HEDAYA did not provide the requested services. DR. HEDAYA does recall, however, receiving a telephone call from MRS. SHEILA ANTHONY approximately two days after the death of her brother asking him whether or not her brother had ever contacted him for consultation services. Additionally, DR. HEDAYA advised that the last contact he had with any member of the FOSTER family was approximately two to three weeks after the death of VINCENT FOSTER. At that time, MRS. SHEILA ANTHONY, in the company of SENATOR DAVID PRYOR, visited his office to discuss with him general issues pertaining to depression. He advised that there was no specific issues raised as to the exact cause of MR. FOSTER's depression and apparent suicide, but does recall MRS. ANTHONY informing him that "there was something going on in his life" but it was not sinister as being reported in the media.

D-LR-35063

Continuation of FD-302 of DR. ROBERT J. HEDAYA, On 5/17/94, Page 3

DR. HEDAYA, who was extremely cooperative and candid during this interview, advised, however, that the information he furnished should be treated in a confidential manner and requested the professional courtesy of being informed if the FBI was going to use his statement in a future interview of either SENATOR PRYOR or his wife-or, for that matter, a re-interview of SHEILA ANTHONY.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/12/94

NANCY V. HERNREICH, Deputy Assistant to the President for Appointments and Scheduling, was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue, NW. Ms. HERNREICH was advised as to the official identities of the interviewing agents and of the nature of the interview. She then provided the following information:

She has handled appointments and scheduling for BILL CLINTON since 1985, having first taken this job while CLINTON was Governor of the state of Arkansas. While she was not involved in BILL CLINTON's Presidential campaign, once he was elected to the Presidency, she was asked to come to Washington, D.C. and assume her current position in the CLINTON Administration as of January 20, 1993. When asked to describe her position, she said that she is often regarded as "somewhat of a gate keeper" for BILL CLINTON.

Ms. HERNREICH said that she had known VINCE FOSTER since 1991 but did not know him very well at all while they were in Little Rock. She got to know VINCENT FOSTER much better once the two of them moved to Washington, D.C. to take positions in the Administration. She explained that she was part of a group of "Arkansans" working within the Administration who regularly went to dinner as a group after work on Tuesdays. She said that VINCENT FOSTER was also a member of this group and she would describe their relationship as "friendly but not close". She said that while she can recall seeing no changes in VINCENT FOSTER's physical or psychological presence, she does not feel comfortable making such judgements considering that their relationship was not particularly close. She added that FOSTER had been working very long hours and was "under constant pressure" as many members of the Administration were doing that period. She said that, in retrospect, she can see how the long hours and constant pressure could have bothered him a great deal. She described FOSTER as a "private man who didn't let many people in". She further described him as being "handsome, shy, and an elegant man". She said that FOSTER had a "self deprecating sense of humor" and was at times seen by some people as being

Investigation on 6/9/94 at Washington, D.C. File # 29D-LR-35063 SUB A

by WILLIAM T. GUYTON
[FOIA(b)(7) - (C)] Date dictated 6/9/94

-LR-35063 SUB A

Continuation of FD-302 of NANCY V. HERNREICH, On 6/9/94, Page 2

"arrogant". She said that he was a strong family man who was very proud of his children and appeared to have loved them very much.

On July 20, 1993, at approximately 11:00 pm, Ms. HERNREICH first learned of VINCENT FOSTER's death via a telephone call at her residence from DEBORAH COYLE, another White House staffer. She said that COYLE was calling her from The White House and that COYLE said that there were "quite a few" people at The White House handling incoming calls and notifying various people of FOSTER's death. HERNREICH said that she asked COYLE if there was anything she could do and then asked if COYLE thought she should come to The White House to help. After being told by COYLE that there was really no need for her to come in, she decided not to go to The White House on that evening. She further advised that she also did not go to the FOSTER residence on the evening of July 20, 1993. She arrived at work the next morning (July 21, 1993) at approximately 7:00-7:30 am and after meeting with her staff, began working on funeral plans and also making various travel arrangements and schedules for the President and White House staffers who were planning to attend FOSTER's funeral in Arkansas.

Mr. HERNREICH advised that she was never asked to handle, transport, store, mail, or move any documents, papers, or items from VINCENT FOSTER's office following his death. Not only was she never asked to do any of these things she never did them. She further advised that she has no knowledge of any other White House staffers or anyone else being asked or doing any such things regarding FOSTER's documents, papers, or items.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/24/94
30175401.has

PHILIP HEYMANN, former Deputy Attorney General, was interviewed at his office in Georgetown Law School on June 21, 1994. Also present during the interview was ROD C. LANKLER and MARK STEIN, attorneys with the Office of the Independent Counsel, Washington, D.C.

HEYMANN advised that he first learned of VINCE FOSTER, JR's death on Wednesday, July 21, 1993. He recalls having .. discussions with ROGER ADAMS of his staff explaining to him that he needed somebody to go to The White House to supervise or to take part in the search of documents in FOSTER's office. HEYMANN said that he does not remember why he thought the Department of Justice should be involved. His main thought was that the Park Police might need help with executive privilege related issues. He does not recall that there were any requests from The White House, Attorney General JANET RENO, or the Park Police that the Department of Justice should become involved. He explained that he had chosen ROGER ADAMS to be involved because he felt he was the perfect person for the job. He was discreet and very professional and it would have been no question at all that a media leak or any other indiscretion would have resulted.

ADAMS told HEYMANN at that time that there might be a problem with his performing this assignment because ADAMS had been temporarily assigned to The White House and involved in transition activities earlier that year. HEYMANN told ADAMS to check with the Attorney General to see if there was indeed a problem. HEYMANN said that about 3:00 that afternoon he found out from ADAMS that there was not a problem, so he told ADAMS that he wanted DAVID MARGOLIS (also on HEYMANN's staff) and ADAMS to be the two people from Department of Justice to become involved. He chose these people primarily because they were career Department of Justice professionals. HEYMANN specifically did not want anybody selected who was a political appointee.

There was a general sense that the purpose of their involvement would be that they would see enough of any particular document from FOSTER's office to identify if the document was

Investigation on 6/21-22/94 at Washington, D.C. File # 29D-LR-35063

by SSA H. ALEXIS SUGGS Date dictated 6/23/94

D-LR-35063

Continuation of FD-302 of PHILIP HEYMANN, On 6/21/94, Page 2

relevant to explaining whether or not FOSTER had committed suicide, and if so, why. HEYMANN said that it was his understanding that the objective of the inventory was to satisfy themselves that FOSTER's death was a suicide and to find anything that would shed light on the reason for it. He does not think that there was a specific discussion on the objective of the inventory. He did not consider the purpose to determine what VINCE FOSTER was working on at the time of his death.

HEYMANN advised that with regard to the afternoon of July 21, 1993, he believed that he had spoken with BERNARD NUSSBAUM, then White House Counsel, but had no specific recollection of the discussion. He remembers that he had an agreement with NUSSBAUM--it could have been made by phone with NUSSBAUM or it could have been his understanding from MARGOLIS and ADAMS who returned from The White House later that afternoon. He remembers chafing at the delays that had occurred during the day--that MARGOLIS and ADAMS had the issue of the inventory to settle and he also remembers waiting for the Park Police to arrive, which they had not. His understanding was that the Department of Justice was to act as a sort of mediator for the Park Police regarding the executive privilege issues because the Park Police would have a lack of familiarity in that area. With regard to FBI involvement, Department of Justice had asked them to be there on July 22. MARGOLIS said that he wanted the FBI there because of the expertise the FBI would bring to the situation and because he had worked with the FBI in previous matters and was comfortable with them.

HEYMANN characterized his primary concern as wanting the right investigative agency to handle the matter so that it wouldn't appear that the investigation was being handled in any irregular fashion. That was why the Park Police was the appropriate lead investigative agency at that time.

Late in the afternoon of July 21, MARGOLIS and ADAMS returned from The White House. MARGOLIS told HEYMANN that they had agreed on a procedure for the search (or inventory), that FOSTER's office had been sealed, and that they had agreed to do the inventory the following day, July 22, 1993. HEYMANN could not recall whether MARGOLIS told him then, or somewhat later, that STEPHEN NEUWIRTH had not agreed that the Department of Justice should be able to look at the documents. MARGOLIS and ADAMS said to NUSSBAUM that it had been agreed that they could look at the documents and they recalled NUSSBAUM saying, "Yes, it

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has been agreed."

With regard to the issue of whether or not somebody would put a hand over something on the first page, HEYMANN said that he discussed covering up part of the document (which would have been of a substantive nature) in order to protect the information, but would otherwise enable onlookers to see that a document was what it was purported to be (i.e. a communication from somebody to somebody on an identified topic). He said that nobody was thinking about Whitewater as an issue, and that they probably would not have remembered it as having been an issue from the Presidential campaign.

With regard to events that occurred in the morning of July 22, 1993, at The White House, HEYMANN said that MARGOLIS and ADAMS went to The White House about 10:00 in the morning. HEYMANN said that he got a call from MARGOLIS advising him that NUSSBAUM had changed signals and that they (MARGOLIS and ADAMS) were to see nothing at all, merely be present during the inventory. At that time HEYMANN and MARGOLIS discussed whether or not Department of Justice should withdraw their participation, meaning HEYMANN would pull MARGOLIS and ADAMS out. HEYMANN said that he got NUSSBAUM on the line and told him that it was a total mistake for The White House to have changed the procedure and that he was considering withdrawing DOJ presence from the inventory. He specifically remembers NUSSBAUM saying in response to that, "I have to talk to some people about this" and telling HEYMANN that he would call him back. HEYMANN remembers that his own tone during the conversation was angry. NUSSBAUM did not sound angry but acted sufficiently alarmed at HEYMANN's posture to rethink his decision to change the procedure. The conversation was held at 10:30 in the morning and lasted about 10 minutes.

Explaining his thinking on the matter, HEYMANN said that he knew there was no precedent for this sort of situation. The Department of Justice wanted to scan every document in FOSTER's office. HEYMANN felt it was an intelligent, professional way of doing it, and that was to have two discreet, highly professional career Department of Justice employees look at the documents. He felt that it put the Department of Justice in a compromising position if they were present but not doing anything or actively participating in the inventory. He stated these issues in the strongest of terms to NUSSBAUM. HEYMANN said he had the vague sense that NUSSBAUM was not happy about the

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change in the agreement and that NUSSBAUM was not in control.

HEYMANN remembers telling NUSSBAUM during that telephone conversation at 10:30 am that HEYMANN would have to make a decision whether or not to leave Department of Justice individuals there if NUSSBAUM decided to proceed with the altered procedure of not allowing them to look at the documents. He has a clear impression that he had put in abeyance his decision as to whether or not to pull MARGOLIS and ADAMS out, and was waiting for NUSSBAUM to call him back. NUSSBAUM had specifically promised that he would call and then HEYMANN would decide what to do. HEYMANN believes that MARGOLIS remembers something less clear on that topic.

The next thing HEYMANN knew MARGOLIS and ADAMS had returned from The White House to Department of Justice and he remembers feeling a little put out that MARGOLIS and ADAMS had not called him to let him know that the inventory was proceeding without NUSSBAUM having called him. HEYMANN's primary anger, however, was targeted at NUSSBAUM. NUSSBAUM had promised that he would call HEYMANN and HEYMANN describes his feeling as "furious". With regard to MARGOLIS, HEYMANN said that he didn't know why MARGOLIS had gone ahead with the inventory, but he trusted that he had done so in good faith and he didn't verbally criticize him at the time because he doesn't normally "beat on subordinates". HEYMANN advised that the issue of the inventory was not his main issue that he was dealing with on July 22, other things were going on that kept his attention.

MARGOLIS and ADAMS returned somewhere between 5:00 and 6:00 in the evening. What they described to him at that time was a situation that left them feeling misused and manipulated. They described how CLIFFORD SLOAN had told an FBI agent to sit down when he thought he was trying to look at one of the documents. They felt they'd been treated like furniture. HEYMANN told them at the time that he had had a deal with NUSSBAUM and HEYMANN thinks that they said that they thought HEYMANN had talked with NUSSBAUM. HEYMANN did not confront MARGOLIS and ADAMS (meaning asking them why they didn't leave) because he figured it was "spilled milk" and there was nothing to be gained by such a confrontation. HEYMANN called NUSSBAUM about 9:00 that evening and expressed his outrage to NUSSBAUM in the clearest of terms. NUSSBAUM did not deny that he had failed to call HEYMANN as agreed. HEYMANN recalls asking NUSSBAUM, "BERNIE, are you hiding something?" NUSSBAUM answered, "No. I promise you, PHIL,

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there's nothing we're hiding."

There was no discussion about redoing the search. HEYMANN was not sure but what The White House was within their rights to do the search the way they had done it. It was stupid, but not illegal, and it was not a situation where HEYMANN would have sent in individuals to stop the inventory from occurring if he had known what was going on at the time. As of July 22, he washed his hands of the matter.

With regard to the procedure actually followed, HEYMANN was told that the individuals from the investigating agencies sat there while NUSSBAUM went through papers and said what category they belong to. For instance, "executive privilege" or "private papers", and sometimes NUSSBAUM gave a minor description. HEYMANN did not remember being told of any description that described in detail what the document was. Some papers were put aside to be given to the CLINTONS' private attorney. HEYMANN did not recall if the Park Police got anything.

HEYMANN and MARGOLIS and ADAMS had nothing further to do with the inventory or the aftermath until the following Tuesday. In the interim days, the Park Police began to feel very manipulated. MARGOLIS may have had some conversations with Captain HUGHS to this effect. MARGOLIS told HEYMANN that the Park Police were not happy but that things were "going o.k." HEYMANN remembers asking "Is this being handled as any other suicide investigation would be handled?" The Park Police answered, "No. But you can't do it the same way when it deals with The White House". It was left at that.

The following Tuesday HEYMANN went to The White House when they were turning over the torn up note that had been found when NEUWIRTH searched FOSTER's briefcase. MARGOLIS and ADAMS remembers NUSSBAUM looking into the briefcase. HEYMANN said that MARGOLIS and ADAMS did not say to him at any point that they found it inconceivable that NUSSBAUM would not have seen the torn up note in the bottom of the briefcase. HEYMANN also has no recollection of any rumors about any other note having been found.

With regard to a conversation with THOMAS COLLIER, Chief of Staff to Secretary of Interior, BRUCE BABBITT. HEYMANN recalls that this conversation took place on Thursday, July 29, 1993. The background for this was as follows. The previous day,

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the 28th, HEYMANN had sent the FBI back into the investigation full speed to determine how the note had been found and every aspect of how FOSTER'S papers had been handled. He was extremely angry and was done "messaging around" and giving The White House reign to handle the matter. HEYMANN explained that first there was the mess about the procedure for the search, where he had felt abused, and then he discovered that The White House had waited 27 hours before they turned over a note that should have been found during the initial inventory. HEYMANN discussed this decision about re-activating the FBI with MARGOLIS and ADAMS. He did not discuss it with JANET RENO. He also did not discuss it with WEBB HUBBELL, saying that he made a point of never discussing anything having to do with The White House or the selection of cabinet officials with WEBB HUBBELL, simply because the connection to CLINTON was too close.

