Foster 3025 (Vol. 2)



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#### FEDERAL BUREAU OF INVESTIGATION

Date of transcription	4/1/94
Date of transcription	1/1/01

Paul B. Imbordino, 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 N.W. ASAC Imbordino 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 22 years and is currently in charge of USSS agent liaison with the Uniform "Division of USSS at The White House. His office is located in the Old Executive Office Building, room 150 and his telephone number is 202-456-2443. He has been in his current position for approximately one year and was so employed at the time of Vincent Foster, Jr.'s death on July 20, 1993.

ASAC Imbordino was shown a diagram of offices located on the 2nd floor of the west wing of The White House. This diagram is dated 1/25/93 and was obtained from the United States Park Police. Individual offices on this diagram are labeled with the names of their 1993 occupants including names such as, "Bernie Nussbaum, Vince Foster, Maggie Williams, the First Lady", and others. Mr. Imbordino stated that this diagram is an accurate representation of the location and occupancy of second floor offices at the time of Foster's death. Mr. Imbordino was asked to refer to this diagram and explain USSS standard operating procedures and staffing regarding the uniformed guard force located in the west wing area of The White House at the time of Vincent Foster's death.

Mr. Imbordino stated that it was not in 1993 and is not now USSS policy to have uniformed officers stationed on the 2nd floor of the west wing. He said that the nearest regularly scheduled USSS guard post to what was then Vincent Foster's office is located on the 1st floor of the west wing and is called the "west lobby post". This is the Hearest access entrance to the 2nd floor and is used by some White House staffers but is mostly used by individuals having appointments to meet with people on the 2nd floor of the west wing. The next nearest guard post to what was Vincent Foster's office is located on the ground

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by _	LLIAM T. GUY FOIA(b)(7) - (C)	TON			_Date dictated	4/1/94	16

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Paul B. Imbordino

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floor, one level below the west lobby post and is referred to as "Post E-1". E-1 is a "sit-down" desk post that allows entrance into the west wing from West Executive Avenue. This post is staffed 24 hours per day while the "west lobby post" is staffed from 6 am to 10 pm daily. Mr. Imbordino stated that once an individual is cleared through either of these posts and goes to the 2nd floor of the west wing, that individual is no longer tracked or monitored by USSS. He reiterated that there are no quard posts on the 2nd floor of the White House's west wing: Both posts (E-1 and west lobby) are staffed by one uniformed USSS officer with relief officers available to allow for lunch and other breaks. Post E-1, a 24-hour post, has three shifts per day, while the west lobby post has two shifts per day. Since both of these posts are inside The White House compound, a secure area, staff persons and guests reaching either of these posts have been pre-cleared by White House perimeter guard posts when they reach either the E-1 or west lobby entrances. Individuals, therefore, need only show appropriate White House credentials and/or temporary passes to enter the 2nd floor area through either of these posts. ASAC Imbordino does not believe that logs are routinely kept at either of these posts.

Mr. Imbordino stated that, to the best of his knowledge, no USSS personnel were on the 2nd floor of the west wing the entire day of July 20, 1993. He stated, however, that on July 21, 1993, Mr. Nussbaum or a member of his staff contacted the Director of USSS at approximately 10-10:30 am requestingassistance in securing Vincent Foster's office. This message was relayed to the Presidential Protective Division of USSS and was in turn relayed to The White House Security Coordinator of USSS, ASAC Don Flynn. A decision was made to post a uniformed USSS officer at the entrance to the "Counsel reception" area located in the southwest corner of the west wing's 2nd floor, the only entrance to the suite of offices occupied by Mr. Foster and Mr. Nussbaum. ASAC Flynn, himself, established this post almost immediately and had a uniformed officer on duty at that location by approximately 11-11:30 am on July 21. A meeting was held in Mr. Nussbaum's office later that day, attended by Mr. Nussbaum, USSS personnel, and US Park Police personnel. It was decided that it was necessary to place a lock on Mr. Foster's office to further secure it for investigation. USSS personnel were brought in to place a lock on the Foster office door that evening and at approximately 10-10:30 pm the work was finished, the door was locked and all USSS personnel departed the 2nd floor with ASAC Flynn having the only key to the lock. No uniformed USSS officer J-LR-35063 SUB A

Continuation of FD-302 of Paul B. Imbordino

on 4/1/94

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or any other USSS personnel remained on duty on the 2nd floor past approximately 10:30 pm on July 21. ASAC Imbordino said that, to the best of his knowledge, USSS was not asked to post any guards or further secure any other area of the 2nd floor after that time. Mr. Imbordino said that he does not know of any log that was kept regarding the comings and goings of individuals in the area of Vincent Foster's office following his death.

Mr. Imbordino stated that there are no surveillance cameras, motion detectors, or other security devices employed by the USSS on the 2nd floor of the west wing. He advised, however, that the door to the reception area of The White House Counsel suite of offices is alarmed and that it had been so alarmed for quite some time prior to Foster's death. There are other offices on the 2nd floor (but not all) that are similarly alarmed. These alarms are monitored at the USSS Uniform Control Center located in the Old Executive Office Building next door to The White House.

On July 22 at approximately 1:00 pm, ASAC Don Flynn opened the lock of the door of the Foster office for a group of individuals, including law enforcement personnel and Mr. Nussbaum who went into the office to search it. Following this search, ASAC Flynn gave the only key to the Foster door lock to Mr. Nussbaum on July 22. Mr. Imbordino stated that while he does not know for sure what prompted Flynn to give this key to Nussbaum, he assumes that there was a consensus opinion that there was no further reason to secure Foster's office. Mr. Imbordino states that he knows of nothing the United States Secret Service was asked to do during the period July 22 through July 31 regarding the 2nd floor of the west wing. He stated that to the best of his knowledge, no additional officers were posted on the 2nd floor and no additional locks were placed on other doors.

Mr. Imbordino volunteered that he did not know Vincent Foster prior to his death and does not believe that he would have recognized him had he seen him on or near The White House compound. Mr. Imbordino also volunteered that individuals who work on the 2nd floor of the west wing of The White House have designated secured parking spaces located on West Executive Avenue, within The White House compound area.

ASAC Imbordino was asked to provide a list of all USSS uniformed officers who were assigned to post E-1 and the west lobby post during the period July 20 through July 31, 1993. He

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Continuation of FD-302 of Paul B. Imbordino .	On 4/1/94 , Page	4
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was also asked to designate to which of these two posts the listed uniformed officers were assigned during that period. Mr. Imbordino was further asked to identify and make available the following USSS personnel for interview regarding this matter: ASAC Don Flynn, Roger Kammerdiner, Jospeh Phillips, James Young, (FNU) Wills-technical employee, and Roger (LNU)-technical employee.

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#### FEDERAL BUREAU OF INVESTIGATION

Date of transcription	4/22/94	

Paul B. Imbordino, 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 Imbordino was advised as to the identities of the interviewing agents and informed of the nature of the interview. He then provided the following information:

His office is located in The Old Executive Office. Building, Room 150 and the telephone number is 202-456-2443. In his current capacity with USSS, he is responsible for USSS agent liaison with the Uniform Division of USSS at The White House.

On July 20, 1993, at approximately 9-10:00 pm, he received a telephone call at his residence from USSS Inspector Dennis Martin, who is in charge of the Uniform Division USSS officers at The White House, advising him that he (Martin) had just been informed by the U.S. Park Police that a White House staff member by the name of Vincent Foster, Jr. had been found dead in a Washington area park of an apparent suicide. said that Martin went on to tell him the name of the park and said the Park Police had indicated there were very good reasons to believe that this was a suicide. Imbordino stated that he thereafter telephonically advised USSS ASAC Don Flynn, who is in charge of White House Security, of the Foster information as it had been related to him by Martin. Imbordino said that it is his understanding that the USSS Deputy Assistant Director to whom he and Flynn answer, was notified that evening. He advised that, to the best of his knowledge, the USSS took no further action regarding this matter on the evening of July 20.

ASAC Imbordino stated that on July 21, 1993, he went to USSS Headquarters at 1800 G Street NW where he met with Deputy Assistant Director Griffin at approximately 9-10:00 am. He there learned that the Chief of the U.S. Park Police would be coming to The White House later that day to begin an investigation regarding the Foster death. It is Imbordino's understanding that a meeting took place later that afternoon at The White House that involved USSS and U.S. Park Police personnel regarding a proposed

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search of Vincent Foster's White House west wing office. Imbordino said that he was not present during this meeting. He said that in the late afternoon of July 21 or July 22 (not certain of date) U.S. Park Police Officers and FBI Special Agents interviewed some "secretaries" who worked near Foster's office. ASAC Imbordino said that both he and ASAC Flynn were in the area of these interviews when they took place. He explained that they were both present during these interviews solely for USSS liaison/facilitation reasons. ASAC Imbordino said that during the late evening hours of July 21, Vincent Foster's office door was secured with a new lock and that he and ASAC Flynn went home with Flynn having the only keys to the lock.

During the morning hours of July 22, 1993, Imbordino was advised by ASAC Don Flynn that he had learned that law enforcement personnel investigating the Foster death would search Vincent Foster's office that afternoon. Both he and ASAC Flynn were present when this inventory/search began at approximately 1-1:30 pm and ended at 2:30-3:00 pm. At approximately 1-1:30 pm, ASAC Flynn unlocked the door to Vincent Foster's office and the following individuals entered and were present during the inventory/search: Bernard Nussbaum, Steve Neuwirth, Cliff Sloan, Bill Burton, all of whom were members of The White House staff; David Margolis and Roger Adams, who are attorneys at the Department of Justice; Captain Charles Hume and Pete Markland of the U.S. Park Police; Special Agents Scott Salter and Dennis Condon of the FBI; and an Attorney representing the Foster family (name unrecalled); Paul Imbordino and Don Flynn. ASAC Imbordino said that it was his understanding that the purpose for this inventory/search was to try to find a suicide note or anything bearing on Vincent Foster's death. Imbordino said that he and Flynn sat in the back of the group near the door. He recalls looking around the office, which was very crowded with this many persons present. He recalls few details but he saw several photographs of Foster and his family members as well as photographs of President Bill Clinton. ASAC Imbordino said that during the inventory/search he was paged two or three times regarding other USSS work matters and therefore was in and out of Vincent Foster's office several times.

ASAC Imbordino said that at the beginning of the inventory/search, Nussbaum positioned himself in Vincent Foster's desk chair behind the desk with White House Attorneys Steve Neuwirth, Cliff Sloan and Bill Burton standing behind him. He said that from time to time during the search one or more of

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Paul B. Imbordino Continuation of FD-302 of

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these three men would, after viewing a particular document, whisper into Nussbaum's ear. He said that the methodology of the inventory involved Nussbaum going through documents and papers found in various receptacles (Foster's desk, cabinets and book shelves) throughout Foster's office. Nussbaum and the three White House Attorneys behind him would view each document and then place each face down on Foster's desk in a series of piles. Imbordino said that it is his recollection that these piles were representative of categories such as Presidential documents, Foster personal matters, etc. Imbordino was asked if anyone present questioned this methodology. He said that it was clear that "Nussbaum was absolutely running the show". He said no, that he assumes the primary reason that no one questioned the methodology was that all present were keenly aware that they were in the office of the counsel to the President and that Nussbaum was in charge of proceedings in that office.

ASAC Imbordino said that he cannot recall any law enforcement personnel or Department of Justice people present during this process ever being allowed to see any of the He said that at one point, during this process, documents. White House Attorney Cliff Sloan asked FBI Special Agent Scott Salter, who had been standing throughout the inventory/search, if he was standing to try to see the documents that were being Imbordino says that he recalls Special Agent Salter's reply indicating that Sloan was perhaps "getting carried away". He then recalls David Margolis saying something to the effect that "we're all on the same team here, lighten up!" Imbordino said that while nothing was said in this regard, he had the feeling that Margolis was the informal and unofficial spokesman for the Government Law Enforcement employees present. Imbordino was specifically asked if he recalled Bernard Nussbaum searching a briefcase (allegedly Foster's) located in the office. stated that he does not recall any briefcase being searched. response to another question, ASAC Imbordino said that he recalls a computer being in Vincent Foster's office but he does not recall it ever being turned on or utilized in any way during this search.

Toward the end of this process Imbordino once again left the office and this time returned with cardboard boxes that were to be used to contain the piles of documents. ASAC Imbordino advised however that he cannot recall seeing anyone leave Vincent Foster's office with any documents or any boxes-He said that he and ASAC Don Flynn escorted the Law Enforcement

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and Department of Justice people out of The White House after the group left Vincent Foster's office. He said that he cannot recall any comments about the methodology of the search. He said however that the process he observed would be much more accurately described as a "inventory" then a traditional Law Enforcement search.

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#### FEDERAL BUREAU OF INVESTIGATION

Date of transcription

5/18/94

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Paul D. Imbordino, Assistant Special Agent in Charge (ASAC), United States Secret Service (USSS) was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue NW. ASAC Imbordino, having previously been advised as to the identity of the interviewing agent and the nature of the interview, provided the following information regarding Hillary Clinton's whereabouts during July, 1993 and the status of an alarm on the White House west wing offices of Hillary Clinton during that period:

Mrs. Clinton departed Washington, D.C. in mid-July, 1993 enroute to various scheduled locations, including Hawaii and Los Angeles, California. After a stopover in Hawaii with President Clinton and their daughter, she proceeded to Los Angeles. Upon learning of the death of Vincent Foster, Jr., she proceeded to Little Rock, Arkansas where she again met with the President and remained in Arkansas for the Foster funeral. USSS records indicate that she did not return to Washington, D.C. during this entire period but did return to Washington following the Foster funeral late on July 23, 1993.

The first USSS alarm/access log records regarding The White House west wing offices of Hillary Clinton begin on July 22, 1993. USSS records indicate no alarm log activity prior to that date. ASAC Imbordino explained that prior to January, 1993, The White House west wing offices currently occupied by Hillary Clinton were not alarmed. In February, 1993, following the inauguration of Bill Clinton, Hillary Clinton's White House staff made a request of USSS to place an alarm on the Hillary Clinton office suite. The USSS installed this alarm in March, 1993 but was unable to activate it until July 22, 1993. ASAC Imbordino explained that the installation, maintenance, and monitoring of White House alarms is the responsibility of the USSS. However, the actual wiring of the alarms and thus their initial activation is the responsibility of the local telephone company and, per standard operating procedure, The White House contact and coordination with the phone company is the responsibility of White House staffers. For reasons unknown to USSS the telephone

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company was not contacted by Hillary Clinton's staff to facilitate wiring and activation of the alarm on her office suite until July, 1993. When wiring was completed by the telephone company, the USSS activated the alarm on July 22, 1993.

#### FEDERAL BUREAU OF INVESTIGATION

Date of transcription

6/12/94

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PAUL B. IMBORDINO, Assistant Special Agent in Charge (ASAC), White House Division, United States Secret Service (USSS) came to the Office of the Special Counsel, 1001 Pennsylvania Avenue, NW and made available two documents that had previously been requested by the investigating agent on behalf of the Office of the Special Counsel. These two documents are described as follows: a one page document captioned "Alarm log for Mr. WATKINS' office" showing USSS alarm log activity for The White House west wing office of DAVID WATKINS and PATSY THOMASSON for Some of the numerous entries on the period July 20-21, 1993. this document show, among other things: THOMASSON entering the office at 7:16 am on July 20; leaving the office at 7:10 pm on July 20 with the office door alarm being reset; THOMASSON reentering the office at 10:48 pm; and then leaving the office shortly after midnight (12:12) am on July 21, 1993 with the door alarm being reset.

The second document made available by ASAC IMBORDINO consists of 92 pages showing various individuals entering and/or exiting a gate to The White House compound onto West Executive Avenue (USSS guard post B4). This log gives the date, time, name of entrant, entrant's White House badge number, and whether entering or exiting. ASAC IMBORDINO provided the following information regarding limitations of this document. House staffer-badge holder enters or exits The White House compound through this gate in a vehicle, no USSS computer entry is generated and therefore no entry would appear on this log-only staffers who either enter or exit The White House compound through this gate by means of walking would generate an entry on IMBORDINO further advised, however, that individual staffers walking into or out of the compound through this gate do not always generate an entry on this log. He explained that if a staffer is very well known by USSS personnel on the gate, the officers may well simply wave him through without generating an entry. Also, when traffic is extremely heavy at this gate, walking staffers often need only show their badge to be waved through, again not generating an entry on this log. **IMBORDINO** further advised that this is an old system which is in the

Investigation on 6/8/94	at	Washington,	D.C.	File #	29D-LR-35063	SUB_A
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by	JR.			_Date dictated	6/10/94	

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Continuation of FD-302 of	PAUL B.	IMBORDINO	, On _	6/8/94	, Page	2
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process of being updated and therefore is "down" for repairs from time to time. During such "down" times, no entries are generated on this log.

#### FEDERAL BUREAU OF INVESTIGATION

Date of transcription	6/28/94

May provide

PAUL B. IMBORDINO, Assistant Special Agent in Charge (ASAC), White House Division, United States Secret Service (USSS) came to the Office of the Special Counsel, 1001 Pennsylvania Avenue, NW and made available two documents that had been previously requested by the investigating agent on behalf of the Office of the Special Counsel. These two documents are described as follows: "a USSS gate log" showing various individuals entering and/or exiting a gate to The White House compound onto West Executive Avenue from Pennsylvania Avenue (USSS guard post A-1). The second document is a six-page "USSS gate log" showing various individuals entering and/or exiting a gate to The White House compound onto East Executive Avenue (USSS guard post A-5). Each of these logs give the date, time, name of entrant, entrance White House badge number, and whether entering or exiting.

Mr. IMBORDINO, commenting on another request made previously by the Office of the Special Counsel regarding a similar log for the "North side gate" allowing access onto The White House compound from Pennsylvania Avenue, advised that no USSS entry/exit log is kept at that gate. He explained that the North side gate is most often used by members of the news media and is seldom used by White House staffers.

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by _		-			_ Date dictated	6/28/94	

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#### FEDERAL BUREAU OF INVESTIGATION

Date of transcription	8/3/94	
Date of transcription		

ASAC PAUL IMBORDINO, United States Secret Service (USSS), assigned to The White House, Washington, D.C. (WDC), contacted the Office of the Independent Counsel (OIC) regarding several OIC requests for information related to White House compound security measures. After being apprised of the identity of the interviewing Agent, IMBORDINO thereafter provided the following information:

According to IMBORDINO, the Movement Log for USSS post F1, adjacent to the library at The White House, was released by the Secret Service to The White House. USSS Standard Operating Procedure dictates that the log for the F1 post as well as logs concerning appointments are turned over to The White House every 30 days for disposition. The F1 post is located adjacent to the elevator leading from the basement level of The White House to the residence quarters. Guests of the First Family who utilize the elevator are routinely listed on the Movement Log before accessing the elevator.

IMBORDINO caused a review to be made of security violation records for The White House compound. No security violations were noted for July 20 or July 21, 1993 regarding the Executive Mansion or White House compound.

ASAC IMBORDINO noted that as per prior agreement, photographs of USSS personnel will be provided by the Secret Service. Photographs of White House staff and friends of the President must be acquired from The White House. IMBORDINO reiterated this request based on a previous request of the Office of the Independent Counsel to locate a photograph of SUSAN THOMASSES.

		(telephonically)			
nvestigation on	7/27/94	at Washington, D.C.	File #	29D-LR-3506-3	
by SA DAI	NA M. GILLIS	S:DMG:sla	Date dictated	8/3/94	

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#### OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription	9/29/94
Date of transcription	

PAUL B. IMBORDINO, 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 IMBORDINO was familiar with the interviewing agents from prior interviews. He was informed that the nature of this interview was to secure additional information regarding his activities and knowledge of events that took place at The White House in the early morning hours of July 21, 1993.

IMBORDINO stated that he arrived at The White House on July 21, 1993 at approximately 7:30/8:00 am. He went briefly to his office in Room 150 of the Old Executive Office Building and then proceeded to USSS Headquarters on 1800 G Street, NW. While there, he spoke to Deputy Assistant Director RICHARD GRIFFIN of the USSS regarding FOSTER's suicide. He stated that to the best of his recollection, he then went back to The White House to assist Secret Service Agent DON FLYNN, The White House Security Coordinator. Primarily, he was assisting FLYNN in meeting and accompanying Park Police detectives and the Chief of the Park Police who were expected to arrive at The White House that morning for meetings with DAVID WATKINS. IMBORDINO has no recollection of seeing CRAIG LIVINGSTONE at The White House when he first arrived at approximately 7:30 am.

IMBORDINO was unable to recall, from his own independent recollection, the names of any USSS Officers observed by him at The White House complex following his arrival at work on 7/21/93. He pointed out that the USSS uses two rooms in The White House complex for roll call briefings which are held for USSS officers at the beginning of each shift. The larger roll call room is located in the basement of the Old Executive Office Building near the USSS Command Center. A smaller roll call room, used primarily by USSS officers who conduct White House tours, is located in the east wing of The White House.

IMBORDINO was informed by SA COLOMBELL that sometime between 6:30 am and 9:30 am on July 21, 1993, one of the Uniformed Secret Service guards had reported to a Secret Service

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superior, Inspector DENNIS MARTIN, his observation of CRAIG LIVINGSTONE and a second white male carrying a briefcase and a large box from the elevator coming down from the 2nd floor of the west wing. Agent IMBORDINO was specifically asked whether he had become aware of this report during the morning hours of July 21, 1993 and also whether he had in any way discussed this report with any other individuals, including CRAIG LIVINGSTONE. Agent IMBORDINO stated that he was not aware of this information back on July 21, 1993 and thus could not have had any conversation with anyone including CRAIG LIVINGSTONE regarding the nature of these observations.

Agent IMBORDINO stated that because of his responsibilities at The White House, he still has occasional contacts with CRAIG LIVINGSTONE. However, during these contacts he has never engaged in conversation nor has Mr. LIVINGSTONE ever made any remarks to him regarding the ongoing Independent Counsel investigation or aspects of the investigation that may pertain to Mr. LIVINGSTONE.

At the conclusion of the interview, the assistance of Agent IMBORDINO was requested in securing the names of all Secret Service Officers, including agents, who were on duty and present at The White House during the hours of 6:00 am to 9:00 am on July 21, 1993 and the obtaining of copies of all alarm logs for offices in The White House that have alarms for the period beginning 8:00 pm, July 20, 1993 through 8:00 am, July 21, 1993. Assistance was also requested in identifying keys that were found on FOSTER's body the day of his death and photo copies of these keys with the markings and numbers appearing thereon were provided to Agent IMBORDINO.

#### OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription	10/18/94
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PAUL IMBORDINO, Special Agent with the United States Secret Service assigned to the White House was interviewed by phone. He was familiar with the interviewing agent based on prior investigative interviews conducted by SA COLOMBELL. MR. IMBORDINO advised that he was unable to find any record indicating that the pager found on VINCENT FOSTER's body was turned over by the US Park Police to Secret Service representatives on the night of FOSTER's death. He stated that as best he can determine, the pager was never given to the United States Secret Service. MR. IMBORDINO did confirm that on the night of FOSTER's death, specifically at appproximatley 1:20 a.m. on July 21, 1993, a representative of the Secret Service did take possession of FOSTER's White House identification, but not the pager.

			(telephonic	ally)			
nvestigation on	_10/13/94	at	Washington,	D.C.	File #	29-LR-35063	
by WIIII	AM E COLOMBE	т.т.			Date dictated	10/18/94	

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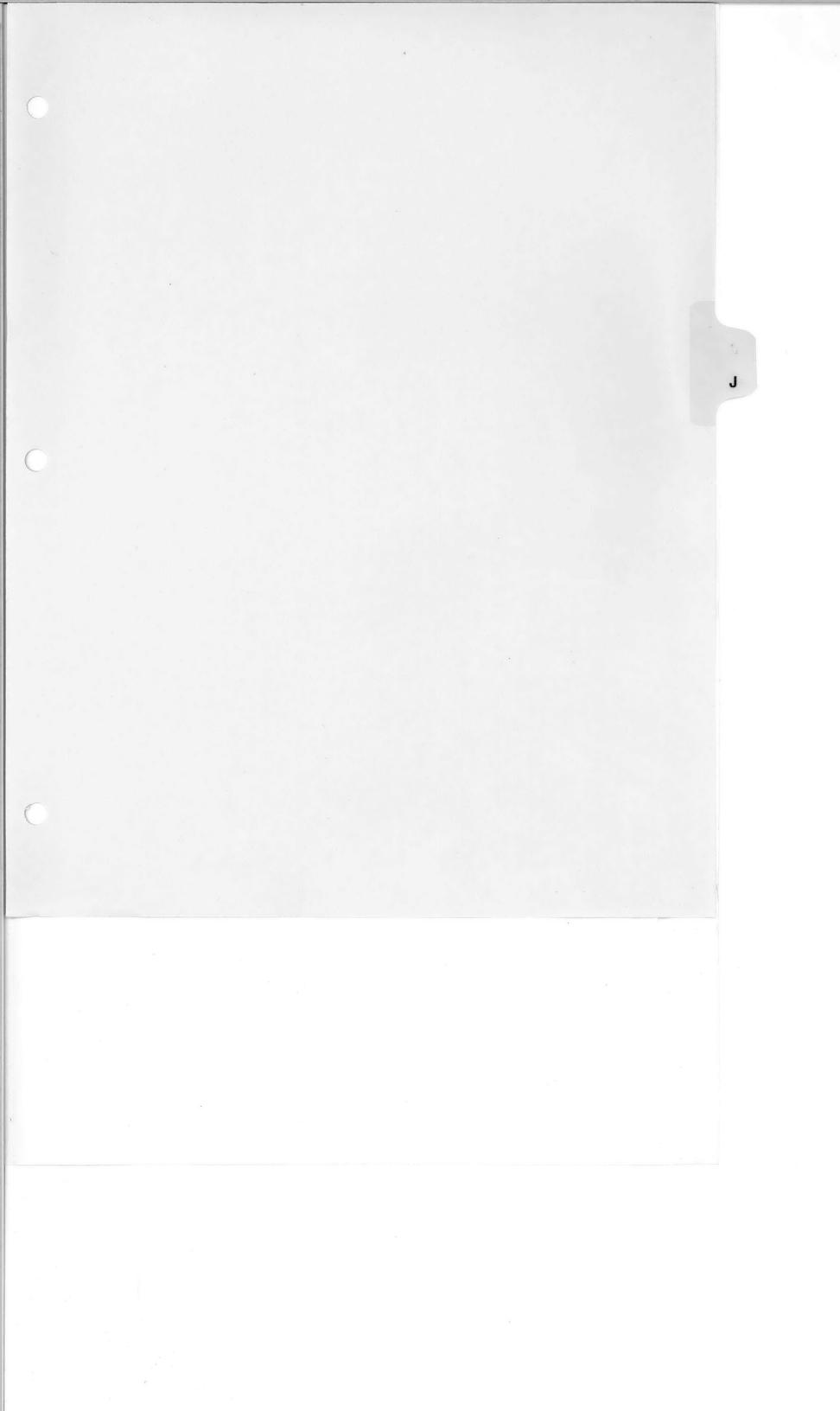
#### OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription	3/22/95
Date of dansemption	

PAUL B. IMBORDINO, Assistant Special Agent in Charge (ASAC), White House Division, United States Secret Service (USSS) provided to the Office of the Independent Counsel the attached access control log. The attached log represents the arming and disarming of the alarm within the Counsel's Office suite, located in the west wing of the White House. A search of USSS records reveals the White House Counsel's Office suite alarm was activated on September 24, 1993, for the first time since the last deactivation on July 21, 1993. IMBORDINO did not provide any explanation for the gap in alarm activity from July 21, 1993, through September 24, 1993. The aforementioned alarm activity report is attached and made a part of the record hereto.

Investigation on	3/16/95	at _Wash	ington,	D.C.	File #	29D-LR-35063	
by SA DA	NA M. GILLIS	DMG:sla			Date dictated	3/20/95	

- : 09/24/93 12:14	561 WW 2MD FL RM 208 - NAUSSBAIN'S OFFICE	H 16		
09/24/93 12:14	562 CAEANNA DRESSING ROOM DOOR		SRO UP	TARFER RESET
09/24/93 12:14	ANNON CLATOR NO. 10	HIG	ORGUA	SECURE SET
09/24/93 12:14				ANNUE INCPERATIVE
09/24/93 : 12:14	ANNUNCIATOR NO. 10 561 NN 2ND FE RM. 108 - NAUSSRAEM'S DEFICE			AKNUKCIATOR KORKAL
09/24/93 -12:14	The state of the s	TSD		SECURE ALARK
09/24/93 12:15		TSD		SECURE ALARK
09/24/93 12:15		MIG	GRO UP	ACCESS SET
09/24/93 12:15	564 WW 015-018 ADMIN OFC-WATKINS	TSD		SECURE ALARM
09/24/93 12:15	554 WW 015-018 ADMIN OFC-WATKINS	#16	SRO UP	ACCESS SET
09/24/93 12:15	565 IST FLOOR WEST WING VP'S OFFICE	TSD		SECURE 4_ARM
09/24/93 12:15	565 1ST FLOOR WEST WING VP'S OFFICE	HIG	ore ye	ADDES F SET
09/24/93 12:15	566 WW 1ST FL MSC ADVISORS OFFICE-LAKE	TSD		SECURE AL ARM
09/24/93 12:15	566 WW IST FL WSC ADVISORS OFF ICE-LAKE	1416	\$30 UP	ACCESS SET
09/24/93 12:15	574 WW 025-029 PODESTA/HALE	TSD		SECURE ALARM
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#### FEDERAL BUREAU OF INVESTIGATION

Date of transcription 30175401.wec

6/24/94

Sergeant ALBERT JEZ, Investigator, U.S. Park Police (USPP), Internal Affairs Office, Annocostia Operations Facility, Washington, D.C. (telephone number 690-5050) was advised of the identity of Special Agent WILLIAM E. COLOMBELL of the FBI. Sergeant JEZ provided the following information regarding his handling of Freedom of Information Act (FOIA) requests received by the USPP concerning the death investigation of VINCENT FOSTER.

The only USPP records relating to the VINCENT FOSTER death investigation that he provided to Mr. BERNARD NUSSBAUM, White House Legal Counsel Office, related to a number of FOIA requests received by the USPP beginning in August of 1993.

By cover letter dated 9/3/93 (attachment #1), Mr. NUSSBAUM was provided with four pages of records previously provided to the USPP by the White House described as follows: FOSTER's personal calendar (two pages); FOSTER's phone log (one page), and a note left by FOSTER (one page). The USPP cover letter explained that the above documents were considered White House documents. The USPP requested White House recommendations as to the releasability under FOIA of these specific documents.

By letter dated 11/8/93 (attachment #2), Mr. NUSSBAUM responded, stating that in the opinion of The White House Legal Counsel Office, the above four pages of records should not be disclosed. Mr. NUSSBAUM's letter also included legal justifications under FOIA for withholding release of such documents.

The USPP sent a second letter to The White House Legal Counsel Office dated 12/13/93 (attachment #3), adding that this second letter also related to USPP efforts to respond to these pending FOIA requests. Sergeant JEZ stated that this letter was sent after consultation between Sergeant JEZ and Ms. PEGGY IRVING, FOIA Section, Department of Justice (DOJ). Additional USPP FOSTER death report documents were sent to The White House as enclosures to this second letter, including three pages from the USPP investigative report (marked as items 36, 50 and 52) and

Investigation on	6/24/94	at Washington,	D.C. File #	 29D-LR-35063	
by <u>SSA</u> W	ILLIAM E.	COLOMBELL WÉC	Date dictated	6/24/94	

29D-LR-35063

Continuation of ED 202 of	ALBERT J	TEZ	. On	6/24/94	, Page	2
Continuation of FD-302 of			, Oli		, rage	

a U.S. Secret Service log of persons entering Mr. FOSTER's office on 7/21/93 (marked as item 87).

Items 36, 50 and 52 are not White House documents but rather the written result of USPP investigative efforts. Items 50 and 52 reflect the USPP follow-up investigation generated from a review of the FOSTER phone log. Items 36 reflects USPP investigation generated from a review of U.S. Secret Service log of persons entering FOSTER's office on 7/21/93. It was the USPP position, after consultation with the FOIA section of the DOJ, that these items, although not White House documents, related to the previously described White House documents and thus White House views and legal opinion were necessary prior to any release under FOIA.

To his knowledge, Mr. NUSSBAUM, White House Legal Counsel's office, never did send a response back to the USPP letter dated 12/13/93.

With the appointment of Mr. ROBERT FISKE as Independent Counsel in Whitewater related matters, all pending FOIA requests re the FOSTER death investigation were denied based on exemption 7A (pending investigation).

The decision to send the above portions of the USPP report to The White House was based on recommendations to his department made by Ms. PEGGY IRVING, FOIPA, DOJ.

Normally, if he has legal issues to resolve re handling of FOIA requests, he checks with the Solicitor's Office for the U.S. Department of Interior (Attorneys RICK ROBBINS or RANDY MYERS). In this case, he was told by his superior, Commander HINES, to work with Department of Justice, FOIA section re all FOIA requests received by USPP relating to FOSTER's death. It was his understanding that this decision was based on a letter, dated August 20, 1994 from Ms. PEGGY IRVING, Department of Justice, (attachment #4) citing the need for coordination and consultation between the various federal entities that had received FOIA requests re FOSTER's death.

He had also discussed with Ms. IRVING, those portions of the USPP FOSTER death report dealing with interviews of White House staff persons and assistants, specifically the issue of referring those parts of the report to The White House Legal Counsel Office for their input prior to any FOIA release. It was

29D-LR-35063

Continuation of FD-302 of ALBERT JEZ , On 6/24/94 , Page 3

his understanding that the Department of Justice, FOIA section would handle this matter and that prior to any release, the Department of Justice would make those portions of the report (interviews of White House staff) available to The White House Legal Counsel's Office for its legal opinion regarding release of this material under FOIA. He has no knowledge whether the FOIA section, Department of Justice, subsequently provided these portions of the USPP report to The White House or not.

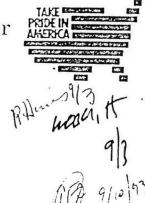
Sergeant JEZ concluded by stating that in early April, 1994, he was contacted by Mr. RICHARD ROBBINS, an attorney with the Solicitor's Office, Department of Interior, adding that ROBBINS instructed him to make a copy of both the unredacted and redacted portions of the USPP FOSTER investigation dealing with interview of White House staffers and assistants. Sergeant JEZ assumed that Mr. ROBBINS wanted to review those sections of the report to ensure that FOIA exemptions and exceptions were properly applied. On April 7, 1994, he provided Mr. ROBBINS with both clear and redacted copies of those portions of the report dealing with interviews of all White House staffers and assistants (attachment #5).

Sergeant JEZ stated that the above information represents the totality of his knowledge concerning who was provided portions of the USPP FOSTER death investigation by the FOIA unit of the USPP.



### United States Department of the Interior

NATIONAL PARK SERVICE
Headquarters, United States Park Police
1100 Ohio Drive, S. W.
Washington, D. C. 20242
DRAFT



IN REPLY REFER TO:

P36(NCR-FOIA)

Mr. Bernard Nussbaum Chief Counsel to the President West Wing, 2nd Floor White House Washington, D.C. 20500

Dear Mr. Nussbaum:

While processing a Freedom of Information Act (FOIA) request from Mr. William Neuman, received on August 11, 1993, the United States Park Police located four documents containing information furnished by White House Staff. We request your review of the documents, making any deletions or recommendations regarding withholding a document in entirety. We ask that the documents be returned to us. Please cite the FOIA exemptions regarding deletions or withholding recommendations you have made. If there should be any other justification for withholding this information from public disclosure, please provide supporting documentation.

We have enclosed the following:

- 1. a copy of Mr. Neuman's FOIA request;
- 2. copies of the documents you provided us;

If you should have any questions concerning this referral, please contact Sergeant Albert Jez on 202-690-5103.

Sincerely,

Robert H. Hines, Major Commander, Office of Inspectional Services

Enclosures bcc: USPP FOIA Surname Cmdr., OIS Cmdr., IAU

FOIA file 93-026

# July 1993 Vincent W. Foster

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# July 1993 Vincent W. Foster

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ant. 7/30/93 I made nuptaken from remarative, intrevious and overwerk I did not kelewrily relate any land a standard of conduct No one uf the whole Hours, to my knowledge, Vulated any logu or standard of conduit, welnessy any action up the Hovel office. There was not whent to penely and ingrepting a where deads The FBF led in their report to the do The press is covering up the illegal beifets they received from the travel staff The God has hed and journemental 13 knowledge and there and confied up a prior unitogation The Union office plotted to have excerire Costs meures, taleny advantage of Kake and the The public well never believe the unor of the Clustons and their layer stays The WSJ editors lie without consequent or the spatligh! by suff the same for now l Here Rumming pengie of public life in Washington. is considered prost.

THE WHITE HOUSE

WASHINGTON

November 8, 1993

Robert H. Hines, Major Commander, Office of Inspectional Services United States Department of the Interior National Park Service Headquarters, United States Park Police 1100 Ohio Drive, S.W. Washington, D.C. 20242

Re: FOIA Request of William Neumann Dated August 11, 1993

Dear Major Hines:

You have asked for our opinion regarding the above-referenced request, under the Freedom of Information Act, for documents previously forwarded to the National Park Service by the White House Counsel's Office. We have reviewed these documents, and, or the reasons stated below, have concluded that such documents should not be disclosed.

First, the documents requested are not "agency records" subject to the FOIA. See 5 U.S.C. § 552(a)(4)(B). The Office of the President, including the President's immediate personal staff and units in the Executive Office whose sole function is to advise and assist the President, does not constitute an "agency" for the purposes of FOIA. See, e.g., Kissinger v. Reporters Committee, 445 U.S. 136, 156 (1980); National Security Archive v. Archivist of the United States, 909 F.2d 541, 545 (D.C. Cir. 1990) (Counsel's Office exempt from FOIA). Although the documents requested were forwarded to the Park Service, they remain White House documents not subject to the provisions of the FOIA. See, e.g., Goland v. CIA, 607 F.2d 339, 347 (D.C. Cir. 1978), vacated in part on other grounds, 607 F.2d 367 (D.C. Cir. 1979), cert. denied, 445 U.S. 927 (1980) (Congress' retention of control over documents turned over to agency).

Second, the requested documents do not qualify as "agency records" since they were primarily personal documents prepared for the convenience of an employee and were not distributed.

See, e.g., Bureau of National Affairs v. U.S. Dep't of Justice, 742 F.2d 1484, 1485-96 (D.C. Cir. 1984) (personal diary, appointment calendars, phone logs not "agency records.")

are "agency records", they are exempt from disclosure both under FOIA's exemption 6 (the privacy exemption) and exemption 7(c) (the privacy exemption in the context of a law enforcement

investigation). See 5 U.S.C. § 552(b)(6) & (b)(7)(c). Disclosure of these documents would violate the privacy rights of a former White House employee and his family, and would not serve any significant public interest. As the D.C. Circuit has cautioned, "[T]he legitimate and substantial privacy interests of individuals . . . cannot be overridden by general public curiosity." Fund for Constitutional Government v. National Archives and Records Service, 656 F.2d 856, 866 (D.C. Cir. 1981).

The privacy provisions of FOIA exemptions 6 and 7(c) apply fully to Mr. Foster's handwritten note. As has been publicly stated, the Foster family has requested that the handwritten version of the note not be released. That the note is handwritten only confirms the significant privacy interest in that note.

Moreover, any public interest in release of the handwritten note is minimized because the complete contents of the note have been previously released and widely reported. See, e.g., New York Times Co. v. NASA, 920 F.2d 1002, 1004 (D.C. Cir. 1990) (en banc) (finding, under exemption 6, personal information in tape recording of astronauts' last conversation where transcript is already published).

As you have requested, enclosed please find the copies of the documents you provided for our consideration. We appreciate your cooperation with this matter.

Sincerely,

Berhard W. Nussbaum

Counsel to the President



### United States Department of the Interior

## NATIONAL PARK SERVICE HEADQUARTERS, UNITED STATES PARK POLICE 1100 Ohio Drive, S.W. Washington, D.C. 20242

IN REPLYREITER TO:
P36 (NCR-PPIA)

DEC 1 3 1993

Mr. Bernard Nussbaum Chief Counsel to the President West Wing, 2nd Floor White House Washington, D.C. 20500

Dear Mr. Nussbaum:

We have determined that it is necessary we refer to you the enclosed documents marked #36, #50, #52 and #87. These documents were determined to be responsive to Mr. William Neuman's Freedom of Information Act (FOIA) request.

Document #87 titled, "Communication Record", was initially referred to the United States Secret Service (USSS). The USSS has determined that this document should be referred to the White House, Mr. Bernard Nussbaum, Counsel to the President, 1600 Pennsylvania ave., N.W., Washington, D.C. 20500 regarding a public disclosure determination.

Document #36 contains information, bracketed in red, directly related to document #87. Documents #50 and #52 contain information, bracketed in red, directly related to a document we previously referred to you on September 3, 1993.

We request you review the entire document \$87 and the information on documents \$36, \$50 and \$52 that is bracketed in red, making any deletions or recommendations regarding the public disclosure of these documents and information. We ask that the documents be returned to us. Please cite the FOIA exemptions regarding deletions or withholding recommendations you make. If there should be other justification for withholding this information from public disclosure, please provide documentation regarding this.

We have enclosed the following:

- 1. A copy of Vincent Foster's phone log that was previously referred to you on September 3, 1993;
- 2. A copy of your response regarding the September 3, 1993, referral;
- 3. A copy of Mr. Neuman's FOIA request;
- 4. A copy of documents #36, #50, #52 and #87 that we request you review;

If you should have any questions concerning this referral, please contact me on 202-619-7350 or Sergeant Albert Jez on 202-690-5103.

Sincerely,

Robert H. Hines, Major Commander, Office of Inspectional Services

Enclosures

bcc: USPP IAU FOIA Surname )USPP IAU FOIA File

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#### UNITED STATES DEPARTMENT OF THE INTER-U NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

I JUVENILE CASE [

, Investigation

RESULTS OF INVESTIGATION

On Friday, July 30th, Detective David Parfield and I responded to the Executive Office Building (EOB) Room 128 to meet with Chiffeed Cleen. The purpose of the meeting was to examine the telephone message log of Vincent Foster during the month of July and in particular to attempt to determine if he had gotten a call just prior to his departure on July 20, 1993. We learned that the phone logs were just a message log of calls he received when he was absent or unable to take the call. The administrative assistants would type time, person's name, phone number, and messages if one was left. The log was no assistance in determining if anyone had called him just prior to 1300 hours on July 20, 1993, if the call had been put through. There was one notation of interest on July 19, 1993. A provided had called at 1047 hours and left his phone number 4500 2500 There were no messages. Prior to 1300 hours on July 20, he had received several phone messages. Some of the messages were from his staff. There were two calls made from Arkansas from the same person and one call from Colorado. Attempts will be made to contact these people and see if either reached Vincent prior to 1300 hours.

requested if any information about the phone logs is contemplated being released, would like to have the counsel's office notified at the White House prior to any release. I told that I would put his request in my report. This caused some concern because the didn't want special or unusual attention drawn to his request.

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INCIDENT

6 RECLASSIFICATION OF INCIDENT

, Investigation RESULTS OF INVESTIGATION

July 20, 1993 Phone Log

#### dent de la company

The phone message log indicated Rearres called for Foster at 10:55 a.m. and left only his phone number 501-377-0310. The log indicated he called again at 11:11 a.m. and left the same phone number.

On August 2, I called his office and spoke to his secretary, was on vacation. She said his did get a return call from Foster on July 19th, but had stepped away from his desk. Foster returned the call to Buck at 11:17 a.m. central time (12:17 a.m. eastern time). Hinde had a brief conversation with Foster that was characterized as normal, nothing unusual. Brant Brief that was characterized as normal, nothing

The phone message log indicated a call from Jim Jack at 11:11 a.m. with only a phone number left, 200 683 60007 Lyons is from the law IIIm Research by telephone on August 2nd. He had known Foster since the late 1980's. He met him through Hillary Rodham Clinton and the Rose Law Firm. They had worked together on the Campaign. He had called and spoken with Foster Sunday July 18th between 8:00-9:00 p.m. eastern time and they had agreed to meet for dinner Wednesday.

would leave Denver and arrive in Washington. This is the reason for the phone message on the morning of July 20, 1993.

### Continue of the same

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### SUPPLEMENTAL CRIMINAL INCIDENT RECORD

I JUVENII E CASE

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7 RESULTS OF INVESTIGATION

"Review of Documents from Vincent Foster's Office"

On Thursday, July 22, 1993, in the afternoon the following persons met in the office of Vincent Foster to attempt to determine if he left a suicide note or if there were any other information that might have led him to take his own life. The very limited examination of the documents and notes were done by the Gland examination of the documents and notes were also present during this meeting:

The following people were also present during this meeting:

Convenient, Glande L. Conford; Attorney representing the Foster family, Captain Charles and Detective Posterials, Federal Bureau of Investigation, Deputy Assistant Attorney General Criminal Division; and Report Many Department of Justice Attorney, Park Indeeding and Boreld Flurn, U.S. Secret Service.

Originally, we had responded to the White House on Wednesday morning, July 21, to examine his office. As soon as we arrived and met with Inspector beautis matera of the U.S. Secret Service Uniform Division, we had requested a guard be posted at the door of the office to prevent anyone from removing anything from the office. As the day progressed we were not permitted to examine the room. We departed the White House sometime around 1830 - 1900 hours. The U.S. Secret Service log of persons entering the office after 1100 hours on Wednesday, July 21, showed Bernard Nussbaum entering the office at 1110 hours to remove a small photo and Cliff Sloan entering at 1334 hours same day to replace a bag of trash previously removed from Mr. Foster's trash can.

At 1315 hours, Thursday, July 22, all 13 of us entered the office of Vincent Foster. Burnerd Nachtern took a seat at Foster's desk, was surrounded by the surrounded by the surrounded by the surrounded at the end of the desk.

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U. S. Department of Justice

- LETE 123

Washington, D.C. 20530

Rylin 5/23/3 August 20, 1993

HAND-DELIVERED

MEMORANDUM

TO:

Major Robert Hines

U.S. Park Police

Department of Interior

FROM:

Margared Ann Irving Associate Director

Office of Information and Privacy

SUBJECT: Freedom of Information Act Requests for U.S. Park Police Report Regarding Death

of Deputy White House Counsel Vincent Foster

The Office of Information and Privacy, acting on behalf of the Deputy Attorney General, has received several requests for access to various records regarding the death of Vincent Foster. The enclosed report which was provided to the Deputy Attorney General by your agency is among the responsive documents. In an effort to provide a consistent response to all requesters, we are directing the report to you for consultation prior to making our final responses.

Accordingly, please provide us with any comments or recommendations you may have as to the sensitivity of this report. As you are aware, certain material in this report originated with the Bureau of Alcohol, Tobacco and Firearms; you may wish to consult with it regarding its information prior to making your response to this Office. Also contained in your report are documents that originated with the FBI. Such documents are duplicative of records which we are directing to the FBI for its review. We will apprise you of the FBI's disclosure recommendations as soon as such review is completed.

Please return the document, along with your comments, to me at the following address:

> U.S. Department of Justice Office of Information and Privacy Room 7238 Washington, D.C. 20530 Attention: Ms. Irving

Lastly, I understand that your Office has also received FOIA requests directly. To ensure consistent responses, we ask that you consult and coordinate with this Office prior to any response to the requesters. If you have any questions regarding this matter, please call Charlene Wright or me at 514-4251.

Enclosure

Ringus or R. Robbins off on Aff parsuant tol A. Myers.

Clean comis of WH lamployee interpreus #29,30,31,32,33,34 36,37, 43,45,46

Redocted Copies of 29, 30, 31,32,33

Bracketed material on document # 36 WH.

A have provided # 50+52 which were forwarded to WH.

We have not received a network

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

I JUVENILE CASE

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TS OF INVESTIGATION

### 7/21/93: Bernard Nussbaum

After negotiations between the White House Counsel's Office and the Department of Justice were completed at approximately 1700 hours on 7/21/93, S/A Condon, S/A Salter, Captain Hume, and Detective Markland responded to the West Wing and spoke with Mr. Nussbaum to make arrangements for interviews and a search of Mr. Foster's office on 7/22/93. Mr. Nussbaum is Chief Counsel to the President. S/A Salter and Det. Markland obtained the following information from Mr. Nussbaum as a result of that meeting:

-Mr. Nussbaum had determined that Mr. Foster had left his office after lunch at 1310 hours on 7/20/93. Mr. Foster had not exhibited any unusual behavior on that day. Mr. Nussbaum tried to page Mr. Foster at approximately 1830 hours. After waiting a brief period of time without receiving a response, Mr. Nussbaum left and proceeded to his domicile, arriving at approximately 1900 hours.

-On 7/20/93 after Vincent Foster's death became known to him, Mr. Nussbaum responded back to the White House where he went through Mr. Foster's office with Patsy Thomassen and Maggie Williams. Mr. Foster stated that they conducted a brief, quick search to see if Mr. Foster may have left a suicide note on his desk. This search lasted from 2200 to 2400 hours. Nussbaum stated that no documents were removed from the office.

-Mr. Nussbaum stated that he learned that from about 0700-0715 hours one of the secretaries had entered Mr. Foster's office and "piled papers" on his desk top "to make it neat".

-At approximately 0900 hours Mr. Nussbaum again entered the office to look around.

-It was determined that the cleaning lady had emptied Mr. Foster's trash. The trash was retrieved and returned to the office.

-Mr. Nussbaum requested that the U.S.S.S. secure the office and the room was posted at approximately 1015 hours.

Investigation continues.

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On Thursday, August 22, 1993, Detective Pete Markland and I responded to the White house to meet with Special Agents Scott Salter and Dennis Condon of the FBI to conduct interviews. The purpose of the interviews were to reconstruct the final hours of Vincent Foster's life.

Myself and Special Agent Condon interviewed Ms. Betsy L. Pond; Staff Assistant to Bernard Nussbaum, Chief Counsel for the White House. The interview took place in an office that was unoccupied for the day. Present in the room during the entire interview were Clifford Sloan; associate counsel to Nussbaum, and Paul Imbordino; assistant Special Agent in Charge, Office of Protective Operation, U.S. Secret Service. Clifford Sloan took notes throughout the interview. During the interview Bernard Nussbaum burst into the room and demanded "is everything all right?"

We started the interview at approximately 0900 hours. Ms. Pond got in to work at around 0900 hours on Tuesday, July 20th. Usually here is a staff meeting of the counsel's office from 0900 to 0945 ours each morning that Vincent Foster would attend. She assumed he was at the staff meeting as she didn't see him when she arrived at work. She first recalled seeing him outside in the Rose Garden. The President was nominating Judge Freeh at the ceremony as the new director of the FBI.

She doesn't recall Vincent Foster having any visitors on Tuesday. The first conversation she had with him was about lunch around 1200-1230 hours. He said he would eat at his desk. He ordered a medium rare cheeseburger, french fries and coke. She and Linda Tripp went to the cafeteria and ordered his lunch. recalled there were M & M's on the tray with the food because Linda wanted them. He sat on his sofa and ate lunch in his office.

At around 1300 hours he came out of the office and stated "I'll be back, there are M & M's left in my office". Ms. Pond recalled that she and Linda were in the office when he left. She wasn't sure if Tom was in the office or not. Tom Castleton is a young college graduate working in the office. There was nothing unusual about his emotional state. In fact, over the last several weeks she did not notice any changes, either physically or emotionally. She noticed no weight lost. She was unaware of him taking any medication or seeing any doctors. I asked here would she be surprised if I found out he was seeing a psychiatrist. She said yes. She was not aware of any depression problems. She had no nformation whether he owned any weapons.

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Ms. Pond said she left work at approximately 1845-1850 hours on Tuesday; but, before she left at around 1820 or so, Maggie Williams (Mrs. Clinton's Chief of Staff) called for Vincent. She paged Vincent and left the White House number for him to call. She recalled no other phone messages for Vincent.

She learned about Vincent's death from messages on her home answering machine around 0500-0600 hours on Wednesday, July 21. She came into work at 0700 hours and was the first person in. The door to Vincent's office was closed when she arrived at work. She believed that Tom Castleton or Bernard Nussbaum were the last persons out of the complex on Tuesday and one of them would have closed the door to Vincent's office. She went into his office and "squashed" the papers together that were on his desk. She realized that she shouldn't have touched the papers as soon as she did it but probably did it out of habit.

When I questioned her if she had been told how to respond to our questions, she stated that Clifford Sloan (who was present during our interview) and Steve Neuwirth, both associate counselors, had called them all together on Wednesday evening and told them they would be questioned by the police and for them to tell the truth.

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### Interview: Deborah Gorham

Deborah Gorham is the Executive Assistant that was assigned to Vincent W. Foster. Her desk is located in the common area between the two offices in the West Wing of the White House occupied by Mr. Bernard Nussbaum and Mr. Foster, respectively. Other persons occupying this common office space are Betsy Pond (Executive Assistant to Mr. Nussbaum), Linda Tripp (Executive Assistant), Tom Castleton (Staff Assistant), and Marlene McDonald (Volunteer).

The interview took place in a West Wing office at approximately 0900 hours and was attended by Det. Markland (USPP), S/A Salter (FBI), and Assistant White House Counsel Steven Neuwirth.

Ms. Gorham stated that she did not know Mr. Foster before she was hired on March 8, 1993 and had no social relationship with either Mr. Foster or any member of his family. On 7/20/93 she left the office at approximately 1130 hours, which is the last time she saw Mr. Foster alive. She stated that she did not note any unusual behavior by Mr. Foster on that day.

Ms. Gorham recalled a conversation with Mr. Foster on Thursday, 7/15/93 when he discussed the differences in working for a law firm and working for the government. She placed no significance on the conversation at the time and, in retrospect, it still seemed to be a normal comparison.

Ms. Gorham was asked if Mr. Foster would have any reason to deal with physicians directly on a professional basis due to his involvement with the Health Care Reform proposals under consideration. Ms. Gorham stated that there was no reason whatsoever for Mr. Foster to deal with physicians professionally.

The interview was about to be terminated when Mr. Neuwirth asked us to remain and took Ms. Gorham out of the room to speak to her. A very short time later they returned and Ms. Gorham stated that there was one thing she thought may be important that she recalled. On Thursday, 7/15/93, Mrs. Foster had called her and asked for Mr. Foster's pay schedule, explaining that she believed their checking account was overdrawn. The Credit Union was contacted and they stated that they would work with Mrs. Foster on a weekly, instead of a biweekly, basis. After that conversation Ms. Gorham was authorized by Mr. Foster to pick up a statement every Friday for Mrs. Foster. Ms. Gorham did not see this as a real problem or place any significance on

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This initial interview was concluded at approximately 0930 hours.

At approximately 1450 hours, immediately after the inventory of Mr. Foster's Office by White House Counsel (reference report under this case file number by Capt. Hume), Det. Markland and S/A Salter were asked to remain and were ushered into Mr. Nussbaum's office by Mr. Neuwirth. Ms. Gorham was brought in and she stated that she had just remembered some conversations that she thought were important to our investigation. Within the last two weeks Ms. Gorham had received calls from Mr. Foster's eldest son and Mrs. Foster inquiring about Vincent Foster's mood. They specifically asked how "he" was doing, not how the work was going, and seemed genuinely concerned.

Investigation continues.

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### Office Personnel Interviews

The following two people were interviewed at the West Wing of the White House by Detective Markland and Special Agent Salter on 7/22/93. The information provided by these two individuals was brief.

### Tom Castleton (Staff Assistant) @ 1000 hours:

Mr. Castleton stated that he worked on 7/20/93 and remembers that Mr. Foster ate lunch at the office, although he could not place the time. Mr. Castleton was present when Mr. Foster left the office after eating lunch and said "So Long". Mr. Foster did not respond and seemed to Mr. Castleton to be "In his own world", focused, disturbed.

### Linda Tripp (Executive Assistant) @ 1150 hours:

Ms. Tripp stated that she began her workday on 7/20/93 at 0800 hours. Mr. Foster's demeanor seemed normal to her, however, she had no personal dealings with him on that day.

Ms. Tripp makes it a habit to notice what the staff members are taking with them when they leave the office in order to determine for herself how long she may expect them to be away from the office. Ms. Tripp was absolutely certain that Mr. Foster did not carry anything in the way of a briefcase, bag, umbrella, etc... out of the office.

Investigation continues.

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SULTS OF INVESTIGATION

"Review of Documents from Vincent Foster's Office"

On Thursday, July 22, 1993, in the afternoon the following persons met in the office of Vincent Foster to attempt to determine if he left a suicide note or if there were any other information that might have led him to take his own life. The very limited examination of the documents and notes were done by the Chief Counsel, Bernard Nussbaum. The following people were also present during this meeting: William Burton, Deputy Chief of Staff for the President, Clifford Sloan and Steven Neuwirth; Associate Legal Counselors, Michael L. Spafford; Attorney representing the Foster family, Captain Charles Hume and Detective Pete Markland; U.S. Park Police, Special Agents Scott Salter and Dennis Condon; Federal Bureau of Investigation, David Margolis, Deputy Assistant Attorney General Criminal Division; and Roger Adams; Department of Justice Attorney, Paul Imbordino and Donald Flynn; U.S. Secret Service.

Originally, we had responded to the White House on Wednesday morning, July 21, to examine his office. As soon as we arrived and met with Inspector Dennis Martin of the U.S. Secret Service Uniform Division, we had requested a guard be posted at the door of the office to prevent anyone from removing anything from the office. As the day progressed we were not permitted to examine the room. We departed the White House sometime around 1830 - 1900 hours. The U.S. Secret Service log of persons entering the office after 1100 hours on Wednesday, July 21, showed Bernard Nussbaum entering the office at 1110 hours to remove a small photo and Cliff Sloanentering at 1834 hours same day to replace a bag of trash previously removed from Mr. Foster's trash can.

At 1315 hours, Thursday, July 22, all 13 of us entered the office of Vincent Foster. Bernard Nussbaum took a seat at Foster's desk, He was surrounded by his two associates, Sloan and Neuwirth, with Burton near his side and Spafford at the end of the desk.

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The eight law enforcement officers were gathered on the opposite side of the desk and room in a position where we couldn't examine any documents. Eventually all law enforcement were seated, either on the sofa or in chairs provide by the U.S. Secret Service. During the process Bill Burton left the office on at least two occasions and returned. Bernard Nussbaum did the actual review of the documents in a very hurried and casual fashion. There was some conversation between Nussbaum and Margolis as what constituted privileged communication. Nussbaum carried his interpretation of what was considered privileged to the extreme; one example was when he picked up a xeroxed copy of a newspaper article and declared that it was privileged communication even though it had been in the newspapers. Nussbaum would move papers about declaring what might be of interest to the police and what was strictly White House business.

Also, he decided what was Foster's personal papers and put those in a separate pile for the family attorney. Occasionally, Detective Markland or Margolis would ask him to place a certain note or document in a pile for possible police examination. At one papers out of some pulled Nussbaum valise/briefcase that was sitting on the floor behind the desk. point, He put them on the desk and went through them. He then looked in the valise/briefcase again, but did not take anything out of it. A little later he moved the valise/briefcase away from the desk and placed it on the floor adjacent to the exterior wall directly behind him and the desk. At no time during the approximate one hour and 35 minutes we were in Foster's office where we allowed to examine any documents. At one point Special Agent Scott Salter got up to stretch and Clifford Sloan challenged him and asked him was standing up in an attempt to get a look at if he documents.

The documents that Nussbaum had separated out were left in the office with the exception of the pile containing what Mr. Nussbaum determined to be personal papers of Foster. It was agreed between Margolis and Nussbaum that the family lawyer could take those papers and after getting approval from Mrs. Foster the police could examine them. The telephone logs were not turned over to us. cleared the office at approximately 1450 hours. cautioned Nussbaum and his staff not to remove anything from the office. Nussbaum stated he could not leave the office secured any longer. The lock remained on the door that had been installed by the U.S. Secret Service on Wednesday, and Nussbaum was given the key after we cleared the office on Thursday at 1449 hours.

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On 7-27-93 at approx. 2115 hours I met with Mr. Bernard Nussbaum in the Chief of Staff's Office in the West Wing of the White House. Also present were a representative from Department of Justice, Mr. Phillip Heymann, as well as Asst. Chief of Staff Bill Burton, also Mr. Gergen and Mr. McLarty.

Mr. Nussbaum had before him on the table small pieces of yellow lined note paper which he was assembling into a whole page. The assembled pieces revealed a note, identified to be in the handwriting of the deceased Vincent Foster. Mr. Nussbaum read the contents of the notes to the undersigned of which I took notes. He then placed the pieces back into a white legal White House envelope and handed them over to me. The notes appeared to be on 3 hole yellow lined paper of approx. 2/3 page length.

According to Mr. Nussbaum, on Monday 7-26-93 he directed one of his assistants, Mr. Steven Neuwirth enter Mr. Foster's Office and take a detailed inventory of the files and material in there. brief case, known to be in the office and thought to be empty, he found the torn pieces of a hand written page. The scraps were dumped out and then taken to Mr. Nussbaum's Office where they were assembled and Mr. Nussbaum was notified. Mr. Nussbaum then went through notification procedure, to Bill Burton, to the Chief of Staff, and finally to the President today 7-27-93 at about 1700 hours when he returned to Washington, D.C. and at about 1800 hours today's date to the family of Mr. Foster when they returned to the city.

Also present outside the meeting, but who did speak to me about the notes was Mr. Jim Hamilton, the attorney for the Foster Family. They are very concerned about the confidential nature of the note and other news leaks attributed to the U.S. Park Police.

According to Mr. Bill Burton 202-456-6798 Mr. Steven Neuwirth will be available for an interview on 7-28-93. Also handwriting samples will be available.

Cleared at 2200.

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RESULTS OF INVESTIGATION

### Interview: Steven Neuwirth

Steven Neuwirth is an Assistant White House Counsel and the person reported to have found the note presumably written by Vincent W. Foster that was turned over to Detective L. J. Megby on 7/27/93. The note had been discovered by Mr. Neuwirth during the packaging of Mr. Foster's personal effects on 7/26/93. On 7/29/93 at approximately 1130 hours, Steven Neuwirth was interviewed in Bernard Nussbaum's office by Detective Peter W. Markland and Captain Charles Hume. Mr. Nussbaum was also present and became a subject of the interview.

The following questions were posed to the two gentlemen regarding the note in question:

How could this note have avoided detection during the search of Mr. Foster's office by Mr. Nussbaum and other members of the White House Counsel's office in our presence on 7/22/93?

If the note was found on 7/26/93 why were the police not notified of it's existence until approximately 8:00 P.M. on 7/27/93?

Mr. Nussbaum stated it was his recollection that he removed materials from the briefcase, which remained on the floor, and placed them on the desk in front of him. He then went through the materials. He inferred that because of this he had missed the small scraps of yellow paper that obviously remained in the bottom of the briefcase. I informed Mr. Nussbaum that I was seated on the small couch directly across from and facing him and that I had a clear view of the briefcase when he removed it's contents, also that after the contents were removed I could see that he spread open the briefcase and visually inspected it as if to confirm that it was, indeed, empty. Mr. Nussbaum did not recall doing what I described. Captain Hume stated that he observed that Mr. Mussbaum handled the briefcase a third time when he slid it back towards the wall behind him in order to access the desk's file drawer. Mr. Nussbaum agreed with Captain Hume's recollection of sliding the case to the rear.

Mr. Nussbaum then related that the following people were contacted to view the document before a determination could be made to disclose it to the U. S. Park Police:

Bill Burton (Deputy Chief of Staff)
Thomas F. McLarty (Chief of Staff)
Lisa Foster (wife of Vincent Foster)
Phillip Heymann (Deputy Attorney General)
Janet Reno (Attorney General)

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President Clinton was made aware of the existence of the document. Only Mr. Neuwirth and Mr. Nussbaum handled the document.

Mr. Neuwirth then related his recollection of the discovery of the document. He stated that he was in the process of gathering and packaging Mr. Foster's personal affects for delivery to the family when he turned the briefcase sideways in order to fit it into a box without causing damage to a photograph of the President with Mr. Foster's daughter, Laura. When he did this some torn yellow paper scraps fell out of the briefcase and he noticed handwriting on them. He then retrieved a number of other similar scraps from the bottom of the case and took them to the table in Mr. Nussbaum's office where he assembled the document which was, ultimately, turned over to Detective Megby.

Mr. Nussbaum was asked if he could clarify two entries on the handwritten note. "HRC" refers to the first lady; "KAKI" refers to an interior decorator employed by Mrs. Clinton.

Mr. Nussbaum stated that there were only "three or four" work related documents on Mr. Foster's computer.

Inquiries were made regarding the phone logs kept at the office. Mr. Neuwirth stated that they had been assembled and that they will review them and contact us.

The interview concluded at approximately 1230 hours.

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After negotiations between the White House Counsel's Office and the Department of Justice were completed at approximately 1700 hours on 7/21/93, S/A Conting S/A Californ Captain and Detective responded to the West Wing and spoke with to make arrangements for interviews and a search of Mr. Foster's office on 7/22/93. commend bet in the continued. S/A Solten and Det in the obtained the following information from the Herseless as a result of that meeting:

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Stated that he learned that from about 0700-0715 hours one of the secretaries had entered Mr. Foster's office and "piled papers" on desk top "to make it neat".

the office to look around.

-It was determined that the cleaning lady had emptied Mr Foster's trash. The trash was retrieved and returned to the office.

requested that the U.S.S.S. secure the office and the room was posted at approximately 1015 hours.

Investigation continues.

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On Thursday, August 22, 1993, Defective and I responded to the White house to meet with Special Agents and and and are purpose of the interviews were to reconstruct the final hours of Vincent Foster's life.

Myself and Special Agent endow interviewed

Wester. The interview took place in an office that was unoccupied for the day. Present in the room during the entire interview were first assistant Special Agent in Charge, Office of Protective Operation, U.S. Secret Service.

Protective Operation, U.S. Secret Service.

During the interview modern and demanded "is everything all right?"

We started the interview at approximately 0900 hours. Sot in to work at around 0900 hours on Tuesday, July 20th. Usually to e is a staff meeting of the counsel's office from 0900 to 0945 has each morning that Vincent Foster would attend. So assumed he was at the staff meeting as and didn't see him when arrived at work. The first recalled seeing him outside in the Rose Garden. The President was nominating Judge Freeh at the ceremony as the new director of the FBI.

The first conversation inches had with him was about lunch around 1200-1230 hours. He said he would eat at his desk. He ordered a medium rare cheeseburger, french fries and coke. The and recalled there were M & M's on the tray with the food because this wanted them. He sat on his sofa and ate lunch in his office.

At around 1300 hours he came out of the office and stated "I'll be back, there are M & M's left in my office". The recalled that mending were in the office when he left. The wasn't sure if was in the office or not. There was nothing unusual about his emotional state. In fact, over the last several weeks and did not notice any changes, either physically or emotionally. The noticed no weight lost. Was unaware of him taking any medication or seeing any doctors. I asked here would were be surprised if I found out he was seeing a psychiatrist. The said was not aware of any depression problems. The had no ormation whether he owned any weapons.

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said she left work at approximately 1845-1850 hours on Tuesday; but, before she left at around 1820 or so, the paged (Month and left the White House number for him to call. The recalled no other phone messages for Vincent.

restication

learned about Vincent's death from messages on her home answering machine around 0500-0600 hours on Wednesday, July 21. End came into work at 0700 hours and was the first person in. The door to Vincent's office was closed when the arrived at work. The believed that the solution or Personal were the last persons out of the complex on Tuesday and one of them would have closed the door to Vincent's office. The went into his office and "squashed" the papers together that were on his desk. The realized that the shouldn't have touched the papers as soon as the did it but probably did it out of habit.

When I questioned for if she had been told how to respond to our questions, stated that the first state (who was present during our interview) and State Workship h, both consists which, had c ed them all together on Wednesday evening and told them they would be questioned by the police and for them to tell the truth.

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### SUPPLEMENTAL CRIMINAL INCIDENT RECORD

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h Investigation

ULTS OF INVESTIGATION

### Interview: Contraction

Deborah Corham is the Trembis of the deboration of the contraction of Commence to the contract of the commence of th between the two offices in the West Wing of the White Houses occurred Nussbaum and Wr Foster, respectively. Siecutite Assistant Accident), Tem Castileton (Seals Assistant), and المنافقة المالية

The interview took place in a West Wing office at approximately 0900 hours and was attended by Det. (USPP), S/A Salter (FBI), and Assistant in the Course Course

stated that sie did not know Mr. Foster before sie. was hired on weren 5, 1993 and had no social relationship with either Mr. Foster or any member of his family. On 7/20/93 left the office at approximately 1130 hours, which is the last time saw Mr. Foster alive. Stated that sae did not note any unusual behavior by Mr. Foster on that day.

Transcalled a conversation with Mr. Foster on Thursday, 7/15/93 when he discussed the differences in working for a law firm and working for the government. Simplaced no significance on the conversation at the time and, in retrospect, it still seemed to be a normal comparison.

Ms. Cornan was asked if Mr. Foster would have any reason to deal with physicians directly on a professional basis due to his involvement with the Health Care Reform proposals under consideration. .... serious stated that there was no reason whatsoever for Mr. Poster to deal with physicians professionally.

The interview was about to be terminated when in leaves asked us to remain and took : out of the room to speak to . A very short time later they returned and ... stated that there was one thing thought may be important that the recalled. On Thursday, 7/15/93, decimal had called has and asked for Mr. Foster's pay schedule, explaining that size believed their checking account was overdrawn. The Credit Union was contacted and they stated that they would work with Forter on a weekly, instead of a biweekly, basis. After that conversation was authorized by Mr. Foster to pick up a statement every Friday for did not see this as a real problem or place any significance on

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This initial interview was concluded at approximately 0930 hours.

Investigation continues.

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Vestigation INVESTIGATION

Office Personnel Interviews

The following two people were interviewed at the West Wing of the White House by Detective and Special Agent enterior on 7/22/93. The information provided by these two individuals was brief.

Tem Cochleto (Stail Assistant) 3 1000 hours:

that Mr. Foster ate lunch at the office, although to could not place the time. The state was present when Mr. Foster left the office after eating lunch and said "So Long". Mr. Foster did not respond and seemed to the castle could not world", focused, disturbed.

in the second of 
hours. Mr. Foster's demeanor seemed normal to however, the had no personal dealings with him on that day.

are taking with them when they leave the office in order to determine for the how long the may expect them to be away from the office. We was absolutely certain that Mr. Foster did not carry anything in the way of a briefcase, bag, umbrella, etc... out of the office.

Investigation continues.

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# NATIONAL PARK SERVICE

### SUPPLEMENTAL CRIMINAL INCIDENT RECORD

I JUVENILE CASE

RESULTS OF INVESTIGATION

"Review of Documents from Vincent Foster's Office"

On Thursday, July 22, 1993, in the afternoon the following persons met in the office of Vincent Foster to attempt to determine if he left a suicide note or if there were any other information that might have led him to take his own life. The very limited examination of the documents and notes were done by the examination of the documents and notes were also present during this meeting:

The following people were also present the President, Cliffed William Purchasis, the President, Cliffed William Purchasis; U.S. Park Police, Special Agents Scott Salter and Dennis Chain; Federal Eureau of Investigation, South Salter and Dennis Chain; Federal Eureau of Investigation; and Repetition; Department of Justice Attorney, Paul Imbording and Research U.S. Secret Service.

Originally, we had responded to the White House on Wednesday morning, July 21, to examine his office. As soon as we arrived and met with Inspector Provide Vantum of the U.S. Secret Service Uniform Division, we had requested a guard be posted at the door of the office to prevent anyone from removing anything from the office. As the day progressed we were not permitted to examine the room. We departed the White House sometime around 1830 - 1900 hours. The U.S. Secret Service log of persons entering the office after 1100-hours on Wednesday, July 21, showed Bernard Nussbaum entering the office at 1110 hours to remove a small photo and Cliff Sloan entering at 1834 hours same day to replace a bag of trash previously removed from Mr. Foster's trash can.

At 1315 hours, Thursday, July 22, all 13 of us entered the office of Vincent Foster. Declarate Masseaum took a seat at Foster's desk, was surrounded by this two associates, clean and fosters, with Ducton near his side and Sparrounded the end of the desk.

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On Thursday, July 2 ollowing persons determine if he met in the office ( .... information that left a suicide not might have led him to take his own life. The very examination of the documents and notes were done by the The following people were also present during this meeting: William Purton, Province of Sangle for the President, Clifford Shan and Steven Vountie; Courseless, Wisheli Granord; Attorney representing the Foster family, Captain Charles Nime and Detective Pete Verbland; U.S. Park Police, Special Agents Sect Salter and Pennis Comion; Federal Bureau of Investigation, Provid Mangelis, Deputy Assistant Attorney General Criminal Division; and Roger Adams; Department of Justice Attorney, Paul Imbording and Deneld Time; U.S. Secret Service.

Originally, we had responded to the White House on Wednesday morning, July 21, to examine his office. As soon as we arrived and met with Inspector Pennis Mention of the U.S. Secret Service Uniform Division, we had requested a guard be posted at the door of the office to prevent anyone from removing anything from the office. As the day progressed we were not permitted to examine the room. We departed the White House sometime around 1830 - 1900 hours. The U.S. Secret Service log of persons entering the office after 1100 hours on Wednesday, July 21, showed Bernard Nussbaum entering the office at 1110 hours to remove a small photo and Cliff Sloan entering at 1834 hours same day to replace a bag of trash previously removed from Mr. Foster's trash can.

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> 2, all 13 of us entered the office took a seat at Foster's desk, sociaces, sican and is with, with Id at the end of the desk.

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The eight law enforcement officers, were gathered on the opposite side of the desk and room in a position where we couldn't examine any documents. Eventually all law enforcement were seated, either on the sofa or in chairs provide by the U.S. Secret Service. During the process believed left the office on at least two occasions and returned. Reserved did the actual review of the documents in a very hurried and casual fashion. There was some conversation between the served and database as what constituted privileged communication. The example was when the picked up a xeroxed copy of a newspaper article and declared that it was privileged communication even though it had been in the newspapers. Would move papers about declaring what might be of interest to the police and what was strictly white House business.

Also, decided what was Foster's personal papers and put those in a separate pile for the family attorney. Occasionally, Detective or would ask to place a certain note or document in a pile for possible police examination. At one point, pulled some papers out οf a .leather valise/briefcase that was sitting on the floor behind the desk. put them on the desk and went through them. - then looked in the valise/briefcase again, but did not take anything out of it. A little later moved the valise/briefcase away from the desk and placed it on the floor adjacent to the exterior wall directly behind and the desk. At no time during the approximate one hour and 35 minutes we were in Foster's office where we allowed to examine any documents. At one point Special Agent got up to stretch and Garage Challenged him and asked him was standing up in an attempt to get a look at the if he documents.

The documents that the search had separated out were left in the office with the exception of the pile containing what the determined to be personal papers of Foster. It was agreed between that the family lawyer could take those papers and after getting approval from the police could examine them. The telephone logs were not turned over to us. We cleared the office at approximately 1450 hours. Cautioned the many staff not to remove anything from the office. Stated to could not leave the office secured any longer. The lock remained on the door that had been installed by the U.S. Secret Service on Wednesday, and the was given the key after we cleared the office on Thursday at 1449 hours.

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On 7-27-93 at approx. 2115 hours I met with Mon-Bernard Aussian in the Chief of Staff's Office in the West Wing of the White House. Also present were a representative from Department of Justice, Mr. Thillip He, mann, as well as Asso. Chief of Staff Blir Burton, also the Gerger and Mr. Medatar.

lined note paper which he was assembling into a whole page. The assembled pieces revealed a note, identified to be in the handwriting of the deceased Vincent Foster. When Nuceetts read the contents of the notes to the undersigned of which I took notes. Then placed the pieces back into a white legal white House envelope and handed them over to me. The notes appeared to be on 3 hole yellow lined paper of approx. 2/3 page length.

According to M- Nucebour, on Monday 7-26-93 ha directed one of the assistants, Who Steven Neurith enter Mr. Foster's Office and take a detailed inventory of the files and material in there. In a brief case, known to be in the office and thought to be empty, the found the torn pieces of a hand written page. The scraps were umped out and then taken to Mr. Nussbaum's Office where they ere assembled and Mr. Nussbaum was notified. Material then went through notification procedure, to bill burton, to the Chief of Staff, and finally to the President today 7-27-93 at about 1700 hours when he returned to Washington, D.C. and at about 1800 hours today's date to the family of Mr. Foster when they returned to the city.

Also present outside the meeting, but who did speak to me about the notes was with the little of the attorney for the Foster Family. They are very concerned about the confidential nature of the note and other news leaks attributed to the U.S. Park Police.

According to Who Dill Burton 202-156-6768 Who Steven Wewwisth will be available for an interview on 7-28-93. Also handwriting samples

Cleared at 2200.

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Interview:

person reported to have found the note presumably written by Vincent W. Foster that was turned over to Detective on 7/27/93. The note had been discovered by during the packaging of Mr. Foster's personal effects on 7/26/93. On 7/29/93 at approximately 1130 hours, described in Bernard Nussbaum's office by Detective and Captain and Captain was also present and became a subject of the interview.

The following questions were posed to the two regarding the note in question:

How could this note have avoided detection during the search of Mr. Foster's office by Mr. Nussbaum and other members of the White House Counsel's office in our presence on 7/22/93?

If the note was found on 7/26/93 why were the police not notified of it's existence until approximately 8:00 P.M. on 7/27/93?

materials from the briefcase, which remained on the floor, and placed them on the desk in front of the them went through the materials. We inferred that because of this me had missed the small scraps of yellow paper that obviously remained in the bottom of the briefcase. I informed that I was seated on the small couch directly across from and facing and that I had a clear view of the briefcase when a removed it's contents, also that after the contents were removed I could it as if to confirm that it was, indeed, empty. I spected did not recall doing what I described. Captain was stated that he observed that Mr. The wash handled the briefcase a third time when he slid it back towards the wall behind the in order to access the desk's file drawer. The case to the rear.

Mr. Contacted then related that the following people were contacted to view the document before a determination could be made to disclose it to the U.S. Park Police:

Janet Reno (Attorney General)

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#### NATIONAL PARK SERVICE

## SUPPLEMENTAL CRIMINAL INCIDENT RECORD

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th Investigation	6 RECLASSIE	CATION OF	FINCIDENT			

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ESULTS OF INVESTIGATION

President Clinton was made aware of the existence of the document. Only in the handled the document.

then related be recollection of the discovery of the document. Stated that was in the process of gathering and packaging Mr. Foster's personal affects for delivery to the family when the turned the briefcase sideways in order to fit it into a box without causing damage to a photograph of the President with When he did this some torn yellow paper scraps fell out of the briefcase and he noticed handwriting on them. then retrieved a number of other similar scraps from the bottom of the case and took them to the table in Mr. Nussbaum's office where assembled the document which was, ultimately, turned over to Detective design

was asked if a could clarify two entries on the handwritten note. "HRC" refers to the first lady; "KAKI" refers to an interior decorator employed by Mrs. Clinton.

stated that there were only "three or four" work related documents on Mr. Foster's computer.

Inquiries were made regarding the phone logs kept at the office. stated that they had been assembled and that they will review them and contact us.

The interview concluded at approximately 1230 hours.

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RESULTS OF INVESTIGATION

On Friday, July 30th, Detective David Dayfield and I responded to the Executive Office Building (EOB) Room 128 to meet with Clifford film. The purpose of the meeting was to examine the telephone message log of Vincent Foster during the month of July and in particular to attempt to determine if he had gotten a call just prior to his departure on July 20, 1993. We learned that the phone logs were just a message log of calls he received when he was absent or unable to take the call. The administrative assistants would type time, person's name, phone number, and messages if one was left. The log was no assistance in determining if anyone had called him just prior to 1300 hours on July 20, 1993, if the call had been put through. There was one notation of interest on July 19, 1993. A Branch had called at 1047 hours and left his phone number 4501 661 0743. There were no messages. Prior to 1300 hours on July 20, he had received several phone messages. Some of the messages were from his staff. There weretwo calls made from Arkansas from the same person and one call from Colorado. Attempts will be made to contact these people and see if either reached Vincent prior to 1300 hours.

cliffed class requested if any information about the phone logs is contemplated being released, he would like to have the counsel's office notified at the White House prior to any release. I told his that I would put his request in my report. This caused his some concern because he didn't want special or unusual attention drawn to his request.

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July 20, 1993 Phone Log

The phone message log indicated called for Foster at 10:55 a.m. and left only his phone number 501 2:100. The log indicated he called again at 11:11 a.m. and left the same phone number.

On August 2, I called decides office and spoke to his secretary, return call from Foster on July 19th, but the had stepped away from his desk. Foster returned the call to Buck at 11:17 a.m. central time (12:17 a.m. eastern time). The had a brief unusual. The had a brief unusual.

### Time to the same of the same o

The phone message log indicated a call from items at 11:11 a.m. with only a phone number left, confidence is from the is from the I contacted by telephone on August 2nd. He had known Foster since the late 1980's. He met him through Hillary Rodham Clinton and the Rose Law Firm. They had worked together on the Campaign. He had called and spoken with Foster Sunday July 18th between 8:00-9:00 p.m. eastern time and they had agreed to meet for dinner Wednesday.

would leave Denver and arrive in Washington. This is the reason for the phone message on the morning of July 20, 1993.

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The phone message log indicated that a contract called Foster at 2:14 p.m. and left his phone number, with the same and a message was noted by the administrative assistant "personal matter (secy did not know specifics)"

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#### FEDERAL BUREAU OF INVESTIGATION

Data of transcription	6/13/94
Date of transcription	

Special Agent WILLIAM E. COLOMBELL of the Federal Bureau of Investigation telephonically contacted Identification Technician, WAYNE JOHNSON at his place of employment, the U.S. Park Police (USPP), Anacostia Operation Facility, Washington, D.C. 20224. Agent COLOMBELL informed Officer JOHNSON that he needed to ask some clarifying questions regarding the manner in which the Medical Examiner's Office and USPP officers handled evidentiary items of clothing removed from the body of VINCENT FOSTER.

Officer JOHNSON stated that he, along with other USPP officers, was present on July 21, 1993, at 10:00 a.m., when the Fairfax Medical Examiner's Office performed an autopsy on the body of VINCENT FOSTER. Officer JOHNSON stated that he specifically took custody of all items of clothing removed from the body of VINCENT FOSTER. Officer JOHNSON stated that in preparation for the autopsy, all items of clothing, including a dress shirt, t-shirt, boxer shorts, pants, belt, shoes and socks, were removed by personnel at the Medical Examiner's Office and placed in a pile on an adjoining table or gurney. He stated that these individual items of clothing were not segregated and packaged separately at that time. He stated that following the autopsy, all of the items of clothing, collectively, were taken by him to the USPP Anacostia Operations Facility. JOHNSON stated that upon arrival at the USPP facility, he took the items of clothing into the rear lab area and spread each item of clothing out on paper for drying purposes.

Officer JOHNSON stated that it is his understanding that the items of clothing were left to dry for several days and that he was not involved in the later wrapping or packaging of these items of clothing. JOHNSON stated that because of the way the items of clothing were removed from the body and placed collectively in a pile and in the manner in which they were transported back to the USPP, evidentiary items such as hair, carpet fibers, etc., could easily have been transferred from one item of clothing to another item of clothing.

		(tele	ephonically)		
.nvestigation on	6/10/94	at Washi	ington, D.C.	File #	29D-LR-35063
by SSA W	illiam E.	Colombell	WEC:deg	Date dictated	6/10/94

#### FEDERAL BUREAU OF INVESTIGATION

Date of transcription	8/4/94
Date of transcription	

ARTHUR LEWIS JONES, Deputy Press Secretary at The White House, work telephone 202-456-6639 was interviewed at his office in The White House. After being advised of the identity of the interviewing agent and the nature and purpose of the interview, JONES provided the following information:

JONES advised that on July 20, 1993, he was holding the same position at The White House Communications Office that he currently holds and he was at home the entire evening. He received a telephone call at approximately 12:30 am on July 21, 1993, from JEFF ELLER who was calling him from his office at The White House to ask JONES if he was the Duty Officer for The White House Press Office that night. JONES answered that he was not, and asked what the problem was. It was at that time that ELLER notified him that VINCE FOSTER, JR. had been found dead earlier that evening.

The Press Office Duty Agent for the week of July 19-24, 1993 was DON STEINBERG, whose daytime position was Press Liaison for the National Security Counsel (NSC). JONES later found out that DON STEINBERG had been unable to carry out the duty responsibilities on the night of 7/20 and it had been delegated to his assistant, PAUL CLARK, also with the NSC. JONES advised that the position of Duty Officer was rotated among JEFF ELLER, LORRAINE VOLES, DON STEINBERG and himself. STEINBERG is still with the NSC but is no longer press liaison. He is currently the director of the African desk and his phone number is 395-3391.

PAUL CLARK has left The White House and JONES does not know his current position. JONES described CLARK as a white male, 5'9" to 10" in height, a rugged build, muscular in a "squat sort of way". He advised that CRAIG LIVINGSTONE is larger in the sense that he is heavier and taller. Both men are fair complected but CLARK has the kind of skin that does not tan whereas CRAIG LIVINGSTONE does. He said that mistaking one for the other would be "a stretch".

JONES advised that he did not go into The White House

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by	SSA H.	ALEXIS	SUGGS			_ Date dictated	8/3/94	

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Continuation of FD-302 of ARTHUR LEWIS JONES

On 8/3/94

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or to the FOSTER residence or anywhere else the night of July 20, 1993. The following morning, JONES advised he probably arrived at The White House approximately 7:30 in the morning. He does not recall who else was there but advised that since there is a 7:30 am staff meeting, most of the Communications Office people were probably there. Everybody was feeling very down and misty because of the FOSTER death. Many people did not hear of the death until they arrived to work at The White House and some people heard it on the radio on their way to work.

He advised that the Communications Office begins daily operations earlier than any other office in The White House. In July 1993 "pool calls" (meaning press pool gatherings) for the morning job of accompanying the President on his jogging route used to assemble around 6:15 in the morning. There was very little activity anywhere else in the West Wing and the only people in the Old Executive Office Building at that time would have been the people who were assembling the press clippings. To his knowledge, there is no movement of supplies or other activity normally at that time in the morning.

On the issue of a press representative being at the FOSTER residence, JONES recalls ELLER having a discussion with him which is a blur now to him. He knows that the President went to the residence that night and JEFF went also. The press pool always accompanies the President wherever he goes, either because they take them with him or they follow. JONES recalls (but he doesn't know where he learned this) that there was some press people out at the FOSTER residence July 20 in the evening and they were holding "at bay".

The following morning JONES was not involved in any issue of how to handle press coverage at the FOSTER residence. He would have remembered it if he had been responsible for telling somebody to go out there. He recalls nothing of that nature and doesn't recall any discussion of it. JONES said that GEORGE STEPHANOPOULOS, MARK GEARAN, DEE DEE MYERS or LORRAINE VOLES may have been the individual who might have handled any issue about sending someone from the Communications Office out to the FOSTER residence.

He learned later in the morning that somebody was sent to the FOSTER residence. He does not recall who he heard that from but he heard about it second hand that somebody had been out there and it had been very quiet. His sense is that it was early

2. -LR-35063

Continuation of FD-302 of ARTHUR LEWIS JONES \_\_\_\_\_, On \_\_\_\_8/3/94 \_\_\_\_, Page \_\_\_\_3

in the morning, perhaps 8:30 am and possibly earlier. He has no idea whether it was a male or female but opined that it was most likely to have been a guy. He has no memory whatsoever of any involvement of CRAIG LIVINGSTONE in any of these affairs or activities and he does not recall seeing CRAIG LIVINGSTONE that morning at The White House.

JONES advised that some time during the morning of July 21, a fellow Communications Office individual told him that their spouse had telephoned them and told them that a neighbor of theirs who is, by coincidence, a reporter had told them that they had noticed activity on their street and that something was going on at the FOSTER residence.

JONES advised that several weeks ago (some time in July 1994) LLOYD CUTLER's secretary telephoned him and inquired who had been Duty Agent from the Press Office the night of VINCE FOSTER's death. JONES does not know why the inquiry was being made. He further explained that the National Security Counsel is an entity within The White House that deals with all matters of a non-domestic nature. He advised that their Staff Director is NANCY SODERBERG, telephone 456-2224.

JONES advised that he is familiar with CRAIG LIVINGSTONE and characterized him physically as a remarkable person not likely to be confused with others. There are no "look-alikes" that he could think of. He subsequently called the writer after the appointment and said that he had just spoken with an individual who looked quite a bit like CRAIG LIVINGSTONE and identified that individual as PAUL CAREY with the Congressional Affairs Office at The White House, telephone 456-6493.

JONES advised that the current head of what is left of CLINTON's campaign committee in Little Rock, Arkansas, a woman by the name of SUSIE WHITACRE was visiting The White House the evening of July 20, 1993. She stayed in the residence portion of The White House that night and he assisted her with getting in touch with people who would make sure that she was present for the Larry King Show. He does not know whether she watched it live or on a monitor. He does not know anything about her activities that evening, but it was unusual for her to be in town and she was, indeed, at The White House that night. He does not know if she has any relevant information to provide to us. Her telephone number in Little Rock, Arkansas is (501) 372-5500.

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Continuation of FD-302 of

ARTHUR LEWIS JONES

on 8/3/94

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JONES provided the following personal information as part of the interview:

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

Residence:

Home Telephone:

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FOIA(b)(7) - (C)

4531 Warren Street, NW Washington, DC 202-244-7680

Date of transcription	4/12/94
Date of transcription	

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Roger N. Kammerdeiner II, Physical Security Specialist, Technical Security Division, United States Secret Service (USSS) was interviewed in the Office of the Special Counsel, 1001 Pennsylvania NW. Mr Kammerdeiner 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 2 years at The White House compound and was so employed on July 20, 1993 at the time of Vincent Foster, Jr.'s death. In his job he is responsible for seeing that locks, alarms, videos, and various countermeasures concerning fire prevention, etc. are in good working order within The White House compound.

On July 21, 1993, at approximately 4:30-5:00 pm he was sent to the office of Vincent Foster on the 2nd floor in the west wing of The White House to do a survey to determine what type of lock would be necessary to secure Vincent Foster's office door. Another USSS Physical Security Specialist, John Wills, went with him.

Upon arriving at the office of Vincent Foster they observed a USSS uniformed officer, whose name he does not recall, standing in front of the office door. They identified themselves to the uniformed officer as USSS employees, conducted a quick observation of the inside and outside of Vincent Foster's office door and departed the area. Mr. Kammerdeiner stated that they were near Vincent Foster's door for only approximately 2-3 minutes. John Wills then telephonically contacted a USSS locksmith, Kevin Robbins, to report their observations and discuss the type of lock required to secure the door.

Mr. Kammerdeiner stated that he took no further action regarding this matter and left work at approximately 5:00 pm that afternoon. He volunteered that while he was near Vincent Foster's office he did not observe anyone go in or come out of that office. Mr. Kammerdeiner stated that during the brief look he made into Foster's office, it appeared to him to be very neat

anvestigation on	4/11/94	at	Washington, D.C.	File #	
by	WILLIAM T. b)(7)-(C)	GUYTON JR.		Date dictated	4/11/94

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and orderly with a small stack of papers on the desk. He stated that he could not recall anything else regarding the inside of the office other than it seemed neat and orderly. He advised that he had never seen this office prior to this date during the period of time that it was occupied by Vincent Foster but he had seen this office on one occasion during the Bush Administration and thought that it looked neater and cleaner on July 21, 1993 than the previous time he had seen it.

Mr. Kammerdeiner stated that he knew who Vincent Foster was, by title, but did not know him personally or professionally. He stated that he, therefore, does not feel qualified to comment on Foster's demeanor or his personality.

Mr. Kammerdeiner said that the suite of offices occupied by Mr. Nussbaum and Mr. Foster had a "day-night" alarm switch that was deactivated by the first person entering the office in the morning and activated by the last person leaving the office in the evening. He stated that he believed this alarm to be functional at the time of Vincent Foster's death and that this alarm is monitored by a USSS control center when activated.

Mr. Kammerdeiner stated that his office is located at 1709 New York Avenue on the 6th floor and his telephone number is 202-395-6074.

Date of transcription	6/12/94

TIMOTHY J. KEATING, Special Assistant to the President for Legislative Affairs, was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Ave., NW. Mr. KEATING was advised as to the official identities of the interviewing agents and the nature of the interview. He then provided the following information:

He came to Washington, D.C. in 1985 to take a job with the House of Representatives. From 1985 to 1992, he held various staff positions within the House of Representatives and in December, 1992 was Assistant Manager of the House Democratic Cloak Room at the time of BILL CLINTON's election to the Presidency. Although he did not work on the BILL CLINTON Presidential Campaign, he had known HOWARD PASTER, who for a time was in charge of legislative affairs in the CLINTON White House. After BILL CLINTON's election, HOWARD PASTER asked him if he would come to work on the CLINTON Administration "Confirmation Team" during the period of transition from the BUSH Administration to the CLINTON Administration. He accepted and began working at The White House in December, 1992.

Mr. KEATING first met VINCENT FOSTER, JR. in late January, 1993 at a meeting of senior White House staffers. described his relationship with Mr. FOSTER as being "professional" and he advised that he did not know FOSTER personally. He said that he dealt with FOSTER only on "a handful of matters" but that he saw FOSTER on almost a daily basis since they both had offices on the 2nd floor of The White House west wing. He described FOSTER as being "very professional and a strong individual". He said that he was "very shocked" to learn of FOSTER's death, not only because he admired and respected FOSTER but also because FOSTER seemed "so together and on top of his game". KEATING said that one "doesn't think of someone like that taking his own life". He added that he has no idea, nor can he offer speculation as to FOSTER's reasons for taking his life. He said that he last saw VINCENT FOSTER on July 19, 1993 on the 2nd floor of the White House west wing. He added, however, he believes this was a casual encounter although he can not recall

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the circumstances of the meeting.

Mr. KEATING advised that he left Washington, D.C. on July 20, 1994 at approximately 1:00 pm enroute to Scranton Pennsylvania to be with his mother the next day while she underwent surgery. KEATING said that he recalled watching the Cable News Network (CNN) on television on the night of July 20, 1993. He explained that he remembers this because BILL CLINTON was interviewed live that night on CNN and perhaps an hour or so after the interview CNN carried the story announcing VINCENT FOSTER's "apparent suicide." That was his first knowledge of FOSTER's death and he received no phone calls or messages from The White House during the entire day and night of July 20, 1993. He advised that after his mother's surgery on July 21, he telephoned The White House for messages at "mid-afternoon". Although he recalls some talk with White House staffers by phone regarding FOSTER's death, he was not asked to promptly return to The White House nor was he given any instructions regarding the VINCENT FOSTER matter.

Mr. KEATING said that he returned to Washington, D.C. late on the evening of July 22, 1993 and returned to work at The White House on the morning of July 23. In response to a direct question, he advised that he was never asked to carry, transport, move, store, mail, or take control of any documents, papers, or items from VINCENT FOSTER's office. He added that not only was he never asked to do such a thing, he never did so. He further advised that he knows of no White House staffers or anyone else who was asked or did such things.

The following descriptive data was obtain through observation and interview:

Name: Sex: Race:	TIMOTHY J. KEATING Male Caucasian	
Date of Birth:		
Place of Birth:		
Height:	5′6"	
Weight:	195 lbs. FOIA(b)(6)	
Social Security	FOIA(b)(7)	- (C)
Account Number:		
Eyes:	Blue	
Hair:	Brown (short business cut)	
Education:	B S Degree (Political	

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Continuation of FD-302 of

TIMOTHY J. KEATING

6/9/94

Build:

Home Address:

Office Address:

Office Telephone No.: 202-456-2230

Science)

University of Scranton Stocky to heavy 3770 B. Madison Lane

Falls Church, VA 22041 West Wing (2nd floor) The White House

Date of transcription	5/9/94

WILLIAM H. KENNEDY, Associate Counsel to the President, was interviewed at the Office of the Independent Counsel, Washington, D.C. as scheduled at 1:00 p.m. MR. KENNEDY 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 were MR. KENNEDY's attorneys, V. THOMAS LANKFORD, JR. and PAUL V. CASTELLITTO, from the law firm Sharp & Lankford. MR. KENNEDY provided the following information:

He first met VINCENT FOSTER in 1976 while employed immediately after graduation for a period of four months at the Rose Law Firm (RLF), Little Rock, Arkansas. During that fourmonth period, he worked some with FOSTER. KENNEDY then worked in Washington, D.C. on the staff of Senator JOHN McCLELLAN from 1977 through 1978 and thereafter rejoined the RLF. KENNEDY worked extensively with FOSTER upon his return to RLF. KENNEDY described FOSTER as his mentor and they were best friends. KENNEDY said VINCENT FOSTER was probably the prime reason he (KENNEDY) was in Washington, D.C.

KENNEDY said he worked with VINCENT FOSTER on a daily basis after coming to the White House in February, 1993.

KENNEDY last saw VINCENT FOSTER at a staff meeting in the White House at 9:00 a.m., July 20, 1993. KENNEDY said this meeting was not memorable except he remembered talking with FOSTER after the staff meeting regarding jogging and asking him about his wife and perhaps children. He said FOSTER was working on an analysis of tort reform implications of the health care plan (malpractice, etc.) and also Travel Office matters, primarily dealing with press reports. KENNEDY said he didn't know on a daily basis all that FOSTER was working on. He said he and FOSTER exchanged missed calls about three times on the morning of July 20, 1993, but never caught up with each other. FOSTER had initially called KENNEDY. KENNEDY did not know what FOSTER was calling him about, other than the possible

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explanations that it could have concerned managing the clearance process for Presidential nominees or status reports on White House pass issues. He said he and FOSTER mostly talked about nominations. FOSTER could also have been calling about lunch.

KENNEDY answered yes when asked if he and FOSTER were social friends. He said they did not see all that much of each other while in Arkansas, as he (KENNEDY) was single at the time versus FOSTER was married. He described his relationship with FOSTER as being close.

KENNEDY described FOSTER as a person you could trust and respect. He was an individual who, if you obtained his approval, it meant something. FOSTER was a real force at RLF. FOSTER was a private, closed-mouth individual. He was calm, measured, hardly ever got excited. FOSTER was good on his feet; a good trial lawyer. He generally had the respect of everyone in RLF. When asked if FOSTER had any weaknesses, KENNEDY said that FOSTER was difficult to get close to. He would not open up, which was "off-putting" to some people.

KENNEDY was asked if FOSTER's departure from RLF created any problems. KENNEDY answered yes. RLF was a partnership of 55-60 partners and FOSTER, WEBB HUBBELL and HILLARY CLINTON were thought of as the senior litigators of the KENNEDY said the Litigation Section of RLF "took a hit" with the departure of these three individuals. There was a perception among clients that RLF was not as strong and lacked experience after these three left for Washington, D.C. KENNEDY believed that PHILLIP CARROLL, another RLF partner and mentor of FOSTER, was disappointed when FOSTER left RLF, but would not describe it as a "falling out." It was a feeling of the loss of a powerful part of the firm. KENNEDY did not believe the circumstances under which FOSTER left the firm would have made it difficult for FOSTER to come back. Mormal politics in RLF and feelings of abandonment were there but it didn't rise to the level where FOSTER thought he couldn't go back. KENNEDY noted, however, that he did not recall in conversations with FOSTER that he (FOSTER) wanted to go back.

KENNEDY was asked if he observed any noticeable behavioral or emotional changes in FOSTER. KENNEDY said yes, he had noticed immediately upon arriving in Washington, D.C. that FOSTER had lost weight and seemed exhausted. He became more

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fretful and was not quite as calm and measured as in RLF. FOSTER seemed to be under stress and pressure. KENNEDY believed FOSTER had come to Washington, D.C. in late November or December. It was a surprise to KENNEDY that FOSTER had left Arkansas. KENNEDY came to Washington on February 10, 1993. KENNEDY said the pace and demands of the White House are astounding. He said the pressures weighed on everyone. They were constantly being asked questions they hadn't seen before, with no rule book available. FOSTER was not able to operate as he had at RLF. KENNEDY believed the increase in stress for FOSTER was a cumulative thing.

KENNEDY did not believe FOSTER's stress to be entirely related to his job. KENNEDY said FOSTER's wife, LISA, was a "burden" to FOSTER. She was a demanding, insecure woman and during the move to Washington, D.C., "she wore VINCE out." Her contact was constant. She needed a lot of "reassurance and stroking." He remembers FOSTER's comments that LISA was "chewing on him" and FOSTER saying "you can imagine what I'm going through." FOSTER's White House job was all-consuming. There wasn't room for much else. KENNEDY said the words demanding and insecure describing LISA FOSTER were his (KENNEDY's) words. He further described LISA FOSTER as "high maintenance." She was married to someone who did not easily give, someone not outgoing, not a warm person, while being an individual that needed reassurance about her relationship.

KENNEDY was questioned regarding whether FOSTER had concern for the personal affairs of the First Family. KENNEDY answered no, that FOSTER's concerns were White House job related only. Exceptions KENNEDY could think of were that FOSTER had a pattern with the CLINTONS for years of doing personal things for them and assisting them as needed such as with tax returns. KENNEDY did not view Whitewater or Madison matters as being White House related. FOSTER also "interfaced" with the ushers; however, KENNEDY regarded that as White House job related. As an example, FOSTER assisted MRS. CLINTON with the office decorator.

KENNEDY said that FOSTER never discussed Whitewater or Madison with him. KENNEDY did not know FOSTER had anything to do with Whitewater until after Foster's death and it was reported in the press.

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KENNEDY said that FOSTER coped with problems in his life by internalizing them. KENNEDY said FOSTER's hobbies included "puttering in the kitchen," family activities, visiting in Hot Springs, Arkansas and tennis. KENNEDY noted that FOSTER loved his children.

KENNEDY did not think FOSTER had any immediate financial problems and was not a gambler. He said that like others who had moved to Washington, D.C. from Arkansas, they had housing expense increases and in FOSTER's case, also children in college.

KENNEDY said he "had no indication" of extra-marital relationships of FOSTER. KENNEDY said the rumors regarding FOSTER and MRS. CLINTON had kicked around in Arkansas for years. Their origin was probably political enemies. It was no secret that VINCE FOSTER, WEBB HUBBELL and HILLARY CLINTON were good friends. FOSTER "hated" the rumors regarding himself and MRS. CLINTON. KENNEDY remembered a 1992 campaign comment FOSTER made that he (FOSTER) was considering not talking to the press because of these rumors. KENNEDY said MRS. FOSTER had to have heard these rumors.

KENNEDY said that FOSTER really had no one in his life in whom he would confide completely. KENNEDY listed FOSTER's closest confidants as HILLARY CLINTON, WEBB HUBBELL, LISA FOSTER, PHILLIP CARROLL, a partner at RLF and mentor of FOSTER, and other friends - BILL WOODYARD and WALTER HUSSMAN.

KENNEDY cannot recall VINCENT FOSTER ever making statements such as "I can't stand it anymore" or "I'd be better off dead." KENNEDY did recall FOSTER making one comment to him in the second week of June saying "he (FOSTER) was thinking about finding a job with less pressure." Another job in the administration with not as much strain. KENNEDY noted this was an amazing comment for FOSTER to have made to anyone. In hindsight, KENNEDY realizes that FOSTER was trying to tell him he needed help. Unfortunately, KENNEDY did not understand at the time and told FOSTER that he was invaluable in his present position. KENNEDY was unaware of FOSTER making similar statements to anyone else. KENNEDY said this was during the time period of the Travel Office matter and that the "Who is Vince Foster?" article in the Wall Street Journal was upsetting to FOSTER. Even though the assertions in the article were

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ludicrous, FOSTER realized that Arkansas people read the <u>Wall</u> <u>Street Journal</u> and being trashed in the <u>Wall Street Journal</u> meant being trashed in Arkansas. FOSTER lived his life to maintain his reputation.

KENNEDY was asked if he was aware if FOSTER was experiencing any symptoms related to depression, such as changes in personal appearance, sleep difficulties, physical ailments, headaches, loss of appetite, indigestion or the like. KENNEDY replied that he knew FOSTER had lost weight but was unaware of any of the other symptoms. He said FOSTER was drawn and frowned and was working too many hours. FOSTER was working on the run and he was working under stress, as most in the White House were. At the time, it didn't surprise KENNEDY that FOSTER was losing weight. You could see someone beaten down, but those seeing it also were beaten down. Asked if he was aware if FOSTER had seen a physician, KENNEDY answered he could only recall FOSTER seeing a dentist on one occasion.

KENNEDY said FOSTER's reputation in Arkansas was excellent. The main reason KENNEDY was surprised FOSTER had gone to Washington with the President was that KENNEDY had seen FOSTER posturing himself for the position of President of the Arkansas Bar Association. KENNEDY expected FOSTER to run in 1993. KENNEDY said FOSTER was active in the Arkansas Repertory Theatre and fundraising projects, etc. FOSTER was extremely well thought of in the Arkansas community. KENNEDY felt FOSTER's reputation in Washington was becoming what it had been in Arkansas.

KENNEDY was asked about FOSTER cancelling his appearance to accept an award from the Arkansas Bar Association the day before the award was to be presented. KENNEDY said he had asked FOSTER about this and had received the reply that FOSTER had "too much to do." At the time, this explanation made sense to KENNEDY.

KENNEDY did not see any changes in FOSTER's desire to be around other people. However, FOSTER's work kept him pinned in place a lot of the time.

KENNEDY described FOSTER as not being a very religious person. FOSTER's religion was not manifested outwardly.

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KENNEDY described the White House routine for FOSTER as arriving at the White House about 8:00 a.m., attending a staff meeting at 9:00 a.m. and the day being filled with meetings or spent in his office. FOSTER would stay at the White House on many occasions until 10:00 or 11:00 p.m. On April 15, 1993, KENNEDY's family came to Washington and KENNEDY began the pattern of leaving the White House at about 7:00 p.m. with take-home work in his briefcase. When asked if FOSTER would leave the White House at mid-day, KENNEDY said that he and FOSTER would sometimes have lunch outside the complex with people from Arkansas, but that that was a rarity. Most of the time was spent in the White House. Lunch was taken at the White House mess or at a local nearby restaurant.

On the day of VINCENT FOSTER's death, KENNEDY got home at about 7:15-7:20 p.m. He received a telephone call between 8:15 and 8:30 p.m. from CRAIG LIVINGSTONE, Director of White House Personnel Security. LIVINGSTONE worked for KENNEDY at that time. LIVINGSTONE had gotten a call from "an inspector" that FOSTER was dead. KENNEDY said he was "stunned" at the news. LIVINGSTONE had been advised of the FOSTER death by law enforcement because of his title and job responsibility. KENNEDY said he didn't believe the news and told LIVINGSTONE he needed confirmation. LIVINGSTONE called back to say he had confirmed the death and reported that the death was thought to be a suicide in a park. The body was enroute to a hospital (name not recalled by KENNEDY). KENNEDY said that he (KENNEDY) had to go to the hospital. KENNEDY did not notify anyone else at the time. Shortly after his arrival at the hospital, LIVINGSTONE also arrived. They confirmed with a policeman on duty at the hospital that the FOSTER body was there and that the matter involved the U.S. Park Police. Hospital officials finally allowed LIVINGSTONE and KENNEDY to view the body and they confirmed that it was VINCENT FOSTER. KENNEDY tried to notify MCLARTY but couldn't get through to him at first but finally was successful in reaching him at the White House. MCLARTY had already been informed of the KENNEDY also believes that he made a telephone call to his boss, BERNARD NUSSBAUM. NUSSBAUM told him he was going to the FOSTER house and KENNEDY decided to go also. KENNEDY said that he was trying to convey that he was very upset on the night of FOSTER's death.

