

Loose Papers in Ewing FRC Box 2293

5 of

155p GJ 667c

**SCREENED**  
By *clp* Date *3/16/10*

The Death of VF - What Really Happened?

Jeremiah Films

The Following info is documented to The

- . VF 5-8-93 Comm. Address
- . shot of comm 7-20-93
- . VF picture
- . FMP
- . C. continued media w/ry of suit
- . 6 mos until mainstream media Q. - [show copy of NY Post]
- . F. excused - ster o tablet
- . RLF - 10RC (you) - WLD
- . VF-LF
- . JFK picture

Citizen for Honest Govt Presents:  
"The Death of V-F - What Really Happened?"

Part 1 - The Inconsistencies

- . at BC's & Reno's insistence - invited by US AP
- . 7 mos later - FBI allowed in
- . Fiske Rpt - 6/3/94 continued suicide
- . Honore - alimony continued

Inconsistency (2) - #1      Very little blood at scene

. Sgt George Gonzalez - 1st on scene -  
shocked - lack of blood at scene  
contn

< C Nuddy - most on scene near entrance

JAN 94 - met w/ some EMTS & Police -  
Many continued - 1.000 blood

"This one was different"  
FOIA # none (URTS 16370) DocId: 70105732 Page 2

Gene Wheaton - Army - homicide - SA US Army CID

hired to go to WDC & look into it

events summary the investig - indicate -

- had to be a coverup - never in my career - must be
- gunshot to mouth - wound on blow back
- 38 into back of mouth - large amount of gear - find it he

Fiske Report -

R. Charles Moore - disagree - hit, activity

Fiske p. 52 -

contradict p. 36 - Dent - 7:40 -  
large part of blood on

- Dent dispute this

- Ashford - couldn't even see exit wound

Ruddy - quote Ashford

Inconsistency #2 - Foster's head assumed 4 diff. positions after death

Ruddy - 4 diff. blood tracks

Reed Davis - 12M - USIP realized this was a problem -  
D. - Analysis of Bloodstain Pattern

Fiske 7 - Position of how

We conclude - saw a scene must have moved head,  
no evid. of device.

I #3 - No skull fragments found at the scene

of .  $\begin{matrix} 3'' \\ \downarrow \\ \triangle \\ 1'' \end{matrix}$   
. depth 18'' -

GW - oddity - no skull fragments

GW  
 . Where? - should have been around body.  
 - most logical - 1) pistol p & destroyed  
 (or) 2) body moved

↳ Fiske - reject d. that

\* #4 - Gun found in Foster's Room

↳ GW . Recall - .38 - 100's of deaths  
 . can't recall ever finding pistol  
 in victim hand after death w/ large cal. like .38

↳ CR - normally gun  
 - thrown  
 - almost next to side

↳ GW - <sup>smaller</sup> 3 1/2 - 4" <sup>long</sup> <sup>barrel</sup>; near in hand.

\* #5 - Gun found in Wrong Hand

<sup>reporter state</sup>  
 Fiske Rpt - gun in R.H.

F. was LH - not mentioned in the Rpt

↳ GW - it is illogical to think <sup>Foster</sup> ~~himself~~ shot w/ R.H.  
 - I have <sup>been</sup> told he <sup>was almost</sup> ~~could hardly~~ function w/ his R.H.  
 - <sup>he</sup> ~~was~~ <sup>was</sup> ~~seriously~~ LH person.  
 - If stayed suicide scene - normal assumption  
 he was R.H. --- since most are R.H.

#6 - Foster's fingerprints not on gun.

. FBI - no VF prints develop on gun.

↳ FR - p. 46 tries to expl - latent prints can be developed  
 by cast type such as heat

- 1 latent print on underside of grip  
did not belong to VF -  
no attempt made to determine who

#7 - Powder residue suggests Foster did not fire gun

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CR < Rt. index finger - web ---  
left index

• front cylinder drop



- The fact that he had powder burns on both hands mean he would have to have had both hands over cylinder.
- No grip on butt
- very, very difficult
- Now - despite FRpt - most forensic experts doubt that F. pulled trigger himself.

#8 - Powder on F's clothing did not match gun

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- Impulse on F's clothing did not match powder on F's clothes
- Fiske Rpt - poss. blow in there for exhaust fan at BP Lab.
- Fiske not able to support this w/ any evid.

#9 - Gun not positively identified as Foster's

• Colt 38 yet to be positive i.d.

• Fi's 3 children all said not that 1 they had seen at home.

LF - kept only 1 gun at home - found that night

↳ Zivie - 1913 Colt Army Special - part of 2 guns untraceable -

↳ GW - classic type was used by pro political assassin - to DC hit men.

only 2 bullets -

no a man for this gun in VF's home

↳ Zivie - only 2 bullets he had

↳ GW - if gun at home, would have had box of work.

- A classic assassin type scenario

#10 - Fatal bullet never located

- yet to be found

• found 70 pieces back to civil war 12 bullet modern

#11 - No Gunshot Heard

FRPT - part 6 - Traffic -

↳ GW - illogical - most <sup>explosive</sup> noise - is around cylinder

Contrary to usual procedure  
 Not 1 resident was contacted to  
 see if gunshot heard -

Name _____	How _____
Dwelling _____	How far _____
7/2/93 _____	Can we _____

#12 - No dust found in P.'s shoes

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P. 12 FBI interview

- did not <sup>appear</sup> coherent  
 in soil samples.

CR - impossible -

- journal walked in park -  
 soil in shoes

GW - a try at that crime scene makes sense.

- No body has Q this officially;  
 Can't understand why ---

- why not stronger reaction to  
Cherry, flawed investigation & find Ret

---

FR  
 Despite "overwhelming evidence"

6 pieces of evid. indicate it is  
likely F. did not die in the Park

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- 1) very little blood
- 2) 4 diff head positions
- 3) No skull fragments
- 4) No bullet
- 5) No gunshot wounds
- 6) No dust on shoes

3 pieces of evid. indicate more likely  
F. did not fire gun himself

---

- 1) Gun still in hand
- 2) Gun in wrong hand
- 3) untraceable wgs. used

indicate death staged.

entire scenario of VF death -  
 [GW - preponderance of evid. indicate  
 he did not commit suicide

In addition - The FBI found

on clothing - included under

- 2) @ Seaman
- 1) @ Carpet <sup>analysis found</sup> F. Gen
- 3) @ long blond hair

[CR - The FBI did no analysis on clothing  
 . F + M not completed.

- Was he in on carpet before d. ed?
- ⓐ was carpet involved in movement of the body?

CR

FBI investigators who app. before SBC

[videos of Monroe, Colombell, Hirsch]

said str. integrity - well trust  
tree - would be any try - dismissed it  
out of hand

[Sweep car, house, office ---  
- compare -  
[what's it clean - <sup>were</sup> on E. Shore?]  
[what other carpet]

CR

FRPT - no effort to find what carpet,  
what hair...

- semen

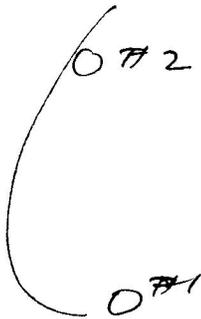
This evid. could have provided clue as  
to where he was betw 1 to 6 PM

- Yet this evid was never investigated!

PART TWO - The Coverage

A # of Coverage

○ Falsified Position of the bulbs



CR - 600' from P. Lot

2 corners - 2 sites

CR - perimeter drawn CR a map

map sketch by Gonzalez for CR

Ident for Irvine

20-50' from 1st corner

Photos of crime scene -  
dit - no

then said overexposed

CR - should be no dispute -

- 1) none -
- 2) 13 close-up photo - of all procedure.
- 3) under exposed

Low - makes no sense

- ① ABC released 1 polaroid -
- #3 - negative - controlled -
- #2 - dirt
- #1 - failure.

a 2d crime scene created - that nite -

bullet -

- orig said no metal detector
- then said did
- Fiske/RBZ - 70 pieces of metal
- 12 made by.

No one went

RBZ - 56

... in all likelihood unproven

① W/H demand Key evid. -  
 o P.P. given in

↳ shows John Rolla testifying

↳ CR - gave crime scene evid. away  
 w/ hrs - W/H beeper -  
poss. latent prints -

[Donato, Mack ...]

② Next day - papers, etc. given back -

SA Monroe to Donato -

PP did adequate job - feel in a day to  
 eval. another agency's work -

③ FBI work kept out [Clip - Sessions at]

BC fired head of FBI

↳ CR - Serum obj'ed "led to compromised  
 investi."

Fiske rec. to BC that he fire  
 Serum o live fresh

Vides - Faircloth asking Q - why PP  
in city

[ Mr. Beyer - FW Brown - to Rolla  
at table ]

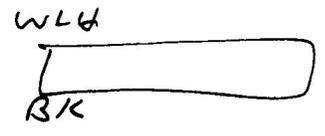
• Nat'l news media fell in line w/ BC -

CCR - PP total gun 8-12  
but what suicide in 8-10

GW - always approach

Brown  
Rolla  
G/O/bell  
Monroe

{ Scene of pull beam -



TIME - No one called it  
a depression.

Travis - LF won't talk -  
what Mrs. F - was he Rth or Lth?  
no comment

GW - all USPP orders to keep notes shut -

Gorkham - interview by Justice - pressure not to talk?  
no cont

GW - investigation didn't talk suicide -  
superiors ordered them to write it  
up that way.

Was Foster suicidal?

- initial - Abs. Not.

Serdy - N/A unusual

BC - ..

- Fiske Rpt - depressed

- org. derh

- pd bills

- app. stiff

- app. distast

Trazadone for fam. chr. - may 6

\* <sup>then</sup> Everyone falls in line - depressed.

HRC - 4/22/94 - no one had a clue  
- neither did people who were

Day of death - no suicide indication

- drove children to work
- No final words
- No final preparations
- Arrived on time
- Worked conscientiously
- Set up future appointments
- Ate lunch
- Read the newspaper
- Checked out a paper
- Said he would return later
- <sup>Wrote</sup> No suicide note

< Don Burton -

Note - 7/26/98 -  
said they missed note

< Zinn - Not any type of suicide

< Gow - How they could claim missed  
27 piece of note - Indian  
- Not sending a warehouse -  
but a brief case.

No prints on note

\* < Gow - prints easily obtained from piece of paper.  
Can not tear <sup>27</sup> pieces w/o using gloves  
not in print

< Burton - hold up Fiske Report  
not worth paper written on

< Finkelstein - superficial Fiske Report

< CR - actual 58 pgs.

① Dr. Beyer - his  
2 of his suicide notes revealed  
Flamed autopsy.

CR  
X-Rays  
- would show exit wound  
- trajectory

Low - This 76 yr old pathologist  
~~may~~ very inquisitive state.

Low - technician said new eqmt -  
1st succ call in OCT 93.

Low  
If Fiske serious - he would have - Order -  
exhumed body -> redo autopsy

CR - Fiske did not use v. strip. pur.

Low - Failure to use <sup>red</sup> GJ  
- put under oath

\* BC conflicting versions of

- 1) No Not it
- 2) 7-18 Why
- 3) 7-19

Unclear of F. diagram  
4) to clear up F.

8A - -

Part 3 - The Rail In Foster's Office

"  
Don't believe a word you hear  
it was not a suicide."

WLH - 7/20/93

1-800-828-2290

TELECOPY COVER SHEET

OFFICE OF THE INDEPENDENT COUNSEL  
1001 Pennsylvania Avenue, N.W., Suite 490N  
Washington, D.C. 20004  
telephone (202) 514-8688 facsimile (202) 514-8802

Date: \_\_\_\_\_

TO: Hick Ewing

Company Name: \_\_\_\_\_

Fax Number: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

FROM: Brett Kavanaugh

Number of Pages: 4 (including this cover sheet)

Message: \_\_\_\_\_

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## MEMORANDUM

TO: Judge Starr  
Mark Tuohey  
Hickman Ewing  
John Bates

FROM: Brett Kavanaugh

RE: Foster Issues

DATE: June 6, 1995

As Dr. Lee prepares to give us advice, this seemed an appropriate time to outline my thoughts about the major steps we can and should take to complete our factfinding on the Foster death investigation. Dr. Lee will no doubt have further thoughts and may tell us that some of my proposed major steps are unnecessary or wasteful, but I thought it nonetheless might be useful to outline my ideas.

As I have stated before, the Foster death investigation can be divided into two related but distinct issues: (1) state of mind; and (2) physical evidence (which includes death scene observations, blood, forensic evidence, ballistics, etc.).

As I said in my last memo, we have made progress from the Fiske investigation on Foster's state of mind -- although we have not entirely solved that issue. Indeed, assuming arguendo a suicide, we still have not discovered a single triggering event that led to the death. Nor do we have a true suicide note.

With respect to the physical evidence, we have employed investigatory tools and procedural steps that were not utilized by the Fiske team. The most prominent example is our use of the grand jury in questioning witnesses who were at the scene or the autopsy. Nonetheless, it is important to recognize that these extra investigative tools have not as yet yielded any significant substantive results. (Indeed, if anything, some issues are more confused than ever thanks to witnesses making statements in the grand jury somewhat inconsistent with prior statements.)

In any event, the two most important issues to resolve in this case are rather obvious: (1) where was the fatal shot fired; and (2) who fired it.

It seems that the best way to determine where the shot was fired would be to find the bullet. If the bullet is in the park, then it seems to me that we would have established beyond a reasonable doubt that the shot was fired in the park. The Fiske team and the FBI conducted a rather elaborate search of the park for the bullet. Nonetheless, they did not go as far as they

could have gone. As is stated on page 56 of the Fiske report, "[t]he FBI Lab's search for the bullet focused on the most likely area for the bullet to have come to rest . . . It would have been enormously time-consuming, costly, and in all likelihood unproductive, to have searched the entire Park for the bullet" (emphasis added). Dr. Lee in our initial meeting suggested a broader search of the park, including of the trees in the park. I strongly recommend (subject to his continued agreement) that we pursue this tack. I also recommend that we get Ed Lueckenhoff intimately involved in implementing it because there is substantial resistance from the Washington FBI on this subject.<sup>1</sup>

As to who fired the gun, we should try to establish an individual's link to the gun. The best way to do that would be to determine ownership/possession of the gun as of July 20, 1993. Because no Foster family members can positively identify the gun and the gun cannot be traced, I believe the best remaining way to establish ownership of the gun would be to identify the person whose fingerprint is on the underside of the grip handle. We know that it is not Foster's fingerprint. We are currently attempting to determine whether it is Foster's father's fingerprint by having the military records center perform a search. If that does not turn up a match, we will have to go back to the drawing board on this issue.

Two other areas that are matters of some controversy -- although probably of lesser relevance -- are the identity of the person whose hairs were found on Foster's clothes and the identity of the carpets and/or furniture that were the source of the carpet fibers on Foster's clothes. Until Dr. Lee informed me otherwise, I believed that we could not match the hairs to any particular person because we do not have the roots from the hairs. That turns out to be incorrect. I therefore recommend (subject to Dr. Lee's concurrence) that we consider obtaining hair samples from Laura Foster; if we do not obtain a match with her hair, we can discuss how to proceed further. As to the carpet fibers, I recommend (subject to Dr. Lee's concurrence) that we implement a plan of obtaining carpet fibers from the various places that Foster was located on July 20: his house, his car, and the White House.

Finally, while not necessarily relevant to the Foster death as opposed to the Foster documents investigation, we can do more to determine the identity of the partial palm print on the Foster note. I recommend that we obtain palm prints from various people who we know touched the note. If we do not obtain a match from any of them, I recommend that we obtain palm prints from persons who we suspect touched the note. (We do not have Foster's palm prints, but we may also want to think of ways to determine whether we can lift a palm print of Foster's from any documents or items in Lisa Foster's possession.)

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<sup>1</sup> Dr. Lee also noted that there may be other ways to establish that the shot was fired in the park; for example, by blowing up the scene pictures to determine whether there was any blood spatter on the surrounding leaves.

### **Conclusion**

As Dr. Lee pointed out, we are likely to make progress over past investigations not by interviewing people who have already been interviewed but by reexamining the physical evidence to see what else can be learned from it. With that in mind and subject to change based on Dr. Lee's advice, the above listed items are the remaining major steps I propose we take with respect to the death investigation.

HICKMAN EWING, JR.  
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GERMANTOWN, TN 38138

Phone: 901-755-2597

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FACSIMILE TRANSMISSION COVER SHEET

TO: Hickman Ewing  
OIC - Washington, D.C.

DATE: 5-15-95

FAX#: 202-514-8802

FROM: Emily

FAX #: 901-755-7609

RE:

Total number of pages transmitted (including this page): 11

Message: \_\_\_\_\_  
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## THE DEATH OF VINCENT FOSTER. WHAT REALLY HAPPENED?

--Jeremiah Films

This video was produced by the same people who produced "The Clinton Chronicles." It begins with a statement to the effect, "The following information is documented and true." Some of the highlights of this video are as follows:

### INTRODUCTION

Excerpts from Vince Foster's May 8, 1993, commencement address at the University of Arkansas Law School.

Shot of the cannon at Fort Marcy Park on July 20, 1993.

Picture of Vince Foster, and then Fort Marcy Park.

Confirmation by the media that it was a suicide.

It was six months until the mainstream media questioned this. [Shows copy of Chris Ruddy's article in the new York Post.]

Vince Foster excelled in high school as a student and an athlete. He did well at the University of Arkansas Law School and joined the prestigious Rose Law Firm. [It shows a picture of Vince Foster, a video of Hillary Clinton at a much younger age, and a video of Webb Hubbell.]

The Citizens for Honest Government presents: "The Death of Vince Foster. What really happened?"

### I. PART ONE - THE INCONSISTENCIES

At Bill Clinton's and Janet Reno's insistence, the matter was investigated by the U.S. Park Police. It was not until seven months later that the FBI was allowed in. The Fiske Report issued on June 30, 1994, confirmed that it was a suicide. However, there are alarming contradictions.

#### 1 - Very little blood at scene.

Sergeant George Gonzalez, who was the first on the scene, said he was shocked at the lack of blood at the scene.

Chris Ruddy - Most people on the scene that night had never been interviewed. In January 1994, I met with some of the EMT's and the police. Many confirmed that there was very little blood on the scene. One said, "This one

was different."

Gene Wheaton (GW) - former homicide investigator and special agent with the U.S. Army CID - I was hired to go to Washington and look into this. The events surrounding the investigation indicate that it had to be a cover-up. Never in my career had I seen a case like this. In most gunshot wounds to the mouth, there is a "blow back." A .38 caliber stuck into the back of the mouth, would produce a large amount of gases.

Citation to the Fiske Report.

Richard Mason disagrees, giving his opinion about heart activity.

Citation to Fiske Report, page 52. This is contradicted on page 36 by Dr. Haut. It is reported in the Fiske Report that Haut says that there was a large pool of blood. Haut disputes this. Cory Ashford, one of the people who moved the body, said he could not even see an exit wound.

Ruddy - quoting Ashford.

- 2 - Foster's head assumes four different positions after death.

Ruddy - There were four different blood tracks.

Reed Irvine - Accuracy in Media - U.S. Park Police realized this was a problem. There was an analysis of blood staining patterns. In the Fiske Report, they talk about the position of the head. It is stated, with no evidence, we conclude that someone at the scene must have moved the head. George Gonzalez denies this.

- 3 - No skull fragments found at the scene.

Copy of the autopsy report shown, indicating the size of the exit wound. The autopsy report shows a one inch hole. It was stated in some report that the surrounding ground was excavated to a depth of eighteen inches.

GW - There is an oddity that no skull fragments were found at the scene. Where are they? They should have been around the body. Therefore, it is most logical: (1) that they were picked up and destroyed; or (2) the body was moved.

The Fiske Report rejected this.

4 - Gun found in Foster's hand.

GW - I have investigated hundreds of deaths. There is a recoil from a .38 caliber weapon. I can't recall ever finding a pistol in a victim's hand after a death with a large caliber weapon like a .38.

Ruddy - Normally, the gun is not in the hand, and it is thrown away from the body. In this case, it was almost neatly at his side.

GW - I have seen cases of suicide where the weapon is sometimes thirty to forty feet away. It is never in the hand.

5 - Gun found in wrong hand.

The Fiske Report states that the gun was reportedly in the right hand. Foster was left-handed. This was not mentioned in the report.

GW - It is illogical to think Foster shot himself with his right hand. I have even been told he was almost non-functional with his right hand, because he was such a seriously left-handed person. If someone staged the suicide scene, it would be a normal assumption that he was right-handed, since most people are right-handed.

6 - Foster's fingerprints not on gun.

According to the FBI, there were no prints of Vince Foster developed on the gun.

The Fiske Report, page 46, tries to explain this, by stating latent prints can be destroyed by certain things such as heat.

There was one latent print on the underside of the grip that did not belong to Vince Foster. There was no attempt made to determine whose it was.

7 - Powder residue suggests Foster did not fire gun.

Ruddy - There was powder residue reported on the right index finger, in the web of the hand, and on the left index finger. This would indicate that his hands were around the front cylinder gap. The fact that he had powder burns on both hands means he would have had both hands over the cylinder, with no grip on the butt of the gun. It would be very, very difficult to fire the weapon in that manner.

Now, despite the Fiske Report, most forensic experts doubt that Foster pulled the trigger himself.

8 - Powder on Foster's clothing did not match gun.

The gun powder on Foster's clothing did not match the powder on Foster's hands.

According to the Fiske Report, this possibly occurred because that powder possibly blew on there from the exhaust fan at the Park Police lab. Fiske was not able to support this with any evidence.

9 - Gun not positively identified as Foster's.

The Colt .38 has yet to be positively identified. Foster's three children all said it was not the one they had seen at home. Lisa Foster said that they kept only one gun at home, and it was found that night.

Irvine - The gun was a 1913 Colt Army special made from parts of two guns. It is almost untraceable.

GW - This is the classic type weapon used by pro political assassins or organized crime hit men.

There were only two bullets. There was no ammunition for this gun in Foster's house.

Irvine - They apparently were the only two bullets he had.

GW - If the gun was at home, he would have had a box of rounds there. This is a classic assassination-type scenario.

10 - Fatal bullet never located.

The bullet has yet to be found. Later, the FBI did a search of the area and found seventy pieces of metal, some going back to the Civil War. There were twelve modern-day bullets found, but no bullet that matched the gun.

11 - No gunshot heard.

The Fiske Report, page 56, states that one of the reasons something might not have been heard was because of traffic in the area.

GW - This is illogical. There would be a most explosive-type noise in and around the cylinder.

Contrary to usual police procedures, not one resident nearby was contacted to see if a gunshot was heard.

12 - No dust found on Foster's shoes.

Page 12 of the FBI lab report states there were mica particles. It also says it did not contain any coherent soil samples.

Ruddy - This is impossible. If you walked in the park, there would be soil on your shoes.

GW - Nothing at that crime scene makes sense. Nobody has questioned this officially, and I can't understand why.

Why has there not been a stronger reaction to this phony, flawed investigation and final report.

Despite Fiske Report's conclusion that there is "overwhelming evidence" of suicide, there is not overwhelming evidence.

Six pieces of evidence which indicate it is likely Foster did not die in the park.

1. Very little blood
2. Four different head positions
3. No skull fragments
4. No bullet
5. No gunshot reported
6. No dust on shoes

Three pieces of evidence which indicate it is more than likely Foster did not fire gun himself.

1. Gun still in hand
2. Gun in wrong hand
3. Untraceable weapon used

GW - Based on the entire scenario of Vince Foster's death, the preponderance of the evidence indicates he did not commit suicide.

In addition, the FBI found in or on his clothing other items including: (1) multi-colored carpet fibers; (2) seaman; (3) long blonde hairs.

Ruddy - The FBI did suction analysis on the clothing. Fort

Marcy Park is not carpeted. Was he on a carpet before he died? Or was the carpet involved in the movement of the body?

Ruddy - The FBI investigators who appeared before the Senate Banking Committee said something interesting, "Well, these things were there, but it could have been anything, and we dismissed it out of hand."

[Video shows agents Monroe and Colombell, and Dr. Hirsch.]

Irvine - The Fiske Report indicates no effort was made to find out what carpet might have been in contact with Foster, what hairs, seaman, etc. This evidence could have provided clues as to where Foster was between 1:00 and 6:00 p.m. Yet, this evidence was never investigated!

## II. PART II - THE COVER-UPS

### A. Cover-ups

There were a number of cover-ups related to the Foster death.

#### 1. Falsified position of the body - a second crime scene created that night

Initial interviews of some of the people on the scene by Chris Ruddy indicated that the body was closer to cannon #1, rather than cannon #2, as indicated in the official reports.

Ruddy - The official report says the body was some 600 feet from the parking lot. There were two cannons at Fort Marcy Park that day, and two sites. One of the paramedics drew me a map (Gonzalez). This map sketch by Gonzalez was similar to a sketch drawn for Reed Irvine by Dr. Haut. It indicates that the body was 20-50 feet from the first cannon.

Concerning photographs of the crime scene, originally, the official position was that there were no photographs. They later said that they took photographs, but they were overexposed.

Ruddy - In a normal homicide investigation, one of the things that should not be in dispute is where the body was found. It was originally reported there were no photographs taken. Then they released thirteen close-up polaroids, which is against all procedures of taking crime scene photographs. They then said they took some others, but they were not exposed properly.

GW - This makes no sense.

ABC News released one of the polaroid pictures. It depicted certain foliage around Foster's body. The foliage contradicts the official report that the body was near cannon #2. The path below cannon #2 is all dirt. There is a lot of foliage in the spot where the people reported that the body was near cannon #1.

A second crime scene was created that night.

As to the bullet, it was originally said that no metal detectors were used. Later, they said they did use metal detectors. The Fiske people and FBI found seventy pieces of metal near the cannon #2 site, including twelve modern-day bullets; yet, the bullet matching the gun in Foster's hand was not found.

The Fiske Report, page 56, stated that in all likelihood, further searches would be "unproductive."

2. White House demanded key evidence, and Park Police gave it to them. This included papers, etc., given back.

[Video of John Rolla testifying before the Senate Banking Committee]

Ruddy - Park Police gave crime scene evidence away within hours of finding the body, including the White House beeper, which possibly could have had latent prints, etc. [Video of Senate Banking Committee hearing]

The next day, papers, etc., were given back.

[Video of Senate Banking Committee. Senator Domenici asks special agent Monroe about the job of the Park Police in the investigation. Monroe stated words to the effect, "I think they did an adequate job. I feel inadequate to evaluate another agency's work."

The FBI was kept out of the investigation. [News clip regarding Judge Sessions and his firing]

Bill Clinton fired the head of the FBI.

Ruddy - Sessions charged that this "lead to a compromised investigation."

Fiske recommended to Bill Clinton that he fire Sessions and hire Freeh.

[Video showing Senator Faircloth asking a question as to why the Park Police were in charge]

[Video of Senate Banking Committee showing Dr. Beyer, and investigators Cheryl Braun and John Rolla, at the table]

The national news media fell in line with Bill Clinton's explanation.

Ruddy - The Park Police tested the gun on August 12, yet they ruled it was a suicide on August 10, before they tested the gun.

GW - You always approach a death from the standpoint of a homicide, until you prove that it is not.

[Scene showing pallbearers carrying the casket at the funeral. Webb Hubbell and Bill Kennedy appear to be the pallbearers in the back.]

At the time of death, no one called it from a depression.

Irvine - Lisa Foster won't talk. I asked Mrs. Foster on the phone whether Vince Foster was right-handed or left-handed. She said, "No comment."

GW - All the Park Police were ordered to keep their mouths shut.

Debra Gorham, White House employee, was interviewed by Reed Irvine. He asked if she was pressured not to talk, and she replied, "No comment."

GW - The investigators did not think it was a suicide. Their superiors ordered them to write it up that way.

B. Was Foster suicidal?

Initially, the answer was, "Absolutely not." The secretary said there was nothing unusual. Bill Clinton said there was nothing unusual.

But the Fiske Report said that he was depressed, he organized his desk, he paid bills, he was apparently stiff that morning, and he was apparently distracted.

Apparently, Foster had a Trazadone prescription from the family doctor.

Everyone fell in line that he was depressed.

[Video] Hillary Clinton said on April 22, 1994, "No one had a clue. Neither did the people who spent the weekend with him."

Day of death - no suicide indications

1. Drove children to work
2. No final words
3. No final preparations
4. Arrived on time
5. Worked conscientiously
6. Set up future appointments
7. Ate lunch
8. Read the newspaper
9. Checked out a pager
10. Said he would return later
11. Wrote no suicide note

[Representative Dan Burton - video - They said they found a note on July 26, 1993. They said they missed the note in the first search.]

Irvine - There was not anything in this "note" about suicide.

GW - How they could claim that they missed 27 pieces of a note is ludicrous. They were not searching a warehouse. They were searching a briefcase.

There were no prints on the note.

GW - Prints are easily obtained from a piece of paper. How can you not tear a piece of paper into 27 without leaving prints, unless you use gloves?

Burton - [shown holding up a copy of the Fiske Report] - This is not worth the paper it is written on.

Faircloth - Referring to the Fiske Report as superficial.

Ruddy - [holding up Fiske Report] - The report looks very thick, when in actuality it is only 58 pages long. Most of it is indexes containing the various biographies of those experts used by Fiske.

Dr. Beyer, who did the autopsy, has had two of his prior

suicide rulings reversed, due to flawed autopsies.

Ruddy - [goes in to the claimed x-rays and the later claim that there were no x-rays] - X-rays would have shown the exit wound, and the trajectory of the bullet. The autopsy report checked that x-rays were done. Also, in the narrative of the report, it indicates that x-rays were done. Yet, later, no x-rays turned up.

GW - This 76 year old pathologist has given very inconsistent statements.

Irvine - The technical man said that the x-ray machine was new equipment. The first service call concerning this machine was in October '93. Thus, it was in good working condition on July 20, 1993.

GW - If Fiske is serious about the investigation, he would have gotten an order exhuming the body, and had the autopsy redone.

Ruddy - Fiske did not use subpoena power.

GW - There was a failure to use the federal grand jury and to put the various witnesses under oath.

Bill Clinton gave conflicting versions of Foster's state of mind.

He at first said there was no depression. He said he had contact with him on July 18 and July 19. He said he was unaware of Foster's depression. He later said that he called on the night of the 19th to cheer up Foster.

### III. PART III - THE RAID ON FOSTER'S OFFICE

[Viewed, but no detailed notes made]

[Shows pictures of Bernie Nussbaum, Maggie Williams, Patsy Thomasson, etc.]

Ending quote:

"Don't believe a word you hear; it was not a suicide."

- Webb Hubbell, July 20, 1993

At the conclusion of this video, it says you can call 1-800-828-2290, for additional copies or information.



