

Clippings - VF

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Date: 10/25/95

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Times put to phone calls before Foster office search

The Associated Press

WASHINGTON — As the Senate Whitewater Committee huddled to discuss its next move, the White House on Tuesday released telephone records detailing Hillary Rodham Clinton's calls in the hours before presidential aides restricted the police search of the late Vincent Foster's office.

The records show that on the morning of the July 22, 1993, search, the first lady called her close friend, Susan Thomases, just one minute before Thomases paged the White House's chief lawyer for a discussion that touched on concerns about access to Foster's documents.

Clinton also talked twice to her chief of staff, Margaret Williams — once right before the call to Thomases, the other time 20 minutes before the search of Foster's office began, the records show.

Senate investigators are trying to determine whether Clinton, Williams or Thomases, a New York lawyer who is close to the Clintons, played any role in restricting police access to Foster's documents in the aftermath of his suicide.

All three have denied trying to influence the decision, which was ultimately made by then-White House counsel Bernard Nussbaum.

The records confirm testimony at Senate hearings this summer by Williams and Thomases that they

had conversations with Hillary Clinton in the hours and days after Foster's body was found in a suburban Washington park.

Police have twice ruled the White House lawyer's death a suicide. Foster was a former law partner of Hillary Clinton's in Arkansas.

Senate investigators asked for the phone records after the witnesses could not recall specific times. The witnesses volunteered the records.

The records show Williams called Clinton at her mother's Little Rock home at 7:44 a.m. EDT on July 22, 1993, in a seven-minute call. Then Clinton called Thomases in Washington at 7:57 a.m., and talked for three minutes.

One minute after completing that call, Thomases paged Nussbaum at the White House, previously released records showed.

Williams' telephone records also show she called Clinton back later at 12:55 p.m. — just 20 minutes before Foster's office was unsealed and the search began.

Both Thomases and Nussbaum testified that they talked at some time that morning — before police were allowed in Foster's office — and at one point discussed concerns about access to Foster's documents. Nussbaum testified that Thomases brought raised the issue; she insisted it was Nussbaum.

8A • WEDNESDAY, OCTOBER 25, 1995

Foster investigation awaits Starr's review

BY KATHY KIELY

Democrat-Gazette Washington Bureau

WASHINGTON — A congressman charged with re-examining the evidence surrounding the death of deputy White House counsel Vincent Foster says no decision will be made on whether to hold House hearings until independent counsel Kenneth Starr completes a separate review.

Rep. Steven Schiff, a New Mexico Republican whom House Speaker Newt Gingrich assigned to look over the files earlier this year, broke a long silence Tuesday to announce that Gingrich has decided to take his advice and hold off any House investigation into the controversial Foster case, to allow Starr to complete his.

"No prosecutor," said Schiff, who used to be one, "wants someone stomping around in the middle of his witnesses."

Once Starr has completed his investigation, Schiff said, it's still possible House Republicans will decide to mount one of their own.

"Congress retains its prerogative to look at this," he said.

That would make six federal inquiries into the July 1993 death of Foster, a childhood friend of President Clinton.

Despite the findings of the U.S. Park Police, independent counsel Robert Fiske and two congressional committees — all of whom ruled that Foster committed suicide — a

number of people remain unpersuaded.

"I'm not convinced," Gingrich said in August, shortly after asking Schiff to review the Foster files. Schiff said that during the course of his monthlong review, several of his congressional colleagues approached him to discuss their doubts about the case.

In addition, once it became known that Gingrich had deputized him to reopen the Foster files, "things came in through the front door," Schiff said. One New Mexico constituent is forwarding him articles from the Internet.

Schiff said he is forwarding all of this material to Starr's office.

Schiff said he sent Starr articles produced by the Western Journalism Center and Accuracy in Media. Both groups are heavily bankrolled by Pittsburgh millionaire Richard Mellon Scaife, a conservative Republican whom Democrats suspect of wanting to prolong the Foster investigation for political reasons.

Schiff, who was selected to review the Foster case because of his nearly 15 years of experience as a prosecutor in Albuquerque, would not say whether he thinks the House should reopen the investigation.

"I've seen enough death cases that of course when I read through this I formed my own opinion," he said. "But I'd rather reserve it at this time."

Travel spotlight hits Thomason

Hollywood producer, a friend of Clinton's, stars in hearing

BY TERRY LEMONS
Democrat-Gazette Washington Bureau

WASHINGTON — Hollywood producer Harry Thomason's friendship with President Clinton created conflicts of interest, congressional Republicans said Tuesday.

During a politically charged House hearing, Republicans questioned whether Thomason had business interests that led him to push for the firing of seven White House travel office workers in May 1993.

Republicans also contended that Thomason, a Hampton na-

tive, talked to the president in February 1993 about obtaining a \$499,000 contract for his business partner to perform an audit of federal aircraft.

"These guys are sharp," Clinton wrote on a memo about the contract.

The memo, delivered to the president by Thomason, was forwarded to White House officials for review. The memo was written by Thomason's business partner, Darnell Martens.

The offer from TRM, an aviation consulting firm owned by Thomason and Martens, was

abandoned in August 1993 after the travel office firings.

"Harry: Put me in front of the right person at the White House and I will prove the value of ... the project," Martens told his partner in the Feb. 11, 1993, memo that Thomason gave the president.

The memo was stamped: "The president has seen."

Clinton scrawled the accompanying note to aides on the memo.

The White House released the memo late in the day after a hearing of the House Government Reform and Oversight Committee.

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Associated Press

employees of the White House Travel Office (from left) Mo Maughan, Bob Van Eimeren, John McSweeney and Barney Brasseaux sit in the audience Tuesday on Capitol Hill during

the House Committee on Government Reform and Oversight hearing on their firing. They were reinstated after an internal White House review found their firings were unfair.

Cont'd

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Hearing

Continued from Page 1A

Mark Fabiani, an associate White House counsel, said committee members had a chance to review the memo. Republicans, however, apparently were unaware of the memo and never brought it up during Tuesday's hearing.

"It seems we have moved from small business set-asides to celebrity set-asides," Rep. Tom Davis, R-Va., said of Clinton's dealings with Thomason.

White House officials said they have turned over thousands of pages of documents to the committee. Rep. William Clinger, R-Pa., devoted much of the eight-hour hearing to questions about Thomason's role in the early days of the Clinton administration.

"The White House and Mr. Thomason disregarded inherent conflicts," said Clinger, the committee chairman.

Clinger hinted that Thomason, who produces television programs with his wife, Linda Bloodworth Thomason, might be asked to testify at a future hearing.

Robert Bennett, Harry Thomason's attorney, said the review amounted to a "witch hunt" aimed at embarrassing his client and Clinton. He disputed suggestions that Thomason's advisory role to the president represented an attempt to make money.

"To suggest that he was motivated by a desire to obtain business from the travel office mess is preposterous," Bennett said.

Bennett and Democratic members of the committee accused the GOP of ignoring questions about financial problems in the travel office during the Reagan and Bush administrations.

