

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION COPY
001. email	James Baker to Rand Beers and Ardenia Hawkins [partial] [CIA Act] (1 page)	12/10/1996	P3/b(3)
002. email	Alan Kreczko to Julia Moffett re: Forgot to Attach (4 pages)	12/14/1996	P5 6173
003. email	Kreczko to Baker et al. re: TL Ethics [partial] [CIA Act] (6 pages)	12/15/1996	P3/b(3), P5 6174
004. email	Anthony Blinken to Moffett re: FW: Help, Please [partial] [CIA Act] (2 pages)	12/23/1996	P3/b(3), P6/b(6)
005. email	Baker to Beers et al. re: Draft Lake Qs (7 pages)	01/07/1997	P5
006. email	William Leary to Baker re: Draft Lake Qs (7 pages)	01/08/1997	P5
007. email	Moffett to Tara Sonenshine re: Check List (2 pages)	01/08/1997	P5
008. email	Wendy Gray to Moffett re: FW: CIA [partial] [CIA Act] (2 pages)	01/08/1997	P3/b(3)

COLLECTION:

Clinton Presidential Records
 NSC Emails
 MSMail-Record (Sept 94-Sept 97) ([Lake and DCI and Nominat...])
 OA/Box Number: 590000

FOLDER TITLE:

[12/05/1996-01/08/1997]

Rob Seibert
 2006-0680-F
 rs434

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

COPY

DATE-TIME 14 December 96 08:26
FROM Kreczko, Alan J.
CLASSIFICATION UNCLASSIFIED
SUBJECT RE: Forgot to attach [UNCLASSIFIED]
TO Moffett, Julia
CARBON_COPY NO CC's on THIS MESSAGE
TEXT_BODY

Julia,

Sorry for delay; been busy.

Changes attached. We can't make the flat statement that TL's profits were lower than had he divested; it depends on what he would have done with the money. E.g. he could have reinvested in stocks that tanked. Therefore, we need to include a point of reference for the statement.

We also shouldn't repeat Ab's "technical violation" language. While he apparently said it, we shouldn't. It's prejudicial to DOJ inquiry, which could either conclude that there was no violation (not even a technical one) or that there was a non-technical violation. We should stick with formulation in our press guidance, which I've put back in your points.

[[CIAX.DOC : 2107 in CIAX.DOC]]

From: Moffett, Julia
To: Kreczko, Alan J.
CC: /R, Record at A1
Subject: Forgot to attach [UNCLASSIFIED]
Date: Thursday, December 12, 1996 08:34 PM

<<Attached File: CIA.DOC>>

ATTACHMENT
FILE DATE

14 December 96 8:17

ATTACHMENT
FILE NAME

CIAX.DOC

Lake Confirmation Points

(for internal use only)

COPY

As we head into the 21st century, the Intelligence Community must be run by someone who understands the challenges that both the United States and the Community face, and who brings a record of integrity, competence, vision, and bipartisanship to the job. Anthony Lake is such a person.

□ Lake understands the important role of the CIA. As President Clinton's National Security Advisor for the past four years, Anthony Lake has a unique understanding of the challenges the President faces in creating a safer and more prosperous world. He knows first-hand that the President and his advisors depend on the CIA and the entire Intelligence Community for the best information and analysis to formulate policies that serve the nation's interests. In particular, he understands the CIA's crucial role in helping the President defend America against the post-Cold War threats of terrorism, proliferation of weapons of mass destruction, and rogue nations.

□ Lake's previous experience enables him to give the President the "unvarnished facts." Throughout his four years as the NSA, Lake has championed the integrity of the process of intelligence collection and analysis. As Lake said when the President nominated him, he is committed to "giving the President the unvarnished facts." Lake has stated repeatedly that the CIA must present unaltered views that in no way reflect policy preferences or anticipated policy decisions -- nor, conversely, should intelligence agencies actively participate in setting policy. For example, he has been known to insist at Principals meetings that the line between intelligence and policy be clearly and unequivocally drawn, and to resist government reorganization efforts that would have merged policy and intelligence functions.