**Office of the Independent Counsel**

*Two Financial Centre  
10825 Financial Centre Parkway, Suite 134  
Little Rock, Arkansas 72211  
(501) 221-8700  
Fax (501) 221-8707*

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G-8-95

2:38pm Brett

- Nussbaum interview - pretty believable
- Lee
- Leuckenhoff



U.S. Department of Justice

Federal Bureau of Investigation

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Washington, D. C. 20535

August 15, 1995

Mr. Kenneth Starr  
Office of the Independent Counsel  
Two Financial Centre, Suite 134  
10825 Financial Centre Parkway  
Little Rock, Arkansas 72211

Dear Mr. Starr *Ken*

This will confirm a recent conversation between myself and FBI Inspector Edward H. Lueckenhoff, currently assigned as part of your staff, and a subsequent conversation between Inspector Lueckenhoff, and Section Chief Charles L. Owens, Financial Crimes Section, FBI, relative to a request of the White House Counsel for FBI assistance in retrieving deleted material from a computer utilized by Vincent Foster's secretary. Following a request for FBI assistance by White House Counsel, Inspector Lueckenhoff was contacted to ascertain if any attempt to retrieve the requested material would be handled by your staff or if the FBI would separately respond to the request of the White House Counsel.

We have been advised by Inspector Lueckenhoff that it was the opinion of your staff that this request should be considered by the FBI and that it is not a matter the Independent Counsel will handle under its authority. Accordingly, the FBI will recontact the White House Counsel and consider what assistance can be provided.

Thank you for your cooperation in this matter.

Sincerely,

William J. Esposito  
Assistant Director  
Criminal Investigative Division

**MEMORANDUM**

TO: Judge Starr  
Mark Tuohey  
Hickman Ewing  
John Bates  
LeRoy Jahn  
Jim Clemente  
Coy Copeland

FROM: Brett Kavanaugh

RE: Vincent Foster and the Whitewater Development Corporation

DATE: August 17, 1995

This memorandum summarizes the evidence about Vincent Foster's involvement in Whitewater matters, including his involvement in the tax treatment of Whitewater on personal Clinton returns and corporate Whitewater returns. The summary is based primarily on the documents from Foster's office that deal with Whitewater, supplemented by some testimonial evidence. This memorandum is not intended as any kind of final analysis, but only as a preliminary analysis so that we are all on the same page.

There is little doubt that Foster and others such as Yoly Redden were concerned prior to April 15, 1993, that the Clintons could be audited and required to pay more taxes if they claimed a loss with respect to the Whitewater investment on their 1992 personal tax returns. But as of this point, I believe the suggestion or implication made by newsmen in recent weeks (based on no more material than we possess) that Foster suffered continuing distress over Whitewater and/or was driven to commit suicide in whole or in part because of the Clintons' Whitewater investment, or their tax treatment of the investment, is quite far-fetched, as I will explain below. (I nonetheless caution that my analysis here is based on what I now know; there always could be some smoking gun document or testimony that has been destroyed or never given to this Office.)

**Background**

The Whitewater issue arose in March 1992 as the result of a news article by Jeff Gerth in the New York Times. (This article was in Foster's files at the time of his death.) The article was based in part on an interview with Jim McDougal and suggested, among other things, that the Clintons had improperly deducted at least \$5,000 on their personal tax returns in 1984 and 1985 for interest paid on a portion of at least \$30,000 in bank loan payments that Whitewater made for them. In addition, the article suggested that McDougal heavily subsidized the

Whitewater investment, insuring that the Clintons were under little financial risk.

When the story broke in 1992, Governor Clinton stated at a press conference that he believed he had lost about \$25,000 in the Whitewater investment. The campaign then commissioned Jim Lyons to do a report on the investment. He did so, and concluded that the Clintons had lost nearly \$59,000 on the investment, but also noted that the Clintons had taken certain improper deductions totalling \$5,133 in 1984 and 1985 on their personal tax returns. (Because of their age, those improper deductions did not need to be repaid, but the Clintons did repay them in late 1993.) The story lay dormant for the remainder of the campaign and until late 1993 when it became known that the documents from Foster's office included Whitewater documents.

The basic issues remain to this day, however. Indeed, the New York Times editorial of Sunday, August 13, 1995, is not much different from earlier stories written about the Clintons' Whitewater investment and tax treatment of it. The Clintons have admitted they took improper deductions in the 1980's; the question remains whether they knowingly did so. And questions remain about the extent of the Clintons' risk in the Whitewater investment and about the extent of their contributions to the investment.

### **Foster's Involvement**

The documents in Foster's office reveal that Foster's involvement in Whitewater breaks down into three distinct categories:

- (1) sale of the Clintons' interest in Whitewater to Jim McDougal in December 1992;
- (2) treatment of Whitewater on the Clintons' personal tax returns in April 1993; and
- (3) filing of delinquent Whitewater corporate tax returns in June 1993.

The news stories in recent weeks (e.g., "can of worms") have focused on the second of these issues.

#### **1. Sale of Interest in Whitewater to Jim McDougal**

After the election in 1992, the Clintons decided to sell their interest in Whitewater to Jim McDougal. Foster's notes of a November 24, 1992, meeting with Foster, Lyons, Lindsey, Tisdale, and Hubbell show that a number of issues were discussed at that time, including:

- (a) executive orders on the gag rule, gays in the military, and the reduction of White House staff;
- (b) a Presidential retreat; and

- (c) personal finances, including Whitewater and blind trust versus diversified trust.

It appears that Jim Blair was to take the lead for the Clintons in transferring their interest to McDougal. According to a Foster memo to file written on December 30, 1992, Blair intended to meet with McDougal and McDougal's attorney on December 22, 1992, to close the sale. Little Rock was fogged in, however, so Foster took the transfer agreement to Sam Heuer's office at Blair's request. The agreement stated that the Clintons would transfer their interest in Whitewater to McDougal for \$1000. There was some discussion at the meeting about preparation of the delinquent corporate tax returns, but ultimately Heuer and McDougal signed the transfer agreement. The agreement stated that "Grantee [McDougal] warrants that all tax returns due for the period of Grantors' ownership of the stock being transferred shall be filed forthwith, and Grantee warrants that he shall cause said returns to be filed forthwith."

On December 23, 1992, Foster wrote a letter to accountant Yoly Redden enclosing the signed agreement and asking her to prepare the delinquent corporate tax returns for WWDC. The letter stated that "the Corporation will determine independently whether the returns are accurate and take the responsibility for filing them." Mrs. Clinton and Jim Blair were blind-copied on this letter. Also on December 23, 1992, Foster sent Jim Blair a copy of the transfer agreement.

On December 24, 1992, a \$1000 check payable to the Clintons was mailed to Foster by Sam Heuer.

## **2. Preparation and Filing of Clintons' 1992 Taxes in April 1993**

Having sold their interest in Whitewater for \$1000, the Clintons had to decide how to treat the \$1000 on their 1992 taxes. Did they have a gain or loss to report?

Foster received a letter on April 2, 1993, from Yoly Redden enclosing a draft of the Clintons' federal and state returns. It stated: "If I receive additional documentation from Mr. Patten of Patten, McCarthy & Associates in Denver, we may be able to claim a \$10,000 to \$15,000 loss in the disposal of Whitewater stock. The present return reflects no gain or loss on the disposal. I will let you know if a loss can be claimed. I realize that we need to take the most conservative approach possible and that was the position taken in the return."

On April 5, 1993, Foster sent a letter to Bob Barnett of Williams & Connolly enclosing the draft returns. The letter discusses several issues, but says the following about Whitewater: "At this point, there is no gain or loss reflected from the sale of the interest in Whitewater Development Corporation. The local accountant thus far has been unable to obtain documentation of payments to or for the benefit of the Corporation in excess of the stock sales price. This could change, however, in the next few days. Enclosed is a copy of the analysis by Jim Lyons and his forensic accountants on the Whitewater financial issues. There was an erroneous tax deduction taken in a prior year which was intended to be accounted for in this return."

On April 6, 1993, Foster sent a letter to Barnett with various supporting documents, including various federal and state returns and financial disclosure statements. Included is "a memorandum from the Media Research Office concerning news articles about financial and tax issues which were published during the campaign, including specifically articles about Whitewater Development Company. The memorandum also includes articles concerning the tax returns filed by the Bushes and the Quayles in 1989. I have confirmed that the Whitewater Development Company has not filed tax returns in recent years." It appears that this letter and the enclosures were likely sent in response to a phone call from Barnett.

On April 6, 1993, Yoly Redden sent a letter to Foster covering a few issues and concluding, "I should be calling you tomorrow afternoon concerning Whitewater."

Barnett apparently had another accountant review the returns in his office on April 6, 1993. That accountant prepared a letter dated April 7, 1993. The letter discusses a number of issues and says the following about Whitewater:

I guess the treatment of the Whitewater investment will be a very sensitive item. I read the press reports you made available to me and it seems that the opposition was contending that the Clintons' investment in Whitewater was such that they had an opportunity to realize half of the profits if the project was successful but were protected against losses if the project was unsuccessful. The President responded that they had lost at least \$25,000.

The return currently shows that disposition of the investment on Schedule D at a cost of \$1,000 and a sales price of \$1,000 and no gain or loss. It seems to me that this treatment bolsters the opponents' position. That is, they claim he was protected against loss -- the President said he incurred a significant loss -- the return shows no loss.

Judging from the return I assume that the Clintons are not expecting to get tax benefit from the loss. I further assume, based on the President's response as reported in the press, that they did not receive any proceeds upon disposition of the investment. [This was not true; thus, the remainder of this paragraph does not follow. BK] Thus, it appears that the \$1,000 of proceeds on Schedule D is for cosmetic purposes. If that is the case, wouldn't the best course of action be to simply not report anything on the return. I am not aware of any provision in the tax law that requires one to claim all losses that have been incurred. And even if there were such a provision, the present method of reporting does not report the loss that the President says was incurred.

Barnett faxed a copy of this letter to Foster on April 7, 1993.

On Foster's handwritten notes that are undated (but likely are some time from April 7 to April 12) and list a number of different issues with respect to the draft returns, such as "pay

Keough" and "use of name Rodham," Foster notes the following: "Options: FN -- cost in excess but not documented yet \$1000 gain." He also wrote notes to "call Sam Heuer, Jim Lyons."

On April 12, Foster sent a one-page FAX to Yoly Redden stating: "Insert re: WWDC: The estimated basis substantially exceeds the sales price; however, because of the unavailability of complete documentation, no basis is claimed."

On April 12, Redden wrote a letter to Foster. It is unclear whether this letter is before or after the above FAX. It states as follows:

I am enclosing summary workpapers on Whitewater to document the assumed loss of \$5,878.35. These include the report from Patten, McCarthy detailing their findings of an estimated investment of \$68,880.07, workpapers that we had in our Whitewater file of payments made on behalf of Whitewater, deductions taken on tax returns, and lists prepared possibly by Carolyn Huber concerning the same items.

I still recommend that we do not attach any statement to the tax return concerning Whitewater other than the listing of the sale of stock. We have a minimum basis of \$500, which was the amount allocated on the corporate books as 50 percent of the capital stock. Because of the numerous problems with Whitewater records and the commingling of funds with other companies and individuals, I believe many explanations may have to be made if we claim a loss. I do not believe we should claim a gain, because the Clintons did suffer a loss, and that should be the implication in closing the transaction. . . .

Handwritten notes that are undated say the following: "Worst case -- IRS audits return, disallows \$1000 loss -- press says 'you said you invested \$25,000 and couldn't even prove 1000.'" (I am not sure these notes are in Foster's handwriting, but I might have an analysis done. All other notes referenced in this memo appear clearly to be Foster's handwriting.)

On Foster's handwritten notes that are undated but were probably taken at some time from April 7 through 13 and that appear to reflect one or more conversations with at least Yoly Redden, Norris Weese, and Jim Lyons, Foster wrote the following:

Q's

1. What was nature of deductions
  - A. How deduct interest/principal payments for corp.?
2. Can you use contributions which predated incorporation?

3. Contribution/advancements of \$68,900 to the McD

4. Inability to use \$8000 capital loss.

500 eliminate precision

1000 arbitrary

0 would be presumed

JR [Yoly Redden] resists any gain since inconsistent with saying we had a loss -- zero is arbitrary

(were making payments because McD was missing)

opposes FN

reason is 0 is what IRS uses if you don't prove basis

JR -- we did not know WWDC existed in earlier years

#### Discussion Points

1. An argument that they were protected against loss:
  - A) wash is consistent with this theory
2. Improper to reduce basis by improper tax benefit
3. Computation of economic loss was based, in part, on assumptions whereas computation of tax gain or loss must be defensible in audit

Weese [he was one of the Denver accountants]

sometimes relied on Clinton's returns as evidence

don't want to go back into that box

Was McD trying to circumvent bank loss

why HRC getting loans from other

Lyons

HCR transaction re: lot

A) long-term capital loss limitation

raises Q's re

reasonable for forensic purposes vs IRS audit

On Foster's handwritten notes that are undated but were probably written at some time from April 7 through April 13, Foster made a list of various issues related to the returns, including "pay Keough," "Chelsea's return," and "California return." There also are notes about Whitewater. It is unclear, but these notes appear to reflect conversations with Yoly Redden and Ricki Seidman.

9. Whitewater

Discuss w/ Yoly [**query whether what follows reflects Foster's views or Redden's views. It at least appears to be the latter. BK**]

A. Colo. analyses of economic loss

1. did not take into account interest deductions
2. calculation included some items for which there were no cancelled checks
3. when back out [? BK] unsupported and deductions \$5800 -- rec'd \$1000 for tk
4. Yoly recommends vs taking a loss of \$4800

A) other interest deduction of \$4300 which cannot be sure were not WW

B) more importantly would result in an audit of proof of basis

**can of worms you shouldn't open [I believe the "worms" are the next three listed items. BK]**

1) propriety of characterizing pre-incorp payments on affiliated corporations (\$10M to Great Southern Land)

2) propriety of taking

int deductions for debt  
which should be corp

3) prior deduction of  
\$8000 prior [?]  
payment in 1980

Colo came up with theory to justify but it is shaky

#### 10. Options

\$1000 basis so no tax effect but is arbitrary and still risks audit  
versus 0 basis w/ \$1000 gain avoids any audit of issue

political

in Ricki's view no significant difference in  
answering Q's for \$4000 loss, no loss, \$1000 gain

On April 15, 1993, Redden wrote a letter to Foster enclosing an original and a copy of the 1992 Arkansas return "which [she] revised to allocate to the President \$500 of the gains from the sale of the Whitewater stock. I am sorry for the inconvenience of so many revisions."

The returns treated Whitewater as a \$1000 gain with a 0 basis, so the only real concern over the returns' treatment of Whitewater was whether the press would seize upon those returns as an indication that the Clintons' statements during the campaign about the extent of their investment in Whitewater were incorrect. There was, however, no risk of an IRS audit on these returns, at least on the basis of their treatment of Whitewater.

As it turned out, the press had very little to say about these returns. I found only two articles mentioning the returns, both on Monday, April 19. The Washington Post reported as follows:

They also reported a \$1000 gain from the sale of their interest in Whitewater Development Corp., a land deal that became an issue last spring after disclosure that a partner, James McDougal, had been the head of a troubled state-chartered savings and loan. Spokeswoman Ricki Seidman said the Clintons sold their half-interest in the unsuccessful 230-acre Ozark Mountain resort development back to McDougal and his wife. Though the Clintons said they lost thousands of dollars on the investment, they listed its initial value for tax purposes as zero. "They decided to take the most conservative position," Seidman said. "The IRS needs extensive documentation to establish basis and not all the documentation was

available, so they declined to show the loss."

USA Today reported as follows: "The Clintons sold their interest in Whitewater Development, a company they and another couple created in 1978 to develop land in Arkansas' Ozark Mountains. The Clintons reportedly sank \$69,000 into the project. They sold their interest in December for \$1000, leaving a loss of \$68,000, which they apparently claimed in previous years." The USA Today story was obviously somewhat inaccurate.

### 3. Whitewater Corporate Tax Returns

I have found very little documentation in Foster's files relating to the preparation of the Whitewater corporate tax returns. It appears that, consistent with the December 1992 sale, Jim Blair took the lead on this issue. Foster did receive a letter on June 23, 1993, from Yoly Redden stating "I am enclosing copies of the letters that were sent to Mr. Blair today, together with the income tax returns of Whitewater Development Company. Please let me know if you need copies of these returns for your files."

This letter suggests that Foster did not even see the returns before they were filed and that Foster was not involved in the filing of the Whitewater corporate tax returns. That is appropriate because it is difficult to see how he ethically could have been substantially involved in such matters for a corporation while a government attorney.

### Conclusions

That summarizes the evidence we possess from Foster's office related to Whitewater. It seems likely that Foster, as well as Seidman, Barnett, Redden, and Lyons, were aware by April 15, 1993, if not earlier: (1) that it would be difficult for the Clintons to prove with documentation that the Clintons had contributed to, and therefore lost as much money on, Whitewater as the Lyons report had claimed (but note that this was stated publicly at the time of the 1993 tax returns); (2) that it might even be difficult for the Clintons to prove (although it did not appear that they would ever have to) that they were at risk of loss in the Whitewater investment; and (3) that the Clintons claimed improper deductions on their personal tax returns in the 1980's (which they conceded, at least in part, during the campaign).

In my view, any suggestion based solely on this evidence that Whitewater was a contributing cause of Foster's distress in July 1993 is quite far-fetched. Why would Foster kill himself or even feel uneasy about the filing of tax returns that had been handled properly and had generated no controversy over Whitewater? I could see that he may well have held his breath upon the filing of the returns in April because they could have generated press reexamination of the Lyons report and old tax returns, but in fact it created no controversy whatsoever. Indeed, this appears to have been one of the few issues that Foster handled in the White House that did not go wrong.

Perhaps Foster was such a worrier that he thought that it could someday come to light that the Clintons knowingly had taken improper deductions in the 1980's or really were at no risk of any loss in the Whitewater investment. But that does not make much sense because those allegations had already been made, and had not resulted in any continued problem for the Clintons. And even if such allegations were renewed and even investigated, there was no possibility of criminal liability given the statute of limitations. Moreover, because the documentation relating to Whitewater was so spotty, it would be at least as difficult to prove such allegations in a civil tax or congressional proceeding as it was to disprove the allegations in the personal tax returns. More to the point, even if I am wrong about all of this, would a person kill himself because of the potential tax problems related to returns of someone else that were filed many years ago and with respect to which the person played no role? It seems unlikely.

In sum, absent more evidence, the "Whitewater contributed to Foster's death" allegations make little sense to me, although I am willing to listen to contrary views. Nonetheless, in the event that we write a report discussing state of mind, I do not think we are qualified to say what issues in effect caused his suicide. The best we can do is to point out the issues that Foster was working on and/or those issues that reasonably could have caused Foster concern at one point or another. With respect to Whitewater, we can say simply that in April 1993, the treatment of Whitewater in the tax returns was an issue of some sensitivity and difficulty that appears from the written record to have caused Foster (as well as others) some degree of concern.

TO: BRETT KAVANAUGH

Revised 7/25/95

FROM: SA [FOIA(b)7 - (C)]

SUBJECT: DISCREPANCY LIST

The following list is my last comprehensive outline of all of the noted discrepancies, inconsistencies, and problems that have been identified in the Vincent W. Foster death investigation to date. The outline is broken down into the following areas: U.S. Park Police, Emergency Medical Technicians (EMTs), the White House, Northern Virginia Medical Examiner, Miscellaneous, and Forensic Examinations. Although mostly the same as the previous list of 6/21/95, there are a few additions, particularly under USPP and Medical Examiner:

- I. U.S. Park Police
  - A. No gunshot residue samples of the decedent's hands.
  - B. Lack of complete documentation of the gunshot residues on the left hand.
  - C. Poorly diagrammed death scene; lack of measurements.
  - D. No photo log; no documentation regarding who took what photographs, and the total number of photos.
    - 1. Edwards initialed Ferstl's photographs.
    - 2. Ferstl is unsure of the exact number of photographs he took with Edwards camera.
  - E. Death scene 35mm photos did not develop.
  - F. No documentation regarding the initial search of the decedent's vehicle at the death scene- no inventory.
  - G. Photo of an unidentified briefcase next to a U.S.P.P. vehicle.
  - H. Decedent's pager returned too soon; no records obtained regarding previous pages.
  - I. Suicide weapon processed with dust prior to other laboratory exams.
    - 1. No latent prints of any kind; value/no-value.
  - J. Inconsistent statements regarding moving and searching the body. (Rolla, Braun, Simonello, Hodakaviec)
  - K. Inconsistent and poorly documented autopsy.
    - 1. Morrissette's report.
    - 2. No gunshot residue samples from hands.
    - 3. No fingernail clippings/scrapings.

1-Tuohey  
①-Ewing  
1-Lueckenhoff  
1-Kavanaugh  
1-Gillis  
1-[FOIA(b)7 - (C)]  
1-Clemente  
1-29D-LR-35063

4. No major case prints of decedent.
5. No photo of left hand.
6. Possible contamination of evidence subsequent to autopsy at M.E.'s Office.
7. Inconsistent statements regarding what was done to the body prior to autopsy.
8. No description of body and clothing prior to autopsy.

L. Possible contamination of evidence at U.S. Park Police facility.

M. Poor interview and documentation of witnesses at death scene (Doody and Feist).

N. Photo of an unidentified white male wearing plainclothes at death scene.

O. Inconsistent statements regarding vehicle doors being locked/unlocked. (Braun, Rolla, Hodakievic, Simonello, Gavin)

P. All photographs not produced pursuant to initial subpoena.

Q. Inadequate and incomplete metal detector search by the USPP. (Operators had no prior experience or training)

R. Eyeglasses and revolver lifts contain trace evidence.

S. Case was closed prior to completion of laboratory exams.

T. Inconsistent statements of Officer Watson, Jeff McGaughey, and Braun regarding Watson's and McGaughey's actions/observations at the scene.

1. Watson is the Special Forces officer that responded to the scene.

U. Watson did not notify Gavin, as requested by Braun at approximately 7:30 p.m.

V. No neighborhood investigation.

1. Did not obtain video from Saudi residence of second entrance.

W. Incorrect number of torn pieces of note in Simonello's report.

X. No documentation of the latent prints of value that were obtained from the decedent's vehicle.

1. The prints were identified by the FBI Lab.

Y. Incomplete search of the decedent's vehicle.

1. Numerous items were not taken as evidence; they were later obtained by OIC FBI agents.

II. Inconsistent statements and observations of Fairfax County Fire and Rescue personnel.

A. Wound on neck (Arthur: .45 cal. bullet hole.)

B. Gun under thigh.

C. Wound on upper right front of skull (Gonzales).

D. Briefcase in vehicle.

E. Unidentified person in woods (Hall).

F. Vehicle doors locked.

G. Death scene photos do not accurately depict scene.

H. Two unidentified white males walking from death scene.

I. Color of gun was silver.

J. Type of gun was semiautomatic pistol (Arthur).

K. Statements of initial paramedics at scene regarding their actions are inconsistent with Fairfax County paramedic protocols.

L. Report coded as a homicide (Ashford).

### III. Medical Examiner

#### A. X-rays

1. Autopsy report indicates x-rays were taken.
2. Morrissette's report indicates Beyer told him x-rays were taken.

B. All individuals present at autopsy not indicated on autopsy report.

C. No photographs of decedent's left hand.

D. Inconsistent statements regarding removal of decedent's tongue and palate.

E. Inconsistent "on-scene" times reported for Dr. Haut; 7:40 pm and 7:15.

F. Stomach contents; no definitive digestion time, or positive identification.

G. "Cross-hatched" lines in autopsy diagram- discrepancy between Dr. Luke's autopsy review and 7/13/95 conversation with Dr. Beyer.

### IV. White House

A. Foster's office unsecured until 7/21/93, approximately 10:10 a.m.

1. Patsy Thomasson, Maggie Williams, Bernie Nussbaum search Foster's office.

B. Confidential trash bag removed and replaced.

C. Nussbaum enters office; removes small photo.

D. Pond rearranges papers on Foster's coffee table.

E. Exclusive initial review of documents by Nussbaum.

F. Torn note found one week later in briefcase previously searched by Nussbaum.

G. Note not released to investigators until the following week; a day after it was discovered.

### V. Miscellaneous

#### A. CW's inconsistencies.

1. positioning of decedent's hands.

2. no gun.

3. winecoolers and briefcase in vehicle.

4. trampled area around death scene.

5. does not see white car occupied.

#### B. Inconsistencies between Doody and Feist's statements.

1. Inconsistencies between USPP interviews and FBI interviews of Doody and Feist.

2. Their statements re- other people at the park were "completely ignored" by Fiske investigators.

C. No initial investigation of the park's "second entrance".

D. No one heard a gunshot.

E. The gun exemplifies a "drop gun".

F. No matching ammo at the decedent's residence.

G. The decedent's grip on the gun was not the simplest nor the easiest to shoot himself in the mouth.

H. The decedent never previously spoke of suicide.

I. The decedent had no particular obsession, "dire

predicament", or one thing that would have put him over the edge.

J. The decedent had dealt with stress before.

K. The suicide weapon has never been positively identified as belonging to the decedent, or the decedent's father.

1. Family members have been unable to reliably and conclusively identify the gun.

L. Lisa Foster's initial spontaneous question "was the gun in his mouth?".

M. Five unaccounted for hours between the time the decedent left work and was discovered dead.

N. Lack of blood at death scene.

O. No bullet.

P. No cadaveric spasm causing decedent to clench gun.

Q. The gun did not fly out of the decedent's hand.

R. No chipped teeth noted by M.E.

S. No flashburns inside mouth noted by M.E.

T. The mortician lost the original embalming report and diagram.

U. The decedent's glasses were discovered 13' downslope from his body.

V. The positioning of the body is inconsistent with suicide; body neatly laid out; "as if it was in a coffin".

W. Fairfax Hospital Laboratory Supervisor statement re-gunshot wound to middle of head.

X. Helen Dickey telephone call to Roger Perry.

Y. Committed suicide at an unfamiliar location.

Z. No suicide note.

A1. No previous mention of suicide.

B1. Ate lunch prior to committing suicide.

C1. Jeff McGaughey's statements are inconsistent with Officer Watson's.

D1. USSS memo of SA Scott Marble, dated 7/20/93, re-decedent's body discovered in his car, and revolver recovered in car.

E1. Other witnesses were in the park (Ruddy article of 6/14/95).

1. Several men wearing orange vests.

2. Several people who entered the park through the rear entrance and encountered police.

F1. Enhanced photographed depicts a wound on neck.

G1. Not an independent investigation (Ruddy article of 6/19/95).

1. Tuohey conflicts.

2. Colombell oppositon/resistance.

H1. Eyeglasses found 13' from body.

#### VI. Forensic Examinations

A. Unidentified latent print inside grip of suicide weapon.

B. Unidentified blonde head hairs.

C. Unidentified carpet fibers.

D. Unidentified stain on shirt. (Dr. Lee).

E. Unidentified gunpowder in scrapings.

F. The decedent's head was moved.

G. No blood on suicide weapon.

- H. No soil on shoes. (mica flakes)
- I. Large semen stain in the decedent's underwear.
- J. Blood flowed uphill (video).
- K. Excavation of site disputed.
- L. Possible blood on handkerchief (Item 4a)
- M. Inconsistent vegetation at death scene.
- N. Polaroid photos depict decedent's hand in different positions.
- O. FBI Lab relied on third generation photographs for their examinations; copies of copies.

TO: BRETT KAVANAUGH

3/22/95

FROM: SA FOIA(b)7 - (C)

SUBJECT: DISCREPANCY LIST

The following list is offered as a comprehensive and itemized outline of all of the noted discrepancies, inconsistencies, and problems that have been identified in the Vincent W. Foster death investigation to date. The outline is broken down into the following areas: U.S. Park Police, Emergency Medical Technicians (EMTs), the White House, Northern Virginia Medical Examiner, Miscellaneous, and Forensic Examinations.

I. U.S. Park Police

- A. No gunshot residue samples of the decedent's hands.
- B. Lack of complete documentation of the gunshot residues on the left hand.
- C. Poorly diagrammed death scene; lack of measurements.
- D. No photo log; no documentation regarding who took what photographs, and the total number of photos.
- E. Death scene 35mm photos did not develop.
- F. No documentation regarding the initial search of the decedent's vehicle at the death scene- no inventory.
- G. Photo of an unidentified briefcase next to a U.S.P.P. vehicle.
- H. Decedent's pager returned too soon; no records obtained regarding previous pages.
- I. Suicide weapon processed with dust prior to other laboratory exams.
- J. Inconsistent statements regarding moving and searching the body. (Rolla, Braun, Simonello, Hodakaviec)
- K. Inconsistent and poorly documented autopsy.
  - 1. Morrissette's report.
  - 2. No gunshot residue samples.
  - 3. No fingernail clippings/scrapings.
  - 4. No major case prints of decedent (palms, sides and tops of fingers).
  - 5. No photo of left hand.
  - 6. Possible contamination of evidence subsequent to autopsy at M.E. Office.

1- Tuohey  
①- Kavanaugh  
1- Gillis  
1-29D-LR-35063

4. trampled area around death scene.
5. does not see white car occupied.
- B. Inconsistencies between Doody and Feist's statements.
- C. No initial investigation of the park's "second entrance".
- D. No one heard a gunshot.
- E. The gun exemplifies a "drop gun".
- F. No matching ammo at the decedent's residence.
- G. The decedent's grip on the gun was not the simplest nor the easiest to shoot himself in the mouth.
- H. The decedent never previously spoke of suicide.
- I. The decedent had no particular obsession, "dire predicament", or one thing that would have put him over the edge.
- J. The decedent had dealt with stress before.
- K. The suicide weapon has never been positively identified as belonging to the decedent.
- L. Lisa Foster's initial spontaneous question "was the gun in his mouth?".
- M. Five unaccounted for hours between the time the decedent left work and was discovered dead.
- N. Lack of blood at death scene.
- O. No bullet.
- P. No cadaveric spasm causing decedent to clench gun.
- Q. The gun did not fly out of the decedent's hand.
- R. No chipped teeth noted by M.E.
- S. No flashburns inside mouth noted by M.E.
- T. The mortician lost the original embalming report and diagram.
- U. The decedent's glasses were discovered 13' downslope from his body.

#### VI. Forensic Examinations

- A. Unidentified latent print on note.
- B. Unidentified latent print inside grip of suicide weapon.
- C. Unidentified blonde head hairs.
- D. Unidentified carpet fibers.
- E. Unidentified stain on shirt. (shirt being resubmitted to lab)
- F. Unidentified gunpowder in scrapings from decedent's shoes and socks, and the paper that they were dried on.
- G. The decedent's head was moved.
- H. No blood on suicide weapon.
- I. No soil on shoes. (mica flakes)
- J. Large semen stain in the decedent's underwear.

