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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/16/94

Stephen Randall Neuwirth, Associate Counsel to the President, was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue, NW in the presence of his attorney, Lawrence B. Pedowitz. Also present during this interview were Associate Special Counsels Carl Stich and Mark Stein. Mr. Neuwirth was advised as to the official identities of the interviewing attorneys and agents present and of the nature of the interview. He then provided the following information:

Prior to his coming to work at The White House in February, 1993 he had been an associate in the New York City Law Firm of Wachtell, Lipton, Rosen, and Katz where his attorney, Lawrence Pedowitz and Bernard Nussbaum are currently employed. Shortly after Bernard Nussbaum was appointed to the position of Counsel to the President, he (Nussbaum) asked Neuwirth to be Associate Counsel to the President.

He first met Vincent Foster in January, 1993, during the transition period following Bill Clinton's election as President. In characterizing his relationship with Foster he said that he had never seen Foster outside of an office environment and did not consider himself to have known Foster personally. He liked Vincent Foster and admired him as a very good lawyer, and enjoyed working with him. He said that while he did not notice any physical changes or changes in Foster's demeanor prior to his death and while he did not think that Foster was depressed or suffering any extraordinary weight loss, he did think that Foster was under stress and trouble. He explained that Foster seemed troubled mainly because of work-related issues such as, congressional and news media criticism of The White House travel office matter and several Wall Street Journal editorials that were critical of Foster as well as two of his friends, Webb Hubbell and Bill Kennedy. He said that Foster's death came as a total shock to him.

Neuwirth said that in his job as Associate Counsel to the President during 1993, he reported to both Bernard Nussbaum and Vincent Foster and was a "generalist" handling a wide range

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of matters coming to the Counsel's office. As examples, he said that early on in the Clinton Administration he handled a number of lawsuits against The White House and/or President Clinton such as the suit to open the records of White House health care planning session. He described the environment of the Counsel office as being busy, small, and informal with daily morning staff meetings that served to bring all of the Counsel employees up-to-date.

Neuwirth said that he was aware that Foster handled personal matters for the President from time to time. As examples, he said that he can recall Foster handling financial disclosure forms for the President and working to establish a blind trust for both the President and Hillary Clinton. He said, however, that he knew little about these issues and cannot recall anytime when Foster voiced concern about such matters. Neuwirth further advised that he had only a slight awareness of the Whitewater matter and never had anything to do with Whitewater matters, although he does recall the issue surfacing during the 1992 Presidential campaign.

He saw Vincent Foster for the last time on the morning of July 20, 1993 in Bernard Nussbaum's office. Foster, at that time, had asked him to see Jody Greenstone on a matter of White House business, the specifics of which he can not now recall. He telephoned Foster later that day and was told that he was out. He went home late that afternoon without ever hearing from Foster again. During the late evening hours of July 20, 1993 but before midnight, he received a telephone call from Bernard Nussbaum advising him of Foster's death. Nussbaum gave him no instructions and made no requests of him during that conversation. Neuwirth said he believes Nussbaum was phoning him from The White House but he is not certain. Neuwirth said that he does not recall notifying or talking to any other White House personnel that evening and he did not leave his house that evening after being contacted by Nussbaum. He arrived at work on July 21 at approximately 7:30 am and went to the Nussbaum/Foster suite on the 2nd floor of the west wing. He recalls that Betsy Pond, Special Assistant to Nussbaum, was either at her desk or in Foster's office when he arrived. He recalls telling her that it would be better if she were not in Foster's office. He also recalled looking briefly into Foster's office and finding that it looked characteristically neat. He said that he cannot recall observing anything out of the ordinary regarding the appearance of Foster's office. He learned shortly thereafter that Betsy

Pond had "straightened some things" in Foster's office prior to his arrival. He said that he had no reason to believe, however, that Pond had removed anything from Foster's office. Bernard Nussbaum arrived later that morning and Neuwirth recalled learning that the U.S. Park Police had made it known that they wanted to come to The White House (Foster's office) as part of their Foster investigation. He said that he was aware that some brief meetings had taken place that morning involving discussions centering on how the Park Police would be allowed access. He was not a part of these meetings at that point and time. He does recall, however, being part of a discussion centering on the need to seal Foster's office for investigative reasons. He also recalls telephoning a United States Secret Service (USSS) official asking that they send someone to seal Foster's door. A uniformed USSS employee was posted on the Foster office door shortly thereafter and later that evening a lock was installed on the door. During the late morning hours of July 21, Bill Clinton came to the Counsel suite and spoke to the employees there about Vince Foster and his death. Many people came to the Counsel suite throughout the day of July 21. He remembers that the President met with the entire White House staff in the Old Executive Office Building later on July 21 to brief them on Foster's death.

From this point forward in the interview, the majority of Neuwirth's answers to questions began with or included phrases such as: "I can't remember; I have no clear recollection of; I seem to have a sense that; It is possible that; and I cannot be positive, but...". He said that his recollection of events that took place in The White House on July 21 and July 22 are "muddled in (his) mind". He further qualified his answers to questions regarding events of these two days by saying that he could not always recall on what day specific events occurred or where they occurred within The White House.

Neuwirth said that prior to the USSS Uniform Officer being posted in front of Foster's door, there may have been "one or two instances" where people went in and out of Foster's office. For example, he recalled Bernard Nussbaum taking a photograph out of Foster's office and he also recalled Nussbaum sitting on a couch in Foster's office, possibly making a telephone call. He cannot recall, however, anyone going into Foster's office after the USSS officer was posted in front of his door. Neuwirth said that he learned at a later time, although he does not know exactly when, that Bernard Nussbaum, "Maggie"

Williams, and Patsy Thomasson had been in Foster's office during the late evening hours of July 20. He said that Bernard Nussbaum had told him that Maggie Williams was sitting on Vince Foster's couch. He said that he also seems to recall Bernard Nussbaum telling him that nothing was taken out of Foster's office on July 20, although he cannot recall where or when Nussbaum told him this. He has no information indicating that any other individuals were in Foster's office on the evening of July 20 following his death.

Neuwirth said that during the late morning of July 21, he recalls that there was a meeting on the first floor or ground floor of the west wing wherein Park Police Officers briefed a number of White House staffers on their findings regarding the Foster death to that point. He recalled both Bernard Nussbaum and Bill Kennedy leaving the Counsel suite and going down to this meeting.

Regarding the existence of a "suicide note", Neuwirth said that he has heard nothing about such a note wherein Foster said he was committing suicide and/or said why he was committing suicide and he was no personal knowledge of the existence of any such note.

Neuwirth was asked about any knowledge he might have regarding trash being removed from and/or replaced into Vincent Foster's office following his death. He said that he can recall hearing "something about his trash" although he cannot recall when or from whom he heard it. He thinks he heard that Foster's trash was removed from his office by someone on July 20, 1993, taken to Mac McLarty's office, and then brought back to Foster's office at a later time. He does not recall Cliff Sloan's name being mentioned regarding this "trash" incident.

There were several brief meetings held on July 21 and July 22, 1993 wherein concerns were voiced that Vincent Foster's office contained privileged, perhaps classified, and personal material that should be safeguarded to preserve executive privilege. These conversations were spurred by a U.S. Park Police request to conduct investigation in Vincent Foster's office. Neuwirth said that he was present at only one such meeting that took place in the "Chief of Staff's office". He said that also present at this meeting were "Bill Burton, Bruce Lindsey, Bernard Nussbaum, Mac McLarty, and Jack Quinn, Counsel to the Vice President. At one time during this meeting there

were also discussions in the Vice President's office with Jack Quinn in that the Vice President was not at The White House on that day.

At the meeting in the Chief of Staff's office the attendees had similar views regarding Foster's papers being covered by executive privilege although a "range of methods" was discussed regarding means of accommodating the Park Police's desire to "search" Foster's office. There was a general consensus that the fact that Vince Foster was Deputy Counsel to the President, by definition of the position, made a strong argument for considering his office documents privileged. He said that he can recall no mention of potential embarrassment or potential political damage that could come about if certain documents from Foster's office were disclosed. He recalls a general consensus that the Park Police request had to somehow be accommodated but that allowing a traditional search would violate executive privilege. He recalls hearing from Bernard Nussbaum on either July 21 or July 22 that Hillary Clinton was concerned about such access being granted to Foster's office.

Neuwirth said that he also recalls being present at another such meeting in Bernard Nussbaum's office on possibly July 21. He recalls that a Mr. Margolis of the Department of Justice was present at this meeting and strongly advocated that Department of Justice attorneys should be present during any "search" of Foster's office and should be allowed to view documents wherein executive privilege was to be asserted. He recalled representatives of the Park Police being present but he cannot recall many details regarding their input. He does recall Bernard Nussbaum, at one point, talking to Philip Heyman of the Department of Justice, by telephone, about proposed methodology governing the search. It is his understanding that an agreement was reached that day wherein Bernard Nussbaum would go through the documents found in Foster's office with law enforcement and Department of Justice personnel present and he (Nussbaum) would describe items he saw to those present without them seeing. Bernard Nussbaum was to decide which items would fall under executive privilege as he went through the items found. It is Neuwirth's recollection that Bernard Nussbaum was to be in total control under this agreement. Neuwirth later characterized the July 22 inventory/search of Vincent Foster's office as "that exercise".

Neuwirth said that he recalls having conversations with

Betsy Pond, Linda Tripp, Deborah Gorham, and other support employees of The White House Counsel's office regarding proposed interviews of these employees by the Park Police. He recalls telling them to "tell the truth and not worry" because such interviews are to be expected in this type of an investigation. He also recalls "sitting in" on "a couple" of these interviews, although the only one he can recall specifically is Deborah Gorham. He can also not recall on which day these interviews took place.

On July 22, the search of Foster's office took place with numerous people in attendance. Neuwirth said that while he cannot recall their names, he recalls two Park Police investigators, two FBI special agents, and two USSS special agents being present. He also recalls the following individuals being present: Bernard Nussbaum, Cliff Sloan, Bill Burton, David Margolis and Roger Adams of the Department of Justice, and Michael Spafford, representing the Foster family. Bernard Nussbaum was seated behind Foster's desk with Neuwirth, Sloan and Burton standing near the desk. David Margolis was sitting directly in front of the desk and closest to it. Once everyone was in the office Margolis reiterated his previously stated views as to the Department of Justice being allowed to review any documents found during this procedure wherein executive privilege was to be claimed. There was a verbal exchange between Margolis and Nussbaum at that point although Neuwirth said that he cannot recall any of the exact words that either spoke. The "exercise" began with the understanding that it was to be done Nussbaum's way. Some of the documents in the room were thereafter described by Nussbaum with some specificity while others were broadly characterized or described only by categories such as "White House project" or "work papers."

During the 7/22 procedure in Foster's office, Neuwirth was not standing in a location where he could view the documents that Nussbaum was describing. He said that he does not recall taking any notes during this process but does distinctly recall Cliff Sloan taking many notes. When asked what part he had in these proceedings, Neuwirth said that he cannot recall any particulars but "it is possible at some point during the exercise I could have said something to Bernie" in the way of advice regarding certain documents. Neuwirth cannot recall where in Foster's office the search started but he has "a sense" that all items in the office had been characterized by the time the proceedings were finished.

Regarding the methodology of the July 22 proceedings in Foster's office, work files were often left where they were found such as in file cabinets or drawers, after they were verbally characterized by Nussbaum and without the attendees having seen them. Neuwirth says that he can recall that the documents were divided into piles but he cannot recall how each pile was designated. One pile was documents that were deemed to be personal items of Vincent Foster. The items in this pile were given to Mr. Spafford, representing the Foster family, at the end of the proceedings. Neuwirth said that he believes he recalls another pile in which items were placed after investigators had expressed an interest in reviewing them. He does not recall any search of a file cabinet near Deborah Gorham's desk nor does he recall any search of a safe in Bernard Nussbaum's office. He also does not recall any discussion of this cabinet or this safe.

At this point in the interview, Associate Special Counsel Carl Stich showed Steve Neuwirth and his attorney the briefcase that is believed to have been Vincent Foster's that was in his office at the time of the July 22 search. Neuwirth said that he was unable to state whether this was the briefcase he had seen in Foster's office or not. He further stated that he is not sure if he was in Foster's office on July 22 when the contents of Foster's briefcase were removed and described. It is his "understanding" that "something" was taken out of the briefcase during the search. He said that it was sitting on the floor behind Foster's desk but that he has no recollection of the briefcase or specifically its interior, being shown to those present. He cannot recall if Foster's office was locked at the conclusion of the July 22 search when everyone departed.

Neuwirth said that while he can recall no specific "after search" meetings to discuss what was found during the July 22 proceedings, Bernard Nussbaum said that a complete inventory of Foster's office should be done. Nussbaum said that this inventory, to be done by Neuwirth, could wait until July 26, the Monday after the Foster funeral.

Neuwirth said that he and numerous other White House staffers went to Arkansas on July 23 to attend the Foster funeral. He said that they arrived back in Washington very late on July 23 and that he did not go to the office on Saturday or Sunday.

Neuwirth was asked if he was aware of anyone being in

Foster's office during the late evening hours of July 20 following his death. He said that as of July 22, "he had become aware" that Bernard Nussbaum, Cliff Sloan, "Maggie" Williams had been in Foster's office on July 21. He was told that Nussbaum and Sloan were also in Foster's office on July 22 following the search "going through files" to further categorize the files located. He also became aware that Maggie Williams was in Foster's office on July 22. The significance of Williams' presence in Foster's office did not become apparent to him until July 23. During the flight back to Washington, D.C. from Little Rock on July 23, Bob Barnett, an attorney with the law firm of Williams and Connolly, told him that "certain files" from Foster's office were to be "given to (him) by Maggie Williams". Neuwirth was not told and does not know what these "certain files" concerned but it was his understanding that Bob Barnett was the "local" Washington, D.C. attorney representing Bill and Hillary Clinton. He does not know when documents were removed from Foster's office, who removed them, how they got to Maggie Williams, or how they got to Barnett. He has heard, however, since that date, other White House staffers mention certain files in the possession of the Williams and Connolly law firm.

Neuwirth said that on July 26, 1993, he returned to work and went to the Nussbaum/Foster suite at mid morning where he found the door to Foster's office locked. He said that either Bernard Nussbaum or Deborah Gorham had a key and opened the door for him. He began the inventory requested by Nussbaum, by making a list of files by subject. In order to do this, he briefly reviewed each file to ensure that nothing had been inadvertently misfiled. He took a lunch break and returned that afternoon to continue the inventory. He was placing various personal items, such as family photographs, etc., into a box when he saw Foster's briefcase on the floor. He picked up the briefcase and was about to put it into the box with other personal items when several pieces of torn yellow paper fell out: He looked inside, found other torn pieces of yellow paper along with pens, rubberbands, and a small pad of yellow post-it notes at the bottom of the briefcase. He noted handwriting on the torn pieces of yellow paper and decided to piece them together. He went to Bernard Nussbaum's office where there was a table that could be used for this purpose. Upon assembling the pieces he saw what "looked like Vince's handwriting". He immediately asked that Bernard Nussbaum be electronically paged. Nussbaum came in shortly thereafter and saw the note reassembled on the table. Nussbaum telephonically contacted Mac McLarty who was in Chicago at the

time with President Clinton and advised him of what they had found. Shortly thereafter Neuwirth recommended to Nussbaum that appropriate law enforcement authorities be notified as to what they had found. In several discussions that took place that afternoon, it became obvious that with the President and McLarty being in Chicago with a schedule that would not allow them time to discuss this matter, notification of law enforcement would have to wait. Among those present in these discussions with Nussbaum and Neuwirth were Bill Burton, and Mac McLarty, by telephone. A decision was reached that they should also wait until the Foster family could be notified of this find before law enforcement was made aware. Neuwirth watched Nussbaum make a handwritten transcription of the message found on the assembled torn pieces. The transcription and the pieces were then placed in Nussbaum's desk.

Neuwirth said that once he found these torn pieces of paper, his inventory of the Foster office was stopped. He advised, however, that earlier during the day, Deborah Gorham had helped him with some parts of his review and inventory. She had helped him review what was contained on Foster's computer. They found "a very small number of documents that were clearly work related" on the computer. In response to a specific question, Neuwirth said that no poem was found on the computer.

Once Bernard Nussbaum had made a transcript of the torn note, he instructed Neuwirth to look into several legal issues that could pertain to the disclosure/non-disclosure of this note such as, obstruction of justice, executive privilege, etc. These were issues that Nussbaum said had to be considered and discussed before making the note available to law enforcement. Neuwirth said that he'd looked into these issues and later again recommended to Nussbaum that the note be given to law enforcement authorities.

Neuwirth said that he has no knowledge of how any documents were removed from Vincent Foster's office with the exception of one file regarding the "White House ushers and White House renovation" matter that was reassigned to him from Vincent Foster after Foster's death.

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

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Telephone Numbers:	202-456-7903 (work) 202-338-7354 (residence)
Date of Birth:	FOIA(b)(6) FOIA(b)(7) - (C)
Place of Birth:	
Social Security Account Number:	
Height:	6'1"
Weight:	175 lbs.
Build:	Slender
Hair:	Brown (receding and curly)
Attorney:	Lawrence B. Pedowitz 51 West 52nd Street New York, NY
Telephone Number:	212-403-1000

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/6/94

On June 2, 1994 a conference call was held between STEPHEN NEUWIRTH, his attorney LAWRENCE B. PEDOWITZ of the law firm WACHTELL, LIPTON, ROSEN and KATZ, CARL STICH of the Office of the Independent Counsel in Washington, D.C. and Special Agent H. ALEXIS SUGGS. The purpose of the conference call was to discuss NEUWIRTH's previous discussions with the Office of Professional Responsibility with regard to the Travel Office matter. All callers were familiar with the nature and purpose of the interview and the identities of all individuals. NEUWIRTH provided the following information during the call:

With regard to what statements VINCE FOSTER, Jr. may have made to NEUWIRTH with regard to the Travel Office matter, NEUWIRTH said that at the present time he did not recall anything specific that he himself had said on that subject. In addition, he had no recollection of FOSTER having said anything specific on the topic other than the item in his note that "the FBI lied" in their report regarding the Travel Office matter. NEUWIRTH said that when he read that allegation as part of the published text of the entire note, he did not know what FOSTER had meant by it. He added that these events occurred a long time ago and he has no present recollection of specifics.

In an attempt to refresh NEUWIRTH's memory, CARL STICH read the following portion of the report to him, "According to STEVE NEUWIRTH, another Associate Counsel, FOSTER was generally disappointed with The White House report. FOSTER thought KENNEDY's version of events and his conversations with the FBI should have been adopted as definitive. FOSTER was also concerned that the conclusions contained in The White House report could cause people to question the motives of well intentioned people and lead to calls for unwarranted investigation."

Asked to comment on the above opinions which were attributed to him, NEUWIRTH said that he spoke with the OPR investigators several months ago and at that time, the subject of the questioning involved events which had happened even more

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(telephonically)

Investigation on 6/2/94 at Washington, D.C. File # 29D-LR-35063

by SSA H. ALEXIS SUGGS Date dictated 6/6/94

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months previous to that. NEUWIRTH remembered that FOSTER was not happy that BILL KENNEDY had been criticized in the report that implicated several people in The White House, but NEUWIRTH was unable to recall specifically his conclusions that the report "could cause people to question the motives of well intentioned people and lead to calls for unwarranted investigation." He does recall that there was some concern about congressional investigation regarding the Travel Office matter. NEUWIRTH did not recall particular conversations on this matter. He said that he was just aware generally that there were discussions and concerns about congressional hearings on the topic. He said it was "conceivable I might have said something like that".

NEUWIRTH said that at the time he was interviewed by the OPR investigators, he had the sense that his words were being restated and he is not sure how the OPR investigators put his responses down in their notes. He said that FOSTER had characterized the report as unfair and NEUWIRTH can not himself now characterize that with greater specificity. He recalls that engaging outside counsel was being discussed but he cannot recall any details of those discussions. With regard to the first sentence of the portion of the report read to him, namely, that "according to STEVE NEUWIRTH another Associate Counsel, FOSTER was generally disappointed with The White House report", NEUWIRTH said that that sentence was accurate. With regard to the second sentence namely, "FOSTER thought KENNEDY's version of events and his conversations with the FBI should have been adopted as definitive", NEUWIRTH characterized it as sounding a bit too stark for something that he would have said, and cited it as an example of the OPR investigators restating opinions he expressed to them in a slightly different way than he had meant them. With regard to the third sentence, namely, "FOSTER was also concerned that the conclusions contained in The White House report could cause people to question the motives of well intentioned people and lead to calls for unwarranted investigations", NEUWIRTH said that he was not in a position to say that he did not say that, but again, it sounded too stark for him to believe that he had said it.

NEUWIRTH said that the travel report ended up choosing to adopt the FBI's version of early contacts between The White House and the FBI with regard to the Travel Office but that NEUWIRTH himself was never in a position to know the details of why FOSTER was so disappointed in that fact.

Finally, NEUWIRTH said that he had no reason to believe that the statement in FOSTER's list saying that "the FBI lied" had to do with anything other than the Travel Office. On the other hand, NEUWIRTH is unable to confirm that it was, in fact, the Travel Office report that FOSTER was referring to, although NEUWIRTH was not aware of any other report that he could have been referring to.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/20/94

BERNARD W. NUSSBAUM was interviewed on May 13, 1994 at the Office of the Independent Counsel in Washington, D.C. Also present with MR. NUSSBAUM were attorneys ROBERT B. MAZUR and LAWRENCE B. PEDOWITZ, both of the law firm WACHTEL, LIPTON, ROSEN & KATZ. Attorneys MARK STEIN and CARL STICH represented the Office of the Independent Counsel. After being advised of the identities of the interviewing agents and the nature and purpose of the interview, NUSSBAUM provided the following information:

NUSSBAUM advised that generally speaking the organizational structure of the Counsel's office was himself at the top of the pyramid as Counsel to the President, VINCE FOSTER, JR. as Deputy Counsel under him, and then there were a number of associates such as BETH NOLAN, STEVE NEUWIRTH, CLIFF SLOAN, WILLIAM KENNEDY, CHERYL MILLS and possibly some others he couldn't recall. Under the associates were Assistant Counsels KAY WAYLAND (phonetic), NEIL EGGLESTON, and others he couldn't remember. There were only a few Assistant Counsels. NUSSBAUM advised that he ran it like a law firm. VINCE FOSTER and NUSSBAUM were the Senior Partners. The associates and assistants were the "plodders." They met as a group every morning and assignments were made by NUSSBAUM, sometimes in consultation with FOSTER and the associates themselves. NUSSBAUM would divide work up according to who had expertise to handle particular matters. There were, in addition, two national security staff members, ALAN KRESCO and NEIL WOLAND, who were private attorneys working on counter-intelligence matters. There were also JACK QUINN and TODD CAMPBELL from the Vice-President's office, who sometimes worked with the Counsel's office.

NUSSBAUM advised that DAVID CRAIG LIVINGSTONE worked for WILLIAM KENNEDY, Chief Security Officer in the White House. KENNEDY himself reported to NUSSBAUM and FOSTER directly. NUSSBAUM advised that he did not directly supervise LIVINGSTONE.

NUSSBAUM explained that FOSTER had issues, not people, assigned to him. His issues were primarily those having to do with the First Family, such as the setting up of the Blind Trust,

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the First Family's financial disclosure statements and others. FOSTER was given the First Family issues as a natural result of his knowing the First Family so well. Those issues were related to the Presidency but were also effecting the First Family on a personal level. There was no impropriety in this at all. Nothing FOSTER ever did for the First Family that he knew about was completely personal, even when he handled matters related to personal investments.

NUSSBAUM advised his knowledge of Whitewater has evolved. He was aware that FOSTER had worked on the sale of President and MRS. CLINTON's interest in Whitewater to MCDOUGAL for a nominal amount, and the filing of overdue Whitewater tax returns. NUSSBAUM and FOSTER did not discuss these matters then or later. There was no need to do so since Whitewater was not an important issue at that time. FOSTER was comfortable handling these and other First Family matters and NUSSBAUM was happy that he should do so because that was a set of responsibilities he didn't have to worry about. Whitewater did not get "on the screen" until December, 1993.

NUSSBAUM said that files relating to the First Family personally were turned over to the CLINTON's personal attorney after the death of FOSTER, not because there had been any impropriety occurring, but because they didn't need to be maintained at the White House anymore since those matters were effectively resolved. For instance, the Blind Trust was completed. There was also a heightened sensitivity that wherever possible, personal matters involving the CLINTONS should be handled by their personal attorneys as opposed to White House Counsel. Prior to his death, FOSTER had been working with ROBERT BARNETT, CLINTON's personal attorney, and STEVE NEUWIRTH in order to work towards turning all matters over to BARNETT and transferring them out of the White House Counsel's office.

NUSSBAUM explained that it is difficult to describe to someone who has not been through it how very, very busy they all were. A tax return for the President was considered a relatively minor thing. FOSTER himself never expressed any dismay about any issue that he was working on, whether it was Whitewater or any other personal matters for the First Family. The Travel Office was different. FOSTER did express dismay about that.

Asked how files were organized, NUSSBAUM explained that when you walk into the White House after inauguration, what you find is a building very much like a completely empty law office; there are no files, there are no people, but the phones are starting to ring. They had to create the Office of Counsel from scratch, with a very limited budget with which to do so. He explained that the White House budget is always artificially low for political reasons. There is an outmoded telephone system and it was some time before they finally started getting organized. Right away, they had to do judicial appointments, had to handle the Travel Office problem and various other subject matter files. NUSSBAUM remembers that there was a "too high" by secretary DEBORAH GORHAM's desk which held FOSTER's files. Those and the files in his office were the only places NUSSBAUM knew FOSTER to keep his papers. NUSSBAUM himself used the one in the back of the reception area. In addition, FOSTER had access to the two safes in NUSSBAUM's office. One was not used much at all and the other one had an FBI report on the [redacted] in it. FOIA(b)(7) - (C) KENNEDY kept most of the security materials in safes in his office area. NUSSBAUM did not know whether FOSTER stored anything in KENNEDY's safes or not. NUSSBAUM could not recall anything in particular, such as personal First Family business, that FOSTER was storing in the safe in his (NUSSBAUM's) office.

When asked what type of work FOSTER would automatically handle, NUSSBAUM replied that it evolved over time. In the beginning, he handled First Family matters and dealt with HILLARY RODHAM CLINTON a great deal. He worked on setting up the White House Counsel's office and in dealing with Secret Service. NUSSBAUM himself would deal with the President. Asked why he himself got the position of General Counsel and not FOSTER, NUSSBAUM speculated that people perceived he had a broader experience, he was older, he had "played on a bigger stage for a longer period." FOSTER had never been out of Little Rock and also FOSTER did not seem anxious for the job.

NUSSBAUM advised that he and FOSTER met in December of 1992, that FOSTER was actually hired as Deputy Counsel before he himself was appointed to be Counsel to the President. NUSSBAUM described their relationship as a very good one and explained that they became quite close. In describing FOSTER, NUSSBAUM said that he was a remarkable person. He urged the interviewing individuals to read the commencement speech that FOSTER made at his law school graduation in May of 1993 to catch the essence of

the man. He said FOSTER was highly intelligent, had a strong sense of integrity, was a very hard worker, was not very politically oriented, but a very good lawyer. He characterized him as very strong; like the "Rock of Gibraltar."

The last few weeks before his death, however, FOSTER was noticeably down and blue about the Travel Office situation. The White House had fired a number of people and FOSTER and KENNEDY had been trying to do the right thing in calling the FBI. The press proceeded to be highly critical. The White House received an enormous amount of criticism for what had gone on and that bothered FOSTER a great deal. In May, 1993, JOHN PODESTA and TODD STEARN did a management review report which was critical of the Travel Office handling and on July 2, 1993, White House Chief of Staff MACK MCLARTY and Congressman LEON PANETTA issued a formal reprimand to KENNEDY, DAVID WATKINS, KATHERINE CORNELIUS and a fourth individual NUSSBAUM could not recall. NUSSBAUM said it was not fair because as circumstances fell out, nobody should have been reprimanded. VINCE FOSTER himself was depressed at the unfairness, at the press and at the White House in general. He feared there would be calls for numerous subsequent DOJ and Congressional investigations looking into every action and reaction they had done. NUSSBAUM knew that FOSTER was concerned about all the things that he wrote in the note that was subsequently found on July 26, 1993 which had been torn up in his briefcase. FOSTER was concerned that the White House have proper representation and wanted outside law firms to be hired in order to help the Counsel's office deal with some of these matters.

NUSSBAUM said that especially the last two weeks before he died, FOSTER's tone of voice changed and he just was not functioning the way he normally did. FOSTER "wasn't participating." Normally, NUSSBAUM could depend on him to take the initiative on things and follow through with energy and active judgment. NUSSBAUM said, "I needed him and he just wasn't there." It had been a very busy and difficult month with the nomination process for RUTH BADER-GINZBURG; the firing of former Director of the FBI, WILLIAM SESSIONS, and the subsequent search for a successor; then preparing LOUIS FREEH for nomination. NUSSBAUM said it was a very frustrating time. At the end of June, NUSSBAUM needed FOSTER to be functioning in top form and he appeared to be failing. FOSTER was withdrawing and not taking the initiative with topics and work responsibilities.

FOSTER appeared afraid that outside influences were going to try to hurt the First Lady and the President. NUSSBAUM told him to take time off because he just wasn't functioning well. FOSTER kept blaming himself for things that were going wrong. NUSSBAUM was of the opinion that he was not just concerned for his own reputation for integrity, but he also had begun to question his ability to protect the First Lady and the President.

NUSSBAUM speculated that people FOSTER may have considered confidantes would have been KENNEDY, MARSHA SCOTT, WEBB HUBBELL and LISA FOSTER.

FOSTER was not used to editorials about him in The Wall Street Journal. NUSSBAUM believes he was the last person at the White House on July 20, 1993 to talk to FOSTER.

Asked to proceed through his recollections of the day July 20, 1993, NUSSBAUM began that that was the day that LOUIS FREEH was announced to be the future Director of the FBI. It was a very hectic morning. NUSSBAUM was not sure whether there had been a 9:00 a.m. staff meeting that morning. He remembers FOSTER as having been very quiet that morning. He asked him if he had had a nice weekend, knowing he had gone away. FOSTER merely said "yes." FREEH and his family came to NUSSBAUM's office where they were re-introduced to FOSTER. Then they all went out into the Rose Garden.

NUSSBAUM was in a very happy, upbeat mood because the nomination process for LOUIS FREEH had gone very well and the ceremony in the Rose Garden had been very positive. The FBI Director was thought by many to be the single most important appointment of all appointments they had done and early returns indicated that public reaction was wonderful. NUSSBAUM felt like it was all coming together. NUSSBAUM recalled that he himself sat in the front row during the ceremony. VINCE FOSTER had been standing off to the side. He believes they walked back to the Counsel's office together. NUSSBAUM went into his office and turned on the television which was showing both the BADER-GINZBURG hearings that were starting that day and the Rose Garden ceremony for FREEH. Both events showed "successes." GINZBURG sounded wonderful and NUSSBAUM was very proud sitting there watching the television, flipping back and forth between the two events. His secretary, BETSY POND, remarked that he was acting

like he had just won a big trial and that's indeed the way he felt.

FOSTER came into the office and asked "what are you watching?" and he remarked to FOSTER that "it's two home runs, FOSTER. Right over the fence." FOSTER replied, "Oh, yeah. I guess you're right" and gave a small, little smile. NUSSBAUM advised that to this day he does not believe that FOSTER intended to commit suicide at that moment. He does not think that FOSTER was telling him goodbye. NUSSBAUM believes FOSTER went out and an overwhelming depression, chemical in nature, took over and he killed himself.

When NUSSBAUM returned from having lunch, he was looking for FOSTER because he wanted to chat with him. He asked for FOSTER every hour or so and finally convinced himself that he had gone home. NUSSBAUM really wanted to talk with him just to talk with him, not about any particular issue, and so he had FOSTER paged late in the day. He didn't get any response and so he went home. They were all planning on leaving early that day. NUSSBAUM went to dinner with friends and approximately 8:30 or 9:00 p.m., he was called by MARK GEARAN who gave him the news of FOSTER's death. NUSSBAUM was stunned and very upset.

NUSSBAUM told his wife what had occurred and left her at the restaurant. He believes he took a cab to the White House. He found everybody on the ground level, first floor, in the residence. They were waiting for the President who was, at that time, appearing on the LARRY KING show. NUSSBAUM saw MARK GEARAN there. He does not recall seeing KENNEDY or LIVINGSTONE. He somehow was aware that LIVINGSTONE had come back to the White House after awhile after having identified FOSTER's body. MAGGIE WILLIAMS was there. HILLARY CLINTON was in Arkansas at the time. There were many people there that NUSSBAUM could not recall. The President came down after a while and he and MACK MCLARTY were going to go to the FOSTERS' residence. NUSSBAUM chose not to go to the FOSTERS' residence that evening. Instead, he went to his office.

NUSSBAUM does not recall anybody mentioning any kind of note. It occurred to him that it would be a good idea to look for a note. At approximately 10:00 p.m., he went up to his office, entered FOSTER's office and saw PATSY THOMASSON sitting at FOSTER's desk. MAGGIE WILLIAMS was sitting on the couch

crying. NUSSBAUM stood by FOSTER's desk and looked at the top of the desk. THOMASSON opened a few drawers. They were looking at surfaces. They were looking for something noticeable; not a briefcase and not into anything very deeply. MAGGIE WILLIAMS was "a basketcase." She was not looking for anything.

NUSSBAUM estimates that he was there approximately ten minutes and all three individuals left at the same time. They did not take anything with them. They had not found anything which, on its face, helped to explain FOSTER's death.

NUSSBAUM explained that nobody considered FOSTER's office a crime scene and they never gave any thought to securing FOSTER's office. NUSSBAUM himself was there in his own office that evening for approximately one and one-half hours alone. At one point he saw SYLVIA MATHEWS - not in the Counsel's suite itself, but at the threshold. He thinks he may have also seen GENE SPERLING. SYLVIA suggested getting the trash from the office. Later, somebody, NUSSBAUM could not remember who, brought the trash over to NUSSBAUM when he was standing downstairs. He told them to just leave it in ROY NEEL's office which was nearby. NUSSBAUM advised that he does not remember seeing HOWARD PASTER.

NUSSBAUM spent the time at the White House that night making telephone calls in his office. He was calling people on his staff, not wanting them to get the sad news over the television or radio. His door was open and when he left, he locked up the entire suite, setting the alarm before he left. He went downstairs where there was a gathering of people near NEEL's office. The meeting was not a meeting of substance; people were grieving.

NUSSBAUM advised that at the time there was no conversation or consideration about needing working documents from FOSTER's office which should be removed at that time. NUSSBAUM left the White House and went home.

With regard to personal pieces of mail that FOSTER may have mailed in the days just before his death, FOSTER's secretary, GORHAM, told him that FOSTER had mailed at least one piece of mail to his mother in Arkansas shortly before his death. He learned later that it was just "family stuff." He didn't

recall whether he found out about this on July 21st, 22nd, or later.

NUSSBAUM reiterated that on the night of the 20th, he has a vague recollection of seeing CRAIG LIVINGSTONE, but he could be wrong. He knows that LIVINGSTONE had come back to the White House after identifying FOSTER's body. NUSSBAUM doesn't know of any instructions that were given to LIVINGSTONE. If any were given, it would have been BILL KENNEDY who would have done so.

With regard to events on July 21, 1993, NUSSBAUM got a telephone call from LISA FOSTER at approximately 7:00 a.m. She was calm. She was looking for some explanation as to why this would have occurred and she asked NUSSBAUM, "did you fire VINCE yesterday?" The answer, of course, was no, he had not.

NUSSBAUM arrived at the office and went into his own office. He recalls that it was a difficult and very tricky day, with an enormous number of things going on. The press calls to find out what had happened and what was going to happen were constant. Many people did not know yet about FOSTER's death. It was a sad thing and there was no reason to believe there was a connection to anything going on at the White House at that time. Whitewater was unknown. There had been a newspaper article about it a year before during the campaign, but it was not a current issue. FOSTER was depressed about the Travel Office situation. NUSSBAUM admitted to feeling a little bit guilty, thinking that if he had hired outside attorneys as FOSTER had wanted, perhaps it would have made FOSTER feel better and his death would not have occurred.

Shortly after NUSSBAUM arrived at his office, BETSY POND admitted that she had gone into FOSTER's office and straightened papers "to make it neat." She acted as though she were generally in shock. NUSSBAUM told her to stay out of FOSTER's office. There was a staff meeting which was more like a wake than a staff meeting. NUSSBAUM recalls talking to CLIFF SLOAN and STEVEN NEUWIRTH about sealing the office. They brought the subject up. NUSSBAUM thought at the time, why not? He realized that no matter what he did, it would be second guessed. It was too late to actually seal the office. Why seal it at all? It was not a crime scene. But then he considered, what's the right thing to do and decided to seal it. Nobody asked him to do

it. They called the Secret Service, a guard was put on the door and then at approximately 10:00 p.m., a lock was put on. The following day, he received two keys; one for the Secret Service and another one for himself. He does not recall if DEBORAH GORHAM received a key or not.

Sometime between 9:00 and 10:00 a.m., there was a meeting at DAVID WATKINS' office with the Park Police there. NUSSBAUM took KENNEDY with him. STEPHANOPOULOS was there, perhaps the Secret Service and perhaps BILL BURTON. At the meeting, the Park Police briefed the group as to what had happened so far regarding FOSTER's death. The Park Police said at that time that they wanted to interview people and take a look at FOSTER's office. Meanwhile, the President came up to the Counsel's office and further efforts were made to notify the entire White House staff of what had happened.

At one point during the President's visit to the Counsel's office, NUSSBAUM said he told the Secret Service person standing there (there was no lock on the door at that time), that he was going into FOSTER's office to get a photograph. The photograph he got was the famous kindergarten picture of the President and MCLARTY. The President stayed in NUSSBAUM's office for a little while. It was a very emotional visit. Later, there was a meeting at 2:00 p.m. in the auditorium. MCLARTY, NUSSBAUM and the President spoke to the staff with hastily prepared notes which captured the grief of the moment.

NUSSBAUM advised that it finally became clear to him and others that this death was going to be a very big deal and that they needed to get somebody to coordinate the whole investigation so that it was done right and so that it would only be done once. NUSSBAUM explained that he had the sense that multiple agencies were coming at the White House and something had to be done to put somebody in charge. NUSSBAUM spoke to BURTON about the problems, but he himself was calling the shots. NUSSBAUM decided to call either JANET RENO or PHIL HEYMAN. They agreed to take the lead and to coordinate the investigation but not to take over from the Park Police.

NUSSBAUM had a meeting that afternoon (July 21, 1993) with DAVID MARGOLIS and ROGER ADAMS from Department of Justice to discuss the matter. NUSSBAUM believes the Park Police were there also. Everybody was very cooperative and sympathetic. They

wanted to interview people regarding FOSTER's state of mind and look at the office to see if there was a note - a suicide note, a blackmail note, something which would explain why FOSTER had taken his life. They were looking to see if anything there confirmed that he committed suicide. Nobody disputed what they were looking for. Everybody understood that they were looking for something which was relatively self-explanatory on its face.

It was late in the afternoon and everybody agreed to do the actual search the following day. They had yet to give notice to the staff that they would be interviewed and let them know that White House Counsel would be present. There were no objections to this. Everybody agreed and everybody agreed that it should be all done the next morning.

With regard to the discussions on July 21 and July 22, 1993 with MARGOLIS and ADAMS, it was understood that the things to be found in FOSTER's office pertained to very sensitive matters. It was like a working lawyer's office. There were lists of nominees. NUSSBAUM did not know all that was in there, but there was "a queasiness" about letting people just walk into the office and read what was there. NUSSBAUM advised that nobody asked for unfettered access to the office, nor did they ask for a specific procedure. There were no fights between the parties. There was a good faith effort to decide how to handle the situation.

With regard to the agreement on July 21, 1993, NUSSBAUM does not remember agreeing to show documents to individuals from the Department of Justice. There were levels of issues, NUSSBAUM explained: clearance issues; privilege issues, both attorney-client privilege and executive privilege. These were unclear things.

On the other hand, NUSSBAUM did not want to say that nobody could go into the office and look at things. That would have made the Department of Justice unhappy and it also would not have looked good. NUSSBAUM believes that he thought up a "brilliant compromise." NUSSBAUM himself would conduct the search in MARGOLIS' and ADAMS' presence.

He discussed the procedure with SLOAN, NEUWIRTH, BURTON and MCLARTY, JACK QUINN and probably BRUCE LINDSEY. These were all people who wanted to do the right thing but were uneasy about

access. People were preoccupied with their grief. Whitewater never came up as a topic of concern. Nobody checked with HILLARY CLINTON or the President on the issue to NUSSBAUM's knowledge. Nobody intimated that there was anything explosive in FOSTER's office which would be found during a search and should be shielded from law enforcement seeing it. From approximately May 1993 on forward to the time of his death, FOSTER told NUSSBAUM everything that he was working on. NUSSBAUM believes he would have known if there was any explosive issue that FOSTER had been working on.

NUSSBAUM advised that he does not remember speaking to HEYMAN. At some point, he said MARGOLIS had him talk to HEYMAN on the phone. He does not recall HEYMAN saying anything about "making a mistake" or threatening to pull Department of Justice people out of the procedure. He also does not recall telling HEYMAN that he would call him back. He also does not recall suggesting physically obstructing portions of the document but at the same time showing it to Department of Justice individuals. NUSSBAUM concluded that he knew Department of Justice individuals were not happy but felt that it was an adequate compromise that they had reached.

Describing the atmosphere on the day that the search took place, NUSSBAUM said there was not a lot of resistance to how things were being conducted. Occasionally, he showed them something and he created three piles of materials, saying with one of them "you might want to take a look at this." NUSSBAUM stressed that nobody ever asked to see anything that NUSSBAUM said they could not see. The point of the procedure was to identify what items were in the office in the presence of law enforcement. It was not intended to foreclose anybody's ability to look at anything. It was intended to foreclose their ability to be the first to look at it. The three piles were identified as follows: the first was documents that they specifically asked to see. It was a couple of inches thick and it had such things as telephone logs and calendars. SLOAN took custody of these. The second one was made up of FOSTER's personal documents. It was fairly large, perhaps filled a box. The third was White House documents, many of which stayed in the drawers that they were originally located in.

The whole point of the thing was to satisfy everybody that there was no note; no obvious reason explaining FOSTER's

death. NUSSBAUM said he had a vague recollection; he sort of remembers maybe MARGOLIS said something about "why don't you just mail us results?" He speculated that such a remark would have had a kidding edge to it. NUSSBAUM denied saying at any time that they were just doing it "for show." (A brief discussion between NUSSBAUM and interviewing agents followed concerning the difference between the phrase "to show" and "for show" and the possibility that perhaps MARGOLIS had misheard a comment NUSSBAUM made.)

NUSSBAUM stated that it was not clear that the Department of Justice and Park Police were really unhappy. Certainly, if they had had their choice, they would have looked at everything personally.

With regard to whether or not there were black binders located in FOSTER's office, NUSSBAUM replied "yes." The binders held a list of people who might be nominees for highly qualified positions, such as the Supreme Court. These binders were considered highly confidential. NUSSBAUM said he had a set of them in his office also.

With regard to FOSTER's briefcase, NUSSBAUM said that when he emptied it during the search, he was standing at FOSTER's desk. He pulled out the contents and found them to be files concerning the Travel Office, FOSTER's notebook and a copy of the Management Review Report on the Travel Office matter. These items stayed in the Counsel's office. NUSSBAUM put the briefcase against the back wall behind the desk. He felt, perhaps glanced into it, but felt that it was empty. He does not remember picking it up; he doesn't remember seeing anything inside it. It is his belief that the torn up note was in there then, he just didn't see it. The pieces of note being there is "not inconsistent" with what he remembers.

In all, after the search was conducted, a box was given to CLINTON's personal attorney (FNU) SPAFFORD, and a redwell for SLOAN filled with items that law enforcement authorities wished to see at a later date. NUSSBAUM determined that the CLINTONS' personal files, such as tax return and investment information, should be transferred to the CLINTONS' personal attorney. He called MAGGIE WILLIAMS and told her to come get CLINTON's personal files. This was at approximately 5:00 p.m. on July 22, 1993. These items were located in the cabinet on the left side

of the room and he said to her "you take those." He pulled them out and boxed them. TOM CASTLETON helped MAGGIE WILLIAMS carry the items to the residence portion of the White House on July 22, 1993. No other documents were put into that box thereafter. The box included the "famous Whitewater file" and was later picked up by BARNETT on July 27, 1993. To NUSSBAUM's knowledge, there were no other CLINTON personal files left in FOSTER's office as of that time.

The purpose of NEUWIRTH's inventory on July 26, 1993 was to identify what other documents were in FOSTER's office that needed to be worked on so they could be distributed to appropriate individuals for continuing action. NUSSBAUM took the Travel Office materials to his own office. He gave Usher and Residence and Redecoration Contributor issues to STEVE NEUWIRTH. BETH NOLAN received Ethics issues at a slightly later date. CLIFF SLOAN received Constitution, Legal and Privilege issues to work on. Other matters remained in FOSTER's office later to be boxed up and the boxes just sat there.

The evening of July 22, 1993, FOSTER's office was locked up at the close of the day. On Friday, most everybody was at the funeral in Little Rock and as far as NUSSBAUM knows, there was nobody in on the weekend.

On Monday, July 26, 1993, NUSSBAUM doesn't remember who opened the office. It was open when he got there in the morning. NUSSBAUM advised that the point of the inventory he asked NEUWIRTH to do was to determine what papers remained in FOSTER's office. Neither the search on July 22, 1993, nor the inventory on July 26, 1993, had been done primarily for law enforcement purposes and he stressed that even though MARGOLIS and HEYMAN subsequently appeared to be very angry about how things had been conducted, the fact remains that nobody from the Department of Justice ever asked for anything, either at the time of the search or subsequently that they have not seen. Even after the torn up note was found, there were no requests for the item. NUSSBAUM also does not remember anybody asking about looking into any areas outside of FOSTER's office. NUSSBAUM himself checked the only safe that was ever used in his own office to see if FOSTER had placed anything in the safe that would be relevant. He did not find anything. He forgot about the filing cabinet outside of his office and in front of DEBORAH GORHAM's desk and so did not search that.