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KENNEDY and LIVINGSTONE went to KENNEDY's residence to get KENNEDY's wife and the three of them drove to FOSTER's residence. KENNEDY put the time at midnight or later. He said there was mass confusion and everybody was upset at the FOSTER residence. He and the others stayed for approximately two hours. NUSSBAUM had just left when KENNEDY arrived but the President was still there. Others KENNEDY could recall as being present were GERGIN and VERNON JORDAN. KENNEDY recalled that the President had asked him to come back to the White House but he was non-committal and ultimately did not accept the President's invitation. KENNEDY described himself as a "mess" and returned home with his wife.

KENNEDY said he did not know anything regarding the events of the evening of July 20, 1993 regarding VINCENT FOSTER's office other than what he had read in the newspaper. He knew nothing regarding anything being removed from the FOSTER office.

On July 21, 1993, KENNEDY believes he arrived at work at about 9:00 a.m. KENNEDY was told by NUSSBAUM that there was going to be a briefing by the U.S. Park Police regarding what they had found. Because of KENNEDY's great disbelief and astonishment, he insisted that he be at this briefing and was allowed to attend. KENNEDY recalls those in attendance as being NUSSBAUM, WEBB HUBBELL, two U.S. Park Police officers and other White House personnel whom he could not recall. He said the meeting was held in DAVID WATKINS' office. He thought perhaps WATKINS and maybe ROY NEAL also attended. He said PATSY THOMASSON and BILL BURTON were not there. The U.S. Park Police presented a chronology of the FOSTER death:

FOSTER's body was found at Fort Marcy Park; an anonymous telephone call reported finding the body; the police found the body and FOSTER's car; FOSTER was not wearing a coat; his wallet and White House pass were found; a gun and powder burns existed and all indications were that the death was a suicide. There was no discussion which KENNEDY could recall concerning a suicide note at this time.

NUSSBAUM told KENNEDY he should not be part of the investigation as NUSSBAUM believed that KENNEDY was too close to FOSTER. After the morning briefing on July 21, 1993 by U.S. Park Police, KENNEDY had nothing to do with the FOSTER death investigation per agreement with NUSSBAUM.

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KENNEDY could only recall discussing what had occurred at staff meetings in a general manner, with no specific details. He had no discussion with NUSSBAUM regarding what NUSSBAUM found in FOSTER's office. NUSSBAUM told KENNEDY after the FOSTER note was found about the note. NUSSBAUM described the circumstances under which the note was found and showed KENNEDY a copy in NUSSBAUM's handwriting. KENNEDY said that NUSSBAUM was doing this as a courtesy to him after showing the note to MRS. FOSTER and the President and before its location had been made known to the public. KENNEDY remembers discussing the note with NUSSBAUM and NUSSBAUM saying "isn't it sad." They talked about the FBI reference and realized it would lead to a later investigation. NUSSBAUM turned the note over to the U.S. Park Police.

KENNEDY said there was no discussion at the FOSTER residence on the evening of July 20, 1993 regarding a suicide note or the search of VINCENT FOSTER's office. KENNEDY had heard some discussion before the July 21, 1993 meeting regarding sealing FOSTER's office. He had heard no discussion regarding a tasking of anyone for the removal of FOSTER's office contents. He remembered a discussion at one or two staff meetings regarding what had been done with FOSTER's office.

KENNEDY was asked for his opinion regarding how the search of VINCENT FOSTER's office had been conducted. KENNEDY said he thought at the time what NUSSBAUM had done was proper. It was a unique circumstance with no guidebook available. Because of national security and executive privilege issues, NUSSBAUM had to do what he did.

KENNEDY was asked if he knew whether or not FOSTER was aware of the search warrant issued in Arkansas regarding DAVID HALE. KENNEDY said he did not know if FOSTER knew but that it was his opinion that FOSTER did not know. KENNEDY was not aware of the search warrant at the time.

KENNEDY was asked if he was aware of any discussion regarding the torn up FOSTER note. KENNEDY said he was not in FOSTER's office at the time of the search. It was his understanding NUSSBAUM had missed the pieces of the note during the search. STEPHEN NEUWIRTH hasn't discussed the note or finding it with KENNEDY.

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KENNEDY was asked to suggest other individuals who should be talked to concerning the FOSTER investigation. KENNEDY named the following individuals: LISA FOSTER; at least the two older FOSTER children who are now adults; BERNARD NUSSBAUM, who spent more time with FOSTER than KENNEDY did; WEBB HUBBELL; MACK MCLARTY; BRUCE LINDSEY; and when questioned, added the name HILLARY CLINTON. When asked why he did not originally list MRS. CLINTON, KENNEDY said he had omitted her name because of the demands on her time at the time of FOSTER's death. She did not have a great deal of contact with FOSTER at that time.

KENNEDY said he knew of a phone call between FOSTER and BRANT BUCK. BUCK was the primary draftsman for a blind trust for the President and First Lady. FOSTER had acted as the go between by being the carrier of information to BUCK. BETH NOLAN was also assisting with this matter. BUCK has told KENNEDY that he called FOSTER because he wanted FOSTER to "bug" the President to sign transmittal documents for the trust.

KENNEDY said he did not know the purpose or content of JIM LYONS' call to FOSTER.

KENNEDY was asked about FOSTER's view of KENNEDY's involvement in the Travel Office matter. KENNEDY said that FOSTER was very upset that KENNEDY got reprimanded. FOSTER had been heavily involved and felt strongly regarding the FBI leaks in this case. FOSTER came to the conclusion that he couldn't trust anyone in Washington, D.C. He was worried about KENNEDY's emotional health.

KENNEDY was asked to characterize three individuals at the White House. In response, KENNEDY said that STEPHEN NEUWIRTH worked with VINCENT FOSTER on health care task force litigation. NEUWIRTH came to the White House with NUSSBAUM. He believes FOSTER met NEUWIRTH during the transition but did not know him before that time. VINCE FOSTER knew PATSY THOMASSON from Arkansas. They were friends but not close. They worked together in the White House. MARSHA SCOTT was a former Arkansian in that she had moved from Arkansas to California prior to coming to Washington. KENNEDY believes FOSTER knew her before the campaign. Her father was the famous football player, CLYDE SCOTT. KENNEDY said SCOTT and FOSTER were good friends; part of the Tuesday night dinner group.

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Continuation of FD-302 of WILLIAM H. KENNEDY

On 5/6/94 , Page

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When asked if he could add anything else, KENNEDY said that it was his belief that VINCENT FOSTER killed himself. He said that even in Arkansas, FOSTER was "close to the vest" and FOSTER was "fighting his demons back then." Arkansas allowed FOSTER time to deal with things on a measured basis. At the White House, this concept was "out the window." FOSTER was forced to "fire from the hip" on things he "didn't have a clue about."

At the prompting of his attorney, TOM LANKFORD, KENNEDY also added the following concerning files in FOSTER's office. About the time JOEL KLEIN came to the White House as Deputy Counsel, probably in November 1993, TOM CASTLETON brought boxes full of documents from FOSTER's office into KENNEDY's office. KLEIN was moving in and had directed CASTLETON to bring the fifteen boxes to KENNEDY. These boxes sat in KENNEDY's office until approximately two weeks ago with inventories on each of the boxes. In addition, a red file with an inventory was also there, as well as a tax return for the FOSTER family trust. KENNEDY remembers trying to reach NUSSBAUM that day in November 1993. KENNEDY talked to NUSSBAUM and he (NUSSBAUM) said he told CASTLETON to bring the boxes over. KENNEDY also reported that backup disks and tapes from DEBORAH GORHAM, FOSTER's secretary, had been put into the red file folder. KENNEDY said that he personally has never reviewed the files in these boxes. Approximately three weeks ago, an individual by the name of MARVIN CRISLOFF (phonetic) inquired about the boxes. Two weeks ago, CHRIS CERF, an attorney, came and looked at the boxes and arranged for them to be picked up. It is KENNEDY's understanding that they are now locked up somewhere, but he does not know where they have been taken. KENNEDY asked CRISLOFF and CERF if a memorandum should be created by TOM CASTLETON concerning the movement of these boxes, and it was. KENNEDY does not know what the memo says. KENNEDY said that during the period he had the boxes in his office, his office door would be locked at night. KENNEDY said that the inventory for the boxes which had been in his office had been prepared, as far as he knew, at the time the documents were put in the boxes. Ongoing paperwork in FOSTER's office at the time of his death had been parceled out. As an example, STEVE NEUWIRTH got the tort reform health care issues. KENNEDY himself didn't get any of the paperwork from FOSTER's office.

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KENNEDY did not know for a fact of any safes used by VINCENT FOSTER. KENNEDY was sure there was no safe in FOSTER's office.

As a final note, KENNEDY said that it had been difficult for him to stand on the sidelines during the FOSTER death investigation. As an effort to help the FOSTER family, he retrieved FOSTER's car from the U.S. Park Police approximately one and one-half to two months after FOSTER's death. LIVINGSTONE got the car and it was parked on West Executive Avenue by the White House for about two weeks. Thereafter, it was moved for a two-month period of time to the New Executive Office Building basement, while a dialogue continued with LISA FOSTER regarding the final disposition of the car. It was agreed that the car would be sold to MRS. FOSTER's brother. When the brother and his wife came to Washington to pick up the car, KENNEDY retrieved miscellaneous items from the vehicle. He described the car as being "trashed" with family junk such as M&Ms, plastic cups, class notes, CD player, shoes, Ray Ban sunglasses, books, etc.

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WILLIAM H. KENNEDY Continuation of FD-302 of

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KENNEDY said he threw most of these items away but still has some items in his possession.

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

Name:

William H. Kennedy

Title:

Associate Counsel to the President

(since 2/10/93)

Race:

White

Sex:

Male

DOB:

POB:

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

SSAN: Residence:

3207 Alabama Avenue

Alexandria, Virginia 22305

Residence

Phone Number:

(703) 684-8772

Work Phone

Number:

(202) 456-6229

Attorneys V. THOMAS LANKFORD, JR. and PAUL V. CASTELLITTO, Sharp & Lankford, 1785 Massachusetts Avenue, N.W., Washington, D.C. 20036, telephone (202) 745-1700.

Date of transcription	6/12/94

WILLIAM H. "BILL" KENNEDY, Associate Counsel to the President, The White House, Washington, D.C., telephone (202) 456-6229, was interviewed at the Office of the Independent Counsel, Washington, D.C. KENNEDY was advised of the identity of the interviewing agent and of the purpose of the interview. This was a follow-up interview to KENNEDY's original interview with the Office of Independent Counsel on May 9, 1994. CARL STICH, Assistant to Independent Counsel, ROBERT B. FISKE, JR., assisted with the interview. Also present during the interview were V. THOMAS LANKFORD, JR. and PAUL V. CASTELLITTO, attorneys for KENNEDY from the law firm SHARP & LANKFORD, 1785 Massachusetts Avenue, N.W., Washington, D.C. 20036, telephone (202) 745-1700. KENNEDY provided the following information:

KENNEDY was asked about FOSTER's comments in the note found after his death concerning the FBI lying in its report to the Attorney General. KENNEDY said the first time FOSTER spoke to him about the FBI report on the Travel Office was the day before the first news story ran in the Washington Post. called KENNEDY when he learned that the Post had leaked information from the FBI. The information concerned KENNEDY threatening the FBI. FOSTER was asking KENNEDY if this really happened. FOSTER knew of inaccuracies from his own personal knowledge. KENNEDY said timeframes for his discussions with FOSTER were "elusive" at this point in time. They had agreed that the press was "way off base." KENNEDY said he was surprised to see the word "lie" in FOSTER's note. He said he and FOSTER had discussed the issue in terms of differences in interpretation versus a lie. KENNEDY doesn't think the FBI lied, but just remembered things differently. FOSTER was upset by what was coming out of the FBI. The inaccuracies, the factual and opinions expressed didn't agree with FOSTER's view of what had happened. KENNEDY was asked if FOSTER ever used the term "lied" in describing any matters. KENNEDY said he never recalled FOSTER calling someone a liar.

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There was at least one meeting in which FOSTER was with KENNEDY and the FBI concerning the Travel Office matter. KENNEDY explained that he had been visited by "two different sets" of FBI agents. Initially, KENNEDY had been looking for advice from the FBI on the Travel Office situation. It was a complex issue and weak allegations had surfaced which could not be ignored. KENNEDY was looking for FBI advice in the terms that it was a problem which the White House did not know how to deal with. KENNEDY had dealt with the FBI daily, five or six times per day, and therefore felt comfortable in calling to ask who at the FBI he should talk to concerning this matter. The first set of agents who responded referred the matter to others in the FBI. During this second meeting with FBI agents, FOSTER "popped in." KENNEDY was in the process of meeting with the agents in his office and "getting them up to speed" on the problem. allegation concerning these meetings which surfaced later concerned the "huge orchestration going on" by the White House. The issue concerned a leak which appeared in the paper that the White House had arranged for KATHERINE CORNELIUS to be interviewed by the FBI. KENNEDY said in fact the FBI requested this interview versus the version reported. Both KENNEDY and FOSTER agreed that the reported version was not as they had remembered. KENNEDY said this was perhaps the only meeting which FOSTER attended in person with the FBI on the issue. FOSTER, however, had several other conversations on the telephone with the FBI concerning its predication, etc., for being in on the Travel Office investigation. FOSTER had also spent an entire-Saturday meeting with the audit team from Peat Marwick concerning the issue. KENNEDY added that despite this disagreement on opinion concerning the facts regarding CORNELIUS that the FBI had acted in a professional manner and had done a "bang up job." However, KENNEDY to this day believes the FBI report on the Travel Office matter is self-serving and has some inaccuracies. He said he felt the FBI may feel the same concerning his FOSTER believed KENNEDY's version of things.

KENNEDY was asked if FOSTER may have been referring to anything else when he said the FBI lied. KENNEDY answered that in his mind, it was all related to the Travel Office. FOSTER believed KENNEDY's version versus the FBI version concerning threats to the FBI about bringing IRS into the matter, etc.

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WILLIAM H. "BILL" KENNEDY Continuation of FD-302 of

6/9/94 . On

FOSTER felt that if KENNEDY had been reprimanded on the Travel Office issue, that he (FOSTER) should also be. worried about KENNEDY. He felt that KENNEDY had been treated unfairly and FOSTER was sorry that KENNEDY had been singled out. Nevertheless, KENNEDY was of the opinion that they should "drive on."

KENNEDY was asked if he ever heard FOSTER say that there were very few people in Washington, D.C. whom you could trust. KENNEDY answered "yes."

FOSTER had mentioned to KENNEDY that he was thinking about asking for a lower pressure job at the White House. FOSTER never said he couldn't do this; that would have been out of character for him.

KENNEDY said that CRAIG LIVINGSTONE was not at the White House on the evening of July 20, 1993, as far as he knew. LIVINGSTONE, after identifying FOSTER's body at the hospital, had gone with KENNEDY in KENNEDY's car to the FOSTER residence that evening and stayed for quite a long time. Thereafter, LIVINGSTONE and KENNEDY left the FOSTER residence to go home. LIVINGSTONE and KENNEDY talked about the press being at FOSTER's residence the night of July 20, 1993. KENNEDY had asked LIVINGSTONE to get a police car to the neighborhood to keep the press and gawkers from being "obtrusive." LIVINGSTONE made calls to do that. KENNEDY could not recall a specific conversationwith LIVINGSTONE regarding LIVINGSTONE returning to the FOSTER residence in the early morning of July 21, 1993. It is reasonable to believe that LIVINGSTONE had done this as this is the type of thing he had done in handling a lot of White House events.

KENNEDY was shown a copy of a document captioned "Report from CRAIG LIVINGSTONE," dated July 21, 1993. KENNEDY said he thought this was what LIVINGSTONE had prepared a "couple of days" after FOSTER's death. LIVINGSTONE had given KENNEDY a copy, but KENNEDY does not have it now. KENNEDY explained that for all of 1993 and two months into 1994, he did not have a secretary. His job was paper intensive and he himself would come to the office on weekends to do his own filing. It was all he could do to keep the paperwork moving. KENNEDY described it as a nightmare. He said the LIVINGSTONE document was either "tossed" or "misfiled." KENNEDY does not know why LIVINGSTONE prepared

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Continuation of FD-302 of WILLIAM H. "BILL" KENNEDY

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the document. He thinks LIVINGSTONE had said he did it to help regarding press inquiries on the FOSTER death. KENNEDY did not remember receiving it from LIVINGSTONE the day following FOSTER's death. KENNEDY's attention was directed to the third paragraph on page 2 of this memorandum stating that on Wednesday, July 21, 1993, LIVINGSTONE drove by the house (FOSTER's residence) at 6:30 a.m. and stayed until 8:00 a.m. KENNEDY said that he had no independent knowledge of this fact. KENNEDY said the only conclusion he could draw would be that LIVINGSTONE was concerned about the press being intrusive at the FOSTER residence.

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of Williams and D.C., in his Clinton, telematerials made given by Kendon	On 4/12/94, David E. Kendall, Attorney at the law firm of Williams and Connolly, 725 Twelfth Street NW, Washington, D.C., in his capacity of personal attorney for Bill and Hillary Clinton, telephoned writer and offered to make available certain materials made public by the Clintons through a press briefing given by Kendall on 4/12/94. His offer was unsolicited by the Office of the Independent Counsel.  The materials were uncovered by Kendall as a result of						
The materials were uncovered by Kendall as a result of Mrs. Hillary Clinton's instructions to review certain records from 1979 and revealed the underpayment of taxes, which the Clintons voluntarily paid, with appropriate penalties.							
Writer picked up copies of documents on 4/14/94 which were purported to be by Kendall's cover letter dated 4/13/94:							
1) documents.	Statement from Kendall to the press conce	rning the					
2) of back taxes	A collection of historical data concerning by other Presidents.	g payment					
3)	Certain REFCO trading records.						
4)	Certain CLAYTON trading records.						
5)	Certain PEAVEY trading records.	¥. <u>~</u> *					
6)	Certain ACLI trading records.						
The materials were offered to writer in anticipation that, like other tax related materials made public by the Clintons through Kendall and previously requested by the Office of the Independent Counsel, Mr. Fiske would also be desiring copies of this most recent release.							
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This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

Date of transcription	9/13/94

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DAVID KENDALL of the law firm Williams & Connolly, 725 12th Street, N.W., Washington, D.C. (WDC), telephone number (202) 434-5145 was interviewed along with ROBERT BARNETT also of the law firm of Williams & Connolly. KENDALL and BARNETT were interviewed in the presence of Julie L. Ferguson, of the law firm of Williams & Connolly. Participating in the interview was Carl Stich, Attorney, Office of the Independent Counsel, WDC. After being appraised of the purpose of the interview and the identities of all participants, KENDALL and BARNETT thereafter provided the following information:

BARNETT was initially summoned to the White House by the First Lady's Chief of Staff, MARGARET (Maggie) WILLIAMS.
BARNETT was informed that a file box was to be picked up from the White House. BARNETT travelled to the White House to pick up the box which was sealed upon his acquisition. BARNETT opened the box, inspected its contents and resealed it in the residential area of the White House. BARNETT contacted PETER BARLOW the Comptroller of the law firm of Williams & Connolly to pick up the box.

The aforementioned box, was picked up from the White House on a date recalled to be July 27, 1993. The date of July 27 is based upon a review of tab receipts reviewed in the course of preparing for the initial document production during January, 1994.

After the death of VINCENT W. FOSTER, JR., former Deputy Counsel, The White House, BARNETT was to become lead counsel in handling the personal affairs of the President. BRANTLEY BUCK was known to be handling the overall legal affairs for President Clinton. FOSTER was described by BARNETT to be a "point man" inside the White House regarding the personal affairs of the President and the First Family. BARNETT did not discuss with MAGGIE WILLIAMS where the files came from that were in the box picked up on July 27. BARNETT was of the personal impression that the files came from FOSTER's office based on his earlier review.

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by <u>SA DA</u>	NA M. GILLIS	S:DMG:sla	Date dictated	8/27/94

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BARNETT believes that matters within the files were best handled outside the White House. BARNETT wanted to know immediately what was within the files in order to get a handle on the information. Subsequently, the documents were indexed, sealed and preserved by Williams & Connolly.

Back at Williams & Connolly, BARNETT reviewed copies of the documents that were picked up from the White House. BARNETT does not recall any formal requests regarding work to be done based on the contents of the files maintained in the box. BARNETT's goal was to make sure that "no balls were dropped" and there was a sense of continuity with regard to the President's personal legal affairs. PETER BARLOW arrived at the firm of Williams & Connolly and delivered the box to BARNETT's office.

While at the White House, BARNETT received a green file folder from a secretary who informed him it was personal information related to the President. The file contained amendment pages related to financial disclosures for the President done by BRANTLEY BUCK. The papers were routed to the President and the First Lady for signature; the file was in transit at the time of FOSTER's death.

DENISE ZEDLAR of Williams & Connolly was responsible for indexing the papers removed from FOSTER's office. ZEDLAR did the indexing within her private office at the firm of Williams & Connolly.

Once indexed, the documents were eventually placed in a separate, locked drawer at the law firm. Nothing was taken out of the files or placed in the files once they had been indexed. The documents were Bates stamped during the process of production pursuant to the December, 1993 subpoena.

A Washington Post story dated October 21, 1993 regarding RTC criminal referrals was the catalyst of discussions at the firm of Williams & Connolly regarding DAVID KENDALL replacing BARNETT as the President's personal attorney. KENDALL took control of the Clinton affairs circa November/December, 1993 when he began to be briefed on the case. KENDALL did not recall much being in the files at that time. He did recall seeing one Whitewater file in the documents possessed by Williams & Connolly.

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No other information of investigative value was provided.

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7/5/94

DAVID E. KENDALL, Attorney at Law, WILLIAMS and CONNOLLY, 725 12th Street, NW, Washington, D.C. 20005, telephone number (202) 434-5145 was contacted at his law offices. KENDALL was advised of the identity of the interviewing agent and of the purpose of the interview. Also present were JULIE L. FERGUSON, attorney and DENISE ZDELAR, clerical assistant, both of WILLIAMS and CONNOLLY. MARK STEIN, assistant to Independent Counsel, ROBERT B. FISKE, Jr. assisted with the interview and record review. KENDALL provided the following information:

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Continuation of FD-302 of	DAVID E. KENDALL	,On6/28/94	, Page	2
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The documents were returned, intact and in the order received, to  ${\tt Ms.}\ {\tt FERGUSON.}$ 

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Penns (WDC) White Mark of th Feder	nterviewed at ylvania Avenu , in the pres House, Marvi Stein, Office e Independent	Klein, Deputy Court the offices of the N.W., Suite 490 sence of Cheryl D. In Krislov, Assistate of the Independent Counsel and Special Investigation (FB:	ne Independent Cou North, Washingto Mills, Associate ant Counsel The Wh nt Counsel, Carl S ial Agent DANA M.	nsel, 1001 n, D.C. Counsel, The ite House, tich, Office GILLIS,
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by SA DA	NA M. GILLIS:	sla	Date dictated 03/0	8/94

FD-302a (Rev. 11-15-83) ∠yD-LR-35063 , On \_\_\_\_\_\_, On \_\_\_\_\_\_\_, Page \_\_\_\_\_2 Continuation of FD-302 of \_\_\_\_\_Joel I. Klein FOIA(b)(3) - Fed. R. Crim. Pro. 6(e) - Grand Jury

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Continuation of FD-302 of Joel I. Klein , on 03/08/94 , Page 3

Date of transcription 30139401.dmg

5/19/94

JOEL IRWIN KLEIN, Deputy Counsel to the President, The White House, was interviewed at the Office of the Independent Counsel (OIC), 1001 Pennsylvania Avenue, NW, Washington, D.C. (WDC). Participating in the interview was MARK STEIN, Attorney for the OIC. After being apprised of the identities of all parties participating, and the purpose of the interview, KLEIN thereafter provided the following information:

KLEIN began working at The White House on December 1, 1993. KLEIN first worked on the CLINTON Presidential Election Campaign performing unspecified legal taskings. KLEIN had met CLINTON several times at Renaissance weekends down at Hilton Head Island, South Carolina. During the CLINTON Presidential Campaign, KLEIN headed one of several vetting teams. KLEIN also played a role in researching nominees to fill a Supreme Court vacancy. Prior to his arrival at The White House, KLEIN was a partner in the appellate law practice of KLEIN, FARR, SMITH and FARLINGTON.

KLEIN recalled that former Deputy Counsel to the President, VINCENT W. FOSTER, JR., killed himself during the nomination process surrounding current Supreme Court Justice, RUTH BADER GINSBURG.

In November, 1993, KLEIN was selected to serve as the Deputy Counsel to the President. He noted that his precise role as Deputy Counsel has not been clearly defined. KLEIN recalls having several discussions with White House Counsel BERNARD NUSSBAUM regarding executive power issues prior to his (KLEIN's) selection as Deputy Counsel. KLEIN had seen FOSTER during briefings on Supreme Court nominees to fill the seat vacated by Justice BYRON WHITE. KLEIN was not at The White House on July 20, 1993, the date of FOSTER's death. He played no role in going through documents in FOSTER's office subsequent to his death. KLEIN recalls meeting FOSTER approximately three to four times before his death.

KLEIN has had several conversations with members of The

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Continuation of FD-302 of JOEL IRWIN KLEIN , On 4/18/94 , Page 2

White House Counsel's office regarding the death of FOSTER. KLEIN recalls speaking to BERNARD NUSSBAUM, White House Counsel; CLARISSA CERDA and CHERYL MILLS, both of the Counsel's office.

KLEIN was not aware of meetings between White House and Treasury officials on September 29, 1993, or October 14, 1993 until February 25, 1994, when he first became aware of the September and October meetings between White House and Treasury Department officials.

KLEIN's first awareness of the Resolution Trust Corporation (RTC) investigation into Madison Guaranty Savings and Loan was in late January or early February, 1994. His awareness is based on discussions in the Counsel's office regarding the statute of limitations related to civil suits filed against Madison Guaranty.

Circa mid-December, 1993, KLEIN was placed on a response team related to an article in American Spectator magazine. KLEIN subsequently began an assignment working on a response team regarding the Whitewater inquiry. KLEIN later worked on documents from FOSTER's office that had been placed in the custody of DAVID KENDALL. KENDALL is the personal attorney for the President, and works for the Law Firm of Williams and Connolly, WDC. With regard to the decision that was finally made to turn documents over to federal investigators circa December, 1993, KLEIN participated in discussions with NUSSBAUM and NEIL EGGLESTON. EGGLESTON also works in the Counsel's office. KLEIN's advice was that the documents be turned over to the U.S. Department of Justice (DOJ). He was involved in a discussion process with both the President and the First Lady. KLEIN told the CLINTONs that the FOSTER documents should be turned over to DOJ. This would reduce the clamor for an independent counsel. Others in The White House thought failure to disclose might cause The White House to be "nickled and diffied to death." KLEIN subsequently received the FOSTER file.

In January, 1994, discussions began to take place regarding whether or not a special counsel should be appointed. At this time KLEIN began to look at relationships between the special counsel and legislation regarding an independent counsel that was pending on Capitol Hill. A response team was formed made up of HAROLD ICKES, BRUCE LINDSEY, NUSSBAUM, and EGGLESTON to respond to Whitewater related issues. After the special counsel was called for, KLEIN returned to the task of looking at

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Continuation of FD-302 of JOEL IRWIN KLEIN , On 4/18/94 , Page 3

judicial and executive power issues.

NUSSBAUM had spoken to KLEIN regarding the recusal issue centering around ROGER ALTMAN. ALTMAN is Deputy Treasury Secretary and was serving, for a time, as the Chief Executive Officer (CEO) of the RTC. ALTMAN had expressed his concern that he recuse himself regarding any matters related to Madison Guaranty while acting in the capacity as CEO of the RTC. KLEIN was aware that ALTMAN came over to The White House and had discussions regarding his recusal. KLEIN was aware that ALTMAN was still thinking about recusal. NUSSBAUM was upset with ELLEN KULKA, Counsel, RTC. KLEIN believed it was clear that NUSSBAUM was against KULKA "running the show." NUSSBAUM described KULKA to be aggressive and lacking judgement. KLEIN believed NUSSBAUM was of the opinion that KULKA would be "unfair." KLEIN recalls discussions of ALTMAN's recusal had been held during the daily 9:00 am meeting of the Counsel's office staff.

BETH NOLAN had raised at a morning staff meeting, that she had received a call from DENNIS FOREMAN, the Ethics Officer at the Treasury Department. NOLAN was going to discuss legal issues regarding recusal. No further discussion ensued. NOLAN's conversation with the Counsel's office staff was held subsequent to the February 2, 1994 meeting between Treasury Department officials and White House staff.

Regarding the February 2, 1994 meeting where recusal was discussed, KLEIN felt that The White House should not be involved in the recusal discussions in that, the recusal of ALTMAN for issues related to Madison Guaranty was not a White House issue.

KLEIN expressed the opinion that The White House could not be viewed as having had a role in the selection process of the Special Prosecutor.

• . . .

KLEIN took no steps to find out what happened at the February 2nd meeting between Treasury Department officials and White House staff. It was clear to KLEIN that the February 2nd meeting was confidential and should not be discussed. He believes that DAVID GERGEN may have been informed of the meeting.

Between February 2, 1994 and February 24, 1994, KLEIN had no conversations with Treasury Department officials regarding Madison Guaranty Savings and Loan or Whitewater Development

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Continuation of FD-302 of JOEL IRWIN KLEIN	, On 4/18/	94 , Page 4
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Corporation. KLEIN was not aware of the contact between The White House and Treasury. He was not involved in the preparation of ALTMAN's testimony before the Senate Banking Committee.

On the day of ALTMAN's testimony, KLEIN was aware that NUSSBAUM was unavailable in Mexico. KLEIN became concerned regarding the recusal issue during ALTMAN's testimony on February 24, 1994, before the Banking Committee.

On March 25, 1994, CLIFF SLOAN visited KLEIN. SLOAN was concerned that he had knowledge of additional contacts between Treasury officials and The White House. This information was released to the media on March 25th, regarding ALTMAN's recusal concerning issues related to Madison Guaranty.

On February 25, 1994, KLEIN thinks he may have had conversations with people in The White House related to the Treasury Department White House meetings. KLEIN was not aware of how JAY STEPHENS was hired by the RTC.

At this point KLEIN began to become more concerned regarding the Treasury Department/White House staff meetings. KLEIN entered discussions with GEORGE STEPHANOPOULOS, asking STEPHANOPOULOS the status of his comments regarding JAY STEPHENS. STEPHANOPOULOS did not ask anyone if STEPHENS could be released.

On February 25, 1994, KLEIN held a discussion with BRUCE LINDSEY. KLEIN advised that NUSSBAUM had told him that ALTMAN was going to recuse himself regarding issues related to Madison Guaranty. KLEIN became concerned regarding the recusal issue and how it would play out. He could not understand why JEAN HANSON, General Counsel, The Treasury Department, didn't correct ALTMAN at the Oversight Hearing.

Tuesday and Wednesday KLEIN was in meetings in JOHN PODESTA's office regarding the recusal issue. Others in the office were TODD STERN and PODESTA. PODESTA led the meetings.

KLEIN was involved in producing a firewall memo regarding press inquiries related to the October 14th Treasury Department/White House staff meeting. KLEIN was involved in trying to get information regarding the October 14th meeting. ALTMAN was going to go back and testify before the Senate Banking Committee regarding the recusal issue. KLEIN spoke to Communications Director MARK GEARAN regarding the October 14th

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4/18/94 JOEL IRWIN KLEIN Continuation of FD-302 of

meeting. KLEIN was of the belief that the October 14th meeting covered how to handle press inquiries. KLEIN was not aware that on February 2, 1994, ALTMAN had informed White House officials that he was going to recuse himself from matters related to Madison Guaranty in his capacity as Acting Head of the RTC.

In way of background, KLEIN advised that Renaissance weekend was started by PHIL LADER. The purpose of the weekend was to go down to Hilton Head Island, South Carolina, for discussions at the end of the year on a variety of topics. From 1979 to 1992 the event grew in stature. The CLINTONs began to attend Renaissance weekends back in 1985. The weekend is made up of panels on politics, the future of the two-party system, etc.

KLEIN viewed documents from the Thursday before the subpoena date in March of 1994. KLEIN was aware that the Office of Government Ethics was to evaluate the propriety of Treasury/White House meetings.

With regard to ALTMAN's testimony before the Senate Banking Committee, questions arose regarding the appropriateness of BERNIE NUSSBAUM working on Whitewater issues. A determination was in order as to what should The White House Counsel's office handle and what should CLINTON's personal attorney KENDALL The question regarding the appropriateness of NUSSBAUM being connected to Whitewater matters may have been a reporter's question. According to KLEIN, BETH NOLAN was putting a paper together regarding those issues.

On March 5, 1994, PAUL TOBACK, wanted to know who ALTMAN had an appointment with on February 2, 1994. HANSON had a 1:20 appointment with MAGGIE WILLIAMS and a 5:00 pm meeting with Mac, believed to be MACK MCLARTY.

The following information regarding JOEL KLEIN was obtained from observation and interview:

> Sex: Race: Date of Birth: Place of Birth: Home Address:

White FOIA(b)(6) FOIA(b)(7) - (C) 5044 Millwood Lane, NW, WDC 20016

• : : •

Telephone Number: Work Telephone Number: 202-456-6611

202-686-1275

Male

#### FEDERAL BUREAU OF INVESTIGATION

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#### FEDERAL BUREAU OF INVESTIGATION

Date of tr	ranscription 5/24/94	

JOEL E. KLEINMAN, M.D., Ph.D., met with the staff of the Office of the Independent Counsel (OIC) in the offices of the OIC, 1001 Pennsylvania Avenue, N.W., Suite 490 North, Washington, D.C. Dr. KLEINMAN is Deputy Chief, Clinical Brain Disorders Branch and Chief, Neuropathology Section Intramural Research Program, National Institute of Mental Health, Saint Elizabeths Hospital, Washington, D.C. At the invitation of JAMES L. LUKE, M.D., who has been consulting with the OIC staff investigating the death of VINCENT W. FOSTER, Jr., Dr. KLEINMAN provided a briefing to the OIC staff members about the nature and symptoms of clinical depression. He also stressed the importance of identifying such factors as a family history of depression or suicide in order to assess the likelihood of a patient suffering depression or committing suicide.

A copy of Dr. KLEINMAN's curriculum vitae is attached and incorporated into this report of interview.

investigation on	4/20/94	atat	Washington,	D.C.	File #	29D-LR-35063	
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#### FEDERAL BUREAU OF INVESTIGATION

Date of transcription	4/18/94

Mr. Patrick J. Knowlton, 2424 Pennsylvania Avenue, NW, Washington, D.C. (Apt 810, telephone number 296-3989/703-923-4596) was interviewed at the Office of the Independent Counsel, 1001 Pennsylvania Avenue, Washington, D.C. Mr. Knowlton was advised as to the identity of the interviewing agents and informed of the nature of the inquiry. He then provided the following information.

Mr. Knowlton advised that on July 20, 1993, he terminated work on a construction site in Chevy Chase, Maryland and travelled North on the George Washington Memorial Parkway enroute to his residence in Sperryville, Virginia. He stated that at approximately 4:15 pm while approaching Fort Marcy Park he had to urinate and entered Fort Marcy Park in order to relieve himself. He indicated that he was somewhat familiar with Fort Marcy Park since in, 1991, he had toured this particular park in the company of his girlfriend. He stated that upon entering the parking area, he immediately noticed an unoccupied vehicle parked front end in facing the park in one of the first parking slots on the left-hand side. He identified this particular vehicle as a 1988-1990 brown or rusty brown in color Honda with Arkansas plates. He stated that he could not remember whether this vehicle was a two door or four door sedan and outside of the letter H predominantly displayed on the trunk of the vehicle could furnish no other identifying information regarding this Mr. Knowlton, however, was positive that this vehicle had Arkansas plates since the Arkansas designation is easily identifiable.

Mr. Knowlton further indicated that a second vehicle, located approximately three spaces past the above mentioned Honda, was observed backed into a parking space in the immediate area of a path leading to the northern section of the park. This vehicle was described by Mr. Knowlton as a Japanese make vehicle, metallic blue in color, with Virginia license plates and in his opinion was considerable newer than the previously described Honda. Knowlton described the occupant of this vehicle as a male in his late twenties, probably Mexican or Cuban, with dark

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Continuation of FD-302 of Patrick J. Knowlton

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complexion, dark brown or black curly hair worn short, 5'10" to 5'11" in height. Knowlton stated that he specifically remembers this individual since when he, Knowlton, departed his vehicle, this male exited his vehicle and was closely watching him as he proceeded into the park to urinate. He further mentioned that this male was staring at him making him, Mr. Knowlton, feel extremely nervous and uneasy. He could not further identify this particular individual nor his attire and stated that he would be unable to recognize him in the future.

Mr. Knowlton continued by stating that he proceeded into the park for approximately 200 feet where he relieved himself to the right of a trail. He then returned to his vehicle, which was a rental vehicle from Thrifty Rental, and once again observed the occupant of the second vehicle now inside the vehicle with the driver's window slightly down continuing to stare at him. Mr. Knowlton stated, however, that upon returning to the parking lot, he walked behind the brown Honda and peered inside the vehicle where he observed a dark-blue jacket draped over the driver's seat. He further stated that he observed in this Honda a leather briefcase or leather folder on the passenger side seat. He specifically recalls that this particular briefcase or folder was darker than the interior of the vehicle which, according to his recollection, was beige or light in color. Knowlton further added that he specifically remembers being surprised that anyone would leave a briefcase or folder on the front seat of an unattended vehicle. He could furnish no other descriptive data regarding this vehicle or for that matter the contents located within the vehicle.

Knowlton advised that, in his opinion, he was in the Fort Marcy Park no more than five minutes and remembers exiting Fort Marcy Park at approximately 4:30 pm and proceeding North on the George Washington Memorial Parkway. He stated he specifically remembers the time being 4:30 pm since the rental vehicle he was driving had a relatively large clock on the dash board. He advised that upon exiting Fort Marcy Park he did view in the right hand lane of the North bound George Washington Parkway a Ford passenger van which was slowing down and possibly could have made a right hand turn into Fort Marcy Park. Mr. Knowlton was unable to furnish any description of the occupant of this van nor any other identifying data regarding this vehicle.

Mr. Knowlton was shown a series of photographs depicting Mr. Vincent Foster's four door Honda, Arkansas license

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Continuation of FD-302 of Patrick J. Knowlton , On 4/15/94 , Pa

plates RCN-504. After closely scrutinizing the photographs he stated that while he was positive this vehicle had Arkansas license plates, as depicted in the photographs, it was his opinion that this vehicle was either brown or rust brown in color and appeared to be an older vehicle than the photographs he was exhibited. In fact, Mr. Knowlton stated that after viewing television reports the evening of July 20, 1993 in which Mr. Foster was identified as a White House lawyer, he remembered thinking to himself that due to the age of this vehicle it was not, in his opinion, a vehicle typically driven by a lawyer. Based on these observations, he called the U.S. Park Police around midnight on July 20, 1993 and within the next day or two telephonically provided his observations to a U.S. Park Police Officer.

Mr. Knowlton reiterated his description of this Honda as a 1988-1990 Honda sedan with Arkansas plates but could furnish no information relative to whether it was a two or four door vehicle nor furnish any additional information relative to any distinguishing marks, dents, or external stickers on the vehicle. Additionally, he advised that with the exception of the two vehicles previously identified and the occupant of the metallic blue vehicle, he did not observe any other vehicles or individuals in Fort Marcy Park and denied hearing any unusual noises or sounds.

Date of transcription	5/12/94

Mr. Patrick J. Knowlton, 2424 Pennsylvania Avenue, NW, Washington, D.C. (Apt 810, telephone number 296-3989/703-923-4596) was reinterviewed at the Office of the Independent Counsel, 1001 Pennsylvania Avenue, Washington, D.C. Mr. Knowlton was advised as to the identity of the interviewing agent and specifically informed of the nature of the inquiry. He then provided the following information:

Mr. Knowlton was informed that in light of additional information being obtained by interviewing agent relative to the description of Mr. Vincent Foster's 1989 Honda Accord, that it was necessary to reinterview him relative to his observations at Fort Marcy Park, Virginia on July 20, 1993. Mr. Knowlton maintained that, to the best of his recollection, the observations previously furnished to interviewing agents on April 15, 1994 were still consistent with his observations of the two vehicles he observed at approximately 4:15 pm on July 20, 1993 at Fort Marcy Park.

In an attempt to further clarify Mr. Knowlton's observations on that day, he was informed that the official note taker for the U.S. Park Police in describing Mr. Foster's four door Honda, Arkansas license plates RCN-504, notes that the vehicle examined at the Fort Marcy parking lot on July 20, 1993, was "gray/brown" in color. Mr. Knowlton was also advised that the second USPP officer to arrive at the death scene also described Mr. Vincent Foster's vehicle as, "a gray/brown Nissan four door with Arkansas registration RCN-504 parked in the 4th space from the front of the parking lot." Additionally Mr. Knowlton was informed that a witness who was in the Fort Marcy parking lot at approximately 5:45 pm on July 20, 1993, described what eventually turned out to be Mr. Foster's Honda vehicle as a "Japanese model, brown in color." In addition to furnishing this background information to Mr. Knowlton, he was also exhibited a 35mm photograph (partially underexposed) which was taken by Officer Peter Simonello, USPP at the Fort Marcy parking lot on July 20, 1993. The photograph of Mr. Foster's Honda when viewed next to a light colored USPP vehicle appears extremely dark in

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Continuation of FD-302 of

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color.

After being informed of the above cited information to include viewing the 35mm photograph, Mr. Knowlton still believes that the vehicle he observed during the period of time he was in Fort Marcy Park on July 20, 1993 was brown in color and still believes looked "older" than Mr. Foster's 1989 four door Honda Accord. In a further effort to clarify this situation, Mr. Knowlton in the company of the interviewing agents physically viewed a series of automobile color panels at the FBI laboratory, Hoover Building, Washington, D.C. During this review of automobile panels, he identified panels numbered 3499 and 3500 as closely approximating the color of the vehicle he observed at Fort Marcy Park. During this review of color panels as well as a brochure of Honda vehicles stated that he definitely believes that the vehicle he observed was a four door Honda Accord. vehicle in his opinion, appeared to be shorter in length or more compact than the photographs of Mr. Foster's 1989 Honda and further believed that the color of the vehicle had a flat finish and was not glossy or clear coated as represented in the photographs of Mr. Foster's 1989 Honda. However, Knowlton did indicate that while he still believes the vehicle had an Arkansas license plate, he doesn't recall that the plate he observed had as many letters preceeding the numbers as depicted on the Arkansas plate on Mr. Foster's 1989 Honda.

Mr. Knowlton reiterated his previous observations, that this vehicle was unoccupied and was parked front end in facing the park in one of the first parking slots on the left hand side of the Fort Marcy parking lot. He reemphasized the fact that, in his opinion, this vehicle had an Arkansas plate and that he observed a dark blue jacket draped over the driver's seat of this vehicle. Mr. Knowlton stated that all other information furnished by him to interviewing agents on 4/15/94 were consistent with his recollection of what he personally observed during the period of time he was at Fort Marcy Park on July 20, 1993.

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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

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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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Date of transcription	5/9/94
Date of transcription	

The below recorded interview and information contained therein was provided by an individual who made himself available to investigators for the Office of the Independent Counsel on the condition that his identity remain confidential. His name and other information that would identify him have been removed.

voluntarily accompanied SSAs

and to Fort Marcy Park, Fairfax

County, Virginia, as a follow-up to the interview conducted by
the above-noted agents with on April 14,

1994 at his residence.

demonstrated his specific activities upon his arrival and 'eparture from Fort Marcy Park on July 20, 1993. Specifically his included pointing out to interviewing jents the route he took after exiting his vehicle in the Fort Marcy parking lot; the route he traversed to the second cannon location in the park as well as pointing out the location he was positioned when he first observed the body. In this regard, he also identified the location of the body he observed and the position he assumed when viewing the body. Additionally, he identified the route he traversed back to his vehicle in the Fort Marcy parking lot.

then accompanied interviewing agents to the Turkey Run Maintenance Yard, where he pointed out the location of two U.S. Park Service employees whom he notified as to the disposition and location of the dead body at Fort Marcy Park.

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#### FEDERAL BUREAU OF INVESTIGATION

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Date of transcription	

The below recorded interview and information contained therein was provided by an individual who made himself available to investigators for the Office of the Independent Counsel on the condition that his identity remain confidential. His name and other information that would identify him have been removed.

was interviewed at length and provided specific details related to his discovering the body of Vincent Foster at Fort Marcy Park on July 20, 1993 (results set forth in separate FD-302). In responding to why he did not come forward at the time, also provided the following additional information:

He stated that in early August, 1993, after there had een considerable news coverage in the media concerning the nknown driver of the white van, he contacted a woman friend of s whom he described as an attorney who works at the Department of Justice. He informed her that he was the person who had discovered the body of Vince Foster and asked her if he were breaking any laws by not coming forward. She informed him that she would look into the matter and call him back. She called him back the next day, advising him that he was not violating any laws by not coming forward. As best he recalls, he asked her what she felt he should do. She advised him to "stay quiet because there's nothing you can do to change things now."

adamantly refused to provide the identity of this woman, stating that she was a very good friend and he did not want to get her involved or to cause her any problem.

# CONFIDENTAL

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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.

westigation on 3/30/94 at Washington, D.C. File# 29D-LR-35063

SA William E. Colombelt

by SA Lawrence Monroe

Date dictated 4/3/94

Date of transcription

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Chief Robert E. Langston, United States Park Police (USPP) in the company of Major Robert Hines, USPP, were interviewed at the USPP headquarters, Washington, D.C. and advised as to the identity of the interviewing agents and informed of the nature of the inquiry. Chief Langston and Major Hines then provided the following information:

In light of the fact that Mr. Vincent Foster's body was discovered on federal property, specifically Fort Marcy National Park, Fairfax County, Virginia, both Chief Langston and Major Hines were informed that the focus of this interview was to determine the jurisdictional authority of USPP in criminal matters and specifically policy, procedures or current Memorandums Of Understanding (MOU) outlining the jurisdictional authority and investigative coordination with the FBI regarding violations of federal law. Additionally both Chief Langston and Major Hines were asked to relate their comments and observations of the meeting they attended at The White House the morning of July 21, 1993.

In regards to the jurisdiction issue, Chief Langston advised that based on long established procedures the USPP have historically had primary investigative jurisdiction for crimes committed on federal parks under the control of the U.S. Park Service. Notwithstanding this jurisdictional authority, exceptions to this authority have developed over the years to include, for example, a "long standing practice" that the Washington, D.C. Metropolitan Police Department (MPD) is the lead agency for all death investigations which occur on U.S. Park property located within the confines of the District of Columbia. Local police jurisdiction, however, does not extend to U.S. Park property located in Virginia or Maryland in which jurisdictions, USPP retains primary investigative authority.

In regards to FBI-USPP jurisdictional authority and coordination and specifically the circumstances of the Vincent Foster death matter, Langston advised that there exists a clear understanding between the FBI and the USPP that unless the

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provisions of the Assassination Statute are operative, which statute designates the FBI as lead investigative agency, the USPP functions as the lead investigative agency for all other crimes committed on National Park property. Since, according to Chief Langston, all preliminary investigation reflected suicide as the cause of Mr. Foster's death, the provisions of the Assassination Statute were not applicable and, the USPP maintained primary investigative authority. Langston further stated, however, that in the Vincent Foster case as in other cases, he did inform. FBI authorities of this matter and advised FBI authorities that he could be seeking FBI investigative assistance.

In regards to contact with White House officials regarding the death of Vincent Foster, Major Hines advised that he was telephonically informed by Lieutenant Pat Gavin, Shift Commander USPP the evening of 7/20/93 of the preliminary facts and circumstances of the death of Vincent Foster with the suggestion that Major Hines contact Mr. Bill Burton, White House staff, relative to this matter. Mr. Hines subsequently telephonically contacted Mr. Burton and during their discussion advised that USPP officials would be available to brief White House officials regarding their preliminary investigative findings. Mr. Burton accepted this invitation resulting in Major Hines in the company of Chief Langston briefing selected White House officials the morning of July 21, 1993.

According to both of their recollections, this briefing took place in Mr. David Watkins' office in The White House and in addition to Mr. Watkins included, Mr.'s Webster Hubbell, Bernie Nussbaum, William Kennedy, Craig Livingston, George Stephanopoulos, Bill Burton and James Hamilton. Major Hines informed this group of officials that USPP preliminary investigation indicated that Mr. Foster committed suicide at Fort Marcy Park but emphasized to these officials that according to standard USPP procedures, all death investigations are handled as potential homicides, advising these officials that a search of Vincent Foster's office would be critical to their investigation. To the best of Major Hines recollection, Mr. Nussbaum stated words to the effect that "all you'll find are lawyer things." Mr. Nussbaum also stated that this investigation should be coordinated through the Office of the Attorney General and was followed by a comment by Mr. Stephanopoulos that the investigation should be handled in a routine manner according to USPP procedures. To the best of their recollection, no other individual present at this briefing made any comment or posed any

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Robert E. Langston

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questions and it was their collective opinion that based on Nussbaum's directive, that the FBI would join the USPP in the search of Mr. Foster's office. Immediately after the conclusion of this meeting, Mr. Nussbaum informed Chief Langston and Major Hines that he would immediately "post" Mr. Foster's office and in turn was advised by either Chief Langston or Hines that they would contact the FBI to ensure that FBI representatives were present during the search of Mr. Foster's office. According to both Chief Langston and Major Hines, it was their definite. impression that Nussbaum's comment about "posting" Mr. Foster's office implied that the office would be physically secured and entry denied to all White House personnel. Both left The White House believing that no one had previously entered Mr. Foster's office since the death notification and that the search of Mr. Foster's office would take place on 7/21/93.

After leaving The White House, Chief Langston advised that he telephonically informed FBI Special Agent in Charge (SAC) Robert Bryant, Washington Metropolitan Field Office (WMFO) of the facts and circumstances surrounding the death of Vincent Foster and the request that FBI representatives be at The White House for the search of Mr. Foster's office. He also informed Mr. Bryant that he might be requesting, in the future, additional FBI investigative assistance. He further related that late the evening of 7/21 he discovered to his surprise that the search of Vincent Foster's office was not conducted and was subsequently informed on 7/22 by Captain Charles Hume (USPP) of the manner in which Mr. Nussbaum coordinated the search of Mr. Foster's office on 7/22. According to both Chief Langston and Major Hines, these factors when coupled with the fact that White House officials were not being cooperative in the release of Mr. Foster's telephone logs served as the basis for Captain Charles Hume personally contacting Mr. Tom Collier, Chief of Staff to the Secretary of the Interior for his assistance in securing White House cooperation in their investigative pursuits.

Both Langston and Hines were specifically questioned as to any additional details they could recall from their 7/21/93 meeting at The White House. They both advised that the only thing they found to be unusual was the presence of Mr. Jim Hamilton since he was representing the Foster family and had no official position in the administration. It was also their collective opinion that with the exception of Mr. Nussbaum who took a strict business approach at the meeting the other individuals present exhibited genuine grief and sorrow over

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Mr.Foster's death. Both Langston and Hines were adamant in their belief that under no circumstances did White House officials present at this meeting attempt to direct or influence their investigation or exclude the FBI from rendering investigative assistance.

Date of transcription	9/13/94	
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ROBERT E. LANGSTON, Chief of Police, United States Park Police (USPP), and Major ROBERT HINES, USPP, were interviewed at USPP Headquarters, 1100 Ohio Drive, Washington, D.C. (WDC), regarding the USPP investigation into death of VINCENT W. FOSTER, JR. FOSTER was the former Deputy Counsel to the President, who died on July 20, 1993. After being appraised of the purpose of the interview and the identities of the interviewing agents, LANGSTON and HINES thereafter provided the following information:

HINES was aware that a box had been taken out of FOSTER's office in the Counsel's office suite, the White House, that was given to JAMES HAMILTON. HAMILTON is an attorney of the law firm of Swidler & Berlin, 3000 K Street, N.W., WDC. Prior to the box being provided to HAMILTON, HINES recalls viewing the contents of that box about a week after they had been turned over to HAMILTON. HINES was aware of a bag of trash that was also taken out of FOSTER's office on the evening of July 20. HINES recalled this to have been a document burn bag. He did not know what the contents of that bag were. HINES did not know about any other boxes that were taken out of FOSTER's office. He did not know when the box was taken out of FOSTER's office.

LANGSTON was shown a copy of a newspaper article from the New York Times in which comments were attributed to him regarding the USPP investigation into FOSTER's death. On page 2 of the article the reference to a box that was moved from FOSTER's office could possibly have been about the burn bag that was removed from the office. LANGSTON advised that he responded to a reporter's question regarding articles being removed from FOSTER's office based on information that he had on hand at the time he answered the question. LANGSTON recalls information that the USPP had knowledge of materials being removed from FOSTER's office the night of July 20, 1993. LANGSTON did not recall the basis of that information. He had no recollection of where the information came from regarding the materials that were removed from FOSTER's office. Neither LANGSTON nor HINES had a recollection of a box being removed from FOSTER's office on the evening of July 20, 1993. HINES believed the material that

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Continuation of FD-302 of

ROBERT E. LANGSTON

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LANGSTON referred to in the article was actually the trash that was in the burn bag that was removed from the office.

The USPP had a concern that FOSTER's office was not sealed on the night of July 20, 1993. The concern of the Park Police was that materials could be removed from the office prior to a search and inventory of that space being conducted.

LANGSTON and HINES provided no further information of investigative value.

Date of transcription	8/11/94

DAVID C. LEAVY, Press Assistant (for MARGARET "DEE DEE" MYERS) at The White House, telephone 202-456-2673 was interviewed at The Office of the Independent Counsel. Also present and representing the Office of the Independent Counsel was attorney MARK STEIN. After being advised of the identity of the interviewing agents and the nature and purpose of the interview, LEAVY provided the following information:

LEAVY advised that his position as Press Assistant to Press Secretary DEE DEE MYERS is similar to an "information traffic top". Many of the telephone calls coming in to the press office are handled by LEAVY and he also deals with many problems related to press issues. LEAVY advised that he knows CRAIG LIVINGSTONE and sees him once or twice a month and has dealt with him on a significant level approximately six times since the CLINTONs took office.

LEAVY advised that on the evening of July 20, 1993, he recalled that they had made preparations for The Larry King Live Show and had spent the day preparing President CLINTON for his appearance on the show. LEAVY himself did not stay for the broadcast but went home and watched The Larry King Live Show there.

A co-worker named JEREMY GAINES telephoned him later that evening to let him know of the death of VINCE FOSTER, JR.—The only information GAINES told him about on the telephone the night of July 20, 1993 was that DAVID DREYER was working on a press statement regarding FOSTER's death and that everybody was very upset.

LEAVY did not go into The White House at all that evening and he had no recollection of discussing the issue of press presence at the FOSTER residence either that evening or after with GAINES or any other individual except by telephone the following morning with CRAIG LIVINGSTONE. LEAVY did not know whether or not there had been a pool of news people available to try to accompany the President out to the FOSTER residence that

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DAVID C. LEAVY

On 8/3/94

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night. LEAVY explained that there is usually a pool of news people (they call themselves the "death watch") that hovers near the President so they do not miss anything. This has been a custom ever since the attempted assassination of President RONALD REAGAN at the Hilton Hotel in Washington, D.C. They generally disband if it is known that President CLINTON will not be going out again that evening. LEAVY believes that the pool would probably have been let go on the evening of July 20, 1993 as the President was not expected to go out again after the Larry King Show.

On the morning of July 21, 1993, LEAVY recalled that he made a point of getting to the office very early. He arrived at approximately 7:00 am and was the first to get there. As people arrived and the news spread about FOSTER's death, everybody was shocked and very saddened. At approximately 7:30 they held, as usual, the Communications Office staff meeting. He recalls there being some concern about "hounding" at the FOSTER residence but he doesn't recall anymore specifics. He does not recall hearing about anybody in the Press Office other than himself receiving telephone calls from anybody outside The White House regarding press at the FOSTER residence.

He recalls two separate telephone conversations with CRAIG LIVINGSTONE that morning. He believes that the first conversation came when CRAIG LIVINGSTONE called into the Press Office to LEAVY's private line approximately two hours after LEAVY had arrived to work (which would put the time at approximately 9:00). LIVINGSTONE said he was calling from the FOSTER residence and said there was alot of media interest at the house and it was becoming a problem. He asked what should be LEAVY does not recall what he answered, but guessed that he would have had to check with DEE DEE MYERS about what to do. LEAVY said he seemed to recall that LIVINGSTONE called a second time later that morning, at least an hour later and probably closer to two hours later, at which time LIVINGSTONE said that the press interest had died down and nothing was going on. felt that it was very unlikely that the first call came in between 8:00 and 8:30 but he said he couldn't rule it out. thought the second call came in at approximately 11:30. The only other person answering phones that morning who may have taken other calls was an individual named HEATHER BECKEL (currently working for GEORGE STEPHANOPOULOS). LEAVY said there were no interns working in the Press Office at that time.

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LEAVY said that he was positive about at least the first call from CRAIG LIVINGSTONE and fairly positive there was a second call and that there was at least one hour, but probably closer to two hours, between the calls he received. LEAVY's understanding that LIVINGSTONE was calling from a cellular phone into LEAVY's direct line. He is not sure of that recollection, however, and said that LIVINGSTONE may have been using "Signal", which would mean that LIVINGSTONE himself just called the main White House line and "Signal" directed the call into his private line.

LEAVY had no recollection of seeing LIVINGSTONE at any time in the morning on July 21. He remembers thinking that it was strange that LIVINGSTONE was out at the FOSTER residence and he thought it was even odder that he had been involved in identifying FOSTER's body the night before. LEAVY said that LIVINGSTONE is not a person who was known to help with things at the Press Office. LEAVY advised that he first saw CRAIG LIVINGSTONE at the staff meeting for all White House personnel that was held with the President and MACK MCLARTY at approximately 12 noon possibly shortly thereafter in the Old Executive Office Building.

LEAVY advised that he has not spoken with CRAIG LIVINGSTONE about any of these issues. LEAVY realizes that LIVINGSTONE seems to be at the center of something that's going He figured it was because LIVINGSTONE was the point of contact for all law enforcement officials contacting The White House. LEAVY was under the impression that LIVINGSTONE got the initial call to The White House about FOSTER's death and that it was LIVINGSTONE that called WILLIAM KENNEDY for them to make a positive identification of FOSTER's body.

After being shown the chronology prepared by LIVINGSTONE, LEAVY said that he is positive he has never seen the document. He advised that LIVINGSTONE asked him for a copy of it a couple months ago and he did not have a copy in his file. LEAVY is sure that he has never seen it and had never received the document.

LEAVY said that although LIVINGSTONE is not from Arkansas, he associates LIVINGSTONE with that group of individuals.

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DAVID C. LEAVY

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During the interview LEAVY provided the following personal information:

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POB:

SSAN:

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#### REPORT OF INTERVIEW

Interview of: Anonymous WITNESS

Interviewed by: G. Gordon LIDDY

Date of Interview: 22 March 1994

Transcribed: 27 March 1994

WITNESS had previously contacted LIDDY and interview was conducted at WITNESS' home by appointment, commencing 1744 hours. LIDDY's notes were taken at kitchen table on a spiral ring pad provided by WITNESS.

At request of LIDDY, WITNESS identified himself but exacted a promise that LIDDY would never identify him.

WITNESS advised that between 1730 and 1745 hours of 20

July 1993 he was proceeding northwest in his white utility van along the George Washington memorial Parkway in Virginia on his way home from work. There was a traffic jam and traffic was barely moving. The outside temperature was approximately 100 degrees Fahrenheit and he felt an urgent need to urinate. He pulled off the parkway at the entrance to Fort Marcy Park and proceeded to the parking lot. There were two automobiles parked in the lot when he rived.

The first of the two cars was parked on the left, near the end, in the second or third parking place from the end. It was a small, two door, Japanese make sedan, either light blue or light tan in color. At the other end of the parking spaces, at about the second space from the end, to his right, was a white colored Honda two door sedan with a blue colored interior. WITNESS parked his van approximately in the middle of the lot between the two automobiles already there.

WITNESS stated that he left his van and began walking, looking for someplace to urinate where there would be no one around to see him. At this point, LIDDY advised witness that he, LIDDY, had never been to Ft. Marcy Park and requested WITNESS to draw a map reof so that LIDDY could follow WITNESS narration. WITNESS complied, drawing the map on a separate sheet of the spiral pad, which map LIDDY retained. WITNESS lightly traced the route he walked in pencil on the map he had drawn.

witness advised further that he walked into the woods to urinate and noticed something in the bushes to his left. He walked over to it, thinking it at first to be trash. When he got to within ten feet of what had attracted his attention, WITNESS states that he recognized the object as a body. At that point, WITNESS said that he thought the person might be asleep. He started to walk away, but then, noticed that the face was swollen, so he moved in close, repping to where his foot was within three feet of the man's head and looked straight down into his face to see if that was the case. He found the body of a white male dressed in what he described as an

pensive suit, jacket missing. The trousers were of gray color, the shoes black. WITNESS states that he stood over the body for several minutes, observing it.

According to WITNESS the body was lying on its back on a "12/12" or 45 degree angle slope, head uphill, body straight, feet together, hands at its sides, palms open and angled upwards. WITNESS held his own hands out and demonstrated how the hands of the body were positioned.

"trampled" as if someone had been walking back and forth at that it. At the top of the slope, behind the man-made revetment of which the slope was a part, was an old cannon, one of at least two in the park. WITNESS marked the spot on the map he had drawn, then drew another diagram showing a cross section of the revetment and the position of the body on the forward slope thereof as he found it.

WITNESS advised further that the body was bloating in the heat. There were traces of blood around the nostrils and mouth and flies were crawling over those areas of the body. The eyes were only partially closed and were already glazed. On the body's right shoulder were light purple colored stains of what appeared to be vomitus induced by death. WITNESS said he took the stains to be from what he described as a bottle of "wine cooler" which was lying to his right a couple of feet away. The body looked as if it had slid down the slope a bit before coming to rest.

At this point, LIDDY asked witness if he had seen the published photograph of what purported to be Mr. Foster's hand with its thumb in the trigger guard of a handgun. WITNESS stated that he had not seen such a photograph and appeared surprised, stating that he had observed both the hands of the body and that neither held a gun. He stated that, in his opinion, had a shot been fired, it would have been heard by the guards across the road at the home of a "rich Saudi Arabian" which building he had observed from near the cannon.

LIDDY pressed witness, asking whether he was sure there was no firearm in evidence. WITNESS was emphatic, stating that he had rent several minutes observing the body closely and there was absolutely no firearm there. LIDDY then picked up from the table a wristwatch with a metal band and inserted his thumb through the band in the manner LIDDY recalled seeing the thumb in the published photograph and asked WITNESS again was he sure he saw no handgun in association with the body in the manner LIDDY demonstrated. WITNESS stated that he was absolutely positive that there was no firearm with the body in that or any other fashion.

witness then picked up what appeared to LIDDY to be a rubber utility glove, light purple in color, and said that that was the color of the stain on the shoulder of the body.

WITNESS states that he then walked back to his van to drive to a telephone to call the police to report the body. Again, WITNESS

traced his line of walk, this time back to his van. He pointed out that his walk took him to a position near and above the Honda automobile and, as he walked past it, he looked inside. He observed a suitcoat which matched in color the trousers on the body he had found. The coat was light gray, appearing to be thrown, not neatly folded, over the back of the seat on the passenger's side. The coat was barely over the top of the seat-back.

WITNESS thinks he saw a briefcase on the passenger's side on the floor, although he is not certain. He stated that he is certain, however, that there was a "Four pack" of "wine cooler" in there.

WITNESS stated that he observed the interior of the Honda from approximately eight feet above and twenty-five feet laterally in distance.

WITNESS re-entered his van, then drove to park headquarters.

There he saw two males dressed in what appeared to him to be park service uniforms. They were leaning against the tailgate of a truck.

One was about fifty years old and black, the other was white and about thirty to thirty-five years old. From the driver's seat of his van, he waved to them to come over. The white man came over to the driver's side of the van. WITNESS asked for access to a telephone. The park service employee asked him what for?

WITNESS told the employee about his finding of a body and its cation, using the cannon as a reference mark. The employee said that he knew exactly what he was talking about and which cannon to

look for. WITNESS asked, "Do you mind making the call?" The employee replied, "Not at all." and left. WITNESS says he then left the park, "praying that they wouldn't get his license plate number. "

LIDDY asked him why and WITNESS replied, "Because I don't want to end up like that guy I found." He stated that fear was why he had exacted LIDDY's promise not to reveal his identity. He stated that LIDDY had his permission to reveal everything he had told him except his identity. He stated that he decided to come forward to this extent because the stories that he has been reading about the body and its discovery are "not right." WITNESS stated that he chose to disclose his story through LIDDY because he was certain that LIDDY would never "give him up."



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#### FEDERAL BUREAU OF INVESTIGATION

Date of transcription	4/6/94

On April 6, 1994, a package was received at the offices of the Independent Counsel, 1001 Pennsylvania Ave, N.W., Suite 490 North, Washington, D.C. (WDC), from G. GORDON LIDDY. The package contained a transmittal letter and a document titled Report of Interview. The report, written by LIDDY, contained results of an interview between LIDDY and an anonymous witness. The witness is alleged to have been the individual who discovered the body of VINCENT FOSTER, JR., former Deputy Counsel, The White House. A copy of LIDDY's letter and the report of interview are attached and made a part of the record hereto.



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#### G. GORDON LIDDY

9112 RIVERSIDE DRIVE ORT WASHINGTON, MARYLAND 20744 7909 JOSHUA TREE LANE SCOTTSDALE, ARIZONA 85250

pril 5, 1994

oderick C. Lanklar, Esq. ffice of the Independent Counsel 301 Pennsylvania Avenue, N.W. ashington, DC 20004

ear Mr. Lanklar:

enclose my report of interview, dated 27 March 1994, of a man who laims to have found the corpse of the late Vincent Foster. The report interview is self-explanatory.

report contains details about the scene and the interior of Mr.
's automobile that I, for one, have never seen published. You
available to you all of the information from the various
thorities summoned to the scene. If there has occurred no policing of
the area (in the military sense) from the time the individual I interewed claims he discovered the body until the time others arrived on the
tene, the details, particularly concerning the "wine cooler", etc., may
sist you in determining whether this individual did, in fact, come
on Mr. Foster's body.

am available to you or any of your special agents for interview. It tell you anything other than the identity of the individual, unless duntil he should release me from my promise not to identify him.

urs sincerely,

Gordon Liddy

Gordon Liday

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Date of transcription	4/13/94

Mr. G. Gordon Liddy was interviewed at his place of employment, radio station WJFK, 10800 Main Street, Fairfax, Virginia. He was advised of the identities of FBI Agents William E. Colombell and Lawrence J. Monroe and that they wished to interview him regarding an ongoing FBI investigation into the death of Vincent Foster. The agents confirmed receipt by the Office of the Independent Counsel of Mr. Liddy's letter dated April 5, 1994, including a six-page interview report of information provided to Liddy by an anonymous witness who claimed to have been the first to have discovered the body of Vincent Foster at Fort Marcy Park on July 20, 1993.

At the outset, Mr. Liddy stated that this six-page report, along with a two-page report (copy provided by Liddy) of the interview of a Fairfax County Fire Department employee named Cory Ashford, conducted on March 4, 1994 by Congressional staffers, would soon be publicly released to subscribers of his regular newsletter.

Mr. Liddy agreed that he would make no comment about the specifics of this current interview with the FBI, except to acknowledge on his radio show that the FBI had contacted him and that he had agreed to keep the specifics of that contact confidential.

Mr. Liddy then stated that he would assist the FBI in any manner he could, but had given the anonymous witness his assurances that he would not reveal his identity and could not go back on this promise. He did agree to recontact the party as soon as possible and provide him with the names and telephone numbers of the interview agents and attempt to persuade him that it was in his best interest to call and identify himself and cooperate fully with the FBI. He provided the following phone numbers where he could be reached, office (703) 691-1900, home (301) 567-3080, car phone (301) 518-2539. It was understood that if the witness did come forward, any future FBI interview or evaluation concerning his credibility would be directly with the

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FBI and that Mr. Liddy would not be involved. Mr. Liddy then provided the following additional information concerning the manner in which he first came in touch with this witness and other specifics that would assist the FBI in evaluating the witness' credibility.

Liddy advised that on March 22, 1994, he was telephonically contacted at his radio station in Fairfax City, Virginia by a male caller who identified himself as the individual in the "white van" who observed the body of Vincent Foster at Fort Marcy Park on July 20, 1993. Pursuant to this telephone call, Mr. Liddy drove to the caller's residence, which according to Liddy was "not far" from the radio station where he interviewed the caller in depth regarding his observations of July 20, 1993.

Liddy stated that in order to protect the identity of the caller, he maintained no notes of his discussion and due to the press of business commitments, he did not transcribe his account of this interview until March 27, 1994. In order to refresh his recollection, Mr. Liddy during this interview referred to a six-page report of the March 22 interview which he, Liddy, had previously mailed to Mr. Roderick Lankler with a cover letter on April 5, 1994.

Mr. Liddy advised that in addition to the information contained in the referenced interview report, he is convinced that this individual he interviewed on March 22 is legitimate; that he was in Fort Marcy Park the evening of July 20, 1993; did, in fact, observe the dead body of Vincent Foster and did report this sighting to two Park Service employees that same evening. According to Liddy, this anonymous witness expressed to him a fear of some type of retaliation if his identity is surfaced, based primarily on observations that neither of Mr. Foster's hands held a gun at the time and location of his sighting by this witness. This particular observation, according to Liddy, is contrary to the media reports and for whatever reason has instilled in this anonymous witness a strongly expressed fear for his life.

In an effort to ascertain the reliability of this anonymous witness, Mr. Liddy voluntarily described him as a white/male; mid-40s; 5 foot, 9 inches; stocky or beefy build, normal hair length, predominantly grey; clean shaven with a

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Continuation of FD-302 of G. Gordon Liddy

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square or rugged face configuration; wearing eyeglasses with silver metallic frames. He was further described as possessing a Virginia accent, possibly from Southwest Virginia or the Roanoke, Virginia area and as "having lived a tough life." Liddy could not furnish any specific details regarding this witness' attire, believing he was wearing, at the time of his interview, "typical work clothes, " not further described and an inexpensive wrist watch with a metal band. He was further described by Liddy as a "hard working family man," most likely employed in the construction business and residing in an extremely modest house.

During the interview on March 22, 1994, Liddy also met a white female, age 35-40 with brunette hair, believed to be the witness' wife or a female companion. Liddy did report observing a white van at this anonymous witness' residence which he described as a "basic service type van, probably engaged in the construction business." He could not recall any additional details or state of registration. It was Mr. Liddy's opinion that this anonymous witness was a "typical low-waged laborer," who on a daily basis terminates his employment at 4:00 p.m. and regularly drives past Fort Marcy Park either to his residence or place of employment.

In response to questions posed regarding the purpose of the anonymous witness' presence in Fort Marcy Park on July 20, 1993, Liddy stated that witness informed him that he stopped at Fort Marcy Park to urinate. This biological requirement, combined with the suffocating heat and traffic snarls on the George Washington Parkway, according to Liddy, was the sole reason for witness' presence at Fort Marcy Park on July 20, 1993. Furthermore, Liddy advised that the anonymous witness informed him on March 22, 1994, that the reason he was supplying his observations to Liddy was that he had considered either Rush Limbaugh, the syndicated newscaster and commentator, or Mr. Liddy and felt that he, Liddy, "wouldn't give him up."

In a further effort to determine the specific reasons for this witness' insistence on anonymity, Liddy reiterated that while it might appear irrational, the fact that this witness insists that the Foster body was devoid of any weapon and that the initial media reports either ignored or downplayed the existence of the "white van," has led this witness to believe

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Continuation of FD-302 of G. Gordon Liddy

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there is some "government conspiracy" to cover up the actual cause of Mr. Foster's death.

In regard to follow-up questions regarding the specifics of his March 22, 1994 interview with this witness, Liddy stated that the witness actually provided him a sketch of Fort Marcy Park, outlining his route to the second cannon embankment where he discovered the body and his exit route to his vehicle in the Fort Marcy parking lot. Although this sketch was not available at this time since it was being duplicated for inclusion in Mr. Liddy's newsletter, Liddy stated that he personally visited Fort Marcy Park to verify the sketch provided by this particular witness. In this regard, Mr. Liddy supplied three polaroid photographs he took, depicting the apparent residence of the Saudi Ambassador to the United Nations and two photographs depicting the sight where Mr. Foster's body was retrieved. He reiterated the witness' insistence that the body was lying at a 45 degree angle, eyes slightly glazed and face swollen. Liddy believes however, that the witness' observation of Mr. Foster's body was confined to a view "looking down at the body" but did state that the witness believed he had ample time to determine that the palms of the victim's hands were open and raised upward and that neither hand contained a weapon.

Furthermore, Liddy advised that according to this witness, he then returned to the parking area by a separate route and at the far end of the lot he observed a White Honda from an elevation of approximately eight feet and a distance of 20 feet. In this vehicle, he observed a suit jacket (unfolded) on the rear seat and a four-pack of wine coolers. According to Liddy, this witness thought that a briefcase was also situated on the floor of the front seat of the passenger side. According to Liddy, this witness then departed Fort Marcy Park, enroute to a public telephone which he knew was located in the general vicinity of Fort Marcy. Upon reaching this location, witness advised that he reported his findings to uniformed U.S. Park Service employees with the request that they notify police authorities.

Mr. Liddy reiterated his interest in assisting the FBI investigation in this matter; maintained that the initial contact with this witness was unsolicited and agreed to recontact this witness and solicit witness' cooperation in submitting to an FBI interview.

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## FEDERAL BUREAU OF INVESTIGATION

	4/13/94
Date of transcription	4/13/34

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G. Gordon Liddy

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In regard to follow-up questions regarding the specifics of his March 22, 1994 interview with this witness, Liddy stated that the witness actually provided him a sketch of Fort Marcy Park, outlining his route to the second cannon embankment where he discovered the body and his exit route to his vehicle in the Fort Marcy parking lot. Although this sketch was not available at this time since it was being duplicated for inclusion in Mr. Liddy's newsletter, Liddy stated that he personally visited Fort Marcy Park to verify the sketch provided by this particular witness. In this regard, Mr. Liddy supplied three polaroid photographs he took, depicting the apparent residence of the Saudi Ambassador to the United Nations and two photographs depicting the sight where Mr. Foster's body was retrieved. He reiterated the witness' insistence that the body was lying at a 45 degree angle, eyes slightly glazed and face swollen. Liddy believes however, that the witness' observation of Mr. Foster's body was confined to a view "looking down at the body" but did state that the witness believed he had ample time to determine that the palms of the victim's hands were open and raised upward and that neither hand contained a weapon.

Furthermore, Liddy advised that according to this witness, that after returning to the general vicinity of the Fort Marcy parking area, he observed from an elevation of approximately eight feet and a distance of about twenty feet a Honda vehicle which contained a suit jacket on the rear seat (unfolded) and a four-pack of wine cooler. According to Liddy, this witness thought that a briefcase was also situated on the floor of the front seat of the passenger side. According to Liddy, this witness then departed Fort Marcy Park, enroute to a public telephone which he knew was located in the general vicinity of Fort Marcy. Upon reaching this location, witness advised that he reported his findings to uniformed U.S. Park Service employees with the request that they notify police authorities.

Mr. Liddy reiterated his interest in assisting the FBI investigation in this matter; maintained that the initial contact with this witness was unsolicited and agreed to recontact this witness and solicit witness' cooperation in submitting to an FBI interview.

Date of transcription	6/29/94	
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BRUCE ROBERT LINDSEY, Assistant to the President and Senior Advisor, was interviewed at his White House office on June 22, 1994, also present was MARK STEIN of the Office of the Independent Counsel. Having been advised of the identity of the interviewing agent and the nature and purpose of the interview, LINDSEY provided the following information:

LINDSEY advised that he is a partner in WRIGHT, LINDSEY and JENNINGS, attorneys at law in Little Rock, Arkansas. He advised that he practiced law in Little Rock at the same time that VINCE FOSTER was a partner practicing with the Rose Law Firm in Little Rock. WATKINS explained that the Rose Law Firm represented WRIGHT, LINDSEY and JENNINGS as corporate counsel and VINCE FOSTER, JR. acted as the attorney who handled those matters and it was primarily through that conduit that LINDSEY and FOSTER dealt with one another. In addition, in 1992, LINDSEY was the legal counsel to the Democratic Party (he has known the CLINTONs for years) and he sometimes would consult FOSTER on legal matters relevant to that position LINDSEY was holding at the time.

After beginning their respective terms at The White House, they saw one another fairly frequently, and since they were both married but living the life of bachelors (since both their families had remained in Little Rock), there were nights when they would eat dinner together. In addition, the two of them belonged to the informal Tuesday night group of Arkansans who tried to get together on a weekly basis to have dinner together and they also attended the Friday night movie nights with the CLINTONs in The White House residence theater. LINDSEY estimated that during the six month period that he and FOSTER worked at The White House at the same time, they socialized together separately about a half dozen times. They did not have the kind of close friendship that gave rise to close confidences or philosophical discussions. LINDSEY said that FOSTER was a fairly regular attendee at the informal group meetings on Tuesday and Friday night and said that he and FOSTER were friends but not close friends. They had superficial things in common. They were both from Arkansas; they had similar families who were still in

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by	SA H.	ALEXIS SUGGS				Date dictated	6/27/94	

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Continuation of FD-302 of BRUCE ROBERT LINDSEY , On 6/22/94 , Pa

Arkansas and they would talk about what their life was like. LINDSEY estimated that FOSTER's level of anxiety and loneliness in connection with what he was experiencing as about comparable to what LINDSEY was experiencing and did not consider it to be inordinate.

The only time that LINDSEY recalls an incident where FOSTER seemed inordinately upset about something was the day that The Wall Street Journal published an article on either FOSTER himself or the Rose Law Firm that showed no picture of him in the usual box where The Wall Street Journal likes to put a sketch of the individual being discussed. The criticism that appeared in that article painted a shady, if not unethical, image of FOSTER and FOSTER found it extremely irritating. FOSTER had initially refused to send them a photograph but then did so but not in time for it to appear with the article. LINDSEY recalls FOSTER saying to him, "The damn thing is that I sent them a picture". LINDSEY said that by his way of thinking, it was not that big of a deal, but it appeared that FOSTER had no sense of resilience or sense of humor on the matter. The article implied that FOSTER and The White House was willing to play "fast and loose" with the rules.

LINDSEY said that he knew FOSTER had lost some weight, but that he did not attribute it to anything of significance. He noted that he himself had lost 25 pounds since coming to work at The White House. He remembers one night shortly before FOSTER's death when HUBBELL, the President and himself were going to watch a movie at The White House and the President called FOSTER to invite him to come. Foster declined saying that his wife LISA was already ready for bed. His refusal to come to the movie did not seem significant. He remembers discussing FOSTER with WEBB HUBBELL and could only recall the sense that FOSTER needed a good weekend to rest.

At the initial meeting regarding the Travel Office, VINCE FOSTER was most defensive about WILLIAM KENNEDY's participation in the matter. FOSTER was very unhappy that KENNEDY was reprimanded with regard to the Travel Office matter. LINDSEY said that MACK MCLARTY, JOHN PODESTA, VINCE FOSTER, MARK GEARAN and possibly LEON PANETTA and BERNARD NUSSBAUM were at that meeting. The purpose of the meeting was to develop a strategy prior to the press release of the Travel Office report. FOSTER was angry about the letters of reprimand. KENNEDY was also very unhappy and LINDSEY said he thought he remembered that KENNEDY was feeling as though perhaps he should resign. LINDSEY

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thought that he remembered FOSTER's opinion being that if one person in the Counsel's Office received a reprimand then they should all receive letters of reprimand because they were all equally responsible and accountable for what occurred.

LINDSEY could not remember anything else that FOSTER found disturbing. LINDSEY does not recall FOSTER being upset about Whitewater or Madison Guaranty Savings & Loan issues. He did not recall ever having a conversation with FOSTER about. Whitewater or Madison and he does not recall anybody talking about ever having a conversation with FOSTER in which he was known to have been upset about Whitewater or Madison.

The only way that Whitewater surfaced in any way was the issue of evaluation and disclosure of the Whitewater stocks after they had been sold on the President's disclosure forms. LINDSEY said that FOSTER did not discuss the issue with him. He just knew that it was a matter that was handled around the end of May when the disclosure forms for the First Family were due.

LINDSEY advised that he has no idea why FOSTER may have killed himself. The most important things to FOSTER were his family, especially LAURA, his daughter.

LINDSEY advised that he was notified of FOSTER's death by WILLIAM BURTON. LINDSEY was in his office at The White House at the time because the President was doing the Larry King Show. BILL BURTON stuck his head in the door and said that someone with VINCE FOSTER's White House tag and FOSTER's vehicle had been shot. Later in the evening LINDSEY heard that it was an apparent suicide. LINDSEY advised that he stayed at his desk and in his office area for most of the evening. Many individuals were coming and going. At some point he went to The White House residence. Towards the end of the Larry King Show, he saw GEAREN, RICKI SIDEN, RANDY GROMWALD and PAUL SEGALA (individuals who were helping with the taping). He walked over to that area with MAC MCLARTY. He does not know if GEORGE STEPHANOPOULOS was there and he does not remember seeing DEE DEE MYERS.

LINDSEY advised that during that evening of July 20, 1993 he did not hear any conversation about anybody having found a note that might shed light on why FOSTER might have committed suicide, nor did he hear any conversation about anybody looking for a note. He also did not hear any conversation about anybody going into VINCE FOSTER's office. After the Larry King Show was

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completed, the President and MAC MCLARTY went to the FOSTER residence.

With regard to activity in and around the room known as "the map room", LINDSEY advised that the President never came into the map room and to his knowledge, they never shut the door of it and never talked about any note while the door was shut.

LINDSEY speculated that no one thing pushed VINCE. FOSTER "over the edge". In a conversation between himself and WEBB HUBBELL, HUBBELL remarked, "If you lined up 20 people in a row in order of their likelihood of committing suicide, VINCE FOSTER would be last in line". LINDSEY agrees with this.

After the President left for the FOSTER residence, LINDSEY returned to his office. He decided to go home sometime between 1:00 and 2:00 am. He does not think that he saw either PATSY THOMASSON or MAGGIE WILLIAMS at The White House that night.

With regard to CRAIG LIVINGSTONE, LINDSEY advised that LIVINGSTONE had called him because of The White House pass having been found. LINDSEY recommended that KENNEDY accompany LIVINGSTONE to identify the body. He advised that he never physically saw CRAIG LIVINGSTONE at The White House that night but must have spoken to him on the phone. He does not recall who called whom. LINDSEY does not recall anything about a written memo that CRAIG LIVINGSTONE produced which chronicles his (LIVINGSTONE's) activities on July 20 and 21, 1993. He had a vague recollection, however, of LIVINGSTONE telling him on the morning of July 21 that LIVINGSTONE had earlier that morning gone to the FOSTER residence to help deal with the press should it be necessary.

LINDSEY said he never heard of any documents being removed from FOSTER's office nor did.he ever talk to THOMASSON or NUSSBAUM about it. He also did not talk to them or hear about a note being found.

With regard to the inventory, LINDSEY said that NUSSBAUM was concerned about the issues of executive privilege. He recalled that BURTON, LINDSEY and NUSSBAUM discussed that issue on the afternoon of July 21 while individuals from the Department of Justice were waiting for them. The end result that LINDSEY remembers was that NUSSBAUM would use his best judgement as to what the Department of Justice people would see and what

Continuation of FD-302 of

BRUCE ROBERT LINDSEY

6/22/94

they would not. They did not want to be too free in the access they allowed, but on the other hand did not want to be too rigid. By the end of the meeting, LINDSEY said that he was still not sure what decision was going to be made on the matter. He said he had a brief conversation with NUSSBAUM after the inventory had been conducted and NUSSBAUM told him that things had "gone smoothly".

During the interview LINDSEY provided the following personal information about himself:

DOB:

POB:

SSAN:

Position:

Address:

White House telephone number:

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Assistant to the President and Senior Advisor, January 20, 1993 to the present 3515 Hill Road, Apt. #2 Little Rock, Arkansas 72205

456-2668

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### OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription	11/14/94
Date of the	

Inspector JAMES LINGERFELT, Information Services
Division of the Metropolitan D.C. Police Department, 300 Indiana
Avenue, Washington, D.C. 20001, work phone 202-727-4138, was
informed of Agent COLOMBELL's identity and that Agent COLOMBELL
was part of the investigative staff of the Office of the
Independent Counsel, Whitewater matters. Inspector LINGERFELT
was also informed that Agent COLOMBELL was attempting to
determine if Metropolitan Police units were dispatched to the
residence of VINCENT FOSTER, 3027 Cambridge Place, Georgetown,
Washington, D.C. on July 20-21, 1993, the evening of VINCE
FOSTER's death.

Inspector LINGERFELT stated that based on a review of "radio run records", contained in the computer assisted dispatch system (CAD), he was unable to locate any record reflecting that Metropolitan Police units were dispatched to the above Cambridge Place address. He was unable to find any records confirming that a telephone call was received by the police communications center asking for assistance at 3027 Cambridge Place. He was also unable to locate any record confirming that police cars were dispatched to that address over Metropolitan Police radio channels. He concluded by stating that there could have been a radio communication overheard by other officers that originated from a car to car transmission or a radio transmission from the District Two Watch Commander's office to one of the District Two vehicles.

			(telephonic	ally)			
Investigation on	11/10/94	at	Washington,	D.C.	File #	29D-LR-35063	
by SSA W	ILLIAM E. C	OLOMB1	ELL		Date dictated	_11/10/94	

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Eropi. David Craig Livingstone, Director of White House Personnel Security, was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue, NW in the presence of his attorney, Paige E. Reffe. Also present during this interview was Associate Special Counsel Carl Stitch. Mr. Livingstone was advised as to the official identities of the interviewing agents and Mr. Stitch and of the nature of the interview. He then provided the following information:

He has held his present position at The White House since February, 1993. He first met Vincent Foster, Jr. when he (Livingstone) came to work at The White House and he therefore knew Foster for only five months prior to his death. His contacts with Foster were sporadic and brief. He seldom had occasion to talk with Foster and when he did their relationship was professional rather than social. He noticed no change, either emotional or physical, in Foster during the time he knew him before his death. He described Foster as professional, soft spoken, intelligent and controlled. He last saw Foster in a White House west wing hallway on July 20, 1993, the day of his death. They exchanged greetings as they passed.

In July, 1993 his (Livingstone) office was, as it is now, in the Old Executive Office Building. Bill Kennedy was his immediate superior at that time with Kennedy reporting directly to Vincent Foster. He recalls that period as being an extremely busy time with people in The White House being under considerable stress. In that regard, approximately one week prior to Foster's death, he (Livingstone) went to Foster expressing concern about the welfare of Bill Kennedy in that he was working very long hours, was under pressure, and seemed tired. Foster said to him "he's going to be fine and we're all going to be o.k.". Prior to Foster saying this, Livingstone had related to him comments by Bill Kennedy concerning their large Workload, the stress of the job, and their need for more employees.

Graig Livingstone said that he can recall nothing unusual or significant about July 19, 1993. He said that July

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Continuation of FD-302 of David Craig Livingstone , On 5/12/94 , Page 2

20, however, was a very eventful and, in some ways, tragic day that he remembers well. He explained that members of The White House staff had been very busy with events leading up to the President naming Louis Freeh to be the new FBI Director on that day and with plans for the President to appear on the Cable News Network, Larry King Show that night starting at 9:00 pm. Livingstone had arrived at The White House early that morning and left at approximately 8:15 pm after watching the CNN crew prepare The White House library for the President's interview with Larry King.

He arrived home at approximately 9:00 pm and received an electronic page as he was about to enter his residence. He contacted the indicated telephone number and spoke with United States Secret Service (USSS) Inspector Dennis Martin, who told him "I have bad news-Vincent Foster has apparently killed himself." Livingstone said that he believes Martin told him that he had been advised of the death by the United States Park Police (USPP) and was advising Livingstone because of his position as Director of White House personnel security. Inspector Martin said that he had also notified another White House staffer, David Watkins.

After his conversation with Martin he noticed that it was approximately 9:05 - 9:10 pm, and realized that the President was, at that time, involved with his live television interview. Livingstone, not wanting Bill Clinton to be advised of the death of his friend Foster while on live television, immediately tried to contact Mark Gearan at The White House. Gearan said that he was aware of Foster's death and that he was with the President and would advise him when the opportunity presented itself. (Livingstone) offered his assistance and offered to go to Fairfax Hospital where Inspector Martin had told him the body was to be taken. Gearan said that another White House staffer, Bill Burton was going to the hospital to identify the body. Later in their conversation, however, Gearan requested that Livingstone proceed to the hospital to identify the body. Before this conversation was over, Livingstone had also spoken with White House Chief of Staff Mac McLarty. McLarty was also aware of the death prior to Livingstone's call but neither he nor Gearan advised how they had learned of Foster's death. Livingstone said that he, at that point, thought of notifying his superior, Bill Kennedy and remembered that Kennedy was a family friend of Foster's. notified Kennedy he "seemed genuinely shocked and grief stricken". Kennedy insisted on going to the hospital with

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Continuation of FD-302 of David Craig Livingstone ,On 5/12/94 ,Page 3

Livingstone. They agreed to meet there at 10:00 pm.

Once arriving at the hospital, it took approximately 30-40 minutes before they were allowed to see and identify Foster's body. During that period, Livingstone met with a police officer at the hospital and recommended that any news media calls coming to the hospital regarding Foster's death should be referred to The White House press office. He (Livingstone) contacted USSS Inspector Martin asking that he call the USPP to get authority for he and Kennedy to view the body for identification. Also during their wait, Livingstone and Kennedy made several calls to The White House where they talked with Mac McLarty, Bernard Nussbaum, Mark Gearan, and Dee Dee Myers. that time they had seen the body and confirmed that it was indeed Foster. They were therefore able to advise those at The White House of their identification. They were told that Webb Hubbell had gone to the Foster residence and was with Mrs. Foster. During one of these conversations, at approximately 10:45 - 11:00 pm, Bernard Nussbaum asked him if a note had been found at the death scene. He advised Nussbaum that the police officer they had conferred with had said no note had been found.

He and Bill Kennedy left the hospital in his car and went to Kennedy's home. Once there, they met with Mrs. Kennedy and all went to the Foster's residence in Bill Kennedy's family car arriving at approximately midnight. Upon arrival, they saw Webb Hubbell, David Watkins, and others on the sidewalk in front of the Foster's residence engaged in conversation. Part of this conversation concerned the fact that a suicide note had yet to be found. He does not recall anybody mentioning that they or any other White House staffers had been in Foster's office that evening after learning of his death. There were many people at the Foster's residence that night, including President Clinton. Livingstone, having assisted with news media matters during the 1992 Presidential campaign, had during conversations at the Foster residence, offered to help with anticipated news media inquiries the next day.

He left the Foster residence at approximately 2:00 am, went to the Kennedy residence, got his car, and drove Bill Kennedy back to the hospital where Kennedy picked up his car he had left there earlier. Livingstone then went home arriving at approximately 2:30 am on July 21 and went to bed.

He awakened at approximately 5:00 am and drove to the

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Foster residence arriving at approximately 5:30 as had been agreed during his discussion with White House staffers the night before. By coming there early he hoped to assure that any members of the media who were present gave appropriate understanding and consideration to the Foster family. He said that there were only "a few press types" there and that he left the Foster residence at approximately 7-7:30 am to go to The White House. He does not believe any member of the Foster family or any of their friends saw him at the Foster residence between the hours of 5:30 and 7:30 am. He also said that he cannot recall the names of any individual reporters at the scene that morning and can also not recall the names of any news media organizations represented there.

Upon arriving at The White House at 7-7:30 am, he either went to his office or to the Nussbaum/Foster suite of offices. He explained that his memory was not clear on this point but that he recalled going to the counsel suite at one point during the morning and seeing Betsy Pond and Linda Tripp there when he arrived. He said that he did not go into Vincent Foster's office that morning nor did he go into Maggie Williams office that morning. He went on to say that he has never been in Maggie Williams office.

At this point of the interview, Mr. Livingstone was specifically asked if he and/or another man with him carried a briefcase and a box out of the west wing of The White House on the morning of July 21, 1993 at approximately 6:30 - 6:45 am. He said that he "may have" removed something that morning. He then said that he does recall moving boxes "around that time period" and he "may have moved something that morning" but he "does not remember moving any boxes or a briefcase out of the west wing that morning". When advised that his statements appeared to be somewhat contradictory and not a direct answer to the question, Livingstone said that he was having trouble remembering exactly what he did that morning. He went on to say that he recalled talking to Bill Kennedy and Bernard Nussbaum on the evening of July 20, 1993 about the need to seal Foster's office but that he does not recall anyone asking him to remove anything from that office. He said he did not go into The White House Counsel's suite on 7/21/93 "with the specific intent of taking stuff out." When asked exactly what offices he went into on the morning of July 21, he said that he went to the "press office" and then went to the counsel office. Livingstone never said that he did not take or assist in taking boxes and a briefcase out of the west

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Continuation of FD-302 of

David Craig Livingstone

, On 5/12/94

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wing during the early morning hours of July 21. Rather, he reiterated that he could not remember having done this. When told that information in the possession of the Special Counsel's investigative staff indicated that he was seen removing a box and briefcase that morning, he offered that there are others employed at The White House who look like him.

The following descriptive data was obtained through observation and interview:

Name:

Employment:

Residence:

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

Height: Weight: Hair: Eyes:

Telephone Number:

Attorney:

David Craig Livingstone Director of White House

Personnel Security, The White

House, Washington, D.C. 6717 Hillandale Road Chevy Chase, Maryland

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

5 feet, 11 inches

250 pounds Brown

Blue

301-654-5478 (home)

202-456-2343 (work)

Paige E. Reffe

The Law Firm of Cutler and

Stanfield

700 14th Street NW Washington, D.C. 202-624-8400

Date of transcription	7/13/94

DAVID CRAIG LIVINGSTONE, Security, The White House, Washington, D.C., telephone (202) 456-2345 (work) and (301) 654-5478 (home) was interviewed in Office of the Independent Counsel, Washington, D.C. MARK STEIN Assistant to Independent Counsel ROBERT B. FISKE, JR. assisted with the interview. Also present during the interview was DAVID S. COHEN, attorney for LIVINGSTONE from the law firm MILLER, CASSIDY, LARROCA and LEWIN, 2555 M. Street, NW, Washington, D.C. 20037, telephone (202) 833-6503. Mr. LIVINGSTONE was advised of the identity of the interviewing agent and Mr. STEIN and of the purpose of the interview. LIVINGSTONE provided the following information:

He has spoken several times with Inspector DENNIS MARTIN, Uniform Division, U.S. Secret Service (USSS), formerly assigned to The White House, Washington, D.C., about various officers of the Uniform Division. LIVINGSTONE stated he would discuss their attitude and/or "something they said" with MARTIN. LIVINGSTONE said it was his job to receive and handle complaints regarding White House staff who may have been "out of line" in their dealings with the Uniform Division of the USSS and vice versa report any instances of any discourteous or inappropriate conduct by Uniform Division personnel in dealing with White House staff. When a complaint was made against a White House staffer, LIVINGSTONE would take appropriate action. He assumed Inspector MARTIN did the same when an indescretion of one of the Uniform Division officers was reported to him. LIVINGSTONE stated he was trying to encourage and support an "amicable" relationship between The White House staff and the Uniform Division of the USSS. LIVINGSTONE would work with Inspector MARTIN on these situations. As an example of the type of problems he would deal with, LIVINGSTONE cited the situation early in the administration where MACK MCLARTY, the Chief of Staff at The White House was having "gate problems" wherein he was being delayed at the gate by Secret Service personnel for screening purposes. LIVINGSTONE at the time met with MARTIN to advise him that search of MCLARTY's car etc. was not necessary as he was Chief of Staff at The White House. LIVINGSTONE advised that as a result of his contact the situation was rectified.

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by SA WI	LLIAM T. GUY	TON		Date	dictated	7/12/94	

tinuation of FD-302 of \_\_\_\_ DAVID CRAIG LIVINGSTONE \_\_\_\_, On \_\_\_\_7/12/94 \_\_\_, Page 2

At this point in the interview, LIVINGSTONE was shown ten pictures of Uniform Division USSS personnel in an effort to identify any individuals that may have been involved previously with LIVINGSTONE in a dispute or grievance. The original photographs shown to LIVINGSTONE were provided by USSS agent TOM FARRELL, telephone (202) 456-2443. FARRELL has requested that these original photographs be returned to him at The White House. As a record of the photographs shown xerox copies of these photographs are attached to this FD-302. The first copy of the photographs depicts the condition in which the photographs were shown to LIVINGSTONE with the names of the individuals deleted. The second copy of the ten photographs depict the photographs with the names of the individuals.

The photographs were spread on the table in front of LIVINGSTONE and his attorney in the order shown on the xerox copy. LIVINGSTONE, after reviewing each photograph noted that he was familiar with the individuals shown as numbers five and nine and possibly ten, but LIVINGSTONE was not positive about number ten. These three individuals were JOHN S. SKYLES (number five), JOHN D. CORUM (number nine) and BRUCE E. ABBOTT (number ten).

LIVINGSTONE said he didn't know any of their names. LIVINGSTONE also said he had "no trouble with any" of these individuals. He said what he remembered about number five (JOHN SKYLES) was that he may have had a complaint with a White House staffer. He also remembered that this individual worked at the west gate of The White House. He said he recognized number nine (JOHN CORUM) as being someone who had done "rotation" and he had "seen him around". He said he could not remember where he had seen number ten (BRUCE ABBOTT) and may be confusing him with someone else. LIVINGSTONE had no other information or comments regarding any of the individuals shown.

In an effort to assist him with his recall of events in July, 1993, LIVINGSTONE stated he has asked the USSS to check their entry records for his comings and goings at the time of VINCENT FOSTER's death. LIVINGSTONE's attorney advised it was his understanding that the FBI had these entry records.

At this point in the interview, MARK STEIN began his questioning of LIVINGSTONE.

LIVINGSTONE did not remember who he asked to type his chronology dated July 21, 1993 (captioned "REPORT FROM CRAIG

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DAVID CRAIG LIVINGSTONE

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LIVINGSTONE"). He said there were possibilities in and out of his office at The White House. He said it was most likely the report had been done in The White House complex. LIVINGSTONE said he was "fairly sure" he had asked someone's secretary to type the document. He was sure he didn't ask someone senior to assist him with this typing.

LIVINGSTONE was asked to identify potential people or places where the chronology could have been typed, and he answered as follows:

## Old Executive Office Building

Counsel's office room 136 (2 secretaries)

LIVINGSTONE's office room 84 (2 or 3 staff and 2 or 3 interns) LIVINGSTONE advised these names have previously been supplied to the Office of the Independent Counsel

DAVID WATKINS office located in the basement of the west wing of The White House--now HAROLD ICKES office. LIVINGSTONE said this was a possibility but not likely

## West Wing of The White House

Counsel's office 2nd floor of the west wing (assistants in the reception area)
Communications office (2 or 3 assistants)

LIVINGSTONE was asked who he had asked to do computer reviews in an effort to find the chronology. LIVINGSTONE advised he had requested STEVEN WAUBDY (extension 6229) room 136 OEOB and his staff MARI ANDERSON and LISA WETZEL. He said his office had gotten new computers two or three months ago but that ANDERSON had told him that all information from the previous machines had been downloaded to the new equipment. When asked why they had gotten new equipment, he said they had gotten "better equipment". LIVINGSTONE has also asked BETSY POND to review her computer files and had hoped to ask LINDA TRIPP to do the same but has not yet gotten in contact with her. In the communications office he has asked DAVE LEVY (DEE DEE MYERS assistant) and CHAD GRIFFIN- (GEARAN's assistant) to look for the document.

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LIVINGSTONE said that he himself is not computer literate and that he has "never produced" a computer document during his tenure at The White House.

LIVINGSTONE said he was "running around" on July 21, 1993 and that's the reason he can't remember who typed the document for him. He is sure that he hand wrote the document and gave it to someone to be typed. He said it would have been done sometime after the morning meeting with U.S. Park Police (USPF) Chief LANGSTON and before the end of the day on July 21, 1993. He said based on his notes in the chronology, the meeting with LANGSTON occurred at 11 am but that it may have been earlier.

LIVINGSTONE was asked if he remembered a hallway contact on July 21, 1993 with the USPP and/or a Sergeant MARKLAND from the Park Police. He first answered no to this question and then remembered talking to someone from the Park Police regarding a question concerning carrying a box of documents from FOSTER's office. He remembered being asked this but then 'didn't hear any more about it. At the time he "laughed it off", thought it was "ridiculous" and "absurd". He said he had made it clear to the questioner that the question was "absurd" but had clearly answered "no" regarding carrying a box from The White House. LIVINGSTONE said he didn't take the question seriously at the time.

Date of transcription	7/5/94

JAMES M. LYONS, ROTHGERBER APPEL POWERS and JOHNSON, Attorneys at Law, 1200 17th Street, Denver, Colorado, telephone 303-623-9000 was interviewed telephonically on June 27, 1994. Having been advised of the identity of the interviewing agent from a previous interview with the same agent on May 12, 1994 and being advised of the nature and purpose of the telephonic interview, LYONS provided the following information:

Asked whether he had ever discussed Whitewater or Madison Guaranty Savings and Loan with VINCENT FOSTER, Jr.'s, LYONS said that he was sure that they had discussed Whitewater at some time. He explained that he had prepared a report (known as the LYONS report) concerning Whitewater during the Presidential campaign. That was the time period when he remembered some discussion with FOSTER about Whitewater although he had no specific recollection of specific conversation. He advised that the last time they spoke about it was in the context of FOSTER's preparing corporate tax returns which included statements on the Whitewater properties. Nothing was ever discussed about Madison Guaranty Savings and Loan.

FOSTER wanted to wrap and conclude the CLINTONS' interest in Whitewater Development Corporation and there were loose ends to attend to with regard to JAMES MCDOUGAL because he had the physical records pertaining to the company. It was not, however, a burning issue or one that presented the possibility of a scandal as evidenced by the fact that FOSTER took approximately six months to get around to tying up these administrative matters and getting to MCDOUGAL for his signature on the tax return.

LYONS advised that he had no discussions whatsoever with VINCE FOSTER about Whitewater after approximately March, 1993, because that marked the end of the first quarter of 1993 when the forms were due. LYONS further advised that he never had any discussion with VINCE FOSTER indicating that FOSTER was concerned about Whitewater or that he was concerned that there was any other scandal related to Whitewater that he needed to keep a lid on or otherwise protect the CLINTONs from.

.vestigation on	6/27/94	_at	(telephonically) Washington, D.C.		File #	29D-LR-35063	
by <u>SSA H.</u>	ALEXIS SUGGS			Date	dictated	_6/28/94	

Date of transcription	5/23/94

On May 12, 1994, JAMES M. LYONS, 4880 South Fairfax Street, Littleton, Colorado 80121, telephone (303) 721-9813, was interviewed in Washington, D.C. where he had come for a business trip. LYONS advised that he is an attorney with the law firm of ROSSBERGER, APPEL, POWERS, and JOHNSON, 1 Tabor Center, Suite 3000, 1200 17th Street, Denver, Colorado 80202, telephone (303) 623-9000. After being advised of the identity of the interviewing agent and the nature and purpose of the interview, LYONS provided the following information:

LYONS advised that he met FOSTER sometime in 1987 through HILLARY RODHAM CLINTON and then Governor CLINTON. At the time FOSTER was Senior Litigator with the Rose Law Firm in Little Rock, Arkansas. LYONS' own background was that from July 1992 to November 1992, he was Counsel to the CLINTON-GORE Presidential Transition Planning Foundation; and from November 1992 to February 1993, LYONS worked for WARREN CHRISTOPHER, who was Counsel to the Office of the President elect. LYONS explained that there were two or three attorneys working in a legal function for CHRISTOPHER and he was one of those. At the time FOSTER was winding up his legal practice in preparation for coming to Washington, D.C.

LYONS characterized his relationship with FOSTER as primarily a personal one although they worked together frequently on various legal matters. LYONS had had occasion to be in Little Rock on a temporary basis, although for many weeks at a time and he came to be quite good friends with FOSTER and the FOSTER family. They had much in common, they were the same age, they were both attorneys, they both had children, and shared a lot of interests and concerns. They enjoyed each other's company very much.

LYONS advised that he travels to Washington, D.C. quite frequently and saw FOSTER every few weeks. He had noticed that FOSTER had had a weight loss after he came to Washington. He characterized FOSTER as a very hard worker and LYONS believed that it was stress induced weight loss. He noted that FOSTER did

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by SA H.	ALEXIS SUGGS		Date dicta	ted <u>5/17/94</u>	×.

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not normally carry a lot of weight and so any small loss was relatively noticeable.

LYONS said that it seemed that the press had been particularly vicious in their attacks on the members of the Rose Law Firm individually. The Wall Street Journal, in particular, had begun a series of articles, first criticizing WEBB HUBBELL and then FOSTER himself, particularly with regard to the Health Care Task Force. The task force was sued on the issue of whether or not their proceedings should operate openly or behind closed doors. FOSTER won a victory for the Task Force (and by association, for HILLARY RODHAM CLINTON) on that matter and the Wall Street Journal accused him of "sharp tactics". LYONS advised that that allegation really bothered FOSTER.

FOSTER called the LYONS Wednesday or Thursday the week before his death. LYONS returned his call and FOSTER asked him if LYONS would be available to come to Washington on short notice. LYONS asked FOSTER, "what does short notice mean? Do you need me to come today?" FOSTER said, "No. I just needed to know you could come on short notice." FOSTER was evidentially anticipating a legal attack in connection with the Travelgate scandal.

FOSTER again called LYONS the Sunday night before his death after FOSTER and his wife LISA had returned from their weekend. FOSTER told LYONS about the weekend. He said he had had a great a weekend and agreed that he ought to do it more often. They confirmed that LYONS was coming to Washington, D.C. the following Wednesday, July 21, 1993.