TELECOPY COVER SHEET

OFFICE OF THE INDEPENDENT COUNSEL

1001 Pennsylvania Avenue, N.W., Suite 490N

Washington, D.C. 20004

telephone (202) 514-8688

facsimile (202) 514-8802

Date: \_\_\_\_\_

TO: HickSwing

Company Name: \_\_\_\_\_

Fax Number: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

FROM: Brett Kavanaugh

Number of Pages: 4 (including this cover sheet)

Message: \_\_\_\_\_

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This facsimile is intended only for the person or entity to which it is addressed and may contain information that is privileged, confidential, or otherwise protected from disclosure. Dissemination, distribution, or copying of this facsimile or the information herein by anyone other than the intended recipient, or an employee or agent responsible for delivering the message to the intended recipient, is prohibited. If you have received this facsimile in error, please notify us immediately by telephone and return the facsimile by mail.

# Memorandum



To : ASSOC. INDEPENDENT COUNSEL BRETT KAVANAUGH 6/22/95

From : SA [FOIA(b)7 - (C)]

Subject: FOSTER DEATH INVESTIGATION  
SUMMARY OF PHYSICAL EVIDENCE

The following is a comprehensive summary of the physical evidence in this case. This summary does not include the items obtained during the search of Ft. Marcy Park on 4/4/94, since none of the items were determined to be relevant to this investigation. Preliminary examination by Dr. Lee indicates the possibility of the presence of blood on the USPP latent lifts from the glasses and revolver, as noted in my memo documenting my meeting with him on 6/9/95. My memo of 6/12/95 identifies the particular locations and amounts of hairs, fibers, and latent prints. Additionally, my memo of 3/2/95, which documents our meeting with the laboratory examiners, contains information regarding the nature of the forensic examinations and some of the conclusions that can be drawn from the results.

I) Death Scene Observations.

A) The decedent was lying face-up on an approximate 45 degree sloped embankment, with his head toward the top of the slope. The location was consistently described to be near the "second cannon".

B) The decedent was wearing a white shirt. Blood stains are only observed on the right shoulder and neck area, and around the right rib cage area.

C) Blood trails are observed on the decedent's face.

D) The decedent's arms were at his sides. The right hand was around the cylinder of a black revolver.

1) right thumb trapped between trigger and inside edge of trigger guard.

2) one blood droplet on right index finger above second joint.

3) apparent gunshot residues along the outside edge of the right index finger, in close proximity to the cylinder gap of the weapon.

1-Tuohey

① Ewing

1-Lueckenhoff

1-Kavanaugh

1-Gillis

1-Clemente

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

1-29D-LR-35063

4) The hammer of the revolver had to be cocked to remove the weapon from the hand (indicates that the revolver was cocked when the thumb was inserted).

5) The decedent's hand was flexible (gun was not tightly gripped).

E) Prescription glasses were collected approximately 13' downslope from the decedent's feet.

F) When the body was rolled, a large pool of blood was observed where the head had been resting.

1) Additionally, a larger area of blood was observed where the decedent's back was in contact with the ground, which coincided with blood stains observed on the back of the decedent's shirt.

2) A gunshot wound was observed at the back of the decedent's head.

G) The area was not searched for blood, other than by sight.

1) No blood was visually seen on surrounding vegetation.

H) The decedent was still wearing his jewelry and pager.

1) The pager had been manually turned off.

2) The decedent's wallet and identification were located in his unlocked vehicle.

a) The wallet contained \$292 and various credit cards.

I) The weapon was unloaded at the USPP office.

1) The hammer was down on a fired .38 caliber casing.

2) An unfired .38 cal. bullet was in the next chamber.

a) Colt revolvers rotate clockwise. The unfired bullet was in the next chamber to be rotated into firing position.

3) The serial number from the crane of the revolver cylinder (356555) was traced to the Seattle Hardware Co., Seattle, WA., 9/14/13.

a) The serial number on the frame of the revolver (355055) was traced to the Gus Habich Co., Indianapolis, IN., 12/29/13.

b) Consistent with describing the weapon as an antique or family heirloom.

J. The following items were taken as evidence at the location of the body on 7/20/93:

a) eyeglasses- 13' downslope from the decedent's feet. (Simonello).

b) revolver- from the decedent's right hand (Simonello).

c) Seiko wrist watch- from decedent's left wrist (Rolla).

Returned to Cliff Sloan on 7/21/93.

d) Pager- from decedent's right waist area (Rolla). Returned to Cliff Sloan on 7/21/93.

e) Silver ring with large white stone- from decedent's right ring finger (Rolla). Returned to Cliff Sloan on 7/21/93.

f) Gold colored ring with inscription "E.B.B. to V.W.F. 4-20-68" - from decedent's left ring finger (Rolla). Returned to Cliff Sloan on 7/21/93.

K. The following items were taken as evidence from the decedent's vehicle in the Ft. Marcy parking lot:

a) Brown leather wallet containing identification, credit cards, miscellaneous papers, and photos- from decedent's suit jacket pocket (Braun- Rolla). Returned to Cliff Sloan on 7/21/93.

(1) one of the papers in the wallet was a list of psychiatrists.

b) Black suit jacket- from front passenger seat of decedent's vehicle (Braun).

c) Blue silk tie with swans- on top of coat on front passenger seat (Braun).

d) White House Identification- under coat on front passenger seat (Braun).

e) Miscellaneous papers- from glove box, trunk, and door (Braun).

L. Photos.

1. 35mm photos taken by Simonello were underexposed, and did not develop.

2. 5 Polaroid photos of the death scene initialed by Edwards, probably taken by Ferstl.

3. 8 Polaroid photos of the death scene taken by Rolla.

4. 5 Polaroid photos of the decedent's car at the Ft. Marcy parking lot taken by Braun.

M. The following items were taken as evidence from the decedent's right front pants pockets at the Fairfax Hospital Morgue on 7/20/93:

a) one key ring marked "Cook Jeep Sales" (Braun).

b) one key ring marked "Vince's Keys" (Braun). Returned with vehicle on 7/27/93.

## II. Autopsy

### A. Observations.

1. Cause of death: perforating gunshot wound mouth - head, no other trauma noted.

a. No evidence of abrasions, lacerations, contusions, or bone fractures (other than that associated with the head wound).

b. No evidence of teeth fractures or chipping.

2. Apparent gunpowder residues on both index fingers; more pronounced on right hand.

3. Abundant gunpowder residues on the soft palate of the mouth.

4. Toxicology was negative for alcohol and drugs.

B. The following items were taken as evidence subsequent to the autopsy at the Northern Virginia Medical Examiner's Office on 7/21/93. The items of clothing were placed into one bag and transported to the US Park Police Anacostia Office:

a) white colored, long-sleeved, button-down shirt (Johnson).

b) white colored, short-sleeved t-shirt (Johnson).

c) white colored boxer shorts (Johnson).

d) blue-gray colored pants with black colored belt (Johnson).

e) a pair of black colored socks (Johnson).

f) a pair of black colored dress shoes, size 11M (Johnson).

g) known hairs of Vincent Foster, Jr. (Johnson).

- h) known blood of Vincent Foster, Jr. (Johnson).
- i) known fingerprints of Vincent Foster, Jr. (Johnson).

The clothing was set out to dry on three pieces of brown wrapping paper, which were layed out on the floor of the USPP photo developing room. On 7/26/93, the items were packaged in separate containers and placed in the USPP evidence locker.

C. Autopsy documentation.

- 1. Diagrams (Beyer).
- 2. 5 microscopic slides containing sections of the soft palate, brain, heart, lung, and liver (Beyer).
- 3. 5 paraffin blocks, 3 of soft palate (Beyer).
- 4. 13 Polaroid photographs (Beyer).
- 5. 14 35mm photographs (Beyer).
- 6. 35 mm photos (Hill).

III. Vehicle search.

A. The following items were obtained from a search of Foster's grey Honda Accord at the USPP impound lot on 7/21/93 by Officer E.J. Smith, and stored at the USPP evidence room:

- 1. Rand McNally Washington, D.C. map.
- 2. sunglasses.
- 3. "Happy Birthday card to Tom".
- 4. piece of white paper with red writing.
- 5. box of "The DeLuxe Check Printers, with four checkbooks in the name of Laura Foster.
- 6. clear plastic envelope with Insurance Identification Card listed to Vincent or Elizabeth Foster, Policy number 10094177-01, exp. 8/6/90.
- 7. one Sierra Nevada beer bottle (from inside white and green bag).
- 8. one Miller Lite beer can.
- 9. empty container of Marlboro Lites cigarettes.
- 10. one Kaopectate bottle.
- 11. one Clos Du Bois corkscrew.
- 12. Contents of front ashtray:
  - a. 35 pennies, two quarters, one nickel, a Compton's Foodland disk, a \$100 Estados Unidos Mexicanos coin dated 1985.
  - b. Chevron credit card.
  - c. Texaco credit card.
  - d. a guitar pick.

B. 35 mm photos were taken of the vehicle during the search (Smith).

C. The vehicle was processed for latent prints with negative results (Smith).

1. Four of these latent prints were later identified by the FBI Laboratory as being of comparison value.

D. The following items were obtained from the law firm of Sharp & Lankford by SA Russell Bransford on 6/16/94. The items were in the decedent's grey Honda Accord at the time it was released by the USPP. The items were removed from the car by William Kennedy.

The items were subsequently stored at the OIC-DC Office:

1. coffee mug
2. container of jellybeans
3. black eyeglass pouch with Rayban sunglasses
4. green kitchen mitt
5. one pair of brown moccasins
6. one blue audiocassette carryingcase with 12 music tapes
7. two hardcover books:
  - a. Speak Up With Confidence, by Jack Valenti
  - b. 2,000 Famous Legal Quotations, by M. Frances McNamara
8. Tysons Center directory
9. Potomac Mills directory
10. Eastern U.S. area map
11. one yellow envelope containing papers pertaining to the Honda Accord.
12. one White House envelope, hand addressed in pencil to William Kennedy, containing an Arkansas vehicle registration for a 1992 Lexus 300, with an attached post-it note.

IV) The note.

A. On 7/27/93 at 9:30 pm, numerous pieces of small yellow lined paper were obtained from Bernard Nussbaum by Det. Megby of the USPP.

B. On 7/28/93, the note was reconstructed and photographed (Simonello).

C. On 7/30/93, the note was released to SA Scott Salter, FBI.

D. On 8/5/93, the note was returned to the USPP.

V) On 3/21/94, all of the above items from the death scene, vehicle search, autopsy, and the note were released to the Office of the Independent Counsel (Colombell 302 of 3/21/94). The items were subsequently provided to the FBI Laboratory on 3/24/94.

VI) In December 1994, Sharon Bowman (decedent's sister) provided five .38 caliber rounds that were obtained from the Foster residence in Hope, AK.

VII) Approximately one week after Foster's death, Deborah Gorham located a copy of his life insurance policy in the middle drawer of his desk.

VI) FORENSIC EXAMINATIONS

A. The note.

1. one latent palm print of value was developed, and subsequently positively compared to the known prints of Bernie Nussbaum.

2. the handwriting was positively compared to the known writing of Vincent W. Foster, Jr. by the U.S. Capitol Police and the FBI.

3. one unidentified blue wool fiber.

4. no indented writing.

5. insufficient DNA for exam.

- B. The vehicle.
1. four latent prints of value (as identified by the FBI Lab).
  2. two latent prints of value from a business card which was part of the miscellaneous papers removed from the car.
    - a. one of the prints was positively compared to the known prints of Simonello (USPP).
  3. one latent fingerprint on a white envelope.
  4. four latent fingerprints from a pink envelope.
  5. one latent palm print from a greeting card.
- C. Revolver.
1. no latent prints on outside.
    - a. one partial latent fingerprint on underside of grip (unable to compare with decedent' known prints).
  2. no blood. \*-USPP latent lifts
  3. decedent's DNA on muzzle.
  4. no alteration of serial number.
- D. White, long-sleeved shirt.
1. positive reaction for gunpowder gunshot residue (ATF and FBI).
  2. ball shaped gunpowder
  3. decedent's blood.
    - a. the only stains on the shirt are blood and sodium rhodizonate.
  4. no semen.
  5. no hairs dissimilar to the decedent/suitable for comparison.
  6. unidentified fibers (3).
  7. no coherent soil.
  8. mica particles.
- E. Fired cartridge case.
1. fired from the revolver.
  2. several pieces of ball smokeless powder.
  3. no latent prints.
- F. Unfired cartridge.
1. similar to fired cartridge in caliber, manufacturer, and headstamps.
  2. contained ball smokeless powder.
  3. no latent prints.
- G. Eyeglasses.
1. one piece of ball smokeless powder.
  2. no blood. (USPP latent lifts).
  3. insufficient DNA for exam.
  4. no latent prints.
- H. Paper that decedent's clothes were set out on to dry at USPP.
1. ball shaped gunpowder.
  2. one dissimilar gunpowder particle (perforated disk shaped, from a fired cartridge)

3. no hairs dissimilar to decedent's/suitable for comparison.
  4. unidentified fibers (approx. 20).
  5. no coherent soil.
  6. mica particles.
- I. Known blood of the decedent.
1. Trace amounts of trazodone, diazapam/nordiazapam.
- J. Known hair of the decedent.
1. No drugs.
- K. T-shirt.
1. ball shaped gunpowder
  2. decedent's blood.
  3. no semen.
  4. unidentified head hairs.
  5. unidentified fibers (2).
  6. no coherent soil.
  7. mica particles.
- L. Socks and shoes.
1. one dissimilar gunpowder particle (flattened ball shaped from an unfired cartridge).
  2. blood of unknown origin on one shoe.
  3. no blood on the socks and the other shoe.
  4. unidentified head hairs.
  5. unidentified fibers (approx. 17 short fibers).
  6. no coherent soil.
  7. mica particles.
- M. Known tissue samples from decedent's soft palate.
1. no unconsumed gunpowder particles- no ball shaped gunpowder.
- N. Belt and pants
1. human blood, too limited to identify, on belt.
  2. unconfirmed blood on pants.
  3. no semen on pants.
  4. unidentified head hairs.
  5. unidentified fibers (numerous small/short fibers- all on one microscope slide).
  6. no coherent soil.
  7. no gunpowder residues (ATF & FBI).
  7. mica particles.
- O. Shorts.
1. unconfirmed human blood.
  2. semen (DNA matched to decedent).
  3. no hairs dissimilar to decedent's/suitable for comparison.
  4. unidentified fiber (1).
  5. no coherent soil.
  6. mica particles.

P. Jacket.

1. no blood.
2. no semen.
3. no hairs dissimilar to decedent/suitable for comparison.
4. unidentified fibers (8 total from jacket, tie, handkerchief scrapings).
5. no coherent soil.
6. no mica.

Q. Handkerchief.

1. unconfirmed blood.
2. no semen.
3. unidentified fibers (8 total from jacket, tie, handkerchief scrapings).

R. Tie.

1. no blood.
2. no semen.
3. no hairs dissimilar to decedent/suitable for comparison.
4. unidentified fibers (8 total from jacket, tie, handkerchief scrapings).
5. no coherent soil.
6. no mica.

S. Brown wrapping paper, white filter paper, and white wrapping paper from around revolver.

1. no blood.
2. no DNA exam conducted (decedent's DNA on muzzle of revolver).

T. Miscellaneous papers from decedent's car.

1. unidentified DNA on an envelope (flap and stamp).
2. insufficient DNA for exam on other paper items.
3. indented writing ("VU Parking Ticket") on Ty Tippet business card. No indented writing on any other items.

U. Miller Lite beer can.

1. insufficient DNA for exam.

V. Sierra Nevada beer bottle.

1. insufficient DNA for exam.

W. .38 caliber ammunition provided by Sharon Bowman.

1. four rounds are of the same manufacture (Remington) as the rounds found in the revolver.
  - a. two of these rounds are lead round nosed bullets; the same as the unfired round in the revolver, but manufactured at a different time.
  2. one bullet was a lead round nosed cartridge, but made by a different manufacturer.
  3. all of these rounds were capable of being fired from the revolver.

May 3, 1995  
2:50 pm

From: H. Ewing  
To: B. Kavanaugh  
re: "Safe House"

1. I was advised on the afternoon of May 2 by .... that the alleged "safe house" was located in Merrywood on the Potomac, a development located 100-200 yards from the back entrance to Fort Marcy Park.

The house was in the name of FNU Wallace, an attorney close to Bill Clinton. Or, the house was jointly in Wallace's and Foster's names.

The caller told me he did not know how good this information was, but wanted to pass it on.

2. I asked the caller where it was physically in relation to Fort Marcy. I told him there was a subdivision west of the Park. He simply repeated that it was 100-200 yards from the back entrance.

I got the impression that the caller was not familiar with the layout of the Park or the surrounding area.

3. The caller called me back at 8:33 am on Wed., May 3, leaving a voice mail: I have some more specifics on the safe house. I called this person back at 12:02 pm and left my name and number.

4. At 2:45 pm this person advised:

The house is on Dogwood Street. It leads to a deadend in a cul-de-sac. It is in Fairfax County.

On the left in the back of the cul-de-sac is a big white two story house. It abuts Fort Marcy Park. This development is about 300 yards from the park.

There is a Larry Wallace, who is a big shot attorney.

Again, this information may not be accurate.

HICKMAN EWING, JR.  
ATTORNEY AT LAW  
2124 S. GERMANTOWN RD.  
GERMANTOWN, TN 38138

Phone: 901-755-2597

Facsimile: 901-755-7609

FACSIMILE TRANSMISSION COVER SHEET

TO: Brett Kavanaugh  
OIC - Washington, D.C.  
\_\_\_\_\_

DATE: 5-12-95

FAX#: 202-514-8802

FROM: Hickman Ewing

FAX #: 901-755-7609

RE: \_\_\_\_\_

Total number of pages transmitted (including this page): 4

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## THE DEATH OF VINCENT FOSTER. WHAT REALLY HAPPENED?

--Jeremiah Films

This video was produced by the same people who produced "The Clinton Chronicles." It begins with a statement to the effect, "The following information is documented and true." Some of the highlights of this video are as follows:

### INTRODUCTION

The Citizens for Honest Government presents: "The Death of Vince Foster. What really happened?"

#### I. PART ONE - THE INCONSISTENCIES

- 1 - very little blood at scene
- 2 - Foster's head assumes four different positions after death
- 3 - no skull fragments found at the scene
- 4 - gun found in Foster's hand
- 5 - gun found in wrong hand
- 6 - Foster's fingerprints not on gun
- 7 - powder residue suggests Foster did not fire gun
- 8 - powder on Foster's clothing did not match gun
- 9 - gun not positively identified as Foster's
- 10 - fatal bullet never located
- 11 - no gunshot heard
- 12 - no dust found on Foster's shoes

Six pieces of evidence which indicate it is likely Foster did not die in the park.

1. Very little blood
2. Four different head positions
3. No skull fragments
4. No bullet
5. No gunshot reported
6. No dust on shoes

Three pieces of evidence which indicate it is more than likely Foster did not fire gun himself.

1. Gun still in hand
2. Gun in wrong hand
3. Untraceable weapon used

II. PART II - THE COVER-UPS

A.

1. Falsified position of the body - a second crime scene created that night
2. White House demanded key evidence, and park police gave it to them. This included papers, etc., given back.

B. Was Foster suicidal?

Initially - "Absolutely not." The secretary said there was nothing unusual. Bill Clinton said there was nothing unusual.

But the Fiske report said that he was depressed, he organized his desk, he paid bills, he was apparently stiff that morning, and he was apparently distracted.

Everyone fell in line that he was depressed.

Hillary Clinton said on April 22, 1994, "No one had a clue. Neither did the people who spent the weekend with him."

Day of death - no suicide indications

1. Drove children to work
2. No final words
3. No final preparations

4. Arrived on time
5. Worked conscientiously
6. Set up future appointments
7. Ate lunch
8. Read the newspaper
9. Checked out a pager
10. Said he would return later
11. Wrote no suicide note

Dr. Beyer gave very inconsistent statements.

Bill Clinton gave conflicting versions of Foster's state of mind.

### III. PART III - THE RAID ON FOSTER'S OFFICE

Ending quote by Webb Hubbell, July 20, 1993: "Don't believe a word you hear; it was not a suicide."

Kinko's Fax Cover Sheet

To: Hickman Ewing From: Hugh Turley  
 Company: Special Counsel Company: Friend of Foster  
 Phone: (501) 221 8707 Phone: 301 927-4408  
 Fax: \_\_\_\_\_ Fax: \_\_\_\_\_

Message: \_\_\_\_\_

Mr. Ewing, I have found many errors in the official record of Vincent Foster's death. Here is a sample.

Date: \_\_\_\_\_ Please investigate!

**Kinko's**

*H. Turley*

Your 24-hour branch office  
 4417 Hartwick Road, College Park, Maryland 20740  
 (301) 277-7543 • FAX (301) 779-6417

Sworn testimony by the lead United States Park Police Officers investigating the death of Vincent W. Foster Jr is contradictory.

Officer John C. Rolla's testified, before the United States Senate, that he searched Foster's car, front seat, back seat, and trunk. He said he found and searched Foster's wallet. He said he handed contents of the wallet to Officer Cheryl Braun, while he searched the car.

Officer Cheryl Braun testified, before the United States Senate, that she searched the car and found Foster's wallet. She described how she searched the contents of the car and trunk. When asked if other Park Police searched the car she said, "NO" When asked if any other Park Police touched the car or it's contents she answered, "NO, NOT AT THE SCENE."

They both cannot be telling the truth.

\* For complete testimony of Rolla + Braun's search of the car see hearings volumes I  
 Rolla pp. 435-438  
 Braun pp. 502, 508, 528, 530

Officer Novak

436

111

1 back and I took -- I went through the car.

2 Q After Simonello had photographed it?

3 A Right.

4 Q What did you do, what would you describe what  
5 your search of the car was?

6 A We observed the car was unlocked, we opened it.

7 Q Were you wearing gloves, by the way, or not?

8 A No. It's hard for a lot of people to understand,  
9 but we don't make a definite determination on death, it's  
10 an open investigation, but you go by the facts that you  
11 have. If there's some suspicion, which there wasn't then,  
12 is not now and never has been, then, yes, it would be more  
13 of a crime scene.

14 This is not, was not -- it's a potential crime  
15 scene, but it wasn't a crime scene based on what evidence  
16 we had. We went in, we were trying to identify the person  
17 we had there, basically. I believe I went through the  
18 passenger's door first and lifted up the suit jacket,  
19 observed the White House identification with his picture  
20 and name on it. I said this looks like the guy, Vincent  
21 Foster, the guy the car is registered to, and looked at the  
22 jacket, found the wallet with identification to Vincent

112

1 Foster and driver's license, among other things that were  
2 in the wallet.

3 Q Did you look through the wallet right then?

4 A Yes, I did. I looked around, one of the things I  
5 was obviously looking for was a suicide note, some form. A  
6 suicide note is not always in a written form. It can be a  
7 physical form.

8 Q What do you mean by "a physical form"?

9 A You have to look at your surroundings, also,  
10 people doing things preparing for death, such as turning  
11 off their pager, leaving a message, "I am not taking any  
12 more calls." You can't say "Harvey called." something like  
13 that, that's not a suicide note. It's not like there's a  
14 handwritten note saying "I am going to commit suicide,"  
15 something like that.

16 I looked through the wallet, through the papers  
17 for something out of the ordinary to see if there would be  
18 anything that would lead me to believe it was anything  
19 other than a suicide. Robbery definitely wasn't a motive  
20 because there was \$200-and-some in the wallet, credit cards  
21 in the wallet, car unlocked. The keys puzzled us, but  
22 obviously, [unclear] (HRTS 16376) DocId: 70105732 Page 67

READY

1 front  
2 Q  
3 car?  
4 doing  
5 A  
6 time t  
7 was t  
8 think  
9 gave t  
10 I said  
11 must  
12  
13 wallet  
14 again,  
15 that it  
16 anythi  
17 There  
18 to hin  
19 stuff.  
20 Q  
21 A  
22 regist  
  
1 the tir  
2 Q  
3 A  
4 canva  
5 Q  
6 A  
7 looka  
8 Q  
9 A  
10 have  
11 C  
12 A  
13 seats,  
14 paper  
15 C  
16 physi  
17 A  
18 have  
19 C  
20 anyth  
21 A  
22 trunk

1 front pants pocket the whole time.  
 2 Q Were you describing what you were finding in the  
 3 car? Was someone with you at the time or were you just  
 4 doing this by yourself?

5 A Yes, I mean, everybody was in the park at this  
 6 time because the other scene was cleared. I don't think I  
 7 was taking notes on what I found, because at this time -- I  
 8 think Cheryl Braun said he has a White House ID here, I  
 9 gave that to her, credit cards, wallet, driver's license.  
 10 I said this looks like the guy, this must be the guy, it  
 11 must be him.

12 Obviously, I secured the personal belongings,  
 13 wallet, jacket, the ID. I went through the car looking --  
 14 again, looking for anything that could lead me to believe  
 15 that it was other than a suicide or it was a suicide,  
 16 anything that could help confirm one way or the other.  
 17 There really was nothing. There was mail from his daughter  
 18 to him or him to his daughter in the trunk of the car and  
 19 stuff. There was a college sticker on the back of the car.

20 Q What about on the glove compartment?

21 A Nothing out of the ordinary. I think the vehicle  
 22 registration was in the glove compartment. I took that for

Cheryl  
Braun  
was  
with  
Rolla

1 the time being.

2 Q Back seat area?

3 A There was a green canvas -- beige and green  
 4 canvas bag-type thing and there was nothing --

5 Q Did you look inside the bag?

6 A Oh, yes, I looked through the whole car. I  
 7 looked at everything.

8 Q What was inside the bag?

9 A I don't remember. It wasn't full. There may  
 10 have been a shirt or something.

11 Q Any paper?

12 A No. No. Trust me, I looked. I looked under the  
 13 seats, I looked in the trunk. I looked at every piece of  
 14 paper I could find.

15 Q Did you leave the paper in the car, did you  
 16 physically take it and remove it at that time?

17 A No. I left it. If there wasn't some reason to  
 18 have it, then, you know, I didn't take it.

19 Q So other than his ID and the wallet, did you take  
 20 anything out of the car at that time?

21 A No. I looked at the cards and letters in the

22 trunk. There was a White House ID on the back here, too.

Rolla  
searched  
the  
car.

0121111  
77

Testimony

1 A Yes, I was. 1

2 Q Can you describe the pictures yourself, the 2

3 Polaroid pictures you were shown? 3

4 A Yeah. I was shown pictures of the body on--at 4

5 the scene. And I was shown--I think I was shown copies of 5

6 the Polaroids of the car. 6

7 Q Do you recall having seen the pictures of the 7

8 body before? 8

9 A Well, just the Polaroids that we had taken at the 9

10 scene. 10

11 Q Did you look at the Polaroids as they were being 11

12 taken at the scene? 12

13 A uh-huh. 13

14 Q And did the pictures the FBI showed you appear to 14

15 be the same pictures? 15

16 A Yes, they were. 16

17 Q And do you remember how many photographs you were 17

18 shown by the FBI? 18

19 A Not really. I think I was shown one or two, 19

20 maybe three, because they had some closeups of the blood 20

21 area of the body, and then I was shown the actual copies of 21

22 the Polaroids that I had taken of the car. 22

78

1 Q Were they good copies? 1

2 A Yeah. Yeah. They have--Polaroid actually sells 2

3 a camera that you can lay down over top of a photograph and 3

4 it will duplicate the picture. 4

5 Q Did you see any aerial photographs when you were 5

6 with the FBI? 6

7 A No, I don't recall seeing any. 7

8 Q Back to your search of the car. Were any other 8

9 Park Police personnel involved in the search of the car? 9

10 A No. 10

11 Q Did any other Park Police personnel touch or 11

12 otherwise either the car itself or any of its contents? 12

13 A No, not--not at the scene. I went through the 13

14 car and then--now, you know, once it was moved to our lot, 14

15 if somebody else went through after that, I don't know. 15

16 They may have had the ID tech go through the next day. Like 16

17 I said, I had gone home, so I am not aware. 17

18 Q Simonello didn't touch anything in the car or the 18

19 car? 19

20 A Not that I am aware of, no. 20

21 Q Was he wearing gloves? 21

22 A Yeah. Pete usually wears gloves at the crime 22

Braun  
contradicts  
Rolla

## MEMORANDUM

TO: Judge Starr  
Mark Tuohey  
Hickman Ewing  
John Bates

FROM: Brett Kavanaugh

CC: Ed Lueckenhoff  
Dana Gillis  
Russ Bransford

RE: Foster Documents/Office/Note Investigation

DATE: June 15, 1995

The following is a tentative schedule for the Foster documents investigation, including for decisions on possible indictments. This schedule assumes no significant new information is developed in the next three months.

July 7, 1995

-- completion of all grand jury appearances and major interviews.

July 17-28, 1995

-- Senate Hearings (tentative dates).

August 1995

-- attorney and agent evaluation of evidence and of Senate hearings.  
-- follow-up interviews if necessary.  
-- preparation of internal report/memorandum regarding the investigation and possible indictments.

September 6, 1995

-- circulation to all OIC attorneys of internal report/memorandum, including recommendations regarding possible indictments.

September 7-15, 1995

-- indictment decisions.

[Note: I anticipate that the Foster death investigation will conclude later than the Foster documents investigation, in large part because we still have various ideas and theories to pursue in the Foster death investigation.]

## MEMORANDUM

TO: Judge Starr

CC: Mark Tuohey  
Hickman Ewing  
John Bates  
Steve Kubiawski

FROM: Brett Kavanaugh

RE: DOJ OPR Report on Travel Office

DATE: May 31, 1995

Office

**FOSTER**

## URGENT

Chairman Clinger plans to hold hearings on the Travel Office affair as soon as practicable. He has requested from the Department of Justice the Department's OPR Report on the Travel Office. The Department (Peggy Irving) has contacted me to determine whether we object to release of the OPR report. **THE DEPARTMENT NEEDS AN ANSWER IMMEDIATELY.**

I recommend that we not object to release of the Travel Office report. I see no danger that release of this report would hinder or impede our investigation of Mr. Foster's state of mind. Indeed, I think it possible that congressional inquiry may further illuminate the involvement of Mr. Foster and others, including the First Lady, in the Travel Office affair.