Rep. Henry Waxman, D-Calif., said the Clinton administration

was simply "too eager to clean up the travel office."

The dismissals occurred after Clinton aides claimed they had discovered signs of corruption in the office, which handles travel arrangements for the White House press corps.

Charges eventually were filed against Billy Dale, the travel office's former director. Dale goes on trial Thursday on charges that he embezzled \$68,000 from office accounts from 1988-91.

Democrats said the timing of Tuesday's hearing endangered the government's case against Dale.

Republicans also questioned the role played by Catherine Cornelius, Clinton's third cousin from Texas who hoped to run the travel office. Clinger said Thomason and Cornelius were the "primary sources of the rumors" of financial impropriety in the office.

Clinger said the firings represented a "case study in the abuse of power by those with political access."

A report from the General Accounting Office, the investigative arm of Congress, said Martens inquired with White House officials about "how to bid" for White House press charters. Dale said the air charters were not available for bidding.

"Thomason did nothing wrong, illegal or improper," Bennett said. "He was not a government employee, and therefore the conflict-of-interest provisions did not apply to him."

Clinger said Thomason met with Clinton in February 1993 to discuss the possibility of obtaining a separate General Services Administration contract for Martens. The contract would have involved an audit of the "entire federal civilian aircraft fleet," Clinger said.

At least one memo from Martens was given by Thomason to the president. Additional memos

were sent to other high-ranking White House aides, including Arkansasans Thomas F. "Mack" McLarty and Bruce Lindsey. McLarty was the White House chief of staff at the time.

White House officials have denied giving Thomason or Martens special treatment. They said requests were routed through normal channels. General Services Administration officials never took action on the request for an audit.

"While the White House claims it pulled the plug on this scheme late in the summer of 1993, one has to wonder whether this occurred because ongoing investigations threatened to expose it," Clinger said.

He said questions about the contract merit further review.

Democrats countered that a conflict of interest existed for the former chief investigator for committee Republicans. Phil Larsen, who oversaw the GOP review of the travel office, served in the Reagan and Bush administrations.

Democrats said Larsen's White House responsibilities may have involved the travel office. Larsen's motivation for investigating the case might have been his friendship with Dale, committee Democrats said.

The Associated Press contributed to this article.

The Washington Times

DATE: 9-14-95

PAGE: A-1

Search renewed for Foster bullet

FBI team closes Fort Marcy Park

By Jim Keary
THE WASHINGTON TIMES

More than two years after the death of Vincent W. Foster Jr., FBI agents have sealed a Virginia park to search for the bullet that killed the deputy White House counsel.

Agents assigned to Whitewater independent counsel Kenneth W. Starr spent Tuesday at Fort Marcy Park, where Mr. Foster's body was found July 20, 1993.

They conducted what appeared to be line-of-sight tests at the northern end of the park, near the spot where Mr. Foster's body was found.

"They're looking for the bullet that killed Foster," said U.S. Park Police Maj. Robert Hines. "It was the FBI looking for the bullet. Why they're doing it now, I don't know."

Four orange plastic stakes marked a plot of ground yesterday, which were said to have been put there by agents. It was not certain whether they found what they were looking for in this most recent investigation into Mr. Foster's death, which police earlier said was a suicide.

Fort Marcy Park, a wooded area where a Civil War fort once stood protecting Chain Bridge, just off the George Washington Parkway, was closed about 4 p.m. Tuesday as the agents scoured an area near a cannon.

Before they began their search,

agents, without explanation, told visitors to leave the park, a man who was there at the time said.

The front gate remained closed yesterday morning, and yellow police tape blocked the rear entrance from Chain Bridge Road. By 1 p.m., however, the tape had been removed and the front gate unlocked.

Maj. Hines said FBI agents talked to park police about the search, but he wasn't sure whether the agents were from the Washington Field Office or those detailed to Mr. Starr's office. Other sources said the agents were from Mr. Starr's office.

FBI spokeswoman Susan Lloyd referred calls about the search to the independent counsel's office. She said Agent Dana Gillis, who was at the park Monday evening with four other agents and Park Service archaeologist Bob Sonderman, works for Mr. Starr.

"Special agent Dana Gillis was detailed to the Whitewater independent counsel office and has been there for a couple of months," she said. "I know he's been in a key role throughout the Whitewater investigation."

Mr. Sonderman said he was called by the FBI because any disturbance in a historic park requires either a permit or a staff

archaeologist to be present. He wouldn't say what the FBI was looking for.

"It was all kind of mysterious to me," Mr. Sonderman said.

John Bates, deputy independent counsel, would not comment on the search, either. Debbie Gershman, spokeswoman for Mr. Starr's office in Little Rock, also declined comment.

Investigators have searched the park before for the bullet and found mainly relics from the Civil War.

Although park police said he died by his own hand, Mr. Foster's death remains an integral part of the independent counsel's inquiry into the Whitewater real estate investments of President and Hillary Clinton. He was a close friend of the president's and a partner of the first lady's at Little Rock's Rose Law Firm.

Mr. Foster was working on legal matters for the Clintons at the time of his death, including tax matters for Whitewater Development Corp., a northern Arkansas real estate venture owned by the Clintons and James B. McDougal, owner of Madison Guaranty Savings and Loan Association.

The Whitewater venture and Madison are the major targets of the Starr investigation.

Earlier this year, Mr. Starr's office hired Henry C. Lee, a noted forensic scientist, to review the death. His inquiry is continuing.

Mr. Lee, head of the Connecticut State Police Crime Laboratory and an expert witness in several noteworthy trials, met prosecutors in Washington to discuss the review.

Former Whitewater special counsel Robert B. Fiske Jr., in a June 30, 1994, report, said Mr. Foster died by his own hand at Fort Marcy Park, where his body was found.

At the time of his investigation, which included seven FBI agents and a panel of forensics experts, Mr. Fiske concluded that Mr. Foster committed suicide "by firing a bullet from a .38-caliber revolver into his mouth." He said evidence "overwhelmingly" supported the conclusion and "there is no evidence to the contrary."

Four forensics experts hired by Mr. Fiske reviewed the findings, saying in a report the wound was "self-inflicted, resulting from Foster placing the barrel of the gun into his mouth and firing it." They also determined Mr. Foster "shot himself where he was found."