The conversation on July 29 with TOM COLLIER occurred at approximately 8:25 in the morning and HEYMANN remembers that COLLIER was disturbed. COLLIER said that the Park Police were nearing the point where they were going to pull out of the investigation. Apparently they had not actually been denied anything by The White House, but they felt like they were being treated unprofessionally. The finding of the note after the controversial inventory, and the delayed turning over of it pushed them over the edge and made them look foolish.

Apparently, WILLIAM BURTON and ROY NEAL had treated COLLIER "shabbily" and "yelled at him". HEYMANN called DAVID GERGEN at approximately 10:37 on July 29 because he knew GERGEN and trusted him. GERGEN was also the only person that HEYMANN felt would see what a mess The White House was creating for themselves in the way they were acting. GERGEN called HEYMANN back at about 11:00 am. HEYMANN recalls that they were on the speaker phone and got the impression that perhaps 8 to 10 people were there. GERGEN was there, as was BURTON and some of the people from The White House Press Office. HEYMANN told them that the Park Police were "in rebellion". He told them that he had tasked the FBI to investigate possible obstruction of justice and that he wanted "no holds barred". He remembers telling them that there was a 50/50 chance that The White House would be able to avoid a major credibility problem as a result of what was going on.

The only other talks with The White House that HEYMANN had subsequent to this was with regard to the timing of the

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release of the final report. GERGEN very diffidently asked HEYMANN if it was inappropriate for them to request that they be given 24 hours notice of when the press conference would be held.

HEYMANN advised that he did not know that COLLIER subsequently met with GERGEN. He remembers being told that White House cooperation levels turned around 180 degrees and he remembers Secretary of Interior BABBITT thanking him later.

HEYMANN does not know on what the FBI based their preliminary findings that the death was a suicide.

With regard to how WILLIAM BURTON acted during the speakerphone conversation on July 29, HEYMANN said BURTON's behavior did not constitute obstruction. Things were supposed to go through BURTON, and HEYMANN had ignored him and he was probably irritated for that reason. HEYMANN said that overall he did not suspect obstruction on the part of The White House but he felt there was reason to suspicious that irregularities in the handling of the papers were mounting and that somebody had to do an investigation to see if The White House was purposely hiding something.

HEYMANN was subsequently interviewed by ROD LANKLER and writer by conference call on June 22, 1994 to clear up some items. The purpose was to clarify whether or not MARGOLIS and HEYMANN had an understanding that they would attempt to get NUSSBAUM to agree to the previously agreed procedure to allow MARGOLIS and ROGERS to actually view the documents themselves by bluffing, saying they would leave if they could not do it that way when they actually intended that if NUSSBAUM insisted on the new procedure, they would stay anyway. HEYMANN knows that MARGOLIS remembers that that was the understanding. HEYMANN said that he himself was not at all sure that he would let it go forward, and that he might indeed have pulled ROGERS and MARGOLIS out. HEYMANN remembers saying, "If push comes to shove, I think we should go through with it." It's possible that HEYMANN and MARGOLIS had discussed the matter of whether pulling out would be a bluff or would they actually pull them out.

LANKLER read the text of MARGOLIS' interview and HEYMANN said that he did not remember agreeing that they would bluff-trying to get NUSSBAUM to change his mind, but that they would actually stay in the end. HEYMANN remembers specifically that he was waiting to get NUSSBAUM's call and then he would make

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the decision. He said that , in any case, he would not have felt bound by any agreement previously reached during a discussion with MARGOLIS.

With regard to ADAMS' interview and his assertion that there had been a discussion on this issue earlier in HEYMANN'S office between HEYMANN and MARGOLIS, HEYMANN said that that recollection is simply incorrect, that there was no agreement between the Department of Justice and The White House that the Department of Justice would stay.

HEYMANN explained that there were two different types of conversation at issue here. One was the one with NUSSBAUM about the relationship between The White House and the Department of Justice. The point was that The White House could not count on Department of Justice staying unless The White House changed back to the original procedure allowing them to look at documents. The other was HEYMANN and MARGOLIS trying to anticipate losing that argument and trying to deal with a hypothetical situation where they had to proceed under circumstances they didn't approve of.

HEYMANN said that he recalls a chronology prepared in rough form by CYNTHIA MONACO and remembers that it resulted in approximately six pages of handwritten notes and was prepared about the same time that HEYMANN did his notes on the matter which would have been in early February, 1994, shortly before HEYMANN left the Department of Justice.

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FOIA(b)(6) FOIA(b)(7) - (C)

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/20/94

PHILIP HEYMAN, former Deputy Attorney General, currently teaching at Harvard Law School, telephone 617-495-3137 was interviewed telephonically by writer on July 20, 1994. Being acquainted with the interviewing agent and the nature and purpose of the interview, HEYMAN provided the following information:

HEYMAN said that he recalls receiving a copy of the U.S. Park Police report on the death of VINCENT FOSTER, JR. in August, 1993. He said that he got his copy from DAVID MARGOLIS who had received it the Friday or Saturday before the press conference, which was held with the Park Police and ROBERT "BEAR" BRYANT of the Washington Metropolitan Field Office of the FBI on Tuesday, August 10, 1993. HEYMAN explained that at that stage there was only one copy in The Department of Justice and that was the one that he and DAVID MARGOLIS shared. HEYMAN said he wanted to read the report over the weekend before the press conference.

HEYMAN advised that the report was not released to the public at the time of the press conference. At the conference they said that any inquiries would have to go through the Department of Justice and they had to have time for their Freedom of Information Act experts to redact from the report that material which was inappropriate for public dissemination. HEYMAN said that that process could take as long as six weeks but he actually has no idea whether the report was ever released.

HEYMAN believes that four copies existed in the Department in all. One was the original that he shared with MARGOLIS, a second was given to the FOIA office at DOJ, a third one was given to DOJ's criminal division with instructions from HEYMAN to follow-up on one of the items found in FOSTER's note found on July 26, 1993 in which he listed things that were bothering him, and the fourth was given to DOJ's OPR office in order to follow-up on another item listed in the same note by FOSTER.

HEYMAN advised that at the time he received the Park Police report, no photographs accompanied the report. Moreover,

(telephonically)

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there were no xeroxes of photographs contained in the report or accompanying it.

During a previous interview PHILIP HEYMAN had provided the following personal information:

Date of Birth:

Place of Birth:

Social Security Number:

	FOIA(b)(6)	
	FOIA(b)(7) - (C)	

HEYMAN is currently on the faculty of Harvard Law School where he can be reached at 617-495-3137, fax number 617-495-1110.

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 4/12/95

PHILLIP HEYMANN was interviewed in a conference room within the offices of the Office of the Independent Counsel (OIC) located at 1001 Pennsylvania Avenue, NW, Suite 490-North, Washington, D.C. (WDC). HEYMANN was represented in the course of the interview by Attorney ROBERT D. LUSKIN, of the law firm, COMEY, BOYD & LUSKIN, Suite 200, 2828 Pennsylvania Avenue, NW, WDC 20007-3763, telephone number (202) 625-1200. Participating in the interview from OIC-WDC, were Deputy Independent Counsel MARK H. TUOHEY, III and Associate Counsel BRETT M. KAVANAUGH. After being apprised of the purpose of the interview and the identities of all participants, HEYMANN thereafter provided the following information:

As a matter of record, HEYMANN had previously requested that instant interview be audio recorded. TUOHEY noted that the request was denied, at which time HEYMANN requested that his prior request be entered into the official record of the investigation.

It is to be noted that TUOHEY provided HEYMANN with copies of his (HEYMANNS) 302s regarding the investigation related to the death of VINCENT W. FOSTER, JR. FOSTER who died on July 20, 1993, was the former Deputy Counsel to the President of the United States. Upon reviewing the aforementioned 302s, HEYMANN advised that he found no problem with results as reported within the documents.

In the course of the interview, HEYMANN referred to personal handwritten notes that chronicled events related to FOSTER's death. Participants of the interview were provided with a copy of referenced notes and it is to be noted that a copy of those notes are attached and made a part of the record hereto. HEYMANN noted that the notes were written in February 1994, during a meeting with CINDY MONACO, ROGER ADAMS and DAVID MARGOLIS.

Referring to his notes, HEYMANN recalled that on July 20, 1993, he received information regarding FOSTER's death and

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by SA DANA M. GILLIS DMG:sla Date dictated 4/10/95

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that it was a suicide. HEYMANN did not recall being notified of FOSTER's death on July 20th. HEYMANN may have learned of FOSTER's death from newspaper accounts or other news reports. Someone could have told him of FOSTER's death but he does not have a specific recollection of how he learned of the death.

In reviewing an entry dated July 21st, it is noted that in the late morning, HEYMANN talked to ROGER ADAMS. HEYMANN did not recall how the issue of handling documents in FOSTER's office first came up. HEYMANN probably had in mind the notion that Department of Justice (DOJ) individuals should be at the White House during any review of documents in FOSTER's office. The triggering event regarding HEYMANN's thoughts related to document review may have been a telephone call received from White House Counsel BERNARD NUSSBAUM.

HEYMANN had a procedure in mind for review of documents in FOSTER's office which he discussed with NUSSBAUM. HEYMANN recalled that DAVID MARGOLIS, DOJ, had a desire for the FBI to be involved in a review of documents in FOSTER's office. HEYMANN recalls that he and MARGOLIS wanted the FBI involved in the search of FOSTER's office. HEYMANN expressed to CHARLES HUME, United States Park Police (USPP), a desire to have the FBI brought into the investigation related to FOSTER's office. HUME then advised HEYMANN that the FBI was already involved.

HEYMANN recalls his desire that FOSTER's death be handled in the manner that any death on U.S. National Park property would be handled. HEYMANN did not think that USPP had the wherewithal or experience to deal with issues related to executive privilege regarding documents in FOSTER's office. This feeling on the part of HEYMANN was further justification for FBI involvement.

MARGOLIS and ADAMS were the DOJ officials selected to oversee the review of documents in FOSTER's office. The criteria with regard to the selection of MARGOLIS and ADAMS were that HEYMANN wanted to have career personnel who could be trusted to be absolutely discreet in reviewing documents where executive privilege might become an issue; Career DOJ personnel would not undermine the credibility of any investigation conducted related to FOSTER's death. HEYMANN noted that he explained his rationale for sending MARGOLIS and ADAMS to the White House to the Counsel's Office.

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HEYMANN was sure that the procedures for the review of documents in FOSTER's office were set up in advance of MARGOLIS and ADAMS going to the White House on July 22, 1993. According to HEYMANN, once any questions regarding the handling of documents in FOSTER's office arose, NUSSBAUM could have telephoned him or HEYMANN could have telephoned NUSSBAUM.

HEYMANN was not sure whether the USPP had telephoned him regarding any problems related to the search of FOSTER's office. HEYMANN noted that MARGOLIS did most of the liaison with USPP. HEYMANN thought it was possible that the USPP could have telephoned MARGOLIS and then MARGOLIS would have telephoned HEYMANN regarding problems related to the search of FOSTER's office. HEYMANN could then have telephoned NUSSBAUM with regard to problems related to the search of the office.

An entry on the attached log for Wednesday, July 21st at 5:00 P.M. regarded information provided by MARGOLIS to HEYMANN, related to FBI Special Agents, USPP officers, DAVID MARGOLIS, ROGER ADAMS and STEVEN NEUWIRTH, all being in NUSSBAUM's office with an agreement to return the next morning to conduct the document review in FOSTER's office. It was noted that USPP Officers were not allowed into the office, which by that time had been secured. Also noted in the July 21st entry, was that the method for the conduct of the search was agreed upon by the parties present and would be utilized in the document review. HEYMANN had no memory of NUSSBAUM objecting to the plan that was agreed upon for the search. According to the attached notes, NUSSBAUM agreed to the terms for the search, NEUWIRTH did not. MARGOLIS advised that the search procedure was a "done deal" and that NUSSBAUM had agreed with the terms. Also listed in the attached note is that HEYMANN was briefed regarding the aforementioned meeting.

HEYMANN had no sense of what the USPP was looking for in FOSTER's office other than the obvious, a suicide note. HEYMANN also was of the belief the the USPP would have been looking for goodbye letters and anything else that may have been clues as to why FOSTER committed suicide. HEYMANN did not suggest to either ADAMS, MARGOLIS, or the USPP what they should be looking for in the course of searching FOSTER's office. He wanted the USPP to be the investigative body and not the Deputy Attorney General of the United States or related entities.

When MARGOLIS and ADAMS returned to DOJ from the search

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of FOSTER's office, HEYMANN believes that MARGOLIS and ADAMS told him they were not allowed to look around FOSTER's office during the search, nor was the USPP allowed to inspect the office during the search. HEYMANN thought that the criteria previously agreed upon for the search called for MARGOLIS, ADAMS and the USPP to look at the documents being reviewed and make a determination as to the relevancy of those documents. Disputed documents would be set aside and handled later. The FBI would also be there to participate in the search. HEYMANN noted that NUSSBAUM had agreed to all of the above related to the search, particularly the handling of documents in FOSTER's office.

If HEYMANN had known how things were going to turn out, he would not have sent ADAMS and MARGOLIS over to the White House by themselves. HEYMANN noted to NUSSBAUM that he thought the manner in which the search was conducted was "folly." HEYMANN noted that he would be skeptical about exercising the powers of DOJ with regard to the search of FOSTER's office. On July 21, 1993, HEYMANN was reluctant to have anyone other than the FBI and USPP jointly handle the investigation related to FOSTER's death. ADAMS' and MARGOLIS' role at the White House was strictly supervisory in nature with regard to the search. The purpose of the investigation to this point was to determine whether or not FOSTER's death was a suicide or a homicide. If the White House had said no to the terms agreed upon on July 21, 1993, regarding the search of FOSTER's office, HEYMANN would have disagreed with any decision to change the intended search parameters. The terms of the search related to FOSTER's office had been discussed with NUSSBAUM at approximately 5:00 P.M. on July 21, 1993, by ADAMS and MARGOLIS. On July 21st, in addition to arrangements that were made related to the search of FOSTER's office, a specific time was set for the review of documents within the office for July 22, 1993. HEYMANN believed that the search would take place on that date.

On July 22, 1993, HEYMANN received a telephone call from MARGOLIS advising that plans had changed. MARGOLIS was calling with regard to the search of FOSTER's office. MARGOLIS noted in the course of the telephone call that he had been informed that the White House would be the only entity allowed to physically look at documents in FOSTER's office. HEYMANN recalls being angry, in that he thought the proposed change was a mistake. HEYMANN believed that MARGOLIS was told of the change by NUSSBAUM. In the course of this conversation with MARGOLIS, HEYMANN discussed the folly of the changes. HEYMANN also

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discussed with MARGOLIS what MARGOLIS and ADAMS should do at that point. HEYMANN noted that he would not have made a decision during a telephone call with regard to MARGOLIS and ADAMS leaving the search. HEYMANN had a desire to speak with NUSSBAUM on the telephone.

HEYMANN noted that his intentions were to be accessible to MARGOLIS and ADAMS regarding any problems that might arise in the course of searching FOSTER's office. HEYMANN recalls talking to both MARGOLIS and NUSSBAUM on the telephone with regard to the search of FOSTER's office.