□ Lake has a record and an appreciation for bipartisanship. In order to serve the President and meet the challenges of the

coming century, the CIA must continue to have bipartisan support from Congress. As National Security Advisor, Lake has worked and consulted closely with members of Congress on both sides of the aisle to build bipartisan support for policies that serve America's interests. He expects to bring that same commitment to bipartisan consultation in building Congressional support for the Intelligence Community's vital work.

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□ Lake already has strong relationships with some of the CIA's upper management and is committed to providing a sense of continuity. One of the biggest challenges of running the Intelligence Community today is working effectively with its senior management and demonstrating a commitment to the its long-term health as an institution. As NSA, Lake has already developed strong working relationships with the Director of Operations (David Cohen) and Deputy Director (George Tenet) and has received briefings from many of the agency's senior career officers. Moreover, Lake, if confirmed, is committed to staying indefinitely, providing continuity to an organization that needs strong, sustained leadership.

Q: Did Lake's belated sale of stocks violate any federal conflict-of-interest laws?

A: -- Mr. Lake had been advised to sell his energy stock to avoid any possible conflicts of interest with his national security responsibilities. He thought this has been accomplished. When made aware that the stock had not been sold, he immediately sold the stock.

-- The matter is currently under review by the Justice Department. The President has indicated that the matter should not hold up Lake's confirmation process.

--." Former White House Counsel Ab Mikva has indicated that he exercise an abundance of caution in referring the issue to Justice because of "an incredibly low threshold" in the reporting statute. In making the referral, he made clear that we had no reason to believe Mr. Lake's failure to divest had been intentional.

-- Mr. Lakes's profits from these stocks were lower than ,had he sold the stock in 1993 and invested the funds in a Standard and Poor diversified

trust.

Q: Is Lake qualified to run the CIA after engaging in the covert action to arms the Bosnians?

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A: The Senate Intelligence Committee -- among others -- reviewed thoroughly the issue of arms shipments to Bosnia and did not conclude that any laws had been broken. Additional views included in the report state that the evidence clearly indicates that there was no covert action related to the transfer of Iranian arms to Bosnia. Tony Lake and the Administration took an extraordinary challenge in Bosnia, and the policy that emerged -- which led to the Dayton Accords -- has been a great success. Today in Bosnia, peace is taking hold where little more than a year ago, war had raged.

Q: Doesn't Lake's role in the formulation of policy over the last four years impede his ability to give impartial intelligence and assessments?

A: No. Throughout his tenure as the National Security Advisor, Tony Lake has always insisted on unvarnished intelligence assessments. He has had to rely on this straight information himself as he advised the President and understands its value as a result.

In fact, Lake's experience as National Security Advisor gives him unique qualifications to do this job well. The knowledge he brings from the previous job enables him to anticipate problems that may be "around the corner" and to provide the President with the most useful and effective intelligence that Lake knows he needs.

Q: Does Lake's lack of management experience present a problem?

A: No. As National Security Advisor, Tony Lake ran one of the most efficient and productive National Security Councils ever. He intends to apply the same skills to this new job.

6179

MS Mail

COPY

DATE-TIME 15 December 96 21:30
FROM Kreczko, Alan J.
CLASSIFICATION UNCLASSIFIED
SUBJECT TL ethics [UNCLASSIFIED]
TO Danvers, William C.
CARBON_COPY Baker, James E.
Hunerwadel, Joan S.
Kreczko, Alan J.
Sparks, John E.

TEXT_BODY

Bill,

Attached is my memcon re briefing of Scheuneman on TL ethics. Can you review and let me know if you recollect anything additional or different. Also, can you E-mail me any questions I took to get back to him on? Also, do you know the name of the Kerrey person who was in the next meeting?