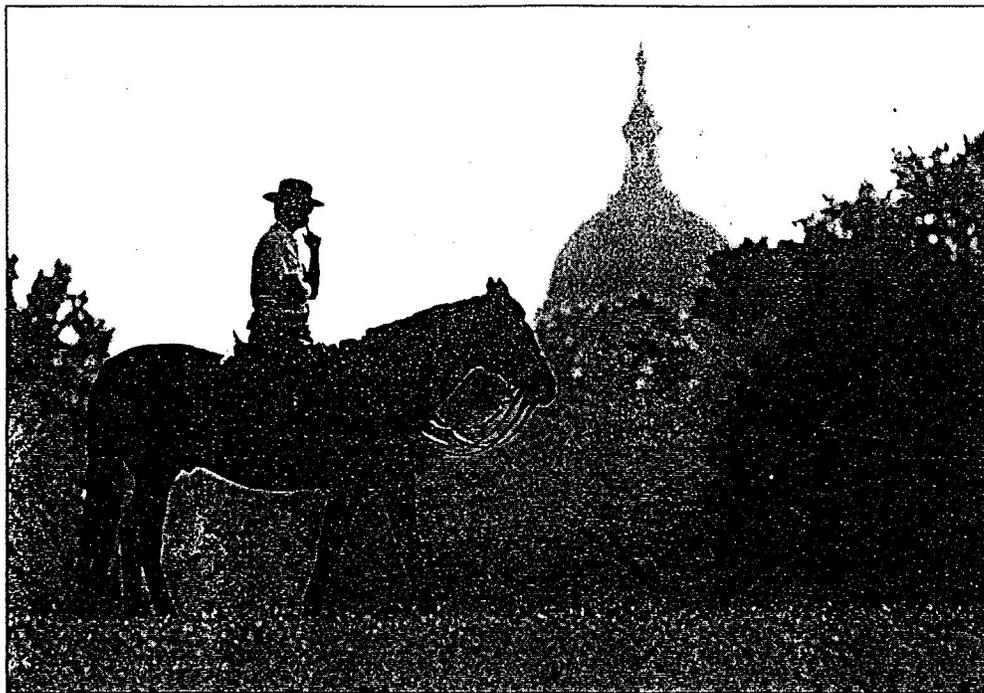
Others have since disputed the suicide finding, noting that the body was neatly arranged and that no bullet was found in the soft earth beneath Mr. Foster's head, and have suggested theories ranging from a murder conspiracy to speculation that Mr. Foster died elsewhere and his body was moved to the park.

• Jerry Seper contributed to this story.

VF

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Riding the perimeter



Associated Press

With the Capitol in the background, a mounted National Park Service police officer monitors the Mall in Washing-

ton as President Clinton's helicopter lifts off Wednesday from the White House en route to Elkridge, Md.

Park where Foster lay dead searched

Democrat-Gazette Staff and Wire Services

WASHINGTON — In the suicide inquiry that refuses to go away, the National Park Service briefly sealed off the roadside park where Vincent Foster, a White House counsel, was found dead more than two years ago.

The park service closed Fort Marcy Park, just outside the capital in suburban Virginia, at 4 p.m. Tuesday to permit FBI agents to conduct a new search of the scene where Foster's body was found. The park was reopened Wednesday morning.

Washington FBI Agent Jim Farley said the search had been ordered by independent counsel Kenneth Starr, who has been revisiting Foster's July 20, 1993, suicide as part of his Whitewater investigation.

"I am presuming that they are looking for a bullet," said Major Robert Hines, spokesman for the Park Police. "Why they're up there looking for a bullet at this late stage, I don't know."

A team of four investigators, who had suitcases filled with gear, were at the park early Wednesday, working near a Civil War cannon where Foster was found shot to death.

Pg 8A

VF

The Washington Times

DATE: 9-15-95PAGE: A1

New clash in Foster inquiry

D'Amato's pursuit irks White House

By J. Jennings Moss
THE WASHINGTON TIMES

A search continued yesterday for the bullet that killed Vincent W. Foster Jr., and a senior White House official lashed out yesterday at those who "continue to try to spin conspiracy theories" about the presidential counsel's 1993 suicide.

White House Press Secretary Michael McCurry responded to new questions raised by Sen. Alfonse M. D'Amato about what administration officials knew concerning Mr. Foster's death and when they knew it. Mr. McCurry's remarks came as federal law enforcement officials spent a third day looking for the bullet.

Mr. D'Amato, New York Republican, said in a statement there was a "clear discrepancy" between an affidavit from Helen Dickey, Chelsea Clinton's former nanny, and statements from Arkansas state trooper Roger Perry.

The inconsistency concerns the time Mrs. Dickey called the Arkansas governor's mansion on July 20, 1993, the day Mr. Foster's body was found at Fort Marcy Park.

Mrs. Dickey said in an affidavit the White House provided to the banking committee that she found out about the death after 10 p.m. and a short time later called the mansion and spoke to Mr. Perry. Mr. Perry, however, told the committee that he heard about the death in the early evening.

To resolve the matter, Mr. D'Amato said the committee will call in Mrs. Dickey and Mr. Perry

for depositions. "We will do so in a fair, impartial and thorough manner. We have an obligation to determine the truth," Mr. D'Amato said.

"I believe you are going to find" that Mr. Foster "did commit suicide, but there are lots of questions," Mr. D'Amato said yesterday in an interview with New York radio station WCBS.

Mr. McCurry would not comment directly on the latest search of Fort Marcy Park, a wooded area off the George Washington Parkway, but he did speak out against those on Capitol Hill who continue to raise questions about Mr. Foster, a childhood friend of President Clinton's who became deputy White House counsel after the 1992 election.

The spokesman said the White House "would be disappointed, disappointed that people would not respect the family of Vince Foster and understand what is abundantly clear at this point — and that is that his suicide was a result of factors that have been publicly discussed by his widow and fully reviewed by a variety of investigations and inquiries."

Mr. McCurry was asked whether he was speaking about comments made yesterday by Mr. D'Amato, the chairman of the Senate banking committee and one of Congress' top watchdogs probing the Whitewater affair. The White House spokesman said, "You would be right on the money."

A spokeswoman for Mr. D'Amato declined to comment.

But another lawmaker who has been one of the sharpest critics of the administration's handling of the Foster death, Sen. Lauch Faircloth, said the administration is at fault for the current questions surrounding Mr. Foster's death.

"My sympathy goes out to Vince Foster's family, but they have only the White House to blame for this prolonged investigation, but not those trying to get to the bottom of the truth," said Mr. Faircloth, North Carolina Republican.

Possible ties between Mr. Foster's death and the investigation into Mr. Clinton's involvement with the Whitewater land deal in Arkansas have long intrigued many.

Authorities found papers relating to Whitewater in Mr. Foster's office. In handwritten notes, Mr. Foster expressed concern about how the Clintons should deal with their taxes on the investment.

But a report by former Whitewater prosecutor Robert Fiske ruled that Mr. Foster's death had nothing to do with Whitewater. The current search at Fort Marcy Park heightens the White-

water connection because the authorities looking for the bullet reportedly are connected with Whitewater independent counsel Kenneth W. Starr.

The National Park Service said the Federal Bureau of Investigation requested a permit to search the site and an FBI spokeswoman has identified one of the agents as being assigned to Mr. Starr.

Mr. Faircloth yesterday said he was "encouraged" to learn that Mr. Starr was continuing to probe the Foster matter.

In a written statement, Mr. Faircloth said there are "numerous inconsistencies surrounding the death of Vince Foster, the circumstances prior to his death and the bungled investigation that occurred afterwards."