HEYMANN recalls the telephone call to NUSSBAUM to be heated in nature. HEYMANN noted that MONACO had walked by the location where HEYMANN was conversing with NUSSBAUM and was thought to have been struck by the seriousness of tone between NUSSBAUM and HEYMANN. HEYMANN told NUSSBAUM that he was making a mistake with regard to changing the search procedures. NUSSBAUM expressed that he would have to talk to some people about this. NUSSBAUM was taken aback that HEYMANN thought the search procedure as agreed to had been changed. After speaking with NUSSBAUM, HEYMANN continued talking to MARGOLIS, describing to MARGOLIS, his (HEYMANN's) conversation with NUSSBAUM. HEYMANN informed MARGOLIS that NUSSBAUM would later get back in touch with him (HEYMANN). HEYMANN, at some later time, spoke with NUSSBAUM, stating that he could not believe that he had been doublecrossed by NUSSBAUM. NUSSBAUM may have apologized without giving any explanation for the change to HEYMANN. HEYMANN asked NUSSBAUM if he had something to hide to which NUSSBAUM replied absolutely nothing.

Also in the course of the telephone call between HEYMANN and MARGOLIS, MARGOLIS advised that he and ADAMS would "hang out" until the dispute over the search procedure had been worked out. At that point, HEYMANN continued about his day and received no further calls from either NUSSBAUM or MARGOLIS. HEYMANN thought he would hear back from NUSSBAUM. Had NUSSBAUM later telephoned HEYMANN, he (HEYMANN) would have then telephoned MARGOLIS and provided him with advice for what should be done.

The July 22nd entry for 1:00 P.M. on the attached set of notes, represents what HEYMANN was told at a later time regarding interactions between NUSSBAUM and MARGOLIS. The 9:00 P.M. entry on the attached set of notes reveals a telephone call between HEYMANN and NUSSBAUM.

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HEYMANN remembers both MARGOLIS and ADAMS coming to his office on July 23, 1993. HEYMANN was surprised to hear what took place in the course of the document review in FOSTER's office. He was also surprised that neither MARGOLIS nor ADAMS had telephoned him while all of the disputed activity related to the search took place.

HEYMANN was surprised and angry regarding events related to the document review in FOSTER's office. He wanted to avoid the appearance that DOJ looked like it was providing supervision of an investigative responsibility. HEYMANN had a vague memory that NUSSBAUM contacted him (HEYMANN) regarding a White House statement related to the FOSTER death investigation being a DOJ supervised investigation.

One concern that HEYMANN had concerning the FOSTER death investigation was that ADAMS worked on the CLINTON Presidential Transition Team. HEYMANN noted that the Attorney General (AG) was informed of this fact and that the AG knew ADAMS and MARGOLIS would be going to the White House to participate in the search related to FOSTER's office.

ADAMS and MARGOLIS described NUSSBAUM and CLIFF SLOAN as being upset in the course of the search. NUSSBAUM and SLOAN were afraid that ADAMS and MARGOLIS would leave FOSTER's office rather than participate in the search. MARGOLIS thought that he (MARGOLIS) and ADAMS served as window dressing during the course of the search. MARGOLIS recounted for HEYMANN the now familiar story regarding the FBI Special Agent who was rebuked in the course of the search.

MARGOLIS and ADAMS may have assumed after being informed by NUSSBAUM of changes in procedure, that HEYMANN was in contact with NUSSBAUM and that the decision to continue overseeing the search would be okay. On July 23rd, the FBI "pulled back" from the investigation into FOSTER's death. HEYMANN was not sure why. HEYMANN was not contacted by the FBI regarding treatment of its personnel during the search. HEYMANN noted that he saw "FBI brass" on a regular basis during that time period. He may have casually mentioned to someone the appearance that the FBI had somehow pulled back from the investigation although he could not specifically recall if in fact he had done so.

MARGOLIS and ADAMS plainly thought they were supposed

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Continuation of OIC-302 of PHILLIP HEYMANN, On 4/6/95, Page 7

to stay for the search. HEYMANN was not sure if this was a function of MARGOLIS and ADAMS thinking HEYMANN and NUSSBAUM had changed plans. MARGOLIS and ADAMS were probably under the impression that they were supposed to stay for the search. Someone at the White House may have suggested that NUSSBAUM had talked to HEYMANN regarding a change of plans. As far as HEYMANN was concerned, after the search of FOSTER's office, DOJ was no longer part of the investigation. The USPP was serving as the lead investigative agency. HEYMANN recalls that the USPP was getting all the cooperation that was needed with regard to the investigation.

HEYMANN did not think that MARGOLIS asked for any documents he was not allowed to see. During the course of the search, there was no discussion regarding the computer in FOSTER's office. There was probably no discussion among parties witnessing the search regarding how documents would be handled after the search.

The mechanics of the search dictated that JAMES HAMILTON, of the law firm of Swidler & Berlin, was to get personal documents related to VINCENT FOSTER, should these documents not be relative to the cause of death. Other than the computer, HEYMANN was not aware of any files or other areas that should have been searched.

On July 27, 1993, HEYMANN first learned of a note believed to have been written by FOSTER having been found. At the time, HEYMANN was meeting with the U.S. Attorney's Advisory Committee. HEYMANN got a note in the course of the meeting stating that NUSSBAUM wanted to talk to him. HEYMANN subsequently telephoned NUSSBAUM who had already asked the Attorney General (AG) to come over. NUSSBAUM asked HEYMANN to come to the Counsel's office as well. HEYMANN rode over to the White House with the AG.

Upon arriving at the White House, HEYMANN and the AG went into the office of THOMAS F. "MACK" MCLARTY. MCLARTY at the time was the President's Chief of Staff. In MCLARTY's office were DAVID GERGEN, MCLARTY, BILL BURTON, and after their arrival, NUSSBAUM entered the office. NUSSBAUM then pulled out an envelope with pieces of a torn up note. NUSSBAUM had made a photocopy of the note. NUSSBAUM explained that in the recent handling of a briefcase in FOSTER's office, a note was found. NUSSBAUM advised that the note had been found on a previous date.

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Continuation of OIC-302 of PHILLIP HEYMANN, On 4/6/95, Page 8

NUSSBAUM and the White House staff asked what should be done with the note. The AG responded that the note should be turned over to the USPP immediately. The AG also asked why the note had not been turned over when it was initially found 24 hours ago. NUSSBAUM replied that they wanted to inform both the President and LISA FOSTER of the note. After issuing the order that the note should be immediately turned over to the USPP, the AG departed the meeting.

HEYMANN contacted MARGOLIS and requested MARGOLIS have the USPP come to the White House to collect the note. After completing his telephone call with MARGOLIS, GERGEN asked HEYMANN to speak with him. Everyone else departed the room.

Representatives of the USPP then came to the White House. The White House was in no hurry to meet with the USPP. The USPP officers had no prior involvement with the FOSTER investigation. HEYMANN met the officers at the White House and tried to make them feel comfortable. At a later time, NUSSBAUM and other staffers gathered. NUSSBAUM assembled the note and asked the USPP officers to write down what the note said. HEYMANN encouraged the USPP officers to ask any questions they might have. HEYMANN noted that the officers asked no questions.

After the note was collected by the USPP officers, HEYMANN rode back to DOJ with the aforementioned officers.

On July 28, 1993, HEYMANN requested that the FBI conduct an obstruction of justice investigation. HEYMANN was of the belief that the White House found the note on the day, and in the manner in which was represented previously to HEYMANN. The purpose of the FBI investigation was to ensure that nothing untoward had taken place.

In making his request for an FBI investigation, HEYMANN noted that he wanted an "aggressive" FBI investigation related to possible obstruction of justice. The FBI later reported back that there was no evidence of obstruction of justice on the part of White House officials. HEYMANN was of the belief that there was no attempt to obstruct justice with regard to the FOSTER death, but felt that the White House Counsel's Office was very clumsy in its handling of the note related to FOSTER's death.

During the course of the search of FOSTER's office on July 22, 1993, NUSSBAUM looked into the interior of a briefcase

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Continuation of OIC-302 of PHILLIP HEYMANN, On 4/6/95, Page 9

that was in the office, noting he saw nothing. Both ADAMS and MARGOLIS saw that NUSSBAUM had inspected a briefcase in FOSTER's office on that date. HEYMANN did have a concern based upon this information that a note was not found in the briefcase during the July 22nd, search.

HEYMANN thought that if either MARGOLIS or ADAMS had seen the interior of the briefcase they would have recalled doing so. It would have been a strong indication of obstruction of justice if they had seen the briefcase and it was empty during the July 22nd, search.

On July 29, 1993, THOMAS COLLIER, United States Department of Interior, telephoned HEYMANN and shortly thereafter visited HEYMANN for approximately 45 minutes. In the course of the visit, COLLIER noted that the USPP officers involved in the FOSTER death investigation were being "shabbily" treated by the White House. HEYMANN and COLLIER also discussed the possibility of the USPP pulling out of the investigation. COLLIER contacted the White House and was treated brusquely and impatiently by Deputy White House Counsel, ROY NEEL and BILL BURTON. After the discussion with HEYMANN, COLLIER was passed to MARGOLIS and ADAMS. By this time, GERGEN had become the White House point of contact with regard to the FOSTER death investigation. HEYMANN telephoned GERGEN to express his dismay at treatment of USPP officers. HEYMANN expressed to GERGEN that it would be a disaster if the USPP pulled out based on shabby treatment and a lack of cooperation from the White House. HEYMANN further indicated to GERGEN that the FBI would be allowed to conduct interviews of the White House staffers without the presence of attorneys from the White House Counsel's office. Approximately 90 minutes later, in a conference telephone call between HEYMANN, GERGEN, BURTON, MARK GEARAN, and other individuals from the White House, GERGEN promised cooperation on the part of the White House in the USPP investigation into the death of FOSTER. In the course of the conversation, HEYMANN expressed his displeasure with the actions of White House personnel. BURTON argued with HEYMANN and HEYMANN remembers that the rest of the staffers remained silent.

USPP officers later informed HEYMANN that previous problems with the White House had turned themselves around. HEYMANN was later thanked by Interior Department Secretary BRUCE BABBIT for his intervention in this matter.

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Continuation of OIC-302 of PHILLIP HEYMANN, On 4/6/95, Page 10

On July 27, 1993, HEYMANN had in his possession, a copy of handwritten transcription of the FOSTER note. MARGOLIS displayed the note to WEBSTER HUBBELL. HUBBELL was taken aback because he knew the handwriting was not FOSTER's. The transcription may have been done by the USPP.

HEYMANN has only discussed issues related to the search of FOSTER's office with ADAMS, MARGOLIS and CYNTHIA MONACO. He did not discuss the search of FOSTER's office with White House Counsel LLOYD CUTLER as CUTLER had requested. CUTLER was the successor to NUSSBAUM as White House Counselor.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/6/94

On May 30, 1994, Special Agents William E. Colombell and Lawrence Monroe met with Robert Langston, Chief, U.S. Park Police (USPP), and Robert H. Hines, Major, USPP, at Park Police Headquarters, 1100 Ohio Drive, S.W., Washington, D.C. 20242. SA Colombell inquired if Chief Langston could provide a list of those individuals and/or agencies who were given a copy of the USPP investigative report regarding the death of White House counsel Vincent Foster. Chief Langston advised that the original report is maintained in the USPP criminal investigative file.

Three copies of the report are also maintained by his department. One with USPP FOIPA Section, one with Major Robert Hines, Commander Criminal Investigative Branch and a copy that Chief Langston maintains in his office.

In addition, USPP has provided copies of the report to the below-listed individuals and/or federal agencies:

- 1 - Dept. of Justice - Mr. Margolis
- 1 - Dept. of Justice FOIPA Section
- 1 - Dept. of Justice Office of Professional Responsibility
- 1 - FBI - Criminal Investigative Division (OPR Investigation)
- 1 - SA Jane Erickson, FBIHQ (subsequently given to Mr. Rod Lankler, Office of Independent Counsel)

Chief Langston advised that his department did not provide copies of the report to the White House or to the Secretary of the Interior.

Investigation on 3/30/94 at Washington, D.C. File # 29D-LR-35063

by SA William E. Colombell
SA Lawrence Monroe Date dictated 4/3/94

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 8/3/94

Major ROBERT HINES, United States Park Police (USPP) Headquarters, 1100 Ohio Drive, SW, Washington, D.C. (WDC), was telephonically interviewed regarding the disposition of photographs taken at the death scene of VINCENT W. FOSTER, JR., Fort Marcy Park, Virginia, on July 20, 1993. After being apprised of the identity of the interviewing Agent and the purpose of the interview, HINES thereafter provided the following information:

HINES was aware that death scene photographs were provided to the Federal Bureau of Investigation (FBI) along with a copy of the USPP Death Investigation report. In gathering information regarding the distribution of the Park Police report related to the death of FOSTER, HINES contacted Captain CHARLES HUME of the USPP. HUME did not recall photographs going to any other agencies and was not aware of any photographs going to The White House. HINES did not believe that the death scene photographs had gone to The White House. According to HINES, any information regarding the FOSTER death would have been distributed to The White House in coordination with the U.S. Department of Justice (DOJ). HINES was unaware of how any of the photographs could have been leaked to the news media.

HINES provided no further information of investigative value.

Investigation on 7/25/94 at Washington, D.C. File # 29D-LR-35063
(telephonically)

by SA DANA M. GILLIS Date dictated 8/3/94

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OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 2/1/95

ROBERT HINES, Major, U.S. Park Police was contacted at the U.S. Park Police headquarters, 1100 Ohio Drive Southwest, (202) 619-7350. HINES was advised of the identity of the interviewing agent and the purpose for the interview. HINES provided the following information:

The following U.S. Park Police documents would be contained in an original investigative file:

- Supplemental reports (10-344)
- Criminal incident report (30-343)
- Mobil crime lab reports and supplements
- Impound forms
- Custody property records
- Evidence property control of receipts
- Original notes
- Radio run cards
- Communications tape for that day
- Photographs
- Laboratory reports

HINES was advised that the Office of the Independent Counsel would subpoena the above documents to ensure that copies of all the documents and photographs, as well as the evidence from the scene, are currently in the possession of the Independent Counsel. HINES was advised that there is a concern at the Independent Counsel's office regarding the number of photographs, and whether or not all of the photographs in this case have been provided to the Independent Counsel's office.

FOIA(b)(3) - Fed. R. Crim. Pro. 6(e) - Grand Jury

HINES assured the investigating agent of U.S. Park Police cooperation in this matter.

Investigation on 1/19/95 at Washington, D.C. File # 29D-LR-35063

by FOIA(b)(7) - (C) Date dictated 1/29/95

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 2/1/95

[FOIA(b)(3) - Fed. R. Crim. Pro. 6(e) - Grand Jury]

Investigation on 1/20/95 at Washington, D.C. File # 29D-LR-35063

by [FOIA(b)(7) - (C)] Date dictated 1/29/95

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/19/94

James Ernest Hobbs, Sergeant, Uniform Division, United States Secret Service (USSS), was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue, NW. Sergeant Hobbs was advised as to the official identity of the interviewing agent and the nature of the interview. He then provided the following information:

He has been employed by USSS for 22 years and is currently employed as a Shift Duty Sergeant in the USSS White House Control Center which is located in the Old Executive Office Building next to the west wing of The White House. He currently works the 10:00 pm - 6:00 am shift as he did in July, 1993 at the time of Vincent Foster's death. As the Shift Duty Sergeant, he is the immediate supervisor of Uniform USSS officers working in the Control Center on the 10:00 pm - 6:00 am shift, overseeing security within The White House including operation of alarms and access to secure areas.