LYONS was coming to D.C. for other business also, but one of the primary reasons for coming was to meet with FOSTER with regard to representing FOSTER as a personal attorney on Travelgate matters. LYONS advised that FOSTER was anticipating further investigation on the Travelgate issue and he was considering asking LYONS to be his personal attorney. LYONS advised that he had read Chief of Staff, MAC MCLARTY's report on the Travelgate matter and felt that the report pretty well put the matter to rest. FOSTER didn't think so and he told LYONS that, "I'd like you to take a look at it." For this reason LYONS read the report again in order to give FOSTER his perspective on it. LYONS said that he felt it possible that FOSTER knew he needed a perspective other than his own, but it was unclear whether that was just his professional common sense or whether he

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James M. Lyons

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sensed he was losing perspective himself

LYONS felt that FOSTER believed that the allegation that BILL KENNEDY acted inappropriately when he called DOJ or the FBI directly when he first uncovered and feared financial improprieties in The White House Travel Office was unfair. was a question whether KENNEDY should have gone through a different chain-of-command. There was a question whether the FBI agents, allegedly sensitive to the argument that they had made a mistake in responding to KENNEDY's call, had reason to mischaracterize the nature of their initial meetings at The White House. LYONS advised that the Department of Justice has also interviewed him with regard to possible OPR infractions. Essentially, the FBI Special Agent's account of those initial conversations differs from KENNEDY's account and when FOSTER had a choice between believing his friend or believing the FBI, he believed KENNEDY. That is what LYONS believes lies at the core of the notation in FOSTER's list of things that were bothering him where he says that the FBI lied.

matter. He felt that he and KENNEDY had become, essentially, witnesses with regard to Travelgate and that The White House would need counsel to deal with the matter who weren't in that category. He felt strongly that The White House should hire outside counsel to be handling the Travelgate matter for this reason. He also believed that he would be needing a personal attorney to represent him in the matter.

After FOSTER's death, LYONS found out that FOSTER had also talked to JAMES HAMILTON, an attorney in Georgetown, Washington, D.C. who also represented his family and also to SUSAN THOMASES of the New York firm WILKEY, FARR and GALLAGHER (phonetic) as possible attorneys to represent him in the Travelgate matter.

LYONS advised that during the telephone conversation on Sunday, July 18, 1993, they confirmed that LYONS was coming to Washington, D.C. on the following Wednesday and they would get together. It was anticipated that they would leave The White House and discuss the matter of private representation and also have dinner together. LYONS had insisted on not doing the interview in The White House. He called FOSTER again on July 20 late in the morning. He was simply calling to confirm when he was coming in and final arrangements for meeting. He thinks he

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possibly saw FOSTER on CNN, during the report of The Rose Garden Ceremony of appointing LOUIS FREEH to be Director of the FBI, but he is not certain. FOSTER was not available to take his call.

BRUCE LINDSEY's office called him later that night about 7:00 pm Denver time (9:00 pm D.C. time) to tell him of FOSTER's apparent suicide. LYONS said that he was terribly shocked at the news of FOSTER's death but has subsequently come to terms with the fact that it seems to be in the nature of the disease of depression that these things sometimes happen, very quickly and without much warning. LYONS' wife is a psychiatric nurse and they have discussed depression a good deal as a result of FOSTER's death. He is currently of the opinion that FOSTER probably suffered from chronic untreated depression.

LYONS observed that the West Wing of The White House was an absolutely terrible place to work, with a great deal of intense pressure and public criticism. FOSTER was accustomed to being in control. He was the most well respected litigator in his firm in Little Rock. By contrast, in Washington, D.C. he was being pounded away at every day and was coping with an environment where he lacked control.

FOSTER believed that private sector attorneys should be handling many of the matters they were handling, both for ethical and workload reasons. The CLINTON Administration had called for a 25 percent cut. Under the BUSH Administration the Counsel's office had 18 to 20 lawyers at its peak and when CLINTON took office there were only 6 or 7. There were many discussions about the composition and the character of the associates in the Counsel's office and everybody was spread incredibly thin.

LYONS was not aware of any matter which caused FOSTER to be working very closely with PATSY THOMASSON or MAGGIE WILLIAMS.

It is LYONS' opinion that FOSTER had a very strong and very stable marriage with LISA FOSTER. He does not know who FOSTER may have regarded as a confidant but he would guess that it was LISA FOSTER. LYONS further advised that rumors of an affair between FOSTER and HILLARY CLINTON had no basis in fact. He speculated that the rumors were fueled by the fact that they traveled together as attorneys must sometimes. FOSTER never discussed the rumors with LYONS. There did not appear to be a need to do so because they both understood that such tawdry

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James M. Lyons

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rumors were just an unfortunate effect of professionals, men and women, working and traveling together.

LYONS also could not provide any information with regard to the handling of FOSTER's papers in his office following his death.

In closing, LYONS said that he never saw any indication whatsoever of "unbalance" in FOSTER. They had spent a lot of time together in Little Rock and had much in common. They shared similar wedding anniversaries and had talked about going together on a joint trip to celebrate those anniversaries. LYONS had seen no evidence of depression or psychiatric imbalance. He described FOSTER as very self-possessed and concluded that FOSTER had apparently been so good at appearing to cope with life that nobody noticed that he was ill.

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

Name:

Date of Birth:
Place of Birth:
Social Security No.:
Residence/Address:

Residence Telephone: Position:

JAMES M. LYONS

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

4880 South Fairfax Street
Littleton, Colorado 80121
303-721-9813
Attorney at Law
ROSSBERGER, APPEL, POWERS AND
JOHNSON
One Tabor Center, Suite 3000
1200 17th Street
Denver Colorado
303-623-9000

Date of transcription	7/5/94	
30186402.HAS		

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JAMES M. LYONS, Attorney at Law, 1200 17th Street, Suite 3000, Denver, Colorado was telephonically contacted by writer in order to clarify some issues regarding the so-called LYONS report which appeared in the production of documents made by The White House. Being acquainted with the identity of the interviewing agent, LYONS provided the following information:

The purpose of the interview was to clarify the nature of three documents which had been found in VINCE FOSTER's office which are identical to exhibits number 10, 10A and 10B produced by The White House to the Office of the Independent Counsel on June 12, 1994. These three exhibits were described in detail by the writer to LYONS telephonically. LYONS advised that exhibit 10 (dek 004327) and 10A (dek 004329) comprised what is commonly known as "the LYONS report" as released to the public. Missing from what is in the current possession of the OIC from this report are two pages of sheets with financial data on them. One page is a balance sheet and the other is a statement of relative contributions. These missing sheets are in the possession of OIC but can be found in exhibit 10B (the first and third page of that exhibit with the three pages of financial data).

LYONS explained that exhibit 10B (dek 004332) is <u>not</u> a draft. It is a longer and more detailed version of the published LYONS report. It was issued the same day as the shorter version. It has more information in it than the LYONS report. For example, it talks about a \$9,000 contribution made by the CLINTONs to Whitewater which CLINTON characterized as an interest payment. LYONS could not find supporting documentation for that characterization but he advised that the actual characterization of the money did not matter inasmuch as the aim of the report was simply to determine the total monies contributed. It also has an additional page (the second page of exhibit 10B's 3 page exhibit of financial data).

LYONS advised that he produced the longer report to include those items that did not have to be released to the public.

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LYONS advised that VINCE FOSTER, Jr. asked for and got both the shorter published LYONS report and the longer unpublished report in order to help him have the information he needed in order to file the CLINTONs' tax returns for Whitewater for '89, '90 and '91. VINCE never asked for or was given drafts of the LYONS report.

LYONS advised that there were a series of drafts which had been produced for the Office of the Independent Counsel based on subpoenas delivered to DONALD KAY and LYONS himself back in February, 1994. He advised that he was aware of one of the draft reports having been leaked to the press some time within the last month. He has no idea how or who leaked the draft to the press.

#### OFFICE OF THE INDEPENDENT COUNSEL

8/24/94

JAMES LAWRENCE MACDONALD, JR., Director of Information Systems and Technology for the Office of Administration of the Executive Office of the President was interviewed in his office in the New Executive Office Building. After being advised of the identity of the interviewing agent and the nature and purpose of the interview, MACDONALD provided the following information:

MACDONALD advised that he has worked at The White House since August of 1991 and was then Assistant Information Resource Management Director. He was Co-Director at the Department as of July 1993 and has held the current position as Director since September 1993.

MACDONALD advised that he remembers hearing of VINCE FOSTER, JR.'s death. He did not know him and had no direct personal or professional involvement in the events surrounding FOSTER's death at the time that it occurred, except that on July 21, 1993, the day after VINCE FOSTER's death, MACDONALD called BRUCE OVERTON in the Office of Administration Counsel's Office and suggested that a back-up should be made of anything on VINCE FOSTER's computer if he had one. MACDONALD believes that OVERTON called The White House Counsel to make such an offer but MACDONALD's office never got a return call asking them to do anything. This was not unusual.

Months later, at the request of The White House Counsel's office in May or early June of 1994, current White House Counsel LLOYD CUTLER's office called the Office of Administration General Counsel CHRIS CERF, phone number 395-6963, in order to request that a study be conducted of any and all aspects of VINCE FOSTER's use or access to computers.

MACDONALD explained that he was an auditor for years and so he tackled the task with a great deal of thoroughness and experience. He tracked every single personal computer (hereinafter PC) that VINCE FOSTER may have had access to in order to track every computer he may have used and where those computers ended up. He determined that there was no E-mail

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activity on the computer in VINCE FOSTER's office and, in fact, there were unopened messages on the computer indicating that FOSTER, in fact, never used his computer.

MACDONALD advised that as a general rule, if computers need to be moved, MACDONALD's department does the work. It happens occasionally that people move their own computers although they should not. MACDONALD's office periodically does physical audits of what equipment is located where and who is using it. This is done on an annual basis as a courtesy to The White House. There are six computers in The White House Counsel's office.

MACDONALD advised that Help Desk activity (the problem resolution tracking system referred to as CZAR) showed that in October 1993, DEBORAH GORHAM called the Help Desk and asked that someone come by and make back-up tapes from the hard drive in her computer. An individual in MACDONALD's office named PAULA SHERRY completed the service request and reported in her notes that GORHAM had mentioned that the PC hard drive she was making tapes of had been utilized for VINCE FOSTER's work.

The only "anomaly" that MACDONALD observed in the course of his study of VINCE FOSTER's use of electronic data was a disruption in accounting for the chain of custody of the machine in his office. He explained that in the final weeks of the BUSH Administration, all the hard drives in the Counsel's office had been removed from the machines in order to turn them over to the FBI in connection with a criminal investigation that they were conducting. At that time a fresh hard drive was inserted into all computers and a log of custody was begun. log for the machine in VINCE FOSTER's office shows that in February 1993 there was a request to MACDONALD's office to install E-mail onto VINCE FOSTER's personal computer. recalls that his service person found the computer buried with paper, obviously not in constant use and connected the E-mail. There is no electronic record of VINCE FOSTER ever using his Email or his computer.

There then occurred what MACDONALD characterized loosely as a break in custody when the PC was found later on the floor outside TOM CASTELTON's office in the Old Executive Office Building. The machine was not being used and the break in custody arises from the fact that there is no record of who disconnected the machine from FOSTER's office and moved into the

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On 8/22/94

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Old Executive Office Building. MACDONALD speculated that it could have been done by one of the contractors used by his office who for some reason neglected to do the paperwork showing the service. MACDONALD said that this breakdown of the system bothered him a little bit, but he conceded that it frequently happens. He advised that it would have been possible to tamper with the machine during this period. Someone could have switched hard drives. It would also be very easy to erase all data on the hard drive and there would be no way to know that had happened. He said that TOM CASTELTON eventually inherited that machine some time in November 1993, and that the hard drive broke a couple months later (possibly January) and was scrapped.

Everything that MACDONALD picked up in the course of his study indicates that DEBORAH GORHAM did all of VINCE FOSTER's work on her computer in the Counsel's office. In November of 1993, GORHAM was evidently leaving government employ and, according to appropriate procedures, cassettes were made of all the work on her computer. Two sets were made. One was for DEBORAH GORHAM herself. The White House kept the other set. MACDONALD verified that both tapes representing The White House's copies are still being maintained in a locked cabinet. MACDONALD further advised that just a couple of months ago, The White House Counsel asked for hard copies of the taped backup which produced hard copies of all the directories. Subsequent to that certain letters were requested from those directories. As far as MACDONALD knows, the hard drive that DEBORAH GORHAM used to do VINCE FOSTER's work is still in place in the Counsel's office. Any files in existence on the hard drive which had been deleted are currently still there but are being written over as the hard drive is used.

MACDONALD advised that he saw nothing in the course of doing his study that indicated any activity showing unusual requests for deleting documents or retrieving deleted documents or any other kind of activity that might be the least bit irregular. There are also no other relevant Help Desk records.

MACDONALD advised that should the Office of the Independent Counsel wish to get a copy of the study that he conducted for LLOYD CUTLER's office, he said that it could be described as a white binder of service activities created by the Office of Administration for The White House Counsel regarding computer equipment used by VINCE FOSTER and associated counsel in the 2nd floor of the West Wing. It was created approximately May

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or June 1994. MACDONALD further advised that it is a compilation of service records. There is no explanatory summary that accompanies those documents. Requests for the contents of the white binder should be made to the Office of Administration General Counsel, CHRIS CERF.

MACDONALD advised that he knows CRAIG LIVINGSTONE professionally and has had only limited contact with him on the subject of building passes.

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

Name:

Date of Birth: Place of Birth: Social Security Number: Home Address:

Residence Telephone: Work Telephone: Position:

JAMES LAWRENCE MACDONALD

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

10262 Eagle Nest Court Fairfax, Virginia 703-239-1540 202-395-7323 Director of Information Systems and Technology for The Office of Administration of The Executive Office of The President

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dis-day

MARLENE A. MACDONALD, Staff Assistant for the Counsel to the President, (see below for address and telephone information) was interviewed at the Office of Independent Counsel in Washington D.C. where she arrived for a prearranged appointment. After being advised of the identity of the interviewing agent and the nature and purpose of the interview, MACDONALD provided the following information:

MACDONALD was a volunteer in the Office of the Counsel to the President beginning the third week in June 1993. She worked in the office space with the BERNARD NUSSBAUM, VINCE FOSTER JR, Executive Assistants BETSY POND, LINDA TRIPP, and DEBORAH GORHAM, and Special Assistant TOM CASTLETON. As of July 20, 1993 she was volunteering her time on Mondays, Wednesdays, and Fridays doing some drafting and typing of letters for NUSSBAUM (never for FOSTER), answering phones, and occasionally some minor task, such as photocopying, for FOSTER. GORHAM did everything for FOSTER.

MACDONALD only knew FOSTER for a month, and explained that he never warmed up to her. She advised that he never acknowledged her presence, much less was friendly or warm. In his defense, she said that he did not appear to be a very outgoing person even with other people. But she was nonetheless hurt and insulted by his behavior towards her. The stories she heard about FOSTER after his death did not comport with the man she had known.

She also remarked that he appeared extremely skinny to her. POND and TRIPP commented that he had lost weight. MACDONALD could not understand it, because he ate a lot of cheeseburgers and liked M&Ms. MACDONALD believed that you have to order onions on the cheeseburgers in the White House mess if you want them. She did not know if FOSTER liked them or not.

The Friday before his death, FOSTER left early because he was going away for the weekend. He was asked where he was going, and he answered, "Wherever my wife takes me." MACDONALD

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Marlene A. Macdonald

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got the impression that he had wanted to work that Saturday, but that his wife had insisted they go away.

Because of her work schedule, MACDONALD was not at work on Tuesday, July 20, 1993. At 8:00am on the morning of 7/21/93, POND called her and notified her of FOSTER's death. POND asked her to come in early to help with the phone calls, so MACDONALD arrived at work at 9:00am. GORHAM, CASTLETON, POND, and TRIPP were there. The door to the entire suite was closed, as was the door to FOSTER's office. The entire day's events are fuzzy. She recalled that FOSTER's office was sealed later in the morning. President CLINTON came by. A Secret Service guard (in a suit, not a uniform) who was guarding the door to FOSTER's office pumped her for information about what she knew about what might have happened. She said she did not know anything, but was alarmed by his questions and complained to a secretary in an adjoining office named Pan Ronet (phonetic).

Because of the unusual situation, MACDONALD worked Thursday that week. She does not remember anybody going into FOSTER's office, except on Thursday, when NUSSBAUM went in with nine other men. It struck her as "crazy" for all those men to be crammed in such a small office. She does not recall anything having been moved in FOSTER's office on Wednesday, the 21st except POND said she'd straightened some papers out of habit.

On Friday, July 23, 1993 CASTLETON and MACDONALD were the only two in the office, the rest having gone to FOSTER's funeral in Little Rock. A secretary from Correspondence ( a "career person" who had been at the White House for years) sat in with them and helped them with phone calls. FOSTER's office remained closed and she did not see anybody go into it.

On Monday, July 26, 1993, approximately 8-8:30pm she recalls that NUSSBAUM, NEUWIRTH, and CLIFF SLOAN were in NUSSBAUM's office. MACDONALD and TRIPP were the only support staff still there. The atmosphere was tense. One could tell that they had something—the air was tense. At one point they wanted to use the typewriter, which was in TRIPP's desk area, and she said to them "So there's no record on the computer?!"

MACDONALD advised that in her opinion, TRIPP was not joking with them. After that, they had her type it on her computer.

MACDONALD does not know what it was, maybe a press release. She advised that it was not the text of the torn up note they'd found in the briefcase.

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Finally, MACDONNALD does not know what FOSTER was working on when he died. She also does not recall seeing MARSHA SCOTT anytime in the office right before or following his death.

MACDONALD provided the following personal information about herself:

Name: MARLENE A. MACDONALD

DOB: | FOIA(b)(6) | POB: | SS#: |

Address: 1255 New Hampshire Avenue N.W., #308, Washington D.C.

20036

Telephone: (202) 785-4401 Home, (202) 456-2632 Work

Date of transcription

4/12/94



Michelle DeAnne Macon, Officer, Uniform Division (Special Operations section), United States Secret Service (USSS) was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue NW. Officer Macon was advised as to the identities of the interviewing agents and informed of the nature of the interview. She then provided the following information:

She has been employed by USSS for four and one half years and is currently responsible for leading both public and congressional tours through portions of The White House. She was performing the same duties on July 20, 1993 at the time of Vincent Foster, Jr.'s death. Her office is located at 1310 L Street NW, and her telephone number is 202-395-4418.

On July 20, 1993, she worked the 6:30 am - 2:30 pm shift at The White House giving tours. She stated that she can recall nothing unusual or out of the ordinary about July 20 except that they were very busy with tours on that day, since that is the peak tourist season in Washington, D.C. and at The White House.

On July 21, 1993, Officer Macon reported to work at approximately 6:15 am at which time she, watching a television news announcement just prior to USSS role call, became aware of Vincent Foster, Jr.'s death on July 20. She went to her regularly assigned post and began giving tours at approximately 7:30 am that day. At approximately 10:00 am that morning, she was approached by USSS Inspector Dennis Martin and another USSS official, perhaps Assistant Special Agent in Charge Paul Imbordino. They advised her that an investigation would shortly be underway concerning Foster's death and that a USSS post was being established outside Vincent Foster's office door. She was to be the first USSS uniform officer placed on that post. and the two men immediately began walking towards the west wing of The White House while they continued to advise her regarding instructions. She was told that she was to see to it that no one went into Foster's office and that nothing was taken out of or put into Foster's office. It was her understanding that if a

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by	FOIA(b)(7)	- (C)			Date dictated	4/12/94	

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Continuation of FD-302 of

Michelle DeAnne Macon

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high ranking White House official insisted on going into Foster's office, she was to advise him that this was not allowed but was to also allow entry and to make a note of it. She assumed the new post outside Vincent Foster's door at approximately 10:10-10:15 am. She noted that she had never been to Vincent Foster's office before that time and has not been there since July 21, 1993.

Upon assuming this post Officer Macon made sure that the door to Foster's office was closed and stood in front of it. She was permanently relieved from this post at approximately 12 noon by USSS Officer Robert Popic. Officer Macon stated that shortly after she took her post, Bernard Nussbaum, Counsel to the President, approached the door to the office and told her he wished to go in. She advised him that no one was allowed in Foster's office at which time he told her that he understood that but that he simply wanted to get a photograph from the office to show to the President. Officer Macon opened the door and allowed Nussbaum in and went inside with him. She advised that Nussbaum was only inside Vincent Foster's office a matter of seconds in that he walked directly to the photograph as if he had seen it before and knew exactly where it was. She stated that while she cannot recall the exact location of the photograph, she believes that it was an unframed photograph measuring approximately five inches by seven inches that was sitting on either the bookshelf, table, or desk in the office. She observed Nussbaum pick up the photograph and turn and leave the office. She stated that Nussbaum did not bring anything into the office, did not leave anything in the office, and did not take anything else from the office other than the one photograph. After a brief time, both he and Officer Macon exited the office with her closing the door behind them. Nussbaum then went into his office and she reassumed her stance in front of Foster's door. Officer Macon stated that she believed that one of the secretary's in the reception area could probably tell that she felt uncomfortable with Nussbaum entering the office in that it was counter to the orders that she had been given. She advised that this secretary (name unknown) told her that the photograph taken by Nussbaum was a photograph of President Clinton and Vincent Foster when they were children. She advised that she had briefly seen the photograph and that it was of a group of people (possibly sixeight) that appeared to be perhaps school-age boys.

Officer Macon advised that shortly after Nussbaum obtained the photograph and went into his office the President of \_ J-LR-35063 SUB A

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The United States, Bill Clinton, entered the reception area outside Nussbaum and Foster's office. She stated that President Clinton made "small talk" with the secretary's present in the room and then went into Bernard Nussbaum's office and stayed approximately 5 to 10 minutes. She stated that she was aware that there were other people in Nussbaum's office with he and the President but she could not identify these people and can not recall any of the conversation that took place in the office. She said that at no time while the President was in the Nussbaum/Foster suite of offices did the President, Nussbaum, nor anyone else go into Foster's office.

Officer Macon said that after the President had been in Nussbaum's office approximately 5-10 minutes he left and shortly thereafter all of the employees in the Nussbaum/Foster suite of offices also left to go to what she understood was a hastily called White House staff meeting. She said that she overheard Mr. Nussbaum's secretary saying that he was going to a meeting on The White House west wing first floor although no further details were given.

Once relieved from this post in front of Vincent Foster's door, she returned to her regular duties of giving White House tours and ended her shift that day at 2:30 pm and went home.

Michelle Macon stated that she never knew Vincent Foster, Jr. either personally or professionally and to the best of her knowledge had never seen nor spoken to him prior to his death.

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4/29/94

MAIL CLERKS "

On 2/28/94, writer, SSA H. Alexis Suggs, conducted inquiries at the White House regarding the mail pick-ups from VINCE FOSTER JR's office in the White House Counsel's Office in the West Wing of the White House. MANUEL ANTHONY MENDOZA, Manager, Customer Services, United States Postal Service Mail Section, and JAMES M. REAGAN, Assistant Superintendent, White House Mail Section (both individuals are U.S. Postal employees detailed to the White House) provided procedural information and a partial physical tour of the facilities.

On or about July 20, 1993 couriers, also called mail clerks, made their rounds of the Offices in the West Wing every 1 hour and 45 minutes. They used carts which separated internal White House mail from regular mail going to addresses outside the White House. The pace of their pickups is not condusive to scrutiny of individual pieces of mail. External mail is jumbled into huge baskets which, at the Mail Section in the Old Executive Office Building, are again sorted into White House return addresses (processed for franking and subsequent mailing) and personal pieces of mail which are already stamped. The latter are quickly separated and placed into the regular mail as a courtesy to employees.

The process and volume of mail is such that unless the individual couriers would happen to remember seeing FOSTER's mail at the time of pick-up and have occassion to remember it because of his later death, individual pieces of personal mail which FOSTER mailed prior to his death are untraceable.

The following White House Mail Clerks were interviewed on 4/28/94 at the Old Executive Office Building, White House Mail Section, The White House, Washington D.C. 20500-0049 by SSA H. Alexis Suggs and were unable to provide any information regarding three items of personal mail allegedly placed in VINCE FOSTER JR's outgoing mail in the Office of Cousel for the White House on July 19 or 20, 1993:

#### Name

Position and Work Schedule/Shift

ROBERT L. WILBON

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

Supervisor, West Wing Messenger Service, 11AM - 8PM shift M-F

JACKIE D. LAWSON Mail Clerk, 7:30AM - 4PM shift M-F

Lead Mail Clerk, 11AM - 7:30PM HELEN N. STUDGEON DOB FOIA(b)(6) POB FOIA(b)(7) - (C) SS# Mail Clerk, 10:30AM - 7PM, BARBARA E. SWANN DOB POB SS# THOMAS Lead Mail Clerk, 12:30PM - 9:30PM ROBERT A. DOB POB SS#

The above individuals comprise all of the mail couriers who service FOSTER'S office. No unusual activity was noted and none could provide any positive information regarding FOSTER himself.

## OFFICE OF THE INDEPENDENT COUNSEL

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MR. ANTHONY (TONY) MARCECA was advised of the identity of the interviewing agents and further informed that the agents wished to speak to him regarding his responsibilities and association with MR. CRAIG LIVINGSTONE, when he, MARCECA, worked for LIVINGSTONE in the office of White House security in 1993.

MARCECA stated that he first met CRAIG LIVINGSTONE in 1984 when both of them worked on the campaign of SENATOR GARY HART. Their supervisor at that time was a woman named CARLA REAM (phonetic). MS. REAM is also a very close friend of the current first family, in particular, MRS. CLINTON. It is his understanding that MR. LIVINGSTONE became acquainted with the CLINTON's and involved in the CLINTON campaign because of his prior association with MS. REAM.

In November of 1992 following CLINTON's election to the Presidency, LIVINGSTONE called him, informing him that PRESIDENT CLINTON wanted LIVINGSTONE to be his Director of White House security. LIVINGSTONE asked him to assist, informing him that he would have the White House send a letter to the U.S. Army asking, that he, MARCECA, be detailed over to the White House. Initially, the U.S. Army refused this request and MARCECA, since he was very interested in assisting LIVINGSTONE, independently decided to take extended annual leave for a period of six to eight weeks. During this time, he reported to the White House without pay, under the direction of MR. LIVINGSTONE and assisted him in security matters, primarily the review of applications for people seeking employment in the new administration. In March of 1993, White House presidential assistant BILL KENNEDY again wrote to the U.S. Army asking that he, MARCECA, be detailed over to the White House and the U.S. Army agreed to this second request.

MARCECA began to report full-time in this new position in early August of 1993, noting that at the time of VINCENT FOSTER's death, July 20, 1993, he was not on board. His job consisted primarily of reviewing background investigations for applicants who were applying for lower level staff positions. Review of background investigations for high-level political

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appointees was handled by a MR. BUENO (phonetic) who worked on the staff of presidential assistant BILL KENNEDY. MR. MARCECA pointed out that he is a handwriting expert, having taken numerous courses in this field while employed with the U.S. Army, CID. He noted that as part of his review of background applications, he would attempt to uncover possible problems with applicants based on an analysis of handwriting samples that were often available, adding that he would advise MR. LIVINGSTONE of the results of his analysis for whatever action or follow up MR. LIVINGSTONE deemed appropriate. He continued in this role till February 15, 1994, the date that the special detail concluded. He stated that MR. LIVINGSTONE tried to have the detail extended but the U.S. Army refused.

MR. MARCECA stated that he considers MR. LIVINGSTONE one of his closest friends. He stated that within a couple of weeks of FOSTER's death, he had occasion to talk to MR. LIVINGSTONE. He recalled LIVINGSTONE telling him how he was asked to assist presidential assistant BILL KENNEDY in identifying the body. He also recalled asking LIVINGSTONE about what the scene looked like, stating that LIVINGSTONE choked up, remarking it was the first time he had to identify a body and he found it difficult to talk about it. MARCECA stated that it was his impression that LIVINGSTONE had gone out to Ft. Marcy Park and had identified the body at the park. MARCECA stated it was during this conversation that he attempted to console MR. LIVINGSTONE telling him that he should have called him, MARCEGA, for help and advice. He remembers LIVINGSTONE asking him what he, MARCECA, would have done and he responded that it would have been best to call the FBI. MARCECA stated that LIVINGSTONE shrugged his shoulders and had no further comment regarding the matter.

MARCECA stated the only other conversations or information that he was aware of concerning the FOSTER death investigation and the events of July 20, and 21, 1993, involved a conversation he had with BETSY POND, one of the secretarial support persons who worked in Chief Counsel NUSSBAUM's office. In December of 1993, he had given MS. POND a ride out to a local shopping center during which time she had remarked that she had been at the Chief Counsel's office when VINCE FOSTER left around 1:00 p.m. on the afternoon of July 20, 1993. POND remarked to him that when leaving, FOSTER seemed to be "OK." POND also.related to him how she was present at the Chief Counsel's office later that evening when PRESIDENT CLINTON came up. The

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PRESIDENT gave her a hug and attempted to comfort her. POND also remarked that after everyone had left, she went into VINCE FOSTER's office and just sat there for a few minutes in a chair and cried by herself.

MARCECA stated that it was his understanding, based on his conversations with LIVINGSTONE, that LIVINGSTONE also was involved in having the body taken back to Arkansas for burial and played some role in providing security regarding the funeral. services in Little Rock, Arkansas. MARCECA was asked specifically whether LIVINGSTONE had ever mentioned going to the FOSTER home on July 20-21, 1993, to control or run interference regarding the media and ensure that the FOSTER family was protected. He stated that LIVINGSTONE never commented on those matters to him. MARCECA was also specifically asked whether LIVINGSTONE had ever talked to him regarding his activities or responsibilities on the morning of July 21, 1993. MR. MARCECA replied that LIVINGSTONE never specifically mentioned any activities or responsibilities other than to say that he had been asked by PRESIDENT CLINTON to assist and help with funeral arrangements. MARCECA was also asked whether LIVINGSTONE had ever made any remarks regarding allegations that records relating to FOSTER's work had been removed from FOSTER's office the night of his death. MARCECA stated that LIVINGSTONE never made any comment regarding such allegations or records. At the conclusion of the interview, the following background information was obtained.

Name, ANTHONY "TONY" MARCECA

Address 522 Camelot Court, Odenton, Maryland 21113

DOB

Home phone 410-674-5126, work phone 301-677-3928

Employment - Acting Special Agent in Charge, U.S. Army,

CID office, Ft. Meade, Maryland, Building 2812.

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

### FEDERAL BUREAU OF INVESTIGATION

Date of transcription	4/11/94	
Date of transcription		

David Margolis appeared at the Office of the Independent Counsel, Washington, D.C. as scheduled at 1:30 p.m. for interview. Mr. Margolis was advised of the identity of the interviewing agents and that the purpose of the interview was to discuss his involvement in the search of Vincent Foster's White House office on July 22, 1993 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. Mr. Margolis provided the following information:

He is presently Associate Deputy Attorney General, United States Department of Justice (DOJ), Washington, D.C. He learned of Vincent Foster's death the day after the apparent suicide from newspaper articles. He did not personally know Vincent Foster.

On the afternoon of Wednesday, July 21, 1993, while he was attending a meeting in the DOJ Executive Offices, he was interrupted with the message that the Deputy Attorney General, Phillip Heyman, his direct boss, wanted to talk with him. He was thereafter advised by Heyman that he and Roger Adams would be going over to the White House to participate in a search of Vincent Foster's office. This search would be limited to a search for a possible suicide note. Originally, it had been planned that Adams would go by himself but in view of the fact that Adams had been detailed to the White House office concerning ethics matters in the past, it was decided that someone else from the DOJ should also attend. Margolis had also had previous dealings with the White House. They were to meet with Bernard It was understood that the U.S. Nussbaum, White House Counsel. Park Police would conduct the investigation. Margolis asked that the FBI be included, as he was familiar with their resources and abilities. Heyman checked with the U.S. Park Police concerning this recommendation and they indicated that working with the FBI was done routinely anyway and that this would be no problem. Heyman had talked with Nussbaum and had worked out a procedure for the search so that White House Presidential documents could be protected. The plan, as explained, included that Adams and

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Margolis would look at the first page of each document to make a determination as to its relevancy. Margolis was not sure if Heyman and Nussbaum had agreed to this.

# Meeting with Nussbaum on the Afternoon of July 21, 1993:

Once at the White House, this plan was presented to Nussbaum and after some discussion, Nussbaum accepted it. However, a White House staff member, Steven Neuwirth, raised the issue that the DOJ representatives and agents should just sit The original discussion concerning the procedure had included privacy issues of the first couple, Presidential papers, and even executive privilege. Nussbaum, who was the boss, agreed to the original plan despite Neuwirth's recommendation. Margolis therefore "blew off" Neuwirth's suggestion. Margolis had been annoyed by it. All parties agreed that it was getting too late to start the search for that day, and therefore the search would be done the following day. Margolis and Adams had arrived at the White House at approximately 4:30 p.m., July 21, 1993, for these preliminary discussions. They stayed approximately 45 minutes, leaving at approximately 6:30 or 6:45 p.m. The time difference being travel and waiting time.

Those present for these discussions on July 21, 1993 included Charlie Hume and Pete Markland from the U.S. Park Police; Scott Salter and one other agent, perhaps Dennis Condon, from the FBI; Nussbaum and Neuwirth from the White House and Adams and Margolis. The negotiations ended with the understanding that Adams and Margolis would look at the first page of the documents. Neither the U.S. Park Police nor the FBI would have to be present for this procedure and could use their time conducting other interviews.

It was also agreed during the July 21, 1993 meeting that a lock would be placed on the door to Vincent Foster's office. Therefore, an officer from the U.S. Secret Service would no longer have to be posted outside this office.

Margolis was asked whether it was discussed who had been in and out of the Foster office. He said that it had not been mentioned who had been in the office since the death, except that Nussbaum had said that he had been in there. He (Margolis) was not told that either Patsy Thomasson or Betsy Pond had been

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in the office. There was no discussion of a search at a location other than Vincent Foster's office.

Margolis noted that if this case had involved IBM, he would have insisted on looking at everything. But given the sensitivity of Presidential documents and First Family privacy and the fact that the Foster office was not a crime scene, and Nussbaum and the White House were not suspects, he agreed to the search as planned. He didn't expect a suicide note to be hidden elsewhere.

Upon returning to the Department of Justice, Margolis advised Heyman of the meeting. This had been Margolis' first exposure to Nussbaum and he described him as being peripatetic.

# Meeting with Nussbaum on Morning of July 22, 1993:

Upon arrival at the White House at approximately 10:00 a.m., July 22, 1993, Nussbaum told Margolis there had been a change of plan for the search of Vincent Foster's White House office. Nussbaum explained that Margolis and the officers would come in and Nussbaum, with his associates, would do the search. Margolis recognized this as a complete change of plan, no question about it.

Margolis remembered telling Nussbaum that if this case had involved IBM or Xerox, he would be back with a subpoena for all of the documents. Nussbaum noted that this was the White House and that if this was IBM or Xerox, they would have smart lawyers and the documents would be gone before you get there.

When asked about Nussbaum's comment, Margolis noted a newspaper account of Nussbaum as having a "tin ear for appearances." He would say the wrong thing to the wrong person at the wrong time.

Margolis asked Nussbaum if Deputy Attorney General Heyman had agreed to this change. Nussbaum answered something like "not exactly." Immediately thereafter, Margolis called Heyman and advised him that he didn't want to be a party to the search if conducted under the changed procedure. He said that the new procedure would be no different than if he (Margolis) returned to his office and had Nussbaum mail him the results of

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the search. His being there didn't add anything, and it was a change in decision that Nussbaum couldn't articulate a reason for. Nussbaum was not present during this telephone conversation between Margolis and Heyman.

Heyman and Margolis agreed that Margolis would argue for the original plan and that Heyman would also call Nussbaum. Margolis would threaten to leave if the original plan was not followed. Margolis explained that if there could be no agreement, he had two choices: (1) walk away, or (2) conduct the search under his (Nussbaum's) terms. Number 2 was the bottomline choice if no agreement could be reached, as at least the search would get done. Timing-wise and thoroughness-wise, Margolis had no confidence that Nussbaum would get it done. If he just walked away, Nussbaum would perhaps respond in two weeks or so. Heyman had exploded like Margolis did when he learned of the proposed change in plan. Heyman called Nussbaum. Margolis was not in the room when they talked. He had stepped out.

The bottom line explained to Nussbaum was that it was a huge mistake to change the plan and have only White House people review the documents. It was explained to Nussbaum that it would be his (Nussbaum's) mistake and not DOJ's. Margolis told Nussbaum that he would have to accept responsibility.

During the negotiations, Nussbaum was vacillating with both Margolis and Heyman. At one point, Nussbaum indicated that he and his people would have to caucus regarding the matter. Margolis indicated that along the way, he bluffed that he would go back to his office and Nussbaum should call him. He believed this made an impact on Nussbaum.

Margolis and Adams waited two hours while Nussbaum considered the matter. The stalemate ended at approximately 1:30 p.m. From 1:30 until 2:00 p.m., Margolis and Adams had lunch. Since there was no smoking in the building, Margolis went outside at one point with Adams. He noted that Nussbaum panicked when he came to look for them and explained that he thought that they had left. It was indicated that at 2:00 p.m. the search would be conducted and that Margolis and Adams would watch with the agents. Margolis told Nussbaum that this adjusted plan wasn't going to work and that he was going back to his office. In reply, Nussbaum said, "I know this is more for show, but I really think you should be here."

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

The search of Foster's office was attended by Adams and Margolis from the Department of Justice; Scott Salter and Dennis Condon from the FBI; Charlie Hume and other U.S. Park Police personnel name(s) not recalled; a U.S. Secret Service person that had only a security interest in the matter; and Nussbaum, Sloan, Neuwirth, Burton and Neill (?), and a young associate from Attorney Hamilton's office by the name of Spafford. Margolis indicated that Spafford was a non-person until the end of the search at which time he was identified as being from Hamilton's law firm.

At this point in the interview, Margolis was shown a diagram (attached to this FD-302) of Foster's White House office and was asked to note the seating arrangement during the search on the diagram and he did so. He noted that the wing-backed chairs in the diagram would have been closer to the desk than indicated. This diagram indicates that Nussbaum was seated at Vince Foster's chair behind the desk flanked by Neuwirth and Sloan and that Margolis was sitting in the wing-backed chair to the left of the desk and Roger Adams in the wing-backed chair to the right of the desk. The FBI agents were seated on the loveseat in front of the desk but to the rear of the wing-backed Spafford and Burton were standing on the periphery and the U.S. Park Police were in the back of the room or perhaps even in the hallway. Burton was in and out of the room as was an individual by the name of Neill.

The search commenced at 2:00 p.m. and the following procedures followed: Nussbaum picked up things in Foster's office and assigned them to the following categories -Presidential documents; First Family personal records; Vincent Foster personal papers; and items given to law enforcement, such There was also a category described as junk by as calendars. Margolis which was shown to DOJ and the agents. These included such things as law books and other items not relative to the case.

Items on the bookcase were reviewed for relevancy.

Also, Margolis recalled computer documentation becoming a topic of discussion. Nussbaum was asked to turn the computer on but declined, saying that Foster was not computer literate.

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Nussbaum agreed to do a review of the computer later and was adamant that it be done this way as there was no way to filter the computer information at this time.

During the search, Sloan and Neuwirth were continually whispering in Nussbaum's ear. Margolis described it as a "Wall Street discovery procedure." He noted it was driving the agents crazy, as they felt that if there was whispering, there was something to hide. It was being viewed as an adversary proceeding.

At one point during the search, FBI agent Scott Salter stood up to stretch and Cliff Sloan asked if he was not trying to read the documents. Later, Margolis remarked to Sloan as he was peering over Nussbaum's shoulder was he (Sloan) trying to read over Nussbaum's shoulder and Sloan, being a "nervous Nelly" stammered in response and then said, "of course I am."

Margolis advised that the briefcase in which the torn up note was eventually found in pieces several days later was out in plain view during the search. During a natural progression of the search, Nussbaum took items from the briefcase and, at one point, indicated that it was empty. However, he did not show the group that it was empty, but simply put the briefcase back against the wall.

Margolis noted that in Nussbaum's paranoia, he would perhaps miss something at that time. Nussbaum was guarded and less than open. There should be no false illusion about that. At the time, Margolis assumed the reason for this was to protect the First Family and the privacy of documents. However, after the note was found, he reached a different conclusion.

When asked if there had been discussion regarding documents going beyond a suicide note, Margolis answered that yes, it had been discussed that judgment would be needed. And with the change of rules for the search, that they would be looking not for just a note, but for something "irregular." Something which would shed light on why Foster would commit suicide, like a compromising photograph or blackmail letter, etc.

There were reams of paper, both handwritten and typed, in Foster's office. They were divided by Nussbaum into three piles - the real personal were given to Spafford, a huge pile of

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Continuation of FD-302 of \_\_David Margolis

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Presidential documents and First Family papers kept, and other items, such as calendars, termed by Margolis as "worthless," given to investigators. Margolis suggested that the Presidential documents and First Family papers be kept by Nussbaum for now and then inventoried. Nussbaum said he would consider this. Margolis also noted that a question occurred to him of whether White House Counsel should be working on Presidential personal matters. However, he was not at the White House at that time to consider this question.

The amount of documentation given to the investigators amounted to about two or three inches of piled papers. The personal Foster documents amounted to less than a box and the Presidential and First Family documents amounted to the equivalent of about ten Xerox-type boxes full. Margolis could not remember the breakdown between Presidential and First Family documentation. Foster's pictures remained on the wall. Margolis' assumption is that if there was something that cast a reason for the suicide, Nussbaum would have told those present.

When asked about Nussbaum's statement that he would admit the search was primarily for show, Margolis replied that he took it as a true statement. When it later appeared in news accounts that the search had been conducted "under the supervision of" the Department of Justice, etc., Margolis told Carl Stern, DOJ Public Affairs, to get the word out that the search had been "in the presence of" the DOJ, rather than under their supervision. Margolis said he had had the feeling of being used, but didn't know how at the time. When asked if anyone in the party had objected to the procedure followed, Margolis said that he was viewed by the investigators as the point man on the procedure. He also viewed the FBI as backup to the U.S. Park Police who actually had the investigation.

Margolis noted that during the search on two or three occasions he told Nussbaum to look at documentation more closely in making his determination as to which pile he would place the paper. He also noted the existence of telephone logs. When asked about a search of trash, Margolis said that Nussbaum had ordered a bag of trash brought back to Foster's office and Nussbaum went through this bag during the search. Margolis did not remember any incoming or outgoing mail being present.

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At the end of the search, they simply walked out of the office. Margolis accompanied Spafford to his car along with the agents who helped him with his box of material.

Later, Margolis was contacted by Hamilton who advised that Nussbaum had made a mistake by giving him some Presidential or personal documentation. Margolis noted that he called Nussbaum on only one occasion after this search and it had not been related to the Foster matter, but rather in connection with an Attorney General nominee.

When Margolis returned to his office following the search, he told Heyman what had transpired and Heyman was just as displeased as Margolis was with how the search had been conducted. It was Margolis' understanding that Heyman had asked Nussbaum for a call back when Heyman suggested that the original plan be adhered to. Heyman was annoyed that he had not received a call back. It was his (Heyman's) intention that when and if Nussbaum called back not agreeing to the original plan, that he would tell "the tall lady" (the Attorney General) and have her call the President, knowing that Nussbaum was scared to death of the Attorney General.

A week to ten days following the search of Foster's office, Heyman called Margolis from the White House and advised that they had found a note in Foster's briefcase "all torn up." The U.S. Park Police took possession of this note. Margolis called FBI Assistant Director Larry Potts and requested that an obstruction of justice case be opened and instructed that the FBI not show any unwarranted courtesy in this matter. Later during the investigation, Heyman asked about the obstruction of justice phraseology, apparently upon being questioned on this by Nancy McFadden, an individual who had worked for the Clinton campaign. Margolis did not answer Heyman regarding this in the presence of McFadden, as he viewed it as a possible investigative technique that would lose its advantage if discussed in her presence.

Margolis was asked about any involvement by Webb Hubbell in this matter. Margolis answered that the day after the note was found, Hubbell came down very shook up and wanted to see the note. When shown Margolis' copy of the note, he (Hubbell) said it was not in Vincent's handwriting. This matter was resolved when it was learned that the transcription that Margolis had had been written by Neuwirth from the original torn note.

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One other important area noted by Margolis, and he could not remember if it was after or before the note was found, concerned Collier, Chief of Staff for the Department of the Interior, coming to see Phil Heyman and Roger Adams. Collier was making a complaint concerning the White House treating the U.S. Park Police like dirt and "bullying" them. Collier viewed this as unfair and was on the verge of a pull-out because of White House Counsel behavior. Heyman said that he would talk to those guys and ultimately contacted Gergen and Nussbaum and read the "riot act" to them. Neill and Burton, White House Staff, reacted to these allegations by saying that they "had done everything right" and anything wrong was the fault of the U.S. Park Police. Margolis explained the problem as a cavalier attitude and partially a New York attitude. He advised that Adams took notes regarding the Collier visit with Heyman and Adams.

Mention was also made of an indented writing analysis conducted on a pad of paper found in Vincent Foster's office. It was a letter to Nussbaum and determined to be a White House privileged communication. This documentation was turned over by the FBI to Margolis to handle. He, in turn, sent it to Nussbaum. He did not break the seal on the document and doesn't know what was on it.

Margolis said that during the search the name "Madison" would have been a signal to him but not "Whitewater."

Before Heyman left the Department of Justice, he, Adams and Margolis dictated notes to Cynthia Monaco at the Department regarding a chronology of events concerning this matter. Since Heyman left the Department on February 14th, it was done prior to this time. Margolis knows that she has these notes, but does not believe that she has transcribed them, but could be contacted for a copy of them.

Margolis speculated that one of his hypothesis was that the suicide note had been found prior to the search of Foster's office but that he just doesn't know.

Margolis also speculated that during his two hour wait to begin the search of Foster's office, that Nussbaum had been on the phone to the First Lady regarding the procedure to be followed. Margolis said there was no question they didn't trust 2\_ -LR-35063

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any of us. We were "career humps." Heyman had selected Margolis

Margolis noted that Foster's sister, Sheila Anthony, is an Assistant Attorney General for Legislative Affairs at the U.S. Department of Justice.

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

and Adams in particular because they were career personnel.

Name:

David Margolis

Title:

Associate Deputy Attorney General

U.S. Department of Justice

Sex:

Male

Race:

White

DOB:

POB:

SSAN:

FOIA(b)(6)

FOIA(b)(7) - (C)

Address:

2029 Wethersfield Court

Reston, Virginia 22091

Phone:

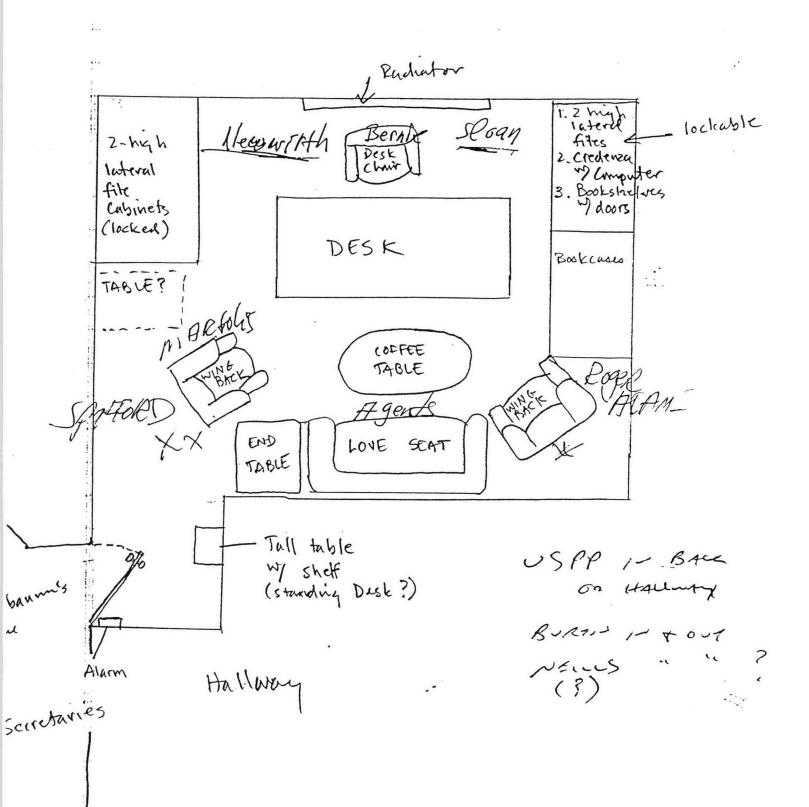
(202) 514-4945 (work)

(703) 264-0483 (home)

Employment: A government employee for 29 years.

On April 11, 1994, Margolis telephoned SA William T. Guyton to be sure he had mentioned what Heyman had done after being contacted by Collier. He said Heyman had called Gergen and Nussbaum. Margolis had the "sense" that Heyman was put on the speaker phone and others at the White House were in the room during this phone conversation. Cindy Monaco may have been there.

Also on April 11, 1994, Margolis provided the attached notes/"hostile" questions prepared for the Deputy's press conference in connection with the Foster suicide. No proposed answers to these questions were prepared by Margolis. Margolis will provide a videotape or transcript of this press conference through Carl Stern if it is still available. Margolis kept no other notes regarding the search of Foster's office.



FOR The Deputy's Press Conference on Bill you may will to get a tape of the press continue

Tuesday, August 10, 1993

From: OPD01(MARGOLIS) Subject: FOSTER NOTE

AS TO THE ASSERTIONS IN THE NOTE, OPR IS LOOKING AT THE SENTENCE DEALING WITH THE FBI AS PART OF ITS BROADER INQUIRY INTO THE FBI CONTACTS WITH THE WHITE HOUSE IN ACCORDANCE WITH THE A.G. LETTER TO CHAIRMAN BROOKS. AS TO THE REMAINING ASSERTIONS THE PUBLIC INTEGRITY SECTION OF THE CRIMINAL DIVISION IS LOOKING AT THEM AS PART OF ITS MANDATE TO REVIEW ALL TRAVEL OFFICE MATTERS.WHILE THE INQUIRY INTO THE ASSERTIONS IS NOT TOTALLY COMPLETE, I CAN SAY THAT NOTHING IN THE NOTES HAS CAUSED THE PUBLIC INTEGRITY SECTION TO CONCLUDE THAT FURTHER INVESTIGATION IS WARRANTED. A FEW LOOSE ENDS DO NEED TO BE TIED DOWN-

THE FBI JOINED THE PARK POLICE IN THE INITIAL STAGES OF THE INQUIRY INTO FOSTER'S DEATH BECAUSE OF HIS STATUS AS A FEDERAL OFFICIAL [ASSASSINATION STATUTES] AS IT BECAME APPARENT THAT THIS WAS A SUICIDE THE FBI GRADUALLY ASSUMED A SECONDARY ROLE TO THE PARK POLICE. THE BUREAU REENTERED THE INQUIRY AT OUR REQUEST TO EXAMINE THE HANDLING OF THE NOTE

Date: Saturday, August 7, 1993

From: OPD01 (MARGOLIS)

Subject: VINCE FOSTER MOOT COURT MEDIA QUESTIONS

1-HOW CAN YOU EXPLAIN WHY YOUR VETERAN PROSECUTORS, ACCOMPANIED. BY FBI, SECRET SERVICE, AND PARK POLICE REPRESENTATIVES, WHO SUPERVISED THE SEARCH OF FOSTER'S OFFICE FOR A SUICIDE NOTE [PER W.H. STATEMENT] - SPECIFICALLY THE SEARCH OF HIS BRIEFCASE - FOUND NOTHING- AND YET A FEW DAYS LATER A STAFFER WHO WAS SIMPLY PACKING THE BRIEFCASE FOR RETURN TO THE FAMILY NOT ONLY WAS ABLE TO FIND SCRAPS OF PAPER IN THIS BRIEFCASE BUT ALSO HAVE THE INTUITION TO PIECE THEM TOGETHER RATHER THAN THROWING THEM AWAY? 2-YOU CLAIM YOUR PEOPLE DID NOT SUPERVISE SEARCH-THAT THEY WERE MERELY PRESENT DURING THE SEARCH BY W.H.COUNSEL. WHY DIDN'T MR.NUSSBAUM FIND THE NOTES?WHAT SENSE DOES THIS PROCEDURE MAKE? WHO WAS RUNNING THIS INVESTIGATION-THE DOJ OR THE WHITE HOUSE? WHY DIDN'T YOU PUT YOUR CIGAR STORE INDIANS TO WORK BACK AT THE OFFICE DURING THE SEARCH AND SIMPLY LET BERNIE NUSSBAUM REPORT THE RESULTS OF HIS SEARCH TO YOU? WHAT PURPOSE DID THE MERE PRESENCE OF YOUR PEOPLE SERVE?

3-YOU CLAIM THAT YOU DID NOT APPROVE OF THIS PROCEDURE-DOES'NT THIS PROVE THAT YOU PEOPLE HAVE LEARNED NOTHING FROM TRAVELGATE? YOU ARE STILL ALLOWING THE WHITE HOUSE TO DICTATE THE TERMS OF YOUR INVESTIGATIONS AT LEAST WHEN THE WHITE HOUSE HAS INTERESTS TO PROTECT. IS THIS THE SEPARATION OF POLITICS FROM JUSTICE THAT JANET RENO BRAGS ABOUT? OR HAVE YOU BROUGHT ED MEESE BACK? 4- HAS THE FBI INVESTIGATION FIRMLY ESTABLISHED THAT THIS NOTE WAS NOT TAMPERED WITH AFTER FOSTER'S DEATH- AND THAT IT WAS NOT REMOVED FROM THE BRIEFCASE BEFORE YOUR SEARCH AND SUBSEQUENTLY REPLCACED?

4-HAS THE INVESTIGATION RULED OUT THE POSSIBILITY MR. FOSTER WAS SUFFERING FROM AIDS?

5-WHAT ARE YOU GOING TO DO ABOUT THE ALLEAGATIONS IN THE

MARY JOE WILL DELAY ACTION CONSTHE VISUALITY CHARLENGED CO GENTLEMAN UNTIL WED: TALK TO ME ABOUT MY CONVERSATION WITH JIM HAMILTON ON FRIDAY NITE

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#### FEDERAL BUREAU OF INVESTIGATION

5/9/94

WEST FROM

DAVID MARGOLIS, Associate Deputy Attorney General, U.S. Department of Justice (DOJ), telephone (202) 514-4945 (work), (703) 264-0483 (home), was interviewed at the Office of the Independent Counsel, Washington, D.C. MARGOLIS was advised of the identity of the interviewing agent and of the purpose of the interview, which was a follow-up to his original interview with the Office of the Independent Counsel on April 11, 1994. CARL STICH, Assistant to Independent Counsel, ROBERT B. FISKE, JR., assisted in this interview. MARGOLIS provided the following information:

In connection with the search of VINCENT FOSTER's office on July 22, 1993, following FOSTER's death, MARGOLIS and ROGER ADAMS represented the DOJ during the U.S. Park Police (USPP) investigation. When asked what understanding the Park Police may have had concerning the procedure for the search of FOSTER's office, MARGOLIS answered that the original plan was that he and ROGER ADAMS would look at the first page of any documents located in FOSTER's office. It was MARGOLIS' sense that BERNARD NUSSBAUM, Chief Counsel at the White House, and PHIL HEYMAN of the DOJ, had discussed this procedure. When MARGOLIS met with NUSSBAUM, there was an "unequivocal" agreement that this procedure would be followed. MARGOLIS could not recall if Captain CHARLES HUME, USPP, was in on this original meeting with NUSSBAUM or not. MARGOLIS said that the room where they met was small and there were people in the hallway. MARGOLIS was not sure if HUME was one of these individuals or not.

MARGOLIS understood his function at the White House to be two roles: (a) solidify the agreement with NUSSBAUM for the search and thereafter he and ROGER ADAMS look at documents located in FOSTER's office for privilege concerns, and (b) speaking on behalf of the Attorney General of the United States.

MARGOLIS felt there was a clear understanding with Captain HUME and the USPP that the Park Police would defer to the DOJ. MARGOLIS said that the Captain was glad that DOJ was there and wanted DOJ involvement. It was MARGOLIS' understanding that

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

by SA William T. Guyton WTG:deg Date dictated 6/9/94

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Continuation of FD-302 of DAVID MARGOLIS

on 6/8/94

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HUME had talked with PHIL HEYMAN regarding the DOJ participation. NUSSBAUM may also have been making this request.

The USPP looked to MARGOLIS for guidance. MARGOLIS described the first meeting on July 21, 1993 with NUSSBAUM as going as "smooth as glass." The next day, the USPP were caught by surprise. NUSSBAUM announced new rules for the search of FOSTER's office too late for anyone to object. It was a fait accompli.

The original procedure agreed to was that the USPP would spend the morning of July 22, 1993 conducting interviews of White House personnel and, at the same time, ADAMS and MARGOLIS would review FOSTER documents with NUSSBAUM. MARGOLIS believed this "pre-review" was okay with law enforcement. MARGOLIS said that he himself tossed and turned the night before the search regarding his involvement with making "calls" of privilege. The ground rules agreed to were that he would look at the "first page or so" of documents to determine privilege and relevance.

MARGOLIS was concerned with the problem of "buried" relevant information within those documents.

MARGOLIS said it was not much of an oversimplification to say that during the search of VINCE FOSTER's office, they were looking for a "smoking gun." He elaborated by saying they were looking for pictures or a suicide note or anything else that would help explain FOSTER's death.

One of NUSSBAUM's errors in judgment concerning the search was that NUSSBAUM considered the investigators "gumshoes" who would be trampling through every detail of First Family records found in FOSTER's office. MARGOLIS said that this was not the case. They were not there for a full analysis of documents in FOSTER's office. They were "evidence casting" for the reason for FOSTER's death, like a note regarding a planned meeting he had for Fort Marcy Park on July 20, 1993, or something of this nature.

The USPP reaction to the change in procedure for the search of July 22, 1993 was one of puzzlement and an attitude of let's get it done.

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Continuation of FD-302 of DAVID MARGOLIS , On 6/8/94 , Page 3

MARGOLIS speculated there may have been someone else calling the shots for NUSSBAUM. He made this comment in explaining NUSSBAUM's change of plans for the search.

At either 1:30 p.m. or 2:00 p.m. on July 22, 1993, MARGOLIS could not remember the exact time, he was advised by NUSSBAUM that we have a "slight change" in ground rules for the search. At that point, the search was to begin at 2:00 p.m. MARGOLIS was not sure if the Park Police had been kept advised with a current status report of this change or not.

At the start of the search, NUSSBAUM announced that "I (NUSSBAUM) will look at the documents and decide if privilege exists, either Presidential or lawyer/client, in connection with personal documents or other stuff you can look at." Concerning the latter category, NUSSBAUM did locate such items. As an example, MARGOLIS cited a calendar. As an example of an overreaction to the privilege issue, MARGOLIS again mentioned NUSSBAUM locating a newspaper article and placing it in a privilege pile, saying that from looking at this article, investigators could tell an "executive agenda" and, therefore, this article should be placed in the privilege pile. The privilege issue was given a "very stringent test" by NUSSBAUM. Essentially, four piles of documents resulted: (a) Presidential material; (b) CLINTON family documents; (c) HAMILTON stuff (FOSTER personal documentation); and (d) total innocuous documents or a "you can see this" pile.

MARGOLIS was asked if there was an occasion where investigators would express an interest in documents after NUSSBAUM described the papers. MARGOLIS answered that this worked both ways. Sometimes the Park Police would express an interest and sometimes NUSSBAUM would say that an item located was something that may be relevant. MARGOLIS recalled telling NUSSBAUM "a couple of times" to read more of the document. MARGOLIS explained his concern as being one where he thought NUSSBAUM would miss some information because he was being too careless or too much in a hurry. MARGOLIS described this as "being BERNIE." MARGOLIS said "cops being cops" were suspicious of NUSSBAUM's motives from the "get go." MARGOLIS said they did not articulate these concerns, other than through their body language and groans at some of NUSSBAUM's jokes.

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Continuation of FD-302 of DAVID MARGOLIS , On 6/8/94 , Page 4

Following the search of FOSTER's office, MARGOLIS was worried that NUSSBAUM had "played him for a fool" as part of a "coverup." MARGOLIS spoke with HEYMAN regarding this and HEYMAN called NUSSBAUM. NUSSBAUM answered this charge with something like, "PHIL, how could you ask that?"

MARGOLIS could not remember an instance where the Park Police asked for an item during the search that they didn't get. There may have been some items that could have gone to JIM HAMILTON for a decision which they had expressed in, but MARGOLIS understood investigators later reviewed documents in HAMILTON's possession.

MARGOLIS recalled NUSSBAUM searching FOSTER's briefcase on July 22, 1993. He said NUSSBAUM was in a position to see if it was empty. MARGOLIS was satisfied through NUSSBAUM's "motions" and "eyes" and his (NUSSBAUM's) decision to discard it, that the briefcase was empty. He said to miss a torn up note in the briefcase, at best, was humiliating. MARGOLIS recalled NUSSBAUM looking into the briefcase and holding it up for the group as empty "in BERNIE style."

MARGOLIS said that at the time of the search, he "would like to think" that the mention of Whitewater or Madison would have "triggered me." MARGOLIS doesn't recall seeing or hearing any statements regarding Whitewater or Madison during the search on July 22, 1993. He explained his familiarity with Madison as being his involvement with a previous USA declination concerning Madison.

MARGOLIS was asked how many copies of the USPP report of the FOSTER death investigation were received by the DOJ.
MARGOLIS answered that the DOJ received one, maybe two, copies of the report. There would have been one for MARGOLIS and one for the Deputy, PHIL HEYMAN. He said copies could have been reproduced at his or HEYMAN's direction. He believes he authorized copies for the FBI and DOJ Office of Professional Responsibility. MARGOLIS believed he gave a copy to the FBI, although the FBI may have also received a copy directly from the Park Police. MARGOLIS said that ADAMS or special assistants at DOJ would have used existing copies of the report. MARGOLIS said the Department does not have a system to sign for such items or numbered copies. MARGOLIS also recalled that prior to the press conference on the FOSTER investigation, that CARL STERN had

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wanted to give out copies of this report at the press conference. MARGOLIS was able to prevail upon him to not do so.

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### OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription	3/2/95	
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DAVID MARGOLIS (DOB: FOIA(b)(7)-(C) Associate Deputy Attorney General, U.S. Department of Justice (DOJ), (202) 514-4945, was interviewed at the Office of the Independent Counsel - Whitewater, in the presence of Deputy Independent Counsel MARK TUOHEY, Associate Independent Counsel BRETT KAVANAUGH and JOHN BATES. This interview is a supplement to two previous interviews conducted on 4/11/94 and 6/8/94, and was conducted to review his recollection of events concerning the search of VINCENT W. FOSTER's office at the White House subsequent to FOSTER's death in July of 1993. MARGOLIS was advised of the identities of all the individuals present in the interview.

MARGOLIS provided the following additional information:

MARGOLIS was treated poorly by the White House Counsel's Office during the search of FOSTER's office. MARGOLIS told NUSSBAUM that he was making a mistake, but NUSSBAUM would not listen to him. NUSSBAUM may have been "just doing what he was told to do."

MARGOLIS did not personally know VINCENT FOSTER, and only learned of his death through the newspapers on the following day.

PHIL HEYMAN directed MARGOLIS and ADAMS to coordinate the details of the office search with NUSSBAUM. Capt. HUME from the U.S. Park Police was going to be present for the search.

MARGOLIS requested that the FBI also become involved in the search.

There was an agreement reached on July 21 with NUSSBAUM regarding the procedure to search the office. MARGOLIS and ADAMS, in conjunction with members of the White House Counsel's Office would make decisions regarding the relevance of each document to the death investigation. Privileged documents would be culled out by MARGOLIS, ADAMS, and members of the White House Counsel, specifically NUSSBAUM. The next day, which was to be the day of the search, NUSSBAUM unilaterally changed the

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by _ FOIA(b)(7) - (C)		Date dictated	2/13/95

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Continuation of OIC-302 of DAVID MARGOLIS

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procedure for the search. NUSSBAUM stated that he personally would review each document to determine any privilege. This review would be done in the presence of MARGOLIS and ADAMS. MARGOLIS was of the opinion that NEUWIRTH may be partly responsible for the switch in plans. MARGOLIS recalled that NEUWIRTH told them that "BERNIE will review the documents in your presence." This surprised MARGOLIS, because NEUWIRTH was present when the original procedure was agreed upon. MARGOLIS suspected that privacy issues and a lack of trust of MARGOLIS and ADAMS prompted the switch in procedures.

MARGOLIS stated that there was no tension or rivalry between the FBI and the Park Police. It appeared as though it was their usual practice to work together during these types of cases.

MARGOLIS stated that there was never any misunderstanding or lack of knowledge regarding the original procedures for the search. The procedures were unilaterally changed. NUSSBAUM and NEUWIRTH specifically used the phrase "there's been a change in plans."

MARGOLIS telephoned PHIL HEYMANN on July 22 from the White House to inform him of the change. HEYMANN was just as mad and frustrated as MARGOLIS. HEYMANN wanted MARGOLIS to argue for the original agreement. They considered walking out of the situation, but MARGOLIS believes the final decision was to go forward with the search even if he was unable to convince NUSSBAUM to go back to the original plan. MARGOLIS was not confident that NUSSBAUM would complete the search in a timely fashion if they were to leave. However, HEYMANN had a different impression. HEYMANN expected a telephone call from NUSSBAUM if MARGOLIS was unable to convince him to return to the original agreement. HEYMANN wanted to talk with NUSSBAUM prior to the search.

Due to NUSSBAUM's attitude, demeanor, and mannerisms, MARGOLIS thinks that he was ordered to change the original agreement. NUSSBAUM was very uncomfortable, and seemed to be impressed by MARGOLIS advising him that he was making a big mistake.

There was approximately a two hour delay prior to the start of the search on July 22. NUSSBAUM was considering all of the issues. The agents and officers were involved in interviews D-LR-35063

Continuation of OIC-302 of DAVID MARGOLIS , On 2/8/95 , Page 3

of White House personnel; the information they were learning indicated that FOSTER's death was a suicide. FOSTER seemed to have a mental health problem. As a result, the FBI was taking a back seat to the Park Police.

ROGER ADAMS was of the opinion that the two hour delay was caused by NUSSBAUM attempting to contact the First Lady.

At approximately 2:00 p.m., NUSSBAUM reached a final decision and announced that he would be reviewing the documents in the presence of MARGOLIS and ADAMS. MARGOLIS threatened to leave. NUSSBAUM told him that the whole procedure was "just for show", but it was important for appearances that MARGOLIS and ADAMS stay. MARGOLIS had the impression that NUSSBAUM "knew he was jerking us around," but that they needed them to be present.

NUSSBAUM would not have contacted HUBBELL at DOJ. He would have been sensitive to any White House-DOJ contact. Additionally, HUBBELL would have had no authority; this was clearly HEYMANN's responsibility.

MARGOLIS was shown a previously drawn sketch of FOSTER's office depicting the locations of all the individuals in the room at the time of the search. MARGOLIS identified the sketch and stated that it was accurate.

NUSSBAUM conducted a nonmethodical, careless search of FOSTER's documents. NUSSBAUM would determine the nature of the document and state that the document was a "sensitive issue", "irrelevant", or that the item was something FOSTER was working on for the White House or the First Family. Some items NUSSBAUM labeled as VINCE's personal items", he gave to an individual named SPAFFORD, who was an attorney with a law firm representing LISA FOSTER.

NUSSBAUM first started searching the papers on top of FOSTER's desk, then to the desk drawers, and next he went through the bookcases along the walls. MARGOLIS had the impression that NUSSBAUM went through all of the drawers and cabinets.

MARGOLIS stated that the Park Police and FBI had no access to items not specifically given to them by NUSSBAUM. The ground rules for the search had been established; everyone understood that items that were identified as "privileged" by NUSSBAUM, for whatever reason, were not going to be given to the

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Continuation of OIC-302 of DAVID MARGOLIS

investigators, whether they asked for them or not. MARGOLIS would occasionally ask NUSSBAUM look closer at a particular document, and not to be so hasty in keeping it from the investigators. Very few items were offered to them, and only a few of those items were requested by the investigators. They were specifically looking for a suicide note, but they would have taken anything that would help establish FOSTER's state of mind.

MARGOLIS was shown FOSTER's briefcase. MARGOLIS was unable to positively identify the briefcase, but stated that it looked similar to the one that was in FOSTER's office and was searched by NUSSBAUM. MARGOLIS recalled FOSTER's briefcase as appearing "stiffer". The briefcase was sitting upright on the floor immediately adjacent to FOSTER's desk. MARGOLIS did not pay particular attention to the appearance of the briefcase.

During the search, NUSSBAUM picked up the briefcase. It was full of files and papers. NUSSBAUM went through each file and document, identified what category it belonged in, and set it on one of the piles. NUSSBAUM opened and reopened the briefcase to take items out and appeared to look in the briefcase each time. At a point, the briefcase appeared to be empty. NUSSBAUM looked inside the briefcase, closed it, and held it up indicating it was empty, and then set it on the floor. MARGOLIS thought the briefcase was empty; he was satisfied that NUSSBAUM had determined that nothing else was in the briefcase. However, MARGOLIS was unable to look into the briefcase.

Subsequently, MARGOLIS learned that NEUWIRTH had discovered the note while packing up the briefcase with FOSTER's other belongings. MARGOLIS was very surprised. He knew NUSSBAUM had searched the briefcase in their presence, unless there was another briefcase or NUSSBAUM had missed it or concealed it. MARGOLIS wanted the Park Police to take custody of the note immediately, and began making the necessary arrangements.

HEYMANN went to the White House and stayed there until the note was released to the Park Police. The Attorney General personally directed NUSSBAUM to turn over the note. NUSSBAUM still wanted to discuss the situation, and the disposition of the NUSSBAUM did not seem to grasp the seriousness of the situation; the note was clearly evidence, and definitely important to the Park Police investigation.

MARGOLIS is convinced that if the note had been in the

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Continuation of OIC-302 of DAVID MARGOLIS , On 2/8/95 , Page 5

briefcase on that first day, NUSSBAUM would have found it.

The following morning after the note was released to the Park Police, HEYMANN provided MARGOLIS with a handwritten reconstruction of the note. MARGOLIS showed it to HUBBELL, who gasped when he saw it; the reconstruction was not in FOSTER's handwriting. MARGOLIS explained to HUBBELL that it was not the actual note, just a handwritten reconstruction. HUBBELL was very "shaken"; it was apparent to MARGOLIS that HUBBELL was previously unaware of the contents of the note.

MARGOLIS subsequently contacted LARRY POTTS at the FBI to initiate an obstruction of justice case regarding the circumstances of the handling of the note. Supervisory Special Agent PAT FORAN coordinated the investigation. FORAN directed agents from the Washington Field Office to do the interviews. MARGOLIS reviewed the report of the investigation. The case had a very narrow focus, but MARGOLIS was satisfied. They were unable to prove obstruction in the handling of the note.

MARGOLIS had some concerns regarding reports in the press about the obstruction investigation; it appeared as though the FBI had undertaken an investigation of the White House.

MARGOLIS suspects NUSSBAUM of not providing the note when it was first found. One of the White House secretaries who entered FOSTER's office may have located the note. MARGOLIS does not believe the note was in the briefcase during the initial search.

MARGOLIS is very confident that NUSSBAUM looked at all the files and documents in FOSTER's office, but not very confident that NUSSBAUM looked at each document in terms of its relevance to the suicide investigation. MARGOLIS expressed his concern and frustration at the possibility that other relevant items were withheld from investigators; items that would have provided insight into FOSTER's state of mind.

MARGOLIS stated that he has had no additional conversations with the White House Counsel's Office regarding this matter. MARGOLIS could only recall one other unrelated conversation with NUSSBAUM regarding a background investigation.

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#### FEDERAL BUREAU OF INVESTIGATION

Date of transcription	4/15/94	
Date of transcription	Name and the same	

Sgt. Peter W. Markland, U.S. Park Police, appeared at the Office of the Independent Counsel, Washington, D.C., as scheduled at 5:30 p.m. for interview. Sgt. Markland was advised of the identity of the interviewing agents and that the interview was in connection with the search of Vincent Foster's White House office on July 22, 1993 and other events in connection with this search and the investigation by the U.S. Park Police of Foster's death on July 20, 1993. The agents were also assisted in this interview by Carl Stich and Mark Stein, Assistants to Independent Counsel, Robert B. Fiske, Jr. Sgt. Markland provided the following information:

He was not at the death scene of Vincent Foster in Fort Marcy Park on July 20, 1993. He found out about the Foster death and being assigned to the case when he reported for duty at 6:00 a.m. on July 21, 1993. He was a detective at the time. That morning, he thought that he would be going to the office of Vincent Foster at the White House to search for any possible note or anything else that would confirm a suicide or not. He would be going to the Foster office with Capt. Charles Hume, who had decided to go to assist in dealing with ranking officials at the White House.

Upon arriving at the White House at about 8:00 a.m., Markland found that U.S. Park Police Chief Langston and Major Hines, Park Police Public Information Officer, were already at the White House speaking with Bernie Nussbaum, White House Counsel. He noted that Hume and himself did not talk at this time with Nussbaum and were not even introduced to him out of courtesy. It was obvious he and Hume were cut out. The Chief had all Park Police reports done to that point in time in his hand while meeting with Nussbaum.

Markland had been under the impression that the Foster office had been sealed immediately after Foster's death. However, he determined that the investigators working the night before hadn't made this request.

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Continuation of FD-302 of Sgt. Peter W. Markland

On 4/14/94, Page 2

Even though arrangements had been made to go through the office before Hume and Markland went to the White House, they never made it beyond the first floor on July 21, 1993. The bottom line was they waited all day. Individuals they had met at the South End of West Executive Avenue upon arriving at the White House included a U.S. Secret Service Uniform Division Inspector, two other U.S. Secret Service Agents and FBI Agents Scott Salter and Dennis Condon.

When they finally had a chance to speak to Nussbaum, at about 11:00 a.m. in the lobby of the Old Executive Office Building, they were asked by him what they were doing there and when it was explained that their purpose was to search Foster's office, they were told by Nussbaum that they should make this request to Attorney General Janet Reno. Markland said apparently Nussbaum had already told this to the U.S. Park Police or the It became obvious that they would see only whatever Nussbaum wanted them to see and that would be it. Markland described the situation as ridiculous. The Park Police were there to investigate a death but they had no control. They were not privy to any information regarding what was going on. He said they complained among themselves (Hume, Markland, U.S. Secret Service Agents and FBI Agents). They were not looking to Chief Langston for direction.

Nussbaum said he had asked that Foster's office be sealed. Markland noted that he didn't believe Nussbaum. his feeling that the Park Police and others were there to do "whatever Nussbaum wanted us to do." He understood that Nussbaum and others had gone through the Foster office before it had been sealed.

The U.S. Park Police Major assigned to this matter was Major Holmes of Criminal Investigations. The situation concerning the White House attitide was conveyed to Major Holmes through Capt. Hume. Major Holmes never came down to the White House on July 21, 1993. Markland did not see the U.S. Department of Justice (DOJ) attorneys until the next day. Capt. Hume had been making telephonic contact with DOJ while they waited. Markland was provided no other information regarding meetings and left the White House on July 21, 1993 at about 3:00 p.m.

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Continuation of FD-302 of Sgt. Peter W. Markland ,On 4/14/94 ,Page

Markland obtained U.S. Secret Service records regarding alarms for Foster's office.

On July 22, 1993, at approximately 10:00 a.m., Markland and Hume met with David Margolis and Roger Adams of DOJ, Don Flynn and Paul Imbordino of the U.S. Secret Service, and Scott Salter and Dennis Condon of the FBI at the West Wing entrance to the White House. Markland noted that all times could be verified by referring to the Park Police report.

Again, there was a wait of an hour or so while there was discussion between DOJ and Nussbaum regarding how the search of Foster's office would be handled. Margolis had said in front of Nussbaum that this would be handled as a normal investigation. Markland's reaction to that was that it was ridiculous and absurd. If it had been a normal investigation, Markland said that "everything would have been boxed up in my car yesterday." In addition to those individuals previously mentioned, Steve Neuwirth and Cliff Sloan, as well as a Foster family attorney by the name of Spafford, were present in Foster's office during the search. The U.S. Secret Service Agents were at the door.

Approximately one-half hour into the search, FBI Agent Scott Salter stood to stretch. Markland noted that he is very tall. Somebody in the room accused him of "peeking." He said this was a serious comment and not meant to be humorous. He said that Salter "got mad" at the reaction. Markland said he got tired during the search of Nussbaum looking through things; that this could have been done by mail. He said Nussbaum just picked up documents and said "you don't need to see this." The other White House people stood near Nussbaum and whispered in his ears.

When asked if anyone in the room had objected to the procedure being followed, Markland answered no. He said that would be like stating the obvious. He felt that it was not the Park Police place to do so, that DOJ was there.

The search was conducted with Nussbaum sitting at Foster's desk, flanked by Neuwirth and Sloan and perhaps Spafford, with Adams, Margolis, Markland and Salter sitting left to right in front of the desk.

The terms of the search had been decided by Margolis with Nussbaum and perhaps Neuwirth prior to the actual search.

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Continuation of FD-302 of Sgt. Peter W. Markland , on 4/14/94 , Page 4

Markland said any Whitewater or Madison documents wouldn't have meant anything to him at the time of the search.

Markland watched carefully while Nussbaum went through everything. He did not believe there were any areas in the Foster office not searched. There were no areas outside the Foster office included in the search. In addition to the desk, bookcase and shelves and other cabinets searched, Nussbaum also searched an old briefcase. This briefcase had been at the right side of the desk and Nussbaum pulled papers from it. Markland noted that Nussbaum carefully looked into the briefcase and that anything in there he would have seen. He tilted it from side to Markland did not believe anyone else in the room saw that the briefcase was empty but Nussbaum had indicated that that was all there was and returned the briefcase to the side of the desk. Later during the investigation, after the Foster note had been found, Markland questioned both Nussbaum and Neuwirth regarding the search of the briefcase. Neuwirth told them that he hadn't seen the scraps of paper. When Nussbaum was questioned, he just said "That's what happened."

During his exchange with Nussbaum on the briefcase, Markland asked Nussbaum "how could you not see yellow paper." Nussbaum's reply was "well, I didn't." Markland felt that this was impossible. He said the briefcase being empty or not was obvious.

Markland said the search took from one to two hours. Nussbaum divided the documents into personal papers which were given to the Foster attorney and papers to be kept by the White House. The Park Police and other investigators got nothing that day. Markland estimated that the White House kept approximately two Xerox-type boxes of documents and the private attorney got approximately one-half Xerox-type box of papers.

Markland said that they knew he was agitated during the search as he was looking pretty mean. Markland said that even before the search, it was obvious papers had been gone through as four people, besides Nussbaum, had been in the Foster office the previous day or the night of the death. Additional individuals recalled doing this included Patsy Thomasson and Betsy Pond. Markland also made note that their "real quick" search for a suicide note had lasted for two hours.

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Continuation of FD-302 of Sgt. Peter W. Markland

0n 4/14/94

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Markland noted there had been a search of the trash in Foster's office, but recalled that the housekeeper had taken the trash out and the trash was brought back in during the time of the search. He said that the individual looking for the trash at the time of the search was out and back with a bag of trash in less than two minutes. Markland was skeptical that the trash had been taken out of a "sealed office" in the first place.

Markland said his follow-up conversation with Nussbaum regarding the briefcase was probably sometime during Park Police interviews of the White House secretaries. He said these interviews with the secretaries were private, but it was obvious that people were told what they could tell the Park Police. During the interviews, there was no thinking and reflecting. It was "like they had studied for a test." Interviews were always with White House Counsel, such as Cliff Sloan and others present. During one interview, Markland recalled that Nussbaum burst into the room to check on things. It was obvious to Markland that those being interviewed knew what to say and said it. Any additional questions asked were not responded to.

Markland was asked to describe Bernie Nussbaum and provided the following descriptors: arrogant; obnoxious; pushy little guy; clear he was in charge of everything; New York character; made point of saying how close he had been to Vince Foster and what a great guy Foster was, yet did not seem overcome with emotion over Foster's death.

Markland said it was his feeling that Nussbaum was not helping the Park Police determine Foster's state of mind. It seemed nobody was allowed to tell them. Rather, the Park Police were told there was no problem; that Foster handled pressure well.

A change to this occurred when Neuwirth brought Betsy Pond to Markland and said she had something she remembered. This is the first the Park Police were told about Foster's depression.

Markland was asked to review handwritten Park Police notes regarding their investigation and indicate whose notes they were. While doing this, Markland made some comments. He said the Park Police had received a lot of "nut calls" during the investigation. All of these were filtered through the detectives in charge, but no summary of these had been produced.

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Continuation of FD-302 of Sgt. Peter W. Markland

, On 4/14/94

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With regard to an allegation received on two bullets being purchased, Markland said that a follow-up had been done with Mike Hedges of the <u>Washington Times</u> and that Hedges had received a phone call or heard of this, but that the source of the information had not been identified.

Markland said that no information had been developed during the investigation regarding Foster mailing letters on the morning of his death.

Markland said that during the investigation, the Park Police tried to account for the hours between Foster's death and the time he left his office. However, they were never able to narrow this down.

Markland was asked about Lisa Foster saying that the Foster note had been prepared a week or so before Foster's death. Markland said she was able to do this because the content of the note were items she and her husband had discussed during the time period approximately a week to a week and a half before his death.

Markland said the keys found on Foster were identified as house and car keys. Markland also reported he had personally searched the trunk of Foster's car and had found nothing of a compromising nature, such as evidence of an affair or any homosexual activity. He found nothing at all to assist in the investigation. It was mostly college stuff from Foster's daughter.

Markland was asked to characterize Fort Marcy Park. He said that people went there for the view and history. When questioned about homosexual activity in the park, he said that was true of every park and that there had been some arrests at Fort Marcy. He said that wherever there were secluded areas in parks, there were arrests. He said that Turkey Run and Columbia Island (D.C.) were bigger spots for homosexual activity. He noted that Fort Marcy had no restrooms and, therefore, not a big homosexual area. Markland said that the U.S. Park Police patrol Fort Marcy Park in both marked cars and with plain clothes on the paths. There is another entrance to Fort Marcy Park off Route 123. Markland said that radar units from the U.S. Park Police and the County also sit at the entrance to the park and he

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Continuation of FD-302 of Sgt. Peter W. Markland

4/14/94

believes FOIA(b)(7)-(E) patrols in the park. He said he had uncovered nothing during the Park Police investigation from these law enforcement agencies to assist in the Foster suicide investigation or concerning incidents at the park on July 20, 1993.

In summary, Markland said that he felt he had been "stonewalled" during the Park Police investigation of Foster's death. Markland is convinced that there was no note in the briefcase in Foster's office on the day of the search or that if there was, Nussbaum knew about it. He said if the note had been in there, Nussbaum couldn't have missed it. His theory is that the note was found by someone, ripped up, and then later given to the Park Police.

Markland is satisfied that the Foster death was a suicide that had been done at Fort Marcy Park.

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

> Name: Title:

Peter W. Markland

Sergeant, U.S. Park Police

Currently detailed to a criminal violent task force. Returning in one week to permanent assignment at Glen Echo Station. At time of Foster's death, he was a detective in the Criminal Investigative Division, Major Crime Section, U.S.

20242

Park Police.

Sex: Race: Male White

DOB: POB: SSAN:

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

Home Address:

8702 Pinnacle Rock Court Lorton, Virginia 22079

1100 Ohio Drive, S.W.

Business Address: Washington, D.C.

(202) 619-7105 (work)

Telephone Number:

(703) 690-3021 (home)

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Continuation of FD-302 of

Sgt. Peter W. Markland

On 4/14/94 Page 8

**Employment** Information:

Promoted to Sergeant, U.S. Park Police in August, 1993. Employed by U.S. Park Police since 1978. White House Executive Protection Service (now U.S. Secret Service Uniformed Division) 1976-1978.

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### FEDERAL BUREAU OF INVESTIGATION

Date of transcription

6/10/94



Sergeant PETER W. MARKLAND, U.S. Park Police (USPP) District Two, Glen Echo, telephone (202) 619-7105 or (301) 492-6293 (work) or (703) 690-3021 (home) was interviewed at the Office of the Independent Counsel, Washington, D.C. Sergeant MARKLAND 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 in this interview. Sergeant MARKLAND provided the following information:

He was asked his understanding regarding the procedure to be followed during the search of VINCE FOSTER's White House office on July 22 following FOSTER's death on July 20. MARKLAND responded that it was more like watching what was going on more than anything else. He was under the impression he couldn't do anything without the U.S. Department of Justice (DOJ). believed that his captain, CHARLES HUME, and BERNARD NUSSBAUM (Chief White House Counsel) had "worked out" the details of the search. He understood that he should "sit down" and "shut up". He was told several times by DAVID MARGOLIS from the DOJ to treat the investigation as a "normal investigation". MARKLAND said it wasn't. MARGOLIS did not consult with the Park Police regarding what they wanted. The Park Police wanted to search FOSTER's office and the way it turned out, they might as well have "mailed" the information. MARKLAND did say that he felt MARGOLIS understood the law enforcement interest. Everything needed didn't have to be spelled out as MARGOLIS was an intelligent, experienced individual. MARGOLIS understood what "unusual" items the Park Police were looking for. As an example MARKLAND cited any indication of bad medical news.

MARKLAND was asked if during the search, he came across a tax file would he pass over it quickly, glance at it for any indications of the suicide or relevant information, or thoroughly analyze the document. MARKLAND replied that he would take it to the second step of looking over the item for unusual notations or markings. He wouldn't, or even feel qualified to, analyze the document.

investigation on	6/9/94	at	Washington,	D.C.	File #	29D-LR-35063	
by SA WI	LLIAM T. G	UYTON			_Date dictated	6/9/94	

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PETER W. MARKLAND Continuation of FD-302 of

6/9/94

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MARKLAND's understanding was that MARGOLIS and NUSSBAUM had agreed on the first day (7/21/93) that MARGOLIS would review the documentation in FOSTER's office for privilege issues. MARKLAND understood, because of the security question issue, that MARGOLIS would review the items located in FOSTER's office first versus law enforcement looking at the documentation initially. MARKLAND said that on July 21 the Park Police were "out of everything" except getting the word that they would start the next day. On July 21 NUSSBAUM did most of the talking assuring the Park Police and others of his cooperation and commenting on what a great guy VINCE FOSTER had been. MARKLAND could not recall if Captain HUME was in the meeting with NUSSBAUM on July 21 or not. MARKLAND did not recall ending the meeting and then going back in, but he said he may have done this.

MARKLAND was asked if he understood he would be physically present during the first screening of documents. He said he knew the Park Police would be in there for the whole thing.

MARKLAND first found out about the change of procedure for the search of FOSTER's office at the search itself on July 22, 1993. NUSSBAUM sat down at FOSTER's desk to do the search and announced the procedure he would follow. MARKLAND knew that NUSSBAUM and MARGOLIS had had discussions regarding the search. MARKLAND also knew that MARGOLIS didn't agree with NUSSBAUM on some points and had fought NUSSBAUM on the points of disagreement. MARKLAND knew that MARGOLIS was retreating from looking at the documents.

MARKLAND was asked if it had been made clear by NUSSBAUM or anyone that the Park Police would have to speak up to see or set aside any documentation found in FOSTER's office. He answered no. NUSSBAUM made comments during the search while he was looking at documents such as, this is none of your business, this is private, this doesn't matter. MARKLAND said it was clear that the Park Police and other investigators present weren't going to review anything there. The things excluded by NUSSBAUM had to do with Presidential issues, etc.

MARKLAND was asked if he could think of anything which he wanted to see that he couldn't see and he answered no. MARKLAND said, "Who knows what we were going to see out of the review pile anyway". MARKLAND understood that even though FOSTER's office had been secured by the U.S. Secret Service that

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Continuation of FD-302 of

PETER W. MARKLAND

On 6/9/94

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NUSSBAUM could go in and out of the office anyway. When asked how he knew this, he said that either a U.S. Secret Service agent or NUSSBAUM had told him that NUSSBAUM could go into the office. He believed it was probably NUSSBAUM himself who had told him this. MARKLAND recalled asking to see the trash during the course of the search and that somebody got up at that point and brought a bag of trash in for review. It was during this exchange that NUSSBAUM possibly mentioned that the FOSTER office had been posted but that he (NUSSBAUM) could go in.

MARKLAND was asked regarding the search of the briefcase in FOSTER's office. MARKLAND remembered NUSSBAUM looking into the briefcase twice. NUSSBAUM looked quite satisfied that there was nothing in the briefcase. MARKLAND had a "clear shot" through the opening in FOSTER's desk as NUSSBAUM was pulling documents from the briefcase. MARKLAND was asked that during the review of FOSTER personal documents, one week after the search, did he have any reason to believe that the documentation provided by FOSTER's attorney was not complete. MARKLAND answered, "No". He added, "only in that he didn't like how the whole thing went". MARKLAND was asked how this review of documents at HAMILTON's law firm came about. MARKLAND answered that they had a specific time to go over to the attorney's office but that he didn't think he had set that meeting up and cannot further recall how it had been arranged.

MARKLAND was asked if there had been any discussion among the non-White House group to terminate the search process and get a search warrant or subpoena for documents in FOSTER's office. MARKLAND answered, "No". MARKLAND said he kept telling MARGOLIS, and believed that the feeling was mutual among those involved, that the search was "ridiculous" and a "farce". MARKLAND understood that everything was to be worked out between MARGOLIS and NUSSBAUM. MARKLAND again mentioned that he was told to treat this investigation like any other investigation. After hearing this several times, he had had it and said that if it had been like any other investigation, the documents "would have been in my truck yesterday".

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## FEDERAL BUREAU OF INVESTIGATION

Date of transcription	7/11/94
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Sergeant PETER W. MARKLAND, U.S. Park Police (USPP), District 2, Glen Echo, telephone number (301) 492-6293, was interviewed on the telephone as a follow-up to his interview of June 9, 1994. Sergeant MARKLAND provided the following information:

He was asked about his handwritten notes (copy attached) taken during the USPP investigation of the death of VINCENT W. FOSTER, JR. on July 20, 1993. The notes indicate that CRAIG LIVINGSTONE, White House Security, "responded to Fairfax Hosp. - ID body." The notations continue, "came down stairs (Bruce Abbott observed) with box (records?)."

MARKLAND identified BRUCE ABBOTT as a Uniformed Division U.S. Secret Service "guy" who had been posted at the desk in the White House. MARKLAND said ABBOTT told him "on the side" he had observed LIVINGSTONE with a box as indicated in MARKLAND's handwritten notes.

MARKLAND said he later asked LIVINGSTONE about this. LIVINGSTONE told him he had not gone into VINCENT FOSTER's office but had taken records. LIVINGSTONE said he had come from the second floor of the West Wing of the White House with a box. LIVINGSTONE had done this "early" on the morning of July 21, 1993. When asked if he could further pinpoint the time, MARKLAND replied he could not except to say that it occurred sometime before the USPP got to the White House that day. MARKLAND said the information provided by LIVINGSTONE seemed "inconsequential" at the time and he did not pursue it further. MARKLAND said he did not get the feeling that LIVINGSTONE was someone any one would have confided in. He felt LIVINGSTONE was "on the level."

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## FEDERAL BUREAU OF INVESTIGATION

Date of transcription	7/13/94
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Sergeant PETER W. MARKLAND, U.S. Park Police (USPP), District 2, Glen Echo, telephone number (301) 492-6293, was interviewed at the Office of the Independent Counsel, Washington, D.C. MARK STEIN, Assistant to Independent Counsel, ROBERT B. FISKE, JR., assisted in this interview. Sergeant MARKLAND was advised of the identities of the interviewing agent and the OIC Counsel and of the purpose of the interview. Sergeant MARKLAND provided the following information:

He was asked about his handwritten notes (copy attached) taken during the USPP investigation of the death of VINCENT W. FOSTER, JR. on July 20, 1993. The notes indicate that CRAIG LIVINGSTONE, White House security, "responded to Fairfax Hosp. - ID body." The notations continue, "came down stairs (Bruce Abbott observed) with box (records?)."

MARKLAND said there were additional notations in his notes regarding CRAIG LIVINGSTONE. He reviewed copies of his notes and located a notation stating, "LIVINGSTONE said he was not in office today" (copy attached).

MARKLAND said that BRUCE ABBOTT, Uniformed Division, U.S. Secret Service, was on the desk at the West Executive Avenue entrance to the West Wing of the White House. ABBOTT approached MARKLAND as he apparently remembered him (MARKLAND) from his previous employment at the White House. ABBOTT told MARKLAND that LIVINGSTONE came down from the second floor of the White House West Wing with a box. MARKLAND could not remember the exact time he received this information from ABBOTT but said it was about 10:00 a.m. on July 21, 1993. He said it was at the same time that the Chief of the USPP and Major HINES had walked down the hall as they were talking with BERNARD NUSSBAUM, Chief White House Counsel. At the time, MARKLAND was not sure if this information was a big deal or not. He said he mentioned the information provided by ABBOTT to his Captain, CHARLES HUME.

Sometime between 1:00 p.m. and 1:30 p.m., LIVINGSTONE came up to MARKLAND and introduced himself to MARKLAND. MARKLAND

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.On 7/11/94

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recalled this being somewhere in the West Wing on the ground floor. He said LIVINGSTONE gave him his card as he knew MARKLAND was involved in the FOSTER death investigation. LIVINGSTONE volunteered that he was at the FOSTER house the previous night and said he was available if there was anything he could do to At this time, MARKLAND asked LIVINGSTONE about carrying the box from the West Wing and whether or not he was in FOSTER's White House office. MARKLAND could not recall the exact words to his question, nor could he remember any of the words used by . LIVINGSTONE to answer the question. MARKLAND said it was clear from the exchange that LIVINGSTONE had not been in FOSTER's office and had not taken anything from FOSTER's office. MARKLAND told LIVINGSTONE something along the lines that he had been seen coming from the second floor carrying a box. LIVINGSTONE replied along the lines (but not his words) that it was some kind of routine stuff. Livingstone didn't deny coming from the second LIVINGSTONE specifically said he had not been in FOSTER's office. MARKLAND was asked if LIVINGSTONE said anything affirmative regarding the box question. MARKLAND's answer was that it was clear in his mind after the exchange that LIVINGSTONE agreed with having come down with a box. He was asked if he followed up on LIVINGSTONE's routine comment. MARKLAND answered yes, but said he could not recall the specifics. He said LIVINGSTONE did answer in the affirmative in some way. remain silent. He did say something. It was clear from LIVINGSTONE's answer that it had nothing to do with FOSTER's office.

MARKLAND had not asked ABBOTT or LIVINGSTONE about the time of the incident other than to understand that it had been "earlier that morning."

MARKLAND said LIVINGSTONE had said something to say he was carrying a box. LIVINGSTONE had not been adversarial in the exchange. LIVINGSTONE in no way denied carrying something down from the second floor.

MARKLAND had no further conversations with LIVINGSTONE about this matter. He received subsequent phone calls from LIVINGSTONE regarding FOSTER's property being returned to the family and/or thank you comments from LIVINGSTONE regarding the handling of this property or other aspects of the investigation.

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.On 7/11/94

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MARKLAND was asked if he contacted ABBOTT again regarding this matter and he answered no. He said ABBOTT did not say that LIVINGSTONE was with somebody else. He said ABBOTT didn't mention anyone else, or he would have put that person's name in his notes. LIVINGSTONE himself did not mention anyone else being with him on that morning. MARKLAND said LIVINGSTONE reacted to the news that he had been seen carrying a box from the second floor with "no surprise or apprehension." LIVINGSTONE's name did not come up otherwise during the course of the USPP investigation. LIVINGSTONE had nothing to do with other meetings concerning this investigation.

## OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription	11/7/94
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KIMBERLY MARTEAU was interviewed at the Office of the Independent Counsel. She is employed as the Director of Public Liaison, United States Information Agency (USIA), 301 4th Street, S.W., Washington, DC. Her work telephone is 202-619-4355.
MARTEAU is married to JOHN B. EMERSON, Deputy Director of White House personnel.

MARTEAU said she met VINCENT FOSTER through her husband, and saw FOSTER at occasional social events and dinners. She first met him during a visit to Washington in February, 1993, and then again after she moved to Washington in late April, 1993. She saw FOSTER about three weeks before FOSTER's death during a brunch at MARTEAU's house. They sat next to each other but did not engage in deep or intimate conversation. She noted FOSTER always appeared reserved and "sober."

On the evening of VINCE FOSTER's death, July 20, 1993, MARTEAU and her husband received a telephone call from BRUCE LINDSEY, EMERSON's superior. During this call, at about 10 pm, they were told of FOSTER's death. EMERSON and MARTEAU decided to go to The White House to be near friends and give and receive consolation. They did this on their own initiative, and were not directed to do so. They parked on West Executive Drive and went to BRUCE LINDSEY's office, remaining there, or in the hallway directly outside it until about 1:00 am. She noted EMERSON used his building pass and MARTEAU "had to be called in" for access to The White House. She recalls only seeing DEB COYLE, CHERYL MILLS, RICKI SEIDMAN, BILL BURTON, DANA LAWRENCE and BRUCE LINDSEY. Other people were present but MARTEAU was not familiar with them. She doesn't recall anyone saying anything about FOSTER'S office or property.

MARTEAU has not received any instructions on answering investigator's questions.

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Continuation of OIC-302 of

KIMBERLY MARTEAU

On 11/3/94

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Name:

Date of Birth (DOB): Social Security Account

Number (SSAN):

KIMBERLY MARTEAU

FOIA(b)(6)

FOIA(b)(7) - (C)

### FEDERAL BUREAU OF INVESTIGATION

Date of transcription

5/17/94

A AFTER

Dennis Stephen Martin, Inspector, Uniform Division, United States Secret Service (USSS) was contacted in his office. Inspector Martin, having been previously advised as to the official identity of the interviewing agent and nature of the interview, provided the following information:

Inspector Martin was shown a copy of a one-page document captioned "On-line activity report" dated 7/21/93, showing the activation and deactivation of an alarm on the Nussbaum/Foster suite on the 2nd floor of the west wing of The White House for the period 7/20/93-7/21/93. Inspector Martin said that when a door giving access to an alarmed area of The White House is opened an audible alarm sounds in the USSS White House Control Center, a light on a wall board flashes and a computer starts automatically entering data onto the "On-line activity report". The data that is automatically entered and printed by the computer includes: date, time, USSS zone number, location (e.g. west wing, 2nd floor, room 208), a description of the area (e.g. "Nussbaum's office"), and the event (e.g. "access alarm"). This sequence alerts the personnel on duty in the USSS Control Center who then wait a short time for the person who has "set off" the alarm to telephone the Control Center to identify themselves as required by standard operating procedure. Once the parties name is obtained, it is manually typed in by the USSS employee answering the phone and then becomes a permanent part of Martin explained that should a telephone call not be received in a short amount of time, a USSS uniformed officer is dispatched to the scene to investigate.

In response to specific questions, Inspector Martin said that once an entry is made onto the "On-line activity report" either automatically by the computer when an alarm is "set off" or manually by a USSS employee, it can not be deleted or erased from the log. Similarly, USSS employees are not able to prevent an "event" from being entered on the log because the computer software is designed in such a way as to make automatic entries, as previously explained, when the alarm is "set" or "tripped". Further, if a USSS employee were asked by a White

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by	FOIA(b)	(7) - (C)			_Date dictated	5/16/94	

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-LR-35063 SUB A

Continuation of FD-302 of	Dennis Stephen Martin	, On	5/12/94	, Page	2
Continuation of FD-302 of		, on		_, _ ubc	

House staffer or employee to prevent an entry being made on the log or to attempt to delete an entry from the log, this would be seen as very suspicious and highly irregular. Such a request would surely be reported "up the chain of command" within the USSS. Inspector Martin said that he is aware of no such requests ever being made of the USSS.

## FEDERAL BUREAU OF INVESTIGATION

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Dennis Stephen Martin, Inspector, Uniform Division, United States Secret Service (USSS) was interviewed in the Office of the Special Counsel, 1001 Pennsylvania NW. Inspector Martin 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 twenty years and his office is located at 1310 L Street NW, Washington, D.C. His office telephone numbers are 202-435-7575 and 202-435-7209. He is currently assigned as the Uniform Division Commander of USSS Professional Responsibility and Internal Affairs Investigations.

At the time of Vincent Foster's death on July 20, 1993, he was the Deputy Commander of the USSS White House branch and as such was the commanding officer of all Uniform Division employees working within The White House compound. In that capacity, his responsibility was to oversee and coordinate access and control of physical security for The White House. He came to work on the morning of July 20, 1993, at approximately 7:30 am and left work that day at approximately 5:30 pm after a busy but otherwise uneventful day. At approximately 8-9:00 pm, he received a phone call from Lieutenant David Wultz at the USSS White House Control Center advising him that the United States Park Police had just notified him that a body, believed to be that of Vincent Foster, had been found dead at Fort Marcy Park of an apparent suicide. Inspector Martin said that he made the appropriate notifications within the USSS chain of command and also decided to notify Craiq Livingstone, a non law enforcement White House staffer who, at that time, held the title of White House Security Coordinator. He said that he decided to notify Craig Livingstone because he believed that notification of the hierarchy of The White House staff was appropriate and he thought it possible that The White House staff would want to decide who should identify the body. He said that when he contacted Livingstone at his (Livingstone's) residence, he seemed quite shocked and upset but said that he would contact the Park Police and that he would go to either the hospital or the morgue to identify the body. Inspector Martin

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said that it is his understanding that Livingstone did identify the body that night.

On July 21, 1993, Inspector Martin arrived at work at approximately 6:30 am and shortly thereafter met with USSS Assistant Special Agent in Charge (ASAC) Paul Imbordino. It was decided that Inspector Martin would meet and escort U.S. Park Police (USPP) investigators and FBI agents who were expected at The White House shortly to conduct an investigation regarding Foster's death. Inspector Martin said that at approximately 8:00 am USPP Chief Langston and a Deputy Chief (name unrecalled) arrived at The White House saying that they had an appointment with David Watkins whom Martin knew to be a White House staffer for whom Craig Livingstone worked. Inspector Martin said that he escorted the Chief and Deputy Chief to a suite of offices on the ground floor of The White House west wing that was occupied by Watkins and his superior, Patsy Thomasson.

At approximately 8:30-8:45 am a USPP Captain (name unrecalled) and Detective Pete Markland of the USPP arrived about the same time that Chief Langston and the Deputy Chief were leaving The White House compound. Inspector Martin said that these four men spoke briefly outside the building and then the Chief and Deputy Chief departed The White House grounds. Shortly thereafter, two Special Agents of the FBI, Scott Salter and another (name unrecalled) arrived. Inspector Martin escorted them to The White House west wing where they briefly met with Inspector Martin said that he cannot recall if Bernard Nussbaum. he escorted the four law enforcement officers to Nussbaum's office or if Nussbaum came down to the ground floor to talk to them. He advised, however, that the conversation was regarding arrangements for the law enforcement officers to be allowed access to Vincent Foster's 2nd floor office. Nussbaum said that he wanted to check with other members of The White House legal counsel staff and the First Family before any access to Vincent Foster's office was allowed. The four investigators and Inspector Martin waited on a couch located on the ground floor of The White House west wing for approximately 2 hours and then moved to Inspector Martin's office where they waited several more hours into the afternoon. Martin said that during the time in his office, several telephone calls were made by the investigators to FBIHQ and USPPHQ. Martin said that he was not privy to these conversations but was able to discern that the investigators were most unhappy about being kept waiting but could not seem to gain appropriate authority to search Foster's

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office.

Inspector Martin said that he went home that evening at approximately 5:30 to 6:00 pm after ASAC Paul Imbordino invited the investigators to continue their wait with him. Martin said that it is his understanding that the investigators went back to the west wing of The White House where they again met with Nussbaum. He said that although he was not present during the meeting, it is his understanding that the investigators were not allowed to see Foster's office that day but agreed to return the next day to conduct the search of that office.

Inspector Martin said that while the investigators were waiting with him, at approximately 11:00 am, a decision was made to begin posting a series of USSS Uniform Division officers outside Vincent Foster's door to secure it for investigation. These shifts went on for the remainder of July 21, 1993 and a locksmith was called in to place a lock on Vincent Foster's door that evening. Inspector Martin said that he was advised that the Uniform Division officers were removed from this newly established post at approximately 8:00 pm that evening when the door was secured with a lock.

Inspector Martin was asked if he recalls USSS Uniformed Officer Bruce Abbott relating any observations regarding Craig Livingstone and another man. Inspector Martin said that he does so recall that at approximately 8-9:00 am on July 21, 1993 as he was escorting USPP officers either in or out of the west wing, Officer Abbott approached. He said that Abbott spoke to him in a low confidential voice relating to him that earlier that morning (approximately 6:30 - 7:00 am) he had seen Craig Livingstone and another man (identity unknown) on the ground floor of The White House west wing having just gotten off the elevator or having just come down the staircase from the upper floors of the west Abbott said that he saw these two men carrying a briefcase and some boxes and that he was relating this information to Inspector Martin because he thought it was unusual that these men were in the west wing at that hour removing items before an investigation of the Foster death to be conducted. Inspector Martin said that he does not recall if he related this information to anyone else or not. He said that he is certain that the Park Police officers were present at the time he was told this but he can not be sure if they overheard any or al-l of this information at that time.

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Inspector Martin was asked to explain the USSS Standard Operating Procedure for picking up and disposing of "burn bag" trash from the west wing. He said that this type of trash is picked up daily from west wing offices during the midnight shift by a USSS Uniform Division employee. He said that it is then taken to Room. 096 in the basement of the Old Executive Office Building (known as the Macerating Room) where it is shredded and then burned by GSA employees who have appropriate security clearances. Inspector Martin was asked to explain the standard operating procedure for picking up regular non burn bag trash from the west wing. He said that this type of trash is also picked up on a daily basis during the midnight shift but is picked up by GSA cleaning employees who are escorted by USSS Uniform Division officers. This trash is then taken to the same room in the Old Executive Office Building and from there thrown away in a dumpster behind the Old Executive Office Building. Inspector Martin said that, in his opinion, it is highly improbable that a specific bag of trash from a specific waste basket could be identified and retrieved the next day after it had been picked up by the GSA employees and combined with all other trash picked up on a given day. He also said that he does not recall hearing about any White House staffer asking to retrieve trash from Vince Foster's waste basket that had been previously picked up.

Inspector Martin was shown a copy of a one page document captioned "On-line Activity Report" dated 7/21/93, that had been previously obtained by the Federal Bureau of Investigation. Inspector Martin said that this is a log showing the activation and deactivation of an alarm on the Nussbaum/Foster suite on the 2nd floor of the west wing of The White House for the period 7/20/93 - 7/21/93. Inspector Martin explained the columns on this log reading left to right: date of activity; time of activity; the zone of this activity (number 561, west wing, 2nd floor, room 208-Nussbaum's office). The next column shows the entrant or operator's name and the last column shows the event, that is the alarm either being activated or deactivated or tested. Inspector Martin explained that an entry on this log reading "secure alarm" either means that the alarm for the Nussbaum/Foster suite had been intentionally set (activated) or that the alarm had been tripped or set off. He explained that an entry in the event column reading "access set" means that the alarm for this suite had been deactivated thus allowing people access to the suite. He said that an entry reading "access alarm" has the very same meaning as "access set".