"Mr. Starr must get to the bottom of this very important issue," the senator said.

Even though Mr. Foster died more than two years ago, the bullet that killed him never has been found. Why Mr. Starr would be searching for the bullet now is not clear, although Mr. Starr has not yet closed his investigation into the Foster matter.

Authorities began this week's search at Fort Marcy Park on Tuesday. As of 4 p.m. yesterday, police crime-scene tape blocked both the George Washington Parkway and Chain Bridge Road entrances to Fort Marcy Park.

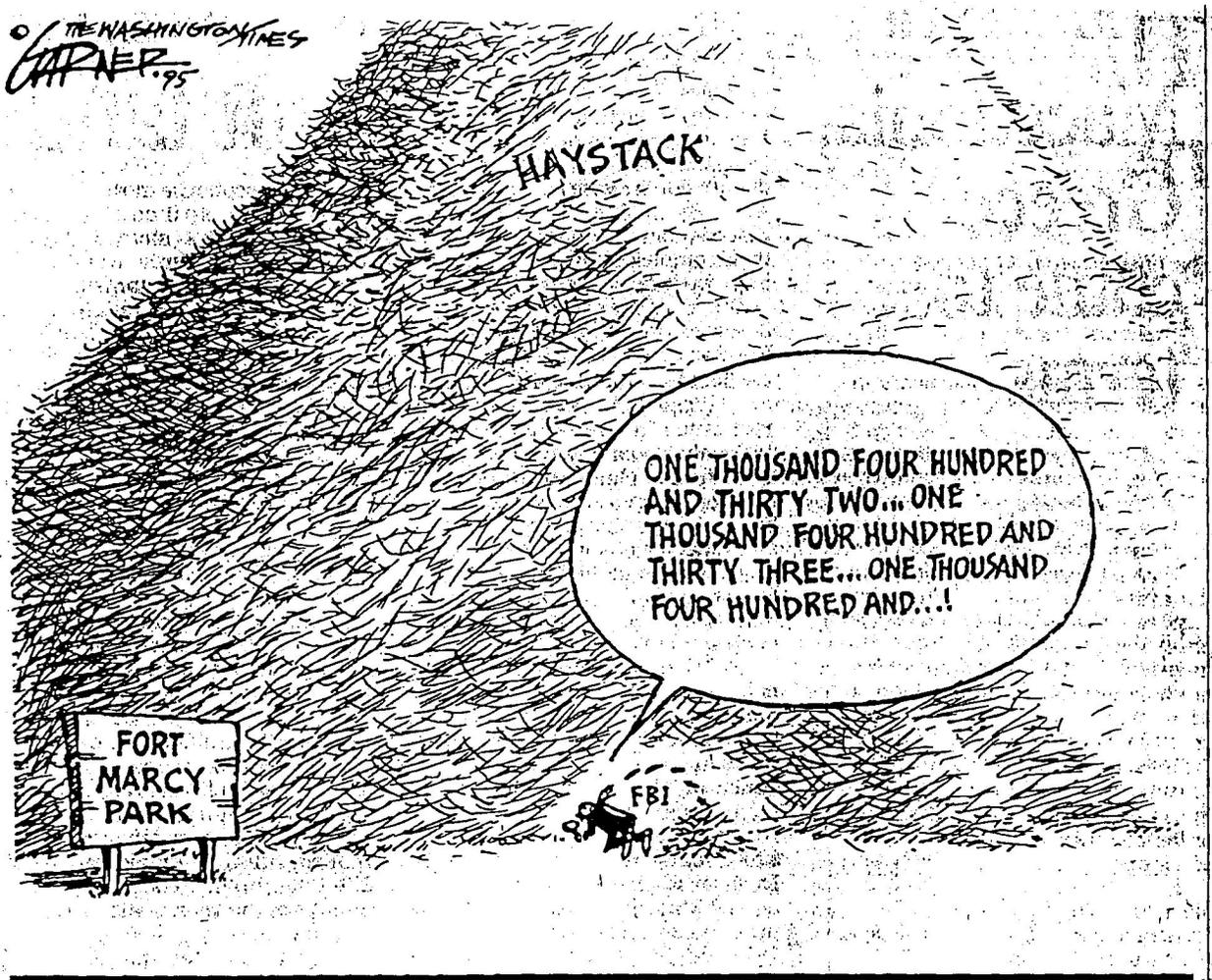
The park, where a Civil War fort once stood protecting Chain Bridge, is a secluded area.

A path disappears in the woods. Three trees atop a hill to the right of the entrance bear what appears to be the original orange police tape from two summers ago.

• Dennis O'Brien contributed to this report.

VF

THE WASHINGTON TIMES
GARNER '95



Foster facts and 'folklore' haunt D.C. 2 years later

BY TERRY LEMONS
AND KATHY KIELY
Democrat-Gazette Washington Bureau

WASHINGTON — More than two years after Vincent Foster's death, the investigation seems destined to continue.

Sen. Alfonse D'Amato signaled Thursday that he intends to resolve lingering questions surrounding Foster's suicide, one of which involves a telephone call made from the White House by Chelsea Clinton's former nanny.

"We're trying to separate fiction and folklore from fact," said D'Amato, the New York Republican who heads the Senate Special Whitewater Committee.

D'Amato's renewed attention comes as FBI agents continue to comb the Virginia park where the deputy White House counsel's body was found July 20, 1993. Thursday marked the third day in a row that they have searched for the bullet that killed Foster, a Hope native and close friend of the first family.

Foster's widow, Lisa, has asked publicly that the questions end, and the White House has said time and again that there is nothing left to tell. But although several previous investigations have

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Foster

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concluded Foster died of a self-inflicted gunshot wound, doubters continue to raise questions.

Thursday, President Clinton's press secretary, Mike McCurry, expressed exasperation with "those that continue to try to spin conspiracy theories." Asked if he was referring to D'Amato, McCurry said: "You would be right on the money, yes."

D'Amato has previously shown little interest in pursuing topics directly involving Foster's suicide. But in a radio interview aired Wednesday in New York, he said there are "lots of questions" to be asked.

When the interviewer suggested that one of the questions was where Foster killed himself, D'Amato, according to an Associated Press account of the exchange, answered, "Well, yeah."

In an interview Thursday with the *Arkansas Democrat-Gazette*, D'Amato said he still believes that Foster took his own life. But he hopes a Senate inquiry can settle the unresolved issues involving the case.

As one step, he said his committee will subpoena Helen Dickey, who served as Chelsea's nanny at the Arkansas Governor's Mansion before taking a job in the White House social office. He wants to ask her about a telephone call she made from the White House to the mansion on the night of Foster's death.

British newspaper stories have quoted Arkansas State Trooper Roger Perry as saying Dickey called him around 6:15 p.m., about two hours before White House aides said they learned of Foster's death. Perry said Dickey talked about Foster shooting himself in a White House parking lot, according to the newspaper accounts.