On July 20, 1993, he came to work at 10:00 pm and went home the next morning (7/21/93) at 6:00 am when his shift was done. At the beginning of his shift (approximately 10:00 pm on 7/20/93), he was advised by the USSS Watch Commander, Captain Roland Beatty that a White House staffer named Vincent Foster had committed suicide earlier that day. Sergeant Hobbs said that his immediate superior on that particular day was Lieutenant Robert Dillon. Hobbs had not known Foster.

Sergeant Hobbs said that he does not recall his July 20-21, 1993 shift being particularly busy or eventful in the USSS Control Center. He said that he does not recall any unusual alarm activity on that evening. He specifically said that he does not recall any unusual alarm or access activity during that particular shift involving the Bernard Nussbaum/Vincent Foster suite of offices. He recalls no request from anyone asking for access to that suite.

Sergeant Hobbs said that he knows Officer Henry O'Neill and is aware that O'Neill worked the "midnight" shift escorting

Investigation on 5/17/94 at Washington, D.C. File # 29D-LR-35063 SUB A

by FOIA(b)(7) - (C) Date dictated 5/18/94

-LR-35063 SUB A

Continuation of FD-302 of James Ernest Hobbs, On 5/17/94, Page 2

GSA cleaning personnel into alarmed areas of The White House west wing. Hobbs said that he does not recall Officer O'Neill reporting anyone being in the Nussbaum/Foster suite during the late evening hours of July 20, 1993. He also does not recall Officer O'Neill reporting that the Nussbaum/Foster suite was not cleaned and that trash from that suite was not picked up on July 20.

Sergeant Hobbs was shown an alarm/access log showing activity in the Nussbaum/Foster suite on July 20 and July 21, 1993. He said that he was unable to explain the meaning of various entries on this log using the word "reset". He also said that he does not know how often USSS Control Center tests are conducted on the various alarmed areas in the west wing.

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OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 2/14/95

LOUIS HUPP, Latent Fingerprint Examiner, FBI Identification Division, Latent Fingerprint Section, advised that the latent fingerprint recovered on the note written by VINCENT W. FOSTER, is a latent print of the outside area of a palm. The latent print is located entirely on one of the ripped pieces of paper; the print could have been made before or after the note was ripped up.

HUPP stated that all of the latent prints in this case are sufficient enough to make a positive identification to a known set of prints. Latent prints in this case are from FOSTER's vehicle or items from FOSTER's vehicle, one latent finger print from inside of the grip on the revolver which was in FOSTER's hand, and the latent palm print on one of the sections of the ripped up note.

Investigation on 2/9/95 at Washington, D.C. File # 29D-LR-35063

by FOIA(b)(7) - (C) Date dictated 2/12/95

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/21/94

WEBB HUBBELL, former Deputy Assistant Attorney General, appeared at the Office of the Independent Counsel with his attorney JOHN W. NIELDS, JR. of the law firm HOWREY & SIMON, 1299 Pennsylvania Avenue, NW, Washington, D.C., (202) 383-6639. Present representing the Office of the Independent Counsel were MARK STEIN and BETH GOLDEN. After being advised of the identity of the interviewing agent and the nature and purpose of the interview, HUBBELL provided the following information:

HUBBELL advised that he is acquainted with CRAIG LIVINGSTONE having seen him several times at the Old Executive Office Building on The White House grounds. He also said that WILLIAM KENNEDY would refer people to him including HUBBELL himself if they needed to get White House passes for any reason. He does not recall any other dealings that he had with LIVINGSTONE.

HUBBELL said he remembers talking with LIVINGSTONE the night of July 20, 1993 at the FOSTER residence. HUBBELL was making a lot of telephone calls that evening and they were having a problem getting enough telephones. There was only one telephone available for use in the FOSTER kitchen. MAC MCLARTY had his cellular telephone with him which he was using. HUBBELL said that the battery on his phone was weakening and therefore he was using the telephone in LIVINGSTONE's car. It was the type of cellular phone which could plug into the lighter. He recalls calling JIM HAMILTON and a lot of individuals were calling from Arkansas. HUBBELL advised that LIVINGSTONE was showing him how to use the phone and stayed with him in the car while he made telephone calls.

HUBBELL advised that there had been a concern that the press was going to show up at the FOSTER residence the following morning. When asked to explain who was concerned, he responded the "collective we". He recalled KENNEDY suggesting that LIVINGSTONE could help if the press became a problem. As it turned out, only one reporter showed and HUBBELL said he does not know if LIVINGSTONE helped with the press that following morning

Investigation on 7/18/94 at Washington, D.C. File # 29D-LR-35063

by SSA H. ALEXIS SUGGS Date dictated 7/20/94

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Continuation of FD-302 of WEBB HUBBELL, On 7/18/94, Page 2

or not. He recalls a discussion on the night of July 20 about LIVINGSTONE going to the residence on the morning of July 21. He had this conversation, he believed, with MCLARTY or DAVID WATKINS. HUBBELL said that he himself raised the subject to the FOSTER family and then discussed it with MCLARTY or WATKINS. He recalls that the response he received was "we'll get somebody". HUBBELL took the initiative of making calls to The White House to pass this message on. He made the call either from LIVINGSTONE's car phone or the kitchen phone. If he made the call from the car phone, LIVINGSTONE would probably have overheard it there.

He cannot recall specifically who he talked with on this matter at The White House but he believes it was probably MARK GEARAN. It was not DEE DEE MYERS or RICKI SEIDMAN.

HUBBELL said that to the best of his memory, there was somebody there between 7:00 and 8:00 am the morning of 7/21. The best he can recall, when he and his wife showed up at the FOSTER residence early that morning, there was a woman standing by the sidewalk just outside the FOSTER gate. He had never seen before at The White House and did not recognize her. He has a vague recollection of asking "can I help you" and her responding, "I'm (she gave her name) from The White House". If asked to speculate, he guessed that she may have been with the Communications Office. He described her as having brown hair, being of medium of height, perhaps 5'5" or 5'6" and young, meaning under 30. His memory of her is very unclear.

With regard to what time the HUBBELL's arrived at the FOSTER residence on the morning of 7/21, HUBBELL said that they called LISA FOSTER before going over and believes that it may have been closer to 8:00 than 7:00 because where he comes from in Arkansas you generally did not even call people until after 8:00 in the morning and he knew that everyone had been up very late the night before (as he had, not getting home until about 2:00 am on the morning of July 21, 1993) and that LISA FOSTER had been given a sleeping pill. From that he guesses that he would have arrived there closer to 8 am. When he arrived with his wife SUSAN HUBBELL, he does not recall seeing any press people. He was surprised at this. HUBBELL said that he remained at the FOSTER residence for the entire day except for a brief period in the afternoon when he went to The White House for a meeting with the Park Police.

HUBBELL said that LISA FOSTER and her children were at

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Continuation of FD-302 of WEBB HUBBELL, On 7/18/94, Page 3

the residence and he thinks there was some other female (possibly a relative) who had spent the night with LISA but he could not recall who it was.

He has no recollection of seeing CRAIG LIVINGSTONE at the FOSTER residence, either parked outside of it or standing outside of it or in the residence the morning of July 21, 1993. He has no information about LIVINGSTONE's having been there. HUBBELL explained that he could have been there but he has no affirmative memory of it. He does not remember one way or the other whether KENNEDY, LIVINGSTONE and HUBBELL himself had talked about LIVINGSTONE being there that morning. He said that the statement that they had discussed it in a prior interview was incorrect.

He went on to explain that the previous evening, July 20, LIVINGSTONE stayed outside the residence. HUBBELL said that he remembers KENNEDY and HUBBELL himself discussing whether or not LIVINGSTONE should be there and conceded that maybe it had been in LIVINGSTONE's presence.

Returning to the subject of the morning of the 21. HUBBELL said that SHEILA ANTHONY came over later in the morning and MARSHA SCOTT came even later than that when it was time to pick HUBBELL up to take him to The White House for the meeting with the Park Police. He advised that nobody from The White House was there at the house that morning.

HUBBELL said that parking on the street in front of the FOSTER residence was not a problem at all in the morning when they arrived. It had been the night before. It was very crowded and they had had to park around the corner but the following morning there were plenty of spaces. He does not recall seeing any car with any individual sitting in it at or near the FOSTER residence. SUSAN HUBBELL parked their car on the street near the residence.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/13/94

Webster Lee Hubbell appeared at the Office of the Independent Counsel, Washington, D.C. as scheduled at 2:00 p.m. for interview. Mr. Hubbell was advised of the identity of the interviewing agents and that the purpose of the interview was to discuss his personal knowledge of Vincent Foster, his weekend at the shore with the Vincent Fosters on the weekend just prior to Vincent Foster's death, and his knowledge regarding a meeting on July 21, 1993 with the U.S. Park Police concerning their investigation of Foster's death. In addition to the interview agents, Carl Stich, Assistant to Independent Counsel, Robert B. Fiske, Jr., also assisted with the interview. Also present during the interview was John Nieldes, attorney for Hubbell. Mr. Hubbell provided the following information:

Personal Knowledge of Vincent Foster:

He had known Vincent Foster for about 20 years, having worked with him at the Rose Law Firm in Little Rock, Arkansas. He explained that Foster started at this firm in January, 1971, and that he (Hubbell) started work there in May of 1973. He said that Foster was a graduate of the Arkansas Law School.

After coming to Washington, D.C. with the President in January, 1993, he said he spoke with Foster on a daily basis, at least concerning business matters. He advised that when Foster first came to Washington, he stayed with his (Foster's) sister, Sheila Anthony. Hubbell's wife came to Washington in March of 1993 and Foster's family joined him permanently in June of 1993. Foster's wife had rented temporary quarters in Washington in March or April, but continued to reside in Little Rock. The Foster children came to Washington in May or June of 1993.

Hubbell described his relationship with Foster as being "best friends."

The last time Hubbell saw Foster was the Monday before Foster died (7/19/93). He saw Foster in Foster's office and can't remember the business matter discussed, if any, but does

investigation on 4/13 & 14/94 at Washington, D.C. File # 29D-LR-35063

by SA William T. Guyton FOIA(b)(7) - (C) Date dictated 4/13 & 15/94

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Continuation of FD-302 of Webster Lee Hubbell, On 4/13&15/94, Page 2

remember discussing the previous weekend the Foster and Hubbell families had spent together.

Hubbell described Foster in the following terms: reserved; not loud, held everything inside; loved his children more than anything, very close to them; had no weaknesses; very smart; quiet; meticulous in his work; spent time gathering facts before drawing conclusions; frustrated with White House Travel Office issues - attention in the media, unhappy with the FBI and internal report on the Travel Office matter; someone who worked until 10:00 to 11:00 p.m. each night and also on Saturdays and Sundays; hadn't gotten away from his White House work. When asked if he had observed any noticeable behavioral or emotional changes in Vincent Foster prior to his death, Hubbell said that in hindsight, he realized that the no time off from work was wearing on us all. Hubbell described a "once a week" dinner or "Arkansas night" frequently attended by Foster. Others who would often join the group included Deb Coyle (phonetic), Bruce Lindsey, Marsha Scott, John Emerson, Sheila and Burl Anthony and other out-of-town friends. Hubbell said Foster was a great friend, but not the life of the party. He did not notice Foster acting differently in the days or weeks before his death.

Hubbell said that Foster would cope with problems in his life, both professionally and personally, by relaxing by the pool, reading and jogging, although he had done the latter less since coming to D.C. and was not able to relax by a pool at all. His reading included everything such as novels, history, newspapers, etc.

Hubbell said that he was not aware of any problems or difficulties Foster was experiencing prior to his death. He said Foster never talked about money concerns and had successfully rented his house in Little Rock and that this was not a concern for him. When asked if there may be any stress associated with working on Whitewater tax returns, Hubbell answered that he was not sure - Vince never mentioned this as a point of stress. He said Foster felt responsible for the Travel Office matter and didn't like the criticism being received on this issue.

When asked if Vincent Foster had an individual in his life in whom he could confide, Hubbell replied that Foster wasn't the type of person to say let's go for an hour or two and unload, but rather during five minute breaks in business discussions, he

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Continuation of FD-302 of Webster Lee Hubbell, On 4/13&15/94, Page 3

would confide in Hubbell concerning matters on his mind. In addition to Hubbell, Hubbell believed Foster confided with his wife, Lisa, and his sister, Sheila Anthony, but he really wasn't someone to often do this.

Hubbell never remembered statements by Foster such as "I can't stand it anymore" or "I'd be better off dead" or other similar statements.

Hubbell answered no to all questions concerning any noticeable changes in Foster's personal appearance, physical ailments, headaches, loss of appetite or any kind of stomach trouble. He said, however, that both he and Foster had confided in each other about sleep difficulties. Foster had said on occasion that he had been up all night or didn't sleep well the previous night or that he had awakened in the middle of the night. Hubbell said that Foster had lost approximately 10-15 pounds prior to his death. At the time, Hubbell associated Foster's weight loss with work and the fact that they were eating lunch at the desk or not eating regularly. He and Foster had discussed that the new administration had walked into an "empty office." They compared it to a law office where "the clients were ready and you have nothing." Newspaper accounts concerning the previous administration's removal of office items was termed by Hubbell as accurate.

Hubbell said that he was not aware that Foster was experiencing any type of stress. Foster never talked to Hubbell about missing the comfort zone of the Rose Law Firm where they had worked for more than 20 years. They just never talked about it one way or the other. Rather, Foster talked about being on this great adventure in Washington, D.C. Hubbell said he and Foster were very close to the President and First Lady and discussed with each other, prior to coming to Washington, that "I'll go if you go." Hubbell believed that Foster thought that the option of going back to Little Rock or the Rose Law Firm would have been an acknowledgement of failure. This was during the time of the Travel Office situation. Hubbell said if you really want to understand Foster, to look at his recent speech at the University of Arkansas. He believed Foster wrote the speech after someone else had worked on it. Foster rewrote the speech himself on the plane.

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Continuation of FD-302 of Webster Lee Hubbell, On 4/13&15/94, Page 4

Hubbell described Foster's reputation as being "impeccable." He said Foster could have run for President of the Bar Association in Little Rock and nobody would have run against him. Foster was an anchor, a rock, in the White House Counsel office. Everybody felt they could go to him for advice. As examples, Foster assisted/counseled George Stephanopoulos, the Domestic Policy Council, the lawsuit against the Healthcare Advisory Group and the Department of Justice.

Hubbell did not believe that Foster himself relied upon religion. Lisa Foster is Catholic and their children were raised Catholic. Hubbell believes Foster attended church at times with his family.

When asked if he had noticed any changes in interests or hobbies by Foster prior to his death, Hubbell replied that Foster continued to relax by reading. He had no knowledge of Foster having any firearms. He said he was not a hunter and only rarely participated in Arkansas duck hunt trips, if at all. Hubbell was very surprised to learn that Foster had any guns. "It just wasn't in his (Foster's) personality."

Hubbell described Foster's relationship with his wife as good. As with most people, there had perhaps been some stress adjusting to their new world; however, this was helped as Lisa became closer to other White House wives, to include Hubbell's. There may also have been some stress associated with Foster not being home often. Hubbell believed Lisa Foster was in favor of moving to Washington, D.C. with her husband. Again, as with anyone, perhaps with some reservations. However, they were all excited about joining the President.

Weekend of 7/17-18/93:

Hubbell was asked about the weekend before Foster's death. He explained that he and his wife were supposed to go to dinner with the Fosters on Friday evening, but that Foster had called him (Hubbell) in Miami and said that he and his wife were planning to go to the Eastern Shore.

