

WILLIAMS, MAGGIE



Office of the Independent Counsel

1001 Pennsylvania Avenue, N.W.
Suite 490-North
Washington, D.C. 20004
(202) 514-8688
Fax (202) 514-8802

August 1, 1995

Edward S.G. Dennis, Jr.
Morgan, Lewis & Bockius
2000 One Logan Square
Philadelphia, PA 19103-6993

Dear Mr. Dennis:

We have received your letter of July 24, in which you have joined the Senate Special Committee's request that we provide the Committee with the results of the polygraph examination administered to Ms. Williams on September 16, 1994. We have given your request considerable thought, but respectfully must decline it.

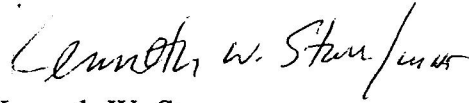
We will not disclose to the Congress any investigative work product from this active and ongoing investigation. We must abide by the strictures of grand jury secrecy contained in Federal Rule of Criminal Procedure 6(e). In addition, our position that we will not disclose to the Congress any investigative work product from an open investigation represents sound policy that is deeply rooted in the history and tradition of this Nation. See generally Memorandum for Oliver B. Revell Re: Congressional Requests for Information from Inspectors General Concerning Open Criminal Investigations, Op. Off. Legal Counsel, at 5 (March 24, 1989) ("the policy and practice of the executive branch throughout our Nation's history has been to decline, except in extraordinary circumstances, to provide committees of Congress with access to, or copies of, open law enforcement files. No President, to our knowledge, has departed from this position affirming the confidentiality and privileged nature of open law enforcement files"). Because of your previous positions in the Department of Justice, we know that you are familiar with this policy.

Our policy on these issues is not based on whether the requested information is exculpatory or incriminating, but rather is made in accordance with long-standing Department of Justice policy to protect the internal work of this Office. Therefore, Ms. Williams' waiver of her confidentiality does not alter our decision.

We also must respect the privacy of individuals. In this regard, it is quite important to note that we find no logical distinction between disclosure to Congress of the results of a polygraph examination that shows no deception and disclosure to Congress of the results of a polygraph examination that shows deception. Rather than disclosing all polygraph results upon request of Congress -- including those that show deception -- we believe the appropriate course is not to disclose any results at all.

In sum, we respectfully decline your request to disclose the results of the polygraph examination of Ms. Williams to the Senate Special Committee. Thank you for your cooperation. Please do not hesitate to contact me if you have any questions.

Respectfully yours,

A handwritten signature in cursive script that reads "Kenneth W. Starr".

Kenneth W. Starr
Independent Counsel

TELECOPY COVER SHEET

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

Date: August 1, 1995

TO: Edward S. G. Dennis, Jr.

Company Name: Morgan, Lewis & Bockius

Fax Number: 215-963-5299 Telephone Number: 215-963-5725

FROM: Judge Kenneth W. Starr

Number of Pages: 3 (including this cover sheet)

Message: _____

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Thx.

BK

POLYGRAPH REPORT

DATE OF REPORT 9/16/94	DATE OF EXAMINATION 9/16/94	BUREAU FILE NUMBER 29D-LR-35063	FIELD FILE NUMBER
FIELD OFFICE OR AGENCY REQUESTING EXAMINATION Office of Independent Counsel			DATE AUTHORIZED 9/16/94
AUTHORIZING OFFICIAL Independent Counsel			
EXAMINEE NAME (LAST, FIRST, MIDDLE) WILLIAMS, MARGARET ANN			

CASE TITLE

MC #106;
MOZART

REFERENCES
OO: LR

CASE SYNOPSIS/EXAMINER CONCLUSION

On 9/16/94, Ms. Margaret Ann Williams appeared with her attorney Mr. Ed Dennis (215) 963-5722, at the polygraph testing facility, 409 7th St., NW, Washington, D.C. 20535 for the purpose of undergoing an examination regarding her activities after the death of Vince Foster on 7/20/93. At the beginning of the interview Ms. Williams was provided an FD-395 (Interrogation, Advice of Rights) which she appeared to read, stated that she understood and thereafter signed. She was then provided an FD-328 (Consent to Interview with Polygraph) which she appeared to read, stated that she understood, agreed to go forward with the interview and polygraph test and thereafter signed this form.