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He explained that an entry reading "secure reset" is a check of the alarm system to make sure that the alarm is on. He explained that this is done periodically, remotely, and electronically by the USSS White House Control Center. Inspector Martin was asked to explain his understanding of entries on this log. He said that according to the log, at 8:03 am on 7/20/93, the alarm had been tripped and deactivated. He said that the operator's name on the log which reads "Castle" is probably the same as later entries that same day on the log reading "Castleton". He said that according to the log, the alarm remained in a deactivated mode the remainder of the day of 7/20/93. At 8:04 pm on 7/20/93, the alarm was put in secure mode or activated by "Castleton". At 10:42 pm on 7/20/93, the alarm was tripped when USSS Officer

O'Neill went into the suite. It remained deactivated until 11:41 pm when O'Neil activated it again. One minute later at 11:42 pm, the USSS Control Center electronically checked the alarm status

and found that it was in secure mode (activated).

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DENNIS STEPHEN MARTIN, Inspector, Uniform Division, United States Secret Service (USSS), telephone numbers (202) 435-7575 or 435-7209 was advised of the identity of the interviewing agent and the purpose of the interview. MARTIN provided the following information:

MARTIN was asked if CRAIG LIVINGSTONE, White House Security, had filed any grievances against any Uniform Division USSS employees with MARTIN. MARTIN answered, "Not on behalf of himself" (LIVINGSTONE). MARTIN said that LIVINGSTONE's duties included keeping security and the staff "on an even keel".

MARTIN could remember no grievance being filed formally by LIVINGSTONE. MARTIN could recall LIVINGSTONE coming to him on only one occasion concerning a minor problem with a Uniform Division employee, Lieutenant LAURIE RICH. This minor incident involved some comments made by RICH while LIVINGSTONE was touring a group on the south grounds of The White House. LIVINGSTONE asked that MARTIN have RICH "chill out". MARTIN said there was no documentation regarding this incident and viewed it as very minor.

MARTIN said that on occasion LIVINGSTONE would be "out working the crowd" on the grounds of The White House. He was viewed as a CLINTON appointee playing a security role. The Uniform Division of USSS viewed LIVINGSTONE as being "on our side". They felt that LIVINGSTONE would be "responsive to any of our problems". MARTIN said he could not think of one person "who would finger LIVINGSTONE".

MARTIN said that last Sunday night at about 6:30 pm (July 10, 1994) LIVINGSTONE called him. When MARTIN returned the call to LIVINGSTONE, LIVINGSTONE asked MARTIN if he had legal counsel. MARTIN responded by saying that he no longer worked at The White House and would not discuss investigations with LIVINGSTONE. At that point in the telephone conversation he made "small talk" with LIVINGSTONE. He said eventually LIVINGSTONE got around to asking if MARTIN knew of any Uniform Division USSS officers who had a vendetta or a run in with LIVINGSTONE.

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"fingering me" coming out of the west wing. MARTIN said he kept the discussion "general" with LIVINGSTONE and advised him that he didn't remember having a problem with him personally and told him he would not comment on any others. MARTIN referred LIVINGSTONE to Deputy Chief DAN JENKINS who, in turn, referred LIVINGSTONE to the USSS Legal Counsel. MARTIN also advised his immediate supervisor of the call from LIVINGSTONE. MARTIN believed that LIVINGSTONE wanted him to name BRUCE ABBOTT but he did not do so. MARTIN said that during his (MARTIN's) tenure at The White House, ABBOTT normally worked at the Control Center. In July of 1993 he was working "out of shift" to be at the post in the west wing of The White House. ABBOTT had only limited contact with

MARTIN said the attorney representing LIVINGSTONE, who had been identified to him as White House Legal Counsel, was RANDY or ROB TURK.

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#### OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription	9/8/94	
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DENNIS STEPHEN MARTIN, Inspector, Uniform Division, United States Secret Service (USSS), was reinterviewed at the Office of the Independent Counsel in Washington, D.C. At the outset, Inspector MARTIN was advised of the identities of the interviewing agents and the nature of the interview, specifically to seek clarification of certain issues that may not have previously been covered. MARTIN stated that in July of 1993 he was serving as the USSS Deputy Branch Commander responsible for all Uniform Division employees working within the White House compound. He stated that in this capacity he had established a regular working relationship with Mr. CRAIG LIVINGSTONE whose title was Director of White House Security. Any problems having to do with White House access, passes, parking or misunderstandings between USSS uniformed personnel and White House staffers would come to his attention and he and Mr. LIVINGSTONE would resolve such matters. It was because of this close working association with LIVINGSTONE that he, upon learning of FOSTER's death, on the night of July 20, 1993, telephoned for LIVINGSTONE and informed him of the tragedy. He stated that to his knowledge LIVINGSTONE was the only White House staff person that he called adding that he didn't reach him directly but left a message and LIVINGSTONE later called him back at home on his car phone.

Inspector MARTIN stated that he arrived at the White House on the morning of July 21, 1993 at approximately 6:30 a.m. and went directly to his office located on the fourth floor of the Old Executive Office Building (OEOB). To the best of his recollection, USSS Agent PAUL IMBORDINO was either up at MARTIN's office on the fourth floor or arrived shortly thereafter. IMBORDINO's office is on the 1st floor of the OEOB and LIVINGSTONE's office in on the ground floor, OEOB. IMBORDINO asked him if MARTIN would assist in meeting some Park Police Officers that would be arriving early that morning to conduct follow-up investigation. MARTIN stated that after meeting briefly with IMBORDINO, he went to the West Executive entrance gate to await the arrival of U.S. Park Police Officers MARKLAND and HUME. While he was there, he was surprised to see Chief

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LANGSTON of the Park Police and his top assistant, Major HINES, arrive at the gate. He estimated their arrival at sometime between 7:00 and 7:30 a.m. He stated that he assisted them in parking in the secured lot between the White House and the OEOB, an area normally reserved for White House staffers. He escorted LANGSTON and HINES to DAVID WATKINS' office in the White House, stating that Chief LANGSTON, who he had previously known, informed him that he had an appointment with DAVID WATKINS to brief him regarding the FOSTER matter. Inspector MARTIN stated that he cannot be sure of the exact arrival time of Chief LANGSTON since he did not follow the normal procedures for logging a guest in since he was familiar with Chief LANGSTON. Inspector MARTIN stated that he then returned to the West Executive entrance gate and awaited the arrival of the other two Park Police Officers stating that to the best of his recollection they arrived sometime around 7:30 a.m. He escorted them to the West Basement area and waited there with them in the vicinity of Post E-1. He stated it was during this time, which he estimates was between 7:30 and 8:00 a.m., that he saw CRAIG LIVINGSTONE going by. He can't recall how LIVINGSTONE was dressed or whether he might have been carrying anything or whether he was in the company of any other individuals. He reiterated that as best as he recalls he saw LIVINGSTONE between 7:30 and 8:00 a.m., adding that it would not have been earlier but could possibly have been later in the morning.

MARTIN was asked if there were any other USSS or White House employees that would normally be in the West Basement of the White House near Post E-1 early in the morning. He responded by stating that as a general rule there are very few people in at that time in the morning, adding that the only other USSS employees that he could think of would have been the agents and uniformed officers that would have been staffing Post W-16, located down the hall from Post E-1.

MARTIN reiterated that it was in the time frame of 7:30 to 8:30 a.m. when USSS uniformed officer BRUCE E. ABBOTT approached him and mentioned that he had observed LIVINGSTONE and another man at approximately 6:30 a.m. carrying some boxes and a briefcase. MARTIN further stated that because of his position, it was logical for ABBOTT to have passed this information on to him. He was not sure whether ABBOTT had reported these observations to anyone else in the Secret Service but to his knowledge he had not. MARTIN stated that he was not sure whether he, MARTIN, had passed this information on to

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the U.S. Park Police , explaining that he may have told MARKLAND or MARKLAND may have overheard ABBOTT speaking to him.

MARTIN was unable to recall whether he passed this information on to anyone else in the USSS, adding that he may have mentioned it to USSS Agent PAUL IMBORDINO but he can't be sure. He knows for certain that he did not mention the information provided by ABBOTT to CRAIG LIVINGSTONE and at no point later in the day did LIVINGSTONE ever bring it up or attempt to discuss it with him. He stated that he was unaware of any problems or conflicts between Officer ABBOTT and CRAIG LIVINGSTONE and could suggest no reason why Officer ABBOTT would have made up such a story, explaining that ABBOTT realizes that providing false information would result in his immediate termination from the USSS.

MARTIN stated that approximately two months ago, on a weekend, LIVINGSTONE did have him paged through the White House and he called LIVINGSTONE back at his residence. LIVINGSTONE asked him over the phone if he, MARTIN, was represented by an attorney and then remarked that someone in the Secret Service had reported observing LIVINGSTONE taking "stuff" out of FOSTER's office and he, LIVINGSTONE, wanted to know the name of the officer who filed such a report. LIVINGSTONE went on the say that he wanted MARTIN to talk to LIVINGSTONE's attorney regarding the matter. MARTIN stated that as a result of this conversation, he, MARTIN, felt that LIVINGSTONE might have suspected him of making the report. MARTIN advised that he told LIVINGSTONE that he and/or his attorney would have to go through the USSS legal counsel before MARTIN could be interviewed or discuss the matter. MARTIN stated that nothing else ever developed from this phone call and he has never been interviewed by an attorney representing LIVINGSTONE.

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JOSEPH A. MASONIS, Deputy Special Agent in Charge, Technical Security Division, United States Secret Service (USSS) was interviewed at the Office of the Special Counsel, 1001 Pennsylvania Avenue, NW. Also present during the interview was WILLIE J. CHEATHAM, Branch Chief, Physical Security Branch, Technical Security Division, USSS and Associate Special Counsel MARK STEIN. MESSERS, MASONIS and CHEATHAM were advised as to the official identities of the interviewing agent and Mr. STEIN: They were also advised of the nature of the interview. They then provided the following information:

Deputy Special Agent in Charge (DSAC) MASONIS advised that he has been with USSS 22 years and his current telephone number is 202-395-5330. Officer CHEATHAM advised that he has been with USSS for 12 years and his current telephone number is 202-395-9226.

DSAC MASONIS and Officer CHEATHAM were each given copies of a document captioned "On-line activity report" which shows USSS alarm log activity for the BERNARD NUSSBAUM/VINCENT FOSTER White House suite of offices for the period of July 20, 1993 through July 21, 1993. They were asked to explain the various entries on this log. DSAC MASONIS said that on 7/20/93 at 8:03 am, someone opened the alarmed door to the NUSSBAUM/FOSTER suite. At that time the computer in the USSS White House Control Center printed out the date, time, location "NUSSBAUM's office", and the event occurring "secure alarm". explained that "secure alarm" meant that a door that had been intentionally alarmed had been opened thus activating the alarm in the USSS Control Center. Per standard operating procedure the Control Center waited and moments later the entrant "CASTLE" (White House staffer THOMAS CASTLETON) telephoned the USSS Control Center identifying himself as the entrant. verifying that CASTLETON was on the USSS access list for that suite, the Officer in the Control Center pressed a button which caused the phrase "control center" to be printed and the event "access set" to be printed. These two entries meant that the USSS Control Center was allowing access to that area. At 8:04 pm

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on July 20, 1993, the log shows that "CASTLETON" moved the alarm switch in the suite. DSAC MASONIS said that the entry reading "access alarm" means that someone is accessing the alarm system from that point or, in other words, is moving the alarm switch from one position to another. He said that the alarm log also shows that when CASTLETON moved the alarm switch from one position to another to place it in a secure mode, he had the door to the suite closed. DSAC MASONIS said that he was able to tell this because the system once again showed that the alarm had been tripped, "secure alarm" at 8:04 pm. He said that it can be logically assumed that this entry "secure alarm" was caused by CASTLETON opening the suite door to exit the suite for the evening.

The next entry on the log at 9:14 pm could not be explained by either DSAC MASONIS or Officer CHEATHAM. explained that, according to the log, the alarm for the suite's door should have been sounding in the USSS Control Center from 8:04 pm until 9:14 pm when the USSS Control Center pressed a button causing "secure reset", the reactivation of the door's alarm. Both men said that they could offer no explanation why it apparently took one hour and ten minutes to reset the alarm on the suite door to a secure mode.

DSAC MASONIS said that the log showed USSS Officer O'NEILL entering the suite at 10:42 pm and securing the suite at 11:41 pm. DSAC MASONIS said that O'NEILL, like CASTLETON, moved the suite's alarm switch while the door was closed, thus setting off the alarm at 11:41 when he exited the suite. That explains the USSS Control Center pressing "secure reset" at 11:42. system and the suite was secure, showing no entrance or exit between 11:42 pm on July 20, 1993 and 7:01 am on July 21, 1993. At that time "POND" entered the suite and deactivated the alarm. Neither DSAC MASONIS nor Officer CHEATHAM were able to explain the reason for the log entry at 11:20 am on July 21, 1993 which reads "Control Center test". Both men advised that the system was checked from time to time by the USSS and also by the telephone company to ensure that it was working properly.

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Sylvia M. Mathews, Special Assistant to the Assistant to the President for Economic Policy, was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue, NW in the presence of her attorney, Michael B. Waitzkin. Ms. Mathews was advised as to the official identities of the interviewing agents and the nature of the interview. She then provided the following information:

During 1992, she worked for the Clinton/Gore
Presidential campaign committee in Little Rock, Arkansas. During
that time, she worked with Gene Sperling with whom she had
previously worked during the Mondale for President campaign.
This led to her current employment. Both she and Sperling have
worked at The White House since January, 1993 for Robert Rubin,
the Assistant to the President for Economic Policy.

Her office is on the 2nd floor of the west wing of The White House on the same hallway as a suite of offices that during 1993 was occupied by Bernard Nussbaum and Vincent Foster. She first met Foster in February, 1993 and "barely knew him", never met any members of his family, and for the most part only saw him in the hallway where they exchanged greetings. She said that she therefore does not feel qualified to comment on any possible changes relative to Foster's demeanor or his psychological or physical condition prior to his death.

On July 20, 1993, shortly after 9:00 pm she was in a room near The White House library where Bill Clinton was being interviewed by Larry King for a live Cable News Network television program. She was in this room, watching the ongoing interview on a television monitor, because she and Gene Sperling had previously compiled briefing material for the President to prepare him for his live television interview. They were therefore nearby if needed. She does not recall specifically who told her about Vincent Foster's death, but she recalls overhearing parts of a conversation between several senior White House staffers in a hallway outside the room in which she was watching the monitor. She learned of Foster's death shortly

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before the end of the President's television interview, was saddened, and wanted to do something to help.

Believing that Foster's death would bring about many telephone calls to The White House staff, she volunteered to go to Mac McLarty's office on the first floor of the west wing to assist with answering incoming calls. She thinks that she arrived McLarty's office at approximately 10:00 pm. Shortly after she arrived at McLarty's empty office, several White House staffers began arriving there. She recalled that one of the first to arrive was Bill Burton. She then made a "quick trip" to her office on the 2nd floor, picked up some of her pending work that she could do while answering phones, and return to McLarty's office. When she returneded she noted that Bill Burton was in McLarty's office making telephone calls. After approximately 30-45 minutes, she overheard Burton's part of a telephone call that she believes was with the United States Park Police. She heard Burton say that no suicide note had yet been found and the thought came to her that the trash from Foster's office should be obtained and searched for such a note before it was destroyed. After Burton finished his telephone call, she mentioned her idea to him in the presence of Dee Dee Myers and David Dreyer, a Deputy to Mark Gearan. She asked if she should go upstairs and attempt to retrieve the trash. All three staffers indicated that her idea was sound and indicated that she should go. She said that while there were no specific instructions, there was no mention of "burn bag" trash and it was her understanding that she was to obtain Foster's regular trash. As she left McLarty's suite of offices, she encountered two GSA cleaning ladies and asked them if the trash had already been picked up on the 2nd floor. They said it had been and indicated that it was still in the large collection bags in the hallway of the 2nd floor. went upstairs with one or both of the GSA cleaning employees where they showed her the three large bags of consolidated trash in the hallway next to the elevator. Each of these three large bags contained numerous smaller clear plastic bags with trash from the various offices on the 2nd floor.

As she began going through the individual plastic trash bags within the large collection bags, she noted one bag containing "at least one document" with a White House interoffice mail address label containing Vincent Foster's name inside the bag. She retrieved this bag which was approximately 1/3 full of papers, a wooden coffee stirrer, and some wrappers and returned to Mac McLarty's office with it.

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She said she recalls seeing Bill Burton and some other staffers whom she cannot recall. She told them that she had what she believed to be Vincent Foster's trash and asked if she should go through it. She was told "yes" by Burton and began going through it "one item at a time" on the floor in Mac McLarty's outer office. As she was doing so, it occurred to her that she should make an inventory of her findings. She made a handwritten "inventory" on a piece of 5 by 7 lined paper. Ms. Mathews gave this document, a copy of which is incorporated hereinafter to the interviewing agents. Upon completing her review she returned all items to the bag and told Bill Burton and other staffers present what she had found to include "a handful" of Vincent Foster's credit card receipts. She stated that they had no response that she can recall, except to suggest that the bag should be placed in Roy Neel's office for safe keeping and so that it would not be in McLarty's office where it might serve as a reminder of his friend Foster's recent death. She went to Roy Neel's unoccupied office and left the bag of trash on the floor and returned to answering phones in Mac McLarty's office.

Shortly thereafter, she thought of the burn bag trash that could have been picked up in Vincent Foster's office. before, she received concurrence from staffers present and contacted a U.S. Secret Service officer at a nearby post inquiring as to how the burn bag could be obtained. A telephone call was made and shortly thereafter a "commingled burn bag" that was said to contain burn bag trash from the 2nd floor was brought to Mac McLarty's office by a Secret Service employee. She began removing items from the burn bag and stopped abruptly realizing how sensitive these documents were. She began to feel nervous about reviewing these documents and asked Gene Sperling, who had been in and out of McLarty's office that evening if he believed it was proper for her to be reviewing this material. Sperling agreed with her that she should not be reviewing these documents. At that point, she returned the items that she had previously removed to the burn bag. She then asked Bernard Nussbaum, who had come to Mac McLarty's office, what should be done with the burn bag. Nussbaum told her that there was not a burn bag in Vincent Foster's office and therefore there was no reason to keep this burn bag trash. It was her understanding that Nussbaum was telling her that Vincent Foster did not keep a burn bag in his office and did not use one. She contacted a Secret Service officer who picked up the burn bag and took it away.

At no time during the evening of July 20 or the early

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morning hours of July 21, 1993, did she go into the Nussbaum/Foster suite. Further, she did not see any White House staffers or anyone else, other than the GSA cleaning ladies, on the 2nd floor of the west wing. She also did not see anyone in the Nussbaum/Foster suite of offices. Although she cannot be sure, she believes that the door to the Nussbaum/Foster suite was closed when she was on the 2nd floor. In an answer to a specific question, she said that she does not recall seeing Patsy Thomasson, Margaret "Maggie" Williams, Martha Scott, or Craig Livingston on the evening of July 20 or the early morning of July 21, 1993. She saw Bernard Nussbaum in Mac McLarty's office but did not see him on the 2nd floor of the west wing. She left The White House and went home at approximately 1:30 am.

On the morning of July 21, 1993, shortly after she arrived at work, she telephoned Roy Neel's office and left a message for him advising that the bag of trash on the floor of his office was trash that she believed had been removed from Vincent Foster's office. She advised that Neel never returned her call.

About "a week or ten days" after Vincent Foster's death, she began typing a chronology of the events of 7/20-21/93 into her office computer. The press of business precluded her from ever completing this chronology. She made this partial chronology available to the interviewing agents. Ms. Mathews stated that she had never advised any White House staffers as to her preparation of the partial chronology or an "inventory" of the items she found in the plastic bag that evening until May, 1994 when she made a copy of the "inventory" and partial chronology available to White House staffers to assist in their response to a subpoena from the Office of the Special Counsel.

Ms. Mathews stated that the only other discussion regarding the Foster trash that she can recall, occurred during August, 1993, when she was asked to come to Mark Gearan's office where she recalls seeing Cliff Sloan and Dee Dee Myers also present. They asked her to explain how she had obtained the bag of trash that she thought to be Foster's trash on the evening of July 20, 1993. She did so. They did not ask for and she did not think to offer the handwritten inventory of the bag's contents that she had previously prepared.

Ms. Mathews said that she knows of no other information that she could provide that could possibly be helpful with this

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Continuation of FD-302 of Sylvia M. Mathews \_\_\_\_\_\_, On \_\_\_\_5/20/94 \_\_\_\_, Page \_\_\_5

investigation.

The following descriptive data was obtained through observation and interview:

Name: Sylvia M. Mathews

Sex: Female Caucasian

Date of Birth:

Place of Birth:

FOIA(b)(6)

FOIA(b)(7) - (C)

Height: 5'7"
Weight: 131 lbs. /

Hair: Brown (4 'inches past

shoulder's)
Eyes:
Blue

Social Security
Account Number:

Employment: Special Assistant to the Assistant to the President for Economic Policy, The

White House, Washington, D.C.

Telephone Number: 202-456-2174

Address: 2114 N Street, NW (Apt 15)

Washington, D.C. 20037

Home Telephone: 202-296-8173

Education: Holds degrees from Harvard and

Oxford

Her Attorney: Michael "Buz" Waitzkin,

Nussbaum and Wald

1, Circle, Washington D.C.

Telephone Number: 202-833-8900

## FEDERAL BUREAU OF INVESTIGATION

Date of transcription	8/24/94
Date of transcription	

WILLIAM E. MAY, SR. was interviewed in the vicinity of the residence of former Deputy White House Counsel VINCENT W. FOSTER, JR., 3027 Cambridge Place, NW, Washington, DC (WDC). MAY delivers The Washington Post, newspaper to residents in the vicinity of the former FOSTER home.

According to MAY, VINCENT FOSTER lived in the residence located at 3027 Cambridge Place, NW, for approximately one month. MAY had only met FOSTER on one occasion.

MAY delivers newspapers between the hours of 6:00 am and 6:15 am to Cambridge Place residences. MAY delivered a newspaper to FOSTER's residence on the morning of July 21, 1993. In the course of delivering newspapers that morning, MAY did not recall seeing any television cameras or reporters in the vicinity of the FOSTER residence. MAY believes it takes him approximately eight to ten minutes to deliver newspapers in the vicinity of his Cambridge Place route.

MAY did not become aware of FOSTER's death until the following weekend. MAY did not recall seeing any press in the vicinity of the residence during his delivery time throughout the remainder of that week. MAY did not see anyone on Cambridge Place the morning of July 21. MAY did note that there were a number of cars lining the street but does not recall seeing any vehicle being occupied. MAY did not see anyone in front of the FOSTER residence on the morning of the 21st.

MAY was aware that the FOSTER residence was located at 3027 Cambridge Place, NW, and was able to point out that residence to the interviewing agent.

MAY recalls seeing a light on in the front window of the FOSTER residence on the ground floor, on the morning of July 21. He did not recall seeing any other lights on in the residence. MAY did note that it was daylight by the time of delivery. MAY appeared to be quite sure that he would have remembered if he had seen reporters or any other individual on

Investigation on	8/05/94	at Washington,	DC File #	29D-LR-35063
by SA DAN	A M. GILLIS:	DMG:sla	Date dictated	8/24/94

-LR-35063

Continuation of FD-302 of

WILLIAM E. MAY, SR.

, On 8/05/94

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the street that morning.

WILLIAM E. MAY, SR., is described from observation and interview as follows:

Date of Birth: Place of Birth:

Sex: Race: Address:

Telephone Number:

Employment:

Length of Service:

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

Male Black

6856 Farragut Street Hyattsville, MD 20780

301-386-3927

Paper carrier-Washington Post

23 years

7/14/94

Date of transcription

# FEDERAL BUREAU OF INVESTIGATION

Ms. KELLI RACHAEL MCCLURE 6516 Alopex Road, Waldo Maryland, work number (202) 456-2014, home number (301) 843 was advised of the identities of Special Agent's WILLIAM E. COLOMBELL and and informed that they wis interview her for possible information that would assist in tracing the source of a particular White House document. A outset, it was agreed that Mr. CHRISTOPHER D. CERF, General Counsel for the Executive Office of the President would be present during the interview. Ms. MCCLURE provided the fol information:	-9224 hed to t the
In 1986, she began employment with the Executive of the President, Office of Administration. In May of 1993 was assigned over to The White House Management and Administration office, working for Mr. DAVID WATKINS. Her office was located in the west wing of The White House.	, she
Ms. MCCLURE stated that she recalls typing a document for CRAIG LIVINGSTONE back in July of 1993, specifically the after VINCE FOSTER committed suicide (7/21/93). She did not her own personal computer in typing the document but for some reason, used the computer at the desk of an employee named NORTHCUTT. She feels certain that this same personal computer currently being used by TRACY BECKETT who currently works where in The White House Office of Administration and Managemer Room 145, Old Executive Office Building.	e day t use me TRISHA ter is ith
At this point in the interview, Ms. MCCLURE was sloopy of the two-page memo that was provided to the Office of Independent Counsel bu Mr. CRAIG LIVINGSTONE and after review, it, identified it, without question, as the document that slopped for him back on July 21, 1993.	f the ewing
Ms. MCCLURE stated that some time around lunch, Ma LIVINGSTONE came into her office and asked her if she could, soon as possible, type up a rough draft memo for him. She recalls specifically that it was precisely at the time that President CLINTON was talking to the entire White House state	, as
Investigation on 7/13/94 at Washington, D.C. File # 29D-LR-350	63
SSA WILLIAM T. COLOMBELL	
by FOIA(b)(7) - (C) Date dictated $7/13/94$	

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KELLI RACHAEL MCCLURE

On 7/13/94

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regarding the tragic death of VINCE FOSTER. As she recalls, just about everyone in The White House and Old Executive Office Building had gone over to hear the President's comments. She had been asked to remain in The White House Administration and Management Office to answer the phones. LIVINGSTONE had stopped by her office and asked her to type a handwritten rough draft since he did not have anyone in his office since they'd all gone over to hear President CLINTON.

MCCLURE stated that LIVINGSTONE had remarked that he had been asked to prepare this document and that he needed it typed as soon as possible. To the best of her recollection, he did not make any comment as to who had instructed him to prepare the document. She typed the document quickly and gave him the original without any copies and also returned the written rough She can not recall if he later made any changes, draft to him. deletions, corrections, or additions but to the best of her recollection, he did not and she had no further contact with this document. As best she recalls, the rough draft he gave her had not been edited, reviewed or written on by a third party. stated that until being interviewed by Agent COLOMBELL, she has never had any inquiries from anyone, including Mr. LIVINGSTONE, regarding her preparation of this document. Within the recent past, (last two months), no one has spoken to her or inquired or made efforts to locate this document. Mr. LIVINGSTONE has not, to her knowledge, spoken to anyone else in her office and she was unaware of any efforts by him to find the person who had typedthis document. MCCLURE concluded by stating that to her knowledge, no one other than TRACY BECKETT has been using or working on that particular computer in the past two months.

Upon conclusion of the interview, agents of the FBI Lab, searched the computer in question and successfully located and removed from the computer memory bank, an exact copy of the document in question which matched word for word the document that had been provided to the Office of the Independent Counsel by Mr. LIVINGSTONE's attorney. FBI lab personnel will prepare a separate report relating to the specific type of search that was conducted.

### FEDERAL BUREAU OF INVESTIGATION

Date of transcription	7/20/94

STEPHEN G. MCCORMACK was interviewed at the Office of the Independent Counsel, 1001 Pennsylvania Avenue, NW, Washington, D.C. (WDC) regarding his knowledge of events surrounding the death of VINCENT W. FOSTER, JR., on July 20, 1993. After being apprised of the identity of the interviewing Agent and the purpose of the interview, MCCORMACK thereafter provided the following information:

MCCORMACK is an officer with the United States Uniformed Secret Service, serving as a Senior Alternate in The White House Secret Service Control Center. The Control Center is located in the Old Executive Office Building. MCCORMACK also serves as Senior Alternate in a Secret Service Surveillance Vehicle assigned to The White House. MCCORMACK's primary function in his capacity as a Senior Alternate in the Control Center is that of Administrative Clerk. As Administrative Clerk for the Control Center, MCCORMACK is responsible for typing memos related to incidents occurring within The White House and Old Executive Office Building compound. This paperwork specifically includes information related to security violations within the compound. MCCORMACK had no recollection of any paperwork completed that night related to FOSTER's office or The White House Counsel's office suite. MCCORMACK believes that he was on duty in the Control Center between the hours of 2 pm and 10 pm on the evening of July 20, 1993.

MCCORMACK believes he learned of FOSTER's death while watching the evening news. He could not say with conviction whether he recalls learning of the death on the evening of July 20 or July 21 while on duty at The White House Operations Center. This information was gathered from what MCCORMACK believed to be a local television newscast.

MCCORMACK advised that he had never met VINCENT FOSTER.

With regard to alarm procedures utilized by the Secret Service, MCCORMACK advised that if an alarm were to be set off within The White House, an audible signal would go off in the

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

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STEPHEN G. MCCORMACK

On 7/20/94

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Control Center. The Control Center would allow one minute to receive a telephonic response from the space in which the alarm was set off before a Secret Service Officer would telephonically contact that location. If no response is received, Standard Operating Procedure (SOP) dictates that the Secret Service would send someone to that location to physically determine the cause of the alarm. Results surrounding the alarm and any actions taken by the Secret Service would be recorded on a Form 2046 which is utilized to record security violations within The White House. Security violations forms are maintained in the Control Center of the Secret Service Operations Center at The White House.

MCCORMACK did not know what type of alarm system was in the Counsel's office suite and specifically in FOSTER's office.
MCCORMACK did know that there were no television cameras or monitors located within the suite that were maintained by the Secret Service.

The name of MAGGIE WILLIAMS was unfamiliar to MCCORMACK. He noted that he had never even heard the name at all. MCCORMACK had no knowledge of WILLIAMS being associated with documents being removed from FOSTER's office on July 20, 1993.

MCCORMACK had heard rumors that documents had been removed from FOSTER's office. The rumors were produced by fellow Secret Service officers who were talking among themselves a week or so after FOSTER's death. The rumors by those officers were nothing more than that, in that none of the officers involved with the rumors specifically saw anything come out of FOSTER's office or the Counsel's office suite on the night of the death.

MCCORMACK had met CRAIG LIVINGSTONE a couple of times during out of town White House trips. He was aware that LIVINGSTONE is the head of White House security. MCCORMACK had no knowledge of LIVINGSTONE having custody of documents on the morning of July 21. He was unaware of whether or not LIVINGSTONE may have taken documents from the west wing of The White House on the morning of July 21.

STEPHEN G. MCCORMACK is described from observation and interview as follows:

Date of Birth:

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

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Continuation of FD-302 of

STEPHEN G. MCCORMACK

Place of Birth: Social Security Account Number:

Race: Sex: Address:

White Male

16221 Bradford Road Culpepper, VA 22701

703-825-1668 202-395-2020

FOIA(b)(6)

FOIA(b)(7) - (C)

Telephone Number: Work Telephone Number:

### OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription	9/22/94

ROBERTA K. MCINERNEY was contacted at her office at the Department of the Treasury, room 2025, 1500 Pennsylvania Ave., N.W. Washington, D.C. 20220. Her telephone number is 202-622-1988. MCINERNEY was told of the identities of the interviewers and the nature of the interview. Also present during the interview, at MCINERNEY's request, was KENNETH R. SCHMALZBACH, Assistant General Counsel.

MCINERNEY is a Deputy Assistant General Counsel (Banking and Finance) at the Department of Treasury. She stated that she routinely talks to CAROLYN LIEBERMAN, General Counsel's Office for the Office of Thrift Supervision (OTS), on issues of mutual concern. She didn't recall speaking to LIEBERMAN about Madison Guaranty Savings and Loan (MGSL) or a Freedom Of Information (FOIA) request filed by Congressman JIM LEACH. She stated that she was interested in the legal issues raised by his request and related matters she read about in newspapers, but was never assigned to do any work on the matter. She did not recall talking to JEAN HANSEN, Treasury Department General Counsel about this matter.

Name:
Date of Birth (DOB):
Social Security Account
Number (SSAN):

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

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#### OFFICE OF THE INDEPENDENT COUNSEL

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Date of transcription	9/20/94

KATHLEEN M. MCKIERNEN, Press Assistant to The White House Press Office, was interviewed at The White House on September 16, 1994. After being advised of the identity of the interviewing agents and the nature and purpose of the interview, MCKIERNEN provided the following information:

MCKIERNEN advised that she has held the position of Press Assistant since January of 1993. She works directly with JEREMY GAINES, CHAD GRIFFIN and DAVID SELDIN (no longer at The White House). All of them function as coordinators to assist the Press Corp who are there at The White House in a lower press office.

MCKIERNEN advised that she has a vague recollection of the day following the death of VINCE FOSTER, JR. She believes she saw the news in the newspaper on her way in to work. She does not recall events of that morning. She did not know who VINCE FOSTER was although his name was familiar.

MCKIERNEN remembers the topic of press coverage at the FOSTER residence being discussed that day (July 21, 1993) among individuals working in the lower press office, but is pretty certain that no one from the Press Office was sent. She merely remembers there being some concern about the press converging on the FOSTER residence. She does not recall who specifically expressed those concerns. It was a general discussion that she has no specific recollection of.

MCKIERNEN advised that she "sort of recalls" that somebody from The White House (not the Press Office itself) had been out at the FOSTER residence, but she could not recall if the time frame was the night of FOSTER's death or the following morning. She had the feeling that something was done but it didn't involve herself, GAINES, GRIFFIN or SELDIN. She seems to remember something about the street on which FOSTER lived being blocked off or something like that.

MCKIERNEN advised that she knows CRAIG LIVINGSTONE and

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by _	FOIA(b)(7) - (C)	_			_ Date dictated	9/16/94	

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9/16/94

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Continuation of OIC-302 of

that she associates his name with possibly having been somebody who would have been at the FOSTER residence. She advised that LIVINGSTONE does some "advance" [work]. She said that on a couple of occasions when she worked Sundays LIVINGSTONE functioned as the staff link between the President and the Press Office. Usually an advance person does that function and she advised that CRAIG LIVINGSTONE fills in sometimes. His name sounded familiar to her in connection with her vague recollection that somebody may have been out at the FOSTER residence the morning of July 21. She was unable to be more specific.

Asked her opinion as to who may have been sent to the residence, she said that it was possibly LIVINGSTONE, possibly Secret Service or possibly press advance people such as DAVID NESLIN, KARE MCGUIRE and others. She advised that the person in charge of advance people are ISABEL TAPIA or ANNE EDWARDS.

MCKIERNEN advised that she did not take any telephone calls from CRAIG LIVINGSTONE the morning of July 21, 1993. She may have heard from somebody in the Press Office that press was not a problem but she knows that there was no follow-up that affected her or the individual she was working with. As part of the interview, MCKIERNEN provided the following personal information:

Name:

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

Work Phone: Residence Phone: Position: KATHLEEN M. MCKIERNEN

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

3852 Calvert Street, NW
Washington, D.C. 20007
202-456-2580
202-337-1126
Press Assistant, White House
of Communications, Press
Office since January 1993

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### FEDERAL BUREAU OF INVESTIGATION

Date of transcription

5/27/94



THOMAS F. "MACK" MCLARTY, Chief of Staff for President BILL CLINTON, 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. Present during the interview were MCLARTY's attorneys, WILLIAM TAYLOR and LESLIE M. BERGER, from the law firm of Zuckerman, Stader, Goldstein, Taylor & Kolker, 1201 Connecticut Avenue, N.W., Washington, D.C. (WDC) 20036, telephone number (202) 778-1848. Participating in the interview were attorneys MARK STEIN and CARL STICH, Associate Counsels, OIC, WDC. After being advised of the official identities of the interviewers and the purpose of the interview, MCLARTY thereafter provided the following information:

MCLARTY and VINCENT W. FOSTER, JR. were from the same home town and attended church together as children. FOSTER was a year older than MCLARTY. They both attended the same Junior High and High School. MCLARTY did not have much contact with FOSTER after they went to college. FOSTER attended Davidson College in North Carolina, while MCLARTY attended the University of Arkansas. After graduating from Davidson College, FOSTER then went on to law school; MCLARTY went into his family's business.

Once MCLARTY and FOSTER returned to the Little Rock area, their friendship continued. MCLARTY noted that he and FOSTER had children that were the same age. During the last-five years, their relationship became much closer. The relationship between MCLARTY and FOSTER was described at this point to have been a renewed friendship. There was no professional relationship between MCLARTY and FOSTER prior to President CLINTON's campaign and election.

While in Little Rock, MCLARTY had no previous indication that FOSTER was under stress or was suffering from depression. MCLARTY did note that upon renewal of their friendship, FOSTER was more reserved than he previously recalled. FOSTER was characterized as being a devoted husband and father.

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On 5/10/94

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Upon arriving in WDC, MCLARTY describes FOSTER to be a good and trusting friend. He had some interface with FOSTER based upon FOSTER's role as Deputy White House Counsel. Most of MCLARTY's dealings with the White House Counsel's office were with White House Counsel BERNARD NUSSBAUM. MCLARTY did note that he would see FOSTER a couple of times per week.

MCLARTY does not recall specific matters on which he touched base with FOSTER. MCLARTY did consult FOSTER on the Travel Office matter before it broke in the press. During this consultation, FOSTER urged a more deliberate course of action in dealing with employees of the Travel Office. It was FOSTER who recommended that the accounting firm of PEAT-MARWICK conduct an auditing review of the Travel Office. MCLARTY noted that both himself and LEON PANETTA, Budget Director, asked JOHN PODESTA to head the review of events surrounding the Travel Office matter. MCLARTY did not have many dealings with FOSTER regarding PODESTA's pending report.

In the course of conducting the internal White House probe into the Travel Office matter, MCLARTY summoned a number of White House officials to his office to discuss the affair.

MCLARTY recalls that WILLIAM (BILL) KENNEDY appeared to have much more involvement than any other White House staffer in this matter. He did not feel that FOSTER was at the center of the controversy surrounding the Travel Office. MCLARTY did not recall any specific comments made by FOSTER regarding stress he was feeling related to the Travel Office matter.

During the transition between President CLINTON's election and taking the oath of office in January of 1993, a number of proposals were received from individuals offering a second home for the President. A couple of referrals were made to MCLARTY that were subsequently discussed with FOSTER. one of the matters that MCLARTY was aware of that FOSTER was working on, on behalf of the President. MCLARTY is now aware that there was a file in FOSTER's office that was related to Whitewater. MCLARTY was not aware of this particular file on the date of FOSTER's death, July 20, 1993. MCLARTY was not aware of FOSTER working on Whitewater until it became somewhat public and an internal White House meeting was held in December, 1993, to discuss the issue. Other than handling proposals for a second home for the President, MCLARTY was not aware of any personalmatters of the President that FOSTER was working on prior to

Continuation of FD-302 of THOMAS F. "MACK" MCLARTY

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December, 1993. After FOSTER's death, MCLARTY became aware that FOSTER was doing personal work for the CLINTONS. MCLARTY currently believes that FOSTER was working on tax returns with regards to the Whitewater Development for the CLINTONS. MCLARTY understands that the Whitewater file is limited in size and scope. He believes that a report done by Colorado attorney, JIM LYONS, was part of the Whitewater file.

MCLARTY had no discussions of any length or substance regarding deep feelings of stress and frustration on the part of FOSTER. FOSTER did let MCLARTY know of his frustration with the slowness of getting things accomplished within the Federal bureaucracy and the large volume of work. MCLARTY noted the only concern expressed by FOSTER regarding the Travel Office episode was that FOSTER wished he had provided better counsel. MCLARTY was aware that FOSTER was bothered by a series of Wall Street Journal articles pertaining to him (FOSTER). MCLARTY did not note anything out of the ordinary with regard to FOSTER and, in hindsight, feels that FOSTER's feelings at the time were understandable.

No one conversation with FOSTER sticks out in MCLARTY's mind with regard to the issues of stress and depression. While in Washington, MCLARTY did not see FOSTER that frequently. They did not have any sort of regular breakfast or dinner meetings where they could compare notes. There was not much social interaction between MCLARTY's family and the FOSTERs in either Little Rock or WDC. MCLARTY was not aware that there was a group of Arkansans working at the White House who went out to dinner every now and then.

MCLARTY was unaware that FOSTER was considering the possibility of resigning his position as Deputy Counsel to the President. Other than reports subsequent to FOSTER's death, MCLARTY did not recall anyone expressing to him a desire by FOSTER to resign. A factor of concern for FOSTER was a call for Congressional Hearings regarding the Travel Office matter. MCLARTY did not recall a letter that was allegedly written by Senator DOLE requesting Congressional Hearings. MCLARTY was aware of FOSTER's concern regarding increased scrutiny related to the Travel Office matter.

According to MCLARTY, there was no formal meeting among White House personnel to discuss factors that may have caused

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THOMAS F. "MACK" MCLARTY Continuation of FD-302 of

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FOSTER to take his own life. He is positive that informal discussions were held amongst White House staffers related to FOSTER's death. To date, there have been no insights gleaned from others as to why FOSTER committed suicide. MCLARTY did not feel it was productive to dwell on whatever those reasons were. He can think of no specific reason that would have let someone make the decision to take their own life.

At some point, MCLARTY observed a personality change within FOSTER. He noticed, on occasion, that FOSTER was more reserved than previously remembered. Although there was a personality change, MCLARTY did not recall any marked features of that change.

MCLARTY last saw FOSTER on July 20, 1993, the date of his death. FOSTER met LOUIS FREEH on July 19, 1993, prior to FREEH's being nominated as the new Director of the FBI. MCLARTY recalls a personal exchange with FOSTER after 3:00 p.m. on July 19, 1993. MCLARTY approached FOSTER for small talk. He does not recall if he made any telephone calls to FOSTER on the 19th or the 20th.

On July 20, 1993, MCLARTY met with BILL BURTON of the White House staff sometime after 8:00 p.m. This meeting occurred at the White House during the taping of an interview with talk show host, LARRY KING. WENDY WALKER, KING's Executive Producer, and a couple of other guests to include KING's first wife, SHARON, were part of a group invited to watch the taping of the show at the White House. DAVID DREIER, White House Communications; RICKI TIEGERT; GEORGE STEPHANOPOULOS, DEE DEE MYERS and MARK GEARAN were in an adjacent room watching the show on a monitor. After taping of the interview, MCLARTY's intention was to return home. BURTON headed to his office with the intent of going home.

Sometime after 9:00 p.m. on July 20, 1993, BILL BURTON reported that he had been called by DAVID WATKINS, Head of Management and Administration, The White House. WATKINS informed BURTON that a person, believed to be FOSTER, had been found dead. BURTON did not recall where the body was located. MCLARTY may have asked what he (BURTON) planned to do next. BURTON returned to MCLARTY's office to monitor the situation. MCLARTY talked to others about how best to notify the family as well as HILLARY CLINTON and the President, who was in the middle of a live

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Continuation of FD-302 of THOMAS F. "MACK" MCLARTY

On 5/10/94

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television interview. HILLARY CLINTON was in Little Rock.
MCLARTY recalls that she may have been in Little Rock regarding
her father's illness. MCLARTY believes that he may have
instructed that Deputy Attorney General WEBB HUBBELL be contacted
and told because he thought HUBBELL might have insight regarding
FOSTER.

During this time period, STEPHANOPOULOS and GEARAN began to sense that something was amiss. STEPHANOPOULOS, GEARAN and MCLARTY had a discussion to determine how best to inform HILLARY CLINTON and the President. MCLARTY did not recall people walking back and forth in the area, or in other rooms adjacent to the hallway. When HUBBELL was informed, MCLARTY remembers HUBBELL to have been shocked. HUBBELL had no particular insight regarding why FOSTER might have taken his life. MCLARTY thought HUBBELL may have had knowledge as to where FOSTER had gone that day. HUBBELL was asked to travel to the FOSTER home to be with LISA FOSTER.

MCLARTY then decided to call HILLARY CLINTON in Little Rock. MCLARTY also talked to WENDY WALKER to try to find out what could be done to inform the President, given that he was in the middle of a live interview. MCLARTY believed WALKER was approached after the conversation ensued between himself, STEPHANOPOULOS and GEARAN.

MCLARTY, GEARAN and STEPHANOPOULOS decided amongst-themselves not to interrupt the interview between KING and the President until FOSTER's identity could be confirmed. MCLARTY did talk to HILLARY CLINTON in Little Rock. MCLARTY did not recall any discussions regarding a search of FOSTER's office or discussions of a suicide note with GEARAN or STEPHANOPOULOS. In the contact with HILLARY CLINTON, MCLARTY noted that there was no positive identification of FOSTER at that time. HILLARY CLINTON was shocked and stunned and could not believe that FOSTER had taken his life. MCLARTY described the conversation to be short in duration.

MCLARTY believes HILLARY CLINTON may have been called a second time, but could not recall with certainty. MCLARTY recalls no statements from HILLARY CLINTON regarding possible reasons for FOSTER to have taken his life.

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 $0_{\text{On}} 5/10/94$ 

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MCLARTY did talk to the CLINTONS in general on the night of the death, after visiting the FOSTER residence. Others at the residence while MCLARTY was there included MICKEY KANTOR, VERNON JORDAN and DAVID GERGEN. Conversation at the FOSTER residence centered around memories of FOSTER. MCLARTY did not recall exact comments regarding why FOSTER might have committed suicide.

MCLARTY talked with WENDY WALKER, a producer for the LARRY KING Show, after his telephone conversation with HILLARY CLINTON. During his conversation with WALKER, they were trying to determine what steps could be taken in order to inform the President of FOSTER's death with the least amount of disruption to the airing of the LARRY KING Show. The major concern for MCLARTY at this time, was having a viewer place a call to the show and inform the President, on air, of FOSTER's death. BILL BURTON later provided MCLARTY with additional information that led him to believe that FOSTER was dead. BURTON informed MCLARTY that BILL KENNEDY probably identified FOSTER's body.

MCLARTY talked to WALKER in that she was probably aware that something was going on. MCLARTY noted that WALKER was cooperative throughout the course of the evening. At this point, MCLARTY noted that the President had agreed to continue his interview on the LARRY KING Show for an extra thirty minutes. MCLARTY indicated to STEPHANOPOULOS that they had to keep the President from staying that extra thirty minutes. During a break in the telecast, MCLARTY informed KING that the extended interview could not take place.

MCLARTY and the President departed the library of the White House where the interview was being conducted. In a hallway on the way to the residence area of the White House, MCLARTY informed the President that he had a serious matter to discuss with him. At that point, MCLARTY and the President go to the second floor of the residence and sit down in one of the bedrooms. The President was then informed of FOSTER's death. MCLARTY believes that by this point, FOSTER's identity had been confirmed. The President's reaction was described as being grieved. MCLARTY recalls the President saying, "Oh, no." After informing the President of FOSTER's death, MCLARTY's focus turned toward taking the President to the FOSTER residence. The President was told that Deputy Attorney General WEBB HUBBELL\_was at the FOSTER residence to inform the family. MCLARTY now had to

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determine how best to transport the President to the FOSTERS' residence without causing a big commotion. During this time period, the President telephoned HILLARY CLINTON.

In the ensuing minutes, MCLARTY contacted the Secret Service about how best to accomplish the transport of the President to the FOSTER residence. It was decided by the Secret Service to take one car and one van. MCLARTY and the President got into the van and proceeded to the residence.

MCLARTY had no recollection of discussions with any White House staff while at the FOSTER residence.

While at the FOSTER home, MCLARTY recalls the following individuals to be there: SHEILA ANTHONY, SHARON BOWMAN, SENATOR DAVID PRYOR, DAVID WATKINS' wife, EILEEN, and a number of other Arkansas types. MCLARTY was at the FOSTER residence with the President for approximately one hour. LISA FOSTER, who was sitting on a couch, was described by MCLARTY to be devastated. MCLARTY did not recall seeing any U.S. Park Police personnel while he was at the FOSTER home. While at the FOSTER residence, MCLARTY recalls talking to BURTON who was at the White House. BURTON was at MCLARTY's office at the time and MCLARTY noted that BERNIE NUSSBAUM was in his (NUSSBAUM's) office.

After dealing with getting the President to the FOSTER residence, the next issue of concern for MCLARTY became proper notification of the press. MCLARTY did not recall LISA FOSTER asking about a suicide note during his stay at the residence. MCLARTY recalls going outside to talk to SHEILA ANTHONY to express a sense of loss, as well as to discuss FOSTER's feelings of frustration at the White House.

MCLARTY talked to DAVID GERGEN regarding press notification. A major concern for MCLARTY was to insure that FOSTER's mother had been informed back in Hope, Arkansas. MCLARTY recalls that both sisters may have told him that FOSTER's mother had not been informed of the death. It was MCLARTY who had informed both SHEILA ANTHONY and SHARON BOWMAN of the need to disclose the death of their brother to the press. MCLARTY recalls that BILL BURTON may have called Hope, Arkansas to contact FOSTER's mother. DAVID GERGEN and GEORGE STEPHANOPOULOS, through MARK GEARAN, released information regarding the FOSTER death.

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MCLARTY did not specifically recall who he talked to at the FOSTER home but believes he could have talked to BILL BURTON. He did not recall focusing in on a suicide note the night of FOSTER's death. Further, up until leaving FOSTER's home, MCLARTY did not recall any discussions regarding a suicide note.

Back at the White House, MCLARTY and GEARAN had a discussion. MCLARTY was aware that NUSSBAUM and GEARAN could handle whatever came up at the White House. VERNON JORDAN and GERGEN may have ridden back to the White House with the President and MCLARTY. He does not recall the President asking about a suicide note.

Back at the White House, a discussion was held in the residence kitchen among KANTOR, STEPHANOPOULOS, JORDAN, GERGEN and the President. The discussion centered around remembrances of FOSTER in a positive light. MCLARTY did not recall a note being discussed during this conversation. MCLARTY asked GERGEN if the press release had been done appropriately. GERGEN told MCLARTY that matters regarding FOSTER's office were being properly handled. GERGEN and MCLARTY talked to GEARAN regarding how things were in the office. He did not recall specifics. MCLARTY cannot recall if FOSTER's office had been sealed. There was no recollection on MCLARTY's part regarding a note during the conversations back at the White House. He does not recall meeting anyone else that night at the White House. MCLARTY did not recall either PATSY THOMASSON or MAGGIE WILLIAMS going into FOSTER's office.

DAVID WATKINS could have informed MCLARTY of activities related to FOSTER's office. According to MCLARTY, SYLVIA MATHEWS, who works for the National Economic Council, may have been associated with recovering trash that had been removed from FOSTER's office. That trash was then believed to have been taken by MATHEWS and secured in ROY NEEL's office. NEEL, at the time, was the Deputy Chief of Staff for the White House.

MCLARTY was not aware of others who might have met in his office that evening. BURTON would have been coordinating activities from MCLARTY's office. MCLARTY described his office suite as having an administrative area with two to three desks. NEEL's office was located on one side of the suite and MCLARTY's office was located on the other.

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MCLARTY had no concern that after informing WALKER that CNN would break the story regarding FOSTER's death. He did not suggest to her that the story not be put out. When talking to WALKER, MCLARTY stressed that the death had not been confirmed and their discussion primarily centered around the dilemma regarding altering the KING/CLINTON interview.

On July 21, 1993, MCLARTY did not recall any specific meetings related to FOSTER's death. The only meeting that in any way discussed the FOSTER death was a staff meeting with all White House staffers plus the President's public statement on the FOSTER death. He does not recall a note coming up in either of those conversations. MCLARTY may have learned the next day that trash from FOSTER's office had been recovered.

At some point, MCLARTY became aware that no suicide note was found. He does not recall how he learned this. MCLARTY does not recall when he would have learned that FOSTER's office was searched on July 22, 1993. Based on the context of the search, MCLARTY was of the impression that it was properly conducted. MCLARTY is not sure when he learned that THOMASSON and WILLIAMS had been in FOSTER's office. MCLARTY believes that NUSSBAUM was in the office with him. SYLVIA MATHEWS could have been in the office regarding the recovery of the trash bags from FOSTER's office. MCLARTY did recall a general meeting with NUSSBAUM regarding responsibilities related to cooperation with legal authorities in connection with the FOSTER death. MCLARTY was aware that the United States Park Police (USPP) was involved in the investigation.

MCLARTY did not discuss with the CLINTONS whether or not documents in FOSTER's office may have some interest to them. MCLARTY may have known when the search of FOSTER's office was to have taken place, but could not specifically recall. MCLARTY did not discuss Whitewater documents or anything related to the disposition of same during this period of time. MCLARTY was aware that contacts had been made with the proper authorities regarding the search of FOSTER's office. MCLARTY is aware that meetings took place with TOM COLLIER from the U.S. Department of Interior and other authorities regarding the search/inventory of FOSTER's office. He was aware that there was some sort of disagreement but did not know specifics. He was also aware that the disagreement concerned cooperation between agencies involved in the search. MCLARTY did not learn specifics regarding the

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procedure of the document inventory. There was no mention of a note being found in the course of the review of documents in FOSTER's office. MCLARTY recalls meeting on either Wednesday or Thursday after FOSTER's death, about how the search/inventory was to take place. He has no recollection of meetings regarding changes in the inventory procedure on July 22, 1993. MCLARTY learned of safes in the Counsel's office from press accounts. He was not aware of the status of FOSTER's office with regard to safes.

On the Monday after the funeral, MCLARTY was traveling with the President. Late in the afternoon, NUSSBAUM related that scraps of paper had been located in a briefcase in FOSTER's office. MCLARTY had no recollection that the briefcase had been previously searched. NUSSBAUM advised that STEVEN NEUWIRTH of the Counsel's office had located the note. NUSSBAUM related to MCLARTY what the contents of the list were. The contents did not have a solution with regard to why FOSTER killed himself. also not signed and appeared to be composed of unsubstantiated allegations. MCLARTY informed NUSSBAUM that the President must be informed regarding the list. NUSSBAUM's concern was legal in nature and centered on privacy issues that had to be addressed. They were also concerned with the reaction of HILLARY CLINTON in that issues involving the decorating of the White House and perceived animosity between the White House Usher's office and HILLARY CLINTON were listed on the note. NUSSBAUM's concern throughout the review of documents in FOSTER's office revolved around executive and attorney/client privileges. He was of the opinion that the President should be informed first of the contents of this list. He does not recall conversations regarding turning the note over to the USPP. MCLARTY was aware that HILLARY CLINTON and the President were both close to FOSTER and this weighed heavily in deciding to inform them of the list that was found.

MCLARTY held a second conversation with NUSSBAUM where he felt appropriate issues had been raised. There was an understanding that there were legal issues to be evaluated. On July 26, 1993, the President was in Chicago when the note was located. The President was not told that the note was found until he returned to Washington. MCLARTY believes NUSSBAUM may have been the individual to inform Attorney JAMES HAMILTON of the note. HAMILTON was, at the time, representing LISA FOSTER. On Tuesday, a decision was made that NUSSBAUM had to inform LISA

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FOSTER of the note and that she was arriving in Washington that day. LISA FOSTER actually came to the White House and the note was discussed in NUSSBAUM's office. She was informed the note would have to be provided to the proper investigative authorities. MCLARTY does not recall if he actually saw LISA FOSTER being shown the note. MCLARTY does not recall LISA FOSTER making any comments regarding the content of the list. It was determined that the list would be turned over to the Justice Department for further action. The President was informed and MCLARTY believes the President told LISA FOSTER that a transcript was available. The discussion was not lengthy. MCLARTY recalled no other comments regarding what was to be done with the note.

A meeting scheduled for early evening with the Attorney General concerned when the note was to be provided. Attorney General JANET RENO and Deputy Attorney General PHILLIP HEYMANN, as well as DAVID GERGEN were present during this meeting. RENO wanted the note turned over properly to the United States Park Police. The meeting concluded. RENO may have asked questions as to why the note had not been previously turned over.

According to MCLARTY, at some point, two members of the USPP came to his office to receive the note. NUSSBAUM explained to the two Park Police officers how the note was found and how the note had been put together. MCLARTY recalls NUSSBAUM, GERGEN and himself being interviewed by Park Police regarding the circumstances related to the note. MCLARTY had no knowledge of any other notes in the White House related to the death of

MCLARTY talked to BURTON to refresh his memories regarding events surrounding FOSTER's death and the search of his office prior to meeting with officials of the OIC. He had no discussions with others at the White House as to why the note was not found the night of FOSTER's death.

There was no reason to believe that there was any intimate relationship between FOSTER and HILLARY CLINTON. MCLARTY made this assumption based on his knowledge of both individuals.

## FEDERAL BUREAU OF INVESTIGATION

Date of transcription	6/28/94
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THOMAS F. "MACK" McLARTY, Chief of Staff for President BILL CLINTON, 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. Present during the interview were McLARTY's attorneys, BILL TAYLOR and LESLIE M. BERGER, of the law firm of ZUCKERMAN, SPAEDER, GOLDSTEIN, TAYLOR & KOLKER, 1201 Connecticut Avenue, N.W., Washington, D.C. 20036, telephone number (202) 778-1848. Also participating in the interview were attorneys MARK STEIN and CARL STICH, Associate Independent Counsels, OIC, Washington, D.C. After being advised of the official identities of the interviewers and the nature of the interview, McLARTY provided the following information:

McLARTY first became aware of the issues surrounding Madison Guaranty Savings and Loan (MGSL) and the Whitewater Development Corporation (Whitewater) when the Special Counsel, ROBERT B. FISKE, Jr., was appointed. MCLARTY was aware of these entities prior to FISKE's appointment, but the appointment of FISKE highlighted or cemented in McLARTY's mind the fact that there was an investigation underway.

Prior to serving as President CLINTON's Chief of Staff, McLARTY had served as Chief Executive Officer (CEO) of Arkla, which is a Fortune 500 company. McLARTY was not part of the CLINTON campaign team, and he only visited the CLINTON campaign headquarters once.

McLARTY has known President CLINTON since they attended kindergarten together in Hope, Arkansas. McLARTY and President CLINTON are good friends and share a respect for each other, but McLARTY does not regard their relationship as close, personal or intimate.

McLARTY's own political history includes service as an Arkansas state representative at the age of 23 as well as later service as treasurer for the Arkansas gubernatorial campaign of current United States Senator DAVID PRYOR and the first Arkansas gubernatorial campaign of BILL CLINTON.

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During the 1992 presidential campaign, once BILL CLINTON had been nominated as the Democratic candidate, McLARTY attended three or four meetings with the CLINTON campaign staff and provided a business viewpoint on various issues. McLARTY was also semi-active in corporate fund-raising for the campaign, and he met with business people from outside Arkansas who came to Arkansas to learn about CLINTON's attitudes toward business. McLARTY joined the transition board approximately four weeks before the election of President CLINTON. The transition board, whose function was to prepare for a CLINTON Administration in the event candidate CLINTON won the election, only met once prior to the election. However, the board then met on the day after the election and President-elect CLINTON asked McLARTY to serve in the CLINTON Administration.

McLARTY was quite surprised to be offered a position as Chief of Staff in the CLINTON White House since his main experience had been as CEO of Arkla. McLARTY and WARREN CHRISTOPHER, currently the Secretary of State, were particularly involved in the process for selecting Cabinet secretaries.

McLARTY was remotely aware of the MGSL and Whitewater issues during the campaign through press accounts. His reading of these accounts was casual because he was engaged in pursuing his business responsibilities at the time.

McLarry does not recall engaging in any specific conversations regarding the investigation of MGSL by the Resolution Trust Corporation (RTC) but there could have been such a conversation. McLarry was very involved in concentrating on the North American Free Trade Agreement (NAFTA) and the Vancouver summit meeting at that time. McLarry was not aware of any meetings at the White House in late September 1993 or early October 1993 concerning criminal referrals by the RTC. He does not believe he knew of the meeting held at the White House on or about September 29, 1993 at the time it occurred. McLarry now knows that Department of the Treasury General Counsel JEAN HANSON met with BERNARD NUSSBAUM, Counsel to the President, at that meeting. McLarry may have learned of this meeting between HANSON and NUSSBAUM after this and other meetings became issues in the meeting.

McLARTY believes he learned of the meeting between HANSON and NUSSBAUM sometime after February 24, 1994, which was when ROGER ALTMAN, Acting CEO of the RTC, testified before the

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Senate Banking Committee.

As Chief of Staff, McLARTY is responsible for managing the White House and supporting the President. McLARTY also performs an outreach function and has become more of a public figure in reaching out to various constituencies. McLARTY's job is shaped by the personality and the wishes of the President. Another of McLARTY's responsibilities is to furnish information to the President in a timely manner. McLARTY also has frequent contact with the three main councils at the White House, the National Security Council, the National Economic Council and the Domestic Policy Council, and he provides counsel to the President on domestic policy issues. McLARTY conducts liaison with members of Congress, and he uses the Cabinet secretaries as his points of contact with other agencies of the executive branch.

Because of his background, McLARTY tends to be more of a common sense type of counselor who provides a "reality check" to the President.

Prior to the appointment of the Independent Counsel, the Whitewater issue had been handled primarily by the White House Counsel's Office and by Senior Advisor BRUCE LINDSEY. Just after January 1, 1994, HAROLD ICKES joined the White House staff as Deputy Chief of Staff. As President CLINTON and McLARTY were preparing to leave Washington for a trip, McLARTY asked ICKES to take over primary responsibility for dealing with Whitewater-related issues.

Staff secretary JOHN PODESTA handles the daily flow of information to the President. Currently, Special Counsel LLOYD CUTLER and Deputy Counsel to the President JOEL KLEIN have direct responsibility for handling matters relating to Whitewater. Since approximately March 1, 1994, ICKES and CUTLER have been asked to report any information about Whitewater to McLARTY on a daily basis. These reports usually consist of information about potential press stories and the appropriate responses to these stories. PODESTA, Director of Communications MARK GEARAN, and Counselor DAVID R. GERGEN may also be involved in reporting to McLARTY and preparing responses to the media.

Mr. PAT GRIFFIN, who is responsible for legislative affairs, may become involved in these reports to McLARTY if there are issues involving Congress.

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McLARTY does not recall the RTC criminal referrals being brought to his attention in September 1993, and he does not recall any specific meetings about the RTC referrals at that time. He would have to review his notes to determine whether he attended any meetings with President CLINTON or First Lady HILLARY RODHAM CLINTON during the fall of 1993 in which the referrals might have been discussed.

The allegations by Arkansas state troopers about former Governor CLINTON's conduct came to light just before the Christmas holiday in December 1993. There were a number of other significant issues with which McLARTY was involved at that time, such as NAFTA and the need to replace ROY NEEL and HOWARD PASTER on the White House staff. There were no meetings during that period which raised Whitewater to a level where decisions had to be made or where there was any need for follow-up of the issue on an ongoing basis.

McLARTY is certain there had been discussions regarding the RTC, MGSL and Whitewater prior to the appointment of Independent Counsel FISKE. The CLINTONs had already turned over material sought by the United States Department of Justice (DOJ). All of the requested material had been turned over and there had been full compliance with the DOJ request although there was a minor issue raised over the timeliness of the response. The DOJ officials reviewing the CLINTON documents were career employees. A Republican from Illinois and a higher-ranking DOJ official with a reputation for thoroughness and objectivity were overseeing the review of the CLINTON documents.

McLARTY was aware of a DOJ investigation in January 1994. He had not examined the facts of the Whitewater issue in a broad way and he was not conscious of the status of the civil case relating to Whitewater. McLARTY may have been remotely aware of this civil case but he does not currently recall. He may have been generally aware of the actions of Senator ALFONSE D'AMATO regarding the issue of the impending expiration of the civil statute of limitations. McLARTY did not have any discussions with President CLINTON regarding the statute of limitations issue.

McLARTY believed that the Whitewater issue was being discharged and handled in the appropriate way during this time period because DOJ was involved in the investigation. In addition, NUSSBAUM was handling the matter at the White House and

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keeping McLARTY apprised.

McLARTY had no knowledge of a meeting between White House and Treasury officials on October 14, 1993 until ALTMAN testified about this meeting on February 24, 1994.

ALTMAN had been active in the CLINTON presidential campaign and had made presentations regarding the CLINTON economic plan on behalf of candidate CLINTON. Approximately sixty days before the presidential election, ALTMAN and economic advisor ROBERT RUBIN spoke at a business conference in Chicago, ALTMAN's name came up later as a candidate to become Deputy Secretary of the Treasury when discussions were being held about Cabinet posts. President CLINTON had known ALTMAN for a number of years but had not known him well.

McLARTY had relatively regular contact with ALTMAN during the course of normal meetings. McLARTY's contacts with the Department of the Treasury were primarily through Secretary of the Treasury LLOYD BENTSEN. ALTMAN became an articulate spokesman for the Administration concerning the CLINTON economic plan and engaged in discussions with LEON PANETTA, Director of the Office of Management and Budget. Secretary BENTSEN was receptive to the idea of ALTMAN, assisted by RICKI SEIDMAN, leading the Administration's effort on behalf of the CLINTON economic plan. McLARTY had no role in the selection of ALTMAN as Acting CEO of RTC, and he was not in any meetings where the appointments at RTC were discussed.

McLARTY believes that after the appointment of Independent Counsel FISKE, ALTMAN called McLARTY about the RTC matter. McLARTY does not specifically recall this telephone call, but he believes that he would have referred such a call to ICKES. McLARTY believes this to be so because ICKES was handling issues pertaining to Whitewater, MGSL and the RTC at the time.

McLARTY believes there is a high likelihood, although he does not recall specifically, that the meeting was requested by ALTMAN and that ICKES set up the meeting on February 2, 1994. McLARTY was invited to the meeting and was aware of the general subject matter, but he was not briefed on the meeting in advance and he did not learn any specifics. He did know that the discussion was on RTC and MGSL matters. McLARTY probably knew then, though he is now uncertain whether he actually knew, that RTC was investigating MGSL at that time. ICKES may have asked to

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use McLARTY's office for the meeting. McLARTY was not attending the meeting because he was at a meeting involving President CLINTON and members of Congress in the Cabinet Room. He does not believe he was still in his office when the meeting began. It happens quite often that meetings are held in McLARTY's office without McLARTY being personally present. McLARTY remembers that the meeting was scheduled for late in the afternoon at approximately 5:00 or 6:00 p.m. No one who had attended the meeting was still in McLARTY's office when he returned there. McLARTY may have received a briefing about the meeting in passing.

McLarty had not remembered receiving a telephone call from ALTMAN after this meeting until McLarty was reminded of it by a reference to the call in a letter from ALTMAN to Senator DONALD RIEGLE. McLarty received the call from ALTMAN sometime in early February 1994, possibly several days after the meeting had occurred. The call was short, and ALTMAN told McLarty that he was attempting to do everything in a proper manner. McLarty recalls that ALTMAN had been deliberating about whether to recuse himself at that time. McLarty appreciated ALTMAN's dilemma and he expressed a sympathetic view to ALTMAN during the call but provided no opinion about what ALTMAN should do. McLarty did not discuss the content of the meeting with ALTMAN during this call. McLarty did not interpret the call from ALTMAN as a matter of ALTMAN asking for advice.

Specific discussion of ALTMAN recusing himself from any RTC decisions pertaining to MGSL may have occurred prior to the meeting in February, but McLARTY does not recall specifically. McLARTY understood at that time that RTC was still investigating MGSL. MCLARTY did not have a sufficient level of detail in his understanding of the RTC investigation to know that the RTC investigation was a civil case at that time. McLARTY does not recall any distinction being made between recusal from the RTC civil investigation versus the criminal investigation.

McLARTY does not recall discussing ALTMAN's consideration of the recusal issue with anyone in the White House including President CLINTON.

McLARTY did not have conversations with ALTMAN, anyone at RTC or anyone at the White House about the recusal issue-between the time of ALTMAN's call to him and ALTMAN's testimony before the Senate Banking Committee. There could have been some

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discussion in White House staff meetings about ALTMAN's testimony and how potential questions from senators would be handled.

McLARTY does not believe he was aware that ALTMAN had decided to recuse himself and had changed his mind from his previous view. McLARTY did not watch ALTMAN's testimony before the Senate Banking Committee or receive a transcript of the testimony.

McLARTY has been involved in meetings in which the Treasury contacts were discussed. McLARTY may have been aware of these contacts perhaps one to two days before the controversy over the contacts received attention in the press. McLARTY became aware of the contacts in a retrospective way. If he had known about the contacts earlier, he would have referred the matter over to ICKES and NUSSBAUM. He does not recall assigning anyone to be the point person on this issue. McLARTY recalls general discussion about the meeting between ALTMAN and White House officials on February 2, 1994, and this discussion probably was with ICKES and NUSSBAUM. The meeting on February 2, 1994 was an informational meeting since the information had already been publicly disseminated. ALTMAN had received an opinion prior to attending the meeting that his attendance at such a meeting would not be improper.

McLARTY does not recall ICKES or NUSSBAUM telling him that recusal had been discussed at the meeting on February 2, 1994. McLARTY does recall there had been some discussion as to whether ALTMAN's testimony before the Senate committee had been complete and accurate.

McLARTY does not recall specific discussions about the meetings which had occurred in the fall of 1993. There may have been general discussions about the meetings during that time. Obviously, ALTMAN's testimony raised some questions at the White House because it had to be amended several times through correspondence with the Senate. McLARTY is not aware of anyone at the White House calling ALTMAN regarding the issue of ALTMAN amending his testimony before the Senate committee.

McLARTY has no recollection of discussing ALTMAN's Senate testimony with either the President or the First Lady. One discussion McLARTY did have with President CLINTON was about determining the appropriate posture for a response to inquiries. McLARTY believes ICKES and NUSSBAUM would have briefed the

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President and told him that nothing improper had occurred. McLARTY does not recall being present at that meeting. The President held the opinion that it would have been better if the meetings had not occurred but that nothing improper had occurred.

McLARTY has never met JAY STEPHENS and he was not initially aware of the fact when STEPHENS was hired by the RTC to investigate the MGSL matter. McLARTY has never had a detailed discussion with anyone at the White House about the hiring of STEPHENS by the RTC. McLARTY was not part of any White House effort to contact Treasury officials about removing STEPHENS from his position at the RTC. McLARTY was not aware of a telephone call from advisor GEORGE STEPHANOPOULOS to either ALTMAN or JOSH STEINER at Treasury prior to the call being made. McLARTY has since spoken to STEPHANOPOULOS, who said that he made the call because he was angry but he has since regretted making the call. McLARTY believes that STEPHANOPOULOS called STEINER. McLARTY does not know, other than through press accounts, whether STEPHANOPOULOS spoke to the President about the hiring of STEPHENS. McLARTY believes that STEPHANOPOULOS may have acted in a rash manner when he called STEINER but not with any ill intent.

McLARTY believes he may have had a conversation in passing with the President about the STEPHANOPOULOS call to the Treasury official. McLARTY recalls believing that STEPHANOPOULOS should not have called STEINER but it was understandable why he did so. He also recalls that the matter was receiving serious attention in the press so it was decided that LLOYD CUTLER would handle the issue since that appeared to be the most appropriate response.

STEPHANOPOULOS has been able to remain on the White House staff despite the call to STEINER because he underscored that he had acted in a hasty manner. NUSSBAUM, in contrast, had become involved in handling issues which had become controversial and were hurting the agenda of the Administration. NUSSBAUM had said he had attended the meeting with Treasury officials and he continued to say it had been proper to have done so.

McLARTY does not recall how he learned of ALTMAN's recusal, and he did not discuss ALTMAN's recusal with the President. McLARTY did not become aware of a letter of apology sent by ALTMAN to the President until after McLARTY received a copy of the letter. McLARTY does not recall discussing the letter with the President or anyone else. McLARTY sent a note

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back to ALTMAN in which he acknowledged that ALTMAN's position was difficult and ALTMAN was trying to handle the situation appropriately. McLARTY wrote that this response was "vintage ALTMAN." McLARTY believed that ALTMAN's note to the President was appropriate and demonstrated that ALTMAN was attempting to deal with a difficult situation in a constructive manner.

McLarty recalls an occasion in the Oval Office at the White House at which the President expressed amusement and concern about the hiring of STEPHENS by the RTC. McLarty does not recall when this occasion in the Oval Office occurred. McLarty recalls the President's mood as being one of concern, frustration and amusement. The appointment of STEPHENS to such a position with the RTC did not seem logical to McLarty. McLarty recalls that senior advisor BRUCE LINDSEY was already in the Oval Office prior to McLarty's arrival there. LINDSEY was preparing to leave the Oval Office as McLarty was coming in. McLarty now believes that LINDSEY remained in the Oval Office while McLarty discussed the hiring of STEPHENS with the President. The President did not ask for any action to be taken in regard to the hiring of STEPHENS.

### OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription	1/30/95
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CYNTHIA HOWARD McMANUS 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 interviewing agents and the nature of the interview, McMANUS provided the following information:

McMANUS currently serves as a program support specialist with the United States Department of Justice (DOJ), Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention, 633 Indiana Avenue, N.W., Washington, D.C., telephone number (202) 307-5911. McMANUS's immediate superior is SHELDON C. "SHAY" BILCHIK.

McMANUS has been in government service for twenty-eight years and has worked for a number of those years at either DOJ or at the White House. In 1978, during the administration of President JIMMY CARTER, McMANUS worked for MICHAEL CARDOZO for one year when he was an associate counsel and the number three person in the White House Counsel's Office (WHCO). McMANUS later worked in the office of the White House chief of staff when EDWIN MEESE held that post. When MEESE left the White House staff to become attorney general, McMANUS remained at the White House. In June 1988, McMANUS went to work at DOJ in the office of the deputy attorney general, where she remained until 1993.

On January 22, 1993, McManus began serving as executive assistant and office manager in the WHCO in the administration of President BILL CLINTON. McManus was asked to come to work in the WHCO by CARDOZO. CARDOZO had most recently served on the CLINTON transition team, and he was serving as liaison between the White House and DOJ while the administration vetted candidates for the post of attorney general. White House Counsel BERNARD NUSSBAUM met with CARDOZO and asked CARDOZO to suggest the name of someone who could come in and set up the operation of the WHCO. CARDOZO recommended McManus to NUSSBAUM, who asked CARDOZO to offer the post in the WHCO to McManus.

Investigation on	1/20/95	at Washington, D.C	. File #	29D-LR-35063	
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Continuation of OIC-302 of CYNTHIA HOWARD McMANUS

On 1/20/95

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McMANUS met NUSSBAUM for the first time when she reported for work at the WHCO. Her responsibilities included setting up of the WHCO office, cleaning up what had been left by the previous occupants, overseeing the installation of computers and office equipment, and maintaining NUSSBAUM's work schedule and personal calendar. McMANUS worked mostly with NUSSBAUM, and she had little interaction with Deputy White House Counsel VINCENT W. FOSTER, Jr. NUSSBAUM was very warm and congenial to McMANUS and the other employees in the WHCO. McMANUS observed that FOSTER also seemed to relate well with NUSSBAUM and the other WHCO employees. However, while FOSTER and McMANUS treated each other in a professional manner, McMANUS felt that FOSTER seemed distant and cool toward her. One manifestation of this distance was that FOSTER did not want McMANUS to come into his McMANUS complied with FOSTER's request even though her desk in the reception area of the WHCO suite was immediately outside and closest to FOSTER's office. McMANUS does not know the reason for FOSTER's coolness toward her, but she believes FOSTER may have acted differently around her because McMANUS is African-American.

McMANUS came to the WHCO with the understanding that she would only set up the office and not remain there to oversee its operation. McMANUS had originally agreed to remain at the WHCO for thirty days, and she was anxious to leave once the attorney general and deputy attorney general were named. However, NUSSBAUM asked McMANUS to remain until the office could become fully functioning, and McMANUS agreed to do so. McMANUS agreed to remain until the end of July 1993, but she ended up actually leaving in May 1993.

In approximately April 1993, McMANUS contacted the White House security officer, whose name she cannot recall, and asked him for his assistance in opening the WHCO safes because they were locked shut and no one in the WHCO knew the combinations. The safes had been emptied by members of the previous administration and then locked shut, but no record of the safes' combinations had been left for the incoming administration. The security officer and his staff removed the locks from these safes, installed new locks on the safes, and provided the new combinations to McMANUS. The removal of the locks was made more difficult by the old age and poor condition of the safes. The entire process of replacing the old locks on the safes in the WHCO suite with new locks took about a week.

Continuation of OIC-302 of CYNTHIA HOWARD McMANUS

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McMANUS recalls that there were three two-drawer safes in NUSSBAUM's office when she left the WHCO. As of that time, none of the safes had been assigned for the exclusive use of any particular individuals. The safes were located under a stand-up-desk, and McMANUS believes there was some type of covering over the fronts of the safes so they would not be visible to visitors to NUSSBAUM's office.

Because McMANUS did not go into FOSTER's office, she does not recall whether there were any safes in that office. The safes in NUSSBAUM's office were empty from the time McMANUS began working in the WHCO until sometime in April 1993. At that time, NUSSBAUM, who had not used any of the safes previously, used one safe to store the background investigation report on Attorney General Janet RENO. Although NUSSBAUM put this file into the safe, he still did not lock the safe.

When McMANUS left the White House in the first or second week of May 1993 to return to DOJ, DEBORAH GORHAM and BETSY POND were the only two people on the WHCO administrative staff.

In May 1993, as McMANUS was preparing to leave the WHCO, GORHAM asked McMANUS about several matters about which GORHAM would need to be knowledgeable. GORHAM asked for the combinations to the WHCO safes, explaining that FOSTER might have some work for First Lady HILLARY RODHAM CLINTON which may need to be stored securely. McMANUS knows no further details about the nature of the work being done by FOSTER because McMANUS does not know what matters were being worked on by FOSTER. GORHAM came to McMANUS with her question about the safe combinations because GORHAM had previously worked in the private sector and she wanted to be certain she correctly followed government procedures.

Later in the instant interview, McMANUS clarified her earlier remark by stating GORHAM told McMANUS she needed to know the safe combinations in case FOSTER worked on something which needed to be stored securely. While McMANUS was still working in the WHCO suite, she observed that First Lady CLINTON was coming to see FOSTER fairly often. McMANUS has no reason to believe that FOSTER was working on anything for First Lady CLINTON.

After McMANUS left the White House, she called back to the WHCO and spoke to both POND and GORHAM of the WHCO staff. The purpose of McMANUS's call was to ensure that POND and GORHAM

Continuation of OIC-302 of CYNTHIA HOWARD McMANUS , On	1/20/95 , Pa	ge 4
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had taken the appropriate steps which should be taken whenever a staff member in a sensitive office leaves the staff. These steps included, in this instance, changing the combinations on the safes, changing the locks on the WHCO doors and changing the access list at the United States Secret Service (USSS) Control Center to reflect the names of only those current members of the WHCO staff who were authorized to be in the WHCO suite.

Approximately one year after McMANUS had left the WHCO staff and returned to DOJ, she received a call at her DOJ office from a White House telephone operator. The operator said she was calling on behalf of President CLINTON and was attempting to locate White House Special Counsel LLOYD CUTLER. McMANUS responded that she no longer worked at the White House and had no idea how to reach CUTLER. The operator was apologetic and explained that she had thought it strange to be calling McMANUS at a DOJ telephone number. The operator related that McMANUS's name was still reflected on a White House list as a point of contact for the WHCO staff.

McMANUS has not received any telephone calls asking for assistance in opening a safe in the WHCO suite. She has not been called or otherwise contacted by any member of the media.

During the early morning hours of July 21, 1993, McMANUS learned of FOSTER's death when she was called at home by another White House employee, ROSLYN MILLER. McMANUS was asleep when she received the call from MILLER, and she estimates that she received the call sometime between 12:00 midnight and 3:00 a.m. MILLER told McMANUS that FOSTER had committed suicide, and she said that she was calling McMANUS in the middle of the night because she did not want McMANUS to learn of FOSTER's death from the media. MILLER had learned of FOSTER's death when she was telephoned and told about it by CAROL RASCO. MILLER was also calling McMANUS with flight information for MILLER's upcoming trip since McMANUS had agreed to assist MILLER in getting to and from the airport.

MILLER works for CAROL RASCO, who is assistant to the president for domestic policy, and both RASCO and MILLER are from Arkansas. McMANUS met MILLER when McMANUS was serving on the staff of the WHCO, which is on the same floor as the offices of RASCO and MILLER. McMANUS has remained in touch with MILLER since returning to DOJ and she regards MILLER as a friend. -Both McMANUS and MILLER worked long hours at the White House, rarely

Continuation of OIC-302 of CYNTHIA HOWARD McMANUS

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leaving before 10:00 p.m. each night.

McMANUS used to see NUSSBAUM and FOSTER first thing in the morning almost every day. McMANUS typically arrived at the WHCO suite each day at approximately 7:00 a.m., which was the same time when FOSTER and usually NUSSBAUM would arrive there.

McMANUS was involved with drafting responses to five hundred to eight hundred congratulatory letters which had been received by NUSSBAUM after he was named White House Counsel. Because of the number of acknowledgements which needed to be written, McMANUS created a log to keep track of the letters of thanks she sent out. There were two temporary people who came to the WHCO staff to assist McMANUS on this project of responding to NUSSBAUM's congratulatory letters and other correspondence. These women, SHERRY FLOWER and HELEN JONES, were both DOJ employees who were detailed to the WHCO staff solely for that assignment, and they were only at the White House for a few weeks. They arrived at the White House in March 1993 but departed prior to McMANUS's departure from the WHCO staff. FLOWER left the White House first, in either March or April 1993, and she is now working in the office of the attorney general. JONES left in April 1993 and she now works in the deputy attorney general's office. ELLEN BURKE, who is also a DOJ employee, was detailed to the WHCO staff for approximately one month during McMANUS's tenure, and her primary duty was to answer telephones. BURKE was a young intern and she was only on the WHCO staff for two to three weeks. She left, possibly earlier than planned, because she did not get along well with POND. BURKE can be reached at DOJ, telephone number (202) 514-3872.

McMANUS knows of no log being kept for incoming mail received at the WHCO suite. Each of the members of the WHCO staff had an individual mailbox, and the staff member was responsible for picking up his or her mail from the mailbox, i.e., mail was not delivered to the staff member's desk. McMANUS did not see any documents which were sent to FOSTER. McMANUS did not see or touch any of the mail sent to FOSTER since it was delivered to his mailbox rather than to her. At no time did McMANUS observe any documents which contained references to Whitewater or Madison Guaranty Savings and Loan.

McMANUS is not aware of any real or perceived conflicts between herself and any other member of the White House staff.

CYNTHIA HOWARD McMANUS Continuation of OIC-302 of

On 1/20/95 Page 6

McMANUS was not assigned to the White House on either July 20 or 21, 1993, and she did not go to the White House on either date. McMANUS has not been back to the White House since the end of her temporary assignment there in May 1993.

During her period of assignment at the White House, McMANUS knew CRAIG LIVINGSTONE, who had replaced JANE DANNENHAUER. When DANNENHAUER left White House employment, the amount of her former salary was divided into three parts, meaning that three positions were funded to handle the workload formerly handled just by DANNENHAUER. Most of McMANUS's contacts with LIVINGSTONE occurred just after Attorney General JANET RENO had been named to her post and there was a transition period in which new people were being appointed to the attorney general's staff. During this period, LIVINGSTONE came to the WHCO suite and introduced himself to McMANUS. LIVINGSTONE remarked to McMANUS he was not interested in remaining in his position at the White House Office of Personnel Security, but McMANUS does not now recall what post LIVINGSTONE expressed interest in filling. McMANUS has not spoken with LIVINGSTONE since she left the White House. McMANUS has not received any business-related calls from the White House or the WHCO staff since her departure.

When McMANUS left the WHCO, the only person to whom she had given the safe combinations was GORHAM. Although NUSSBAUM and FOSTER were authorized to know the combinations based on their official positions, McMANUS had not given them the combinations because there had been no apparent need to do so.

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

Name:

Sex:

Race:

Date of Birth:

Place of Birth: Social Security

Account Number:

Home Address:

Home Telephone:

CYNTHIA HOWARD McMANUS

Female

Black

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

4103 Churchman Way

Woodbridge, Virginia (703) 590-7588

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### FEDERAL BUREAU OF INVESTIGATION

Date of transcription	4/6/94

The below-listed individuals met on March 30, 1994 at the George Washington National Park Headquarters, located off the George Washington Memorial Parkway, Fairfax County, Virginia.

The purpose of the meeting was to discuss/resolve issues relating to the FBI request to conduct a crime scene investigation at Fort Marcy National Park. Of major concern to park authorities was the extent of digging and ground disturbance that would be necessary. These issues were resolved to the satisfaction of U.S. Park Service authorities, including the National Park Service archeologists that were present.

Monday, April 4, 1994, weather permitting, was set as a target date, with the understanding that no digging or excavation would be conducted without the presence and oversight of National Park Service archeologists.

<u>Name</u>	<u>Title</u>	Agency	Phone Number
Audrey Calhoun Bart Truesdell Bob Sonderman	Asst. Supt. Chief Ranger Senior Staff Archeologist	NPS-GWMP NPS-GWMP NPS	703-285-2600 703-285-2600 202-619-7280 301-344-3523
Greg Howland Pete Simonello E. Lee Davis James E. Corby	Cult. Res. Mgr. ID Tech USPP Act. Supt. WMP Special Agent	NPS-GWMP USPP NPS FBI	703-285-2598 202-690-5192 202-285-2600 202-324-4341
Charles W. Hume Richard A. Crum	Capt. USPP-CIB Special Agent	USPP FBI	202-690-5054 202-324-4479
William E. Colombell Lawrence Monroe	Special Agent Special Agent	FBI FBI	202-514-8688 202-514-8688

NOTE: "NPS" is National Park Service ..

"GWMP" is George Washington Memorial Park

"USPP" is United States Park Police

	igation on	3/30/94	at _	George Washington	Park File#	29D-LR-35063	_
	SA Wi	lliam E. Colomb	el:	100			
by .	SA La	lliam E. Colom wrence Monroe			_ Date dictated	3/31/94	_

### FEDERAL BUREAU OF INVESTIGATION

-	4/28/94	
Date of transcription	1/20/51	

Cynthia M. Monaco, Special Assistant to the Deputy Attorney General, U.S. Department of Justice (DOJ), appeared at the Office of the Independent Counsel, Washington, D.C. as scheduled at 2:00 p.m. for interview. Ms. Monaco was advised of the identity of the interviewing agents and of the purpose of the interview. Ms. Monaco provided the following information:

She has been employed as Special Assistant to the Deputy Attorney General, DOJ, since May 3, 1993. As such, she was employed as Special Assistant to Phillip Heyman, Deputy Attorney General, DOJ, at the time of his resignation from the DOJ. Heyman announced his resignation from the DOJ on January 21, 1994 and his last day at the Department was February 14, 1994. On or about February 11, 1994, Monaco participated in a meeting with Heyman and others to assist him with various administrative details relative to his resignation. As part of this meeting, it was decided to set forth a chronology of the events involving DOJ personnel during the time period surrounding the death of Vincent Foster. In addition to Heyman and Monaco, those present at this meeting were DOJ employees Roger Adams (Counsel - DOJ), David Margolis (Associate Deputy Attorney General), Pat Binninger (a Confidential Assistant to the Deputy Attorney General) and possibly Rod Rosenstein (now a Special Assistant to the Assistant Attorney General - Criminal Matters and formerly a line attorney in the DOJ Criminal Division -Public Integrity).

Ms. Monaco provided six pages of yellow-lined, handwritten notes produced at the February 11, 1994 meeting concerning the chronology surrounding Foster's death. Monaco noted that it had been intended that these notes be typed, but that Heyman had left the Department prior to this being done and she has since not seen the need to do this.

A transcription of the chronology as provided by Ms. Monaco is as follows:

NOTE: Clarifications and/or corrections and sources of

stigation on	4/26/94	washington, D.C.	File #	29D-LR-35063~	_
by _ SA Wi	lliam T. Guyt FOIA(b)(		Date dictated	4/28/94	_

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Continuation of FD-302 of Cynthia M. Monaco

4/26/94

the recollections as provided by Ms. Monaco during the interview are provided in parenthesis in the transcription. There were no parenthetical notes in Ms. Monaco's original draft of the chronology.):

TUES July 20th

Announcement of Freeh. Foster left W.H. and shot himself - Tues. night he is found around 9:00 p.m.

# WED July 21st

- Roger Adams is selected by AG and DAG to go to Foster's office. He is told to stand by and Park Police would search. (Adams)
- Adams raised concern over his prior detail to the White House. DAG says call AG. (Adams)
  - 2 p.m. RA calls JR tells her he was in WH counsel's office. (JR = Janet Reno)
- Janet Reno beeps Phil at Marriot where he is panel moderator to ask Adams question.
  - 3 p.m. Adams is called into DAG's office. Dave got instructions from Phil on doc handling.
  - 5 p.m. DM, RA and investigators make an agreement that they will go into Vince's office. After agreement is signed sealed etc. Neuwirth reopens agreement. = Margolis)

DM glance at first page title of file (Margolis)

for "anything to do w/ his violent death" this (Margolis)

RA - understood that nothing would happen until they were there to see it. (Adams)

PH worry (Thurs 22 erased after this notation)

Thurs 22 - agreement is DM/RA will be at 10

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Cynthia M. Monaco

4/26/94

Originally we responded to the WH on Wednesday morning

21st Park police are not allowed in the office of Vince Foster

Roger Adams

Thurs 10 am We arrive at 10. (Margolis or Adams)

- Cops go off to do interviews
- Bernie has new plan he will look at docs
- David called DAG bec he now knows that new plan not cleared.
- DM calls Phil & hands phone to DAG (DAG reference here should be "Nussbaum")

David remembers that decision was we'd push Bernie to wall to change his mind but would let Bernie ultimately make the call.

DAVID said "Mail us results" BN - I know it's for show

Cindy saw Phil in conf room b/n 10:30-11.

You are messing this up (Quote from Heyman to Nussbaum on telephone in conference room/not in Heyman's office. Monaco overheard Heyman side of this conversation.)

said he'd call David & Roger back here - won't make a big deal about

BN said he'd call back DAG but didn't (Heyman)

told DM/RA to stay in lobby - not to leave when DM went out for a cig. BN panicked came running after DM.

At 12:45 - told DM/RA (Get lunch and will do search at 1:00 p.m.)

At some point, DM said after meeting if this were IBM I'd have subpoenaed. BN said - if this were IBM smart lawyer would have removed them - privilege would have attached. (Margolis)

D-302a (Rev. 11-15-83)

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DM told Bernie that he'd make a detailed inventory

DAG called BN on night of 22nd

- reamed him out
- do you have anything to hide? (Heyman angry he hadn't been consulted)

July 26 -

Tues July 27

5:15 - Phil is summoned out of AGAC to go to WH (Heyman) (AGAC = AG Advisory Committee)

DAG rides over w/AG (Heyman)

Bernie has note - AG says turn it over and she left. (Heyman) (AG had engagement = why she left)

Phil wanted to leave but BN asked him to stay since he was there so long already. (Heyman)

Thurs 28th - FBI is called in. (On note)

Thurs 29

Version.

Collier calls 8:45 (Collier is Chief of Staff for Interior Secretary Babbit)

comes over 9 a.m. (Meeting with Collier was only time during entire tenure that Heyman turned on his red light - meaning he should not be disturbed)

Two complaints

- WH is treating his personnel unprofess bursting into interviews
- mismatch (Refers to authority or power; U.S. Park 2) Police vs. White House)

wanted to take his people out of the investigation

DAG called Bernie, Gergen, etc. tells them he wanted-a

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conference call to all of them (Heyman said to assemble everyone who was present the night before in connection with the Foster note. Monaco recalled this included Dee Dee Myers, and possibly McLarty and Stephanopoulos, among others) (Conference call = speakerphone at White House) (Margolis, Adams and Monaco with Heyman)

told them at 10:37 (Phone logs?) we think 11:03

Nancy McFadden notes that N McF. DM told FBI

Monaco noted that this last referrence in the chronology referred to an occasion when Nancy McFadden, who worked for Webb Hubbell, came into Margolis' office while Monaco was present to express concern over the phrase "obstruction of justice" being used by the FBI in their investigation following the discovery of the Foster note. Monaco said that Heyman and Rod Rosenstein were also present at the time in Margolis' office. McFadden requested that "someone straighten this out," referring to the "obstruction of justice" terminology. McFadden said the situation was way out of hand. It was Monaco's understanding that Hubbell had asked McFadden to come down to discuss this matter. Monaco remembers that Margolis did not say a word. Margolis was asked by Heyman to call the FBI.

When asked if she could add any other detail regarding the chronology, Ms. Monaco said she remembered Deputy Attorney General Heyman returning from the White House to the DOJ at about 10:00 p.m. on the night of July 27, 1993. This was the evening that the White House turned the Foster note over to investigators. Monaco said that she, Heyman, Rod Rosenstein and Gary Katzmann (Associate Deputy Attorney General) discussed the finding of the Foster note. Monaco remembered Heyman saying how wonderful it was to watch the Attorney General handle the situation at the White House that evening. The Attorney General had reacted to the news of the note being located by saying that the White House should call the U.S. Park Police and give the note to them. Heyman commented on how upright the Attorney General was and what a pleasure it was to work with her. Monaco said Heyman did not express an opinion concerning the events of

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Continuation of FD-302 of Cynthia M. Monaco

that evening other than this. She noted that he was extremely tired and exhausted.

In addition to the handwritten chronology, Ms. Monaco also provided a three-page transcription (attached) from a "journal" which Monaco herself maintains. She said most of the information contained in these journal pages is second and third hand. It consists of notes she kept and dictated late at night, her intention being to create a "great journal" of her ... experiences. She said no one had seen these journal pages prior to them being turned over during this interview. She asked that if these journal entries were ever to be released in the future, that she have an opportunity to clarify certain inaccuracies such as incorrect dates and run-together material. As an example of necessary changes, she cited the third paragraph on the first page that reads "The Attorney General made"... and clarified this should read "The Attorney General's Office made..."

Monaco said she remembers speaking with Vincent Foster on perhaps one or two occasions. These occasions would have been telephone calls from Foster concerning the nomination of Jo Ann Harris. Monaco said Foster was business-like and limited the call, or calls, to an inquiry concerning the progress of an announcement on Harris.

Monaco said she could provide no other information of She has searched her files for other handwritten notes value. but has located nothing else.

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

> Name: Title:

Cynthia M. "Cindy" Monaco Special Assistant to the

Deputy Attorney General

Race: White Sex: Female

DOB: POB:

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

SSAN:

Business Address: Room 4208, DOJ

Work Telephone: (202) 514-3844

The nomination. Bromwich screw up.

## \*\*\* Back Chronology \*\*\*

On Tuesday July 20, the White House announced the pick in the Rose Garden of the new FBI Director. Phil, the Attorney General, and Dave Margolis were there. On Tuesday afternoon, Vince Foster left the White House and killed himself. He shot himself in the head in a park.

On Wednesday July 21, the White House realized that someone would have to come and take a look at the records in Vince Foster's office as part of a preliminary inquiry to rule out -- for suicide. Phil Heymann and Janet Reno decided that Roger Adams would go. Roger suggested that maybe there was a problem because he had worked at the White House for several months.

During this period of time, the Attorney General made a big deal about getting a hold of Phil while he was speaking at the Marriot while he was speaking at a Youth Violence Symposium. In any event, it was decided that Dave Margolis and Roger Adams would go over to the White House. David and Roger did go over. I believe it was on Wednesday briefly just to put a yellow tape on the door with the Park Police in the regular course of business. They determined at that time that they would come back and search the office the next day.

# Thursday, July 22, 1993

The next day was a disaster. I first realized there was a problem when I saw Phil Heymann on the phone with Bernie Nussbaum. I walked into the conference room and sat down. This was probably about 10:30 or 11 in the morning when he should have been in the Crime Bill pre-meeting in room 4118. Phil was on the phone with Bernie Nussbaum and he said: "You are messing this up very badly. I think you are making a terrible mistake." And what I took it to mean, in the context of the general conversation was that Bernie had refused to let David and Roger take a look at the documents.

I later heard from David that in fact what had happened was that Bernie looked at the documents and told him that a privilege was asserted or was not asserted. This was in contrast to what Phil and Bernie had decided the day before. Only I and Phil were present.

Phil and Bernie seemed to be in agreement on the entire thing but probably were not. Phil later suggested at the end of that day when David returned -- this was when CBS News was calling regularly that the fact . . . . He [David] was very angry that he had been made to cool his heels in the Executive Office Building for hours before they were called at something like

quarter to one and told they would have fifteen minutes to get a bite to eat in the cafeteria before they actually went over to search Vince's office. He was very irritated with that. And then when he got to Vince's office, he just sat there and Bernie Nussbaum picked up each document and looked at it while over his shoulder stood Steve and Cliff Sloan. And each of them regularly whispered in Bernie's ear as to whether or not he should assert some privilege or work product or executive or attorney-client priviledge. David was particularly galled when one agent stood up to stretch and Cliff Sloan said: "You're not trying to look over his shoulder are you?" David keeps repeating this story and I think he was very, very insulted that Cliff would make that accusation against one of his agents. I think the agent's name was Scott.

When David came back that evening, Dean St. Dennis was looking for a status report. Dean had sort of promised the press that morning that there would be a status report. He had gone too far.

Phil had pretty clearly explained to Dean, in my presence, that morning what he had wanted Dean to say to the press namely that it was just a routine inquiry. He may not have used the word "inquiry. He wasn' so clear on inquiry versus investigation but that it was just a routine questioning of circumstances into his death and that this would be handled like any other inquiry. I think that Dean was just way to specific with the press and said things like: "We are looking at the motive for the suicide and we a looking at the 1 in 100 chance that it could have been murder." I think that was very irritating for Phil Heymann to read in the papers the next morning.

In any event. Carl Stern returned that Monday and tried to set things straight. He had a meeting with Phil first thing in the morning when Phil laid the whole thing out. But that's getting ahead of ourselves.

That Friday there were articles back and forth on Vince Foster being despondent. On Monday, there were articles about the President, who I think had spoken to him. On Tuesday, the Attorney General and Phil Heymann were very quickly summoned to the White House. They were summoned . . . I specifically remember that Phil was summoned at about 5:15 and I don't know how much time it took for the Attorney General to convey that message but I know we went and got him out of the Advisiory Committee Meeting which he was at from about 4:30 to 5:00 and told that he had to come back immediately and go to the White House. He did come back immediately and he did go to the White House. He was there until about 10:00 at night. When I had sent him a burrito. He told Gary Katzmann, Rod and me of what had happened.

Vince Foster's Death. Last night there was the news that Rita raver was onto the Judge Freeh story. Also the news about Doris Meissner. This morning the Department of Commerce person Tom

Collier came in and said that he wanted to pull the Park Police out of it. Phil had a meeting. Phil spoke with me, David, and Roger and in the presence of David, Roger and me called over to the White House in the morning and told them he wanted a "vigorous investigation" and that the Park Police would do it with the FBI.

He met with Peter Edelman and Eldie and is worried that he is part of a discussion group that is going nowhere,

Second Monday.

Phil Heymann told the Attoney Genral, actually told Webb Hubbell that he was furious about the White House's refusal to approve his staff. He added that the only people on his staff who were approved were Shay Bilchik and someone who works for Shay. Drew Days was so moved that he went out and bought Phil a sanswich and the two of them has lunch in Phil's office. The rest of the day packed wall to wall with meetings. I continue to be astonished at the amount of information Phil Heymann can absorb. He agrees that he is upposed to have lunch with some journalists at some point.

I had dinner with Phil last night at Kramer books. Yesterday, we had dinner with Bill Geller at AV Ristorante and Bill Geller spent a lot of time complaining about the AG -- that there is a perception about her that her mind is already made up and he complained a lot about Gail Hoffman.

August 6
Mary Jo White rushed in the documents on the Nosair case. That's the killing of Kahane. I left it on Phil's chair. Phil Baridon prepared some notes at the very last minute for the AG's speech. Nancy McFadden, it turns out had not needed a formal report. At yesterday's news conference, Nancy McFadden who was standing in the back of the room talking to Cliff Sloan ordered me to be quiet and to leave the room immediately after the press conference and said she was justtelling that to people because there was press in the room. It was way out of line. She had no business being there nor did she have any business taking notes for whom we wonder.

They put a good spin on the question of why it was that the the DOJ was in at the beginning and then out in the middle then in again at the end of the investigation. The explanation which is a bit of a gloss but is close to true is that the DOJ was in at the beginning because it was a question of why a high federal official was murdered or died by his own hand but that when it became clear that it was a suicide they withdrew but then after there was concern over the handling of the note by Foster which was found torn up in a suitcase, the Department of Justice again reentered the investigation.

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stigation on	5/16/94	at _Wa	shington,	D.C.	File #	29D-LR	-35063	
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This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency;

FD-302a (Rev. 11-15-83)

-LR-35063

Continuation

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

Date of transcription	9/12/94

MARGARET JANE ("DEE DEE") MYERS was interviewed at the Office of the Independent Counsel, 1001 Pennsylvania Ave., N.W., Washington, D.C. (WDC), regarding her knowledge of events occurring at the White House on the evening of July 20,. 1993, subsequent to the death of VINCENT W. FOSTER, JR. FOSTER was the former Deputy Counsel to the President of the United States. Participating in the interview was attorney, Peter J. Romatowski of the law firm of Crowell & Moring, 1001 Pennsylvania Ave., N.W., WDC, telephone number (202) 624-2745. After being appraised of the purpose of the interview and the identities of all parties participating, MYERS thereafter provided the following information:

On the evening of July 20, 1993, MYERS was in the White House on the ground floor of the residence watching an interview of President Clinton being conducted by Larry King. Other members of the White House staff were with her. MARK GEARAN of the White House Communications Office informed her during the interview, sometime during the first half of the one hour show, that VINCENT FOSTER had committed suicide. GEARAN informed MYERS of this event down the hall from the room in which they had previously been monitoring the telecast of the Larry King Show. MYERS noted that the interview took place in the library of the White House and that the monitoring room was across from the library. MYERS recalled the following individuals being in the monitoring room during the taping of the Larry King show: GENE SPURLING (phonetic), MANDY GRUNWALD and MARK BEGALA.

After being informed by GEARAN of FOSTER's death, people began coming up to MYERS to try to get the status regarding the disposition of FOSTER's body and its identification as well as information regarding the procedure through which the family was to be notified of the death. Through GEARAN, MYERS learned that FOSTER had taken his life, but had no further information. At that point in time, GEARAN was awaiting a positive identification of FOSTER's body. MYERS telephoned JEFF ELLER, Director of Media Affairs regarding the death. This was the only telephone call MYERS remembers making from the White

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Continuation of FD-302 of

MARGARET JANE "DEE DEE" MYERS

On 6/22/94

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MYERS was aware that at the end of the Larry King show, the President and MACK MCLARTY, the President's Chief of Staff, went to the upstairs residence area of the White House. After the taping of the Larry King show, MYERS and BURTON went back to MCLARTY's office to contact the United States Park Police (USPP) regarding the procedures relating to the investigation of FOSTER's death. MYERS recalls making a conference call to the wire services regarding the White House statement related to the death of FOSTER.

According to MYERS, there were meetings on the evening of the 20th, after being informed of FOSTER's death. These meetings were not formal in nature but described to be a shifting cluster of individuals. MYERS did not recall going to any gathering that could be defined as a meeting. MYERS noted that White House Counsel, BERNARD NUSSBAUM, came into BURTON's office at some point. NUSSBAUM had looked in FOSTER's office and had not found any sort of note left by FOSTER. MYERS did not recall any statements being made on the night of July 20 that a note had been found regarding FOSTER's death. MYERS did not go to the FOSTER residence on the evening of July 20.

MYERS did not recall talking to CRAIG LIVINGSTONE on the evening of FOSTER's death. She was aware that WILLIAM KENNEDY of the White House Counsel's office and CRAIG LIVINGSTONE had gone to visually identify FOSTER's body at the hospital. DAVID WATKINS of the Office of Management and Administration went to the FOSTER residence to be there when the family was notified by USPP officers of FOSTER's death. MYERS had no recollection of any face to face contact with CRAIG LIVINGSTONE on the evening of July 20, 1993.

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MARGARET JANE "DEE DEE" MYERS

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MYERS did not go to the FOSTER residence on the morning of July 21, 1993.

No further information of investigative value was provided.

MARGARET JANE ("DEE DEE") MYERS is described from observation and interview as follows:

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POB:
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Race:
Sex:
Female,
SSN:

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28/94

MARGARET "DEE DEE" MYERS, Deputy Assistant to the President and Press Secretary, was interviewed at her offices in The White House on 7/27/94. Also present were her attorney PETER J. ROMATOWSKI and KAREN DEAKINS of CROWELL & MORING Attorneys at Law, 1001 Pennsylvania Avenue, NW, Washington, D.C., telephone (202) 624-2745. After being advised of the identity of the interviewing agents and the nature and purpose of the interview, MYERS provided the following information:

MYERS confirmed that she was at The White House on the evening of July 20, 1993 when the news broke that VINCENT FOSTER, JR. had committed suicide. She advised that she was there the entire evening until approximately 2:00 am on the morning of July 21, 1993. Asked if she could recall a telephone call to The White House from WEBB HUBBELL anytime during the evening on July 20, she responded that she herself did not take such a call but she recalls that possibly GEORGE STEPHANOPOULOS had called WEBB HUBBELL from the basement of the residence in The White House in order to tell WEBB what had happened. That was the only telephonic contact involving WEBB HUBBELL on the evening of July 20 that she could recall.

Asked if she recalls any involvement by the Press Office on the evening of July 20, she said she thinks she recalls that JEFF ELLER from her staff came into The White House that evening and then went out to the FOSTER residence. She believes that ELLER volunteered to do so. He is the Director of Media Affairs. She believes that this occurred after the President left The White House to go to the residence. She also advised it would not be unusual for ELLER to have followed-up with the suggestion that somebody go to the FOSTER residence the following morning in order to handle press inquiries. She does not know that that happened, but it would not be unusual for ELLER to have arranged for that. Two other individuals who would have had the authority to designate somebody to go out to the residence aside from herself would be, MARK GEARAN, and LORRAINE VOLES, who at the time was Deputy Press Secretary (she is currently Special Assistant to Vice President GORE). MYERS advised that she does

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MARGARET "DEE DEE" MYERS

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not remember if anybody from the Press Office was sent to the FOSTER residence on the morning of July 21, 1993. She also advised that it would be unusual for anybody to have gone to the residence to help handle the press without letting the Press Office know.

MYERS advised that she probably arrived at her office in The White House at about 7:00 in the morning on July 21, 1993. She does not recall if anybody was already in the office when she arrived. Asked if she recalls anything with regard to a telephone call to the Press Office in the early morning time frame from the FOSTER residence, specifically from CRAIG LIVINGSTONE, saying there was no press there and did they want to send anybody else out, MYERS said that the scenario "sounds kind of familiar". She advised that she has no specific memory of a telephone call coming in and she has no memory of meeting with LIVINGSTONE but she knows that somehow they were aware that there was no press problem at the FOSTER residence and she has a vague memory of having a conversation with LIVINGSTONE at some time in her office in The White House during which she "sort of remembers" that LIVINGSTONE went by the residence on the way in to The White House. She was not able to be anymore specific than that.

MYERS advised that LIVINGSTONE would not normally augment the Press Office staff by way of helping them with their duties, but this situation on the night of VINCE FOSTER's death and the days following was not normal. She explained that CRAIG would often step forward to assist the Press Office, for example, giving them a heads up when he became aware of something that might become an issue for the press. He understood how Press Office activities worked and how the press worked having handled such matters during CLINTON's presedential campaign. He was sensitive to their needs and assisted occassionaly.