Hubbell explained that both he and Foster knew Mike Cardoza, who had been Deputy White House Counsel in the Carter administration. During the transition, Cardoza had been asked by Zoe Baird for his help with personnel issues. Cardoza ended up

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Continuation of FD-302 of Webster Lee Hubbell, On 4/13&15/94, Page 5

spending four months at the Department of Justice with Hubbell prior to Janet Reno being in place as Attorney General. Foster had met Cardoza in this same transition period. Cardoza's wife, Harolyn, was originally from the Washington, D.C. area and both families relied upon her and Mike for advice about household matters such as what plumber to call or otherwise how to get things done for the family. Hubbell and the Cardozas left Saturday morning for the Cardozas' house near Easton, Maryland. Hubbell told them that Vincent Foster and his wife were "somewhere close" and let's invite them over. They called the Fosters and found that they were, in fact, only 15 minutes away. The Fosters came over for dinner. The families spent a good relaxing evening together. It was arranged that both Mrs. Hubble and Mrs. Foster would receive a tennis lesson from nationally famous tennis instructor Nick Boliterri (phonetic), a friend of Harolyn's father, Nate Landow, a developer in the Washington, D.C./Baltimore area. Both Boliterri and Landow also spent the weekend with the Hubbells and Cardozas at the Cardozas' house. Following their Saturday get together, Vincent Foster and his wife went back to the hotel and Foster went on a long jog. During their association on both Saturday and Sunday, Foster spent his time reading the paper, boating, hitting some golf balls and being introduced to eating fresh crab. They talked about how their lifestyles had changed and how they needed to have a life outside of work. Foster talked about taking June/July off when he was employed at the Rose Law Firm to visit his house in Michigan and how he missed doing that. They had agreed to not talk about work-related matters. Hubbell said both he and Foster were concerned about each other but that the weekend was very relaxing. The Monday before he died, Foster said he was making arrangements to take the next weekend off similar to the one they had just spent to get away from Washington, D.C.

Other Comments Regarding Foster and Events Surrounding the Day of Death:

Hubbell was asked about comments by anyone concerning Vincent Foster and his well being in the days before his death. Hubbell said he could not recall any specifics, but that Foster had been working too hard and some of his friends were worried about Foster being under too much stress. Hubbell said it is hard to read your name in the paper so often.

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Continuation of FD-302 of Webster Lee Hubbell, On 4/13&15/94, Page 6

Hubbell said he was notified of Foster's death while at dinner with his family and Marsha Scott on the evening of July 20, 1993. George Stephanopoulos called him and asked him to get to a phone where he could talk. Stephanopoulos told him that Foster had been found dead and indicated that it was thought it might be a suicide. At first, Hubbell believed Stephanopoulos was referring to young Vince Foster, Foster's son. Hubbell told his wife and Marsha that they had to leave dinner and the kids were left in the restaurant to finish their dinner.

Hubbell said that Bill Kennedy had gone to identify the body and that Foster's car and White House pass had been found. Hubbell said he wanted to be at the Foster residence when the U.S. Park Police came to tell Foster's wife, Lisa. Hubbell lives on McComb Street, near Sheila Anthony, Foster's sister. On this particular night, Foster's other sister, Sharon Bowman, a Little Rock housewife, happened to be visiting at Sheila Anthony's home. Hubbell knew he had to go to Sheila's home and also find her husband, Beryl. Hubbell and his wife, Susie, went to the Foster residence.

Foster was asked about what kind of car Foster was driving while in Washington. Hubbell said that he believed it was a Honda or similar car that was used on a regular basis by Foster. He said this car was Foster's daughter Laura's car and that Foster had left his car, an older model Olds Toronado, in Little Rock. Hubbell was asked if he knew how Foster had brought his gun up to the D.C. area from Arkansas. Hubbell said he did not know when Foster brought the gun to Washington. He was aware that Foster was concerned with the crime rate in the D.C. area. Hubbell did not know that Foster even had a gun until the night of Foster's death. He said Lisa Foster believed that Vince had two guns and maybe more. Foster had been given these guns when his father died. On the night of Foster's death, they found only one gun at the Foster residence and no ammunition.

Foster had talked with friends about being upset. Foster felt that people were being unfairly criticized. Hubbell gave as an example that Bill Kennedy had been reprimanded by an internal report concerning the Travel Office and that Foster viewed this as a "bum rap." Hubbell said that everyone at the Foster residence that evening was trying to make logic out of the death, trying to pinpoint some event, but that they could not do so.

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Continuation of FD-302 of Webster Lee Hubbell, On 4/13&15/94, Page 7

When the U.S. Park Police advised Lisa Foster of her husband's death, Lisa responded by screaming, "It can't be true, it can't be true."

Hubbell said he had no knowledge of any prior history of clinical depression for Vincent Foster or anyone in the Foster family.

Foster's mother still resides in Hope, Arkansas and Hubbell was aware that Vince talked with her frequently on the telephone. Foster did not return to Arkansas on a regular basis since coming to Washington. Hubbell was asked to recall the times Foster may have returned to Arkansas. He said for Mr. Rodham's funeral, perhaps at Easter time, and for the University of Arkansas graduation commencement speech, were probably Foster's only times back to Arkansas.

Hubbell was asked if he had received any letters or other correspondence from Foster immediately preceding or just following Foster's death. He answered no.

Individuals present at the Foster residence on the night of Foster's death included the following: Bruce Lindsey; Bill Kennedy; Marsha Scott; David Watkins and his wife (Watkins was Operations for the White House); Mack McLarty and his wife, Donna; Senator Pryor; Burl Anthony; Foster's daughter, Laura; and then later the two boys were located and on one of the nights, President Clinton. Hubbell noted that Mrs. Clinton was out of town at the time, maybe in Arkansas. Hubbell identified Foster's children as son Vincent, age 22-23; daughter Laura, age 21; and son Brugh, 17-18.

Hubbell was not aware of any particular projects on which Marsha Scott was working, other than that she was working on Clinton work. Hubbell also knew that Foster was setting up a blind trust for the Clintons with the help of outside counsel. Brantley Buck, of the Rose Law Firm, was working on this project with Vince.

Hubbell said that the hours immediately after Foster's death were busy with making arrangements for the funeral and family and friend notifications. On the night of Foster's death, he left Foster's residence sometime after midnight, perhaps even as late as two or three in the morning.

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Continuation of FD-302 of Webster Lee Hubbell, On 4/13&15/94, Page 8Meeting with U.S. Park Police 7/21/93:

On the evening of July 20th or early morning of July 21st, Hubbell can't remember which, he was notified of a meeting at the White House where the U.S. Park Police would provide a report concerning the circumstances of Foster's death. Hubbell remembers possibly getting a ride to the White House after stopping that morning at the Foster residence. The meeting with the Park Police was held in David Watkins' office early on the morning of July 21, 1993. He said Watkins' office is on the ground floor of the West Wing of the White House. He could remember that the meeting was attended by David Watkins, two U.S. Park Police investigators, Bill Kennedy, and perhaps George Stephanopoulos and Bernie Nussbaum. The Park Police provided a report of what they had found. The Park Police wanted to know who the point person would be at the White House during the investigation. Hubbell's memory was that initially this individual was identified to be David Watkins. Hubbell said that no White House instructions were given to the U.S. Park Police concerning the conduct of their investigation at that meeting. Hubbell said he was at the meeting as a representative of the Foster family. He wanted to obtain information regarding the suicide that he could relay back to the family.

It was at this time that Jim Hamilton was hired as the Foster family attorney. Hubbell told Lisa she would need an attorney to assist with details regarding transfer of the body back to Arkansas, the autopsy and someone who knew the Washington, D.C. climate. Vince Foster knew Jim Hamilton and had great regard for him.

When asked about the search of Foster's office, Hubbell replied that someone might have mentioned it. Hubbell himself may have asked Nussbaum if there had been a note. Hubbell could not recall other discussions regarding a search for a suicide note. He also did not visit the Foster office himself. Hubbell had been told that Foster's office had been locked. Hubbell remembered calling Bill Burton regarding the question of locking the door.

Hubbell said he did not find out about the note until after he got back from the Foster funeral. When he was shown the note by David Margolis of the Department of Justice, his first reaction was that it was not in Foster's handwriting. However,

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Continuation of FD-302 of Webster Lee Hubbell, On 4/13&15/94, Page 9

he later learned that this was simply a transcription of the original note which had been torn. He eventually saw the torn note and agreed that it was Foster's handwriting. Hubbell said that the contents of the note were "not atypical" of Foster. He said it was common for Foster to prepare "to do" and other lists. Hubbell understood that Lisa Foster had told her husband to make a list of the things that were bothering him. He also said that Foster had called for medication and had some psychiatrists' names.

Hubbell was asked who else should be talked to concerning this investigation. His immediate reply was that was assuming investigators "ought to be talking to anybody." Hubbell then said that he was not aware of any information out there to draw any other conclusion other than what has already been done.

Hubbell described Hillary Clinton's relationship with Vince Foster as being close friends. He said Hillary, Vince and I were very, very close. He also described Mrs. Clinton and Foster as co-workers. They had had a fifteen year close working relationship at the Rose Law Firm. He said there was no truth to reported rumors of anything more than this.

At the conclusion of the interview, Hubbell's attorney wanted to bring up two items. The first, some information provided to Hubbell from the son of a writer in Fayetteville, Arkansas. This individual, Sean Harrison, had provided Hubbell with information that Foster may have been murdered by a Navy hit squad. Prior to his death, Foster had been furnished information regarding unexplained suicides of two Arkansas military men. This information was provided for the record.

Secondly, Nieldes wanted Hubbell to comment regarding his (Hubbell's) earlier comments at the time of Foster's death that it may not have been a suicide. Hubbell explained that that comment was only an immediate reaction. He now believed that Foster's death was a suicide and had no doubt that it had been done at Fort Marcy Park, even though he (Hubbell) has never been there.

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Continuation of FD-302 of Webster Lee Hubbell, On 4/13&15/94, Page 10

The following description of Hubbell was obtained through observation and interview:

Name: Webster ("Webb") Lee Hubbell
 Race: White
 Sex: Male
 DOB:

FOIA(b)(6)
FOIA(b)(7) - (C)

 POB:

FOIA(b)(7) - (C)

 SSAN:

FOIA(b)(7) - (C)

 Current Address: 3843 McComb Street, N.W.
 Washington, D.C. 20016
 Temporary Office Space: 1125 19th Street, N.W.
 Washington, D.C.
 Telephone: (202) 363-0743 (home)
 (202) 429-1780 (work)

On April 14, 1994, John Nieldes telephonically contacted attorney Carl Stich with the following information:

Hubbell would like to add that he now recalls that there was an issue shortly after Vince Foster's death that Vince had sent a package to his mother shortly before his death, perhaps the Monday before. The package contained some legal materials related to a family trust or something like that. There was no personal letter included, so far as Hubbell knows. This information came to Hubbell from Foster's sister, Sheila Anthony.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/7/94

WEBSTER LEE HUBBELL, former Associate Attorney General, U.S. Department of Justice (DOJ), telephone (202) 363-0743 (home), (202) 429-1780 (work), was interviewed at the Office of the Independent Counsel, Washington, D.C. MR. HUBBELL was advised of the identity of the interviewing agent and of the purpose of the interview. This was a follow-up interview to his interview by the FBI and the Office of Independent Counsel on April 13, 1994. CARL STICH, Assistant to Independent Counsel, ROBERT B. FISKE, JR., assisted with the interview. Also present during the interview was JOHN NIELDES, attorney for HUBBELL. MR. HUBBELL provided the following information:

His first recollection of VINCENT FOSTER discussing the White House Travel Office matter with him was right after his (HUBBELL's) confirmation hearing in mid-May, 1993. HUBBELL recalled that the hearing was on a Wednesday and that on a Thursday or Friday night dinner after this, FOSTER told him that the Travel Office situation "looks like a mess." FOSTER indicated to HUBBELL that this was another matter starting to hit. FOSTER expressed a concern regarding whether the White House had acted properly in contacting the FBI. The issue was whether BILL KENNEDY, Associate Counsel to the President, should have called the FBI directly. FOSTER's reaction was that he didn't know what had been wrong with this. KENNEDY dealt with the FBI on a daily basis regarding nominations and it seemed reasonable he would contact the FBI with a new issue asking who it should be referred to. FOSTER didn't see anything wrong with this and discussed what the future White House policy should be as the White House was being criticized. FOSTER was upset, but not terribly so, about the criticism.

FOSTER's concern over the Travel Office matter "got worse." FOSTER expressed concern to HUBBELL that he shouldn't have handed the matter off. FOSTER wanted to take responsibility. He was not happy that the FBI report had criticized KENNEDY.

Investigation on 6/7/94 at Washington, D.C. File # 29D-LR-35063

by SA William T. Guyton WTG:deg Date dictated 6/7/94

LD-LR-35063

Continuation of FD-302 of WEBSTER LEE HUBBELL, On 6/7/94, Page 2

The White House report on the Travel Office had censured BILL KENNEDY. FOSTER was very upset about this. FOSTER felt that KENNEDY was being made a "scapegoat." FOSTER had asked KENNEDY to handle the matter and felt personal responsibility.

HUBBELL was asked if he believed KENNEDY pressured the FBI. HUBBELL replied that this statement was in the FBI report but that it was hard to recall when he had first heard this. FOSTER had told HUBBELL that KENNEDY wouldn't have done this. FOSTER didn't believe that KENNEDY had pressured anybody or had threatened IRS involvement.

HUBBELL was asked about FOSTER's statement that the FBI had lied. HUBBELL answered that "lied" is "not a word that VINCE used."

HUBBELL was asked if he had noticed any change in FOSTER concerning the Travel Office matter. HUBBELL replied that FOSTER continued to be upset, focused on the matter and concerned that Congress was talking about holding hearings on the issue. FOSTER expressed concern that people should be hired to represent the White House. HUBBELL explained it was not that FOSTER had done anything wrong, but that he was just focused on the matter. HUBBELL said he would not describe FOSTER's reaction as anger, as he never saw FOSTER "blow up." FOSTER was "upset" that the Travel Office matter couldn't be put to bed or die and be over with. Newspaper articles, particularly the Wall Street Journal, were continuing over this issue. There were calls for files and Congressional hearings.

HUBBELL said he thought that FOSTER was overreacting to this. HUBBELL advised FOSTER to get outside counsel if that was what was needed. FOSTER was trying to get BERNARD NUSSBAUM, White House Counsel, to hire outside counsel.

FOSTER was never concerned for his personal exposure on the issue. He wanted the outside lawyer to give the matter a "fresh look."

When asked if FOSTER had hired an attorney personally, HUBBELL said that he knew FOSTER had talked with JIM LYONS and JIM HAMILTON regarding representation. HUBBELL believes he found out about this afterwards. HUBBELL said he did not know why.

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Continuation of FD-302 of WEBSTER LEE HUBBELL, On 6/7/94, Page 3

FOSTER would personally need an attorney. HUBBELL said it was hard to remember when you first knew about some of these things.

FOSTER had talked to HUBBELL about wanting to get outside counsel for the White House Counsel's office.

HUBBELL was questioned again about FOSTER's statement that the FBI had lied to the Attorney General. HUBBELL said that FOSTER was probably referring to the FBI report on the Travel Office with that statement. HUBBELL could not recall or think of anything else FOSTER may have been referring to.

