

Withdrawal/Redaction Sheet

Clinton Library

COPY

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. letter	From Anna P. Engh to Thomas W. Millet re: AAPS v. Clinton (1 page)	08/28/95	P6/b(6)
001b. memo	From Anna P. Engh to Thomas W. Millet re: AAPS v. Clinton (5 pages)	08/28/95	P6/b(6)
001c. attachments	Exhibit attachments (1-4) (32 pages)	nd	P6/b(6)
002. draft	Draft of Defendants' Appendix re: AAPS v. Clinton (29 pages)	11/29/95	P6/b(6)
003. letter	From Anna P. Engh to Ira Magaziner re: AAPS Case (1 page)	12/09/95	P6/b(6)
004. deposition	Deposition re: Travel Office (10 pages)	07/10/96	P2, P5 6020

COLLECTION:

Clinton Presidential Records
Policy Development
Ira Magaziner (Subject Files)
OA/Box Number: 10006

FOLDER TITLE:

[Unfolded] [16]

Rhonda Young
2006-0770-F
ry576

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]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- 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]

Original

COPY

1 RPTS BRYAN2 DCMN HERZFELD

3

4 COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

5 U.S. HOUSE OF REPRESENTATIVES

6 WASHINGTON, D.C.

7

8

9 - - - - - x

10 In the matter of:

11 WHITE HOUSE TRAVEL

12

13 - - - - - x

14

15 Wednesday, July 10, 1996

16

17 Washington, D.C.

18

19

20 The deposition in the above matter was held in Room 2203,
 21 Rayburn House Office Building, commencing at 10:10 a.m.

22

23

24

25

39
COPY

1 Q Did you have situations where any files that you
2 reviewed were people who hadn't paid their taxes for a number
3 of years? Do you recall any instance where someone hadn't
4 paid their taxes for more than one year?

5 A More than one, yes, there were some.

6 Q Prior to those files being sent over to the Secret
7 Service, were there -- were these tax issues resolved in some
8 way?

9 A I do believe most had been, yes.

10 Q Would Craig Livingstone or others in the Counsel's
11 Office discuss these issues with you prior to sending the
12 files over?

13 A No. They were never discussed with me.

14 Q They would just send the files to the Secret
15 Service, and you would review some of them?

16 A From my point of view, the files came in, they were
17 assigned to me, I reviewed them.

18 Q In reviewing the files, did you have instances where
19 you had levels of drug use that went beyond college age,
20 experimental use?

21 A Yes.

22 Q Can you -- of the files you reviewed, can you put a
23 percentage of -- any general number of what was beyond
24 college-age experimental drug use?

25 A There were more than a few.

JP

40
COPY

1 Q Were there dozens?

2 A There were probably -- this is a very sensitive
3 question, so I am trying to be as accurate as I can be. I
4 don't want to -- there were a -- I am trying not to be
5 subjective, because when one reviews background
6 investigations, you are glimpsing into somebody's personal
7 life, and it is something I take very seriously, and I, other
8 than somebody in my immediate work environment that does the
9 same thing, we don't discuss it with anybody. Number one,
10 this is not something I am accustomed to doing; and two, I am
11 trying to be as wholly accurate as I can be because I realize
12 the subjective opinions people will form from the information
13 I am giving. So I am trying to be as accurate as I can and be
14 totally objective at the same time.

15 There were -- you know, I have reviewed literally
16 hundreds of background investigations. I would say more than
17 30, more than 40, perhaps, had drug usage.

18 Q And that would be beyond the college-age
19 experimental type of use?

20 A I am not stalling. Sometimes some individuals went
21 to college well into their thirties. They worked on masters
22 and Ph.D.s.

23 Q Of the files you reviewed, did you have situations
24 where the drug use was very recent?

25 A There was some where the drug use was recent.

41

COPY

1 Q Can you estimate roughly how many files you reviewed
2 were --

3 A I would say a few dozens.

4 Q Did there come a time when the Secret Service
5 instituted a particular program for people who had recent drug
6 use?

7 A Yes, there was.

8 Q And could you describe what that program was?

9 A I only know of it because whenever I would review a
10 file of this nature, it was something I did not want to sign
11 off on, so I forwarded it on to my supervisors.

12 They did initiate a procedure that was called the "drug
13 letter," and there were -- I don't know the exact parameters
14 of the procedure. I am not familiar with how the procedure
15 was developed other than I knew of its existence.

16 Q Do you know when this started?

17 A Sometime in '84. I do believe it was in 1984.

18 Mr. Goldberg. '84 or '94?

19 The Witness. I am sorry, '94. Excuse me.

20 BY MS. COMSTOCK:

21 Q Would this be a letter to your supervisor on putting
22 an individual into a program because of their recent use?

23 A No. The drug letter was a letter between the
24 administration and the Secret Service. I have seen them. I
25 have never sat and read one, but there is various conditions

42

COPY

1 that are agreed upon and then acknowledged by the individual
2 in question.

3 Q And the individual in question has to sign that
4 agreement?

5 A Yes.

6 Q For those individuals, the White House previously
7 provided information back in '94 that there were approximately
8 about 11 -- 10, 11, 12 people in the program in '94. Do you
9 recall that?

10 A That sounds about accurate.

11 Q I believe in '95 they said the number was around 18
12 or so?

13 A I don't know for sure.

14 Q Those situations, can you generally tell us what
15 kind of drug use we are talking about, what kind of -- if you
16 can generally give a picture of the extent and recentness of
17 that drug use?