NUSSBAUM speculated with regard to the torn up note that LISA FOSTER probably has the best theory as to where that came from. She had told VINCE FOSTER to write down what was bothering him. He is the kind of person who makes lists. He thinks that the torn up note had been written a week or so prior to his death and then torn up and thrown in the briefcase. NUSSBAUM was aware that FOSTER had consulted a lawyer approximately a week before his death (he understood that lawyer to be JIM HAMILTON) regarding possible upcoming hearings on the Travel Office matter.

On the afternoon of July 26, 1993, NUSSBAUM remembers walking into his office and NEUWIRTH was piecing together a note. He remembers doing three things then. He went to MACK MCLARTY's office, forgetting he was in Chicago, and so instead told BILL BURTON of the note. Secondly, he went into HILLARY CLINTON's office. She was there and he told her "we found something." HILLARY got up and the two of them went into NUSSBAUM's office and looked at the note. He recalled her saying "I cannot deal with this. . . . Do whatever is right." She was shocked by the whole thing and said essentially "you deal with it" and she turned around and walked out. Thirdly, he reached MCLARTY and GERGEN in Chicago. He described the contents of the note. He did not talk to President CLINTON. He called JIM HAMILTON and HAMILTON told NUSSBAUM that LISA FOSTER was coming to Washington, D.C. the next day. He then decided that they would turn over the note to law enforcement but not until the President and LISA FOSTER had seen it first. NUSSBAUM did not want them to see it for the first time on the news. NUSSBAUM said that if the note had been found on July 22, 1993, it would have been turned over to law enforcement right away, but that was not the case as of July 26, 1993 and it seemed prudent to wait the extra day.

NUSSBAUM explained that he copied the text of the note onto another piece of paper and stuck it, along with the pieces of paper into an envelope and put it in the safe. He does not remember if he told DEBORAH GORHAM not to touch it or not to read it. It was a letter-sized envelope, holding a single piece of paper with the transcription on it separate from the pieces of torn up note. He had decided not to try to tape the note pieces together. He does not remember handling it again until July 27, 1993 when he pulled it out to show to LISA and JIM HAMILTON. He does not think anybody else saw it. He said he may have put it

in a drawer instead of the safe and he gave LISA FOSTER a transcription of the note, but not the pieces of note itself.

NUSSBAUM does not remember if NEUWIRTH had the briefcase with him when he came into his office. He does not think anything else was in the briefcase but he did not look into it.

NUSSBAUM noted that President CLINTON did not want to deal with the note either. NUSSBAUM called either JANET RENO or PHIL HEYMAN before even talking with President CLINTON. JANET RENO was irritated but then calmed down quickly. They both came over to the White House. PHIL HEYMAN called the Park Police to come pick up the note. When asked if he recalls the note at one point dropping and scattering, NUSSBAUM did not recall such a happening.

With regard to a complaint by COLLIER regarding the course of the investigation and the treatment of the Park Police, NUSSBAUM retorted that after the note had been found, everybody was afraid that they would be criticized for not having found the note during the inventory. NUSSBAUM knew there had been a conversation between COLLIER and someone and subsequently JANET RENO initiated a couple of investigations. PHIL HEYMAN now is touchy as to appearances and doesn't want anybody from the White House to sit in on any interviews.

On either July 21st or July 22, 1993, NUSSBAUM could not recall which date, he remembers that MARGOLIS and ADAMS were kept waiting for a fairly substantial period of time. He explains that this was because NUSSBAUM was having to do "a million things," including speaking to MCLARTY about what they were doing and why they were doing it. MCLARTY was keeping in touch with the President as a matter of course. He does not know if the President or HILLARY were consulted as to what was going to be done with the investigation and with FOSTER's office. He knows he himself did not talk to either of those individuals. NUSSBAUM also stated that no one attempted to stop him from conducting things the way he was doing it.

NUSSBAUM was shown a production of materials from BARNETT, former personal attorney to the CLINTONS, that was allegedly papers from FOSTER's office. NUSSBAUM could not remember specific documents but thought that those were, indeed,

the documents that were given to SPAFFORD at the time of the search. The further he proceeded into the production, the more sure he was that those were, indeed, the documents; especially when he began to find tax returns at the bottom of the pile.

With regard to the rumors of an affair between HILLARY CLINTON and FOSTER, he said that he was aware that there were rumors and that he and FOSTER had talked about smears on their character. In his opinion, there was no substance to the rumors; certainly not during the time period that they worked together at the White House.

NUSSBAUM provided the following personal information:

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/12/94

BERNARD W. NUSSBAUM former White House Counsel appeared at the Office of the Independent Counsel in Washington, D.C. for a second "non-6(e)" interview regarding the death of VINCE FOSTER, Jr. and the handling of FOSTER's papers the evening of July 21 and other related events. NUSSBAUM appeared with attorney PETER L. ZIMROTH of ARNOLD & PORTER, 399 Park Avenue, New York, New York 10012-4690, telephone (212) 715-1010; and LAWRENCE B. PEDOWITZ of WACHTELL, LIPTON, ROSEN & KATZ, 51 West 52nd Street, New York, New York 10019-6618, telephone (212) 403-1000. Also present during the interview representing the Office of the Independent Counsel were attorneys CARL STICH, MARK STEIN and BETH GOLDEN.

NUSSBAUM advised that he had a close working relationship with VINCE FOSTER, Jr. He recalls that FOSTER was very depressed during the last weeks of his life and was not functioning well during that time period. NUSSBAUM said that he knew FOSTER was doing quasi personal functions for the First Family. He placed a great deal of trust in FOSTER to handle those matters for the First Family because of his personal closeness to them. He used the term quasi personal because there was always an official link to the Presidency. Two prime examples were the completion of tax forms and creation of a blind trust for the First Family's assets.

NUSSBAUM explained that at the time of FOSTER's death, these things were virtually completed (the deadline for the blind trust was August 1). Nobody else in The White House and, specifically, the Counsel's office in The White House could do these things. More and more they had been turned over to WILLIAMS & CONNOLY to attend to and after FOSTER's death, this process accelerated. NUSSBAUM wanted to get everything that could be referred to WILLIAMS & CONNOLY (specifically BOB BARNETT) turned over to them completely.

NUSSBAUM said that he does not remember who asked that there be an inventory of FOSTER's office but he recalled that the U.S. Park Police were there on July 21, 1993 to discuss the

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matter. That morning Major ROBERT HINES and Police Chief ROBERT LANGSTON of the U.S. Park Police were at a meeting/briefing (NUSSBAUM characterized it both ways) and mentioned that they would be sending people over to conduct some investigation. NUSSBAUM does not think that they requested an inventory of the office at that meeting, but it occurred to NUSSBAUM that coordination was going to be needed otherwise there would be waves of investigators from various agencies wanting to come over to The White House to conduct investigations. He therefore called Department of Justice to act as that coordinator. NUSSBAUM recalls a meeting late in the afternoon of July 21 with DAVID MARGOLIS and ROGER ADAMS of the Department of Justice, and several people from the Park Police being there. He does not remember if the Park Police took an active role in that meeting.

NUSSBAUM said that he was having to balance a number of factors with regard to allowing an inventory of FOSTER's office. Certainly the request to examine FOSTER's office for a suicide note or some other item which would be prima facia evidence of why he died was a legitimate request. There was never a consideration that the purpose of the search was to identify everything that FOSTER was working on. There were issues of national security. There were sensitive appointments and other sensitive matters, including matters which may have been covered by executive privilege. The question for NUSSBAUM, as he saw it, was how to satisfy DOJ's fundamental need to satisfy themselves that there was nothing that would, on the face of it, provide a reason for FOSTER's death, and on the other hand, to protect those White House issues that needed to be protected from disclosure. It was not an all or nothing matter. NUSSBAUM sought a compromise. The way he saw this unfolding was that he would seal the office until they would all go in together and NUSSBAUM himself, in the presence of law enforcement officials would look through things in the office. They could observe and briefly hear what was in FOSTER's office and see that nothing was being hidden from them.

On July 21, NUSSBAUM told MARGOLIS and ADAMS about the procedure he wished to use. He describes their reaction as understanding what needed to be done and that they went along with it. He does not remember them expressing any serious disagreement with the procedure as he had outlined it to him and he advised that they never threatened to leave The White House if they were not allowed to view documents themselves. NUSSBAUM said that in addition, at the end of it they seemed to be

satisfied. He noted that the two men seemed a little "fidgety" at the beginning of this inventory but by the time it was over, they seemed fine.

With regard to NUSSBAUM's conversation with PHILIP HEYMANN, then Deputy Attorney General, NUSSBAUM does not remember HEYMANN ever objecting seriously to the procedure that NUSSBAUM planned to use during the inventory. The only conversation that NUSSBAUM remembered with HEYMANN after the inventory was the evening of the inventory, July 22, 1993. NUSSBAUM recalls that HEYMANN called NUSSBAUM at home and the salient point from the conversation that NUSSBAUM recalls was the suggestion by HEYMANN that contents of FOSTER's office remain untouched and NUSSBAUM told HEYMANN that he could not do that. HEYMANN did not express objection to NUSSBAUM's refusal to do that.

NUSSBAUM said he has only a vague recollection of there being a telephone call with HEYMANN during the time that MARGOLIS and ADAMS were at The White House on July 22. NUSSBAUM, in addition, did not recall telling HEYMANN that he had to talk to some people about this and promising to call HEYMANN back.

NUSSBAUM was adamant that if HEYMANN had said that he would pull his people out if NUSSBAUM conducted the search the way he planned to, NUSSBAUM would have adhered to HEYMANN's wishes-not through a sense of obligation, but because "he just would have". NUSSBAUM opined that people are remembering events in hindsight and it is changing how they are remembering their feelings at the time. What he remembers from the atmosphere of the inventory itself was that it was an unusual thing for them all to be doing. They were not expressing enthusiasm or disgruntlement, and at the end of the inventory they acted satisfied, not displeased, at the way things had been handled.

NUSSBAUM felt he had chosen a procedure which showed them that nothing was going to be destroyed, and if they wanted files they could ask for them. Everything was available to them. It was, however, available through the appropriate people. He wanted them to have to go to CLINTON's lawyer for First Family personal papers and to FOSTER's lawyer for FOSTER's personal papers and to himself for White House Counsel related material. Nobody was even thinking of Whitewater at the time. It was for the foregoing reasons primarily that during the inventory NUSSBAUM generically identified files without going into specific explanation as to their content.

NUSSBAUM advised that he felt he was making reasonable, intelligent decisions and that no real objection was being fielded against those decisions. If they had been dissatisfied with what had gone on, they could have come back to The White House Counsel's office or to The White House after the inventory and complain or ask to see documents. The fact of the matter is they did not. Even after the note was found on July 26 which enumerated certain issues that FOSTER had been upset about nobody made specific requests to see files that corresponded to those issues. NUSSBAUM opined that for people to come forward now, after the fact, and protest so loudly is "nonsense".

NUSSBAUM advised that the process of how to do the inventory and how to handle the matter of FOSTER's papers was an evolutionary process. He said the moment that they started to see items in FOSTER's office, such as the log, NUSSBAUM decided to set those things aside to be given to FOSTER's lawyer. There was no agreement set in stone beforehand as to how to handle specific items. NUSSBAUM has a general recollection of discussing with MARGOLIS their looking together at a document but has no specific recollection of their conversation. NUSSBAUM said he does remember that he was worried that if anybody saw a document he would, in effect, waive any privilege that existed in the document. He reiterated that he does not remember reaching an agreement of any sort at the end of the meeting on July 21.

In response to a question as to whether or not he discussed what procedures to use for the inventory with anybody else at The White House, NUSSBAUM said, "yes", that there was a meeting on July 22, as the Department of Justice individuals MARGOLIS and ADAMS were arriving. At that meeting was MACK MCLARTY, WILLIAM BURTON, JACK QUINN, STEPHEN NEUWIRTH, possibly ROY NEEL, and NUSSBAUM himself. It lasted approximately a half an hour. He realizes that MARGOLIS and ADAMS were kept waiting for a total of approximately four hours partly because NUSSBAUM was at meetings unrelated to the inventory. NUSSBAUM said BURTON probably called him to attend the meeting.

NUSSBAUM recalled that QUINN thought that they should not let anybody into FOSTER's office at all, but should do the inventory themselves first. NUSSBAUM responded to him that you can not do that with law enforcement individuals. You have to let them see what you are doing. There were no specific issues that they were trying to cover up. It was a turf consideration relating to access to a White House office.

NUSSBAUM said that he did not talk to the President or HILLARY RODHAM CLINTON during this time. Nobody told NUSSBAUM they had talked to the President and NUSSBAUM got the impression that somebody had spoken with the First Lady and that she just wanted it done the right way. NUSSBAUM speculated that perhaps BILL BURTON had spoken with her. He advised that she was not "calling the shots". NUSSBAUM said he himself was making the decisions and there was no cover up of anything.

With regard to FOSTER's briefcase which was looked at during the inventory on July 22, and supposedly emptied, NUSSBAUM said that he remembers he had been looking into drawers and into files sitting at FOSTER's desk during the inventory, and he remembers reaching back and down for FOSTER's briefcase. He pulled it next to him on the floor and reached in and pulled the files out, glancing down as he did so. As he glanced down he does not remember seeing scraps of paper. He then looked at what he had pulled from the briefcase. He remembers they were Travel Office files. He did not replace the files in the briefcase but put the briefcase back against the wall. He remembers feeling that the briefcase was empty of files and he might have said, "It's empty".

After the inventory, he was selecting files for distribution to various parties who would be handling the matters. He went back into FOSTER's office. He told NEUWIRTH to do a listing of all the contents in the office so that he could divvy up matters to different people. Either he himself or he asked CLIFF SLOAN to call MAGGIE WILLIAMS into the office to take files pertaining to the First Family matters. Both WILLIAMS and NUSSBAUM looked at the files and packed them up in a box. TOM CASTLETON was called in to take them over to the residence White House area. They were sent to CLINTON attorney BOB BARNET of WILLIAMS & CONNOLY on July 26, 1993. This was done for two reasons: 1. The Counsel's office was not going to do any more work on these matters and 2. NUSSBAUM described himself as "action oriented" he wanted to just do it. It was his personality. It was his idea. Nobody told him to do it. He also wanted them to be somebody else's "hassle". NUSSBAUM advised that he never heard of any files being moved to any intermediate location but admitted that it could be possible.

With regard to events on July 26 and 27, 1993 when STEPHEN NEUWIRTH found the torn up note in the bottom of VINCE FOSTER's briefcase, NUSSBAUM explained his reaction was that this

was the sort of thing that they had been looking for during the search. As soon as he found it he went to see Chief of Staff MACK MCLARTY then remembered that he was out of town. He remembered getting HILLARY CLINTON and showing her the note. She looked down at it and reacted in a way that told him that it was a very emotional issue for her and she said to him something like "you do what you think is right." He then made efforts to reach MCLARTY and MARK GEARAN. NUSSBAUM said that WILLIAM BURTON was working with him regarding these efforts. BURTON wanted to research issues of whether or not they even had to turn it over to anybody. NUSSBAUM had already decided that they were going to turn it over but he felt strongly that 1) LISA FOSTER must see it first, so he called her attorney HAMILTON and was told that she was, in fact, flying in at 2:00 pm the following day and could come to The White House for a 3:00 appointment to see the note and 2) NUSSBAUM felt the President should have the option to see it before it was handed over, and he was also due back the following day. No one ever suggested not turning the note over to law enforcement authorities.

On July 27, 1993, the President had a very heavy schedule in the morning and so NUSSBAUM was not able to show him the note in the morning. He showed LISA the note at approximately 3:00 in the afternoon. He contacted either Attorney General JANET RENO or Deputy Attorney General PHILIP HEYMANN. He determined that RENO had an appointment at 6 or 7 pm that evening with (he believes) Chief of Staff MCLARTY at The White House and NUSSBAUM determined he would give it to her at that time. He said he saw the President at approximately 6 pm. The President had already heard about the note and did not want to see it. Shortly thereafter, JANET RENO arrived at The White House for her appointment. PHILIP HEYMANN was with her. She refused to take the note and said to give it to the Park Police. A call was made to the Park Police and they all "sat around" and waited until the Park Police came and took custody of the note.

NUSSBAUM advised that VINCE FOSTER's office was locked in between the time of the inventory on July 22, 1993 and when the note was found on July 26, 1993. NUSSBAUM said that he himself and the Secret Service were the only people that had a key to the office. He is fairly certain that DEBORAH GORHAM did not have a key. He knew nothing of her having a key taped to the underside of her desk. He advised that FOSTER's office was kept locked over the weekend and only TOM CASTLETON was there when people were down in Little Rock for the funeral the Friday before

that weekend.

With regard to events on July 20, 1993, NUSSBAUM was asked what his purpose of going to The White House was. He responded, "to make calls". He had been at the a restaurant having dinner when he was contacted by The White House and told of FOSTER's death. He was FOSTER's boss. He was also counsel to the President. There was no question but what he had to go to The White House. There were several reasons for this. He knew that they would be dealing with law enforcement officials. There would be various tasks in connection with the death of a member of his staff and there was also an element of grief. Friends gather when such an occurrence happens. NUSSBAUM advised that when he first arrived at The White House, he went to the residence area. He saw the President after The Larry King Show. The President and MACK MCLARTY went to the FOSTER residence. NUSSBAUM said he didn't want to go there. Instead he decided to go to his office. On the way to his office, he thought that perhaps FOSTER had left a note in his office indicating either why he had committed suicide or some other reason for his death, and he decided to take a look.

When he arrived in the Counsel suite, FOSTER's office was already open and PATSY THOMASSON was there. He did not see her downstairs at any time during the evening. THOMASSON and MAGGIE WILLIAMS were both in FOSTER's office. THOMASSON was behind FOSTER's death looking for a note and WILLIAMS was sitting on the couch weeping. He does not recall her having any materials on her lap or beside her.

NUSSBAUM estimated that he arrived in his office approximately 15 minutes after The Larry King Show ended but said that 10:40 pm sounded right. When he got there THOMASSON said that they (meaning THOMASSON and WILLIAMS) had just arrived in FOSTER's office. They only stayed about five minutes and they all left the office together. He advised that nobody had anything in their hands when they left FOSTER's office. THOMASSON and WILLIAMS immediately exited the Counsel's suite. NUSSBAUM himself stayed there and sat at his own desk and made telephone calls to his staff and other individuals notifying them of FOSTER's death. He does not recall seeing anybody else come into the Counsel's suite nor did he observe WILLIAMS or THOMASSON come into the suite again. He advised that he could see anybody going into FOSTER's office from his vantage point. He also, however, admitted that when he was making the telephone calls he

was very focused on his telephone calls and it is possible that he could have failed to observe someone passing his doorway.

Some time during the evening he remembers being down in NEEL's office and thinks it may have been after he had locked up the Counsel suite on his way out of The White House. NUSSBAUM advised that he is sure that he set the alarm in FOSTER's office before he left that night. He was familiar with the procedure. He does not recall any uniformed Secret Service individual there at any time during the evening. He believes that he left about midnight. He remembers calling BETH NOLAN, CHERYL MILLS and CLIFF SLOAN. He made no long distance calls that he could recall. He may have possibly gone into MAGGIE WILLIAMS office but was not sure and he knows that he did not go into HILLARY RODHAM CLINTON's office that evening.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/6/94

On 4/19/94, DEBORAH L. GORHAM appeared for a previously arranged appointment at the Office of the Independent Counsel to be interviewed . Also present were her attorney, DAVID E. MILLS of DOW, LOHNES & ALBERTSON, 1255 23rd Street N.W., Washington D.C. 20037 where GORHAM is employed as a legal secretary; and attorneys for the Independent Counsel, RODERICK LANKLER, CARL STICH, and MARK STEIN. Having advised GORHAM and her attorney of the identities of the interviewing agent and Independent Counsel attorneys, GORHAM provided a portion of the following information. A subsequent appointment was needed to cover additional topics and was conducted by SSA H. ALEXIS SUGGS and RODERICK LANKLER, Esq. on 4/26/94 at the offices of DOW, LOHNES & ALBERTSON. DAVID E. MILLS was also present at that meeting. Over the course of both interviews, GORHAM provided the following information:

GORHAM advised that she held the position of Executive Assistant to Deputy Counsel to the President from March 8, 1993 until November 17, 1993. From March 8th until July 20, 1993 VINCENT FOSTER JR. was her immediate boss. She was referred to the position through her professional acquaintance with FOSTER'S sister SHEILA ANTHONY, who was an attorney with the firm of DOW, LOHNES & ALBERTSON and recommended GORHAM apply for the job as FOSTER'S secretary at the White House.

During a one week vacation that GORHAM took from April 4-10,1993 FOSTER used a temporary Department of Justice (DOJ) secretary named "HELEN" (LNU). Other than that, GORHAM was the only secretary that FOSTER used. She described the relationship between herself and FOSTER as a "one on one team", cordial, professional, but not personally close, meaning they did not normally exchange personal information about one another. Most of their contact took place at her desk, rather than in his office. The only personal type task she remembers doing for FOSTER was ordering flowers for his wife on their wedding anniversary.

GORHAM described FOSTER as very private and reserved.

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vestigation on 4/19+26/94 at Washington, D.C. File # 29D-LR-35063

by H. Alexis Suggs Date dictated 4/22+5/2/94

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She viewed him as reserved, not depressed or unhappy. He could enjoy a joke with others in the office, but was a very hard worker and would ask people to "keep it down" if their talking disturbed him. The only time he seemed to be more agitated than usual was when he was under time pressures. He had a very long fuse, so it was relatively rare for him to show agitation. The Friday before his death, as he was preparing to go away for the weekend, he needed a long distance beeper to take with him and he and GORHAM had a misunderstanding that he needed it right away. He showed agitation at that time, but did not lose his temper. Even with hindsight, GORHAM did not see anything in FOSTER's behavior which would indicate a distressed state of mind. She recalled BETSY POND and LINDA TRIPP saying to her that FOSTER did not seem to be concentrating the morning of his death.

GORHAM never saw him lose his temper. She saw him angry once, in response to the Wall Street Journal article, "Who is Vince Foster?" He did not seem to understand that that kind of thing would happen. You could see that the allegation, veiled or otherwise, that there was a cabal of Rose Law Firm people troubled him. He just wanted to stay in the shadows and do his work. An attack on his character was the most hurtful thing to him because his reputation was the most important thing to him next to his family. He also resented the fact that the article misquoted his office, saying that he refused to provide a photograph. What really happened was that GORHAM, on FOSTER's instructions, told the Wall Street Journal that he preferred not to provide a photograph. He had a conversation about it with FRANCIS SOBOL (phonetic) which GORHAM "tuned out", merely remembering that FOSTER sounded upset, though not overly emotional, about it.

GORHAM said that FOSTER demanded perfection of himself and others. And at times his ethical standards appeared to be higher than the staff in the office. For example, an individual went on vacation leaving his/her plant with FOSTER or the Counsel's office to care for while they were gone. FOSTER insisted that the plant be returned to them immediately upon their return, seriously brushing aside joking remarks that he should not be so quick to return the plant because it looked so good in his office. Also, all discussions with other Associate Counsels or DOJ personnel were conducted behind closed doors in his office so they would have the utmost privacy.

FOSTER worked very hard and very long hours. He was

usually at his desk already settled when GORHAM arrived to work and was there late into the evening. GORHAM advised that, rather than just having "a lot on his plate" all the time, he had a "service for eight" going on.

As an example of the toll his workload took, FOSTER had been voted Outstanding Lawyer of 1993 by the Arkansas Bar Association in late June 1993. It was to be awarded to him personally at an awards ceremony sometime mid to late June 1993. FOSTER was scheduled to go and appeared to be looking forward to it. The morning he was to have left for Little Rock for the ceremony, he told GORHAM he just did not see how he could go because he "was just too busy to leave". He was in the middle of the nomination process for RUTH BADER-GINZBERG for the U.S. Supreme Court. Late in the morning he sent faxes to individuals in Little Rock notifying people he would not be able to attend. GORHAM does not know if he called anybody personally, but she herself called a couple individuals to notify them. She could not recall their names. FOSTER followed the cancellation with four letters explaining and apologizing for his non-attendance. GORHAM said he seemed very torn and disappointed.

GORHAM does not know if NUSSBAUM was aware of FOSTER's having to cancel his attendance at this ceremony. Sometime after that he had wanted to get away with LISA for a day or two and he could not make it because NUSSBAUM left town instead.

The Thursday before his death, FOSTER and GORHAM were alone in his office. He asked her, "How are you doing?" in a casual way and she answered, "Some days were fine--how are you doing?" He answered using the illusion of trying to build a building that people keep knocking down-- you rebuild it and they keep trying to knock it down. GORHAM asked him during this conversation, "Do you ever feel like you're in 'spiritual deficit'?" FOSTER responded, "Yes, I know what you mean." She told him about the services at St. John's Episcopal Church across from the White House through Lafayette Park during lunch hours and he said that maybe he would go. He did not say it as though he were dismissing her suggestion, but rather as though he might be considering doing it. GORHAM advised that he was Episcopalian by upbringing, but he attended the Catholic Church with his wife and children since his marriage.

GORHAM advised that it was not unusual for FOSTER to have long closed door sessions with people. The longest she

could remember was about one and a half hours.

Events of 7/19/93

GORHAM reflected that Monday, the day before his death, FOSTER had what she called a major and uncharacteristic "lull" in his work pace. Normally, she would see him have periods of a couple hours where there would be a lull, but this lasted all day and he spent it going through his papers and drawers and taking care of a lot of unfinished business he had not been able to get to. He was doing a lot of straightening and cleaning.

The previous Tuesday, Wednesday, and Thursday he had generated a lot of personal "thank you" letters and several memos. Monday, however, he started looking through the stuff in his drawers, looking calm and staying quieter than usual and spending more time than usual alone with the door to his office closed.

The rest of the office was busy that day with the appointment of LOUIS FREEH to be Director of the FBI. FOSTER was not involved with that. He had been involved with the RUTH BADER-GINZBERG nomination. The FREEH nomination was NUSSBAUM's responsibility.

FOSTER left the office twice during the day-- once to the "bank" (which meant the Credit Union). The other absence was without explanation, which was very uncommon, because he usually told her where he was going. GORHAM could not recall how long he was gone or what time of day it was. He also left much earlier at the end of the day than normal. He left before GORHAM did, without any explanation. He did not seem stressed, just simply left.

Also that Monday, MARSHA SCOTT visited FOSTER. She often visited him, but usually they were relatively brief, open-door visits, frequently with other visitors from Arkansas in tow. GORHAM does not know if their long, closed door visit the day before his death was business or personal, what was discussed, and did not notice what SCOTT's demeanor was when she left.

Also that day, FOSTER placed three items of personal mail in the out-going mail tray in the Counsel's Office. GORHAM checked to make sure they were sealed and had postage on them.

It was common for FOSTER to mail bills this way, but unusual for him to mail personal letters. GORHAM recalled that all were in plain white envelopes which FOSTER had hand addressed. One was in a plain white large business (4" x 9 1/2 ") envelope, was rather thick and had two stamps on it and was addressed to FOSTER's mother in Arkansas. The second was in a plain white small business (3 1/2" x 5 1/2") envelope and GORHAM recalls nothing about the addressee except the words "Insurance Company". The third piece was also in a small white business envelope and was hand addressed, but GORHAM cannot recollect who the addressee was. She feels certain, however, that it was not to his wife or any member of his immediate family. She believes that she cannot recall the addressee because they had no significance to her. None of the envelopes had any commercial printing on them, nor did they have any see-through windows in them. GORHAM advised that she told NUSSBAUM about the letters on either Wednesday or Thursday following FOSTER's death. He made a comment that he should let someone know about them. NEUWIRTH was present. Other than that GORHAM does not recall any other discussion about the envelopes.

There is no system for logging mail either in the Counsel's office or anywhere in the White House that GORHAM is aware of. They were put in the out-going mail on July 19, picked up some time during the day. GORHAM could not recall which mail courier picked them up.

GORHAM does not recall making any reservations for any lunches or dinners for FOSTER in the week or so prior to his death, nor does she recall FOSTER mentioning any date that he had with anybody. Two weeks before his death he had lunch with WALTER PINKUS, a journalist with the Washington Post. MRS. PINKUS is from Arkansas and the two are personal friends with FOSTER.

GORHAM advised that FOSTER spent the majority of his time in his office when he was not attending meetings. He attended a lot of meetings when he was working on the Health Care Malpractice Reform, but that was over. GORHAM does not recall what he was working on during the last few weeks prior to his death. He had two or three issues he was handling and was dictating a lot of letters to personal friends, catching up on answering congratulatory letters. GORHAM advised that he would dictate about 15 letters and two memos on each tape and he was giving her about one per day.

GORHAM advised that she observed HILLARY RODHAM CLINTON visit FOSTER in his office approximately four times during the period she worked for FOSTER. He was called into her office approximately three times, including the night she interviewed for the job. GORHAM was unaware of any rumors that FOSTER and MRS. CLINTON were romantically involved.

GORHAM advised that cheeseburgers were FOSTER's favorite food and he always removed the onions from them.

GORHAM feels that LISA FOSTER was VINCE FOSTER's most important confidante and that it is important that she be interviewed. She called three times in the one and a half weeks prior to FOSTER's death, and each time she asked how he was doing. She would ask GORHAM, "How's he doing?". GORHAM would always just give an upbeat "Fine." and then LISA would ask, "Is he available?" and/or "What's he doing?" VINCE's son, VINCENT JR. telephoned a week before his father's death and asked, "How's he doing today?" It was clear from the calls that the family had a general concern about FOSTER, but GORHAM explained that she felt it inappropriate to offer anything more than a superficial answer to their questions, inasmuch as offering a more insightful answer would be inappropriately personal within the context of her role as executive assistant and his as supervising attorney.

GORHAM spoke with LISA FOSTER twice since VINCE's death. LISA asked her if she noticed anything the morning of his death. She had not. They also spoke around Thanksgiving time about a possibility that GORHAM would be in Little Rock for the holidays and might possibly visit. As it turned out, she did not.

FOSTER had not ever made any statements or comments to GORHAM indicating despondency and she had not noticed any physical changes in FOSTER from the time she started as his secretary to his death.

Events of July 20, 1993

On July 20, 1993 GORHAM advised that she arrived to work between 7:30-8:00am. FOSTER arrived about 8:50am, which was a little later than usual. He had coffee and a muffin and attended a routine 9:00am meeting with NUSSBAUM and other Associate Counsel. She does not recall how long the meeting--lasted. He went back to his office at its conclusion. GORHAM

could not recall if he was alone or not. At 10:30 he grabbed his jacket, slung it over his shoulder and walked out saying, "I'll be back." He returned about 11:30. GORHAM did not recall whether or not he attended the Rose Garden ceremony for Judge LOUIS FREEH. She advised that most of the time he told her where he was going when he left the office, but about a quarter of the time he did not.

Soon after he returned--about 11:40-11:50, GORHAM entered his office and told him she was going out and did he need anything. He answered, "No--I believe I have everything." He appeared relaxed and normal.

FOSTER was gone when she returned about 1:20-1:30pm. He had left a couple letters and a memo for her to type. She does not recall who the letters were to or to what, specifically, the memo pertained. She also does not recall what was on his itinerary for the afternoon. POND told her that he had had his lunch, left M&Ms for everybody, and left with his jacket slung over one shoulder, saying, "I'll be back."

GORHAM spent the afternoon typing the letters and memo. FOSTER had been dictating a lot of personal letters on his own letterhead to Arkansas friends, thanking them for their support and congratulations. There were also some form responses to people who were asking for referrals and other frequently seen requests.

People who called for FOSTER that afternoon of July 20, 1993 were told he was "out of the office". BILL KENNEDY asked for him. MAGGIE WILLIAMS asked for him. GORHAM could not recall the times.

GORHAM does not know why BRANT BUCK called FOSTER on 7/20/94. She does not know GORDON RATHER and does not know why he called FOSTER on 7/20/94. And she knows JIM LYONS, but does not know why he called on 7/20/94.

FOSTER had never left in the middle of the day before. GORHAM does not know of anybody paging FOSTER during the afternoon, until 6:30pm, when POND said she paged him (POND told GORHAM this later).

GORHAM left the office at 5:45pm. She was called at 11:30pm by LINDA TRIPP, who notified her of FOSTER's death.

TRIPP told GORHAM that DEBORAH COYLE had called TRIPP. TRIPP said that FOSTER may have killed himself. GORHAM wondered rhetorically what could have been so bad that he would have done such a thing. TRIPP had no opinion. They spoke about the conversation GORHAM had had with FOSTER the Thursday before his death about being in "spiritual deficit". GORHAM later mentioned to her husband that FOSTER had opened up a little. GORHAM and TRIPP did not speculate or mention the possible existence of a suicide note. GORHAM did not know if FOSTER would be the type likely to leave a note. NUSSBAUM called GORHAM about midnight, wanting to make sure GORHAM had been notified.

Events of July 21, 1993

The next day GORHAM got to work between 8:30 - 9:00am. POND was at her desk and said she had arrived shortly before. STEVE NEUWIRTH was at the doorway of FOSTER's office. GORHAM does not know when NEUWIRTH got there, but he looked freshly dressed and groomed as normal for the morning. He was in charge of FOSTER's office and he was keeping everybody out of it.

NUSSBAUM's door was closed. The door to FOSTER'S office was open. GORHAM looked into FOSTER's office. She couldn't see much because the lights were not on and things were backlit from a window with a dim exposure, but what she did see looked normal and unchanged. She could not see if anything had been moved and could not observe from her vantage point if there were any gaps in shelves. From what she could see, the office did not look any emptier that it had the day before. NEUWIRTH told her not to go in the office and she did not. Nobody else mentioned having been in the office except POND.

She spent the morning taking telephone messages. She and POND talked. POND told her she had gone into FOSTER's office to turn off the security alarm and, not wanting his office to look messy, started to tidy the papers on FOSTER's coffee table. POND told GORHAM she suddenly realized that she should not touch anything and left. GORHAM advised that she realized that there was later misunderstanding about what POND had touched. She stressed that POND told her that she only straightened papers on the coffee table, and never touched anything on FOSTER's desk or anything else in his office. GORHAM said that Wall Street Journals and other papers she could not recall were on the coffee table.

Shortly after she'd arrived GORHAM went down to the canteen to get some coffee and breakfast. When she returned POND and NEUWIRTH were there. There was a 9:00am meeting in NUSSBAUM's office with all the Associates (8-10 of them) and it was short. There was also a short meeting in NUSSBAUM's office of NEUWIRTH, SLOAN, and intermittently, CHERYL MILLS, who was working on flight arrangements for the funeral.

BILL KENNEDY, and CRAIG LIVINGSTONE dropped by. LIVINGSTONE was dressed more casually than he normally did, wearing khaki trousers and a blue shirt without a tie. He looked emotionally upset. She thinks she remembers POND saying that he had identified FOSTER's body the night before and did not get much sleep. He was not dressed in clothes he would normally have worn to work. GORHAM does not recall seeing any boxes or binders carried around and did not hear anybody talking about such a thing.

The door to FOSTER's office was secured by a female Secret Service guard who arrived maybe 10:30-11:00am. NUSSBAUM, NEUWIRTH, and KENNEDY spoke of securing the office. SLOAN may have also been in on that discussion. A bolt was put on the door by the time she left the office for the day, so there was no guard any longer. There were two keys to the bolt- NUSSBAUM had one and he gave GORHAM the other one. She taped her key to the underside of her desk and told POND it was there in case they needed it in her absence.

GORHAM advised that she was not involved in the arrangements being made to inventory the contents of FOSTER's office and does not know who was involved in the negotiations and the event. She was never asked where things were, except NEUWIRTH asked her about what was located in the general files located in front of her desk. Nobody asked about the safes. She knows nothing about a tablet from FOSTER's desk being taken during the inventory, then returned to Nussbaum or any efforts to find any tablet. She left the office about 7:00pm that evening.

Events of July 22, 1993

GORHAM advised that her memory of July 22 is very vague. The only salient points she remembers are items related to funeral logistics-- who would be going and travel arrangements and the like. WEBB HUBBELL was there in casual attire and did some of the planning.

During the inventory on July 22nd GORHAM was in the outer office at her desk. She recalls that people began to arrive and things seemed disorganized. There were lots of people in and out of NUSSBAUM's office and lots of slamming of doors. She did not hear any arguments or heated negotiations of any sort. Nobody asked her any questions or asked her for assistance. Nor did anybody ask anything about, or do anything about, looking into the safes or the files in front of her desk. It struck GORHAM as odd that nobody ever asked her where things were in FOSTER's office.

Normal Location of Papers in FOSTER's office

The lateral file cabinet to the left of Foster's desk: Papers in the right hand top drawer were the President's and HILLARY CLINTON's personal legal and financial records in "drop pin flex folders". GORHAM advised that she helped maintain those files. They included tax returns.

Below the top drawer was visitor information related to Washington D.C.. GORHAM could not recall what was in the bottom drawer.

Other top drawers in the lateral files against the wall were folders on individuals. There was one for the Associate Attorney General WEBB HUBBELL, which included press releases about his confirmation. In another folder there were also some papers regarding FOSTER's father's estate.

The lateral file cabinet to the right of Foster's desk: the top right drawer closer to the window contained files on specific individuals--i.e. MAC McLARTY, HAROLD ICKES, and others she could not recall. The left top file held personal press clippings and a "junk" drawer. The lower right drawer was maintained by FOSTER and was kept locked by FOSTER himself. It contained confidential documents he said he would file things in as appropriate. She assumed it was out of his desire for privacy. It did not contain classified documents. The two or three documents she knows were in there were not White House documents. One related to "transition matters". Other than that, she does not know what was in that drawer as she was told not to touch it.

The desk drawers:

The three narrow ones on the left held desk supplies; the middle one held personal items, such as receipts and his checkbook; the right top held more desk supplies; the lower right had folders with information concerning the sale and purchase of a personal car, the Rose Law Firm, and others she could not identify.

The cabinet up above the lateral files on the left of Foster's desk held two pewter candlestick holders.

GORHAM advised that she does not recall seeing anything in FOSTER's office regarding "MADISON" (understood to mean MADISON GUARANTY SAVINGS AND LOAN). There was a very thin, pressboard folder on WHITEWATER kept to the left of the desk in the upper righthand drawer where the President's personal files were kept. She advised that she never did any work on either WHITEWATER or MADISON.

She does not recall any black binders anywhere in FOSTER's office. There were some pictures of family. There were no firearms, either for decorative display or otherwise that she ever saw.

Files outside FOSTER's office were located just in front of GORHAM's desk. They included general information files covering nonsensitive subjects.

Information Concerning the Safes

There are no safes in FOSTER's office. The only two safes are in NUSSBAUM's office, each located in a lower inset cabinet. GORHAM had the combinations to both safes and she was the only one in the office to have them. She believes only the safekeeper and CYNTHIA MCMANUS (a temporary duty employee from Department of Justice) also had the combinations. GORHAM advised that she does not know what was inside the lefthand safe because she never opened it.

The righthand safe was used by FOSTER and NUSSBAUM for highly confidential and sensitive items such as those relating to national security. There were some FBI reports. There were no items relating to CLINTON or WHITEWATER. GORHAM prepared an item by item inventory of the contents of the safe (which was stored in the hard drive of her computer). FOSTER would give things to GORHAM for her to put into the safe (as opposed to having her open the safe and his insisting on putting the items in himself).

On occasion, he would ask her to open the safe and he would remove two books on national security procedures. Two examples of items kept there are a copy of the War Powers Act, and procedures to follow in case of a critical Bosnian crisis. FOSTER and NUSSBAUM were both designated to be privy to national security information. GORHAM was authorized to receive it.

After FOSTER's death, GORHAM was never asked to open the safe in order to search it for anything FOSTER may have placed there relevant to his death, then or at any other time. The first of September was the last time she opened the safe. She does not know if the combinations have been changed, but she would presume they were after she left.

GORHAM does not know if there was any other place that FOSTER kept his materials. She also does not know how much material he brought with him from Arkansas. The only items she knows of which were removed from his office prior to the inventory following his death were on two significant occasions. The first was in May or June when he asked her to get two boxes, which were subsequently loaded with transition materials which were taken out of his office (she does not know where they were taken). The second was the day before his death, when he seemed to be sort of "cleaning house" and routing various things off to other places.

Events on July 23

July 23, 1993 was taken up entirely by attending FOSTER's funeral in Little Rock. POND, TRIPP, and GORHAM met at the office at about 7:00am, left at 7:20am together for the shuttle to Air Force One, which was flying everyone to Little Rock. President CLINTON was on the flight. HILLARY CLINTON was out of town and GORHAM had not seen her for some time. GORHAM did not see her on the flight and does not know if she was on it. She saw her, however, at the funeral. There was not a lot of chit-chat and speculation about FOSTER's death that she heard. They returned in the evening.

Events of July 26, 1993

GORHAM did not work the weekend. On Monday, the 26th, later in the morning, NEUWIRTH was in FOSTER's office, beginning the task of making an inventory of what remained in the office.

She does not know who told him to do it.

GORHAM advised that she went into FOSTER'S office to ask NEUWIRTH if he needed assistance. She observed him get up from the desk to come around it and as he did so, trip slightly over FOSTER's briefcase, which was propped against the desk just to the right of the chair area as one is sitting at the desk. FOSTER usually carried it to and from work, not always.

Thinking it best to get the briefcase out of the way, she walked to the left side of the desk, reached down with her left hand and picked up the briefcase. It spread open as she lifted it, she glanced down and transferred it to her right hand, closing it in the same movement, carried it over to near the door and propped it there on the floor. As she had glanced down into the briefcase, she caught sight of "something yellow" which she took to be yellow Post-It notes she knew FOSTER to like to have with him, a dark gold file folder (the type that is open on three sides, but not the pale vanilla file folders common in the Counsel's office), and, in a different section in the briefcase, a single white sheet of paper. She could not see and does not recall seeing any writing on either the folder or the piece of paper. She did not remark to anybody about this, because she did not attach any significance to it. She moved the briefcase again about an hour later and put it against the wall behind FOSTER's desk.

It was after that that NEUWIRTH came out of the office with the briefcase, looking hurried, harried, and upset. He went straight into NUSSBAUM's office. He came right out again asking where NUSSBAUM was and saying abruptly, "beep him". NUSSBAUM rushed in about ten minutes later, went into his office with NEUWIRTH and closed the door. NUSSBAUM came right out again and ran out the door in the direction of the Men's Room-- which is also the direction of the Women's Room, HILLARY CLINTON's Office, and MAGGIE WILLIAMS Office, or the Domestic Policy Office with CAROL RASCO (phonetic) and BOB RUBIN. He looked emotionally upset.

Meanwhile, NEUWIRTH came out and asked POND to page BILL BURTON. GORHAM said she has maybe a vague memory of seeing HILLARY CLINTON arrive. One or two days later POND told her a note of some sort had been found in the briefcase. At the time nobody was saying anything to the executive assistants.

With regard to the torn up note, to this day GORHAM has avoided acquainting herself with its contents. It is a way of insulating herself from emotional distress. Her only knowledge of its contents stems from NEIL EGGLESTON asking her if FOSTER had ever discussed the issue of the FBI having lied to the Attorney General about anything. He asked her that when he thought the FBI was going to be conducting interviews on the allegation, which GORHAM understood was one of the items in the torn note FOSTER wrote. She was never interviewed on the matter by the FBI or anybody else.

Additionally, GORHAM stated that she never saw any lists FOSTER had written of things that troubled him. He kept "To Do" lists, which had business items listed separately from personal items. Her reaction to the torn-up note was that FOSTER was, "not a tear-up type of guy. He was a pitch and toss guy." Things for the burn bag he would lay in the bottom of the bag. Other things he wanted to throw away he would crumple up and toss into the waste basket.

Following FOSTER's death and the discovery of the items in the briefcase, GORHAM said that NUSSBAUM asked her to open the safe in his office on possibly 4-6 occasions. He had given her an envelope (very thin) some time after July 26 and told her not to look at it, but to place it in the front of the safe. It was never recorded onto the inventory, but it was kept in the safe. GORHAM advised that NUSSBAUM asked for the envelope 3-4 times during the two weeks following FOSTER's death. At the end of the second week, NUSSBAUM told her to get the envelope and bring it to him as he was meeting with JAMES HAMILTON and LISA FOSTER in VINCE FOSTER's office. GORHAM saw him pass the envelope to LISA as she closed the door and it was never returned to her to replace in the safe. She has no idea what was in the envelope, but said it had the weight and thickness of a single sheet of Xerox paper.

Also a couple days after the discovery of the items in the briefcase NUSSBAUM called GORHAM into his office and "grilled" her about what she'd seen in the briefcase. It was like being cross-examined by a prosecuting attorney. GORHAM advised that she is very certain about seeing the folder and the piece of paper that was in the briefcase. She stated that she has no idea who, when, or how the pieces of note came to be in the briefcase, and in fact, did not recognize them as pieces of

torn paper at the time.

To her knowledge, NUSSBAUM and she had the only keys to the bolt on the door. She never "lost" her key, but NUSSBAUM may have misplaced his. He asked to use GORHAM's key sometime during the three days following the day the note pieces were found in the briefcase. She does not know if he was missing his key or asked her for hers merely for convenience sake.

At about 2:00pm on either Tuesday or Wednesday (July 27th or 28th), GORHAM and NUSSBAUM were in FOSTER's office. GORHAM opened the top center drawer right under the center top of FOSTER's desk and saw a life insurance policy for $700,000, several personal checks from people to FOSTER (for small amounts) which he had not yet cashed or deposited, his personal stationery, and other miscellaneous items. GORHAM was surprised at seeing the insurance policy and asked NUSSBAUM, "Didn't they look in this drawer?" He said, "No--what's in there?"