Mr. Fiske had objected to release of the OPR report while his investigation of the Foster death was proceeding. I do not believe that should alter our decision, however. Much of the information regarding Mr. Foster in the OPR Travel Office report is now public by means of the Fiske report and other news articles. Therefore, we are not in an identical situation to Mr. Fiske with respect to the OPR report. In addition, even were that not the case, I would still recommend that we adopt a position different from the one adopted by Mr. Fiske. It seems to me that we need to be cautious in dealing with Congress, and resist Congress only when it "really matters." This seems an especially tangential matter over which to incur the wrath of Congress. If we object to congressional inquiry into any matter in which Mr. Foster was involved, we would object to inquiry into the Travel Office, WACO, gays in the military, etc. In my opinion, that is not a posture that we should adopt.

**RECOMMENDATION:** I call Peggy Irving and tell her that we do not object to release of the OPR report on the Travel Office.

**Please give me an answer today if possible.**

# The Washington Times

DATE: 1-6-95PAGE: A-1

## Starr apt to second ruling on Foster

### No link found to Whitewater

By Lisa Hoffman  
SCRIPPS HOWARD NEWS SERVICE

Independent counsel Kenneth W. Starr is expected to conclude that White House Deputy Counsel Vincent W. Foster Jr. committed suicide for reasons unrelated to the Whitewater controversy, sources familiar with the Starr inquiry have told Scripps Howard News Service.

The conclusion matches that reached earlier by former Whitewater special counsel Robert B. Fiske Jr.

Mr. Starr's investigators have found no evidence suggesting anything other than that Mr. Foster, a close friend of President Clinton and Hillary Rodham Clinton, shot himself in a Northern Virginia park on July 20, 1993, said the sources, who spoke on the condition of anonymity.

The investigators also have turned up no sign that Whitewater precipitated Mr. Foster's decision to kill himself, even though he was handling Whitewater-related tax matters for the Clintons before he died, the sources said.

Instead, they found that Mr. Foster suffered from a deep depression exacerbated by criticism over

how the White House handled the firing of aides in its travel office.

The apparent findings of Mr. Starr's team of lawyers and FBI agents mirror those of Mr. Fiske, who was Whitewater special counsel until a judicial panel ousted him Aug. 5 and replaced him with Mr. Starr.

Rather than redo Mr. Fiske's exhaustive investigation, Mr. Starr's lawyers and investigators mostly reviewed that work and supporting evidence but also followed some avenues not pursued by Mr.

Fiske, the sources said.

"It all leads to the same conclusion," one source said.

Mr. Fiske's 58-page report, issued June 30, after four months of investigation, was based on interviews with 125 persons, sophisticated technical analysis of physical and other evidence, and assessments from four of the top forensic experts in the country.

A Senate banking committee report released this week, as well as an investigation by the U.S. Park Police made public in July, reached similar findings.

Even so, rumors of murder conspiracies and Clinton administration cover-ups concerning Mr. Foster's death continue to swirl,

abetted by some talk-show hosts, televangelists and conservatives who fault Mr. Fiske for leaving what other investigators consider inconsequential holes in the probe.

Indications are that even if Mr. Starr's report accepts Mr. Fiske's assessment of Mr. Foster's death, the controversy may not be laid to rest.

This week, Sen. Alfonse M. D'Amato, New York Republican and chairman of the banking committee, said he generally accepted the panel's findings that Mr. Foster committed suicide. But he said he still had questions about the probe and about the search of Mr. Foster's office after his body was found.

Mr. Starr is continuing to examine whether White House aides removed pertinent documents from the office before detectives could examine them.

"There are unanswered questions as to why [Mr. Foster] took his own life," Mr. D'Amato said Tuesday.

Sen. Lauch Faircloth, North Carolina Republican, another member of the banking panel, issued a statement Tuesday in which he said he still is not convinced that Whitewater did not play a role in Mr. Foster's death.

"It is important that the committee continue its probe," Mr. Faircloth said.

01-04-95 11:31AM FROM BANK COMM-REPUBLICAN TO 95148802

PUU1/UU9

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# United States Senate

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

WASHINGTON, DC 20510-6075

STEVEN B. HARRIS, STAFF DIRECTOR AND CHIEF COUNSEL  
 HOWARD A. MENELL, REPUBLICAN STAFF DIRECTOR

## Republican Views

*Alfonse D'Amato*  
*Lauch Faircloth*  
*Christopher S. Bond*  
*Kevin Hatch*  
*Richard Shelby*  
*Connie Mack*  
*Pete V. Domenici*

January 3, 1995

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*To PageV*

Additional Views  
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### ADDITIONAL VIEWS

We agree with the majority's conclusion that on July 20, 1993 Vincent Foster took his own life in Fort Marcy Park. The Foster family has experienced a terrible ordeal and the Committee has endeavored to be sensitive to the concerns of the Foster family in discharging its responsibilities pursuant to Senate Resolution 229. We believe the Committee has conducted its investigation in a manner which did not add unnecessarily to the personal grief and loss of the Foster family.

We are unable to accept the majority view that variances in Park Police procedure are little cause for concern. Many of the variances in Park Police procedure occurred because of direct involvement and interference by staff from the White House. Various Park Police personnel commented on the frustrating involvement of the White House.

Without further investigation, we are not as willing as the majority to dismiss or discount the potential significance of incidents such as:

- the White House interference into the Park Police search of Foster's office;
- the presence of White House counsel staff during standard Park Police investigatory interviews;
- the White House insistence that the Park Police investigation proceed with Department of Justice involvement to the extent that DOJ was "calling the shots" and "setting up protocol" and the Park Police were "stand[ing] and waiting for permission to do our job". [Hume.Trans., 48-9];
- the White House request for, and early receipt of, (July 20 and 21) of Foster's pager and other personal effects before the investigation concluded;
- the late delivery of the note in Mr. Foster's office to Park Police, discovered by White House counsel.

We believe the Committee should continue to investigate the significance of possible White House interference in the Park Police investigation of the death of Mr. Foster. In addition, we believe the Committee's need to continue this inquiry is linked inextricably to the

Committee's investigation into the handling of the documents in Mr. Foster's office at the time of this death which has been delayed at the request of the Independent Counsel. We urge the Committee to proceed with these investigations as soon as practicable based upon consultation and coordination with the Independent Counsel's ongoing investigation.

### Dissenting Views of Senator Faircloth

I have reviewed the report prepared by the Senate Banking Committee. While I personally believe that Mr. Foster probably took his own life, the Park Police investigation never seriously inquired as to whether this was anything other than a suicide. Even if the Park Police investigators had made a concerted effort to determine if there was more to Mr. Foster's death, White House actions -- such as retrieving Mr. Foster's pager almost immediately to allowing employees to enter his office before the Park Police -- as noted in the Minority Views, would have hindered it. I have found in the Whitewater matter that it is best to maintain a healthy skepticism when searching for the truth in this matter. This was not done with respect to Mr. Foster's death.

I also believe that the Committee report does not adequately explore the events before Mr. Foster's death and their connection to Whitewater. The Committee report appears to accept Mr. Fiske's conclusion that Whitewater, Madison or Capital Management Services (CMS) played no role in Mr. Foster's death. On page three of the report, the Committee republishes Mr. Fiske's broad statement on this issue.

Mr. Fiske's report stated that "we found no evidence that issues involving Whitewater, Madison Guaranty, Capital Management Services or other personal legal matters of the President or Mrs. Clinton were a factor in Foster's suicide." I firmly believe that Mr. Fiske's

report was inadequate in this regard, and that Fiske was wrong to make such a unconditional statement. Moreover, the evidence he offers to support this conclusion is meager. In fact, several incidents suggest that the opposite may be true.

Mr. Fiske found that Whitewater and Madison "were not issues of concern within the White House or the press." First, evidence that was discovered during the hearings this summer indicate that the White House was aware in late March 1993 that a criminal referral naming the President was made in the fall of 1992. On March 23, 1993, in the evening, and again on March 24, in the morning, faxes of news articles about Whitewater were received by Mr. Nussbaum from Mr. Altman's office. The first fax was so hastily sent that Josh Steiner, then serving as Altman's deputy, hand wrote the cover sheet. These faxes came shortly after Altman was briefed by Bill Roelle on the existence of the 1992 criminal referral. This is very strong circumstantial evidence that the White House received information from the Treasury about the criminal referral during this time period. Mr. Foster, serving as Mr. Nussbaum's deputy in the Counsel's office, was the highest ranking Arkansan in that office and would likely have been informed about this issue. Thus, prior to Mr. Foster's death he may well have been aware of possible legal action against the Clinton's and their role in the failure of Madison.

Second, Mr. Foster's concerns may have been heightened because, while at the White House, he was preparing the tax returns for Whitewater Development Corporation for the years 1990-92. The Fiske report chose not to make public the Whitewater documents it

reviewed which were found in Mr. Foster's office. Again, Mr. Fiske used the cloak of Grand Jury secrecy to deny the public's right to know the full story in this regard. Furthermore, evidence provided to the Committee during the hearings indicated that Whitewater documents were removed from Mr. Foster's office after his death and stored in a closet in the Executive Mansion. The chain of custody over these documents was shattered with respect to any official investigation. It was not until early 1994 that Mr. Fiske reviewed these documents.

Third, in the week prior to his death Mr. Foster spoke to James Lyons, the author of the Whitewater report that was prepared during the Clinton presidential campaign. The Lyons report has since been shown to have inflated greatly the losses, if any, the Clintons suffered from the Whitewater investment. In fact, Foster spoke with him for nearly one-half hour on the Sunday before his death. Mr. Lyons has said that Mr. Foster was concerned about Congressional hearings on Travelgate. The Committee report appears to accept that this was the nature of the calls. If this is true, this reflects an odd naivete on behalf of Mr. Foster. One has to be reminded that Mr. Foster's brother-in-law was a senior former Member of Congress from Arkansas. He would have been well aware that Congressional hearings were unlikely given the Democratic control of both Houses of Congress. After all, it took nearly a year of public interest and Congressional resolutions to force hearings on Whitewater in both Houses. Mr. Foster was due to meet with Mr. Lyons on July 21, 1993 the day after Mr. Foster died.

Fourth, Mr. Foster also had a twenty minute conversation with the President the night before his death. According to the Fiske report, Foster was to meet with the President on July 21, again, the day after Foster's death. The White House was slow to reveal the fact that the two had talked only the night before. After his death, President Clinton did not publically indicate that he knew Foster was depressed, he said "I don' think there is anything more to know." (Washington Post July 23, 1993) It was not until July 28, 1993 (Washington Post) that Dee Dee Meyers divulged the fact that the President had a lengthy conversation with Foster the night before his death.

Fifth, the day Mr. Foster died a search warrant was issued in Little Rock by the FBI for documents in the offices of David Hale's Capital Management Services (CMS). On the warrant list were documents related to the loan made to "Master Marketing, Susan of James McDougal." Part of the proceeds of this \$300,000 loan were diverted to the Whitewater account. Interestingly, the FBI agent that presented the Warrant to the Court, Mr. Steve Irons, was also the same agent that received the Madison criminal referral (#C0004) from the Kansas City RTC in September of 1992. Mr. Irons may have been aware of the nexus between the two institutions. In another twist of irony, President Clinton had just publically fired the then head of the FBI, Judge William Sessions. The day Mr. Foster died was the same day that a new FBI Director was named.

Mr. Fiske concluded that there is no way that Mr. Foster would have learned of the warrant. I believe that Fiske underestimated the collegial nature of the business, legal and

political circles in Little Rock. If nothing, Whitewater shows the numerous interrelationships among these groups in Arkansas's state capitol city. It is very likely that Mr. Foster was aware of the investigation of David Hale. Furthermore, very little attention had been given to White House-SBA contacts regarding the investigation of David Hale. The Committee report (footnote 19) also notes that it has not obtained information about phone calls that Mr. Hale himself may have made before or during the FBI's search of his office.

Finally, it has recently come to light that Mr. Hubbell was involved in a massive fraud scheme at the Rose Law Firm. This included fraudulent billings to the federal government for the legal work Rose performed for the RTC when suing Madison's accountants, Frost and Company. Moreover, the Washington Post reported on December 25, 1994 that as early as May 1993 Rose partners confronted Mr. Hubbell about billings that were suspect. Mr. Hubbell and Mr. Foster spent the weekend together before Mr. Foster's death. Mr. Foster also had solicited and performed legal work for the firm from the federal government related to savings and loans. In fact, Mr. Foster handled the government's suit against Dan Lasater on behalf of First American Savings and Loan in Illinois. News accounts have suggested that the settlement the government received against Mr. Lasater was reduced with the input of Mrs. Clinton. Mr. Lasater was a close associate of the Clintons, and Patsy Thomasson, Mr. Lasater's top assistant for years, is a senior White House employee who participated in the search of Mr. Foster's office on the night of his death. In sum, recent revelations indicate that internal troubles at the Rose Law Firm may have also been on the

horizon at the time of Mr. Foster's death.

In conclusion, the factors I have outlined above comprise a body of evidence that the issues related to Whitewater, Madison, CMS and the Rose Law Firm may have all been troubling Mr. Foster before his death. These factors were largely ignored by the Committee report and were inadequately investigated by Mr. Fiske. It is important that the Committee continue its probe of Whitewater, Madison, etc., to determine both if Mr. Foster was privy to disturbing evidence about these issues prior to his death, and the nature of that evidence.

~~Ken - Apt,~~  
501-221-1228

Irons  
501-954-4204

D-279 " X's prob. is that she lies.  
She's smart, & she gets away w/ it.  
She's gotten away w/ it her whole life.  
I'm going to see if I can get her to  
make a single wrong lie."

A-301 she - I beat u thin & square. I don't deserve this.  
I've been screwed by the d-system.  
he - No you haven't ... you've been telling <sup>every</sup> adv. of your  
position that you could. You've been writing wrong. You've been lying.  
You've been living on image & every third word out of your mouth  
is a lie. Now you're feeling some for yourself. You think the  
system is what's wrong. But you know what, —? The  
system didn't screw you. The system revealed you &  
dumped you out. B/c when you get it down to it,  
you're <sup>completely</sup> full of s — .

## MEMORANDUM

TO: Judge Starr  
Mark Tuohey  
Hickman Ewing

FROM: Brett Kavanaugh

RE: Foster Issues

DATE: May 8, 1995

HL  
5-9-95

This seems an appropriate time for a few brief thoughts on the Foster investigations.

1. The Foster death investigation can be divided into two related but distinct issues: (1) state of mind; and (2) for lack of a better term, physical evidence (which includes death scene observations, blood, forensic evidence, ballistics, etc.). In my opinion, we have made progress from the FBI/Fiske investigation on Foster's state of mind -- although we have not entirely solved that riddle. I do not believe, however, that we have yet made significant advances on the physical evidence, in large part because the FBI and Mr. Fiske did a fairly thorough job on that aspect of the investigation and seemed to answer the questions that could be answered.

To the extent, therefore, that we write a public report on the physical evidence, such a report is likely to be largely repetitive of the Fiske report. And I have serious doubts about the wisdom of or necessity for a public report on the Foster physical evidence if, as now would be the case, that report does little more than rehash the Fiske report. (If we solve the gun issue, that would be a significant breakthrough, but we have yet to do so.)

In any event, this is something to keep in mind as we continue the Foster death investigation.

2. For the next 6-8 weeks, Chuck Regini and Jeff Greene will continue the investigation/review of the Foster physical evidence and will attempt to complete the factfinding on it. To assist them, I recommend that we retain an independent pathologist; despite all of his qualifications, Dr. Hirsch unfortunately cannot be viewed as truly independent because of his work on the Fiske investigation.

3. During the next 6-8 weeks, I will attempt to complete the factfinding on the Foster office/documents investigation and the Foster state of mind investigation. One major task for me during this period will be to review at the White House the documents from Mr. Foster's office. In addition, I have a number of additional grand jury witnesses on the Foster documents

investigation.

April 5, 1995

Hugh Turley  
4211 Queensbury Road  
Hyattsville, Md.  
20781

Mr. Kenneth Starr  
Office of the Special Counsel  
Two Financial Centre Suite 134  
10825 Financial Centre Parkway  
Little Rock, Arkansas 72211

Mr. Starr:

I have made a remarkable discovery at Fort Marcy Park.

You may recall that the Fiske report stated that there was only one vehicular approach to Fort Marcy Park.

I found an abandoned road that runs along the fence on the west side of the park. This road is not visible on any modern maps.

You will see the road on the USGS quadrangle map for Falls Church, Va. This road is accessed by the driveway and property at 681 Chain Bridge Road.

It is noteworthy that the fence on this side of the park is down and easy to cross in two places.

Most interesting is the fact that the distance from Vincent Foster's body to this road is very close. Hiking through the woods from either fence opening it is 380 feet. The hike to Foster from the other entrances at Chain Bridge or the parking lot is 560 and 770 feet respectively.

The approach from the old road is nearly invisible in the July woods.

Mr. Foster's death deserves a full investigation to protect the rights of every American citizen.

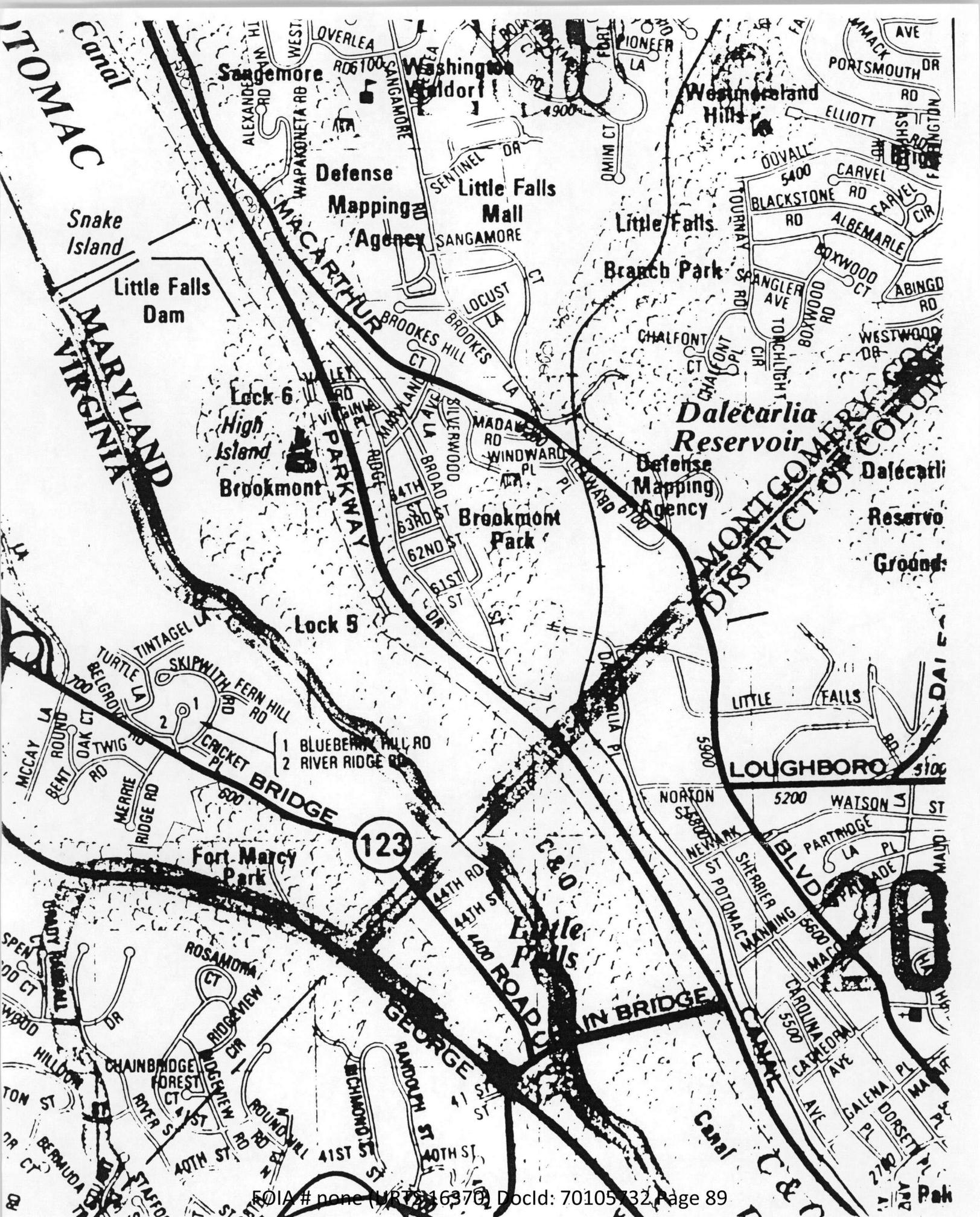
Very truly yours,

  
Hugh Turley

encls: (3) area maps







POTOMAC  
C&O Canal  
Snake Island  
Little Falls Dam  
MARYLAND  
VIRGINIA

Sangamore  
Washington  
Little Falls  
Defense Mapping Agency  
Little Falls Mall  
SANGAMORE

Lock 6  
High Island  
Brookmont  
Lock 5  
Brookmont Park  
Defense Mapping Agency

Dalecarlia Reservoir  
Dalecarlia Reservoir Grounds

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LOUGHBORO

GEORGE WASHINGTON BRIDGE

# The Washington Times

DATE: 5/23/95

PAGE: A1

## Foster felt Waco debacle was 'his fault'

Widow says Clinton aide expressed regret over his role in planning raid

By Jerry Seper  
THE WASHINGTON TIMES

White House Deputy Counsel Vincent W. Foster Jr. was involved in planning for the FBI raid on the Branch Davidians near Waco, Texas, and his "horrified" reaction to the burning of the compound — in which 24 children were killed — could have played a role in his suicide three months later.

Mr. Foster's concerns about the 1993 conflagration surfaced a year later during an FBI interview with his widow, Lisa, who said the Waco standoff had caused her husband a "great deal of stress," he was "horrified" when the site burned to the ground and he thought it was

"his fault."

The interview, a copy of which was obtained by The Washington Times, was part of an FBI inquiry to determine what Mr. Foster — a former law partner of first lady Hillary Rodham Clinton — was working on that would explain an apparent bout of depression that led to his July 1993 suicide.

Mr. Foster's role in the Waco raid has not previously been dis-

closed.

But a Justice Department report documents a steady stream of information from Justice and the Treasury Department to the White House — particularly the counsel's office — concerning the Waco siege. It shows Mr. Foster took part in meetings, including one at which the FBI's Waco plan was changed from negotiation to confrontation.

The reason for Mr. Foster's July 1993 suicide has never been established. The death was ruled a suicide by U.S. Park Police and White-water special counsel Robert B. Fiske Jr.

Mrs. Foster said she was unaware of "anything illegal or highly damaging" to President and Mrs. Clinton or the White House in which her husband was involved — although he "never told her any-

thing about his clients," the report said. But she said he was upset by the Travelgate affair, which saw seven White House employees fired, and the Branch Davidian standoff, which was discussed during White House meetings he attended.

"When asked to furnish an opinion as to what Foster may have been working on that caused him stress or might explain his con-

dition of depression, Lisa Foster responded that the Travel Office fiasco may have been the cause of the stress," the FBI said in its May 9, 1994, report to Mr. Fiske. But it said Mrs. Foster added that if Travelgate "had been the only difficulty facing Foster, it would not have been so bad."

The FBI report said Mrs. Foster not only believed her husband was horrified when the Waco compound burned, but also reported that he felt "everything was his fault."

Mr. Foster's body was found at 6 p.m. July 20, 1993, at Fort Marcy Park in Northern Virginia. He left

no note at the scene or with his family. Six days later, the White House said it found an undated, handwritten note in Mr. Foster's briefcase, torn into 28 pieces — one of which has never been found.

Among other things, he wrote — without explanation — that the "FBI lied in their report to the AG [attorney general]" — a comment that at the time was explained by the White House to mean the Travelgate affair.

Some law enforcement officials and others, including Senate investigators preparing for pending Whitewater hearings, yesterday suggested the comment — part of a rambling collection of unconnected concerns — may have involved not Travelgate, but the Waco raid.

"This just underscores the need for full congressional hearings on the disastrous raid in Waco," said Sen. Lauch Faircloth, a member of the Senate banking committee, which will hold Whitewater hearings later this year.

"It also underscores the need to further examine the circumstances surrounding the death of Vincent Foster to determine whether White House officials attempted to conceal information during the investigation of his death," the North Carolina Republican said.

It was during an April 13, 1993, meeting at the White House, attended by Mr. Foster, that the FBI assured administration officials — and later Attorney General Janet Reno — that a tank and tear-gas attack on the Waco compound would not cause harm or death to

the children.

The White House meeting came after Peter Smerick, the FBI's lead criminal analyst, had counseled a nonconfrontational approach in four memos. Mr. Smerick said he warned that Branch Davidian leader David Koresh, who believed himself to be the Messiah, might order a mass suicide if he felt threatened.

Now retired as a senior agent from the bureau's Behavioral Science Center in Quantico, Va., Mr. Smerick said FBI officials pressured him to change his advice on how to resolve the situation and, in a fifth memo, he made revisions that amounted to an endorsement of the FBI plan.

Mr. Fiske's June 1994 report on the Foster death, in which he concluded the White House official had killed himself, did not mention Mr. Foster's Waco concerns, although FBI agents assigned to Mr. Fiske had conducted the interview of Mrs. Foster. The Fiske report noted Travelgate concerns and recent Wall Street Journal editorials critical of Mr. Foster.

The Justice Department said in a separate report to Miss Reno that White House briefings on Waco began after a failed raid by the Bureau of Alcohol, Tobacco and Firearms on Feb. 28, 1993. Four ATF agents and six Davidians were killed in that raid.

The various briefings involved

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CONF.

White House Counsel Bernard Nussbaum, Associate Attorney General Webster L. Hubbell, Deputy Treasury Secretary Roger C. Altman, acting Attorney General Stuart Gerson, White House Chief of Staff Thomas F. "Mack" McLarty, White House senior advisers Bruce R. Lindsey and George Stephanopoulos, and Mr. Foster.

At the April 13 meeting — attended by Mr. Foster, Mr. Hubbell, Mr. Nussbaum and Mr. Lindsey — the FBI announced it had scrapped its Waco negotiating tactics and had opted for a raid with tear gas and tanks. The 45-minute session, according to the Justice report, "had been arranged for the purpose of discussing Waco, and advising the White House of the FBI's plan to change tactics through the use of tear gas."

Mr. Lindsey, asking why the FBI had "changed its mind," was told by Mr. Hubbell the FBI's hostage-rescue team would have to be pulled for training exercises "if the standoff continued indefinitely," the report said.

The report said none of those in attendance, including Mr. Foster, raised any objection to the use of tanks and gas at Waco. It also made no note of any discussions about alleged child abuse at the compound, as later suggested by Miss Reno as the reason she approved the Aug. 19, 1993 raid.

Mrs. Foster also is quoted as saying that toward the end of her husband's life he had "no sense of joy or elation at work." She said he felt responsible for criticism of the president over the White House's handling of the failed Zoe Baird nomination as attorney general and over the issue of homosexuals in the military.

"If either President Clinton or Nussbaum was being criticized, Foster felt he also was being criticized," the report said. Mrs. Foster told investigators that at one point before his death, her husband called his family together and warned that the next six months "might be particularly difficult."

Less than six months later, he was dead.

TELECOPY COVER SHEET

OFFICE OF THE INDEPENDENT COUNSEL

1001 Pennsylvania Avenue, N.W., Suite 490N

Washington, D.C. 20004

telephone (202) 514-8688

facsimile (202) 514-8802

Date: 5/24

TO: Hick

Company Name: \_\_\_\_\_

Fax Number: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

FROM: Chuck

Number of Pages: 2 (including this cover sheet)

Message: \_\_\_\_\_

FYI

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From: Chuck

To: Brett  
Jeff

re: Cardozo's interview

I have scheduled an interview with Mike and Harolyn Cardozo (correct spelling) on Tuesday, 6/6 at 10 a.m. They will be coming together, but they understand that we will be interviewing them separately.

FYI-

It appears that James Burgess has moved to Hawaii, agents are attempting to locate him there.

I have called Robert Reeves twice over the past ten days. I talked with his wife, he has not returned my calls.

cc: Hick

TELECOPY COVER SHEET

OFFICE OF THE INDEPENDENT COUNSEL  
1001 Pennsylvania Avenue, N.W., Suite 490N  
Washington, D.C. 20004  
telephone (202) 514-8688 facsimile (202) 514-8802

Date: 5/25

TO: HICK

Company Name: \_\_\_\_\_

Fax Number: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

FROM: FOIA(b)7 - (C) \_\_\_\_\_

Number of Pages: \_\_\_\_\_ (including this cover sheet)

Message: \_\_\_\_\_

FBI

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FOIA(b)7 - (C)

From: 

5/25/95

To: Brett  
Hick  
Dana

re: Shirt stain

I spoke with Roger Martz from the lab today. They have identified the stain on the left front of the shirt as blood. There are no other substances on the shirt other than blood and sodium rhodizonate, which was applied to the shirt to detect lead residues. They think the stain resulted from transporting the body.

Additionally, unrelated to the shirt, I tracked down the alleged telephone call from Foster to Capital Management Services on 7/13/93. The telephone number to CMS was (501) 664-8613. There is no record of any calls to that number from any of the telephone lines in the White House Counsel's Office during the month of July 1993.

## PROPOSED HOMICIDE EXPERT/CONSULTANT LIST

Vernon Geberth, BBA, MPS  
Lt. Cmdr. (Ret.) NYPD  
FBI National Academy graduate  
author; Practical Homicide Investigation (text book)  
educator  
consultant on homicide and forensic investigations

Dr. Ronald Holmes, PhD.  
Professor of Criminology, University of Louisville  
author; books on homicide in the U.S. and profiling violent crimes  
consultant; has experience in assisting local police departments in  
murder and rape cases (allegedly over 300 cases).

Dr. James Fox, PhD.  
Chairman, Criminology Dept., Northeastern University  
author, statistician, lecturer; often quoted and interviewed in the  
media.

Charles Bailey  
retired MPD Lt. (retired 1/95)  
former supervisor MPD Mobile Crime Laboratory  
former supervisor MPD Homicide Branch  
(703) 354-6373

Dr. Michael Baden, M.D.  
Forensic Pathologist  
New York State Laboratory  
Albany, N.Y.  
(518) 457-8678

Dr. Joseph Davis, M.D.  
Forensic Pathologist  
Chief Medical Examiner  
Dade County, Florida  
Miami, FL.

Dr. Mary Case, M.D.  
Forensic Pathologist  
Chief Medical Examiner  
St. Louis, MO.