[[TLSEN.DOC : 5438 in TLSEN.DOC]]

**ATTACHMENT
FILE DATE**

15 December 96 21:27

**ATTACHMENT
FILE NAME**

TLSEN.DOC

Memorandum for the Record

On Friday, December 13, I met with Randy Sheneuman, who had requested a briefing on behalf of Majority Leader Trent Lott on the Lake conflict of interest matter. Mr. Scheneuman had provided to the NSC Legislative affairs director Bill Davners a list of questions the night before. I was accompanied to the meeting by Mr. Danvers and by [REDACTED] (b)(3) Mr. [003] Scheunman was unaccompanied.

I introduced my remarks by emphasizing that I would provide answers as I understood them. I made it clear that the amtter was under review at the Justice Department and that I might not have all of

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the
facts. I said that in the event the Justice Department inquiry
revealed different facts, I did not want to be accused of
misleading
him. I was providing answers as I understood them.

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I then went through Mr. Scheuneman's questions.

1. When was WH Counsel in contact with Mr. Lake.

I explained three different time periods: (1) March 1993, when
Frank
Sobol provided Mr. Lake a general matter concerning his portfolio
and suggested that divestiture of his energy stocks would need to
be
considered and discussed later. (2) October 1993, when I informed
Mr.
Lake that he had to sell his stocks, and November 1993 when Beth
Nolan transmitted Mr. Lake's certification of divestiture.
(3) June,
1995, when the Counsel's office discovered that Mr. Lake had not
divested the stocks.

2. When did Mr. Lake act on their recommendation?

I went through the three time frames in reverse: (1) Mr. Lake
divested his stocks within days of the June 1995 reminder.
(2) Mr.
Lake requested the certificate of divestiture for his stock on
the
same day, October 5, he was told to divest. I said that Mr. Lake
had
believed that the November memo he received from the Counsel's
office, transmitting the certificates of divestiture "for the
record", reflected a confirmation that the stocks had been sold.
(3) Mr. Lake apparently put a note on the Sobol memo, asking that
the
Sobol memo be transmitted to his accountant to arrange for their
sale.
Mr. Lake's accountant however apparently never received the
note.

3. When did Mr. Lake tell his accountant to sell? Who is his
accountant?

I said I had answered the first question. I provided the name of
the accountant (Larry Walsky) and his address.

4. When did he finally divest?

I said June 16, 1995.

5. What stocks were involved? What is their value? How much money did he make from the time he was told to sell the stock until the time he sold the stock?

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The stocks involved were Exxon, Mobil, Teco Energy and Duke Power.

Stressing that the following was not my information but had been provided to me, I gave the following information concerning valuation:

-- 800 shares of Duke Power had been sold March 7, 1994, for \$31,000. Had it been sold in November, as should have occurred, it would have sold for \$33,000. Therefore, there was a \$2,000 loss.

-- the remainder of the Duke Power and other stocks was sold on June 16, 1995 for about \$305,000. Had it been sold in November, 1993, it would have brought about 285,000, making for a \$25,000 profit. I pointed out that had Mr. Lake sold in November pursuant to the divestiture certificate, he would have been able to invest in either government bonds or a diversified trust. Had he done the former at 6%, he would have made about the same profit by June 16, 1995. Had he invested in a S&P diversified trust, he would have made about double that amount.

5. What did he do with the money? Is he legally required to do anything with the profits?

I said I did not know for sure what Mr. Lake had done with the money from the sale, but that I believed he had reinvested it in other stocks without using the certificates of divestiture. I said the law did not require him to do anything with the profits, provided he respected the options available if he utilized the certificate of divestiture to defer tax consequences. Mnr. Scheunmean asked whether Mr. Lake shouldn't return the \$25,000. I said I knew of no legal obligation to do so, and repeated that as a practical matter, it did not appear that Mr. Lake had profited any more from his failure

to
sell than had he made the sale when the certificates of
divestiture
had been provided.