Ms. Williams then provided the following information:

Sometime around 8:00 o'clock on the evening of 7/20/93 she received a phone call at her apartment from the First Lady. Mrs. Clinton, who was calling from Little Rock, told her to sit down and then broke the news that Vince Foster was dead. Ms. Williams stated that she didn't do much talking as she was shocked and the phone conversation was very brief. She stated that the sole purpose of the call was to notify her of the death and that the First Lady did not give her any instructions, assignments or tasks. Ms. Williams continued that shortly after this conversation with the First Lady she called her assistant and friend Evelyn Lieberman who came over to her apartment. Ms. Williams stated that she called Lieberman because she was upset and needed to be with someone. After arriving at her apartment the two of them left together in Lieberman's car for the White

EXAMINER NAME:
SSA James K. Murphy *JKM*

House. Ms. Williams could not remember if someone had called her to the White House or if she and Lieberman decided on their own that they should go.

Upon arrival at the White House at about 9:0 p.m. Lieberman parked her car in the West parking lot and she, Williams, found a uniformed Secret Service officer to open the First Lady's Office for her.

Ms. Williams stated that upon entering the office she left Lieberman at the desk of the secretary to the First Lady to answer calls and to also try and contact Lisa Caputo the First Lady's Press Secretary who was with Mrs. Clinton in Little Rock. Ms. Williams stated that she needed to find out if there was a statement by the President or First Lady.

She continued that after leaving Lieberman at the secretary's desk she went to the office of Mark Gearan, the White House Director of Communication where she obtained the press release regarding Vince Foster's death. Ms. Williams recalled returning to the First Lady's Office where she gave Lieberman the press release so she could inform Lisa Caputo of its contents when she finally made contact with her. She stated that she then went into her own office and after a minute or two came out and looked down the hallway and observed the door to the office of the General Counsel open and light coming out. Ms. Williams went down to the office and saw that the light was from Vince Foster's office. She stated that she entered the office and observed Patsy Thomason, Assistant Director of Administration, at Foster's desk. Her eyes were red, and she was crying and clearly upset. Ms. Williams stated that she, Williams, sat on a couch in Foster's office and at one point Thomason, who was looking around Foster's desk said "It would give Lisa some comfort if we found a note". Ms. Williams stated that she found out later that the Lisa mentioned by Patsy Thomason was Vince Foster's wife, Lisa Foster.

Ms. Williams stated that while she was sitting on the couch crying, and while Patsy Thomason was sitting behind Foster's desk Bernie Nussbaum entered the office. Nussbaum paced back and forth in front of the desk, scratched his head and mumbled some words. There was no real discussion between the three of them and she, Williams, left the office after about five minutes, possibly with Nussbaum. Ms. Williams recalled that Patsy Thomason stayed in the office after they departed.

She stated that she believes she went to Mark Gearan's office and then back to the First Lady's office where she met with Evelyn Lieberman and the two of them then departed the White House together. Ms. Williams stated that she arrived back at her apartment located at 1730 New Hampshire Avenue, NW, WDC at about 11:15 p.m. Shortly thereafter she received another phone call from Mrs. Clinton. During this conversation Mrs. Clinton wanted to know if any information had been developed concerning Vince

Foster's death and if anybody knew what had actually occurred. She stated that she had no more information for the First Lady and the phone conversation was very brief.

Ms. Williams stated that she was very upset and did not want to be alone that evening so she went over to Evelyn Lieberman's house and spent the night on a couch. Ms. Williams recalled arriving late for work the next day, 7/21/93. She stated that several days later, on the Thursday before Vince Foster's funeral, Bernie Nussbaum called her while she was at the Old Executive Office Building (OEOB) and said he had some of Vince Foster's files which pertained to the Clintons and wanted her to pick them up and take them to Bob Barnett, the attorney representing the President and Mrs. Clinton. She stated that she couldn't go directly to meet with Nussbaum but some time later that day went to his office. Nussbaum told her to take a look around Vince Foster's office and see if she saw any files pertaining to the Clintons. Ms. Williams recalled finding files which were of a personal nature dealing with Chelsea, others marked "Blind Trust" and others dealing with the President's income tax. Ms. Williams gathered the files together and placed them in a card board box. She obtained the assistance of a White House Intern and had him take the box to a closet located on the third floor of the residence where it was left. Ms. Williams stated that the following Tuesday Bob Barnett came to the White House and told her that he needed to have the files brought to his law office. Ms. Williams continued that Barnett sent an associate to the White House shortly thereafter and she turned the box of files over to him.

Ms. Williams stated that neither on the evening of Vince Foster's death or during the early morning hours of 7/21/93 did she remove any files or documents from the Office of the General Counsel. She stated that she did not observe anyone removing files from Vince Foster's office, that she did not direct anyone to remove anything from his office nor does she have any knowledge that anything was removed.

Ms. Williams stated that she does know Craig Livingston. She described him as a White House employee who handles security matters such as clearances and passes. Ms. Williams stated she does not have regular contact with Livingston. She stated that she has never discussed with him removing any documents from the offices of the General Counsel or Vince Foster.