Dr. James Starrs, PhD.  
Professor, Law and Forensic Science (31 years)  
Forensic Science Dept.  
George Washington University  
specialty in suicide-homicide cases  
lecturer, author, consultant  
recommended by Dave Shertler  
(202) 994-6770

Barry Fisher  
Director, Los Angeles County Crime Laboratory  
author  
(213) 974-4601

Jerry Butler  
Forensic Chemist  
Retired FBI (Laboratory)  
Adjunct Professor UVA  
private consultant

FD-302 (Rev. 3-10-82)

- 1 -

FEDERAL BUREAU OF INVESTIGATION

DRAFT COPY

Chuck,  
good looks  
good - mail/  
FAX a  
copy to Hick.  
BK

Date of transcription

5/23/95

ALLISON ANTHONY-BETHUNE, age 31, (protect identity), 104 Atalanta, Lexington Park, Maryland; (301) 863-0570, was interviewed at her residence. BETHUNE was advised of the identity of the interviewing agent, and the purpose for the interview. BETHUNE provided the following information:

BETHUNE is the daughter of BERYL and SHEILA ANTHONY; the niece of VINCENT FOSTER. BETHUNE stated that she was very close to VINCENT and LISA FOSTER.

BETHUNE did not want FOSTER to accept a position in the CLINTON administration. BETHUNE'S father is a former Congressman. BETHUNE stated that she is very familiar with what the pressures of Washington, D.C. can do to a family. Life in D.C. was very difficult and stressful for BETHUNE'S family; there was a lot of tension between family members. The FOSTER family was very close to each other; they were the "perfect family". They spent a lot of time together, and seemed to support each other. BETHUNE is still a close friend of LISA FOSTER. BETHUNE stated that LISA had the "opposite" personality of VINCE. BETHUNE did not want the FOSTER family to experience the problems and family tensions that her family experienced in D.C.

VINCE FOSTER was very anxious about being asked to accept a position at the WHITE HOUSE. It was very important to him that he be given a position in the CLINTON administration. FOSTER thought that being a close advisor to the President of the United States, and having an important job in Washington would make him happy. BETHUNE stated that she knew he would "be in over his head".

BETHUNE did not think FOSTER was happy with his life. BETHUNE noticed FOSTER'S unhappiness during the summer of 1992; approximately half a year prior to coming to D.C. BETHUNE was of the opinion that FOSTER had started to exhibit signs of depression during this time. FOSTER was a well-known, prominent attorney in ARKANSAS. He had a loving, supportive family. BETHUNE did not think that this was enough for FOSTER; he seemed to think

Investigation on 5/18/95 at Lexington Park, Maryland File # 29D-LR-35063

by SA C.L. REGNI # none (URTS 16370) Date dictated 5/23/95  
FOIA # none (URTS 16370) DocId: 70105732 Page 58

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that having a significant position at the WHITE HOUSE is what he needed to make him happy. FOSTER was very anxious and nervous during the time period immediately after the campaign. Everyone knew that FOSTER was an obvious choice for a position in the administration. FOSTER was afraid that he would be left out; that would have been extremely difficult for him to accept.

BETHUNE described FOSTER'S demeanor as a "dichotomy"; he could be extremely quiet and reserved, but at times he was outgoing and friendly. FOSTER was very moody.

FOSTER was very similar in personality to his two sisters; SHARON BOWMAN and SHEILA ANTHONY (BETHUNE'S mother). BETHUNE characterized her mother as "driven"; goal-oriented, focused, and sometimes difficult to get along with.

FOSTER was a "social drinker"; BETHUNE never observed FOSTER abuse alcohol. BETHUNE stated that FOSTER was "not the type to get out of control." FOSTER also collected fine wines.

BETHUNE was unaware of FOSTER'S use of prescription drugs, and doubted that FOSTER would ever use any type of illegal substances.

FOSTER formerly smoked cigarettes, but quit when BETHUNE was 14 or 15 years old.

VINCE FOSTER'S closest friends were LISA FOSTER, BETHUNE'S mother (SHEILA ANTHONY), JERRY ATCHLEY, and possibly WEBB HUBBELL.

FOSTER'S familiarity with firearms was probably limited to whatever exposure he received to them through his father, VINCENT FOSTER, SR. (BETHUNE'S grandfather), when VINCE was growing up. BETHUNE stated that her grandfather was very familiar with firearms, and had a small collection of rifles and handguns.

VINCENT FOSTER, SR. was a very popular and well-known individual in Arkansas. FOSTER, SR. was very well-liked; BETHUNE stated that he had an out-going, "fun" personality. FOSTER JR., SHARON, and SHEILA were more like their mother; sober and serious. FOSTER JR. was very close to his father

FOSTER SR. became terminally ill with lung cancer in 1991, and was put in a hospital in LITTLE ROCK for treatment.

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Continuation of FD-302 of ANTHONY-BETHUNE, On 5/18/95, Page 3

FOSTER JR. was very attentive and helpful to his parents during this time. BETHUNE remarked that FOSTER JR.'S mother put pressure on him to accommodate and attend to her. FOSTER SR. subsequently died of a stroke while he was in the hospital.

BETHUNE wrote a codicil for FOSTER SR. to attach to his will when she was approximately 27 years old. BETHUNE recalled that the codicil listed several firearms to be given to particular individuals. When she was 14 or 15 years old, BETHUNE'S grandfather (FOSTER SR.) showed her his coin collection, which was located in a drawer in his bedroom closet. BETHUNE recalled that there was also a revolver in the drawer. BETHUNE stated that she is not familiar with handguns, but is familiar with the difference between a revolver and a pistol. BETHUNE thought that the handgun she observed was a silver colored revolver. BETHUNE stated that her grandfather "had a lot of guns around the house".

BETHUNE was subsequently shown a revolver which was recovered from the hand of VINCENT FOSTER, JR. at FT. MARCY PARK. BETHUNE stated that the gun appears similar to the gun she saw in her grandfather's drawer; the revolver has the same shape and general appearance as her grandfather's gun. However, BETHUNE was not sure that it was the same gun. BETHUNE reiterated that she thought her grandfather's gun was silver. BETHUNE stated that it is "possible" that it is the same gun.

BETHUNE was unaware of FOSTER'S financial situation.

BETHUNE had no knowledge of FOSTER ever bringing a gun to work; FOSTER never communicated a need for him to have a gun.

BETHUNE did not know if FOSTER kept a diary.

BETHUNE did not receive any correspondence that FOSTER mailed prior to his death, and had no knowledge of anyone locating a suicide note. BETHUNE was aware of the contents of a short note that FOSTER wrote at LISA'S suggestion. The note listed things that were on his mind.

BETHUNE last saw FOSTER on Father's Day in 1993. FOSTER was distant and stoic. FOSTER was often quiet and reserved, but this time he seemed even more so. FOSTER seemed to have lost weight, and simply "did not seem like himself". BETHUNE stated that she "had a funny feeling" then, but never thought that

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FOSTER would commit suicide. BETHUNE did not hug FOSTER when she left because he seemed so "stand-offish".

FOSTER was very conscious of appearances; "what would people think?" if he killed himself. BETHUNE stated that FOSTER was so sick that he was no longer concerned about appearances. FOSTER was obviously "not himself". FOSTER'S reputation was very important to him; the whole Foster family is that way.

Several years ago, BETHUNE'S sister was diagnosed with "chemical depression"; she was a manic depressive as a result of a chemical imbalance. The depression was a closely kept secret in the ANTHONY family. It was very difficult for BETHUNE'S mother (SHEILA ANTHONY) to talk about it. BETHUNE was not told about her sister's problems until much later. BETHUNE'S mother indicated that her sister had talked about committing suicide. BETHUNE'S parents wanted to keep the entire situation confidential to protect her sister's reputation. BETHUNE stated that this is "typical of her family". BETHUNE'S sister is interested in a career as an attorney. BETHUNE'S parents were concerned about how the depression incident would affect her future career. BETHUNE reiterated that her family sometimes places too much of an emphasis on appearances. BETHUNE was of the opinion that her mother has suffered from depression in the past, but did not tell anyone.

BETHUNE was aware that FOSTER worked very long and stressful days in D.C. BETHUNE recalled seeing FOSTER one other time in D.C., during April or May of 1993. BETHUNE dropped LAURA FOSTER off at their residence, and went inside for a few minutes to "just say hello". BETHUNE recalled thinking that FOSTER looked tired. She told him that if the stress of his job got too much, he was welcome to stay with her for awhile in Maryland. FOSTER told her thanks, and that he may come to stay with her "sooner rather than later".

FOSTER was very private, even with close family members, particularly about his work. However, he was very unselfish with his time.

BETHUNE wrote a letter to FOSTER in November of 1992. The letter was to thank him for supporting her in her relationship with SAM BETHUNE (now her spouse). She had moved in with BETHUNE prior to their marriage. This caused a lot of tension in the family. Her grandparents (VINCENT and ALICE MAE

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FOSTER) were particularly upset with her. VINCE JR. interceded on her behalf with his parents. VINCENT SR. subsequently called her and apologized. In the thank-you letter that she wrote to VINCE JR., ALLISON BETHUNE told him that he was her "favorite uncle", and that she "owed him one".

Most of the time that FOSTER was in D.C. by himself, BETHUNE was pregnant and working full-time. It was very difficult for her to come to D.C. to visit him. BETHUNE still has some regrets about not being more attentive to FOSTER and his problems.

BETHUNE was of the opinion that FOSTER committed suicide as a result of the enormous stress from his job and how it affected his personality. FOSTER put a lot of emphasis on obtaining an influential position in the White House. The whole situation did not turn out to be what FOSTER thought it would be. FOSTER was unable to balance the stress from his job with the rest of his life; he had no outlet for the stress. FOSTER'S job and career were "all-important" to him. Everything FOSTER did, had to be perfect. When things went wrong, he would blame himself. The criticism in the press would have added to his anxiety and his concerns about his reputation. FOSTER would have thought that he had nowhere to go. If he resigned and returned to Arkansas, he would have thought of himself as a failure. FOSTER was not happy with his job at the ROSE LAW FIRM anyway, he was definitely looking for something more. FOSTER talked to BETHUNE about his career possibilities after completing his job at the White House. FOSTER only wanted to spend four years at the White House. FOSTER thought that he could do practically anything he wanted after that.

Fred C. Gielow Jr.  
Free-Lance Writer/Photog.  
17234 Boca Club Blvd. 102  
Boca Raton, FL 33487-1268

20  
cent  
stamp

Mr. Hickman Ewing, Jr.  
Deputy Independent Counsel  
2124 Germantown Road  
Germantown, TN 38138

Dear Mr. Ewing:

Is the request that Dr. Henry Lee examine and evaluate the evidence in the Vincent Foster death a sign that the aggressive reinvestigation of this case did not end with the departure of Miquel Rodriguez? I hope so. But Dr. Lee is busy with 375 homicide cases, and he cannot be expected to come up with answers to the many questions that hang like a dark cloud over Foster's death.

To facilitate his task, I strongly suggest that you arrange to have Rodriguez brief Lee and explain what these questions are. I also suggest that you recommend that Rodriguez be asked to resume the vigorous grand jury investigation he was conducting.



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# WHATEVER HAPPENED TO VINCE FOSTER

A compilation of information about Vince Foster's death

The purpose of this report is not to reach any absolute conclusions about the death of Vince Foster. Rather, it is to compile enough material to create a compelling case for a thorough investigation which will, once and for all, determine the *truth* in this matter.

by Fred Gielow

March 14, 1995 with updates through June 8, 1995

## Whatever Happened to Vince Foster

[This collection of information about the death of Vince Foster comes from many sources. The major revelations included here have been disclosed in articles and materials listed on the last page. I have not fabricated this information, although I've occasionally commented editorially on it.

Although I've identified on the last page where I've found many of the assertions below, I'm not able to provide sources for them all, as they have included radio and TV broadcasts and a variety of other points of origin.

I am not able to substantiate the information reported here. However, as more and more reports tend to reinforce the key facts, substantiation grows.]

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If we believe his words, Vince Foster was a man of integrity, a man determined to maintain high standards of personal honesty and respect, a man who considered his reputation sacred. On May 8, 1993, while delivering a commencement address to the graduating class at the University of Arkansas Law School, he spoke with conviction: "The reputation you develop for intellectual and ethical integrity will be your greatest asset or your worst enemy. Treat every pleading, every brief, every contract, every letter, every daily task as if your career will be judged on it."<sup>27-p20</sup>

Foster, who was an outstanding athlete, president of his senior class, who marked highest in the state bar exams when he took them,<sup>27-p10</sup> and who graduated first in his class at the University of Arkansas Law School, emphasized, "There is no victory, no advantage, no fee, no favor, which is worth even a blemish on your reputation for intellect and integrity." He challenged his audience: "Do not just accept responsibility. Chase it down!"<sup>27-p20</sup>

Could it be that Vince Foster's integrity was so strong it cost him his life?

Of course you may wish to disbelieve that Vince Foster practiced what he preached. You may wish to assume he was not a man of honor and integrity. But the scenario that has emerged since his tragic death July 20, 1993 tends to support rather than refute that he was true to his message to the graduates at the University of Arkansas Law School.

In those days and weeks before his death, Vince Foster was under a lot of pressure. But of course, that was part of the job. He was not alone. He and countless thousands of others who make Washington, D.C. their place of work must contend with high stress and anxiety. Was he

severely depressed, as has been alleged by the media and shortly after his death by Bill Clinton and company?

The answer is that he did indeed speak of depression to his sister, wife, and doctor, but his depression was not otherwise noticeable. He also told his wife and sister he was thinking of resigning.<sup>12-p8</sup> On July 19th his doctor prescribed a mild antidepressant, Trazadone. Desyrel was also prescribed,<sup>12-p8</sup> but the date is not known.

But although millions of people in the country are depressed, and many are taking anti-depressants, very few are depressed to the point of committing suicide. Foster's friends and associates said his actions suggested little to no depression. Foster had been described as a "Rock of Gibraltar."<sup>19</sup>

*The New Yorker* reported that Mrs. Clinton said, "Of a thousand people I know, he's the last I would expect to commit suicide." Clearly, Mrs. Clinton knew Foster well. They were partners together in the Rose Law Firm, they were seen holding hands, they had taken "get-away" weekends together (just the two of them), and indeed they were alleged to be lovers.

Many others said that in their opinion it was very unlikely Vince Foster would commit suicide. Reed Irvine reported in his newsletter:<sup>2-p3</sup>

*On July 23, 1993, Foster's brother-in-law, former Congressman Beryl Anthony, was asked by The Washington Times about a report from an unidentified source close to the family that Foster had been despondent for two weeks and that he had discussed this with him. Anthony's response was, "That's a bunch of crap. There's not a damn thing to it." The same day, Dee Dee Myers, White House spokesman, told reporters, "There was no reason to believe he was despondent." Communications Director Mark Gearan said he had seen no changes in Foster's demeanor and that he had never indicated that "anything was out of the ordinary." Betsy Pond, the White House Counsel's personal secretary, said "she had noticed nothing strange about Foster and would be surprised to learn he had contacted a doctor about being depressed, even though he had done exactly that."*

The day after Foster's death *The Washington Post* reported that an unidentified co-worker said that Foster was the best adjusted person in the White House.<sup>13-p76</sup>

In a press release on July 21st, Mack McLarty and Mark Gearan answered reporter questions:<sup>19</sup>

Q. "Mark, had he (Foster) ever given any indication that he needed help, or was in a difficult psychological condition?"

A. "No, he never said anything to indicate that anything was out of the ordinary to his colleagues."

Q. "Was there a note?"

A. "There was not."

Q. "Do you know of any personnel problems that could have driven him to this?"

A. "No, as I said, he never said anything to his colleagues here at the White House or to his friends here in Washington that anything was out of the ordinary... We spent the preceding... whatever it is...twelve hours, all visiting each other on this topic, to search our own minds, and there is nothing to indicate... anything was out of the ordinary."

But after a few days, we read in the press and heard on TV newscasts that Foster was depressed after all, exceedingly depressed, largely as a result of a series of newspaper columns, and particularly one written by William Safire that was critical of Foster. So the American public was in effect told: it's not people who kill people, it's not even *guns* that kill people, it's a newspaper editorial that "obviously" resulted in Foster's "suicide."<sup>13-p61</sup>

On July 29, 1993, for the first time the White House indicated Foster was "depressed."<sup>19</sup>

The day after Foster's death I saw President Clinton's youthful face flicker onto my TV screen, but his expression was not the usual beguiling smile. Rather, he displayed what I interpreted as an expression of pain mixed with determination. He said how shocked he was, how tragic the incident was, how sad for everyone who knew Vince Foster. Then the president said something that to my way of thinking was totally out of context with the moment. He said, "No one can know why things like this happen."<sup>27-p35</sup>

You might expect him to say "I wonder why Vince Foster did this terrible thing." Or perhaps, "This is so unexpected." Or maybe, "I can't believe my good friend is no longer here with us." Instead, he said with some emphasis, as I recall, "*No one can know why things like this happen.*" Later I thought: that doesn't sound like words of condolence or words of sympathy, it sounds like wishful thinking!

Two days later (July 23) at Vince Foster's funeral in Little Rock, Arkansas, the president spoke to reporters and once again emphasized his point: "No one will ever know..."<sup>27-p35</sup> I suggest it isn't entirely clear quite yet that no one will ever know.

On August 10, 1993 the Justice Department and Park Police concluded that Foster committed suicide because of depression.<sup>19</sup>

Let's take a look at some of the evidence in the Vince

Foster death and as we do, let's keep four questions in mind: What is the most likely explanation for this evidence? Does the evidence support the contention that Vince Foster committed suicide? Does the evidence support the conclusion that Vince Foster was murdered? And, if instead murder is suggested, what was the motive and who was the likely instigator?

The public was told that 48-year-old Vincent W. Foster, Deputy White House Counsel, drove his 1989 Honda Accord (Arkansas license plate) to the 24-car parking lot of Fort Marcy Park<sup>27-p12</sup> just off the George Washington Parkway and committed suicide sometime between 1:00 and around 5:00 in the afternoon of July 20, 1993. Foster, a Roman Catholic, married 25 years, father of three children, allegedly took off his jacket and tie,<sup>27-p12</sup> placed the four-inch barrel of a .38-caliber Army Colt Revolver deep inside his mouth and pulled the trigger with the thumb of his right hand, causing instant death and an exit wound (1¼ by 1 inch)<sup>22</sup> at the back of the skull. The gun was a 1911 Army-issue revolver. The last record of its sale was in 1913 in Seattle. No identification was found on Foster's body, but his wallet and identification were found in his car.

Foster's body was discovered by an unidentified person (referred to as "confidential witness" or CW) between 5:30 and 5:45 p.m.<sup>24</sup> Since CW did not wish to "get involved," he drove a short distance from the park and notified park maintenance people. A 911 call was placed at 5:59. Officer Kevin Fornshill arrived at Fort Marcy Park at 6:09 p.m. at the same time some EMS personnel arrived. It was Fornshill, however, who then located Foster's body (the EMS people took a different path from the parking lot). Police investigators arrived on the scene at about 6:35. Vince Foster's body was taken to the Fairfax Hospital where Vince Foster was pronounced dead.<sup>27-p36</sup>

Surviving Mr. Foster are his wife Lisa, his son Brugh (17), his daughter Laura (19), and his son Vincent, III (21).<sup>27-p10</sup> *Time Magazine* said Foster was devoted to his wife and children. He reportedly once said he'd go crazy if he had to spend two days alone in his house. Yet, no suicide note was found. Is this plausible for a man who said of his children, according to the *New Yorker*: "I'd like to think they're a little bit proud of their dad."<sup>27-p10</sup> This was a meticulous man, a detail man, yet he decided to leave no note or message to his wife or children. Does that sound reasonable?

A number of other puzzling details have emerged subsequently, but these have been largely covered up by the main-stream media and were whitewashed by Independent Counsel Robert B. Fiske, Jr. and his report: "Report of the Independent Counsel In Re Vincent W. Foster, Jr." As an aside it could be mentioned that Mr. Fiske represented Clark Clifford and Robert Altman in the BCCI scandal.<sup>27-p165</sup>

The "independence" of Mr. Fiske was questioned by many, notably *New York Times* columnist William Safire in his

March 14, 1994 column when he said: "Non-independent counsel Robert Fiske, the Democrats' favorite Republican lawyer, is doing the job the Clinton Administration hired him to do: keep the Congress from holding public hearings into the 80's wrongdoing in Arkansas and 90's coverup in Washington... Fiske was chosen by the people he is investigating for good reason: he would actively help prevent dreaded hearings."

Let's examine some evidence:

- In most gun-suicide cases gun recoil propels the weapon away from the victim with great force. Many considered it strange that a gun was found *in* Foster's right hand, with his hand loosely clasped over the top of the gun and with his right thumb sticking out of the trigger guard. Many consider it particularly strange, because Vince Foster was left handed.<sup>6-p2</sup>
  - Sergeant Gonzalez said that in his twenty years of experience he had never seen a suicide gun remain in the hand of the victim.<sup>13-p16</sup>
  - Vincent Scalice, a New York City detective and consultant with over 35 years of homicide and suicide investigation experience said that cadaveric spasm (resulting in clenched fists) occurs in about 20 percent of suicides and could explain why the gun was not propelled away from the body. But Foster's hands were *not* clenched, so he did *not* experience cadaveric spasm.<sup>2-p2</sup>
  - Only one fingerprint was found on the gun in Foster's hand. It was *not* Foster's.<sup>13-p16</sup> Whose fingerprint was it? No one seems to know. We don't even know if an attempt was made to identify it.
  - The confidential witness stated unequivocally that when he found Foster's body, there was *no* gun in Foster's hand. CW also stated he was badgered by FBI agents to have his answers fit conclusions that had already been reached by the Park Police and FBI. He said agents asked him 25 times if he was sure he didn't see a gun in Foster's hand. Each time he said he was sure.<sup>13-p22</sup>
- Even though the FBI agents didn't get the answer they obviously wanted, they were convinced CW was telling the truth.
- When CW was shown what was said to be a photo of Foster's hand showing the thumb next to the trigger, CW said, "...that is not a picture of what I saw. The man's palms were straight up."<sup>10</sup>
  - Gun powder residue was found on Foster's clothing. Gun powder was also found on Foster's left hand, near the index finger. However, gun powder residue not matching the gun in Foster's hand was also found on Foster's clothing. How is this possible?

Gun powder particles were also discovered on Foster's shoes and socks. These particles would not have originated from a gun discharged in Foster's mouth.<sup>13-p20</sup>

- The Executive Director of the Lethal Force Institute is an expert witness for many law-enforcement agencies, and he said Vince Foster's grip was "an extremely unnatural and awkward grasp, totally inconsistent with what both experience and logic show us to expect of a suicidal person..." Powder residue indicates that Foster would have had to place his thumb on the trigger and place his four fingers over the gun cylinder, an awkward, unnatural, and unlikely circumstance. Such a positioning could interfere with proper operation of the firing mechanism.
- CW said he had seen a suit jacket matching Foster's pants in a white car in the Fort Marcy parking lot. The Fiske report, however, placed the jacket in Foster's car instead.<sup>13-p25</sup> Also, CW said he saw some wine cooler bottles near Foster's body and some matching bottles in the white car.<sup>10</sup>
- The Park Police officially ruled that Vince Foster committed suicide on Tuesday, August 10th. That was two days *before* they sent the gun (found in Foster's hand) for testing and analysis.
- The revolver was said to be very old, with parts from at least two guns. The ATF found two serial numbers on it. The serial numbers were not matched to an owner. Larry Wilson, an expert on antique Colt pistols, said it fits the description of what's called a "drop gun," which is generally untraceable and is often the type of weapon left at criminal scenes.
- The Park Police indicated that Vince Foster's wife could not positively identify the weapon as belonging to her husband. She said that on the night of the death, she found a gun in their home closet, but she thought it was not the one she and her husband had brought with them to Washington.<sup>13-p48</sup> All three Foster children said they did not recognize the gun as one they had seen at home.<sup>13-p48</sup> One report indicated that the gun found in Foster's hand belonged to Foster's father.<sup>27-p12</sup>
- Carpet fibers of various colors (white, tan, gray, blue, red, and green) were found all over Foster's clothing and underwear.<sup>22</sup> Is it likely that a man rolls around on a carpet on the afternoon he decides to commit suicide? What could explain these fibers? Some suggest that the easiest way to transport a body without attracting attention is to roll it up in a rug or carpet.
- The path from the Fort Marcy Park parking lot to the berm (a small, hill-like embankment) area where Foster's body was found is not paved, it's just a dirt path. Although it's 600 feet from the parking lot to the berm, no dirt was found on Foster's shoes. Others who visited the scene that day found noticeable amounts of dirt on their shoes.<sup>2-p2</sup>

o Foster's body was found positioned in an east-west orientation on the western slope of the rectangular berm in Fort Marcy Park.<sup>17-p1</sup> However, police claim the body was in a north-south orientation on the northern berm in the park. Was the body moved from its initial location? Was the body attended to after it was discovered by CW, but before it was located by Officer Fornshill?

o According to reports, Vince Foster had never visited Fort Marcy Park prior to the day his body was found there.<sup>13-p82</sup>

o Foster's body was found in a lying position (back on the ground), legs together, arms by his side. The lead paramedic at the scene said it was as "if he was ready for the coffin."<sup>2-p2</sup> His body was on the side of a berm, resting at a 45° incline; head up, feet down.

If Vince Foster shot himself standing up, such a position would be highly unlikely. If he shot himself sitting down, the position would also be quite unlikely. Even if he shot himself lying down, the position would be still unlikely, but in this case the bullet and skull fragments would certainly have been found.<sup>13-p18</sup>

After extensive searches by 16 FBI lab experts, during which 70 pieces of metal were discovered, including 12 contemporary bullets and many Civil War artifacts, the bullet that killed Foster is still missing and unaccounted for.

The experts dug and hand-sifted the soil to a depth of 18 inches beneath and around Foster's body and found no bullet or bone fragments.<sup>22</sup>

o A trickle of blood on the right side of Foster's mouth and nose ran to the temple area above the ear, a direction which violates the law of gravity, if Foster was not moved after his death. This one fact alone gives great strength to the idea that Foster did not commit suicide.

o A deposit of blood on Foster's right shoulder suggests his head at some time after death had been in contact with his right shoulder, but of course this is not possible unless the head or body or both were moved after death occurred.

o According to experts, Foster's head had to have assumed *four* distinct positions *after* death to explain all the blood trails and blood accumulations on his clothing.

o In accordance with investigation procedures, photographs were taken of the scene where Foster's body was found, before the body was moved. Strangely, the 35-mm pictures were said to be overexposed and to reveal little to no information. Polaroid photos taken of the scene did come out, but do not contain the detail found in 35-mm photographs.

An FBI source said it's unbelievable the 35-mm pictures could not be recovered, given modern scanning and

computer-enhancement technology. He said either someone is lying or the film was deliberately damaged.<sup>14</sup>

o Foster's White House beeper was found at the Marcy Park site. However, it is not standard practice to take the beeper outside the White House. The Fiske report states the beeper was found on Foster's person. An official, who was at the park the night Foster's body was discovered, said the beeper was in a car parked in the parking lot. The beeper was not among the items provided in the official list of evidence given to the FBI by the Park Police. It was returned to the White House within hours of Foster's death.

o The gun apparently contained only two bullets (one remained in the cylinder). No matching ammunition was found in Foster's clothing, his car, in either of his two homes, or his office. How does someone obtain just two bullets? Bullets are sold by the box.

o There was a lack of powder burns in Foster's mouth. Some suggest that a gun with a silencer would significantly reduce the production of powder in the mouth. Of course the gun in Foster's hand had no silencer.

o No visible blood or "blowback" material was seen on the gun.<sup>6-p2</sup>

o There were no broken teeth in Foster's mouth. Usually gun-in-the-mouth suicides produce one or more broken teeth as a result of gun recoil.

o Foster's body was found lying face up on a berm north of the Fort Marcy Park parking lot. Foster's glasses, however, were found on the other side of berm, some 13 feet from the body. Gunpowder was found on the glasses. No matter how violently his head might have been forced backward, it's difficult to imagine how Foster's glasses could have traveled up, over, and then down the other side of the berm a distance of 13 feet.<sup>13-p34</sup> Analysis indicated the gunpowder on Foster's glasses was chemically and physically similar to that found in the gun, and it was reported: "These facts are consistent with the eyeglasses being positioned near the gun when fired."<sup>13-p34</sup>

o Former Army Criminal Investigation Division agent Gene Wheaton, who had 25 years experience in homicide investigations and who spent several weeks investigating the Foster case says the Park Police at Fort Marcy Park recognized Foster "did not commit suicide."

o Foster left no good-bye notes or messages. Shortly after Foster's death White House council Bernard Nussbaum examined Foster's accordion-style, leather briefcase in view of a Park Police Officer and no note was found inside.<sup>27-p17</sup> Six days after Foster's death, however, Steve Neuwirth, associate counsel assigned to inventory Foster's office, found a note torn in many pieces in Foster's briefcase. Neuwirth assembled the pieces and then notified Nussbaum of his discovery.

Rescue workers George Gonzalez and Todd Hall told FBI agents and Whitewater prosecutors that they had seen a briefcase in Foster's car at the Fort Marcy parking lot.

The note was torn into 28 pieces, one piece of which was missing, but none of the pieces contained Vince Foster's fingerprints. As a matter of fact, there were no fingerprints at all.<sup>12-p6</sup> There was a palm print, however, but it was not identified. The government refuses to release a copy of the note for public inspection. White House officials did not release the note to investigators until 30 hours after it was found<sup>27-p17</sup> and the text of the note was not made public until August 10th. This is what the (undated) note contained:

*I made mistakes from ignorance, inexperience and overwork*

*I did not knowingly violate any law or standard of conduct*

*No one in the White House, to my knowledge, violated any law or standard of conduct, including any action in the travel office. There was no intent to benefit any individual or specific group.*

*The FBI lied in their report to the AG*

*The press is covering up the illegal benefits they received from the travel staff*

*The GOP has lied and misrepresented its knowledge and role and covered up a prior investigation*

*The Ushers Office plotted to have excessive costs incurred, taking advantage of Kaki and HRC*

*The public will never believe the innocence of the Clintons and their loyal staff*

*The WSJ editors lie without consequence*

*I was not meant for the job or the spotlight of public life in Washington. Here ruining people is considered sport<sup>27-p18</sup>*

Some say this is clearly not a "suicide" note, but is rather an outline of defence Foster intended to use before Congressional hearings.<sup>12-p7</sup> Foster's wife had asked her husband to put down on paper his thoughts and observations, perhaps as a way to relieve stress. Foster told his wife he wrote such an outline July 11th.<sup>12-p7</sup>

- o Foster was very concerned about the upcoming investigations. So much so, he looked for legal advice outside the White House and had begun discussions with James Hamilton, a former deputy counsel to the Senate Watergate Committee. Hamilton later took on the role of representing the Foster family.<sup>27-p33</sup>
- o William Sessions, former Director of the FBI, wrote, "The decision about the investigative role of the FBI in the Foster death was...compromised from the beginning." *The Washington Times* wrote that "Mr. Sessions' statement corresponds with those of current and former FBI and Justice Department officials who told *The Times* of interference by the White House and Justice Department in

the Bureau's work in the Foster investigation."