COPY

6. When did the WH Counsel tell him he hadn't divested?

I said Mr. Lake was informed in mid-June but that I was not aware
of
the precise date.

7. How long has the investigation been going on? Why hasn't it
been completed? How long does this type of investigation
generally
take? When will it be completed?

I said that the matter had been referred in August, 1995. I
declined to comment on the investigation or speculate on its
completion date.

8. Why was this referred to DOJ -- under what statutes? what
does
the law say?

I gave Mr. Scheuneman a copy of the conflict statute, 18 U.S.C.
208.

I also gave him a copy of the referral statute, 25 U.S.C. 586,
and
noted that it required us to bring to the attention of the AG
"any
information" relating to a violation of 18 U.S.C. 208. I also
read
to him from the AG's guidelines, which require reporting of "any
information" relating to a "possible" violation of 18 U.S.C. 208.

I said the law and guidelines established a very low threshold
and
that out of an abundance of caution, former White House Counsel
Mikva
had decided that matter should be referred. I emphasized that in
making the referral, Judge Mikva had not decided that any of the
elements of the 18 USC 208 statute had been satisfied. I also
said
that the referral indicated that we had no reason to believe Mr.
Lake
acted for personal gain or that the failure to divest was
anything
other than inadvertent.

Mr. Scheuneman asked a few questions during the session, which I

undertook to get back to him on.

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Following the meeting with Mr. Scheuneman, I went through the same

points with three staff members of the Senate Select Committee on

Intelligence, in response to their request for a briefing:

Suzanne

Spaulding, SSCI majority counsel; Ed Levine; and _____, Kerrey.

I went over essentially the same points. I was asked whether there

had been an administrative failure by the Counsel's office to follow-up on the November memo providing the certificates of divestiture. I said that at the time the Counsel's office did not

have a "tickler" system in place, that other agencies do have such a

system, and that the Counsel's office had put one in place. I was

also asked whether the October memo telling Mr. Lake to divest explained the certificate of divestiture. I said that I thought it

did, but would verify it. I also noted that the November memo transmitting the certificates was a short memo, which said the certificates were being provided for the record. I was asked whether

the Counsel's office had noticed that the stocks were still on Mr.

Lake's financial disclosure form in 1994. I said that I did not believe they had. (I have since informed them, based on a conversation with Katy Whalen, that the Counsel's office had noted the

presence of the stocks on Mr. Lake's 1994 disclosure form.

However,

because the certificate of divestiture provided in November would have permitted sale in 1994, they assumed the stocks were on the 1994

form (which shows 1993 holdings) because the stocks were not sold until early 1994.) I was also asked about news reports that Mr.

Lake

had moved some of the stocks into his wife's name in June of 1993; I

said I was not familiar with the details of that but noted that (1) such a move was irrelevant under the law, since a spouse's financial interests are attributed to the other spouse, and

(2) that

Tony had not actually been directed to sell the stock until October

1993.

COPY

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Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION COPY
001. letter	Matin Royeen to FLOTUS; re: Ghandi Foundation (partial) (1 page)	02/15/1996	P6/b(6)
002. email	Jonathan Spalter to Samuel Berger; re: APEC/Jim Mann (partial) (1 page)	11/01/1994	P5
003. email	Marilyn Wilson to Sandra Kristoff; re: Calls (partial) (1 page)	09/30/1994	P6/b(6)
004a. letter	William C. Danvers to Taylor Lawrence, Staff Director [SSCI]; re: Anthony Lake's Nomination (1 page)	02/25/1997	P5
004b. letter	William C. Danvers to Christopher C. Straub, Minority Staff Director [SSCI]; re: Anthony Lake's Nomination (1 page)	02/25/1997	P5
004c. notes	re: Handwritten Notes; re: Charlie Trie (partial) (1 page)	n.d.	P6/b(6)
004d. memo	Robert L. Suettinger to Anthony Lake; re: DNC Trustee Johnny Chung & the Harry Wu Case (2 pages)	07/31/1995	P5
004e. fax cover sheet	From Johnny Chung; re: Fax Service (partial) (1 page)	n.d.	P6/b(6)
004f. notes	re: Handwritten Notes; re: Charlie Trie (partial) (1 page)	n.d.	P6/b(6)
004g. memo	Robert L. Suettinger to Anthony Lake; re: DNC Trustee Johnny Chung & the Harry Wu Case (2 pages)	07/31/1995	P5
004h. fax cover sheet	From Johnny Chung; re: Fax Service (partial) (1 page)	n.d.	P6/b(6)
005. draft	re: Role of NSC in Screening People Who Met with POTUS (2 pages)	n.d.	P5 6175