Perry, the trooper who later said he helped arrange extramarital trysts for Clinton when Clinton was governor, could not be reached Thursday.

But Mark Fabiani, a White House spokesman, said the telephone call story is based on an unfounded rumor.

"The Helen Dickey rumor has been a staple of the radical conspiracy theorists well over a year now," Fabiani said. "It's been spread over the Internet and the British tabloids. It remains part of the conspiracy industry."

In a deposition released Thursday by the White House, Dickey said she called the Governor's Mansion because she "knew many people still employed there and wanted to make sure that someone there was informed about Mr. Foster's death before it was on the news."

She said she made the call at 10 p.m. -- about 90 minutes after White House aides said they learned of Foster's death.

D'Amato indicated that he has

about Foster's death, but that Senate investigators will continue reviewing the case.

"There are many open questions and our job is to eliminate as many as we possibly can," D'Amato said.

Meanwhile, House Republicans are considering whether to tackle the suicide question. At the request of House Speaker Newt Gingrich, Rep. Steve Schiff, a New Mexico Republican and former district attorney, is reviewing the reams of reports on Foster's death, apparently to see if further formal inquiries are warranted.

And Whitewater independent counsel Kenneth Starr's investigation of Foster's death may not be over even though Mark Tuohy, who had headed it, resigned from Starr's Washington staff a week ago; it was Starr who dispatched the FBI agents to Fort Marcy Park.

U.S. Park Police searched for the bullet in the weeks after Foster's death. And in the two years since, the park has been combed time and again by conspiracy theorists.

The FBI lab recovered 12 bullets from the park in April 1994, but none had been fired from the gun found in Foster's hand, according to a report by then-Whitewater special counsel Robert Fiske.

Both the Park Police and Fiske concluded that Foster had died by his own hand. Last week in *The New Yorker* magazine, in her first substantive interview since her husband's death, Lisa Foster described her own investigation and repeated her plea that the matter be laid to rest.

Nevertheless, a handful of conservative newsletters and journals continue to suggest that a conspiracy exists to cover up the actual circumstances of Foster's death.

McCurry said Thursday that he is "disappointed that people would not respect the family of Vince Foster and understand what is abundantly clear at this point, that his suicide was the result of factors that have now been publicly discussed by his widow and that ... have been fully reviewed in a variety of investigations and inquiries."

But at Accuracy In Media, a conservative watchdog group, Reed Irvine was delighted by the latest turn of events. "A lot of this is coming together now," said Irvine, who has long maintained that the mainstream press has failed to pursue questions about Foster's death.

Irvine, who has been investigating some of those questions himself, believes that his organization's work may have been what prompted D'Amato to look at the Foster questions.

Irvine said D'Amato "wasn't very well-informed" when he declared the Foster death off-limits at the Whitewater hearings he chaired last month. And that has been rectified, Irvine said.

"He has some new information. I know some of our stuff has gotten to him."

Former Gov. Mario Cuomo's comments made on WABC radio re: Sen. D'Amato's statements about Vincent Foster, Saturday, September 16, 1995. The caller was Carl of Oyster Bay.

Me: Well Gov. Cuomo, I'll cut to the chase. On Wednesday Whitewater Committee chairman Al D'Amato said this about the Vincent Foster investigation - he said it to an all news radio station here in New York. Quote:

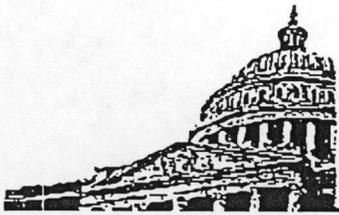
"If indeed Vince Foster committed suicide and put the gun in his mouth - it's impossible for that gun to have been found in his hand. After the discharge there would have been a kickback and the gun would have jumped out yet here it is in his hand."

(still me) Governor - D'Amato also says he intends to call witnesses that challenge the White House story on Foster's death. And my question to you Governor: Do you think he's right to do this or is it better that the mystery continue here?

Cuomo: I think he's right to do whatever in his conscience he thinks he ought to do to pursue the truth. If - I haven't followed it closely - but if he's in charge of this, he has a sworn duty to pursue the truth. And that sounds like a valid question - I really don't know because I haven't been following the testimony. But it is a good question to me as a lay person: If indeed you had the gun in your mouth etc., etc. so - I will leave it to Sen. D'Amato. Of course the way you judge this thing is when it's all over. What did it produce? The Irangate controversy cost us millions and millions of dollars and didn't produce a whole lot at all. Watergate looks like it's going to - I'm sorry - Whitewater looks like it's going to wind up the same way - in which case I'd have complaints about both investigations.

09-13-95 06:46PM FROM SENATOR FAIRCLOTH

TO 440597777/9449*1*922 P002/002



UNITED STATES SENATOR ♦ NORTH CAROLINA

LAUCH FAIRCLOTH

N E W S R E L E A S E

September 13, 1995
202/224-3154

For Further Information
Contact: Shelagh Couney

Statement of Senator Faircloth

"I am encouraged by today's news reports that Kenneth Starr is continuing his investigation into the death of Mr. Foster."

Mr. Starr's investigators were present today in Ft. Marcy Park.

"There have always been a great number of inconsistencies associated with the death of Mr. Foster and the circumstances prior to his death. I have confidence that Mr. Starr will be thorough and complete, and today's actions demonstrate that. I believe that Mr. Starr needed to get to the bottom of this incident, because Mr. Fiske's investigation was poorly done."

317 HART SENATE OFFICE BUILDING ♦ WASHINGTON, D.C. 20510 3305 ♦ 202-224-3154

09/13/95 17:33 TX/RX NO.1900 P.002



Otus the Head Cat

Whitewater inquiry 'fallout' polluting air

Special prosecutors come and go, but air-conditioner guys are hard to find. The good guys — those who show up when they promise and don't gouge your kidney while extracting your wallet — they matter to folks in these parts.

When the temperature's 102 degrees with a heat index of 115 degrees, and the faithful old Carrier or Rheem or Lennox out back starts to wheeze and poop black smoke, only one hope stands between you and the desiccated dirt that could easily become your grave. One hope alone: that thin van line, licensed and bonded, those reliable practitioners of air-conditioning service and repair.

We need every one of these guys. We don't have a guy to spare.