Some time during the week following the finding of the items in the briefcase when NEUWIRTH was still inventorying FOSTER's office, GORHAM was in FOSTER's office with NEUWIRTH when MAGGIE WILLIAMS came in. They went to the top far right drawer where the Presidential files are kept. GORHAM noted that the "drop sheet" that she prepared and always kept in the front of the drawer which lists the contents of the drawer was not in place. It was odd that it was missing. MAGGIE WILLIAMS took what she wanted from the drawer. It was packed up in two boxes with the help of TOM CASTLETON. There was no list or index created of what was taken. A man GORHAM did not recognize carried them out and GORHAM does not know where they were taken. A record of the drop sheet was on the hard drive of GORHAM's computer. She told NEUWIRTH it was there. When GORHAM left the Office of Counsel to the President her stand-alone computer together with its hard drive were moved to the Old Executive Office Building to the office of CHERYL MILLS. Back-up tapes and all her back-up diskettes were given to BILL KENNEDY.

GORHAM provided the following personal information:

Name: DEBORAH L. GORHAM
DOB: FOIA(b)(6)
POB:
SS#: FOIA(b)(7) - (C)
Address: 2309 Toddsbury Place, Reston, VA 22091

Telephone #: (703) 758-9496 (res); (202) 857-2694
Current Position: Legal Secretary, DOW, LOHNES & ALBERTSON, 1255 23rd Street NW, Washington D.C.
Position as of 7/20/93: Executive Assistant to the Deputy Counsel to the President, held from 3/18/93 - 11/17/93.

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

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/13/94

SUSAN P. THOMASES, Attorney, WILLKIE, FARR, and GALLAGHER, 100 East 53rd Street, New York, NY faxed the attached two pages to the Office of the Independent Counsel, Washington, D.C.

The first page of the fax identifies the second page as a "page out of my appointment section of my Filofax for July 20 and 21, 1993". The second page of the fax from THOMASES indicates that she was in Washington, D.C. on July 21, 1993 but not July 20, 1993.

THOMASES has explained that the notation on the July 21st entry in the upper left hand corner of the page indicating "D.C." was her method of recording days she was actually in Washington, D.C. For the date of July 20, 1993 there is no such notation, and she therefore knows that she was not in Washington, D.C. on that date.

The information depicted on this calendar is consistent with THOMASES interview by the FBI on June 14, 1994.

Investigation on 7/12/94 at Washington, D.C. File # 29D-LR-35063 SUBA 286

by SA WILLIAM T. GUYTON Date dictated 7/13/94

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WILLKIE FARR & GALLAGHER

FAX TRANSMISSION

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Date: July 12, 1994 Time: | Total number of pages (including this page): 2

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City: Washington State: D.C. County:
Please include Client/Matter No. below:

FROM: Susan P. Thomases | Room No.: 844
Ext.: 8275

TO: Bill Guyton

As promised, attached is the page out of my appointment section of my Filofax for July 20 and 21, 1993.

Confidentiality Note:
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19 Monday

[illegible]

[illegible]

[illegible]

Dinner w/ [illegible]

20 Tuesday

9 am. Chris Meagher

[illegible]

Fern Wilkey Georgeson - Bill

11:30-8:30 AHP

2-5

[illegible]

[illegible]

21 Wednesday

DC Billings [illegible]

[illegible]

[illegible]

[illegible]

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/13/94

Sergeant PETER W. MARKLAND, U.S. Park Police (USPP), District 2, Glen Echo, telephone number (301) 492-6293, was interviewed at the Office of the Independent Counsel, Washington, D.C. MARK STEIN, Assistant to Independent Counsel, ROBERT B. FISKE, JR., assisted in this interview. Sergeant MARKLAND was advised of the identities of the interviewing agent and the OIC Counsel and of the purpose of the interview. Sergeant MARKLAND provided the following information:

He was asked about his handwritten notes (copy attached) taken during the USPP investigation of the death of VINCENT W. FOSTER, JR. on July 20, 1993. The notes indicate that CRAIG LIVINGSTONE, White House security, "responded to Fairfax Hosp. - ID body." The notations continue, "came down stairs (Bruce Abbott observed) with box (records?)."

MARKLAND said there were additional notations in his notes regarding CRAIG LIVINGSTONE. He reviewed copies of his notes and located a notation stating, "LIVINGSTONE said he was not in office today" (copy attached).

MARKLAND said that BRUCE ABBOTT, Uniformed Division, U.S. Secret Service, was on the desk at the West Executive Avenue entrance to the West Wing of the White House. ABBOTT approached MARKLAND as he apparently remembered him (MARKLAND) from his previous employment at the White House. ABBOTT told MARKLAND that LIVINGSTONE came down from the second floor of the White House West Wing with a box. MARKLAND could not remember the exact time he received this information from ABBOTT but said it was about 10:00 a.m. on July 21, 1993. He said it was at the same time that the Chief of the USPP and Major HINES had walked down the hall as they were talking with BERNARD NUSSBAUM, Chief White House Counsel. At the time, MARKLAND was not sure if this information was a big deal or not. He said he mentioned the information provided by ABBOTT to his Captain, CHARLES HUME.

Sometime between 1:00 p.m. and 1:30 p.m., LIVINGSTONE came up to MARKLAND and introduced himself to MARKLAND. MARKLAND

Investigation on 7/11/94 at Washington, D.C. File # 29D-LR-35063 SUBA -285

by SA William T. Guyton WTG:deg Date dictated 7/11/94

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recalled this being somewhere in the West Wing on the ground floor. He said LIVINGSTONE gave him his card as he knew MARKLAND was involved in the FOSTER death investigation. LIVINGSTONE volunteered that he was at the FOSTER house the previous night and said he was available if there was anything he could do to help. At this time, MARKLAND asked LIVINGSTONE about carrying the box from the West Wing and whether or not he was in FOSTER's White House office. MARKLAND could not recall the exact words to his question, nor could he remember any of the words used by LIVINGSTONE to answer the question. MARKLAND said it was clear from the exchange that LIVINGSTONE had not been in FOSTER's office and had not taken anything from FOSTER's office. MARKLAND told LIVINGSTONE something along the lines that he had been seen coming from the second floor carrying a box. LIVINGSTONE replied along the lines (but not his words) that it was some kind of routine stuff. Livingstone didn't deny coming from the second floor. LIVINGSTONE specifically said he had not been in FOSTER's office. MARKLAND was asked if LIVINGSTONE said anything affirmative regarding the box question. MARKLAND's answer was that it was clear in his mind after the exchange that LIVINGSTONE agreed with having come down with a box. He was asked if he followed up on LIVINGSTONE's routine comment. MARKLAND answered yes, but said he could not recall the specifics. He said LIVINGSTONE did answer in the affirmative in some way. He didn't remain silent. He did say something. It was clear from LIVINGSTONE's answer that it had nothing to do with FOSTER's office.

MARKLAND had not asked ABBOTT or LIVINGSTONE about the time of the incident other than to understand that it had been "earlier that morning."

MARKLAND said LIVINGSTONE had said something to say he was carrying a box. LIVINGSTONE had not been adversarial in the exchange. LIVINGSTONE in no way denied carrying something down from the second floor.

MARKLAND had no further conversations with LIVINGSTONE about this matter. He received subsequent phone calls from LIVINGSTONE regarding FOSTER's property being returned to the family and/or thank you comments from LIVINGSTONE regarding the handling of this property or other aspects of the investigation.

MARKLAND was asked if he contacted ABBOTT again regarding this matter and he answered no. He said ABBOTT did not say that LIVINGSTONE was with somebody else. He said ABBOTT didn't mention anyone else, or he would have put that person's name in his notes. LIVINGSTONE himself did not mention anyone else being with him on that morning. MARKLAND said LIVINGSTONE reacted to the news that he had been seen carrying a box from the second floor with "no surprise or apprehension." LIVINGSTONE's name did not come up otherwise during the course of the USPP investigation. LIVINGSTONE had nothing to do with other meetings concerning this investigation.

FAMILY'S ATTORNEY

JAMES HAMILTON

624-7826

363-3020

WEBB HUBBELL

514-9500

When body can be released?

Craig LIVINGSTONE (Clinton staff) WH security - responded to Fairfax Hosp. - to Body Come down stairs ada. (Bruce Hobbs) with bow. observed (records?)

Catherine Gallagher Notified for Webb Hubbell @ 1300 hrs. that body can be released

Mr. Wussham.
1310 – left office
the Guard Office

Tried to page @ 1830
No response

He (Wussham) left office
@ 1830 Hours of 1900.

No unusual behavior.

Betsy Todd.

Deborah Gorham.

~~1000~~ INTERVIEW
+ 0830

LIVINGSTONE SAID HE WAS
NOT IN OFFICE TODAY

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/11/94

Sergeant PETER W. MARKLAND, U.S. Park Police (USPP), District 2, Glen Echo, telephone number (301) 492-6293, was interviewed on the telephone as a follow-up to his interview of June 9, 1994. Sergeant MARKLAND provided the following information:

He was asked about his handwritten notes (copy attached) taken during the USPP investigation of the death of VINCENT W. FOSTER, JR. on July 20, 1993. The notes indicate that CRAIG LIVINGSTONE, White House Security, "responded to Fairfax Hosp. - ID body." The notations continue, "came down stairs (Bruce Abbott observed) with box (records?)."

MARKLAND identified BRUCE ABBOTT as a Uniformed Division U.S. Secret Service "guy" who had been posted at the desk in the White House. MARKLAND said ABBOTT told him "on the side" he had observed LIVINGSTONE with a box as indicated in MARKLAND's handwritten notes.

MARKLAND said he later asked LIVINGSTONE about this. LIVINGSTONE told him he had not gone into VINCENT FOSTER's office but had taken records. LIVINGSTONE said he had come from the second floor of the West Wing of the White House with a box. LIVINGSTONE had done this "early" on the morning of July 21, 1993. When asked if he could further pinpoint the time, MARKLAND replied he could not except to say that it occurred sometime before the USPP got to the White House that day. MARKLAND said the information provided by LIVINGSTONE seemed "inconsequential" at the time and he did not pursue it further. MARKLAND said he did not get the feeling that LIVINGSTONE was someone any one would have confided in. He felt LIVINGSTONE was "on the level."

(telephonically)

Investigation on 7/8/94 at Washington, D.C. File # 29D-LR-35063 SUBA - 280

by SA William T. Guyton WTG:deg Date dictated 7/11/94

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FAMILY'S ATTORNEY

JAMES HAMILTON

424-7826

363-3020

WEBB HUBBELL

514-9500

When body can be released?

Craig ← WH security (Clinton Staff)

LIVINGSTONE - responded to Fairfax Hosp. - Ed Body Come down stairs ofc. (Bruce Udolf) observed with bror. (records?)

Catherine Gallagher Notified for Webb Hubbell @ 1300 hrs. that body can be released

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

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/24/94

30175401.wec

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

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

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

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

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

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Investigation on 6/24/94 at Washington, D.C. File # 29D-LR-35063 SUB A-272

by SSA WILLIAM E. COLOMBELL WEC Date dictated 6/24/94

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

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

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

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

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

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

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

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

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

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

#1

United States Department of the Interior

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

TAKE PRIDE IN AMERICA

IN REPLY REFER TO:
P36(NCR-FOIA)

P Williams 9/3
mcca, rt
9/3
9/10/93

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

Dear Mr. Nussbaum:

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

We have enclosed the following:

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

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

Sincerely,

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

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

FOIA file 93-026

July 1993

Vincent W. Foster

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
				1 9:00am Staff 1:15pm Askew, Anthony 4:00pm Bersey Wright BD 1317 F, Suite 600	2 9:00am Staff 7:30pm Chevy Chase CC	3
4 7:30pm Ice Cream Social	5 Holiday	6 8:00am Sr. Staff 4:00pm Deputies	7 8:00am Sr. Staff 9:00am Staff	8 8:00am Sr. Staff 9:00am Staff 11:00am School Mtg 2:00-2:45pm Lisa Nevans-HOPE STAR	9 8:00am Sr. Staff 9:00am Staff 11:00am Gary Aldrich - Joan 12:15pm Pincus-Hay Adams	10
11	12 8:00am Sr. Staff 9:00am Staff 4:00pm Deputies	13 9:00am Staff	14 9:00am Staff	15 9:00am Staff	16 9:00am Staff 4:00pm Deputies	17
18	19 NAFTA Brief Due Meinhold Brief Due 9:00am Staff 4:00pm Deputies	20 Ginsburg Hrg Begins 9:00am Staff	21 9:00am Staff	22 9:00am Staff 1:15pm Sharon lunch	23 9:00am Staff 4:00pm Deputies	24
25	26 9:00am Staff 4:00pm Deputies	27 9:00am Staff	28 9:00am Staff	29 9:00am Staff	30 9:00am Staff 4:00pm Deputies 7:30pm Edleman Party 3208 Newark 662-3506	31

June

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

August

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

7/8/1993

July 1993

Vincent W. Foster

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
				1 9:00am Staff 1:15pm Askew, Anthony	2 9:00am Staff 7:30pm Chevy Chase CC	3
4	5 Holiday	6 8:00am Sr. Staff 4:00pm Deputies	7 8:00am Sr. Staff 9:00am Staff	8 8:00am Sr. Staff 9:00am Staff 11:00am School Mtg 2:00-2:45pm Lisa Nevans-HOPE STAR	9 8:00am Sr. Staff 9:00am Staff 11:00am Gary Aldrich 12:15pm Pincus 5:00pm Interns	10
11	12 8:00am Sr. Staff 9:00am Staff 10:45am Mtg w/ Watkins re staff 12:00pm Beth & Cliff 4:00pm Deputies	13 9:00am Staff	14 9:00am Staff	15 9:00am Staff	16 9:00am Staff 4:00pm Deputies	17
18	19 NAFTA Brief Due Meinhold Brief Due 9:00am Staff 4:00pm Deputies	20 Ginsburg Hearing 9:00am Staff	21 9:00am Staff	22 9:00am Staff 10:00am Judicial Selection 1:15pm Sharon lunch (4)	23 9:00am Staff 4:00pm Deputies	24
25	26 9:00am Staff 4:00pm Deputies	27 9:00am Staff 8:00pm Mrs. Simpsons & Hemreich BDay	28 9:00am Staff	29 9:00am Staff	30 9:00am Staff 4:00pm Deputies 7:30pm Edleman Party 3208 Newark 662-3506	31

June

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

August

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

7/20/1993

July 20, 1993

TIME IN	NOTES/RESOLUTION	NAME/AGENCY	PHONE NO.	MESSAGE
10:55 AM		Brant Buck	501 377 0310	
11:01 AM		Bill Kennedy		
11:11 AM		Maggie Williams	7194	
		Cheryl Mills	7112, 7900	
		Jim Lyons	303 623 9000	
		Brant Buck	501 377 0310	
1:40 PM		Bill Kennedy	2144	
1:40 PM		Steven Neuwirth	7903	
2:14 PM		Cheryl Mills	7122, 7900	needs to call Justice on a new matter; if she cannot reach you, she will go ahead and call
		Gordon Rather	501 371 0808	personal matter (secy did not know specifics)
3:35 PM		Maggie	7194	has an answer to one of our questions
5:10 PM		Mrs. Foster		

WH. 7/30/93

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 not intent to benefit any individual or special 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 to knowledge and role and covered up a prior investigation

The Ushers Office plotted to have excessive costs incurred, taking advantage of Kake and HC

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

The WSJ editors lie further consequence

I was not meant for the glare or the spotlight of public life in Washington. Here ruining people is considered sport.

T. #2

THE WHITE HOUSE

WASHINGTON

11/4/93

November 8, 1993

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

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

Dear Major Hines:

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

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

Second, the requested documents do not qualify as "agency records" since they were primarily personal documents prepared for the convenience of an employee and were not distributed. See, e.g., Bureau of National Affairs v. U.S. Dep't of Justice, 742 F.2d 1484, 1485-96 (D.C. Cir. 1984) (personal diary, appointment calendars, phone logs not "agency records.")

Third, even assuming arguendo that these White House documents are "agency records", they are exempt from disclosure both under FOIA's exemption 6 (the privacy exemption) and exemption 7(c) (the privacy exemption in the context of a law enforcement

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

The privacy provisions of FOIA exemptions 6 and 7(c) apply fully to Mr. Foster's handwritten note. As has been publicly stated, the Foster family has requested that the handwritten version of the note not be released. That the note is handwritten only confirms the significant privacy interest in that note. Moreover, any public interest in release of the handwritten note is minimized because the complete contents of the note have been previously released and widely reported. See, e.g., New York Times Co. v. NASA, 920 F.2d 1002, 1004 (D.C. Cir. 1990) (en banc) (finding, under exemption 6, personal information in tape recording of astronauts' last conversation where transcript already published).

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

Sincerely,

Bernard W. Nussbaum
Counsel to the President

Att. #3

United States Department of the Interior

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

IN REPLY REFER TO:
P36(NCR-PPIA)

DEC 13 1993

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

Dear Mr. Nussbaum:

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

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

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

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

We have enclosed the following:

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

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

Sincerely,

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

Enclosures

bcc:
USPP IAU FOIA Surname
USPP IAU FOIA File

AFJEZ:aj:12-10-93:WP51\FINUS.326

Document Previously Released to Gov.

July 20, 1993

TIME IN	NOTES/RESOLUTION	NAME/AGENCY	PHONE NO.	MESSAGE
10:55 AM		Brant Buck	501 377 0310	
11:01 AM		Bill Kennedy		
11:11 AM		Maggie Williams	7194	
		Cheryl Mills	7112, 7900	
		Jim Lyons	303 623 9000	
		Brant Buck	501 377 0310	
1:40 PM		Bill Kennedy	2144	
1:40 PM		Steven Neuwirth	7903	
2:14 PM		Cheryl Mills	7122, 7900	needs to call Justice on a new matter she cannot reach you, she will go ahe and call
		Gordon Rather	501 371 0808	personal matter (secy did not k w specifics)
3:35 PM		Maggie	7194	
5:10 PM		Mrs. Foster		has an answer to one of our questio

#50

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE

States Park Police

3 WHEN DID IT OCCUR	MO	DAY	YR	4 YEAR	CASE INCIDENT NUMBER
	07	29	93	93	-30512

5 INCIDENT
Investigation

6 RECLASSIFICATION OF INCIDENT

7 RESULTS OF INVESTIGATION

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

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

8 WARRANT(S)	9	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
☐ YES ☐ NO	☐ LATENTS ☐ PHOTOS			PAGE 1 OF 1 PAGES

STATUS: ☐ OPEN ☐ SUSPENDED CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

253

1 JUVENILE CASE

States Park Police

WHEN DID IT OCCUR? MO. DAY YR. 4 YEAR CASE/INCIDENT NUMBER: 07 20 93 93 - 30501

INCIDENT: Investigation

6 RECLASSIFICATION OF INCIDENT

7 RESULTS OF INVESTIGATION

July 20,, 1993 Phone Log

[redacted]

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

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

[redacted]

The phone message log indicated a call from [redacted] at 11:11 a.m. with only a phone number left, [redacted] Lyons is from the [redacted] I contacted [redacted] by telephone on August 2nd. He had known Foster since the late 1980's. He met him through Hillary Rodham Clinton and the Rose Law Firm. They had worked together on the Campaign. [redacted] was going to be in Washington on Wednesday, July 21st. He had called and spoken with Foster Sunday July 18th between 8:00-9:00 p.m. eastern time and they had agreed to meet for dinner Wednesday.

[redacted] had told Foster he would call him and let him know when he would leave Denver and arrive in Washington. This is the reason for the phone message on the morning of July 20, 1993.

[redacted]

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

ARRANT(S)	9	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
YES NO	☐ LATENTS ☐ PHOTOS			PAGE 1 OF 2 PAGES

STATUS: ☐ OPEN ☐ SUSPENDED CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED

REPORTING OFFICER	BADGE/ID	DATE	15 INVESTIGATOR	BADGE/ID	DATE	16 SUPERVISOR

#36

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE

2 ITEM AREA	3 WHEN DID IT OCCUR? MO	DAY	YR	4 YEAR	CASE/INCIDENT NUMBER
United States Park Police	0 7	2 0	9 3	9 3 -	3 0 5 0

5 NATURE OF INCIDENT: Death Investigation

6 RECLASSIFICATION OF INCIDENT

ITEM | 7 RESULTS OF INVESTIGATION

"Review of Documents from
Vincent Foster's Office"

On Thursday, July 22, 1993, in the afternoon the following persons met in the office of Vincent Foster to attempt to determine if he left a suicide note or if there were any other information that might have led him to take his own life.The very limited examination of the documents and notes were done by the [redacted]. The following people were also present during this meeting: [redacted]; Attorney representing the Foster family, Captain [redacted] and Detective [redacted]; U.S. Park Police, Special Agents [redacted]; Federal Bureau of Investigation, [redacted], Deputy Assistant Attorney General Criminal Division; and [redacted] Department of Justice Attorney, [redacted] U.S. Secret Service.

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

At 1315 hours, Thursday, July 22, all 13 of us entered the office of Vincent Foster. [redacted] took a seat at Foster's desk, [redacted] was surrounded by [redacted] with [redacted] near [redacted] side and [redacted] at the end of the desk.

8 WARRANT(S)	9	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
☐ YES ☐ NO	☐ LATENTS ☐ PHOTOS			

13 STATUS: ☐ OPEN ☐ CLOSED

COMMUNICATION RECORD

#87

Log of Persons entering Mr. Foster's office

Wednesday July 21st 1993

11:10A Mr Nussbaum Removed a small B&W photo (Off. Mixon)

4:34P Cliff Sloan, to replace a bag of trash previously taken from Mr. Foster's Trash Can (Off. Cheney)

8:02P Kevin Pebbles, Kenneth Blair, to Place the Lock on the door to Foster's Office. (Sgt Flynn)

10:32P Lock installed, Door Secured by Flynn

Thursday July 22nd 1993

1:15P Mr Nussbaum, Steve Neuwirth, Cliff Sloan, Bill Burton, Michael Spafford David Margolis, Roger Adams, Capt Alonzo Hemo, Pete MacKland, Sgt Sabol, Dennis Condon, Paul Imbordino, Dan Flynn.

2:49P Discontinued Securing door, Key given to Mr Nussbaum by Flynn.

All #4

U. S. Department of Justice

Washington, D.C. 20530

August 20, 1993

HAND-DELIVERED

MEMORANDUM

TO: Major Robert Hines
U.S. Park Police
Department of Interior

FROM: Margaret Ann Irving
Associate Director
Office of Information and Privacy

SUBJECT: Freedom of Information Act Requests for U.S. Park Police Report Regarding Death of Deputy White House Counsel Vincent Foster

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

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

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

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

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

Enclosure

ATT #5

Material delivered to K. Myers or K. Robbins office on 4/7 pursuant to A. M phone call from K. Myers.

Clean copies of WH employee interviews 4/7
#29, 30, 31, 32, 33, 34
36, 37, 43, 45, 46

Redacted copies 4/7
of 29, 30, 31, 32, 33
34, 36, 37, 43, 45, 46

4/7

FYI
Bracketed material on document #36 was forwarded to WH.
I have provided #50+52 which were forwarded to WH.
We have not received a return.

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE ☐

	3 WHEN DID IT OCCUR?	MO	DAY	YR.	4 YEAR	CASE/INCIDENT NUMBER
d States Park Police		0 7	2 0	9 3	9 3	- 3 0 5 0 2

DENT — 6 RECLASSIFICATION OF INCIDENT

rh Investigation

ULTS OF INVESTIGATION

7/21/93: Bernard Nussbaum

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

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

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

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

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

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

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

Investigation continues.

29

RRANT(S)	9	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
YES NO	☐ LATENTS ☐ PHOTOS			PAGE 1 OF 1 PAGES

STATUS: ☐ OPEN ☐ SUSPENDED — CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED

PORTING OFFICER	BADGE/ID	DATE	15 INVESTIGATOR	BADGE/ID	DATE	16 SUPERVISOR	BADGE/ID	DATE
			Richard Markland					

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE ☐

2 AGENCY	3 WHEN DID IT OCCUR? MO.	DAY	YR.	4 YEAR	CASE/INCIDENT NUMBER
tes Park Police	0 7	2 0	9 3	9 3	- 3 0 5 0 2

5 CURRENT STATUS
vestigation

6 RECLASSIFICATION OF INCIDENT

RESULTS OF INVESTIGATION

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

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

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

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

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

30

ANT(S)	9	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
ES O	☐ LATENTS ☐ PHOTOS			PAGE 1 OF 2 PAGES

STATUS: ☐ OPEN ☐ SUSPENDED | CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED

REPORTING OFFICER	BADGE/ID	DATE	15 INVESTIGATOR	BADGE/ID	DATE	16 SUPERVISOR	BADGE/ID	DATE
			Charles W. Hume		9/1/93			

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE ☐

	3 WHEN DID IT OCCUR? MO.	DAY	YR.	4 YEAR	CASE INCIDENT NUMBER
tes Park Police	0 7	2 0	9 3	9 3	- 3 0 5 0 2

ENT
vestigation

6 RECLASSIFICATION OF INCIDENT

ULTS OF INVESTIGATION

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

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

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

31

ERRANT(S)	9	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
YES NO	☐ LATENTS ☐ PHOTOS			PAGE 2 OF 2 PAGES

STATUS: ☐ OPEN ☐ SUSPENDED CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED

PORTING OFFICER	BADGE/ID	DATE	15 INVESTIGATOR	BADGE/ID	DATE	16 SUPERVISOR	BADGE/ID	DATE
			Cpt. Charles Hume #852		8/4/93			

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE ☐

3 WHEN DID IT OCCUR?	MO	DAY	YR.	4 YEAR	CASE/INCIDENT NUMBER
	0 7	2 0	9 3	9 3	- 3 0 5 0 2

2 United States Park Police

5 INCIDENT
Death Investigation

6 RECLASSIFICATION OF INCIDENT

7 RESULTS OF INVESTIGATION

Interview: Deborah Gorham

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

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

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

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

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

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

32

8 WARRANT(S)	9	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
☐ YES ☐ NO	☐ LATENTS ☐ PHOTOS			PAGE 1 OF 2 PAGES

3 STATUS: ☐ OPEN ☐ SUSPENDED	CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED					
14 REPORTING OFFICER	BADGE/ID	DATE	15 INVESTIGATOR	BADGE/ID	DATE	16 SUPERVISOR BADGE/ID DATE

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE ☐

2 AGENCY	3 WHEN DID IT OCCUR? MO	DAY	YR.	4 YEAR	CASE INCIDENT NUMBER
d States Park Police	0 7	2 0	9 3	9 3 -	3 0 5 0 2

5 CLASSIFICATION OF INCIDENT
th Investigation

6 RECLASSIFICATION OF INCIDENT

7 RESULTS OF INVESTIGATION

This initial interview was concluded at approximately 0930 hours.

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

Investigation continues.

33

WARRANT(S)	9	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
☐ YES ☐ NO	☐ LATENTS ☐ PHOTOS			PAGE 2 OF 2 PAGES

13 STATUS: ☐ OPEN ☐ SUSPENDED CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED

14 REPORTING OFFICER	BADGE/ID	DATE	15 INVESTIGATOR	BADGE/ID	DATE	16 SUPERVISOR	BADGE/ID	DATE

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE ☐

3 WHEN DID IT OCCUR?	MO	DAY	YR	4 YEAR	CASE/INCIDENT NUMBER
	0 7	2 0	9 3	9 3	- 3 0 5 0 2

States Park Police

6 RECLASSIFICATION OF INCIDENT

ENT
Investigation

LTS OF INVESTIGATION

Office Personnel Interviews

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

Tom Castleton (Staff Assistant) @ 1000 hours:

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

Linda Tripp (Executive Assistant) @ 1150 hours:

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

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

Investigation continues.

34

WARRANT(S)	9	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
☐ YES ☐ NO	☐ LATENTS ☐ PHOTOS			PAGE 1 OF 1 PAGES

13 STATUS: ☐ OPEN ☐ SUSPENDED	CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED		
14 REPORTING OFFICER BADGE/ID DATE	15 INVESTIGATOR BADGE/ID DATE	16 SUPERVISOR BADGE/ID DATE	
	D. R. Markland #330		

*U.S. GPO: 1992-0-625-524/41193

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE ☐

2	3 WHEN DID IT OCCUR? MO.	DAY	YR.	4 YEAR	CASE/INCIDENT NUMBER
tates Park Police	0 7	2 0	9 3	9 3	- 3 0 5 0 2

5 INCIDENT
nvestigation

6 RECLASSIFICATION OF INCIDENT

RESULTS OF INVESTIGATION

"Review of Documents from
Vincent Foster's Office"

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

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

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

-36

7 ARRANT(S)	9	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
☐ YES ☐ NO	☐ LATENTS ☐ PHOTOS			PAGE 1 OF 2 PAGES

STATUS: ☐ OPEN ☐ SUSPENDED | CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED

REPORTING OFFICER	BADGE/ID	DATE	15 INVESTIGATOR	BADGE/ID	DATE	16 SUPERVISOR	BADGE/ID	DATE
			Charles W. Hume Cpt. Charles Hume #852		8/4/93			

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE ☐

2 AGENCY	3 WHEN DID IT OCCUR? MO	DAY	YR	4 YEAR	CASE/INCIDENT NUMBER
ates Park Police	07	20	93	93	-3052

5 INCIDENT	6 RECLASSIFICATION OF INCIDENT
nvestigation	

ULTS OF INVESTIGATION

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

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

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

37

WARRANT(S)	9	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
☐ YES ☐ NO	☐ LATENTS ☐ PHOTOS			PAGE 2 OF 2 PAGES

3 STATUS: ☐ OPEN ☐ SUSPENDED	CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED				
14 REPORTING OFFICER BADGE/ID DATE	15 INVESTIGATOR Cpt. Charles Hume #852	BADGE/ID	DATE 8/4/93	16 SUPERVISOR	BADGE/ID DATE

* U.S. GPO: 1992-0-625-524 41193

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE ☐

2 PARK	3 WHEN DID IT OCCUR? MO.	DAY	YR.	4 YEAR	CASE/INCIDENT NUMBER
Ft. Marcy	0 7	2 0	9 3	9 3	0 3 0 5 0 2

5 INCIDENT: ath Investigation

6 RECLASSIFICATION OF INCIDENT:

7 RESULTS OF INVESTIGATION

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

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

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

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

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

Cleared at 2200.

43

8 WARRANT(S)	9	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
YES NO	☐ LATENTS ☐ PHOTOS			PAGE OF PAGES

STATUS: ☐ OPEN ☐ SUSPENDED | CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED

14 REPORTING OFFICER	BADGE/ID	DATE	15 INVESTIGATOR	BADGE/ID	DATE	16 SUPERVISOR	BADGE/ID	DATE
			[illegible] 7-27-93			Capt. C.L. Hume	823	8/2/93

U.S GPO 1992-0-625-524/41193

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE ☐

3 WHEN DID IT OCCUR? MO	DAY	YR.	4 YEAR	CASE/INCIDENT NUMBER
0 7	2 0	9 3	9 3	- 3 0 5 0 2

2 United States Park Police

5 INCIDENT
Death Investigation

6 RECLASSIFICATION OF INCIDENT

7 RESULTS OF INVESTIGATION

Interview: Steven Neuwirth

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

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

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

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

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

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

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

45

8 WARRANT(S)	9	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
☐ YES ☐ NO	☐ LATENTS ☐ PHOTOS			PAGE 1 OF 2 PAGES

13 STATUS: ☐ OPEN ☐ SUSPENDED CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED

14 REPORTING OFFICER	BADGE/ID	DATE	15 INVESTIGATOR	BADGE/ID	DATE	16 SUPERVISOR	BADGE/ID	DATE

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE ☐

2 AGENCY CASE NUMBER	MO	DAY	YR.	4 YEAR	CASE INCIDENT NUMBER
	0 7	2 0	9 3	9 3	- 3 0 5 0 2

United States Park Police

3 INCIDENT
Death Investigation

6 RECLASSIFICATION OF INCIDENT

7 RESULTS OF INVESTIGATION

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

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

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

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

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

The interview concluded at approximately 1230 hours.

46

8 WARRANT(S)	9	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
☐ YES ☐ NO	☐ LATENTS ☐ PHOTOS			PAGE 2 OF 2 PAGES

13 STATUS: ☐ OPEN ☐ SUSPENDED CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED

14 REPORTING OFFICER	BADGE/ID	DATE	15 INVESTIGATOR	BADGE/ID	DATE	16 SUPERVISOR	BADGE/ID	DATE

DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE ☐

3 UNIT	3 WHEN DID IT OCCUR? MO.	DAY	YR.	4 YEAR	CASE/INCIDENT NUMBER
States Park Police	07	20	93	93	- 1305 02

6 RECLASSIFICATION OF INCIDENT

7 POINTS OF INVESTIGATION
Investigation

7/21/93: [redacted]

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

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

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

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

-At approximately 0900 hours [redacted] again entered the office to look around.

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

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

Investigation continues.

29

9 ☐ LATENTS ☐ PHOTOS	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12 PAGE 1 OF 1 PAGES

☐ OPEN ☐ SUSPENDED | CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED

13 OFFICER BADGE/ID DATE | 14 INVESTIGATOR BADGE/ID DATE | 15 SUPERVISOR BADGE/ID DATE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD — JUVENILE CASE

Park Police

WHEN DID IT OCCUR: MO. 07 DAY 20 YR. 93 — 4 YEAR 93 — CASE/INCIDENT NUMBER 93-0050

RECLASSIFICATION OF INCIDENT

tigation

OF INVESTIGATION

On Thursday, August 22, 1993, Detective [redacted] and I responded to the White house to meet with Special Agents [redacted] and [redacted] of the FBI to conduct interviews. The purpose of the interviews were to reconstruct the final hours of Vincent Foster's life.

Myself and Special Agent [redacted] interviewed [redacted], [redacted]. The interview took place in an office that was unoccupied for the day. Present in the room during the entire interview were [redacted]; [redacted] and [redacted]; assistant Special Agent in Charge, Office of Protective Operation, U.S. Secret Service. [redacted] took notes throughout the interview. During the interview [redacted] burst into the room and demanded "is everything all right?"

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

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

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

3030

7 (S)	9 ☐ CLOTHING ☐ PHOTOS	10 I.D. TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12 PAGE 1 OF 2 PAGE

15 ☐ OPEN ☐ SUSPENDED — CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED

REPORTING OFFICER	BADGE/ID	DATE	16 INVESTIGATOR	BADGE/ID	DATE	18 SUPERVISOR	BADGE/ID	DATE
			[redacted]					

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE

Park Police	WHEN DID IT OCCUR: MO	DAY	YR	4 YEAR	CASE INCIDENT NUMBER
	0 7	2 0	9 3	9 3	- 3 0 5 0

5 RECLASSIFICATION OF INCIDENT

tigation

INVESTIGATION

[redacted] said [redacted] left work at approximately 1345-1850 hours on Tuesday; but, before [redacted] left at around 1320 or so, [redacted] ([redacted] Chief of Staff) called for Vincent. [redacted] paged Vincent and left the White House number for him to call. [redacted] recalled no other phone messages for Vincent.

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

When I questioned [redacted] if [redacted] had been told how to respond to our questions, [redacted] stated that [redacted] (who was present during our interview) and [redacted], both [redacted], had called them all together on Wednesday evening and told them they would be questioned by the police and for them to tell the truth.

3/31

9	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
☐ LATENTS ☐ PHOTOS			PAGE 2 OF 2 PAGE

☐ OPEN ☐ SUSPENDED CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED

REPORTING OFFICER	BADGE/ID	DATE	INVESTIGATOR [redacted]	DATE 2/1/93	SUPERVISOR	BADGE/ID	DATE

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE

3 WHEN DID IT OCCUR	MO.	DAY	YR.	4 YEAR	CASE/INCIDENT NUMBER
	07	20	93	93	- 3051

d States Park Police

6 RECLASSIFICATION OF INCIDENT

IDENT
h Investigation

ULTS OF INVESTIGATION

Interview: [redacted]

[redacted] Deborah Gorham is the [redacted] Her desk is located in the common area between the two offices in the West Wing of the White House occupied by Mr. Bernard Nussbaum and Mr. Foster, respectively. Other persons occupying this common office space are [redacted] (Executive Assistant to Mr. Nussbaum), [redacted] (Executive Assistant), [redacted] (Secret Assistant), and [redacted] (Volunteer).

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

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

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

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

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

32
32

ARRANT(S)	9	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
] YES] NO	☐ LATENTS ☐ PHOTOS			PAGE 1 OF 2 PAGE

STATUS: ☐ OPEN ☐ SUSPENDED CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED

14 REPORTING OFFICER	BADGE/ID	DATE	15 INVESTIGATOR	BADGE/ID	DATE	16 SUPERVISOR	BADGE/ID	DATE

Park Police

tigation

STIGATION —

WHEN DID IT OCCUR?	MO.	DAY	YR.	4 YEAR	CASE/INCIDENT NUMBER
	0 7	2 0	9 3	9 3	- 1 3 0 5 0 2

6 RECLASSIFICATION OF INCIDENT

This initial interview was concluded at approximately 0930 hours.

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

Investigation continues.

3333

	9 ☐ LATENTS ☐ PHOTOS	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12 PAGE 2 OF 2 PAGES

☐ OPEN ☐ SUSPENDED CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED

REPORTING OFFICER	BADGE/ID	DATE	15 INVESTIGATOR	BADGE/ID	DATE	16 SUPERVISOR	BADGE/ID	DATE

• U.S. GPO: 1992-0-625-524/41153

tes Park Police	DATE OFFENSE DID IT OCCUR?	MO 07	DAY 20	YR 93	4 YEAR 1993	CASE INCIDENT NUMBER 30501
vestigation	6 RECLASSIFICATION OF INCIDENT					
INVESTIGATION						

Office Personnel Interviews

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

[redacted] (Staff Assistant) @ 1000 hours:

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

[redacted] (Executive Assistant) @ 1150 hours:

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

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

Investigation continues.

34/34

(S)	9 ☐ LATENTS ☐ PHOTOS	10 ID TECH NOTIFIED		11 INVESTIGATOR NOTIFIED		12 PAGE 1 OF 1 PAGES		
S: ☐ OPEN	☐ SUSPENDED	CLOSED BY: ☐ ARREST	☐ EXCEPTION	☐ UNFOUNDED				
NG OFFICER	BADGE/ID	DATE	15 INVESTIGATOR	BADGE/ID	DATE	16 SUPERVISOR	BADGE/ID	DATE
			Det. [redacted] 8-5-93					

* U.S. GPO: 1992 O 625 524/411

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE

2 AGENCY	3 WHEN DID IT OCCUR? MO	DAY	YR	4 YEAR	CASE INCIDENT NUMBER
States Park Police	0 7	2 0	9 3	9 3 -	3 0 5 0 1 -

5 INCIDENT: Investigation

6 RECLASSIFICATION OF INCIDENT

7 RESULTS OF INVESTIGATION

"Review of Documents from
Vincent Foster's Office"

On Thursday, July 22, 1993, in the afternoon the following persons met in the office of Vincent Foster to attempt to determine if he left a suicide note or if there were any other information that might have led him to take his own life. The very limited examination of the documents and notes were done by the [redacted]. The following people were also present during this meeting: [redacted]; the President, [redacted]; [redacted]; Attorney representing the Foster family, Captain [redacted] and Detective [redacted]; U.S. Park Police, Special Agents [redacted] and [redacted]; Federal Bureau of Investigation, [redacted], Deputy Assistant Attorney General Criminal Division; and [redacted]; Department of Justice Attorney, [redacted] and [redacted]; U.S. Secret Service.

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

At 1315 hours, Thursday, July 22, all 13 of us entered the office of Vincent Foster. [redacted] took a seat at Foster's desk, [redacted] was surrounded by [redacted], with [redacted] near his side and [redacted] at the end of the desk.

34

8 ARRANT(S)	9	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
☐ YES ☐ NO	☐ LATENTS ☐ PHOTOS			PAGE 1 OF 2 PAGES

STATUS: ☐ OPEN ☐ SUSPENDED | CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED

Referred Red Bracketed to WH.

SUPI :ORD 1 JUVENILE CASE

YR	2 YEAR	CASE INCIDENT NUMBER
93	93 • -	3050

States Park Police

INCIDENT
Investigation

7 RESULTS OF INVESTIGATION

On Thursday, July 2 ollowing persons met in the office c determine if he left a suicide not information that might have led him to take his own life. The very limited examination of the documents and notes were done by the [redacted]. The following people were also present during this meeting: [redacted] the President, [redacted]; [redacted]; Attorney representing the Foster family, Captain [redacted] and Detective [redacted]; U.S. Park Police, Special Agents [redacted] and [redacted]; Federal Bureau of Investigation, [redacted], Deputy Assistant Attorney General Criminal Division; and [redacted]; Department of Justice Attorney, [redacted] and [redacted]; U.S. Secret Service.

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

A

f

2, all 13 of us entered the office [redacted] took a seat at Foster's desk, [redacted], with [redacted] t the end of the desk.

Red Material referred to WH

ARRANT(S)
☐ YES
☐ NO

11 INVESTIGATOR NOTIFIED

12

PAGE 1 OF 2 PAGES

STATUS: ☐ OPEN ☐ SUSPENDED CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED

REPORTING OFFICER SIGNED DATE

36

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE

tates Park Police | 3 WHEN DID IT OCCUR? MO 07 DAY 20 YR 93 | 4 YEAR 1993 | CASE/INCIDENT NUMBER -30501

CIDENT
nvestigation | 6 RECLASSIFICATION OF INCIDENT

ESULTS OF INVESTIGATION

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

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

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

3737

ANT(S) | 9 ☐ LATENTS. ☐ PHOTOS | 10 ID TECH NOTIFIED | 11 INVESTIGATOR NOTIFIED | 12 PAGE 2 OF 2 PAGES

ATUS: ☐ OPEN ☐ SUSPENDED | CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED

RTING OFFICER BADGE/ID DATE | 15 INVESTIGATOR BADGE/ID DATE | 16 SUPERVISOR BADGE/ID

SUPPLEMENTAL CRIMINAL INCIDENT REPORT

	WHEN DID IT OCCUR: MO.	DAY	YR.	4 YEAR	CASE/INCIDENT NUMBER
J. Marcy	0 7	2	9 3	9 3	0 1 3 0 1 5 9
1 Investigation	6 RECLASSIFICATION OF INCIDENT				

S OF INVESTIGATION

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

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

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

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

According to ~~Mr. Bill Burton 202-456-6703~~ ~~Mr. Steven Neuwirth~~ will be available for an interview on 7-28-93. Also handwriting samples will be available.

Cleared at 2200.

4343

NT(S)	9 ☐ LATENTS ☐ PHOTOS	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12 PAGE OF PAGES

☐ OPEN ☐ SUSPENDED CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED

TING OFFICER	BADGE/ID	DATE	15 INVESTIGATOR	BADGE/ID	DATE	16 SUPERVISOR	BADGE/ID	DATE
								7/21

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE

tates Park Police

WHEN DID IT OCCUR: MO 07 DAY 20 YR 93 | 4 YEAR 1993 | CASE/INCIDENT NUMBER 1310-51012

vestigation

6 RECLASSIFICATION OF INCIDENT

NVESTIGATION

CASE

HER

012

Interview: [redacted]

[redacted] is an [redacted] and the
erson reported to have found the note presumably written by
ncent W. Foster that was turned over to Detective [redacted]
7/27/93. The note had been discovered by [redacted] during
e packaging of Mr. Foster's personal effects on 7/26/93.
7/29/93 at approximately 1130 hours, [redacted] was
terviewed in Bernard Nussbaum's office by Detective [redacted]
and Captain [redacted]. [redacted] was also
esent and became a subject of the interview.

e following questions were posed to the two [redacted] regarding
e note in question:
How could this note have avoided detection during the search
Mr. Foster's office by Mr. Nussbaum and other members of
e White House Counsel's office in our presence on 7/22/93?
If the note was found on 7/26/93 why were the police not
:ified of it's existence until approximately 8:00 P.M. on
27/93?

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

[redacted] then related that the following people were
acted to view the document before a determination could
ade to disclose it to the U. S. Park Police:

~~[redacted] (Deputy Chief of Staff)~~
~~Thomas F. McLarty (Chief of Staff)~~
~~Lisa Foster (wife of Vincent Foster)~~
~~Phillip Heymann (Deputy Attorney General)~~
Janet Reno (Attorney General)

45 45

LATENTS PHOTOS	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12 PAGE 1 OF 2 PAGES

☐ SUSPENDED | CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED

ADDEND DATE | 15 INVESTIGATOR | ADDEND DATE

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/16/94

Captain CHARLES W. HUME, United States Park Police (USPP) was reinterviewed at the Annocostia Operations Facility, Washington, D.C. for the purpose of verifying the fact that all investigative notes taken by USPP officials during the course of the VINCENT FOSTER death investigation had been submitted to Office of the Independent Counsel. Captain HUME provided the following information to include copies of the below cited investigative notes:

Captain HUME advised that based on a prior request by Special Agent (SA) LAWRENCE J. MONROE he had thoroughly reviewed all investigative notes in his possession and personally contacted all USPP officials who were involved in the death investigation to determine if any investigative notes were still outstanding. Based on this review, Captain HUME furnished a series of investigative notes which, in his opinion, might not have been included in the initial submission of investigative notes to the Office of the Independent Counsel. Captain HUME stated that he feels confident that with the submission of these notes, that all available investigative notes have been made available to the Office of the Independent Counsel and further stated that the original notes will be maintained in the official case folder.

A review of the above cited investigative notes by SA LAWRENCE J. MONROE reflect miscellaneous notes by Captain HUME, Investigator JOHN ROLLA, Officer CHRIS HODAKEVIC and Detective JOSEPH MEGBY. These notes were reviewed by SA MONROE and contain no information not already in the possession of investigative personnel.

Investigation on 6/14/94 at Washington, D.C. File # 29D-LR-35063 SUB A 24

by SA WILLIAM T. GUYTON
SSA LAWRENCE J. MONROE Date dictated 6/16/94

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency;

Possible call at home to Anthony on 12th - 15th 6:53 pm conversion To Foster Home -

July 15th 1993

Phone call with JCR

Beck Anthony - concerning Attorney Foster

Sharon Bowman -

501 - 663 - 8905 -

Husband Lee Bowman -

Approx. 3 weeks prior Vincent Foster made statement To Beck Anthony to the effect - I have spent a Lifetime building my Reputation and I am in the Process of Having it tarnished.