COLLECTION:

Clinton Presidential Records
National Security Council
James Baker (Office of Legal Adviser)
OA/Box Number: 1954

FOLDER TITLE:

Lake, Tony & SSCI [Senate Select Committee on Intelligence] [3]

Jimmie Purvis
2006-0680-F
jp1821

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

6175

COPY

Q: What role did the NSC have in screening persons who called on the President?

A: The NSC would from time to time be asked whether we were aware of any information that might bear on whether the President should meet with a particular person or not. In almost all cases, the question would be raised in the context of a meeting or event the President might attend with foreign persons. In response, the NSC would review the name in question with the appropriate directorates and, in most cases, and on an informal basis, with the State Department and CIA. I believe we were clear in our responses as to the strength or limitations of the information provided in the time allotted.

Q: Would the NSC recommend, did the NSC recommend, against the President seeing a particular individual?

A: We would make it clear where we thought it important that the President meet with a foreign person, if for example, it would serve a foreign policy purpose as well as when we thought it better that he not do so from a foreign policy perspective. I should note, however, that in many if not the majority of cases we would in fact not have pertinent information, or the information we did have would be inconclusive.

Q: What you are saying is the White House had no formal process for vetting persons. Shouldn't you have had such a process?

A: As you know, the Chief of Staff has recently directed that such a formal process for reviewing names be implemented. The details of how this will be done are under review.

Q: Wasn't it Mr. Lake's responsibility to ensure that foreign visitors were vetted before they met with the President?

A: It is not within the duties of the NSC to set the President's schedule or determine whom he sees. Nor is it the NSC's responsibility to determine who comes into the

White House complex. The NSC does make recommendations to the President and schedulers on official foreign visitors and as noted above, when asked has responded to questions regarding unofficial foreign visitors.

COPY

The President and Mr. Lake understood that he would not get involved in domestic politics; Mr. Lake did not become involved in the campaign.

Q: Were you asked whether the President should meet with NAME of Chinese Arms dealer?

?

Q: Why weren't you asked about this?

A: That is a question you will have to ask the sponsor of the event.

As you will have seen in the papers, this process has been reviewed and formalized in the past few weeks. This should help ensure that the President does not inadvertently meet with inappropriate persons. It is of course hard to have a system that is 100% perfect.

Q: What was your reaction to that meeting?

A: The President has said that he was disappointed that it had happened and that it was clearly inappropriate. I agree. He also noted that thousands of people come in and out of the White House complex, but directed that a better process of screening be established.

DRAFT

Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION COPY
001. draft	re: Written SSCI Questions for Mr. Anthony Lake, Nominee for Director of Central Intelligence (19 pages)	02/10/1997	P1/b(1)
002a. draft	re: Written SSCI Questions for Mr. Anthony Lake, Nominee for Director of Central Intelligence (19 pages)	02/10/1997	P1/b(1)
002b. draft	re: Attachments - For Mr. Lake Only (7 pages)	02/10/1997	P1/b(1)
003. draft	re: Attachments - For Mr. Lake Only (7 pages)	02/10/1997	P1/b(1)
004. draft	re: Written SSCI Questions for Mr. Anthony Lake, Nominee for Director of Central Intelligence (3 pages)	n.d.	P1/b(1)
005. draft	re: DNC, Fundraising & Access to the President (5 pages)	n.d.	P5 6176
006. questions and answers	re: Responses of Mr. Anthony Lake, Nominee for Director of Central Intelligence to Written Questions of the Senate Select Committee on Intelligence (26 pages)	02/13/1997	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Security Council
James Baker (Office of Legal Adviser)
OA/Box Number: 1517