18 A I have seen cocaine usage. I have seen
19 hallucinogenic usages, crack usages. I am not -- you know, I
20 am not that familiar with narcotics. I would say those are
21 the big three.

22 Q And were those, the people who were in this program,
23 was it generally fairly recent use?

24 A Yes, it was.

25 Q In terms of whether or not someone had a drug letter

1 or went into this particular program, were there any
2 considerations given; if they had a more senior level position
3 or not, were there considerations given what an individual's
4 duties were?

5 A I don't know.

6 Q Were these situations usually ones that you would
7 flag and send on to your supervisor?

8 A Yes, they were.

9 Q Do you know who Mr. Cole would then have to speak
10 with about this?

11 A Typically things work up the chain of command, and
12 so he -- Mr. Cole could probably best answer that question.

13 Q Just to the extent you know.

14 How many other people besides yourself reviewed these
15 files?

16 A When?

17 Q You started in '94; correct?

18 A Yes.

19 Q While you were there in '94?

20 A In '94, myself and another agent.

21 Q Who would that be?

22 A Rich Stribling.

23 Q Do you know in '93 who else would have been
24 reviewing the files?

25 A I wasn't there in '93.

1 Q Do you know if Mr. Stribling was there in '93.

2 A Mr. Stribling got there in November of '93.

3 Q Mr. Wilfred testified -- from the Senate

4 Intelligence Committee testified in the Senate that he had
5 done a report, and that it was the feeling of those who had
6 been involved in the report that Mr. Livingstone's credentials
7 were not sufficient to hold such an important office in the
8 White House.

9 Did you ever have discussions in your office about
10 concerns that you had about Mr. Livingstone's credentials in
11 his job in the Personnel Security Office?

12 A No.

13 Ms. Comstock. In the course of the pass process, there
14 were numerous extensions throughout the process of temporary
15 passes. I have a few here. I will make these part of the
16 record. This is a December 13th memo for the Secret Service
17 from White House security; subject, extension of passes. I
18 understand you were not there at that time, but this is a
19 two-page list of individuals who needed to have their passes
20 extended. Most of them were 90-day extensions. It is CGE
21 47029 through 30. Make this Exhibit 3.

22 [Undercoffer Deposition Exhibit No. 3
23 was marked for identification.]

24 BY MS. COMSTOCK:

25 Q This list appears to be extending the temporary

1 passes. There are a number of new White House staffers.
 2 Mr. Stephanopoulos is included on here, Mr. Eggleston, Ira
 3 Magaziner, many individuals who had been at the White House
 4 from January 20th forward.

5 Did you ever have any discussions about why these
 6 temporary passes continued to be extended, you know, month
 7 after month?

8 A Yes.

9 Q Did there come a time when you had meetings -- could
 10 you describe those discussions?

11 A The discussions, we knew that these lists were
 12 processed over some period of time, and when a list like this
 13 would come in, the administrative personnel would have to go
 14 into the E-PASS system and extend the pass; that because they
 15 didn't have permanent passes. I knew that they didn't have
 16 permanent passes because background investigations and
 17 requests for permanent passes had yet to be submitted to us by
 18 the administration.

19 Q In fact, when you started in '94, not too many files
 20 had probably come through to the office, had they?

21 A No.

22 Q So in '93, whoever was there, there weren't too many
 23 files going through to them; is that correct?

24 A I couldn't say. I can only tell you what I did.

25 Q Did you discuss this with your supervisor, these

46
COPY

1 extensions, while you were there?

2 A Well, there is not a lot to discuss, really. These
3 are individuals that worked at the White House and needed
4 access to the White House. We would honor the
5 administration's request to extend the passes.

6 I do know that at a certain point in time, though, there
7 were some concerns because of the amount of time, the number
8 of extensions they were given where we didn't have a chance to
9 review the backgrounds, and again from a protective concern
10 that, you know -- I don't know -- because the meetings that
11 went on to address this issue really went on at a level above
12 me.

13 Q The GAO report, White House passes, which is issued
14 in October of 1995, page 16 of the report -- I have a copy of
15 the report here. Directing your attention to page 16, it is
16 towards the bottom right above step 3. I am sorry -- the
17 middle paragraph on the page.

18 A After satisfactory or --

19 Q Yes. Towards the end of that paragraph it says, in
20 the case of an extension, the Executive Office of the
21 President requests the Secret Service to extend the temporary
22 pass. After one extension the Secret Service contacts the
23 requesting office to provide a rationale for an additional
24 extension, according to Service officials.

25 Were you aware of the Secret Service contacting the

47
COPY

1 Counsel's Office about these additional extensions to get a
2 rationale for them?

3 A There were a lot of discussions and meetings, but
4 again that was not held by myself. That was a level above
5 me.

6 Ms. Comstock. I will make page 16 of the GAO report
7 Exhibit 4.

8 [Undercoffer Deposition Exhibit No. 4
9 was marked for identification.]

10 BY MS. COMSTOCK:

11 Q At any time did anyone bring to your attention that
12 Craig Livingstone had had a criminal complaint brought against
13 him in November 1993 regarding threats to a neighbor?

14 A I wasn't aware of that.

15 Q It has recently been made public in the newspaper
16 that he had threatened to "beat your face in," he had
17 threatened a neighbor to "beat your face in" because of her
18 dog barking. Would that have been the type of material in
19 general that would have been of concern as you reviewed a
20 file, if that kind of information had been in a file, someone
21 making threats against a neighbor?

22 A Yes, it would have.

23 Q Would that have been the kind of thing that you
24 would have raised with a supervisor, that somebody had made
25 that kind of threat?