HUBBELL was asked if he knew the name CRAIG LIVINGSTONE. HUBBELL replied that "the name sounds familiar." When LIVINGSTONE was further described as a White House employee, HUBBELL asked if he was a heavysset guy and then said he could recall LIVINGSTONE. HUBBELL saw LIVINGSTONE at FOSTER's residence on the evening of July 20, 1993. LIVINGSTONE worked for BILL KENNEDY. LIVINGSTONE may have gone to identify FOSTER's body with KENNEDY but HUBBELL said he didn't know that. HUBBELL recalled sitting in LIVINGSTONE's car, using his car phone. LIVINGSTONE also came to FOSTER's residence on the morning of July 21, 1993 to assist with press control. He may also have helped on the evening of July 20, 1993 at the residence with press control. HUBBELL said that White House communications people had also been called for someone to be at the FOSTER residence on the morning of July 21, 1993. HUBBELL could not recall exactly who he talked to about this; it may have been MCLARTY, BILL BURTON, DAVID WATKINS and he could not recall if MARK GEARAN was there yet or not. HUBBELL said that either he or BILL KENNEDY would have asked LIVINGSTONE "can you be here in the morning?" referring to the FOSTER residence. HUBBELL said he could not recall anything further, other than he thought there had been some press at the FOSTER residence on the morning of July 21, 1993. He cannot remember White House presence. HUBBELL is not sure if White House personnel showed up. He can just remember the issue being discussed.

HUBBELL said he would like to correct the date on which JIM HAMILTON had been hired from what he said in his previous interview. He now remembered a call being made to HAMILTON on the evening of July 20, 1993. HUBBELL believed he previously stated that HAMILTON had been contacted the following day (July 21, 1993).

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Continuation of FD-302 of WEBSTER LEE HUBBELL, On 6/7/94, Page 4

HUBBELL was asked if there was anything about the Travel Office matter that was similar to anything which FOSTER had experienced in the past and, therefore, caused him so much concern. HUBBELL replied that you "can't make logic out of an illogical act." FOSTER had become focused on the Travel Office issue and blown it out of proportion. HUBBELL had told FOSTER that you have the Travel Office matter and I have Waco. HUBBELL believes that FOSTER would have told him if he had done anything wrong in connection with the Travel Office situation. FOSTER always wanted a secondary role and wanted to avoid the spotlight.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/21/94

SUZANNA WARD HUBBELL, wife of former Associate Deputy Attorney General WEBB HUBBELL, appeared at the Office of the Independent Counsel with her and WEBB's attorney JOHN W. NIELDS, JR. Howrey & Simon, 1299 Pennsylvania Avenue, NW, 202-383-6639. Also present representing the Office of the Independent Counsel was Attorney MARK STEIN. After being advised of the identity of the interviewing agent and the nature and purpose of the interview, HUBBELL provided the following information:

HUBBELL advised that she and her husband, WEBB, went together to the FOSTER residence both the night of 7/20/93 and the morning 7/21/93. Mrs. HUBBELL advised that she drove because Mr. HUBBELL does not drive. They went to the residence on both occasions because they were the FOSTER's closest friends and it was unthinkable not to be there.

To the best of HUBBELL's recollection, they had gotten home at approximately 2:00 am on 7/21/93 and slept heavily-being very tired. Mrs. HUBBELL called the FOSTER residence at approximately 8:00 am the following morning. To the best of her recollection, SHEILA ANTHONY, who had spent the night at the FOSTER residence, answered the phone and said that LISA and the rest of the household was still asleep.

Mrs. HUBBELL said that she and her husband got up and got dressed and got to the FOSTER residence at approximately 9:00 am. She parked the car fairly close to the residence. She does not recall exactly where, but said that she usually parks around the corner. She does not recall one way or the other if any member of the press was there. She also does not recall anybody else at or near the residence. In particular she does not recall one way or the other whether or not there was a young woman in front of the residence. HUBBELL advised that when they arrived at the residence, the only people there were SHEILA ANTHONY, LISA FOSTER and the FOSTER children. She said that EILEEN WATKINS and DONNA MCLARTY arrived later in the morning. She does not recall anyone there from The White House or anybody acting in a security capacity that she was aware of. She remembers seeing MARSHA

Investigation on 7/20/94 at Washington, D.C. File # 29D-LR-35063

by SSA H. ALEXIS SUGGS Date dictated 7/21/94

LR-35063

Continuation of FD-302 of SUZANNA WARD HUBBELL, On 7/20/94, Page 2

SCOTT sometime that day but she does not recall when.

She does not know CRAIG LIVINGSTONE. She has never heard his name and positively does not know who he is.

Date of Birth:
Place of Birth:
Social Security
Account Number:

FOIA(b)(6) FOIA(b)(7) - (C)

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 03/11/94

Carolyn J. Huber was interviewed at the office of her attorney, Henry F. Schuelke, III, 1728 Massachusetts Avenue, N.W. Washington, D.C. In addition to the interviewing agents, attorney Schuelke was present at this interview. Ms. Huber was advised that the interview was in connection with allegations concerning the shredding of documents at the Rose Law Firm (RLF) in Little Rock, Arkansas. After being advised of this and of the identity of the interviewing agents and she provided the following information:

She was first employed by the RLF from April 1976 through December 31, 1978 as a secretary to Law Firm Associate Allen Bird and Law Firm Partner Hebert Rule. From January 1979 through January 15, 1981 she was Mansion Administrator at the Arkansas State Governor's Mansion. Thereafter, she served as Office Manager at RLF from January 17, 1981 through January 31, 1993. Her duties as Office Manager included all personnel work with regard to the clerical staff, the day-to-day matters in connection with the building, and the approval of office procurements. On February 1, 1993 she assumed the duties of Special Assistant to the President at the White House.

When questioned regarding the process used to maintain, and, as necessary, shred documents at the RLF, Ms. Huber advised that because of space concerns, inactive files were transferred from the main offices of RLF to a remote storage area on Cantrell Road. This space was a warehouse owned by Capital Properties. When it was determined by RLF attorneys that files were no longer needed at the main office, files were transferred to this remote storage area. At this location two file clerks had custody of these records. They were Ricki Stacy and Ann Walker. She believed Ms. Stacy had been employed at RLF for a period of about nine years and Ms. Walker, who was primarily in charge of the microfilming of records, for four or five years. Periodically a list was created by one of these two individuals and sent to Mary Russell at RLF who in turn provided the list to each attorney for a determination of whether the files being held in storage should be (1) destroyed, (2) microfilmed, or (3) kept. She did not

Investigation on 03/11/94 at Washington, D.C. File # 29D-LR-35063

by SA H. ALEXIS SUGGS
SA WILLIAM T. GUYTON Date dictated 03/11/94

LD-LR-35063

Continuation of FD-302 of Carolyn J. Huber, On 03/11/94, Page 2

believe there was a fourth option for the attorneys to elect to personally keep the files or documents. This list created by the file clerks at Cantrell Road was often a copy of a list originally prepared when the files were boxed from the main RLF office location and sent to storage. This original list was created by RLF secretaries. Ms. Huber believes these listings by the secretary and the file clerks at the remote location are kept forever. In addition documentation concerning every file was made on a card system. She was not sure if this system has been computerized yet or not. Again, these cards were maintained indefinitely. She added that lawyers "can't throw anything away".

When questioned about the files of Mrs. Hillary Clinton during the 1992 Presidential campaign, Ms. Huber advised that these files stayed at RLF. Mrs. Clinton's office was maintained intact during the campaign year. Ms. Huber does not know who took over Mrs. Clinton's files when Mr. Clinton was elected President and the Clinton's moved to Washington.

Ms. Huber could provide no information concerning documents transferred from the governor's mansion back to RLF or any other location for destruction. She understood there were mail runs between the governor's mansion and RLF, but was not aware of any file destruction transfer while an employee of RLF.

When shown a copy of a memorandum to Mrs. Clinton from Mary Russell dated July 21, 1988, Ms. Huber indicated that the "C" written on this document referred to a Cheryl Park. It is Ms. Huber's understanding that Park only stayed at RLF one year (1988). She believes Park now lives in Conway, Arkansas and if it becomes necessary, she could find her telephone number, but believes that it would be available from directory assistance. She also advised that the additional writing on this memorandum was that of Mrs. Hillary Clinton. The "address to line" was in Mary Russell's handwriting. With respect to the attached listing of four Madison Guaranty Savings and Loan files, Ms. Huber said that she did not recognize this listing. She said the listing for files to be reviewed for disposition was usually a typed list. Again, often a xerox list of the original file contents prepared by the attorney's secretary.

When Ms. Huber left RLF they were trying to set up a numbering system on the computer regarding files sent to storage.

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Continuation of FD-302 of Carolyn J. Huber, On 03/11/94, Page 3

She is not sure if this has been done yet or not. She advised that as files were sent to storage, they were taken from the boxes in which they were received and shelved according to a predetermined numbering system. Any files still in boxes while in storage were only held in this condition because they had not yet been filed.

Business files of RLF were kept by the attorneys versus specific files related to clients were maintained in the office filing system as well as sent to storage at Cantrell Road.

By way of background Ms. Huber provided the following recollections concerning file disposition at RLF. In 1976 files were maintained at the original office space on Third Street and also at an off-site location. In approximately June 1981 the firm moved to a Fourth Street location and at that time hired a person to take care of the files. At this time the files were filed in a room in the basement of the building as well as a Third Street storage location and also in 1981 and 1983 in the Spring building. The Cantrell Road location for in-active file storage was rented approximately eight years ago. The person hired in 1981-82 to maintain RLF files was Patti Piedscalski. She is no longer with RLF, her duties were assumed in 1982-83 by Mary Russell who was first hired as a part-time employee and then as a full-time employee to maintain the files. In the mid 1980s files no longer needed by the firm were sold to the dump for the value of the paper, and then later BFI, a waste disposal company, picked up these records and destroyed them via a truck shredder. In approximately 1990, RLF purchased a shredder which was capable of small volume shredding of documents. Bob Boucher was in charge of picking up these documents for destruction. Finally, she added that there were locked boxes available for extremely sensitive material that was picked up on a daily basis by Boucher. He was the only one allowed to pick up this material.

Ms. Huber has no first hand knowledge regarding the shredding of documents concerning Madison Guaranty Savings and Loan, Whitewater, James or Susan McDougal, or Vince or Lisa Foster. She noted no change in volume for destruction of records during the campaign year or any change with respect to the volume of mail exchanged with the governor's mansion.

In her opinion there has been no coverup at RLF with respect to any abnormal file destruction. Any files destroyed

- LR-35063

Continuation of FD-302 of Carolyn J. Huber, On 03/11/94, Page 4

were done so during the normal course of business for space considerations as these files were no longer needed. She commented the attorney's at the firm wouldn't even know how to run the shredder or, in fact, may not have known where it was located.

The following description of Huber was obtained through observation and interview:

Name: Carolyn J. Huber
Race: White
Sex: Female

DOB:

	FOIA(b)(6)
	FOIA(b)(7) - (C)

POB:

	FOIA(b)(7) - (C)
--	------------------

SSAN:

	FOIA(b)(7) - (C)
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1728 Massachusetts Ave., N.W.
Washington, D.C. 20036

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/20/94
30171401.dmg

RICHARD HUFF, of the U.S. Department of Justice (DOJ), Office of Information and Privacy, telephone number 202-514-4233, was interviewed regarding his knowledge related to the dissemination of the United States Park Police (USPP) report concerning the death investigation related to VINCENT W. FOSTER, JR. After being advised of the identity of the interviewing agent and the purpose of the interview, HUFF thereafter provided the following information:

HUFF advised that the DOJ Office of Information and Privacy did not disclose the Park Police report to The White House nor did other divisions within DOJ disclose the USPP report to The White House.

HUFF was aware that the DOJ Office of Information and Privacy was in the process of responding to Freedom of Information Act requests related to the USPP report regarding FOSTER's death, circa September - November, 1993. HUFF believes that the USPP may have shared part of the report with The White House in order to determine what could be disseminated pursuant to FOIA requests at DOJ. HUFF recalls the USPP informing DOJ of disclosing to The White House, information from the FOSTER report in order to comply with incoming FOIA requests.

No further information of investigative value was provided.

(telephonically)

Investigation on 6/20/94 at Washington, D.C. File # 29D-LR-35063by SA DANA M. GILLIS Date dictated 6/20/94

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/1/94

CAPTAIN CHARLES HUME, United States Park Police (USPP), 1100 Ohio Drive, S.W., Washington, D.C. 20242, made available a copy of Public Law 94-458-Oct. 7, 1976, 94th Congress, a copy of which is attached. This particular piece of legislation can be found in the most current edition of the U.S. Code in Title 16 USCA's 1a-6. This particular section of the U.S. Code sets forth both the authority and jurisdiction of the USPP to conduct criminal investigations for crimes committed on United States park property.

Investigation on 6/1/94 at Washington, D.C. File # 29D-LR-35063

by SSA William E. Colombell
SSA William T. Guyton WEC:deg Date dictated 6/1/94

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/15/94

Captain Charles W. Hume, Assistant Commander, Criminal Investigations Branch, U.S. Park Police, appeared at the Office of the Independent Counsel, Washington, D.C., as scheduled at 1:00 p.m. for interview. Capt. Hume was advised of the identity of the interviewing agents and that the purpose of the interview was to discuss his involvement in the U.S. Park Police investigation of the death of Vincent Foster on July 20, 1993, particularly with respect to the search of Foster's office and events surrounding that search. In addition to the interviewing agents, Carl Stich, Assistant to Independent Counsel, Robert B. Fiske, Jr., also assisted with the interview. Capt. Hume provided the following information:

Capt. Hume advised that he was not at the Vincent Foster death scene investigation on the afternoon and evening of July 20, 1993. He understood he had been paged that evening but he did not receive the page. His first involvement in the Vincent Foster death investigation was at 6:30 a.m. (approximately) on the morning of July 21, 1993. The previous night's shift commander, a lieutenant whose name Hume could not recall, had been in charge of the Foster investigation to that point. Capt. Hume assumed control on the morning of July 21, 1993. Hume and Detective Pete Markland went to the White House. Markland had set up an appointment to visit the White House for them. Capt. Hume himself decided to go with Markland to establish liaison with the White House and later with the Chief of the Park Police. He told Markland to do what was standard in these types of investigations - such things as bullet recovery, autopsy and the need to get into Foster's office to look for a suicide note. At about 10:00 a.m., July 21, 1993, Hume told Markland to have Foster's office sealed.

Hume noted that at approximately 11:00 or 11:15 a.m., he made an official request for the sealing of Foster's office to the U.S. Secret Service, perhaps Inspector Martin after arriving at the West Wing of the White House. He later found out that Nussbaum had had the office sealed by approximately 10:00 a.m.

Investigation on 4/15/94 at Washington, D.C. File # 29D-LR-35063

by SSA William E. Colombell *WEC*
SA William T. Guyton Date dictated 4/15/94

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Continuation of FD-302 of Capt. Charles W. Hume, On 4/15/94, Page 2

Upon arriving at the White House at about 10:00 a.m., he and Markland unexpectedly saw Chief Langston and Major Hines (Office of Special Services, U.S. Park Police) at the gate. He explained that they (Langston and Hines) had a different mission. They were talking with George Stephanopoulos there and then went to do a briefing with Stephanopoulos and others from the White House. Markland and Hume were put on hold in the West Wing. They waited there with Inspector Martin from the U.S. Secret Service.