Ms. Williams was then afforded a polygraph examination consisting of the following relevant questions:

SERIES I

1. Did you remove any documents from the office of Vince Foster during the evening after his death?
Answer-No

2. Did you remove any documents from the Chief Counsel's suite during the night or early morning hours after Vince Foster's death? Answer-No

SERIES II

1. During the evening and morning hours after Vince Foster's death did you direct anyone to remove documents from the 2nd floor of the West Wing? Answer-No
2. At the time of Foster's death last July did you discuss removing documents from the West Wing with Craig Livingston? Answer-No

It is the opinion of this examiner that Ms. Williams was truthful when responding to the above listed questions. These results were confirmed during an independent review by the FBI Laboratory.

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Morgan, Lewis
& Bockius LLP
C O U N S E L O R S A T L A W

Edward S.G. Dennis, Jr.
215-963-5722
202-467-7048

May 1, 1996

via TELEFAX

Honorable Kenneth Starr
Independent Counsel
Office of the Independent Counsel
1001 Pennsylvania Avenue, N.W.
Suite 490-North
Washington, D.C. 20004

Re: Margaret A. Williams

Dear Judge Starr:

As you no doubt know, over the past few days it has been widely reported that the fingerprints of the First Lady were found on the Rose Law Firm billing records which are a focus of your investigation and of the hearings being held by the Senate Whitewater Committee. These articles have relied on sources close to your investigation.

I understand that the fingerprints of our client, Margaret A. Williams, were not found on the billing records. With the exception of an article in yesterday's Washington Times, which I have not yet seen, the articles reporting on this matter has failed to include the fact that Ms. Williams' fingerprints are not on the billing records. Indeed, the articles generally have left the impression that Ms. Williams may have handled the records. For instance, the current issue of Newsweek, which broke this story, states that you are "intensifying" your inquiry, and then reports that Ms. Williams was recently "recalled by a grand jury for further questioning about the records." The April 29, 1996 edition of the Washington Post reported that your office "asked for the fingerprint analysis in an attempt to determine where the records were, why it took so long to find them and whether there are grounds to bring obstruction of justice charges against anyone for failing to produce them."

I do not write to make accusations, or to criticize you or your office for these unfortunate news leaks. Rather, I write to request that you take responsible action now that the leaks have occurred. A spokeswoman for your office has been quoted as stating that your

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MORGAN, LEWIS & BOCKIUS

COUNSELORS AT LAW

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July 24, 1995

VIA FACSIMILE AND FIRST-CLASS MAIL

Kenneth W. Starr, Esquire
Office of the Independent Counsel
Two Financial Centre
Suite 134
10825 Financial Centre Parkway
Little Rock, AR 72211

Dear Judge Starr:

On behalf of my client, Margaret Williams, I join in the request of the Senate Special Committee on Whitewater Development Corporation and Related Issues that you release the results of the F.B.I. polygraph administered to Ms. Williams on September 16, 1994 to test the truthfulness her unequivocal denial that she removed any files or documents from the office of Vince Foster on the night of his death. I am in receipt of your denial of that request, but to the extent your decision was influenced by considerations of confidentiality, Ms. Williams waives her right of confidentiality in favor of full public disclosure.

As you know, we have been fully cooperative with your office in its investigation. We have been interviewed, deposed, interrogated, probed and questioned in every conceivable manner without complaint. Your staff has been very professional and upright in their dealings with us. However, at the end of the day, Ms. Williams is less concerned about confidentiality than she is concerned about the confidence of the American people in the integrity and decency of the institution of the Presidency. The role of your very important office as an independent arbiter on issues that will have a direct bearing on whether that confidence is justified, places a unique responsibility on your office to publish its findings at the earliest occasion consistent with your statutory mandate. I have urged you to do so, and I renew that request. But the release of the polygraph results would serve both the interests of my client, that she not be judged in the court of public opinion with less than full disclosure and on a partial record; and it would also serve the interests of public to know that the evidence, when weighted with impartiality, justifies their

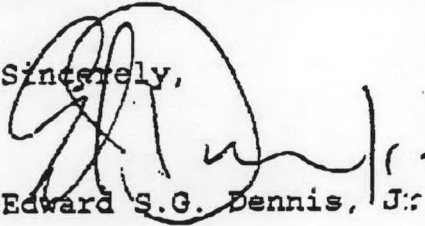
MORGAN, LEWIS & BOCKIUS

Kenneth W. Starr, Esquire
July 24, 1995
Page 2

confidence in the basic integrity of those who serve the President
and the First Lady.

I trust you will consider this in your deliberation on
this request.

Sincerely,

A handwritten signature in black ink, appearing to read "E.S.G. Dennis, Jr.", written over the word "Sincerely,".

Edward S.G. Dennis, Jr.

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