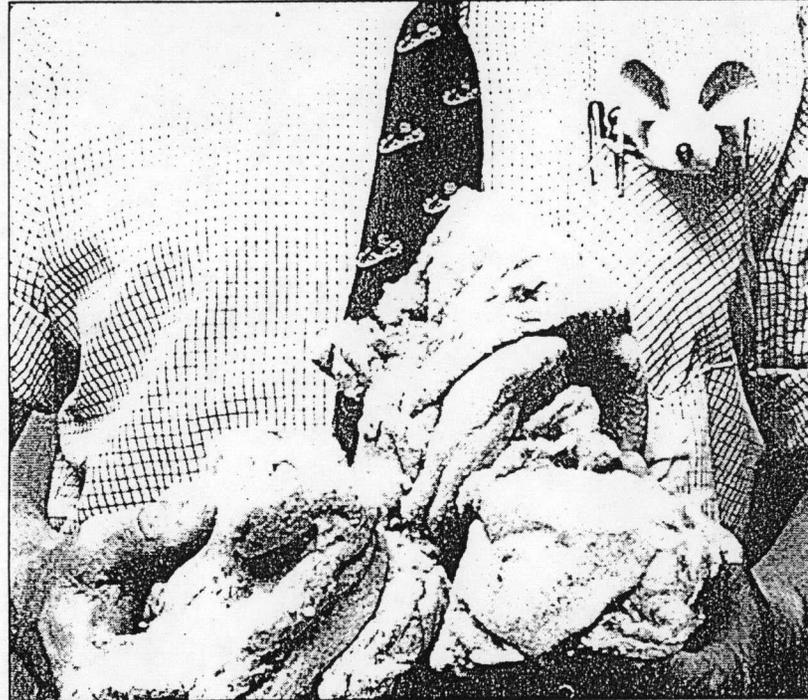
Which is the long way of explaining why Special Prosecutor Kenneth W. Starr's in hot water this morning, up to the \$104,000 warts on his relentless little neck.

Word filtered out Friday that Starr's so-called Whitewater investigation could be responsible for an estimated 3.34 tons of "fallout" — papery airborne particulate pollution — which has settled over the Central Arkansas area this summer.

Fallout from the so-called investigation had already been observed obstructing the wheels of government, necessitating news conferences in the office of the governor and generally embarrassing those few Arkansans still willing to attempt vacations outside the state's borders.

But now, air repair guys say, they have proof this special prosecutorial fallout is choking the life out of buildings. An entire industry may die.

THE GUYS SAY FALLOUT attaches itself to air intakes, plumbing vents, roof turbines and many of the other devices that allow homes and businesses to "breathe." It collects in crucial apertures, congealing into a formless, papery mash that cuts off



structural respiration.

It is strangling the air-conditioning repair business.

"New machines, old, it doesn't matter, fallout kills either of them just as dead," said Mike Boss, who operates one of the better-advertised local repair companies.

"And with that Starr person handing out multiple indictments, the fallout keeps coming back; so the same machine fails over and over. When you guarantee your work as we do there's no way to go back to the same site three and four times a week without running into the red."

When his guys first noticed the fallout in April, Boss said, he thought it was merely stray dryer lint.

"But again and again while we'd be out in the back yard suctioning out the homeowner's unit, we'd notice they'd also called the plumber, and

he'd come shinning down from the roof with a fistful of the same gray glop we were scooping.

"And, every time, the story was that the plumber had found this peculiar clog gunking up that little pipe that stands up on the roof over the kitchen sink to vent the pipes."

Finally, several members of the Plumbers and Other Service Guys Millionaires club gathered for weekly networking sessions over burritos at Doe's Eat Place realized they were hearing the same horror story from all sides.

THESE POSGUM MEMBERS, who sought anonymity to protect themselves from what they termed possible retribution, commissioned a scientific study. Fallout from vent pipes and air-conditioning units was collected and analyzed in clean, electrostatically filtered laboratories by genuine local scientists, all of whom wore protective masks and brand-new prescription lenses that ensured their collective eyesight was up to ophthalmological code, or 20-20.

Alarmed by what they saw under the microscopes, they went outdoors to study air currents over the city and soon had traced the fallout directly to Starr's headquarters.

And so the onus rests upon Prosecutor Starr and those who hired him. Will he be allowed to continue this so-called investigation even after it has been shown to be choking our buildings and hurting our service guys?

Will no one stop him before he destroys air conditioning and, with it, our way of life?

Until next time, Kalaka reminds you that summer isn't over until the fleas go to sleep.

Otus the Head Cat's so-called satire appears every Saturday.

Arkansas Democrat Gazette

Arkansas Democrat Gazette

More Senate hearings to trace Whitewater tale

BY TERRY LEMONS
Democrat-Gazette Washington Bureau

WASHINGTON — Facing an elaborate set of questions stretching from Arkansas to Washington, professional investigators are struggling to piece together the disparate parts of the complex Whitewater puzzle.

After a brief lull the past month, behind-the-scenes work in Congress has intensified as the Senate Special Whitewater Committee gears up for another round of hearings late next month.

This week, committee Chairman Alfonse D'Amato, R-N.Y., plans to huddle with Whitewater independent counsel Kenneth

Starr to try to map out a blueprint for what will be covered. "We're going to be talking to Mr. Starr about the parameters for the hearings," D'Amato said.

Congressional aides are juggling issues ranging from Vincent Foster's suicide to the White House's response to the Whitewater investigation. The D'Amato-Starr meeting reflects an effort to keep the Senate's work from interfering with Starr's criminal investigation.

Pending Starr's approval, congressional aides anticipate the next set of hearings will cover a maze of issues involving contacts

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view. But the House committee continues gathering Whitewater information, and Republicans haven't ruled out the possibility of more hearings.

"We're still plugging away," one House aide said.

In the Senate, investigators face an eclectic set of tasks.

D'Amato revealed last week that he wants the committee to clear up some of the lingering questions about the death of Foster, the deputy White House counsel. D'Amato said "open questions" remain about the death of the Hope

native, whose body was found in a Virginia park on July 20, 1993.

One question involves a telephone call made by Chelsea Clinton's former nanny, Helen Dickey, to the Arkansas Governor's Mansion on the night of Foster's death. Dickey said she made the call from the White House residence at about 10 p.m. to notify her former co-workers in Arkansas about Foster.

British newspaper stories have quoted Arkansas state trooper Roger Perry as saying Dickey called him around 6:15 p.m., about two hours before White House aides said they knew of Foster's death. Perry said Dickey talked about Foster shooting himself in a White House parking lot, according to the newspaper accounts.

White House spokesman Mark Fabiani dismissed Perry's account as just another rumor in a case that has gripped conspiracy buffs.

"As soon as you bat down one conspiracy theory another pops up," Fabiani said.

D'Amato plans to have the committee aides interview Dickey and Perry, the trooper who has said he helped arrange extramarital trysts for Clinton in Arkansas. At this point, D'Amato does not anticipate bringing Dickey's telephone call or other Foster suicide questions before the committee during the Whitewater hearings.

Instead, aides expect next month's hearings will center on

contacts between Clinton administration aides and the Treasury Department about the federal investigation into Madison Guaranty's failure. The contacts occurred in 1993 as the House Banking Committee sent a set of criminal referrals involving Madison to the Justice Department for possible prosecution.

The criminal referrals mentioned Whitewater Development Corp., a Marion County real estate venture. President Clinton and Hillary Rodham Clinton were partners in Whitewater from 1978-92 with Jim McDougal, Madison Guaranty's owner.

Republicans contend the White House contacts were improper and opened an avenue for the Clinton administration to influence the Justice Department in the case. The White House has denied any wrongdoing.