JCR

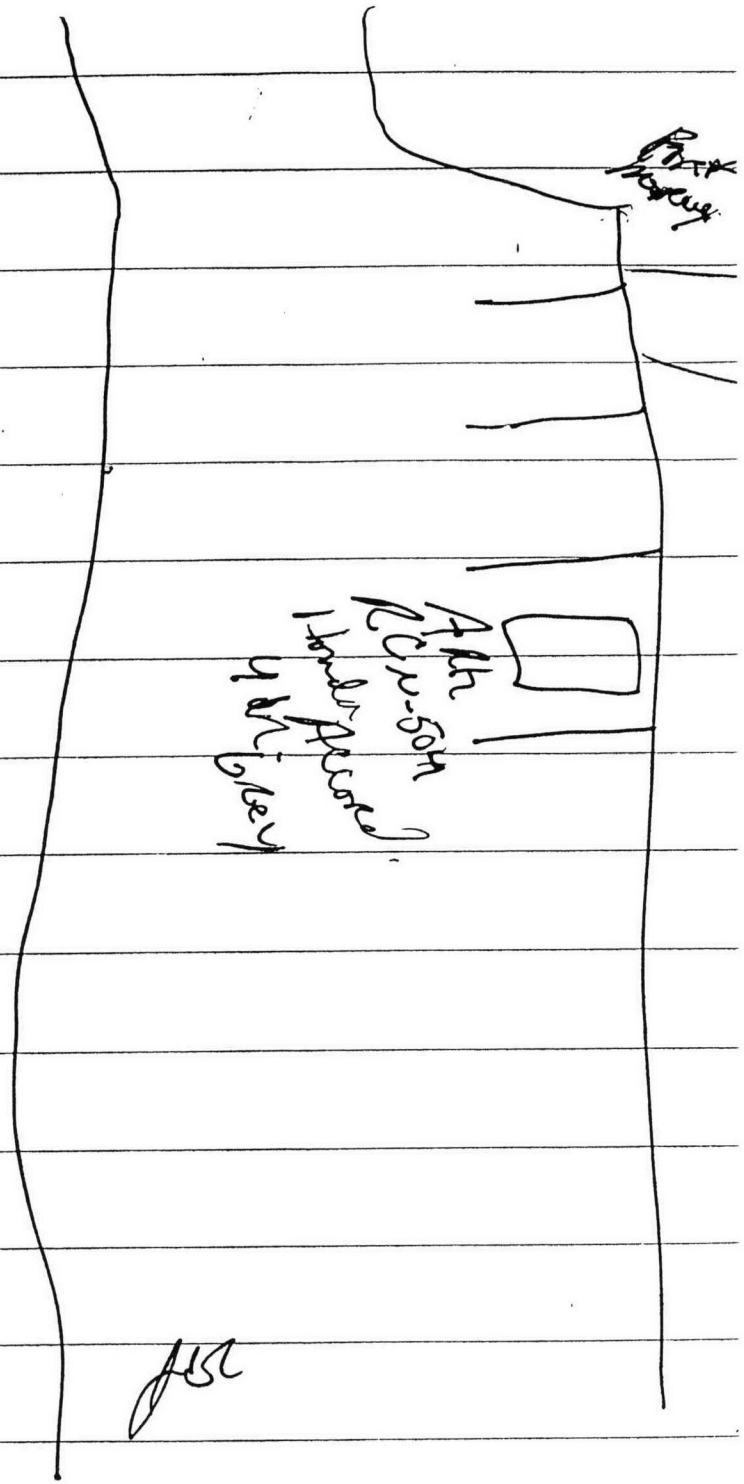
Loc: Riverton
07/20/93 1815 hrs

Road Body 93-3050
Ft. MARCY Death Inv.

Warm Sunny day

ECO-3 Va. 95
300E 4dr.
Blue.
Parked at Gate
with Right turn
signal on

JCL



JCL

JCL

Ark - 10-93 -

RCN-504

Grey Honda Accord

4 Dr -

Vanderbilt University

Sticker on Rear

windshield -

Factory sticker 30368

for Vanderbilt University

Suit Coat & Tie - Front

passenger seat -

White & Green Bag in

Back -

JCL

Vincent Foster, Jr.

5414 Stonewall Rd.

Little Rock, Ark

72207

89 Honda 4 dr

Grey

Lt weight

395-4366

202-337-8103

3027 Cambridge St.

NW.

JCL

Paul Wathen.

333-0299

Personal Friend

1552 24th St.

Off Tipton

703-573-2852

Case #30502 @ 1804

HAULT, DONALD ~ 1940 on scene

FAIRFAX CO M.E.

764-4640 DR. BIER

McLEAN VFD ~~#~~ M1

TRANSPORT TO FAIRFAX HOSP.

FAIRFAX CO. ENGINE 1

5-31-94

Capt. Hume,

Another page of notes w/ names of medics first on scene was given to INV. ROLLS or INV. BRAUN on date of incident.

Chris Horlacher

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE

2 SYSTEM AREA	3 WHEN DID IT OCCUR? MO.	DAY	YR.	4 YEAR	CASE/INCIDENT NUMBER
GWMP Ft. Marcy	07	20	93	93	0305 02

5 NATURE OF INCIDENT: Death Investigation

6 RECLASSIFICATION OF INCIDENT:

ITEM

7 RESULTS OF INVESTIGATION

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

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

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

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

Cleared at 2200.

Det. Magby's original report was retyped for case file

8 WARRANT(S)	9	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
☐ YES ☐ NO	☐ LATENTS ☐ PHOTOS			PAGE 1 OF 1 PAGES

13 STATUS: ☐ OPEN ☐ SUSPENDED CLOSED BY: ☐ ARREST ☐ EXCEPTION ☐ UNFOUNDED

14 REPORTING OFFICER BADGE/ID DATE	15 INVESTIGATOR BADGE/ID DATE	16 SUPERVISOR BADGE/ID DATE
	Det. J. Magby 0397 7-27-93	

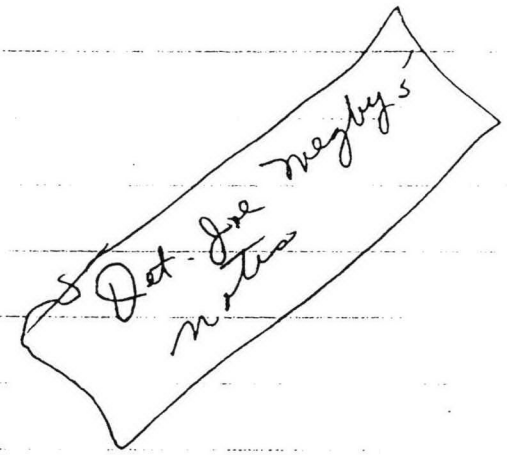
★U.S.GPO:1991-0-297-862/45147

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

The WSJ editors lie without consequence.

I was not meant for the job of public spotlight in Washington.

Here suing people is considered a sport.



Capt Hume-
This is my
Copy of the Note.
JUSTICE Also has
a Copy.
Jael

cwh
7-28-93

I made mistakes from Ignorance, inexperience and over work.

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 stuff

The DOJ has lied and misrepresented its knowledge and role and covered up a prior investigation.

The ushers office plotted to have expense costs incurred, taking advantage of Kaki and HRC

GWA

7/23/93 12:55 P.M.

Ref. Foster Case

→ Judy Doody ←

ANY DETAIL'S

DO NOT → Release ANY INFORMATION

time got to Park — 5:00 P.M.
Noticed Gray Honda - close to Path

U.S. Today

Reporter has a copy of police report

Doug Farquhar

CWH

Things to Do ON Foster ~~Report~~ Case

- ~~Call Boyd Anthony ref Pt Mary~~
- ~~Call Brent Buck & Jim Tyson ref. store Cobbs to Foster or 7/30/93~~
- ~~Call Dr. Watkins ref. PM~~
- ~~Contact with Sloan ref. gun~~
- gun registration in D.C.
- Ck. probate records in Arkansas ref. guns
- ~~Call drug store~~
- ~~Call Pat Hyres~~

Per Pat Hyres
Chief Forensic Person @ Lab
Rick Fontarski
301-413-5227

[redacted] Examiner @ ATF lab.
[redacted] (Carlo-Rosati) X-05
upper clothing [redacted].

MEMORANDUM OF CALL Previous editions usable

TO: Cpt. Hume / Det. P. Markland

☑ YOU WERE CALLED BY– ☐ YOU WERE VISITED BY–

Don Flynn

OF (Organization) Secret Service

☑ PLEASE PHONE ▶ (202) 456-2443 ☐ FTS ☐ AUTOVON

☐ WILL CALL AGAIN ☐ IS WAITING TO SEE YOU

☐ RETURNED YOUR CALL ☐ WISHES AN APPOINTMENT

MESSAGE

cwh

RECEIVED BY TJ | DATE 7/28 | TIME 1313

63-110 NSN 7540-00-634-4018 **STANDARD FORM 63** (Rev. 8-81) Prescribed by GSA FPMR (41 CFR) 101–11.6

☆U.S. G.P.O. 1991 281-781/40011

MEMORANDUM OF CALL Previous editions usable

TO: Cpt. Hume

☑ YOU WERE CALLED BY– ☐ YOU WERE VISITED BY–

Bryan

OF (Organization) ATF cwh

☐ PLEASE PHONE ▶ ☐ FTS ☐ AUTOVON

☐ WILL CALL AGAIN ☐ IS WAITING TO SEE YOU

☐ RETURNED YOUR CALL ☐ WISHES AN APPOINTMENT

MESSAGE

Will be Faxing Your Info. in a few minutes

RECEIVED BY TJ | DATE 7/29 | TIME 1420

63-110 NSN 7540-00-634-4018 **STANDARD FORM 63** (Rev. 8-81) Prescribed by GSA FPMR (41 CFR) 101–11.6

☆U.S. G.P.O. 1991 281-781/40011

MEMORANDUM OF CALL — Previous editions usable

TO: Capt Hume

☑ YOU WERE CALLED BY– ☐ YOU WERE VISITED BY–

Scott Salter

OF (Organization)
FBI

☒ PLEASE PHONE ▶ ☐ FTS ☐ AUTOVON

(202) 252-7137

☐ WILL CALL AGAIN ☐ IS WAITING TO SEE YOU

☐ RETURNED YOUR CALL ☐ WISHES AN APPOINTMENT

MESSAGE

Ref: Mr. Foster

cwH

RECEIVED BY	DATE	TIME
Helen C. Cheek	7/28/93	1515

63-110 NSN 7540-00-634-4018 ☆U.S. G.P.O. 1991 281-781/40011

STANDARD FORM 63 (Rev. 8-81) Prescribed by GSA FPMR (41 CFR) 101–11.6

MEMORANDUM OF CALL — Previous editions usable

TO: Cpt. Hume

☒ YOU WERE CALLED BY– ☐ YOU WERE VISITED BY–

David Margolis

OF (Organization)

☒ PLEASE PHONE ▶ ☐ FTS ☐ AUTOVON

514-4945

☐ WILL CALL AGAIN ☐ IS WAITING TO SEE YOU

☐ RETURNED YOUR CALL ☐ WISHES AN APPOINTMENT

MESSAGE

cwH

RECEIVED BY	DATE	TIME
MS	7/29/93	1652

63-110 NSN 7540-00-634-4018 ☆U.S. G.P.O. 1991 281-781/40011

STANDARD FORM 63 (Rev. 8-81) Prescribed by GSA FPMR (41 CFR) 101–11.6

MEMORANDUM OF CALL

Previous editions usable

TO: Cpt. Hume

☒ YOU WERE CALLED BY– ☐ YOU WERE VISITED BY–

John Danna

OF (Organization) FBI

☒ PLEASE PHONE ▶ ☐ FTS ☐ AUTOVON

(202) 252-7844

☐ WILL CALL AGAIN ☐ IS WAITING TO SEE YOU

☐ RETURNED YOUR CALL ☐ WISHES AN APPOINTMENT

MESSAGE

cwH

RECEIVED BY TS | DATE 7/26 | TIME 1257

63-110 NSN 7540-00-634-4018 **STANDARD FORM 63** (Rev. 8-81)
Prescribed by GSA
FPMR (41 CFR) 101—11.6

☆U.S. G.P.O. 1991 281-781/40011

HSCA
11:15 A.M

MEMORANDUM OF CALL

Previous editions usable

TO: Mark Lane

☐ YOU WERE CALLED BY– ☐ YOU WERE VISITED BY–

Room 128 - EOB

OF (Organization) CIA FBI

☒ PLEASE PHONE ▶ ☐ FTS ☐ AUTOVON

Mark Sloan

☐ WILL CALL AGAIN ☐ IS WAITING TO SEE YOU

☐ RETURNED YOUR CALL ☐ WISHES AN APPOINTMENT

MESSAGE

Paul + Dan
456-2443
395-4420
Dennis Martin
456-7760
White House
cwH

RECEIVED BY [signature] | DATE 7/29 | TIME 1945

63-110 NSN 7540-00-634-4018 **STANDARD FORM 63** (Rev. 8-81)
Prescribed by GSA
FPMR (41 CFR) 101—11.6

☆U.S. G.P.O. 1991 281-781/40011

MEMORANDUM OF CALL — Previous editions usable

TO: Cpt. Hume

[X] YOU WERE CALLED BY– [ ] YOU WERE VISITED BY–

David Margolis

OF (Organization)

[X] PLEASE PHONE ▶ [ ] FTS [ ] AUTOVON

[ ] WILL CALL AGAIN [ ] IS WAITING TO SEE YOU

[X] RETURNED YOUR CALL [ ] WISHES AN APPOINTMENT

MESSAGE

CWH

RECEIVED BY	DATE	TIME
MS	7/26/93	1410

63-110 NSN 7540-00-634-4018 **STANDARD FORM 63** (Rev. 8-81)
Prescribed by GSA
FPMR (41 CFR) 101—11.6

☆U.S. G.P.O. 1991 281-781/40011

MEMORANDUM OF CALL — Previous editions usal

TO: ~~Capt. Hume~~ Capt. Hume

[✓] YOU WERE CALLED BY– [ ] YOU WERE VISITED BY–

Bill Miller

OF (Organization)

Wash. Post

[✓] PLEASE PHONE ▶ [ ] FTS [ ] AUTOVON

(202) 334-6568

[ ] WILL CALL AGAIN [ ] IS WAITING TO SEE YOU

[ ] RETURNED YOUR CALL [ ] WISHES AN APPOINTMENT

MESSAGE

Ref: Lucida

CWH

RECEIVED BY	DATE	TIME
Tim	7-21	1815

63-110 NSN 7540-00-634-4018 **STANDARD FORM 63** (Rev. 8-81)
Prescribed by GSA
FPMR (41 CFR) 101—11.6

★ U.S. GPO: 1990 — 262-080

Dave Marsella

12:30 P.M.

7/23/93

Family Lawyer

→ Jim [redacted] Hamilton

CWH

MEMORANDUM OF CALL Previous editions usable

TO: CAPT. HUMS

☒ YOU WERE CALLED BY– ☐ YOU WERE VISITED BY–

MR. KENNEDY

OF (Organization)

WHITE HOUSE

☒ PLEASE PHONE ▶ ☐ FTS ☐ AUTOVON

456-6229

☐ WILL CALL AGAIN ☐ IS WAITING TO SEE YOU

☐ RETURNED YOUR CALL ☐ WISHES AN APPOINTMENT

MESSAGE

RE: TOSTON'S CWH

VEHICLES

? Gun collector ?

(Towsdon person)

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/2/94

RALPH PISANI was interviewed at Fort Marcy Park, Virginia regarding the response of the Fairfax County Fire and Rescue Department to the death of VINCENT W. FOSTER, JR. on July 20, 1993. PISANI is assigned to Fire Station One, 1455 Laughlin Avenue, McLean, Virginia, telephone number (703) 356-6671. After being apprised of the purpose of the interview, PISANI thereafter provided the following information:

Upon arriving at the Fort Marcy Park parking area, on July 20, 1993, PISANI saw one vehicle that was believed to be FOSTER's. This vehicle was parked nose-in within a parking space. The vehicle bore Arkansas license plates and was further described to be a compact four-door sedan that was a light color.

PISANI also recalled a light colored vehicle located at the entrance. This vehicle was unoccupied.

Upon departing their vehicles at Fort Marcy Park, members of the Fairfax County Fire and Rescue Department were split into two groups. PISANI was in a group with RICHARD ARTHUR and JENNIFER WACHA. PISANI's group walked on the lower path toward the stream at Pimmit Run, in search of FOSTER's body. In the course of traveling down the lower path, PISANI's group saw a couple in the woods that was further described to be made up of one male and one female, with both individuals being white. After being informed that FOSTER's body had been located by the crew traveling on the upper trail, PISANI's group returned to the parking area. While back at the parking area, PISANI's group was met by the medic crew. PISANI's group and the medic crew traveled to the location of the decedent's body with a U.S. Park Police (USPP) officer. Individuals returning to the scene were GEORGE GONZALEZ, TODD HALL, RICK ARTHUR, Lieutenant BILL BIANCHI, and JENNIFER WACHA.

While walking down the lower trail toward Pimmit Run, PISANI was aware that JAY IACONE had spotted a couple off of the lower trail on the left. Upon arriving at the end of the trail, GONZALEZ called on the radio advising that the decedent's body

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Investigation on 4/27/94 at Forty Marcy Park, VA File # 29D-LR-35063 SUB A-231

by SAS DANA M. GILLIS
RUSSELL T. BRANSFORD DMG:sla Date dictated 5/1/94

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had been located on the upper trail.

Upon arriving at FOSTER's body, PISANI was aware that the area surrounding the body was overgrown with shrubs and other vegetation. PISANI made that recollection in view of the current appearance of the site which contained no vegetation.

Upon arriving at the location of the body, PISANI recalls seeing one USPP officer already at the body. FOSTER had a gun in his right hand according to RICK ARTHUR. PISANI never saw the gun. PISANI was located in a position where he was looking over the left side of the body and was able to see blood on FOSTER's right shoulder. PISANI did not recall seeing any blood on FOSTER's face. PISANI further noted that he did not approach closer than ten feet to the body. PISANI did not see anyone touch the body while he was at the scene. PISANI did not recall seeing any eyeglasses at the scene that may have belonged to FOSTER nor did he see any trash or wine bottles located at the scene. During PISANI's cursory glance at the body, he did not see FOSTER's back. PISANI did not recall seeing any blood located around the body.

PISANI was shown a series of photographs that were taken at the death scene by USPP officers. PISANI did not recall, upon viewing these photographs, any blood being on FOSTER's face. He did recall seeing yellow tape in the area marking a police crime scene. It should be noted that photographs taken by USPP personnel show the police tape located in the vicinity of the cannon at the death scene.

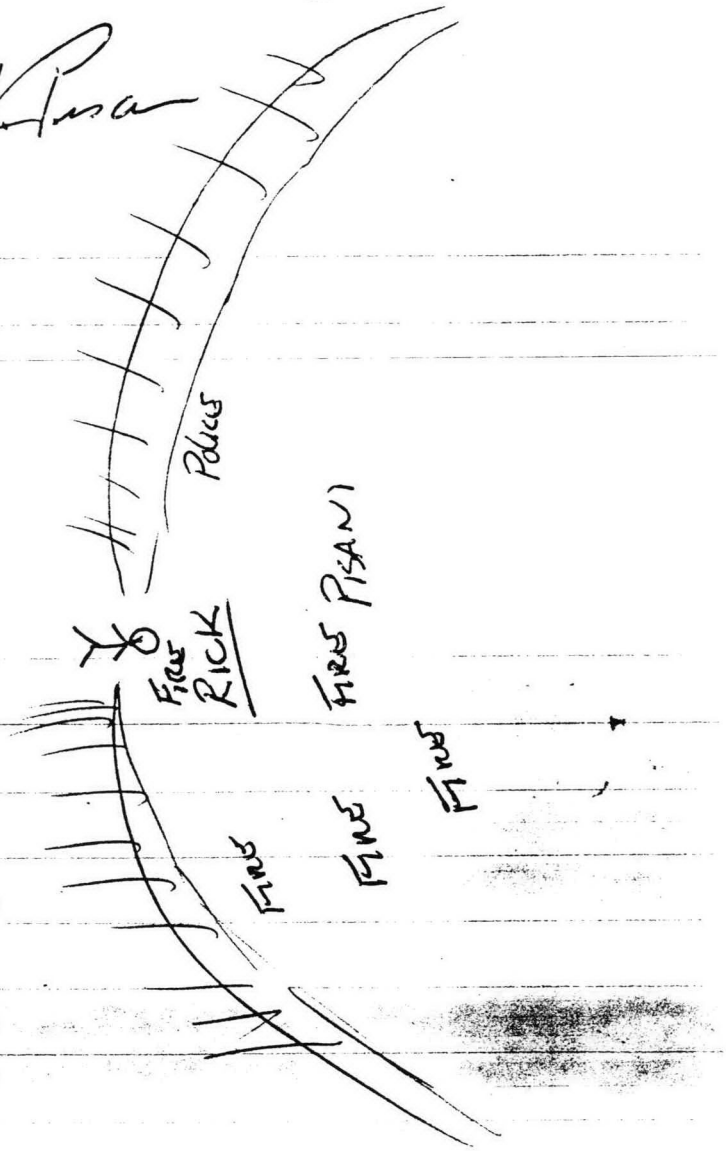
In the course of the interview, interviewing agents requested that PISANI draw representations of the Fort Marcy parking area as well as a representation of FOSTER's body at Fort Marcy Park. Attached are two drawings; one represents Fort Marcy Park and its entrance on July 20, 1993 and the second drawing represents the location of FOSTER's body at the death scene as recalled by PISANI on July 20, 1993. Both drawings were done on April 27, 1994. It should be noted that the vehicle denoted car two on PISANI's map, is the car believed by PISANI to have belonged to VINCENT FOSTER. The two drawings are attached and made a part of the record hereto.

20th July 1993 THIS IS WHAT I SAW WHEN WE ENTERED FORT MARCY PARK THAT DAY. Ralph M. Pusan

4/27/94

20TH July 1993 This is what I Ralph Pisani saw that day at Fort Marcy Park the day of Vincent Foster's death.

4/27/94 Ralph M. Pisani



FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/2/94

ANDREW MAKUCH was interviewed at Fort Marcy Park, Virginia, regarding his participation in the response of the Fairfax County Fire and Rescue Department to the death of VINCENT W. FOSTER, JR. on July 20, 1993. MAKUCH is assigned to Fire Station One, 1455 Laughlin Avenue, McLean, Virginia, telephone number (703) 356-6671. After being informed of the purpose of the interview, MAKUCH furnished the following information:

MAKUCH was assigned to Truck One on July 20, 1993. In responding to the emergency call at Fort Marcy Park, MAKUCH and members assigned to Truck One were dispatched to Fort Marcy Park to assist in the recovery of FOSTER's body. Upon arriving at the Fort Marcy Park parking area, MAKUCH described the car he identified as FOSTER's to be parked in a parking space front end first. The car was parked either in front of the pathway that served as the entrance to the park or it was parked one space to the right of the pathway entrance. MAKUCH recalls a United States Park Police (USPP) vehicle parked to the side of FOSTER's car at the left rear; or the USPP car was blocking FOSTER's vehicle. MAKUCH recalls FOSTER's car as being silver or gray in color, further describing it as being a light hue. The car was believed to have been a compact vehicle. MAKUCH did not recall what contents may have been contained within FOSTER's vehicle, adding that he was not paying close attention to the interior of the car.

MAKUCH was accompanied to Fort Marcy Park, as well as from the parking area to the body, by his Fire Lieutenant, WILLIAM BIANCHI, and the driver of the unit, VICTORIA JACOBS. MAKUCH, BIANCHI, and JACOBS walked up toward the body from the parking area located at Fort Marcy Park. MAKUCH and the rest of his team met the stretcher containing FOSTER's body on what was described to be the upper pathway of Fort Marcy Park. The point at which MAKUCH and his vehicle members met FOSTER's body on the stretcher was approximately 150 feet from the parking area. The stretcher was headed back in the direction of the parking lot. When the stretcher was met by MAKUCH and his group, it was manned by COREY ASHFORD and ROGER HARRISON. MAKUCH noted that the body

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Investigation on 4/27/94 at Fort Marcy Park, VA File # 29D-LR-35063 SUB A-230

by SAs DANA M. GILLIS RTB RUSSELL T. BRANSFORD DMG:sla Date dictated 5/1/94

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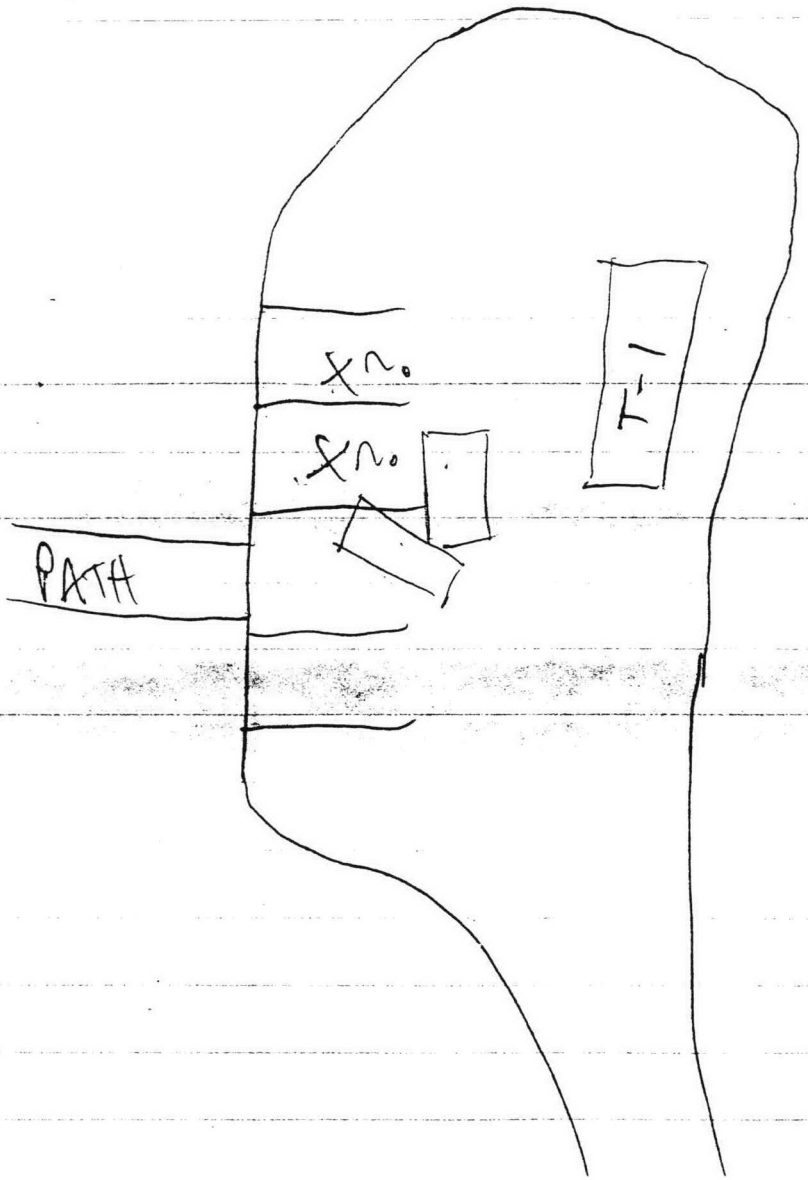
bag was never opened in his presence. MAKUCH also noted that he did not go to the actual location where the body was found.

MAKUCH had no further information related to events surrounding the Fairfax County Fire and Rescue Department response to the death of FOSTER.

FORT MARCY PARK APRIL 27, 1994

Andrew Makuch, Jr.

To the best of my knowledge on July 20, 1993 I believe that this sketch reflects how the vehicles were parked at FORT MARCY. I cannot recall which particular parking space MR. Fosters car was in.



FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/2/94

TODD STACEY HALL was interviewed at Fort Marcy Park, Virginia, regarding events surrounding the Fairfax County Fire and Rescue Department response to the death of Vincent W. Foster, Jr. on July 20, 1993. HALL is assigned to Fire Station One, 1455 Laughlin Avenue, McLean, Virginia, telephone number (703) 356-6671. After being informed of the purpose of the interview, HALL provided the following information:

Upon arriving at the location of FOSTER's body, HALL noted that FOSTER's head was pointing in a forward position. The head was not leaning to the right, nor was the head leaning to the left side of FOSTER's body. HALL did not move FOSTER's head. HALL checked for a pulse on the left side of the decedent's neck. As he checked for a pulse, HALL was standing in the area of FOSTER's right shoulder and right side of the head, leaning across the body in order to check the pulse on the left side. FOSTER was described to have a grayish color and the body was further described to be cold to the touch.

During HALL's examination of the body, he noted that the decedent had a gun in his right hand and that the hand was located close to the body. Some of the gun was covered by the decedent's right leg. HALL initially sighted the gun in FOSTER's right hand from the position in which he checked for a pulse. HALL's statement regarding the victim's body being cold to the touch was determined during HALL's attempt to check for a pulse.

HALL noted that the first person to arrive at FOSTER's body was a United States Park Police (USPP) officer. HALL was the second individual to arrive at the body. After HALL arrived at the body, the police officer walked away for a short period of time. Prior to the officer leaving the body, HALL stated to the officer that he thought it was a suicide. HALL was unable to determine whether or not FOSTER was stiff as a result of rigor mortis. The Park Police officer did not touch FOSTER's body. He pointed out the body for HALL and began to walk away. Upon initially inspecting the body, HALL sighted blood on the right collar area of the decedent's shirt.

Investigation on 4/27/94 at Ft. Marcy Park, VA File # 29D-LR-35063 SUB A-229

by SA Dana M. Gillis
SA Russell T. Bransford DMG:deg Date dictated 5/1/94

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency;

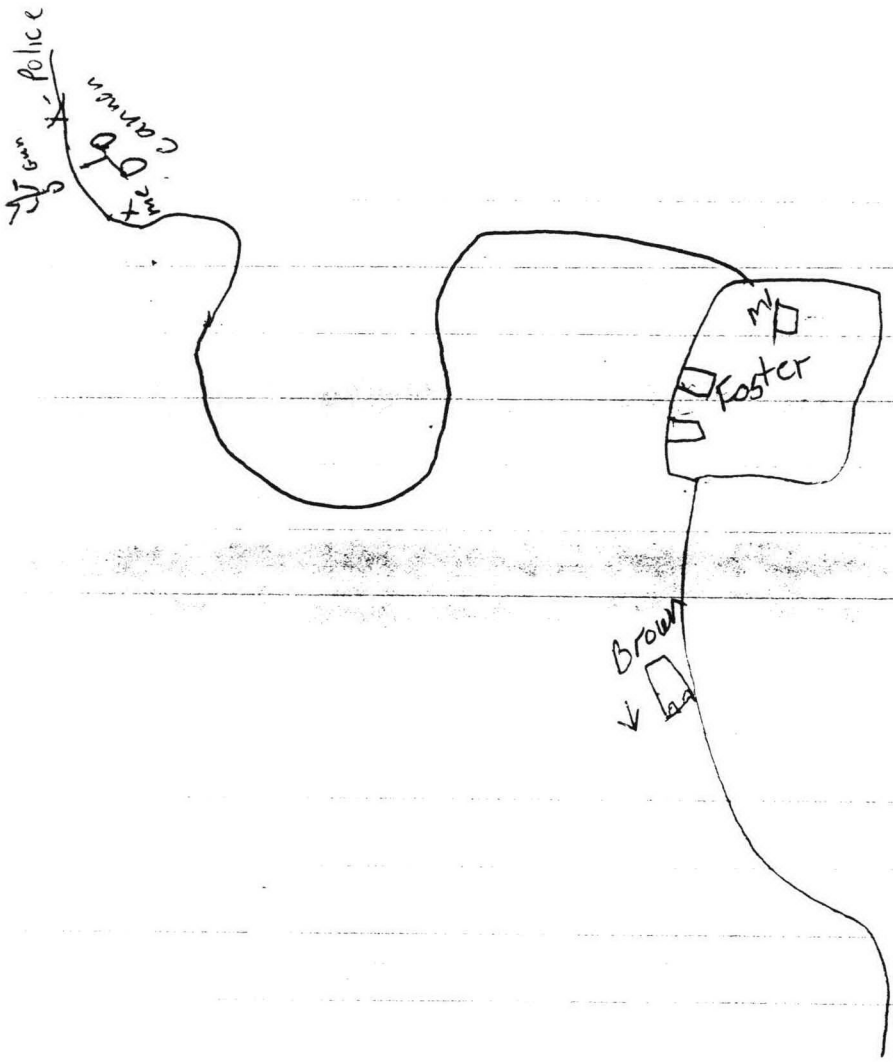
Todd Hall
4-27-94

Fort Marcy Park

To whom it may concern

This map represents, to the best of my recollection on the day of 7-20-93.

Todd S. Hall



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

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/1/94

CAPTAIN CHARLES HUME, United States Park Police (USPP), 1100 Ohio Drive, S.W., Washington, D.C. 20242, made available a copy of Public Law 94-458-Oct. 7, 1976, 94th Congress, a copy of which is attached. This particular piece of legislation can be found in the most current edition of the U.S. Code in Title 16 USCA's 1a-6. This particular section of the U.S. Code sets forth both the authority and jurisdiction of the USPP to conduct criminal investigations for crimes committed on United States park property.

Investigation on 6/1/94 at Washington, D.C. File # 29D-LR-35063 SUB A-208

by SSA William E. Colombell WEC:deg Date dictated 6/1/94

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency;

Public Law 94-458
94th Congress

An Act

To amend the Act approved August 18, 1970, providing for improvement in the administration of the National Park System by the Secretary of the Interior and clarifying authorities applicable to the National Park System, and for other purposes.

Oct. 7, 1976
[S. 3430]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act approved August 18, 1970 (84 Stat. 825; 16 U.S.C. 1a-1 et seq.), is amended as follows:

National Park System. Administration: authority clarification.

(1) In subsection (e), after "within an area of the national park system," insert ", as long as such activity does not jeopardize or unduly interfere with the primary natural or historic resource of the area involved,".

(2) At the end of subsection (g), change the period to a semicolon and add the following new subsections:

Regulations.

"(h) promulgate and enforce regulations concerning boating and other activities on or relating to waters located within areas of the National Park System, including waters subject to the jurisdiction of the United States: *Provided*, That any regulations adopted pursuant to this subsection shall be complementary to, and not in derogation of, the authority of the United States Coast Guard to regulate the use of waters subject to the jurisdiction of the United States;

U.S. Park Police, meals and lodging.

"(i) provide meals and lodging, as the Secretary deems appropriate, for members of the United States Park Police and other employees of the National Park Service, as he may designate, serving temporarily on extended special duty in areas of the National Park System, and for this purpose he is authorized to use funds appropriated for the expenses of the Department of the Interior.".

SEC. 2. Such Act of August 18, 1970, is further amended by adding the following new sections:

"SEC. 5. Section 11 of the Act of May 26, 1930 (46 Stat. 383; 16 U.S.C. 17j), is amended to read as follows:

Employees, traveling expenses.

"'SEC. 11. In the administration of the National Park System, the Secretary of the Interior is authorized, under regulations prescribed by him, to pay (a) the traveling expenses of employees, including the costs of packing, crating, and transporting (including draying) their personal property, upon permanent change of station of such employees and (b) the traveling expenses as aforesaid of dependents of deceased employees (i) to the nearest housing reasonably available and of a standard not less than that which is vacated, and to include compensation for not to exceed sixty days rental cost thereof, in the case of an employee who occupied Government housing and the death of such employee requires that housing to be promptly vacated, and (ii) to the nearest port of entry in the conterminous forty-eight States in the case of an employee whose last permanent station was outside the conterminous forty-eight States.'.

Legislative jurisdiction. relinquishment.

"SEC. 6. Notwithstanding any other provision of law, the Secretary of the Interior may relinquish to a State, or to a Commonwealth, territory, or possession of the United States, part of the legislative juris-

diction of the United States over National Park System lands or interests therein in that State, Commonwealth, territory, or possession: *Provided*, That prior to consummating any such relinquishment, the Secretary shall submit the proposed agreement to the Committees on Interior and Insular Affairs of the United States Congress, and shall not finalize such agreement until sixty calendar days after such submission shall have elapsed. Relinquishment of legislative jurisdiction under this section may be accomplished (1) by filing with the Governor (or, if none exists, with the chief executive officer) of the State, Commonwealth, territory, or possession concerned a notice of relinquishment to take effect upon acceptance thereof, or (2) as the laws of the State, Commonwealth, territory, or possession may otherwise provide. The Secretary shall diligently pursue the consummation of arrangements with each State, Commonwealth, territory, or possession within which a unit of the National Park System is located to the end that insofar as practicable the United States shall exercise concurrent legislative jurisdiction within units of the National Park System.

Proposed agreement, submittal to congressional committees.

"SEC. 7. Notwithstanding subsection 5901(a) of title 5, United States Code (80 Stat. 508), as amended, the uniform allowance for uniformed employees of the National Park Service may be up to $400 annually.

Uniform allowance.

"SEC. 8. The Secretary of the Interior is directed to investigate, study, and continually monitor the welfare of areas whose resources exhibit qualities of national significance and which may have potential for inclusion in the National Park System. At the beginning of each fiscal year, the Secretary shall transmit to the Speaker of the House of Representatives and to the President of the Senate, comprehensive reports on each of those areas upon which studies have been completed. On this same date, and accompanying such reports, the Secretary shall transmit a listing, in generally descending order of importance or merit, of not less than twelve such areas which appear to be of national significance and which may have potential for inclusion in the National Park System. Threats to resource values, and cost escalation factors shall be considered in listing the order of importance or merit. Such listing may be comprised of any areas heretofore submitted under terms of this section, and which at the time of listing are not included in the National Park System. The Secretary is also directed to transmit annually to the Speaker of the House of Representatives and to the President of the Senate, at the beginning of each fiscal year, a complete and current list of all areas included on the Registry of Natural Landmarks and those areas of national significance listed on the National Register of Historic places which areas exhibit known or anticipated damage or threats to the integrity of their resources, along with notations as to the nature and severity of such damage or threats. Each report and annual listing shall be printed as a House document.

Investigation and study.

Reports to Speaker of the House and President of the Senate.

Annual listing, transmittal to Speaker of the House and President of the Senate.

Printing as House document.

"SEC. 9. Section 3 of the Act of August 21, 1935 (49 Stat. 666, 667; 16 U.S.C. 461, 463), is amended to read as follows:

"'SEC. 3. (a) A general advisory board to be known as the National Park System Advisory Board is hereby established, to be composed of not to exceed eleven persons, citizens of the United States, to include but not be limited to representatives competent in the fields of history, archaeology, architecture, and natural science, who shall be appointed by the Secretary for a term not to exceed four years. The Secretary shall take into consideration nominations for appointees from public and private, professional, civic, and educational societies, associations and institutions. The members of such board shall receive no salary

National Park System Advisory Board. Establishment.

but may be paid expenses incidental to travel when engaged in discharging their duties as members. It shall be the duty of such board to advise the Secretary on matters relating to the National Park System, to other related areas, and to the administration of this Act, including but not limited to matters submitted to it for consideration by the Secretary, but it shall not be required to recommend as to the suitability or desirability of surplus real and related personal property for use as an historic monument.

Termination.

"'(b) The National Park System Advisory Board shall continue to exist until January 1, 1990. In all other respects, it shall be subject to the provisions of the Federal Advisory Committee Act.'.

5 USC app. I.

"SEC. 10. (a) The arrest authority relating to the National Park Service is hereby amended in the following respects:

Repeal.

"(1) Section 3 of the Act of March 3, 1897 (29 Stat. 621; 16 U.S.C. 415), as supplemented; relating to certain arrest authority relative to national military parks, is hereby repealed;

"(2) The first paragraph of that portion designated 'GENERAL EXPENSES—FOREST SERVICE' of the Act of March 3, 1905 (33 Stat. 872; 16 U.S.C. 10, 559), as amended, relating in part to arrest authority relative to laws and regulations applicable to forest reserves and national parks, is amended by deleting the words 'and national park service', 'and national parks', and 'or national parks';

Repeal.

"(3) Section 2 of the Act of March 2, 1933 (47 Stat. 1420; 16 U.S.C. 10a), as amended, relating to certain arrest authority for certain employees of the National Park Service, is hereby repealed; and

Repeal.

"(4) The second paragraph of section 6 of the Act of October 8, 1964 (78 Stat. 1041; 16 U.S.C. 460n-5), as amended, relating to certain arrest authority relative to the Lake Mead National Recreation Area, is hereby repealed.

Law and order, officers or employees to maintain.

"(b) In addition to any other authority conferred by law, the Secretary of the Interior is authorized to designate, pursuant to standards prescribed in regulations by the Secretary, certain officers or employees of the Department of the Interior who shall maintain law and order and protect persons and property within areas of the National Park System. In the performance of such duties, the officers or employees, so designated, may—

"(1) carry firearms and make arrests without warrant for any offense against the United States committed in his presence, or for any felony cognizable under the laws of the United States if he has reasonable grounds to believe that the person to be arrested has committed or is committing such felony, provided such arrests occur within that system or the person to be arrested is fleeing therefrom to avoid arrest;

"(2) execute any warrant or other process issued by a court or officer of competent jurisdiction for the enforcement of the provisions of any Federal law or regulation issued pursuant to law arising out of an offense committed in that system or, where the person subject to the warrant or process is in that system, in connection with any Federal offense; and

"(3) conduct investigations of offenses against the United States committed in that system in the absence of investigation thereof by any other Federal law enforcement agency having investigative jurisdiction over the offense committed or with the concurrence of such other agency.

"(c) The Secretary of the Interior is hereby authorized to—

"(1) designate officers and employees of any other Federal agency or law enforcement personnel of any State or political subdivision thereof, when deemed economical and in the public interest and with the concurrence of that agency or that State or subdivision, to act as special policemen in areas of the National Park System when supplemental law enforcement personnel may be needed, and to exercise the powers and authority provided by paragraphs (1), (2), and (3) of subsection (b) of this section;

Cooperation.

"(2) cooperate, within the National Park System, with any State or political subdivision thereof in the enforcement of supervision of the laws or ordinances of that State or subdivision; and

"(3) provide limited reimbursement, to a State or its political subdivisions, in accordance with such regulations as he may prescribe, where the State has ceded concurrent legislative jurisdiction over the affected area of the system, for expenditures incurred in connection with its activities within that system which were rendered pursuant to paragraph (1) of this subsection.

"(4) the authorities provided by this subsection shall supplement the law enforcement responsibilities of the National Park Service, and shall not authorize the delegation of law enforcement responsibilities of the agency to State and local governments.

Law enforcement officer.

"(d)(1) Except as otherwise provided in this subsection, a law enforcement officer of any State or political subdivision thereof designated to act as a special policeman under subsection (c) of this section shall not be deemed a Federal employee and shall not be subject to the provisions of law relating to Federal employment, including, but not limited to, those relating to hours of work, rates of compensation, leave, unemployment compensation, and Federal benefits.

5 USC 8101.

"(2) For purposes of the tort claim provisions of title 28, United States Code, a law enforcement officer of any State or political subdivision thereof shall, when acting as a special policeman under subsection (c) of this section, be considered a Federal employee.

"(3) For purposes of subchapter I of chapter 81 of title 5, United States Code, relating to compensation to Federal employees for work injuries, a law enforcement officer of any State or political subdivision thereof shall, when acting as a special policeman under subsection (c) of this section be deemed a civil service employee of the United States within the meaning of the term 'employee' as defined in section 8101 of title 5, and the provisions of that subchapter shall apply.

"(e) Nothing contained in this Act shall be construed or applied to limit or restrict the investigative jurisdiction of any Federal law enforcement agency other than the National Park Service, and nothing shall be construed or applied to affect any right of a State or a political subdivision thereof to exercise civil and criminal jurisdiction within the National Park System.

"SEC. 11. Section 101(a) of title I of Public Law 89-655 (80 Stat. 915; 16 U.S.C. 470a), is amended by adding thereto a new paragraph to read as follows:

"'(4) to withhold from disclosure to the public, information relating to the location of sites or objects listed on the National Register whenever he determines that the disclosure of specific information would create a risk of destruction or harm to such sites or objects.'.

Program, transmittal to congressional committees.

"SEC. 12. (a) Not later than January 15 of each calendar year, the Secretary of the Interior shall transmit to the Committees on Interior and Insular Affairs a detailed program for the development of facili-

ties, structures, or buildings for each unit of the National Park System consistent with the general management plans required in subsection (b) of this section.

General management plans, transmittal to congressional committees.

"(b) General management plans for the development of each unit of the National Park System, including the areas within the national capital region, shall be prepared by the Director of the National Park Service and transmitted to the Committees on Interior and Insular Affairs. Such plans shall include:

"(1) the facilities which the Director finds necessary to accommodate the health, safety, and recreation needs of the visiting public, including such facilities as he may deem appropriate to provide in accordance with the provisions of the Act of October 9, 1965 (79 Stat. 969);

"(2) the location and estimated cost of all such facilities; and

"(3) the projected need for any additional facilities required for such unit.

Concession leases and contracts, proposed awards, transmittal to congressional committees.

"(c) The Secretary of the Interior shall hereafter transmit to the Committees on Interior and Insular Affairs all proposed awards of concession leases and contracts involving a gross annual business of $100,000 or more, or exceeding five years in duration (including renewals thereof), and all proposed rules and regulations relating thereto, sixty days before such awards are made or such rules and regulations are promulgated. The Act of July 14, 1956 (70 Stat. 543) is hereby repealed.".

Repeal.

Approved October 7, 1976.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 94-1569 accompanying H.R. 11887 (Comm. on Interior and Insular Affairs).

SENATE REPORT No. 94-1190 (Comm. on Interior and Insular Affairs).

CONGRESSIONAL RECORD, Vol. 122 (1976):

Sept. 17, considered and passed Senate.

Sept. 21, considered and passed House, amended, in lieu of H.R. 11887.

Sept. 23, Senate agreed to House amendment.

Note.—A change has been made in the slip law format to provide for one-time preparation of copy to be used for publication of both slip laws and the United States Statutes at Large volumes. Comments from users are invited by the Office of the Federal Register, National Archives and Records Service, Washington, D.C. 20408.