MYERS advised that there was no activity generating from the Press Office in the early morning hours (after 6am) of July 21, 193 which called for the movement of binders or other materials of a substantial nature to some other office in The White House or to the Old Executive Office Building.

Shown a list of White House Communications Office (Press Office) active employees as of July 17, 1995, MYERS identified the following individuals as not being likely candidates to have been sent out to the FOSTER residence to deal

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with the press: LAVORA BARNES, PAT COGOELL, AMANDA CRUMLEY, CAROLYN CURIEL, JULIA MOFFETT, ALYSON MUSCATINE, JULIE OPPENHEIMER, KIM TILLEY, LORRAINE BOLES, ANN WALKER, and NANCY WARD.

Females from the same office who are possible candidates to have been sent to the FOSTER residence if that had been done were: ANN EDWARDS, KIM HOPPER, KATHLENE MCKIERMAN, LISA MORTMAN, KATHLEEN NEUGOLD, VICKI RIVAS VAZQUEZ, JESSAMYN SARMIENTO, MARIA MERCEDES TIO, and ELIZABETH BOWYER. MYER further advised that EDWARDS, MCKIERMAN, and HOPPER are the most likely to have been sent out if anyone was and advised that HOPPER currently works for KATHLENE BROWNS' campaign for Governor of California and can be reached by contacting CLINT REILLY in California at 415-673-6873.

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MARGARET JANE "DEE DEE" MYERS

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Continuation of FD-302 of

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No further information of investigative value was provided.

MARGARET JANE ("DEE DEE") MYERS is described from observation and interview as follows:

DOB:
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Race:
White
Sex:
SSN:

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Date of transcription

5/25/94

ROY M. NEEL, who served as Assistant to the President and Deputy Chief of Staff, The White House, Washington, D.C., from May 1993 through December 31, 1993, was interviewed at the Office of the Independent Counsel, Washington, D.C. MR. NEEL 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. MR. NEEL provided the following information:

He is currently President and CEO of the U.S. Telephone Association, 1401 H Street, N.W., Washington, D.C. 20005, telephone (202) 326-7244. Prior to this employment, he had been in government service for 17 years. He had served with Vice President ALBERT GORE during GORE's senate years. From the time of the inauguration on January 20, 1993 through about May 1, 1993, NEEL served as Assistant to the President and Chief of Staff to the Vice President. NEEL advised that he left government service so that he could spend more time on other personal matters.

NEEL first met VINCENT FOSTER during the transition in On January 14 or 15, 1993, he was with FOSTER at the Governor's Mansion during an introduction of the White House staff. At that time, he discussed their mutual interest in NEEL said there was an overall euphoria among those Vanderbilt. in attendance, as they were about to build the White House. NEEL described FOSTER as private, circumspect, reserved and as an individual who radiated a kind of strength. He was not superficial and was quiet about his work. FOSTER was not a "backslapping" type of individual. NEEL described himself as a "colleague" of FOSTER while serving with the Vice President. NEEL noted that FOSTER had stature at the White House that exceeded that of other deputies and at least equalled that of an Assistant to the President. FOSTER was not viewed simply as NUSSBAUM's deputy. NEEL noted that in addition to being close to the President and First Lady, that FOSTER quickly earned this stature. While with the Vice President, NEEL said he did not have a lot of dealings with FOSTER. NEEL noted that JACK QUINN,

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Continuation of FD-302 of ROY M. NEEL

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who also worked for the Vice President, worked with FOSTER more than he did, particularly regarding ethics issues.

On May 5 or 6, 1993, NEEL assumed his new role as Assistant to the President and Deputy Chief of Staff to MACK MCLARTY. NEEL wore "both hats," working for the President and Vice-President through the end of June 1993. NEEL said his duties included convening morning staff meetings for the Assistants to the President. FOSTER would often represent ... BERNARD NUSSBAUM, Chief Counsel for the White House, at these NEEL's other dealings with FOSTER included ethics issues, such as gifts to the President, and the President's family. FOSTER would assess the propriety of such issues. NEEL said he saw less of FOSTER in the weeks just prior to FOSTER's death. NEEL cannot attribute this to anything other than the fact that they were working on unrelated issues. NEEL's other associations with FOSTER included seeing him two or three times in the White House mess and discussing Arkansas/Vanderbilt basketball games. He described FOSTER as being quite a basketball fan.

NEEL saw VINCE FOSTER for the last time on the afternoon of July 19, 1993. The occasion was a meeting of the Deputy Chief of Staff concerning either rules which affected White House contact with agencies or ethics rules. NEEL said the first issue concerned how the White House contacts agencies. that point in time, the White House staff had been "a littleloose" in their contacts, and this situation needed a "fix." issue rose out of the Travel Office matter. FOSTER was asked for a report on how the White House staff was being informed on the issue. When called upon, FOSTER had nothing to say and referred the question to CLIFF SLOAN. FOSTER was quiet throughout the meeting. He had previously been an active participant on this issue and attending meetings on the issue, but had not been to meetings on the topic since approximately mid-June. Morale issues were also discussed in an attempt to find ways for the White House staff to enjoy themselves more. This attempt to "knit the staff together" had appealed to FOSTER in the beginning but FOSTER had lost interest.

NEEL was informed of FOSTER's death at approximately 8:00 p.m. on the evening of July 20, 1993 when BILL BURTON, Executive Assistant to MCLARTY, called his residence. BURTON advised that the police had just found FOSTER's body and it

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Continuation of FD-302 of ROY M. NEEL , on 5/25/94

appeared he had shot himself. BURTON said he would call back later. BURTON did not ask NEEL to do anything during the call. NEEL did not do anything as a result of the call. It occurred to him to call MCLARTY but he did not do so as MCLARTY was either at home or on his way to the FOSTER home.

BURTON told NEEL during the initial call or later that someone had taken the trash out of VINCENT FOSTER's office and put it in NEEL's office so that nothing would happen to it. NEEL was advised that it would be picked up the following morning. NEEL explained that the trash had been left in his office because he was the Deputy Chief of Staff at the White House. Nothing else was said about the trash, other than it was possibly taken out of the trash can in Foster's office or the slight chance it had been retrieved from cleaning personnel. NEEL did not feel that the latter would have been the case because of the early hour - 8:00 or 8:30 p.m. - involved.

When NEEL arrived at his office the following morning (July 21, 1993), he found an opaque plastic bag of trash which had been tied up in the middle of his desk. NEEL said his particular office had not been locked, but the outer office to the suite had been locked. He did not have a safe in his office.

NEEL described the morning of July 21, 1993 at the White House as "hushed" and with the expected pall over it. He said a typical 7:30 - 9:00 a.m. period at the White House on any given day is full of bustle, jocular comments, catching up and other loud conversation. There was none of that on the morning of July 21, 1993. People were huddled in hallways and offices, sharing their grief.

Any conversations NEEL had regarding FOSTER's death were of a "personal nature." They were sharing disbelief about FOSTER's death with others. There was no discussion of a suicide note or anything else related to the death. NEEL did not attend a U.S. Park Police briefing on their investigation to date that morning and did not attend any other meetings concerning the FOSTER investigation with one exception. At a senior staff meeting, MCLARTY confirmed what had happened and discussed matters related to the family. NEEL did not take notes during the episode and avoided keeping a diary throughout his White House career. NUSSBAUM also spoke on July 21, 1993 regarding the investigation, indicating that no one knows why this happened.

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NEEL noted that he remembered "big things" and "benchmarks" regarding the FOSTER death. NEEL does not remember specific dates and times. The tone at the time at the White House was severe concern for the FOSTER family and a shared sense of tragedy. NEEL did not learn of any aggravation associated with the investigation process and/or dealings with the White House for several days.

On July 22, 1993, NEEL was not involved in the search of VINCENT FOSTER's office. NEEL stated that he did not enter FOSTER's office the entire time he was at the White House. NEEL said he was not involved in procedural discussions regarding the search of FOSTER's office. He did not even know that the search had been done until later.

NEEL did not attend the FOSTER funeral in Arkansas.

NEEL said that he was not aware of conversations between the White House Counsel's office and the U.S. Park Police or what was done in FOSTER's office.

NEEL's first point of concern that the FOSTER death and subsequent investigation was more than working through a personal tragedy of a staff member occurred with his reading of press accounts concerning comments appearing to be made by the U.S. Park Police regarding lack of White House cooperation. newspaper articles contained leaks which seemed to NEEL to beinappropriate. It appeared to NEEL that once the U.S. Park Police came under criticism, there appeared to be "ass covering" by the U.S. Park Police going up to the Interior Chief of Staff, TOM COLLIER. It seemed there was "laying off blame to the White House." At that point, NEEL was not familiar and did not know of the White House actions to date. He was concerned with the Park Police and Interior "pointing a finger" at the White House. said he did not do anything right away after reading such articles. Within perhaps a day of the articles appearing, he had a telephone conversation with TOM COLLIER at Interior, the gist of which was to ask COLLIER if the White House was doing anything or not doing anything which was the basis of the stories in the newspapers. COLLIER discounted the newspaper articles and said that the Park Police investigation was ongoing. NEEL described the conversation with COLLIER as "perfunctory." NEEL simply wanted to find out what the stories were about. COLLIER was not a personal friend, but NEEL wanted to know if he had any idea

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ROY M. NEEL Continuation of FD-302 of

where the stories were coming from. COLLIER was defensive at that point, but the conversation simply ended with NEEL saying "let us know if there is anything the White House should be doing or know about." The newspaper articles were quoting sources as saying that the White House was standing in the way of the FOSTER investigation and the U.S. Park Police were not doing their job in a professional way. NEEL had called COLLIER on his own initiative. He was aware that BURTON had had a conversation with COLLIER, but was not sure of the timing of his call versus ... BURTON's. NEEL said BURTON's conversation with COLLIER would not have stimulated his call to COLLIER. NEEL said he would never have called an official at the U.S. Park Police, as that would have been irregular and been misunderstood. The attitude at the White House was that agencies were working for the President. NEEL said COLLIER was not held in particular high regard at the White House and there may have been some tension between him and BURTON. NEEL's motivation for his call to COLLIER was to insure that there was not a "disconnect."

The various involvements at the time concerned MARK GEARAN and DEE DEE MYERS on the communications aspect; the legal issues aspect assumed by NUSSBAUM; and occasional ad hoc meetings. NEEL explained that during this time at the White House, anyone could conduct a meeting, with a "small m," at any time. It was a "brainstorming" process.

At some point after the torn-up FOSTER note was found, NUSSBAUM informed NEEL that the note had been turned over to proper officials. NUSSBAUM commented to NEEL that the note was "obviously a note that VINCE had not intended anyone to read" because it had been torn up into little pieces.

The only note issue in which NEEL was involved was the comment concerning the ushers. This comment was that "The ushers office plotted to have excessive costs incurred, taking advantage of Kaki and HRC." Before the note was made public, NEEL convened a meeting of the White House ushers staff to tell them about this comment in the note. NEEL assured them at that time that the language FOSTER had used did not reflect the senior White House staff view of the ushers' performance. NEEL became the selfappointed stability between the ushers office and the White House, except as to issues pertaining to the First Lady and her staff. NEEL advised the ushers to come to him with future issues. FOSTER had reviewed the ushers' performance and there

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had been a disagreement regarding expenses of the designer Kaki Hockersmith. Afterwards, it had been determined there had been a misunderstanding. The money for redecoration of the White House comes from a foundation fund and eyebrows had been raised because an Arkansas designer had been employed. NEEL described the ushers staff, which totalled six to eight people, as house managers who run the White House and may oversee such things as the cooks and gardeners. NEEL's concern in meeting with the usher staff was that they "didn't go off the deep end" when the note was made public. The comment in FOSTER's note had to be taken in context. The ushers are not official appointments by an incoming administration but do serve at the pleasure of the President.

Once the FOSTER note was revealed, "it was a mess." The sense of speculation was uncontrollable and there was frustration that there was no way to get matters under control. A press frenzy was underway. The "inventory of concerns" contained in FOSTER's note grew like "gremlins" and created "centers of controversy." The White House was saying that the note issues were the observations of a disturbed man and not the views of the White House, but the White House felt vulnerable and helpless. NEEL said it was his impression that NUSSBAUM had turned the torn-up note over to authorities within hours of finding it. He did not know that NUSSBAUM kept it for a time.

Up until the time of the location of the FOSTER note, the tension with the U.S. Park Police was an "inside thing" and "not a dogfight." The tension was associated with the nature of the event. After the FOSTER note was located, it became a question of how to get the issue "behind us." The White House was involved in many things at the time to include a budget fight. The discovery of the note came on the heels of the "Travel Office fiasco" and involved some of the same people. NEEL digressed to say that you have to understand the "bunker mentality" at the White House magnifies every emotion that pops up. NEEL said he had experienced nothing similar since Viet Nam. Individuals become not even certain of what has been done or not and seem to do nothing right. To that point, NEEL had assumed that NUSSBAUM was managing with the U.S. Park Police. NEEL's contact with COLLIER at Interior had been spontaneous. NEEL did not talk to COLLIER other than in that one telephone conversation concerning issues related to the FOSTER incident. There was no

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other follow-up on COLLIER's part with NEEL. No follow-up calls from COLLIER or Interior were referred to NEEL.

When describing the atmosphere at the White House, NEEL said that until DAVID GERGEN joined the White House staff on Memorial Day of 1993, no one was there who had worked at the White House. To that point, FOSTER was one of those individuals on the White House staff who had exuded self-confidence. He was a solid quy. FOSTER was one of those individuals that if you were in a fight, you would want him to be on your team. NEEL said that NUSSBAUM was the reverse case. NUSSBAUM did not demonstrate competence in Washington terms and had been tainted by the handling of the Travel Office. In many White House issues, "anyone can play" but in legal matters, interest was directed to the Counsel's office. NEEL described the Travel Office matter as a "scape goat thing" for Counsel. The Travel Office situation had been an aggravation for FOSTER. FOSTER had not expected to work on such matters. He was not pleased to work on the firings. The Travel Office was a minor action which had been blown into a major political problem for the White House.

When asked, NEEL said he was not aware of the removal of any documents from FOSTER's office. He had not heard any speculation regarding a suicide note being found earlier than the discovery of the torn-up note. NEEL said he had never questioned the condition in which the note was found. NEEL thought that the FOSTER note represented "random musings" by FOSTER of "things-that piss me off." NEEL speculated that FOSTER had prepared this list in a place where he couldn't throw it away and as a result had torn it up and put it in his briefcase. NEEL said that a lot of people empathized with what FOSTER said in the note. It is hard to understand how deeply hurt FOSTER was by the Wall Street Journal articles. Others in Washington can ignore this. FOSTER could not. Being from Arkansas, the articles had been deeply hurtful to FOSTER and had been a challenge to his reputation.

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

Name:	ROY M. NEEL
Race:	White
Sex:	Male
DOB:	FOIA(b)(6)
POB:	FOIA(b)(6) FOIA(b)(7) - (C)

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SSAN:

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

Residence:

3307 North Hampton Street, N.W.

Washington, D.C. 20015

Telephone:

(202) 686-9129

White House Titles:

Assistant to the President and Deputy Chief of Staff (5/1/93

thru 12/31/93)

Assistant to the President and Chief of Staff to the Vice

President (1/20/93 thru 5/1/93)

Current

Employment:

President and Chief Executive

Officer, U.S. Telephone Association

1401 H Street, N.W.

Washington, D.C. 20005

Telephone:

(202) 326-7244

Date of transcription	5/16/94	
Date of transcription		

On May 10 and 11, 1994, SAs COLOMBELL and MONROE conducted a neighborhood investigation in the vicinity of 3027 Cambridge Place, Georgetown, Washington, D.C., the former residence of VINCENT FOSTER and family. The primary focus of the investigation was to determine if MR. FOSTER, on the afternoon of July 20, 1993, returned to his residence after having left his White House office at approximately 1:00 p.m. Neighbors, as set forth below, were interviewed and no one was able to provide information indicating that MR. FOSTER returned to this residence on the afternoon of July 20, 1993 between the hours of 1:00 and 5:30 p.m.

MR. RICK STAVROS, 3029A Cambridge Place - Georgetown University student who advised that he did see MRS. FOSTER on July 20, 1993 at approximately 5:30-6:00 p.m., stating that she was out front watering flowers and spoke to him briefly about the difference in lifestyle and people in Arkansas and Washington, D.C. He did not see MR. FOSTER that day.

MR. JAMES INGRAM, 3036 Cambridge Place - Did see MRS. FOSTER on July 20, 1993 at approximately 6:00 p.m. on the sidewalk in front of her residence; as best he recalls, she was leaving to pick up one of her daughters and was obviously unaware of the tragedy that had occurred. Did not see MR. FOSTER that day.

DEAN BROWN, 3030 Cambridge Place - Was acquainted with both MR. and MRS. FOSTER, stating that he only would see him on the weekends. He stated that he did see MRS. FOSTER on July 20, 1993 in the late afternoon but did not see MR. FOSTER on that day.

MS. TINA NUCKOLS, 3035B Cambridge Place - Unable to provide information; was not living in the neighborhood on the date in question.

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by .	SSA La	wrence J. M	Monroe	WEC: deq		Date dictated	5/16/94	

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MRS. SIDNEY BROOKS, 3032 Cambridge Place - Stated that she was familiar with both of the FOSTERS and on occasion did play tennis with MRS. FOSTER. Stated that she works out of her residence and is generally familiar with neighbors coming and going on Cambridge Place during the day. She stated that MR. FOSTER did not, to her knowledge, return to his residence on the afternoon of July 20, 1993. To the best of her recollection, she did see MRS. FOSTER in the late afternoon at approximately 5:30 p.m. and spoke briefly with her. She stated that in several conversations with MRS. FOSTER, prior to her husband's death, MRS. FOSTER informed her that her husband had been under significant stress and pressure because of his White House employment.

In addition to the above neighbors, efforts were made to contact and interview residents of the below-listed addresses with negative results (no one was home):

3023, 3033, 3033A, 3031, 3031A, 3025, 3025A, 3029 and 3029A Cambridge Place.

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SA Colombell conducted a neighborhood investigation in the vicinity of 3027 Cambridge Place, Georgetown, Washington, D.C. in an effort to determine if their was media presence in the neighborhood on the morning of July 21, 1993 between the hours of 6:00 and 8:30 a.m. and also to determine if MR. CRAIG LIVINGSTONE was present in the vicinity of or outside the FOSTER residence during that time period.

MRS. SIDNEY BROOKS, 3032 Cambridge Place, telephone number, (202) 337-2890, advised that to her knowledge there was no media presence on Cambridge Place in the early morning hours prior to 8:30 a.m. MRS. BROOKS added that one of the neighbors, MRS. WENDY WHITWORTH who is employed by CNN had remarked about CNN media presence the prior evening and may be in position to advise whether or not there was media coverage on the early morning of July 21, 1993.

MARLYNN WORSELDINE, 3040 Cambridge Place, telephone number, (202) 342-3853, stated that she got up about 6:30 a.m. and went out to get the paper between 6:30 and 7:00 a.m. and did not see any media presence or anyone else on the street. Later in the morning, there was a media presence with at least two camera crews on foot, walking down the sidewalks shooting background shots. On July 22, 1993, there was a reporter who came around door to door asking for background information or any other information regarding MR. FOSTER.

MRS. SHELIA TOBIN, 3015 Cambridge Place South, telephone number, (202) 965-8962, was unable to provide any information regarding possible media presence or any other individuals in the neighborhood in the early morning hours between 6:00 and 8:30 a.m. She went out of the house for the first time at approximately 10:30 a.m. and at that time there was media activity on the street. She stated that neighbors DOUG HORN, who resides at 3024 and MR. MANTHEY, who resides at 3019 getup early and may be able to provide information.

MR. STEVE HACHTEN, 3033 Cambridge Place South,

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telephone number, (202) 342-1280, advised that he recalls a significant U.S. Secret Service presence at the FOSTER residence on the evening of MR. FOSTER's death. He stated that the next morning, he got up at the usual time, 6:00 a.m., and went out to get the paper sometime between 7:00 and 7:30 a.m. He stated that he did not see anyone on the street, either media, camera trucks or reporters with the exception of what appeared to be a black government limousine which was parked at the west end of Cambridge Place with the driver sitting inside. He was unable to say whether the limousine was there to provide service to the FOSTER family or not, adding that limos of that type are frequently seen in the neighborhood. He left for work at approximately 7:45 a.m. and did not see any media or camera trucks or anyone else on the street at that time. Because of the commotion the night before, and out of curiosity, he recalled that he did check the street out very carefully that morning to see if there was a Secret Service or media presence.

MR. DAVID GILL, 3042 Cambridge Place South, advised that he was unable to help and could furnish no information relative to the presence of media or anyone else on the street between the hours of 6:00 and 8:30 a.m.

MR. JIM WALLACE, 3029 Cambridge Place South, telephone number, (202) 338-8889, advised that he recalled the night of VINCE FOSTER's death, stating that he resides next to the FOSTER's and had heard MRS. FOSTER scream, apparently when advised by the police of her husband's tragic death. The next morning, he left his home at approximately 7:30 a.m. and feels fairly certain that the street was perfectly quiet with no media presence or Secret Service presence. He stated that if they was someone on the street at that time in the morning, he would have noticed, given the quiet, secluded type of street.

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On June 7, 1994, BETH NOLAN, Associate Counsel at The White House, was interviewed at the Office of the Independent Counsel. Also present was her attorney RANDALL J. TURK, of MILLER, CASSIDY, LARROCA and LEWIN, 2555 M Street, NW, Washington, D.C., telephone 202-833-5127. Present, and representing the Office of the Independent Counsel, was CARL STICH. After being advised of the nature and purpose of the interview and the identities of the interviewing agent, NOLAN provided the following information:

NOLAN is currently on leave from the faculty of George Washington Law School. She was at the Department of Justice in the Office of Legal Counsel from 1981-1985 and she has been teaching at George Washington Law School since 1985. She graduated from Georgetown Law School. She was contacted by The White House because they needed somebody who had expertise in Government Ethics. She had done some work on the vetting teams during the transition and several people at Justice recommended her to The White House. BERNARD NUSSBAUM contacted her and she first met VINCE FOSTER, JR. the Saturday after the inauguration. It was he who interviewed her for the job she holds.

Asked what she could remember about FOSTER's feelings about the Travel Office matter, NOLAN said that it has been so long that she cannot recall any specific discussions with FOSTER. She advised that FOSTER believed that WILLIAM KENNEDY had not (as the report implied) threatened the FBI, meaning, had not threatened to "sic the IRS" on The White House Travel Office if the FBI didn't respond to the matter. She recalls a newspaper article on the matter and she recalls that FOSTER believed KENNEDY's version of events rather than the FBI's. FOSTER believed that the statement in the newspaper article with regard to siccing the IRS on anybody was inaccurate but she doesn't recall any specific comments that he made verbatim. She also did not recall FOSTER saying that "the FBI lied" about anything.

Asked what her relationship was with FOSTER, NOLAN explained that he was "the Deputy" and regarded as a high-ranking

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person for that reason. She saw him during daily staff meetings but had no other daily contact with him per se. She was the Alternate Designated Ethics Official for The White House and so she had periodic dealings with FOSTER on those matters. worked with him on some matters having to do with the blind trust for the First Family's assets and also with regard to the Travel Office matter. She had no direct contact with BRANT BUCK of the Rose Law Firm in Little Rock, Arkansas.

NOLAN said that with regard to matters that FOSTER was handling for the First Family she had a general understanding that FOSTER was handling matters pertaining to the First Family White House residence, their financial disclosure forms and the setting up of the blind trust. With regard to the financial disclosure forms there was an issue of HILLARY RODHAM CLINTON's ownership of health care stock and having to determine whether or not she was subject to conflict of interest laws and whether or not they applied generally. As it turned out it was not a legal problem and they never uncovered any scandalous or potentially explosive issues with regard to that or the financial disclosure statement generally. She said Whitewater was only peripherally noted because she needed to verify that they no longer owned the company. She does not recall any concern about the matter on Foster's part. NOLAN said that she had not even heard about Madison Guaranty at the time.

She considered herself close to VINCE FOSTER in a professional sense only. She worked on the Presidential Financial Disclosure statements, which were due May 14, 1993. She had worked on ethics issues with regard to the Travel Office report with FOSTER until it was "taken out of our hands" by the Government Accounting Office (GAO) Audit and the Department of Justice OPR investigation on the matter. In addition, there were all sorts of minor issues that she dealt with FOSTER on regarding people disqualifying themselves or needing waivers for various things. She explained that anything that was not routine she would refer to FOSTER. She described the dynamics of when that would happen as like a law firm would operate -- the Associate Counsel had access to NUSSBAUM and FOSTER when they needed it but were generally empowered to operate on a routine basis on their own.

NOLAN said that it was a very difficult time and that nobody was accustomed to the spotlight and nobody was accustomed to not succeeding in their endeavors. This was a period when

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nobody on The White House staff had adjusted to the kinds of work and criticism and frustration that they were experiencing in their jobs. She knew that FOSTER was upset about KENNEDY and the Travel Office matter but explained that, "We were all upset. It was a rough six months".

NOLAN seemed to recall that soon after July 4, 1993, NUSSBAUM went on vacation and she had a few more conversations about The White House Travel Office report with FOSTER than she might have otherwise had. She remembered that he was most upset about KENNEDY having been reprimanded. She said that when she heard that FOSTER had used the term "lied" his use of the word did not strike her as notable. With regard to the statement, "the FBI lied" NOLAN said that she assumed that it pertained to the Travel Office but she doesn't know that for a fact.

Asked to give her opinion of The White House Management report on the Travel Office matter, NOLAN said that she didn't know what the facts were and cannot remember the details. read to her the portion of the OPR report on the Travel Office matter that pertained to her observations to the OPR investigators. She said that it was not inconsistent with her recollection although she doesn't have a specific memory of having said any of that except she does remember FOSTER's feeling that it would have been easier if he had been reprimanded also. NOLAN said that FOSTER was upset, but did not seem to be inordinately upset about the Travel Office or any other matter. She realizes with hindsight that he must have been upset about something. She does not consider herself a confidant or close enough to have been privy to what was bothering him on a very private level. She had normal contact with him and a good working relationship.

She last saw FOSTER in the Rose Garden ceremony celebrating LOUIS FREEH's appointment as Director of the FBI. Her observation of him at that time was that perhaps his mood had lifted a little in the last couple of days of his life and she bases that on some joking around that had occurred during the previous Friday staff meeting. She saw him Monday, July 19, 1993 for just a few minutes and he did not seem distracted and handled the exchange normally. She said that she did not recall anybody ever remarking about FOSTER holding up or not holding up, and she did not herself notice that there had been any weight loss.

With regard to the torn up note that was found in

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FOSTER's briefcase after his death, that is the only note that NOLAN is aware and she is not aware of any other having been found. She never heard anything about documents having been removed from FOSTER's office before the inventory of the office.

With regard to the staff meeting that was held following FOSTER's death, she said that somebody said that they should secure the office and there was the discussion regarding who they should call to get that done. There was general .. agreement that it should be done, but the question was whether they should contact RON NOBLE who was the U.S. Treasury Department contact for the Counsel's office (the connection being that the Secret Service in under U.S. Treasury) or whether MAC MCLARTY should handle it.

Other individuals whom NOLAN speculated might have been considered confidants of FOSTER's included everybody in "the Arkansas group" especially those individuals from the Rose Law Firm--WEBB HUBBELL, WILLIAM KENNEDY and HILLARY RODHAM CLINTON. NOLAN said that she didn't know about the personal lives of these individuals including VINCE FOSTER. Asked if she thought he had a confidant, she said, "I don't know that he had one".

She learned of FOSTER's death when NUSSBAUM telephoned her at her home at approximately 11:00 pm on July 20, 1993. She stayed at home that evening and did not go to The White House at all.

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Henry Peter O'Neill, Officer, Uniform Division, United States Secret Service (USSS) was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue NW on 4/28/94. Officer O'Neill was advised as to the identities of the interviewing agents and informed of the nature of the interview. He was again interviewed by SA McElhaney on 5/1/94 with Attorney Mark Stein present. He provided the following information:

He has been employed by USSS for 17 years. His office is located at 1310 L Street, NW Washington, D.C. and his office telephone number is 202-395-2020. His home telephone number is 301-262-0095. For the last three years he has been assigned as an escort officer on the 10:30 pm - 7:00 am shift with his primary responsibilities being the escorting of GSA cleaning crews into alarmed office areas of the west wing of The White He is also personally responsible for picking up "burn bags" from west wing offices. He explained that sensitive and/or classified waste paper material is to be placed in special bags rather than the regular trash receptacles in offices. During his shifts, he is also responsible for responding to alarms, escorting authorized persons into their offices when they forget a key, and security patrol to ensure that classified material is not left inappropriately secured or unattended.

Officer O'Neill was asked to explain the USSS standard operating procedure regarding the pick up and handling of regular and "burn bag" trash from west wing offices. He said that both regular trash and burn bag trash are picked up from every office in the west wing every night with regular trash and burn bag trash being placed in separate large pick-up bags. These trash receptacles are then taken to a specially designated secure room in the Old Executive Office Building and the burn bag trash is destroyed by the USSS approximately three times a week. He said that every office in the west wing is routinely vacuumed, dusted and receives trash pick up on a daily basis. He said that regular trash pick ups are handled by the GSA cleaning crews in his presence from individual trash baskets that are routinely lined with a clear plastic bag. He said that at the time of pick

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up the plastic bag and its entire contents are thrown into a 50 gallon bag that is carried from room to room by the cleaning crew. When asked, he said that, in his opinion, it would be almost impossible for anyone to identify the regular trash from a particular waste basket or office and to retrieve it after it had been picked up and combined with all other trash picked up on a given day. He explained that the clear plastic bags in the regular trash cans are not marked or designated in any way to show from which office they came. He said that he seldom, if ever, found any burn bag trash in Foster's office to be picked up.

Officer O'Neill advised that he first learned of Vincent Foster's death shortly after 11:00 pm on July 20, 1993. He said that prior to his learning of Foster's death, he had not known Foster either professionally or personally and could only recall having seen him one time, shortly after President Bill Clinton's inauguration. Officer O'Neill said that on July 20, 1993, at approximately 10:40 - 11:00 pm he had just unlocked the door to the suite of offices occupied by Bernard Nussbaum and Vincent Foster. He said that he stepped into the office with the GSA cleaning crew, turned on the light, and deactivated the alarm when he became aware that there were other people entering the office behind him. He said that he turned to see a man that he recognized as Bernard Nussbaum, another man whom he did not recognize, Margaret "Maggie" Williams, of Hillary Clinton's staff, and another woman whom he thinks was Patsy Thomasson. Officer O'Neill said that it was highly unusual to see White House staffers entering an office at that hour of the night and that he "just sensed" that something was wrong because they all seemed "on edge". He and the cleaning crew stepped out of the suite into the hall and he asked the man who was a part of this group "what seems to be the problem"? He said that this man introduced himself as a White House staffer in charge of legislative affairs and indicated that his office was just down the hall on the 2nd floor of the west wing. O'Neill said that he has since looked at White House staff photographs and now knows that this man was Howard Paster. This man then advised Officer O'Neill "something terrible has happened-Vince Foster has taken his own life." This man, Nussbaum, and the two women went into Nussbaum's office. O'Neill said that he has not seen Paster since that time. Shortly after this encounter, the second woman (not Maggie Williams) introduced herself to him. He said that, while he is not entirely certain, he believes that she said her name was Patsy Thomasson. She also told him Maggie Williams'

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name and that Williams was a staffer for Hillary Clinton.

The GSA cleaning crew with O'Neill that night consisted of two women, Terri Cobey, who usually cleans the second floor restrooms, and Diane Walters, who usually cleans the second floor offices. Officer O'Neill said that it is USSS standard operating procedure for escort officers such as himself and cleaning crews to stop what they are doing and immediately leave an office when White House staffers come into the office as if for work. He said that therefore, he and the GSA cleaning crew went down the hallway when Bernard Nussbaum, the other man, and the two women entered the suite. He advised however, that after learning that Vincent Foster had been found dead and deeming this situation to be extremely unusual, he reentered the suite.

Officer O'Neill said that when he reentered the suite, (approximately five to ten minutes after the group first arrived and entered Nussbaum's office) he saw a third woman sitting behind Vincent Foster's desk in a chair going through papers on his desk as if she were looking for something. He said that this woman was alone in Vincent Foster's office when he saw her. He advised that he did not recognize this woman and added that it was not Maggie Williams nor was it the woman he had met and thought to be Patsy Thomasson. He described this third woman as follows:

Sex:
Race:
Height:
Build:
Hair:
Complexion:
Age:

Female
Caucasian
Approximately 5'6" - 5'8"
Slender to medium
Dark brown/black

Light Mid 40's

Officer O'Neill advised that having just learned of Vincent Foster's death and then seeing this third woman in his office, whom he had not previously seen, he assumed that this woman could be Vincent Foster's wife. He therefore decided that the correct course of action was for him to again leave the suite. He did so and advised the GSA cleaning crew in the hall that they were not to vacuum, dust, nor were they to pick up any trash in that suite of offices that evening. He stated that there was no trash, regular or burn bag, picked up in the Bernard Nussbaum, Vincent Foster suite of offices on the evening of 7/20 or the morning of 7/21, 1993 during his shift. Officer O'Neill

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said that at this point and with his permission, the two GSA cleaning ladies left the area of Foster's office and continued on their regular rounds elsewhere on the second floor without him.

Officer O'Neill said that he saw the woman that he believed to be Patsy Thomasson come and go from the suite several times. At one point, about 30 minutes after he saw the woman behind Foster's desk, while he was standing in the hallway outside the entrance to the suite, he observed Patsy Thomasson and Maggie Williams walking out of the suite and turn toward the office of the First Lady next door to the suite. He said that while Patsy Thomasson's hands were empty, Maggie Williams was carrying a significant quantity of "office stuff". Officer O'Neill said that she "had her arms full" of papers, folders, perhaps accordion files, and other office related paper products. He advised that he watched Maggie Williams walk into her (Williams) office with these items. He then saw her exit her office almost immediately with nothing in her hands and re-enter the Counsel suite. Patsy Thomasson did not go into Williams' office with her but went elsewhere down the hall.

Officer O'Neill advised that after perhaps forty to forty five minutes, but less than one hour, he observed Bernard Nussbaum, Maggie Williams, and the woman he thought to be Patsy Thomasson exit the suite. Bernard Nussbaum went down the staircase. He said that at that point the woman he thinks to have been Patsy Thomasson asked him to lock up the suite which he did. He then rode down on the elevator with her and Maggie Williams to the ground level and watched them exit the west wing.

Officer O'Neill was asked what other activity he observed on the part of the man who identified himself as being in charge of legislative affairs. He said that after he met this man in the hallway he cannot recall seeing him again that evening. He described this individual as follows: sex, male; race, caucasian; height, approximately 5'8"; weight, approximately 165 lbs.; hair, brown-short with receding hair line; dress, business suit. He stated that this man was wearing glasses with brown plastic frames and was approximately 40-45 years of age.

Officer O'Neill said that after he accompanied Maggie Williams and Patsy Thomasson to the ground floor on the elevator, he then went back upstairs to the first floor continuing with his security patrol functions. It was then, at approximately

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1:00 am, that he noticed that a meeting was going on in Mack McLarty's office. He could not identify any of those in attendance. He was standing in the hallway outside Mclarty's office when he was contacted via radio, by the USSS Control Center instructing him to bring all of the west wing burn bag trash that had been picked up that evening to McLarty's office. He said that he was not asked if any of this trash had come from Foster's or Nussbaum's offices and he did not volunteer that it had not. He said that he gave the burn bag trash to a caucasian woman at McLarty's office who was approximately 25-30 years old and attractive. He had not seen her before and does not know her name. He said that she returned the bag to him about 30 minutes later without comment. He said that he assumed that this woman was an employee of McLarty rather than a member of either Vince Foster or Bernard Nussbaum's staff.

O'Neill was continuing his security patrol rounds and at approximately 1:45 - 2:00 am, on the ground floor of the west wing, when he again saw the woman that he had préviously seen sitting behind Vince Foster's desk in his office. He said that he saw this woman standing in the doorway of an office suite that is now occupied by Harold Ickes but was then occupied by David Watkins and another staffer. He said that he remembers this because he had not seen this woman when she entered the Nussbaum/Foster suite but had first seen her seated behind Foster's desk and that she was now standing in the doorway to an office two levels below Foster's office. He said that seeing her there he no longer believed it possible that she was Foster's wife but now thought she was probably an assistant of Watkins or the other occupant of that suite. He said that this woman was crying and appeared to be looking for someone up and down the hallway and it was at that time that he said to her "they're all upstairs in Mr. McLarty's office". He recalls her then getting on the elevator and going upstairs.

Officer O'Neill said that per standard operating procedure of USSS, he, at 5:00 am, assumed post "E-10" on the first floor of the west wing. He stated that he did not return to the Nussbaum/Foster suite of offices that evening and did not go there the next day on his shift because it was locked. He said that he therefore is not aware of anyone else who may have gone to that suite or other offices on the second floor after 5:00 am. He said that the only way he would have known if anybody had gone to the second floor during the early morning hours of July 21, 1993, would have been if a particular

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individual or the USSS Control Center had asked him to escort them there. He stated that this did not happen.

Officer O'Neill described the woman he met that night whose name he believes is Patsy Thomasson as follows:

Sex: Female
Race: Caucasian
Age: 40-45 years

Height: 5'5" - 5'6"

Build: Slender to medium

Hair: Brown with some gray (neatly

arranged)

Complexion: Medium with somewhat blemished

appearance

He described Margaret Williams as follows:

Sex: Female Race: Black Complexion: Tan

Height: 5'7" (approximately)

Build: Large Age: 40's

Wears glasses

Officer O'Neill said that he made no written report of the forgoing observations but that he does recall verbally advising the USSS Lieutenant on duty in the USSS Control Center (name unrecalled) as to what and who he had seen.

Date of transcription	6/9/94
Date of transcription	

HENRY P. O'NEILL, 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 Assistant Special Counsel RODERICK D. LANKLER and Associate Special Counsel MARK STEIN. Present, and directing questions to Officer O'NEILL were Assistant Special Counsel LANKLER, Associate Special Counsel STEIN, and Associate Special Counsel CARL STICH. Officer ... O'NEILL, prior to answering any questions, was advised as to the official identities of the interviewing attorneys and of the agents present. He also was informed of the nature of the interview by Mr. LANKLER. He then provided the following information:

For the last three years he has been assigned as an escort officer on the 10:30 pm - 7:00 am shift with his primary responsibilities being the escorting of GSA cleaning crews into alarmed office areas of the west wing of The White House. He is also personally responsible for picking up "burn bags" containing sensitive and/or classified waste paper material from west wing offices.

On July 20, 1993, at approximately 10:45 pm, he had just unlocked the door to the suite of offices occupied by BERNARD NUSSBAUM and VINCENT FOSTER. He stepped into the suite with the GSA cleaning crew, turned on the lights, and deactivated the alarm for the suite by throwing a switch located in the VINCENT FOSTER office. Prior to entering the suite, he had, per USSS standard operating procedure, notified the USSS White House Control Center, via two-way radio, that he was about to enter the suite and deactivate the alarm. He recalls one of the GSA cleaning crew reaching for a trash bag in the reception area and the other cleaning crew member standing nearby shortly after they entered. It was at that point that he turned to see a man whom he recognized as BERNARD NUSSBAUM walking into his (NUSSBAUM) office. He then also heard other voices coming from within NUSSBAUM's office and it therefore "seemed as if there were some other persons" in NUSSBAUM's office, although he cannot recall

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actually seeing other persons at that time. In response to a specific question from Mr. STEIN, O'NEILL said he does not remember seeing PATSY THOMASSON and/or "MAGGIE" WILLIAMS entering the NUSSBAUM/FOSTER suite at that time. He and the cleaning crew exited the suite into the hall, per standard operating procedure. O'NEILL explained that any time he and/or his cleaning crew is in an area and White House staffers enter, they are to exit the area.

Upon entering the hallway the GSA cleaning crew went elsewhere to continue their duties. O'NEILL then saw a man, whom he recognized as a White House staffer and now knows to be HOWARD PASTER, in the hallway "just outside" the NUSSBAUM/FOSTER suite. O'NEILL walked to the end of the hallway away from the NUSSBAUM/FOSTER suite thinking that it was highly unusual to see White House staffers on the second floor of the west wing at that hour of the night and that something abnormal was going on. He also noted that HOWARD PASTER seemed "nervous and anxious". He again saw PASTER in the hall and asked him "what seems to be the problem?" PASTER introduced himself as an Assistant to the President in charge of legislative affairs and said that "something terrible" had happened--VINCENT FOSTER "took his life".

About the same time that he was talking to PASTER, O'NEILL saw a woman standing in the entrance to the NUSSBAUM/FOSTER suite. "Within minutes" after he spoke to PASTER, this woman introduced herself to him (O'NEILL) in the hallway as PATSY THOMASSON. Shortly thereafter, O'NEILL decided to report what he had seen and heard regarding FOSTER's death to his USSS Watch Commander. He rode down the elevator to the ground floor with PATSY THOMASSON. About the time that he was making his call to his watch commander, he recalls THOMASSON mentioning to either him or the USSS Uniform Officer at the ground floor west wing entrance that the NUSSBAUM/FOSTER suite should be kept locked. O'NEILL later went back up to the 2nd floor to see if the individuals had departed from the NUSSBAUM/FOSTER suite. He walked into the suite and into the doorway of VINCENT FOSTER's office. At that point, he saw a woman sitting behind VINCENT FOSTER's desk "looking at something on the desk". He said that he had never seen this woman before but that he was "100 percent sure this woman was not PATSY THOMASSON". In response to a specific question from Mr. LANKLER, he said that he was also certain that this woman was not LISA CAPUTO. O'NEILL described the woman that he saw behind FOSTER's

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desk as follows: race-caucasian; sex-female; build-slender; age-35 to 45 years; hair-black (short and straight); complexion-light; characteristics-"matronly/homely looking". When asked about this woman's clothing, O'NEILL first said that she was wearing a red dress and later during the interview he said that he believed she was wearing a dark blue dress.

O'NEILL said that he did not see PATSY THOMASSON in FOSTER's office on the evening of July 20, 1993. When asked to describe PATSY THOMASSON he provided the following information: race-caucasian; sex-female; height-approximately 5'6"; build-medium; hair-light color with dark highlights and graying; complexion-somewhat blemished with "acne" appearance; age-45 to 46 years. When asked about her attire, O'NEILL said that he believed that THOMASSON was wearing a light color, perhaps white, "sack style" dress. He said that she had a definite accent and that it was perhaps an "eastern" accent.

Officer O'NEILL advised that after seeing the woman behind the desk, he immediately exited the NUSSBAUM/FOSTER suite and returned to the hallway but "stayed in the area" on the 2nd A short time later, he observed BERNARD NUSSBAUM exit the suite and go down the stairs. He said that he can not recall if NUSSBAUM had anything in his hands or not. A short time later, he saw "two women come out". He identified the two women as PATSY THOMASSON and "MAGGIE" WILLIAMS. This was the first time he had seen MAGGIE WILLIAMS that night. MAGGIE WILLIAMS was "carrying something cumbersome--possibly files or folders-cradled in her two arms". The stack was approximately one or two "phone books" high. PATSY THOMASSON was carrying nothing. O'NEILL said that he was approximately 15 feet away from the door way when THOMASSON and WILLIAMS exited the suite. He heard MAGGIE WILLIAMS say to PATSY THOMASSON that she was going to "put these things away in my office". He then saw MAGGIE WILLIAMS go down the hall and enter her office while PATSY THOMASSON waited in the hallway. He watched MAGGIE WILLIAMS unlock her office door, enter, then come out "a few seconds later" and relocked the In response to a specific question from Mr. STEIN, O'NEILL said the two women did not appear to be acting suspiciously or secretively. He recalls the door to HILLARY CLINTON's office as being closed and locked. O'NEILL advised that he believed he recalls that PATSY THOMASSON told him who MAGGIE WILLIAMS was while she (THOMASSON) was waiting in the hallway for WILLIAMS. O'NEILL was asked to describe MAGGIE WILLIAMS and provided the following information: race-black; sex-female; age-mid 30's to

Continuation of FD-302 of HENRY PETER O'NEILL , On 6/8/94 , Page 4

40; build-heavy. He believes that PATSY THOMASSON told him that MAGGIE WILLIAMS was the "First Lady's secretary".

Shortly after MAGGIE WILLIAMS came out of her office and rejoined PATSY THOMASSON, THOMASSON directed him (O'NEILL) to "lock-up" the NUSSBAUM/FOSTER suite. O'NEILL did so and reset the alarm for the suite's door. He said that he can not recall what PATSY THOMASSON and MAGGIE WILLIAMS did at that point and that he does not recall seeing BERNARD NUSSBAUM, PATSY THOMASSON, or MAGGIE WILLIAMS again that evening.

A short time thereafter, O'NEILL was continuing his rounds on the ground floor of The White House west wing when he again saw the woman whom he had previously seen sitting in a chair behind FOSTER's desk. He saw this woman in the doorway to DAVID WATKINS' office. O'NEILL said that she "seemed to have been crying and looked lonely". O'NEILL had, at approximately 12:30 - 12:45 am noted that people had been in MAC MCLARTY's office on the 1st floor of the west wing. He noted this because the door to MCLARTY's office had been opened, the light had been on, and he heard voices coming from within MCLARTY's office although he can not specifically recall seeing people going in and out. Since the woman he saw standing in WATKINS office door seemed so sad and "a little lost" he told her "they are all up in MCLARTY's office". She nodded to him, walked down the hall and got on the elevator to go upstairs. He did not see that woman again that evening and does not recall having seen her since.

At approximately 12:45 am O'NEILL received a radio call from the USSS Control Center directing him to take his "burn bag" trash to MCLARTY's office. He did so and a "young secretary" met him at the door to MCLARTY's office, said "thank you very much" and took the bag. O'NEILL left that area and did not return until he received another radio call somewhat later that evening directing him to pick up the burn bag at that office.

In response to specific questions from Associate Special Counsel Stein regarding trash being picked up in the NUSSBAUM/FOSTER suite on the evening of July 20, 1993, O'NEILL said he believes the trash was not picked up in VINCENT FOSTER's office that night. He said that while he cannot recall telling the cleaners not to take the trash out of the suite that night. He did not see the cleaners in VINCENT FOSTER's office that night. He said that he also recalls telling the two cleaning employees, after he locked the suite at approximately 11:45 pm,

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that they were not to clean the NUSSBAUM/FOSTER suite that night. In response to another question, O'NEILL said that he does not think that FOSTER used a "burn bag" in his office.

Officer O'NEILL said that he does not recall seeing CRAIG LIVINGSTONE at The White House during the late evening hours of July 20 or the early morning hours of July 21, 1993. He also said that he saw no one carrying boxes out of The White House.

In response to questions from Associate Special Counsel STEIN and Assistant Special Counsel LANKLER, O'NEILL said that he wants what he has told Special Counsel personnel during his interviews to be held in confidence. He said that he does not want anything he has said to be made known to The White House staff. O'NEILL said however, that he does understand that he could potentially be called as a witness if criminal prosecution was pursued in this matter.

	HENRY P. O'NEILL, Officer, Uniform Division, United  States Secret Service (USSS) voluntarily contacted Special Agent (SA) by telephone at the Office of the  Special Counsel, 1001 Pennsylvania Avenue, NW. O'NEILL, knowing the official identity of volunteered the following information:
	Subsequent to his having been interviewed in the Office of the Special Counsel on June 8, 1994, he had obtained and reviewed some photographs of individuals. O'NEILL said that while he is still not certain as to the identity of the woman he said he saw sitting in a chair behind VINCENT FOSTER's desk during the late evening hours of July 20, 1993, he now believes that it is possible that PATSY THOMASSON was the woman sitting behind the desk. He reiterated that he is not certain of this out a photograph he saw that was identified to him as being PATSY THOMASSON seems to resemble the woman sitting behind the desk. O'NEILL went on to advise that he had seen another photograph of an individual that he believed to be SUSAN THOMASES. O'NEILL said that this woman shown in the photograph of SUSAN THOMASES may have been the woman he saw in the 2nd floor west wing hallway during the late evening hours of July 20, 1993 who introduced herself to him.
	O'NEILD was told that plans are currently underway to have him return to the Office of the Special Counsel at a later date to view photographs currently being sought by an Associate Special Counsel.   He was told that his thoughts regarding the photographs he had personally obtained and reviewed could be discussed when he came to the Special Counsel's office to view other photographs
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by	FOIA(b)(7) - (C) Date dictated 6/9/94

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6/12/94

Date of transcription

Date of transcription	6/16/94

HENRY P. O'NEILL, Officer, Uniform Division, United States Secret Service (USSS), was interviewed in 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 for the principal purpose of displaying photographs to Officer O'NEILL and asking him to attempt to identify any individuals depicted in these photographs whom he recalls seeing in the west wing of The White House during the late evening hours of July 20 or early morning hours of July 21, Officer O'NEILL was shown 318 color photographs of White House staffers previously provided to the Office of the Special Counsel by The White House. Officer O'NEILL having been previously advised as to the official identity of the interviewing agent and the nature of the interview, looked at each of these photographs and provided the following observations:

He had previously seen "quite a few of the women" depicted in these photographs in The White House and/or on The White House compound grounds since the January 1993 inauguration of BILL CLINTON. He recognized some of the women pictured as being employed in The White House's Old Executive Office Building and the New Executive Office Building. However, he recognized only four of the individuals depicted in the 318 photographs as individuals he recalled seeing in The White House west wing on the evening of July 20 and/or early morning hours of July 21, 1993.

Officer O'NEILL identified a photograph of BERNARD NUSSBAUM as being BERNARD NUSSBAUM and said that this is the man he saw in the NUSSBAUM/FOSTER suite during the late evening hours of July 20, 1993. Officer O'NEILL also identified a photograph of HOWARD PASTER as being HOWARD PASTER and said that this is the individual he observed in the hallway on the 2nd floor of the west wing of The White House near the NUSSBAUM/FOSTER suite during the late evening hours of July 20, 1993. Officer O'NEILL further identified a photograph of MARGARET WILLIAMS as being "MAGGIE" WILLIAMS and also being the woman he saw exiting the

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NUSSBAUM/FOSTER suite during the late evening hours of July 20, 1993 with folder/file material in her arms. He said this is a photograph of the woman he saw carry this material into "MAGGIE" WILLIAMS office on July 20. Lastly, Officer O'NEILL identified a photograph of SYLVIA MATHEWS as being the woman in the west wing, first floor, office of MAC MACLARTY to whom he gave the "burn bag" material he had taken from various west wing offices during the late evening hours of July 20, 1993. He said that he did not know the name of the woman depicted in this photograph and also did not know the name of the woman to whom he gave the burn bag on July 20, but they are one in the same.

Officer O'NEILL was unable to identify any of the women depicted in these photographs as being PATSY THOMASSON. He was also unable to identify any of the women depicted in these photographs as being the woman he saw sitting in a chair behind VINCENT FOSTER's desk during the late evening hours of July 20. O'NEILL volunteered, as he had in a previous discussion with Special Agent (SA) that while he is still not certain as to the identity of the woman he saw sitting in a chair behind VINCENT FOSTER's desk, he believes "it is possible" that PATSY THOMASSON was that woman.

O'NEILL further volunteered that he saw a woman in The White House on July 15, 1994 who was identified to him as being SUSAN THOMASES. O'NEILL said, as he had in a previous conversation with SA that he believes it is possible that SUSAN THOMASES, is the woman he saw in the second floor hallway of the west wing on July 20, 1993 who introduced herself to him.

Date of transcription  $\frac{8/2/94 \&}{7/22/94}$ 

HENRY P. O'NEILL, Officer, Uniformed Division, United States Secret Service (USSS), was interviewed in the Office of the Independent Counsel, 1001 Pennsylvania Avenue, N.W. At the outset, Officer O'NEILL was informed that the purpose of this follow-up interview was an attempt by the investigative staff of the Independent Counsel's office to clarify, resolve and finalize questions and issues that have arisen as a result of the information he provided during prior interviews. In addition to FBI Agent COLOMBELL, Attorneys MARK STEIN and BETH GOLDEN with the Independent Counsel's staff also participated in the interview.

By way of background information, Officer O'NEILL stated that he has been with the USSS Uniformed Division since January of 1977. Following Training Academy, he was assigned to The White House where he worked on different outside or exterior security posts until early 1980. Beginning in early 1980 or 1981, he was selected as a tour officer, conducting tours within The White House. He remained in that position until 1984 at which time he volunteered for night shift. The night assignment accommodated his need to be home during the day to assist in watching his children since his wife had gone back to work. Initially he was assigned to security posts at the Executive Office Building. Beginning in August of 1991 and for the past three years, he has worked in The White House-west wing, manning one of four different security positions that are posted during the 10:30 p.m. to 7:00 a.m. night shift.

On July 20, 1993, he reported to work and attended roll call at approximately 10:30 p.m. in the basement of the East Wing of The White House. There was no mention of VINCE FOSTER's death that evening at roll call. His principal responsibility during the shift was to escort a GSA cleaning crew responsible for cleaning the West Wing of The White House. During the course of the evening, he is responsible for keeping an eye on the cleaning crew. In addition, he is required to be physically present with them whenever they are working in an alarmed area of the West Wing. As the cleaning crew goes about their business, he is

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personally responsible for picking up "burn bags" containing confidential matters from West Wing offices. His first stop on July 20, 1993 were the offices of the Chief Counsel for the President, on the second floor, West Wing of The White House. He stated that he arrived there at approximately 10:40 p.m. and as he approached the office, he radioed to the USSS Control Office of his intentions to enter the Chief Counsel's suite of offices. He utilized his key to open the office, adding that as he stepped into the outer area which would be where the secretaries sit; the office was dark, to include the secretaries' area, Mr. NUSSBAUM's office and Mr. FOSTER's office, both of which are off to the right as you enter.

No one was in the Chief Counsel's suite of offices when he entered. He immediately turned to his right, walking into VINCE FOSTER's office, explaining that he had to go behind the door to FOSTER's office in order to turn off a toggle switch that is connected to the office alarm. After doing this, he returned to the area where the secretaries have their desks, adding that to the best of his recollection, at this point in time he was standing in the middle of the room where the secretaries sit with his back towards the main entrance to the Chief Counsel's suite of offices. The cleaning ladies who were previously identified as TERRI COBEY and DIANE WALTERS, had followed him into the Chief Counsel's suite of offices and were preparing to start cleaning in the area where the secretaries sit.

He was still standing in the area where the secretaries are situated with his back still partially to the main entrance when he saw out of the corner of his eye Mr. BERNARD NUSSBAUM walking into his office. He overhead conversation and clearly recalls that there were at least two other people with Mr. NUSSBAUM and that they entered his office with him. The only individual he was able to identify at this time was Mr. NUSSBAUM, but believes that there were two women present.

U.S. Secret Service (USSS) policy is for the uniformed guards and cleaning persons to immediately exit the office when staff are present. O'NEILL followed this policy and he and the cleaning ladies immediately exited the Chief Counsel's suite of offices. He initially stood out in the hallway, then walked down the end of the hallway towards the First Lady's office, adding that he did walk around the corner and for a matter of several seconds was out of view of the entry door to the Chief Counsel's

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suite of offices. He then walked back, retracing his steps towards the Chief Counsel's suite of offices at which time he saw a man standing in the hallway in close proximity to the entrance to the Chief Counsel's office. He recognized this man as being a member of the Presidential staff but could not recall his name. They greeted one another and as best he recalls, he, O'NEILL, inquired if there was something wrong. The man in the hallway identified himself as the President's Legislative Affairs\_Chief, and remarked with words to the effect that "something terrible has happened. VINCE FOSTER has killed himself." As best he recalls, this individual, who he later identified from a photograph he saw in The White House as Mr. HOWARD PASTER, then remained in the hallway near the Chief Counsel's suite of offices; O'NEILL is unable to state whether PASTER actually entered into the Chief Counsel's office space.

Within a very short time period, less than a minute, he observed a woman standing in the hallway or doorway to the Chief Counsel's suite. He was unable to state whether Mr. PASTER or this unknown woman were the same parties who were present with Mr. NUSSBAUM earlier when he first unlocked the Chief Counsel's office.

O'NEILL stated that during prior interviews, he had this woman and a White House staff person known to him as PATSY THOMASSON confused. He stated that he now believes that this woman in the hallway could be SUSAN THOMASSES. As he approached her, the woman he believes could be SUSAN THOMASSES introduced herself and wanted to know if he or the Secret Service would do something about locking up FOSTER's office. This woman was wearing White House staff identification. He responded that he would take care of it. He then accompanied this woman on the elevator to the ground level. He believes the USSS officer on duty at post E1, ground level, was Officer JIM SHEA and this woman, believed to be SUSAN THOMASSES; also spoke to Officer SHEA about securing FOSTER's office. As best he recalls it would have been approximately 11:00 pm when he and this woman reached the ground floor, post E1.

O'NEILL stated that at this point he assumed his regular duties of patrol and security. As best he recalls, using the phone at post E1, he called the Watch Commander and informed him about VINCE FOSTER's death. He stated that as best he recalls, the Watch Commander was already aware of the situation.

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He then returned to the first floor, post E6, located outside of the Oval Office. He spoke briefly with the officer at post E6 and informed him of Mr. FOSTER's death. He stated that he didn't see any of The White House staff in this area but that several of the lights were on in staff offices on the first floor, including the Chief of Staff's office. At approximately 11:15, he returned to the 2nd floor, west wing of The White House and again walked into the Chief Counsel suite of offices. His purpose in returning was to see if everyone had left so he could secure the office. There was no one in the secretary's area. He stated that he can't recall if there was anyone in Mr. NUSSBAUM's office. He stated that he began to walk into FOSTER's office for the purpose of locking it up when he noticed that there was a woman sitting behind Mr. FOSTER's desk, reviewing or looking at something on the top of the desk. At the time, he thought it might have been Mrs. Foster and without making any comment or introducing himself, he immediately withdrew from the doorway to FOSTER's office and to the Chief Counsel suite of offices. was of the opinion that the woman sitting behind FOSTER's desk was totally unaware of his presence in the doorway. He estimated that it was approximately 11:15 pm when he left the Chief Counsel's suite of offices for the second time.

O'NEILL stated that initially he was unable to identify this woman but now feels fairly certain that she is identical to PATSY THOMASSON, a White House staff person. He stated that back in July of 1993, he did not make any effort to identify these people. After having been interviewed by the Independent Counsel's office, he did review photographs available to him of all White House staffers and now feels fairly certain that it was PATSY THOMASSON who he observed behind FOSTER's desk that evening.

O'NEILL stated that after leaving the Chief Counsel's suite of offices, he can't recall where he went but he did not remain close to or in view of the entrance to the Chief Counsel's suite of offices. He returned to that area approximately 10 or 15 minutes later (approximately 11:30 pm) and was standing in the hall near the entrance to the First Lady's office when he observed Mr. NUSSBAUM exit the Chief Counsel suite and leave the second floor. He can't say for sure, but he believes Mr. NUSSBAUM took the stairway down. As Mr. NUSSBAUM was leaving, the same woman that he saw earlier in the evening, who he now believes may be SUSAN THOMASSES, was standing in the area, either

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in the hallway or by the entrance way to the Chief Counsel's office. Mr. NUSSBAUM, in leaving, passed by her but, to the best of his recollection, he did not observe or overhear conversation between them. This woman again inquired of him regarding locking up the doors to FOSTER's office and he again responded that he would take care of it.

At this point in time, a woman who he recognized as MAGGIE WILLIAMS, a regular White House staffer, walked out of the Chief Counsel's office space into the hall. O'NEILL was unable to say whether WILLIAMS was coming from NUSSBAUM's office or FOSTER's office. Ms. WILLIAMS was carrying some files and folders in her arms. He estimates that the files and folders in her arms were three to five inches in height. As best he recalls, MAGGIE WILLIAMS remarked to the other woman words to the effect that she was just going to put these in her office and then walked past him and the doorway to the First Lady's office, stopping at the doorway to her own office. Once she passed by him in the hall, the other woman, believed to be SUSAN THOMASSES, informed O'NEILL that the other woman was Ms. MAGGIE WILLIAMS, the First Lady's personal assistant. O'NEILL stated that he was familiar with MAGGIE WILLIAMS, having seen her in The White House in the past. WILLIAMS paused at the doorway to her office, using her key to open the office door. She proceeded inside and came back into the hallway, almost immediately, empty handed. best of his recollection while he was in the process of alarming and locking the door to the Chief Counsel's suite, MAGGIE WILLIAMS and the other woman went towards the elevators. securing the Chief Counsel's suite of offices, he proceeded down to the ground level near post E1. Initially he thought that he rode the elevators down with Ms. WILLIAMS and the other lady but in reviewing this matter in his mind, he's not sure whether he did or not. He estimated that it was about midnight when both women took the elevator down to the ground floor.

O'NEILL stated that as best he recalls, he remained on the ground floor, in the vicinity of post E1 for the next 30-45 minutes. He stated that during this time, he observed PATSY THOMASSON standing in the doorway to DAVID WATKINS office. She appeared visibly upset and distraught and he walked over to her, volunteering that he believed there were other people up in the Chief of Staff's office on the first floor. As best he recalls, she got on the elevator and went up to that location.

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Continuation of FD-302 of HENRY P. O'NEILL

On 7/20&26/94 Page

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O'NEILL stated that some time later, but within the next hour, he was directed to go to the Chief of Staff's office by his supervisor and hand over all "burn trash" that he had collected that evening. He gave the "burn trash" to a woman at the Chief of Staff's office who he has previously identified as SYLVIA MATHEWS. Within in a half hour, he was instructed to go back to the Chief of Staff's office and retrieve the bag of "burn trash". O'NEILL pointed out that the trash he delivered to the Chief of Staff's office did not contain any burn trash from the Chief Counsel's suite of offices, including VINCE FOSTER's office. As best he recalls, no one inquired whether "burn trash" had been picked up at VINCE FOSTER's office and he did not volunteer that it had not.

O'NEILL stated that he is not sure who Mr. CRAIG LIVINGSTONE is and would not have readily recognized him had he been at The White House on the evening of July 20, 1993. He stated that until he was approached by the investigators from the Independent Counsel's office in late April 1994, he had never been asked any questions or discussed his observations and conversations on the night of July 20-21, 1993 with anyone. He stated that he wasn't quite sure of the significance of these observations and was not about to volunteer it to anyone.

In concluding, O'NEILL stated that he realizes that he was incorrect in his original identification of the woman he saw standing in the doorway when MARGARET WILLIAMS was observed carrying out the documents. O'NEILL originally thought that the woman standing in the doorway was PATSY THOMASSON, and he was unable to identify the woman seated behind FOSTER's desk. Shortly after being interviewed by this office on June 8, he reviewed photographs available to him at The White House. One of the photographs he saw was that of PATSY THOMASSON. Upon seeing that photograph, he realized that the woman seated behind the desk was PATSY THOMASSON, and that the woman he saw in the doorway when MARGARET WILLIAMS carried out the documents was someone else.

O'NEILL is less certain of his identification of the woman he saw in the doorway, but believes her to be SUSAN THOMASES. He states that he bases this possible identification on the fact that on or about July 8 or 9, 1994, he was reviewing a newspaper article in The White House press office and noticed the name SUSAN THOMASSES, recalling at that moment that the name

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ontinuation of FD-302 of HENRY P. O'NEILL

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(SUSAN THOMASSES) appeared identical to the name of the woman who introduced herself on July 20, 1993, or the second floor west wing of The White House. O'NEILL went on to state that on or about the evening of July 14, 1994, he was on duty in the ground floor of The White House residence when he observed the President and First Lady in the company of a woman who looked similar to the woman he had seen on the second floor west wing of The White House on July 20, 1993. He added that the President and Eirst Lady were viewing the newly released movie ("Wolf") and this woman was one of their guests. O'NEILL stated that later that evening he checked with one of the ushers in The White House ushers office (believes it was JOHN LNU) and learned that the name SUSAN THOMASSES was on the log for guests who were in The White House that evening.

Following the conclusion of this interview, Special Agent WILLIAM E. COLOMBELL and Independent Counsel Attorney MARK STEIN requested Mr. O'NEILL to view two separate photo spreads. The first photo spread included the photograph of PATSY L. THOMASSON. Mr. O'NEILL was asked whether he recognized any of the women as someone he saw on the second floor of the west wing on the night of July 20. Mr. O'NEILL picked the photograph of PATSY L. THOMASSON, stating this was the woman seated behind FOSTER's desk.

The second photo spread included the photograph of EVELYN LIEBERMANN. Mr. O'NEILL was asked whether he recognized any of the women as someone he saw on the second floor of the west wing on the night of July 20. O'NEILL was unable to pick out any photos from this spread as a person he saw that evening. However, O'NEILL did state that the photo of EVELYN LIBERMANN looked similar to the woman who was with and left with MAGGIE WILLIAMS on the evening of 7/20/93.

Date of transcription	8/16/94	

HENRY P. O'NEILL, Officer, Uniformed Division, United States Secret Service (USSS), was contacted by SA COLOMBELL at the FBI Office in Landover, Maryland. Officer O'NEILL was shown a copy of a seven-page FD-302 reflecting his prior interview by the Independent Counsel staff on July 20 and 26, 1994. MR. O'NEILL was asked to read the FD-302 to see if there were any mistakes or corrections and he did so. Officer O'NEILL signed and initialed and dated the 302 (all seven-pages) stating that it was an accurate representation of the events and persons that he observed on the second floor, West Wing of the White House on the evening of July 20, 1993.

Officer O'NEILL was asked to clarify one point, specifically whether to his knowledge, the cleaning women that were with him that night removed and "regular" trash from the Chief Counsel's suite of offices. O'NEILL was unable to state whether the cleaning women had removed any "regular" trash but he again confirmed that he did not remove any "burn trash" from the Chief Counsel's suite of offices, including VINCE FOSTER's office.

O'NEILL was asked if it was possible that he might have observed MAGGIE WILLIAMS and the other woman on the second floor, West Wing of the White House later that week, specifically on the evening of July 21 or 22, 1993. He responded by stating that he worked every night that week and would have had the same responsibilities, that is accompanying the cleaning women and picking up the "burn trash." He stated that he is certain that he was not mistaken with regard to the evening in question. It had to be July 20, 1993, the evening of VINCE FOSTER's death because he specifically remembers the conversation that he had with MR. HOWARD PASTER and MR. PASTER's comments that something terrible had happened and that VINCE FOSTER had taken his own life.

Officer O'NEILL was shown a photo spread (five photos) included in which was a photograph of SUSAN P. THOMASES. O'NEILL looked at all five photographs and picked out the photograph of

Investigation on	8/9/94	at Landover, MD	) File #	29D-LR-35063
by SSA	WILLIAM E.	COLOMBELL	Date dictated	8/9/94

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Continuation of FD-302 of	HENRY P.	O'NEILL	, On	8/9/94	, Page	2

SUSAN P. THOMASES. He stated that although he is not positive, he feels fairly certain that THOMASES is the woman who was with and left with MAGGIE WILLIAMS from the second floor, West Wing of the White House on July 20, 1993.

## OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription	9/20/94	
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JULIE A. OPPENHEIMER, former Assistant Director of News Analysis at The White House, was interviewed telephonically at her home in Chicago, Illinois. After being advised of the identity of the interviewing agent and the nature and purpose of the interview, OPPENHEIMER provided the following information:

OPPENHEIMER advised that in July 1993 her position at The White House was Assistant Director of News Analysis, which is part of the Office of Communications. Their offices are located in the Old Executive Office Building (OEOB). She worked with KEITH BOYKIN, KEN CHITESTER, LARRY SAMPUS and numerous volunteers and some interns.

Her main activity in the early morning hours at the start of her day was directing and coordinating the preparation of press clippings for printing and distribution within The White House. Volunteers and interns, if they had any, would do the bulk of the work under her supervision.

OPPENHEIMER has only a vague recollection of the day VINCE FOSTER killed himself on July 20, 1993 and the following time period. She advised that during that time she would generally arrive to her office in the Old Executive Office Building between 4:30 and 6:00 am. She believes that the morning of July 21 she either read about VINCE FOSTER's death on "the wire" or heard it from KEN CHITESTER as soon as she arrived.

She advised that she did not recall that they had any interns working for them in July 1993, but suggested we attempt to contact volunteers VIRGINIA (JENNY) LINDAHL, DAVID DINAN, and JOHN HOPMAN. OPPENHEIMER believes that LINDAHL is still at The White House. She advised that DINAN is not at The White House anymore and she believes he is living near Philadelphia and HOPMAN is not at The White House anymore but may live in Washington, D.C.

OPPENHEIMER says she has no recollection of going to the West Wing or any place else in The White House on July 21,

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by SSA H.	ALEXIS SUGGS			Date dictated	9/15/94

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JULIE A. OPPENHEIMER Continuation of OIC-302 of

9/13/94

1993. She does not recall whether she herself was assisting with the distributing of the clippings at that time. She said she probably did not do so.

With regard to CRAIG LIVINGSTONE, she knows who he is and does not recall seeing him. She said that she rarely saw him in the morning in any case. He was sometimes there when interns needed somebody to accompany them on their rounds on the weekends. She does not recall any involvement of LIVINGSTONE with any activities or events with regard to VINCE FOSTER.

OPPENHEIMER also said she never heard any rumors which verified stories that she read in the press having to do with FOSTER's death or the handling of his papers thereafter. The only specific memory she has of July 21 is the staff meeting held in the Old Executive Office Building where President CLINTON said a few words about FOSTER's death. She estimated the time of that meeting as 3:30 in the afternoon.

As part of the interview, OPPENHEIMER provided the following information:

> Date of Birth: Place of Birth: Home Address:

> Home Telephone:

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

2430 Lakeview

Chicago, Illinois 60614

(312) 477-1199

Position in July, 1993: Assistant Director of News Analysis (similar to a Staff

Assistant position)

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## FEDERAL BUREAU OF INVESTIGATION

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MR. HOWARD G. PASTER was interviewed at his office, 901 31st Street, N.W., Washington, D.C. 20007, telephone (202) 333-7400. MR. PASTER was advised of the identities of Special Agents WILLIAM E. COLOMBELL and WILLIAM T. GUYTON and informed that they wished to speak with him regarding any knowledge he may have concerning an ongoing investigation into the death of Vincent Foster on July 20, 1993.

The Comment

MR. PASTER stated that on July 20, 1993, he was serving as Assistant to the President/Director for Legislative Affairs, adding that his office was located in the West Wing, second floor of the White House. PASTER stated that he did not know VINCE FOSTER well, pointing out that he had not been a part of the CLINTON campaign team and to the best of his recollection had first met FOSTER the day before Thanksgiving, 1992. He stated that to the best of his recollection, he has never met MRS. FOSTER. PASTER stated that on a professional level, he had worked together with MR. FOSTER regarding some of the Administration's Supreme Court nominations and on other issues involving the Department of Justice and/or judicial matters. He stated that he really has no idea why MR. FOSTER took his life. He surmised that the intense media attention, much of it negative and in his opinion much of it not true, especially the Wall Street Journal article that prominently mentioned FOSTER, may have taken its toll. He also felt there was a lot of truth in the thoughts expressed by FOSTER about life in Washington, D.C. in the torn up piece of paper that was later found at the White PASTER pointed out that on December 22, 1993, he walked away from his job as the President's Director for Legislative Affairs, stating that while it was a job that he had dreamed about and aspired to and had wanted more than anything else in his life, the actual job just wore him down and he needed more time for his wife and children.

PASTER stated that as best he recalls, he went to work on July 20, 1993 at the normal time and attended the daily 8:00 a.m. meeting in the Roosevelt Room with all senior staff. He stated that BERNIE NUSSBAUM ordinarily would represent the White

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SSA William E. Colombell

by SA William T. Guyton WEC:deg Date dictated 5/16/94

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HOWARD G. PASTER Continuation of FD-302 of

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House Counsel's office, adding that FOSTER would frequently be

there in NUSSBAUM's absence but he was unable to recall whether FOSTER attended the 8:00 a.m. meeting on that particular day. PASTER stated that he really has no recollection of whether he saw VINCE FOSTER during the day. He stated that that evening, he had left his White House office and returned to his residence. He was called by GEORGE STEPHANOPOULOS at approximately 9:00 p.m., informed of VINCE FOSTER's death, and instructed to return to the White House. He stated that to the best of his recollection, he got to the White House around 10:00 p.m. stated that he really wasn't quite sure why he was there since he had no specific assignment or instructions, and basically just milled about and extended his sympathy and condolences to a number of people who were part of the Arkansas group that knew FOSTER far better than he did. PASTER stated that to the best of his recollection, he remained in the White House from approximately 10:00 p.m. until 12:30-1:00 a.m. the next morning. He stated that during that time, he milled about, spending some time in the basement of the White House residence commiserating with other staffers. He stated that he also spent some of this time in MARK GEARAN's office as well as in his own office on the second floor of the West Wing.

PASTER stated that he does recall one conversation about what should be done with any "garbage" in MR. FOSTER's office. He stated that to the best of his recollection, a White House staffer named SYLVIA MATTHEWS, who worked for BOB RUBEN, brought this point up and there was some discussion as to what should be done. He recalls discussing this issue with MARK GEARAN and, to the best of his knowledge, the issue was later mentioned to MACK MCLARTY. To his knowledge, one of those two gentlemen gave instructions to insure that the garbage be saved. PASTER stated that he was unaware whether this so-called garbage or trash from FOSTER's office had already been removed from his office, or whether it was still there. He was unable to comment as to who eventually had the specific responsibility to insure that the garbage or trash remained in the office.

PASTER stated that as best he recalls, BERNIE NUSSBAUM was present on the second floor, West Wing, at different times during the evening along with PATSY THOMASSON. He stated that NANCY HEMREICH, Personal Assistant to President CLINTON may also have been there along with DEBBIE COYLE, a White House staffer who worked for BRUCE LINDSEY. PASTER was asked specifically if

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Continuation of FD-302 of HOWARD G. PASTER \_\_\_\_\_\_, on \_\_\_\_5/13/94 \_\_\_\_, Page \_\_\_3

he recalled CRAIG LIVINGSTONE being present at the White House West Wing, stating that he really couldn't recall whether he was or not. PASTER stated that quite possibly, in July of 1993, he may not have been acquainted with CRAIG LIVINGSTONE. MR. PASTER was also asked if MAGGIE WILLIAMS was present, responding that he really couldn't say one way or another since he has no specific recollection of her being there.

PASTER stated that to some degree he felt awkward being at the White House on the evening of July 20, 1993 since he was not part of the Arkansas group. He had no specific purpose for being there. He does recall BERNIE NUSSBAUM at one point in the evening trying to reach BILL KENNEDY on the phone, instructing KENNEDY that he wanted him to go to the hospital to make a positive identification of FOSTER's body. He also recalled a conversation in MARK GEARAN's office among several people regarding what should be done to inform the press, specifically recalling that before that was done, someone had to get to VINCE FOSTER's mother down in Arkansas to insure that she did not learn of these tragic events through the media. MR. PASTER stated that as best he recalls, he spent the majority of his time that night in MARK GEARAN's office. He stated that he has no recollection of having gone into the White House Counsel's space on the second floor of the West Wing, specifically the outer office, MR. NUSSBAUM's office or MR. FOSTER's office. He stated that he was unable to state whether anyone else had gone into the White House Counsel's office or specifically into VINCE FOSTER's office. MR. PASTER stated that he has no recollection of anyone either removing or being observed moving about the second floor of the West Wing with either records or files or documents, nor did he see anyone coming into or leaving the White House Counsel's office with any type of documents. MR. PASTER concluded by stating that during the time that he was in the West Wing, second floor, evening of July 20, 1993, things were very confusing, sad and tragic, especially for those friends of VINCE FOSTER who came to Washington with him from Arkansas. PASTER reiterated that he was present at the White House on July 20, 1993 for no specific reason or assignment and spent most of the evening trying to console those work associates who knew FOSTER far better than he did.

Date of transcription	5/16/94

Dr. Stefan A. Pasternack, MD, 2121 Wisconsin Avenue, Washington, D.C. (telephone number 965-9426) was telephonically contacted by interviewing agent and informed of the nature of the telephone contact. After confirming the identity of the interviewing agent, Dr. Pasternack agreed to furnish the following information relative to any past association with Vincent Foster.

Dr. Pasternack, who is a practicing psychiatrist and psychoanalyst, confirmed the fact that he had previously informed United States Park Police (USPP) officials that he had no prior professional association with Vincent Foster. Dr. Pasternack advised that he neither treated nor had a scheduled appointment with Vincent Foster and had no prior association with Mr. Foster or any member of the Foster family. He further related that since he does not have an appointment secretary he personally schedules all patient consultation sessions and therefore is positive that Mr. Vincent Foster was never scheduled for a counseling session with him.

In response to a question as to how, in his opinion, his name would have been found in Mr. Foster's personal possession after his death on July 20, 1993, Dr. Pasternack believes that a Washington, D.C. internist, Dr. Oscar Mann was responsible for the psychiatric counseling referral. Dr. Pasternack, however, was unaware of the identity of the individual who initially contacted Dr. Mann seeking psychiatric referral.

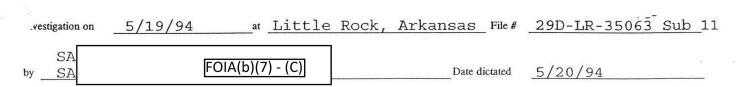
Investigation on	5/11/94	_at	Washington, D.C. (telephonically)	File #	29D-LR-35063	_
by <u>Lawrer</u>	ice J. Monroe			Date dictated	5/12/94	

	Date of transcription	5/20/94
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residing at 11406 Shena Little Rock, Arkansas, telephone (501) 22 his place of employment, the United State 425 West Capitol, 5th Floor. Mr. PENCE w identity of the interviewing Agents and of interview. Information provided by Mr. I substance, is as follows:	25-9713, was contest Attorney's Of was advised of the purpose	rive, ntacted at ffice, the of the

Mr. PENCE stated that he is currently the Chief of the Civil Section of the United States Attorney's Office for the Eastern District of Arkansas. He was acting as interim head of the United States Attorney's Office during July 1993. He recalled that Assistant United States Attorney (AUSA) FLETCHER JACKSON informed him about a search warrant which was to be executed during July 1993. This search warrant was to be executed at the Office of CAPITAL MANAGEMENT SERVICES, INC., which was under the direction of DAVID HALE.

He said that he was made aware of the search warrant, about one or two days before the warrant was to be executed, due to his position as acting head of the United States Attorney's Office. After having been told about the search warrant, he spoke with no one else about it until he heard from AUSA JACKSON that the search had gone smoothly. He said he could not remember the exact date of the execution of the search warrant but recalled that it occurred on the same day or within one or two days of the death of VINCENT FOSTER.

He stated he received no inquiries from anyone prior to the execution of the search warrant and mentioned that there were no news reports immediately after the search was conducted. He sid that he knows of no one else in the United States Attorney's Office who knew about the search warrant prior to its execution, aside from AUSA JACKSON and JACKSON's secretary. He said that he knows of no one at the U.S. Department of Justice in Washington, D.C., who was aware of the search warrant prior to its execution.



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Continuation of FD-302 of RICHARD M. PENCE, JR. , On 5/19/94 , Page 2

He speculated that, if anyone in Washington may have suspected that a search warrant might be planned for CAPITAL MANAGEMENT SERVICES, INC., it would have been someone in the SMALL BUSINESS ADMINISTRATION (SBA) offices there. He was unable to provide details to support his speculation aside from his belief that the SBA would have known about the fact that the FBI was investigating CAPITAL MANAGEMENT SERVICES, INC., based on SBA's referral of alleged fraudulent activities involving that corporation.

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4/8/94



Joseph H. Phillips, Officer, Uniform Division, United Secret Service (USSS), was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue N.W. Officer Phillips 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 almost 18 years and has been assigned to The White House Special Operations Branch of the USSS Uniform Division for approximately 10 years. His regular assignment is to clear tourist and some visitors through a White House gate for the public White House tour. He also travels periodically with the President providing security. He was employed in his current capacity at the time of Vincent Foster, Jr.'s death on July 20, 1993.

Although he cannot be certain, he believes that he first learned of Foster's death either on the evening of July 20 or the morning of July 21 via the television/radio news. At approximately 6:30 am on July 21, 1993, he reported to his regularly assigned post at The White House tour gate. At approximately 1:00 pm that afternoon he was ordered to relieve another USSS Uniformed Officer at a temporarily established post in front of Vincent Foster's office door. He was told (cannot recall by whom) not to allow entry into Foster's office without authority from USSS Inspector Dennis Martin or higher ranking USSS personnel. Phillips assumed this post and relieved USSS officer Robert Popic.

Phillips manned this newly assigned post for approximately one hour until he was relieved for a break by Officer James Young. He and Officer Young thereafter, alternated on this post approximately every one to one and one half hours until Phillips was permanently relieved from this post and went home at approximately 6-6:30 pm. Officer Phillips stated that he cannot recall exactly who permanently relieved him that evening. Phillips stated that he was not assigned to this temporary post the next day (July 21) and has not been assigned to any post in

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Continuation of FD-302 of

Joseph H. Phillips

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the west wing of The White House since the evening of July 21, 1993. Phillips advised that while he was on this post, he did not observe anyone take anything from or put anything into Foster's office.

Officer Phillips advised that at what may have been approximately 5-5:30 pm July 21, upon returning to the post outside Foster's door after having been relieved by Officer Young, he observed a group of men escorted by USSS Inspection Martin and Assistant Special Agent in Charge (ASAC) Don Flynn enter the Counsel reception area and move toward Foster's door. He stated that he was advised by either Inspector Martin or ASAC Flynn to allow this group into Foster's office in that they had proper authority. He stated that the group, then, went into Foster's office, stayed a very brief time, turned and walked into Bernard Nussbaum's office where they stayed for a longer period of time and talked. Officer Phillips stated that he did not make a list of names of this group and did not check their identification since he was advised by appropriate USSS authority that they had been cleared. He stated that he cannot recall their names and can not recall any more detail about their being in Foster's office except that they were in the office for a very short time. He stated that he believes this group included a couple of Park Police investigators, one or two FBI agents, a couple of men whom he was told were Department of Justice attorneys and he believed Mr. Nussbaum. He stated that he did not overhear any conversations of this group. He further advised that no one else entered or tried to enter Foster's office while he was at his post.

Officer Phillips advised that while he had been relieved by Officer Young and was on a break at the west wing "lobby post" downstairs from Foster's office, he observed two USSS Technical employees getting off the elevator in the west wing lobby having come from upstairs where Foster's office is located. He stated that while he did know they had been to Foster's office, he assumed that they were perhaps putting a lock on Foster's door since he had heard from other USSS employees that a lock might be placed on the door that night. Phillips said that he cannot recall the identities of these two individuals, although he believes that one of them may have the last name "Wills". He advised that when he returned to the post outside Foster's door no new lock had been installed on the door and no new lock was installed on the door prior to his departing that evening.

Continuation of FD-302 of Joseph H. Phillips , On 4/7/94 , Page 3

Officer Phillips was specifically asked if he recalled anyone taking trash from or putting trash in Foster's office or the trash can in Foster's office. He advised that this did not happen while he was on duty outside the door to Foster's office. He volunteered, however, that there is a daily record kept of what uniform officer picks up the "burn bag" from the west wing offices on a daily basis. Officer Phillips explained that the "burn bag" contains classified and sensitive material that is destroyed by burning. He stated that while he has never had this particular duty, it is his understanding that this is done on a daily basis in the late evening. He volunteered that Inspector Dennis Martin could possibly provide a list of the employees who had performed this task on or around the time of Mr. Foster's death.

Officer Phillips stated that although he knew who Vincent Foster was, by title, he did not know him either professionally or personally and had never talked to him prior to his death. Officer Phillips stated that he could contribute nothing regarding Foster's state of mind, his demeanor, or his degree of association with the President or Mrs. Clinton prior to his death.

Date of transcription	6/20/94

STUART B. PIPER, telephone (703) 941-0882, provided the following information to the Office of the Independent Counsel, Washington, D.C.:

He had previously worked as a Schedule C employee at the Inter-Governmental Affairs Office of the General Services Administration from April 1991 through January 20, 1993. He is presently doing consulting work in government relations projects and looking for full-time employment.

On Wednesday, April 20, 1994, sometime between 6:00 and 9:30 p.m., PIPER met an individual named TOM (Last Name Unknown) (LNU) at Champions Sports Bar in Tysons Corner, Virginia. said this sports bar is now known as The Sports Page. TOM LNU operates a father and son towing business known as T. & T. Towing, Incorporated, telephone (703) 795-9659, associated with McLean Service Center, Chain Bridge Road, McLean, Virginia, telephone (703) 356-7730. PIPER had met TOM LNU on only this one occasion and said TOM LNU probably doesn't know him. doesn't want to be identified to TOM LNU. PIPER described TOM LNU as being 43-44 years of age, a Viet Nam veteran and former employee of the San Francisco Police Force. PIPER said an individual by the name of LISA COFFMAN, telephone 225-9026, of the Government Operations Sub-Committee, called TOM LNU earlier in the week and TOM denied having any knowledge concerning what PIPER was about to report.

During their time together at the Sports Bar on April 20th, TOM LNU and PIPER started to talk about "strange situations" that had happened to each other. TOM LNU related a story to PIPER concerning the towing of a vehicle to the FBI Headquarters garage from Ft. Marcy Park on the evening and/or early morning hours of July 20-21, 1993. VINCENT FOSTER, Deputy White House Counsel, The White House; Washington, D.C. was found dead in Fort Marcy Park on July 20, 1993.

TOM LNU said he had received a call from the U.S. Park Police (USPP) sometime after midnight to tow a car from Ft. Marcy

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by SA Wi	lliam T. Guy	rton	WTG:deq		Date dictated	6/20/94	

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Continuation of FD-302 of STUART PIPER

6/17/94

Park. Enroute to the job, TOM LNU saw many police vehicles, both marked and unmarked, from multiple jurisdictions, traveling up and down George Washington Parkway. When he arrived at Ft. Marcy Park, the scene was lit up with lights, the vehicle doors open, and "lots of pictures were being taken." TOM LNU's son, also named TOM, was not with his father, but had received a phone call while his father was enroute to the scene, asking the whereabouts and arrival time of the tow truck.

TOM LNU further described the vehicle as having a window missing on the front driver's side, blood on the dashboard and a small bag in the foot area of the passenger side with blood on it. TOM LNU was asked to move the vehicle without moving the wheels and therefore avoid placing additional mileage on it. He used a flatbed truck to transport the car. He was assisted by what was described as a "gloved" officer who did not want him to touch the vehicle as he was putting it in gear, so as to preserve any fingerprints in the interior of the vehicle. TOM LNU said he was supervised during this operation by various police officers. He had a police escort, front and behind, to the 14th Street Bridge enroute to FBI Headquarters. He also had someone in the tow truck with him. They took the car down the down ramp of the FBI Headquarter's garage. TOM LNU related that he had never been paid for this tow job. He said in the past he had done a lot of towing for government agencies to include work associated with federal fleet cars, airport exchanges and running out of gas situations.

PIPER said he had no additional information concerning what TOM LNU had told him. He knew of no reason why TOM LNU would "spin a story." PIPER had thought about coming forward earlier with this story, but had not done so. PIPER has told a "couple of friends" about this.

The following description of PIPER was obtained through interview:

Name:

Stuart B. Piper

Residence:

4501-D Hazeltine Court

(a condominium)

Alexandria, Virginia 22312

Telephone:

(703) 941-0882

DOB: POB:

FOIA(b)(6)

SSAN:

FOIA(b)(7) - (C)

Date of transcription	5/11/94

Betsy L. Pond, Executive Assistant, Office of the Counsel to the President, was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue NW in the presence of her attorney, Thomas R. Dyson. Ms. Pond was advised as to the official identities of the interviewing agents and of the nature of the interview. She then provided the following information:

At the time of Vincent Foster, Jr.'s death in July, 1993 she had known Foster for approximately four months. She stated that at that time she was the Executive Assistant to Bernard Nussbaum, the Counsel to the President, and as such sat in a desk just outside Nussbaum's and Foster's offices. She said that she had daily contact with Foster but that this contact consisted of an "office relationship" that was friendly but limited to exchanges of greetings and pleasantries. She explained that while she worked in the same office suite as Foster she can recall doing no work for Foster in that Deborah Gorham was his Executive Assistant. She said that she can not recall observing any changes in Foster's behavior or physical appearance prior to his death. She described the Office of the Counsel to the President at that time as being a "pressure cooker environment" with Foster and every other employee within that office being under considerable stress. She said however, that she cannot recall Foster ever commenting on this stress. She described Foster as a "reserved and quiet man-a gentleman", whom she liked.

Betsy Pond said that the last time she saw Vincent Foster was at approximately 1:00 pm on July 20, 1993, when he departed the Counsel suite after having had lunch in his office.

Ms. Pond was asked to recall the atmosphere and events of the Counsel suite on July 19, 1993. She said that she has no specific recollections concerning that day except that everyone in the office was very busy and involved in proceedings regarding the upcoming announcement of Louis Freeh to be the new Director of the FBI and Ruth Bader Ginzberg, who had been nominated to the U.S. Supreme Court and was to begin confirmation hearings the

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by	FOIA(b)(7) - (C)				_Date dictated	5/10/94	

\_\_-LR-35063 SUB A

Continuation of FD-302 of Betsy L. Pond , On 5/10/94 , Page 2

next day. She said that she was therefore very preoccupied with work on July 19 and can not even be sure if Vincent Foster was at work on that day.

According to Ms. Pond, July 20, 1993 was another busy day for the employees of the Presidential Counsel. She said that she arrived at work at approximately 8:30 am and she recalls the remainder of the morning being very busy, even somewhat harried, with related press coverage and many official visitors coming to The White House for the Louis Freeh announcement in the Rose After the Freeh announcement, Vincent Foster asked Betsy Pond and Linda Tripp, another employee in the Counsel suite, to bring him lunch from The White House mess. Ms. Pond stated that she and Linda Tripp left Foster, went to The White House mess and placed his order for a hamburger, french fries, and a drink, and then went "for a cigarette" while his lunch order was being prepared. Ms. Pond stated that while she cannot recall how long they were gone, she does recall Tom Castleton, another employee of the Counsel's office, coming to check on them, saying that Foster had sent him to find them and see what was taking so long. After they returned, Foster sat on a sofa in his office and ate his lunch at a coffee table while reading.

Betsy Pond stated that after Vincent Foster finished his lunch, he took his suit jacket and left the office saying "I'll be back". She said that she can not recall if he was carrying a briefcase or not. Ms. Pond said that while she was not aware of specifics regarding Vincent Foster's schedule, she did not think he had any outside appointments on that day. She heard nothing from Foster the remainder of the afternoon. approximately 6-6:30 pm, Margaret "Maggie" Williams, Hillary Clinton's Chief of Staff, telephoned for Foster. When advised that Foster was not in his office, she asked that he be electronically paged. Betsy Pond contacted The White House operator, asking that Foster be paged, and asking that he phone Maggie Williams' office telephone number. Pond said that to the best of her recollection, Maggie Williams did not call back and she (Pond) does not know if Foster ever returned her call. Ms. Pond stated that she left The White House for her residence at approximately 6:45 pm on July 20. She said that she went to the grocery that night and got home at approximately 8:30 pm. She said that being very tired, she turned the ringer off on her telephone and went to bed early. She said that she did not return to The White House until the next morning.

\_\_D-LR-35063 SUB A

Continuation of FD-302 of Betsy L. Pond \_\_\_\_\_\_, On \_\_\_\_\_5/10/94 \_\_\_\_\_, Page \_\_\_\_3

Ms. Pond awakened at approximately 5:00 am on July 21, 1993 to get ready for work. Shortly thereafter she checked her answering machine and discovered two messages that had been recorded while she slept. The first of these messages was from The White House operator and had come in at 1:20 am advising her that Bernard Nussbaum was trying to reach her. The second message was from Linda Tripp, came in at approximately 1:30 am, and indicated "I need to talk to you, please call me." Ms. Pond said that she sensed something was wrong and immediately called The White House operator asking to be "patched through" to Linda Tripp's home telephone number. It was at that point that The White House operator advised her of Vincent Foster's death. Betsy Pond was then connected telephonically with Linda Tripp who confirmed that Vincent Foster was indeed dead. Ms. Pond said that The White House operator had told her that Bernard Nussbaum had been at The White House late the night before (July 20). When later questioned about this statement, both she and her attorney said that that was not what she meant to say. Ms. Pond, at that point, amended this statement to indicate that The White House operator had said that Bernard Nussbaum had been up late, rather than at The White House late, the night before. Ms. Pond said that while she was getting ready for work, she noticed that the Vincent Foster death was even being reported on the early morning television news. At that point she felt it appropriate to notify her young co-worker, Tom Castleton, who was the newest of the employees in The White House Counsel's office. She said that she also telephonically notified John Carey, a long time attorney friend of hers and a White House staffer, whom she knew had been meeting with Vincent Foster on work related matters.

At approximately 7:00 am on July 21, Betsy Pond arrived at The White House west wing. She proceeded to the Counsel suite, opened the door, deactivated the alarm switch, and telephonically notified the U.S. Secret Service Control Center that she had placed the alarm in its access mode. When asked what telephone she used to contact the Secret Service Control Center, she paused and said that she could not be certain, but she may have used the telephone in Vincent Foster's office, since the alarm deactivation switch for the entire suite is in his office. She said that she had often, in the past, used his phone for this purpose. Betsy Pond said that it is her belief that Foster had two phones in his office, one near his desk and one near his door and the alarm switch. She said that, while she cannot recall the next sequence of events with certainty, she believes that she then spotted papers on Foster's coffee table in

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Continuation of FD-302 of

Betsy L. Pond

On = 5/10/9

Page

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After exiting Foster's office, Ms. Pond believes that she then went to her desk and telephoned Bernard Nussbaum. said that she believed she made this telephone call at approximately 7:05 am. She said that she made this call in that she knew that Nussbaum had been attempting to get in touch with her the night before and she simply wanted to let him know that she was at work and had "opened the office" and to ascertain if he had any specific instructions. During this conversation Nussbaum advised her "Don't let anybody in Vincent Foster's office". She therefore, after this conversation ended, closed the door to Foster's office. She said that she recalls noticing nothing unusual about the appearance of Foster's office that morning. She said that she further recalled seeing no one in the 2nd floor hallway of the west wing at 7:00 am when she arrived and she similarly recalls not seeing any White House staffers in the area of the ground floor west wing entrance that she used to enter that morning.

Betsy Pond said that the 2nd person to arrive at the Counsel's office on the morning of July 21 was Steve Neuwirth, who arrived at approximately 7:30 am. They chatted briefly and he then went briefly into Nussbaum's office. Linda Tripp arrived shortly thereafter and was advised by Pond to not go into Vincent Foster's office. Pond says that she does not believe either Neuwirth or Tripp went into Foster's office that day. that after President Bill Clinton came to the Counsel's office late that morning, she saw Bernard Nussbaum go into Foster's She said that at that time a Secret Service Officer had office. been posted outside Foster's door and she recalls Nussbaum telling him that he was entering the office to obtain a photograph that she recalled being on Foster's bookshelf. Pond said that she recalls no one else taking anything out of or placing anything in Vincent Foster's office on that day or the

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Continuation of FD-302 of Betsy L. Pond

5/10/94

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Ms. Pond said that she has no personal knowledge of and has heard of no White House staffers discussing any efforts to impede or obstruct this investigation or the prior Foster investigation by the U.S. Park Police.

The following information regarding Betsy L. Pond was obtained through observation and interview:

Sex:

Race:

Date of birth: Place of birth: Social Security Account Number: Employment:

Attorney:

Telephone Number:

Female Caucasian

FOIA(b)(6)

FOIA(b)(7) - (C)

Executive Assistant, Office of the Counsel to the President, The White House, Washington, D.C.

Thomas R. Dyson 1341 G Street NW

Suite 510

Washington, D.C. 20005

202-393-6091

Date	of	transcription	

5/11/94

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This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency;

LR-35063 SUB A

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LR-35063 SUB A

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Date of birth: Place of birth: Social Security Account Number:

Employment:

Attorney:

Telephone Number:

Female Caucasian

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

Executive Assistant, Office of the Counsel to the President, The White House, Washington, D.C.

Thomas R. Dyson 1341 G Street NW

Suite 510

Washington, D.C. 20005

202-393-6091

# UNITED STATES DEPARTMENT OF THE INTERIO NATIONAL PARK SERVICE

# SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CAS

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#### UNITED STATES DEPARTMENT OF THE INTERIO NATIONAL PARK SERVICE

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- 1 -

# OFFICE OF THE INDEPENDENT COUNSEL

9/26/94

		Date of transcription	9/26/94
*			
The below listed law contacted by SA WILLIAM E. COLO the assistance of the District requested or provided in any mainvestigation into the FOSTER s 1993. Specific inquiry was mad Columbia Police Department cond surveillance either independent federal law enforcement agencie residence, 3027 Cambridge Place July 20 and 21, 1993. Law enfo confirmed that no such investig the District of Columbia Police	MBELL in an of Columbia nner in con uicide that e as to whe ucted any s ly or at the s in the vi, Georgetow reement offative assis	effort to depart to depart to descript with occurred on their the District of the request of the m, Washington icials listed tance was presented to the process of the request of the m, washington to the request of the request of the m, washington to the request of the request	etermine if rtment was the July 20, trict of r other e FOSTER n, D.C. on d below
Special Agent PAUL IM Washington, D.C.; Captain CHARL Washington, D.C.; Sergeant CHER Washington, D.C.; Captain BARRY Police, Second District Station area); Lieutenant RALPH NEAL, D Department, Second District Sta	ES HUME, U. YL BRAUN, U MALKIN, Di (responsib istrict of	S. Park Poli J.S. Park Pol strict of Co Dle for the G Columbia Pol	ce, ice, lumbia eorgetown
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Investigation on9/26/94at _Washingto	on, D.C.	File#29D-I	LR-35063
by <u>SA WILLIAM E. COLOMBELL</u>	Da	ate dictated 9/26	/94

Date of transcription	7/13/94
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STEVEN A. POLLOCK, currently Conference Coord The White House Conference on Small Businesses, telephor 724-0891 was interviewed telephonically by writer. Aft advised of the identity of the interviewing agent and the tand purpose of the interview, POLLOCK provided the follinformation:	er being he nature
POLLICK advised that in July 1993, he was emp The White House Office of Personnel Security under the supervision of CRAIG LIVINGSTONE. He said that he work LIVINGSTONE periodically throughout the summer and was until Memorial Day of 1993. He then shifted to just on week which was Fridays. He maintained that schedule un Fall when he moved to The White House Conference on Sma Business.	direct ed for full time e day a til late
He explained that as part of his job in the Control Personnel Security he did do some typing but he didn't typing of a chronology of LIVINGSTONE's activities on J. 1993. He said he would have remembered such a memorause of its unique nature and because of the remarks of those days.	do any uly 20 and randum
He advised that his normal activities in the included doing background checks and administrative funwith regard to White House passes and other miscellaned administrative matters. He did some minor memos in this connection. He did not assist nor did he ever hear of assisting CRAIG LIVINGSTONE carrying boxes from one are White House to the other and specifically from VINCE FO office or from the west wing at any time.	ctions ous s anybody a of The
POLLOCK advised that his DOB is and F	OB is
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gation on 7/7/94 at Washington, D.C. File # 29D-LH	2-35063
SSA H. ALEXIS SUGGS  Date dictated 7/12/9	94

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Date of transcription

4/18/94



Robert Mark Popik, Officer, Uniform Division (Special Operations Section), United States Secret Service (USSS) was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue NW. Officer Popik 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 eight years, the last six of which have been at The White House compound. He is currently responsible for leading congressionally requested special tours through portions of The White House. He was performing these same duties 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 202-395-4418.

On July 20, 1993 he worked the 6:30 am - 3:00 pm shift at The White House. He said that he could recall nothing unusual or out of the ordinary about that day except that they were very busy with tours in that it is the peak tourist season in Washington, D.C. and at The White House. He described this as a routine, ordinary day.

On July 21, 1993, Officer Popik was on his way to work shortly before 6:30 am listening to the news on his car radio when he first learned of Vincent Foster's death. Upon arriving at work, he went to his regularly assigned post and began giving tours. At approximately 10:00 am that morning, he was approached by USSS Inspector Dennis Martin and a USSS sergeant who advised him that a temporary guard post was to be established outside Vincent Foster's office door and that he and several other USSS uniform officers would be placed on that post. He assumed this post at approximately 12:00 noon relieving Officer Michelle Macon who had been the first uniform officer on that post. instructions related to him by Inspector Martin were that he was to stand in front of this door with it closed and if anyone wanted to enter the office he was to get their name and take note of the time that they entered and the time that they left. Officer Popik stated that he was on this post for approximately

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

... -LR-35063 SUB A

Continuation of FD-302 of Robert Mark Popik \_\_\_\_\_, On \_\_\_\_4/14/94 \_\_\_\_, Page \_\_\_\_2

one and one half hours and while he was standing this post no one entered Vincent Foster's office or attempted to enter the office. He said that while he was on this post he made "small talk" with the secretaries located in the reception area outside Bernard Nussbaum and Vincent Foster's offices. He advised however, that none of this discussion centered on or related to Mr. Foster or his death.

Officer Popik stated that approximately 1:30 pm he was relieved from this post by USSS Officer Joe Phillips. Popik said that he returned to his normal tour duties and has never been to that office on the 2nd floor of The White House west wing since July 21, 1993.

Officer Popik stated that he knew Vincent Foster by title and was able to recognize who he was when he saw him within The White House compound. He advised however that he did not know Foster either personally or professionally well enough to feel comfortable commenting on his personality or demeanor.

#### OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription	3*	5/8/95	

SYDNEY FRANCES PROBST 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, PROBST furnished the following information:

PROBST has known VINCENT W. FOSTER, Jr. for approximately forty years. PROBST regards SHEILA ANTHONY, FOSTER's sister, as her best friend. ANTHONY and PROBST have known each other since they were fourteen or fifteen years old, and they attended college together at the University of Arkansas. While PROBST knew FOSTER through ANTHONY, she did not have close contact with FOSTER because PROBST and ANTHONY were seven years older than FOSTER. This seven year difference in ages had less significance as PROBST and FOSTER grew older, and PROBST grew to know FOSTER better when they were adults. However, PROBST has always been much closer to ANTHONY, and much of what she knows about FOSTER was learned from ANTHONY. PROBST has known LISA FOSTER since she and FOSTER were married.

PROBST does not recall if she saw FOSTER when he first moved to WDC in 1993 and was living with ANTHONY. PROBST did not socialize with FOSTER, but she may have occasionally seen FOSTER at gatherings on Capitol Hill or at gatherings of people from Arkansas. PROBST cannot recall with certainty that she actually saw FOSTER at any of these functions. PROBST recalls that she last saw FOSTER at a luncheon on Capitol Hill for the Arkansas congressional delegation approximately one or two weeks before FOSTER's death. PROBST and ANTHONY greeted each other at this luncheon, and FOSTER appeared fine to PROBST. PROBST does not recall having any other encounters or telephone calls with FOSTER after he arrived in WDC in 1993.

PROBST was not a participant in any regular gatherings of Arkansans for dinner on Tuesday nights, and she has no knowledge of such gatherings.

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Continuation of OIC-302 of SYDNEY FRANCES PROBST , On 5/4/95 , Page 2

PROBST has no personal knowledge of the factors which may have led to FOSTER's suicide. PROBST has been told by ANTHONY that FOSTER was absolutely worn out from working eighteen hours a day.

PROBST has lived in WDC for the last fourteen years and she did not maintain any type of continuing contact with VINCENT or LISA FOSTER during that time period.

On the morning of July 21, 1993, PROBST learned of FOSTER's death when she received a telephone call at her home from DOUG FROST. FROST had previously worked for former Representative BERYL ANTHONY, who is the husband of SHEILA ANTHONY. FROST's call to PROBST awoke her. PROBST believes FROST told her that FOSTER had committed suicide. After receiving the call from FROST, PROBST hung up and immediately called the ANTHONY residence. The ANTHONYs' telephone line was busy, and PROBST quickly dressed herself and went to the ANTHONYs' residence. Upon PROBST's arrival there, she discovered that SHEILA ANTHONY was already gone, but BERYL ANTHONY and a few people were still at home. PROBST does not recall who else was at the ANTHONY house, but she recalls that the house was not crowded. PROBST offered to help out in terms of arranging for food to be brought in or in making any other arrangements which needed to be made as a result of FOSTER's death. PROBST took responsibility for answering the ANTHONYs' telephone because PROBST knew the ANTHONYs well enough to know with whom they would want to speak and who should not be put through to them. PROBST remained at the ANTHONYs house most of the day but went to her own home briefly before returning to the ANTHONYs' house that evening. At no time did PROBST go to the FOSTERs' house in WDC.

On the Thursday following FOSTER's death, PROBST flew to Little Rock for FOSTER's funeral. PROBST flew aboard a small private plane which may have belonged to TRUMAN ARNOLD. Also on the plane with PROBST were FOSTER's sister, SHARON BOWMAN, and BOWMAN's daughter MARY. There were two other passengers on the airplane but PROBST does not recall their identities.

PROBST did not participate in or overhear any conversation about the subject of FOSTER having left a note or of such a note having been found.

Prior to FOSTER's move to WDC in 1993, PROBST probably

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Continuation of OIC-302 of SYDNEY FRANCES PROBST

5/4/95

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Social Security
Account Number:

Residence:

FOIA(b)(6) FOIA(b)(7) - (¢)

Home Telephone:

Occupation:

1832 Belmont Road, N.W. Washington, D.C. 20009

(202) 667-3920

Assistant to the President

Interstate Gas Pipeline Association 555 13th Street, N.W., Suite 300

Washington, D.C.

Work Telephone:

(202) 626-3202

### OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription	11/7/9	4 .	

Mrs. BARBARA PRYOR, wife of Senator RICHARD PRYOR of Arkansas, was advised of the identity of Special Agent WILLIAM E. COLOMBELL. She was also informed that Agent COLOMBELL wished to interview her regarding the circumstances surrounding her visit to the FOSTER residence on the morning of July 21, 1993.

Mrs. PRYOR advised that in July of 1993, she and her husband lived in close proximity to the FOSTER home, specifically on 19th Street off of Dupont Circle. She and the FOSTER's, as well as SHIELA ANTHONY, VINCENT FOSTER's sister, have been friends for many years. Her purpose in going to the FOSTER residence was to give SHIELA ANTHONY a ride home, pointing out that Ms. ANTHONY had spent the night at the FOSTER residence. Mrs. PRYOR arrived at the FOSTER residence sometime between 8:00 and 8:30 am. She parked her car on Cambridge Place in close proximity to the FOSTER home. She recalled that while parking, she accidentally tapped an expensive sports car, either a Porsche or a Jaguar parked on the street, setting off a car alarm. street was very quiet and she observed no one on the street or sitting in any parked cars nearby. She was specifically asked if there was any media presence in the area and she responded not to her recollection. SHIELA ANTHONY answered the door and let her She remembers thinking that maybe she came to early. It appeared to her that everyone was still asleep and that she had awakened Ms. ANTHONY. To the best of her recollection, Ms. ANTHONY was still wearing the same dress that she had on the prior evening when close family friends had gathered at the residence to comfort the family. Shortly after entering the FOSTER residence, the car alarm ceased and she assumed that whoever owned the car must have gone outside and turned it off.