The issue first drew attention in Congress during the 1994 Whitewater hearings. And the White House's preparation for those hearings are expected to play a pivotal role in the new Senate hearings.

Earlier this year, news reports revealed that before the 1994 hearings began, White House attorneys obtained confidential depositions from a Treasury Department investigation. The documents, sent to former White House counsel Lloyd Cutler three days before the hearings, were used to try reconciling

differing testimony from Clinton administration officials before they made high-profile appearances before the committee.

The use of the documents has generated scrutiny from congressional investigators reviewing the handling of the criminal referrals.

Investigators also have started taking depositions from Justice Department officials about the referrals. The work was initially delayed in the summer because of concerns raised by Starr, congressional aides said.

Webb Hubbell, who resigned as associate attorney general last year, is among those expected to face questions about the criminal referrals during the congressional investigation. Hubbell is in a Maryland prison after pleading guilty to tax evasion and mail fraud charges involving his work for Little Rock's Rose Law Firm.

The White House insists the remaining Whitewater hearings will demonstrate Clinton and his aides did nothing improper. Fabiani said the White House intends to be "fully cooperative" as the congressional investigators continue to pursue Whitewater.

"At a particular point the American public will ask whether spending this much time and money on such old and familiar issues is useful," Fabiani said. "We're certain the American public make up their own mind on this issue."

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between President Clinton's aides and the Treasury Department about Whitewater. The hearings will cover even more complicated ground than the sessions devoted to Foster's Whitewater documents, which ran four weeks in July and August.

Down the road — late this year or early next — the Whitewater Committee likely will hold a third set of hearings focusing on the failure of Madison Guaranty Savings and Loan Association.

"We're just trying to get as many of the facts that we can," D'Amato said.

While D'Amato's committee pushes on, the House Banking Committee has no plans to follow up on last month's weeklong re-

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Sunday 9/17/95

Nussbaum castigated over Foster notebook

The Associated Press

WASHINGTON — In stinging language aimed at former presidential counsel Bernard Nussbaum, a Justice Department official says the White House failed to disclose to investigators the existence of a notebook of Vincent Foster's on the travel office affair.

Foster's handwritten notes on the travel office, not revealed to investigators until three months after Nussbaum left the White House, refer in several places to first lady Hillary Rodham Clinton and detail Foster's concern about the travel office before his death in 1993.

"We were stunned to learn of the existence of this document since it so obviously bears directly

upon the inquiry we were directed to undertake in late July and August 1993," said Michael Shaheen, head of the Justice Department's Office of Professional Responsibility.

Shaheen's 2-month-old memo called the notebook incident "another example of the lack of cooperation and candor we received from the White House throughout our inquiry."

White House lawyer Mark Fabiani said Nussbaum's successor made Foster's notebook available to Whitewater prosecutor Robert Fiske starting in July 1994. Nussbaum left the White House in April 1994.

Nussbaum was heavily criticized in this summer's Whitewater

hearings for refusing to let police see documents in Foster's office in the days after Foster's death, twice ruled a suicide. Foster was Nussbaum's deputy.

Shaheen's office looked into an allegation by Foster before he committed suicide that "the FBI lied" in a report to the attorney general on how it came to investigate the White House travel office, which makes travel arrangements for journalists covering presidential trips.

"We believe our repeated requests to White House personnel and counsel for any information that could shed light ... clearly covered the notebook, and that even a minimum level of cooperation by the White House should

have resulted in its disclosure to us," Shaheen wrote.

Separately, Nussbaum refused to give Justice Department investigators the notes of an internal White House review of the firing of travel office employees, according to Shaheen's memo.

In his notebook, which the White House has let reporters review in recent months, Foster wrote of discussing the travel office controversy with Hillary Clinton. According to his notes, she was not satisfied with the administration's handling of it.

As to Hillary Clinton's involvement, Foster wrote in one reference using her initials: "Defend HRC role whatever is, was in fact or might have been."

Starr's finances

Whitewater independent counsel Kenneth Starr received more than \$1.1 million last year from his private law practice, including a review of Sen. Bob Packwood's diaries. Financial disclosure forms released Monday revealed that Starr collected tens of thousands of dollars from corporate giants ranging from Amoco to United Airlines.

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The Washington Post

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Nussbaum Denies Withholding Foster Notebook From Probers

Deceased Counsel Had Detailed Travel Office Worries

By Susan Schmidt
Washington Post Staff Writer

Former White House counsel Bernard Nussbaum is refusing to take the blame for withholding a handwritten notebook found in Vincent W. Foster Jr.'s briefcase and kept by officials for more than a year as federal investigators sought clues to his death.

White House officials pointed a finger Friday at their former colleague, who has taken the fall for many of the administration's missteps to date relating to Foster's death and the related Whitewater investigation. Officials said only Nussbaum could explain why Foster's notebook detailing his concerns about the White House travel office controversy was withheld for so long from Justice Department investigators and former special counsel Robert B. Fiske Jr.

But Nussbaum's lawyers said he was not even at the White House when Fiske subpoenaed records kept by Foster, the deputy White House counsel whose body was found in a Virginia park in July 1993. "The White House will have to indicate why the decision was made not to turn over the travel office file [to Fiske] in May of 1994," said James Fitzpatrick, Nussbaum's lawyer.

Nussbaum left the White House in March of that year and the White House had brought in high-profile Washington lawyer Lloyd N. Cutler to run the counsel's office.

The notebook Foster kept—which the White House allowed reporters to review this summer—detailed his worries over public charges that members of the counsel's office and others in the White House had pressured the FBI to open an investigation of the travel office to justify the firing of veteran employees. The longtime employees were to be replaced by Clinton associates.

Without reviewing the notebook, Fiske issued a report June 30, 1994, that found Foster committed suicide, and that distress over the travel office affair contributed significantly to his depression.

Fiske had issued a broad subpoena to the White House seeking access to Foster's records.

"This was a document we would have been very interested in seeing," said a source close to the Fiske investigation yesterday.

The notebook's discovery was described in White House letters released by the House Government Reform and Oversight Committee yesterday. Nussbaum found the notebook in Foster's briefcase during a search of his office July 22, 1993. Justice lawyers, FBI agents and U.S. Park Police in-

vestigators were in the room but were not permitted to see the records.

At the time of Foster's death, the White House was anxious to bring closure to the travel office controversy. It had just completed an internal management review of the conduct of White House aides in the travel office affair. Several officials, including Foster's counsel office colleague, William Kennedy, were reprimanded.

Nussbaum read aloud the names on each file folder taken from Foster's briefcase. Notes taken by two of the lawyers in attendance that day show that he said Foster's briefcase contained the White House travel office "management review."

The White House contends the Justice Department was aware of a travel office file. But the Justice Department's Office of Professional Responsibility was "stunned to learn of the existence of this document" through press reports just two months ago, according to a July 24, 1995, memo from OPR counsel Michael E. Shaheen Jr. to another top agency lawyer.

He too believed the notebook was "obviously relevant" to his office's investigation into the travel office affair.