○

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

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/23/94

Sylvia M. Mathews, Special Assistant to the Assistant to the President for Economic Policy, was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue, NW in the presence of her attorney, Michael B. Waitzkin. Ms. Mathews was advised as to the official identities of the interviewing agents and the nature of the interview. She then provided the following information:

During 1992, she worked for the Clinton/Gore Presidential campaign committee in Little Rock, Arkansas. During that time, she worked with Gene Sperling with whom she had previously worked during the Mondale for President campaign. This led to her current employment. Both she and Sperling have worked at The White House since January, 1993 for Robert Rubin, the Assistant to the President for Economic Policy.

Her office is on the 2nd floor of the west wing of The White House on the same hallway as a suite of offices that during 1993 was occupied by Bernard Nussbaum and Vincent Foster. She first met Foster in February, 1993 and "barely knew him", never met any members of his family, and for the most part only saw him in the hallway where they exchanged greetings. She said that she therefore does not feel qualified to comment on any possible changes relative to Foster's demeanor or his psychological or physical condition prior to his death.

On July 20, 1993, shortly after 9:00 pm she was in a room near The White House library where Bill Clinton was being interviewed by Larry King for a live Cable News Network television program. She was in this room, watching the ongoing interview on a television monitor, because she and Gene Sperling had previously compiled briefing material for the President to prepare him for his live television interview. They were therefore nearby if needed. She does not recall specifically who told her about Vincent Foster's death, but she recalls overhearing parts of a conversation between several senior White House staffers in a hallway outside the room in which she was watching the monitor. She learned of Foster's death shortly

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Investigation on 5/20/94 at Washington, D.C. File # 29D-LR-35063 SUB A - 198

by WILLIAM T. GUYTON FOIA(b)(7) - (C) Date dictated 5/20/94

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before the end of the President's television interview, was saddened, and wanted to do something to help.

Believing that Foster's death would bring about many telephone calls to The White House staff, she volunteered to go to Mac McLarty's office on the first floor of the west wing to assist with answering incoming calls. She thinks that she arrived McLarty's office at approximately 10:00 pm. Shortly after she arrived at McLarty's empty office, several White House staffers began arriving there. She recalled that one of the first to arrive was Bill Burton. She then made a "quick trip" to her office on the 2nd floor, picked up some of her pending work that she could do while answering phones, and return to McLarty's office. When she returneded she noted that Bill Burton was in McLarty's office making telephone calls. After approximately 30-45 minutes, she overheard Burton's part of a telephone call that she believes was with the United States Park Police. She heard Burton say that no suicide note had yet been found and the thought came to her that the trash from Foster's office should be obtained and searched for such a note before it was destroyed. After Burton finished his telephone call, she mentioned her idea to him in the presence of Dee Dee Myers and David Dreyer, a Deputy to Mark Gearan. She asked if she should go upstairs and attempt to retrieve the trash. All three staffers indicated that her idea was sound and indicated that she should go. She said that while there were no specific instructions, there was no mention of "burn bag" trash and it was her understanding that she was to obtain Foster's regular trash. As she left McLarty's suite of offices, she encountered two GSA cleaning ladies and asked them if the trash had already been picked up on the 2nd floor. They said it had been and indicated that it was still in the large collection bags in the hallway of the 2nd floor. She went upstairs with one or both of the GSA cleaning employees where they showed her the three large bags of consolidated trash in the hallway next to the elevator. Each of these three large bags contained numerous smaller clear plastic bags with trash from the various offices on the 2nd floor.

As she began going through the individual plastic trash bags within the large collection bags, she noted one bag containing "at least one document" with a White House interoffice mail address label containing Vincent Foster's name inside the bag. She retrieved this bag which was approximately 1/3 full of papers, a wooden coffee stirrer, and some wrappers and returned to Mac McLarty's office with it.

She said she recalls seeing Bill Burton and some other staffers whom she cannot recall. She told them that she had what she believed to be Vincent Foster's trash and asked if she should go through it. She was told "yes" by Burton and began going through it "one item at a time" on the floor in Mac McLarty's outer office. As she was doing so, it occurred to her that she should make an inventory of her findings. She made a handwritten "inventory" on a piece of 5 by 7 lined paper. Ms. Mathews gave this document, a copy of which is incorporated hereinafter, to the interviewing agents. Upon completing her review she returned all items to the bag and told Bill Burton and other staffers present what she had found to include "a handful" of Vincent Foster's credit card receipts. She stated that they had no response that she can recall, except to suggest that the bag should be placed in Roy Neel's office for safe keeping and so that it would not be in McLarty's office where it might serve as a reminder of his friend Foster's recent death. She went to Roy Neel's unoccupied office and left the bag of trash on the floor and returned to answering phones in Mac McLarty's office.

Shortly thereafter, she thought of the burn bag trash that could have been picked up in Vincent Foster's office. As before, she received concurrence from staffers present and contacted a U.S. Secret Service officer at a nearby post inquiring as to how the burn bag could be obtained. A telephone call was made and shortly thereafter a "commingled burn bag" that was said to contain burn bag trash from the 2nd floor was brought to Mac McLarty's office by a Secret Service employee. She began removing items from the burn bag and stopped abruptly realizing how sensitive these documents were. She began to feel nervous about reviewing these documents and asked Gene Sperling, who had been in and out of McLarty's office that evening if he believed it was proper for her to be reviewing this material. Sperling agreed with her that she should not be reviewing these documents. At that point, she returned the items that she had previously removed to the burn bag. She then asked Bernard Nussbaum, who had come to Mac McLarty's office, what should be done with the burn bag. Nussbaum told her that there was not a burn bag in Vincent Foster's office and therefore there was no reason to keep this burn bag trash. It was her understanding that Nussbaum was telling her that Vincent Foster did not keep a burn bag in his office and did not use one. She contacted a Secret Service officer who picked up the burn bag and took it away.

At no time during the evening of July 20 or the early

morning hours of July 21, 1993, did she go into the Nussbaum/Foster suite. Further, she did not see any White House staffers or anyone else, other than the GSA cleaning ladies, on the 2nd floor of the west wing. She also did not see anyone in the Nussbaum/Foster suite of offices. Although she cannot be sure, she believes that the door to the Nussbaum/Foster suite was closed when she was on the 2nd floor. In an answer to a specific question, she said that she does not recall seeing Patsy Thomasson, Margaret "Maggie" Williams, Martha Scott, or Craig Livingston on the evening of July 20 or the early morning of July 21, 1993. She saw Bernard Nussbaum in Mac McLarty's office but did not see him on the 2nd floor of the west wing. She left The White House and went home at approximately 1:30 am.

On the morning of July 21, 1993, shortly after she arrived at work, she telephoned Roy Neel's office and left a message for him advising that the bag of trash on the floor of his office was trash that she believed had been removed from Vincent Foster's office. She advised that Neel never returned her call.

About "a week or ten days" after Vincent Foster's death, she began typing a chronology of the events of 7/20-21/93 into her office computer. The press of business precluded her from ever completing this chronology. She made this partial chronology available to the interviewing agents. Ms. Mathews stated that she had never advised any White House staffers as to her preparation of the partial chronology or an "inventory" of the items she found in the plastic bag that evening until May, 1994 when she made a copy of the "inventory" and partial chronology available to White House staffers to assist in their response to a subpoena from the Office of the Special Counsel.

Ms. Mathews stated that the only other discussion regarding the Foster trash that she can recall, occurred during August, 1993, when she was asked to come to Mark Gearan's office where she recalls seeing Cliff Sloan and Dee Dee Myers also present. They asked her to explain how she had obtained the bag of trash that she thought to be Foster's trash on the evening of July 20, 1993. She did so. They did not ask for and she did not think to offer the handwritten inventory of the bag's contents that she had previously prepared.

Ms. Mathews said that she knows of no other information that she could provide that could possibly be helpful with this

investigation.

The following descriptive data was obtained through observation and interview:

Name:	Sylvia M. Mathews
Sex:	Female
Race:	Caucasian
Date of Birth:	[redacted] FOIA(b)(6) FOIA(b)(7) - (C)
Place of Birth:	
Height:	5'7"
Weight:	131 lbs.
Hair:	Brown (4 inches past shoulders)
Eyes:	Blue
Social Security Account Number:	[redacted]
Employment:	Special Assistant to the Assistant to the President for Economic Policy, The White House, Washington, D.C.
Telephone Number:	202-456-2174
Address:	2114 N Street, NW (Apt 15) Washington, D.C. 20037
Home Telephone:	202-296-8173
Education:	Holds degrees from Harvard and Oxford
Her Attorney:	Michael "Buz" Waitzkin, Nussbaum and Wald 1, Circle, Washington D.C.
Telephone Number:	202-833-8900

- President's schedule
- Note about the "NW" article and the Columbia article
- Memo on change in summer clerk assign.
- Dee's Press Briefing
- Congress Daily
- Pres Trip Book
- WH. Bulletin
- News Sum

- many credit card receipts

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/2/94

Richard M. Arthur was interviewed at Fort Marcy Park regarding the Fairfax County Fire and Rescue Department response to the death of Vincent W. Foster, Jr. on July 20, 1993. Arthur is assigned to Fire Station One, 1455 Laughlin Avenue, Mclean, Virginia, telephone number (703) 356-6671. After being apprised of the purpose of the interview, Arthur furnished the following information:

In the course of responding to the 911 Emergency dispatch related to the death of Vincent Foster, Jr., Arthur noted that prior to arriving at Fort Marcy Park, he noticed an accident on the George Washington Parkway. Upon entering the parking area of Fort Marcy Park, Arthur saw a parked car which he believed belonged to Foster. In the park Arthur was placed in a search team with Ralph Pisani, Jennifer Wacha and himself.

The vehicle described to be Foster's, contained a suit jacket on the driver's side, front seat as well as a neck tie. Foster's vehicle is described to have been light colored in either a cream or tan hue. The car was further described to be a four-door sedan. Arthur recalls that he had heard the car bore Arkansas license plates but does not remember where he heard this. A second car in the parking lot was described to be either gray or silver and was noted to be a small car. At the entrance to Fort Marcy Park, there was a red car with hazard lights blinking. This vehicle had departed Fort Marcy prior to the departure of Arthur and his unit. Arthur could not recall whether this vehicle was occupied or not.

In the initial search of Fort Marcy Park, Arthur's group took the lower pathway down to the streambed near the George Washington (GW) Parkway. The GW Parkway crosses this area, known as Pimmit Run. During the course of the search on the lower path, Arthur noted that his crew spotted a couple in the woods to the left of the trail, as his group continued toward the lower portion of the trail. It was noted that "clothes were flying" as the couple realized they had been seen. Upon returning to the parking area after viewing Foster's body, Arthur

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Investigation on 4/29/94 at Fort Marcy Park, VA File # 29D-LR-35063 SUB A -171

by SAs DANA M. GILLIS/dmg
RUSSELL T. BRANSFORD Date dictated 5/1/94

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advised a uniformed, female Park Police officer, that the couple was in the woods. Arthur subsequently directed the aforementioned officer to the couple.

After being informed that a body had been located, Arthur's group returned to the parking area to drop off equipment. Arthur's group then headed up to Foster's body, led by Todd Hall. It was not recalled whether George Gonzalez, part of the team that located the body, returned to the site.

Upon the arrival at the site of Foster's body, Arthur remembers being told that the victim was dead. Arthur recalls the decedent lying on the ground with his mouth open, noting that flies were moving in and out of the mouth. Foster had a gun located under his right hand, which was partially tucked under the decedent's right leg. Arthur did not believe the gun was a revolver. While observing the body, Arthur stood on the right side near the head, approximately 2-3 feet away from Foster's right hand. Arthur noted that Foster was obviously dead. He did not check for a pulse, assuming that either George Gonzalez or Todd Hall had previously done so.

According to Arthur, there was grass grown on the top of the hill upon which Foster's body rested. He also recalled leaves at the bottom of the hill noting that they were dead leaves as opposed to living vegetation. Arthur did not recall if there was any vegetation or growth around the body.

At one point in inspecting Foster's body, Arthur saw what appeared to be a gun that he thought was a 9-millimeter pistol. This gun was further described to have a straight barrel and, to the best of his memory, he recalls the handle on the weapon being square in shape. The gun was brown and black in color. Arthur noted that Foster's thumb may have been near the trigger of the weapon. Arthur's knowledge of guns includes reading gun magazines and training in the military regarding weapons. He advised that he knows the difference between a pistol and a revolver although he is definitely not an expert on guns and does not consider himself to be an expert in the area of forensics.

Upon arriving at the body, Arthur recalls the head being straight up and down. He did not touch or move Foster while at the death scene nor was he aware of anyone else doing so. He further noted that no one touched or moved Foster while

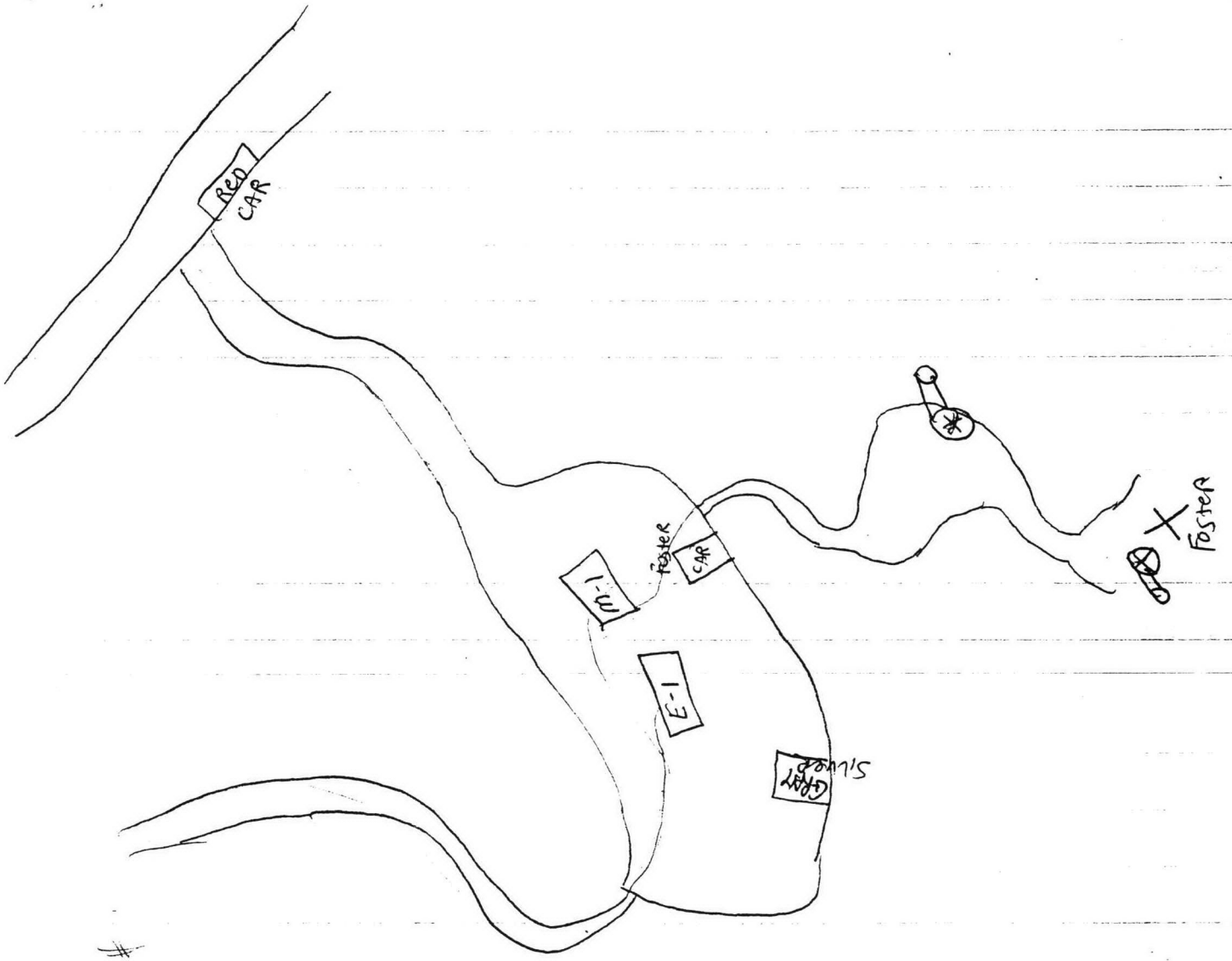
he (Arthur) was at the death scene. Arthur recalls seeing blood on the decedent's right shoulder. He believed that he saw a wound on the right side of Foster's neck near the jaw line. He was of the impression that this wound was caused by a small caliber gun shot and was struck by his recollection that the weapon in Foster's hand was a high caliber weapon. Arthur could not say for certain whether the mark he had seen on Foster's neck was definitely a wound.

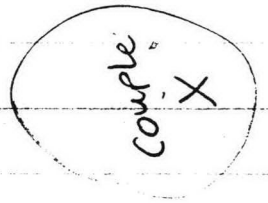
Arthur was shown a series of photographs taken by United States Park Police personnel during the course of the death scene investigation. From one of the photos, Arthur did remember seeing vegetation around the body. He did not recall seeing the blood running from Foster's nose and mouth as depicted in the photographs. He did, in fact, say that the blood on Foster's shirt was as he remembered it. After viewing a photograph that depicted a gun located in Foster's right hand, Arthur was of the opinion that if the weapon was in fact a revolver, the cylinder quite possibly could have been covered up. Arthur's assessment was based on the placement of the barrel in relation to Foster's body, as well as the placement of the gun in Foster's hand as depicted by the photograph. Arthur did not see any indication that Foster was moved to the park from a different location.

Arthur advised that he conducted a preliminary investigation into the death of Foster based on the narrative produced by George Gonzalez. Gonzalez's narrative stated that the decedent, Foster, had committed suicide. Arthur noted that he did not trust Gonzalez's judgement and it was this distrust of Gonzalez that prompted his investigation into Foster's death. As part of his investigation, he contacted the George Washington Parkway Management Facility where the 911 emergency phone call was made. Arthur dialed the number of a telephone located at the facility to try to determine the veracity of the initial account of how The Fairfax County Fire and Rescue Department was contacted regarding the death.

In addition to answering questions regarding the Fairfax County Fire and Rescue Department response to the death of Vincent Foster at Fort Marcy Park, Arthur was asked to draw a representation of the Park to the best of his recollection on July 20, 1993. This representation was to include the location of any vehicles Arthur recalled as well as a representation of Foster's body, its location in relation to the cannon at the

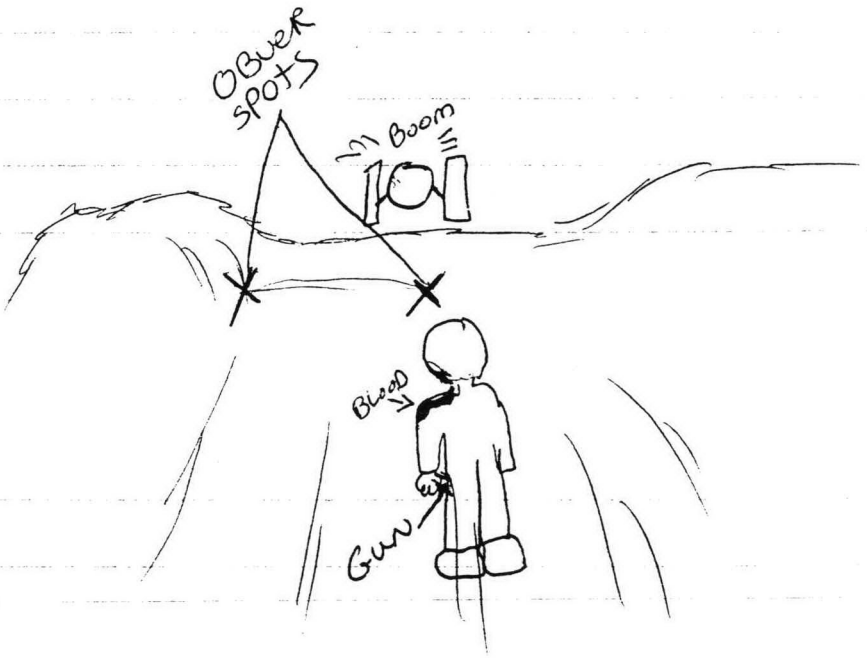
death scene and any other information that might be of help in the Independent Counsel's investigation. Attached and made a part of the record hereto, are two drawings as produced by Arthur.





I RICHARD ARTHUR STATE
THAT THIS IS WAS I SAW ON
JULY 20 1993 THE DAY OF FOSTERS DEATH

4/27/93 RA



I Richard Arthur state
~~that~~ This is what I saw
on the day of Fosters Death
July 20, 1993

4/27/94

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/18/94

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

WILLIAM JOSEPH BIANCHI was interviewed about his recollection of events which occurred on July 20, 1993 in Fort Marcy Park, Virginia in relation to the death of VINCENT W. FOSTER, Jr. BIANCHI, who was born on [redacted] is employed by the Fairfax County Fire and Rescue Department (FCFRD), Fairfax County, Virginia, as a Fire Lieutenant and is assigned to FCFRD Fire Station 1, 1455 Laughlin Avenue, McLean, Virginia, telephone number (703) 356-6671. After BIANCHI was advised of the official identities of the interviewing agents and the nature of the interview, he provided the following information:

BIANCHI had never been to Fort Marcy Park prior to his response there in relation to the death of VINCENT W. FOSTER, Jr. on July 20, 1993. He has not returned to Fort Marcy Park from that date until the date of this interview.

On July 20, 1993, BIANCHI was officer-in-charge of the crew of FCFRD unit Truck 1 when it was dispatched to Fort Marcy Park to assist the crew of Ambulance 1 in transporting the body of a decedent. VICTORIA JACOBS was the driver of Truck 1 on that date and ANDY MAKUCH was the other member of the crew. Upon the arrival of Truck 1 at the Fort Marcy Park parking area, BIANCHI did not observe any people in the parking lot. JACOBS had driven Truck 1 to the park in a non-emergency status and had arrived at the park several minutes after Ambulance 1. ROGER HARRISON and COREY ASHFORD, who were the crew members of Ambulance 1, had already gone up into the woods.

Prior to leaving the firehouse to go to the park, BIANCHI had spoken with TODD HALL and RICK ARTHUR, who are other FCFRD employees assigned to Fire Station 1. HALL and ARTHUR had responded to the initial call to Fort Marcy Park earlier in the day during which a decedent had been found. BIANCHI learned from HALL and ARTHUR that the decedent had suffered a gunshot wound. During this same time period, someone at the firehouse, whose identity BIANCHI does not recall, told BIANCHI that the decedent was a White House employee. BIANCHI recalls that he also received

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Investigation on 4/29/94 at Fort Marcy Park, Virginia File # 29D-LR-35063 SUB A - 170

by SAs DANA M. GILLIS and RUSSELL T. BRANSFORD RTB:rtb Date dictated 5/3/94

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one or two calls from the Fairfax County Public Safety Communications Center, also known as the Emergency Operations Center, advising him that the patient at Fort Marcy Park was associated with the White House.

BIANCHI observed a small car, possibly the size of a Chrysler Corporation K-car, parked in the Fort Marcy Park lot but BIANCHI did not note the make of the car. The car was parked straight within a parking space with its hood facing the curb, and the car displayed Arkansas registration plates. BIANCHI further observed that the left front door of the car was open.

After BIANCHI walked uphill along a trail to the site of FOSTER's body, he discovered that the body had already been placed into a body bag. There were several people, whom BIANCHI assumed to be police officers, on the scene. He recalls that there were one or two male officers and one female officer in the area of the body. BIANCHI does not believe these individuals were in uniform but he is only guessing at this point.

BIANCHI observed a pool of blood on the ground next to the body bag. BIANCHI also described this pool to the interviewers as a stain where it appeared that blood had soaked into the ground. At that time, BIANCHI assumed the location of the stain had been the location of FOSTER's head prior to FOSTER's body being placed into the body bag. BIANCHI estimates the size of this stain as approximately ten (10) inches in diameter.

BIANCHI did not observe any blood on the uniform of ASHFORD while they were together at the park.

During the course of the interview, BIANCHI was asked by the interviewers to show the route he had taken from the parking lot to the location where the body had been found. BIANCHI was able to lead the interviewers to a clearing near where the body had been found, but BIANCHI was unable to identify with certainty which of two trails had been the exact location of the body. BIANCHI considered it more likely that FOSTER's body had been found on a trail which was directly in front of a cannon in the clearing.

BIANCHI recalls that FOSTER'S body was found on a trail which had a slope of approximately forty-five degrees. BIANCHI believes that FOSTER's head was on the uphill portion of the

slope. Since the body bag was already closed, BIANCHI bases his belief about the position of FOSTER's body inside the bag on the way the weight inside the body bag was distributed. BIANCHI helped to lift the body bag onto a gurney, and he was assisted in this effort by ASHFORD and probably one other person whose identity he does not recall. The gurney bearing FOSTER's body was then rolled and carried down a trail to the ambulance in the parking lot.

BIANCHI did not observe any eyeglasses, paper, bottles or other litter on the ground in the vicinity of FOSTER's body.

At no time did BIANCHI observe any portion of FOSTER's body other than when BIANCHI placed an identification tag on FOSTER's large toe just before the body was loaded onto the ambulance. At no time did BIANCHI observe the condition of FOSTER's shirt, face or torso.

After BIANCHI returned to the firehouse from the call at the park, he told fellow FCFRD employee JAY IACONE that IACONE had been correct about the decedent being a White House official.

During the course of the interview, BIANCHI was asked to show the interviewers the route he had followed inside the park on July 20, 1993. BIANCHI also was asked to draw a handwritten sketch of the Fort Marcy Park parking lot as it had appeared on that date. BIANCHI's sketch of the parking lot depicts a small, light-colored vehicle with Arkansas registration plates parked on the left side of the parking area. Also depicted are the locations of FCFRD units Ambulance 1 and Truck 1, as well as the positions of two other vehicles which BIANCHI believes may have been police vehicles. BIANCHI was not asked to draw a sketch of the area where FOSTER's body had been found because BIANCHI was unable to recall with certainty the location of that site.

BIANCHI also was asked to review a typed narrative report relating to the FOSTER incident which had been typed on the FCFRD reporting system. BIANCHI identified the narrative as having been prepared by himself, and he wrote his initials and the date of the interview on a copy of the narrative report.

Copies of BIANCHI's sketch of the parking lot, signed and dated by BIANCHI, as well as the FCFRD narrative report are attached to and incorporated into this report of interview.

NARRATIVE REPORT

CIDENT # 932011315 UNIT T01P SUPP [illegible] SITF 90 DATE 07/20/93

SISTED AMBULANCE ONE ON A CODE 4 TRANSPORT. BODY WAS SEVERAL HUNDRED YARDS

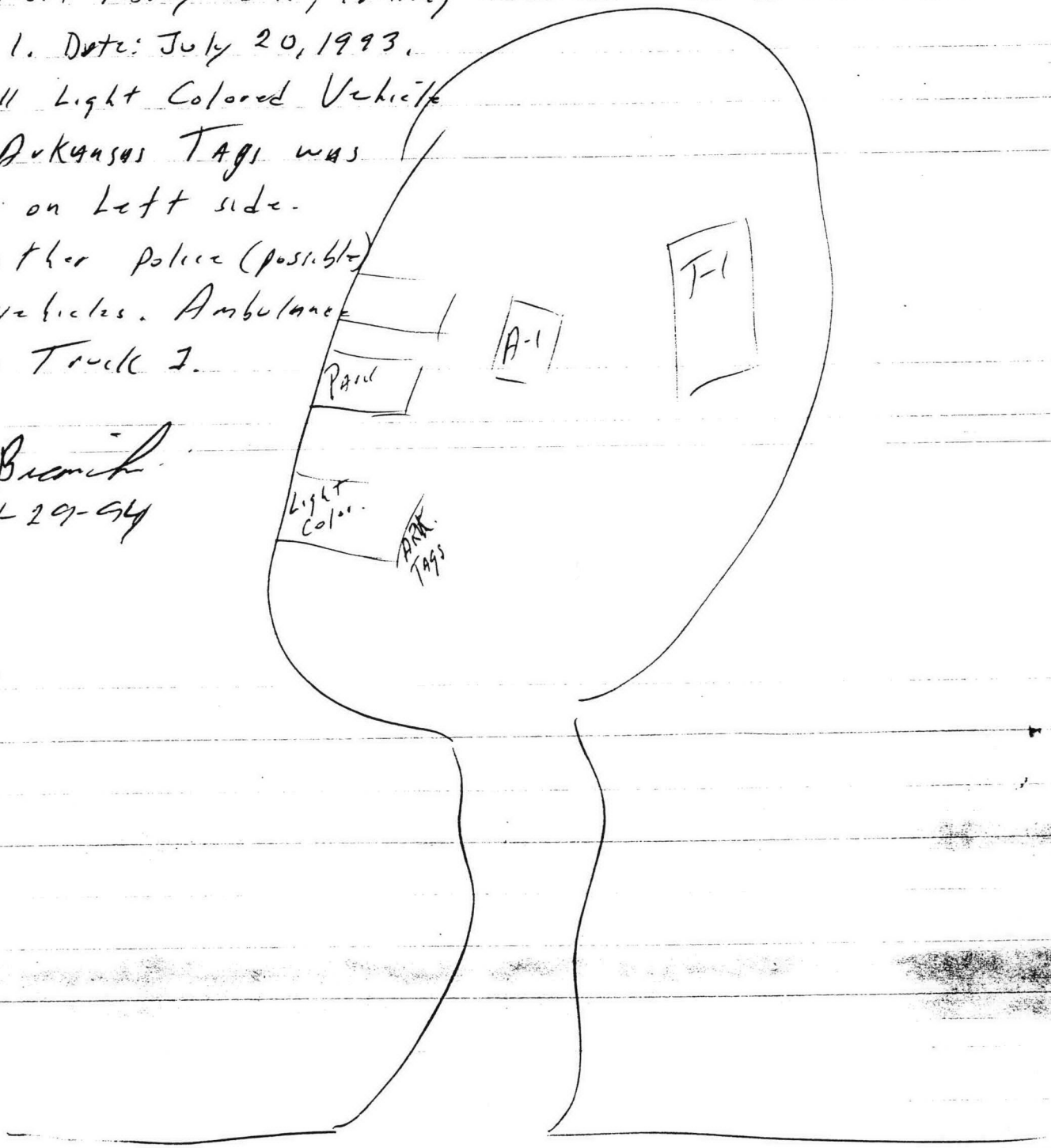
CK IN THE WOODS. AMBULANCE CREW HAD BODY IN BODY BAG AND ZIPPED UP AT THE

ME OF OUR ARRIVAL.

MJB.
4-29-94.

This is what I saw to the best of my recollection of Fort Marcy Park, Parking Lot when I Arrived on Truck 1. Date: July 20, 1993.
A Small Light Colored Vehicle with Arkansas Tags was Parked on Left side.
Two other police (possible) type vehicles. Ambulance one & Truck 1.

M Branch
4-29-94



FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/2/94

COREY ASHFORD was interviewed at Fort Marcy Park regarding the Fairfax County Fire and Rescue Department response to the death of Vincent W. Foster, Jr. on July 20, 1993. ASHFORD is currently assigned to Fire Station One, 1455 Laughlin Avenue, McLean, Virginia, telephone number (703) 356-6671. After being apprised of the purpose of the interview, ASHFORD thereafter provided the following information:

Upon entering Fort Marcy Park, ASHFORD recalls seeing a vehicle believed to be a Honda Civic, that was possibly dark red in color. It was either a 1986 or a 1988 model. This vehicle was believed to be FOSTER's car. In the back window of the vehicle was a hanger with a jacket on it. ASHFORD glanced at the car for approximately 30 seconds. He learned back at the fire station that the car belonged to FOSTER. He gleaned this information in overhearing a conversation between JAY IACONE and other fire station personnel to include GEORGE GONZALEZ, RICK ARTHUR, and TODD HALL. The discussion centered around producing a detailed report regarding the response to the FOSTER death scene, since the decedent worked at The White House. ASHFORD recalls that The White House was brought up in the course of the conversation.

ASHFORD and ROGER HARRISON had been dispatched to Fort Marcy Park on July 20, 1993, to pick up the body of VINCENT FOSTER. ASHFORD did not recall receiving any assistance from U.S. Park Police personnel in placing FOSTER's body into a body bag. ASHFORD was also unable to recall the name of the doctor at Fairfax Hospital, who pronounced FOSTER dead. ASHFORD did not recall seeing any blood on the ground at the location of FOSTER's body.

Upon arriving in the parking area of Fort Marcy Park, ASHFORD recalls seeing several vehicles. In addition to FOSTER's vehicle, ASHFORD recalled a black Cadillac and a number of Park Police vehicles. At least one of the Park Police vehicles was an unmarked, white, Ford Crown Victoria.

Investigation on 4/27/94 at Ft. Marcy Park, VA File # 29D-LR-35063 SUBA 161

by SA Dana M. Gillis DMG
SA Russell T. Bransford RTB DMG:deg Date dictated 5/1/94

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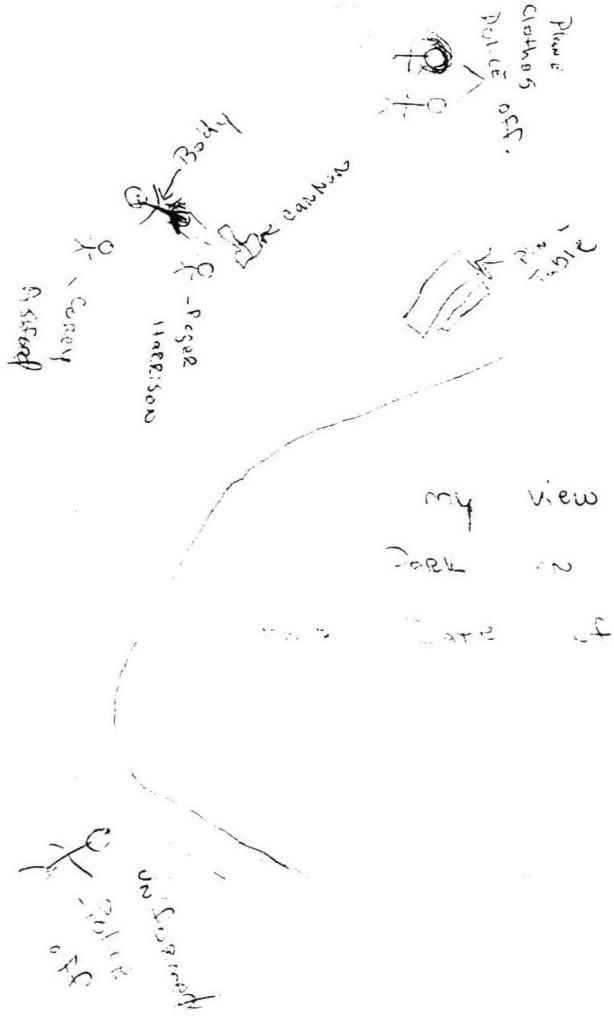
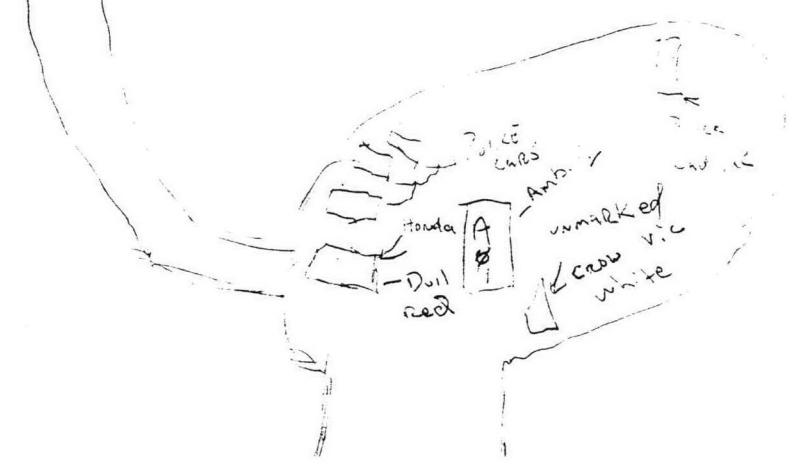
In addition to describing events related to the death of VINCENT FOSTER, ASHFORD was asked by interviewing agents to draw a representation of Fort Marcy Park as he recalled it on July 20, 1993, to include the parking area and the location of FOSTER's body. This representation was produced pursuant to the interview on April 27, 1994 and is attached and made a part of the record hereto. Also attached is a copy of ASHFORD's electronic data narrative regarding the July 20, 1993 dispatch to Fort Marcy Park.

Fort Marcy Park



This Picture Represents my view of the Inc. at Ft. Marcy Park on 7-20-93 Drawn on the Date of 7-27-93 by Amy Ashford



[illegible] [illegible]

[IDENT # 9320[illegible]1483 UNIT A01 BUFF [illegible] J I SITF FIA DATE 07/20/93

E TRANSPORTED BODY TO FAIRFAX MOURGE

CC

ASMFound Negative 7/20/93

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/17/94

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

GEORGE O. GONZALEZ was interviewed about his recollection of events which occurred on July 20, 1993 in Fort Marcy Park, Virginia in relation to the death of VINCENT W. FOSTER, Jr. GONZALEZ, who was born on [redacted] is employed by the Fairfax County Fire and Rescue Department (FCFRD), Fairfax County, Virginia, as a Sergeant and is assigned to FCFRD Fire Station 1, 1455 Laughlin Avenue, McLean, Virginia, telephone number (703) 356-6671. After GONZALEZ was advised of the official identities of the interviewing agents and the nature of the interview, he provided the following information:

Prior to his response to Fort Marcy Park on July 20, 1993, GONZALEZ had only been to this park several years before. GONZALEZ was unfamiliar with the locations of any cannon in the park.

On July 20, 1993, GONZALEZ was assigned to FCFRD unit Medic 1 when it was dispatched to Fort Marcy Park. As Medic 1 was driving southbound on the George Washington Memorial Parkway (GWMP) in the direction of the park, GONZALEZ observed a black Lincoln automobile bearing diplomatic registration plates stopped on the right roadside of southbound GWMP. The Lincoln was stopped near a stone barrier which serves as a guardrail, and the hood on the Lincoln was raised.

Medic 1 was accompanied on the call at the park by another FCFRD unit, Engine 1. Engine 1 was driven across the median strip of the GWMP at the entrance to Fort Marcy Park and was used to block traffic on northbound GWMP so that Medic 1 could safely cross over the median as well. Engine 1 entered the parking lot first followed by Medic 1. Both units were then parked in column formation approximately two thirds of the way into the lot.

As Medic 1 drove into the entrance road to the Fort Marcy Park parking area, GONZALEZ observed a silver-blue Mercedes automobile parked on the right side of the entrance road facing toward the parking lot. The Mercedes was parked on the entrance

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road approximately one hundred to two hundred feet into the park from the GWMP and the four-way flashers on the Mercedes had been activated.

Once the FCFRD units were in the parking lot, GONZALEZ observed a white automobile, possibly a Nissan, which displayed Maryland registration plates and which was backed into a parking space on the north side of the lot so that the rear of the car faced the curb. GONZALEZ did not observe the contents of the white automobile. GONZALEZ also observed a second car parked in the lot. This second automobile was parked in approximately the fourth or fifth parking space in the lot from the entrance to the lot. This automobile was parked within a single parking space with its hood facing the curb. GONZALEZ clearly recalls that this automobile was dark-colored and was either charcoal grey or brown in color.

A United States Park Police (USPP) officer arrived in the parking lot just seconds after the arrival of the FCFRD units. The FCFRD personnel on the scene decided to divide the available personnel and the advanced life support equipment so that the area could be searched more quickly for the patient. The crew of Engine 1 and RICK ARTHUR, who was assigned to Medic 1, went down a trail leading to the right from the end of the parking lot. GONZALEZ and TODD HALL, who was also assigned to Medic 1, were accompanied by an officer from USPP whose name GONZALEZ recalls as FORNSHIL (phonetic). GONZALEZ's group followed a trail which led uphill from the parking lot.

The status of the patient was unknown at that time so there was a sense of urgency. It was not known to the personnel on the scene whether the patient was located uphill or downhill from the parking lot. Locating the patient was the first priority, followed by the need to attempt to resuscitate the patient once he could be located. The main cue being looked for by the FCFRD personnel was a cannon since the patient's proximity to a cannon had been mentioned when the call was dispatched.

As GONZALEZ was working his way uphill and conducting a search for the patient in an area approximately halfway between two cannons in the park, HALL and the USPP officer shouted to him that they had found a body. GONZALEZ rushed ahead and joined HALL and the USPP officer on a slope in front of the second of the two cannons. GONZALEZ observed a body, later identified as that of FOSTER, nearly at the top of the slope. GONZALEZ

observed a path down the slope which was in line with FOSTER's body.

GONZALEZ had a portable radio with him which he used to call the Fairfax County Public Safety Communications Center and advise the dispatcher that a body had been found and the patient was already deceased. GONZALEZ also asked the dispatcher to notify the other group of FCFRD personnel that the patient's body had been found. GONZALEZ and HALL subsequently encountered the other group of FCFRD personnel in the parking lot and directed them uphill to the location of the body.

GONZALEZ currently recalls that almost the entire slope where FOSTER's body had been found was green and there was much more ground cover on it on July 20, 1993 than on the date of this interview.

When GONZALEZ approached to examine FOSTER's body, he observed flies on almost every orifice of FOSTER's face. FOSTER's body was lying in a supine position with the head on the uphill portion of the slope. FOSTER's mouth was open and his eyes were partially open. GONZALEZ observed blood coming out of the right side of FOSTER's mouth in what GONZALEZ now describes as a streak of blood. FOSTER's neck was intact and no puncture wounds or trauma were evident. GONZALEZ did not observe a great deal of blood on FOSTER's face, and the blood which was visible was dark and appeared to have been dry for awhile.

GONZALEZ does not now recall whether he saw HALL check FOSTER's pulse.

GONZALEZ knelt by FOSTER on FOSTER's right side to examine the scene. Both of FOSTER's hands were at his side. GONZALEZ observed a handgun in FOSTER's right hand, but he could only see the cylinder of the gun. GONZALEZ did not see much blood under FOSTER's head but he did not lift the head. FOSTER's head was facing straight forward. GONZALEZ observed blood on the right shoulder of FOSTER's unbuttoned white shirt.

GONZALEZ observed lividity in FOSTER's fingertips. Since FOSTER's clothes were not removed or displaced, GONZALEZ does not know if lividity was visible in FOSTER's legs, back or feet. Based on his previous experience with dead bodies, GONZALEZ estimated that FOSTER had been dead from two to four hours. GONZALEZ did not move any of FOSTER's limbs so he cannot

comment on whether rigor mortis was present in FOSTER's body. GONZALEZ did not observe the posterior portion of FOSTER's body or the lower portion of FOSTER's neck. GONZALEZ does not recall seeing anyone examine the posterior portion of FOSTER's body.

GONZALEZ does not recall making any observations as to whether or not FOSTER's clothes appeared to have slid up on his body.

At this point in the interview, GONZALEZ was asked to review a narrative report relating to the FOSTER incident which had been typed on the FCFRD reporting system. GONZALEZ identified the narrative as having been prepared by him. GONZALEZ was then asked about the entry in his report where he wrote that the patient was assessed visually, lividity had set in, and there was pooling of blood in the patient's extremities. GONZALEZ responded that his notation about pooling of blood in the extremities only referred to FOSTER's arms and hands.

GONZALEZ did not observe any eyeglasses, paper, bottles or other litter on the ground in the vicinity of FOSTER's body.

As GONZALEZ prepared to leave the area of FOSTER's body, another USPP officer came to that location. This second USPP officer was a white male in his early thirties, had black hair, and was in uniform. Based on remarks made by this officer, GONZALEZ formed the impression that this officer was newly assigned to an investigative unit. USPP Officer FORNSHIL (phonetic) was still at the location of the body.

GONZALEZ and HALL left the location of FOSTER's body together. GONZALEZ does not recall whether anyone else left with them.

When GONZALEZ returned to the park's parking lot, he learned that both of the civilian cars parked there were locked. The Mercedes automobile was still parked in the entrance road to the park.

During the course of the interview, GONZALEZ was asked to show the interviewers the route he had followed inside the park on July 20, 1993. GONZALEZ was also asked to draw handwritten sketches of the Fort Marcy Park parking area and the area around FOSTER's body as these locations had appeared on that date.

GONZALEZ's sketch of the parking lot depicts the locations of Medic 1, Engine 1, a white car displaying Maryland registration plates, a USPP vehicle, and a four door Honda displaying Arkansas registration plates. This sketch further depicts a light blue Mercedes on the entrance road to Fort Marcy Park as well as the position on the GWMP of a black Lincoln Town Car displaying diplomatic registration plates. GONZALES further wrote on this sketch that there was an Oriental driver standing outside the Lincoln, whose hood was up.

GONZALEZ's sketch of the area around FOSTER's body depicts the location of the body from a side view as well as the positions of GONZALEZ, HALL and USPP Officer FORNSHIL (phonetic) as they conducted their initial examination of the scene.

GONZALES signed and dated his sketches of the parking lot and the area around FOSTER's body. He also signed and dated each page of the four page narrative report he had prepared on the FCFRD reporting system.

Copies of the two sketches and the four page narrative report are attached to and incorporated into this report of interview.

EMS INCIDENT R. RT

ACIDENT # 932011315 UNIT #01 SUPP 01 FBOX 0146 SUBCT 470104 AMP 0231
ATE 07/20/93 DAY 3 SHIFT A FPROP 938 MPROP 98 VEH # 6273 MILES 012
OCATION 0 GEORGE WASHINGTON MEM PW APT # RESPST 2 DISPST 1
AUSE PROBLEM 77 SITUATION 901 VEH ACTION TAKEN F.....
RV EMP # 47395 DIC EMP # 47252 AID EMP # 47532 OTH EMP #
EFORT BY EMP # 47252 VOL/STATION 00 SP STUDY SP STUDY
PDATE OPER

UNIT TIMES

ISPATCH 18:03:08 ENROUTE 18:03:54 ONSCENE 18:10:16 ENRHOSP 00:00:00
THOSP 00:00:00 NEWSTAT 18:37:15

PATIENT INFORMATION

T LAST NAME FOSTER FIRST VINCENT MI
T ADDRESS UNK APT #
ITY UNK STATE AR ZIP CODE
GE 048 RACE W SEX M CAUSE PROBLEM 77 SITUATION 901 RESPST 2
ID GIVEN A9 SCORE CASE SEVERITY 5 OUTCOME 1
RTHOSP 43 DESTINATION 43 COMM 9 QUALITY 9 FSCC DIR PT REFUSAL .
P 000 000 PUL 000 RES 00 CX 8 EKG-F EKG-H ..