- o Foster's death occurred the day after the day Sessions was fired from his job as FBI Director. Foster attended the Rose Garden ceremony when Judge Louis Freeh was appointed new FBI Director.<sup>27-p25</sup> Some wonder why Sessions was fired so abruptly when he had offered to resign as soon as a replacement had been confirmed by the Senate. This incident is the first time in US history the head of the FBI has ever been fired.<sup>19</sup>
- o In a face-to-face meeting July 17th, the Saturday before Foster's Tuesday death, Attorney General Janet Reno met with Sessions and demanded that he resign prior to Tuesday, but Sessions refused to do so.<sup>27-p26</sup>
- o Sessions received two phone calls from President Clinton shortly before 4:00 Monday afternoon (the 19th). The first was to inform Sessions he was fired. The second, minutes later, was to inform Sessions his firing was to take effect immediately.<sup>27-p26</sup>
- o The lead Park Police investigator had never conducted a homicide investigation before.
- o Papers and other belongings that were critical crime-scene evidence were returned to the White House on the day following Foster's death.
- o Semen was found in Foster's clothing.<sup>22</sup> Sometimes death results in the release of a small amount of semen; it's not clear if the amount of discharge and location of discharge would suggest sexual activity immediately before death took place.
- o Blond and light-brown head hairs of Caucasian origin were found on Foster's undershirt, pants, belt, socks, and shoes. Apparently there was no attempt to match these hairs with that of any friends or family members.<sup>22</sup>
- o Red and dark pink wool fibers were found on Foster's suit coat, tie, shirt, undershirt, pants, underpants, belt, socks, and shoes. Some conclude these were sweater fibers. Again, there seems no attempt was made to find the origin of these materials, which could certainly be relevant information.
- o A full meal was in Foster's stomach. (If you are planning suicide, do you eat first?) In fact, the day of his death Foster ate lunch in his office while reading the newspaper. Again, why read the newspaper? Aren't there more important things to think about if you are contemplating suicide?
- o Foster left his office at 1:00 p.m. and said he *would* return.
- o Witnesses said that just before Vice Foster's body was found, they saw a Hispanic man near a white van parked

near Foster's car at Fort Marcy Park. The big side-door of the van was open.

o The Park Police failed to secure Vince Foster's office. Actually, presidential aides ignored an explicit request by police investigators to seal the office in the critical hours immediately after Foster's body was found. Park Police investigator Cheryl Braun asked White House Administrator David Watkins "to have Mr. Foster's office secured and that Mr. Watkins agreed to do so."<sup>24</sup> But it was not done. The big questions is *why* was it not done?

The FBI officially sealed Foster's office about 10:00 in the morning after Foster's death, almost 15 hours *after* Foster's body had been found.<sup>27-p23, 24</sup>

o Vince Foster's office was ransacked by three people: Bernard W. Nussbaum (White House Council), Margaret A. Williams (Hillary Clinton's chief of staff), and Patsy Thomasson (a White House aid with close ties to the Clintons and to convicted cocaine distributor Dan Lasater).<sup>19</sup> Park Police investigators said the three were in the office for more than two hours.

o Margaret Williams testified that she followed Hillary Clinton's instructions and took a box of Whitewater documents from Foster's office and delivered it to a closet on the third floor of the White House, part of the private Clinton residence. Hillary kept the box there for five days.<sup>13-p79</sup>

o The White House received a preliminary notification of Foster's death at 7:00 p.m. His office was raided before 9:00 p.m., but Foster's body was not officially identified by White House staffers until 10:00! Such anxiousness suggests that what was in Foster's office was of life-and-death importance to someone.

o The staffers did not permit the Park Police or FBI into the office while it was being raided, citing executive privilege and national security. The Park Police and FBI people were requested to sit down the hall from Foster's office<sup>13-p53, 12-p8</sup> in a location where they could not observe the search as it was being conducted. Nussbaum later claimed the two-hour combing lasted only ten minutes.<sup>25</sup>

o Months after the office raid it was learned that documents taken from the office and withheld from the Park Police and FBI were turned over to David Kendall, Clinton's private lawyer.<sup>9</sup> The contents of these documents remains hidden from the public.<sup>9</sup>

Why the night-time race to search for and remove papers? What could have been so important? Were Nussbaum, Williams, and Thomasson called from their homes for this raid? If so, by whom? Or if not, were they waiting there at the White House for the go-ahead? We don't have answers to these questions.

o On April 22, 1994, Hillary Clinton denied any knowledge or anything to do with the Foster office raid. She was specifically asked about Margaret Williams' activities and denied any knowledge or recollection.<sup>13-p79</sup> Is it plausible that she wouldn't remember giving the orders to have key Foster files locked in her own closet for safe keeping? Why would she lie about this matter?

o Voluminous amounts of documents were shredded by the Rose Law Firm under Hillary's direction. It has been said that the innocent save documentation, and that the guilty shred documentation. The intense shredding activity seems to suggest that some very important evidence was being destroyed.

Shortly after intense Whitewater-document shredding activity, Al Gore commented on the Clinton's guilt in the Whitewater matter. He said, "There isn't a shred of evidence..."<sup>13-p2</sup>

o Foster's office contained concrete evidence that could have been used against both Bill and Hillary Clinton in a court of law. The evidence probably included Whitewater documents, ADFA records, perhaps even Mena drug information. Maybe there was also evidence relating to a number of controversial Arkansas deaths.

o On the day before Foster's death Bill Clinton and Vince Foster were talking on the phone about the impending federal investigation of Clinton. Webster Hubbell was with Clinton at the time.<sup>13-p60</sup> Foster said that under no circumstances would he destroy any evidence. He said he would *not* go to jail to protect his two friends (Bill and Hillary).<sup>13-p74</sup>

o Soon after Foster's death, Bill Clinton said he wasn't sure when he had last spoken to Foster or what they had spoken about.<sup>13-p57</sup> He said they had a conversation Sunday night (Foster died Tuesday) and that Clinton had tried to cheer up Foster. The conversation was about 20 minutes in length. Clinton said he even invited Foster to a screening of *In the Line of Fire* at the White House in the projection room.<sup>27-p35</sup>

But a short time later, Clinton said, no, it wasn't Sunday night after all, it was Monday night when he last spoke to Foster.

Is it plausible Clinton wouldn't remember the time of his last conversation with one of his best friends, a friend since kindergarten, and a next door neighbor<sup>27-p10</sup> when they were growing up? Foster died so "unexpectedly," wouldn't the logical reaction be: I remember exactly when we last spoke and I remember exactly what we spoke about?<sup>13-p58</sup>

If Bill Clinton is so smart, why would he forget when he last spoke with his life-long pal? Is it that he wanted to distance himself from the events surrounding Foster's death so he first said Sunday, but then thought the lie

could be easily discovered, so revised the time to Monday?<sup>13-p81</sup>

- o Bruce Lindsey (an Arkansas stock broker) and an unidentified Washington or Little Rock, Arkansas lawyer paid a *personal* visit to Foster at his home the night before his death.<sup>13-p59</sup> (When asked about the visit, they said they stopped by to invite Foster to go to the movies with them.)<sup>13-p59</sup> During their confrontation, Foster reiterated that he would *not* compromise his integrity; he *would* cooperate with the investigation of the Clintons.

- o Detective Cheryl Braun said she was physically pushed by Associate Attorney General Webster L. Hubbell as she tried to question Foster family members immediately after Foster's death.<sup>24</sup> There was considerable interference by White House staff people to hinder efforts to gather facts about the case. Over a week passed before Mrs. Foster was interviewed.

White House sources told Christopher Ruddy that Mrs. Foster called a number of times to ask if anyone knew any reason at all why her husband would want to commit suicide.<sup>2-p3</sup> Clearly she couldn't come up with any.

- o James Hamilton, a Washington lawyer who assumed the role of family attorney, refused to allow the Park Police to talk to the three Foster children. When Robert Fiske conducted his investigation, neither he nor his staff questioned the children.<sup>11</sup>

- o According to a Park Police report, Dr. James Beyer, deputy chief medical examiner for northern Virginia, told Detective Jim Morrissette that X-rays showed no bullet fragments in Foster's head. Later, however, Dr. Beyer said *no* X-rays had been taken because the X-ray machine was not operational at the time.

Repair records, however, suggest this was not true. So the question remains: were X-rays taken or not? If they exist, what do they show? If they were destroyed, why?

- o Dr. Beyer's autopsy report came under suspicion when it was learned that in at least two other cases, Dr. Beyer's suicide findings were challenged. In one case the murderer confessed.<sup>26</sup>

- o Foster's appointment book and phone logs have been suppressed. Foster's desk calendar has disappeared.<sup>1-p2</sup> The information contained in Foster's beeper has been destroyed.

- o Listed among the items found on Foster's person and in his car was a birthday card he had apparently recently purchased.<sup>13-p83</sup> You'd think either he would have sent it or he wouldn't have bought it.

- o Alice Sessions, wife of former FBI director William Sessions, believes Foster's death was murder.<sup>19-p6</sup>

- o At least two emergency workers and/or members of the Park Police have given dramatically *different* testimony to the grand jury for Kenneth Starr than was given by the same witnesses to Robert Fiske. Witnesses discussing Foster's state of mind before his death have now changed their story, raising the suspicion in investigators for Starr that Foster's "deep depression" was only a coverup.<sup>18-p2</sup>

- o Vince Foster's son Brugh said his father's mood on the evening before his death was calm. The two chatted together at their Georgetown home about plans to buy a boat to use on weekends.<sup>11</sup>

- o In the morning of the day he died, Foster drove his son Vince, Jr to the metro station. He displayed no anxiety or concern. Then he drove his daughter Laura to work. Both children said their father appeared in good spirits.<sup>11</sup>

- o Both Brugh and Laura have told friends they find it hard to believe their father committed suicide.<sup>11</sup>

- o On the day he died, Foster's sister, Sharon Bowman, and her daughter flew to Washington from Little Rock to visit with the Fosters. Vince Foster had made plans to entertain them, to show them some of the sights in Washington, and even to enjoy a special treat of lunching in the White House mess.<sup>11</sup>

- o It's reported that a November, 1993 article in *Esquire Magazine* states that the day after Foster died, Webster Hubbell said to a partner at the Rose Law Firm: "Don't believe a word you hear. It was not suicide."<sup>15</sup>

- o Jim Guy Tucker in Little Rock was told that Vince Foster committed suicide *before* Foster's body had been discovered.

- o Ronald Wilcox, executive director of the Clinton Investigative Commission, states in writing: "I have in my possession compelling evidence that proves beyond all shadow of a doubt that White House aid Vincent Foster was murdered."<sup>5</sup>

- o In his book *The Murder of Vince Foster*, the author states: "To Bill and Hillary Clinton: The evidence is overwhelming. There is no doubt. I, Michael Kellett, hereby accuse the both of you of being responsible for, and the initiation and orchestration of, the murder of Vincent W. Foster Jr."<sup>13-p116</sup>

- o There are reports that Fort Marcy Park has now been closed to the public. One of the cannons has been removed for maintenance. There is a 24-hour guard on duty near where Foster's body was found.<sup>16</sup>

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When you reflect upon all these factors, it's hard to come

to any conclusion other than this: there was indeed some scheme to kill Vince Foster and that scheme involved both the President and First Lady. It seems they must have decided that for their own political viability they had no choice but to remove Vince Foster and all the incriminating evidence he possessed from the scene.

Why would Bill Clinton consider it necessary to lie about when he last spoke with Vince Foster? Why would Hillary find it necessary to lie about her knowledge of the search of Foster's office? Why would the idea that Foster was desperately depressed emerge only after nearly everyone had stated that from appearances Vince Foster was *not* depressed?

Why was there such urgency to search Foster's office? Why was the search restricted so only a few key White House people examined the office? Why were Park Police and FBI people prevented from examining the office? Why was it necessary to withhold documents from the Park Police and FBI, then store them in a locked closet in the Clinton White House residence? Why does all the physical evidence at the scene suggest murder. Why is there so little evidence to suggest suicide? And why have so many questions been left unanswered...for so long?

The only scenario that seems to neatly solve the puzzle is that Bill and Hillary Clinton were principals in the murder of Vincent Foster. They had the motive and the means to mastermind such an unthinkable crime.

With this scenario, the puzzle pieces make sense, they all fit together comfortably and logically. No, of course the Clintons didn't pull the trigger, wrap Foster's body in a carpet, carry it to Fort Marcy Park, and arrange it neatly on the berm. But the evidence is overwhelming that they did indeed make the arrangements. They issued the orders. They are directly responsible.

In a nutshell: They perceived that in the absence of Foster they could destroy all the serious evidence that would incriminate them and bring them crashing down from power in thundering humiliation and shame. With their Arkansas background and mindset it may have been an easy decision. A good friend would have to be sacrificed for a greater good: the Clinton (his and her) reputation, their honor, their agenda, and for the sake of the Democratic Party.

There's a considerable amount of evidence that suggests this is not the first time the Clinton's have found it necessary to resort to extreme measures to assure their continued power and political prosperity. In Arkansas politics the Clintons enjoyed what amounted to total state rule. But achieving it meant others had to be sacrificed along the way. The book *The Murder of Vince Foster* by Michael Kellett states on page 102: "Soon to be published will be an article entitled, 'The Body Count' which will list over thirty people, associated with Clinton, who have met

untimely and mysterious deaths..."

In a booklet titled "Murder, Bank Fraud, Drugs, and Sex," subtitled "How Whitewater Will Change Your Life Forever,"<sup>12</sup> Nicholas A. Guarino identifies 21 people who "knew a bit too much about Whitewater or Troopergate or Cattelgate or some other Clinton scandal." They are: Jerry Parks, Jon Parnell Walker, Kathy Ferguson, Vincent Foster, C. Victor Raiser II, Montgomery Raiser (Victor's son), Herschel Friday, Dr. Ronald Rogers, Barry Seal, Kevin Ives, Don Henry, Keith Coney, Gregory Collins, Keith McKaskle, Jeff Rhodes, Richard Winters, Jordan Ketelson, Danny Casolaro, Paul Wilcher, Ed Willey, and John A. Wilson. Other "possible" victims are also identified: Paula Gober, Jim Wilhite, Stanley Heard, Steven Dickson, Timothy Sabel, William Barkley, Scott Reynolds, Brian Hassey. There may be still others.

Nicholas Guarino concludes: "The weight and scope of the crimes are just too massive. Even if only *half* these incidents turn out to be accidents or true suicides, Bill [Clinton] will find it impossible to wiggle out of being implicated in the rest."<sup>12-p18</sup>

You'd think such atrocities would be discovered and exposed by the strong arm of the law. But in Arkansas when Bill Clinton was governor, he was the law. He had his way and he was smart enough to cover most of his tracks. Where tracks remained, he bribed, beat up, or buried his adversaries. He may be a crook and murderer, but he certainly isn't dumb.

He was born and bred in a state where justice is a matter of who's strongest, where success is a matter of who has power, and where ethics are a matter of inconvenience. Lies, deceit, deception are all the small-arms tools used to reach desired objectives. Murder and other crimes may be necessary when other alternatives are exhausted.

Clinton paraded into Washington on a white horse of virtue and respectability and proceeded to create his own empire of trusted henchmen. The white horse turned out to be a Whitewater horse and his virtue and respectability were a sham. But he nearly succeeded to fool enough of the people enough of the time. If Bill Clinton and Special Counsel Robert B. Fiske, Jr. had their way, the truth about Foster's death would have been quickly and permanently buried along with Foster's body.

And they probably *would* have had their way, but for a three-judge U.S. Court of Appeals panel, which in August, 1994 bounced Robert Fiske from his job.<sup>23</sup> (Fiske was actually just another one of Clinton's chosen storm troopers.) The panel replaced Fiske with former Bush administration Solicitor General Kenneth W. Starr, who has reopened the Foster matter and is now actively and aggressively taking testimony.

So this time the American system triumphs. The truth will

finally emerge, in spite of brave efforts by the main-stream media to stifle the story. The American people slowly, gradually, *finally* will discover the facts and understand what President Clinton and his wife have been up to. This

time Bill Clinton will *not* fool enough of the people enough of the time.

Will he?

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Personal Note:

I've wondered if I should feel uneasy about printing this compilation of information about Vince Foster. Obviously, it's quite incriminating. Have my actions necessitated a suicide in my future? No, I don't think so. After all I'm merely presenting information that has already been made available to the general public. That sort of thing should still be a safe undertaking.

However, if I were Kenneth Starr, I'd be very careful to watch my step. Just imagine how "depressed" he might become with his ominous investigation. And just imagine if William Safire starts writing uncomplimentary columns! I trust Mr. Starr is making his information available to many, and that all who are privy to it won't travel together on the same plane!

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References:

- <sup>1</sup> *AIM Report*, published by Accuracy in Media, Inc., "Making a Mystery of Foster's Death," Reed Irvine, Editor, January-B, 1994 issue.
- <sup>2</sup> *AIM Report*, published by Accuracy in Media, Inc., "The Foster Death: Case Still Open," Reed Irvine, Editor, March-B, 1994 issue.
- <sup>3</sup> *AIM Report*, published by Accuracy in Media, Inc., "Fiske Shows His Hand," Reed Irvine, Editor, July-A, 1994 issue.
- <sup>4</sup> *Clinton Chronicles*, 83-minute video tape prepared by Citizens for Honest Government, 1994.
- <sup>5</sup> *Clinton Investigative Commission* letter (undated) from Ronald Wilcox, Executive Director, One Liberty Building, Washington, DC 20069-0227.
- <sup>6</sup> *Did Vincent Foster Fire the Gun?*, by Christopher Ruddy, 1994.
- <sup>7</sup> *Full Disclosure*, 48-minute videotape aired on National Empowerment Television December 8, 1994.
- <sup>8</sup> *Human Events*, "Fiske's Whitewater Report Shows Need for Hearings," July 15, 1995, page 1.
- <sup>9</sup> *Human Events*, "House Committee Democrats Assume Full Coverup Mode," August 5, page 1.
- <sup>10</sup> *Human Events*, "Rep. Burton Blows Lid Off Fiske Coverup on Foster Death," by M. Stanton Evans, August 12, 1994, page 1.
- <sup>11</sup> *London Sunday Telegraph*, "Doubts linger over Clinton aide's 'suicide,'" by Ambrose Evans-Prichard (from Little Rock), March 19, 1995.
- <sup>12</sup> *Murder, Bank Fraud, Drugs, and Sex, How Whitewater Will Change Your Life Forever*, booklet by Nicholas A. Guarino, Editor,
- <sup>13</sup> *The Murder of Vince Foster*, by Michael Kellett, distributed by CLS Publishers.
- <sup>14</sup> *Prodigy*, "Whitewater" Bulletin Board, note posted by Arthur Swanson, 2-16-95, 11:49 a.m.
- <sup>15</sup> *Prodigy*, "Whitewater" Bulletin Board, note posted by Laura Phillips, 3-9-95, 7:38 p.m.
- <sup>16</sup> *Prodigy*, "Whitewater" Bulletin Board, note posted by Beverly Specht, 3-9-95, 11:31 p.m.
- <sup>17</sup> *Special Report on the Fiske Investigation of the Death of Vincent W. Foster, Jr.* by Christopher Ruddy, 1994.
- <sup>18</sup> *Strategic Investment*, Volume 10, Number 3, February 22, 1995.
- <sup>19</sup> *Time Line*, a chronological listing of Whitewater and Whitewater-related events, compiled by Elaine McKillop.
- <sup>20</sup> *Unanswered -- The Death of Vincent Foster*, 40-minute videotape presenting the investigative work of Christopher Ruddy, distributed by Western Journalism Center, 1995.
- <sup>21</sup> *The Wall Street Underground*, 1994.
- <sup>22</sup> *Washington Times*, National Weekly Edition, "Questions about Foster's death won't go away," by Jerry Seper, July 25-31, 1994, page 1.
- <sup>23</sup> *Washington Times*, National Weekly Edition, "GOP groundswell questioned Fiske's investigation," by Jerry Seper, August 15-21, 1994, page 1.
- <sup>24</sup> *Washington Times*, National Weekly Edition, "Opening of Foster office faulted by Senate," by Larry Margasak, January 9-15, 1995, page 1.
- <sup>25</sup> *Washington Times*, National Weekly Edition, "Key witnesses quizzed by grand jury looking into Foster suicide," by Jerry Seper, January 16-22, 1995, page 4.
- <sup>26</sup> *Washington Times*, National Weekly Edition, "Why Starr reopened the Vince Foster case," commentary by Reed Irvine and Joseph Goulden, February 6-12, 1995, page 31.
- <sup>27</sup> *Why Vincent Foster Killed Himself*, by Stewart T. Smythe, copyright 1994 by 2-4C, Inc., a Kentucky corporation.

## ADDENDA

4-14-95

● From PRODIGY (excerpts):

TOPIC: WHITEWATER  
TIME: 03/30 12:59 AM  
TO: ALL  
FROM: LINDA HITCHINGS (JHDJ47A)  
SUBJECT: ALERT:LARRY NICHOLS!

Today, March 29th, two local talk radio hosts, George Putnum and Ray Briem, teamed up for a three-way interview with Larry Nichols. Larry revealed that he has the telephone logs for the Arkansas Governors Mansion that clearly show that Helen Dicky made the call from the Whitehouse to the governors mansion more than an hour prior to Vince Foster's body being found. He also has a sworn statement from each of the three Arkansas State Troopers who were present when the call was received, and who logged it.

Larry says that Hillary Clinton, Vince Foster, and others had a lease on an apartment that was located within two - three hundred feet from one of the entrances to Fort Marcy Park!

Larry also stated that the analysis on the semen found on Vince Foster's undershorts, was not his! The theory is that Foster probably died at the apartment, possibly under compromising circumstances, in a state of undress. After his death he was dressed, but since his own underwear was bloodstained, he was dressed in underwear that belonged to someone else.

Larry also said that last week Mr. Gonzales, the first paramedic on the scene of Vince Foster's death, admitted to the Washington Grand Jury that they had misrepresented the location of the body. When asked why, he said it was because of jurisdiction. Yesterday, all the Park Police and paramedics appeared in court with lawyers and all took the fifth amendment on the location of the body!

4-14-95

● From PRODIGY (excerpts):

TOPIC: WHITEWATER  
TIME: 04/02 8:19 PM  
TO: TOM HICKMAN (WRCX22B)  
FROM: RANDALL MERCER (JRVT39A)  
SUBJECT: ALERT:LARRY NICHOLS!

Buddy Young's salary was doubled THE DAY AFTER Foster died.

An Arkansas State Trooper, Larry Patterson, has sworn UNDER OATH, in Terry Reed's lawsuit against Buddy Young, that Buddy Young threatened his life and the lives of other members of his family for talking about the traffic in drugs and guns through Mena, Arkansas.

Jerry Parks, who formerly provided security for Clinton's Presidential campaign headquarters in Little Rock, was murdered shortly after Vince Foster was murdered, under circumstances that have led both his wife and his son to state their belief that he was murdered to protect Bill Clinton's political career.

4-14-95

● From PRODIGY (excerpts):

TOPIC: WHITEWATER  
TIME: 03/20 5:46 PM  
TO: ALL  
FROM: RANDALL MERCER (JRVT39A)  
SUBJECT: FOSTER MURDER 3/20

The Park Police took pictures of the whole [Fort Marcy Park] scene, which would resolve the puzzle, but the film was allegedly "underexposed". It turns out NASA has technology that can retrieve the pictures, even if they were underexposed by a factor of 100. This process could allow us to tell just where Foster's body was, or whether the Park Police took those pictures at all.

4-14-95

● From PRODIGY (excerpts):

TOPIC: WHITEWATER  
TIME: 04/09 11:05 PM  
TO: ALL  
FROM: DEBBIE MCKIM-BROWN (VUJH31B)  
SUBJECT: LONDON TEL.ARTICLE

When did White House learn of aide's death? By Ambrose Evans-Pritchard in Washington WHEN did the Clinton administration first learn about the death of Vincent Foster, the deputy White House counsel and intimate friend of the First Family? Was it at 8.30pm on July 20, 1993, as the official version claims? Or was it really at about 7pm, an hour-and-a-half earlier?

...an Arkansas State Trooper, Roger Perry, has signed an affidavit stating that he learned of the death suspiciously early, definitely before 7pm local time. (Arkansas is an hour behind Washington). In an interview he estimated the call at 5.15pm - or 6.15pm in Washington DC, very shortly after the Park Police first discovered the body. He claims that he was on duty that afternoon at the Governor's Mansion in Little Rock when a junior White House aide, Ms Helen Dickey, called to tell the Governor and his wife what had happened. "She was kind of hysterical, crying, real upset," said Perry. "She told me that 'Vince got off work, went out to his car in the parking lot, and shot himself in the head.'" Requests for telephone logs were turned down. The wording is significant. It is very similar to the Secret Service memorandum on the night of the death which reported that the "US Park Police discovered the body of Vincent Foster

in his car." The memorandum was wrong, of course. Or was it? ...the body-in-the-car version was the first one circulating in the White House that night. After receiving the call, Perry telephoned several other people in Little Rock to relay the news. One of them was Arkansas State Trooper Larry Patterson. A second was Lynn Davis, a former US marshal and former commander of the Arkansas State Police. Both Patterson and Davis have issued affidavits - which carry a penalty of perjury - swearing that they were told of Foster's death before 6 pm local time. This would be a full hour-and-a-half before the Secret Service says it was notified by the US Park Police.

\_\_\_\_\_ 4-17-95 \_\_\_\_\_

- From *Strategic Investment*, "Intelligence Bulletins," April 19, 1995, page 2:

Miguel Rodriguez, associate independent counsel investigating Vince Foster's death resigned March 20, 1995 allegedly because his superior, Mark Tuohey, III, who is a Democratic Party activist, frustrated Rodriguez's efforts to conduct a full and complete probe of Foster's death. This raises questions about whether or not the Kenneth Starr investigation will indeed gather all the facts, and whether or not the facts will ultimately be made public.

\_\_\_\_\_ 4-17-95 \_\_\_\_\_

- From Reed Irvine, Editor of the *AIM Report*, 4-17-95:

Reed Irvine says Vince Foster was right-handed, so the gun-in-his-right-hand "discrepancy" at the "death scene" is not a "discrepancy" after all.

The gun found in Foster's hand was *not* his and it did *not* belong to his father as was suggested by one report.

\_\_\_\_\_ 4-19-95 \_\_\_\_\_

- From PRODIGY (excerpts):

TOPIC: WHITEWATER  
TIME: 04/19 12:30 AM  
TO: ALL  
FROM: RANDALL MERCER (JRVT39A)  
SUBJECT: CBN ON MURDER 4/18

CBN News reported the Foster murder tonight. Jim Davidson...stated his opinion that this was clearly a murder, citing the concurring opinions of 7 or 8 of the nation's leading homicide experts. He also indicated that the Starr investigation had been compromised with three prosecutors resigning in protest over limitations imposed on the investigation by their superior, a Democratic Party activist named Mark (?) Tuohey...

\_\_\_\_\_ 4-19-95 \_\_\_\_\_

- From PRODIGY (excerpts):

TOPIC: WHITEWATER  
TIME: 04/17 1:18 AM  
TO: ALL  
FROM: CARL LIMBACHER (HBZK10A)  
SUBJECT: RUDDY, 4/12 #2

Ruddy (speaking on the Bob Grant program): ...there's some very strong indication that when they found Foster's body in the park - they did not find any car keys in his pockets. That somebody else may have driven the car keys - and we know from Police documents that the police officer claims he checked the pockets, didn't find the keys and later had to meet White House officials at the hospital to pick up the car keys.

\_\_\_\_\_ 4-19-95 \_\_\_\_\_

- From PRODIGY (excerpts):

TOPIC: WHITEWATER  
TIME: 04/17 1:21 AM  
TO: ALL  
FROM: CARL LIMBACHER (HBZK10A)  
SUBJECT: RUDDY, 4/12 #3

Ruddy: The body was in such a straight position the lead paramedic said it looked like it was ready for a coffin. Another paramedic went back and classified the death on his official report as a homicide...

I think the overwhelming evidence - I think you've even pointed this out - there's clear evidence that the body was moved to the Park.

\_\_\_\_\_ 4-19-95 \_\_\_\_\_

- From PRODIGY (excerpts):

TOPIC: WHITEWATER  
TIME: 04/17 1:40 AM  
TO: ALL  
FROM: CARL LIMBACHER (HBZK10A)  
SUBJECT: RUDDY, 4/12 #4

Ruddy: ...it's also a felony to have moved the body and an obstruction of justice. Why they may have done that we don't know. But certainly there was a cover-up as to the circumstances of his death.

\_\_\_\_\_ 4-19-95 \_\_\_\_\_

- From PRODIGY (excerpts):

TOPIC: WHITEWATER  
TIME: 04/15 10:59 AM  
TO: MARTIN OPPENHEIMER (WNDF87A)  
FROM: MISSY KELLY (DJDV42B)  
SUBJECT: RUSH: JOHN CRUELLE

From the Wash. Times sept. 19, 1994:

"Who were those two guys having an ANIMATED, FRIENDLY conversation in front of the Palm Restaurant at 2:55 pm the other day? Why none other than WEBSTER HUBBELL...and MARK H. TOUHEY III..." Touhey hosted a "welcome Janet Reno" party at his home...

And Touhey has obstructed the grand jury inquiry into Foster's death so fully that the independent counsel under him, Miguel Rodriguez, who was running the grand jury, resigned abruptly. This is unbelievable. Touhey is a fixer for the Clintons, and his tactics with Rodriguez HAVE GOT TO COVERED WIDELY IN THE PRESS! This is totally unacceptable...this isn't justice...

4-19-95

● From PRODIGY (excerpts):

TOPIC: WHITEWATER  
TIME: 04/12 11:34 PM  
TO: ALL  
FROM: ROBERT SINNAMON (GRSH61A)  
SUBJECT: TERRY REED 4-11-95

Terry Reed spoke in Allen Park, MI last night... He stated that unlike most scandals, both the Democrats and the Republicans are doing their best to keep this story covered up. He mentioned that the foreign press is the best place to get accurate information about this story, and that Ambrose Pritchard was doing an excellent job at the London Sunday Telegraph. Bob Dole is reported to have spoken to Pritchard's boss, telling him to keep the reins on Pritchard and not allow Mena stories to be written...