Mrs. PRYOR stated that she recalls making coffee and staying a short time, (approximately 15 to 20 minutes) and then driving SHIELA ANTHONY home. She feels certain that she and Ms. ANTHONY left the FOSTER residence no later than 9:00 am. She can't be sure, but believes that while she was there the HUBBELLs arrived. During the 15 to 20 minute visit, she has no recollection of either SHIELA ANTHONY or Mrs. FOSTER making any

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comments about the presence of media, White House staffers or the Secret Service outside the residence on the morning of July 21, 1993. Mrs. PRYOR concluded by providing the following background information concerning herself:

Address:

2113 O Street, NW

Unit A

Washington, DC

Home Phone:

(202) 293-3336

Date of transcription	7/25/94	

JOHN MICHAEL QUINN, who is also known as JACK QUINN, was interviewed in his office in the Old Executive Office Building on the grounds of the White House, Washington, D.C. QUINN serves as both Assistant to the President and Chief of Staff and Counselor to the Vice President. Present during the interview of QUINN was DONALD SIMON, who is QUINN's friend as well as an attorney. Associate Counsel MARK J. STEIN of the Office of the Independent Counsel, Washington, D.C., also participated in the interview. After being advised of the official identities of the interviewing agents and the nature of the interview, QUINN furnished the following information:

QUINN's primary role is to manage the staff of the Office of the Vice President. The staff is rather large and includes people assigned to both the Executive Office of the President as well as staff assigned to the Vice President in his role as the President of the United States Senate. Based on an earlier decision of President BILL CLINTON, the position of Chief of Staff to the Vice President is also considered part of the staff of the President. As a result, QUINN attends the daily meetings for senior staff held at the White House at 8:00 a.m. each morning.

QUINN met Vice President ALBERT GORE when QUINN was an attorney in private practice and Mr. GORE was a Member of the United States House of Representatives. While in the private-practice of law, QUINN worked on matters which fell under the purview of the House Energy and Commerce Committee. In 1987 and 1988, QUINN assisted Mr. GORE in his campaign for the Democratic nomination for president. Then-Senator GORE asked QUINN to help him prepare for the debates with then-Vice President DAN QUAYLE. Following the election in 1992, QUINN served as counsel to the CLINTON transition team along with several attorneys from Little Rock, Arkansas. Once the CLINTON Administration took office, QUINN assumed the duties of Counsel to the Vice President and Deputy Chief of Staff to the Vice President. ROY NEEL was then the Chief of Staff for the Vice President.

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QUINN worked with Deputy White House Counsel VINCENT W. FOSTER, Jr. during the early part of the CLINTON Administration when QUINN was serving as Counsel to the Vice President. In that position, QUINN attended the daily morning meetings of the White House Counsel's Office staff. QUINN attended these meetings from January 20, 1993 through early May 1993, and these meetings usually lasted approximately forty-five minutes each. QUINN did not work on any projects with FOSTER, and he only saw or had contact with FOSTER during the meetings with the staff of the White House Counsel's Office.

QUINN never discussed the subject of Whitewater with FOSTER. FOSTER was a man of unusual discretion, and he was not given to discussing his work with other people.

QUINN does not recall whether he was at work at the White House on July 20, 1993, which was the date of FOSTER's death. QUINN is certain that he was not at the White House when he learned of FOSTER's death. He has a strong sense that he was at home when he learned of FOSTER's death, but he is not certain whether he acquired this knowledge the night of July 20, 1993 or the morning of July 21, 1993. QUINN has a vague recollection that he may have learned of FOSTER's death through either a radio or television report the morning of July 21, 1993.

No one ever told QUINN that members of the White House staff went into FOSTER's office the night of July 20, 1993. QUINN does not have any information to suggest that anything was removed from FOSTER's office that night.

On the morning of July 22, 1993, which was the day on which the inspection of documents in FOSTER's office was conducted, QUINN was made aware that White House Counsel BERNARD NUSSBAUM planned to allow a search of FOSTER's office by officials of the National Park Service. QUINN does not recall whether NUSSBAUM was planning to allow the search of FOSTER's office or whether NUSSBAUM would be present during the search. QUINN was told about NUSSBAUM's plans regarding the search either by White House Chief of Staff THOMAS "MACK" McLARTY or by a member of McLARTY's staff. QUINN does not recall whether he first spoke to McLARTY or whether one of McLARTY's aides said that McLARTY wanted to speak with QUINN.

During a conversation the morning of the search of FOSTER's office, McLARTY expressed his confidence in QUINN's

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JOHN MICHAEL QUINN

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legal judgment and he asked QUINN to provide a second opinion about the advisability of NUSSBAUM's plan for the search of the office. McLARTY did not himself express any opinion about the advisability of the search. QUINN does not recall the exact words used by McLARTY, but McLARTY wanted QUINN to take a second look at the question of how the search should be conducted. QUINN's conversation with McLARTY occurred face-to-face in the west wing of the White House. QUINN is rather confident that McLARTY did not mention anything about the specific procedure to be used for the search. QUINN further understood McLARTY wanted him to speak with NUSSBAUM about the plan for the search. QUINN does not believe he had spoken with NUSSBAUM or heard about the investigation being conducted by the United States Park Police (USPP) prior to his meeting with McLARTY.

QUINN met with NUSSBAUM later the same day in the Vice President's office, which is adjacent to McLARTY's office. Vice President was not present during this meeting. QUINN's meeting with NUSSBAUM was impromptu and QUINN does not recall how the meeting was organized. This meeting may have occurred shortly after QUINN's meeting with McLARTY. People in attendance at the meeting included QUINN, NUSSBAUM, possibly STEVE NEUWIRTH of the White House Counsel's Office, a representative of McLARTY's office (definitely not McLARTY but possibly Deputy Chief of Staff BILL BURTON), and, QUINN believes, at least one other person. If QUINN were asked to speculate about the identity of this other person, he would name senior advisor BRUCE LINDSEY as most likely to have been this person. QUINN cannot state with certainty that this unidentified person was present for the entire meeting since he has a vague recollection of this person coming and going during the meeting.

At the outset of the meeting, NUSSBAUM said that the investigating authorities wanted to conduct a search of FOSTER's office and he wanted to allow this search to occur. QUINN objected strenuously and repeatedly to this proposal. QUINN believed NUSSBAUM and the USPP agents would be the first people to enter FOSTER's office and would be conducting searches of files and documents. QUINN argued that the Counsel to the Office of the President had an obligation in regard to the papers in FOSTER's office, especially those papers which were either privileged or were highly classified and had relevance to issues of national security. QUINN wanted to protect the traditional presidential privilege and avoid any improper exposure of classified matters. QUINN felt it was quite likely that FOSTER

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would have had documents in his office which would fall under the presidential privilege. He felt that NUSSBAUM's client, i.e., the President of the United States, should have an opportunity to contest efforts by anyone outside the White House staff to review privileged documents. NUSSBAUM felt quite passionately that he could not conduct an initial review of the documents since to do so would be unacceptable to the USPP investigators. Based on NUSSBAUM's statement, QUINN assumed NUSSBAUM had already spoken with USPP investigators and had been told of USPP concerns. QUINN does not recall NUSSBAUM saying that representatives of the United States Department of Justice (DOJ) would be present during the search.

The discussion between QUINN and NUSSBAUM went back and forth for approximately fifteen to twenty minutes, which was the duration of the entire meeting. QUINN has a vivid memory of the other people at the meeting remaining quiet during the discussion between QUINN and NUSSBAUM. QUINN and NUSSBAUM were in essential disagreement about a lawyer's best judgment in representing a client. QUINN continues to feel that the principle that a lawyer's first duty is to his or her client required an examination of the issues of privilege and national security. QUINN's memory of what NUSSBAUM said about the expectations of the USPP investigators is not clear.

At the end of this meeting, NUSSBAUM said that QUINN's concern was misplaced because the first visual examination of each document in FOSTER's office would be conducted by NUSSBAUM. QUINN cannot now say whether NUSSBAUM's position at the end of the meeting was the same as it had been at the start of the meeting or whether it evolved to that view. QUINN believes that NUSSBAUM's position evolved during the meeting to the plan in which NUSSBAUM would initially examine each document. QUINN expressed bafflement that NUSSBAUM believed that the investigators would not object to the procedure proposed by NUSSBAUM. QUINN was unclear whether NUSSBAUM had already made a commitment to the investigators about how the document search would be conducted. The meeting held in the Vice President's office was in close proximity in time to a meeting between NUSSBAUM and USPP officials.

QUINN does not recall any of the dialogue from the meeting in the Vice President's office. QUINN's clear impression is that NUSSBAUM, not QUINN, would make the final decision and the question would not be put to a vote of lawyers. QUINN came

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Continuation of FD-302 of JOHN MICHAEL QUINN , On 7/14/94 , Page 5

away from the meeting with the impression that NUSSBAUM had not been swayed to QUINN's point of view.

QUINN does not recall whether at the beginning of the meeting NUSSBAUM had a plan to conduct an initial solitary review of the documents. QUINN does not believe the discussion ever got to such a level of specificity that an inventory of the documents was discussed. QUINN does not recall discussing how long it would take to conduct the search if NUSSBAUM personally reviewed each document.

QUINN has no knowledge of anything having been taken out of FOSTER's office at that time. For all intents and purposes, NUSSBAUM's search was to be the first search of FOSTER's office.

QUINN does not recall reporting the outcome of the meeting back to McLARTY. QUINN regards this recollection as surprising to himself because the meeting had ended with QUINN and NUSSBAUM still disagreeing about how the search should be conducted. QUINN probably relied on the aide of McLARTY who had attended the meeting, possibly BILL BURTON, to relate the content of the meeting back to McLARTY. QUINN did mention the discussion to TODD CAMPBELL, who had replaced QUINN as Counsel to the Vice President. QUINN felt that CAMPBELL should have knowledge of the meeting because CAMPBELL was at a level where he interfaced with the White House Counsel's Office.

QUINN and NUSSBAUM had debated their views strongly and expressed their professional differences.

Neither President CLINTON nor First Lady HILLARY RODHAM CLINTON had any input into how the search of FOSTER's office was conducted. QUINN has not had any conversation with Vice President GORE about the search of FOSTER's office. QUINN had not had any conversations with anyone about the meeting in the Vice President's office in July 1993 until QUINN was contacted by Associate Independent Counsel STEIN approximately forty-eight hours prior to this interview.

QUINN does not think that he and NUSSBAUM had any conversations about the conduct of the search after it had occurred. QUINN learned about the procedures used in the search of documents through subsequent newspaper accounts. QUINN has not spoken to anyone at DOJ about the search of FOSTER's office.

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QUINN was not involved in the decision to move documents from FOSTER's office to the offices of the CLINTONS' private attorney. QUINN did not have any involvement with the torn handwritten note which was found in FOSTER's briefcase. QUINN does not have any information that anyone in the CLINTON Administration had any involvement with the torn note prior to its discovery on July 26, 1993. QUINN does not have any information about the possible existence of any other notes having been written by FOSTER.

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

Name:

Sex:

Race:

Date of Birth: Place of Birth:

Social Security Account Number:

Office Telephone:

Residence:

JOHN MICHAEL QUINN

Male

White

FOIA(b)(6)

FOIA(b)(7) - (C)

2708 Abilene Drive

Chevy Chase, Maryland 20815

(202) 456-6605

Date of transcription	6/2/94

On May 17, 1994, GORDON S. RATHER, JR. Attorney at Law, WRIGHT, LINDSEY & JENNINGS, 200 West Capitol Avenue Suite 2200, Worthen Bank Building, Little Rock, Arkansas, was interviewed at his law offices. Having been advised of the nature and purpose of the interview and the identity of the interviewing agents, RATHER provided the following information:

RATHER advised that he understood that he was being contacted because he had telephoned VINCE FOSTER, JR. on July 20, 1993, the day of FOSTER's death. RATHER advised that he had known FOSTER since they had taken the Arkansas bar exam together and since FOSTER joined the ROSE LAW FIRM, about 20 years. had met during a bar review course. Later, FOSTER was a speaker for the bar review course organizers because he had received the top grade in the Arkansas bar exam the year he took it. subsequent years, FOSTER became a familiar legal contact. worked on cases together, both on the same and opposing sides. They were both responsible for recruiting new lawyers into their respective law firms and therefore they were in contact every so often to speak about prospective applicants, what entry level salaries were reasonable and other recruitment matters. speaking, they would run into one another occasionally at social gatherings because Little Rock is a small community. RATHER therefore characterized his relationship with FOSTER as a combination of both professional and personal friendship. were not, however, close personal friends. They would see one another several times a year.

RATHER described FOSTER as "a true gentleman". He was a gracious winner and a gracious loser. He was very impressive both physically and intellectually, well spoken, thoughtful and careful about what he said--a very bright person. RATHER never knew FOSTER to get emotional. But he was a feeling person and cited as an example, FOSTER's having sent RATHER a very touching sympathy card in 1992 when RATHER's son died.

RATHER described FOSTER as always looking fit, healthy and "nicely turned out". No personal problems were ever

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by SA	FOIA(b)(7) - (C)				Date dictated	5/24/94	

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On 5/17/94

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discussed between the two men and they didn't have the kind of relationship where RATHER and FOSTER would have had philosophical discussions of any depth.

RATHER explained that he is very active in the American Board of Trial Advocates (ABOTA). ABOTA is a professional organization of approximately 4,000 attorneys. In order to qualify for membership one must have completed 20 civil jury trials and joining is by invitation only. It is the only organization (other than bar organizations) that has both plaintiff and defense attorneys in the same organization. FOSTER was a member of the Arkansas Chapter of ABOTA but resigned when he went to Washington, D.C. to join The White House staff in order to avoid any kind of appearance of impropriety.

On March 2, 1993, RATHER and two colleagues from ABOTA, DON SHULTZ, then National President of the organization and STEWART GROSSMAN, a plaintiff's trial lawyer from Miami, Florida, met with VINCE FOSTER at 11:00 am in the West Wing of The White Their meeting lasted from 30-45 minutes and the purpose of it was to encourage The White House to fill vacancies on the Federal Bench. RATHER explained that as an organization, ABOTA is dedicated to the preservation of the right to civil jury trial in this country. The organization was attempting to influence President CLINTON to fill those vacancies. Not to fill them with any particular people, but to fill them. RATHER explained that about 120 Federal District Court benches are vacant currently. The largest number of vacancies is at the Federal Trial Court level. Vacancies affect peoples' access to the courts for civil jury trials. ABOTA does not lobby for any particular list of perspective nominees. The three men were visiting FOSTER to encourage him to encourage the President to fill the vacancies.

At the March 2 meeting, FOSTER made neither promises nor assurances to the three men on behlaf of ABOTA. He was aware of the problem of the vacancies on the bench and FOSTER introduced them to RON KLAIN, a White House staffer who was coordinating the effort to fill the Federal Judicial vacancies. That was the last time that RATHER saw FOSTER. After the three men left the Old Executive Office Building after talking with RON KLAIN for a short time, RATHER recalled one of the men turning to him and saying, "This is one of the most unforgettable days in my life and VINCE FOSTER is one of the most impressive men I've\_ever met".

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RATHER advised that he does not recall speaking with FOSTER again, but knows he must have to get RON KLAIN's mailing address. RATHER called FOSTER on July 20 out of sheer coincidence. FOSTER was not expecting his call and RATHER called in order to speak with him about ABOTA business. It was just fateful that it was that day that FOSTER committed suicide. He was impressed with the fact that the same day, possibly within an hour of his call, someone from FOSTER's office called him back and asked if it were an urgent matter or if it was all right if FOSTER returned his call the following day.

RATHER heard the news of FOSTER's death by reading it in the newspaper on July 21, 1993. He said that FOSTER was one of the most unlikely candidates for suicide he can imagine. He commented that an article in the newspaper that appeared not to long after FOSTER's death on the topic of executive suicide, was somewhat helpful to him in understanding why it may have happened.

RATHER said it was his theory that if FOSTER had not gone to Washington, D.C. he would be alive today. FOSTER had always succeeded and had never failed at anything. In Washington, D.C., no matter what he did, people were critical of it and perhaps that it was something that he just couldn't deal with.

RATHER was never aware of any rumors concerning a romantic liaison between FOSTER and HILLARY RODHAM CLINTON. RATHER said, however, that his wife told him that there were such rumors circulating.

As part of the interview GORDON RATHER provided the following personal information about himself:

Name:

DOB:

POB:

Social Security No.:

Position:

GORDON S. RATHER, JR.

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

Attorney at Law WRIGHT, LINDSEY and JENNINGS 2200 Worthen Bank Building 200 West Capitol Avenue Little Rock, Arkansas 72201-3699
Telephone (501) 371-0808

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y <u>SA RUSSELL T. BRAN</u> SFO	ORD RTB:rtb Date dictated	6/7/94	

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### OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription	9/7/94
Dute of transcription	

A review was conducted of three logs which had been furnished to the Office of the Independent Counsel (OIC), Washington, D.C., by PAUL B. IMBORDINO, Assistant Special Agent in Charge, White House Division, United States Secret Service (USSS), Washington, D.C. The first log, which was provided to the OIC on June 8, 1994, is a ninety-two page document which reflects the identities of persons entering and exiting a gate to the White House compound from West Executive Avenue. gate is designated USSS post B4. The log covers the period July 19, 1993 through July 22, 1993. In the course of providing this log to the OIC, IMBORDINO advised that the log would not reflect all persons entering or leaving through this gate. IMBORDINO noted that holders of White House passes who are in vehicles when they enter the White House compound through this gate would not be reflected on the log. Further, holders of White House passes who were known to the USSS officer on duty or who were entering during a period of heavy pedestrian traffic into and out of the White House would also not necessarily be reflected in the log.

The other two logs, which were furnished by IMBORDINO on June 28, 1994, are also USSS gate logs which reflect the identities of person entering and exiting the White House compound. One of the logs reflects activity at a gate on West Executive Avenue from Pennsylvania Avenue, N.W., which is the gate designated USSS post A1. The second such log reflects activity at a gate into the White House compound from East Executive Avenue, which is the gate designated USSS post A5. Each of these logs covers the period of July 20, 1993 through July 21, 1993.

The review of these logs was conducted in the offices of the OIC, 1001 Pennsylvania Avenue, N.W., Suite 490 North, Washington, D.C. The purpose of the review was to record the entries and exits of persons whose names or activities have significance for the OIC investigation. It is noted that the names of VINCENT W. FOSTER, Jr. and a number of other high-ranking White House officials did not appear in these logs. The review yielded the following information:

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### JULY 19, 1993

5:34:02 a.m., BRUCE E. ABBOTT, badge # 34BD77, enters via post B4.

5:41:09 a.m., TERRI L. COBEY, badge # 34A6F0, exits via post B4.

5:41:12 a.m., DIANN WALTERS, badge # 34BFB8, exits via post B4.

6:44:40 a.m., JAMES J. SHEA, badge # 34AB92, exits via post B4.

6:46:55 a.m., PAUL CLARKE, badge # 34C9BB, enters via post B4.

6:51:47 a.m., WILLIAM H. KENNEDY III, badge # 34CC26, enters via post B4.

6:55:45 a.m., KENNETH R. CHITESTER, badge # 34CC64, enters via post B4.

7:11:40 a.m., LORRAINE A. VOLES, badge # 34BBEE, enters via post B4.

7:43:58 a.m., DAWN A. ALEXANDER, badge # 34D02D, enters via post B4.

8:02:09 a.m., LINDA R. TRIPP, badge # 34A5F1, enters via post B4.

8:09:06 a.m., STEPHEN J. WILL, badge # 34A9DD, enters via post B4.

8:39:05 a.m., DEBORAH L. GORHAM, badge # 34CA01, enters via post B4.

8:43:20 a.m., JOHN P. CAREY III, badge # 34BE03, enters via post B4.

8:48:18 a.m., D. CRAIG LIVINGSTONE, badge # 34BF12, enters via post B4.

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# JULY 19, 1993 (Continued)

9:37:14 a.m., BETSY L. POND, badge # 34C604, enters via post B4.

11:26:29 a.m., WILLIAM H. KENNEDY III, badge # 34CC26, exits via post B4.

2:39:22 p.m., TODD D. STERN, badge # 34D15E, enters via post B4.

2:49:22 p.m., BRUCE E. ABBOTT, badge # 34BD77, exits via post B4.

3:49:21 p.m., LINDA R. TRIPP, badge # 34A5F1, enters via post B4.

4:40:36 p.m., STEPHEN J. WILL, badge # 34A9DD, exits via post B4.

5:33:27 p.m., NANCY A. GEMMELL, badge # 34BDA2, exits via post B4.

6:18:46 p.m. BETSY L. POND, badge # 34C604, exits via post B4.

6:27:45 p.m., DEBORAH L. GORHAM, badge # 34CA01, exits via post B4.

6:56:08 p.m., LORRAINE A. VOLES, badge # 34BBEE, exits via post B4.

6:57:15 p.m., D. CRAIG LIVINGSTONE, badge # 34BF12, exits via post B4.

7:00:51 p.m., STEPHEN B. SILVERMAN, badge # 34D169, exits via post B4.

7:11:20 p.m., JOHN P. CAREY III, badge # 34BE03, exits via post B4.

7:15:41 p.m., DENNIS S. MARTIN, badge # 34A620, exits via post B4.

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# JULY 19, 1993 (Continued)

7:16:38 p.m., KENNETH R. CHITESTER, badge # 34CC64, exits via post B4.

7:29:23 p.m., WILLIAM H. KENNEDY III, badge # 34CC26, exits via post B4.

8:30:11 p.m., SYLVIA MATHEWS, badge # 34C169, exits via post B4.

9:09:07 p.m., DIANN WALTERS, badge # 34BFB8, enters via post B4.

10:11:09 p.m., LINDA R. TRIPP, badge # 34A5F1, exits via post B4.

10:44:51 p.m., PAUL CLARKE, badge # 34C9BB, exits via post B4.

# JULY 20, 1993

5:42:45 a.m., DIANN WALTERS, badge # 34BFB8, exits via post B4.

6:50:44 a.m., JOHN P. CAREY III, badge # 34BE03, enters via post B4.

6:54:53 a.m., KENNETH R. CHITESTER, badge # 34CC64, enters via post B4.

6:57:11 a.m., PAUL CLARKE, badge # 34C9BB, enters via post B4.

7:24:51 a.m., STEPHEN B. SILVERMAN, badge # 34D169, enters via post B4.

7:52:14 a.m., BERNARD W. NUSSBAUM, badge # 34EOD5, enters via post B4.

7:53:35 a.m., JOHN P. CAREY III, badge # 34BE03, exits via post B4.

## JULY 20,1993 (Continued)

7:54:42 a.m., DAWN A. ALEXANDER, badge # 34DO2D, enters via post B4.

7:56:21 a.m., STEPHEN J. WILL, badge # 34A9DD, enters via post B4.

8:04:24 a.m., DEBORAH L. GORHAM, badge # 34CA01, enters via post B4.

8:25:35 a.m., WILLIAM H. KENNEDY III, badge # 34CC26, enters via post B4.

8:30:55 a.m., D. CRAIG LIVINGSTONE, badge # 34BF12, enters via post B4.

8:41:33 a.m., JOHN P. CAREY III, badge # 34BE03, enters via post B4.

8:45:16 a.m., MARGARET A. WILLIAMS, badge # 34BFE0, enters via post B4.

9:21:10 a.m., WEBB L. HUBBELL, badge # B0135D, enters via post B4.

9:36:28 a.m., WEBB L. HUBBELL, badge # B0135D, exits via post B4.

9:36:43 a.m., CAROL H. RASCO, badge # 34B559, enters via post B4.

11:15:34 a.m., STEPHEN R. NEUWIRTH, badge # 34B4E6, exits via post B4.

11:15:36 a.m., WILLIAM H. KENNEDY III, badge # 34CC26, exits via post B4.

11:49:44 a.m., WILLIAM H. KENNEDY III, badge # 34CC26, enters via post B4.

11:49:48 a.m., STEPHEN R. NEUWIRTH, badge # 34B4E6, enters via post B4.

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# JULY 20,1993 (Continued)

- 1:32:34 p.m., JAMES CARVILLE, badge #34CA10, enters via post B4.
- 1:42:47 p.m., TIMOTHY J. KEATING, badge # 34CO12, exits via post B4.
- 5:05:43 p.m., STEPHEN J. WILL, badge # 34A9DD, exits via post B4.
- 5:28:14 p.m., DEBORAH L. GORHAM, badge # 34CA01, exits via post B4.
- 5:34:08 p.m., NANCY A. GEMMELL, badge # 34BDA2, exits via post B4.
- 6:36:46 p.m., WILLIAM H. KENNEDY III, badge # 34CC26, exits via post B4.
- 6:52:24 p.m., JOHN P. CAREY III, badge # 34BE03, exits via post B4.
- 7:05:37 p.m., KENNETH R. CHITESTER, badge # 34CC64, exits via post B4.
- 7:07:44 p.m., DAVID C. LEAVY, badge # 34BBD8, exits via post B4.
- 7:09:39 p.m., PAUL CLARKE, badge # 34C9BB, exits via post B4.
- 8:30:57 p.m., ERIN N. BERTOCCI, badge # 34E5C2, exits via post B4.
- 8:31:01 p.m. and 8:31:03 p.m., D. CRAIG LIVINGSTONE, badge # 34BF12, exits via post B4.
- 8:36:02 p.m., KATHLEEN M. MCKIERNAN, badge # 34DO3A, exits via post B4.
- 9:08:43 p.m., DIANN WALTERS, badge # 34BFB8, enters via post B4.

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# JULY 20, 1993 (Continued)

10:49:16 P.M., PATSY L. THOMASSON, badge # 34BEFB, enters via post A5.

## JULY 21, 1993

12:10:05 a.m., A. VICTORIA RIVAS-VAZQUEZ, badge # 34E174, exits via post A5.

12:36:12 a.m., MARSHA SCOTT, badge # 34C000, enters via post B4.

12:36:19 a.m., MICHAEL KANTOR, badge # 34B1D4, enters via post B4.

5:29:52 a.m., BRUCE E. ABBOTT, badge # 34BD77, enters via post B4.

5:41:19 a.m., DIANN WALTERS, badge # 34BFB8, exits via post B4.

6:11:16 a.m., CAROLYN J. HUBER, badge # 34BD(?)(badge # is partially obscured), enters via post A1.

6:18:43 a.m., DAWN A. ALEXANDER, badge # 34DO2D, enters via post B4.

6:44:03 a.m., JAMES J. SHEA, badge # 34AB92, exits via post B4.

6:52:29 a.m., BETSY L. POND, badge # 34C606, enters via post B4.

6:53:14 a.m., PAUL CLARKE, badge # 34C9BB, enters via post B4.

6:57:17 a.m., KENNETH R. CHITESTER, badge # 343CC64, enters via post B4.

7:23:02 a.m., PATSY L. THOMASSON, badge # 34BEFB, enters via post A5.

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# JULY 21, 1993 (Continued)

7:24:59 a.m., JOHN P. CAREY III, badge # 34BEO3, enters via post A1.

7:34:38 a.m., PAUL R. CAREY, badge # 34BEDC, enters via post A1.

7:35:52 a.m., STEPHEN B. SILVERMAN, badge # 34D169, enters via post B4.

7:51:18 a.m., PAUL E. BEGALA, badge # 34CO36, enters via post B4.

7:55:31 a.m., BRIAN L. FOUCART, badge # 34D587, enters via post A5.

7:57:44 a.m., STEPHEN J. WILL, badge # 34A9DD, enters via post B4.

7:58:01 a.m., DEBORAH L. GORHAM, badge # 34CA01, enters via post B4.

8:06:13 a.m., D. CRAIG LIVINGSTONE, badge # 34BF12, enters via post B4.

8:23:03 a.m., MARI L. ANDERSON, badge # 34A206, enters via post A5.

8:24:13 a.m., WILLIAM H. KENNEDY III, badge # 34CC26, enters via post B4.

8:32:03 a.m., ELLEN S. SEIDMAN, badge # 34CA00, enters via post B4.

8:41:26 a.m., BERNARD W. NUSSBAUM, badge # 34EOD5, enters via post B4.

2:50:07 p.m., BRUCE E. ABBOTT, badge # 34BD77, exits via post B4.

2:51:11 p.m., SUSAN P. THOMASES, badge # 34AC64, enters via post B4.

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# JULY 21, 1993 (Continued)

4:50:04 p.m., WILLIAM H. KENNEDY III, badge # 34CC26, exits via post B4.

5:35:28 p.m., NANCY A. GEMMELL, badge # 34BDA2, exits via post B4.

5:48:33 p.m., STEPHEN J. WILL, badge # 34A9DD, exits via post B4.

6:10:12 p.m., JOHN P. CAREY III, badge # 34BE03, exits via post B4.

6:23:21 p.m., D. CRAIG LIVINGSTONE, badge # 34BF12, exits via post B4.

7:04:07 p.m., LORRAINE A. VOLES, badge # 34BBEE, exits via post B4.

7:19:30 p.m., KENNETH R. CHITESTER, badge # 34CC64, exits via post B4.

7:50:42 p.m., ELLEN S. SEIDMAN, badge # 34CA00, exits via post B4.

7:50:45 p.m., HEATHER L. ROSS, badge # 34BFEC, exits via post B4.

8:04:13 p.m., MARGARET J. MYERS, badge # 34CD7C, exits via post B4.

8:10:39 p.m., PAUL CLARKE, badge # 34C9BB, exits via post B4.

8:13:37 p.m., DEBORAH L. GORHAM, badge # 34CA01, exits via post B4.

8:19:59 p.m., SYLVIA M. MATHEWS, badge # 34C169, exits via post B4.

8:59:16 p.m., BETSY L. POND, badge # 34C604, exits via post B4.

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# JULY 21, 1993 (Continued)

9:11:44 p.m., SUSAN P. THOMASES, badge # 34AC64, exits via post B4.

9:15:41 p.m., DIANN WALTERS, badge # 34BFB8, enters via post B4.

9:51:26 p.m., JAMES J. SHEA, badge # 34AB92, enters via post B4.

## JULY 22, 1993

5:41:03 a.m., DIANN WALTERS, badge # 34BFB8, exits via post B4.

6:41:10 a.m., PAUL CLARKE, badge # 34C9BB, enters via post B4.

6:43:05 a.m., JAMES J. SHEA, badge # 34AB92, exits via post B4.

6:53:55 a.m., KENNETH R. CHITESTER, badge # 34CC64, enters via post B4.

7:43:05 a.m., BERNARD W. NUSSBAUM, badge # 34EOD5, enters via post B4.

7:55:33 a.m., DAWN A. ALEXANDER, badge # 34DO2D, enters via post B4.

7:56:29 a.m., STEPHEN B. SILVERMAN, badge # 34D169, enters via post B4.

7:59:29 a.m., JOHN P. CAREY III, badge # 34BE03, enters via post B4.

8:10:18 a.m., MARGARET A. WILLIAMS, badge # 34BFEO, enters via post B4.

8:11:46 a.m., DEBORAH L. GORHAM, badge # 34CA01, enters via post B4.

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## JULY 22, 1993 (Continued)

- 8:27:26 a.m., BETSY L. POND, badge # 34C604, enters via post B4.
- 8:27:27 a.m., STEPHEN J. WILL, badge # 34A9DD, enters via post B4.
- 8:35:51 a.m., ELLEN S. SEIDMAN, badge # 34CA00, enters via post B4.
- 8:36:05 a.m., HEATHER L. ROSS, badge # 34BFEC, enters via post B4.
- 8:51:51 a.m., PATSY L. THOMASSON, badge # 34BEFB, enters via post B4.
- 9:16:54 a.m., D. CRAIG LIVINGSTONE, badge # 34BF12, enters via post B4.
- 9:20:50 a.m., PAUL CLARKE, badge # 34C9BB, exits via post B4.
- 11:37:19 a.m., LINDA R. TRIPP, badge # 34A5F1, enters via post B4.
- 2:24:29 p.m., BRUCE E. ABBOTT, badge # 34BD77, exits via post B4.
- 4:00:24 p.m., PAUL CLARKE, badge # 34C9BB, enters via post B4.
- 5:21:59 p.m., D. CRAIG LIVINGSTONE, badge # 34BF12, exits via post B4.
- 5:22:17 p.m., STEPHEN J. WILL, badge # 34A9DD, exits via post B4.
- 6:28:06 p.m., STEPHEN B. SILVERMAN, badge # 34D169, exits via post B4.
- 6:39:43 p.m., STEPHEN B. SILVERMAN, badge # 34D169, enters via post B4.

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## JULY 22, 1993 (Continued)

6:44:34 p.m., JOHN P. CAREY III, badge # 34BE03, exits via post B4.

7:23:24 p.m., ELLEN S. SEIDMAN, badge # 34CA00, exits via post B4.

7:26:56 p.m., KENNETH R. CHITESTER, badge # 34CC64, exits via post B4.

8:10:17 p.m., LINDA R. TRIPP, badge # 34A5F1, exits via post B4.

8:17:12 p.m., BETSY L. POND, badge # 34C604, exits via post B4.

8:17:15 p.m., DEBORAH L. GORHAM, badge # 34CA01, exits via post B4.

8:43:45 p.m., STEPHEN B. SILVERMAN, badge # 34D169, exits via post B4.

9:08:09 p.m., PAUL CLARKE, badge # 34C9BB, exits via post B4.

9:09:36 p.m., DIANN WALTERS, badge # 34BFB8, enters via post B4.

10:30:37 p.m., DAVID C. LEAVY, badge # 34BBD8, exits via post B4.

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by SA RUSSELL T. BRANSFORD RTB:rtb Date dictated 5/13/94

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2\_\_-LR-35063 On 5/11/94, Page 4 REVIEW OF INSURANCE RECORDS ontinuation of FD-302 of FOIA(b)(3) - Fed. R. Crim. Pro. 6(e) - Grand Jury

D-302a (Rev. 11-15-83)

# FEDERAL BUREAU OF INVESTIGATION

Loretta Sears 206 14 St., N.E., WDC 20002  VA driver's license expired 5/16/93  Signed and dated by Lisa B. Foster 4/1/93  Faxed standard lease form from Rose Law Firm Faxed on 3/3/93; not filled in.	*		Date of transcription	4/20/94
Eleven file folders containing documents were reviewed.  The folders and their contents are described as follows:  1) Folder labeled  VWF PERSONAL & CONFIDENTIAL 1993 3027 Cambridge Place, N.W.  Contains:  Copy of lease (original signatures of lessors) 3/5/93.  13-1/2 months, 3/15/93 - 4/30/93  Rent: 3/15/93-3/31/93 \$ 900.00  4/93 \$1,800.00  5/93-4/94 \$1,900.00/mo.  Security Deposit: \$1,900.00 (received)  Lessors: Charles F. & Eleanor B. Eason 540 N Street, S.W.  WDC 20024  INS Employment Eligibility Verification (Form I-9)  Loretta Sears 206 14 St., N.E., WDC 20002  VA driver's license PAPITED 5/16/93  Signed and dated by Lisa B. Foster 4/1/93  Faxed standard lease form from Rose Law Firm Faxed on 3/3/93; not filled in.	room in the Washington, of attorney	review of documents was conducted offices of SWIDLER & BERLIN, D.C. The review was conducted JAMES HAMILTON, who represent	3000 K Street, d through the	N.W., assistance
WWF PERSONAL & CONFIDENTIAL 1993 3027 Cambridge Place, N.W. Contains: Copy of lease (original signatures of lessors) 3/5/93. 13-1/2 months, 3/15/93 - 4/30/93 Rent: 3/15/93-3/31/93 \$ 900.00 4/93 \$1,800.00 5/93-4/94 \$1,900.00/mo. Security Deposit: \$1,900.00 (received) Lessors: Charles F. & Eleanor B. Eason 540 N Street, S.W. WDC 20024  INS Employment Eligibility Verification (Form I-9) Loretta Sears 206 14 St., N.E., WDC 20002 VA driver's license 206 14 St., N.E., WDC 20002 VA driver's license Signed and dated by Lisa B. Foster 4/1/93  Faxed standard lease form from Rose Law Firm Faxed on 3/3/93; not filled in.	El	even file folders containing		
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The other loans forms (standard) not filled in	Lo 20 VA Si Fa	retta Sears 6 14 St., N.E., WDC 20002 driver's license gned and dated by Lisa B. Fos xed standard lease form from	expired 5/16 ter 4/1/93 Rose Law Firm	FOIA(b)(7
Two other lease forms (standard) not fiffed in.	Tw	o other lease forms (standard	) not filled in	n.

by SA Russell T. Bransford Date dictated 4/19/94

to the contract of the contrac

ontinuation of FD-302 of	Foster Documents, On4/13/94, Page	2
	Handwritten notation on sheet of Vincent Foster Jr. notepad paper: Creststar (sic) Bank  Map of Georgetown.	
	Dent Place Association, Inc. newsletter :	
	Job invoice #13968 from: James J. Madden, Inc. 904 Philadelphia Avenue P.O. Box 8247 Silver Spring, MD 20907 (301) 587-1710 Signed by Laura Foster	
2)	Folder labeled VWF Personal & Confidential 1993 Noving Expenses Empty.	
3)	Folder labeled Vincent Foster, Jr Personal Investments - Northwest National Gas Company Contents: Miscellaneous documents re Northwest National Gas Company (NNGC), e.g. envelopes, dividend reinvestment- and stock purchase plan.	
	Client Statement, Jan. 1 - March 31, 1989 Shearson, Lehman, Hutton Vincent Foster CF  John Currie Sloan Jr.  VARUGTMA  5414 Stonewall  Little Rock, AR 72207 FOIA(b)(6)  Acct.  Tax id  Account value: \$686.91 (bonds)	
	Statements for NNGC dividend reinvestment and stock purchase plan (1987-1989). Also, statements from 1981-86.	

ontinuation of FD-302 of	Foster Documents	, On	4/13/94	Page	3
4)	Folder labeled Vincent Foster, Jr Northwest Natural Statements, 8/15/8	Gas			
5)	Folder labeled Insurance Policy				
	Contents: Miscellaneous papers Loan statement (posted 10/17/85) Massachusetts Mutual Life Insuran Springfield, Massachusetts 01111 Insured's name: Vincent Foster J. Policy #: Old balance: 3197.32 Cash loan: 1653.17 New balance: 4850.49				(b)(6) (b)(7) - (C)
	Massachusetts Mutual notice of particle insurance on VWF	ymerrt d	lue	;; <sup>4</sup>	
	American Bar Endowment bill 750 North Lake Shore Drive Chicago, Illinois 60611 Telephone: 1-800-621-8981 \$200,000 coverage on VWF \$528 \$25,000 coverage on spouse \$.37 Premium 6/1/92-12/1/92 \$565 Certificate holder ID #	.60 ,		-	
	North American Company for Life and (NACOLAH) bill P.O. Box 466 Chicago, Illinois 60690 Insured: VWF Policy #: Payment due 7/14/92 for 12 mos. Premium: \$3857.00	nd Heal	th Ins.		

ntinuation of FD-302 of Foster Documents 4/13/94 , Page 4 Bill, Chubb Company for Pacific Indemnity Company Policy # 100941 77-01 (car insurance) Folder labeled 1993 Income Tax 6) Personal and Confidential 1993 Miscellaneous papers Check stub from University of Arkansas Controller's Check #00712393, 5/21/93 Date: 5/9/93 Gross: \$810.93 Handwritten notation: reimburse TVL expenses to Fayetteville for commencement address. Paystub from Rose Law Firm VWF SSAN: 429-80-1132 Receipt from Char<u>les Schwab</u> & Co. 4/7/93, Account # \$43,559.18 Handwritten notation: buyout of Rose Building Folder labeled VWF Personal & Confidential 7) 1993 Mineral Interests Miscellaneous papers VWF, Foster's father, died testate 6/29/91, residing and domiciled in Hempstead County, Arkansas Folder labeled White House Mess 8) VWF Assorted receipts up to and including 6/30/93. All other receipts also from 1993. Meals, food charges. 9) Folder labeled VWF Personal Information (crossed out) Handwritten: Loose Papers LF 1/13/93 Assorted receipts Cactus Cantina, 3/4/93 at 2203 \$77.45

ntinuation of FD-302 of	Foster Documents	, On _	4/13/94	, Page	5
×					
10)	Folder labeled To be copied Lisa Foster - Tax	:			
	Receipts Charge card statements Memo to VWF from Loraine Cline, profit sharing loan. Principal: \$21,815.67. Interest due: \$409.04.	dated 1	/15/93, re		
11)	Folder labeled Insurance Auto and homeowners insurance do	cuments			

### FEDERAL BUREAU OF INVESTIGATION

Date of transcription	4/29/94	

A review of documents associated with VINCENT W. FOSTER JR. was conducted at the law offices of SWIDLER & BERLIN, 3000 K Street, N.W., Washington, D.C. CHARLOTTE BARRETT from the law firm remained in the Justice Room as the documents were reviewed. Information obtained from the documents included the following:

A White House Medical Unit form, dated 7/16/93, reflected that VINCENT FOSTER, date of birth 1/15/45, Social Security Account Number 429-80-1132, had his blood pressure checked on that date.

The <u>Arkansas Democrat Gazette</u> newspaper from 4/9/93 showed a photograph of FOSTER appearing to meet President BILL CLINTON and First Lady HILLARY RODHAM CLINTON at the airport in Little Rock, Arkansas on or about that date. The caption to the photograph indicated that the CLINTONS were in Arkansas for the funeral of the First Lady's father, Mr. RODHAM.

In a file labeled "To be copied file" was a letter from LORRAINE CLINE, who was FOSTER'S secretary. The letter was dated 6/21/93 and was addressed to the LION OIL COMPANY in Jackson, Mississippi. In the letter, CLINE informed LION OIL COMPANY that FOSTER had dropped the "Jr." from his name.

In an unmarked manila legal-size envelope were the following:

- 1) Check number 8427, signed by FOSTER, dated 7/11/91, drawn in the amount of \$390.00 and made payable to PHILADELPHIA LIFE. The check was drawn on the WORTHEN BANK, Little Rock, Arkansas, account number 3731 968 3, and the back of the check indicated it had been cashed. No insurance account number or other notation was observed on the face of the check.
- 2) Notice of payment due, dated 7/2/88, pertaining to MASSACHUSETTS MUTUAL policy number 9 071 542 on the life of VINCENT W. FOSTER Jr. The annual disability premium was reflected as \$325.38 as was the net amount due.

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Investigation on	4/22/94	at _Wa	ashington,	D.C.	File #	29D-LR-35063-Sub 17-0IC-
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Continuation of FD-302 of

REVIEW OF RECORDS

4/22/94 , Page

FOIA(b)(7) - (C)

- 3) Notice of payment due, dated 10/1/88, pertaining to MASSACHUSETTS MUTUAL policy number 6 616 097 on the life of FOSTER. The annual premium was reflected as \$1526.00 as was the net amount due. There was a notice at the bottom of the form which reflected that the premium had increased in accordance with the schedule of renewal premiums for this term policy.
- 4) AMERICAN BAR ENDOWMENT (ABE) record of coverage from 12/1/86 to 6/1/87 regarding term life insurance for FOSTER. The form reflected coverage of \$200,000 on FOSTER with a semiannual premium of \$288.00 and coverage of \$25,000 on FOSTER's spouse with a semiannual premium of \$26.00. A separate ABE personal security report, dated 10/31/82, reflected the same amounts of coverage with slightly smaller premiums.
- 5) A MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY exchange request, dated 10/1/82, reflected an exchange of policy number 6 356 364 for a new Adjustable Premium Term Life Insurance policy having a new policy number, which was not shown. The exchange request was signed by ELIZABETH BRADEN FOSTER, and an accompanying letter reflected LISA FOSTER as the owner of the policy. FOSTER was also reflected as the trustee under the VINCENT W. FOSTER Jr. Insurance Trust. FOIA(b)(6)

6) A Universal Life Annual Report for ELIZABETH B. \_ FOSTER, policy number dated 7/18/86, from PHILADELPHIA LIFE INSURANCE COMPANY, 500 North Akard, Dallas, Texas 75221-2699. The year covered by the report was 7/18/90-7/17/91, the policy value as of 7/17/91 was \$2418.68, and the death benefit was \$50,000.

7) Notice of payment due, dated 1/11/84, for coverage for twelve months, from MASSACHUSETTS MUTUAL LIFE INSURANCE COMPANY on the life of FOSTER. The policy number was 5 048 668, the life insurance premium was \$632.00, the dividend paid was \$152.23, and the amount due was \$479.77. The amount of coverage was not reflected.

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tinuation of FD-302 of	REVIEW OF RECORDS	, On	4/22/94	, Page	3
	8) Letter from MUTUAL LIFE INSURAN YORK, P.O. Box 4830, Syracuse, New telephone (318) 424-4472. The let check for dividend proceeds of \$18 policy number 945 89 62 on the liftransaction date was 6/20/85.	York ter c	: 13221, :ited an er pertaining	nclosed g to	I
	9) Notice of payment due, dated 10 MASSACHUSETTS MUTUAL regarding pol The annual premium was reflected a	icy n	umber 6 63	16 097.	
Ç	10) Statement from NORTH AMERICAN HEALTH INSURANCE, dated 7/21/91, r premium adjustable life plan polic with the beneficiary reflected as Jr. Trust. The specified amount o \$700,000.00 and the premium of \$50 12/14/90, was paid.	regard by num the V of the	ing flexible ber INCENT W. policy wa	ole FOSTER	FOIA(b)(6) FOIA(b)(7) - (C
(sic),	A blue folder, labeled "VINCENT FOONEBANK," contained the following:	STER,	JR. PERSO	ONE,T	
	1) A bank statement, dated 3/31/90 BANK, 120 Main Street, North Little telephone (501) 370-4400. The according to the VINCENT FOSTER IN VINCENT FOSTER JR. as the Trustee. was the taxpayer ID number the balance was \$4132.28 as of 12/3	e Roc sount suran The was	k, Arkansa holder Was ce Trust, v account r	ds, s vith	
	2) A newspaper article from THE DA dated Friday, 6/18/93, page 15, responsible from THE DA dated Friday, 6/18/93, page 15, responsible from THE DA dated Friday, 6/18/93, page 15, responsible from THE DA dated Footen for the footen from THE DA dated Footen from THE DA dated Footen from THE DA dated From THE DA dated From THE DA dated Footen from THE DA dated From THE DA	gardin Lawyen icle n ny hon inter	ng the face r by the noted that noring him vlewing	t that	
JRPER	A manila folder, legal size, labele SONAL 1990 INCOME TAX BACKUP, " conta	ed 'V'	INCENT FOS	STER, owing:	

1) A debit slip, dated 2/1/90, for a safe deposit box at the WORTHEN BANK, Little Rock, Arkansas, in the

and the main

amount of \$15.00. The safe deposit box number was

1729, the account number was

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office number was reflected as 4616.

- 2) A renewal notice, dated 9/15/90, for rental of a safe deposit box at FIRST FEDERAL OF ARKANSAS. The rent of \$25.00 was due on 10/1/90, and the box was described as number 164, 3 x 10.

INCORPORATED regarding FOSTER's Individual Retirement Account, account number reflected an account value of \$1250.37 as of 12/31/90.

A manila folder, legal-size, labeled "Insurance," contained a 1993 Pulaski County, Arkansas Personal Property Assessment notice for FOSTER. The notice reflected that FOSTER owned the following vehicles:

1989 Honda Accord sedan/coupe DX

1992 Lexus ES300 sedan

1985 Oldsmobile Toronado coupe

1984 Ford Styleside CV F150 2 1/2 pickup truck

A manila folder, legal-size, labeled "VINCENT FOSTER-PERSONAL 1991 INCOME TAX-TAXES" had the word "BACKUP" written by hand on it in red ink. The folder contained a MASSACHUSETTS MUTUAL cover letter for check number 440694, dated 7/2/91, in the amount of \$56.41, payable to FOSTER. The check was issued in regard to policy number 009 071 542. The check was described as a share in the annual distribution of dividends to MASSACHUSETTS MUTUAL policyholders.

# OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription	9/20/94

A. (ANA) VICTORIA RIVAS-VASQUEZ, Assistant Press Secretary, The White House Press Office was interviewed at The White House on September 16, 1994. After being advised of the identity of the interviewing agents and the nature and purpose of the interview, RIVAS-VASQUEZ provided the following information:

RIVAS-VASQUEZ advised that she has been Assistant Press Secretary since February 1993. Her job is coordinating .. television coverage and her office is Room 174 of the Old Executive Office Building. Her office mate and fellow Assistant Press Secretary DAWN ALEXANDER.

RIVAS-VASQUEZ remembers the day VINCE FOSTER, JR. killed himself, July 20, 1993, because she was the one who coordinated and was present for the Larry King Show that the President did in The White House. They found out at approximately 9:30 pm that VINCE FOSTER, JR. had been found dead. She herself did not know VINCE FOSTER but was familiar with the name. The show ended at 10:00 pm and after that it was part of RIVAS-VASQUEZ's job to stay there until all of the media people had torn down their equipment and left The White House. After that, she went to MARK GEARAN and DEE DEE MYERS office (the upper Press Office) to help them answer telephones. She mostly recorded the names of those people calling in and took messages so that they could be called back. She estimates that she got home that night at approximately midnight.

RIVAS-VASQUEZ estimated that she got to work the following morning between 7:00 and 7:30 am, going directly to her office in the Old Executive Office Building. She does not recall if she went over to the West Wing at all the morning of July 21, 1993. She also was not absolutely sure of her time of arrival at work. She said that she remembers spending most of the morning on July 21, sitting at her desk with headphones on responding to numerous requests coming in from television networks asking if they were going to release anymore information or special features about VINCE FOSTER or his death.

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She advised that she knows CRAIG LIVINGSTONE but would probably not recognize his voice on the telephone. She did not recall seeing CRAIG LIVINGSTONE any time on July 21, 1993 because her only specific memory of the entire day is the meeting where President CLINTON, "MAC" MCLARTY and BERNARD NUSSBAUM held a big staff meeting in the Old Executive Office Building. The only kind of coming together to express mutual grief and sadness and talk about the event that she recalls of that day was that staff meeting.

RIVAS-VASQUEZ advised that she did not hear any discussion of the issue of press coverage at the FOSTER residence, either the evening of July 20 at The White House or any time the following day. She also did not hear, after the fact, that anybody had gone to the residence to help deal with press. She advised that she did attend the daily press office staff meeting at that time (she could not recall what time that meeting was held that morning), but has no recollection of what was discussed.

As part of the interview, RIVAS-VASQUEZ provided the following personal information:

Name:

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

Address:

Home Telephone: Position:

A. (ANA) VICTORIA RIVAS-VASQUEZ

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

2111 Wisconsin Avenue, NW

Apt. 317

Washington, D.C. 20007

202-333-6340

Assistant Press Secretary White House Press Office

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Date of transcription	4/19/94
Date of transcription	-11

Kevin M. Robbins, Physical Security Specialist, Technical Security Division, United States Secret Service (USSS) was interviewed at the Office of the Special Counsel, 1001 Pennsylvania Avenue NW. Mr. Robbins was advised as to the official identities of the interviewing agents and of the nature of the interview. He then provided the following information:

He has been employed by the U.S. Secret Service for approximately 6 years all of which time has been at The White House compound. Mr. Robbins is a master locksmith and is responsible for installation and maintenance of locks, alarms, and video surveillance cameras within The White House compound. He advised that he was so employed on July 20, 1993, the date of Vincent Foster, Jr.'s death. Mr. Robbins said that he worked the 9:00 am through 5:30 pm shift on July 20 and, from his perspective, this was an routine, normal day. He stated that he can recall nothing out of the ordinary that he observed that day while at work and that he went home at approximately 5:30 pm.

On July 21, 1993, he was not at work, but on annual leave when he received a telephone call from The White House telling him that he would need to come to The White House to perform an "escort" for a lock installation. He advised that he was aware of Vincent Foster, Jr.'s death at this point but was not advised that the lock installation was to be on Vincent Foster's door. He stated that he telephonically contacted. Kenneth "Buddy" Blair of Federal Security Systems, a contract employee of USSS, advising Blair that he needed to come to The White House to install a lock that evening.

Mr. Robbins advised that he arrived at The White House where he met with Buddy Blair and proceeded to the 2nd floor of The White House west wing. He stated that Blair had brought with him a lock to be installed on the door and that he (Robbins) had brought a "key core" and two specially prepared U.S. Secret Service keys to match the "key core". When they arrived on the 2nd floor they were greeted by Assistant Special Agents in Charge Paul Imbordino and Donald Flynn at the entrance to the suite of

Investigation on	4/19/94	at	Washington,	D.C.	File #	29D-LR-35063	SUB	A
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Date dictated

4/19/94

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rinuation of FD-302 of	Kevin M.	Robbins	, On	4/19/94	, Page	2

offices occupied by Bernard Nussbaum and Vincent Foster. As they stepped into the office suite he observed a USSS uniform officer standing in front of Foster's office door. The lock installation was begun at approximately 8:00 pm and all work was completed at approximately 10:00 pm. At that point the door was locked and the two keys were given to Assistant Special Agent in Charge Flynn. Robbins and Blair then left The White House.

Mr. Robbins advised that while the lock installation was underway, he observed Bernard Nussbaum and one of the secretaries (name unknown) in the reception area outside Foster's door. He advised however that neither of these individuals nor anyone else entered Foster's office while the lock installation was underway. Robbins said that although he did have occasion to look inside Vincent Foster's office during the installation, he can recall nothing of any particular note about the office, its furnishings, or its contents.

Date of transcription	5/23/94

Leslie Rutherford, 5810 Bent Twig Road, Mclain, Virginia (703-528-0168) was interviewed at her residence in the presence of her mother Mrs. Sally Rutherford and both advised as to the identity of the interviewing agents and informed of the nature of the inquiry. Leslie Rutherford then provided the following information.

Ms. Leslie Rutherford, who is presently an 18 year old student attending Dennison College, Ohio advised that at approximately 3:00 pm on July 19, 1993, she was walking in the northeast portion of Fort Marcy Park gaining entry to the park at a spot where the tennis courts of the Dogwood subdivision border on Fort Marcy Park. She related that it was an extremely hot and humid day and noticed at a distance of approximately 10 to 15 feet a white male walking by himself in a direction leading from the George Washington Memorial Parkway into the northeast section of the park. She stated what caught her attention was that this white male, in spite of the heat, was dressed in a dark suit, white shirt and a red neck tie.

Ms. Rutherford further described this white male as being in his early 40's, dark hair, approximately 180 lbs. and slightly over 6 foot in height. According to Ms. Rutherford, this white male had no facial hair nor was he wearing eyeglasses. She further stated that when she noticed this white male, he immediately looked away from her and therefore she could furnish no additional details relative to his facial characteristics. In a further attempt to determine the height of this white male, it was Ms. Rutherford's opinion that he was slightly over 6 foot tall but did not approach 6 foot 4 inches in height.

Ms. Rutherford stated that she had viewed various newspaper articles in which Vincent Foster's picture appeared but stated that she could not make any determination from these newspaper photographs as to whether or not the individual she saw at Fort Marcy Park was, in fact, Vincent Foster. Ms. Rutherford was also exhibited photographs of Mr. Foster but she was unable to make any determination as to whether these photographs

Investigation on	5/17/94	_at	Mclain, Virginia	File #	29D-LR-35063	
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Continuation of FD-302 of	Leslie Rutherford	.On 5/18/	94 Page	2

resembled the white male she saw at the park on July 19, 1993.

Ms. Rutherford further advised that her viewing of this white male at Fort Marcy Park was extremely limited, advising also that she did not view any vehicles at Fort Marcy Park on that day and could furnish no additional identifying information regarding her observations.

Date of transcription	4/20/94

Scott M. Salter, 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. Salter was advised of the identity of the interviewing agents and of the purpose of the interview. Agent Salter provided the following information:

He first became involved in the Vincent Foster death investigation on Wednesday, July 21, 1993. He was advised by his supervisor, John K. Danna, that a call had been received from the U.S. Park Police for assistance with this Foster investigation.

Salter advised he proceeded to the White House and then waited for a considerable time in the Old Executive Office Building. Present with him were Supervisor Danna, FBI Special Agent Dennis Condon, two U.S. Park Police investigators and one U.S. Secret Service agent.

At about 4:00 p.m. or later that afternoon, Salter and these individuals proceeded to Bernard Nussbaum's office. Salter noted that David Margolis and Roger Adams from the Department of Justice were also present during this discussion in Nussbaum's It was clear that Margolis was the point man for the Department of Justice. Salter described the scene as being disorganized. He said arrangements were made to come back on the following day, July 22, 1993, to conduct a search of Vincent Foster's White House office and to interview some White House employees. The question of who would search the office was discussed, with indications being that the White House would do the search and the rest of the non-White House people would watch because of a White House concern regarding privileged documents. Discussion was held regarding the possibility that the investigators would get to look at some of the Foster documentation. It seemed as if a lot of the procedure to be followed had been worked out already with the fine points to be worked out the next day when they came back for the search. was agreed that Foster's office should be secured and that U.S. Secret Service Agent Don Flynn would hold the only key to the

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by SA	FOIA(	o)(7) - (C)	Date dictated	4/20/94

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Continuation of FD-302 of Scott M. Salter ,On 4/19/94 ,Page

Foster office. The U.S. Secret Service technical people were in the process of putting a lock on the Foster office door during the meeting.

The purpose of the search was to confirm a suicide or point to anything else regarding the death of Vincent Foster.

Nussbaum advised the group that the Foster office had not been previously secured. Nussbaum said that he had been in the office, but hadn't seen a note.

This meeting on July 21, 1993 adjourned around 5:00 p.m. or a little after, after agreeing to meet the following morning at approximately 9:00 a.m.

In a huddle following the formal meeting, it was agreed that the interviews the following day with White House personnel would be conducted with one FBI Agent and one U.S. Park Police investigator present. They did not know at that time that White House Counsel would be present during these interviews. Margolis indicated that the FBI and Park Police would have access to the Foster office. Margolis said that he would deal with the White House and would get them the proper access. Margolis said he had the horsepower from Attorney General Janet Reno, if necessary. Deputy Attorney General Phillip Heyman's name was also mentioned by Margolis.

On July 22, 1993, at approximately 9:00 a.m., the following individuals assembled in the West Wing of the White House: Salter, Dennis Condon, Charles Hume, Pete Markland, David Margolis (and maybe Roger Adams), Don Flynn and Paul Imbordino. This group sat around for hours waiting for decisions to be made. Margolis had told the others to wait while he was dealing with Nussbaum regarding the ground rules.

Finally, at about 2:00 or 2:30 p.m., the agents and Park Police investigators were allowed to interview a couple of secretaries. These secretaries were some of the last people to see Vincent Foster alive on July 20, 1993. It was at the point of these interviews that Salter and the others were told by Margolis that White House attorneys would sit in on the interviews. Margolis' only explanation was that "that's the way it is." Salter and Hume did their interviews in the presence of Cliff Sloan and Condon and Markland did their interviews in the

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Continuation of FD-302 of Scott M. Salter

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presence of Steven Neuwirth. Salter said he understood that the purpose of White House Counsel being there during the interviews was to take notes. They scribbled down virtually every question Salter was shown a copy of an FD-302 (attached) he and answer. had done concerning the search of Vincent Foster's office on July 22, 1993. This FD-302 was part of a report Salter had written dated August 9, 1993 concerning the Obstruction of Justice (OOJ) investigation conducted by the FBI. Salter said that an FD-302 was prepared on the search of Foster's office after Foster's note had been found and the OOJ case opened. Salter said the facts contained in this FD-302 were complete, with the exception that another individual by the name of Spafford had been present during the search. He understood Spafford to be an attorney with Jim Hamilton's law firm, the family attorneys for the Fosters. Salter added that it was apparent during the search that Nussbaum was running the show. Others present from the White House were whispering to Nussbaum during the search. Neuwirth and Sloan were scribbling notes to Nussbaum during the search. During the search, Nussbaum sat at Vincent Foster's desk, flanked by Neuwirth on his right and Sloan on his left. Also on the right was Burton. Margolis sat immediately in front of the desk and immediately behind him, from left to right looking out from the desk was Salter (standing), Markland and Hume (sitting on a couch), and Dennis Condon (sitting in a chair). Spafford was to Condon's left. Imbordino and Flynn from the U.S. Secret Service were standing in the background.

Salter commented that the search did not go as he would have wanted it to go.

At one point during the search, Sloan said to Salter who was standing, "Excuse me agent, you're not standing there so you can see what Nussbaum is looking at, are you?" Salter commented something to the effect that Sloan was getting carried away. Salter said he felt like he was being treated as "the enemy."

Nussbaum mediated the exchange by saying, "Yes, yes, of course we're all here to find out the truth. We're not adversaries." Salter said, "but clearly that was the mood."

Nussbaum led the review of items during the search. The FBI, DOJ, Park Police and Secret Service present were shut out of everything. They only became aware of the procedure for 29L LR-35063

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the search when they got into the office.

Nussbaum divided documents located in Foster's office into three piles: Foster's work for the President - work papers not relevant to the death investigation; second, Foster's personal papers - health insurance for the family, etc.; and a third pile of "maybe relevant." Salter only recalled a calendar and schedule for Foster being put into this third pile. Salter said all items reviewed by Nussbaum were looked at and then .. placed face down on their respective piles. The non-White House people present did not personally see any of the documentation.

The trash in Foster's office was also searched but nothing pertinent located. Salter believed that there was a bag of trash which had been previously removed and then returned to Foster's office and there was a can of confidential trash also in the room.

The computer in Foster's office was not searched.

During the course of the search, Margolis may have asked about why things wouldn't be relevant. It was plain, during the search, that the item had to relate to a suicide or those present wouldn't see it. The bottom line was that the FBI, DOJ, Park Police and Secret Service didn't see anything that day.

When Salter told Margolis that he felt they had been shut out, Margolis said that the ground rules for the search had been changed by Nussbaum once they were in the room. Salter described Nussbaum as a forceful personality; a person who would indicate "that's the way it's going to be."

Referring back to the previously prepared FD-302 concerning the search of Foster's office, Salter said that the last paragraph of this FD-302 referring to items which were found during the inventory could be clarified by indicating that items were found or not found by Nussbaum only, as others in the room were not allowed to look at the documentation.

Salter said that at the time of the search in July, 1993, the terms Whitewater and Madison would not have been significant to him. It was articulated that the search was being conducted for a suicide note, evidence of unusual death, an extortion letter, or any other indications or reasons for

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Foster's suicide and/or his being under duress.

The search was conducted only in Foster's office. Salter does not recall a safe. He estimated the documentation located in Foster's office consisted of one xerox-type box of work-related material which was placed on Foster's desk, two similar boxes of White House related material found in the cabinets, and less than a box of personal material given to the family attorney.

The information found in the briefcase was all determined to be work-related. This briefcase was originally on the right, next to the desk, and then put back against the wall. Salter was of the opinion that the briefcase had been emptied by Nussbaum during the search and that Burton and Nussbaum would have seen that it was empty. Salter again noted that Nussbaum runs at a high rate of speed, but that the briefcase had no pockets or zippers and it would have been clear that it was empty or not. Salter was not allowed to see for himself that the briefcase was empty. This briefcase was given to Hamilton's office courier by Salter for return to the family.

Salter added that when he and Special Agent Charles K. Dorsey returned to the White House to see Bernard Nussbaum to pick up Foster's briefcase, Nussbaum took Dorsey into Foster's office. Dorsey saw two or three pads of yellow lined paper in the office and asked Nussbaum if he could have those pads. Nussbaum agreed. These pads were then sent to the FBI laboratory for the purpose of raising indented writing from the pads which may be the writing contained on Foster's note. It was determined by the laboratory that there was indented writing on one of the pads but that the writing did not correspond to Foster's note. At this point, FBI Headquarters Supervisor, Patrick J. Foran, became involved and it was obvious to Salter and Dorsey that the material found on the pad was of a sensitive nature. They were told by Foran that the material was not relevant to their OOJ case and no further information was provided to either Salter or Dorsey concerning this writing, other than the laboratory report which was included in the FBI's OOJ report.

Salter said the FBI had been involved in the Foster death investigation at the time of Foster's death for only a day or two and then was out of the investigation. The FBI re-entered the investigation from an OOJ standpoint when the Foster note-was

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found and revealed to the public on July 27, 1993. Salter said he received better White House cooperation during this second phase of the investigation.

SA Salter entered on duty with the FBI on January 9, 1989 and is currently assigned to Squad C-4, a reactive criminal squad. His work telephone number is (202) 252-7137.

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

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SA DENNIS M. CONDON by SA SCOTT M. SALTER:plj	Date dictated 8/5/93

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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.

Date of transcription	7/28/94
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TIMOTHY A. SCHMIDT was interviewed at the Office of the Independent Counsel, 1001 Pennsylvania Avenue, NW, Washington, D.C. (WDC), regarding his knowledge of events surrounding the death of VINCENT W. FOSTER, JR., on July 20, 1993. After being apprised of the identity of the interviewing Agent and the purpose of the interview, SCHMIDT thereafter provided the following information:

SCHMIDT is an Officer with the United States Uniformed Secret Service (USSS), currently assigned to the USSS Control Center in the Old Executive Office Building (OEOB). In this capacity, SCHMIDT handles radio dispatches, and monitors alarms throughout The White House complex. SCHMIDT also controls incident paperwork. He was manning the Control Center switchboard on July 20, 1993, and also monitored incoming radio traffic. SCHMIDT's shift on the evening of July 20 was from 2:00 pm until 10:30 pm.

Sometime during the evening of July 20, 1993, SCHMIDT received a telephone call from a White House operator who said she had a telephone call for the President. The caller turned out to be CRAIG LIVINGSTONE. LIVINGSTONE was patched through to White House Chief of Staff, MACK MCLARTY, who was with the President. SCHMIDT did not talk directly to LIVINGSTONE that evening. The telephone call came in between 9:00 and 9:20 pm on July 20. SCHMIDT was not informed until July 21, 1993, that FOSTER had died. It was then that SCHMIDT figured out the telephone call during the previous evening for the President was related to the death of FOSTER.

SCHMIDT did not know FOSTER.

SCHMIDT did know LIVINGSTONE by name and title, noting that he was probably with White House security. SCHMIDT later remembered that LIVINGSTONE might have been the head of White House security.

SCHMIDT was not working alone at the console in the

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by <u>SA DANA</u>	A M. GILLIS:	DMG\sla	Date dictated	7/25/94	

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,On 7/20/94

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USSS Control Center. He could not recall who might have worked with him that evening. SCHMIDT noted that any alarms regarding secure areas being breached would have to be silenced by Control Center personnel.

According to SCHMIDT, the alarm procedure required that when a staffer exited an alarmed area, he/she was to call the Operations Center with his/her name, activate the alarm, and close the door. If someone were required to return to an alarmed area, they technically were to telephone the Control Center to inform appropriate USSS personnel. SCHMIDT was of the impression that most people did follow the proper procedure. A grace period of two minutes was allowed once an office was entered before the USSS would make a telephone call to inquire about the status of an area alarm. If no answer were received when that area was telephoned, a USSS Officer was sent to the site of the breached alarm to investigate.

SCHMIDT was unaware of any cameras being located in the vicinity of the Counsel's office suite, and he was also of the opinion that there were no cameras in a position to monitor the office of the First Lady and its respective suite.

SCHMIDT had heard on July 21, 1993, that documents had been removed from the office of VINCENT FOSTER. The documents were later described to have been trash. SCHMIDT had heard that the USSS was trying to obtain all confidential trash that was removed from the Counsel's office suite that evening. This information came from a USSS officer whom SCHMIDT could not remember. He was unaware if individuals associated with the search for the confidential trash ever found what they were looking for.

SCHMIDT had heard the name of MAGGIE WILLIAMS but did not know who she was. He had no knowledge of WILLIAMS ever removing documents from the FOSTER office suite. He had no knowledge of LIVINGSTONE removing documents from the West Wing of The White House on July 21, 1993.

TIMOTHY A. SCHMIDT was described from observation and interview as follows.

Date of Birth: Place of Birth: SSAN:

FOIA(b)(6) FOIA(b)(7) - (C) FD-302a (Rev. 11-15-83)

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TIMOTHY A. SCHMIDT

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Home Address:

17421 Soper Street Poolesville, MD 20837

Telephone Number:

Work Telephone Number:

301-972-8065

202-395-2020

Date of transcription	5/24/94
Date of transcription	.5/24/54

MARSHA SCOTT, Deputy Assistant to the President and former Director of Correspondence was interviewed at her attorney's office on May 12, 1994. SCOTT advised that she has recently changed positions and is now Deputy Assistant to the President in a undetermined public liaison capacity. Also present was her attorney STUART F. PIERSON of the law firm DAVIS, WRIGHT and TREMAINE, 701 Pennsylvania Avenue, NW, Suite 600, Washington, D.C. 20004-2608, telephone (202) 508-6623. After being advised of the identities of the interviewing agents and the nature and purpose of the interview, SCOTT provided the following information:

SCOTT advised that she met VINCENT FOSTER, JR. in approximately 1967 when she was about 20 years old. They were merely acquaintances in the interim years, sharing the same friends and moving to the same social circles in Arkansas. They became friends after the inauguration of President CLINTON. They have never been romantically involved with one another

SCOTT characterized her relationship with FOSTER as a personal friendship. She explained that she used to "pop my head in" every day or every other day to see FOSTER. She said that FOSTER had a serious facade but a good sense of humor; was very smart and very meticulous in the way he did things. She advised that he always put friendship and loyalty, ethics and his family before everything. She also said he was very patriotic.

SCOTT does not know why FOSTER would have committed suicide. She saw some signs that he was depressed but did not know that he was in such a serious crisis. In explaining what she meant by seeing signs of depression, SCOTT advised that everyone was depressed. Their whole circle of friends from Arkansas who had come to The White House were overworked and under constant pressure and constant scrutiny by the press and others in the Washington environment. They were "down".

SCOTT advised that in the beginning, shortly after the inauguration, The White House staffers from Arkansas would meet for dinner, sometimes several times a week. But as the workload

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for everybody increased, they met only once a week for dinner, generally Tuesday evenings.

SCOTT advised that on Monday, July 19, 1993, she stopped in to see FOSTER for a period of time in the afternoon. She wanted to ask him how the weekend had gone, knowing he had gone off for the weekend with his family. In retrospect she realizes that he acted different, but at the time she did not sense it. She explained that always before when she walked into the room, FOSTER would give her a hug and tell her some kind of little joke, but on this occasion he seemed preoccupied and a little quieter. There were no huge indicators, however, that there was something seriously wrong.

During that visit SCOTT advised that she did most of the talking and she does not remember what topics they talked about. She estimated that the visit lasted between 20 and 30 minutes but it could have been longer. She does not remember why she left and she does not recall that the visit was any different than any other time she visited him. She advised that she was uncomfortable talking about some of the private thoughts FOSTER shared with her. She said she believed FOSTER had painted himself into a box with no windows. But she got the sense during the July 19th meeting that he had come to some sort of decision and was, if anything, somehow relaxed as a result.

SCOTT is of the opinion that FOSTER committed suicide for personal reasons but commented that he didn't separate work from personal matters. He had talked about "wanting out". He talked about "wanting rest". He commented that he was "eternally tired". But on the Monday before his death, he was smiling and it struck her that he seemed to have figured out that he needed rest. It is SCOTT's theory that he had come to some sort of acceptance of something (what that was, she was not sure of) and expected that he was going to feel better soon. She thought it was related to his having taken the weekend off and realizing that he needed to do that sort of thing more often. But this was conjecture on her part.

In describing FOSTER, SCOTT advised that he was not an "open" person. He would not offer information and she took that to mean that he was an extremely private person. It was not his habit to "dump" or unwind by talking about problems. He did not say anything indicating anything was upsetting him. Asked about whether or not she could recall a conversation on Air Force One

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Marsha Scott

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in route to VINCE FOSTER's funeral, SCOTT advised that she does not recall telling anybody about any topic that was bothering FOSTER. Asked who was on the flight with her, SCOTT could not recall who was on the plane. She believes she remembers seeing VINCE's secretary, DEBORAH GORHAM and perhaps GALE KENNEDY but she doesn't remember any other specifics.

SCOTT advised that Foster was especially worried about the negative impact that staff cuts were going to have on The White House overall and especially on the counsel's office. In fact, the very last words that he spoke to her were "the staff cuts are killing us". He was a perfectionist who wanted to do things right and staff cuts were affecting his ability to see that happen. SCOTT advised that the reactive mode that everybody was in all the time at The White House prevented the kind of care and thoughtfulness that FOSTER liked to bring to his work product.

SCOTT advised she was not aware of any personal matters which were disturbing him. His family arrived, she believes, the first week of June and it seemed to her that it was good for him to have his family there but it caused extra effort and he had to pay more attention to budgeting his time. This was a common topic among all of the folks up from Arkansas. FOSTER more than others, would sometimes miss the Tuesday dinner gatherings because of work-related responsibilities. FOSTER would not generally speak about things that were bothering him at thesegatherings.

The evening of Tuesday, July 20, 1993, SCOTT advised that she was having dinner with WEBB and SUSAN HUBBELL and their children at a restaurant, the Lebanese Taverna. JANET SCHAUFELE, an intern at The White House, was also with them. WEBB HUBBELL's beeper kept going off and, as was his habit, he ignored it until about the third beep. It was the Justice Command Center calling to notify him of VINCE FOSTER's death. They left the restaurant right away and as they were walking to the elevator, WEBB HUBBELL was obviously very shaken. They did not know what the facts were. They thought perhaps it was VINCE's son who had been found. They had been told that the car had been found. decided to go to WEBB HUBBELL's home so that he could get his Justice telephone book. When they arrived at their home, he realized he did not have his house keys and so while Mrs. HUBBELL and SCOTT attempted to get into the house, WEBB HUBBELL began making telephone calls from a neighbor's home.

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HUBBELL told SCOTT that BILL KENNEDY (an especially good friend of FOSTER's) was on his way to view the body in order to confirm that it was indeed VINCE FOSTER, JR. VINCE FOSTER's sister, SHEILA ANTHONY lived right across the street from the HUBBELL's and even though VINCE FOSTER's death had not yet been actually been confirmed, SCOTT and the HUBBELLs went over to SHEILA ANTHONY's residence. FOSTER's other sister, SHARON BOWMAN, was also there visiting from Arkansas. SCOTT told the two sisters and niece what had occurred.

SCOTT was unable to say who was notified in what order among The White House staff. She believes that the U.S. Park Police had called CRAIG LIVINGSTONE. KENNEDY and LIVINGSTONE viewed the body and confirmed the identification.

SCOTT and the HUBBELLs went from the ANTHONY's to the FOSTER residence. They arrived as DAVID and EILEEN WATKINS and separately, the U.S. Park Police were arriving. It was very crowded in the FOSTER's small entryway. As everybody was coming in the entryway SCOTT looked up and saw LISA FOSTER coming down the stairs and LAURA FOSTER coming in from the kitchen wondering what was going on. She recalls LISA FOSTER saying something like "What's going on?" She recalls the U.S. Park Officer going up to her and notifying her that her husband had been found dead. LISA FOSTER cried out and sank down to a sitting position on the stairs. LAURA FOSTER began to scream at that point. A female officer went up to LISA FOSTER and SCOTT could not hear what was being said to her. Other people began to pay attention to LAURA, who appeared to be going into shock. People helped LISA upstairs and SCOTT remembers hearing her screaming. SCOTT herself recalls asking somebody how VINCE FOSTER had died.

After that, SCOTT and SUSAN HUBBELL went back to the ANTHONY's to see if BERLE ANTHONY had arrived home. They were having difficulty contacting him. Then they went back to the FOSTER residence. SCOTT telephoned SENATOR and BARBARA PRYOR, a close friend of SHEILA ANTHONY'S. SCOTT recalls two doctors arriving. SENATOR PRYOR'S doctor, Dr. ALEX CHESTER and second doctor (identity unknown). Many people came and went at the FOSTER residence, including JOHN and PEGGY RICHARDSON with whom MARSHA SCOTT was living at the time.

SCOTT left the FOSTER residence and went to The White House some time after midnight with MICKEY CANTER, the U.S. Trade Representative. She said she went there "to see how BILL

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[President CLINTON] was doing." SCOTT remembers seeing DAVID GERGEN, MACK MCLARTY, VERNON JORDAN, ROBIN DICKEY (whose daughter HELEN babysits CHELSEY CLINTON) and others. SCOTT cannot recall if she saw PATSY THOMASSON or BILL BURTON. SCOTT does not recall anything being said about a note or about searching VINCE FOSTER's office for a note. WEBB HUBBELL thought it was very important to seal FOSTER's office and he commented to that effect to SCOTT the evening of the 20th at the FOSTER residence.

SCOTT also talked with PATSY THOMASSON but she does not recall whether it was the night of the 20th or the next day. She found out later that PATSY THOMASSON and MAGGIE WILLIAMS went into FOSTER's office and that MAGGIE had been crying. SCOTT does not know how she knows that. She learned about it later. SCOTT advised that everybody was very upset. She explained that FOSTER had an "inclusive style", meaning he would draw people in to him and what he was doing. People loved him. She commented that HILLARY CLINTON was his best friend and that HILLARY, MAGGIE WILLIAMS and FOSTER worked together.

SCOTT advised that when she got to The White House the night of July 20, 1993, she went directly to see President BILL CLINTON. She was there at The White House only a couple hours staying in the kitchen of the residence area. She then went home.

SCOTT advised that the people who were around that night, BILL BURTON, MACK MCLARTY, GERGEN, HUBBELL, PATSY THOMASSON, DAVID WATKINS and others who were all concerned with basically two things. First, were they doing the right thing to ensure the integrity of the moment? Who should handle things, the Attorney General or BERNIE NUSSBAUM? And secondly, they were coping with intense grief. Each person was struggling with a personal sense of loss that this had happened to a friend and colleague. Each person within their own sphere of influence was trying to do the right thing to handle the situation, even if it was just notifying people within their staff. SCOTT advised that her piece in the puzzle was notifying as many families as she could. She explained that if errors were made it was because people didn't know what to do.

She advised that she did not know FOSTER to be a terribly religious person but knew that he attended church with his family. SCOTT advised that LISA and VINCE FOSTER knew each other very well and although they had experienced a strain in

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connection with the split of their household when VINCE came to Washington, D.C., she felt they had a basically good marriage. She herself never saw any inkling of marital infidelity on FOSTER's part, not with HILLARY CLINTON or any other person.

SCOTT guessed that FOSTER may have considered WEBB HUBBELL and herself to be confidantes. She does not feel that he would have considered HILLARY a confidante inasmuch as it is difficult to confide in somebody when you're actually working for them, which is an adjustment that they all had to make with BILL and HILLARY CLINTON.

With regard to the note discovered on July 26 in FOSTER's handwriting, SCOTT advised that she did not know about it from personal knowledge. She knew FOSTER to be a good lawyer and a good political adviser and she would not have thought that he would ever have written anything like that down. She was surprised to hear of the list that was supposedly written by him. Her reaction was that FOSTER was so methodical, he simply would not have left it lying around, not even the pieces of it. SCOTT advised that it never occurred to her to wonder who tore the note up or who would have put it in the briefcase. She figured that he tore it up and put it in the briefcase in order to take it out later and discard the pieces.

Asked what she thought FOSTER would have meant regarding the FBI lying in their report to Department of Justice (one of the items on the list that she later read about in the news media), she explained that FOSTER felt that the dealings with the FBI and BILL KENNEDY had not been accurately reported. She explained that FOSTER was like mentor to BILL KENNEDY.

SCOTT provided the following personal information:

Name:
Date of Birth:
Place of Birth:
Social Security Number:
Address:

Home Telephone: Position as of 7/20/93: FOIA(b)(7) - (C)

5711 Nebraska Avenue, NW Washington, D.C. 202-966-9514 Deputy Assistant to the President and Director of Correspondence

Date of transcription	6/9/94

MARSHA SCOTT was interviewed on June 9, 1994 at the office of her attorney, STUART F. PIERSON, of DAVIS, WRIGHT, TREMAINE, 701 Pennsylvania Avenue, NW, Suite 600, Washington, D.C. 20004, telephone 202-508-6623. Present during the interview, aside from SCOTT, was her attorney STEWART PIERSON and MARK STEIN of the Office of the Independent Counsel. Being acquainted with the identity of the interviewing agent and the nature and purpose of the interview, SCOTT provided the following information:

SCOTT advised that in July 1993, her office was in the Old Executive Office Building and that she came to The White House on a daily basis to conduct business. She frequently went over to say "hi" to VINCE FOSTER, Jr. and normally she did it in the afternoon because mornings were very busy for her. She recalls that on July 19, 1993, she visited FOSTER but did not recall what time of day it was. It was most likely early afternoon but she is not sure. She would also frequently visit BILL CLINTON, NANCY HERNRAICH and others, sometimes even HILLARY CLINTON. But she doesn't remember if she saw any other individual on July 19.

She recalls FOSTER that day sitting behind his desk and the most notable thing about it was that he did not get up and greet her as he normally did. She said that when she entered the office usually he would stand up, she would kiss him on the cheek, get a hug and joke with him. She recalled that on July 19, he didn't get up and although she did not attach significance to it at the time, with hindsight, she realizes that that was something different. She said that she had a sense of detachment from him but it was nothing that caused her antenna to go up. She does not recall whether the door was opened or closed but explained that meetings in his office were private even if the door was open because of the physical configuration of the office. SCOTT explained that she stopped by because she wanted to ask him how he enjoyed the weekend. She knew that he had had a good weekend from having talked to somebody else (she couldn't recall who and wanted to ask him if he had had as much fun as

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others said that they had had. She commented that she is friends with the CARDOZOs and WEBB and SUSIE HUBBELL also with LISA and FOSTER children.

SCOTT explained that with regard to her recollection or lack of recollection as to the meeting that took place between her and FOSTER, she said that she hoped everybody would understand that that was an incredibly painful time and her way of dealing with matters such as that is to block it out. She remembers impressions, she does not remember specific conversations.

The overwhelming memory for her of FOSTER's death and the days before and after is that she was truly shocked. She believed that he committed suicide. In fact, she believed that was so from the time she talked with the Park Police on July 20, 1993. One of the reasons why she was so shocked that he would commit suicide is that FOSTER believed in the power of words and he loved being a lawyer and she along with others just couldn't believe that he would have taken his own life without having reached out to his friends.

She said that during the meeting on July 19, he did not appear distracted or otherwise distressed. She explained that FOSTER could be very focused when he was involved in something and she knew that she had interrupted his train of thought when she entered the room but he didn't give her an indication that she had come at a bad time, otherwise, she would have left. They did not, however, have a heart-to-heart talk. SCOTT said that FOSTER did not have heart-to-heart talks in his office or ever by her standards. FOSTER was mysterious and that made him intriguing.

SCOTT said it varied how often she would see FOSTER. It was sporadic depending upon what was going on at The White House, but she saw him frequently. She noticed changes in everybody from the Arkansas group. She said that everybody over time, during the six months, got tighter and tenser, with "the men getting skinner and the women getting fatter". She said that she personally didn't notice his weight loss. She put together a collection of photographs for LISA FOSTER after FOSTER's death and it was LISA who pointed out to her that FOSTER had lost weight. Most of her conversations with LISA FOSTER since July 1993 have been comprised of LISA's questioning as to why this could have happened and what could have triggered it.

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With regard to the last thing that SCOTT heard him say, that is, "the staffing cuts are killing us", the context for that statement was that SCOTT asked FOSTER, "If I talk to him (meaning President CLINTON) before you do, what do you want me to tell FOSTER's response was, "The staff cuts are killing us." SCOTT further explained that everybody serves at the pleasure of the President and by custom when the administrations change, anybody can be asked to stay or might be asked to leave.

With regard to the Travel Office matter, SCOTT advised that she does not recall specific conversations. She recalls knowing that FOSTER was particularly upset about the reprimand of BILL KENNEDY. He felt that BILL was "taking a fall" for something he hadn't done. She knows that she and VINCE talked about it, but she doesn't recall the conversation now. She also did not discuss the matter with LISA FOSTER. She said she doesn't remember ever talking about work items with LISA FOSTER and explained that she does not consider it appropriate and so keeps her conversation general. She also had the impression that FOSTER himself did not talk about work with LISA.

SCOTT advised that she has the sense that FOSTER had reached a personal dead end. It is her opinion that he would have reached it whether or not he had come to Washington, D.C. She opined that FOSTER lacked the ability to see options and on July 20, he felt that he had no other option but to commit suicide. His view of his responsibilities was very serious. He was accustomed to succeeding and to being able to affect closure in his work tasks. The White House involved work made up of endless loops without any resolution.

With regard to articles in The Wall Street Journal, she said that VINCE was shocked when the article on him appeared in the paper. They had wanted a picture of him and characterized their not getting it as stonewalling on The White House's part. That struck all of them in the Arkansas group as "dumb". She felt that FOSTER thought that the press was being absolutely ruthless. It seemed to him a personal, mean and vicious attack at a time when he was working extremely hard. FOSTER (and others in the Arkansas group) felt that they (meaning the press and possibly specifically The Wall Street Journal) would stay at it until they "took somebody out" -- until they drove a wedge to separate the President from his Arkansas friends. In saying that FOSTER was upset, SCOTT does not know if he was angry upset (because she never saw him angry) but she knew that it weighed

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heavily on him and he was very offended.

SCOTT does not know if she and FOSTER discussed ZOE BAIRD or not. FOSTER did not feel as though The White House got credit for anything, but that The White House took a lot of criticism no matter what. She knows nothing about Whitewater or Madison Guaranty and nothing was ever discussed between her and FOSTER about these matters.

On the night of July 20, 1993, she went from LISA FOSTER's residence to the HUBBELL's residence back to the FOSTER's residence and then to The White House. There was so much moving back and forth because they were checking on children and notifying various people. She said she arrived at The White House sometime between 11:00 and 1:00 am and that we could check the logs if we needed to know specifically. She assumes that such things are monitored and a record is kept, but does not know this for a fact. She said that she parked in the West Wing parking area, went to The White House lobby and through the corridor under the Oval office and under the Rose Garden to the residence area. She said that BILL CLINTON had lost a best friend and explained that where she comes from when there is a death like that you gather in order to give support. It was important that they be there because HILLARY CLINTON was out of town and CHELSEY was not there, so people went to give BILL support.

She heard voices in the kitchen and knew that that was where everybody was. She remembers seeing MAC MCLARTY, DAVID GERGEN, VERNON JORDAN, The President and MICKEY CANTOR, HELEN DICKEY (a young girl who "babysits" CHELSEA) and her mother were also there. She doesn't remember if she saw BERNARD NUSSBAUM, MAGGIE WILLIAMS, or PATSY THOMASSON that night. She remarked that DAVID WATKINS office used to be there on the basement level and she may have seen PATSY THOMASSON there that night, she doesn't remember.

She said that she was probably crying on and off, but that she does not remember a guard seeing her and directing her to go someplace. She went no place in The White House other than through the residence to the kitchen area. She does not recall going anywhere near MAC MCLARTY's office until the following day and she does not remember how she left The White House that night.

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With regard to what was talked about in the kitchen that evening, she remembers DAVID GERGEN talking about who should make the announcement of FOSTER's death and what kind of political tone should be taken. It was decided that MAC MCLARTY should make the announcement. Nobody suggested that there was any link to Whitewater. She said that people questioned whether or not it was a suicide because they couldn't believe that FOSTER would have committed suicide.

They discussed whether or not a note had been found. There was no note that anybody had found. They had asked Park Police and the Park Police had not found any note. There was probably a discussion as to whether or not FOSTER's office was searched for a note. WEBB HUBBELL maintained all along that the integrity of FOSTER's office should be protected. He said this to MARSHA and to everybody else who would listen. But SCOTT was not aware of whether or not the office was being sealed that very night. The first time she heard about any kind of note was the torn up note that STEPHEN NEUWIRTH found later in the briefcase. She heard about this later. She was not aware of anybody having been in FOSTER's office that night. She was not aware of anybody taking things out of FOSTER's office that night and she does not recall what she was wearing that night.

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## FEDERAL BUREAU OF INVESTIGATION

Date of transcription	6/28/94

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RICKI L. SEIDMAN, Assistant to the President, Director of Scheduling and Advance, The White House, Washington, D.C., telephone number (202) 456-2823 was interviewed at the Office of the Independent Counsel, Washington, D.C. SEIDMAN was advised of the identity of the interviewing agents and of the purpose of the interview. Also present during the interview was DAVID OVERLOCK STEWART, Attorney for SEIDMAN from the law firm ROPES and GRAY, 1001 Pennsylvania Avenue, NW, Suite 1200 South, Washington, D.C. 20004, telephone (202) 626-3900. SEIDMAN provided the following information:

From January 1993 through May or June 1993, she served as Deputy Assistant to the President and Deputy Director of Communications. From July 1993 through September 1993 her title was Assistant to the President, Counselor to the Chief of Staff (MCLARTY). She has held her present position as Assistant to the President, Director of Scheduling and Advance since November 1993. SEIDMAN had worked in the 88' DUKAKIS campaign and worked in the CLINTON campaign as manager of the "war room" handling "quick response". She received her law degree from the University of Georgia and previous employment included serving as Chief Investigator for the Senate Labor and Human Resources Committee and as Legal Director at the People for the American Way. SEIDMAN met the CLINTONs very briefly while at People for the American Way when she was active in education issues. She had met the CLINTONs through a college associate of theirs.

SEIDMAN first met VINCENT FOSTER during the transition. She was serving as Deputy Director of Communications out of offices in Little Rock, Arkansas. She recalled being with FOSTER at several meetings but did not recall the subject matter other than that it probably concerned the financial aspects of candidates being considered for the Administration.

VINCENT FOSTER handled the "official aspects" of the First Family's financial disclosures and tax returns. FOSTER interpreted ethics laws and government standards with respect to these matters. SEIDMAN'S association with FOSTER concerned a

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by		ALEXIS SUGGS LLIAM T. GUYTO				Date dictated	6/23/94

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"broad range of things" but primarily concerned the "vetting" of nominees such as for the Supreme Court and the Attorney General positions. After the financial disclosures were completed by candidates, SEIDMAN would look at them and "predict" what the press focus would be. She worked with BETH NOLAN in the Counsel's office on such matters. She worked with FOSTER on the CLINTON disclosures. She doesn't remember anything being "very memorable" other than two issues. There was an investment in Mid-Life Investments of approximately \$5,000 dollars each by VINCE FOSTER, HILLARY CLINTON and WEBB HUBBELL in the early 80's which had been "never closed down" and was a source of discussion. Secondly, she became involved in accusations concerning shorted health positions taken by HILLARY CLINTON in connection with Value Partners. SEIDMAN said there was nothing to either problem and nothing ever happened on either. meetings with FOSTER on these and other issues "as necessary".

SEIDMAN was asked about FOSTER's involvement with Whitewater. She said the only Whitewater issue she could recall was in April, 1993 in connection with the CLINTONs tax returns. The tax returns show that the CLINTONs had divested themselves of their interest in Whitewater. SEIDMAN's involvement was from a "communications perspective". The Whitewater issue had surfaced during the campaign, interest had then ended, and it was believed the tax returns would bring the Whitewater issue into the "public domain again". SEIDMAN said there was discussion regarding the "soundest way" to seek closure to the issue. The options considered were (1) declare a loss; (2) declare an even split; and (3) declare the CLINTONs received a \$1000 dollar gain. SEIDMAN said she and FOSTER were discussing these options. remembered attending meetings at WILLIAMS and CONNOLY on the issue. She was asked if WILLIAMS and CONNOLY were the CLINTONs attorneys at the time, and she answered she "didn't know the answer to that". She remembered the meetings as being "very dry and accountantish". She stated that FOSTER's involvement with Whitewater was a "totally routine issue". SEIDMAN knew FOSTER very well in a professional way and would often "cry on his shoulder". FOSTER was not a very emotional person, but SEIDMAN could tell if something was upsetting to him. Whitewater was not upsetting for FOSTER to any "visible degree". SEIDMAN had no knowledge that Whitewater was upsetting to FOSTER. SEIDMAN said Whitewater records were confused and not in the CLINTONs' possession and they had insufficient documentation from an IRS or "public scrutiny" perspective. Therefore, decisions were made "erring on the side of being excruciatingly honest".

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SEIDMAN was shown a memorandum dated April 12, 1993 addressed to "RICKI" from "ANN" and was asked to explain this document. SEIDMAN said ANN was ANN WALKER who was Director of Research at The White House. She said it was a new administration which had no historical record of how to do "these things" referring to the three issues cited in the memorandum concerning tax filing, charitable contributions and Whitewater coverage. SEIDMAN said these were issues "we wanted to answer". The CLINTONs had made significant contributions to charity and the research concerned the history of a First Family doing this. SEIDMAN described the research as "routine" and not "unusual". She said they were looking at what questions might be raised. She did not consider it a large matter and was not a developing matter where FOSTER's interest kept expanding.

SEIDMAN noted no additional agitation with respect to VINCE FOSTER closer to the time of his death. She said FOSTER had been "agitated" by the Travel Office matter. FOSTER's concern was that people were "not sufficiently focused" to make sure that the Travel Office matter ended and did not continue to "dog the President". SEIDMAN recalled a major conversation with FOSTER on the Travel Office matter wherein he was emphatic that someone should handle this situation. He thought it was something that was "falling between the cracks." It became SEIDMAN's job to pass on or indicate his interest in addressing the matter. He did not articulate who, in particular, was not giving the Travel Office sufficient attention, but SEIDMAN theorized that it might be Counsel's office or White House senior leadership. In her opinion, FOSTER wasn't worried about a "dark underside" to the issue. FOSTER was concerned for further exposure of BILL KENNEDY of The White House Counsel's office and the matter continuing to be embarrassing to the CLINTONs. SEIDMAN said her attention at this time had been also focused on organizing a "boiler room operation" to pass the President's economic plan.

After the Travel Office report came out, SEIDMAN had a conversation with FOSTER wherein he expressed to her that he thought the report had been "unduly harsh" on BILL KENNEDY. FOSTER had thought that people working for the government were not making themselves public figures in this way. SEIDMAN explained that FOSTER was "a very sophisticated thinker" and he became like a "guppy plopped into a goldfish bowl". Her view was that FOSTER was overreacting to the Travel Office matter. Her discussion with FOSTER involved pointing out that the "reason the

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report had been done this way" would preclude a later broad congressional inquiry into the matter. There had been "no real malevolence", but rather mistakes made relative to the Travel Office firings. SEIDMAN added that FOSTER had been involved in the decision to bring an outside accounting firm in to review the matter. SEIDMAN believed VINCE FOSTER had committed suicide. FOSTER had become depressed. She could not comment on the causes of FOSTER's depression but knew that he was not happy with how Washington, D.C. worked and the way the CLINTONs were treated. SEIDMAN said that FOSTER was not upset by Whitewater. FOSTER never said anything to her about Whitewater. FOSTER's comment in the note that was found after his death concerning the FBI lying in their report to the Attorney General was probably made in relation to BILL KENNEDY. She said FOSTER "lacked perspective" on the issue.

SEIDMAN was shown a New York Times editorial dated Monday, April 5, 1993 entitled "At last, a Team for Justice" and asked to comment on this article. SEIDMAN said the issue involved when FOSTER referred this article to her and designated a copy for ANN WALKER was regarding the WEBB HUBBELL confirmation. HUBBELL had been the Chief Author of the Arkansas Ethics Statute. SEIDMAN had not been involved in the campaign at the time of the issue cited in the article being raised. The issue concerned exempting Governor CLINTON from coverage of a provision requiring the disclosure of potential conflicts of interest. SEIDMAN said this exemption had caused criticism. She said the "actual truth" was that the Governor had been "held to a higher standard" than contained in the Ethics Statute. The issue had been "totally miscast as a negative". SEIDMAN said the April 5 editorial was simply a matter of opinion. She said she had been involved in HUBBELL and the Attorney General's confirmation. SEIDMAN felt that the press was being unfair and the concern was they didn't want this to cloud HUBBELL's nomination. said, in fact, this did not become an issue during the confirmation. She said that the higher standard to which the Governor was held was something that was verifiable but she did not have any additional information on it at this time. WALKER had been included on the copycount for the article as WALKER was Research Director. WALKER was supervised by SEIDMAN.

On the evening of July 20, 1993, SEIDMAN was in The White House residence watching the President as he appeared live on the LARRY KING program. During the course of this broadcast, GEORGE STEPHANOPOULOS and DEE DEE MYERS were called out of the

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room where they were viewing the program. SEIDMAN then went out to see "what was up". She was told that VINCE FOSTER had been found dead and then immediately afterward notified that it was thought to be a suicide. SEIDMAN described the situation as "totally tragic" and everyone's reaction as being "personal emotion". SEIDMAN said MACK MCLARTY had known VINCE FOSTER since they were 5 years old. Everyone present had a "great personal affection" for FOSTER. She said it was a tragedy, it was horrible, it was disbelief. No one had any inkling and everyone was "totally shocked".

SEIDMAN remained at The White House that evening, primarily to "hold off reporter phone calls". She said the President came out of the LARRY KING program at about 10:00 pm. All were in the downstairs of the residence and the President went upstairs to the residence and then went to LISA FOSTER's house. The others, including herself, went to MARK GEARAN's office. SEIDMAN said phone calls were made to notify others and discussion was held regarding when and how the news of FOSTER's death should be released. There was a period until about 11:30 pm where this news could not be released. SEIDMAN did not recall why.

SEIDMAN did not have a clear recollection of her movements that night. She remembered running into SYLVIA MATHEWS and GENE SPERLING that night. She remembered this because they had retrieved FOSTER's trash from his office. SYLVIA MATHEWS took the trash into the Deputy Chiefs of Staff's office (ROY This office was part of the suite with the Chief of Staff MCLARTY, and therefore the door to this office had been open. SEIDMAN became involved in this "after the fact" that night discussing this with them. She was asked about her knowledge of burn bag material and answered that this was collected separately, but that she did not remember anything about the burn bag. She said everyone was "literally in shock".

SEIDMAN was asked if she had been asked by anyone to move documents from VINCENT FOSTER's office or secure FOSTER's office. She answered no.

SEIDMAN said that she "remembered vaguely" and thought that she took BERNARD NUSSBAUM home from The White House that night. She remembers he said he was going back upstairs to besure the door to the Counsel's office had been locked and alarmed. She said they both left The White House some time

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RICKI L. SEIDMAN

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around 12:30 or 1:00 am.

SEIDMAN spent the evening of July 20 at The White House in MARK GEARAN's office. She was also in the area near the Chief of Staff's office.

SEIDMAN had no firsthand knowledge regarding any discussions concerning documents from FOSTER's office or removal of any documents from FOSTER's office.

She did not recall calling people into The White House that night. She remembered the following people being at The White House that evening: MARK GEARAN, GEORGE STEPHANOPOULOS, DEE DEE MYERS, MAGGIE WILLIAMS, BERNARD NUSSBAUM, SYLVIA MATHEWS, MACK MCLARTY, and the President.

SEIDMAN was asked to characterize NUSSBAUM on the evening of July 20, 1993. SEIDMAN answered that NUSSBAUM was "crying, very upset, very emotionally attached to 'FOSTER". She said FOSTER's death had come as a total shock. She remembers NUSSBAUM recalling his last conversation with FOSTER. She said it had something to do with FOSTER coming into NUSSBAUM's office while NUSSBAUM was watching t.v.

SEIDMAN was asked if she had had any discussion with anyone else concerning her interview with the Office of the Independent Counsel. She answered no. She said she could not recall anything else which may be helpful concerning this matter.

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

Name:

Present Position:

RICKI L. SEIDMAN
Assistant to the President,
Director of Scheduling and
Advance, The White House
Washington, D.C. telephone
(202) 456-2823

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RICKI L. SEIDMAN

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Present Office Space:

Race:

Sex:

DOB:

POB:

SSAN:

Residence:

Telephone Number:

Attorney:

Ground floor of the west wing in July of 1993. In July of 1993 office space was first floor of the west wing)

White Female

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

2812 Connecticut Avenue Apt.1

Washington, D.C. 20008

(202) 319-7729

DAVID OVERLOCK STEWART

The law firm of ROPES & GRAY

1001 Pennsylvania Avenue, NW

Suite 1200 South

Washington, D.C. 20004

Tel (202) 626-3900 Fax (202) 626-3961

## OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription	9/23/94	

DAVID SELDIN, Press Assistant at The White House Press Office from January 1993 through February 1994, was interviewed by telephone at his current place of employment working on the campaign for GLENN DENNING for Governor in Maryland, telephone (301) 277-5582. After being advised of the identity of the interviewing agent and the nature and purpose of the interview SELDIN provided the following information:

SELDIN advised that he found out about VINCE FOSTER, Jr.'s death on the morning of July 21, 1993 when he read it in the morning newspaper. He arrived at The White House Press Office approximately 7:30 to 8:00 am. He does not recall seeing CRAIG LIVINGSTONE anytime that morning. He also does not recall CRAIG LIVINGSTONE being anywhere around the Press Office that day.

SELDIN advised that he has a vague recollection that there was a question whether or not there was a need to send somebody from the Press Office out to the VINCE FOSTER residence, but he does not recall if somebody was ever sent. He speculated that either LORRAINE VOLES or DEE DEE MYERS, possibly DAVID LEVY or JEREMY GAINES might be able to provide information. He also speculated that perhaps "an advance person" may have been sent. He said that occasionally CRAIG LIVINGSTONE did advance type work. It usually was when there was some issue of security access to events where there was a security concern.

SELDIN advised that he has spoken with CRAIG LIVINGSTONE's attorney about his recall of the events.

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

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

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1722 19th Street, NW Washington, D.C.

			(telephonically)			
investigation on	9/20/94	at	Washington, D.C.	File #	29D-LR-35063	
by SSA H.	ALEXIS SUGGS			Date dictated	9/22/94	2

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DAVID SELDIN

9/20/94\_\_\_, Page \_\_\_\_2

Residence Phone:

Position:

Apt. 802 202-667-4843

Press Assistant at

The White House

January 1993 - February 1994 Press Secretary for

Current Position:

GLENN DENNING for

Governor campaign Maryland

Date of transcription	4/21/94

James J. Shea, Jr., Master Patrol Officer, Uniform Division, United States Secret Service (USSS) was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue, NW. Officer Shea was advised as to the identities of the interviewing agents and of the nature of the interview. He then provided the following information:

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His office address is 1310 L Street, NW and he can be reached at telephone number 202-395-2020. He has been employed by the USSS for 22 years and at The White House compound for the last 11 years. As of the time of Vincent Foster, Jr.'s death (July 20, 1993), he was regularly assigned to USSS post "E-1" which allows entry into the ground floor of The White House west wing off of West Executive Avenue.

Officer Shea stated that he did not know Vincent Foster either personally or professionally and can only recall seeing him once, just after President Clinton's inauguration. Shea stated that on July 20, 1993, he was assigned to work the 10:30 pm - 7:00 am shift on post E-1. He explained that this shift actually began at 10:30 pm on 7/19/93 and ended at 7:00 am on 7/20/93. He came back on duty at post E-1 at approximately 10:45 pm on the evening of 7/20/93 and was on duty at post E-1 until approximately 7:00 am the next day, 7/21/93. Officer Shea stated that he recalls learning that Vincent Foster had been found dead, however he does not recall by which means or exactly when he learned this.

Officer Shea stated that he recalls seeing a secretary whose name he cannot remember, and a small group of other women by his post during the late evening hours of July 20. He said that he overheard several of these women crying and discussing Foster's suicide. He stated that while he cannot recall the specifics of their conversation, he believes he learned that one of the women was Vincent Foster's secretary. He said that he recalls seeing that woman and some other secretarial employees leaving the west wing of The White House through post E-1 at approximately 12 midnight on the evening of July 20. Officer

Investigation on	4/21/94	_at	Washington, D.C.	File #	29D-LR-35063	SUB A
by _	M T. GUYTON FOIA(b)(7) - (C)			Date dictated	4/21/94	· 

J-LR-35063 SUB A

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Shea, while recounting this information and other points that he made during the interview, often said that he was having considerable trouble recalling dates, times, and other specific details regarding his observations of events that happened on July 20 and July 21, 1993. For example, he was asked if he recalled seeing Bernard Nussbaum, Maggie Williams, and/or Patsy Thomasson either enter or exit the west wing through post E-1 on July 20 or July 21 during his shift. He stated that while he can recall seeing each of these individuals enter and leave The White House on several occasions he cannot be sure if he saw any of them specifically on July 20 or July 21.

Officer Shea stated that he does not know a White House staff member by the name of Craig Livingstone and therefore could not say if Mr. Livingstone entered or exited The White House during his shifts of July 20 or July 21. He advised that while he believes he has heard of Mr. Livingstone, he does not know who he is. Officer Shea advised that he can not recall if any staffer brought a non-staff member into The White House west wing during the early morning of July 20 or July 21.

Date	of	transcription

5/19/94

John Top San .

James J. Shea, Jr., Master Patrol Officer, Uniform Division, United States Secret Service (USSS) was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue, NW. Officer Shea, having been previously advised as to the identity of the interviewing agent and the nature of the interview provided the following information:

He came on duty at post E-1 at approximately 10:45 pm on the evening of 7/20/93 and was on duty at post E-1 until approximately 7:00 am the next day, 7/21/93. Officer Shea stated that he is acquainted with USSS Officer Henry O'Neill, who also works the "midnight" shift in The White House west wing. He said that he is aware that O'Neill's duties include escorting a GSA cleaning crew into various alarmed areas of the west wing where they clean and pick up non-confidential trash on a daily basis. He said that he is also aware that O'Neill's duties include his personally picking up the "burn bag" trash from each west wing office. He said that he recalled that O'Neill routinely starts his nightly rounds on the second floor of the west wing and then proceeds to the first floor following the cleaning of all second floor offices. He said that both he and O'Neill had their "lunch break" at approximately 1:00 am during their shift and that he and O'Neill would, from time to time, have lunch and/or get together to talk during their break. Shea said however, that he can not recall if he and O'Neill talked during his 7/20-21/93 In response to a specific question, he said that he does not recall O'Neill talking to him about seeing White House staffers in the Nussbaum/Foster 2nd floor suite or him (O'Neill) deciding to not pick up the trash in that suite or have it cleaned on July 20, 1993.

Officer Shea stated that there is a couch located in the hallway near his USSS west wing ground floor post E-1 desk. He recalls a small group of women sitting on or standing near that couch during the late evening hours of July 20, 1993 discussing Vincent Foster's death. While he does not know the identity of any of the three women he recalls seeing there, he does recall that one of them was a black female, one of them was

Investigation on 5/19/94 at Washington, D.C. File # 29D-LR-35063 SUB A

FOIA(b)(7) - (C)

Date dictated 5/19/94

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a white middle-aged female and the third was a white female who was younger than the other. He could not offer any better description of these three women. He said however, that he recalled seeing the younger of the two white females go down the hallway and enter an office on the ground floor of the west wing. While he does not know who occupied that office, he is certain that it is a suite of offices occupied by White House staffers who handle "administrative matters" for the Clinton administration.

Officer Shea advised that he could offer no further information that he thought would assist in this investigation.