UPIL 9 COLOR 7 TEMP 9 MOIST 9 PREAID RESUS SPECTX
R LAST NAME PT HX #

ACT01	AMT	EMP #	EFT	ACT02	AMT	EMP #	EFT
03				04			
05				06			
07				08			
09				10			
11				12			
13				14			
15				16			
17				18			
19				20			

4-27-94 12:30pm WE

NARRATIVE REPORT

INCIDENT # 932011315 UNIT H01 SUPP [illegible] 1 SITE 901 DATE 07/20/93

E REC. A CALL FOR A POSS. DOA IN THE PARK OFF GW PKWY. WHILE IN ROUTE AS W GOT ONTO GW PKWY WE SAW A CAR ON THE SIDE OF THE ROAD THAT APPEARED TOBE LK LINC. TWNCAR WHICH HAD WRECKED INTO THE TREES. MINOR AUTO DAMAGE. DRIVER OOKED OK AND WAS WALKING AROUND. AS WE ENTERED THE PARK (FORT MARCY) WE ASSED A LIGHT BLUE MERCEDES W/IT HAZARDS ON. NO OCCUPANT IN VEH. WENT FURTH R UP IN TO THE PARK AND SAW TWO OTHER VEH. BRWN HONDA.AR TAGS. AND A WHITE ISSAN W/MD TAGS. NO OTHER PEOPLE IN THE AREA. WE SPLIT OUR CREWS ONE WENT N THE NORTH TRAIL AND THE OTHER ON THE SOUTH TRAIL. SGT. GONZALEZ AND TECH ALL ALONG W/PARK PD FORSHON WENT UP THE NORTH TRAIL IN SEARCH OF A BODY. WE AME ACROSS THE FIRST CANNON. I SEARCHED AROUND THIS AREA AND FOUND NOTHING, E SEARCHED FURTHER TO THE NEXT CANNON

S. Scott Bom

Ⓡ 4-27-94 12:30pm WE

NARRATIVE PT

CIDENT # 932011315 UNIT H01 SUPP [illegible] 2 SITF 901 DATE 07/20/93

O FOUND A DEAD MALE W/SUIT PANTS. AND DRESS SHIRT. NO TIE OR COAT. LAYING PINE FEET FIRST DOWN THE HILL. THE FIRST PERSON TO REACH HIM WAS THE TECH OD HALL AND PARK PD. I FOLLOWED SECONDS BEHIND THEM. I THEN ADVISED FX. PS OF THE SITUATION. WE LEFT PARK PD WITH THE VICTIM AND RETURNED OUR EQUIP OUR UNIT. IN DISCUSSION W/PD HE ASKED HOW MANY CARS WERE OUT IN THE PARK G LOT I SAID 3. 1 AT THE ENTRANCE AND 2 IN THE PARKING LOT. WE ARRIVED BAC AT OUR UNIT AND ASSISTED PD. WHILE IN THE PARKING LOT WE LOOKED FOR VEH. W HE INFO. TO RELATE TO THE PT. ONE VEH. STOOD OUT. THE HONDA. WHICH HAD THE MAINING PARTS TO HIS SUIT. HIS COAT AND TIE. PT ASSESSED VISUALLY LIVIDITY O SET IN. POOLING OF BLOOD IN THE EXTREMITIES. PT HAD BEEN DEAD APPROX. 2 HRS. PT HAD A WEAPON IN HIS RIGHTHAND

Sgt. Gary A. Gorman
4-27-94 12:34 we

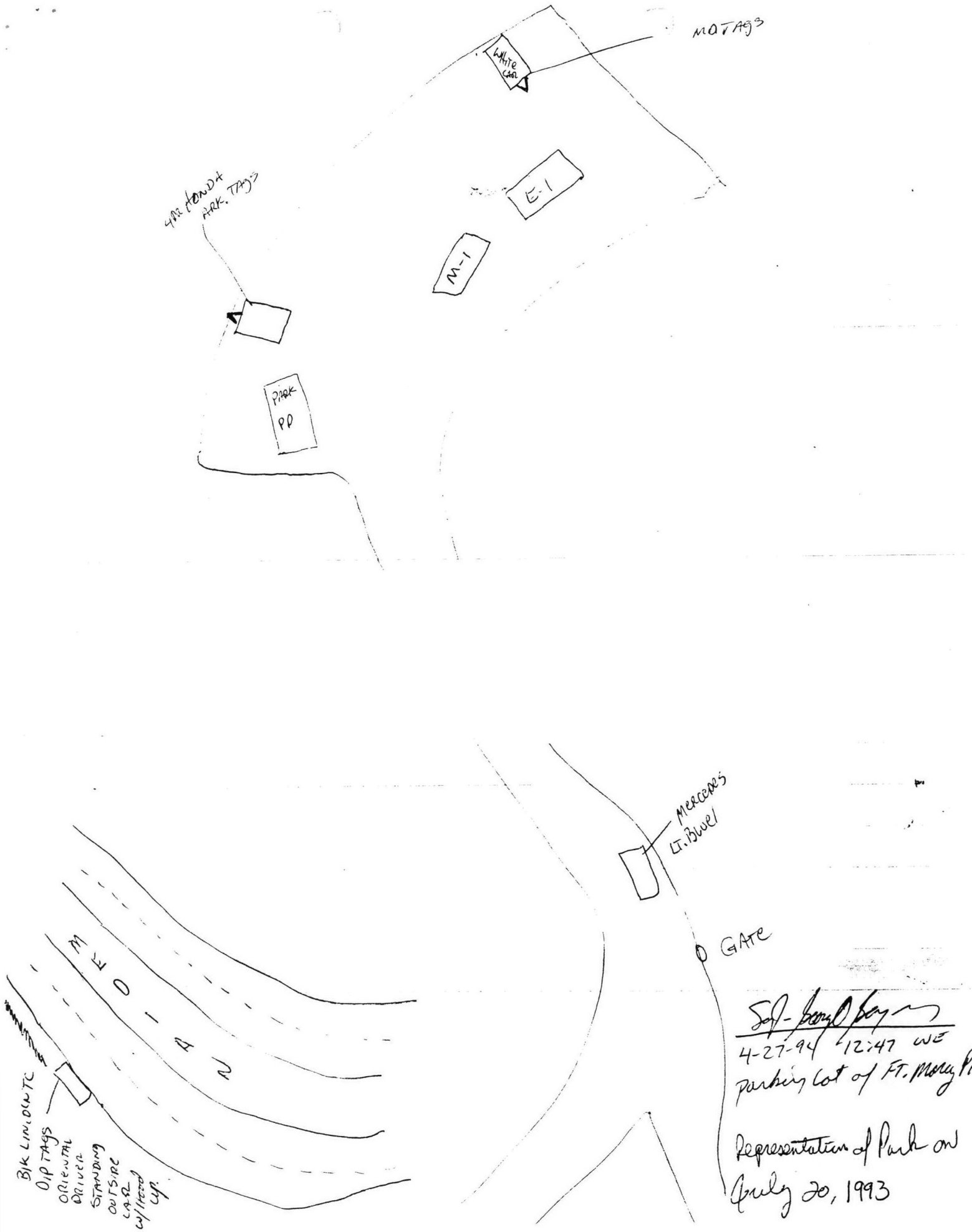
NARRATI[illegible]T

CIDENT # 932011315 UNIT H01 SUPP [illegible] 3 SITF 701 DATE 07/20/93

RK PD DID NOT NEED ANY OTHER SERVICES.

Sgt Joseph Sam

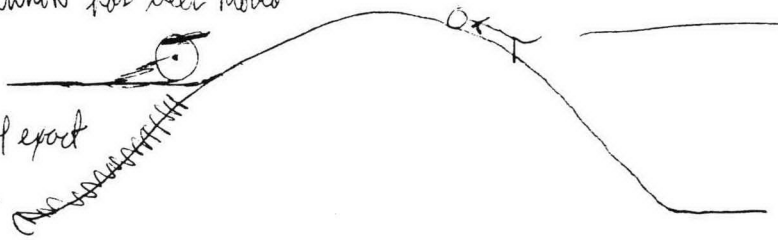
4-27-94 1234 LOC



Sgt. [illegible]
4-27-94 12:47 WE
parking lot of Ft. Mason Pk.

Representation of Park on
July 20, 1993

unsure if cannon has been moved since date. also not sure of exact distance from cannon

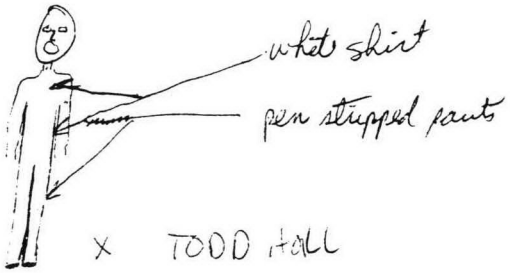


supine
Feet downHILL Head on the upside.

when I arrived at the scene. all of us who were moving around investigating the scene. So to be specific, we were around the immediate area,

George Gonzales X

PARK PD X



white shirt

pen stripped pants

X TODD HALL

Sgt. George Gonzales
4-27-94 12:51 we
Representative of Park on
July 20, 1993

FD [illegible] (Rev. 3-10-82)

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 5/2/94

Dennis Stephen Martin, Inspector, Uniform Division, United States Secret Service (USSS) was interviewed in the Office of the Special Counsel, 1001 Pennsylvania NW. Inspector Martin was advised as to the identities of the interviewing agents and informed of the nature of the interview. He then provided the following information:

He has been employed by USSS for twenty years and his office is located at 1310 L Street NW, Washington, D.C. His office telephone numbers are 202-435-7575 and 202-435-7209. He is currently assigned as the Uniform Division Commander of USSS Professional Responsibility and Internal Affairs Investigations.

At the time of Vincent Foster's death on July 20, 1993, he was the Deputy Commander of the USSS White House branch and as such was the commanding officer of all Uniform Division employees working within The White House compound. In that capacity, his responsibility was to oversee and coordinate access and control of physical security for The White House. He came to work on the morning of July 20, 1993, at approximately 7:30 am and left work that day at approximately 5:30 pm after a busy but otherwise uneventful day. At approximately 8-9:00 pm, he received a phone call from Lieutenant David Wultz at the USSS White House Control Center advising him that the United States Park Police had just notified him that a body, believed to be that of Vincent Foster, had been found dead at Fort Marcy Park of an apparent suicide. Inspector Martin said that he made the appropriate notifications within the USSS chain of command and also decided to notify Craig Livingstone, a non law enforcement White House staffer who, at that time, held the title of White House Security Coordinator. He said that he decided to notify Craig Livingstone because he believed that notification of the hierarchy of The White House staff was appropriate and he thought it possible that The White House staff would want to decide who should identify the body. He said that when he contacted Livingstone at his (Livingstone's) residence, he seemed quite shocked and upset but said that he would contact the Park Police and that he would go to either the hospital or the morgue to identify the body. Inspector Martin

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Investigation on 4/29/94 at Washington, D.C. File # 29D-LR-35063 SUB A -126

by SAs WILLIAM T. GUYTON [redacted] FOIA(b)(7)-(C) Date dictated 5/1/94

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said that it is his understanding that Livingstone did identify the body that night.

On July 21, 1993, Inspector Martin arrived at work at approximately 6:30 am and shortly thereafter met with USSS Assistant Special Agent in Charge (ASAC) Paul Imbordino. It was decided that Inspector Martin would meet and escort U.S. Park Police (USPP) investigators and FBI agents who were expected at The White House shortly to conduct an investigation regarding Foster's death. Inspector Martin said that at approximately 8:00 am USPP Chief Langston and a Deputy Chief (name unrecalled) arrived at The White House saying that they had an appointment with David Watkins whom Martin knew to be a White House staffer for whom Craig Livingstone worked. Inspector Martin said that he escorted the Chief and Deputy Chief to a suite of offices on the ground floor of The White House west wing that was occupied by Watkins and Patsy Thomasson.

At approximately 8:30-8:45 am a USPP Captain (name unrecalled) and Detective Pete Markland of the USPP arrived about the same time that Chief Langston and the Deputy Chief were leaving The White House compound. Inspector Martin said that these four men spoke briefly outside the building and then the Chief and Deputy Chief departed The White House grounds. Shortly thereafter, two Special Agents of the FBI, Scott Salter and another (name unrecalled) arrived. Inspector Martin escorted them to The White House west wing where they briefly met with Bernard Nussbaum. Inspector Martin said that he cannot recall if he escorted the four law enforcement officers to Nussbaum's office or if Nussbaum came down to the ground floor to talk to them. He advised, however, that the conversation was regarding arrangements for the law enforcement officers to be allowed access to Vincent Foster's 2nd floor office. Nussbaum said that he wanted to check with other members of The White House legal counsel staff and the First Family before any access to Vincent Foster's office was allowed. The four investigators and Inspector Martin waited on a couch located on the ground floor of The White House west wing for approximately 2 hours and then moved to Inspector Martin's office where they waited several more hours into the afternoon. Martin said that during the time in his office, several telephone calls were made by the investigators to FBIHQ and USPPHQ. Martin said that he was not privy to these conversations but was able to discern that the investigators were most unhappy about being kept waiting but could not seem to gain appropriate authority to search Foster's

office.

Inspector Martin said that he went home that evening at approximately 5:30 to 6:00 pm after ASAC Paul Imbordino invited the investigators to continue their wait with him. Martin said that it is his understanding that the investigators went back to the west wing of The White House where they again met with Nussbaum. He said that although he was not present during the meeting, it is his understanding that the investigators were not allowed to see Foster's office that day but agreed to return the next day to conduct the search of that office.

Inspector Martin said that while the investigators were waiting with him, at approximately 11:00 am, a decision was made to begin posting a series of USSS Uniform Division officers outside Vincent Foster's door to secure it for investigation. These shifts went on for the remainder of July 21, 1993 and a locksmith was called in to place a lock on Vincent Foster's door that evening. Inspector Martin said that he was advised that the Uniform Division officers were removed from this newly established post at approximately 8:00 pm that evening when the door was secured with a lock.

Inspector Martin was asked if he recalls USSS Uniformed Officer Bruce Abbott relating any observations regarding Craig Livingstone and another man. Inspector Martin said that he does so recall that at approximately 8-9:00 am on July 21, 1993 as he was escorting USPP officers either in or out of the west wing, Officer Abbott approached. He said that Abbott spoke to him in a low confidential voice relating to him that earlier that morning (approximately 6:30 - 7:00 am) he had seen Craig Livingstone and another man (identity unknown) on the ground floor of The White House west wing having just gotten off the elevator or having just come down the staircase from the upper floors of the west wing. Abbott said that he saw these two men carrying a briefcase and some boxes and that he was relating this information to Inspector Martin because he thought it was unusual that these men were in the west wing at that hour removing items before an investigation of the Foster death to be conducted. Inspector Martin said that he does not recall if he related this information to anyone else or not. He said that he is certain that the Park Police officers were present at the time he was told this but he can not be sure if they overheard any or all of this information at that time.

Inspector Martin was asked to explain the USSS Standard Operating Procedure for picking up and disposing of "burn bag" trash from the west wing. He said that this type of trash is picked up daily from west wing offices during the midnight shift by a USSS Uniform Division employee. He said that it is then taken to Room. 096 in the basement of the Old Executive Office Building (known as the Macerating Room) where it is shredded and then burned by GSA employees who have appropriate security clearances. Inspector Martin was asked to explain the standard operating procedure for picking up regular non burn bag trash from the west wing. He said that this type of trash is also picked up on a daily basis during the midnight shift but is picked up by GSA cleaning employees who are escorted by USSS Uniform Division officers. This trash is then taken to the same room in the Old Executive Office Building and from there thrown away in a dumpster behind the Old Executive Office Building. Inspector Martin said that, in his opinion, it is highly improbable that a specific bag of trash from a specific waste basket could be identified and retrieved the next day after it had been picked up by the GSA employees and combined with all other trash picked up on a given day. He also said that he does not recall hearing about any White House staffer asking to retrieve trash from Vince Foster's waste basket that had been previously picked up.

Inspector Martin was shown a copy of a one page document captioned "On-line Activity Report" dated 7/21/93, that had been previously obtained by the Federal Bureau of Investigation. Inspector Martin said that this is a log showing the activation and deactivation of an alarm on the Nussbaum/Foster suite on the 2nd floor of the west wing of The White House for the period 7/20/93 - 7/21/93. Inspector Martin explained the columns on this log reading left to right: date of activity; time of activity; the zone of this activity (number 561, west wing, 2nd floor, room 208-Nussbaum's office). The next column shows the entrant or operator's name and the last column shows the event, that is the alarm either being activated or deactivated or tested. Inspector Martin explained that an entry on this log reading "secure alarm" either means that the alarm for the Nussbaum/Foster suite had been intentionally set (activated) or that the alarm had been tripped or set off. He explained that an entry in the event column reading "access set" means that the alarm for this suite had been deactivated thus allowing people access to the suite. He said that an entry reading "access alarm" has the very same meaning as "access set".

He explained that an entry reading "secure reset" is a check of the alarm system to make sure that the alarm is on. He explained that this is done periodically, remotely, and electronically by the USSS White House Control Center. Inspector Martin was asked to explain his understanding of entries on this log. He said that according to the log, at 8:03 am on 7/20/93, the alarm had been tripped and deactivated. He said that the operator's name on the log which reads "Castle" is probably the same as later entries that same day on the log reading "Castleton". He said that according to the log, the alarm remained in a deactivated mode the remainder of the day of 7/20/93. At 8:04 pm on 7/20/93, the alarm was put in secure mode or activated by "Castleton". At 10:42 pm on 7/20/93, the alarm was tripped when USSS Officer O'Neill went into the suite. It remained deactivated until 11:41 pm when O'Neil activated it again. One minute later at 11:42 pm, the USSS Control Center electronically checked the alarm status and found that it was in secure mode (activated).

REPORT DATE: 07/21/93 11:33

ON-LINE ACTIVITY REPORT

PAGE NO. 1

SELECTION PARAMETERS:

STARTING DATE AND TIME: 07/20/93 00:01

EVENT PRIORITY: ALL EVENTS

EVENT CLASS: INTRUSION DETECTION EVENTS

OTHER CRITERIA: SELECTED ZONE: 561

DATE	TIME	NO.	ZONE DESCRIPTION	ENTRANT/OPERATOR NAME		EVENT
07/20/93	08:03	561	NW 2ND FL RM. 208 - KAUSSBAUM'S OFFICE	CASTLE		SECURE ALARM
07/20/93	08:03	561	NW 2ND FL RM. 208 - KAUSSBAUM'S OFFICE	CONTROL	CENTER 1	ACCESS SET
07/20/93	20:04	561	NW 2ND FL RM. 208 - KAUSSBAUM'S OFFICE	CASTLETON		ACCESS ALARM
07/20/93	20:04	561	NW 2ND FL RM. 208 - KAUSSBAUM'S OFFICE	CASTLETON		SECURE ALARM
07/20/93	21:14	561	NW 2ND FL RM. 208 - KAUSSBAUM'S OFFICE	CONTROL	CENTER 1	SECURE RESET
07/20/93	22:42	561	NW 2ND FL RM. 208 - KAUSSBAUM'S OFFICE	ONEILL		SECURE ALARM
07/20/93	22:42	561	NW 2ND FL RM. 208 - KAUSSBAUM'S OFFICE	CONTROL	CENTER 1	ACCESS SET
07/20/93	23:41	561	NW 2ND FL RM. 208 - KAUSSBAUM'S OFFICE	ONEIL		ACCESS ALARM
07/20/93	23:41	561	NW 2ND FL RM. 208 - KAUSSBAUM'S OFFICE	ONEIL		SECURE ALARM
07/20/93	23:42	561	NW 2ND FL RM. 208 - KAUSSBAUM'S OFFICE	CONTROL	CENTER 1	SECURE RESET
07/21/93	07:01	561	NW 2ND FL RM. 208 - KAUSSBAUM'S OFFICE	PONN		SECURE ALARM
07/21/93	07:01	561	NW 2ND FL RM. 208 - KAUSSBAUM'S OFFICE	CONTROL	CENTER 1	ACCESS SET
07/21/93	11:20	561	NW 2ND FL RM. 208 - KAUSSBAUM'S OFFICE	CC TEST		SECURE ALARM
07/21/93	11:20	561	NW 2ND FL RM. 208 - KAUSSBAUM'S OFFICE	CONTROL	CENTER 1	ACCESS RESET
07/21/93	11:20	561	NW 2ND FL RM. 208 - KAUSSBAUM'S OFFICE	CC TEST		ACCESS ALARM

7-21-93

Insp. Martin,

Per your request.

Jeff Redburn

FI (Rev. 3-10-82)

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/28/94

Cynthia M. Monaco, Special Assistant to the Deputy Attorney General, U.S. Department of Justice (DOJ), appeared at the Office of the Independent Counsel, Washington, D.C. as scheduled at 2:00 p.m. for interview. Ms. Monaco was advised of the identity of the interviewing agents and of the purpose of the interview. Ms. Monaco provided the following information:

She has been employed as Special Assistant to the Deputy Attorney General, DOJ, since May 3, 1993. As such, she was employed as Special Assistant to Phillip Heyman, Deputy Attorney General, DOJ, at the time of his resignation from the DOJ. Heyman announced his resignation from the DOJ on January 21, 1994 and his last day at the Department was February 14, 1994. On or about February 11, 1994, Monaco participated in a meeting with Heyman and others to assist him with various administrative details relative to his resignation. As part of this meeting, it was decided to set forth a chronology of the events involving DOJ personnel during the time period surrounding the death of Vincent Foster. In addition to Heyman and Monaco, those present at this meeting were DOJ employees Roger Adams (Counsel - DOJ), David Margolis (Associate Deputy Attorney General), Pat Binninger (a Confidential Assistant to the Deputy Attorney General) and possibly Rod Rosenstein (now a Special Assistant to the Assistant Attorney General - Criminal Matters and formerly a line attorney in the DOJ Criminal Division - Public Integrity).

Ms. Monaco provided six pages of yellow-lined, handwritten notes produced at the February 11, 1994 meeting concerning the chronology surrounding Foster's death. Monaco noted that it had been intended that these notes be typed, but that Heyman had left the Department prior to this being done and she has since not seen the need to do this.

A transcription of the chronology as provided by Ms. Monaco is as follows:

NOTE: Clarifications and/or corrections and sources of

Investigation on 4/26/94 at Washington, D.C. File # 29D-LR-35063 SUB A - 118

by SA William T. Guyton FOIA(b)(7) - (C) Date dictated 4/28/94

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the recollections as provided by Ms. Monaco during the interview are provided in parenthesis in the transcription. There were no parenthetical notes in Ms. Monaco's original draft of the chronology.):

TUES July 20th

Announcement of Freeh. Foster left W.H. and shot himself - Tues. night he is found around 9:00 p.m.

WED July 21st

- Roger Adams is selected by AG and DAG to go to Foster's office. He is told to stand by and Park Police would search. (Adams)

- Adams raised concern over his prior detail to the White House. DAG says call AG. (Adams)

2 p.m. RA calls JR tells her he was in WH counsel's office. (JR = Janet Reno)

- Janet Reno beeps Phil at Marriot where he is panel moderator to ask Adams question.

3 p.m. - Adams is called into DAG's office. Dave got instructions from Phil on doc handling.

5 p.m. - DM, RA and investigators make an agreement that they will go into Vince's office. After agreement is signed sealed etc. Neuwirth reopens agreement. (DM = Margolis)

DM glance at first page title of file (Margolis)

for "anything to do w/ his violent death" this (Margolis)

RA - understood that nothing would happen until they were there to see it. (Adams)

PH worry (Thurs 22 erased after this notation)

Thurs 22 - agreement is DM/RA will be at 10

Originally we responded to the WH on Wednesday morning

21st Park police are not allowed in the office of Vince Foster

Roger Adams

Thurs 10 am We arrive at 10. (Margolis or Adams)
- Cops go off to do interviews
- Bernie has new plan he will look at docs
- David called DAG bec he now knows that new plan not cleared.
- DM calls Phil & hands phone to DAG (DAG reference here should be "Nussbaum")

David remembers that decision was we'd push Bernie to wall to change his mind but would let Bernie ultimately make the call.

DAVID said "Mail us results" BN - I know it's for show

Cindy saw Phil in conf room b/n 10:30-11. (Monaco)

You are messing this up (Quote from Heyman to Nussbaum on telephone in conference room/not in Heyman's office. Monaco overheard Heyman side of this conversation.)

said he'd call David & Roger back here - won't make a big deal about

BN said he'd call back
DAG but didn't (Heyman)

told DM/RA to stay in lobby - not to leave when DM went out for a cig. BN panicked came running after DM.

At 12:45 - told DM/RA (Get lunch and will do search at 1:00 p.m.)

At some point, DM said after meeting if this were IBM I'd have subpoenaed. BN said - if this were IBM - smart lawyer would have removed them - privilege would have attached. (Margolis)

DM told Bernie that he'd make a detailed inventory

DAG called BN on night of 22nd
- reamed him out
- do you have anything to hide? (Heyman - angry he hadn't been consulted)

July 26 -

Tues July 27

5:15 - Phil is summoned out of AGAC to go to WH (Heyman) (AGAC = AG Advisory Committee)

DAG rides over w/AG (Heyman)

Bernie has note - AG says turn it over and she left. (Heyman) (AG had engagement = why she left)

Phil wanted to leave but BN asked him to stay since he was there so long already. (Heyman)

Thurs 28th - FBI is called in. (On note)

Thurs 29

Collier calls 8:45 (Collier is Chief of Staff for Interior Secretary Babbit)

comes over 9 a.m. (Meeting with Collier was only time during entire tenure that Heyman turned on his red light - meaning he should not be disturbed)

Two complaints
1) WH - is treating his personnel unprofess bursting into interviews

2) mismatch (Refers to authority or power; U.S. Park Police vs. White House)

wanted to take his people out of the investigation

DAG called Bernie, Gergen, etc. tells them he wanted a

conference call to all of them (Heyman said to assemble everyone who was present the night before in connection with the Foster note. Monaco recalled this included Dee Dee Myers, and possibly McLarty and Stephanopoulos, among others) (Conference call = speakerphone at White House) (Margolis, Adams and Monaco with Heyman)

told them at 10:37 (Phone logs?)
we think 11:03

Nancy McFadden notes that N McF.
DM told FBI

Monaco noted that this last referrence in the chronology referred to an occasion when Nancy McFadden, who worked for Webb Hubbell, came into Margolis' office while Monaco was present to express concern over the phrase "obstruction of justice" being used by the FBI in their investigation following the discovery of the Foster note. Monaco said that Heyman and Rod Rosenstein were also present at the time in Margolis' office. McFadden requested that "someone straighten this out," referring to the "obstruction of justice" terminology. McFadden said the situation was way out of hand. It was Monaco's understanding that Hubbell had asked McFadden to come down to discuss this matter. Monaco remembers that Margolis did not say a word. Margolis was asked by Heyman to call the FBI.

When asked if she could add any other detail regarding the chronology, Ms. Monaco said she remembered Deputy Attorney General Heyman returning from the White House to the DOJ at about 10:00 p.m. on the night of July 27, 1993. This was the evening that the White House turned the Foster note over to investigators. Monaco said that she, Heyman, Rod Rosenstein and Gary Katzmann (Associate Deputy Attorney General) discussed the finding of the Foster note. Monaco remembered Heyman saying how wonderful it was to watch the Attorney General handle the situation at the White House that evening. The Attorney General had reacted to the news of the note being located by saying that the White House should call the U.S. Park Police and give the note to them. Heyman commented on how upright the Attorney General was and what a pleasure it was to work with her. Monaco said Heyman did not express an opinion concerning the events of

that evening other than this. She noted that he was extremely tired and exhausted.

In addition to the handwritten chronology, Ms. Monaco also provided a three-page transcription (attached) from a "journal" which Monaco herself maintains. She said most of the information contained in these journal pages is second and third hand. It consists of notes she kept and dictated late at night, her intention being to create a "great journal" of her experiences. She said no one had seen these journal pages prior to them being turned over during this interview. She asked that if these journal entries were ever to be released in the future, that she have an opportunity to clarify certain inaccuracies such as incorrect dates and run-together material. As an example of necessary changes, she cited the third paragraph on the first page that reads "The Attorney General made"... and clarified this should read "The Attorney General's Office made..."

Monaco said she remembers speaking with Vincent Foster on perhaps one or two occasions. These occasions would have been telephone calls from Foster concerning the nomination of Jo Ann Harris. Monaco said Foster was business-like and limited the call, or calls, to an inquiry concerning the progress of an announcement on Harris.

Monaco said she could provide no other information of value. She has searched her files for other handwritten notes but has located nothing else.

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

Name:	Cynthia M. "Cindy" Monaco
Title:	Special Assistant to the Deputy Attorney General
Race:	White
Sex:	Female
DOB:	FOIA(b)(6) FOIA(b)(7) - (C)
POB:	
SSAN:	
Business Address:	Room 4208, DOJ
Work Telephone:	(202) 514-3844

The nomination. Bromwich screw up.

*** Back Chronology ***

On Tuesday July 20, the White House announced the pick in the Rose Garden of the new FBI Director. Phil, the Attorney General, and Dave Margolis were there. On Tuesday afternoon, Vince Foster left the White House and killed himself. He shot himself in the head in a park.

On Wednesday July 21, the White House realized that someone would have to come and take a look at the records in Vince Foster's office as part of a preliminary inquiry to rule out -- for suicide. Phil Heymann and Janet Reno decided that Roger Adams would go. Roger suggested that maybe there was a problem because he had worked at the White House for several months.

During this period of time, the Attorney General made a big deal about getting a hold of Phil while he was speaking at the Marriot while he was speaking at a Youth Violence Symposium. In any event, it was decided that Dave Margolis and Roger Adams would go over to the White House. David and Roger did go over. I believe it was on Wednesday briefly just to put a yellow tape on the door with the Park Police in the regular course of business. They determined at that time that they would come back and search the office the next day.

Thursday, July 22, 1993

The next day was a disaster. I first realized there was a problem when I saw Phil Heymann on the phone with Bernie Nussbaum. I walked into the conference room and sat down. This was probably about 10:30 or 11 in the morning when he should have been in the Crime Bill pre-meeting in room 4118. Phil was on the phone with Bernie Nussbaum and he said: "You are messing this up very badly. I think you are making a terrible mistake." And what I took it to mean, in the context of the general conversation was that Bernie had refused to let David and Roger take a look at the documents.

I later heard from David that in fact what had happened was that Bernie looked at the documents and told him that a privilege was asserted or was not asserted. This was in contrast to what Phil and Bernie had decided the day before. Only I and Phil were present.

Phil and Bernie seemed to be in agreement on the entire thing but probably were not. Phil later suggested at the end of that day when David returned -- this was when CBS News was calling regularly that the fact . . . . He [David] was very angry that he had been made to cool his heels in the Executive Office Building for hours before they were called at something like

quarter to one and told they would have fifteen minutes to get a bite to eat in the cafeteria before they actually went over to seacrh Vince's office. He was very irritated with that. And then when he got to Vince's office, he just sat there and Bernie Nussbaum picked up each document and looked at it while over his shoulder stood Steve and Cliff Sloan. And each of them regularly whispered in Bernie's ear as to whether or not he should assert some privilege or work product or executive or attorney-client priviledge. David was particularly galled when one agent stood up to stretch and Cliff Sloan said: "You're not trying to look over his shoulder are you?" David keeps repeating this story and I think he was very, very insulted that Cliff would make that accusation against one of his agents. I think the agent's name was Scott.

When David came back that evening, Dean St. Dennis was looking for a status report. Dean had sort of promised the press that morning that there would be a status report. He had gone too far.

Phil had pretty clearly explained to Dean, in my presence, that morning what he had wanted Dean to say to the press namely that it was just a routine inquiry. He may not have used the word " inquiry. He wasn' so clear on inquiry versus investigation but that it was just a routine questioning of circumstances into his death and that this would be handled like any other inquiry. I think that Dean was just way to specific with the press and said things like: "We are looking at the motive for the suicide and we a looking at the 1 in 100 chance that it could have been murder." I think that was very irritating for Phil Heymann to read in the papers the next morning.

In any event. Carl Stern returned that Monday and tried to set things straight. He had a meeting with Phil first thing in the morning when Phil laid the whole thing out. But that's getting ahead of ourselves.

That Friday there were articles back and forth on Vince Foster being despondent. On Monday, there were articles about the President, who I think had spoken to him. On Tuesday, the Attorney General and Phil Heymann were very quickly summoned to the White House. They were summoned . .. I specifically remember that Phil was summoned at about 5:15 and I don't know how much time it took for the Attorney General to convey that message but I know we went and got him out of the Advisiory Committee Meeting which he was at from about 4:30 to 5:00 and told that he had to come back immediately and go to the White House. He did come back immediately and he did go to the White House. He was there until about 10:00 at night. When I had sent him a burrito. He told Gary Katzmann, Rod and me of what had happened.

Vince Foster's Death. Last night there was the news that Rita Braver was onto the Judge Freeh story. Also the news about Doris Meissner. This morning the Department of Commerce person Tom

Collier came in and said that he wanted to pull the Park Police out of it. Phil had a meeting. Phil spoke with me, David, and Roger and in the presence of David, Roger and me called over to the White House in the morning and told them he wanted a "vigorous investigation" and that the Park Police would do it with the FBI.

He met with Peter Edelman and Eldie and is worried that he is part of a discussion group that is going nowhere,

Second Monday.

Phil Heymann told the Attoney Genral, actually told Webb Hubbell that he was furious about the White House's refusal to approve his staff. He added that the only people on his staff who were approved were Shay Bilchik and someone who works for Shay. Drew Days was so moved that he went out and bought Phil a sanswich and the two of them has lunch in Phil's office. The rest of the day packed wall to wall with meetings. I continue to be astonished at the amount of information Phil Heymann can absorb. He agrees that he is upposed to have lunch with some journalists at some point.

I had dinner with Phil last night at Kramer books. Yesterday, we had dinner with Bill Geller at AV Ristorante and Bill Geller spent a lot of time complaining about the AG -- that there is a perception about her that her mind is already made up and he complained a lot about Gail Hoffman.

August 6
Mary Jo White rushed in the documents on the Nosair case. That's the killing of Kahane. I left it on Phil's chair. Phil Baridon prepared some notes at the very last minute for the AG's speech. Nancy McFadden, it turns out had not needed a formal report. At yesterday's news conference, Nancy McFadden who was standing in the back of the room talking to Cliff Sloan ordered me to be quiet and to leave the room immediately after the press conference and said she was justtelling that to people because there was press in the room. It was way out of line. She had no business being there nor did she have any business taking notes for whom we wonder.

They put a good spin on the question of why it was that the the DOJ was in at the beginning and then out in the middle then in again at the end of the investigation. The explanation whcih is a bit of a gloss but is close to true is that the DOJ was in at the beginning because it was a question of why a high federal official was murdered or died by his own hand but that when it became clear that it was a suicide they withdrew but then after there was concern over the handling of the note by Foster which was found torn up in a suitcase, the Department of Justice again reentered the investigation.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/12/94

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

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

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

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

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Investigation on 4/11/94 at Washington, D.C. File # 29D-LR-35063 SUB A 16

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Other Information:

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

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

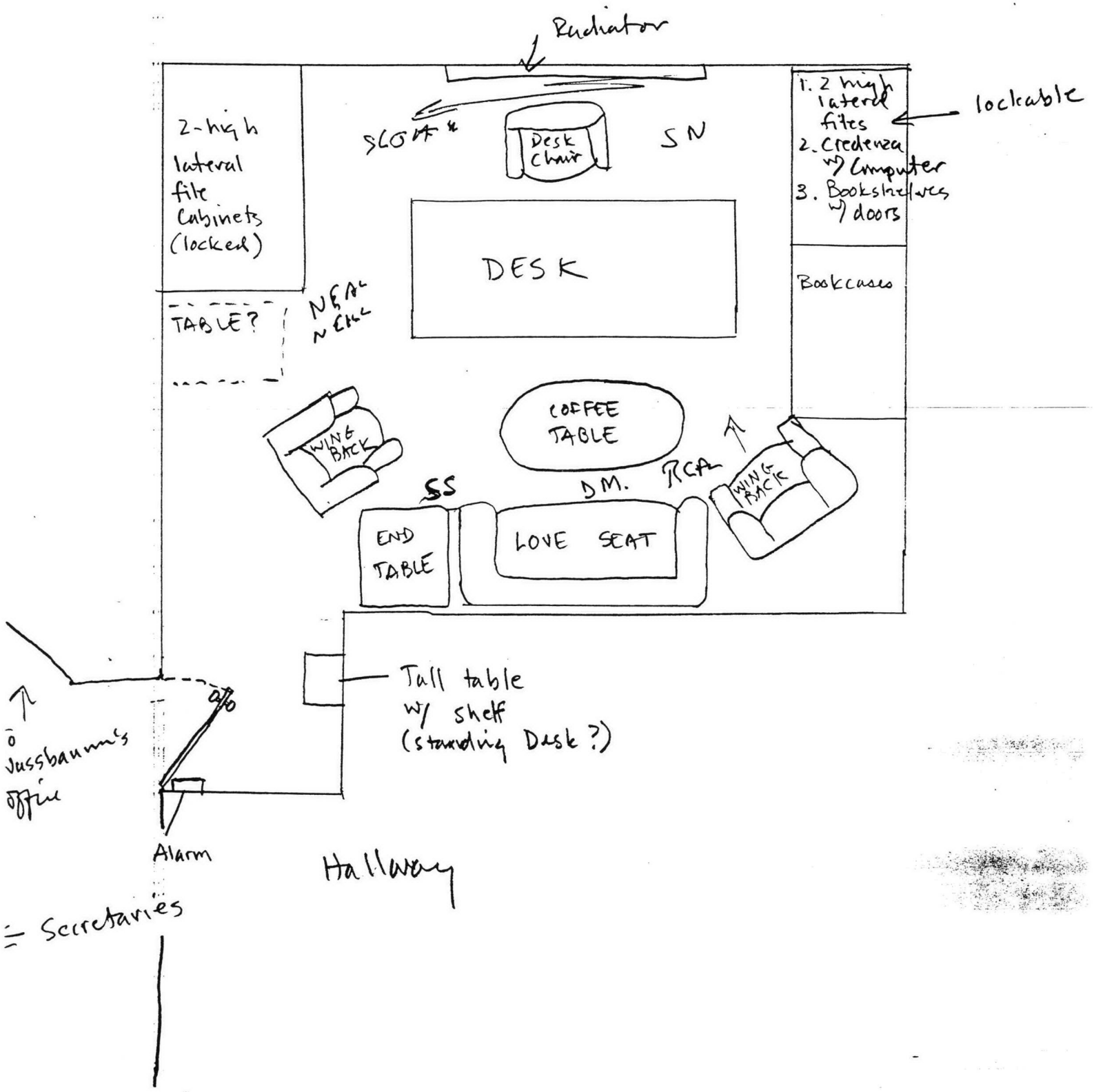
Adams also noted that Heyman had asked him for a list of what the White House Counsel had done which he or the DOJ didn't like. This list was requested about July 29, 1993, shortly after the meeting with Collier. Copies were given to Heyman and Margolis and Adams kept one for himself. A copy of these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

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

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

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

Name:	Roger C. Adams
Title:	Counsel to the Deputy Attorney General
Race:	White
Sex:	Male
DOB:	FOIA(b)(6) FOIA(b)(7) - (C)
POB:	
SSAN:	
Address:	9016 Admiral Vernon Terrace Alexandria, Virginia 22309
Phone:	(202) 514-2707 (work) (703) 780-7266 (home)
Employment:	On Detail Assignment from the Criminal Division since May 6, 1993. Total employment at Department of Justice - 22 years.


Radiator
2-high lateral file cabinets (locked)
SLOAN
Desk Chair
SN
1. 2 high lateral files
2. Credenza w/ Computer
3. Bookshelves w/ doors
lockable
DESK
Bookcases
TABLE?
NEAL
NCAL
WING BACK
COFFEE TABLE
SS
DM.
RCA
WING BACK
END TABLE
LOVE SEAT
Tall table w/ shelf (standing Desk?)
to Jussbaum's office
Alarm
Hallway
= Secretaries

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

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

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

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

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

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

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

Collier called the White House (probably yesterday 7/28

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

Recommendations by Collier

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

wasn't found.

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

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

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

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

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

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

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

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

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

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

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

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

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

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/11/94

David Margolis appeared at the Office of the Independent Counsel, Washington, D.C. as scheduled at 1:30 p.m. for interview. Mr. Margolis was advised of the identity of the interviewing agents and that the purpose of the interview was to discuss his involvement in the search of Vincent Foster's White House office on July 22, 1993 and events surrounding that search. In addition to the interviewing agents, Carl Stich, Assistant to Independent Counsel, Robert B. Fiske, Jr., also assisted with the interview. Mr. Margolis provided the following information:

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

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

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Investigation on 4/8+11/94 at Washington, D.C. File # 29D-LR-35063 SUBA - 75

by SA H. Alexis Suggs HAS
SA William T. Guyton Date dictated 4/8+11/94

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency;
it and its contents are not to be distributed outside your agency.

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

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

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

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

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

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

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

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

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

Meeting with Nussbaum on Morning of July 22, 1993:

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

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

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

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

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

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

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

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

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

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

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

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

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

Items on the bookcase were reviewed for relevancy.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

any of us. We were "career humps." Heyman had selected Margolis and Adams in particular because they were career personnel.

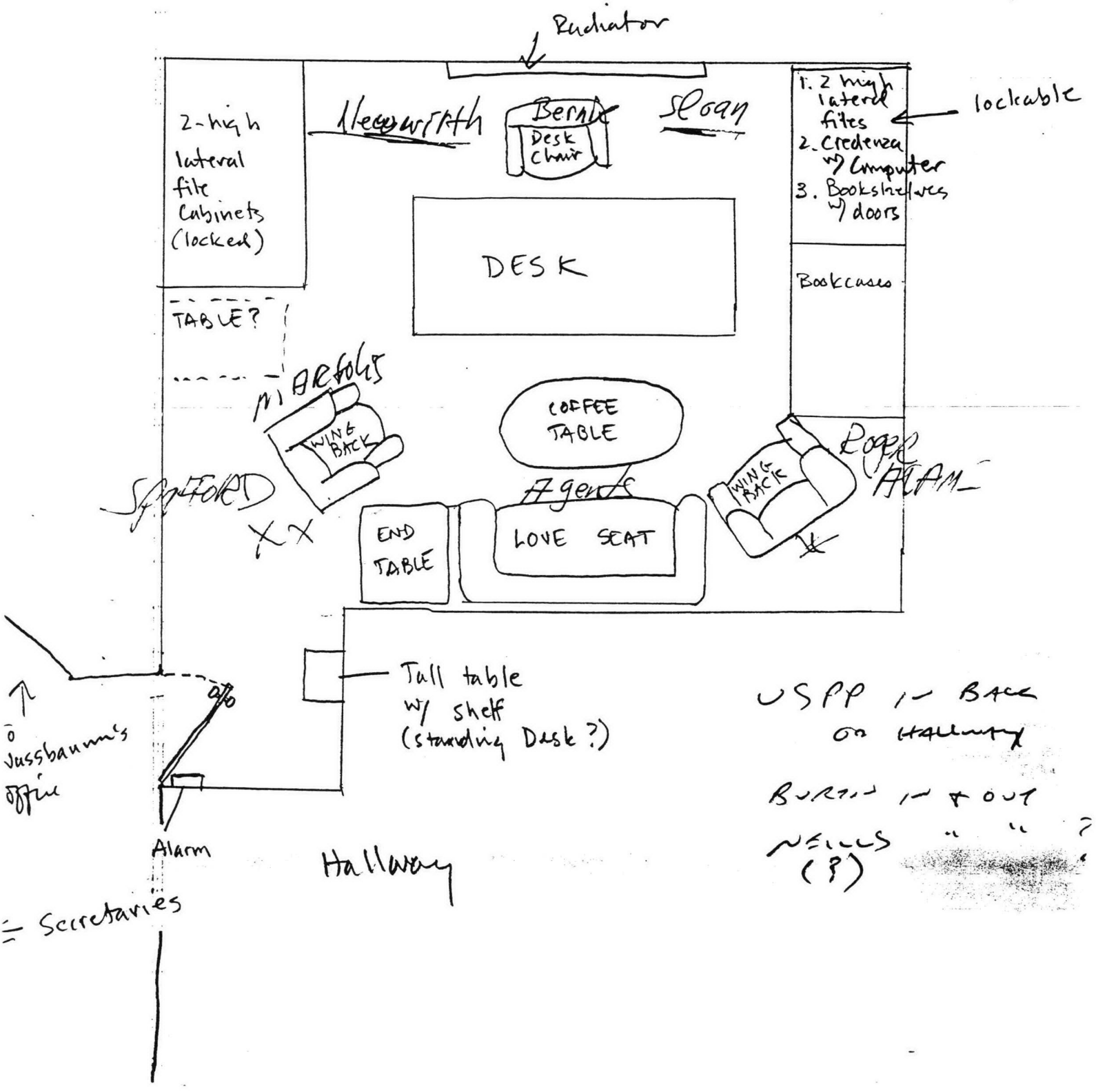
Margolis noted that Foster's sister, Sheila Anthony, is an Assistant Attorney General for Legislative Affairs at the U.S. Department of Justice.

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

Name:	David Margolis
Title:	Associate Deputy Attorney General U.S. Department of Justice
Sex:	Male
Race:	White
DOB:	FOIA(b)(6) FOIA(b)(7) - (C)
POB:	
SSAN:	
Address:	2029 Wethersfield Court Reston, Virginia 22091
Phone:	(202) 514-4945 (work) (703) 264-0483 (home)
Employment:	A government employee for 29 years.