4-19-95

● From PRODIGY (excerpts):

TOPIC: WHITEWATER  
TIME: 04/11 11:21 AM  
TO: WILLIAM SIMPSON (AWHJ15B)  
FROM: LAWRENCE BRYK (TDPG33A)  
SUBJECT: ^! FOSTER MURDERED??

...letter, WSJ, A21, 4-11-95: As a concerned former college mate of Vincent Foster Jr., I have done much more than a "cursory reading" of the Fiske report, and I can say unequivocally that the report (which is itself quite cursory) does not "explain away" the numerous inconsistencies in the case...

4-27-95

● From *AIM Report*, published by Accuracy in Media, Inc, Reed Irvine, Editor, April-A, page 3:

The FBI found a trace of DNA on the gun that was in Foster's hand. Origin of the DNA was not known. It was common to 6% of whites and 8% of Hispanics and blacks. Before resigning from Starr's investigation, Miguel

Rodriguez found photo evidence not previously available to investigators, he found strong evidence the gun in Foster's hand had been moved or switched, and he developed a clear theory that Foster's body had been moved.

4-27-95

● From *The Death of Vince Foster - What Really Happened*, video produced by Citizens for Honest Government, Jeremiah Films, ©1995:

Bill Clinton and Janet Reno insisted that the Park Police, *not* the FBI, investigate Foster's death. (Why? Why wouldn't they wish to use all the best resources available to find the truth?) By law the FBI *must* investigate any death of a high government official. (How were they able to bypass the law?)

The serial numbers on the gun found in Foster's hand: #356555 and 355055.

The White House demanded that evidence found with Vince Foster be returned immediately. White House representatives even threatened to physically break into the desk of the officer who had the evidence. Additional evidence was demanded and received by the White House the day after Foster's death.

"Independent" counsel Robert Fiske made the suggestion to Clinton to fire FBI Director William Sessions.

Park Police workers said Foster's death was *not* suicide. The workers' superiors, however, forced that conclusion as the official position.

The dosage of Trazadone taken by Foster (for his "depression") was only of sleeping-tablet strength.

The morning of his death Foster set up appointments for future meetings and commitments. (Would a man planning suicide go through this charade?)

On July 22nd the White House staff made a *second* raid of Foster's office, and prevented Park Police from even viewing the search.

The video announcer concluded: "The level of corruption of the federal government has reached unprecedented heights."

5-8-95

● From PRODIGY (excerpts):

TOPIC: WHITEWATER  
TIME: 05/08 8:54 AM  
TO: ALL  
FROM: MISSY KELLY (DJDV42B)  
SUBJECT: FOSTER NEWS

Recall that 35mm pictures of the crime scene...were "underexposed" and of no value. Mr. Rodriguez...sent the film to an outside lab, which, SURPRISE!, recovered the pictures, [which] indicate a tampering of the scene. Blades of grass showing between the fingers of Foster's hand are not consistent in all the pictures... The hand, and perhaps even the gun, had been tampered with.

The Park Police never asked the FBI lab to recover the "underexposed" film, and once the FBI was brought into the case under Fiske, the FBI themselves showed no interest in having the work done either.

5-8-95

● From PRODIGY (excerpts):

TOPIC: WHITEWATER  
TIME: 05/05 4:39 AM  
TO: ALL  
FROM: DEBBIE MCKIM-BROWN (VUJH31B)  
SUBJECT: RUDDY 5-3

POLICY DISPUTE LED TO SHAKEUP IN FOSTER PROBE by Christopher Ruddy; Pittsburgh Tribune Review 5/3/95

Washington- The prosecutor and his top assistant assigned to investigate the death of White House deputy counsel Vincent W. Foster Jr. abruptly resigned earlier this year after sparring with their superior over how the grand jury probe of the case should proceed. A Washington, D.C. law enforcement source...says Miquel Rodriguez...called it quits when his supervisor, Deputy Independent Counsel Mark H. Tuohey III, allegedly:  
\*Insisted that witnesses...be allowed to review evidence prior to testifying. Rodriguez, noting several discrepancies in the case, feared these previews would give witnesses time to rehearse and perhaps alter their testimony.  
\*Refused a request from Rodriguez to decide which expert witnesses would be brought before the grand jury. Rodriguez wanted to summon independent experts-outside of the FBI-to explore inconsistencies in the case.  
\*Interfered with Rodriguez's desire not to use FBI laboratory and forensic analyses for the case, Rodriguez was disturbed by previous FBI work and sought to use outside agencies, according to the source. These new details have surfaced since the Tribune Review first reported on Rodriguez's resignation last month.

The report cited a number of reasons for his departure including the fact that Rodriguez believed he was not allowed to conduct a full grand jury probe and that witnesses were not being called quickly enough, allowing them possibly adjust testimony.

5-8-95

● From PRODIGY (excerpts):

TOPIC: WHITEWATER  
TIME: 05/08 9:39 AM  
TO: MATT THOMPSON (CLGX37A)  
FROM: MISSY KELLY (DJDV42B)  
SUBJECT: STARR DIES

Reported in Arkansas but not outside the state was that a car bomb was found several months ago outside the

federal building in Little Rock where Ken Starr's investigation is running. The Arkansas press quoted people saying the bomb threat was not related to Starr, but most probably to other federal offices located in the same building.

5-12-95

● From PRODIGY (excerpts):

TOPIC: WHITEWATER  
TIME: 05/09 11:42 PM  
TO: ALL  
FROM: BEVERLY SPECHT (DJPE65A)  
SUBJECT: AE-PRICHARD/QUINN5/8

Ambrose Evans-Prichard...said that he has uncovered evidence that Touey was definitely running interference for the White House and Starr was furious when he learned of Touey's actions. AEP hinted that Mark Touey will be replaced very soon...

Ambrose felt he knew what was behind Foster's death...he had some definite suspicions, but he was not at liberty to discuss it... When...pressed [on] the question, did anyone in our government have a hand in Foster's death, AEP said, no, more likely private individuals or foreign concerns. He did not elaborate.

Foster found himself getting involved with some things that made him very uncomfortable and he wanted out, and that was the end of it for him.

Look for a big story coming from Ambrose Evans-Prichard very soon. He is working on a very dangerous area... "[T]his story could get him dead!"

5-12-95

● From PRODIGY (excerpts):

TOPIC: WHITEWATER  
TIME: 05/10 7:51 PM  
TO: JACK BRUCE (NWCN22A)  
FROM: DON CRUTCHFIELD (BDPU35A)  
SUBJECT: AN IMPEACHMENT?

The Trib stated that Starr would part with the so called "experts" in the Vince Foster death and conclude that a cover up was perpetrated by the Clintons and others in the Clinton administration. Later that day I chatted with a close pal of mine who is a reporter for the Trib. He told me that they believe that the Clintons will ultimately be indicted for the murder of Foster. DC

5-12-95

● From PRODIGY (excerpts):

TOPIC: WHITEWATER  
TIME: 05/11 2:59 AM  
TO: ALL

FROM: RAYMOND NICKLIN (FGWF47A)  
SUBJECT: FOSTER/NICHOLS 5/10

Larry Nichols...said he had...a Secret Service doc. from Park Police, stating that "Vince Foster was found in his car - near Fort Marcy Park..."

Nichols restated AR.Police sworn statements confirm that Helen Dickey called AR Gov.before body was said to have been found, pictures of hand/gun were faked,etc.

5-12-95

● From PRODIGY (excerpts):

TOPIC: WHITEWATER  
TIME: 05/09 8:58 PM  
TO: MISSY KELLY (DJDV42B)  
FROM: DON CRUTCHFIELD (BDPU35A)  
SUBJECT: HE'S LIKE OXYGEN!

Mrs. Foster said that Vince talked to Billy Clinton for four hours the night before his death.

5-13-95

● From *Strategic Investment*, "Correction," by Jack Wheeler, April 19, 1995, page 6:

In the February *SI*, Alice Sessions, wife of former FBI Director fired by Bill Clinton the day before Vince Foster's death, was quoted as saying she believed Mr. Foster was murdered. Mrs. Sessions has informed us that she has not said this and that she was misquoted...

5-16-95

● From *"Slick Willie" II, Why America still cannot trust Bill Clinton*, by Deborah J. Stone & Christopher Manion, published by Annapolis-Washington Book Publishers, Inc., 1994:

[Page 63] Foster was working to put the Clintons' assets in a blind trust when he died; it was a point of controversy that the Clintons had not established a blind trust prior to their arrival in Washington.

[Page 63] Foster's co-workers were not alarmed by Foster's absence [the afternoon of his death] because he was known to leave the office for a period of several hours in the afternoon.

[Page 64] President Clinton, who described Foster as his "friend of over 40 years," said, "in times of difficulty he was normally the Rock of Gibraltar."

[Page 65] According to inside White House source...the campaign to present Foster as 'on the edge' was calculated... Bernard Nussbaum even convened a meeting of his staff shortly after Foster's death to promote this official White House line. Nussbaum...coached his staff to think and say that Foster's suicide stemmed from personal depression and personal problems.

[Page 66] Phillip Carroll, a senior partner at the Rose

Law Firm who was Foster's mentor and is godfather to Foster's children...reported that Webster Hubbell, then-Associate Attorney General, telephoned him the night of Foster's death: "Webb called me at midnight the night it happened [and said] 'Don't believe a word you hear. It was not suicide. It couldn't have been.'"

[Page 70] In addition to refusing Park Police investigators access to Foster's office, Bernard Nussbaum insisted that lawyers from his staff monitor Park Police interviews of White House personnel. Nussbaum said he did this to provide a "comforting effect" on White House employees...

[Page 75] Breaking with normal procedure, the police and autopsy reports were not released publicly.

[Page 76] Clinton said he had invited Foster to the White House to watch the movie, *In the Line of Fire*, and that they had scheduled a meeting for July 22.

[Page 78] The purported reason for the [breakin and search of Foster's office] was to look for a suicide note and protect national security secrets. But these explanations do not ring true. These were not officials involved in national security matters; in fact, Thomasson did not even have White House security clearance at the time of this search.

[Page 80] [Chris] Ruddy reported that three White House sources told him Bernard Nussbaum sought the combination to Vincent Foster's safe the night of Foster's death. Ruddy was told White House aides were scrambling like "cats and dogs" to open Foster's safe on the night of July 20... [A] female security employee "freaked out"...and said she did not want to talk to [the press]. "I'll wind up like Foster if I talk," the woman reportedly said.

[Page 81] ...the owner of the white van...was the person who notified park officials of Foster's body...

5-13-95

● From *Strategic Investment*, "This Month," by James Davidson, May 17, 1995:

[Page 8] An official who was present at Fort Marcy the night Foster's body was found...has told reporters that he has seen enhanced photos, not yet released to the public. This series of photos makes it quite evident that Foster's hand had been re-arranged and the crime scene tampered with.

[Page 8] ...there must be a strong presumption that Tuohy is continuing the cover-up that began the afternoon that Foster died. Of particular note is the report of regular telephone communication between Tuohy and Associate Attorney General Jamie Gorelick.

6-8-95

● From PRODIGY (excerpts):

TOPIC: WHITEWATER  
TIME: 05/22 3:06 AM

TO: ALL  
FROM: DUANE PATTERSON (NNBS83C)  
SUBJECT: LON TELE 5/21-FOSTER

Secret Swiss link to White House death:  
Revealed: Clinton aide made mystery trips to Geneva  
By AMBROSE EVANS-PRITCHARD in Washington

Records shown to the Sunday Telegraph reveal that Vince Foster had clandestine dealings in Switzerland, and even purchased an airline ticket to Geneva just three weeks before his death. Foster's trips abroad have come as a total surprise to his family.

The records show that Foster bought a ticket to Switzerland on November 1, 1991 - during the early phase of the Clinton presidential bid - travelling on American Airlines from Little Rock to Paris with a connection to Geneva on Swiss Air. The return flight was booked for November 3, giving him less than one full day on the ground in Switzerland. The cost was dollars 1,490. A year later he did exactly the same thing, darting in and out of the country. On December 7, 1992 - during the presidential transition period - he bought a ticket from Little Rock to Geneva, via Paris, returning on November 9.

Finally, on July 1, 1993, he purchased a ticket through the White House Travel Office from Washington to Geneva on TWA and Swiss Air, reimbursing the White House from his personal American Express Card. But he never made the trip and was refunded by Swiss Air on July 8.

These are only a sample of his flights, not the full picture. On December 20, 1988, for example, he flew to Batman in remote Turkish Kurdistan. At his death he had built up more than 500,000 'airmiles' on the frequent flier programmes of major US airlines.

His foreign trips on Delta during the late 1980s and early 1990s were often purchased at 'executive fares', a category of discount that is only available to senior government officials - or contract operatives doing work for the federal government.

Foster's widow, Lisa, was not aware of any trips he made to Switzerland. She believes that Foster was horrified when the Branch Davidian complex burned. Foster believed that everything was his fault,' wrote the FBI. Foster's sister, Sheila Anthony, a top official at the Justice Department said Foster was working on 'top secret' issues at the White House and 'that his depression was directly related to highly sensitive and confidential matters'.

Many in Washington now consider that the investigation by Robert Fiske last year was a charade and a black mark on the American judicial system. It reached the conclusion that Foster committed suicide before much of the forensic evidence had been analysed by the FBI crime labs, before key witnesses had been interviewed, and before the autopsy review by independent experts. Several of the FBI documents appear to have been doctored. One official close to the investigation has described the scale of lying and fabrication by government officials as staggering.

The Pittsburgh Tribune-Review reports that Rodriguez was unable to call key witnesses before the Grand Jury.

The paper said he had also lost confidence in the FBI, which appeared to be sweeping crucial evidence under the carpet.

For example, the FBI had discarded a set of crucial crime scene photographs, deeming them unusable. Rodriguez turned to a private firm, which had no difficulty enhancing the photos.

Rodriguez cannot be dismissed as a Right-wing prosecutor with an axe to grind. He is a liberal by background and rose to his current position as Assistant US Attorney in Sacramento after working as a civil rights lawyer.

6-8-95

● From PRODIGY (excerpts):

TOPIC: WHITEWATER  
TIME: 05/21 10:30 PM  
TO: DON CRUTCHFIELD (BDPU35A)  
FROM: BEVERLY SPECHT (DJPE65A)  
SUBJECT: WACO/J.SOBTRAN 5/19

Remember when Bubba first took office? Some of his first acts included: 1) sealing his medical records, 2) firing the White House doctor, 3) suspending random drug testing for White House staff, 4) he gutted the U.S. Coast Guard's budget so it became virtually impossible for them to interdict the drug traffic coming into this country, and about 2 weeks later, I believe, 5) he cancelled the AWAX (sp?) satellite info that provided information to South Amer. about possible drug-laden planes crossing in and out of their borders. The thin excuse offered for this was, well...they might accidentally shoot down a passenger plane based on the information we provided to them and then our federal government might get sued.

And let's not forget our marvelous benevolence to Mexico and our multi-billion bail-out of their "economy". Any narco-republic who's power elite knows about our CIA's dirty business of drug running during the '80s can blackmail our government into bending over backwards and giving them anything they want. Oh yes, NAFTA came in very handy for the facilitation of the drug flow coming in from Mexico, as well. The trucks roll through unstopped and uninspected.

6-8-95

● From PRODIGY (excerpts):

TOPIC: WHITEWATER  
TIME: 05/22 8:39 PM  
TO: ED O'FARRELL (CHCH29A)  
FROM: DON CRUTCHFIELD (BDPU35A)  
SUBJECT: FOSTER HOAX

There was no investigation of Vince Foster's murder. The Park Police simply read the statements that they were given by the White House. Almost immediately thereafter

the body was cremated...

6-8-95

● From *Nichols vs. Clinton - The Final Chapter*, a video tape narrated by Larry Nichols, KCB Production, 1995:

Larry Nichols states that the *Washington Times* was going to publish an article detailing the affair between Vince Foster and Hillary Clinton. Publication date was to be July 21, 1993, the day after Foster's death. Reportedly, it was announced at 12:30 p.m. on the 20th that the article would be forthcoming. A half hour later Foster left the White House to meet his ultimate doom. Nichols states that this might be motivation for Foster to kill himself. However, it might be even more motivation for Bill or Hillary Clinton to wish for the demise of their friend. Obviously, Foster's death prevented the *Times* article from seeing the light of day, certainly a pleasing development for the President and his wife.

Larry Nichols makes much of the timing of the call from Helen Dickey to alert the Arkansas Governor of Vince Foster's death. In material that accompanied the tape, a book titled *Nichols vs. Clinton - The Final Chapter, Plaintiffs Exhibit Book*, there's a copy of a US Government Memorandum from the Secret Service (#2551) which states:

"On 7/20/93, at 1130 hrs., Lt Woltz, USSS[??], contacted the ID/DD and advised that at 2030 hrs [8:30 p.m.], he was contacted by Lt Gavin, US Park Police, who provided the following information:

"On the Evening of 7/20/93, unknown time, US Park Police discovered the body of Vincent Foster in his car. The car was parked in the Ft. Marcy Area of Va near the GW Parkway. Mr. Foster apparently died of a self-inflicted gunshot wound to the head."

If this information was obtained by the Secret Service at 8:30 p.m., how is it that Helen Dickey, who after all was just a nanny for Chelsey Clinton, was able to call the Arkansas governor as much as an hour or more beforehand to report Foster's death? The Arkansas State troopers Roger Perry and Larry Patterson appeared in the video to state that the Dickey call was received between 4:30 and 7:00 local time (5:30 and 8:00 Washington time).

Further, the troopers verify that Helen Dickey said Foster was found dead in his car, just as is documented in the Secret Service memo.

If the Secret Service learned about Foster's death at 8:30, doesn't it appear puzzling that Foster's office was searched at 9:00? How was it that Nussbaum, Williams, and Thomasson were able to respond so quickly to this news?

**MEMORANDUM**

**Date:** August 3, 1995

**Subject:** Rush Limbaugh - August 2, 1995

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At approximately 1:20 p.m. on this date, Rush Limbaugh was talking about what had come out at the Senate hearings about Vince Foster. He said there was now testimony from Linda Tripp and Deborah Gorham that there was a document missing from Vince Foster's office - a listing of all of Bill and Hillary's financial investments, etc.

They also chatted by E-mail, which has been retrieved. They alluded to the fact that the torn up pieces of paper were seen in the briefcase on July 21, but were not retrieved until July 26.

Gorham also testified that she was grilled repeatedly by Bernie Nussbaum on July 21.

Rush further observed that he was not a suicide expert, but normally when someone is going to commit suicide, they don't say, "I'll be back." On the day of Foster's death, he told his office people that he would be back.

When Rush signed off for a break, he said, "I'll be back - or will I?"

MONDAY, SEPTEMBER 4, 1995

# She's sure Foster took his own life, widow says

The Associated Press

NEW YORK — Vincent Foster's widow investigated his death and is certain he committed suicide out of depression — and Whitewater had nothing to do with it, she told *The New Yorker*.

In her first interview since the deputy White House counsel died on July 20, 1993, Lisa Foster said, "I never thought he'd been murdered. The worst possible thing had happened, but it was like everything came together."

After reviewing her husband's records and files, she determined that he had taken his own life because he was depressed and feared that seeing a psychiatrist would make it impossible to get another job.

"I knew he was down," she says in the magazine's Sept. 11 issue. "I just didn't know people committed suicide. I'd never had any experience with this at all — I hated it when people said he was depressed, because I didn't know what depression was."

She knew her husband had been troubled by his work at the White House, taking personally the failed

See **FOSTER**, Page 9A

## Foster

• Continued from Page 1A

appointments of Kimba Wood and Zoe Baird as attorney general and Lani Guinier as head of the Justice Department's civil rights division.

He blamed himself for the Waco debacle and felt wronged by the White House stance during the travel office scandal.

But Whitewater was not one of his pressing concerns.

Foster was used to taking his time making decisions, a luxury denied him at the White House. He also felt the glare of the spotlight focused on the new Clinton administration, his wife said.

"The intense scrutiny they were getting made you feel like no matter what you do, you're going to get criticized," she said.

Foster told her shortly after she arrived in Washington in June 1993 that he had made a mistake and wanted to resign. She talked him out of it. In early July, he told her again he meant to resign, and she suggest-

ed he write down some of the reasons his difficulties weren't his fault.

He listed the complaints on a yellow legal pad, a list that would be found torn into pieces at the bottom of his briefcase after his death.

After his death, Lisa Foster went through an intense depression herself and had to cope with rumors that her husband had had an affair with Hillary Rodham Clinton, something she denies.

Once she began seeing a psychiatrist — who prescribed Prozac — she began understanding her husband's problems, how he was "just totally depleted. Having been so low myself and come out of it, I realized how low he must have been, and how he didn't have help."

She went through his files, putting together a list of his phone calls and logging his American Express records for six years to rebut allegations of secret Swiss bank accounts and CIA-sponsored drug smuggling.

"There is no secret," she said. "This is no conspiracy. There's nothing to tell."

Pg 9A

Pg 1A

# Resignation signals end to investigation into Foster's death

BY REX NELSON  
Democrat-Gazette Political Editor

Whitewater independent counsel Kenneth Starr said Thursday that the head of his Washington office has returned to private practice, a sign that Starr is nearing the completion of an investigation into the July 1993 death of Vincent Foster.

Mark Tuohey, who led the investigation into the deputy White House counsel's death, resigned from Starr's Washington staff last week. Tuohey had left the Reed Smith Shaw & McClay law firm in Washington in September 1994 to join Starr's staff as deputy independent counsel. He was among the first appointees announced by Starr. He now has joined the Washington firm of Vinson & Elkins.

A panel of three federal judges appointed Starr on Aug. 5, 1994, to replace special counsel Robert Fiske Jr. Fiske, a former U.S. attorney in New York, had been named in January 1994 by Attorney General Janet Reno to investigate the Whitewater affair.

Several lawyers Fiske hired left the Little Rock and Washington offices in the weeks after Starr's appointment. Starr immediately began putting together his own staff. Tuohey, who had been president of the District of Columbia Bar Association in 1993-94, was a key member of the new team.

Fiske earlier concluded Foster's death was a suicide, but Starr reopened the investigation. Foster's body was found July 20, 1993, in a Virginia park just across the Potomac River from Washington. Foster, a Hope native and former partner in Little Rock's Rose Law Firm, had been depressed, his wife and friends have said.

Tuohey also investigated the alleged removal of Whitewater papers from Foster's White House office in the days following his death. Foster was doing legal work for President Clinton and first lady Hillary Rodham Clinton related to their investment in the Whitewater Development Corp.

The Clintons were partners from 1978-92 with James and Susan McDougal in Whitewater, a failed 230-acre residential development along the White River in Marion

County. James McDougal also owned the Madison Guaranty Savings and Loan Association, which failed in 1989 at a cost to taxpayers of \$65 million.

Starr is investigating allegations that funds were transferred illegally from Madison accounts to Whitewater accounts in an attempt to prop up the failing development.

Senate hearings earlier this summer into the Whitewater affair focused on White House activities in the days after Foster's death. House hearings focused on Madison's failure. Tuohey worked with congressional aides to coordinate areas they could explore without jeopardizing Starr's investigation.

Tuohey said Starr, who was solicitor general in the Bush administration, has conducted his investigation "in a thorough and professional manner."

Starr said Tuohey "effectively led the day-to-day work of the Washington office, both in our ongoing investigation and in addressing the important issues arising from parallel congressional proceedings."

Sources said Starr soon will release his report on Foster's death. The sources said he is waiting for a final report from a forensic pathologist.

Starr's Washington office now will be led by John Bates, who has worked for the independent counsel since January. Before joining Starr's staff, Bates worked 15 years in the U.S. attorney's office at Washington, supervising several large fraud investigations.

Tuohey was an assistant U.S. attorney at Washington from 1973-77. He then served as a special trial counsel for Attorney General Griffin Bell and Attorney General Benjamin Civiletti. In 1978-79, Tuohey helped prosecute Rep. Daniel Flood, D-Pa., who was convicted of accepting money from people who wanted government favors.

Tuohey, a Fordham University Law School graduate, is a frequent lecturer on white-collar investigations and legal ethics. He has taught trial practice and legal ethics at Georgetown University and Catholic University in Washington.

# The Washington Times

DATE: 8-9-95PAGE: A16

## The Foster note: What we've learned so far

*I made mistakes from ignorance, inexperience and overwork*

*I did not knowingly violate any law or standard of conduct. No one in the White House, to my knowledge, violated any law or standard of conduct, including any action in the travel office. There was no intent to benefit any individual or specific group.*

*The FBI lied in their report to the AG*

*The press is covering up the illegal benefits they received from the travel staff*

*The GOP has lied and misrepresented its knowledge and role and covered up a prior investigation*

*The Ushers Office plotted to have excessive costs incurred, taking advantage of Kaki and HRC*

*The public will never believe the innocence of the Clintons and their loyal [or "legal"] staff*

*The WSJ editors lie without consequence*

*I was not meant for the job or the spotlight of public life in Washington. Here ruining people is considered sport.*

Thus the sad and angry note in Vincent Foster's handwriting that mysteriously appeared — torn into 27 pieces — in Vincent Foster's supposedly empty briefcase six days after his death. Here's what we've learned about the note, so far, from the Senate Whitewater hearings:

■ Detective Sgt. Peter W. Markland had a "clear view" of the briefcase during the July 22, 1993, review of documents in Mr. Foster's office. Sgt. Markland told the committee that he saw White House Counsel Bernard Nussbaum spread the leather briefcase open "with both hands" and then declare that it was empty.

■ A Foster family attorney who was present during the review of papers in Vincent Foster's office remembers that after the Justice Department officials and other law enforcement officers had left, assistant White House counsel Clifford Sloan looked into the briefcase and told Mr. Nussbaum there were scraps of paper in it — to which Mr. Nussbaum responded that they'd deal with it "later." Mr. Sloan "does not recall" looking into the bag and has "no recollection" of seeing any scraps in it.

■ Deborah L. Gorham, Mr. Foster's secretary, had also seen (and had mentioned to Mr. Nussbaum's executive assistant, Linda Tripp) pieces of something yellow in the briefcase the day after Mr. Foster's death — before Mr. Nussbaum's review of the Foster documents. After the note was eventually "found," Mr. Nussbaum grilled her very harshly, trying, in her estimation, to cloud her memory of those yellow pieces.

■ Associate Counsel Stephen Neuwirth somehow tilted the briefcase in just the right way July 26, and out fell several scraps of yellow legal paper with what he recognized as Mr. Foster's handwriting on them. (The re-enactment he staged at the behest of dramatically-inclined committee members to show the precise angle proved less than illuminating). He immediately stuck his hand into the case, pulled out the rest of the scraps, hied into Mr. Nussbaum's office and began reconstructing the note on a conference table, an activity in which he was quickly joined by Mr. Nussbaum. Bill Burton, chief of staff

to Chief of Staff Mack McLarty, soon joined them in the office.

■ Despite all the picking up and scooping out of scraps by Mr. Neuwirth, and all the reconstruction by Mr. Neuwirth and Mr. Nussbaum, there were no fingerprints on the note, a fact that still worries law enforcement officials.

■ Mr. Nussbaum went and fetched the first lady: Messrs. Burton and Neuwirth attest that she took a look at the reconstructed note, loudly questioned her own presence in the room, and quickly left.

■ In their interviews during the FBI's investigation of obstruction of justice charges because of the handling of Mr. Foster's papers as well as the note, neither Mr. Nussbaum, nor Mr. Burton, nor Mr. Neuwirth saw fit to reveal that Mrs. Clinton had been in that room and seen the note more than a day before any police officer knew of its existence.

■ A full 30 hours went by before Mr. Nussbaum and his crew turned the note over to the investigating authorities. Neither Deputy Attorney General Philip Heymann nor his boss Janet Reno was pleased about the delay.

■ One reason given for the delay was a perceived need in the White House to determine whether anything in Mr. Foster's note was covered by privilege.

■ Mr. McLarty, who was in Chicago with the president, was notified about the note as soon as Mr. Burton could reach him. Mr. McLarty testified that he kept the news to himself all the way home from Chicago, and never breathed a word about it to his (and Vincent Foster's) old friend, Mr. Clinton, until the following day.

The note reproduced above does not fit the accepted profile of the average suicide note: It was not (as far as we know) left in a place where friends and/or loved ones would be sure to find it; it had no salutation and no conclusion; it bore no "good-bye cruel world" message — as one police officer put it. Perhaps, indeed, it was not a suicide note.

Still, it is a note; it is in Mr. Foster's hand; it does convey a very troubled state of mind. The very thing, in short, that White House staffers — from the lowliest to the highest — now insist preoccupied their thoughts immediately after Mr. Foster's death. It was the quest for a note, let us not forget, for instance, that is now cited to justify Patsy Thomasson's search through Mr. Foster's desk the night of the death.

The history of that note is peculiar to say the least — as were the reactions of those who failed to find it, then found it, reconstructed it, claim not to have informed the president about it and failed to turn it over to the appropriate authorities in a timely way.

In fact, considering the strange behavior of virtually everyone in the upper echelons of the White House — in relation to the note and to Mr. Foster's other papers — one is tempted to echo former Deputy Attorney General Philip Heymann's question to Bernard Nussbaum: "Bernie, are you hiding something?" We'll hear from Mr. Nussbaum today, but this somehow doesn't seem to be a question only for him.

FOIA(b)3 - Rule 6(e), Federal Rules of Criminal Procedure

**MEMORANDUM**

TO: Judge Starr  
Mark Tuohey  
Hickman Ewing  
John Bates

FROM: Brett Kavanaugh

DATE: July 11, 1995

RE: Foster Documents Investigation -- Grand Jury Schedule

As of this date, we have interviewed 42 witnesses in the grand jury on the Foster documents investigation. We thus have completed the grand jury phase of this investigation -- with two exceptions. First, we may interview [redacted] in the grand jury at some point depending on his status in Little Rock investigations. Second, we will have a few questions to ask [redacted] when he appears in the grand jury on White House-Treasury contacts issues.

Absent significant new developments, I plan to circulate a prosecution memorandum by Monday, August 21, if at all possible.

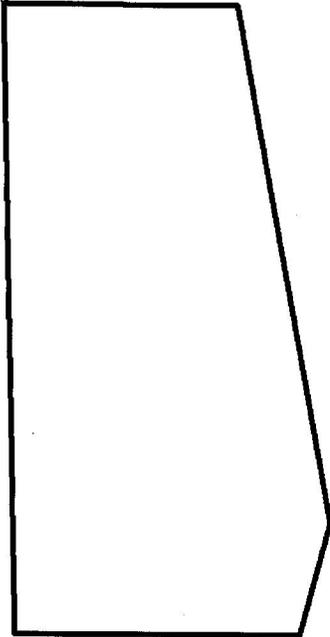
Attached is a list of the grand jury witnesses.