FOLDER TITLE:

Written SSCI [Senate Select Committee on Intelligence] Questions for Lake [1]

Jimmie Purvis
2006-0680-F
jp1824

RESTRICTION CODES

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COPY

DNC, Fundraising and Access to the President:

Q: What role did you have in screening persons who called on the President? What role do you have now?

A: The NSC would on occasion/on an aperiodic basis be asked whether we were aware of any information that might bear on whether the President should meet with a particular person or not. In almost all cases, the question would be raised in the context of a meeting or event the President might attend with foreign persons. In response, the NSC would review the name in question with the appropriate directorates and, in most cases, and on an informal basis, with the State Department and CIA. I believe we were clear in our responses as to the strength or limitations of the information provided in the time allotted.

Q: Would you recommend, did you recommend, against the President seeing a particular individual?

A: We would make it clear where we thought it important that the President meet with a foreign person, if for example, it would serve a foreign policy purpose as well as when we thought it better that he not do so. I should note, however, that in many if not the majority of cases we would in fact not have pertinent information, or the information we did have would be inconclusive.

Q: And what if you were not asked, you did not consider it your affirmative duty to determine who the President was meeting with?

A: No. The President and Mr. Lake understood that he would not get involved in domestic politics; Mr. Lake did not become involved in the campaign.

It is not within the duties of the NSC to set the President's schedule or visitors or to determine who comes in the White house complex. The NSC does make recommendations to the President and schedulers on official foreign vistor, and as noted above, when asked has responded with to unofficial foreign visitors.

Q: Were you asked whether the President should meet with NAME of Chinese Arms dealer?

Tony? Nancy? Andy? Asia? WHC?

COPY

Q: Why weren't you asked about this?

A: That is a question you will have to ask the sponsor of the event.

As you will have seen in the papers, this process has been reviewed and formalized in the past few weeks. This should help ensure that the President does not inadvertently meet with inappropriate persons. It is of course hard to have a system that is 100% perfect.

Q: What was your reaction to that meeting?

A: The President has said that he was disappointed that it had happened and that it was clearly inappropriate. I agree. He also noted that thousands of people come in and out of the White House complex, but directed that a better process of screening be established.

he NSC was not responsible for reviewing attendees at political events or domestic meetings or access to the White House. or meetings on domestic policy. unless those sponsoring the event asked for our assessment from a foreign relations or national security perspective.

When the DNC or others needed

COPY

Q: Did you meet with John Huang, X, Y, or Z?

A: No. Or "Answer based on best recollection."

Q: Did your staff meet with John Huang, X, Y, or Z?

A: (1) To the best of my recollection . . .

(2) Detail based on memoranda TL has seen or signed out.

(3) Detail based upon available documents and information.

As you know, this is a matter that continues to be under review and investigation and I think it important to note that I am telling you what I remember and know at this time.

Q: Isn't it your responsibility to know who your staff are meeting with?

liaison

Treaty verification

North Korea nuclear capability

knowing about China. Validity of statistics. China's demand for resources.

case officer retention.

Zona Rosa

CIA/FBI

Khobar (POTUS remarks)

Nicholson

Crack cocaine

management experience

Nuccio

Iraq statements and Deutch
did you figure in that decision.

Haiti

IG

No evidence of changed assessments because of policymaker
pressure.

Stock

Gulf War illness

Tenure of DCI

financial management

Harbury

48 hours.

COPY

Specter:

Crack cocaine
Khobar

Kerrey:

Decision to make FBI lead Khobar agency
Personnel changes in the DO (out of service tours)

Lugar:

COPY