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

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


Radiator
2-high lateral file Cabinets (locked)
Hegwirth
Bernie
Desk Chair
Sloan
1. 2 high lateral files
2. Credenza w/ Computer
3. Bookshelves w/ doors
lockable
DESK
Bookcases
TABLE?
WING BACK
COFFEE TABLE
WING BACK
END TABLE
LOVE SEAT
Tall table w/ shelf (standing Desk?)
to Jussbaum's office
Alarm
Hallway
= Secretaries
USPP in Back on Hallway
Burns in + out
Wells " " ?
(?)

FOR ? - Deputy's Press Conference on
Bill you may wish to get a tape of the press conference

Date: Tuesday, August 10, 1993 11:05 am
From: OPD01(MARGOLIS)
Subject: FOSTER NOTE

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

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

FOR The Dep[illegible]'s Press Conference

Date: Saturday, August 7, 1993 4:12 pm
From: OPD01(MARGOLIS)
Subject: VINCE FOSTER MOOT COURT MEDIA QUESTIONS

1-HOW CAN YOU EXPLAIN WHY YOUR VETERAN PROSECUTORS,ACCOMPANIED BY FBI,SECRET SERVICE,AND PARK POLICE REPRESENTATIVES, WHO SUPERVISED THE SEARCH OF FOSTER'S OFFICE FOR A SUICIDE NOTE [PER W.H. STATEMENT]- SPECIFICALLY THE SEARCH OF HIS BRIEFCASE- FOUND NOTHING- AND YET A FEW DAYS LATER A STAFFER WHO WAS SIMPLY PACKING THE BRIEFCASE FOR RETURN TO THE FAMILY NOT ONLY WAS ABLE TO FIND SCRAPS OF PAPER IN THIS BRIEFCASE BUT ALSO HAVE THE INTUITION TO PIECE THEM TOGETHER RATHER THAN THROWING THEM AWAY?

2-YOU CLAIM YOUR PEOPLE DID NOT SUPERVISE THE SEARCH-THAT THEY WERE MERELY PRESENT DURING THE SEARCH BY W.H.COUNSEL. WHY DIDN'T MR.NUSSBAUM FIND THE NOTES?WHAT SENSE DOES THIS PROCEDURE MAKE? WHO WAS RUNNING THIS INVESTIGATION-THE DOJ OR THE WHITE HOUSE? WHY DIDN'T YOU PUT YOUR CIGAR STORE INDIANS TO WORK BACK AT THE OFFICE DURING THE SEARCH AND SIMPLY LET BERNIE NUSSBAUM REPORT THE RESULTS OF HIS SEARCH TO YOU? WHAT PURPOSE DID THE MERE PRESENCE OF YOUR PEOPLE SERVE?

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

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

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

~~MARV JOE WILL DELAY ACTION ON THE VISUALLY CHALLENGED GENTLEMAN UNTIL WED.~~ TALK TO ME ABOUT MY CONVERSATION WITH JIM HAMILTON ON FRIDAY NITE

The scared portion' deals with a other case —
The world Trade Center Bombing —

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/5/94

Donald A. Flynn, Assistant Special Agent in Charge (ASAC), White House Division, United States Secret Service, (USSS) was interviewed in the Office of the Special Counsel, 1001 Pennsylvania Avenue NW. ASAC Flynn was advised as to the identities of the interviewing agents and informed of the nature of the interview. He then provided the following information:

He has been employed by USSS for 12 years and is currently in charge of USSS agent liaison with the Uniform Division of USSS concerning security matters at The White House. He has been in his current position for approximately two and one half years and was so employed at the time of Vincent Foster, Jr.'s death on July 20, 1993. His office is located in the Old Executive Office Building, Room 150 and his telephone number is 202-456-2443.

On the evening of July 20, 1993, he was contacted at his residence and informed of Vincent Foster's apparent suicide. On the morning of July 21, he was on duty at The White House when he was telephonically contacted by the USSS Director's Office at approximately 10-10:30 am. Linda Tripp, a Special Assistant to White House Counsel, Bernard Nussbaum, had contacted the USSS Director's Office on behalf of Mr. Nussbaum requesting that USSS provide appropriate means to secure Vincent Foster's office. ASAC Flynn proceeded immediately to Bernard Nussbaum's office where he spoke with Ms. Tripp and Mr. Nussbaum and was told that an investigation would shortly be underway regarding Mr. Foster's death and that he should "seal this office". ASAC Flynn looked into Foster's office, saw no one and positioned himself at a point in the Counsel reception area that allowed him a view of the entrances of both Nussbaum and Foster's offices. He thereafter telephonically requested sufficient uniformed USSS personnel to establish an hour-by-hour watch on Mr. Foster's office door. He assumed that these watch shifts would continue indefinitely until USSS was advised that they were no longer necessary. USSS Officer, Michelle Macon, took over this newly established guard post at approximately 11 am and ASAC Flynn left the area. Prior to leaving, however, he explained to Macon and

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instructed her to explain to subsequent officers relieving her that it would be necessary for them to make note of anyone entering Foster's office and to ascertain why they were so entering. ASAC Flynn was shown a copy of a handwritten document captioned "log of persons entering Mr. Foster's office" with entries for July 21, 1993 and July 22, 1993. He advised that this is a copy of the handwritten log that he kept with entries given to him by various USSS employees who were on duty at the entrance to Foster's office. ASAC Flynn stated that other than this temporary log, USSS also has, for years, maintained an on-going log showing access to the Presidential Counsel suite of offices before and after normal working hours. Since the door to the Presidential Counsel suite is alarmed and monitored by a 24-hour a day USSS center, the first person entering this space in the early morning and the last person leaving this space in the late evening are required to check in with the USSS monitoring center. ASAC Flynn stated that USSS Inspector, Dennis Martin, could make available copies of this alarm log for pertinent dates.

ASAC Flynn said that shortly after positioning a uniformed USSS officer outside Foster's door, he briefed the USSS Director on requests made of USSS and actions taken to that point. During that conversation he was advised that USSS and Department of Justice (DOJ) officials had discussed the possibility of putting a lock on Foster's door to seal it for investigation.

At approximately 1:00 pm Captain Hume and Detective Pete Markland of the United States Park Police and Special Agent (SA) Scott Salter and SA John Danna of the Federal Bureau of Investigation (FBI) came to USSS Inspector Dennis Martin's office. They had come to The White House for the purpose of searching Foster's office but apparently did not believe that they, at that time, had proper authorization to conduct the search. A lengthy series of telephone calls ensued to Park Police and FBI officials seeking this authority and at approximately 4:30-5:00 pm two DOJ attorneys, David Margolis and Roger Adams, arrived at the west wing lobby of The White House to join this group. ASAC Flynn escorted the four Law Enforcement Officials and two DOJ attorneys to the office of Bernard Nussbaum at approximately 5 pm where they met Mr. Nussbaum, Cliff Sloan, Steve Neuwirth and James Hamilton who was identified as the Foster family's attorney. ASAC Flynn noted that a USSS uniformed officer was on duty outside the door to Foster's office when they

arrived.

Once the group was inside Mr. Nussbaum's office, a meeting took place that involved considerable conversation as to how and when a search/inventory of Foster's office would take place in an attempt to find any indication as to why Foster may have committed suicide. During this meeting Mr. Nussbaum said that he, Maggie Williams and Patsy Thomasson had been in Foster's office during the evening of July 20, following his death. He also mentioned that he (Nussbaum) and his secretary, Betsy Pond had been in Foster's office during the morning hours of July 21. After considerable conversation regarding a potential search for a "suicide note" in Foster's office, Flynn recalled a telephone call being made to Phil Heyman at the Department of Justice. During this telephone call the DOJ and Nussbaum apparently agreed that a search of Foster's office would take place on July 22. Mr. Nussbaum also said to the group that a lock was to be placed on Foster's office following the July 21 meeting. The meeting then broke up with the attendees agreeing to meet in Nussbaum's office the next afternoon to conduct the search/inventory.

ASAC Flynn stated that when the meeting was over he began making telephone calls to arrange to have a lock placed on Foster's door. During these conversations he learned that USSS Technical employees Roger Kammerdiner and John Wills had at approximately 4-5:00 pm come by Foster's office to survey the door for the purpose of determining what type of lock would best secure it. USSS Security Specialist, Kevin Robbins and a USSS contract employee, Kenneth Blair arrived at Foster's office at approximately 8 pm where they met with ASAC Flynn and began installing the lock. ASAC Flynn dismissed the USSS uniformed officer from the Foster post at approximately 8 pm. The lock installation and door alterations were accomplished by approximately 10:30 pm at which time ASAC Flynn and all USSS personnel departed the 2nd floor of The White House west wing. ASAC Flynn advised that the lock that was placed on Foster's door was property of the USSS and was a unique lock in that it had only one master key and one copy rather than being a series key lock. ASAC Flynn explained that most locks that are placed on doors have a series key and that anyone having a copy within the series, which is relatively easy to obtain, could open the lock. When ASAC Flynn and the other USSS personnel departed the 2nd floor that night, Flynn had the master key and only copy to the lock in his possession.

At approximately 1 pm on July 22, 1993, a group of men met in the office of Bernard Nussbaum, as previously agreed, for the purpose of searching/inventorying Foster's office. ASAC Flynn described the group as: Mr. Nussbaum, Steve Neuwirth, Cliff Sloan, and Bill Burton, all members of The White House staff; Michael Spafford, an attorney representing the Foster family; David Margolis and Roger Adams, DOJ attorneys; Captain Charles Hume and Detective Pete Markland, U.S. Park Police; SAs Scott Salter and Dennis Condon, FBI; and ASAC Paul Imbordino and himself (Flynn). At approximately 1:15 pm Flynn unlocked the door to Foster's office and the group entered. Bernard Nussbaum sat at Foster's desk with Burton, Neuwirth and Sloan all behind Foster's desk. The remainder of the group either sat or stood in front of Foster's desk. Nussbaum then proceeded to go through Foster's desk, his brief case, and papers on the top of his desk and various papers and binders in a filing cabinet and book shelves. In the process of going through these documents, Nussbaum was placing them in 3 stacks: personal items, items of privileged information relating to President and Mrs. Clinton, and White House related papers. Throughout this process Nussbaum generally decided which stack each document went in to, but from time to time Burton, Neuwirth, or Sloan would look at a document and whisper advice to Nussbaum. At no time were the law enforcement officials or DOJ attorneys present allowed to peruse the documents. There seemed to be a general understanding that the purpose of this search was to hopefully find a suicide note or other items that would indicate why Foster may have committed suicide. The sorted items were placed in cardboard boxes with the items in the "personal" stack given to Michael Spafford for the Foster family. At the conclusion of this meeting, Mr. Nussbaum advised ASAC Flynn that there was no further need to secure the Foster office. He asked for and was given the keys to Foster's office. At 2:49 pm the search of Foster's office ended and everyone exited the Foster office. ASAC Flynn stated that while he does not recall anything specific being said during or after the meeting, regarding the method of the search, the Park Police Law Enforcement personnel present appeared surprised and displeased at the way the search had been conducted and that they were not given any material located during the search.

ASAC Flynn stated that he did not know Foster prior to his death and that he has not been in the Foster office since the "search" ended on July 22, 1993. He further stated that to the best of his knowledge, the USSS has not been asked to further secure Foster or Nussbaum's offices since July 22, 1993.

ASAC Flynn was specifically asked if there was a safe or safe-type cabinet in Foster's office. He stated that he does not recall seeing one and does not believe that there was a safe in the office.

COMMUNICATION RECC

Subject

Name

Position

Company

Address

Phone #

Log of Persons entering MR Foster's Office

Date	Time	Code	Documents Left/Picked Up	Conference Attended	Comments
			Wednesday July 21ST 1993		
		11:10A	MR Nussbaum. Received a small P.E.W photo (Ofc. Mlecem)		
		6:34P	Cliff Sloan, to replace a bag of trash previously taken from Mr. Foster's Trash Can (Ofc. Chenery)		
		8:02P	Kevin Robbins, Kenneth Blair, to place the lock on the door to Foster's Office. (Sgt Flynn)		
		10:32P	Lock installed, Door Secured by Flynn		
			Thursday July 22nd 1993		
		1:15P	MR Nussbaum, Steve Neuwirth, Cliff Sloan, Bill Burton, michael Sheffield, David Margolis, Roger Adams, Capt Charles Hume, Pete MacKland, Scott Sahler, Dennis Condon, Paul Imbordino, Dan Flynn.		
		2:49P	Discontinued Security at door, Keys given to Mr. Nussbaum by Flynn.		

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/28/94

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

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

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

Sub A

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

-37

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

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency;

FAIRFAX COUNTY
VIRGINIA

OFFICE OF THE COUNTY ATTORNEY
12000 Government Center Parkway, Suite 549
Fairfax, Virginia 22035-0064

Telephone: 324-2421 *Fax: 324-3938*

February 25, 1994

Special Agent Dana Gillis
Federal Bureau of Investigation
7799 Leesburg Pike
Suite 200, South Tower
Falls Church, Virginia 22043

Dear SA Gillis:

In response to your verbal request of February 23, 1994, enclosed are the following:

1. A list of the eleven Fairfax County firefighters and paramedics who responded to the scene at which Vincent Foster's body was discovered; and,

2. The computer traffic (with keys to translation) that was generated by that event.

You should be aware that the Fairfax County Police are in possession of a tape recording of the E-911 telephone call that alerted police to the location of the body. We have instructed the custodian of the tape to preserve it as evidence.

Should you wish to interview other Fire and Rescue employees or to obtain custody of the E-911 tape, please let me know and I will make the necessary arrangements.

If we can assist the Bureau in any other way during your investigation, please do not hesitate to call.

Sincerely,

David P. Bobzien
County Attorney

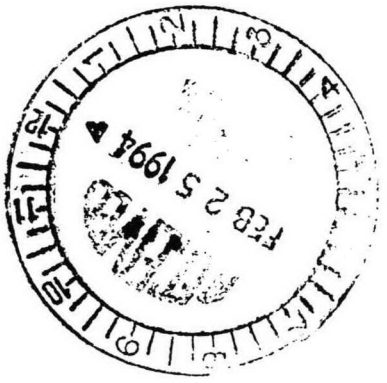
DPB/nmo.591

cc: William J. Leidinger
County Executive

FAIRFAX COUNTY, VIRGINIA

MEMORANDUM

February 24, 1994



TO: David P. Bobzien
County Attorney

FROM: Chief Deputy Mark S. Wheatley
Office of the Fire Chief

SUBJECT: Unit Personnel

The following units are listed with the respective personnel and employee numbers who responded to Incident #932011315 (initial call) and Incident #932011483 (body transport):

#932011315

Engine 1	Ralph Pisani, 47518 James Iacone, 47253 Jennifer Wacha, 47729
Medic 1	Todd Hall, 47395 George Gonzalez, 47252 Richard Arthur, 47552

#932011483

Truck 1	James Sutton, 49702 William Bianchi, 49369 Andrew Makuch, 47194
Ambulance 1	Roger Harrison, 49571 Corey Ashford, 47581

GAG/evb

FAIRFAX COUNTY FIRE AND RESCUE DEPARTMENT
ONLINE FIRES INCIDENT REPORT
DECODING GUIDE
Version 1.40
March 1993

Following is a list of field abbreviations and codes used by the Fairfax County Fire and Rescue Department for purposes of data input for the OnLine FIRES Incident Reporting System. Fields on the incident report that are blank contain no information. Should you need additional assistance in understanding an incident report, please contact the Systems Management Section at 246-3992.

FIELD ABBREVIATIONS

1ST MAT IG	=	First Material Ignited
ACT	=	Actions Performed and Medications Given
AGE	=	Age
AID EMP #	=	Employee Number of Additional Person Assigned to Unit
AID GIVEN	=	Aid Given
AMT	=	Amount of Medication Given or Number of Attempts
APT #	=	Apartment Number
AREA OF ORIG	=	Area of Origin of the Fire
AT HOSP	=	Time Logged for Vehicle Arrival at Hospital
BP	=	Blood Pressure (Systolic/Diastolic)
CAD	=	Computer Aided Dispatch System
CASE SEVERITY	=	Severity of Patient's Condition
CAUSE (PROBLEM)	=	Cause of the Fire or Medical Situation
CEXP	=	Number of Civilians Exposed during a Hazardous Material Incident
CHEM	=	Name of the Chemical Involved
CI	=	Civilians Injured
CITY	=	Patient's City
CK	=	Civilians Killed
CLS	=	United Nations Hazard Class Number
COLOR	=	Skin Color or Appearance
COMM	=	Mode of Communications
COMPLEX	=	Complex or Development Type
COND	=	Condition of Fire on Arrival
CRES	=	Civilians Rescued
CTRHOSP	=	Control Hospital for Primary Communications
CX	=	Level of Consciousness
DATE	=	Calendar Date
DAY	=	Day of Week
DESTINATION	=	Transport Destination
DISP OF INC	=	Disposition of Incident
DISPATCH	=	Time of Dispatch
DR LAST NAME	=	Control Physician's Last Name
DRV	=	Driver Employee Number
EFT	=	Effect of the Action or Medication Given
EKG-F	=	Field Electrocardiogram (Pre-hospital)
EKG-H	=	Hospital Electrocardiogram

FIELD ABBREVIATIONS (Continued)

PREAID	=	Pre-Arrival Aid
PROP	=	Property Use as Defined in the Fixed Property Manual
PSCC	=	Public Safety Communications Center
PSCC DIR	=	PSCC Directed Pre-Arrival Aid
PT REFUSAL	=	Patient Refused Services
PT ADDRESS	=	Patient's Address
PT HX #	=	Patient's Hospital History Number
PT LAST NAME	=	Patient's Last Name
PUL	=	Pulse (Heartbeats per Minute)
PUPIL	=	Condition of Pupils (Eyes)
QUALITY	=	Quality of Communications
RACE	=	Race
REF	=	Reference Material Used
REL FACTOR	=	Hazardous Material Release Factor
REPORT BY	=	Employee Number of Person Completing the Report
RES	=	Respirations (per Minute)
RESPST	=	Response Status
RESUS	=	Resuscitation (Respiratory or Cardiac)
SCORE	=	Cram, Apgar or Burn Score
SERIAL #	=	Serial Number of the Product Involved
SEX	=	Sex of Patient
SHIFT	=	Shift on Duty
SITUATION	=	Situation Found at the Incident
SM SPREAD	=	Extent of Smoke Spread
SP STUDY	=	Special Study Codes
SPECTX	=	Special Transport Used
STATE	=	State Abbreviation for the License Plate
SUBCT	=	Subcensus Tract Number
SUPP	=	Supplement Number
TAG #	=	License Plate Number
TEL	=	Telephone Number
TEMP	=	Patient's Skin or Core Temperature
TYPE CON	=	Type of Building Construction
TYPE	=	Smoke Detector or Fire Protection System Type
UN	=	United Nations Number (from USDOT Guidebook)
UNIT ACTIONS	=	Unit Actions Performed
UNIT	=	Unit Number
VEH #	=	Vehicle Number
VEH ACTION TAKEN	=	Vehicle Actions Performed
VEH#2	=	Vehicle Number of the Second Vehicle
VIN	=	Vehicle Identification Number
VOL/STATION	=	Volunteers in the Station at the Time
YEAR	=	Year of Manufacture of the Appliance, Vehicle or Equipment
ZIP CODE	=	Patient's Zip Code

FAIRFAX COUNTY FIRE AND RESCUE DEPARTMENT **VERSION 1.40**
ONLINE FIRES INCIDENT REPORT
DECODING GUIDE

SUPPRESSION CODES FOR ALL INCIDENT REPORTS / SELECTED FIELDS

DAY: Day of the Week

1 = Sunday	2 = Monday	3 = Tuesday	4 = Wednesday
5 = Thursday	6 = Friday	7 = Saturday	

SITUATION: Situation

11 Structure fire - included are fires in a structure whether or not there was damage to the structure itself, e.g. food on the stove. Ignition must have occurred. If ignition did not occur, report as Code 25.
12 Fire in a mobile property being used as a structure (mobile home, motor home, camper, etc.).
13 Fire in a mobile property while inside a structure.
14 Vehicle fire outside a structure.
15 Brush fire.
16 Dumpster fire, other outside trash fire.
17 Outside spill/leak with fire.
19 Explosion with fire (if no fire, use Code 24).
24 Explosive detonation, no fire.
25 Overheated object (furnace motor, blower, toaster, etc.).
29 Overpressure, relief valve activation, no fire.
32 EMS Incident.
33 EMS Incident requiring forcible entry other than extrication. Use this code on lock-ins.
34 Search and Rescue - non fire related.
35 People trapped, caught, buried - use on vehicle accidents with entrapment, rescue from above/below grade, elevator rescue, etc.
36 Drowning, potential drowning, ice rescue.
37 Electrocution.
39 Other rescue.
41 Flammable spill/leak - no fire. If fire involved use Code 17.
42 Chemical spill/leak - no fire. If fire involved use Code 17.
43 Radioactive condition.
44 Power line down, arcing, or other electrical incident not involving fire, electrocution, or lightning strike.
46 Vehicle accident, railroad incident, helicopter standby related to an incident, plane crash, hazardous incident involving a vehicle, boat.
47 Explosives incident - no fire or detonation. If fire or detonation occurred, use Codes 19 or 24.
48 Attempted burning, illegal action - incendiary device failed to function.
49 Hazardous condition - other.
51 Person in distress - locked out, needing a ring removed, needing assistance back to bed.
52 Water problem - excluding flood from natural disaster (Code 82).
55 Provided police with assistance.
56 Unauthorized burning of trash/debris.
57 Transfer to other Fire Station or Fire Dept. standby, non-incident related (see below for explanation).
59 Service call - other.

UNIT ACTIONS TAKEN (Continued)

36 Transport to medical facility
37 Forced entry
38 Gained entry (slim jim, open window, etc.)
39 Performed technical rescue operation(s) (rope rescue, shoring, removal from trench/building collapse, etc.)
40 Contained spill, controlled leak
41 Removed hazard
42 Identified or analyzed hazardous materials
43 Evacuated area
44 Established safe area, control zone
45 Monitor/sample for hazardous materials
46 Performed decontamination of persons/equipment
47 Decontamination of occupancy/area, clean-up of haz mat
48 Provided technical assistance to the incident commander
49 Established landing zone
50 Provided scene lighting
51 Assisted invalid(s)
52 Stand by at fire station (transfer)
53 Stand by at incident scene, stand by in staging
54 Removed water, hazards associated with water
55 Restored sprinkler or protection system
56 Restored/reset alarm system
57 Assisted animal
58 Investigated fire alarm activation
59 Provided breathing air supply
61 Crowd control
62 Traffic control
63 Notified other agencies or utility companies
64 Provided public, owner, or media with information
65 Established command post, incident commander
66 Performed administrative duties at command post
67 Sector command, position in incident command system
71 Investigated situation
72 Responding unit cancelled enroute, placed in service
73 Shut down alarm system
74 Provided technical/logistical assistance to police
81 Referred to private enterprise (electrician, plumber)
82 Secured property
91 Issued Notice of Violation (code enforcement)
92 Referred to proper authority
97 Haz Mat investigation, materials non-hazardous
98 No action taken
99 Other unit action not listed
00 Unit action unknown

EMS CODES FOR INCIDENT REPORTS / SELECTED FIELDS

MPROP: Mobile Property

1. PASSENGER ROAD TRANSPORT VEHICLES

Motor vehicles such as automobiles, buses, or mobile homes used primarily for transporting or housing people.
Included are abandoned vehicles.

11. Automobile.
    Included are taxicabs, limousines, race cars, and ambulances.
12. Bus, trackless trolley.
    Included are school buses.
13. All terrain vehicles.
    Included are motorcycles, golf carts, snowmobiles, dune buggies, and mopeds.
14. Motor home.
    A mobile unit containing its own motive power.
    A portable structure built or placed on a chassis and designed to be pulled by a vehicle.
15. Travel trailer.
    A portable structure built or placed on a chassis and designed to be pulled by a vehicle.
16. Camping trailer.
    A collapsible portable structure built on a chassis and designed to be pulled by a vehicle.
17. Mobile home, mobile building.
    A structure built on a chassis and designed to be pulled by a vehicle to a semi-permanent site.
    Included are mobile classrooms, mobile banks, mobile office buildings, whether on wheels, off their wheels on jacks, or on a foundation.
19. Passenger Road Transport Vehicles not classified above.
10. Passenger Road Transport Vehicles; insufficient information available to classify further.

2. FREIGHT ROAD TRANSPORT VEHICLES

Vehicles primarily for transporting goods.
Included are abandoned vehicles.
Excluded are materials handling equipment (63).

21. General use trucks over 97 KG (one ton) net weight.
    Included are solid chassis trucks, mail trucks, dump trucks, and fire apparatus.
22. General use small trucks, 97 KG (one ton), net weight or less. Included are pickups, wagons, and non-motorized hauling rigs.

WATER TRANSPORT VESSELS (Continued)

47. Non-self-propelled vessel.
    All vessels without their own motive-power.
    Included are towed petroleum balloons, barges, and other towed or towable vessels.
    Excluded are sailboats (49).
48. Commercial fishing vessel.
    Included are vessels on inland, coastal, and ocean waters, and operation of oyster beds, fish hatcheries, and factory vessels.
    Excluded are fish hatcheries themselves (specific property use 665).
49. Water Transport Vessels not classified above.
40. Water Transport Vessels; insufficient information available to classify further.

5. AIR TRANSPORT VEHICLES

Transport by air of passengers and freight, whether by regular services or by private charter.

51. Personal, business, utility aircraft under 5670 KG (12,500 lb) gross weight.
52. Personal, business, utility aircraft 5670 KG (12,500 lb) gross weight and over.
53. Commercial transport aircraft, reciprocating engine powered, fixed wing.
54. Commercial transport aircraft, jet and other turbine powered, fixed wing.
55. Nonmilitary helicopters, vertical take-off aircraft.
56. Combat-type military aircraft (attack bombers, fighters, reconnaissance).
58. Nonmilitary ground effect machines (hovercraft).
59. Air Transport Vehicles not classified above.
50. Air Transport Vehicles; insufficient information available to classify further.

6. HEAVY INDUSTRIAL AND AGRICULTURAL EQUIPMENT

61. Earth moving equipment.
    Included are bulldozers, shovels, graders, scrapers, trenchers, and plows.
62. Construction equipment.
    Included are water drilling equipment, pile drivers, tunneling equipment, air compressors, and the like.
63. Materials handling equipment.
    Included are fork lifts, industrial tow motors, loaders, and stackers.
64. Crane.

RESPST: Response Status

0 EMERGENCY RESPONSE, EMERGENCY TRANSPORT
1 EMERGENCY RESPONSE, NON-EMERGENCY TRANSPORT
2 EMERGENCY RESPONSE, NO TRANSPORT
3 NON-EMERGENCY RESPONSE, EMERGENCY TRANSPORT
4 NON-EMERGENCY RESPONSE, NON-EMERGENCY TRANSPORT
5 NON-EMERGENCY RESPONSE, NO TRANSPORT
6 NO RESPONSE, EMERGENCY TRANSPORT
7 NO RESPONSE, NON-EMERGENCY TRANSPORT
8 NO RESPONSE, NO TRANSPORT

DISPST: Dispatch Status

1 Dispatched into reporting unit's first due area as a normal response.

2 Dispatched into reporting unit's first due area because first due unit was already committed to another incident.

3 Dispatched out of reporting unit's first due area as a supplement unit.

4 Dispatched out of reporting unit's first due area because first due unit was unavailable.

5 Dispatched out of reporting unit's first due area because reporting unit was closest.

6 N/A (Explain in detail in the narrative.)

CAUSE PROBLEM: Cause of Patient's Problem

NO CAUSE
NO APPARENT OR CLEAR CAUSE (USE IN NO SIGNIFICANT CONDITIONS) 00

VEHICLE RELATED
AIRCRAFT, N.O.S. 01
BICYCLE, N.O.S. 02
BOAT/SHIP/WATERCRAFT, N.O.S. 03
BUS/LARGE TRUCK, STRUCK BY 04
BUS/LARGE TRUCK, OPERATOR/RIDER 05

ACCIDENTAL (Continued)

GUNSHOT/FIREARM 40
HALLUCINOGENICS, PSYCHOTROPICS 41
HEAT/HIGH TEMPERATURES 42
HEROIN (NARCOTICS) 43
HYPOTHERMIA 29
LACERATION/CUT 44
MARIJUANA (Use DRUGS, N.O.S.) 32
MEDICATIONS (PRESCRIBED), N.O.S. 45
NARCOTICS, ANALGESICS, ANTIPYRETICS 43
OBJECT, IMPALED BY/INSERTED 46
OTHER, ENVIRONMENTAL/NATURAL, N.O.S. 35
OTHER, ACCIDENTAL, N.O.S. 47
OVEREXERTION/STRENUOUS ACTIVITY 48
PCP (HALLUCINOGENICS) 41
PESTICIDES/FERTILIZERS 49
PETROLEUM BASED SUBSTANCE/PRODUCT 50
PLANTS 51
POISONING/OVERDOSE, N.O.S. 52
PRESSURE CHANGES 53
RADIATION, EXPOSURE/CONTAMINATION 54
SMOKE/FUMES, FIRE RELATED 55
STIMULANTS 28
STING/BITE, ANIMAL/SNAKE/INSECT 25
STRESS/ANXIETY 56
STRUCK BY OBJECT 57
SUBSTANCE/PRODUCT/MATERIAL, N.O.S. 58
SUFFOCATION/STRANGULATION, N.O.S. 59
TRAVEL/MOTION 60
VACCINE 45
WEATHER/SEVERE PHENOMENA (LIGHTNING, HAIL, EARTHQUAKE, ETC.) 61

MEDICAL / SURGICAL CARE / PROCEDURES

DIALYSIS/PERFUSION 65
DISEASE/ILLNESS/INFECTION 66
INJECTION/CATHETERIZATION 67
INSTRUMENT/EQUIPMENT FAILURE 68
LACERATION/PUNCTURE/INCISION 69
MEDICAL/SURGICAL,N.O.S 70
OBSTETRICAL/PREGNANCY 71
REACTION TO ADMINISTERED MEDICATION 45

ILLNESS, DISEASE, OR SYSTEMIC DISORDER

010 Fever
011 Diabetes
012 Cancer involving multiple areas of the body
013 Allergic reaction
014 Seizures/seizure disorder
015 Seizure apparent febrile
016 Altered mental status (Includes combativeness, disoriented, dizziness, etc)
017 Unconscious (Loss of consciousness > 2 min.)
018 Syncope (Loss of consciousness < 2 min.)
019 Heat related problem
020 Cold related problem
021 General malaise/sickness (includes flu-like symptoms)
022 Blood disorder/electrolyte imbalance not otherwise specified
023 High Blood pressure
024 Psychological or emotional disorder
025 Newborn Infant Care (For Code 3 Transport, use 913)
026 Overdose, N.O.S.

HEAD

***** Scalp/Brain/CNS *****

100 Abrasion, Laceration, Incision or External Bleeding
101 Amputation/Avulsion (Includes decapitation)
102 Headache or pain - not otherwise specified
103 Burn (includes chemical), frost bite, freezing
104 Puncture/Penetration
105 Impaled Object
106 Contusion or Internal Bleeding (Includes possible concussion)
107 Neurogenic Shock
108 Fracture or Dislocation, suspected or obvious
109 Sprain or strain

***** Disease/Infection/Disorder *****

110 CVA, TIA
120 Parkinson's disease
121 Cancer/tumor
014 Seizure/seizure disorder
015 Seizure apparent febrile
016 Altered mental status (Includes combativeness, disoriented, dizziness, etc)
017 Unconscious (Loss of consciousness > 2 min.)
018 Syncope (Loss of consciousness < 2 min.)
024 Psychological or emotional disorder
122 Other - not otherwise specified

***** Mouth/Jaw *****

170 Abrasion, Laceration, Incision or External Bleeding
171 Avulsion/Amputation (includes teeth)
172 Ache or pain
173 Burn (includes chemical)
174 Puncture/Penetration
175 Impaled object/Obstruction (includes foreign body, tongue, or choking)
176 Contusion or Internal Bleeding
177 Fracture or Dislocation, suspected or obvious
178 Sprain or strain, cramps, spasms (includes local seizure)
179 Disease, infection or disorder not otherwise listed
180 Cancer/tumor
181 Other - Not otherwise specified

NECK AREA

***** Cervical Spine (Cord and Vertebrae) *****

200 Abrasion, Laceration, Incision or External
201 Bleeding
202 Ache or pain
203 Burn (includes chemical)
204 Puncture/Penetration
205 Impaled Object
206 Contusion or Internal Bleeding
207 Fracture
208 Sprain or strain, cramps, spasms
209 Disease, infection or disorder not otherwise listed
210 Cancer/tumor
211 Meningitis
212 Other - not otherwise specified

***** Trachea and Larynx *****

220 Abrasion, Laceration, Incision or External Bleeding
221 Burn (includes chemical)
222 Puncture/Penetration (includes subcutaneous emphysema)
223 Impaled object/Foreign body (includes choking)
224 Internal Bleeding
225 Disease, infection or disorder not otherwise listed
226 Cancer/tumor
227 Epiglottitis
228 Croup
229 Laryngitis
230 Other - not otherwise specified

***** Chest Cage *****

290 Abrasion, Laceration, Incision or External Bleeding
291 Avulsion
292 Ache or pain not otherwise specified
293 Burn (includes chemical)
294 Puncture/Penetration
295 Impaled Object
296 Contusion or Internal Bleeding
297 Fracture or Dislocation, suspected or obvious
298 Sprain or strain, cramps, spasms
299 Disease, infection or disorder not otherwise listed
300 Cancer/tumor
301 Costralchondralitis (apparent)
302 Other - Not otherwise specified

ABDOMEN/INTERNAL ORGANS

400 Abrasion, Laceration, Incision or External Bleeding
401 Avulsion (includes Evisceration)
402 Ache or pain not otherwise specified
403 Burns (includes chemical)
404 Puncture/Penetration
405 Impaled object/Foreign body
406 Contusion or Internal Bleeding
407 GI Bleed (ulcer)
408 Sprain or strain, cramps, spasms
409 Disease, infection or disorder not otherwise listed
410 Cancer/tumor
411 Nausea/vomiting/diarrhea - unknown origin
412 Appendicitis (apparent)
413 Liver disorder (Includes Hepatitis)
414 Gallbladder disfunction (includes stones)
415 Pancreatitis
416 Kidney disfunction (includes stones)
420 Other - not otherwise specified

PELVIS/GENITOURINARY

500 Abrasion, Laceration, Incision or External Bleeding
501 Ache or pain not otherwise specified
502 Burn (includes chemical)
503 Puncture/Penetration
504 Impaled object/Foreign body
506 Contusion or Internal Bleeding
507 Fracture or Dislocation, suspected or obvious
508 Disease, infection or disorder not otherwise listed
509 Cancer/tumor
510 Ectopic pregnancy (apparent)
511 Venereal disease (apparent)

*** Arms ***
- 700 Abrasion, Laceration, Incision or External Bleeding
- 701 Amputation/Avulsion
- 702 Ache or pain
- 703 Burn (includes chemical), frost bite, freezing
- 704 Puncture/Penetration
- 705 Impaled Object
- 706 Contusion or Internal Bleeding
- 707 Fracture or Dislocation, suspected or obvious
- 708 Sprain or strain, cramps, spasms
- 710 Disease, infection or disorder not otherwise listed
- 711 Cancer/tumor
- 720 Other - Not otherwise specified

*** Wrist/Hands ***
- 750 Abrasion, Laceration, Incision or External Bleeding
- 751 Amputation/Avulsion
- 752 Ache or pain
- 753 Burn (includes chemical), frost bite, freezing
- 754 Puncture/Penetration
- 755 Impaled Object
- 756 Contusion or Internal Bleeding
- 757 Fracture or Dislocation, suspected or obvious
- 758 Sprain or strain, cramps, spasms
- 760 Disease, infection or disorder not otherwise listed
- 761 Cancer/tumor
- 770 Other - not otherwise specified

*** Back/Buttocks ***
- 800 Abrasion, Laceration, Incision or External Bleeding
- 801 Avulsion
- 802 Ache or pain
- 803 Burn (includes chemical)
- 804 Puncture/Penetration
- 805 Impaled object/Foreign body
- 806 Contusion or Internal Bleeding
- 807 Fracture or Dislocation, suspected or obvious Spinal Fracture (apparent)
- 808 Sprain or strain, cramps, spasms
- 810 Disease, infection or disorder not otherwise listed
- 811 Cancer/tumor
- 820 Other - not otherwise specified

DOA: NO RESUSCITATION EFFORTS
- 900 DOA, non-trauma related (specify in narrative)
- 901 DOA, trauma related (specify in narrative)
- 902 DOA, multiple casualty, triaged as no resuscitation

VEH ACTION TAKEN (Continued)

H ASSISTED ON NON-EMS OPERATIONS, FIREGROUND ACTIVITIES
I ASSISTED ON NON-EMS OPERATIONS, HAZMAT INCIDENT
J ASSISTED ON NON-EMS OPERATIONS, CAVE IN INCIDENT
K ASSISTED ON SEARCH AND RESCUE
L ASSISTED ON NON-EMS OPERATIONS, OTHER
M SET UP AID STATION
N PICKED UP AND/OR TRANSPORTED EQUIPMENT AND/OR PERSONNEL
O ASSISTED PATIENT, PUBLIC SERVICE, HELPED INTO BED OR CAR
P TREATED AND/OR ASSISTED ON EMS OPERATION
Q TRANSPORTED PATIENT TO A MEDICAL FACILITY
R TRANSPORT TERMINATED DUE TO ACCIDENT OR BREAKDOWN
S ASSISTED ED/RECEIVING FACILITY
T STAFFED/ASSISTED, INCIDENT COMMAND STAFF
U STAFFED/ASSISTED, ANOTHER UNIT
V PERFORMED LIGHT RESCUE
W FILLED IN STATION
X TRAFFIC/CROWD CONTROL

EMS INCIDENT REPORTS - PATIENT INFORMATION SELECTED FIELDS

RACE: Race

- W White
- B Black
- O Other
- U Unknown

SEX: Sex

- M Male
- F Female
- U Unknown

AID GIVEN: Aid Given

- A Assessment/Vital Signs
- B Oropharyngeal/Nasopharyngeal Airway, or Attempted
- C Esophageal Airway, or Attempted
- D Endotracheal/Nasotracheal Intubation, or Attempted
- E Oxygen
- F Ventilation
- G Airway Management-Suction, Heimlich Maneuver, Foreign Body Removed
- H Cricothyroidotomy
- I Needle Chest Decompression
- J Blood Sugar Test
- K IV(s), or attempted
- L Bloods Drawn
- M Administer Medications
- N EKG Monitoring
- O CPR
- P Defibrillation/Cardiovert
- Q Electrical Pacing
- R Precordial Thump
- S Mast, Inflated
- T Irrigation/Flush
- U Burn Treatment
- V Controlled Bleeding
- W Dressed/Bandaged
- X Extrication/Short Board/KED
- Y Spinal Immobilization
- Z Cervical Immobilization

CTRHOSP: Control Hospital
DESTINATION: Destination

ACCESS OF RESTON	01
ACCESS OF FAIRFAX	15
ALEXANDRIA CCU	02
ALEXANDRIA ED	03
ALEXANDRIA ICU	04
ALEXANDRIA OB	05
ALEXANDRIA OTHER	06
ANDREWS AIR FORCE BASE	07
ARLINGTON CCU	08
ARLINGTON ED	09
ARLINGTON ICU	10
ARLINGTON OTHER	11
BETHESDA NAVAL	12
CHILDRENS	13
DEWITT ARMY	19
FAIR OAKS CCU	20
FAIR OAKS ED	21
FAIR OAKS ICU	22
FAIR OAKS OTHER	23
FAIRFAX CCU	24
FAIRFAX ED/TRAUMA	25
FAIRFAX ICU	26
FAIRFAX MORGUE	14
FAIRFAX NEONATAL	27
FAIRFAX OB	28
FAIRFAX OTHER	29
GEORGE WASHINGTON	30
GEORGETOWN	31
JEFFERSON	32
LANDING ZONE	33
LOUDOUN	34
MEDICAL CLINIC	35
MEDSTAR	36
MENTAL HEALTH	37
MEDICAL EXAMINERS OFFICE	15
MT. VERNON ED	38
MT. VERNON CCU	39
MT. VERNON ICU	40
MT. VERNON HYPERBARIC	41
MT. VERNON OTHER	42

PSCC DIR: PSCC Directed Pre-Arrival Treatment

0 CPR instructions
1 Rescue breathing instructions
2 Heimlich maneuver
3 Hemorrhage control
4 Other first aid procedure

PT REFUSAL: Patient Refused Services

1 PATIENT REFUSED ALL SERVICE
2 PATIENT ASSESSED, REFUSED TREATMENT AND/OR TRANSPORT
3 PATIENT ASSESSED AND TREATED, REFUSED TRANSPORT
4 PARENT/GUARDIAN REFUSED ALL SERVICE
5 PATIENT ASSESSED, PARENT/GUARDIAN REFUSED TREATMENT AND/OR TRANSPORT
6 PATIENT ASSESSED AND TREATED, PARENT/GUARDIAN REFUSED TRANSPORT
7 APPROPRIATE REFUSAL BY PATIENT, PARENT OR GUARDIAN

CX: Level of Consciousness

1 CONSCIOUS AND ALERT
2 COMBATIVE
3 HYSTERICAL
4 CONSCIOUS, CONFUSED, DISORIENTED, OR INAPPROPRIATE RESPONSE
5 UNCONSCIOUS BUT RESPONDS TO VERBAL STIMULI
6 UNCONSCIOUS BUT RESPONDS TO PAINFUL STIMULI
7 UNCONSCIOUS AND UNRESPONSIVE
8 CLINICALLY DEAD, NO VITAL SIGNS

EKG-F: Field Electrocardiogram

NORMAL SINUS RHYTHM 01
PACED RHYTHM, NORMAL 02
SINUS ARRHYTHMIA 03
SINUS TACHYCARDIA 04
PREMATURE ATRIAL CONTRACTION 05
WANDERING PACEMAKER 06
SINOATRIAL ARREST/BLOCK 07
PREMATURE AV JUNCTIONAL CONTRACTION 08
ATRIAL FLUTTER 09
ATRIAL FIBRILLATION 10

TEMP: Patient's Temperature

1 NORMAL
2 WARM, TO THE TOUCH
3 HOT, TO THE TOUCH
4 HYPERTHERMIC, ABOVE 104° F
5 COOL, TO THE TOUCH
6 HYPOTHERMIC, BELOW 95° F
9 NOT TAKEN

MOIST: Skin Moisture

1 Normal
2 Dry, corresponds to ambient conditions
3 Dry, does not correspond to ambient conditions
4 Moist, corresponds to ambient conditions
5 Moist, does not correspond to ambient conditions
9 Not taken

PRE-AID: Pre-Arrival Aid

0 No pre-arrival CPR performed
1 Medical personnel, apparently effective
2 Citizen, apparently effective
3 Public safety personnel, apparently effective
4 Medical personnel, apparently ineffective or inappropriate
5 Citizen, apparently ineffective or inappropriate
6 Public safety personnel, apparently ineffective or inappropriate

RESUS: Resusitation

1 RESPIRATORY ARREST, SUCCESSFUL
2 RESPIRATORY ARREST, UNSUCCESSFUL
3 WITNESSED CARDIAC ARREST, SUCCESSFUL
4 WITNESSED CARDIAC ARREST, UNSUCCESSFUL
5 CARDIAC ARREST N.O.S., SUCCESSFUL
6 CARDIAC ARREST N.O.S., UNSUCCESSFUL

(N.O.S. means Not Otherwise Stated)

CODE	MEDICATIONS	AMOUNT
20	ATROPINE, IV	MG
22	BRETYLIUM, IV	MG
23	BENADRYL, IM	MG
24	BENADRYL, IV	MG
25	CALCIUM CHLORIDE, IV	GM
28	DEXTROSE 50%, IV	GM
29	DEXTROSE 5% & WATER, IV	CC/MIN
30	DOPAMINE, IV	MCG/KG/MIN
31	EPINEPHRINE 1:1,000, ET	MG
32	EPINEPHRINE 1:1,000, IV	MG
33	EPINEPHRINE 1:1,000, SQ	MG
34	EPINEPHRINE 1:10,000, ET	MG
35	EPINEPHRINE 1:10,000, IV	MG
36	GLUCAGON, IM	MG
37	HEXADROL, IV	MG
38	IPECAC, PO	CC
39	ISUPREL, IV	MCG/KG/MIN
40	LACTATED RINGERS, IV	CC/MIN
41	LASIX, IV	MG
43	LIDOCAINE BOLUS, ET	MG
44	LIDOCAINE BOLUS, IM	MG
45	LIDOCAINE BOLUS, IV	MG
48	MORPHINE, IM	MG
49	MORPHINE, IV	MG
50	NARCAN, ET	MG
51	NARCAN, IM	MG
52	NARCAN, IV	MG
53	NITROGLYCERINE, TOPICAL	INCHES
54	NITROSTAT, SL or SPRAY	MG
73	NITROUS OXIDE	MIN
72	OXYGEN	LITERS/MIN
55	PITOCIN, IV	UNIT
56	PROCARDIA, ORAL	MG
57	PROCAINAMIDE BOLUS, IV	MG
58	PROCAINAMIDE INFUSION, IV	MG/MIN
59	SALINE .9%, IV	CC/MIN
60	SODIUM BICARBONATE, IV	mEq
61	SODIUM NITRITE, IV	AMPULE
62	SODIUM THIOSULFATE, IV	GM
63	TERBUTALINE, NEBULIZER	MG
64	TERBUTALINE, SQ	MG

FIRE AND RESCUE DEPARTMENT
EVENT HISTORY
HEADER RECORD

EVENT NUMBER:932011313

POLICE EVENT #	EVENT DATE	911 CALL TIME	ENTRY TIME	DISPATCH TIME	ENROUTE TIME	ONSCENE TIME	CLOSE TIME	CLOSE DATE
	07/20/93	18:02:18	18:02:26	18:03:07	18:03:43	18:09:58	18:40:43	07/20/93

LOCATION	LOCATION: CROSS REF	DISPATCH GROUP	CALLER NAME	CALLER ADDRESS
0 GEORGE WASHINGTON MEM PW	-- TURKEY RUN NATL PARK	F2	NATIONAL PARK SERVI	

CALLER PHONE	CALLER APT #	SUBCENSUS	FIRE BOX	MAP GRID	INITIAL EVENT	ACTUAL EVENT	EVENT DESCRIPTION	RECOMMEND PRIORITY	DISPATCH PRIORITY	DISPOSITION OF EVENT
847-9872		470104	0148	0221	ALS	ALS	ALS EMERGENCY	1	1	

ENTRY TERMINAL	ENTRY OPERATOR	DISPATCH TERMINAL	DISPATCH OPERATOR	ADVISED EVENT	CATCHUP EVENT	PREMISE HISTORY	CONTACT CALLER	LOCATION OF INTEREST	CALLER ADVICE	EVENT CANCEL	EVENT CLOSED
CT11	008114	FD01	008168			X	Y				X

FIRE AND RESCUE DEPARTMENT
EVENT HISTORY
SEGMENT RECORDS

EVENT NUMBER-932011315

COMMAND TIME	MDT ENTRY	COMMAND CODE	TEXT
18:02:26		ENTRY	WHERE 123 RUNS INTO GW PW,3/4 MILE SOUT
18:02:26		ENTRY	H OF THAT,FORT MARCY???,THERE'S SUPPOSE
18:02:26		ENTRY	D TO BE A DEAD BODY LYING NEAR THE LAST
18:02:26		ENTRY	CANNON GUN IN THE PARK ,THIRD PARTY,UN
18:02:26		ENTRY	K IF THIS PERSON IS DEAD OR NOT
18:02:33		UNREC	M01
18:02:41		SUPP	NAME: ADDR: PHON: TEXT: TRYING TO N
18:02:41		SUPP	OTIFY US PARK PD AS WELL.THEY ARE NOT A
18:02:41		SUPP	NSWERING PHONE
18:03:05		MCOM	E01 M01
18:03:08		DP	E01 , CH1
18:03:08		DP	M01 , CH1
18:03:28		SUPP	NAME: ADDR: PHON: TEXT: US PARK PD
18:03:28		SUPP	IS RESPONDING
18:03:40	*	ENRTE	(070007) E01
18:03:54	*	ENRTE	(076273) M01
18:09:58	*	ONSCNE	(070007) E01
18:10:16	*	ONSCNE	(076273) M01
18:36:46	*	MISC	(076273) M01 , OBVIOUS 10-61,SUICIDE W/
18:36:46	*	MISC	GUN
18:37:02	*	AOR	(070007) E01 @ 01 11
18:37:18	*	AOR	(076273) M01 @ 01 11
18:40:43		CLOSE	(008134)

NARRATIVE REPORT

INCIDENT # 932011483 UNIT A01 SUPP SEQ 1 SITE FIA DATE 07/20/93

-E TRANSPORTED BODY TO FAIRFAX HOURGE

SUPPRESSION I. .ENT REPORT

INCIDENT # 932011315 UNIT EQ1 SUPP 01 FBOX 0148 SUBCT 470104 MAP 0221
DATE 07/20/93 DAY 3 SHIFT A VEH # 0007 MILES TO INCIDENT 007
LOCATION 0 GEORGE WASHINGTON MEM PW APT #
SITUATION 90 UNIT ACTIONS A 30 B 35 C 71 D 98 E
DRV 47518 OIC 47253 FF 47729 FF FF FF FF
REPORT BY 47253 VEH2# DRV FF FF
VOL/STATION SP STUDY SP STUDY
UPDATE BY

UNIT TIMES

DISPATCH 18:03:08 ENROUTE 18:03:45 ONSCENE 18:09:58 ENRHOSP 00:00:00
ATHOSP 00:00:00 NEWSTAT 18:37:02

NARRATIVE FORT

INCIDENT # 932011315 UNIT E01 SUPP SEQ 1 SITE 50 DATE 07/20/93

REPORTED ALS EMERGENCY AT FORT MARCY PARK. EXACT LOCATION UNKNOWN. UPON AR-

RIVAL, SPLIT ENGINE AND MEDIC CREW TO PERFORM GROUND SEARCH FOR VICTIM AT

THE REPORTED LOCATION. MEDIC 1'S CREW FOUND THE VICTIM. OBVIOUS DOA. NO

FURTHER SERVICE FROM ENGINE COMPANY 1.