**Grand Jury Update -- Foster Documents/Office/Note Investigation  
(as of July 11, 1995)**

FOIA(b)3 - Rule 6(e), Federal Rules of Criminal Procedure

**Subjects**

White House (18)



Starr GJ

Fiske GJ

- X (will not be subpoenaed)
- X (will not be subpoenaed)
- X
- X (awaiting Bennett's approval)
- X
- X (will not be subpoenaed)
- X
- X
- X
- X (to be scheduled on WH/DOT)
- X
- X
- X

X

X

X

X

Department of Justice (1)

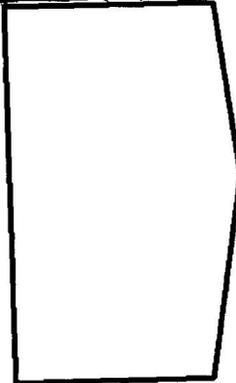


X

FOIA(b)3 - Rule 6(e), Federal Rules of Criminal Procedure

**Important Witnesses**

White House (11)



Starr GJ

Fiske GJ

- X
- X
- X
- X
- X
- X
- X
- X
- X
- X
- X

Department of Justice (4)



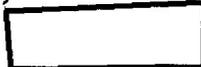
- X
- X
- X
- X

Park Police (3)



- X
- X
- X

FBI (2)



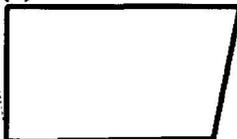
- X
- X

Secret Service (5)



- X
- X
- X
- X
- X

Other (4)



- X
- X
- X

(will not be subpoenaed)

# Notes show Foster feared firings would tar first lady

BY TONI LOCY  
The Washington Post

WASHINGTON — In the last month of his life, Deputy White House Counsel Vincent Foster worried that first lady Hillary Rodham Clinton would be unfairly accused of ordering the firings of veteran travel office employees, and he wrote a detailed account of his involvement in the scandal to prepare himself for a possible court case.

Foster, who committed suicide in a Virginia park on July 20, 1993, began keeping a personal log about the travel office on May 30, 1993 — 11 days after the seven employees were fired. The journal appears to be an attempt to recon-

- White House rolls out red carpet for Koreans at state dinner 5B
- Officials believe Gore friend jumped to death from bridge 6B

struct events that had been played out over the previous three weeks, when the White House found itself under a storm of criticism about its handling of the issue. After the longtime employees were fired, a firm that had supported Clinton politically was brought in briefly to handle White House travel arrangements.

In the writings, Foster defended the first lady, insisting she played no major role in the firings. Sometimes, in question-and-

See FOSTER, Page 11A

# Foster

• Continued from Page 1A

answer format, he wrote out responses to questions he believed he was likely to face. He also scribbled names of well-known criminal defense lawyers in the journal's margins.

The writings, kept in at least one spiral notebook, provide more insight into one of the Clinton administration's biggest political embarrassments, which led to reprimands of top Clinton aides and charges of politically motivated use of the FBI. Under heavy fire, the administration backed off the firings and found other government jobs for five of the employees, and the sixth retired. Investigators later concluded that the intense fallout was a factor in the depression that drove Foster to kill himself.

The writings also are of interest because they provide a diagram of the scandal that led to the indictment last December of Billy R. Dale, the veteran travel office head, who is accused of embezzling \$68,000 in news media money. Dale is scheduled to go on trial Sept. 11 in U.S. District Court.

Dale's lawyer, Steven Tabackman, said the writings are "one more link in the chain" that he intends to present to a jury to prove that "the only people guilty of criminal behavior are the White House officials who schemed to remove Mr. Dale and then tried to cover up their actions."

According to the writings, Foster appeared to be one of the few voices in the White House, and perhaps the only one, advising caution on the travel office matter. He wrote that he did not want officials to go into the office firing employees "like gangbusters" and suggesting that they were involved in improper conduct. Instead, he preferred to have an audit done to determine whether there had

been any wrongdoing.

He wrote that he initially was very skeptical of allegations made by Hollywood producer and Clinton friend Harry Thomason and by Catherine A. Cornelius, the president's distant cousin, who began pushing to take over the travel office not long after Clinton's election. He raised questions about Cornelius's credibility, noting that she had taken files and other documents from the travel office, which he called her "evidence."

Foster used such words as "vague," "circumstantial" and "rumors" to describe the allegations against the fired employees. He also quoted another former White House lawyer, William Kennedy, as musing about whether it was "worthwhile" to conduct an investigation.

As he received nearly hourly updates on an outside audit of the travel office, Foster held on to the notion that there could be an explanation for the office's sloppy bookkeeping. Later, after the audit was completed, he said there was no alternative but to remove Dale.

But Foster was most concerned about whether Hillary Clinton would be blamed. He wrote that he met or talked to her at least twice about the travel office before the employees were fired. In his notes of a meeting with another White House official, Foster wrote that they both agreed that "HRC is perceived as being involved in the decision and events in which she has no participation."

But in the margin near another note dated May 17 regarding the imminent firings, Foster wrote "HRC problem" and circled it. On another page titled "Coordination," he reminded himself to defend the firings as a management decision and "thereby defend HRC role whatever is, was in fact or might have been misperceived to be."

He first met with Hillary Clinton May 13, 1993, to discuss an analysis he was doing on medical malpractice that was related to her health-care reform efforts. On a page titled "Privileged in anticipation of litigation," Foster wrote that she "was aware of some assertions of impropriety in the travel office and wanted to know what was being done about it." Foster wrote that he told her

he had assigned the matter to Kennedy.

Hillary Clinton had heard about problems in the travel office the day before from Thomason, who had an office and White House pass.

In his notes of a meeting he had with White House official John Podesta, Foster said, "I related I had a later discussion on Thurs (evening?)" with Hillary Clinton, when he said he believed they again discussed health-care reform issues. "I advised her outside auditors were being used and probably told her they would start Fri. morning."

Before the contents of his writings became known, it was believed that Foster had had only two conversations with Hillary Clinton about the travel office. He, however, wrote that he told Podesta "I may have had a few short, incidental, non-substantive discussions subsequent to pass on my understanding from (W. David Watkins) of status." Watkins was then in charge of White House administration.

In entries dated early July 1993 — a couple of weeks before his death — Foster began researching criminal law to determine whether he or anyone else involved in the matter was liable, especially Thomason, who was advising the administration on staging presidential events. He scribbled notes referring to criminal statutes related to special government employees and possible influence peddling.

## Fostergate

By James R. Norman

Two weeks before his death on July 20, 1993, White House Deputy Counsel Vincent W. Foster went into a deep funk. The official reason given by Independent Counsel Robert Fiske Jr. was suicide driven by depression over, among other things, some newspaper editorials. But Vince Foster had a much bigger and darker reason to be seriously bummed out. He had just learned he was under investigation for espionage.

Outrageous? To say the least. But a lengthy investigation by Forbes has located over a dozen sources with connections to the intelligence community who confirm a shocking story of money laundering and espionage connected to the highest levels of the White House. Without grants of immunity, the sources risk going to prison for violation of the national Security Act: Virtually all have demanded anonymity.

According to a veteran Central Intelligence Agency operative close to the Foster investigation, Foster's first indication of trouble came when he inquired about his numbered bank account at Banca Della Svizzera Italiana in Chiasso, Switz. -- and found the account empty. Foster was shocked to learn from the bank that someone using his secret authorization code had withdrawn all \$2.73 million he had stashed there and had moved it to, of all places, the U.S. Treasury.

Then, according to credit card records reviewed by a private investigator who has talked to Forbes, Foster cancelled the two-day round-trip TWA and SwissAir plane tickets to Geneva he had purchased on his American Express card

through the White House travel office on July 1. Discretely he began asking what was afoot, says the CIA source, confirming that someone in the White House tipped him off. It was bad news: The CIA had Foster under serious investigation for leaking high level secrets to the State of Israel.

For months, a small cadre of CIA computer hackers known as the Fifth Column, armed with a crazy supercomputer, had been monitoring Foster's Swiss account. They had located it by tracking money flows from various Israeli government accounts after finding Foster's name while secretly snooping through the electronic files of Israel's Mossad. Then by snooping through the bank's files, they gathered all the information needed to withdraw the money.

Foster was just one of the first of scores of high level U.S. political figures to thus have their secret account looted of illicit funds, according to both this veteran CIA source and a separate source in another intelligence agency. Over the past two years, they say, more than \$2 billion has been swept out of offshore bank accounts belonging to figures connected to the U.S. government -- with nary a peep from the victims or their banks. The claim that Foster and other U.S figures have offshore accounts has been confirmed by a separate high-ranking CIA source and another in the Dept. of Justice.

Various sources -- some of them controversial -- have contributed other pieces to this puzzle. Whatever their motivations, these sources have proven remarkably consistent. Their stories jibe well with known facts and offer a most plausible

explanation for Foster's mysterious depression. It would also explain Washington's determined effort to dismiss the Foster affair, as a tragic, but simple suicide.

Vince Foster a spy? Actually, it is much worse than that, if the CIA's suspicions are confirmed by the ongoing foreign counterintelligence probe. He would have been an invaluable double agent with potential access to not only high level political information, but also to sensitive code, encryption and data transmission secrets -- the stuff by which modern war is won or lost. That is because for many years, according to nine separate current and former U.S. law enforcement or intelligence officials, Foster had been a behind-the-scenes manager of a key support company in one of the biggest, most secretive spy efforts on record: the silent surveillance of banking transactions both here and abroad.

This bank snooping effort began in earnest soon after Ronald Reagan became president in 1981. Its primary aim was to track the money behind international terrorist groups and soon came to be dubbed "Follow the money," according to the originator of the program, Norman A. B\*\*\*\*\*. Now a private Washington consultant on international banking, B\*\*\*\*\* was an economist and Reagan advisor on the National Security Council. It was B\*\*\*\*\*'s idea to begin using powerful new computer and electronic eavesdropping technologies then emerging to let the intelligence community monitor the previously confidential flow of bank wire transfers. This was no small task, more than \$1 trillion a day moves through New York alone.

B\*\*\*\*\*, himself constrained by the National Security Act, claims he doesn't know exactly how the data was collected. But he confirms that within a few years the National Security Agency - the signals intelligence arm of the government - had begun vacuuming up mountains of data by listening in on bank wire traffic. It became a joint effort of several Western governments with the Israelis playing a leading role, since they were the main target of terrorism.

Other intelligence experts say the flow of bits and bytes was captured by various means, from simply tapping phone lines to implanting customized chips in bank computers to store up and periodically burst-transmit data to a passing van -- or low-flying "sig-int" or signals intelligence satellite. Another part of the problem was to get the world's banks to standardize their data so that it could be easily analyzed. And that brings us to PROMIS, a powerful tracking software developed by the U.S. Government and then privately enhanced by a little company called Inslaw Inc.

PROMIS stands for Prosecutor's Management Information Systems and was designed to manage legal cases. In 1982, just as Bl\*\*'s follow-the-money effort was gaining steam, the Reagan Justice Dept. eagerly snapped up Inslaw's newest version of PROMIS. But the government refused to pay the \$6 million owed for it, claiming part of the contract was not fulfilled. Inslaw, forced into Chapter 11 reorganization and nearly driven to quick liquidation by the government and its former partner AT&T, hotly denied that claim. Ultimately, a bankruptcy judge ruled the govern-

ment stole the PROMIS software code by "trickery, fraud and deceit."

Why PROMIS? Because it was so adaptable. Besides tracking legal cases, it could be easily customized to track anything from computer chip design to complex monetary transactions. It was especially useful for tracking criminals -- or just plain political dissidents. Inslaw claims the software was eventually illegally sold to as many as 50 countries for use by their police, military or intelligence agencies, including such bloody regimes as Guatemala, South Africa and Iraq (before the 1990 invasion of Kuwait). Profits on these sales, Inslaw claims, went mainly into the private pockets of Republican political cronies in the 1980s, including Reagan confidant Earl Brian, former partner of UPI and FNN.

Among the biggest profiteers on PROMIS, according to the 1992 book by former Israeli anti-terrorism staffer Ari Ben Menasche, was former British publisher Robert Maxwell. On behalf of the Israelis, Maxwell aggressively marketed a doctored version of PROMIS equipped with one or more "back doors" to allow an outsider to tap into the user's data base without leaving an audit trail. In fact, it may have been such rigged programs that allowed noted Israeli spy Jonathan Pollard, from his computer terminal at the Office of Naval Intelligence in Washington, to download vast amounts of top secret U.S. nuclear weapons and code data in the mid-1980s.

According to a heavily redacted New Mexico FBI counter-intelligence report, Maxwell was

apparently allowed to sell two copies of PROMIS back to the U.S. weapons tabs at Sandia and Los Alamos, for what Inslaw claims was a hugely inflated price of \$37 million. That would have allowed Pollard, if he was using the rigged program, to obtain U.S. missile targeting data long before Israel had its own satellite capability, thus making it a real nuclear threat to the Soviet Union. Pollard was convicted of espionage and sentenced in 1986 to life imprisonment. U.S. officials have vehemently opposed efforts to gain his early release.

Maxwell, according to Ben Menasche and other sources, was also selling pirated versions of PROMIS to major world banks for use in their wire transfer rooms to track the blizzard of numbers, authorization codes and confirmations required on each wire transaction. Don't expect any banks to admit running PROMIS: They know it was pilfered. But they readily took it, both because it was the best tracking software available at the time, and because the U.S. government was tacitly leaning on them to go along with the surveillance effort -- or face regulatory reprisals or prosecution on money laundering charges. With the widespread adoption of PROMIS, the data became standardized and much easier to analyze by the NSA.

It took some effort to install and support PROMIS in the banking industry. That's where Vince Foster came in. Forbes' sources say that since at least the late 1970s, Foster had been a silent, behind-the-scenes overseer on behalf of the NSA for a small Little Rock, Ark., bank data processing company. Its name was Systematics

Inc., launched in 1967 and funded and controlled for most of its life by Arkansas billionaire Jackson Stephens, a 1946 Naval Academy graduate. Foster was one of Stephen's trusted dealmakers at the Rose Law Firm, where he was partner with Hillary Rodham Clinton, Webster Hubbell and William Kennedy (whose father was a Systematics director). Hubbell, also played an overseer role at Systematics for the NSA for some years according to intelligence sources.

Systematics has had close ties to the NSA and CIA ever since its founding, sources say, as a money-shuffler for covert operations. It is no secret that there were billions of dollars moving around in "black" accounts -- from buying and selling arms to the Contras, Iran, Iraq, Angola and other countries to paying CIA operatives and laundering money from clandestine CIA drug dealing. Having taken over the complete computer rooms in scores of small U.S banks as an "out-source" supplier of data processing, Systematics was in a unique position to manage that covert money flow- Sources say the money was moved at the end of every day disguised as a routine bank-to-bank balancing transaction, out of view of bank regulators and even the banks themselves. In short, it became cyber-money.

One man who uncovered the link between Systematics, Foster and covert money movements for arms and drugs was Bob B#####, who was an undercover Customs investigator in the 1980s. "We found Systematics was often a conduit for the funds" in arms and drug transactions, says B#####, now living in Texas. "They were the money-changers." His story is corroborated by a

former CIA employee who says it was well known within the agency in the late 1970s that Foster was involved with Systematics in covert money-management.

Another source is Michael Riconosciuto, former research director of the covert arms operation at California's tiny Cabazon Indian Reservation in the early 1980s. Riconosciuto claims his crew of computer programmers helped customize PROMIS there for banking and other use. He's now serving 30 years in a South Carolina federal prison ostensibly on drug charges. Though maybe not a credible source on his own, his story fits well with other sources.

Systematics' money-laundering role for the intelligence community might help explain why Jackson Stephens tried to take over Washington-based Financial General Bankshares in 1978 on behalf of Arab backers of the Bank of Credit and Commerce International. BCCI's links to global corruption and intelligence operations has been well documented, though many mysteries remain.

According to a lawsuit filed by the Securities and Exchange Commission, Stephens insisted on having then-tiny Systematics brought in to take over all the bank's data processing. Representing Systematics in that 1978 SEC case: Hillary Rodham Clinton and Webster Hubbell. Stephens was blocked in that takeover. But FGB, later renamed First American, ultimately fell under the domination of BCCI through Robert Altman and former Defense Sec. Clark Clifford. According to a technician who worked at First American in Atlanta, Systematics became a key computer contractor there anyway.

In the 1980s, Systematics' business boomed. When it first sold stock to the public in 1983, revenues were \$64 million. That had risen to \$230 million by the time Stephens arranged Systematics' sale to Alltel Corp., a telephone holding company which then moved its headquarters to Little Rock. Last year Systematics sales hit \$861 million -- a third of Alltel's total. Stephens now owns more than 8% of Alltel and wields significant influence over the company.

When Bill Clinton was elected president in 1992, bringing Foster, Hubbell and Kennedy to the White House staff, Systematics' foreign bank business flourished. It began to announce a flood of data processing deals with major banks in Moscow, Macao, Singapore, Malaysia, Pakistan, Trinidad and elsewhere. According to veteran bank software vendors, and computer intelligence specialist Wayne Madsen, co-author of a book about the NSA called The Puzzle Palace, it is inconceivable that any U.S. company could land such sensitive work without the intimate participation of the NSA. Domestic business took off as well, with giants like Citibank and Nations Bank signing big data processing deals.

Working alongside Systematics in this spooky world of bank computer spying appears to be a cluster of other curious, loosely-affiliated companies. For instance, there is Boston Systematics, headed by former CIA officer Harry C. Wechsler, which controls two Israeli companies that also use the name Systematics. Wechsler denies any connection to the Arkansas company (now renamed Alltel Information Services) and claims to know nothing of PROMIS. Odd, then,

that Inslaw claims it got two inquiries in 1987 from Wechslees Israeli company seeking marketing data on PROMIS.

Many of the intelligence sources who provided information for this story insist that Boston Systematics and the Arkansas company are, in fact, related some way. And, based on his own sources in the Justice Dept., Inslaw founder William A. Hamilton says he believes Boston Systematics was also closely linked with both Maxwell and Rafi Eitan, the former head of Israel's antiterrorism effort. Hamilton says Eitan, using a false name, showed up at Inslaw's Washington D.C. office one day in 1983 for a private demonstration of PROMIS.

Another curious company is Arkansas Systems, founded in 1974 by Systematics employee and former U.S. Army "analyst" John Chamberlain. Located just down the road from Systematics, Arkansas Systems specializes in computer systems for foreign wire transfer centers and central banks. Among its clients: Russia and China, according to Arkansas Systems president James K. Hendren, a physicist formerly involved with the Safeguard anti-missile system. Arkansas Systems was one of the first companies to receive funding from the Arkansas Development Finance Authority, an agency created by then Gov. Bill Clinton that is now coming under congressional scrutiny.

What does Alltel have to say about all this? "I've never heard anything so asinine in all my life," steams Joe T. Ford, Alltel's chairman and the father of Jack Stephens' chief administrative aide.

John Steuri, a former IBM executive who is

chief executive of Alltel Information Services, says he had never heard of Boston Systematics before this inquiry. He declares that Systematics does almost no work for the government, scoffs at the idea his company is tied to the NSA and says Foster has never had any connection to Systematics. As for the fact he sold half his 700,000 Alltel shares in February at \$34, just before it began skidding to under \$24, he says that was merely to pay for the exercise of options.

Why is it, then, that Hamilton claims sources in two separate intelligence agencies say documents relating to Systematics were among those taken from Foster's office immediately after Foster's death? Indeed, a private Investigator close to the continuing "Whitewater" probe by Independent Counsel Kenneth W. Starr says he has learned that Hubbell has delivered those documents -- including papers related to Systematics -- to Starr as part of his deal to stay out of prison. Hubbell pleaded guilty last December to two felony counts related to over-billing at the Rose Law Firm.

If Foster knew the U.S. was spying on foreign banks, why would he let himself be caught red-handed with a Swiss bank account? The answer may be that the Israeli transactions were, in fact, well concealed, according to the veteran CIA source. And Foster would have known that, unless a prober knew exactly what to look for, finding his payoffs in the torrent of routine transfer data would be a hopeless task. Besides that, greed could explain a lot: if not Fosters then for whomever else he might have been playing

bagman. The CIA source says Foster was not the only one in the White House under suspicion for peddling state secrets.

All of which helps explain Foster's odd behavior before his death. He was a tough, smart trial attorney at the peak of power in Washington. Only 48 years old, he was in excellent health. Suddenly, according to the Fiske report, he couldn't sleep. He complained of heart palpitations and high blood pressure. His sister arranged for him to see a Washington psychiatrist, who later told the FBI he had been instructed not to take notes because Foster's depression was "directly related to highly sensitive and confidential matters" tied to his "top secret" government work.

Foster never saw a doctor. Instead, about a week before he died, he hired a lawyer: high-powered D.C. criminal attorney and political fix-it man James Hamilton. Foster's wife claims his reason was the White House Travel Office controversy, which was expected to lead to congressional hearings.

On the weekend of July 17 and 18, Foster drove with his wife to the Eastern Shore of Maryland to relax. By "coincidence," according to the Fiske report, so did Hubbell. They met at the posh estate of Michael Cardozo, head of Clinton's legal defense fund and son-in-law of prominent Democratic fundraiser Nathan Landau. Hubbell later claimed the weekend was a laid back gathering of tennis and poolside chit-chat.

But according to sources connected to the CIA, Justice Dept. and the Defense Intelligence Agency, the meeting was under surveillance. The

agenda? Heavy duty damage control. Foster was grilled. To whom else could the Swiss money be traced? How could the scandal be contained?

Foster's wife admitted he returned to Washington even more depressed. On Monday night, he turned an invitation by the President to drop by the White House to supposedly watch a movie. On Tuesday, Foster left his office at the White House about 1 p.m. and said he'd be back later. At 5:45 p.m. his body was found, neatly laid out in Ft. Marcy Park, a bullet wound to his mouth. Suicide, the Fiske report promptly declared, echoed by a cursory Senate inquiry.

Still, nagging questions remain. Why was there no blood on the ground and bone fragments or brain tissue? Why were there rug fibers all over his clothes? Why no dust on his shoes despite the long dirt path from his car to the body?

The answer seems painfully clear, a coverup of immense proportions for reasons "national security." And don't expect Whitewater prober Kenneth Starr to spill any beans. He was in-house counsel to Reagan Attorney General William French Smith at the time the Inslaw PROMIS software was expropriated for intelligence use. Later, as Solicitor General, he recused himself from an Inslaw-related matter without explanation. It seems likely Starr would have been personally involved in launching this covert bank spy effort, which Washington is still so nervous to keep secret.

All in the family, you might say.

# Memorandum

Office of the Independent Counsel

To : OIC KENNETH STARR  
(ATTN: MARK TUOHEY)

Date 9/27/94

From : SA DANA M. GILLIS

[Discussed at Team Mtg  
on 10-4-94 in WASH, DC]

Subject: DOCUMENTS INVESTIGATION RE  
DEPUTY COUNSEL'S OFFICE  
THE WHITE HOUSE

Listed below are leads to be pursued in the course of the investigation related to the handling of documents in VINCENT FOSTER's office subsequent to his death on 7/20/93. Investigative responsibilities have been assigned as follows:

SSA COLOMBELL  
SA BRANSFORD  
SA GILLIS

CRAIG LIVINGSTONE  
White House Personnel  
Secret Service

- A. CRAIG LIVINGSTONE (COLOMBELL)
1. Verify alibi of SUSAN THOMASES ✓
  2. Interview spouse of THOMASES re alibi ✓
  3. Subpoena personal residence telephone records ✓
  4. Recheck White House entry logs for 7/20 - 7/21 re SUSAN THOMASES
  5. Interview BARBARA PRYOR regarding whether or not she saw LIVINGSTONE at FOSTER residence 7/21
  6. Display FOSTER's briefcase to Uniformed U.S. Secret Service (USSS) officer ABBOTT.
  7. Subpoena telephone records for residence of HILLARY CLINTON's parents, Little Rock
  - (8) \*Provide Associate Counsel STEIN with results of the computer search at the White House in reference to LIVINGSTONE's chronology
  9. Obtain any records related to movement of binders/documents from Office of White House Security to West Wing for period 7/20 - 7/21

1 - SSA BARRETT  
1 - Document Investigation SAs

DMG:dg  
(3)

B.

WHITE HOUSE (BRANSFORD/GILLIS)

1. Interview of male personnel within the offices of:  
Personnel Security  
Counsel's Office  
Office of Management & Administration  
Press Office
2. Interview of DEBORAH COYLE to clarify statement in an earlier interview that she saw NUSSBAUM and a number of unidentified individuals in the Counsel's office suite on the evening of 7/20.
3. Determine exchange of telephone HILLARY used to THOMASSES and WILLIAMS on evening of 7/20
4. Check access to combinations to safes in Counsel's Office Suite (contact SSA SUGGS)
5. Interview of DAVID DRYER and RIKI SEIDMAN who were at the White House on 7/20
6. Interview RON KLAIN (phonetic) - from DEBORAH GORHAM (Information related to movement of binders)
7. Interview of KENNEDY, WATKINS, MCLARTY to determine whether they spoke to HUBBLE regarding LIVINGSTONE going to the FOSTER residence on the morning of 7/21
8. Determine who had access to the closet in the White House residence in which documents from FOSTER's office were stored. (MAGGIE? HRC? OTHERS?)
9. Determine identity of CHELSEA's nanny who was responsible for providing access to the closet in which FOSTER documents were placed
10. Ensure that all participants in meetings at the White House on 7/21 related to the search of FOSTER's office have been interviewed
11. Review GORHAM's index and computer disk index (may have been done by SUGGS)

call

B.

SECRET SERVICE (GILLIS)

1. Subpoena of personnel records of ABBOTT & O'NEILL
2. Obtain elevator log for post F-1 in White House Residence - post adjacent to elevator (STEIN)
3. Identify USSS Officer who accompanied MCLARTY and POTUS on elevator to residence area on 7/20 (COLOMBELL)

*Let's mention to Subpoena*

VT Briefing  
Wed., 1-25-95  
AT LR  
MT, BK, HE

AREAS OF ATTENTION

Death Scene

EMTs  
USPP  
CW  
I.M.D.

Parking Lot

USPP  
Civilians

Post-Mortem

USPP - Transport to Morgue  
MD - (Fairfax Hosp.)  
Pathologist  
- Asst  
Mortician - VA  
                  - AR

- Issues:
- ① obs/movement - Body
  - ② Neck Trauma
  - ③ Briefcase
  - ④ OBS/CW's
  - ⑤ Gun
  - ⑥ Semen / Blond Hairs & Fibers

## Issues

### 1. The body -

when found -

was the body moved?

a) physically elsewhere to scene

blood flow - witness

b) was any portion of the body moved?

i.e. the head

poss. after meal - but won't admit

### The gun -

. prob. of eyewitness observation - found

. everyone who saw it ...

### Travma -

### briefcase -

### CW's -

① OBS - Movement

• Need to see what people have said

• What blood observed -  
where & when

[Gunpowder on shoe diff from gunpowder on mouth & hand]

[blood hair - no ~~expected~~ separation of clothes at engine]

Sighting of Man in Orange

• Only by Hall, EMT

[see GJ Tr.]

FOIA(b)3 - Rule 6(e), Federal Rules of Criminal Procedure

(4) OBS - CW's

• "The Couple" -

• sat in car - saw urinator (CW) AER on scene - saw him come back out.  
CW (Liddy's) driving a van.

• car there when they AER (Prob. VF's).

• Then went to picnic -

hear  
• <sup>hear</sup> Investigators (URTS) -

• male of the couple - says he saw someone step over car w/ hood raised -

(CW) (Liddy's) <sup>older guy</sup> - says he saw sport coat, [MT & BK talked to him]  
briefcase, wine cooler in a car -

• disagree w/ Fiske Rpt's description/characterization.

• had to go potty bad

• know park - civil war buff -

- they have thought of that...  
they don't poss. also.

• 200 yds into the woods.

• "palms up" - no gun.

• 302' - concerted - disagreed w/ what they had -

didn't feel any pressure.

• How could 27 pieces of note missed on 7-22?

• Margolis 302 - ...

MT will talk to Margolis & 3 others.

• Gearan's notes - "Bernie lifted it up"



## ② Neck Trauma

. Will reinterview the 2 experts

MR - "bullet hole" in neck theory became untenable -

- now "stun gun" or "tazer"

. Scene photos -

W.

. Autopsy

. "a little bit" says Brett -

. " - " marks

. Pathologists - GJ - w before -

Show both sets of photographs

did you examine neck area?

② Rptr Rodriguez - heard fm female source -

Be

"Where did it happen?"

"What did the note say?"

TKL you.

---

③ How long had he been dead?  
not much "rigor" set in -

---

④ Lunch - cheeseburger -

removed onions

- fries

- coke

- M & M's (left train)

---

⑤ Time line

• News articles

③ Briefcase -

• What other briefcases on the scene?

• "Briefcase in the car"

- which car

Couple

or

VF's

• Cheryl Braun - searched car -

• Wld -

3 were asked - did VF have briefcase?

• 1 said VF

• 1 - I don't know,

• 7/22 - a couple of people talk 2 briefcases there that day.

→ Lisa?

briefcase or case?

Not asked.

⑤ Gun -

① head 1 of VF's sister's came across loose ammo -  
Hamilton - VF family residence -  
VF father unstable - move for hope ...  
.38 caliber -

. Gun found - .38

. 2 .38 rounds found

. 1 unspent round in the gun.

Sharon pointed out some distinguishing features of the gun.

< VF's kids' knowl-of gun? >

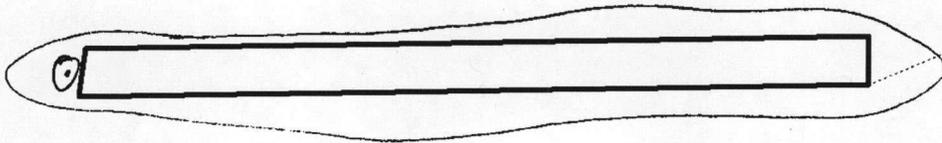
⑥ Seman

① Wh. Path's conclusion that semen stains on underwear  
consistent w/ ejac/drainage at traumatic event

Jeff Green - drainage of fluid - OK  
- semen not

② check it out

if not .



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

SA [redacted] - new - D.C./FBI homicide squad 4 yrs.

FOIA(b)7 - (C)

MR says - he is more of the same

MT takes good

Jim Luke - }  
Badan's deputy } 2 good consultants to OJC  
                          } 3rd from Seattle

MT, B/L - NY - talk to Pat, vol.