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### FEDERAL BUREAU OF INVESTIGATION

Date of transcription	6/1/94

Previous efforts to interview MRS. ANNETTE SHELBY, 3025 Cambridge Place, Washington, D.C., telephone number (202) 965-3236, were unsuccessful. MRS. SHELBY and her husband, U.S. Senator RICHARD SHELBY were the FOSTERS' next door neighbors in July of 1993.

On May 31, 1994, Senator SHELBY's office contacted Special Agent COLOMBELL, informing him that MRS. SHELBY was on vacation and could be reached at her residence telephone in Alabama. MRS. SHELBY was contacted and agreed to a telephone interview, at which time she provided the following information:

MRS. SHELBY stated that she is not well acquainted with the FOSTERS, adding that she may have spoken to MRS. FOSTER on a few occasions in passing but to the best of her recollection, has never been in the FOSTER residence. She stated that as best she recalls, she never met VINCENT FOSTER. She pointed out that she is a Professor in the Business School at Georgetown University and in the Spring and early Summer of 1993, she was away from the Washington, D.C. area for several months in connection with her employment. She was unable to provide any information as to whether MR. FOSTER may have returned to his residence on the afternoon of July 20, 1993. She stated that on that particular evening, she and her husband did hear someone scream, adding that she later learned that it was MRS. FOSTER who screamed upon being informed by the police that her husband had been found dead. MRS. SHELBY stated that it was not until the next day that she learned of FOSTER's death, adding that she did go over to the residence and offer her help and as best she recalls, she did bring some food to the family. MRS. SHELBY stated that as best she recalls, the FOSTER family left the Washington, D.C. area fairly quickly after MR. FOSTER's death. She stated that on one occasion, she did try to call MRS. FOSTER to console her and offer her assistance in any manner. She stated that she never did speak to MRS. FOSTER because at the time, the family was not accepting telephone calls.

Investig	ation or	5/31/94		lephonically) hington, D.C.	File #	29D-LR-35063	,
by	SSA	William E.	Colombell	WEC:deg	Date dictated	6/1/94	

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### FEDERAL BUREAU OF INVESTIGATION

Date of transcription	6/20/94

On June 9, 1994, Senator RICHARD C. SHELBY, United States Senator, Washington, D.C., telephonically contacted Special Agent WILLIAM E. COLOMBELL at the Office of Independent Counsel, Washington, D.C. Special Agent COLOMBELL had previously attempted to reach Senator SHELBY at his office.

Special Agent COLOMBELL informed Senator SHELBY that the Office of Independent Counsel had received information regarding a story circulating on Capitol Hill to the effect that Senator SHELBY had encountered President CLINTON on the sidewalk in front of the VINCE FOSTER residence, Cambridge Place, Georgetown, Washington, D.C. on the evening of July 21, 1993, the evening following VINCE FOSTER's death. The President was reportedly without any U.S. Secret Service protection and remarked to Senator SHELBY that he had stopped by to chat with the Senator.

Senator SHELBY was asked if he could comment on or clarify this rumor and stated that he had no problem doing so. Because of his busy schedule, Senator SHELBY provided the following information telephonically. He stated that on the evening of July 21, 1993, at approximately 6:00 p.m., he and his wife visited VINCE FOSTER's sister, SHEILA ANTHONY and her husband at their residence in Washington, D.C. to pay their condolences. He stated that he returned to his residence which is next door to the FOSTER residence on Cambridge Place at approximately 7:30 p.m. Senator SHELBY stated that while attempting to park, he was approached by U.S. Secret Service personnel who instructed him that he would have to park down the street from his residence. Senator SHELBY stated that at approximately 8:30 p.m., he responded to a knock on his front door and found President CLINTON standing there, by himself, without any visible Secret Service protection. Senator SHELBY pointed out that he was already aware of extensive Secret Service presence in the neighborhood because of his 7:30 p.m. encounter.

Investiga	ation or	6/9/94		ephonically)	File #	29D-LR-35063
by S	SSA	William E.	Colombell	WEC:deg	Date dictated	6/9/94

\_\_D-LR-35063

Continuation of FD-302 of SENATOR RICHARD C. SHELBY

Senator SHELBY stated that he invited the President in and that he and President CLINTON sat and chatted for approximately one hour on a number of topics, including the tragic death of VINCE FOSTER and other unrelated items.

Senator SHELBY advised that after approximately one hour, a female White House staffer came to his front door asking to see the President and at that time the President left. Senator SHELBY stated that he could not state whether President CLINTON had been at or returned to the FOSTER residence on that evening, adding that he assumed he had.

Special Agent COLOMBELL informed Senator SHELBY that the Independent Counsel is also investigating the reasons why VINCE FOSTER might have committed suicide, specifically if there was any relationship to his suicide and any involvement with Whitewater matters. Senator SHELBY was asked if he had any information relative to Mr. FOSTER's state of mind. Senator SHELBY responded that he did not have such information, concluding that he would not be qualified to comment regarding the reasons that might have triggered the tragic death of VINCENT FOSTER.

Date of transcription	6/1/94
Date of transcription	

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STEPHEN B. SILVERMAN, Special Assistant to the President for Cabinet Affairs, was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue, NW. Mr. SILVERMAN was advised as to the official identities of the interviewing agents and the nature of the interview. He then provided the following information:

Prior to his coming to work at The White House in January, 1993, he had been employed as an attorney in New York City. He joined the CLINTON Presidential election campaign and worked in Little Rock, Arkansas. He later worked as AL GORE's Deputy Press Secretary throughout the remainder of the campaign. After BILL CLINTON's election as President, he (SILVERMAN) moved to Washington, D.C. where he, as part of a small group of volunteers, worked as a "vetting team" reviewing the qualifications and backgrounds of potential Presidential appointees. He first met VINCENT FOSTER, JR. in Washington in January, 1993, shortly after BILL CLINTON's inauguration while he (SILVERMAN) continued to work on the "vetting team". He did not have very much interaction with FOSTER and "hardly knew him at all". He said that although he attended several large meetings where FOSTER was present, most of his contacts with FOSTER were limited to them passing one another in a hallway and exchanging greetings. He said that he recalled last seeing VINCENT FOSTER at a large meeting of White House staff "Deputies" on July 19, 1993. He did not recall the topic of this meeting nor did he recall talking with FOSTER at this meeting.

In early February, 1993, he was appointed to his current position and was subsequently designated Deputy Secretary to the Cabinet by his immediate superior, CHRISTINE VARNEY who is the Secretary to the Cabinet. He then moved into his current office space, Room 111 1/2, Old Executive Office Building.

Mr. SILVERMAN said that he arrived at work on July 20, 1993 at approximately 7:30-8:30 am and while he cannot recall what time he left The White House that night he did recall that he did not stay late. Mr. SILVERMAN said that July 20, 1993 was

Investigation on 5/31/94 at Washington, D.C. File # 29D-LR-35063 SUB A

H. ALEXIS SUGGS
by FOIA(b)(7) - (C)

Date dictated 6/1/94

J-LR-35063 SUB A

Continuation of FD-302 of

Stephen B. Silverman

5/31/94

not a particularly eventful day for him at work. He recalls watching television with his wife that evening at their home prior to going to bed. He said that he recalls this because he remembers watching President BILL CLINTON being interviewed by LARRY KING on the Cable News Network that evening. He said that he was awakened on July 21, 1993 by a telephone call at approximately 7:00 am. GARY GINSBURG, a White House co-worker and friend with whom he had previously worked on the "vetting team" telephoned him to advise him of VINCENT FOSTER, JR.'s. apparent suicide. SILVERMAN said that this was the first he had heard of this and he was "totally shocked". He said that he was given no instructions by GINSBURG and no requests were made of him during this telephone call. He said that he arrived at work on July 21 at approximately 8:25 am and began his regular duties. SILVERMAN said that he was not at The White House nor was he at the FOSTER residence during the late evening hours of July 20, 1993 or during the early morning hours of July 21, 1993. He said that no one asked him to remove any documents from The White House during that time frame and he did not remove any items or documents from The White House during that period. He further advised that he knows of no one having done so or being asked to do so. Mr. SILVERMAN said that he knew of no additional information that he could provide that could possibly help with this investigation.

The following descriptive data was obtained through observation and interview:

Name:

Date of Birth: Place of Birth: Social Security Account Number: Address:

Home Telephone: Work Telephone:

Height: Weight: Hair: Eyes: Education: STEPHEN B. SILVERMAN

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

2012 Wyoming Avenue Apt. 601

Washington, D.C. 202-797-8809

202-456-2572

5'10 1/2"

210 lbs.

Brown

Brown

Cornell University-BA Degree Northwestern University-JD

Degree

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### FEDERAL BUREAU OF INVESTIGATION

Date of transcription	6/10/94

Evidence Officer PETER SIMONELLO, U.S. Park Police (USPP) was contacted at the USPP Laboratory facilities in Annocostia Park, Washington, D.C. Special Agent WILLIAM E. COLOMBELL informed Officer SIMONELLO that the FBI Lab had completed the majority of its physical examination of evidence provided to the lab by the USPP. Officer SIMONELLO was also informed that there were two issues that Special Agent COLOMBELL wished to discuss with him.

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by <u>SSA V</u>	WILLIAM E.	COLOMBELL		_ Date dictated	6/1/94	

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency;

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### FEDERAL BUREAU OF INVESTIGATION

Date of transcription	6/1/94

OFFICER PETER SIMONELLO, Evidence Officer, U.S. Park Police (USPP), 1100 Ohio Drive, S.W., Washington, D.C. 20242, advised Special Agents WILLIAM E. COLOMBELL and WILLIAM T. GUYTON that he had reviewed Evidence Control files regarding the VINCENT FOSTER death investigation and was able to locate only one handwriting sample containing the known handwriting of VINCENT FOSTER. He stated that this known handwriting sample of FOSTER was provided to the USPP on July 28, 1993 by the FOSTER family attorney, JAMES HAMILTON. OFFICER SIMONELLO advised that the known handwriting sample consisted of a letter signed by VINCENT W. FOSTER, addressed to the American Exploration Company, dated June 18, 1993.

OFFICER SIMONELLO stated that on July 29, 1993, in his presence, SGT. LARRY LOCKHART, Handwriting Expert, U.S. Capitol Police, examined the above known handwriting sample of VINCENT FOSTER with the questioned document (torn note found in FOSTER's briefcase). SGT. LOCKHART concluded that the known and questioned documents were completed by the same writer, specifically, MR. VINCENT W. FOSTER, JR.

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				Colombell				- 1- 1	
by _	SSA	William	Τ.	Guyton	WEC:deg		_Date dictated	6/1/94	

Date of transcription	4/21/94

John S. Skyles, Officer, Uniform Division, United States Secret Service (USSS) was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue, NW. Officer Skyles was advised as to the identity of the interviewing agent and of the nature of the interview. He then provided the following information:

His office is located at 1310 L Street NW and his telephone number is 202-395-2020. He has been employed by USSS for 19 years, the last 6 of which have been at The White House compound. He is normally assigned to USSS guard post "E-4" (west lobby) which is located at the first floor front entrance to the west wing of The White House. He was so employed on July 20, 1993, the day of Vincent Foster, Jr.'s death.

Officer Skyles stated that he first learned of Vincent Foster's death through a late evening television news broadcast on July 20, 1993. He stated that he had not known Vincent Foster either professionally or personally but that he knew Foster to be a White House staffer, knew his title, and easily recognized him when he saw him on The White House compound. He explained that he easily recognized Foster because he had seen him enter and exit The White House west wing on numerous occasions when he (Skyles) was on duty.

On July 20, 1993, Officer Skyles worked the 6:30 am through 3:00 pm shift at post E-4. He described this as a rather routine day about which he could recall noticing nothing out of the ordinary. He advised that numerous White House staffers came and went through post E-4 on July 20 but that he could recall few specifics about these individuals. He advised, however, when he learned of Vincent Foster's death late on the evening of July 20, he remembered that he had seen Foster leaving the west wing of The White House through entrance E-4 earlier that day. Skyles said that he was approximately two thirds of the way through his shift on July 20 when he saw Foster leaving The White House. He said that while he cannot recall exactly when he saw Foster, he does distinctly recall that it was "about lunchtime". He said

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Investigation on	4/20/94	at	Washington,	D.C.	File #	29D-LR-35063	SUB	_A
by _	FOIA(b)(7)	- (C)			Date dictated	4/21/94		

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Continuation of FD-302 of John S. Skyles , On 4/20/93 , Page

that as Foster walked pass the guard desk at entrance E-4 he (Skyles) asked Foster, "How are you doing sir"? He said that Foster replied, "Hello-fine" and nodded his head to Skyles with what Skyles remembers as a "half smile". Officer Skyles said that he remembers this encounter in detail because when he heard that Foster had died via suicide he distinctly recalled that Foster did not appear to be at all depressed or preoccupied as he walked by. He said that he was therefore quite surprised to hear that Foster had committed suicide. Officer Skyles said, to the best of his recollection, that Foster was wearing a gray suit when he saw him on July 20. He said that he could not recall if Foster was wearing his suit jacket or not and that he does not recall Foster carrying anything in his hands such as a briefcase. Officer Skyles stated that this was the last time that he saw Vincent Foster.

Officer Skyles said that he worked the 6:30 am to 3:00 pm shift on post E-4 on July 21, 1993. He said that this was a rather routine, ordinary shift except that he overheard parts of several conversations between White House staff members that day about Vincent Foster's death, their grief, and their disbelief that he could be dead. He said that he can not recall, however, any specifics as to who was engaged in these conversations or exactly what was being said.

# OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 2/28/95
FOIA(b)(6) FOIA(b)(7) - (C)
JEANNE LYNNE SLADE (DOB:, was reinterviewed at the Office of the Independent Counsel - Whitewater. SLADE was interviewed in the presence of Associate Independent Counsel BRETT KAVANAUGH. SLADE was advised of the identities of the interviewing agent and attorney. SLADE confirmed that her home and work telephone numbers and addresses are the same as from her previous interview. Additionally, SLADE provided the following contact telephone number for a temporary residence where she will be staying while her home is being built; (703) 506-9435.
SLADE was previously interviewed on April 11, 1994. SLADE stated that she had three previous contacts with FBI agents regarding this case; once on the phone then twice at her office. Additionally, SLADE stated that she was contacted by the U.S. Park Police the week after the incident.
SLADE confirmed all of the statements in her previous interview, with the following additions:
SLADE stated that she left work at approximately 5:15 pm - 5:30 p.m. SLADE recalled that she was to be at a swimming meet at 6:00 p.m.
SLADE stated that she has a clock located on the dashboard of her car, which she looked at constantly during her drive from work because she did not want to be late for the swim meet.
SLADE stated that she believes that her car broke down near the entrance to Fort Marcy Park at approximately 5:30 p.m 5:45 p.m.
SLADE stated that she was driving a dark blue Mercedes 300E with a camel interior. SLADE's vehicle would not accelerate; she coasted into the entrance area of the park.
SLADE was shown an aerial photograph of the Fort Marcy Park area. SLADE identified her exact location; where the
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by _ FOIA(b)(7) - (C) Date dictated2/13/95

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Continuation of OIC-302 of JEANNE LYNNE SLADE , On 2/13/95 , Page 2

vehicle coasted to a stop inside of the park. SLADE pointed to a spot on the photograph just past a grass median area on the right side of the Fort Marcy Park road.

SLADE stated that there was a second car which was parked inside the entrance area. SLADE described this car as a newer model, white, four door, medium sized car. SLADE had no further descriptive information regarding this vehicle. walked past the vehicle and observed the driver. SLADE described the driver as a white male, early 40's, dark hair, medium build, and moderately attractive. SLADE walked down the road to the Fort Marcy parking area looking for a phone. SLADE stated that she did not walk all the way into the parking lot. SLADE observed a trail at the beginning of the lot on the left. could not locate a telephone, and subsequently turned and walked back to her vehicle. While she was in the parking lot, SLADE observed two cars parked near the trail entrance at the beginning of the parking lot. One of the vehicles was described as a goldish/tan/bronze, medium size car; the other vehicle was described as a dark, blue, older car. SLADE stated there were possibly a few more vehicles further in the lot, however, she can not be sure. SLADE stated that she did not see the license plates on either of these two vehicles. SLADE thinks that both of the vehicles were pulled front end first into their parking spots. SLADE did not see any police or emergency vehicles in the parking lot. SLADE was shown a photograph of the rear of VINCENT W. FOSTER's vehicle. SLADE stated that the car in the photo looks like one of the cars she observed in the Fort Marcy parking lot; the vehicle appears to be the same size and type of car. However, SLADE stated that she can not be positive.

As SLADE was walking back towards her vehicle, the individual she had initially passed in the white car asked her if she wanted a ride anywhere. SLADE declined the offer.

SLADE made sure her car was locked, and then walked up the George Washington Parkway to an Exxon station located at the intersection of Chain Bridge Road. SLADE telephoned her husband from the Exxon station.

SLADE does not have any recollection of seeing a white van anywhere near the Fort Marcy Park area.

SLADE clearly recalls hearing emergency vehicles (sirens) as she was walking towards the Exxon station. SLADE

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Continuation of OIC-302 of	JEANNE	LYNNE	SLADE	,	On _	2/13/95	, Page	3
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stated that she heard the sirens approximately half way to the Exxon station.

SLADE's husband came and picked her up from the Exxon station and subsequently called a towing service from his restaurant to retrieve SLADE's vehicle. However, due to the U.S. Park Police presence at the park, the towing service could not get her car until the following day.

Date of transcription	4/15/94

Mrs. Jeanne Lynne Slade was interviewed at her place of employment, American College of Emergency Physicians, 900 17th Street, N.W., Suite 1250, Washington, D.C. 20006. She was advised of the identity of FBI Agent William E. Colombell and informed that he wished to speak to her concerning an ongoing investigation into the death of Vincent Foster on July 20, 1993. Mrs. Slade advised that several days after the events of July 20, 1993, she was contacted by telephone by an individual who identified himself as a Park Police Officer; adding that she answered his questions and provided whatever information she had.

Mrs. Slade advised that on the day in question, she left her office at approximately 5:15 p.m. and took her usual route home, proceeding North on the George Washington Parkway. She advised that as she approached Fort Marcy Park, the gas pedal "stopped working" and her car would not accelerate. She stated that she started to coast, coasting as far as she could and ending up approximately 50-60 feet into the entrance ramp leading into Fort Marcy Park. She stated that she was driving her 1987 Mercedes 300E, color dark blue. She advised that she put the emergency flashers on and started walking towards the Fort Marcy parking lot, hoping that there would be a phone located in that area. She stated that another car, occupied by a white male, was also parked off to the right on the entrance ramp leading into the Fort Marcy parking lot. She advised that she had to walk by this vehicle as she approached the parking lot and noticed that the occupant appeared to be looking at some papers or possibly a map.

Mrs. Slade advised that as she walked past this individual, he started his car and then pulled up next to her, adding that they had still not reached the parking lot area. She said this individual inquired if she needed a ride and she declined; she stated that he asked a second time if he could help or give her a ride and she again remarked no, that she was just trying to find a telephone. As best she recalls, this individual proceeded up into the parking lot, turned around, and then drove off in the direction of the GW Parkway. She described the

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by _	SSA	William E.	Colombell	WEC:deg	_ Date dictated	4/14/94	21

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Continuation of FD-302 of Jeanne Lynne Slade

On 4/11/94

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individual who offered to give her a ride as a white male, dark hair, thick, well-groomed, summer-type shirt on, possibly plaid color, age 38-42, medium build. She described his vehicle as a late model vehicle, 4-door, color white, possibly a Honda. She was unable to recall any other details.

Mrs. Slade stated that she is quite sure that it was somewhere in the vicinity of 5:45-6:15 p.m. when her car broke down and she pulled into Fort Marcy Park. Mrs. Slade advised that she approached the front area of the parking lot and was unable to locate a phone; she recalls some type of park sign that appeared next to the entrance to a trail leading up into the park. Mrs. Slade advised that at least two cars were in the parking lot and that they were both parked fairly close to one another, not necessarily side by side but within a few spaces of one another. Her recollection was that these cars were parked more or less in front of her as she walked into the lot and were situated in the beginning of the lot, not towards the back of the lot. She stated that she was unable to comment as to whether there were any additional cars located towards the rear of the She stated that she was quite sure that there was no one present in the cars, nor did she observe anyone else in the parking lot area. The only thing that she can recall about these two cars was that one was dark blue and the second was light gray or silver in color. Mrs. Slade stated that she saw no one else, nor did she see any other cars coming into or out of the lot. Mrs. Slade advised that she then walked back to the George Washington Parkway shoulder and proceeded to walk North on the Parkway to the McLean/Chain Bridge exit, where she sought assistance at an Exxon station located on Chain Bridge Road.

Mrs. Slade stated that she did not see any vehicle resembling a white van in the vicinity of the Fort Marcy parking area. She also stated that she did not hear any loud noises or possible gunshots while she was in the Fort Marcy parking lot area.

Mrs. Slade advised that as she was walking North on the GW Parkway, another white male stopped to assist her and she refused. She also recalled that while walking North, she observed several emergency vehicles with sirens sounding heading South on the GW Parkway. Mrs. Slade concluded the interview by providing the following background information:

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Jeanne Lynne Slade Continuation of FD-302 of

4/11/94 , On

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Full Name:

Mrs. Jeanne Lynne Slade

Residence:

1142 Randolph Road

McLean, Virginia 22101 (703) 761-3037 (202) 728-0610

Home Telephone: Office Phone:

DOB:

FOIA(b)(6)

FOIA(b)(7) - (C)

Date of transcription	7/21/94

JONATHAN SLEVIN of the Intelligent Vehicle Highway Society of America (IVHSA) 400 Virginia Avenue, SW, Suite 800, WDC, telephone number 202-484-2893, was telephonically interviewed regarding a visit he made to the residence of GEORGE O. GONZALEZ, JR. on July 17, 1994. GONZALEZ, of the Fairfax County Virginia Emergency Medical Service (EMS) resides at 2007 Storm Drive, Falls Church, Virginia. After being apprised of the purpose of the interview and the identity of the interviewing Agent, SLEVIN thereafter provided the following information:

SLEVIN advised that he was asked by a friend, who is a newspaper reporter, to deliver a copy of a report written by the reporter to GONZALEZ at his residence. SLEVIN arrived at the GONZALEZ residence and met with MARIANNE GONZALEZ and GEORGE SLEVIN informed MARIANNE GONZALEZ and her father-GONZALEZ, SR. in-law that he had a friend who was releasing a report that suggested GONZALEZ, Jr. changed the location of the body of VINCENT FOSTER, JR. in his testimony to the Office of the Independent Counsel (OIC). SLEVIN advised MARIANNE GONZALEZ and her father-in-law that New York Post reporter CHRIS RUDDY suggested that if GONZALEZ was not telling the truth, other people would tell the truth in upcoming congressional hearings. According to SLEVIN, RUDDY wanted to get across that some people who testify on Capitol Hill based on inconsistencies are in danger of perjuring themselves in a congressional hearing. SLEVIN was only delivering on behalf of RUDDY, well intentioned advice.

When SLEVIN was initially asked by RUDDY to deliver a copy of the report and the aforementioned advice, he additionally declined. SLEVIN finally relented and approached GONZALEZ as a favor to his friend RUDDY. SLEVIN was aware that RUDDY had been pursuing events surrounding the death of VINCENT W. FOSTER, JR. SLEVIN emphatically denied that any threat was made against GONZALEZ' life.

In the course of the interview, SLEVIN was asked if he was recording the conversation between the interviewing Agent and

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JONATHAN SLEVIN

0n 7/18/94

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himself, to which he replied he was not. SLEVIN asked the interviewing Agent if their conversation was being recorded at which time the interviewing Agent replied that no electronic recording was being made of their conversation.

SLEVIN advised that he serves currently as the Director of Communications for the Intelligent Vehicle Highway Society of America, commonly known as IVHS America.

On July 18, 1994, SLEVIN was contacted by CATHY SIMMONS, Public Information Officer, for The Fairfax County, Virginia Fire and Rescue Service. The phone call took place some time late on the morning of July 18. SLEVIN did not provide SIMMONS with any information and informed her that his dealings were with GONZALEZ only.

SLEVIN noted that while he was at the GONZALEZ residence on July 17, his photograph was taken by an unknown individual from the GONZALEZ home. SLEVIN went to the GONZALEZ residence on two occasions on July 17. He first visited the home at 4:30 pm and returned to the residence at 6:30 or 7:00 pm.

The following descriptive information regarding JONATHAN SLEVIN was obtained in the course of the interview and was provided by SLEVIN as follows:

Date of Birth: Place of Birth: Social Security Account Number: Employment:

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Telephone Number:

IVHS America 400 Virginia Ave., SW Suite 800

Washington, D.C. 20024

202-484-2893

Date of transcription	8/5/94

CLIFFORD M. SLOAN 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 were SLOAN's attorneys, PETER J. ROMATOWSKI and STEVE BYERS, of the law firm of CROWELL & MORING, 1001 Pennsylvania Avenue, Washington, D.C. 20004-2595, telephone number (202) 624-2745. Participating in the interview from the OIC were Associate Counsels MARK STEIN and CARL STICH. After being advised of the official identity of the interviewing agent and the nature of the interview, SLOAN provided the following information:

SLOAN was interviewed for his current position as Associate White House Counsel in April 1993. SLOAN was interviewed for the position by White House Counsel BERNARD NUSSBAUM and Deputy White House Counsel VINCENT W. FOSTER, Jr., and he began working at the White House at the end of May 1993. SLOAN's official starting date in the White House Counsel's Office was June 14, 1993.

WALTER DELLINGER had previously functioned as the expert on constitutional law within the White House Counsel's Office until he left to take a position in the United States Department of Justice (DOJ). People at the White House suggested to SLOAN that he make inquiries about replacing DELLINGER. SLOAN had previous experience working for a Chicago law firm, BROWN & PLATT, handling appellate matters. SLOAN had also served for a period of time in the Office of the Solicitor General handling issues pertaining to the separation of powers. Prior to that time, SLOAN worked for Independent Counsel LAWRENCE E. WALSH in the investigation of the Iran-Contra matter from January 1987 to December 1988. SLOAN has also clerked for Supreme Court Justice JOHN PAUL STEVENS.

SLOAN's first assignment in the White House Counsel's Office was to serve in a liaison function regarding the White House Travel Office investigation.

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Continuation of FD-302 of CLIFFORD M. SLOAN

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SLOAN was slightly aware of Whitewater as an issue in early 1992. SLOAN did not become more aware of Madison Guaranty Savings and Loan (MGSL) until he read a letter from Arkansas Senator DALE BUMPERS dated either March 31 or April 1, 1993. SLOAN recalls that Senator BUMPERS had complained about overly aggressive enforcement actions by the Resolution Trust Corporation (RTC). SLOAN recalls drafting a bland or "vanilla" response to Senator BUMPERS. SLOAN spoke to Deputy White House Counsel JOEL KLEIN last week and saw a letter, dated July 1993, from NUSSBAUM to Senator BUMPERS. Until he saw the letter, SLOAN had not associated the letter from Senator BUMPERS and the response from NUSSBAUM as both being related to MGSL.

During September 1993, SLOAN was working at the White House on matters related to the siege involving the Branch Davidians in a complex near Waco, Texas. Two reviews were being conducted regarding the activities of federal law enforcement agencies during the incident near Waco. The reviews were being conducted by two distinct groups, one at the Department of the Treasury (Treasury) and one at DOJ. SLOAN did not have any contact with Treasury, but he had rather frequent liaison contacts with the DOJ investigators as they sought to interview people at the White House in order to prepare their report on the Waco incident. On approximately September 28, 1993, NUSSBAUM told SLOAN that several Treasury investigators would be conducting interviews at the White House.

On September 29, 1993, a meeting was held at the White House regarding the issuance of the Treasury report on the Waco incident. The meeting was attended by RONALD NOBLE, Assistant Secretary for Enforcement at Treasury; JOSH STEINER, Special Assistant at Treasury; JACK DeVORE, Press Secretary to Treasury Secretary LLOYD BENTSEN; JEAN HANSON, General Counsel at Treasury; NUSSBAUM; and SLOAN. As SLOAN was leaving the Waco meeting, he observed NUSSBAUM and HANSON off to the side talking in NUSSBAUM's office. SLOAN waited outside as they conversed. After a wait of less than five minutes, NUSSBAUM called SLOAN into his office and said that he wanted SLOAN to hear something. HANSON then stated that there might be eight or nine criminal referrals forthcoming which would probably be a source of media interest because President BILL CLINTON and First Lady HILLARY RODHAM CLINTON were mentioned in the referrals. The CLINTONS were mentioned as witnesses or potential witnesses, and the CLINTON gubernatorial campaign of 1984 was mentioned as a subject or possible subject.

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When asked by the interviewers whether HANSON actually used the word "subject," SLOAN replied that he only has an impression that HANSON used the word "subject," and he is not certain that she actually used the word. SLOAN stated that his impression may have been influenced by subsequent telephone conversations.

SLOAN then went on to advise the interviewers the following:

During the meeting in NUSSBAUM's office, HANSON said that ROGER ALTMAN may have sent some materials to NUSSBAUM regarding this matter. NUSSBAUM responded that he did not recall receiving them.

SLOAN did not form an impression whether or not HANSON had actually read the referrals. SLOAN has subsequently found notes which refer to several telephone calls which were made by HANSON to SLOAN.

During the meeting on September 29, 1993, HANSON did not mention how she had become aware of the referrals. SLOAN's notes from September 30, 1993 indicate that HANSON had learned of the referrals from BILL ROELLE of the RTC.

After HANSON departed NUSSBAUM's office on September 29, 1993, SLOAN remained and spoke with NUSSBAUM about the Waco matter. NUSSBAUM said that he was going to pass on the information he had received from HANSON to BRUCE LINDSEY. Before HANSON had left the meeting, NUSSBAUM told her to call SLOAN if something came up. SLOAN believes he was called into the meeting with NUSSBAUM and HANSON because NUSSBAUM's general style was to have someone else from the staff with him during meetings. does recall that HANSON said that there had been referrals. There was no discussion about HANSON attempting to find out more details about the referrals or following up on anything. only part of the conversation which related to any type of follow-up occurred when NUSSBAUM said that he had not received the materials from ALTMAN. This comment suggested the need to determine what had happened to the materials from ALTMAN. left the meeting with no specific assignment other than to act as a point of contact for HANSON.

On March 11, 1994, which was the day after the date for compliance with the subpoenas which had been issued through the

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OIC, SLOAN was in his basement going through notes which had been stored there as the basement was being finished. SLOAN found notes which were responsive to the subpoenas and which he had neglected to turn in. SLOAN found these notes stored in a black binder. SLOAN brought the notes in to his office at 8:30 and showed them to JOEL KLEIN. SLOAN's discovery of a portion of a phone bill was part of another issue and occurred at another time.

On September 30, 1993, HANSON called SLOAN and advised him that she had been wrong when she had mentioned ALTMAN sending materials to NUSSBAUM. HANSON stated that ALTMAN had not sent any such information to NUSSBAUM. HANSON mentioned to SLOAN an article written by JEFF GERTH which had been published in the New York Times in March 1992.

At this point in the interview, SLOAN began reading from his original notes regarding the call from HANSON.

SLOAN believes that SUE SCHMIDT, a reporter for the Washington Post, was alleging at that time that vital information relating to the referrals was suppressed. SLOAN has no recollection that HANSON had actually spoken with SCHMIDT. does not have an independent recollection whether HANSON was speaking for herself or was simply relating what SCHMIDT had said to her. SLOAN was in his office when he received this telephone call from HANSON. HANSON and SLOAN had missed each other a number of times when they returned calls to each other. Due to the proximity in time, SLOAN inferred that HANSON's calls to him pertained to the issue of the criminal referrals. SLOAN wanted fellow Associate White House Counsel NEIL EGGLESTON to participate in a conference call with HANSON, and EGGLESTON did participate in at least one of the calls between HANSON and SLOAN. EGGLESTON had prior law enforcement experience and normally would have been more involved in these matters while SLOAN would deal with constitutional issues.

During June and July 1993, SLOAN had been in contact with HANSON to coordinate a simultaneous investigation of the White House Travel Office by the Federal Bureau of Investigation (FBI) and the Internal Revenue Service (IRS).

SLOAN asked EGGLESTON if it was all right for him to have conversations with anyone from Treasury about the forthcoming referrals. EGGLESTON advised SLOAN that he thought

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such contact would be all right. The contacts appeared to be appropriate in the context of SLOAN's official responsibilities since there might be press inquiries about the referrals. Further, the referrals were not a matter before a grand jury. EGGLESTON and SLOAN looked at the RTC statute and found no statutory or regulatory prohibition against such contacts. Furthermore, SLOAN thought that HANSON, as Treasury General Counsel, would know of any legal considerations which would prohibit such contacts. Both EGGLESTON and SLOAN conducted legal research about the propriety of the contacts, but they did not separate their analysis of the statutes from their analysis of the regulations. SLOAN told NUSSBAUM of the results of their legal research and NUSSBAUM agreed with their analysis. possibility of press inquiries made the ability to respond to these queries an official responsibility of the White House Counsel's Office. LINDSEY and Director of Communications MARK GEARAN had come to NUSSBAUM and told him they were already receiving press inquiries, especially from JEFF GERTH.

HANSON was calling SLOAN regarding specific press inquiries. SLOAN cannot tell whether HANSON was calling with independent knowledge or was passing along what she had learned from SUE SCHMIDT.

SLOAN told NUSSBAUM about HANSON's call, and NUSSBAUM told SLOAN to brief LINDSEY about it. SLOAN does not recall how he conveyed to NUSSBAUM the information from the call from HANSON. SLOAN's largest impression is that HANSON's call related to press inquiries.

SLOAN spoke to LINDSEY several times. On at least one of these occasions, EGGLESTON was with SLOAN. SLOAN tried to relate to LINDSEY the substance of the calls from HANSON. LINDSEY was fairly knowledgeable about the press inquiries, the details of the issues, and the names of the reporters covering the story. After the first call from HANSON, EGGLESTON was "in the loop," either from participating in the conversation or from being briefed by SLOAN. LINDSEY did not tell SLOAN that he would do anything.

At this point in the interview, SLOAN reviewed one of his original notes from October 7, 1993.

At that time, SLOAN and HANSON had been placing and returning calls to each other in unsuccessful efforts to reach

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each other. On one particular call, EGGLESTON was on a telephone extension as SLOAN spoke with HANSON. SLOAN recalls HANSON saying that one of the RTC investigators had thrown SUE SCHMIDT out of the investigator's home. HANSON did not name the RTC investigator to SLOAN. HANSON then mentioned four questions which had been asked by SCHMIDT rather than GERTH. SLOAN does not know how HANSON came up with these four questions, but he had the impression that these questions came up through the RTC Public Affairs Office. The first question concerned International Paper Realty. SLOAN later learned from LINDSEY that in October 1986 International Paper sold a piece of property which became part of the Whitewater development. The second question concerned SETH WARD, who was the father-in-law of Associate Attorney General WEBSTER HUBBELL. The third question pertained to knowledge that three senior partners in the Rose Law Firm were angry at a fourth individual because he made too much The fourth question was whether VINCENT W. FOSTER, Jr. was involved in any of these issues. SLOAN learned that some reporter had interviewed JIM McDOUGAL the day before.

SUE SCHMIDT had spoken to STEVE KATSANOS, a Public Affairs official at the RTC. An RTC Early Bird noted that the Washington Post and the Associated Press were pursuing undisclosed links between the members of the Rose Law Firm. SLOAN read that there were alleged to be conflicts of interest involving the Rose Law Firm, and internal RTC sources suggested that multiple referrals to the Justice Department linked the Rose Law Firm to matters under investigation.

SLOAN's notation regarding "no contempt" was a reference to gays in the military and a possible contempt citation being issued to the Secretary of Defense.

Regarding the conversation with HANSON on September 30, 1993, SLOAN has no recollection of what information was being sought by the press. It is possible that some of this information was not coming from someone in the Public Affairs Office.

SLOAN believes that HANSON's reason for making the calls to SLOAN was that they were made in the context of press inquiries. SLOAN was not asked to do anything with the information about the referrals other than relate the information to EGGLESTON, NUSSBAUM and LINDSEY. LINDSEY was generally familiar with the subject.

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LINDSEY was surprised at the existence of the Early Bird. He thought it was crazy for the RTC to collect rumors and leaks and then spend money printing them in an RTC publication.

SLOAN does not recall anything pertinent happening between October 7, 1993 and October 14, 1993.

HANSON called SLOAN on October 14, 1993 or the day before. A meeting was scheduled between Treasury and White House press people. SLOAN mentioned the meeting to NUSSBAUM but NUSSBAUM and EGGLESTON already knew about it. NUSSBAUM invited SLOAN to come along and attend the meeting. Because this meeting occurred during a time of transition when responsibility for different issues was being divided between SLOAN and EGGLESTON, both of them attended the meeting. Neither of them regarded the meeting as something important. Ordinarily, NUSSBAUM and one staff member would have attended a meeting of this type. SLOAN did not question at that time why he was invited to attend such a meeting when it was supposed to relate to press inquiries. It was not unusual for press matters to have legal overtones.

The meeting held on October 14, 1993 was attended by NUSSBAUM, EGGLESTON, SLOAN, LINDSEY and GEARAN from the White House and by HANSON, JOSH STEINER and JACK DeVORE from Treasury. DeVORE mentioned that he had been receiving a number of calls from people in the media. JEFF GERTH's name may have come up during DeVORE's presentation. DeVORE mentioned the reporters'questions and his responses to them. DeVORE said that reporters had asked whether there had been any unusual handling of the referrals, such as the referrals being sent to Washington, D.C. and held there. DEVORE said that the referrals had been handled in accordance with the normal process. DeVORE stated that GERTH had drawn an incorrect and adverse conclusion about how such referrals are processed. DeVORE said he wanted to clarify GERTH'S misconception. NUSSBAUM asked DeVORE how he would normally pass on information to GERTH and DeVORE explained his usual practice. SLOAN has a vague recollection that DeVORE was just about to leave. In reference to the RTC Early Bird, LINDSEY said it was a crazy idea for a government agency to circulate leaks and rumors.

At some point in the meeting, NUSSBAUM said he had heard something and he had heard about it from "you," looking in the direction of HANSON. HANSON appeared to nod in response. SLOAN does not know to what topic NUSSBAUM may have been

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referring. STEINER mentioned that the information about the referrals was public information which was being released in response to public inquiries.

NUSSBAUM raised the question of whether it was proper to comment on the referrals. SLOAN does not recall LINDSEY raising this same question, but LINDSEY may have participated in such a discussion.

SLOAN did not regard it as odd that the White House held such a meeting regarding this particular RTC investigation because press inquiries had been coming to the White House.

After this meeting on October 14, 1993, SLOAN really had nothing else to do with the referral issue. In late December 1993 or January 1994, SLOAN and others in the Counsel's Office were called upon to perform specific legal tasks regarding these matters. SLOAN and others were attempting to correct misstatements in the press so that an accurate record would exist for internal use within the White House. EGGLESTON was assigned matters relating to Whitewater while SLOAN was assigned to handle questions about matters relating to FOSTER's office.

SLOAN and EGGLESTON prepared a memorandum to LINDSEY which was dated October 7, 1993. Because LINDSEY was so busy, LINDSEY's secretary had asked SLOAN to prepare a memo explaining why a meeting was being requested with LINDSEY. This occasion was the only time SLOAN was ever asked to prepare such a memorandum. SLOAN's written reason for requesting to schedule a meeting with LINDSEY was to discuss the call made to SLOAN by HANSON that day.

NUSSBAUM and EGGLESTON were working quite a bit on the Whitewater issue. When DONALD MACKAY was first proposed as a candidate for Special Counsel to investigate the Whitewater matter, SLOAN performed background work to demonstrate that internal politics in DOJ had not led to consideration of MACKAY for the position.

Some time between December 25, 1993 and January 1, 1994, possibly on December 30, 1993, SLOAN received a telephone call at home from TOM CASTLETON, an intern at the White House. CASTLETON related that GENE LUDWIG, Comptroller of the Currency, had called the White House and wanted to speak to either NUSSBAUM or SLOAN regarding MGSL. NUSSBAUM was out of town at the time.

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SLOAN thought that EGGLESTON should handle this inquiry since it fell under EGGLESTON's purview. However, CASTLETON told SLOAN that LUDWIG had asked for SLOAN by name. LUDWIG also related to CASTLETON that he was calling from the Renaissance Weekend event in South Carolina, which President CLINTON was also attending. President CLINTON had asked about MGSL, and LUDWIG wanted to get the information so he could properly respond to the President. SLOAN does not know how LUDWIG obtained SLOAN's name. After speaking with CASTLETON, SLOAN called EGGLESTON, and they concluded that they should call JOEL KLEIN, who was also attending Renaissance Weekend. When they contacted KLEIN, he told them that no further conversation with the President about MGSL had occurred and the matter had been handled in an appropriate manner.

SLOAN did not attend a meeting held at the White House on February 2, 1994, but he saw HANSON and ROGER ALTMAN going into the meeting. KLEIN later made incidental comments to SLOAN that the subject of recusal had been discussed at the meeting. Since KLEIN had not attended the meeting either, he did not know any details of the meeting, and his comments were just passing references. Recusal was a hot issue at the time because one of the Republican senators wanted RICKI R. TIGERT, head of the Federal Deposit Insurance Corporation (FDIC), to recuse herself from matters relating to MGSL. This senator eventually extracted a pledge from TIGERT that she would recuse herself. SLOAN recalls that KLEIN was uncertain about the content of the conversation relating to ALTMAN's recusal and could only speculate about the content of the discussion. Both KLEIN and SLOAN had reputations for having strong senses of caution. took KLEIN's comments as having been made in the context of his concern about the meeting. SLOAN did not express concern about it to KLEIN. KLEIN thought the White House should take an extremely cautious and conservative view toward handling the whole issue of recusal.

BETH NOLAN, the person responsible for ethics issues in the White House, was in contact with someone at Treasury at that time. SLOAN believes he recalls a conversation between NUSSBAUM and NOLAN at the end of a meeting, but he did not hear any details of the conversation between NUSSBAUM and NOLAN.

SLOAN did not participate in preparing ALTMAN for his testimony before the Senate. SLOAN does not know of anyone at the White House who prepared ALTMAN for his testimony. EGGLESTON

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was looking forward to ALTMAN's testimony. At White House staff meetings, EGGLESTON would mention having had conversations with staffers from Capitol Hill. JOHN PODESTA and NUSSBAUM were also dealing with Whitewater matters. No particular issues regarding Whitewater were being discussed at that time. SLOAN did not watch the hearings on a Thursday when ALTMAN testified. On Thursday afternoon, KLEIN said that EGGLESTON had attended the hearings and thought they went fairly well. SLOAN thought ALTMAN had mentioned the meeting on February 2, 1994 in his testimony.

On Friday, the day after ALTMAN's testimony before the Senate Banking Committee, the New York Times gave a lot of attention to the meeting of February 2, 1994 in its account of ALTMAN's testimony. At a meeting of the White House Counsel's staff immediately following the senior staff meeting, KLEIN said there was some concern about the New York Times story and there might be a White House statement coming out. EGGLESTON related anecdotes about ALTMAN's testimony. SLOAN was concerned that the White House statement might be inaccurate if it only mentioned the meeting on February 2, 1994. SLOAN told KLEIN it was important to make the White House statement accurate. suggested to KLEIN that he speak with LINDSEY to ensure the statement's accuracy since LINDSEY was familiar with the autumn meetings between the White House and Treasury officials. Friday afternoon, SLOAN called KLEIN, who advised that he was all right and did not need SLOAN'S assistance. LINDSEY later ran into SLOAN and told him it had been a good point about ensuring that the number of meetings mentioned in the statement was accurate. SLOAN was present when NUSSBAUM called KLEIN from SLOAN had the feeling KLEIN would mention JAY STEPHENS to NUSSBAUM during this call. KLEIN went into NUSSBAUM's office, spoke to NUSSBAUM on the telephone, and then came back out and briefed SLOAN on the substance of the call. NUSSBAUM was then transferred to the telephone of Deputy Chief of Staff HAROLD SLOAN recalls that KLEIN was going to update NUSSBAUM over the weekend but nothing occurred which required such an updating.

On Monday, February 28, 1994, NUSSBAUM was scheduled to be back at the White House. KLEIN called SLOAN and asked him to go out to lunch. KLEIN and SLOAN went out and KLEIN said he had just learned that the meeting had not been set up by NUSSBAUM but had possibly been set up by ICKES or by the office of White House Chief of Staff THOMAS "MACK" MCLARTY. KLEIN was also concerned by ALTMAN's testimony that the recusal issue had not been brought

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up at the meeting. At that time, neither SLOAN nor KLEIN had seen the transcript of ALTMAN's testimony yet. The upshot of this conversation was that KLEIN would have EGGLESTON review the transcript and evaluate the accuracy of ALTMAN's testimony. KLEIN told SLOAN that he already assigned that task to EGGLESTON. KLEIN later paged SLOAN and told him that EGGLESTON had reviewed the transcript and that EGGLESTON, NUSSBAUM and KLEIN would get together. KLEIN said that BETH NOLAN would stand in for SLOAN. When KLEIN and SLOAN met that evening, KLEIN said that the ... transcript had reflected that ALTMAN had requested the meeting. Within the White House, there was concern about the appearance of NUSSBAUM setting up such a meeting, particularly since he had not set it up. KLEIN and SLOAN reviewed a long passage of the transcript regarding procedures, looking line by line for a reference to recusal. KLEIN said PODESTA had been brought into the discussion and wanted to sleep on it. SLOAN said he hoped there had not been a question which should have elicited a discussion of previous meetings. SLOAN took a copy of the transcript home and reviewed it. In reviewing the transcript, SLOAN read where Senator CHRISTOPHER BOND had asked ALTMAN how the White House had learned of the RTC referrals. ALTMAN testified that no one from his agency, i.e., the RTC, had advised the White House.

On Tuesday, SLOAN went to NUSSBAUM and said there were questions about ALTMAN'S responses in terms of the White House meetings involving HANSON. SLOAN saw KLEIN shortly thereafter and told him he had talked to NUSSBAUM. That afternoon, PODESTA, NUSSBAUM, EGGLESTON and SLOAN met. NUSSBAUM left briefly and returned with LINDSEY, who stayed for the meeting. explained to the group what had occurred in the meetings on September 29, 1993 and October 14, 1993 as well as the telephone calls which had occurred between those two meetings. and LINDSEY remembered the terms used in the meetings differently. LINDSEY did not recall the CLINTONs being mentioned as witnesses. NUSSBAUM did not remember the CLINTON campaign being mentioned as a co-conspirator and he thought a different term had been used. The participants in the meeting went over the transcript in detail. PODESTA was going to call ALTMAN and bring the discrepancies in ALTMAN's testimony to his attention. The discrepancies centered around the recusal issue and the prior meetings between the White House and Treasury officials. PODESTA thought the issue of the Treasury-White House meetings needed to be brought up clearly. The recusal point could be part of the discussion about procedures. Later that day, SLOAN heard from

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KLEIN that PODESTA had called ALTMAN. SLOAN heard that ALTMAN interrupted PODESTA and said that he had not known about the prior meetings.

SLOAN has never had much contact with ALTMAN. SLOAN has had no contact with either HANSON or ALTMAN since ALTMAN testified before the Senate Banking Committee. SLOAN has had no conversation at the White House or anywhere about JAY STEPHENS or removing STEPHENS from his post with the RTC. SLOAN has not had any conversation with either ICKES or GEORGE STEPHANOPOULOS about removing STEPHENS from his post at RTC. On Friday, KLEIN told SLOAN there would be a big story in the media over the weekend. On Saturday, SLOAN read in the Washington Post about a call made by STEPHANOPOULOS regarding the hiring of STEPHENS by the RTC. The following week, SLOAN spoke with KLEIN and learned that McLARTY was not conducting an internal inquiry and that there was a sense in the press that the White House was putting STEPHANOPOULOS out to dry.

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

Name:

Sex:

Race:

Date of Birth:

CLIFFORD M. SLOAN

Male

White

FOIA(b)(6)

FOIA(b)(7) - (C)

Date of transcription	5/11/94	
Date of transcription	5/11/94	

CLIFFORD M. "CLIFF" SLOAN, Associate Counsel to the President was interviewed at the Office of the Independent Counsel, Washington, D.C. as scheduled at 9:15 a.m. MR. SLOAN 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 were MR. SLOAN's attorneys, PETER J. ROMATOWSKI and STEVE BYERS from the law firm CROWELL.& MORING. MR. SLOAN provided the following information:

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Working from the index of the documents produced, this documentation was reviewed during the course of the interview in a cursory way. SLOAN indicated that he had maintained the originals of this documentation in a two-drawer file cabinet in his office. Some of the material produced had been kept segregated.

SLOAN said in addition to the documents provided, he would later make available a copy of a draft of questions and answers which he had in his possession that had been prepared to assist with press inquiries on the FOSTER note.

SLOAN joined the White House Staff in May or June of 1993. For the six to eight weeks prior to VINCENT FOSTER's death, he dealt with FOSTER on a daily basis. SLOAN didn't know FOSTER well, as in the sense of a close friend, but described him as a colleague. SLOAN was normally assigned his work by BERNARD

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by _	SA William T. Guyton SSA William E. Colombell WTG:	deg Date dictated 5/11/94	

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NUSSBAUM, Chief White House Counsel, but on occasion FOSTER would assign work to him.

SLOAN described FOSTER with the following adjectives: reserved; carried himself with great dignity; supportive; decent guy; and a careful lawyer.

SLOAN could not recall having any conversations with FOSTER regarding non-work related matters.

When asked if he could identify individuals who may have confided with FOSTER, SLOAN named MARSHA SCOTT and then added the name BILL KENNEDY. As an example of SCOTT's rapport with FOSTER, SLOAN cited a conversation he had with SCOTT on Air Force One while enroute to FOSTER's funeral. SCOTT told SLOAN she had talked with FOSTER the day before he died for a long time. FOSTER had told her that he was going to get some rest. SCOTT believed that FOSTER had times like that in Arkansas. SCOTT reported this conversation with FOSTER to SLOAN during the course of discussion while on the plane.

SLOAN was asked to describe the NUSSBAUM/FOSTER relationship. SLOAN said they got along very well; it was a close relationship. They were very different people. NUSSBAUM was outgoing and talkative and FOSTER reserved and chose his words carefully. FOSTER was always deferential to NUSSBAUM. There was never any question as to who was in charge in the counsel's office. It was clearly NUSSBAUM. FOSTER was very concerned to keep NUSSBAUM advised on issues. They were very open with each other.

SLOAN was asked if he had observed any noticeable changes in FOSTER. SLOAN said he had noticed increased stress in FOSTER as a result of the Travel Office report. In addition, other items appearing in the press such as those concerning Supreme Court nominees were also stress provoking for FOSTER. FOSTER had a conversation with SLOAN wherein FOSTER revealed his thoughts that the counsel's office and White House were not prepared for further onslaught by the Republicans and press. FOSTER suggested the hiring of outside counsel to represent the White House. FOSTER also discussed an alternative of hiring of someone else on the counsel's staff to focus on matters under attack. FOSTER felt that the White House was overwhelmed and outmanned.

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SLOAN did not notice any weight loss by FOSTER. SLOAN described FOSTER's appearance the week before his death as being more reserved and laconic. SLOAN said that FOSTER took a day off the week before his death and also came in late one day. SLOAN did not view this as out of the ordinary at the time, as others were also taking time off. For example, NUSSBAUM had recently come back from a week off. SLOAN also recalled that NUSSBAUM had encouraged FOSTER to take time off.

As an example of how FOSTER's condition was manifested, SLOAN cited a night about a week before FOSTER's death when it looked like the "JOCELYN ELDER thing" was going to erupt. SLOAN found NUSSBAUM and FOSTER together when SLOAN went to them to discuss the Travel Office matter. FOSTER said "They're way ahead of us." It was another example of a "huge new problem" confronting them. BILL KENNEDY's name came up during the conversation. NUSSBAUM said that KENNEDY was okay. FOSTER said that KENNEDY was not okay, referring to how he (KENNEDY) was doing emotionally.

SLOAN was asked if FOSTER was involved with non-White House related matters and whether this was a source of concern for FOSTER. SLOAN could not remember the issue coming up concerning the propriety of White House counsel working on personal matters for the CLINTONS. SLOAN said that it was reported in the newspaper that FOSTER himself was looking into securing private counsel regarding the Travel Office matter.

FOSTER had conversations with JIM HAMILTON regarding the White House retaining HAMILTON to represent the White House during the Congressional investigation of the Travel Office issue. NUSSBAUM had concerns regarding the hiring of outside counsel. NUSSBAUM advised that HAMILTON just represent FOSTER. It was unclear whether HAMILTON represented the White House or FOSTER. HAMILTON has notes of his conversation with FOSTER but SLOAN has not seen these notes. HAMILTON discussed his conversations with FOSTER with SLOAN in September or October, 1993, at the time the First Lady and others in the White House were becoming a focus in the Travel Office inquiry. There was a question if the President and First Lady were interviewed, who would be their counsel.

SLOAN was asked if he knew if FOSTER was working on Whitewater at the time of his death. SLOAN answered no. SLOAN

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was asked if FOSTER was working on CLINTON personal/family legal matters. SLOAN answered FOSTER would have been working on

personal official matters such as residence issues; in a sense personal but job related. When asked if others were also working on such matters, SLOAN said his "impressions" were that STEVE NEUWIRTH did work for HILLARY CLINTON, CLINTON's Task Force litigation, and that BETH NOLAN did financial disclosure type matters. FOSTER was working with outside lawyers such as BOB BARNETT, but SLOAN had no knowledge of this. SLOAN was asked if he had learned of any projects FOSTER was working on for the CLINTONS prior to the inauguration. SLOAN answered in a general way but that he was not personally extensively involved with the matters. In December, 1992, FOSTER had worked on the closing out of the President's and First Lady's involvement with Whitewater.

SLOAN saw VINCENT FOSTER for the last time on the morning of July 20, 1993 at the nomination ceremony for the Director of the FBI. He said he and FOSTER were standing together at the ceremony and FOSTER had made the comment to him about how old is he, referring to Director Freeh. SLOAN also walked back to the White House with FOSTER. He asked FOSTER the question, "So what d'ya think?" FOSTER only mumbled an answer. A second question by SLOAN received no response from FOSTER. FOSTER's quiet way was not arrogant but rather FOSTER wasn't expressive and kept to himself. SLOAN had no further contact with FOSTER on July 20, 1993. The rest of July 20, 1993 was a normal work day for SLOAN. He was involved in arranging a confirmation hearing for FBI Director Freeh.

SLOAN was asked if he knew what FOSTER was working on July 19 or 20, 1993. SLOAN answered no.

SLOAN went to bed on the evening of July 20, 1993 at 11:00 p.m. or earlier. After retiring for the night, he received a call from NUSSBAUM. He believed NUSSBAUM was calling from the White House. NUSSBAUM told SLOAN that "I have terrible news for you - VINCE FOSTER killed himself." NUSSEAUM described that FOSTER had driven his car to a park and shot himself. NUSSBAUM didn't want SLOAN to hear this from someone else. NUSSBAUM made no requests of SLOAN. SLOAN did not do anything or make any notifications as a result of this call. SLOAN had a "fitful" night and slept very little thereafter.

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Wednesday, July 21, 1993 was an overwhelmingly sad, painful time for everyone at the White House. SLOAN went to NUSSBAUM's office at about 9:00 a.m. that day. Others drifted in to include STEVE NEUWIRTH, BILL KENNEDY, BETH NOLAN, etc. issues came up while in NUSSBAUM's office. One, the question of sealing VINCENT FOSTER's door and two, the presence of the U.S. Park Police who wanted in FOSTER's office. The discussion concerning sealing the door was that NEUWIRTH and SLOAN thought that a guard and lock should be put on FOSTER's office. Others wondered if it was necessary and would "look strange." SLOAN explained the phrase "look strange" as being a question of whether this change of securing the office now versus not having done so previously would cause concern. Also, a guard outside the FOSTER door may be perceived as an overreaction or alarmist measure. SLOAN viewed securing the office as being the prudent, lawyerly thing to do to freeze the situation. SLOAN did not recall NUSSBAUM or BETSY POND saying they had been in the office the night before. There was no discussion of the FOSTER note. The purpose of the review of documents in FOSTER's office the following day was discussed, but only in general. SLOAN did not remember what he knew at the time regarding anyone being in and out of FOSTER's office.

At some point during the day on Wednesday, SLOAN learned of a cleaning lady having a bag of trash from FOSTER's office. SLOAN intercepted this employee and stored the bag of trash in ROY NEAL's office. After the afternoon meeting on July 21, 1993 with U.S. Park Police and others, probably about 6:00 or 6:30 p.m., SLOAN put this trash in FOSTER's office. SLOAN had learned about the trash from NUSSBAUM.

The second issue discussed in NUSSBAUM's office that morning regarding the U.S. Park Police presence and their desire to enter the FOSTER office concerned a discussion of how to deal with their request. NUSSBAUM wanted to check with PHIL HEYMAN at the Department of Justice (DOJ) regarding DOJ and FBI involvement in the case. There was also some discussion of Interior Department involvement versus DOJ. HEYMAN was NUSSBAUM's primary contact at DOJ. SLOAN did not remember if he was in the room when NUSSBAUM made his call to HEYMAN. He does not remember hearing NUSSBAUM's side of the conversation. HEYMAN wanted to send over DOJ lawyers and FBI agents. SLOAN did not recall the preference of the counsel's office, except that it seemed odd to him (SLOAN) that the U.S. Park Police were involved. NUSSBAUM

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also wanted to see how Interior viewed the matter. NUSSBAUM wanted to talk to high levels at the Interior Department, rather than with the U.S. Park Police. SLOAN doesn't know if NUSSBAUM did this or not.

During this meeting in NUSSBAUM's office, NUSSBAUM and BILL KENNEDY perhaps, left to attend a U.S. Park Police briefing regarding FOSTER's death.

People were in NUSSBAUM's office most of July 21, 1993. SLOAN described this office as a "mourning room."

NUSSBAUM made no specific assignments to anyone that SLOAN was aware of. SLOAN did not recall any interest being expressed in the weapon which FOSTER had used or the autopsy which was to be performed that day.

The reservations regarding the U.S. Park Police search of FOSTER's office concerned: (1) who was making the law enforcement decisions; and (2) privileged documents and White House layers of confidentiality. It was NUSSBAUM's feeling not to let investigators rummage through the office, as it could be a violation of the lawyer's responsibility.

On July 22, 1993, NUSSBAUM was in discussion with others in the White House. SLOAN was not present. SLOAN continued to return to his office to handle other business throughout the day.

Late in the morning of July 21, 1993, WEBB HUBBELL came into NUSSBAUM's office. Also the President and MACK MCLARTY came into the office. NUSSBAUM took a picture of the President and FOSTER from FOSTER's office. SLOAN again emphasized the grief and shock that everyone was feeling.

About noon on July 21, 1993, the entire White House staff was assembled in the Old Executive Office Building. The President, NUSSBAUM and MCLARTY addressed everyone. RICKIE SIDEMAN was busy getting background information on FOSTER and MARK GEARAN was preparing for a press briefing.

On Wednesday afternoon, July 21, 1993, a meeting was set up with DOJ lawyers and the FBI. The meeting took place in NUSSBAUM's office. A list of those in attendance was provided by

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Those present included: Detective PETE MARKLAND, U.S. Park Police; SA SCOTT M. SALTER, FBI; ASAIC DONALD A. FLYNN, U.S. Secret Service; DAVID MARGOLIS, DOJ; ROGER ADAMS, DOJ; CHARLES W. HUME, U.S. Park Police; and JOHN K. DANNA, FBI. In addition, SLOAN said that White House people not listed included NUSSBAUM, maybe STEVE NEUWIRTH and SLOAN himself. SLOAN could not recall any pre-meeting or meetings prior to this Wednesday afternoon meeting. SLOAN described the meeting as give and take. Discussions concerned the trash, a photo, the posting of the.. office and the interviews of the secretaries the next morning. There was "not a lot" of discussion regarding how the search of FOSTER's office was to be done. SLOAN had no remembrance of discussion concerning DOJ or FBI review. SLOAN said there could have been different impressions people would have from the discussions regarding what and how things were to be done the following day.

The discussions with PHIL HEYMAN resulted in DAVID MARGOLIS and ROGER ADAMS from DOJ and the FBI assigned to be there. SLOAN also recalled discussing FOSTER's personal affects. BURTON wanted FOSTER's wallet, rings, etc. for the President to take to MRS. FOSTER that evening. SLOAN asked the Park Police if this was possible and they said they would try and, in fact, did secure these items for delivery to the White House at about 7:30 After the meeting, SLOAN took the trash from ROY NEAL's office to FOSTER's office. SLOAN doesn't remember how NEAL got the trash, except from the cleaning lady. He could not remember whether the bag of trash was sealed or not and whether the bag was transparent or not.

Later that same evening (July 21, 1993), NUSSBAUM told NEUWIRTH and SLOAN to "prepare" the White House secretaries for their next day interviews. By "prepare," SLOAN said the secretaries were instructed to answer forthrightly regarding routine questions on VINCE FOSTER. They also asked the secretaries what they recalled. SLOAN said the only consequential item surfaced was the family calling with concern for FOSTER. SLOAN viewed this preparation as informing the secretaries. He doesn't recall telling them not to volunteer information. He said this preparation seemed totally normal to him to facilitate the investigation. He said the preparation time was quick and the secretaries had been assembled in a group and included BETSY POND, LINDA TRIPP and DEBORAH GORHAM.

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The lock was being installed on FOSTER's office door as SLOAN left for the day. He understood that the key was given to the U.S. Secret Service.

with the interviews of the secretaries. SLOAN remembered coming to NUSSBAUM's office. CHERYL MILLS and WALTER DILLINGER joined in a conversation regarding FOSTER. CHERYL MILLS remembered reading a New York Times article about the gun being found in FOSTER's right hand and questioning whether he was left handed. The discussion was inconclusive that day. A subsequent conversation with JIM HAMILTON two weeks later, which NUSSBAUM asked SLOAN to have, indicated a newspaper article reported the question of whether FOSTER was left or right handed had been resolved to the satisfaction of the U.S. Park Police. During the conversation, it was discussed that BILL KENNEDY knew VINCENT FOSTER best.

The U.S. Park Police and FBI then arrived and NEUWIRTH and SLOAN split up to assist or attend the secretary interviews. SLOAN was at POND's interview and NEUWIRTH at GORHAM's. SLOAN said it had been decided by NUSSBAUM that he and NEUWIRTH would be present for the interviews. SLOAN could not recall any reaction by law enforcement to this procedure. It surfaced as an issue later. The assumption was suicide and there was little discussion otherwise. At one point during the POND interview, NUSSBAUM burst in the room. SLOAN said this was NUSSBAUM's way of welcoming and asking "do you need anything?" SLOAN said it was a remarkable distortion of what happened and an unfair characterization to label this interruption as anything more than this. He said he may be basing this on his prior exposure to NUSSBAUM versus a perception by those who really did not know NUSSBAUM. SLOAN said there was no White House intimidation in dealings with law enforcement. It was entirely professional and a mutual respect situation.

SLOAN also was present at LINDA TRIPP's interview.

SLOAN recalled that after GORHAM's interview, NEUWIRTH told SLOAN that GORHAM had failed to mention anything regarding the family calling the White House to check on FOSTER's condition. SLOAN suggested a follow-up with GORHAM by the U.S. Park Police and FBI. At this point, the interviews of the secretaries were completed.

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Attention now focused on the issue of going into FOSTER's office. NUSSBAUM had been tied up in meetings during the morning. Some of these meetings may have concerned the procedure of the FOSTER office search. SLOAN could only recall that one of these meetings was with the Chief of Staff. Meanwhile, the U.S. Park Police, a member of JIM HAMILTON's law firm, the FBI and DOJ were waiting. MARGOLIS from the DOJ was in charge of this group. SLOAN was occupied doing JOCELYN ELDERS' work. NUSSBAUM said going into the office that he would briefly describe the documents. NUSSBAUM or SLOAN told MARGOLIS of the procedure. MARGOLIS then called HEYMAN and expressed concern regarding the procedure. SLOAN talked for a time with HEYMAN and then referred HEYMAN to NUSSBAUM. NUSSBAUM and HEYMAN discussed the procedure to be followed for the search. It was eventually decided how the search would proceed, but SLOAN doesn't remember anything but the bottom line. The important thing to SLOAN was that the process was moving forward. SLOAN said he had no idea whether the search of FOSTER's office was the only subject or not discussed by NUSSBAUM in the various meetings of that morning. SLOAN said the FOSTER funeral and press inquiries and other related matters were also occupying people's time. The First Lady was in Arkansas at the time of FOSTER's death. SLOAN did not know if NUSSBAUM was consulting with her or the President.

(At this point in the interview, a ten or fifteen minute break was taken.)

SLOAN tried to keep the Park Police, FBI and DOJ posted regarding the status of the search. At 1:00 or 1:15 p.m., NUSSBAUM said "let's do it (the search) at 2:00 p.m." SLOAN said the discussion on who would see what documents was not done in his presence. NUSSBAUM thought it was a good idea to have others in FOSTER's office as he reviewed the documents. He considered the extremes of letting investigators rummage through the office versus nobody in the office at all. NUSSBAUM felt the latter would be criticized more than the procedure actually followed. They felt it was a "reasonable balance." The purpose of the search was to locate a suicide or extortion note. SLOAN said that at the time he had no firm view one way or the other regarding how the search should be conducted. His perspective was that he was not making the decision. His view of this procedure today is that to the extent it has provoked controversy, it is regrettable. SLOAN is not sure of optimal alternatives. He believes each option has its different pros-and LR-35063

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cons. The issue of privilege is viewed by SLOAN as not being unreasonable.

SLOAN doesn't recall MARGOLIS saying how the search should be done. SLOAN said the criteria used would be to let investigators see anything related to suicide or extortion. NUSSBAUM would be reviewing and describing documents located in FOSTER's office. If law enforcement said a document was of interest, it would be put in a separate (middle) pile for later consideration. FOSTER personal papers and work-related papers would be put in two other piles. Law enforcement never asked to see anything to the best of SLOAN's recollection. NEUWIRTH and BURTON was in and SLOAN were moving around during the search. out of the office. NEAL was not there. Sometimes NUSSBAUM would turn over documents he had reviewed and sometimes not. MARGOLIS had commented on HEYMAN's concerns, but SLOAN believed NUSSBAUM and HEYMAN were handling these concerns. Nobody said anything nor did any body language convey to SLOAN that anybody had any inappropriate concerns.

SLOAN remembered the incident with FBI Agent SALTER standing. SLOAN said NEUWIRTH whispered to him that SALTER was looking at documents and to SLOAN it seemed he was. SLOAN said to SALTER, "You're not standing up to look at documents, are you?" SALTER answered, "Let's not get carried away." NUSSBAUM interjected that "You can stand up." In retrospect, SLOAN believes his comment was dumb and he apologized at the time for making it. Thereafter, the search became lighter because of people joking about other's actions in the later part of the search, also trying to "see" documents.

The actual search consisted of a search of the desktop and drawers, side drawers and files, trash, and briefcase.

NUSSBAUM would pull out a drawer and describe its contents.

SLOAN made notes from NUSSBAUM's description. He did not intend this list to be exhaustive.

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SLOAN could not specifically recall any black binders being located during the search. He said that notebooks were present in FOSTER's office.

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The trash bag brought back to FOSTER's office by SLOAN on July 21, 1993 was searched by NUSSBAUM. SLOAN did not recall if they looked in the trash can itself in the office or not. did not recall searching a burn bag in FOSTER's office, but thinks that it was searched. With respect to the trash/burn bag, SLOAN was called to MARK GEARAN's office to explain the trash situation. SLOAN repeated that he had gotten the trash from ROY NEAL's office and put it back in FOSTER's office. MATTHEWS, Special Assistant to ROBERT RUBEN, Director of the. Economic Counsel, with offices on the second floor of the White House with possibly GENE SPERLING, Deputy to BOB RUBEN, had gone to look for FOSTER's burn bag the evening of July 20, 1993. had been mixed with others but they had located torn up credit card slips with VINCENT FOSTER's name on them, etc. and mentioned this to NUSSBAUM. MATTHEWS was summoned to GEARAN's office to explain this. MATTHEWS said she had retrieved the burn bag from wherever burn bags go. SLOAN speculated that there may have been more than one burn bag or a burn bag from another office. He just didn't know. SLOAN never heard of a burn bag returned to FOSTER's office. This meeting in GEARAN's office occurred in early August, a few days after the FOSTER note was found and a story surfaced regarding something taken out of FOSTER's office. SLOAN described it as a misunderstanding. SLOAN described the burn bag as having red and white stripes.

SLOAN was shown the briefcase believed taken from FOSTER's office. SLOAN didn't remember the briefcase. He remembered that the briefcase in FOSTER's office was flexible like the one shown to him, but did not remember the color. He thought it was more brown, rather than black. SLOAN had a "hazy" recollection of the original location of the briefcase in FOSTER's office. SLOAN said NUSSBAUM took files and papers out of the briefcase and put the briefcase down. SLOAN did not recall what NUSSBAUM said or did with the briefcase. SLOAN remembers thinking the thought that the briefcase was empty, but not sure why he felt this way. The list he prepared regarding the search doesn't specify what was taken from the briefcase. SLOAN interjected that there had been some confusion about there being more than one briefcase and asked if the briefcase he was shown was the one from FOSTER's office.

A lot of the material in the file cabinets remained in the file cabinets. A foot-high pile of documents not identified as FOSTER personal or investigator interest resulted from the

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search. This pile would be the work-related or privileged documents located during the search. A small redwell file was produced for documents being produced for investigators. This included two July calendars, one July call sheet, a photo of the handwritten note and possibly the phone log notebook. The third pile, approximately a xerox-type box full of material consisted of FOSTER personal items. MIKE SPAFFORD took these items. SLOAN recalled that other things, such as pictures, were also taken and it was more than SPAFFORD could carry.

When the search was over, the pile put aside for consideration later was given to SLOAN as it was late in the day and the FOSTER funeral was the next day. SLOAN locked this pile in a two-drawer file cabinet in his office. Investigators took nothing the day of the search. Investigators returned on Friday, July 30, 1993 to view some telephone messages, etc. SLOAN is not sure who initiated their visit. He said the FOSTER note had been found. Newspaper articles had discussed the search and may have prompted the return visit. SLOAN said it has always been the intention that this pile was going to be something to be addressed.

After the search, the keys to FOSTER's office were given to NUSSBAUM. NUSSBAUM went into FOSTER's office after the others left on the day of the search, July 22, 1993. SLOAN said NUSSBAUM was looking at some of the documents in the office. SLOAN heard subsequently that White House related documents were disbursed to others in the White House but he doesn't know specifics. SLOAN could not recall getting any of these documents himself. NEUWIRTH probably did, but no one else was recalled by SLOAN. SLOAN could not recall whether the FOSTER office was locked thereafter or not. He said there was no particular reason to lock this door as the suite of offices had a lock on it.

SLOAN was asked about NEUWIRTH discovering the FOSTER note on July 26, 1993. SLOAN only knew about the note being found after the fact. He first heard about its location Tuesday evening, after it was given to the U.S. Park Police. It was SLOAN's understanding that NEUWIRTH was going to index files in FOSTER's office and that pieces of the note "fluttered out" of the briefcase as NEUWIRTH was handling it. NUSSBAUM helped NEUWIRTH piece the note together. SLOAN had no information regarding the note in the briefcase at the time of the search. In passing, DEBORAH GORHAM has said that she saw yellow stickies

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in the briefcase. NEUWIRTH has described to SLOAN how the note was found. Regarding the origin of the note, SLOAN only knows what he has learned afterwards, i.e., that MRS. FOSTER had told VINCE to write things down. Asked if he thought the note had been put in the briefcase after the search, SLOAN said he had no information suggesting anyone had any knowledge of this.

NUSSBAUM gave his handwritten version of the note to SLOAN. SLOAN produced a typed copy of the note from this version and believes he gave the handwritten note back to NUSSBAUM.

When questioned about searching a safe, SLOAN replied that the safe in NUSSBAUM's office contained VINCENT FOSTER's war powers file. SLOAN knew of no other information belonging to FOSTER in the safe.

SLOAN had no information concerning any other FOSTER note. He had no information concerning a discussion regarding another note.

SLOAN did not return to the White House on the evening FOSTER died (July 20, 1993). NUSSBAUM, THOMASSON and WILLIAMS described things and SLOAN believed were the only people in FOSTER's office that night. BETSY POND was in FOSTER's office the next morning (July 21, 1993) to "straighten papers." THOMASSON had been beeped by DAVID WATKINS to return to the White House. WILLIAMS had been beeped by someone whom SLOAN could not recall to return to the White House. WILLIAMS saw HOWARD PASTER in bluejeans that night at the White House. SLOAN described the scene as a place that was grief stricken and shocked.

In December, 1993, SLOAN got the details from MAGGIE WILLIAMS concerning various "CLINTON personal documents" given to her by NUSSBAUM or NEUWIRTH. WILLIAMS received the documents Thursday after the search (July 22, 1993) or the following Monday (July 26, 1993). WILLIAMS locked these documents in a closet at the White House residence. The following Tuesday (July 27, 1993), the documents were delivered to WILLIAMS & CONNOLLY for indexing. The quantity of documents was a half-drawer or box full. WILLIAMS carried the box with a legal intern from the office.

At Attorney ROMATOWSKI's prompting, SLOAN recalled that a couple of weeks before FOSTER's death on July 20, 1993, perhaps

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Friday, July 9, 1993, SLOAN saw FOSTER carrying a box or two to his car. FOSTER told SLOAN they were "things from the transition."

SLOAN was again questioned regarding the procedure followed in the search of FOSTER's office. He defended the procedure as being necessary to protect privileged documents. He said "not even a flash" of privileged documents would be acceptable. The purpose of the search was described as "educational" and to give the investigators a "sense of the office and its contents."

SLOAN was asked if he had attended any social events with FOSTER. The only time SLOAN could recall was a party in June, 1993 for BILL KENNEDY.

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

Name:

Clifford M. "Cliff" Sloan

Title:

Associate Counsel to the President

Race:

White

Male

Sex:

DOB:

FOIA(b)(6)

POB: SSAN:

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### FEDERAL BUREAU OF INVESTIGATION

Date of transcription	7/13/94

CLIFFORD "CLIFF" M. SLOAN, Associate Counsel to the President, The White House, Washington, D.C., telephone (202) 456-7900/6788 was interviewed at the Office of the Independent Counsel (OIC), Washington, D.C., as a follow-up to his previous interview of May 11, 1994. Assisting with the interview was MARK STEIN, Assistant to Independent Counsel, ROBERT B. FISKE, JR. Also present during the interview were Mr. SLOAN's attorneys, PETER J. ROMATOWSKI, STEVE BYERS, and KAREN DEAKINS from the law firm Crowell & Moring, 1001 Pennsylvania Avenue, N.W., Washington, D.C., telephone (202) 624-2745. Having been advised of the identities of the interviewing agent and OIC Counsel and of the purpose of the interview, Mr. SLOAN provided the following information:

When asked if everybody left after the review of documents in VINCE FOSTER's office on the afternoon of July 22, 1993, SLOAN answered that BERNARD NUSSBAUM, Chief White House Counsel, STEVE NEUWIRTH, Associate Counsel to the President, and himself (SLOAN), stayed "for a few minutes." SLOAN said there was a pile of personal FOSTER files which went to the FOSTER family attorney, SPAFFORD. SPAFFORD filled a box and then "couldn't fit any more in the box." SPAFFORD was "loaded up with stuff and left." SLOAN said that his notes of the file review in FOSTER's office, which had previously been furnished to the OIC, had a line at the end concerning a direction given to him about getting MAGGIE WILLIAMS, etc. SLOAN said the note would jog his recollection but he doesn't recall anything beyond that. the fact that he wrote it down means that he was at least partially responsible for the follow through with WILLIAMS. However, it later came to his attention that he didn't have to do this. He personally didn't separate the personal materials on July 22, 1993 or at any other time. SLOAN was taking notes from what NUSSBAUM was saying versus what he (SLOAN) actually saw during the record review in FOSTER's office.

SLOAN was asked if he could recall other conversations regarding the document transfer to the law firm of Williams & Connolly. SLOAN answered, "No, not that I recall." SLOAN said

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he knew of the transfer of documents sometime in August 1993. He said he learned of this during a discussion with BOB BARNETT. His discussion with BARNETT was in connection with research for a column that William Saphire was writing. SLOAN previously furnished the OIC with his notes of his conversations with BARNETT.

After being reminded by his attorney, PETER ROMATOWSKI, SLOAN said that he also remembered NUSSBAUM sitting at FOSTER's desk after the search looking at the documents. NUSSBAUM asked if there was an obligation for them to preserve or retain the documents. SLOAN answered that it would be "a good idea to do so." NUSSBAUM was interested in the legal requirement or basis for doing this. At some point during the discussion, NEUWIRTH came in and joined them and advised that the documents should be retained because of the "Presidential Records Act," SLOAN said that NUSSBAUM was going through the files and sorting them in the context of "what to do with certain things in the office."

SLOAN was asked if he could recall any other conversations. He said he remembered at one point NUSSBAUM, while in FOSTER's office, was on the telephone with SUSAN THOMASES and relating the procedure which had been followed during the search of FOSTER's office. SLOAN said that he left during the conversation. When asked why NUSSBAUM would call THOMASES, SLOAN answered that she was someone NUSSBAUM talked to.

SLOAN was asked about NUSSBAUM's reasoning for transferring the FOSTER documents to Williams & Connolly. answered that he later heard NUSSBAUM discuss that he (NUSSBAUM) "had done the reasonable thing." Work-related materials from FOSTER's office had been given to others in the White House to handle and personal papers of the FOSTER family and the CLINTONs given to the appropriate attorneys. SLOAN learned of this at the time the White House was making public statements regarding the handling of documents probably in December 1993.

SLOAN was asked if he was involved in a review of FOSTER documents in December 1993. SLOAN answered that in December 1993 or early January 1994, he was working with JOEL KLEIN to prepare for press inquiries regarding the matter. talked with MAGGIE WILLIAMS and said at that time he "learned more than I knew." He said the conversations included discussions regarding the night of July 20, 1993 and what had ∟R-35063

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happened with the FOSTER files which had gone to Williams & Connolly. SLOAN was asked if WILLIAMS had told him that documents had been transferred to Williams & Connolly. SLOAN answered that in his discussions with WILLIAMS, they were trying to establish the timing of the transfer of documents and that WILLIAMS had been unclear. The transfer was either Thursday, July 22, 1993 or possibly Monday, July 26, 1993. SLOAN said it was most likely the Thursday date.

WILLIAMS had told SLOAN that she got a call from NUSSBAUM to "come get the documents before PHIL HEYMANN changes his mind." When asked when WILLIAMS got this call from NUSSBAUM, SLOAN answered that he didn't recall. He said his "sense" was that it was after the review of documents in FOSTER's office on July 22, 1993.

WILLIAMS came with an intern to pick up the FOSTER documents and then locked this box of documents in a closet at the White House residence. SLOAN said there are notes regarding this which have previously been furnished to the OIC. BARNETT was called and Williams & Connolly came and picked the records up at the White House. WILLIAMS, in trying to "peg" the times, may have talked with BARNETT on the plane to the FOSTER funeral. WILLIAMS did not remember when Williams & Connolly picked up the FOSTER files. The time of the pickup by Williams & Connolly may have been at 4:00 p.m. on the following Tuesday (July 27, 1993).

SLOAN was asked if the documents transferred included any blind trust file. SLOAN said there were documents sent by BRANT BUCK, Federal Express, which were trust documents that were "time sensitive." He said the obtaining of this documentation was discussed before the search of the FOSTER office on July 22, 1993, but the actual "obtaining of the documents did not occur before the review."

The only instances known to SLOAN of anyone going into FOSTER's White House office after it had been sealed were the occasions where (1) NUSSBAUM removed a picture from FOSTER's office and (2) SLOAN put the trash back into the office.

SLOAN was asked if WILLIAMS was involved in obtaining the blind trust documents or taking anything out of FOSTER's office. SLOAN answered that he had "no knowledge of that."

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SLOAN was asked if the blind trust documents were actually in the office and SLOAN answered that he had a "vague sense of NUSSBAUM saying he had found the documents."

SLOAN was asked if any documents were given to Williams & Connolly after July 27, 1993. SLOAN answered, "No, unless there is something to the contrary in my notes."

SLOAN was asked if he had any other information regarding the transfer of documents. SLOAN answered that he tried to identify the intern involved in the movement of the documents but "wasn't successful."

SLOAN was then asked about his involvement in conversations in the White House leading to the search of VINCENT FOSTER's office. SLOAN said that he was involved in discussions regarding the "process" to be followed but that he had no other conversations except for discussions with NUSSBAUM and NEUWIRTH. SLOAN didn't recall any discussions from July 21, 1993, the day before the search. On July 22, 1993, he remembered talking with NUSSBAUM and then later with NEUWIRTH. He was not sure exactly when. He did recall an anecdote which NEUWIRTH had relayed to him. This concerned a meeting in which JACK QUINN had said that counsel "screwed up." It was QUINN's opinion that counsel should have done an inventory of the documents in FOSTER's office before letting anyone into the office. SLOAN did not know when this discussion occurred.

SLOAN was also aware of NUSSBAUM's discussion with PHIL HEYMANN at the Department of Justice (DOJ). SLOAN said he "put the conversation together" as NUSSBAUM coming back from meetings regarding the search and explaining to him (SLOAN) the planned procedure. SLOAN remembered DAVID MARGOLIS, a DOJ attorney, on the phone with PHIL HEYMANN at one point. MARGOLIS said to SLOAN that HEYMANN has concerns regarding the procedure. SLOAN referred HEYMANN to NUSSBAUM and "somehow it was resolved."

SLOAN was asked if he had any information regarding NUSSBAUM owing a call to HEYMANN regarding how the search would be conducted. SLOAN answered "no."

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SLOAN was asked if there had been a change in procedure for the search. SLOAN answered that he didn't remember how it had been left on July 21st, but felt that it had been "ambiguous" and "not clearly spelled out." "People walked away with a different sense" because of what "wasn't spelled out." SLOAN could not recall any specific discussion on July 21st regarding a clear procedure to be followed. SLOAN had a "vague sense" that there were "unresolved questions." SLOAN said it was "not clear in NUSSBAUM's mind." The procedure for the search "wasn't set at the end of the day on July 21st."

SLOAN was asked if he could recall any discussions on the morning of July 22, 1993 with NUSSBAUM or NEUWIRTH regarding the search and SLOAN answered "not that I recall." He answered in this way for both discussions with NUSSBAUM and NEUWIRTH together or separately. SLOAN said he was "not materially involved in the discussions." SLOAN could remember NUSSBAUM commenting to him "in fragmentary ways."

NUSSBAUM was having meetings on other White House matters during the July 21st and 22nd timeframe. SLOAN didn't have a "clear sense" of how much of NUSSBAUM's time had been focused during this time period on the procedure to be followed for the search of FOSTER's office.

SLOAN was asked if he could recall any other discussions and he said he could only remember the NEUWIRTH comment by JACK QUINN. He remembered this only because of the anecdote which had been recalled by NEUWIRTH.

SLOAN was asked if he had ever heard NUSSBAUM state that the First Lady was concerned about the procedure to be followed for the search of FOSTER's office. SLOAN answered that he could not recall this. He remembered that either before or after the search, there was discussion that the CLINTONs were "clients" and that you "don't turn every file in a lawyer's office" over to investigators and waive attorney-client privilege. SLOAN could not recall a specific comment regarding this. SLOAN was asked if anyone talked with the First Lady and he answered "not that I know of."

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At this point in the interview, SLOAN and his attorneys were told that there were no more questions. They asked to have a brief consultation in the hallway concerning the possibility of bringing up another matter. After a half-minute or so, SLOAN and the three attorneys returned indicating they had no more information. Attorney ROMATOWSKI said that his recollection regarding another issue had been erroneous.

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## FEDERAL BUREAU OF INVESTIGATION

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at Little Rock, Arkansas File#

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

# FEDERAL BUREAU OF INVESTIGATION

Date of transcription	5/25/94

MICHAEL LLOYD SPAFFORD, Partner, Swidler & Berlin, 3000 K Street, N.W., Washington, D.C. 20007, was interviewed via the telephone. MR. SPAFFORD was interviewed on the telephone in view of the fact that he is currently involved in a protracted trial in West Virginia and was not available for an in-person interview. MR. SPAFFORD was advised of the identity of the interviewing agent and of the purpose of the interview. MR. SPAFFORD provided the following information:

He had never met VINCENT FOSTER, Deputy Counsel at the White House. His involvement with the FOSTER family and associated death investigation was limited to the search of VINCENT FOSTER's White House office on the afternoon of July 22, 1993. SPAFFORD explained that JIM HAMILTON, another partner at the Swidler & Berlin law firm, represented the FOSTER family and was unable to be at the search of FOSTER's office on that day. SPAFFORD substituted for him.

SPAFFORD said he "showed up" at the White House on the morning of July 22, 1993 at about 11:00 a.m. and "sat around a lot." He met DAVID MARGOLIS, U.S. Department of Justice (DOJ) attorney, who was also waiting. It was SPAFFORD's understanding that BERNARD NUSSBAUM, White House Counsel, was taking care of issues with the President. SPAFFORD said he did not know this for a fact but made this assumption. NUSSBAUM met with SPAFFORD and asked him to wait. MARGOLIS was "in and out." SPAFFORD said he waited for some time as he was offered lunch during the period of his wait.

When the search of FOSTER's office finally commenced, SPAFFORD said that the following individuals were present:
MARGOLIS, an FBI agent whose name SPAFFORD could not recall, two U.S. Park Police investigators - one with the last name of MARKLAND, one U.S. Secret Service agent who SPAFFORD could not identify, and several White House personnel to include NUSSBAUM, one of his aides, and someone believed to be from the Chief of Staff's office by the name of BILL, again SPAFFORD could not recall his last name. SPAFFORD had been asked by his partner,

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stigation on	5/24/94	at Washington, D.C.	File #	29D-LR-35063
by SA Wi	lliam T. Guy	wTG:deg	Date dictated	5/25/94

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JIM HAMILTON, to be at the search to represent MRS. FOSTER.

NUSSBAUM and MARGOLIS took the lead in the search. NUSSBAUM identified the privilege issue which would have to be addressed. Procedures were agreed to and the search proceeded. It was agreed that NUSSBAUM would look through the documents in FOSTER's office and describe them to the assembled group. The documents would be placed into three piles: (1) personal affects of FOSTER; (2) clearly privileged documents; (3) miscellaneous With respect to the pile of privileged affects, it documents. was SPAFFORD's understanding that MARGOLIS would call JIM HAMILTON later regarding the review of these documents. said no one was trying to impede the investigation but his law firm wanted to consult with their client (MRS. FOSTER) before investigators reviewed the documents from this pile. SPAFFORD's understanding the pile of miscellaneous documents would be discussed later by MARGOLIS and NUSSBAUM. However, SPAFFORD does not know what happened with respect to these documents.

The search itself was very systematic. SPAFFORD recalled the desk being searched first, followed by the drawers, credenza, computer and one or two briefcases. The computer was not actually searched on the afternoon of July 22, 1993, but rather became an issue between MARGOLIS and NUSSBAUM who agreed to pursue the computer at a later time. SPAFFORD could not recall if there was one or two briefcases in FOSTER's office. He distinctly remembered one and thought the second may have been a "transfile" rather than a briefcase. Both of these items were on the floor behind FOSTER's desk. SPAFFORD could not recall where the documents from the briefcase(s) and/or transfile were placed. As NUSSBAUM reviewed the documentation in FOSTER's office, he would make comments such as "this is privileged and relates to the President; "something personal such as "frequent flyer things," etc. NUSSBAUM discussed "types" of things. Investigators were not shown the documents. SPAFFORD doesn't recall a specific request by the investigators to see any documents.

It was SPAFFORD's understanding that there had been a discussion between NUSSBAUM and MARGOLIS prior to the actual search of FOSTER's office. They had agreed to search the office for a suicide note or anything else in the office which might help further explain FOSTER's death. SPAFFORD believed NUSSBAUM

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and MARGOLIS would discuss a further search of FOSTER's office "after this."

At one point during the search, SPAFFORD said one of the investigators stood up and an aide to NUSSBAUM said "Hey, he's trying to look at the documents." It was SPAFFORD's understanding that the aide had said this to protect the privilege of the documents. NUSSBAUM replied to the comment by saying "Let's not get carried away ... Let's do what we agreed and not get confrontational." SPAFFORD observed that NUSSBAUM handled that situation and the search fairly well under difficult circumstances. He explained that White House personnel present were emotionally upset by FOSTER's death.

SPAFFORD said that to his knowledge, no areas outside of FOSTER's office were searched. No safe of any kind was searched in his presence. SPAFFORD did recall a "big, clear, plastic bag" of trash being searched. He recalled a discussion of the trash bag which they had "gotten back" but doesn't remember the source. SPAFFORD did not recall anything concerning FOSTER's burn bag. He said he was not sure he knew the difference between trash and a burn bag.

At the conclusion of the search, SPAFFORD packed one "transfile" box with FOSTER's personal documents. The box was not sealed but was closed by overlapping the flaps on the top of the box. SPAFFORD took this box back to his law offices and inventoried its contents that night. The box was then placed in a locked office and kept until it was turned over to MRS. FOSTER. SPAFFORD could not recall when these items were given to MRS. FOSTER. He said the inventory of the box was available at his law firm, but he would have to discuss its release with JIM HAMILTON at a later date if the Office of Independent Counsel would like to review this listing. SPAFFORD said a second box of items and documents from FOSTER's office was also given to his law firm, perhaps on the following Monday. This second box contained pictures, miscellaneous papers, perhaps an umbrella and other items from FOSTER's office bookshelves. SPAFFORD does not There was a total believe that this second box was inventoried. of two boxes of personal items from FOSTER's office which SPAFFORD was aware of. SPAFFORD said these boxes had been "looked through" by two U.S. Park Police (USPP) investigators. MARGOLIS had called the law firm and made arrangements for this review subsequent to the search of FOSTER's office. SPAFFORD-

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believes that these USPP investigators interviewed MRS. FOSTER on this occasion also, but he (SPAFFORD) was not personally involved.

When asked to give his perception of how investigators viewed the search of FOSTER's office, SPAFFORD replied that "investigators like to be in charge" and he said they "were not thrilled." The investigators would have preferred "to fish through it all." SPAFFORD said that MARGOLIS, however, understood the privilege issue and that NUSSBAUM did a good job of explaining his concerns. Again, SPAFFORD said it was his belief that MARGOLIS and NUSSBAUM had had a discussion up front concerning the privilege concerns. MARGOLIS understood that, but was also firm that there was an investigation to be conducted and investigators needed to see all "relevant" documentation. NUSSBAUM came up with a "mechanism to balance" everyone's concerns. SPAFFORD again reminded that White House Counsel personnel were emotionally upset at this time over the death of FOSTER. He said secretaries in the office were openly crying.

The following description of SPAFFORD was obtained through interview:

Name: MICHAEL LLOYD SPAFFORD

Title: Partner, Swidler & Berlin

3000 K Street, N.W.

Washington, D.C. 20007

Race: White

Sex: Male DOB: From

DOB: FOIA(b)(6)

POB: SSAN:

Residence: 1455 Hampton Hill Circle

McLean, Virginia 22101

Telephone: (703) 506-0046 (residence)

(202) 424-7521 (work)

### OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription	1/30/95

EUGENE BENTON SPERLING, who is generally known as GENE SPERLING, 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. Participating in the interview was OIC Assistant Counsel BRETT M. KAVANAUGH. After being advised of the official identities of the interviewers and the nature of the interview, SPERLING provided the following information:

SPERLING currently serves as Deputy Assistant to the President for Economic Policy at the White House, where his telephone number is (202) 456-2620. ROBERT RUBIN, head of the National Economic Council, serves as Assistant to the President and is SPERLING's immediate superior. SPERLING was hired for the presidential campaign of BILL CLINTON on June 4, 1992. SPERLING served the CLINTON campaign as economic policy director during the general election campaign, and, following the election of President CLINTON, SPERLING served as deputy economic transition director under ROBERT REICH.

SPERLING had no contact with former Deputy White House Counsel VINCENT W. FOSTER, Jr. until after the election of President CLINTON when they both came to Washington, D.C. to assist in the transition. SPERLING first met FOSTER when they both participated in a ceremony in Little Rock, Arkansas, in January 1993 in which appointees to a number of high level posts in the CLINTON administration were introduced to the media.

SPERLING's office is located in the West Wing of the White House, and he shares his office with BILL GALSTON. Their office, which is located on the second floor, is located almost directly across the hall from the office of MAGGIE WILLIAMS, Chief of Staff for First Lady HILLARY RODHAM CLINTON.

SPERLING's office is also located in the vicinity of the White House Counsel's Office (WHCO) suite, where FOSTER formerly had his office. Because of the proximity of their offices, SPERLING would encounter FOSTER once or twice a day in

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by SA RUSSELL T. BRANS	FORD RTB:rtb Date dictated	12/21/94

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passing. SPERLING basically only encountered FOSTER in the halls and had little contact with him. When FOSTER and SPERLING spoke, their conversations were not particularly lengthy or deep. In one typical conversation recalled by SPERLING, FOSTER remarked to SPERLING that he had liked comments which had been attributed to SPERLING in the press.

SPERLING formerly worked in New York for Governor MARIO CUOMO and others, and he was familiar with the treatment accorded by the <u>Wall Street Journal</u> (WSJ) to politicians whose views differed from those of the WSJ editorial staff. SPERLING knew that people in public office had a tendency to take too seriously any criticisms leveled at them by the WSJ. When the WSJ published an editorial entitled "Who Is Vincent Foster?", SPERLING approached FOSTER and jokingly asked him the same question. FOSTER seemed to take SPERLING's jibe reasonably well and commented that SPERLING had received better press than FOSTER lately.

SPERLING regards FOSTER as a big, lanky person who kept an even keel and who seemed to be gentle and nice. SPERLING was able to form this impression of FOSTER even though he and FOSTER only exchanged small talk.

SPERLING read an article, possibly written by JEFF GERTH in the <u>New York Times</u>, about Whitewater or Madison Guaranty Savings and Loan (MGSL) at some point during the campaign.

SPERLING has no knowledge that FOSTER worked on either Whitewater or MGSL issues. SPERLING does not know whether the terms "Whitewater" or "Madison Guaranty Savings and Loan" had any meaning to him on July 20, 1993.

SPERLING is able to recall the day of July 20, 1993 rather clearly because that was the day when Judge LOUIS J. FREEH was named by President CLINTON to be the new Director of the Federal Bureau of Investigation (FBI). SPERLING regards HOWARD SHAPIRO, now serving on Director FREEH's staff, as his best friend, and SPERLING knew both SHAPIRO and Judge FREEH when they previously worked in New York. SPERLING had been monitoring the process in which Judge FREEH and others were considered for the position of Director of the FBI, and SPERLING was hoping that Judge FREEH would be named to the post. Prior to the Rose Garden ceremony at which President CLINTON named Judge FREEH to be FBI Director, SPERLING went to the WHCO suite to see SHAPIRO and to greet other people who had come to the White House for the

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ceremony. White House Counsel BERNARD NUSSBAUM commented what a great day it was, how the weather was beautiful and what a fine appointment Judge FREEH represented. SPERLING observed FOSTER standing in the WHCO suite looking on and, in retrospect, FOSTER did not appear as emotional or jovial as the other people in the suite. SPERLING was not struck by FOSTER's appearance at that time, only after FOSTER's death, when SPERLING reflected on the last times he had seen FOSTER. SPERLING remained in the WHCO suite for a short time and departed as Attorney General JANET RENO was entering.

On the night of July 20, 1993, President CLINTON was interviewed live at the White House by LARRY KING on the "Larry King Live" television program. One of SPERLING's responsibilities is to brief President CLINTON on current economic issues before the president appears on such programs. There was no organized briefing time prior to the start of the show, but GEORGE STEPHANOPOULOS asked SPERLING to fire off for the president what would be the two most likely economic questions to be asked during the course of the program. This prebriefing took place prior to the broadcast as the president was being made up, and it consisted of SPERLING and other briefers posing questions to President CLINTON while STEPHANOPOULOS monitored the president's responses.

Once the program began, SPERLING went into another room where a large screen television had been set up so the White House staff could watch the program live. Other people in this viewing room with SPERLING included STEPHANOPOULOS, THOMAS F. "MACK" McLARTY, DAVID DREYER, RICKI SEIDMAN, DEE DEE MYERS and MARK GEARAN. SPERLING recalls that Senator BARBARA BOXER's daughter and a female companion may also have been in the viewing room. SPERLING cannot recall the name of Senator BOXER's daughter, but he recalls that she later married a brother of First Lady HILLARY RODHAM CLINTON...

PAUL BEGALA was present for the prebriefing of President CLINTON, but SPERLING cannot recall if BEGALA remained in the viewing room during the broadcast.

Approximately twenty to thirty minutes after the start of the show and while the staff members were watching the live broadcast, McLARTY and STEPHANOPOULOS were called out of the room by someone whose identity SPERLING does not recall. A short time later, DREYER left the viewing room and went out into the

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adjacent hallway. Shortly thereafter, SPERLING went out into the hallway and approached DREYER to ask him some work-related question. DREYER said that he was unable to focus and asked SPERLING if he knew what had happened. When SPERLING responded that he did not, DREYER advised him that FOSTER had committed suicide.

SPERLING then observed that a couple of things were going on. McLARTY and STEPHANOPOULOS were telephoning people to notify them of FOSTER's death, and they were also attempting to find some means to cancel an extension of "Larry King Live" to which President CLINTON had agreed. McLARTY and STEPHANOPOULOS wanted the show to end quickly so that they could promptly notify President CLINTON of FOSTER's death. They were also attempting to figure out how to notify FOSTER's widow, LISA FOSTER, and to determine who should go to her house. The focus at that time was on how to tell people about FOSTER's death.

SPERLING has distinct knowledge about how the trash from FOSTER's office was handled that night. When the "Larry King Live" program ended at 10:00 p.m., all the staff members in the vicinity of the broadcast cleared out of the area and went back to the West Wing. In light of the situation, SPERLING wanted to help out in whatever way he could so he went upstairs in the West Wing for a little while. During the course of the evening, SPERLING wandered around the West Wing and probably went up and down the stairs a few times. On one of his trips to the second floor of the West Wing, SPERLING observed that the doors to the WHCO suite appeared to be open and the cleaning people were going into various rooms. It occurred to SPERLING that perhaps FOSTER's office should be left uncleaned that night, but he did not voice this view because he thought to himself that since the events in question were occurring inside the White House, people there would know the appropriate way to handle such matters.

At some point in the evening, probably between 10:00 p.m. and 12:00 midnight, SPERLING and SYLVIA MATHEWS were manning the telephones in McLARTY's office. At that time, MATHEWS was a Special Assistant to ROBERT RUBIN, but she is now RUBIN's staff director. MATHEWS mentioned to SPERLING that she thought the burn bags had been removed from the offices in the WHCO suite, and she said that she thought FOSTER's family would be upset because of the possibility that anything FOSTER may have written about the reasons for his suicide and then discarded

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might be lost. MATHEWS's comment reminded SPERLING that he had had a similar thought earlier but had not taken action on it. SPERLING agreed with MATHEWS that it would be advisable to locate FOSTER's trash, and MATHEWS went around the West Wing and spoke to the custodial staff in an effort to identify which trash bags may have been removed from FOSTER's office. MATHEWS was told by the custodial staff that the burn bags had been collected and put into larger bags. MATHEWS eventually obtained from the custodial staff two large bags containing a number of smaller plastic bags of trash.

When SPERLING returned to McLARTY's office, MATHEWS had some of the contents of one of these two bags on the office floor. SPERLING felt a little uncomfortable looking at someone else's confidential trash. MATHEWS believed she had retrieved the correct trash, i.e., the trash from FOSTER's office, but she found nothing relevant to FOSTER's death in the trash. MATHEWS placed any papers believed to have come from FOSTER's office in a neat stack.

NUSSBAUM came by the office, and he was still very upset and unable to focus on anything. BILL BURTON was also in the office at some point. NUSSBAUM expressed some concern that the documents being examined could include materials which may have come from the confidential trash in his office or from the office of First Lady CLINTON. However, NUSSBAUM did not instruct SPERLING or MATHEWS to stop what was being done before he left the office.

SPERLING had originally hired MATHEWS and she had served as his deputy during the CLINTON presidential campaign. SPERLING was still uncomfortable with MATHEWS continuing to review the confidential trash. As MATHEWS finished with the first large bag and prepared to open the second bag of trash, SPERLING told her not to continue. "MATHEWS appeared startled, like a deer caught in an automobile's headlights, and she asked SPERLING if she was doing something wrong. SPERLING told MATHEWS that he had no idea whether what they were doing was wrong, and he tried to imagine what course of action his father, an attorney, would advise. SPERLING concluded that his father would not look at the trash, and he directed MATHEWS to stop the examination of the trash.

SPERLING picked up the unopened bag, MATHEWS gathered the documents from the first bag, and they put all of these

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materials into ROY NEEL's office and locked the door as they left. SPERLING believes the second bag was secured shut in some manner, but he is unable to recall whether it was stapled shut or secured in some other way. SPERLING's belief that the second bag was sealed is based on the fact that he had an opportunity to tell MATHEWS not to open the bag before she did so. SPERLING does not know what happened to either the documents or the bags after that night.

In response to an inquiry about specifically which bags and documents were put into NEEL's office, SPERLING stated that MATHEWS brought in the small pile of papers which she had flattened out during the course of her examination. SPERLING has a general recollection, of which he is fifty percent certain, that the first bag opened by MATHEWS was also placed into NEEL's office.

In SPERLING's office, his regular trash is discarded into trash cans lined with clear plastic bags. SPERLING does not recall if the bags being reviewed by MATHEWS that night were clear plastic or not. SPERLING simply has no recollection of the color of those bags. SPERLING is not entirely sure if MATHEWS was certain that each of the documents she separated out specifically pertained to FOSTER or just that she thought the document could have a connection to FOSTER's office.

Members of the White House staff "felt bad" that McLARTY had to keep a stiff upper lip and continue to perform his duties despite having known FOSTER for a long time. For example, McLARTY had to make decisions about matters such as whether or not to clear President CLINTON's schedule for the following day once the president knew of FOSTER's death.

SPERLING does not think he has spoken with MATHEWS about the burn bags since that night. In fact, SPERLING recalls that he has not spoken with MATHEWS herself, but he has spoken with her attorney. SPERLING and MATHEWS have discussed the thought of speaking to each other about the events of that night, but they sought advice from others and were told not to talk with each other. MATHEWS has told SPERLING that she considered writing down on July 21, 1993 her recollections of the preceding night but she did not do so.

SPERLING learned of the subsequent discovery of a-torn note in FOSTER's briefcase from reading the newspapers. SPERLING

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recalls that people on the White House staff were upset that press accounts of the note's discovery were critical of the manner in which the White House staff had handled the matter. Staff members felt there had been valid concerns about wanting to first notify President CLINTON, who was out of town at the time, and LISA FOSTER about the discovery of the note before information about the existence of the note was released to the public.

SPERLING does not believe that he entered the WHCO suite the night of July 20, 1993. SPERLING holds this belief because he recalls that FOSTER's office was not boarded up as he might have expected. SPERLING only recalls seeing the custodial staff enter the WHCO suite but he is not one hundred percent certain that he did not see anyone else enter the suite that night.

SPERLING does not recall engaging in any discussion with NUSSBAUM that night about entering FOSTER's office. SPERLING recalls NUSSBAUM remarking that it had been such a good day that FOSTER's death did not make any sense. SPERLING did not view FOSTER's suicide as strange since SPERLING recalled that the incidence of suicide increases during such happy times as holiday seasons.

SPERLING recalls directing MATHEWS to clear actions with NUSSBAUM before initiating them, e.g., trying to locate the burn bags. However, NUSSBAUM was not focused, and SPERLING does not believe there was any real resolution as to whether NUSSBAUM approved these actions. Based on MATHEWS's startled response to SPERLING when he told her to cease examining the confidential trash and her obvious concern about not wanting to do anything with even the appearance of impropriety, SPERLING concluded that MATHEWS had not been told by NUSSBAUM or anyone else to stop looking at the trash.

SPERLING did see MAGGIE WILLIAMS on the second floor of the West Wing the night of July 20, 1993. WILLIAMS was in the hallway outside her office, and she was crying and having an emotional hug with someone whose identity SPERLING cannot recall. SPERLING cannot recall if this person with WILLIAMS was a male or a female, but he believes this person was someone who had come up to the second floor just to talk to WILLIAMS. SPERLING may have offered his condolences to WILLIAMS while they were on the second floor, but they did not engage in conversation. WILLIAMS

Continuation of OIC-302 of EUGENE BENTON SPERLING

,On 12/20/94

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appeared very upset and she was sobbing. SPERLING does not recall observing WILLIAMS carrying anything in her arms since she was engaged in embracing someone. SPERLING does not recall seeing WILLIAMS on any other occasion that night.

Later that night, there was a conversation in STEPHANOPOULOS's office about canceling President CLINTON's schedule for the following day. At various times, this office has been the office of STEPHANOPOULOS, DAVID GERGEN and DEE DEE MYERS. There was discussion about designating a spokesperson to respond to inquiries relating to FOSTER's death. President and First Lady CLINTON opposed this idea because they believed FOSTER's death was a personal tragedy which would not attract significant media attention. HOWARD PASTER strongly favored designating one person to respond to inquiries and he argued that people in opposition to the idea did not understand Washington, D.C., and the way Washington thrives on gossip.

SPERLING does not recall observing PATSY THOMASSON that night. It is possible that he saw her but he does not recall doing so.

SPERLING recalls hearing general gossip that no note had been found and that FOSTER's death was inexplicable. There seemed to be a sense among people SPERLING spoke to early on that no note had been found but SPERLING is not certain how this sense developed, though perhaps it was because no note had been found next to FOSTER's body. SPERLING does not recall anyone specifically telling him that no note had been found. It was just an impression he formed.

SPERLING does not recall observing DEBORAH COYLE on July 20, 1993, but he cannot be certain because he recognizes COYLE's name but cannot picture what she looks like. SPERLING does not recall seeing SUSAN THOMASES that night, e.g., when the staff members were watching President CLINTON on the "Larry King Live" program. When asked whether he observed anyone else that night who was not on the White House staff, SPERLING again mentioned the daughter of Senator BOXER. SPERLING knows CHERYL MILLS but he is not certain about whether or not he saw MILLS that night. At approximately 11:30 p.m. that night, a number of people came into the White House, but SPERLING does not recall the identities of these people. People were milling around, hanging out near BRUCE LINDSEY's office, and many were wearing casual clothes. SPERLING knows EVELYN LIEBERMAN, and he does not

Continuation of OIC-302 of EUGENE BENTON SPERLING

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recall seeing her that night.

SPERLING recalls that other people came in while he was hanging around LINDSEY's office. LINDSEY appeared to be very upset, and SPERLING recalls LINDSEY remaining mostly at his desk in his office. There were discussions about going to the FOSTER house, and McLARTY and HUBBELL were people regarded as likely to go there. SPERLING himself did not go to the FOSTER house either that night or anytime since then. In discussions about how to respond to media interest in FOSTER's death, HOWARD PASTER was very vocal in saying he wanted more of a strategy developed for responses to the media.