Fitzpatrick yesterday contended that "the Justice Department never followed up and never asked for that travel office file."

A source close to Nussbaum said he called then-associate White House counsel W. Neil Eggleston in May 1994, when it became clear Fiske was looking into the question of whether Foster committed suicide, and alerted him to the existence of the Foster notebook. Nussbaum told Eggleston the

notebook might fall under the broad subpoena Fiske had obtained for White House records, the source said.

The White House succeeded in getting the subpoena terms narrowed somewhat that month.

"This file was, without question, not responsive to the subpoena as modified," Eggleston said yesterday.

White House spokesman Mark Fabian said that after reading Fiske's report on Foster's death, Cutler learned from Eggleston that Foster kept a notebook on the travel office and that the White House then took Fiske of it in a letter dated July 5, 1994. They did not receive a reply, they said.

Fiske was replaced in early August of that year, and the investigation was substantially delayed as a new staff was assembled. The White House said the notebook was turned over to Fiske's successor, Kenneth W. Starr in April of this year.

The Washington Times

DATE: 9-19-95PAGE: A-3

'Travelgate' investigator says Nussbaum hid Foster's diary

Clinton promised to surrender information in scandal

By Paul Bedard
THE WASHINGTON TIMES

Former White House Counsel Bernard W. Nussbaum kept secret the handwritten "travelgate" diary of Vincent W. Foster Jr. despite a federal subpoena and Justice Department demand for all evidence touching on the scandal and the death of the former Nussbaum deputy, according to government documents.

In a blistering July 24, 1995, letter to the deputy attorney general's office, Michael E. Shaheen Jr., counsel for the Justice Department's office of professional responsibility, said the White House improperly hid the Foster diary from his investigators.

Mr. Foster's loose-leaf diary revealed his obsession with the travelgate scandal. He also mentioned it in a note found in his briefcase.

The OPR was probing the scandal to determine if the FBI or White House acted wrongly in the affair in which the seven-man White House travel office was fired in a move by Clinton aides and cronies to take it over for personal gain. Five of the seven were later rehired. One retired and the seventh, former travel office Director Billy Dale faces two embezzlement charges.

Mr. Shaheen said he had won Mr. Clinton's commitment to view every document related to the scandal and the administration's investigation of the affair.

Mr. Shaheen said he was "stunned" when the press first revealed the details of the Foster diary — more than two years after his death, which authorities have ruled a suicide.

"The fact that we have just now learned of the existence of obviously relevant notes written by Mr. Foster on the subject of the FBI report is yet another example of the lack of cooperation and candor we received from the White House throughout our inquiry," Mr. Shaheen wrote in an "FYI" memo to David Margolis, associate deputy attorney general.

"In the course of our inquiry, we explained to each witness our purpose, including that we had been tasked to inquire about the meaning of Foster's statement [in the note found after his death] that 'the FBI lied in their report [about travelgate] to the AG [attorney general]. We asked for any information they were aware of — through conversations with Mr. Foster or otherwise — that might shed light on this statement. At every White House interview an associate White House counsel was present. No witness or counsel disclosed the existence of Mr. Foster's notes," Mr. Shaheen complained.

Mr. Nussbaum said yesterday it was "preposterous" to suggest he hid anything from the FBI. He said he "specifically identified such a file to law enforcement" on July 22, 1993, during a search of Mr. Foster's office.

Documents made available to The Washington Times yesterday indicate that Whitewater special prosecutor Robert Fiske didn't see the diary, even though he issued a report on the Foster death that dwelt heavily on the deputy counsel's concerns with travelgate.

In a Sept. 15 letter to a House investigative panel, Deputy White House Counsel Jane C. Sherburne revealed that the White House determined that the Foster diary was not "responsive" to Mr. Fiske's broad subpoena, even though he was trying to determine what drove the Clinton aide to take his life in Fort Marcy Park in Northern Virginia.

The Foster diary has been provided to Mr. Fiske's replacement, independent counsel Kenneth Starr.

The House Government Reform and Oversight Committee is investigating the administration's handling of the travelgate scandal and is concerned about the so-called "chain of custody" of the Foster diary.

Committee Chairman Rep. William F. Clinger, Pennsylvania Republican, has expressed concerns about the quality of the copies of the Foster diary provided to his staff and raised questions about who has handled the file.

As a result, White House Counsel Abner J. Mikva wrote Mr. Clinger Aug. 30 a note detailing who has had access to the file.

In his letter, Mr. Mikva for the first time reveals that the travelgate diary was a key file in Mr. Foster's briefcase on the night Mr. Nussbaum searched his office.

"These documents were located in Mr. Foster's briefcase on July 22, 1993, by Mr. Nussbaum, who removed them in the presence of investigators," wrote Mr. Mikva.

"Thereafter, Mr. Nussbaum retained the documents himself and kept them in his office," said Mr. Mikva.

Around the time Mr. Nussbaum was fired in March 1994, the Foster diary was put in a general file and eventually copied for Mr. Starr on April 5, 1995.

Nussbaum didn't tell FBI about Foster file

The Associated Press

WASHINGTON — Days after finding Vincent Foster's handwritten file on the White House travel office, presidential counsel Bernard Nussbaum told the FBI he knew of no relevant papers he could turn over for their investigation of Foster's death, documents released Monday showed.

The White House acknowledged last week that it did not provide investigators with Foster's file on the travel office affair for more than a year.

Among the details to emerge Monday was the fact that Nussbaum found the file in Foster's briefcase, the same place where a torn, anguished note was located.

In that note, Foster alleged the FBI had lied about the travel office matter.

Nussbaum said Monday it was "preposterous" to suggest he hid anything from the FBI. He said he "specifically identified such a file to law enforcement" at the time it was found on July 22, 1993, during a search of Foster's office.

However, when FBI agents returned to interview Nussbaum eight days later a new issue had arisen — the belated discovery of the torn note and its allegation about FBI lying.

The FBI's summary of that interview indicates Nussbaum made no mention of the file.

"Nussbaum stated that he is

aware of no other notes or messages left by Vincent Foster which would be relevant to the investigation of his death," the summary said.

The Justice Department opened an investigation in 1993 into Foster's allegation about FBI lying.

But the White House did not disclose the existence of Foster's travel office file until July 1994 — after Whitewater prosecutors had concluded the issue had contributed to his depression. And prosecutors did not obtain the file until April of this year.

In letters released Monday by Congress, the White House said that Foster's handwritten notes "were located in Mr. Foster's briefcase on July 22, 1993, by Mr. Nussbaum who removed them in the presence of investigators and, after generally describing them, placed them on Mr. Foster's desk."

During the search, Nussbaum prohibited two Justice Department attorneys, two FBI agents and two U.S. Park Police officers from examining the documents.

"Thereafter, Mr. Nussbaum retained the documents himself and kept them in his office," according to an Aug. 30 letter from White House Counsel Abner Mikva to Rep. William Clinger, chairman of the House Committee on Government Reform and Oversight.