Hume said that as they waited, he received several pages and telephone calls to include several inquiries from the Eastern District of Virginia Assistant United States Attorney, wanting to be briefed on the case. This AUSA wanted to be involved as he was concerned about the political angle and media inquiries on the matter. He was finally referred to Phil Heyman at the U.S. Department of Justice (DOJ).

Prior to lunchtime, Langston and Hines returned from their briefing with senior White House officials. Hines spoke with Hume to let him know what was going on. He told Hume he would get into Foster's office, but he would have to wait for the FBI. After Langston and Hines left, and still before lunch, Nussbaum and Maggie Williams stopped to see Hume and Markland in the West Wing. Hume described Nussbaum as being in overdrive or high gear all the time. Nussbaum asked, "Where are the DOJ guys?" And there was an exchange as to who should call DOJ. Nussbaum finally told the Park Police that they should call the DOJ. Earlier, Hume had called the FBI field office. After lunch, at about 1:00 p.m., Hume and Markland met with Inspector Martin in the Executive Office Building. Don Flynn from the U.S. Secret Service was also possibly there. Hume advised his Chief and Major Hines that he had still not been in the Foster office and at that point, the Major advised Hume that he (Hines) was going to call the Attorney General, Janet Reno. Hume later learned that the Chief had spoken with Reno. FBI Agents Scott Salter and Dennis Condon also joined Hume and Markland at the Executive Office Building. Hume also talked with Phil Heyman, Deputy Attorney General, at least twice. Heyman briefed Hume on what was going to happen. Two career DOJ attorneys would be sent over. Hume later learned that these attorneys were David Margolis and Roger Adams. It was clear to him that the investigation would follow DOJ ground rules. Heyman went on to tell him that Margolis and Adams would go into the office, look

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Continuation of FD-302 of Capt. Charles W. Hume, On 4/15/94, Page 3

at the documents, and if there was no national security interest, the documents would be shown to the Park Police. Heyman told Hume to handle this investigation like a normal case. At about 4:00 or 5:00 p.m. in the afternoon, Hume learned from Heyman that he would not see the documents and Hume wondered "what was the point of all of this?" Heyman was more clear on a second call to Hume, apparently getting his game plan together with the Attorney General. The actual mechanics in the search were given in the second call. It became clear that Margolis would lead the DOJ team and decide if there was law enforcement interest.

Hume and Markland and two U.S. Secret Service Agents, including Paul Imbordino and maybe Don Flynn, went to the West Wing of the White House to the White House Counsel offices. Hume let Markland take lead for the Park Police and Scott Salter took the FBI lead and went into Bernie Nussbaum's office with the two DOJ attorneys. Agent Condon and Hume were not in on this meeting. He could not recall if the Secret Service Agent(s) went into the Nussbaum office or not.

While talking with the U.S. Secret Service employee on duty at the door to Vince Foster's office which had been sealed, Hume got the impression that anybody that was anybody would go into Foster's office if they wanted to.

When Markland came out of the meeting, he still did not seem to know when the search of the office would occur. Markland also reported that Nussbaum had been in Foster's office for approximately two hours on the night before.

At about 6:00 p.m., all agreed to meet the next morning at about 8:00 a.m. to conduct interviews with the secretaries. Again, it was not clear when the search would be conducted. Hume believed that Margolis and Adams were also not sure of the plan at this point.

Cliff Sloan asked Hume and Markland to return to their office and secure the personal affects of Vincent Foster so that they could be returned that evening by the President to Foster's widow. John Rolla had put these affects in a "bus station type locker" at the U.S. Park Police the night before and had to be contacted for access to this locker. Markland and Hume returned to the White House in time to meet a 7:00 p.m. deadline for giving this property to Sloan. Sloan signed for Foster's

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Continuation of FD-302 of Capt. Charles W. Hume, On 4/15/94, Page 4

affects. Hume remembered these items included a ring and wallet and its contents which the Park Police had photocopied. He believed Foster's pager and White House pass had been turned over to White House officials by the Shift Commander on the evening of July 20, 1993. Hume also recalled finding the names of three psychiatrists in Foster's wallet.

Hume was also told that the White House wanted the autopsy hurried up and Dr. Byers (phonetic) was called and Hume's recollection is the autopsy was performed on July 22, 1993, a day or two before it had actually been scheduled. Throughout the actual investigation, Hume said it was clear, "I was doing what DOJ wanted me to do."

At 8:00 a.m. on July 22, 1993, Hume and Markland met with Agents Salter and Condon and U.S. Secret Service Agents Flynn and Imbordino. Margolis and Adams were not yet there. After some down time, interviews of secretaries at the White House began. Either Sloan or Neuwirth were present for all interviews. Hume remembers one interview where Nussbaum burst into the room during the interview, asked if everything was okay in a very agitated way, and then left.

Margolis and Adams joined Hume after lunch.

Hume said the actual search of Foster's office was documented in the Park Police Report and that he had not refreshed his memory by looking at that report recently. His recollection was that the search began at approximately 1:00 p.m. and lasted until 3:00 p.m. He considered it a waste of time. At the search, and not before, he found out that Nussbaum only would look at the documents and not Margolis and/or Adams. Hume remembered Nussbaum finding a newspaper article and citing some kind of privilege and being questioned on this decision by Margolis. The article remained in the privilege pile of papers. Hume said at this point, most present in the room were beaten into the ground. It was a case of what we wanted to do versus what we were actually going to do. Margolis had said that if this was a normal case, we would have all the documents and Nussbaum answered, "Not if I'm the family attorney. I'd have all the stuff in my office." Nussbaum said that it was a suicide investigation and not a criminal investigation. It was clear Nussbaum wasn't going to let Margolis change his mind in this exchange.

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Continuation of FD-302 of Capt. Charles W. Hume, On 4/15/94, Page 5

Present at the search were two U.S. Secret Service Agents, Flynn and Imbordino; two FBI Agents, Salter and Condon; two DOJ attorneys, Margolis and Adams; two U.S. Park Police investigators, Hume and Markland; and five others - Spafford, a family attorney from Hamilton's law firm; Bill Burton; Neuwirth and Sloan and Nussbaum from the White House.

Hume said he saw nothing during the search. He was not familiar with the terms Whitewater and Madison at the time of the search.

Hume said Nussbaum created a pile of papers for the investigators to look at. It was the smallest pile and it was not reviewed during or immediately after the search. Hume also recalls a notebook being picked up by Nussbaum and Nussbaum mentioning it was something about a development. Hume remembered getting the impression it was something to do with a land, housing or real estate development, but did not remember the term Whitewater. Other notebooks on health care issues were also located during the search. Salter, Margolis and Adams had front row seats and Markland was in a position to see under the desk. At this point, Hume was given a diagram (attached) of the Foster office and indicated on this diagram exactly where everyone was sitting. Hume noted that Burton left the Foster office once or twice during the search. He didn't remember any other interruptions, except Burton leaving. Folding chairs had been brought in to accommodate the crowd.

At one point during the search, Sloan insulted FBI Agent Salter by questioning him on trying to "sneak a peak at the papers" being reviewed. Nussbaum tried to mediate the exchange, but it was clear Sloan had been serious. Salter responded in a polite and appropriate way to Sloan's charges. Hume said that all of us felt the search was a waste of time at this point. He also had vibes that he did not like Neuwirth.

Hume remembered a search of the briefcase in Foster's office. It had been next to the desk and ultimately put back against the wall. Hume recalled that it was a Wall Street lawyer type case and all leather. He particularly remembered that Nussbaum "went into" the briefcase three times. Hume delineated these occasions as the first time being when Nussbaum pulled a pile of papers from the briefcase, the second time being when he looked down into the briefcase later during the search, and the

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Continuation of FD-302 of Capt. Charles W. Hume, On 4/15/94, Page 6

third time being when Nussbaum reached down to put it against the wall. Hume was of the opinion that if there had been a note in the briefcase the day of the search, Nussbaum would have seen it. Again, Hume said Nussbaum was always in motion/hyper.

The search ended at 3:00 p.m. with a discussion concerning the turning over of personal material found to the family attorney, Spafford. Margolis had suggested that this personal documentation be given to Spafford and law enforcement could get it from him.

Hume could not recall trash being searched during the search of Foster's office. He remembered it had been brought back into the office, but could not remember if this was during the search or before or after it began. They did not search the computer and were advised that this information would be looked at later. He was told by Nussbaum that they would get back to them regarding any information found. He was later advised that there had been nothing on the computer. Hume said that he was not aware of any safe or search of any safe. He also said the search had been limited to Vincent Foster's office.

On July 23, 1994, Hume and another detective (Markland was off that day) returned to the White House, based on a call from Cliff Sloan. There had been a Washington Post article regarding the U.S. Park Police not seeing any White House documents. Sloan gave Hume some yellow phone slips dating back to January, 1993, as well as telephone logs containing date and time and messages. Sloan called to Nussbaum to clear the release of this material. Hume also recalled some calls from July 20, 1993 on the telephone log. He said these would be in the Park Police report.

Two or three days after the Foster note was found and this fact made public, Hume and Markland returned to the White House to interview Nussbaum and Neuwirth regarding how the note had been found. They agreed the two obvious questions to be answered were why had the note been kept so long and why didn't Nussbaum see the note the day of the search? Nussbaum questioned the three motions remembrance of Hume concerning the briefcase. Nussbaum said he couldn't recall this and he particularly took exception with Hume remembering that he (Nussbaum) had looked back into the briefcase. Neuwirth said that he was making an inventory of Foster's property and using the briefcase to pack

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Continuation of FD-302 of Capt. Charles W. Hume, On 4/15/94, Page 7

diplomas and pictures, when he turned the briefcase on its side and saw the torn paper which turned out to be the note.

The note was picked up by Joe Megby, U.S. Park Police, who had duty on the night it was found, sealed and given to Hume. The note was eventually given to the FBI as part of its obstruction of justice case.

Hume noted that when the Park Police looked at Foster's personal affects at Hamilton's office, there was an opportunity there to only see what they wanted us to see.

The lead received in the case regarding two bullets being purchased by Foster had been left up to Markland and Hume had not been involved in this issue.

At the conclusion of the interview, Hume discussed afterthoughts concerning the Foster investigation.

Hume said that on the day of his death, Foster had attended the swearing in or nomination of the FBI Director, had eaten lunch in his office and returned some phone calls.

He said that he had never been allowed to interview the youngest son of Vincent Foster regarding any recollection the son may have had concerning his father returning to his home on July 20, 1993, just prior to his death.

Hume also indicated that the Park Police interview with Lisa Foster seemed to be "rehearsed." Hume also commented that he wished the following questions had been asked of Mrs. Foster: (1) Why did she make the comment "did he put the gun in his mouth?" when she was informed of Foster's death? (2) Why did she and her son call the White House office on different occasions asking the question "How is he (Foster) today?" (3) Were there any domestic problems? (4) Had Foster talked about suicide before, or had he attempted suicide before? Hume said that Jim Hamilton, Beryl Anthony and another Sloan, not Cliff Sloan, were present during the interview of Lisa Foster. Hume identified the Sloan at the Lisa Foster interview as being an architect from Arkansas who was executor of the Foster will.

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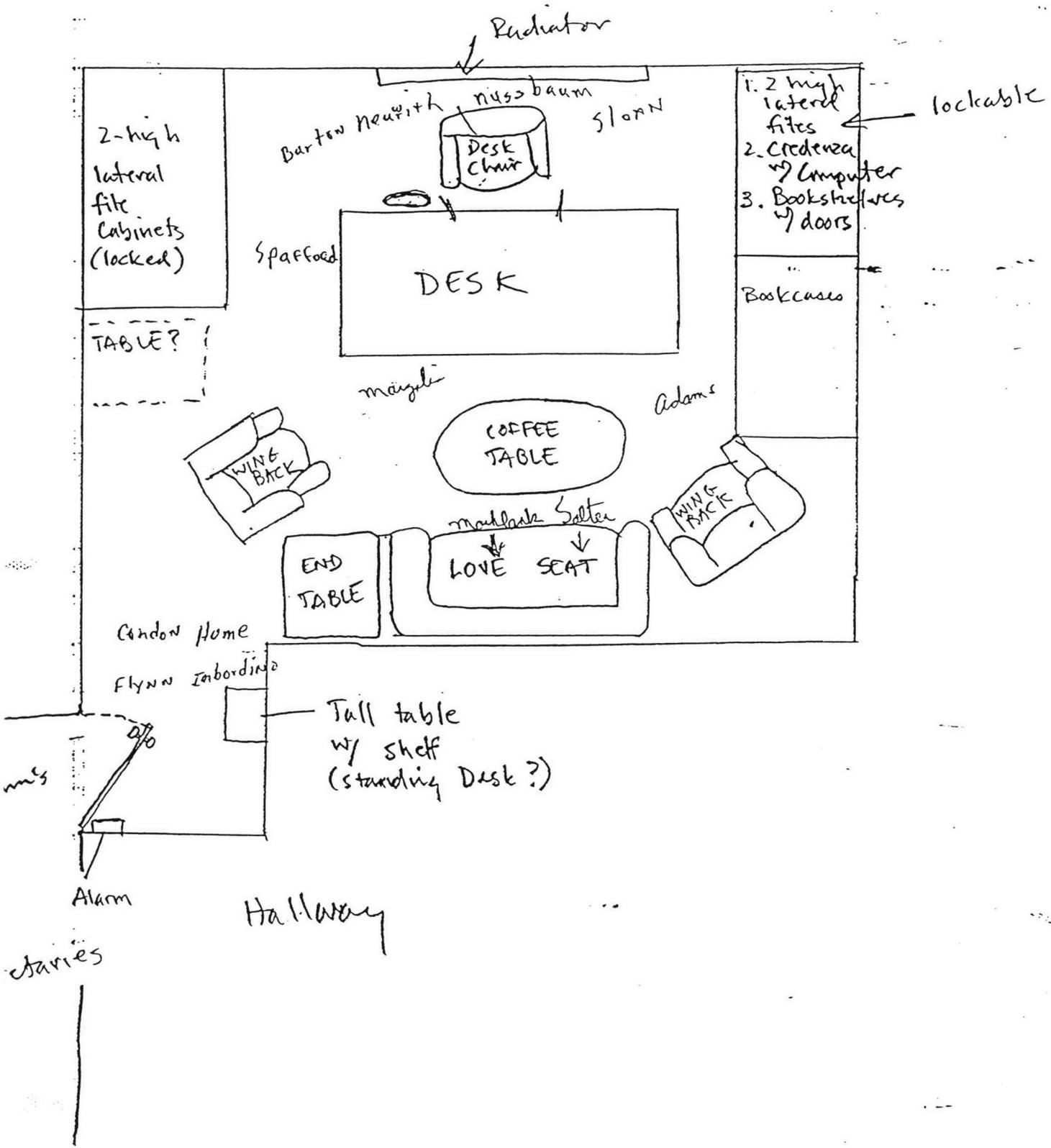
Continuation of FD-302 of Capt. Charles W. Hume, On 4/15/94, Page 8

Hume is satisfied that the Foster death was a suicide and did occur at Fort Marcy Park based upon the U.S. Park Police investigation.