EMS INCIDENT REPORT

INCIDENT # 932011315 UNIT A01 SUPP 01 PBOX 0148 SUBCT 470104 AMP 0221
DATE 07/20/93 DAY 3 SHIFT A PPROP 938 APROP 98 VEH # 5273 MILES 012
LOCATION 0 GEORGE WASHINGTON MEM PW APT # RESPST 2 DISPST 1
CAUSE PROBLEM 77 SITUATION 901 VEH ACTION TAKEN F.....
DRV EMP # 47395 DIC EMP # 47252 AID EMP # 47532 OTH EMP #
REPORT BY EMP # 47252 VOL/STATION 00 SP STUDY SP STUDY
UPDATE OPER

UNIT TIMES

DISPATCH 18:03:08 ENROUTE 18:03:54 ONSCENE 18:10:16 ENRHOSP 00:00:00
ATHOSP 00:00:00 NEWSTAT 18:37:16

PATIENT INFORMATION

PT LAST NAME FOSTER FIRST VINCENT MI
PT ADDRESS UNK APT #
CITY UNK STATE AR ZIP CODE
AGE 048 RACE W SEX M CAUSE PROBLEM 77 SITUATION 901 RESPST 2
AID GIVEN A9 SCORE CASE SEVERITY 5 OUTCOME 1
ORTHOSP 43 DESTINATION 43 COMM 9 QUALITY 9 FSCC DIR PT REFUSAL .
BP 000 000 PUL 000 RES 00 CX 8 EKG-F EKG-H ..

PUPIL 9 COLOR 7 TEMP 9 MOIST 9 PREAID RESUS SPECTX
DR LAST NAME PT HX #

ACT01	AMT	EMP #	EFT	ACT02	AMT	EMP #	EFT
03				04			
05				06			
07				08			
09				10			
11				12			
13				14			
15				16			
17				18			
19				20			

NARRATI EPORT

INCIDENT # 932011315 UNIT H01 SUPP SEQ 1 SITF 901 DATE 07/20/93

WE REC. A CALL FOR A POSS. DOA IN THE PARK OFF GW PKWY. WHILE IN ROUTE AS W E GOT ONTO GW PKWY WE SAW A CAR ON THE SIDE OF THE ROAD THAT APPEARED TOBE BLK LINC. TWNCAR WHICH HAD WRECKED INTO THE TREES. MINOR AUTO DAMAGE. DRIVER LOOKED OK AND WAS WALKING AROUND. AS WE ENTERED THE PARK (FORT NARCY) WE PASSED A LIGHT BLUE MERCEDES W/IT HAZARDS ON. NO OCCUPANT IN VEH. WENT FURTH ER UP IN TO THE PARK AND SAW TWO OTHER VEH. BRWN HONDA.AR TAGS. AND A WHITE NISSAN W/MD TAGS. NO OTHER PEOPLE IN THE AREA. WE SPLIT OUR CREWS ONE WENT ON THE NORTH TRAIL AND THE OTHER ON THE SOUTH TRAIL. SGT. GONZALEZ AND TECH HALL ALONG W/PARK PD FORSHON WENT UP THE NORTH TRAIL IN SEARCH OF A BODY. WE CAME ACROSS THE FIRST CANNON. I SEARCHED AROUND THIS AREA AND FOUND NOTHING. WE SEARCHED FURTHER TO THE NEXT CANNON

NARRATIV :PORT

INCIDENT # 932011315 UNIT M01 SUPP SEQ 2 SITF 901 DATE 07/20/93

MO FOUND A DEAD MALE W/SUIT PANTS, AND DRESS SHIRT, NO TIE OR COAT, LAYING SUPINE FEET FIRST DOWN THE HILL. THE FIRST PERSON TO REACH HIM WAS THE TECH TODD HALL AND PARK PD. I FOLLOWED SECONDS BEHIND THEM. I THEN ADVISED FX. PS CC OF THE SITUATION. WE LEFT PARK PD WITH THE VICTIM AND RETURNED OUR EQUIP TO OUR UNIT. IN DISCUSSION W/PD HE ASKED HOW MANY CARS WERE OUT IN THE PARKING LOT I SAID 3, 1 AT THE ENTRANCE AND 2 IN THE PARKING LOT. WE ARRIVED BAC K AT OUR UNIT AND ASSISTED PD. WHILE IN THE PARKING LOT WE LOOKED FOR VEH. W SOME INFO. TO RELATE TO THE PT. ONE VEH. STOOD OUT. THE HONDA. WHICH HAD THE REMAINING PARTS TO HIS SUIT, HIS COAT AND TIE. PT ASSESSED VISUALLY LIVIDITY HAD SET IN. POOLING OF BLOOD IN THE EXTREMITIES. PT HAD BEEN DEAD APPROX. 2 -4 HRS. PT HAD A WEAPON IN HIS RIGHTHAND

NARRATIVE REPORT

INCIDENT # 932011315 UNIT H01 SUPP SEQ 3 SITE 901 DATE 07/20/93

PARK PD DID NOT NEED ANY OTHER SERVICES.

SUPPRESSION I ENT REPORT

INCIDENT # 932011315 UNIT TO1P SUPP 01 FBOX 0148 SUBCT 4/0104 MAP 0221
DATE 07/20/93 DAY 3 SHIFT A VEH # 7079 MILES TO INCIDENT 007
LOCATION 0 GEORGE WASHINGTON MEM PW APT #
SITUATION 90 UNIT ACTIONS A 34 B C D E
DRV 49702 DIC 49369 FF 47194 FF FF FF FF
REPORT BY 49369 VEH2# DRV FF FF
VOL/STATION SP STUDY SP STUDY
UPDATE BY

UNIT TIMES

DISPATCH 00:00:00 ENROUTE 00:00:00 ONSCENE 00:00:00 ENRHOSP 00:00:00
ATHOSP 00:00:00 NEWSTAT 00:00:00

NARRATIVE REPORT

INCIDENT # 932011315 UNIT T01F SUPP SEQ 1 SITF 90 DATE 07/20/93

ASSISTED AMBULANCE ONE ON A CODE 4 TRANSPORT. BODY WAS SEVERAL HUNDRED YARDS BACK IN THE WOODS. AMBULANCE CREW HAD BODY IN BODY BAG AND ZIPPED UP AT THE TIME OF OUR ARRIVAL.

FIRE AND RESCUE DEPARTMENT
EVENT HISTORY
HEADER RECORD

EVENT NUMBER-932011483

POLICE EVENT #	EVENT DATE	911 CALL TIME	ENTRY TIME	DISPATCH TIME	ENROUTE TIME	ONSCENE TIME	CLOSE TIME	CLOSE DATE
	07/20/93	19:45:13	19:45:17	19:45:37	19:47:31	20:02:25	21:18:39	07/20/93

LOCATION	LOCATION: CROSS REF	DISPATCH GROUP	CALLER NAME	CALLER ADDRESS
0 GEORGE WASHINGTON MEM PW	-- TURKEY RUN NATL PARK	F2	US PARK	

CALLER PHONE	CALLER APT #	SUBCENSUS	FIRE BOX	MAP GRID	INITIAL EVENT	ACTUAL EVENT	EVENT DESCRIPTION	RECOMMEND PRIORITY	DISPATCH PRIORITY	DISPOSITION OF EVENT
		470104	0148	0221	CODE4	CODE4	CODE 4 TRANSPORT	3	3	

ENTRY TERMINAL	ENTRY OPERATOR	DISPATCH TERMINAL	DISPATCH OPERATOR	ADVISED EVENT	CATCHUP EVENT	PREMISE HISTORY	CONTACT CALLER	LOCATION OF INTEREST	CALLER ADVICE	EVENT CANCEL	EVENT CLOSED
F001	007764	F001	007764			X	Y				X

FIRE AND RESCUE DEPARTMENT
EVENT HISTORY
SEGMENT RECORDS

EVENT NUMBER=932011483

COMMAND TIME	MDT ENTRY	COMMAND CODE	TEXT
19:45:17		ENTRY	US PARK REQUESTING TRANSPORT OF THE BOD
19:45:17		ENTRY	Y
19:45:31		UNREC	A01
19:45:37		DP	A01 , CH1
19:47:32	*	ENRTE	(070004) A01
19:53:37		BACKER	T01P
20:02:25	*	ONSCNE	(077079) T01P
20:08:33		UTIMEX	A01 ENROUTE TO ONSCENE
20:08:45		UTIMER	A01
20:16:27		ONSCNE	A01
20:17:26	*	TRANS	(070004) A01 25
20:17:29		TRANS	(008134) A01 25
20:17:47	*	TRANS	(070004) A01 25
20:21:27	*	AOR	(077079) T01P @ 01 11
20:30:55	*	ATHOSP	(070004) A01
20:59:28	*	AOR	(070004) A01 @ 18 11
21:18:39		CLOSE	(007682)

EMS INCIDENT REPORT

INCIDENT # 930011463 UNIT A01 SUPP 01 FDBOX 0146 SUBCT 470104 MAP 0211
DATE 07/20/93 DAY 3 SHIFT A FPROP 109 MPROP 93 VEH # 1004 MILES 010
LOCATION 0 GEORGE WASHINGTON MEM PW APT # RESPST 4 DISPST 1
CAUSE PROBLEM 96 SITUATION 914 MEM ACTION TAKEN 4 .....
DRV EMP # 49571 DIC EMP # 47581 AID EMP # OTH EMP #
REPORT BY EMP # 47581 VOL/STATION 00 SP STUDY SP STUDY
UPDATE OPER

UNIT TIMES

DISPATCH 19:45:37 ENROUTE 19:47:32 ONSCENE 00:00:00 ENRHOSP 20:17:47
ARTHOSP 20:30:55 NEWSTAT 20:59:28

PATIENT INFORMATION

PT LAST NAME VINCENT FIRST FOSTER MI
PT ADDRESS UNK APT #
CITY UNK STATE UK ZIP CODE
AGE 035 RACE W SEX M CAUSE PROBLEM 96 SITUATION 914 RESPST 4
AID GIVEN 9 SCORE CASE SEVERITY 5 OUTCOME 1
ARTHOSP 20 DESTINATION 14 COMM 5 QUALITY 1 PSOC DIR PT REFUSAL
BP PUL RES CX 8 EKG-F EKG-H

PUPIL 9 COLOR 9 TEMP 9 MOIST 9 PREAID RESUS SPECTX
DR LAST NAME PT HX #

ACT01	AMT	EMP #	EFT	ACT02	AMT	EMP #	EFT
03				04			
05				06			
07				08			
09				10			
11				12			
13				14			
15				16			
17				18			
19				20			

Fairfax County Public Safety Communications Center
Fairfax, Virginia
March 9, 1994

Event # 932011315

The following is a transcript of a 9-1-1 telephone call received in the Fairfax County Public Safety Communications Center at 17:59.59 hours on July 20, 1993. The dispatcher is Marianne White, at Calltaker Position 11, and the caller is unknown. There is also on this recording a question directed to Dispatcher Christopher Fox by Marianne White. Christopher Fox's response was recorded on the accompanying transcript. The call ended at 18:04.01 hours.

Dispatcher: Fairfax County 9-1-1. Do you have an emergency?

Caller: Yes ma'am, there's ah, guy that come up to at ah, Turkey Run Park. And reported that there was a dead body at Fort Marcy.

Dispatcher: At where?

Caller: At Fort Marcy Park.

Dispatcher: Where's that?

Caller: That's on GWP Parkway.

Dispatcher: You saw this person?

Caller: Yes ma'am he left outta there, he was in a contractor van.

Dispatcher: He was what?

Caller: He left out in a contractor's van. A white van. And he said it was ah, he just left him down there and ah.

Dispatcher: Okay, where exactly is this dead body supposed to be?

Caller: Supposed to be up there at Fort Marcy at the, where the cannon at.

Dispatcher: Is this a U.S. Park?

Caller: U.S. Park Police. I mean U.S. Park ah, service.

Dispatcher: Okay, hold on a minute.

Dispatcher: Are you getting the dead body? (This question was directed to Christopher Fox).

Dispatcher: Okay, sir.

Caller: Yes ma'am.

Dispatcher: For some weird reason they're not answering, so if you could tell me exactly where this is it would help.

Caller: Ah, its ah, know where 123 runs into the George Washington Memorial Parkway.

Dispatcher: Where ah, hold on a minute, 123 runs into GW Parkway.

Caller: Yes ma'am.

Dispatcher: Okay.

Caller: Okay, ah, its ah, one mile south about three quarters of a mile south and ah, there's a fort there called ah, Fort Marcy. On the Parkway. There's ah, have ah, ah, this is, is a body, this guy told me was a body laying up there by the last cannon.

Dispatcher: Last what?

Caller: Huh?

Dispatcher: There's a body laying near what?

Caller: There's, there's a man laying up there by the last cannon gun.

Dispatcher: Near the, near the last what? I can't understand a word your saying.

Caller: The last cannon gun.

Dispatcher: Cannon.

Caller: Yes, they have cannons up there. Those big guns.

Dispatcher: Oh, okay.

Caller: Uh, huh, at Fort Marcy.

Dispatcher: Okay, you're sure he's dead?

Caller: Huh?

Dispatcher: You're sure he's dead?

Caller: That's what this guy said, ah, ah, I'm taking his word, you know.

Dispatcher: Okay, I'll get a hold of them and I'll send the ambulance, okay?

Caller: Okay.

Dispatcher: Alright.

Park: United States Park (Unintelligible).

Dispatcher: Hi, could you. This is Fairfax County. Can you respond with our ambulance to Fort Marcy Park. Near the last cannon gun there's supposed to be a dead body.

Park: Okay.

Dispatcher: Okay.

Park: Alright.

Dispatcher: Thank you.

Park. Your welcome.

This statement has been typed as recorded by Lorie Unthank on March 9, 1994.

Fairfax County Public Safety Communications Center
Fairfax, Virginia
March 9, 1994

Transferred Call: U.S. Park

The following is a transcript of a 9-1-1 telephone call received in the Fairfax County Public Safety Communications Center at 18:00.29 hours on July 20, 1993. The dispatcher is Christopher Fox, at Calltaker Position 02, and the caller is unknown. There is also on this recording a response to a question from Dispatcher Marianne White. Marianne White's question was recorded on the accompanying transcript. The call ended at 18:01.19 hours.

Dispatcher:	Fairfax County Police and Fire what's your emergency?
Caller:	Ah, there's a car that is crashed ah, on the GW Parkway just past the 123 ah, ramp headed ah, into town.
Dispatcher:	Is anyone injured sir?
Caller:	Ah, it doesn't look like it. Someone's standing beside him but boy its ah, the car is crinkled.
Dispatcher:	Okay, hold on, I'm gonna transfer you to the U.S. Park Police. They handle that area, we don't.
Caller:	Okay.
Dispatcher:	Should I be? (In response to question from Marianne White)
Park:	Park Police. (Call transferred - unintelligible)

This statement has been typed as recorded by Lorie Unthank on March 9, 1994.

EVENT NUMBER: 932011315

POLICE EVENT NO.	EVENT DATE	911 CALL TIME	ENTRY TIME	DISPATCH TIME	ENROUTE TIME	ONSCENE TIME	CLOSE TIME
	07/20/93	18:02:18	18:02:26	18:03:07	18:03:45	18:09:58	18:40:43

CLOSE DATE	INCIDENT LOCATION	SUBCENSUS	FIRE BOX	MAP GRID
07/20/93	0 GEORGE WASHINGTON MEM PW	470104	0148	0221

DISPATCH GROUP	LOCATION: CROSS REFERENCE	INITIAL EVENT	ACTUAL EVENT
F2	-- TURKEY RUN NATL PARK	ALS	ALS

CALLER NAME	CALLER ADDRESS	CALLER PHONE	CALLER APT NO
NATIONAL PARK SERVI		847-9872	

EVENT DESCRIPTION	RECOMMEND PRIOTITY	DISPATCH PRIORITY	DISPOSITION OF EVENT	ENTRY TERMINAL	ENTRY OPERATOR
ALS EMERGENCY	1	1		CT11	008114

DISPATCH TERMINAL	DISPATCH OPERATOR	ADVISED EVENT	CATCHUP EVENT	PREMISE HISTORY	CONTACT CALLER	LOCATION OF INTEREST	CALLER ADVICE
FD01	008168			X	Y		

EVENT CANCEL	EVENT CLOSED
	X

[illegible] [illegible]
EVENT HISTORY
SEGMENT SELECTED

EVENT*NUMBER: [illegible]

COMMAND TIME	HOT ENTRY	COMMAND CODE	TEXT
18:02:26		ENTRY	WHERE 123 RUNS INTO GW PW,3/4 MILE SOUT
19:45:17		ENTRY	H OF THAT,FORT MARCY???,THERE'S SUPPOSE
19:45:17		ENTRY	D TO BE A DEAD BODY LYING NEAR THE LAST
19:45:17		ENTRY	CANNON GUN IN THE PARK ,THIRD PARTY,UN
19:45:17		ENTRY	K IF THIS PERSON IS DEAD OR NOT
18:02:33		UNREC	M01
18:02:41		SUPP	NAME: ADDR: PHON: TEXT: TRYING TO N
19:45:37		DP	OTIFY US PARK PD AS WELL,THEY ARE NOT A
19:45:37		DP	NSWERING PHONE
18:03:05		MCOM	E01 M01
18:03:08		DP	E01 , CH1
18:03:08		DP	M01 , CH1
18:03:28		SUPP	NAME: ADDR: PHON: TEXT: US PARK PD
20:08:33		UTIMEX	IS RESPONDING
18:03:45	*	ENRTE	(070007) E01
18:03:54	*	ENRTE	(076273) M01
18:09:58	*	ONSCNE	(070007) E01
18:10:16	*	ONSCNE	(076273) M01
18:36:46	*	MISC	(076273) M01 , OBVIOUS 10-61,SUICIDE W/
20:17:47	*	TRANS	GUN
18:37:02	*	AOR	(070007) E01 @ 01 11
18:37:18	*	AOR	(076273) M01 @ 01 11
18:40:43		CLOSE	(008134)

EVENT NUMBER: 932011483

POLICE EVENT NO.	EVENT DATE	911 CALL TIME	ENTRY TIME	DISPATCH TIME	ENROUTE TIME	ONSCENE TIME	CLOSE TIME
	07/20/93	19:45:13	19:45:17	19:45:37	19:47:31	20:02:25	21:18:39

CLOSE DATE	INCIDENT LOCATION	SUBCENSUS	FIRE BOX	MAP GRID
07/20/93	0 GEORGE WASHINGTON MEM PW	470104	0148	0221

DISPATCH GROUP	LOCATION: CROSS REFERENCE	INITIAL EVENT	ACTUAL EVENT
F2	-- TURKEY RUN NATL PARK	CODE4	CODE4

CALLER NAME	CALLER ADDRESS	CALLER PHONE	CALLER APT NO
US PARK			

	EVENT DESCRIPTION	RECOMMEND PRIOTITY	DISPATCH PRIORITY	DISPOSITION OF EVENT	ENTRY TERMINAL	ENTRY OPERATOR
CODE 4	TRANSPORT	3	3		FD01	007764

DISPATCH TERMINAL	DISPATCH OPERATOR	ADVISED EVENT	CATCHUP EVENT	PREMISE HISTORY	CONTACT CALLER	LOCATION OF INTEREST	CALLER ADVICE
FD01	007764			X	Y		

EVENT CANCEL	EVENT CLOSED
	X

EVENT HISTORY
SEGMENT 01 OF 01

EVENT*NUMBER*=932011483

COMMAND TIME	MDT ENTRY	COMMAND CODE	TEXT
19:45:17		ENTRY	US PARK REQUESTING TRANSPORT OF THE BOD
19:45:17		ENTRY	Y
19:45:31		UNREC	A01
19:45:37		DP	A01 , CH1
19:47:32	*	ENRTE	(070004) A01
19:53:37		BACKER	T01P
20:02:25	*	ONSCNE	(077079) T01P
20:08:33		UTIMEX	A01 ENROUTE TO ONSCENE
20:08:45		UTIMER	A01
20:16:27		ONSCNE	A01
20:17:26	*	TRANS	(070004) A01 25
20:17:29		TRANS	(008134) A01 25
20:17:47	*	TRANS	(070004) A01 25
20:21:27	*	AOR	(077079) T01P @ 01 11
20:30:55	*	ATHOSP	(070004) A01
20:59:28	*	AOR	(070004) A01 @ 18 11
21:18:39		CLOSE	(007682)

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/21/94

On 3/16/94 RICHARD M. ARTHUR, Emergency Medical Service Technician, Fairfax Fire and Rescue Department, appeared at the Office of Special Counsel with his attorney, GERARD TREANOR, Esq, of CACHERIS & TREANOR, 1100 Connecticut Avenue N.W., Suite 730, Washington D.C., telephone (202) 775-8700. After being advised of the indentity of the interviewing agent and introduced to attorney MARK STEIN of the Independant Counsel, ARTHUR provided the following information:

Through his attorney, ARTHUR explained his reason for wanting to be represented by counsel, which was essentially that his employer had issued strict orders that he was not to discuss the case without having been subpoened, and that conflicted with his anticipated being interviewed by the FBI, as he had heard other co-workers had. His mother had a friend who knows MR. TREANOR so it seemed a prudent thing to engage counsel. This having been explained, STEIN excused himself and the interview continued with writer, ARTHUR, and TREANOR present.

ARTHUR advised that he has been with the Fairfax Fire & Rescue Department for five years-- the first year as a firefighter, the last four as a paramedic. Prior to that he was a volunteer fireman for three years riding with an ambulance and on emergency calls on fire trucks. He has completed one and one-half years of a two year paramedics program at Northern Virginia Community College (NOVA) and a paramedic program program taught by George Washington University which was a four month fulltime program.

ARTHUR has responded to countless number of suicide scenes, estimating about 3 per month. At least 15-20 have been by means of gunshots. He advised that some such gunshot related scenes are extremely messy and sometimes there is virtually no blood at all.

ARTHUR advised that Fire Department policy with regard to arrival upon the scene of a dispatched call that involves a body requires feeling for a pulse, checking for breathing, and

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Investigation on 3/16/94 at Washington, D.C. File # 29D-LR-35063 SUB A - 32

by SSA H. Alexis Suggs HAS Date dictated 3/18/94

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hooking up emergency electrocardiological equipment to check for heartbeat, but that the judgement of the responding EMTs can override the necessity of doing any of these things if the body is obviously dead. If, in the judgement of the responding EMTs, it might be a crime scene, they are to try not to touch anything and call the police. With regard to the press, they are not supposed to talk with the press unless they receive permission to do so. ARTHUR advised that he always refers press persons to police personnel on the scene and does not engage in conversation.

ARTHUR advised that he was one of the individuals who responded to the call to Fort Marcy Park on the George Washington (GW) Parkway on the day the body of what was later identified as VINCENT FOSTER JR. was discovered on July 20, 1993. He is comfortable that all proper Fire and Rescue procedures were followed on that day.

With regard to the press, ARTHUR advised that he has had no contact with anyone from the press. In fact, he was told by his superiors at Fairfax Fire and Rescue that they were not allowed to talk to anybody whatsoever about the incident, except to confirm what was in their log book--namely, the time they were dispatched, the time they called in that they were available for the next call (called "put in service"), the incident number, and the address. ARTHUR said that he was aware that SERGEANT GEORGE GONZALES, who responded with his to the scene, admitted to having had spoken with the NY Post.

ARTHUR advised that the original dispatch was to respond to a call that a body had been found near a cannon in Fort Marcy Park on the GW Parkway. TODD HALL drove and SGT GONZALES, the ranking official in the response team, and ARTHUR accompanied him. A fire engine preceded them. As they entered the park there was an automobile (believed to be red) with it's hazard lights flashing. Once into the parking area, there was nobody to meet them to show them where the body was, so they split up into two groups to search down two separate paths leading off the parking lot.

ARTHUR and an unidentified individual from the fire engine took the righthand path (as one is facing the Potomac River) and found no body, but did come upon a couple apparently interrupted during a private moment, because ARTHUR said they

called a warning and saw "clothes flying". They did not approach the couple to identify them, but quickly returned to the parking area. ARTHUR estimated that from where the couple was they could have heard a shot, but would not have been able to observe anything in or heard voices from the vicinity of where FOSTER was found.

As ARTHUR returned to the parking area, GONZALES and HALL were running back also from the lefthand path and yelled that they had found the body. ARTHUR went down the path to take a look. He located FOSTER's body somewhat off the path, located such that if you were just walking the path you could miss it. Police were following ARTHUR to the scene. In ARTHUR's judgement, FOSTER was obviously dead and so he did not check for a pulse. He noted that the body was lying perfectly straight--like it was "ready for a coffin". A gun was lying on the ground under his right hand, with the barrel partially under FOSTER's thigh. He remembers the gun as being an automatic weapon of approximately .45 caliber. He noted what appeared to be a small caliber bullet hole in FOSTER's neck on the right side just under the jaw line about half way between the ear and the tip of the chin. He did not note anything else he thought might be a bullet hole. He did not touch the body and remained at a distance of two to four feet from it. He did not observe anybody touch the body. He did not observe anybody move the gun. As he left to return to the parking area, the U.S. Park Police were roping off the scene.

Once back in the parking area, the U.S. Park Police took all the EMT's names. He observed them gaining access to a cream colored car with a suit jacket and tie in it, looking for identification of some sort. ARTHUR was on the scene approximately 30-40 minutes.

ARTHUR does not recall seeing any footprints or disturbed earth around FOSTER's body. The deceased's clothes were not disheveled, the hill area was clean and there was nothing that struck him as unusual, except for the following things, which make him doubt that it was a suicide: the straight attitude of the body, the apparent caliber of the gun appeared bigger that the hole he thought he had observed just under the jawline, and that he remembered the barrel of the gun as being under FOSTER's thigh (possibly half-way). It also struck him as odd that the person who called authorities did not remain there

to show them where the body was. ARTHUR advised that, having taken an interest in the case, he looked in the log to find out where the call came in from. Noting that it had come from a pay phone outside of U.S. Park Headquarters, he made some inquiries and determined on his own that there was no reason why the person making the call could not have gone into Park Headquarters and reported the finding in person.

In addition, CORY ASHFORD was one of the individuals (ROGER HARRISON of Station 12 was the other) who placed FOSTER's body in the body bag for removal from the scene and in doing so, handled FOSTER's head. ASHFORD told ARTHUR later that FOSTER's head was intact and he had not observed any exit wound. ARTHUR speculated that from the size of the gun he thought he had seen, there would have been an exit wound.

ARTHUR advised that there have not been a lot of discussions about this among the co-workers at the firehouse.

ARTHUR advised that TODD HALL also questioned whether or not it was a suicide.

ARTHUR drew a rough map of the park area which is attached to this document.

ARTHUR provided the following personal information about himself:

NAME: RICHARD M. ARTHUR
DOB: FOIA(b)(6)
POB: FOIA(b)(7) - (C)
SS#:
Address: 6109 Havener House Way, Apartment #3E
Centerville, VA 22020
Telephone: (703) 803-8781 (home), (703) 356-6671 (Firestation)

Drawn by Richard Arthur, EMT
3/16/94
HJS

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/14/94

MRS. MILDRED C. ALSTON, Special Assistant to the First Lady in the Office of White House Personal Correspondence, was interviewed by SSAs H. Alexis Suggs and William T. Guyton on 3/11/94 at the law offices of JANUS, SCHUELKE & WECHSLER, 1728 Massachusetts Ave, N.W. Washington D.C.. Also present during the interview was HENRY F. SCHUELKE, III, attorney for ALSTON. After being advised of the identity of the interviewing agents and the nature and purpose of the interview, ALSTON provided the following information:

ALSTON advised that she is currently First Lady HILLARY RODHAM CLINTON's Special Assistant and she has held that position since February 1, 1993. She met MRS. CLINTON in December 1988 when ALSTON interviewed at ROSE LAW FIRM (RLF) in Little Rock, Arkansas for the position of Secretary for MRS. CLINTON. She was offered that position, accepted it in January 1989 and held that position until she began her current one in Washington D.C.

ALSTON characterized her relationship with the First Lady as primarily professional, although she has been invited to several social occasions attended by the family. ALSTON advised that she does not consider herself a close personal friend, but her professional relationship is very congenial. During her employment at RLF she was the only secretary assigned to MRS. CLINTON and did not work for any other attorney at the firm except isolated tasks for other attorneys if their secretaries were not available and she was able to assist them with limited tasks.

With regard to the procedures for file storage and destruction, as ALSTON understood the process, files were sent to remote storage in a location away from RLF where two women maintained them. ALSTON herself has never been to the location. After some period of time, the ladies at the remote location would generate a query which would be routed through the secretaries to the attorneys asking them if any of their files in remote storage could be identified for destruction in order to make room in the storage facility.

Investigation on 3/11/94 at Washington D.C. File # 29D-LR-35063 SUB A-28

by SSA H. ALEXIS SUGGS
SSA WILLIAM T. GUYTON Date dictated 3/14/94

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency;

The query would come in the form of photocopies of the lists of files posted on the outside of every box of files sent to remote storage, so that each attorney could designate specific files for retention or destruction. ALSTON did not keep any kind of tickler system for file destruction and never initiated, either automatically or upon MRS. CLINTON's request, any file destruction. During the entire term of her employment with RLF since January 1989 until January 1993 ALSTON never handled or knew of any instruction from MRS. CLINTON for the destruction of any file, particularly any file relating to WHITEWATER, the MCDOUGALS, MADISON GUARANTY SAVINGS AND LOAN, or any files of matters handled by VINCENT FOSTER JR.. The only orders regarding file disposition which ALSTON handled for MRS. CLINTON were orders to send files to remote storage for retention. In the normal course of business, ALSTON would have been the proper and only conduit through which MRS. CLINTON would communicate her order for destruction to the remote storage personnel. Only attorneys could order a file destruction order.

ALSTON also never handled any request from any other attorney in the firm for files to be destroyed, nor did she ever hear of any unusual destruction activity occurring which involved files which, even in hindsight, were of interest in light of the current inquiry involving the business dealings surrounding WHITEWATER, the MCDOUGALS, and MADISON GUARANTY SAVINGS AND LOAN and other matters which might be related.

ALSTON also functioned full time as MRS. CLINTON's secretary after MRS. CLINTON moved her residence to the Governor's Mansion. She handled MRS. CLINTON's calendar and all aspects of her schedule and travel arrangements. As a highly sought after speaker, MRS. CLINTON spent a lot of time out of the office. During MRS. CLINTON's time as the Governor's First Lady, at no time was ALSTON aware of any files taken to or from the Governor's mansion for destruction or for remote storage. During that time she handled nothing for VINCENT FOSTER and saw nothing relating to either the MCDOUGALS or MADISON GUARANTY SAVINGS AND LOAN. Occasionally (frequency un-recalled) ALSTON received an envelope by mail which had two pieces of paper, one possibly a deposit slip and the other possibly a description of what the deposit was for. ALSTON was unable to recall what dollar amounts were reflected on these papers or anything more specific about them. She advised that she date stamped the items and gave them

to MRS. CLINTON. MRS. CLINTON would usually give them back to her for filing in MRS. CLINTON's active personal files.

Soon after ALSTON arrived at RLF in January 1989, the firm purchased a shredder. Secretaries would hold items of a sensitive nature that were appropriate for shredding and a courier would pick them up at the end of the day. She herself never saw the shredder and never did any shredding herself. An alternate method was to deposit materials in a padlocked-wooden box with a chute in the copy room, which maintenance man BOB BOUCHER would collect and shred. It is her understanding that the only files shredded were old and clearly not needed any more.

ALSTON was shown a facsimile of a memorandum (attached to this FD 302 and incorporated herein by reference), the format of which she did not recognize. She had no direct knowledge of the information on it, but identified Mary Russell as the person in charge of the mail room and supervisor of the couriers and of in-coming and out-going mail. The date of the memorandum predated ALSTON's employ at RLF. She verified the handwriting on the form as MRS. CLINTON's.

With regard to two other facsimiles (attached to this FD 302 and incorporated herein by reference), each showing four (4) handwritten entries for Madison Guaranty S & L, bracketed with a single "D" each (everything but the bracket lines and the "D" letters appearing identical), ALSTON did not recognize any of the handwriting and was not able to identify what these documents or the forms were. She explained, however, that the remote storage personnel were in the process of converting to a new system, whereby files sent to remote storage in boxes were removed from the boxes and assigned an identifying number by the personnel at remote storage. She agreed that the facsimile might have a connection to this process.

ALSTON advised that there was a system of assigning file clerks on a rotating basis to assist secretaries with filing and other clerical tasks, but she handled most of MRS. CLINTON's things herself. No other person at RLF worked as special assistant or secretary for MRS. CLINTON.

Before ALSTON left RLF in order to come to her new position in Washington D.C., all of MRS. CLINTON's active-legal files were re-assigned to other attorneys. Other non-active legal

files were indexed and sent to remote storage. ALSTON indexed and re-assigned MRS. CLINTON's miscellaneous personal files to a MS. AMY STEWART (phonetic). They were physically moved to STEWART's 11 work area. Such personal files would include those involving WHITEWATER matters, since that was a personal file.

Finally, ALSTON advised that she never saw anything destroyed in order to hide it or dispose of it because it might cause a problem, and she never heard rumors of any person in the firm doing so. She has not seen any inappropriate or questionable activities of any sort either at RLF or in her position in Washington D.C. Her opinion of MRS. CLINTON is that she is completely honest and is of the highest integrity.

ALSTON provided the following additional personal information:

Full name: MILDRED C. ALSTON, aka "Millie Alston"
DOB: FOIA(b)(6)
POB: FOIA(b)(7) - (C)
SS#:
Address: 3100 Shiloh Road, Hempstead, Maryland 21024-1625
Telephone: (410) 374-4231 (residence)
(202) 456-2957 (work-office)
(202) 456-6634 (work-her private line)
Title: Special Assistant to the First Lady
Office of the White House Personal Correspondence

C- P' review + discuss w/me

MEMORANDUM

TO: mrs clinton

FROM: Mary Russell

DATE: July 21, 1988

Please review the attached list of your closed files. We are now in the process of microfilming and destroying all files unless you specifically request certain files remain intact. All files that are to be kept in their original form need to be marked with "K." There are many files that could be destroyed without being microfilmed. This would save time and money. Please mark "D" beside each of these files.

If you have any questions, please call me. We need your list back no later than august 9.

I so-owned like pared an dated ped list all these es + the m their pt in

I want list all matters ver if destroyed

C- I have marked with D, K & M (for microfil.) + marked some files I want pulled + returned to me.

There are, however, so many duplicate listings I can't tell what's being described.

Can you review list ~~bef~~ over next week + mark apparent duplicates + note any file # kept 2/ marking. Thx discuss w/ Mary Russell.

RIC 000007H

REDACTED

A8734	.1	Madison Guaranty S&L	: Babcock	
	.2	" " "	: Leland Option	
	.3	" " "	: I.D.C.	(D)
	.4	" " "	: (Matters 1, 2, 3 & 4) 98262	

REDACTED

REDACTED

34 .1. Madison Guaranty S+L : Babcock
.2. " " " : Leland Option
.3. " " " : I.D.C.
4 " " " : Matters 1, 2, 3 + 4 - 98262

D

REDACTED

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

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 1/12/94

W. NEIL EGGLESTON, Associate Counsel to the President, the White House, telephone number (202) 456-7901, provided interviewing Agents with a transmittal letter dated January 5, 1994, confirming compliance with an earlier request for handwritten notes taken by WILLIAM KENNEDY. KENNEDY is also an Associate Counsel to the President, the White House. KENNEDY's notes reflect results of a telephonic contact with RANDY COLEMAN, Attorney, Little Rock, Arkansas, on August 18, 1993. Both EGGLESTON's letter and KENNEDY's notes are attached and made a part of the record hereto.

290-LR-35063 SUBA-1

Investigation on 1/5/94 at Washington, D.C. File # ~~86A-LR-34847~~

by FOIA(b)(7) - (C) SA DANA M. GILLIS DMG:dg Date dictated 1/12/94

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THE WHITE HOUSE

WASHINGTON

January 5, 1994

BY HAND

Dana M. Gillis
Special Agent
Federal Bureau of Investigation
1900 Half Street, S.W.
Washington, D.C. 20535

Dear Special Agent Gillis:

Pursuant to your oral request, I am enclosing three pages of handwritten notes taken by William Kennedy.

Very truly yours,

W. Neil Eggleston
Associate Counsel to the President
(202) 456-7901

Randy Coleman 501-374-1107 8/19/

→ David Hale SBIC — Capital Mgmt Services

Investigation → 2 weeks ago
FBI seized records - 2 wks ago

Nature of investigation — Property of loans made past few years

Improved Trust are loan transactions that relate to Madison County

All records liquidation of SBIC →
Both of loans were engaged esp

Whitewater Development Corp.: Not stepping w/ David Hale

Transactions: Bathtub
Castle Grande Woods

Indictment of Grand Jurisdiction

Total loans from SBIC SBIC
Embezzlement situation reported w/in Madison

Any loan granted Bond Loans with David Hale
~~Knowledge~~ Knowledge

Madison Bank

US Atty's office → Pfeiffer in Dept. not high on the food of the line

501-374-110

① David Hale — SBLC

② Investigation: Phone Records & Records Regarding Loan Transactions

③ Governor Tucker

Heidi Fleiss → Backdoor Leader to Tom Politician

Corollary:

President - Governor Tucker

David Hale → Criminal Allegation ~~Re~~ Not Been Indicted

Fed: US Attorney

SBLC:
Regulators.

→ Began Two Week Ago

* Asking for Anything

easy sense of $ for politicians — easy $ for people

— Oxford Hole: Violation of 18 USC 371
+ Regulatory fraud
+ Regulatory functions
+ 10 year statute / 5 on others SOL

Records: Meetings taken place between principals involved

'83/84 Time frame

Box Some Advertising write Position

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 1/12/94

BETH NOLAN, Associate Counsel to the President, the White House, Washington, D.C. (WDC), telephone number 202-456-7901, was interviewed in the presence of JAMES HAMILTON, of the law firm SWIDLER & BERLIN, 3000 K. Street, N.W., WDC, telephone number 202-363-3020. After being apprised of the nature of the interview and the identities of the interviewing Agents, NOLAN thereafter provided the following information:

Sometime around August 19, 1993, WILLIAM KENNEDY, of the White House Counsel's Office, informed NOLAN that he had been contacted by RANDY COLEMAN an attorney from Little Rock, Arkansas. KENNEDY contacted NOLAN, to discuss COLEMAN's contact. NOLAN believes KENNEDY contacted her based on her capacity as the alternate ethics counsel for the White House. COLEMAN was the attorney for DAVID HALE, a municipal judge about to be indicted on charges related to mismanagement of a Small Business Investment Company (SBIC) in Little Rock. KENNEDY was seeking advice from NOLAN on how to respond to COLEMAN's request for a meeting between the two of them. COLEMAN intimated that information possessed by his client, might be of interest to the White House.

NOLAN was informed by KENNEDY that COLEMAN requested a meeting regarding KENNEDY's "client," meaning the President. KENNEDY expressed a lack of desire to grant COLEMAN's request. KENNEDY did not know the specifics of what COLEMAN wanted to discuss. In the course of the discussion between NOLAN and KENNEDY, it was decided that NOLAN would sit in as a witness, on KENNEDY's return telephone call to COLEMAN. It was also decided that KENNEDY would inform COLEMAN that there would be no meeting between them and a request would be made for COLEMAN to disclose whatever information he possessed.

In the course of the telephone call from KENNEDY to COLEMAN, KENNEDY requested COLEMAN provide his information telephonically as there would by no meeting between the two.

ORIG to LR

Investigation on 1/5/94 at Washington, D.C. File # ~~86A-LR-34847~~ 29D-LR-35063 SUBA-14

FOIA(b)(7) - (C)

by SA DANA M. GILLIS DMG:dg Date dictated 1/12/94

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

COLEMAN advised that he represented DAVID HALE. Two weeks prior to the present contact, the FBI seized records related to an SBIC owned by HALE.

COLEMAN hinted that KENNEDY's "client" the President, had been mentioned regarding loan transactions related to MADISON GUARANTY of Little Rock, and WHITEWATER DEVELOPMENT CORPORATION. After discussing the indictment of HALE and the criminal statute under which HALE would be charged, the contact between KENNEDY and COLEMAN concluded.

NOLAN provided a copy of notes she transcribed during the conference telephone call between KENNEDY and COLEMAN, which are attached and made a part of the record hereto.

8-19-93
2:35

← Randy Coleman →
Notes from phone call

Phone call w/ Bill Kennedy + Beth Nolan

BK → BN on

B.K → No mtg. s/b held - very little we can do

RC: → Little bit awkward → multiple pending parties →
run the traps + see what's everybody's thinking
I represent David Hale - SBIC - Capital Mgt. Services
2 weeks ago FBI swooped down + seized records. Invest
involves propriety of loans made by SBIC.

↓

"Quite diligently" -- I am informed there are some
loan transactions that relate to Madison Guaranty →
Your Gs name has popped up → both of 'em
Whitewater Develop. Corp.

"They are not stopping at us, I can guarantee you that"

South Carp.?
Kessler?
Western District? - JIM Guy Tucker

Talking about an initial indictment 9/21

Take out loans from this SBIC taken to salvage some
situations that existed w/ Madison for there entities
These are not kosher loans.

OK "You mean Madison may have parked bad loans w/ David?"

RC "Yeap. You bet" . . . . The Madison deal is coming
back to life.

WILBOWYCTTM,

BK was David the sole owner of this outfit?

RC Yup. . . . A lot of politicians came through here

for a lot of damn loans. It was a sort of easy money....

BK: WIBONYCTM, what do you anticipate Davids going to be charged w/,

RC 18 USC § 371 → regulatory fraud

They have got records.
They're going to know about what's taking place.
Just trying to touch base w/ as many folks as possible.

BK: I appreciate the heads-up.
I would have thought the statute would have run on RuN loans that old

RC: They got a 10 year on some, and a 5 on others.

BK: Let me summarize: Madison was in, somewhat / bottom line David's outfit had some loans packaged, some of em involved things Trucks was in + some one of em may have involved whitewater

RC: Just wanted to let you know + if you hear anything up your way, let me know!

BK: Not a sale-source arrangement b/t Madison + Hale?

RC No.