On July 20, 1993, SPERLING personally notified two people of FOSTER's death. Between 10:00 and 10:30 p.m., SPERLING telephoned ROBERT RUBIN at the Jefferson Hotel where RUBIN was living and notified him. At a time which SPERLING does not recall, McLARTY asked SPERLING to bring RICKI SEIDMAN to McLARTY so that he could tell her of FOSTER's death. When SPERLING approached SEIDMAN and asked her to accompany him, SEIDMAN refused to move until SPERLING told her what was going on so SPERLING had to break the news to her.

SPERLING does not recall any discussions about anything embarrassing or damaging in FOSTER's office. He does not recall NUSSBAUM talking about FOSTER's office being sealed. Although it is possible SPERLING mentioned the subject of sealing FOSTER's office to someone since the thought did occur to SPERLING that night, he does not recall having any such conversation.

SPERLING did not observe anyone in First Lady CLINTON's office. He believes the doors to the office were closed as they usually were at that time of the evening.

When asked by the interviewers what had been discussed in terms of talk about what may have been in FOSTER's office as well as the need to seal FOSTER's office, SPERLING stated that he had formed a general impression that there had been some sort of minimal effort made relating to FOSTER's office. SPERLING does not recall any specific conversations about these subjects. SPERLING cannot now distinguish what he knew the night of July 20, 1993 versus what he may have learned four days later, perhaps from press accounts. SPERLING has no knowledge that anything other than the trash was removed from FOSTER's office either that night or the following morning.

EUGENE BENTON SPERLING Continuation of OIC-302 of

On 12/20/94 Page 10

SPERLING has not spoken with either BERNARD NUSSBAUM or MAGGIE WILLIAMS about who had access to FOSTER's office that night.

SPERLING knows the name CRAIG LIVINGSTONE but he is not certain he would recognize LIVINGSTONE the person.

SPERLING left the White House between 12:30 and 2:00 a.m. on July 21, 1993. He believes he was alone when he left but he may have been with SYLVIA MATHEWS.

SPERLING currently arrives at his office each day at 7:00 a.m., but he formerly arrived somewhat later. SPERLING does not recall what time he arrived for work on July 21, 1993, but it was probably around 7:50 a.m. He has no recollection of coming in for work extremely early that day. SPERLING recalls that the doors to the WHCO suite were closed when he walked past them on the way to his office.

SPERLING was not involved in any discussions about the procedure to be employed in the review of the documents in FOSTER's office. SPERLING did not engage in conversations at that time or since then about how the review of documents was conducted.

SPERLING believes he read in the newspapers about the torn FOSTER note being found. SPERLING teased STEVEN NEUWIRTH about his notoriety after SPERLING learned that NEUWIRTH had found the note. NEUWIRTH said that it was notoriety he could do without. SPERLING does not recall having any other conversations with NEUWIRTH regarding the note other than one in which he teased NEUWIRTH about why it took six days to discover the note. SPERLING does not recall having any informed conversation with anyone abut the circumstances surrounding the discovery of the note, just chatting with other people. SPERLING recalls that he was interested in the subject of the note at that time, but he only recalls speaking with other people whose knowledge of the situation came from reading the newspapers rather than through direct involvement or knowledge.

SPERLING believes there was a very moving White House staff meeting in Room 450 in which President CLINTON addressed the staff in the aftermath of FOSTER's death.

Based on observation and interview, SPERLING is

Continuation of OIC-302 of EUGENE BENTON SPERLING , On 12/20/94 , Page 11

described as follows:

Name: EUGENE BENTON SPERLING,

also known as GENE SPERLING

Sex: Male Race: White

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

Home Address:

1325 18th Street, N.W.,

Apartment 609
Washington D C

FOIA(b)(7) - (C)

FOIA(b)(6)

Washington, D.C. Home Telephone: (202) 659-5844

### OFFICE OF THE INDEPENDENT COUNSEL

L/30/95

EUGENE BENTON SPERLING, who is generally known as GENE SPERLING, was contacted telephonically at his office in the White House, telephone number (202) 456-2620. SPERLING was familiar with the interviewing agent from an earlier interview of SPERLING which had been conducted at the Office of the Independent Counsel (OIC), Washington, D.C., on December 20, 1994. The interviewing agent placed the call to SPERLING from the OIC offices, 1001 Pennsylvania Avenue, N.W., Suite 490 North, Washington, D.C. After being advised of the nature of the interview, SPERLING provided the following information:

SPERLING recalls that the examination of confidential trash which occurred in the White House on July 20, 1993, was conducted in the office suite of Chief of Staff THOMAS F. "MACK" McLARTY. Specifically, the examination of the trash was conducted by SYLVIA MATHEWS on the floor of the reception area in McLARTY's suite. While she was examining the trash, MATHEWS was on the floor of the reception area just to the right of the doorway leading into the suite and immediately inside this doorway. SPERLING recalls that there were two chairs with their backs to the wall just inside and to the right of this doorway, and the examination occurred on the floor directly in front of these chairs.

The suite of the chief of staff has a doorway which leads into the reception area from a hallway. This receptionarea is where the secretaries and executive assistants are located. From the doorway, McLARTY's office is located to the right of the reception area and can be entered through a doorway from the reception area. The office of the deputy chief of staff is located to the left of the reception area and can also be entered through a doorway from the reception area.

SPERLING is not certain about the disposition of the papers which MATHEWS segregated from the other confidential trash during the course of her examination. SPERLING is certain that, once the examination of the trash was ended, both bags of confidential trash were put on the floor of the office of the

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Continuation of OIC-302 of EUGENE BENTON SPERLING , On 1/12/95, Page 2

deputy chief of staff. ROY NEEL was the deputy chief of staff at that time. SPERLING is less certain that the segregated papers were also put on the floor near the bags. SPERLING is not suggesting that the papers were not put on the floor in NEEL's office, but his recollection regarding these papers is less clear than his recollection regarding the confidential trash bags. Once the items were placed on the floor of NEEL's office, the door to NEEL's office was pulled shut and locked.

## OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription	9/27/94
Date of transcription	- / /

GEORGE STEPHANOPOULOS, Staff Assistant to The White House Chief of Staff was interviewed at the law offices of Brand & Lowell, 923 15th Street, NW, Washington, D.C. 20005, telephone 202-662-9700 in the presence of his attorney, STANLEY M. BRAND. After being advised of the identities of the interviewing agents and the nature and purpose of the interview, STEPHANOPOULOS provided the following information:

STEPHANOPOULOS confirmed that he was at The White House the night of VINCE FOSTER's death and said that he left that evening at approximately 11:00 although he does not have a clear recollection of the time. He recalls one telephone conversation with WEBB HUBBELL during which he advised HUBBELL of VINCE FOSTER, JR.'s death. STEPHANOPOULOS does not recall any subsequent telephone conversation with WEBB HUBBELL or with any other individual who was calling him from the FOSTER residence and discussing any issue of press coverage at the FOSTER residence and the advisability of assisting the family with that potential problem. The only press related issue that STEPHANOPOULOS recalls dealing with that evening was going over a press statement on the FOSTER death that had been written by DAVID DREYER of the Office of Communications.

STEPHANOPOULOS advised that he did not handle or know of any arrangements for having someone at the FOSTER residence to deal with the press, either the evening of FOSTER's death or the following morning. He advised that Press Secretary DEE DEE MYERS would have handled such arrangements and if MYERS had not handled the issue, he does not know who would have handled it if the President was not planning to visit the residence.

With regard to his recollection of the early morning hours of July 21, 1993, the day after FOSTER's death, STEPHANOPOULOS advised that he probably arrived to work at his usual time, which was about 6:30 am. He read the newspapers and advised that he must have read articles about VINCE FOSTER although he has no specific recollection of doing so. He does not have any recollection of seeing any individual early that

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morning between the hours of approximately 6:30 and 8:00 am. He does not recall what time he went down to the basement level to get coffee at the Navy Mess but advised that he generally does so between 7:30 and 8:30, sometimes before the staff meeting at 8:00 and sometimes after it. He has no recollection of seeing anybody carrying a briefcase but advised that that would have been such a common thing to see that it would not have made any impact on his memory.

He advised that he knows CRAIG LIVINGSTONE and has no recollection whether or not LIVINGSTONE stopped in to see him between the time of STEPHANOPOULOS' arrival to The White House at approximately 6:30 am and 8:30 when activities began to occur. He said that in the last two years he has probably received about a half dozen visits from CRAIG LIVINGSTONE, all brief and business related. The only incident he recalled enough to describe involved a reporter from Pittsburgh who was doing a story on CRAIG LIVINGSTONE because LIVINGSTONE is from Pittsburgh. He spoke to the reporter briefly on LIVINGSTONE's behalf.

STEPHANOPOULOS also did not recall any specific conversation with his Executive Assistant, HEATHER BECKEL, on the morning of July 21, 1993. He had a vague recollection that there was a meeting in DAVID WATKINS' office with an entity that could have been the Park Police later in the morning, but has no other recollections of that morning.

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## FEDERAL BUREAU OF INVESTIGATION

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4/8/94

Mr. Charles J. Stough was interviewed at the Turkey Run Maintenance Facilities, U.S. Park Services, Fairfax County, Virginia. Mr. Stough was advised as to the identities of the interviewing agents and informed of the nature of the interview. He then provided the following information.

Mr. Stough advised that for the past seven years he has been employed as a tree worker for the U.S. Park Service, Washington, D.C., and presently resides at 9938 Forest View Place, Gaithersburg, Maryland (telephone number 301-963-5934). Mr. Stough's supervisor is Mr. Mark White, who can be located on 703-285-2701.

Mr. Stough advised that to the best of his recollection on July 20, 1993, he completed his work day with the U.S. Park Service in the late afternoon and joined a fellow U.S. Park Service employee, Mr. Francis Swann in a "moonlighting" job trimming trees at a private residence in Northern Virginia. He maintained that after completing this after-job activity at approximately 5:00 p.m. on July 20th, he and Mr. Swann purchased a six-pack of beer at a convenience store and drove to the Turkey Run Maintenance Center in order for him to secure his private vehicle.

Mr. Stough further advised that since there was unusually heavy traffic on this particular evening, Mr. Swann-parked his vehicle in the Turkey Run Maintenance parking area, directly opposite a public telephone and both proceeded to consume two or three beers apiece. According to Mr. Stough, sometime between 5:30 and 6:00 p.m., a white van entered the parking area and the occupant of the van engaged him in conversation while he, Mr. Stough, was walking from Mr. Swann's vehicle to his own vehicle. Mr. Stough stated that the driver of this white van specifically asked him if he would call the Park Police, further informing Mr. Stough that he had seen a body at Fort Marcy Park and that it looked like this man had been shot and that he looked dead. He further added that he strongly believed that the occupant of this van informed him that the body

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of this individual was behind the second cannon at Fort Marcy Park. After receiving this notification from the occupant of the white van, Mr. Stough called Mr. Swann over and believes that the occupant of the white van repeated the same information to Mr. Swann. He recalls asking Mr. Swann if he had the telephone number to report information regarding the dead body to the U.S. Park Police.

Mr. Stough further commented that while he could not recall the exact words spoken by the occupant of the white van, he was fairly certain that he mentioned a "body by the second cannon." He advised that he did not ask any questions of the occupant of the white van which immediately departed the parking lot after furnishing this notification to himself and Mr. Swann.

Mr. Stough specifically remembers that after the van departed the area, Mr. Swann utilized the payphone located to the right of the entrance to the Turkey Run Maintenance Park to call the U.S. Park Police and to inform them of the information they received from the occupant of this van. He stated that he could not recall the exact words used by Mr. Swann in notifying the U.S. Park Police authorities and that immediately after concluding this telephone call, both he and Swann left the area in separate vehicles, returning to their residences.

In an effort to further clarify the above information supplied by Mr. Stough, he stated that he was intimately familiar with Fort Marcy Park, since his work with the Park Service required him to often trim trees in that particular park. such, he stated he knew the exact location of the second or top cannon in Fort Marcy Park which, in his opinion, gave more credibility to the occupant in the van when he reported the disposition of the dead body. Mr. Stough also advised that he was never interviewed by U.S. Park Police officials regarding this particular incident, nor did he volunteer any information to the U.S. Park Police when it became public information that the dead body in Fort Marcy Park on July 20th was, in fact, a White House official. According to Mr. Stough, his silence regarding this issue was justified since he was informed by Mr. Swann a few days after the July 20, 1993 discovery of the body that he (Swann) had provided detailed information to the U.S. Park Police regarding this matter. Stough further related that in his opinion, the failure of Mr. Swann to identify himself when -notifying the U.S. Park Police of the information related by the

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occupant of the van was generally a hesitancy to get involved with police authorities, as well as to a minor concern that they were drinking beer in a U.S. Park Service facility. Mr. Stough further maintained that, with the exception of brief discussions with Mr. Swann shortly after the discovery of Mr. Foster's body, he has had no other discussions with fellow workers regarding this issue, nor has he been contacted by the media regarding this particular incident. Furthermore, Mr. Stough vehemently denied that he was in Fort Marcy Park on July 20, 1993, to include a denial that he discovered the body of Mr. Foster.

Mr. Stough furnished the following descriptive data regarding the above cited van, as well as a description of the occupant:

Vehicle:

Late model (early to mid-1980's), white service van, possibly a Chevrolet. Service van believed to have been engaged in heating/cooling or air conditioning business, with a possibility that heating and plumbing materials such as valves or old air conditioners were located in the van. On the driver's side of the van was blue and red lettering, with a possibility of a 703 prefix also on the driver's panel side of the door. The vehicle had two doors in the rear and vehicle appeared to have been well-used with some dents and scrapes.

Occupant:

Race/Sex:

White male

Age:

Late 40s (45-48)

Weight/Body: 210-215 lbs., stocky build

Height:

5'7"-5'8"

Hair:

Light brown, worn short, not over

the ears

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Charles H. Stough Continuation of FD-302 of

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Face:

No facial hair, rounded face, slightly

chubby, possibility of black-rimmed

eyeglasses

Speech:

No noticeable accent

Dress:

Standard service company, white in color, with collared shirt. Believed to have company name or wearer's name on breast

pocket.

In addition to the above information, Mr. Stough stated that the occupant of the van appeared slightly nervous but composed and did not demonstrate any outward manifestations of being gay. He further maintained that, with the exception of Mr. Swann, there were no other individuals in the parking area the evening of July 20, 1993, who would be in a position to provide further description of this van or the occupant. Mr. Stough concluded by stating that he felt fairly confident that he would be able to recognize in the future the occupant of the abovedescribed white van.

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#### FEDERAL BUREAU OF INVESTIGATION

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(STOUGH)

Mr.

was recontacted

for the purpose of soliciting his cooperation in physically viewing a confidential witness who had previously provided detailed information to interviewing agents relative to the sighting of a dead body at Fort Marcy Park on 7/20/93 and who reportedly informed two U.S. Park Service employees of this sighting the evening of 7/20/94. was informed that this individual had requested and was granted confidential witness status by the Office of the Independent Counsel.

physically viewed the confidential witness who was in the passenger seat of an automobile in the company of from a distance of approximately 7 to 10 feet. Mr. then informed that this individual "could have been" the person who was driving a white van the evening of 7/20/93 and reported to him the sighting and location of a dead body at Fort Marcy Park. stated that the individual he viewed this date possessed similar characteristics to the July 20, 1993 incident, specifically the eyeglasses and the color, style and length of the individuals hair.

Subsequently, the confidential witness advised that since a year had almost elapsed since he reported the location of Mr. FOSTER's body, he could not positively identify as the white male Park Service employee he notified on July 20, 1993.

	Date of transcription	8/8/94
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A physical surveillance was conducted of the parking lot at the headquarters building for the George Washington Memorial Parkway (GWMP), which is located on GWMP just east of the Turkey Run Recreation Area. The surveillance revealed the presence of a bulletin board and two pay telephones for use by the public on the southwest corner of the GWMP Headquarters parking lot. The telephone number for the telephone furthest to the north was (703) 821-9809, and the telephone number for the other telephone was (703) 847-9872

A review of records which had been provided by the Fairfax County Fire and Rescue Department (FCFRD) revealed that the person who called in the initial 911 call to FCFRD about the discovery of the body of VINCENT W. FOSTER, Jr. in Fort Marcy Park, Virginia on July 20, 1993 placed the call from a telephone with telephone number (703) 847-9872.

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6	5/94

Mr. Francis Elbert Swann was interviewed at his place of employment, U.S. National Park Service Maintenance Yard, located off the George Washington Memorial Parkway, Alexandria, Virginia. At the outset, he was advised of the identities of Special Agents William E. Colombell and Lawrence Monroe and further informed that they wished to interview him concerning an ongoing investigation relating to the death of Vincent Foster at Fort Marcy Park on July 20, 1993.

Mr. Swann stated that he has been employed by the National Park Service since June of 1966. He stated that on July 20, 1993, he was assigned to work in the South end of the George Washington Memorial Parkway in the vicinity of Mt. Vernon, driving a street cleaning truck. Mr. Swann stated that he returned to the National Airport Maintenance Yard at approximately 3:00 p.m. and met up with a fellow employee, Chuck Stough, explaining that he had lined up a side job to cut down a tree at a private residence in McLean, Virginia, and that Chuck was going to assist him. Mr. Swann stated that he and Stough drove directly from the National Airport Maintenance Yard to the private home site in Swann's truck. Mr. Swann was unable to provide the address for this private home, but stated that if need be, he could point it out to the agents. They finished up the tree cutting job at approximately 5:00-5:15 p.m. and then stopped to pick up a six-pack of Budweiser at a 7-11 located on Chain Bridge Road in McLean. He then drove to the Turkey Run Maintenance Yard off the GW Parkway (Stough had his car parked there) and parked in the front parking lot back towards the pine trees that are located to your left as you drive into the maintenance yard. Mr. Swann stated that they both had three beers and were getting ready to leave the yard when a white male in a white Chevy van pulled into the maintenance yard off of the GW Parkway. He estimated the time to be approximately 5:45 p.m. The van pulled up to where he and Chuck were sitting. At the time, both he and Chuck were still in their park service uniforms. Mr. Swann advised that the van driver asked if they worked for the park service and they responded in the affirmative. The van driver then stated words to the effect that

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Francis Elbert Swann Continuation of FD-302 of

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"there is a body down at Fort Marcy up by the cannon and could they call the police." Mr. Swann further added that as best he recalls, the driver of the van also remarked that he had been walking through Fort Marcy Park and saw "this body that apparently looked like it was dead."

Mr. Swann advised that using a pay phone located in the parking lot area, he called the police on 911 and believes he reached the Fairfax County Police, informing them of the information provided by the van driver. As best he recalls, the operator told him that Fort Marcy was Federal park jurisdiction and that he should also call the U.S. Park Police. Mr. Swann advised that he then called the Park Police using the same public telephone, adding that the Park Police number was located on a outside bulletin board next to the phone. He advised that he called the Park Police within a few minutes after hanging up with the Fairfax County Police.

Mr. Swann stated that he provided the same information to the Park Police, adding that he did not give his name because he did not want to get involved. He stated that he wanted to be sure that if someone needed help, they received it, but he didn't want to be answering all kinds of questions and wasn't sure whether the whole thing was just made up or a joke. Mr. Swann stated that after he talked to the Park Police, he and Stough left the Turkey Run Maintenance area and he proceeded directly home.

Mr. Swann stated that when leaving, he noticed that there were a few park rangers still at the maintenance yard, but neither he nor Chuck said anything to the rangers. As best he recalls, upon arriving home, he discussed the matter with his wife, stating that by that time, he believes it was already on the news.

Mr. Swann stated that the driver of the van was at the Turkey Run Maintenance parking lot no more than 30 seconds. never got out of the truck and when he drove out he went North on the George Washington Parkway. He stated that he and Stough did not press the individual for more information. As best he recalls, as soon as the van left, he and Stough discussed the situation briefly and then he proceeded to the pay phone to call the authorities. He was unable to recall the exact conversation that he had with the Fairfax Police and Park Police authorities,

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Continuation of FD-302 of Francis Elbert Swann

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adding that he tried to give them every bit of information provided by the van driver.

Mr. Swann described the driver of the van as follows: white male, age approximately 45-50, dark or black hair with a receding hairline, speckled with gray, approximately 200-210 pounds, chubby, height - approximately 5'9"-5'10" (difficult to estimate because the driver never got out of the van), rounded face, clean-shaven, wearing a short-sleeved shirt with collar, color - light blue with possible vertical stripes (definitely a working-type shirt rather than a dress shirt), no noticeable accent. Mr. Swann stated that only he and Chuck saw or spoke to this individual. He stated that he has not seen the van or the individual since, adding that he probably could identify him if he saw him again. Mr. Swann stated that it was his impression that the man was just trying to help. He did not appear to be in an agitated or nervous state.

Swann described the van as a 1987 or 88 Chevy or GMC, three-quarter ton, possibly bearing Virginia tags, windowless doors in rear, possibly a sliding door on passenger side with blue writing on side, possibly some type of advertising. Swann further stated that it could have been a plumber's van, since he saw through the driver side window what appeared to be pipes in the rear of the van.

At the conclusion of the interview, Mr. Swann was specifically asked if he or his friend Chuck had been at Fort Marcy Park that day and found the body but failed to report it, fearing reprisal from park authorities either because of their moonlighting activities or because they were drinking on park property. Mr. Swann answered without any hesitation that he had not been at Fort Marcy Park that day or for some time, and stated that he was not in any manner involved in the discovery of Mr. Foster's body.

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Continuation of FD-302 of Francis Elbert Swann

. On 3/30/94

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Mr. Swann provided the following background information about himself:

Full name:

Francis Elbert Swann

FOIA(b)(6)

Date of Birth: Wife:

Rose

FOIA(b)(7) - (C)

Address:

6201 Dower Village Lane

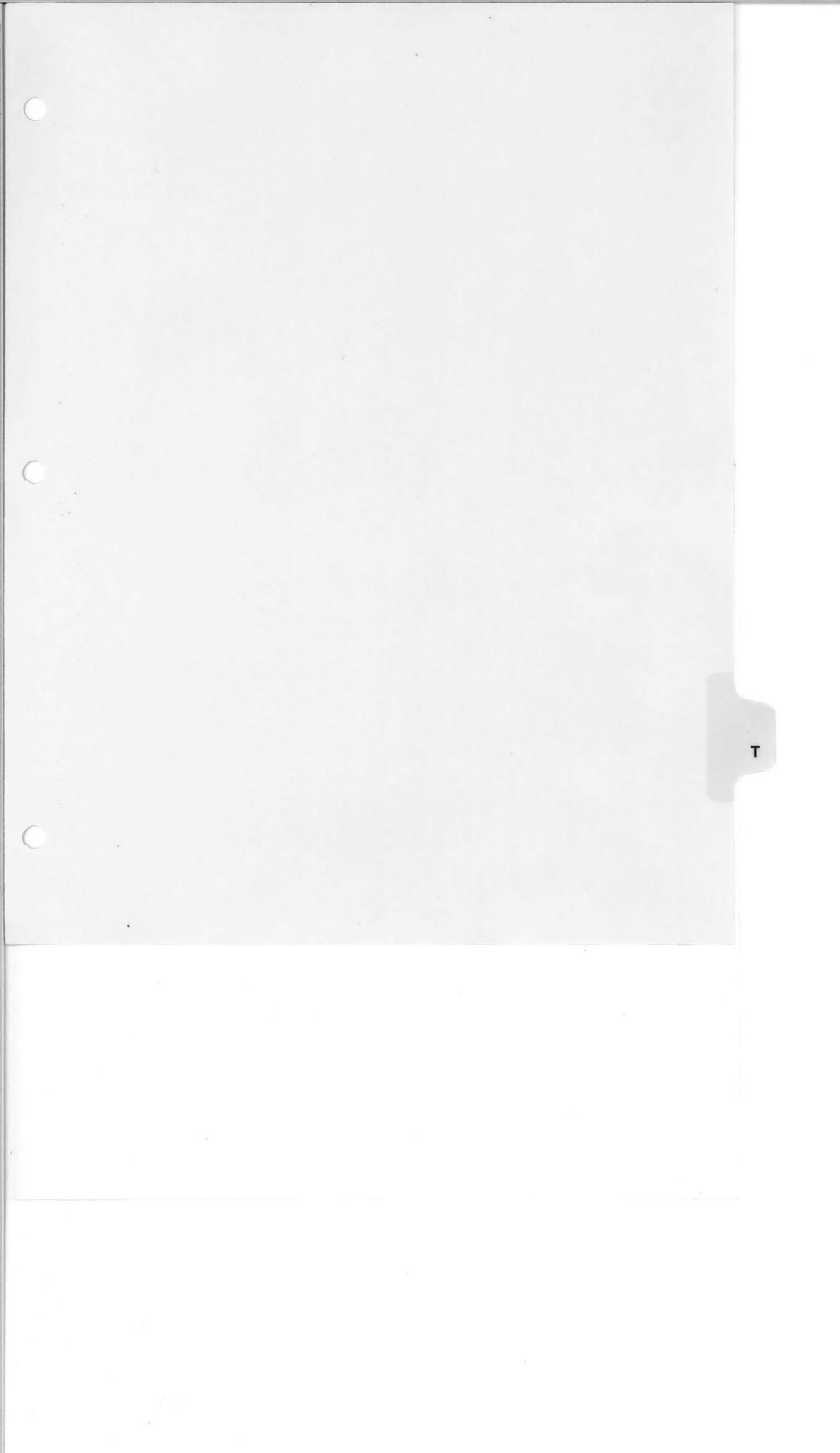
Mellwood, Upper Marlboro, MD

Home Phone Number:

(301) 599-0384

Work Phone Number:

(703) 419-6409



Date of transcription	7/13/94
Date of transcription	The second second second

SUSAN P. THOMASES, Attorney, WILLKIE, FARR, and GALLAGHER, 100 East 53rd Street, New York, NY faxed the attached two pages to the Office of the Independent Counsel, Washington, D.C.

The first page of the fax identifies the second page as a "page out of my appointment section of my Filofax for July 20 and 21, 1993". The second page of the fax from THOMASES indicates that she was in Washington, D.C. on July 21, 1993 but not July 20, 1993.

THOMASES has explained that the notation on the July 21st entry in the upper left hand corner of the page indicating "D.C." was her method of recording days she was actually in Washington, D.C. For the date of July 20, 1993 there is no such notation, and she therefore knows that she was not in Washington, D.C. on that date.

The information depicted on this calendar is consistent with THOMASES interview by the FBI on June 14, 1994.

auvestigation on 7/12/94 at	Washington,	D.C.	File #	29D-LR-35063
by <u>SA WILLIAM T. GUYTON</u>			Date dictated	7/13/94
This document contains neither recommendations nor	conclusions of the FBI. It	is the proper	ty of the FBI and i	s loaned to your agency:

• : : . .

Data of transprintion	8/3/94	
Date of transcription	0/0/01	

SUSAN P. THOMASES was contacted by telephone in her New York office, telephone number 212-821-8275. She was advised of the identity of Agent COLOMBELL and that this was a follow-up call relating to her prior interview by the FBI on 6/14/94. Ms. THOMASES was informed that in an effort to finish up our investigation, she was being requested to visit the Independent Counsel office in Washington, D.C. for the purpose of being deposed under oath regarding her activities and whereabouts on the night of July 20/21, 1993. She stated that she would have her attorney, BENITO ROMANO, telephone MARK STEIN as soon as possible to set up a date. During the discussion, it appeared that Wednesday, August 10, would probably be a suitable date that would fit into her schedule.

In addition, Ms. THOMASES was asked whether or not she currently or in the past had been in possession of a White House staff pass. She stated that she did have her own White House staff pass when she was part of the transition and may have still been in possession of The White House staff pass in July of 1993. To the best of her recollection, she believes she gave it back prior to that time, probably some time in April or May of 1993. To the best of her recollection, when she did return it, it was given to Mr. CRAIG LIVINGSTONE, The Director of White House Security. She stated that Mr. LIVINGSTONE should have an exact record of when The White House pass was returned. She also stated that The White House should have an official photograph of her that was taken in connection with her having a White House staff pass.

		(telephon	ically)		
Investigation on	8/2/94	at New York,	New York File	# <u>29D-LR-35063</u>	
by SSA	WILLIAM E.	COLOMBELL	Date dictated	8/2/94	

Date of transcription	6/16/94

SUSAN P. THOMASES, was contacted by telephone at the law firm of WILLKIE, FARR, and GALLAGHER, 153 East 53rd Street, New York, New York where she is employed as an attorney and a partner. After being advised as to the official identity of the interviewing agent and the nature of the interview, Ms. THOMASES provided the following information:

She resides at 929 Park Avenue, New York, New York, has a non-published home telephone number, but can be reached by telephone at her New York office through 212-821-8275. She works the majority of her time in New York City but with her firm having had an office in Washington, D.C. since 1981, she routinely comes to Washington on Wednesdays and returns to New York on Thursday evenings. She is the managing partner of her firm's Washington, D.C. office.

She first met VINCENT FOSTER, JR. in Arkansas during 1976 through her friends BILL and HILLARY CLINTON. She served with HILLARY CLINTON on the Children's Defense Board and has known both HILLARY and BILL CLINTON for approximately 20 years. She regarded VINCENT FOSTER as a friend although she only saw him approximately once or twice a year during the period 1976 through 1991, when she would visit the CLINTONs and/or come to Arkansas on business.

In July, 1991, she moved to Arkansas to begin working full time on BILL CLINTON's Presidential campaign. During the entire campaign, she was in charge of daily scheduling for CLINTON and for campaign events. She continued this work on a part-time basis throughout the transition period from the BUSH administration to the CLINTON administration handling scheduling matters for the newly elected President. Toward the end of the transition period in December, 1992, she returned to her law practice in New York and Washington. Since she had met many volunteers during the CLINTON campaign who took positions with the new administration, she often visited with them during her weekly trips to her Washington, D.C. office. She therefore during the campaign, transition, and the first six months of the

(telephonic				ical	cally)		v <del>, -</del>		
Investigation on	6/14/94	at	New	York,	New	York	File #	29D-LR-35063	SUB A
by SA	FOIA(b	)(7) - (	C)				Date dictated	6/14/94	·

\_ J-LR-35063 SUB A

Continuation of FD-302 of SUSAN T. THOMASES

On 6/14/94

CLINTON administration, got to know VINCENT FOSTER fairly well.

She last saw VINCENT FOSTER on Wednesday or Thursday before his death. She believes that they had lunch together with some other people in Washington. She recalls him mentioning he planed to take a weekend trip to the eastern shore of Maryland. She noted no change in his demeanor or physical appearance but was aware that he was working very hard and was under considerable pressure. His death came as a complete shock to her and she can offer no reason or speculation as to why he may have taken his life.

SUSAN THOMASES was not in Washington on July 20, 1993, the date of VINCENT FOSTER, JR.'s death. She checked her personal 1993 calendar to verify this. She said that she cannot recall the last time that she was at The White House prior to FOSTER's death. She learned of his "suicide" via a telephone call from either HILLARY CLINTON or BERNARD NUSSBAUM. She cannot recall which one of them first told her about FOSTER's death because she talked to both of them by phone on the night of his death. She was at her residence in New York when she received these telephone calls. Although she cannot recall exactly when she spoke to HILLARY CLINTON and BERNARD NUSSBAUM that evening, she does recall that it was after dark. The next day, Wednesday, July 21, 1993, she went to her Washington, D.C. office as previously scheduled. Although she cannot recall she believes that she went to The White House on July 21 or July 22 to express her condolences to those there whom she knew. She did not go to the FOSTER funeral in Arkansas. She did not go to VINCENT FOSTER's office on July 21 or July 22 and cannot recall the last time she was in his office although it was quite some time before his death.

Ms. THOMASES continues to regard HILLARY and BILL CLINTON as friends and visits with them from time to time when she is in Washington.

## OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription	9/29/94	
and or manners.		_

SUSAN P. THOMASES, accompanied by her attorney, BENITO ROMANO, was interviewed under oath by Independent Counsel Attorney MARK STEIN. Special Agent WILLIAM E. COLOMBELL was present during this interview.

In the course of the interview, Mrs. THOMASES made available copies of the following documents:

- 1. An itinerary/invoice, #0025769, dated July 15, 1993 reflecting Amtrak reservation for July 20, 1993 for travel from Penn Station New York to Philadelphia, train 113 departing at 12 noon and arriving at 1:11 pm and return travel from Philadelphia to New York Penn Station on train 222 leaving at 6:35 pm and arriving at 8:00 pm.
- 2. A passenger receipt dated July 15, 1993 for Amtrak Metroliner travel between New York and Philadelphia and return, July 20, 1993.
- 3. Receipt #694803, marked "Vital" for ground transportation from East 53rd Street to Penn Station; pick-up time 11:15 am, date illegible but interviewee states it was July 20, 1993.

Investigation on	9/9/94	at <u>New York</u>	City	File#	29D-LR-35063	
by SSA W	JIIJJAM E	COLOMBELL	Date dic	tated	9/26/94	

- 1 -

## FEDERAL BUREAU OF INVESTIGATION

Date of transcription	5/11/94
FOIA(b)(3) - Fed. R. Crim. Pro. 6(e) - Grand Jury	

investigation on 5/6/94 at Washington, D.C. File # 29D-LR-35063

by H. Alexis Suggs Date dictated 5/10/94

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

Date of transcription	7/29/94

A trip was made from the former VINCENT FOSTER, JR. residence in Georgetown, 3027 Cambridge Place, to The White House, Washington, D.C. The travel time of 7:45 am on a week day morning was selected to approximate the time of this trip in that the travel day in question was a weekday morning (July 21, 1993) and had occurred some time between 7:30 am and approximately 8:00 am. The actual travel time experienced on the morning of July 29, 1994 was determined to be nine minutes. The following route was taken.

7:45 am (Departure)

Leave 3027 Cambridge Place
Georgetown (via bucar)
Right onto 30th Street
Left onto M Street
Bare right onto Pennsylvania
Ave.
Right onto 19th Street
Left onto E Street

Left onto West Executive Ave.

7:54 am (Arrival)

At West Executive Avenue and State

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

by SSA WILLIAM T. GUYTON Date dictated 7/29/94

Date of transcription	4/19/94

On 4/12/94 LINDA R. TRIPP, Executive Assistant to the Counsel to the President, The White House, (202) 456-2681, appeared at the Office of the Independent Counsel, Washington D.C. for a pre-scheduled interview. She was accompanied by her attorney, SANDRA WILKINSON, of the law firm of PAUL HASTINGS, JANOFSKY & WALKER, 1299 Pennsylvania Avenue, N.W., Washington D.C., (202) 508-9593. After being advised of the identities of the interviewing agents and introduced to attorneys for the Independent Counsel, RODERICK C. LANKLER and CARL STICH, who were also present, TRIPP provided the following information:

TRIPP advised that her job was Executive Assistant to BERNARD NUSSBAUM. She has had the same title since April 1993 and was previously in the White House Chief of Staff's office during the Bush Administration. She is one of only two individuals still employed at the White House from the Bush Administration.

TRIPP worked in the same physical area where NUSSBAUM and VINCENT FOSTER JR. and their Executive Assistants were located. TRIPP and BETSY POND worked for Mr. NUSSBAUM but had daily contact with FOSTER and would take messages and otherwise assist FOSTER's Executive Assistant, DEBORAH GORHAM, when necessary.

TRIPP met FOSTER right after PRESIDENT CLINTON's inauguration. She would occasionally take phone messages for him. Her contact with him was "daily and continual" as the physical area of the offices and the Executive Assistant's desks is relatively small. She characterized her relationship with FOSTER as warm and professional. She believes she was the last person in the office to see him alive and that was in the early afternoon of July 20, 1994.

TRIPP characterized FOSTER as a wonderful, warm, kind person who was respectful to all people. He was reserved and very private, with a soft-spoken distinct Arkansas accent. He maintained very fond relationships with NUSSBAUM, HILLARY

Investigat	tion on	 4/12/94	at	Washington,	D.C.	File #	29D-LR-35063	SUB	_A
by _	SSAs	ALEXIS FOIA(b)(7)				_Date dictated	4/14/94		_

Continuation of FD-302 of

Linda A. Tripp

4/12/94

age

CLINTON, MARSHA SCOTT, and his family. He had extremely professional and cordial relationships with GORHAM, DEBORAH COYLE (phonetic), and BRUCE LINDSEY. TRIPP opined that he may have considered WEBB HUBBELL and HILLARY CLINTON to be personal confidentes. Nobody outside of the Arkansas "group" would be considered a confidente.

FOSTER did not appear to TRIPP to have any weaknesses, including not being too "thin skinned". The work environment in the whole office was always at "mach speed" and FOSTER was an intensely serious and extremely focused person. In retrospect, TRIPP recalled that when she first met FOSTER he was more relaxed, had a twinkle in his eyes. She advised that for the first few weeks she did not notice any change, but then she noticed that his pants were cinched, reflecting a weight loss, that his normal characteristics seemed exaggerated--meaning he was more quiet, more gentle, more subdued and reserved. She was not aware of him taking any medication or having a doctor.

FOSTER worked very long hours. He was at work, and appeared to be well settled in, by the time TRIPP arrived to work every morning at 8:00AM and would frequently stay until 8:00PM and even later. His family did not join him in Washington right away because one child did not graduate from High School until June 1993 so he was "free" to work long hours. But his children loomed large in his life and they were frequently visiting the White House and calling their father at work.

TRIPP advised that she never saw an incident where he did not handle stress well. She heard that he lost his temper on one occasion over the Travelgate matter. As TRIPP understood the matter, FOSTER wanted to take the "fall" instead of NUSSBAUM, and was overheard to say, "This is my blame. Let me take it."

TRIPP advised that FOSTER's relationship with HILLARY CLINTON was very friendly. They had the freedom to walk back and forth between one another's office and did so-- not daily, not even weekly, but it was not unusual. HILLARY CLINTON was equally friendly with others.

Some time in the days preceding FOSTER's death, TRIPP asked GORHAM, "What's wrong with Vince?" GORHAM responded with one word, "government". There was no further elaboration. Within a week of his death, possibly the day before it, GORHAM told TRIPP that FOSTER approached GORHAM and, with an

Continuation of FD-302 of Linda A. Tripp , On 4/12/94 , Page 3

uncharacteristic and intense sincerity, asked her, "How are you doing?" A brief conversation ensued and, although TRIPP did not recall who said the words first, she remembered GORHAM telling her that during that conversation both VINCE and GORHAM said they felt "spiritually empty". GORHAM and FOSTER were not personally close and even their professional relationship, while very cordial, was not particularly "close". (For example, FOSTER would record dictation, then give the tapes to GORHAM -- they did not physically work together such as might occur if he dictated to her personally.) It is partly for that reason that this exchange between GORHAM and FOSTER was sufficiently unusual that GORHAM commented on it to TRIPP. TRIPP speculated that maybe that was a brief window into FOSTER and maybe he was "reaching out". TRIPP noted that FOSTER had received a great deal of undeserved bad press and that maybe the timing of the conversation had something to do with that.

TRIPP did not observe FOSTER to be a religious person, but thought he probably was of a background and social milieu that included church attendance.

The Friday before the first of July, FOSTER observed TRIPP packing up preparing to be gone from her job for several weeks vacation and asked her what was up. She told him her plans and suggested to him that he could use a break too. He said, "That would be nice." But the only vacation she knew him to take was the weekend shortly before his death there were last minute plans for him and his wife, LISA FOSTER, to spend a weekend with the CARDOZAS (phonetic) and the HUBBELLs. After the weekend, he merely said it was a "very nice weekend" in response to TRIPP's casual question.

On the day of July 20, 1994 her focus was on NUSSBAUM, who, along with herself and POND, were totally engaged in the ceremony appointing LOUIS FREEH the new Director of the Federal Bureau of Investigation (FBI), which took place in the Rose Garden late in the morning. FOSTER was not involved in that, and TRIPP does not recall what he was doing during the morning hours. He attended the Rose Garden ceremony, but instead of sitting in the audience which would have been a normal pattern, he stood on the periphery, on the sidewalk which connects the wings of the White House. It is only with the benefit of hindsight that TRIPP can say that he seemed "distracted and a little down".

GORHAM left the office shortly after noon, so TRIPP was

Continuation of FD-302 of Linda A. Tripp , On 4/12/94 , Page 4

covering for her for FOSTER, who was still in his office. came out of his office and looked at the cafeteria menu, choosing a hamburger. TRIPP left him with TOM CASTLETON while she went to get his lunch. She dumped a whole handful of M&M candies on his tray as a pleasantry. When she returned CASTLETON was gone. FOSTER asked her what took her so long and said he had sent CASTLETON to go find her. TRIPP was surprised that FOSTER would send CASTELTON to look for her because she had not been gone very long. FOSTER seemed in a rush. He sat at his couch, eating and reading the newspaper. He removed the onions from his hamburger, which struck TRIPP as odd in retrospect. She couldn't understand why he would do that if he was planning to commit suicide. did not make sense to her that he might be worried about his breath if that were the case. TRIPP does not know if FOSTER likes or dislikes onions. She had never ordered lunch for him before and made a mental note of his preference at the time in case she ever ordered lunch for him again.

Shortly after she left him eating and reading the newspaper FOSTER came out of his office with his jacket on and empty-handed. He said, "There are lot's of M&Ms left in there. I'll be back." There was nothing unusual about his demeanor and he did not seem distressed. TRIPP advised that it was FOSTER's habit to carry his briefcase with him when he traveled to and from work. When he left the office at shortly after 1:00PM he did not have anything with him. TRIPP did not know where he was going and it was not appropriate for her to ask him. He did not have any appointments noted on his office calendars or that anybody knew about.

Some time during the afternoon NUSSBAUM casually asked where FOSTER was, and POND, GORHAM, and TRIPP discussed whether or not they should page him and decided against it. TRIPP does not know if NUSSBAUM paged FOSTER. TRIPP left at 5:30 PM. COYLE, the President's secretary, called TRIPP at approximately midnight to notify her about FOSTER's apparent suicide. TRIPP called GORHAM and notified her, and left a message on POND's telephone answering machine in an attempt to notify her. She did not speak to anyone else that night. She arrived the next day at her usual time, approximately 8:00 AM.

She advised that sometime soon after the death, GORHAM told TRIPP that the morning of his death, much earlier than his leaving, FOSTER had placed three pieces of personal correspondence in the outgoing mail. The pieces were definitely

Linda A. Tripp Continuation of FD-302 of

4/12/94

personal, FOSTER having addressed them by hand and used stamps instead of officially franked envelopes. This was sufficiently unusual that GORHAM noted it, and told TRIPP who two of the items were addressed to. TRIPP was unable to recall one of the items, but said the other was to FOSTER's mother. TRIPP does not know if GORHAM knows who the third piece was addressed to. Pieces of mail are not logged. The couriers who pick up the mail are BOBBY, JACKY, and Helen (all phonetic and last names unknown). TRIPP never mentioned these letters to the Park Police. She does not believe GORHAM or anybody else has either, although TRIPP urged GORHAM to report them to the Park Police. TRIPP is not aware of any discussion with NUSSBAUM about the letters or any other internal discussion of them.

TRIPP advised that the following individuals worked in close proximity to FOSTER: Herself, POND, GORHAM, NUSSBAUM, CASTLETON (an intern), and MARLENE MACDONALD (an unpaid volunteer).

TRIPP never saw a gun in FOSTER's office or in his possession. He never talked about guns or mentioned owning one. TRIPP advised that she could not picture a more non-violent person. He may have had an interest in history, judging from books in his office. TRIPP does not know if he had any hobbies. There is a collage of photographs showing him and Lisa in a boat, which might indicate some kind of interest.

Two things occurred which were out of the ordinary on July 19, 1993, the day before FOSTER died. MARSHA SCOTT, Deputy Assistant to the President and Director of Presidential Correspondence, came to see FOSTER for a closed-door session which lasted over an hour, possibly as long as two hours. This was highly unusual, both her coming to see him and anybody taking up that much time with FOSTER. TRIPP advised that SCOTT went to school with President CLINTON and she is part of the group of "core" Arkansans who go to dinner every Tuesday night. She has no direct knowledge of whether or not SCOTT has attended the "Renaissance weekend" at Hilton Head with the CLINTONS or whether SCOTT's and PRESIDENT CLINTON's name has been linked romantically. TRIPP advised that she was very uncomfortable discussing SCOTT due to their professional relationship and the fact that SCOTT appears to wield influence that belies her official position.

TRIPP does not know what SCOTT and FOSTER discussed,

Continuation of FD-302 of Linda A. Tripp , On 4/12/94 , Page 6

but has a clear recollection of the meeting because she feared at the time that it might have something to do with her professionally. She does not know if it was a scheduled meeting. SCOTT did not make any effort to see NUSSBAUM before meeting with FOSTER.

The second thing that happened that day which was unusual was that he went home early-- about 7 o'clockish in the evening-- when NUSSBAUM, CASTLETON, TRIPP were frenetically completing final preparations for the next morning's appointment of FBI Director FREEH in the Rose Garden. It seemed a little odd that he would leave when everybody else, including NUSSBAUM, was so busy. Then added to that was that about thirty minutes after he left, the White House operator called for him, saying the President was trying to reach him. When NUSSBAUM heard about this he said, "Good, he can use the support."

TRIPP spoke to FOSTER as he left, asking him if he had thought about inviting his children to the Rose Garden ceremony the next day. FOSTER had a non-committal answer. He had his briefcase with him as he left. TRIPP advised that he customarily carried it to and from work.

TRIPP advised that there are two safes in NUSSBAUM's office at the White House and that GORHAM was the only person who was physically able to open the one on the right as you entered the office. To the best of Tripp's knowledge, the one on the left was not used. TRIPP does not recall any discussion regarding the safes on July 22, 1993 (the day FOSTER's office was inventoried), or on any other day following FOSTER's death. The first reference that TRIPP heard concerning a safe was in the press and it was that PATSY THOMASSON said they should open the safe. THOMASSON was not a usual visitor to the office and she was very surprised when she heard that THOMASSON had been in the office shortly after FOSTER's death:

TRIPP advised that the photo that NUSSBAUM took from FOSTER's office was a small black and white photograph of Miss Mary's preschool class, showing FOSTER, BILL CLINTON, and others as four-year-olds. TRIPP had the photo, which had been given to her by NUSSBAUM to get it copied to give to LISA FOSTER, VINCE FOSTER's widow.

With regard to trash from FOSTER's office, TRIPP advised that at some point on July 21, 1993, somebody mentioned

Continuation of FD-302 of Linda A. Tripp , on 4/12/94 , Page 7

the possible existence of a burn bag. TRIPP does not think FOSTER had one in his office. But he did have a trash receptacle and TRIPP believes that trash from it was retrieved.

TRIPP advised that she is not aware of the cabinets in front of GORHAM's desk, known to have FOSTER's materials in them, ever to have been searched or looked into. Everybody had access to them. TRIPP does not know if they were locked, and was of the opinion that they were "housekeeping" type materials.

TRIPP never saw or heard of FOSTER giving any dictation or other secretarial work to any person other than GORHAM.

TRIPP was present when STEVEN NEUWIRTH found the torn up yellow piece of paper that was discovered in FOSTER's briefcase. She advised that NEUWIRTH came out of FOSTER's office white-faced and shocked looking. He asked where NUSSBAUM was, and when TRIPP told him where he was, he said, "Page him." From the way he was acting, she asked if he had found something, and he answered, "Yes." GORHAM had told TRIPP that the briefcase was "empty except for those yellow stickies on the bottom."

The morning of July 21, 1993, TRIPP arrived to work at 7:00 AM. POND was already there and had been in FOSTER's office. Everybody, including herself, was extremely upset. TRIPP could not remember anybody who was not weeping to some degree at some point. People from all over stopped in. TRIPP recalls MARSHA SCOTT, MAGGIE WILLIAMS, BRUCE LINDSEY, BILL KENNEDY, WEBB HUBBELL-- all those in the Tuesday night Arkansas "group". She had to take a cab home that evening because she left so late. They were told to remain at work in case anybody had a question.

At some point the day of July 21, 1993 TRIPP suggested to NUSSBAUM that they needed a Secret Service officer to guard FOSTER's office. She advised that she thinks GORHAM and NUSSBAUM were in FOSTER's office together that day. She did not remember anything being moved. Mostly she remembers the door to the office being closed. After it was inventoried by a large group of people including NUSSBAUM, NEUWIRTH, and DAVID SLOAN (date not recalled) the door was kept locked and nobody tried to access the office. TRIPP did not know who had the key to it. It seemed that the door stayed closed and locked for months.

At one point (exact day not recalled) HILLARY CLINTON went into FOSTER's office, stood just inside the doorway gazing around without touching anything for a little while, then turned

, On 4/12/94 Linda A. Tripp Continuation of FD-302 of

around and left.

A Staff Meeting was called and held in the 4th floor of the Old Executive Office Building. Everybody was there. PRESIDENT CLINTON made remarks. The White House Associates were called in to a meeting. TRIPP does not know what transpired at the meeting. Non-Associate staff were told that there would be an Associate sitting in on their Park Police interview when it occurred. TRIPP had CLIFF SLOAN sitting in on hers when it. occurred. That is the only other time she was interviewed on this matter.

TRIPP provided the following personal information about herself:

Name: LINDA R. TRIPP

DOB: FOIA(b)(6) POB:

FOIA(b)(7) - (C) SS#:

Address: 6258 Cricket Pass, Columbia, MD 21044 Telephone Numbers: (410) 964-1896, (301) 621-6225

Position: Executive Assistant to the Counsel to the President

#### OFFICE OF THE INDEPENDENT COUNSEL

	 Date of transcription	
×		10/18/94
		:

SA WILLIAM E. COLOMBELL reviewed the U.S. Park Police evidence and custody logs for all physical evidence in possession of the U.S. Park Policy relating to the VINCENT FOSTER death investigation.

Evidence control receipts and logs confirmed that item 12, described as a White House identification and photo of VINCENT FOSTER, was turned over by OFFICER CHERYL BRAUN to the U.S. Secret Service on July 21, 1993 at 1:20 a.m.

The evidence control receipts and logs for personal items removed from FOSTER's body confirms that the below listed items were all turned over to White House representative CLIFFORD SLOAN by U.S. Park Police OFFICER PETER MARKLAND on 7/21/93 at 7:35 p.m. with a notation, "return to family."

Item 5 - Brown leather wallet & contents

Item 6 - Seiko watch

Item 7 - Motorola Bravo Pager, Cap Code 052943

Item 8 - Silver Ring

Item 9 - Gold Ring

			(telephonic	ally)			
Investigation on	10/13/94	at	Washington,	D.C.	File #	29-LR-35063	
by <u>WILLI</u>	AM E. COLOMBI	ELL			Date dictated	_10/18/94	

USSS Interviews:

April 25, 1994

29D-LR-35063 IRM <u>1</u>

The following United States Secret Service (USSS), Uniform Division, Officers were interviewed, on the date indicated, at the Office of the Special Counsel 1001 Pennsylvania Avenue, NW by Special Agent Special Agent Steven Tyner, III, April 22, April 25, 1994; John Scott Cassetta, FOIA(b)(7)-(C)

Each of these three officers advised that they were assigned to work the 10:30 pm - 7:00 am shift on USSS White House compound gate post B-4 on July 20-21, 1993, which allows access to West Executive Avenue within The White House compound by either vehicle Each of these officers said that they did not know Vincent Foster, Jr. professionaly or personally and believed that they did not learn of his death until late morning or early afternoon of July 21, 1993. They each similarly advised that they did not know Bernard Nussbaum, Patsy Thomasson, Maggie Williams, nor Craig Livingstone and cannot specifically recall if any of these individuals passed through gate B-4 during the late evening hours of July 20, 1993 or early morning hours of July 21, 1993. They each advised that it would be unusual for a White House staffer with appropriate White House access credentials, to attempt to bring a visitor on The White House compound during late night or early morning hours. They each advised that they do not recall any such occurrence during their shift of July 20 - July 21, 1993.

## OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription	1/17/95
Date of transcription	

CHRISTINE A. VARNEY was interviewed within the offices of the Office of the Independent Counsel (OIC), 1001 Pennsylvania Avenue, NW, Washington, D.C. (WDC). VARNEY was accompanied to the interview by her attorney, LYN UTRECHT, of the law firm of Oldaker, Ryan & Leonard, 818 Connecticut Avenue, NW, Suite 1100, WDC, telephone number 202-728-1010. After being apprised of the identities of the interviewing agents and that the purpose of the interview was to discuss events surrounding the death of VINCENT W. FOSTER, JR., former Deputy Counsel to the President of the United States, VARNEY thereafter provided the following information:

VARNEY served as the Chief Counsel to the Presidential campaign of then candidate, BILL CLINTON. Upon CLINTON's election as President of the United States, she was named General Counsel for the inauguration. After CLINTON's inauguration as President, VARNEY was appointed Cabinet Secretary for the administration. VARNEY has held the aforementioned positions based upon her expertise in the field of election law.

Prior to her interview by the OIC, WDC, VARNEY reviewed her calendar related to the time period surrounding July 20, 1993. The aforementioned review revealed that VARNEY was in her office on that day. During the time period in question, VARNEY was involved in dealing with floods in the mid-western portion of the United States.

VARNEY recalls meeting FOSTER in Little Rock during the fall, 1992. They met after the Presidential election in November, 1992. VARNEY had no role in FOSTER being selected to serve in The White House Counsel's office. Subsequent to the inauguration of President CLINTON, VARNEY and FOSTER had weekly business and social contact. VARNEY described herself to have been an acquaintance of the FOSTERs.

FOSTER would seek VARNEY's advice with regard to leftover/ongoing election issues related to the 1992 Presidential campaign and election. VARNEY had no conversations or

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1/9/95	at <u>Washington</u>	, D.C.	_ File #	29D-LR-OIC-35063	3
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Continuation of OIC-302 of CHRISTINE A. VARNEY , On 1/9/95 , Page 2

discussions with FOSTER regarding a blind trust related to the President and Mrs. CLINTON. VARNEY has no recollection of any interaction between herself and FOSTER on July 20, 1993. VARNEY had no recollection of the last time she saw FOSTER.

VARNEY first learned of FOSTER's death from a newspaper story on July 21, 1993. VARNEY was alerted to the newspaper story by her husband.

VARNEY arrived at her office between the hours of 7:30 and 8:00 am on July 21, 1993. She believes that the door to the Counsel's office suite was closed upon her arrival. Her office is located on the second floor, northside of the west wing of The White House.

VARNEY had an awareness of discussions regarding how the Park Police investigation was being conducted related to FOSTER's death. No one sought her counsel either formally or informally regarding the search of FOSTER's office. VARNEY was not present during the search of the office and did not attend FOSTER's funeral. VARNEY's only awareness of the search of FOSTER's office with particular regard to procedures utilized in the course of the search was from media/newspaper reports.

VARNEY believes that she was informed that STEPHEN NEUWIRTH of the White House Counsel's office was the individual who found the note believed to have been written by FOSTER.

VARNEY was aware that the note was found by NEUWIRTH while he was packing up FOSTER's office. VARNEY does not recall who told her that the note had been found. She has no knowledge of any additional notes relating to FOSTER having been found.

VARNEY departed The White House between 7:00 p.m. and 8:00 p.m. on July 20, 1993. She did not return to The White House that evening. VARNEY was aware that Larry King was going to broadcast a program from The White House on the evening of the 20th. She may have prepared a briefing paper related to potential issues the President could be questioned about in the course of the interview. VARNEY's paper concerned floods in the mid-west.

VARNEY has known CRAIG LIVINGSTONE since the 1988, Democratic Presidential nominating convention. She was also aware that LIVINGSTONE did advance work related to the CLINTON Presidential campaign and the inauguration. LIVINGSTONE is known

∠ J-LR-OIC-35063

Continuation of OIC-302 of	CHRISTINE A.	VARNEY	, On	n	1/9/95	, Page	3

to be currently involved in the area of personnel security at The White House.

VARNEY has no recollection of seeing LIVINGSTONE on either July 20 or July 21, 1993.

VARNEY's only conversation with LIVINGSTONE related to the investigation currently being conducted by the Office of the Independent Counsel concerned LIVINGSTONE seeking advice for counsel. LIVINGSTONE came to VARNEY and asked for recommendations for attorneys to represent him on the issue of moving boxes from The White House. These boxes were in some way related to FOSTER. She did not recall when this conversation took place. LIVINGSTONE emphatically denied to VARNEY ever moving any boxes from The White House related to FOSTER. described LIVINGSTONE to be upset regarding his situation. VARNEY just provided LIVINGSTONE with names and does not know if he ever contacted anyone on the list. LIVINGSTONE informed VARNEY that he did go to the hospital on the night of FOSTER's death to identify the body. VARNEY had no recollection of hearing information regarding LIVINGSTONE going to the FOSTER residence on the morning of July 21, 1993. VARNEY did not go to the FOSTER residence subsequent to FOSTER's death.

VARNEY's only knowledge regarding Whitewater stems from her recollection of a December 1992 discussion in Little Rock, regarding the dissolution of the CLINTONs' Whitewater investment and other unrecalled issues.

VARNEY had no reason to believe that Whitewater or Madison Guaranty Savings and Loan were reasons as to why FOSTER may have taken his own life.

No other information of investigative value was provided.

CHRISTINE A. VARNEY is described from observation and interview as follows:

Date of Birth: Place of Birth:		
Race: Sex:	White Female	FOIA(b)(6)
Social Security Account Number:		FOIA(b)(7) - (C)

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Continuation of OIC-302 of CHRISTINE A. VARNEY , On \_\_\_\_\_\_\_, On \_\_\_\_\_\_\_, Page \_\_\_\_\_4

Residential address: 3515 Macomb Street, NW Washington, DC 20016

Residential telephone #: 202-363-7854

Title: Commissioner, Federal Trade

Commission

Work address: Federal Trade Commission Pennsylvania Avenue, NW

& 6th Street Washington, DC

Work telephone #: 202-326-2171

	Date of transcription	0/10/01

8/19/94

LORRAINE A. VOLES, Director of Communications for the Vice President, work telephone (202) 456-7035, was interviewed at her office at the White House. After being advised of the identity of the interviewing agent and the nature and purpose of the interview, VOLES provided the following information:

VOLES advised that at the time that VINCE FOSTER, JR. killed himself on July 20, 1993, VOLES was Deputy Press Secretary in the Office of Communications. At the time of FOSTER's death, she was covering the RUTH BADER GINSBURG confirmation hearing, so everyday she reported directly to Capitol Hill to work. She started those duties of July 19 or 20 and believes from looking at her calendar that she was doing that Monday through Thursday of the week that FOSTER killed himself. She did not go into the White House at all and was not involved in any way in the events at the White House during that period.

On July 21, 1993, her calendar shows that she had to be in Room 234 at 9:00 a.m. She does not recall the press office calling her at all. She has a vague memory of a conversation with RICHARD STRAUSS about some radio program information related to the BADER GINSBURG hearings and in passing he made a comment about everybody being "out of it because of VINCE FOSTER."

VOLES advised that she received a call on the issue of press coverage at the FOSTER residence from CRAIG LIVINGSTONE's attorney approximately two to three weeks ago. She knew nothing about the matter. She did not assign anybody to go out there. That is the type of thing that she would have done in the course of her responsibilities of managing the lower press office had she been at the White House at the time, but she was not. She advised that in her absence either DEE DEE MYERS or ARTHUR JONES of the Press Office would have been the ones to send somebody to the FOSTER residence.

The only women in the office at that time included NANCY WARD (Office Manager), KATHY MCKIERNAN and VOLES herself. She advised that if someone was sent, they would not have sent an

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by <u>SSA H. ALEXIS S</u>	UGGS	Date dictated	0/9/94

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Continuation of FD-302 of

LORRAINE A. VOLES

, On 8/5/94

Page

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intern. The only other remote possibilities would be VICKY RIVAS VAZQUEZ or DAWN ALEXANDER.

Asked to speculate what other entity might have sent somebody out to the FOSTER residence the morning of July 21 to handle press, she thought maybe DAVID WATKINS' old office (The Office of Management and Administration) or maybe the Secret Service. She said if it had been a Press Office person, they would have discussed it at the Press Office meeting.

VOLES advised that she had not heard about CRAIG LIVINGSTONE's activities on July 20 and 21 until his lawyer contacted her. She does not know of any business CRAIG LIVINGSTONE or anybody would have had in the White House early on the morning of July 21, 1993. She said someone in the Press Office would have known if any intern of theirs had been borrowed to help move boxes.

VOLES advised that her personal impression of CRAIG LIVINGSTONE is that "he has watched too many episodes of Cagney & Lacey," intimating that he tended to enjoy intrigue and get wrapped up in "cloak & dagger stuff." In addition, on a couple occasions, he told her about problems that individuals were getting into and she felt it was indiscrete and inappropriate for him to have told her. For that reason she avoids contact with him except what is unavoidable.

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

Name:

Current Position:

Position as of

Position as of July 20, 1993:

DOB: POB: SSN:

Address:

Residence Phone: Work Phone:

Lorraine A. Voles

Director of Communications for

the Vice President

Deputy Press Secretary for the President

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

5311 42nd street, N.W. Washington, D.C. 20015

(202) 362-1419 (202) 456-7035

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## FEDERAL BUREAU OF INVESTIGATION

Date of transcription	6/15/94

ANN FAIRFAX WALKER, Special Assistant to the President and Director of Communications research, The White House, Washington, D.C. was interviewed at the Office of the Independent Counsel, Washington, D.C. Ms. WALKER was advised of the identity of the interviewing agent and of the purpose of the interview. MARK STEIN Assistant to Independent Counsel ROBERT B. FISKE, JR. assisted in this interview. Ms. WALKER provided the following information:

She has been in her present position at The White House since January 20, 1993. She previously worked since March of 1992 in the CLINTON campaign. She was press secretary in Washington, D.C. during the primaries and worked during the transition at the Governor's Mansion in Arkansas. Her present job is basically research to find public record information.

WALKER was asked about her interaction with VINCENT FOSTER, former White House Deputy Counsel who died on July 20, 1993. She described her interaction as "a little bit". When FOSTER wanted research done, and RICKI SEIDMAN (Deputy Assistant to the President and Deputy Director of Communications) was out, he would come to her. Basically what FOSTER wanted researched was tax information such as what BUSH and QUAYLE had reported as deductions on their tax returns.

WALKER was shown a copy of a memorandum addressed to "RICKI" dated April 12, 1993. She said this memorandum was informing SEIDMAN about FOSTER's request. WALKER explained that SEIDMAN had wanted an outline of the information which she had provided to FOSTER during her (SEIDMAN's) absence. In addition to the tax info, FOSTER also wanted information on Whitewater and how it had been reported during the CLINTON Presidential campaign. WALKER said the word "project" in the memorandum referred to FOSTER's call for information concerning the three items listed on the memorandum. Those items were 1) How the media "handled" President Bush's income tax filing in 1989; 2) Whether Bush itemized charitable contributions and deductions and did the media scrutinize these line items; and 3) The White Water

investigation on	6/14/94	at	Washington,	D.C.	File #	29D-LR-35063	
by SA WI	LLIAM T. C	GUYTON			_Date dictated	6/14/94	

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Continuation of FD-302 of ANN FAIRFAX WALKER

On 6/14/94

2

Development Project coverage during the campaign. FOSTER requested all of this information in the same phone call to WALKER. WALKER was able to provide information to FOSTER on each of these questions. She met with him on or about April 5, 1993 concerning her research. When WALKER met with FOSTER he provided her with a New York Times article from Monday April 5, 1993 captioned "At Last, a Team for Justice" concerning some Arkansas ethics legislation. FOSTER wanted to know while CLINTON was governor how this had been reported and what had been said about WEBB HUBBELL's role.

WALKER said that SEIDMAN and FOSTER discussed the White Water coverage during the campaign further as FOSTER wanted more information. WALKER's comment in the memorandum concerning "excluding the White Water clips--per your instruction" was made because SEIDMAN already had this information.

The reference to REAGAN and CARTER was an answer to FOSTER's request for more information. WALKER said SEIDMAN was clearly looking for something without saying what it was she was looking for. WALKER had done a "couple" of media searches regarding Whitewater or taxes for FOSTER. She described this research as being routine, but said that SEIDMAN had been "agitated" about it. WALKER was not sure why. WALKER said it was unusual to get a request from VINCE FOSTER or the Counsel's office herself but that maybe SEIDMAN got this type of request on other occasions. During this two or three week period in April, 1993, WALKER had done other research on Whitewater such as locating other New York Times articles for FOSTER. She had also been asked to research the Whitewater coverage during the campaign and to determine who had spoken on the record on the campaign concerning Whitewater.

FOSTER's phone call to WALKER was the first request she had gotten to research Whitewater. She pointed to the fact on the memorandum of April 12, 1993, that she had not spelled Whitewater correctly. She said the request came "out of the blue" and she didn't know why she was being asked for the information. WALKER was not sure if some of the requests were coming from GEORGE STEPHANOPOULOS or that she was just providing copies of her memorandums to him.

With respect to SEIDMAN being agitated, WALKER further explained that she (WALKER) needed to know what she was looking for and felt as though she was "shooting in the dark". No one

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Continuation of FD-302 of

ANN FAIRFAX WALKER

else had expressed a concern to her regarding this research project. FOSTER himself had been "perfectly calm" about the request. WALKER could not remember any questions that FOSTER asked her about this research.

WALKER was asked if she had told anyone else about her research for FOSTER. She answered that in February or March of 1994 she had told JOHN PODESTA while he was doing some other research concerning Whitewater. She said no one else at The White House had been told other than through her memorandums to SEIDMAN with copies to STEPHANOPOULOS. WALKER had given STEPHANOPOULOS her research on who said what during the campaign on Whitewater. She is not sure if she did this memorandum to STEPHANOPOULOS with a copy to FOSTER or to FOSTER with a copy to STEPHANOPOULOS. FOIA(b)(3) - Fed. R. Crim. Pro. 6(e) - Grand Jury

WALKER said she would review her records upon returning to The White House and get back to the Office of the Independent Counsel with any additional information that she located.

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

Name:

Title:

ANN FAIRFAX WALKER

Special Assistant to the

President and Director of Communications Research,

Office of Research, Office of

Communications.

Sex:

Race:

SSAN:

DOB:

POB:

Address:

Black

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

9101 Crosby Road

Female

Silver Spring, Maryland 20910

(301) 589-8542 (home)

(202) 456-7845 (work)

Telephone Number:

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# FEDERAL BUREAU OF INVESTIGATION

Date of transcription	5/2/94	

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Diann Walters, who resides at Number 40 Chesapeake Street Apt. 304, Washington, D.C., was contacted and advised as to the identity of the interviewing agent and the nature of the interview. She then provided the following information:

She is employed by the General Services Administration (GSA) as a "cleaning lady". She works the 9:30 pm - 5:45 am shift at The White House. Her duties are to vacuum, dust, clean, and remove non-confidential trash from offices on the 2nd floor in the west wing of The White House. Her telephone number at work is 202-395-3270 and her home telephone number is 202-563-5471.

In July, 1993, as now, she was working the 9:30 pm -5:45 am shift. She recalls learning of Vincent Foster, Jr.'s death during the late evening hours of July 20, 1993, although she can not recall by which means she learned of his death. remembers working that particular night because she learned of his death and because she was subsequently advised that she was not to remove any trash from or clean the suite of offices that included Foster's office. She stated, however, that she can not recall who so advised her. Ms. Walters was asked if she recalls seeing any White House staffers in the Bernard Nussbaum/Vincent Foster suite of offices that night. She stated that she does not recall seeing anyone in that office and does not recall seeing anyone enter or leave that suite of offices. In response to a specific question, she further said that she similarly does not recall seeing anyone carrying anything out of the Nussbaum/Foster suite of offices on July 20, 1993.

Investigation on	_4/29/94at _Was	hington, D.C.	File #	29D-LR-35063	SUB A
by SA	FOIA(b)(7) - (C)		Date dictated	5/2/94	

Date of transcription	8/24/94

DIANN WALTERS was interviewed at her residence, 40 Chesapeake Street, S.E., Apt. 304, Washington, DC (WDC), regarding her knowledge of events occurring at The White House on the evening of July 20, 1993, as they related to the death of former Deputy White House Counsel, VINCENT W. FOSTER, JR. After being apprised of the purpose of the interview and the identity of the interviewing agents, WALTERS thereafter provided the following information:

On the evening of July 20, 1993, WALTERS, assigned to The White House as a member of the cleaning staff, was working in her usual capacity in removing trash from offices located in the West Wing of The White House. WALTERS and a second cleaning woman by the name of TERRI COBEY were escorted to the 2nd floor of the West Wing to pull trash from offices located in the Counsel's office suite. In the course of pulling trash from offices located within the Counsel's office suite, WALTERS noticed a white female going through trash that had been pulled at some point from the offices in that suite by both WALTERS and COBEY. WALTERS was in the Counsel's office suite when she observed this female going through the trash.

The white female who was searching through the trash that had been pulled from the Counsel's office suite is further described to have been of small frame, approximately 5'6" in height, with shoulder length hair. WALTERS believed her first encounter with this woman was on July 20, 1993. She could not recall if the unknown white female wore any type of identification badge.

WALTERS did not remember if the assigned Uniformed United States Secret Service (USSS) Officer escort had to utilize keys to gain access to the Counsel's office suite. WALTERS and COBEY were escorted into the Counsel's office suite by HANK O'NEILL, of the USSS. On the 2nd floor of the West Wing, WALTERS cleaned the Office of the First Lady and the Counsel's office suite. With regard to O'NEILL, WALTERS recalled that he was just substituting that night for USSS Officer RIDGE (phonetic). RIDGE

anvestigation on	8/05/94	at Washington, DC	File #	29D-LR-35063	SUB A
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Continuation of FD-302 of DIANN WALTERS , On 8/05/94 , Page 2

is described to be a white male who usually serves as an escort for WALTERS and COBEY while on the 2nd floor of the West Wing.

According to WALTERS, "lock-ups" are done at approximately 10:45 pm each evening. Lock-ups are described to be secure office areas requiring a USSS escort. The lock-up known as the Counsel's office suite was probably cleaned at approximately 10:45 pm on the evening of July 20, 1993.

When trash is picked up from offices within the West Wing, WALTERS noted that the trash is put into two separate bags. Trash or garbage is put into a large brown paper bag. Paper refuse goes into clear plastic bags.

As the white female previously described by WALTERS looked through the trash, WALTERS did not see the white female touch any of the trash nor did she observe the white female taking anything out of the trash. WALTERS could not recall whether or not the white female may have gone through trash in the hallway leading up to the Counsel's office suite.

As the evening progressed, WALTERS recalls that Officer O'NEILL may have said something about not pulling any more trash from offices in the Counsel's office suite. It is possible that the trash had already been pulled from the suite by the time O'NEILL made his decision.

WALTERS can not remember if anyone was in the First Lady's office when trash was pulled from that location. She is of the opinion that the First Lady's office door was locked and that Officer O'NEILL had to provide access to that office.

WALTERS did not recall whether or not anyone else was walking around the second floor of the west wing on the evening of July 20. She does not recall if the white female took anything out of the Counsel's office suite.

WALTERS has been employed for approximately 3 years as a cleaning woman at The White House.

No further information of investigative value was provided.

#### OFFICE OF THE INDEPENDENT COUNSEL

0/94

NANCY L. WARD, Press Office Manager, White House Press Office, was interviewed at The White House on September 16, 1994. After being advised of the identity of the interviewing agents and the nature and purpose of the interview, WARD provided the following information:

WARD advised that she has been Press Office Manager since January 1993. Her duties include a wide range of responsibilities, including the training and supervision of 10-12 interns and other staff assistants in the Press Office. She makes sure that phone calls, mail and other office correspondence are routed efficiently and otherwise acts as an Administrative Coordinator for the Press Office activities.

WARD said she knew nothing of VINCE FOSTER, JR.'s death until she arrived at work on July 21, 1993. She did not know FOSTER at the time, although his name was familiar

WARD advised that she has no knowledge of anybody from the Press Office either going themselves or sending anybody on behalf of the Press Office to go out to the FOSTER residence to help deal with press coverage there. She added, however, that she probably would not have known of such a decision because her professional focus is within the lower Press Office in The White House and does not include activities outside The White House. She suggested that such a decision to send somebody to the FOSTER residence would have been made by either ARTHUR JONES or LORRAINE VOLES.

WARD advised that she knows who CRAIG LIVINGSTONE is but does not know his title. She does not recall any contact with him early in the morning on July 21, 1993 either by telephone via an outside call or seeing him anywhere in the upper or lower Press Office in The White House.

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

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Continuation of OIC-302 of NANCY L. WARD , On 9/16/94 , Page 2

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

Address:

Residence Phone: Position:

NANCY I. WARD FOIA(b)(6) FOIA(b)(7) - (C)

2020 F Street, NW
Apt. 921
Washington, D.C. 20006
202-296-7772
Press Office Manager
The White House
since January, 1993

#### OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription	8/24/94

GWENDOLYN NANCY WEAVER, Deputy Assistant Director of the Office of Administration for Information Management, The White House, a position she has held since June 1, 1993 was interviewed at her office in the New Executive Office Building. After being advised of the identity of the interviewing agent and the nature and purpose of the interview, WEAVER provided the following information:

WEAVER advised that the responsibilities of her office include management and oversight of all the libraries and the computing services for The White House complex. It includes the Data Center, a Network Services Group, Customer Support Desk (which includes a Help Desk, Programming, and Training) and Records Management. They also handle Systems Integration and Information Security.

WEAVER has no specific recollection of the day VINCE FOSTER, JR. committed suicide. She remembers the general time period of it having happened. Neither she personally nor her office were directly involved in the events surrounding VINCE FOSTER's death, including the disposition of his office and the inventory of his papers, at the time of his death. She did not know if there had been any requests to move equipment following VINCE FOSTER's death but advised that JAMES MCDONALD, an individual in her office, would know the answer to that question.

She explained that, as a practical matter, even though users are not supposed to move their own equipment, the reality is that equipment does get moved without her office finding out about it. All requests for moving equipment should be done through her office's Help Desk. WEAVER also said that she doubts that anybody in the Counsel's office knew enough about computers to do any of their own work. She also advised that the Counsel's office had E-mail but was not on a local area network (LAN) as of July 20, 1994. That means, in essence, that the movement of information from the Counsel's office or to the Counsel's office could not have been conducted by computer but would have, by necessity, had to be transmitted physically by "hard copy"

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by SSA	Н.	ALEXIS	SUGGS				Date dictated	8/24/94	

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GWENDOLYN NANCY WEAVER Continuation of OIC-302 of

(paper) or floppy disk.

, On 8/22/94

WEAVER advised that she knows CRAIG LIVINGSTONE but has only had very brief conversations with him on the subject of building passes.

As part of the interview WEAVER provided the following information:

Name:

Date of Birth: Place of Birth: Social Security Number: Home Address:

Telephone: Position:

GWENDOLYN NANCY WEAVER

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

1961 Columbia Pike #44 Arlington, Virginia 703-486-0837 (unpublished) Deputy Assistant Director of the Office of Administration for Information Management

	Date of transcription	6/20/94

THOMAS S. WEDERTZ, age 42, tow truck driver for T. & T. Towing, Incorporated, telephone (703) 795-9659, was telephonically contacted. WEDERTZ was advised as to the identity of the interviewing agent and that the purpose of the interview was in connection with information which had been received regarding his towing of a car from Ft. Marcy Park on the evening of July 20, 1993 and/or early morning hours of July 21, 1993. On July 20, 1993, VINCENT FOSTER, Deputy White House Counsel, The White House, Washington, D.C., had been found dead in Ft. Marcy Park.

When asked if he had towed a vehicle from Ft. Marcy Park to the FBI Headquarter's garage on July 20-21, 1993, WEDERTZ answered that he was "not aware of anything like that." He said he had no idea why this information would come up.

WEDERTZ was reminded to be truthful regarding the question being asked and he said that he was being truthful. He said he had been called by "some lady" last week from Capitol Hill with a similar question and had denied having any information with her as well. He could not further identify this person or the purpose of her call. He said he had nothing to hide, but did not tow any vehicle from Ft. Marcy Park on July 20-21, 1993.

			(telephonic	ally)		¥	
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Date of transcription	7/13/94

LISA WETZL, Intern employed at The White House Office of Personnel Security, telephone (202) 456-2345 was interviewed telephonically. After being advised of the identity of the interviewing agent and the nature and purpose of the interview, WETZL provided the following information:

WETZL said that she was working in the same position she currently holds in The White House Office of Personnel Security on July 20, 1993 and has specific recollections of the events of that date because it was made remarkable by VINCE FOSTER's death. She advised that as of July 20, 1993 she was only an intern, not a permanent employee as she is now and she was only typing minor memoranda for the Office of Personnel Security. She did not type any kind of memo from CRAIG LIVINGSTONE that was dated July 21, 1993 titled, "Report from CRAIG LIVINGSTONE" and purporting to be a chronology of his activities on July 20 and 21, 1993. She does not recall ever seeing such a document and did not type anything like it then or since that time. She feels sure that she would have remembered such a memo.

WETZL advised that the only thing she has typed for CRAIG LIVINGSTONE that remotely relates to this matter was a project wherein she typed the results of the Office of the Independent Counsel's interview of LIVINGSTONE from notes he had made of the interview. WETZL speculated that the memorandum chronicling his activities on July 21 was either typed by LIVINGSTONE himself or given to MARI ANDERSON and not to any of the interns.

WETZL explained that her job as of July 20 related to maintaining security files. She made up files, she sent off requests for FBI background information. She never assisted CRAIG LIVINGSTONE carrying boxes out of The White House or heard of anybody doing so.

As part of her interview, WETZL provided the following personal information:

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			7/7/94 at Washington, D.C.	7/7/94 at Washington, D.C. File#

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LISA WETZL

7/7/94

DOB:

POB:

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MARGARET A. WILLIAMS, Chief of Staff for the First Lady, The White House, was interviewed at the Office of the Independent Counsel (OIC), 1001 Pennsylvania Avenue, NW, Washington, D.C. (WDC). WILLIAMS was accompanied to the interview by her attorney, ED DENNIS. Participating in the interview were attorneys MARK STEIN and CARL STICH, both of the OIC. After being apprised of the identities of those participating, and the purpose of the interview, WILLIAMS thereafter provided the following information:

Since arriving in WDC as members of the CLINTON administration, WILLIAMS and former Deputy Counsel to the President VINCENT W. FOSTER, JR., maintained a fair amount of contact until his death on July 20, 1993. WILLIAMS had a fair amount of interaction with FOSTER on issues related to health care, based upon HILLARY RODHAM CLINTON'S (HRC) status in heading the health care task force for The White House. In connection with the health care task force, FOSTER provided counsel regarding HRC's classification as a private citizen as opposed to being a federal employee. This issue was of significant importance regarding whether or not health care task force meetings should be open to the public. WILLIAMS' role with regard to the health care task force and her interaction with The White House Counsel's Office was that of a facilitator.

WILLIAMS and FOSTER also had contact regarding renovations at The White House. In a note that was believed to be written by FOSTER, discovered subsequent to his death, an issue was raised regarding a dispute between The White House Usher's Office and the Office of HRC. The dispute concerned renovations to The White House and whether or not estimates provided by the Usher's Office for work related to the renovation were in line with estimates provided by KAKI HOCKERSMITH the decorator chosen by HRC for the project. Estimates provided by GARY WALTERS, Senior White House Usher, were higher than estimates provided by HOCKERSMITH. WILLIAMS was aware that these disputes arose because the decorator was not aware of other costs involved in the renovation. WILLIAMS noted that special care had

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to be taken with regard to removal of wallpaper in the residence, and when covering furniture at The White House. Duplicates also had to be re-upholstered for use in emergency situations. Overtime payments for work that could only be done in the absence of the President, which was usually on weekends, were also not figured into estimates generated by HOCKERSMITH. WILLIAMS noted that HOCKERSMITH did not quite understand how the estimates did not match up and that she did not understand that duplicate copies be manufactured of any piece of furniture that was . renovated.

WILLIAMS also discussed with FOSTER, the replacement of appointees to The White House Historical Society. Specifically, WILLIAMS and FOSTER discussed the time frame through which the replacement of the former appointees could be handled.

In May of 1993, MAGGIE WILLIAMS attended a meeting with GARY WALTERS, HOCKERSMITH and FOSTER related to The White House renovation cost estimates. The purpose of the meeting was to determine the cause of the differences between the Usher's Office estimates for White House renovation and estimates generated by HOCKERSMITH. Also discussed during the meeting was the lack of communication between all parties concerned. It was determined that there was a lack of knowledge regarding issues related to the renovation on the part of White House staff. FOSTER was of the impression that White House staffers should have previously known about the renovations associated with The White House and all associated costs.

WILLIAMS recalls seeing the line in FOSTER's note expressing FOSTER's belief that the Usher's Office was engaged in a plot to "take advantage of HRC." WILLIAMS admitted that she was surprised to see FOSTER's thinking regarding the Usher's Office issue as related to The White House renovation. WILLIAMS had no prior indication that FOSTER had harbored the feeling that there was a conspiracy by the Usher's Office to discredit HRC. This revelation was surprising to WILLIAMS in that FOSTER was thought to have had a good perspective regarding issues related to The White House.

On occasion, WILLIAMS was known to walk into FOSTER's office and FOSTER was known to walk into WILLIAMS' office. FOSTER had a knack for calming WILLIAMS down on sensitive issues. WILLIAMS was unaware of any change in FOSTER's demeanor. At one point WILLIAMS did note that she told FOSTER he needed a

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vacation, but WILLIAMS noted that her comment was general in nature. WILLIAMS further noted that FOSTER was the individual who was always busy keeping everyone else's spirits up. In retrospect, WILLIAMS now thinks that FOSTER was working too hard.

WILLIAMS' discussions with FOSTER surrounding The White House Travel Office affair were defined in terms of a pending internal White House review. The White House review of the Travel Office matter was to be coordinated by JOHN PODESTA. Assistant to the President. FOSTER hinted to WILLIAMS that HRC might possibly be interviewed in the course of The White House review.

Of issues that were of concern to FOSTER, WILLIAMS does not recall having any conversations with him related to articles written in the <u>Wall Street Journal</u>. She does not recall FOSTER's opinions changing over time.

On July 19, 1993, the day before FOSTER died, WILLIAMS was aware that FOSTER was working on a blind trust related to the CLINTONs. FOSTER called WILLIAMS and questioned her related to stocks belonging to CHELSEA CLINTON. FOSTER contacted WILLIAMS because he felt HRC could answer questions related to the stock issue. At the time, HRC was traveling from Hawaii to Little Rock. WILLIAMS was aware that the deadline related to the blind trust was quickly approaching.

WILLIAMS tried to telephonically contact FOSTER on the morning of July 20, 1993. WILLIAMS' attempts to contact FOSTER were negative. WILLIAMS tried again on July 20, later in the day.

At The White House, FOSTER and HRC had occasional contact. Their conversations were friendly in nature. According to WILLIAMS, there was no basis for the rumors regarding a relationship between FOSTER and HRC.

WILLIAMS learned about FOSTER's death after receiving a telephone call from HRC. HRC was on an airplane headed to Little Rock. HRC wanted to find out if WILLIAMS was at home, after which she hung up the phone and re-telephoned WILLIAMS. At this point, WILLIAMS was informed by HRC that FOSTER was dead. HRC may have said that FOSTER killed himself. According to WILLIAMS, the conversation was short in duration and HRC made no requests of WILLIAMS at this time.

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After receiving the telephone call from HRC, WILLIAMS called her staff assistant, EVELYN LIEBERMAN. LIEBERMAN came to WILLIAMS' house to pick her up, at which time they both traveled to The White House. WILLIAMS felt like she needed to be at The White House with her group. WILLIAMS recalls that she went to The White House on impulse. WILLIAMS may have been paged during this time frame but does not recall returning the page. (WILLIAMS believes the first page she received was at approximately 8:00 pm.)

One concern that caused WILLIAMS to travel to The White House on the evening of July 20, was her concern for HRC's schedule related to July 21, 1993.

Upon arriving at The White House, WILLIAMS got a key to HRC's office and placed EVELYN at the secretary's desk to answer incoming telephone calls. A guard opened the door to HRC's office. A call was then placed to LISA CAPUTO, Press Secretary for HRC.

WILLIAMS then travelled to MARK GEARAN's office. Prior to arriving at GEARAN's office WILLIAMS remembers seeing cleaning people out near an elevator. WILLIAMS recalls that the door to the Counsel's Office suite was open.

Upon arriving at GEARAN's office, WILLIAMS recalls seeing MARK GEARAN, DEE DEE MYERS, and HOWARD PASTER. She believes PASTER may have been dressed in blue jeans at the time.

(WILLIAMS noted that she had been aware that LARRY KING was taping a show at The White House on the evening of July 20, 1993.)

While in GEARAN's office, WILLIAMS sat down and started crying. GEARAN provided her with a draft of the statement to be released by The White House. People in The White House were very emotional at this time. WILLIAMS was aware that other people were in the office as well. WILLIAMS departed GEARAN's office and returned to HRC's office space. She provided the statement given to her by GEARAN, to LIEBERMAN which was subsequently passed on to LISA CAPUTO.

Upon returning to HRC's office, WILLIAMS saw cleaning people standing in the doorway to the Counsel's Office suite. She remembers that the door to the office was definitely open.

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WILLIAMS then entered the suite noticing that a light was on in FOSTER's office. She then entered FOSTER's office and saw PATSY THOMASSON sitting at FOSTER's desk. She was surprised to see someone sitting behind the desk in that FOSTER hardly sat at his THOMASSON made some comment that WILLIAMS could not desk. WILLIAMS sat down on a couch that was located in the office and recalls looking at a photograph. WILLIAMS recalls THOMASSON saying "If we found the note, it would give LISA some comfort." LISA as referred to by THOMASSON, was FOSTER's wife. This was WILLIAMS recollection as to why she had a sense that THOMASSON was looking for a note.

WILLIAMS described her relationship to THOMASSON as being a good professional relationship. WILLIAMS and THOMASSON did not socialize together outside The White House. At some point while WILLIAMS was in FOSTER's office, BERNARD NUSSBAUM, White House Counsel, walked into the office. WILLIAMS recalls NUSSBAUM to have scratched his head and paced back and forth while in the office. WILLIAMS eventually got up and departed the office. After leaving FOSTER's office, WILLIAMS went back down to GEARAN's office. It is possible that NUSSBAUM could have departed FOSTER's office and walked down to GEARAN's office as well. Upon departing FOSTER's office, WILLIAMS stated that she "didn't carry anything after leaving FOSTER's office." Her response was negative to departing FOSTER's office with either notepads or folders.

WILLIAMS did not see NUSSBAUM remove anything from FOSTER's office. She only recalls going into FOSTER's office once on the night of July 20. WILLIAMS was at The White House for approximately 30 minutes on the evening of FOSTER's death. She did not recall seeing anyone who did not belong in the Counsel's Office suite. WILLIAMS advised that her deputy, may be someone who could provide additional information surrounding events that took place at The White House on July 20.

WILLIAMS once again spoke to HRC after returning to her HRC asked WILLIAMS if there was any reason why FOSTER may have killed himself. During the first call to HRC, it appeared that HRC was trying to comfort WILLIAMS. During a second telephone call HRC appeared to be a bit more vulnerable. HRC wondered if WILLIAMS being in WDC helped her (WILLIAMS') state of The conversation between HRC and WILLIAMS was of short duration. WILLIAMS doesn't recall speaking to anyone else at The White House on July 20.

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WILLIAMS did recall hearing, possibly from the media, that no note was found related to FOSTER's death. This may have been stated by the President.

WILLIAMS believes she may have attended a meeting where a conversation was held between White House Chief of Staff, MACK MCLARTY and NUSSBAUM regarding a search of FOSTER's office by investigators. General issues were raised regarding how to treat executive privilege issues. WILLIAMS was aware that NUSSBAUM was to be in FOSTER's office during the course of the search. NUSSBAUM talked to WILLIAMS to assure that the personal files of President CLINTON were sent to the law firm of WILLIAMS and CONNOLLY. WILLIAMS saw a file marked income tax that was added to the gathered documents. HRC called and advised that WILLIAMS should contact CAROLYN HUBER. HUBER called regarding storage space for the documents until they could be picked up by WILLIAMS and CONNOLLY. TOM CASTLETON helped WILLIAMS move the boxes to the designated location. WILLIAMS did not notice a Whitewater file in any of the papers she handled.

WILLIAMS recalls that personal documents of the President were turned over to BOB BARNETT of the firm of WILLIAMS and CONNOLLY.

WILLIAMS recalls that a note was found containing writing on pieces of paper located at the bottom of a briefcase in FOSTER's office. WILLIAMS talked to STEVEN NEUWIRTH of the Counsel's Office regarding the line in the note related to KAKI HOCKERSMITH. WILLIAMS believed that questions and answers related to the Travel Office were based on the GEARAN press briefing.

WILLIAMS had had no conversations with FOSTER regarding Whitewater.

No further information of investigative value was provided.

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On May 16, 1994, Dr. LARRY S. WATKINS, Doctor's Building, Suite 402, 500 South University, Little Rock, Arkansas was interviewed at his professional offices. After being advised of the identity of the interviewing agents and the nature and purpose of the interview, Dr. WATKINS provided the following information:

WATKINS advised that he had known VINCE FOSTER, Jr. since they went to college together and been FOSTER's personal physician since November 1979. They engaged in some social activities together, they were members of the same country club in Little Rock, and he also treats FOSTER's mother, his wife LISA FOSTER, his two older children and his sister who lives in Little Rock. Since he sees various members of the family fairly frequently, some of the information provided during the interview came from them rather than directly from FOSTER.

WATKINS advised that FOSTER had no significant history of illnesses or hospitalizations. Asked if he had known FOSTER to suffer from any kind of depression before, WATKINS advised that he had not, although in the later part of November and December 1992, after the election, FOSTER went through a period of increased stress which he discussed with WATKINS at that time. He understood from LISA that FOSTER considered himself very good friends with BILL and HILLARY CLINTON and he had not yet been asked to take a position in the new administration. He was quite concerned about this and was experiencing some insomnia. On December 31, 1992, Dr. WATKINS' records reflect that he prescribed Restoril, a mild sleeping pill that is out of a person's system in approximately 6 hours. WATKINS advised that the problem was not persistent and he heard from LISA that things got better after FOSTER received the appointment as Deputy Counsel.

WATKINS advised that the move to Washington, D.C. had been very stressful for the family. LISA FOSTER and their daughter LAURA did not want to go to Washington, D.C. but they were willing to do so. They did not sell their home, but were

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going to rent it in anticipation of returning to Little Rock at some future date. At the time, their son DREW was in private Catholic School, their son VINCENT, Jr. was attending Texas Christian University (TCU) and LAURA was at Vanderbilt. FOSTER's father had set up a trust fund to assist with VINCE, Jr.'s and DREW's college costs but not LAURA's. All together WATKINS estimated that FOSTER was handling about \$40,000 in educational costs alone every year.

Another matter which WATKINS advised was probably a source of stress at the time in their lives was the scandal over members of CLINTON's staff being members of the Little Rock Country Club, which had no Black members. The four members of his staff who were members there agreed to drop their membership, but WATKINS said that there was a rumor that FOSTER had not been in favor of that decision. The reason was essentially that the family planned to return to Little Rock and the Country Club membership was important to their lives. All of their friends belonged to the club and LISA and the children used it frequently. In addition, the joining fee is \$25,000 which is forfeited when you give up your membership. WATKINS advised that whereas WEBB HUBBELL, BILL KENNEDY and the CLINTONS could afford to walk away from a \$25,000 investment, FOSTER's family could In closed circles in Little Rock, there was a rumor that FOSTER had not wanted to drop out but that he had to go along with it. WATKINS does not believe that the Rose Law Firm picked up any part of that \$25,000 joining fee.

The last time that Dr. WATKINS talked to FOSTER was when FOSTER called him sometime mid-day between 10:00 am and 2:00 pm on July 19, 1993. It was very unusual, in fact unprecedented, for FOSTER to call the doctor directly. Usually patients, including FOSTER, would pass messages and get what they needed through a nurse for efficiency's sake. This time, however, FOSTER insisted on speaking with WATKINS. He complained of loss of appetite and insomnia; he wasn't eating well and when WATKINS asked him if he was depressed, he said yes. WATKINS recalled that FOSTER sounded a little tired. They discussed depression and FOSTER knew that he was being prescribed an anti-depressant.

WATKINS prescribed Desyrel, 50 milligram tablets, which he knew to be the generic drug Trazodone, a tricyclic antidepressant. He chose Desyrel because it does not have side effects and is helpful for insomnia. WATKINS knew that it took 10 days to two weeks to take effect but helps with insomnia,

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sometimes the very first day. He felt it was very important for FOSTER to start sleeping better and thought that if he got some rest that he would feel a lot better. He did not think that FOSTER was significantly depressed nor had Foster given the impression that he was "in crisis". From what FOSTER told him, FOSTER's condition sounded mild and situational. WATKINS advised that he was only a little bit alarmed in that FOSTER had insisted on talking to him directly instead of discussing things through his nurse.

After FOSTER's death, WATKINS spoke with a psychiatrist and asked him whether any suicides had been linked to Desyrel and was told they had not. WATKINS advised he was particularly glad, in retrospect, that he had not prescribed Prozac, inasmuch as Prozac has been associated with some suicides. He advised that he did not even ask FOSTER if he had thought about suicide or was having any suicidal ideation because the symptoms that FOSTER was describing were not severe enough to cause WATKINS to think that he might be in that state. WATKINS handles depression all the time among his patients. He said that it is a very, very common thing. He had told FOSTER to let him know how he was doing and was not particularly concerned about follow-up because he knew that either FOSTER would get back to him or WATKINS would find out through LISA how FOSTER was doing because his contact with the family was fairly frequent. He was aware that LISA and VINCE FOSTER had discussed the Desyrel. He did not know whether he had told LISA beforehand that he had called Dr. WATKINS and discussed depression but he knew that LISA knew about it after the fact and they had discussed it.

WATKINS advised that he never prescribed beta blockers for FOSTER to help him with stress, which he would do for some attorneys during litigation or other high stress periods to calm them down. He also advised that FOSTER never showed any indication of having problems with drugs or alcohol (one to two glasses of wine per day).

FOSTER's weight in 1987 was 200 pounds. As of August 1990 he was 207 pounds. His weight on December 31, 1992 was 194 pounds and WATKINS had made a note that he was on a diet and exercising.

WATKINS described FOSTER's personality as quiet, and passive, with a good sense of humor and a dry wit--someone who laughed a lot. FOSTER was not one to come to WATKINS with stress

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related problems.

WATKINS speculated and observed that FOSTER had done well in law school and was the "golden boy" of the Rose Law Firm and had, therefore, never had to deal with criticism before in his life on any significant scale. He had never been in a position where he had to deal with attacks to his character or integrity or where he had to cope with sustained levels of criticism. It could be, therefore, that unbeknownst to him, he was a person who lacked the ability to weather that sort of criticism and therefore found the Washington environment much more stressful than he ordinarily would have.

WATKINS does not know whether FOSTER was left handed or right handed, but it appears from his handwriting that he was right handed. His eyes were not good. He needed glasses for most activities, however, he did not jog with them on.

On July 20, 1993, WATKINS got a call late in the evening from LISA FOSTER, who notified him of FOSTER's death. Dr. WATKINS said that he was very surprised at the suicide, but as soon as he got the call he knew that it was because FOSTER had committed suicide and he knew it because of FOSTER's describing himself as depressed during the previous day's telephone call. LISA said during that conversation that FOSTER had taken one tablet of Desyrel the night of the 19th.

Lisa told him they had gone away and had a nice weekend on July 17-18, and WATKINS thought they were planning on going away again the following weekend and he believes that LISA told him that FOSTER had actually begun jogging again either the 19th or the 20th, but he's not sure of that recollection. He had the distinct impression however, that things were looking up and that LISA was taken completely by surprise by this.

WATKINS advised that he is unaware of any history of depression or suicide in any other member of the family. Since FOSTER's death, LAURA has had a transfer from Vanderbilt University to Fayetteville in order to be closer to home. She has had a good year, relatively speaking.

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mother dealt with the death of her husband, FOSTER's father, as well as to be expected and in a healthy fashion, but that she is

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ı	having	serious difficulty dealin	g with FOSTER's o	leath.	_
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	said th	Shortly after FOSTER's cansas Democrat Gazette en at the description of the fit FOSTER very closely.	titled, "Executiv	re Suicide". He	
	WATKINS	As part of the intervicuments presented to him a provided two identical catkins' file.	t the beginning o	of the interview	,
	followi	Also as part of the in ing personal information:	terview, WATKINS	provided the	
		Name: Date of Birth: Place of Birth: Social Security No: Position:	Dr. LARRY S. W  Internist for family since N	the FOSTER	

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W. DAVID WATKINS appeared at the Office of the Independent Counsel in Washington, D.C. for a pre-arranged interview on June 22, 1994. Also present during the interview was MARK STEIN, an attorney for the Office of the Independent Counsel. After being advised of the identity of the interviewing agent and the nature and purpose of the interview, WATKINS provided the following information:

WATKINS advised that he had been acquainted with VINCENT FOSTER, JR. since both of them were young teenagers in Little Rock, Arkansas. They did not regularly socialize while living in Little Rock but periodically they saw one another because the social circles in that town are fairly small. WATKINS said that he did not consider himself a close confidant of FOSTER's. He had never heard anything about FOSTER experiencing periods of depression or being despondent while living in Little Rock.

While at their positions at The White House, WATKINS said that he had periodic contact with FOSTER, most of which occurred during the handling of the Travel Office matter which had begun the week of May 13, 14 and 15, 1993. WATKINS said that when improprieties came to the attention of himself, HARRY THOMASON and CATHERINE CORNELIUS, WATKINS said, "Let us call VINCE FOSTER". He said to call FOSTER because he knew him best and it was appropriate since FOSTER was the Deputy Counsel. On Wednesday of that week, FOSTER, WILLIAM KENNEDY, THOMASON, CORNELIUS and WATKINS met to decide how to go about investigating what came to be known as the Travel Office matter. They kicked around ideas on how to go about it, but no final decision was made. It was at that meeting that FOSTER assigned the matter to KENNEDY to handle.

On Thursday, the following day, FOSTER, PATSY THOMASSON and WATKINS briefed MAC MCLARTY, Chief of Staff. MCLARTY already knew about the problem. It was decided that PETE MARWICK (an outside accounting firm) was selected to prepare a report on the Travel Office for The White House.

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The following day, Friday, WATKINS had to be out of town but he was receiving reports approximately every two hours from his assistant, PATSY THOMASSON, who would call him. WATKINS talked with FOSTER by phone and they discussed the Travel Office The main problem was that the Travel Office was "a bad operation from a documentation view point". WATKINS said it was a management decision, not a legal one, whether or not to fire employees from the Travel Office. During that telephone conversation FOSTER told WATKINS, "HILLARY would like to talk with you about it". WATKINS advised that neither FOSTER nor KENNEDY were involved in the decision to fire the employees. It was WATKINS' decision to fire them.

The following Saturday the FBI had a meeting after PETE MARWICK had finished his examination of the Travel Office operations. WATKINS said, to his knowledge, nobody thought The White House Counsel's office had done anything wrong. There was a meeting prior to the press conference on Wednesday to settle what talking points would be covered during the press conference.

Adverse press regarding the Travel Office started Wednesday afternoon right after the press briefing. WATKINS advised that he must have talked with FOSTER around that time because both men were at a meeting on Friday but he does not remember specific conversations with FOSTER. He recalls talking with FOSTER the following week as FOSTER was headed for a meeting with JOHN PODESTA on Capitol Hill regarding the Travel Office. He does not recall FOSTER expressing an opinion about whether The White House should or should not do an internal review. FOSTER's posture was that The White House should not be so defensive about the Travel Office matter because The White House was acting legally and the matter was being handled properly. WATKINS said that FOSTER did not appear to be uncharacteristically depressed about the matter.

WATKINS advised that he has no idea what FOSTER meant by his comment in his note, "The FBI lied". He did not himself read the FBI's interim report and thought it came way after The White House's internal report on the matter. WATKINS participated as a witness in The White House internal review on the matter and he talked with FOSTER about PODESTA's position.

WATKINS never spoke with FOSTER about the Wall Street Journal articles, either on the Travel Office or any other matters. They did speak some about the conclusions of the

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internal report on the Travel Office matter. WATKINS also spoke to LEON PANETTA and MCLARTY about the effect of WATKINS himself getting a reprimand. FOSTER's wife LISA had told WATKINS' wife (they were tennis buddies) that FOSTER himself was expecting a reprimand also.

WATKINS advised there was no internal hostility about the report. He frankly didn't agree with parts of the report but he did not get a sense that there was a rift within The White House staff, nor was there much talk about it among White House staffers. WATKINS advised that FOSTER didn't talk much in any case about anything. WATKINS was much more emotional overall than FOSTER. WATKINS never heard directly or indirectly that FOSTER was distressed about it, or about anything else for that matter.

WATKINS saw FOSTER at 11:00 am on Monday, July 19, 1993 as FOSTER was entering The White House. FOSTER stopped WATKINS as they were passing one another to pass on regards to WATKINS from PAM SHRIVER whom he had recently met. FOSTER's demeanor was cheerful.

WATKINS was at a movie with his wife on the evening of July 20, 1993 when he was beeped. The Secret Service told him that, "Mr. FOSTER has shot himself". WATKINS advised that he was notified because it was White House protocol that he be the first person notified when anything happens like this. He said that two officers from the Park Police were going to notify the family and WATKINS asked them to meet him at WATKINS' house so they could go over to the FOSTER residence together. Meanwhile, WATKINS said he wanted to make sure that there was a positive identification before notifying LISA FOSTER for obvious reasons. WATKINS called MAC MCLARTY and he also contacted or was contacted by (he could not recall exactly how this happened) CRAIG LIVINGSTONE and told him to make arrangements to go with KENNEDY to view the body. WATKINS himself went with the officers to the FOSTER residence. LAURA FOSTER answered the door and LISA FOSTER was coming down the stairs. WATKINS does not recall any question asked or answered about where on his body FOSTER had been shot. SHEILA and WEBB HUBBELL arrived at the residence shortly thereafter.

President CLINTON arrived at the FOSTER residence - approximately 10:30 pm. MAC MCLARTY was with him. WATKINS and MCLARTY were talking about whether or not a note had been left.

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WATKINS called his assistant, PATSY THOMASSON, to both notify her of FOSTER's death and ask her to go to FOSTER's office in The White House West Wing to look for a note. WATKINS guessed that she telephoned him back while he was still at the FOSTER residence, approximately an hour later, and notified him that there was no note found. She told him at that time that MAGGIE WILLIAMS and BERNARD NUSSBAUM had also been there in FOSTER's office. WATKINS said that he never heard about a note having been found or any documents having been removed from FOSTER's office that night. He first heard about the existence of a note approximately a week later when STEPHEN NEUWIRTH discovered a torn up note in FOSTER's briefcase.

WATKINS said that he felt very bad about the fact that THOMASSON was caught up in a web of innuendos and suspicions as a result of her having been in FOSTER's office that night, since it was he who had asked her to go there specifically to look for a note.

WATKINS does not remember anything about seeing CRAIG LIVINGSTONE at The White House that night and he also does not remember seeing any written memo about LIVINGSTONE's activities on or about July 21, 1993.

During the interview WATKINS provided the following personal information about himself:

DOB:

POB:

SSAN:

Position:

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Assistant to the President for Management and Administration from January 20, 1993 to June 30, 1994

# OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription	02/28/95

ALAN WOODS, Maintenance Superintendent, Virginia Department of Transportation, Merrifield Headquarters (703) 207-7321. WOODS was advised of the identity of the interviewing agent and the purpose for the interview. WOODS then provided the following information:

WOODS is responsible for all maintenance done by the Virginia Department of Transportation on Chain Bridge Road on the eastern side of Ft. Marcy Park. WOODS was responsible for that area in 1993. WOODS stated that he is familiar with the area.

WOODS stated that he checked his records, as previously requested by the investigating agent, and could locate no record of any maintenance crews from the Virginia Department of Transportation working on Chain Bridge Road on 7/20/93 or 7/21/93. WOODS stated that there were no maintenance crews working on Chain Bridge Road from 7/16 till 7/30/93. There was a mowing crew on the road prior to 7/20/93, in the early part of the month. Additionally, WOODS stated that there was a ditching crew working on the road at the George Washington Parkway on 7/16/93.

WOODS stated that the only other agency that would provide any type of maintenance on that part of the road would be the National Park Service.

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Date of transcription	4/13/94
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Jimmy Keith Young, Officer, Uniformed Division, Special Operations Section, United States Secret Service (USSS) was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue NW. Mr. Young 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 since July 1989. He has been employed by USSS at The White House compound for the past 3 years and was so employed on July 20, 1993, at the time of Vincent Foster, Jr.'s death. His office is located at 1310 L Street NW and his telephone number is 202-395-4418.

As an employee of the Special Operations Section his primary responsibility is to lead tours through certain portions of The White House. He was performing those duties on July 20, 1993, when he worked the 6:30 am - 2:00 pm shift. Officer Young described that day as being very routine except for the fact that he and his fellow tour leaders were very busy since July is the peak tourist season in Washington, D.C. and at The White House. He stated that he was not aware of anything out of the ordinary that happened at The White House on that day. He stated that he could not recall exactly when he first learned of Vincent Foster's death, but he does recall that he heard of Foster's death on either the television or radio news. Officer Young said that he never knew Vincent Foster, never met him, nor had they ever talked prior to Foster's death. He stated that he, therefore, does not feel qualified to comment as to Foster's personality or demeanor.

Officer Young advised that he also worked the 6:30 am - 2:00 pm shift on July 21, 1993. He began his regular, routine work that morning and at approximately 8:10 am his supervisor told him and several other uniform officers that a temporary post was being established outside Vincent Foster's office door. Young stated that he was told that he was to serve as a relief officer for other officers who would be assigned specific shifts at this temporary post. He said that his instructions were that

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Continuation of FD-302 of Jimmy Keith Young

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no one was to enter that office without the USSS uniform officer notifying the watch commander and obtaining permission for entry. He was also told that a log would be kept. He said that he, his supervisor, and several uniform officers proceeded to the second floor of The White House west wing in the mid-morning hours (exact time unrecalled). He said that while he cannot recall the exact time of day, he does recall relieving USSS Officer Joe Phillips for a period of approximately 20-25 minutes. He stated that once Phillips returned, he (Young) was relieved and that he served no further at this particular post, but returned to his regular duties.

During the 20-25 minutes that Officer Young was standing in front of the office door he was approached by Bernard Nussbaum who introduced himself and then asked him "Who are you going to let in and who are you not going to let into this office?". Young repeated his orders, as he understood them, to Mr. Nussbaum and told him that certain USSS personnel were allowed in but that he (Young) would need to get permission from the USSS Watch Commander for anyone else to enter. Young stated that it was his impression that Bernard Nussbaum was not attempting to enter Vincent Foster's office, at that time, but was "testing" him to see if he understood and could articulate his duties. Officer Young stated that no one entered Vincent Foster's office while he was standing on this post and, other than Mr. Nussbaum, no one even approached the door. Young said that other than the 20-25 minutes that he stood on this post, he has never again been in the suite of offices that, at that time, was occupied by Bernard Nussbaum and Vincent Foster.