Hume theorized that Foster had talked with Jim Lyons on the day of his death and Lyons had given him some kind of depressing news that tipped the scale of balance for Foster. It was just one more thing from the list of things Foster had put on his note that troubled him.

The following description of Hume was obtained through observation and interview:

Name: Charles W. Hume
 Title: Assistant Commander, Criminal
 Investigations Branch, U.S. Park Police
 Race: White
 Sex: Male
 DOB: FOIA(b)(6)
 POB: FOIA(b)(7) - (C)
 SSAN:
 Residence: 7857 Bethany Lane
 (P.O. Box 1734)
 La Plata, MD 20646
 Phone: (202) 690-5054 (work)
 (301) 934-2192 (home)



2-high lateral file cabinets (locked)

Barton Neuwirth
Nussbaum
Slorn



Spafford

DESK

- 1. 2 high lateral files
- 2. Credenza w/ Computer
- 3. Bookshelves w/ doors

lockable

Bookcases

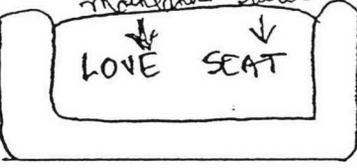
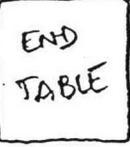
TABLE?

Mazuli

Adams



mark Saltzman



Candon Home

Flynn Imbordini

Tall table w/ shelf (standing Desk?)

Hallway

Alarm

stairs

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/3/94

Captain CHARLES W. HUME, Assistant Commander, Criminal Investigations Branch, U.S. Park Police (USPP), telephone (202) 690-5054 was interviewed at the Office of the Independent Counsel, Washington, D.C. Captain HUME was advised of the identity of the interviewing agent and of the purpose of the interview. CARL STICH, Assistant to Independent Counsel ROBERT B. FISKE, JR. assisted with the interview. Captain HUME provided the following information:

On the morning of July 21, 1993, he did not expect to see U.S. Park Police Chief LANGSTON or Major HINES at The White House. He saw them coming out of the west wing. Detective PETE MARKLAND and DENNIS MARTIN from the U.S. Secret Service were with HUME at the time of this meeting. LANGSTON spoke primarily with MARTIN and HINES with HUME. HINES didn't mention the Department of Justice (DOJ) to HUME but indicated that the FBI would "mediate" in the FOSTER investigation. HINES did not explain why the FBI would be involved. HUME formed no impression regarding what HINES was thinking about this involvement. HUME had no objection to the FBI involvement. HUME himself called the FBI after HINES mentioned that they would assist. Later in the morning of 7/21, BERNARD NUSSBAUM, White House Counsel and an individual HUME has later identified as MAGGIE WILLIAMS also met with HUME and the others asking if DOJ was there.

HUME understood that the purpose of the search of VINCENT FOSTER's office was to look for a) a suicide note or b) anything damaging that would make a person "go over the edge". They were looking for something that would make a person get up from his office at about 1:00 in the afternoon and commit suicide and/or why this time of day.

HUME was asked what he would have done if NUSSBAUM had granted him unlimited access to FOSTER's office. HUME answered that he would have preferred looking through FOSTER's office himself with Detective MARKLAND. He perhaps would have asked NUSSBAUM to send in one of his associates to be present during the search. He would have asked NUSSBAUM's associate about the

Investigation on 6/3/94 at Washington, D.C. File # 29D-LR-35063

by SA WILLIAM T. GUYTON Date dictated 6/3/94

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Continuation of FD-302 of CHARLES W. HUME, On 6/3/94, Page 2

significance of items located. He would have been looking for something "apparent" versus a full analysis of the FOSTER office records. As an example, the binders in the office dealing with health care would have been left alone. HUME would have viewed these as strictly White House business. It would not have piqued his interest. He would have to have located something obvious. The briefcase would have been looked at. FOSTER came to work with the briefcase in the morning with it and therefore it would have been of interest to HUME. If he had found anything suspicious, he would have called in his identification people to assist with the evidence handling.

HUME said he had not done a search of an attorney's office in the past. He would have had no problem with either SLOAN or NEUWIRTH being in the office at the time of the search.

HUME has reviewed or supervised cases involving national security documents. He cited a previous death investigation as an example of this.

HUME said there was no established protocol regarding a USPP death investigation versus a case involving protected classified documents. He said the conduct of the investigation depended upon the aggressiveness and tenacity of the detective involved. It was an individual thing. With respect to the FOSTER investigation itself he said, "We were in a new area".

HUME was comfortable with the DOJ handling the ground rules for the FOSTER investigation. He could say very clearly that DOJ was calling the shots. The USPP were "working for" DOJ. In some senses we (the USPP) were out of our league in dealing with The White House. HUME commented that he was "amazed" that DAVID MARGOLIS, DOJ attorney, could not, at his level, look at the documents in FOSTER's office during the search. HUME said he was still concerned about this.

LARRY LEISER was the Assistant United States Attorney who was calling HUME early on in the FOSTER investigation for updated information.

After lunch on 7/21/93, HUME had a telephone discussion with PHIL HEYMAN who was the number two man at the DOJ. HEYMAN had called HUME following Chief LANGSTON's call to JANET RENO. HEYMAN made it clear to HUME that he was the number two man at Justice and that HUME could call him with any problems during the

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Continuation of FD-302 of CHARLES W. HUME, On 6/3/94, Page 3

FOSTER investigation. During this first call, HEYMAN said he would be sending two career employees from DOJ to assist. The game plan or names of these employees were not provided to HUME during this first call although HEYMAN may have mentioned MARGOLIS name. HUME said this was a very busy time and that this phone call simply served as an introduction by HEYMAN. A second phone call with HEYMAN occurred at about 5:00 on the afternoon of July 21. During this call HEYMAN identified the DOJ employees who would be assisting as DAVID MARGOLIS and ROGER ADAMS. HEYMAN also made it clear what would take place during the search of FOSTER's office. At least MARGOLIS would look at the documents; set aside national security or White House business related items; and anything of interest to law enforcement would be shown to the Park Police. HEYMAN made it clear that HUME wouldn't see anything during the initial inspection. HUME did still believe that MARGOLIS would see all of the items.

HUME did not attend a meeting that was held that afternoon (7/21/93) in NUSSBAUM's office. When Detective MARKLAND came out of this meeting and was questioned by HUME, MARKLAND did not have answers to many of HUME's questions. HUME believes MARKLAND went back in for some clarifications. It was HUME's feeling that MARKLAND had been "overwhelmed" and "put in the background" during the meeting. HUME never understood why ADAMS and MARGOLIS did not return on July 22 until after lunch. HUME said they must have understood the game plan from their meeting with NUSSBAUM. No 1-2-3 game plan was articulated to HUME by anyone. It was clear to HUME they would be looking for a suicide note.

HUME was asked if the search procedure was acceptable to HINES. HUME responded that he dealt more and more with Chief LANGSTON on the FOSTER issue and answered LANGSTON did "not really think so". LANGSTON had been clear with HUME on the fact that the Park Police were having trouble doing their job.

HUME and Detective RAYFIELD met with COLLIER (Chief of Staff) at Interior on July 30, 1993. HUME described the meeting as "no big deal". It was simply an articulation of some Park Police concerns regarding the investigation.

Only after the search of FOSTER's office began on July 22, 1993, did HUME realize that MARGOLIS had had a discussion with NUSSBAUM regarding a change of procedure for the search. Nobody had consulted with HUME. HUME believed that MARGOLIS was

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Continuation of FD-302 of CHARLES W. HUME, On 6/3/94, Page 4

surprised that the privilege issue was "carried to the nth degree" by NUSSBAUM but otherwise MARGOLIS did not appear to be surprised by the procedure followed. It was clear that NUSSBAUM was number one and MARGOLIS number two during the search.

It was made clear that investigators would not see any documents from FOSTER's office the day of the search. The personal FOSTER documents were sent with the family attorney, SPAFFORD. The Park Police had indicated their interest in FOSTER's phone calls on the day of his death. During the search itself, NUSSBAUM located items where he said, "The police may be interested in this." There was also some dialogue during the search between NUSSBAUM and MARGOLIS. HUME never "called" NUSSBAUM on the choice of pile for documents located. HUME did not remember any challenge of any significance by anyone to NUSSBAUM's placement of the documents. HUME felt he didn't have the "privilege" to ask to see something. The Park Police had been "intimidated" pretty good to this point. As an example, HUME mentioned that he had seen a post-it note by the telephone in FOSTER's office but didn't feel comfortable in picking it up and looking at it. HUME felt that the search of the office on July 22 had been a "charade". NUSSBAUM made the call on everything first. MARGOLIS would turn to MARKLAND at times and ask about law enforcement interest. HUME did not recall NUSSBAUM refusing to put any documents in the review pile if an interest was expressed or if there was an indication that it may have been relevant. HUME understood that a pile of documents was set aside during the search that would be available for Park Police review at a later time. It was not clear when this would be or why immediate review had been denied.

HUME was asked if he believed the Park Police had been allowed to see all items set aside for their review. He answered that after the Washington Post article, CLIFF SLOAN called and was "different". SLOAN then made telephone logs and phone messages available. HUME was surprised the USPP were not just given the logs, messages and FOSTER calendar. SLOAN called NUSSBAUM every time the Park Police wanted to take a copy of something. HUME described it as "like pulling jaw teeth".

HUME was asked if he any contact with The White House between the day of the search (July 22, 1993) and July 30, 1993, the day he and RAYFIELD picked up the phone logs. HUME answered that he and MARGOLIS kept in touch frequently during the investigation but that he did not talk to The White House.

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Continuation of FD-302 of CHARLES W. HUME, On 6/3/94, Page 5

NUSSBAUM was not talking to the Park Police; The White House was not talking to the Park Police. The Park Police were dealing strictly with the DOJ. HUME did not recall any discussions with MARGOLIS regarding seeing documents.

HUME was asked his sense of whether The White House engaged in any obstruction of the USPP investigation of the FOSTER death. HUME answered that it was more the case of The White House controlling or running the investigation versus an obstruction. HUME said if they had taken something from FOSTER's office or had concocted a story regarding the suicide note, he would have viewed this as an obstruction. He described what they did as "arrogant", "damage control", or "a bunch of people who didn't know what they were doing". HUME thought that The White House or NUSSBAUM made decisions first as a sort of damage control and then they called the DOJ and the DOJ in turn called the Park Police. As an example, HUME cited the necessity for a second phone call from HEYMAN regarding the details or procedure of the search and who would be assisting. It was apparent to HUME that HEYMAN was getting instructions.

It was obvious to HUME that the search could be a situation where the Park Police saw what they (The White House) wanted us to see. HUME said that eventually they did get to see everything they thought was obvious to see. The Park Police were looking for the truth. In the discussion regarding the privilege issue, NUSSBAUM thought it was important to protect his client. HUME believes NUSSBAUM took this too far. As an example, HUME would have distinguished in the case of financial matters the difference between attorney involvement and a financial investment of FOSTER himself, and handled the situation accordingly.

HUME was asked if investigators ever considered a second look at any documents found in FOSTER's office. HUME answered that this was not an issue. The Park Police were doing what the DOJ wanted them to do. The USPP were doing what MARGOLIS told them to do. DOJ never gave them permission to ask for things. The Park Police were resigned to being "scapegoats" if there was going to be one.

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/16/94

Captain CHARLES W. HUME, United States Park Police (USPP) was reinterviewed at the Annocostia Operations Facility, Washington, D.C. for the purpose of verifying the fact that all investigative notes taken by USPP officials during the course of the VINCENT FOSTER death investigation had been submitted to Office of the Independent Counsel. Captain HUME provided the following information to include copies of the below cited investigative notes:

Captain HUME advised that based on a prior request by Special Agent (SA) LAWRENCE J. MONROE he had thoroughly reviewed all investigative notes in his possession and personally contacted all USPP officials who were involved in the death investigation to determine if any investigative notes were still outstanding. Based on this review, Captain HUME furnished a series of investigative notes which, in his opinion, might not have been included in the initial submission of investigative notes to the Office of the Independent Counsel. Captain HUME stated that he feels confident that with the submission of these notes, that all available investigative notes have been made available to the Office of the Independent Counsel and further stated that the original notes will be maintained in the official case folder.

A review of the above cited investigative notes by SA LAWRENCE J. MONROE reflect miscellaneous notes by Captain HUME, Investigator JOHN ROLLA, Officer CHRIS HODAKEVIC and Detective JOSEPH MEGBY. These notes were reviewed by SA MONROE and contain no information not already in the possession of investigative personnel.

Investigation on 6/14/94 at Washington, D.C. File # 29D-LR-35063

by SA WILLIAM T. GUYTON
SSA LAWRENCE J. MONROE Date dictated 6/16/94

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OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 2/1/95

Captain CHARLES HUME, Detective, JOHN ROLLA, and Identification Technician LARRY ROMANS, were contacted at the U.S. Park Police office in Annocostia. All of the individuals were advised of the identity of the investigating agent.

The original U.S. Park Police file of the VINCENT W. FOSTER death investigation is in HUME's possession, including original detectives notes and original copies of tapes of radio calls and 911 calls in the case.

HUME advised that all U.S. Park Police Identification Technicians have gray hard case briefcases for their equipment; including cameras, fingerprint equipment, and miscellaneous items that they would use at a crime scene. ROMANS confirmed this, and escorted the investigating agent into the Identification Technician area, which was located next to the detective's squad area in the Annacostia office. Gray hard case briefcases were observed next to each technicians' desk. Identification Technician SIMONELLO, who was the only U.S. Park Police Identification Technician on scene at the FOSTER death scene, also had a gray hard case briefcase next to his desk, in addition to several other briefcases of different sizes and colors.

HUME and ROMANS provided a tour of the Park Police Detective area, Identification Technician area, Evidence storage room, and Photography room, which is also used as their Evidence Drying room. The following observations were made: the evidence and photo/drying room are located immediately adjacent to each other, off of a small utility area that is used for storage of various cleaning supplies and equipment. The U.S. Park Police have no drying room for wet evidence items. Several items of clothing were observed drying in the photo room. The evidence and photo/drying rooms are adjacent to the Identification Technician area, which is adjacent to the Detective squad area. The rear exit to the parking lot from the Detective's squad area leads directly past the outside lead exhaust for the U.S. Park Police indoor range. (Several barrels of lead waste were observed next to the lead exhaust.) Also noted on the outside of

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the building next to the rear exit was a large vent for the range.

Detective ROLLA made numerous statements regarding the death of FOSTER. ROLLA is convinced that FOSTER committed suicide. ROLLA stated that he has obtained no other evidence or information to the contrary. ROLLA expressed his frustration regarding the on-going investigation.

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HUME also requested that if a critique is prepared which identifies particular discrepancies or lack of investigation by the Park Police, that he be provided with a copy. HUME expressed concern at preventing the same mistakes from happening again. HUME stated that he realizes that his detectives could have done a more thorough job of documenting the death scene. HUME stated that all death scenes should be investigated as a homicide until proven otherwise. HUME did not think that his detectives worked the FOSTER death scene in that manner, since it seemed to be an apparent suicide.

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 2/7/95

[Redacted content]

FOIA(b)(3) - Fed. R. Crim. Pro. 6(e) - Grand Jury

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by FOIA(b)(7) - (C) Date dictated 2/5/95

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A handwritten receipt for the above items were signed
by FOIA(b)(7) - (C) and Captain C. W. HUME.