

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. paper	Neil; RE: Phone number [partial] (1 page)	n.d.	P6/b(6)
002. memo	W. Neil Eggleston to Lloyd Cutler; RE: GAO Issues - Common to all Investigations (3 pages)	06/07/1994	P5 3025

COLLECTION:

Clinton Presidential Records
Counsel's Office
Chris Cerf
OA/Box Number: 5370

FOLDER TITLE:

Travel - Thomason; Martens

Debbie Bush
2006-0946-F
db2505

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).

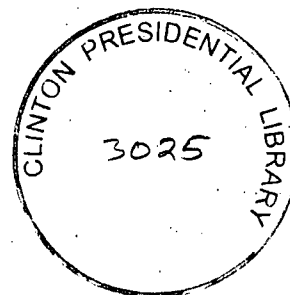
RR. Document will be reviewed upon request.

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

- b(1) National security classified information [(b)(1) of the FOIA]
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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]

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THE WHITE HOUSE
WASHINGTON



June 7, 1994

MEMORANDUM FOR LLOYD CUTLER
SPECIAL COUNSEL TO THE PRESIDENT

FROM: W. NEIL EGGLESTON *WNE*
ASSOCIATE COUNSEL TO THE PRESIDENT

RE: GAO ISSUES--COMMON TO ALL INVESTIGATIONS

In preparation for a meeting with James Hinchman, Mr. Bowsher's deputy, you should be aware of certain recurring issues in the relations between the White House and the GAO.

Many of these issues arise from a fundamental disagreement about the role of GAO in its reviews of activities at the White House. GAO understandably does not want to be caught in the middle between the Republican requesters and the Democratic White House. As a result, GAO would like to treat the White House in a routine fashion, without any accommodation for our unique circumstance. The White House, on the other hand, accurately regards the Republican-inspired GAO investigations as purely politically motivated, not an effort at good government.

Thus, for example, Mr. Clinger as the Ranking Member of the House Committee on Government Operations may write repeatedly to the White House requesting information on a certain subject; and the White House may reasonably decline to provide the information. Mr. Clinger then requests GAO to conduct an investigation into the same subject. I believe that the mere fact that Mr. Clinger has turned to the GAO as his investigators instead of his staff does not mean that we should provide more information to the GAO than we would provide to Mr. Clinger.

Over the last eight months or so that I have worked closely on GAO investigations, we have pretty much come to resolution on certain issues. This memo is an effort to apprise

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you of these issues in the event that Mr. Hinchman tries to reopen any of them.

1. GAO Access to Documents.

In several recent GAO audits, we have agreed to make space available for the GAO in the NEOB. The GAO reviews the White House material in that space and is not permitted to take documents out of the NEOB. They are permitted to take worksheets and their notes out of the building. GAO typically calls this an "access" issue; we typically call it a "location" issue.

Mr. Hinchman may explain to you that this arrangement makes GAO's job more difficult and time-consuming: for example, the auditors cannot work from their offices, and they have to take laborious notes. GAO says it is particularly difficult to have superiors review work when the underlying documents cannot be readily provided.

We recognize that this is a somewhat cumbersome process, and far from ideal from GAO's perspective. Nevertheless, it seems to be the best accommodation of GAO's investigatory needs with our legitimate concerns about controlling where our records go. In the Travel Office investigation, Rep. Clinger's staff is reviewing all of GAO's worksheets and documents. If we had provided documents directly to GAO, then Mr. Clinger's staff would be reviewing scores of documents that we would never have provided to him directly.

I think that this is a battle that the White House has already won. In my view, we need to adhere to this position.

2. Counsel's Office as the Point of Contact.

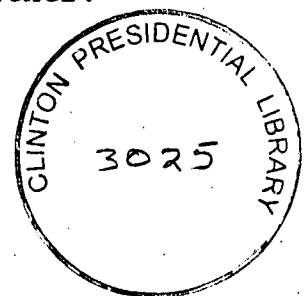
GAO would like to be able to set up interviews and review documents without the participation of Counsel's Office. They are unhappy with the current arrangement, and state that it is different from their arrangement at other agencies.

In my view, we need to treat all of these investigations with the utmost seriousness. We will lose all control if GAO is permitted to wander the halls and conduct interviews and review documents at its whim. We need to continue to insist that Counsel's Office be the point of contact. It is my understanding that Counsel's Offices in prior White Houses followed this same procedure.

3. Counsel's Office Staff at all Interviews.

This is a related issue to ¶ 2 above. Throughout the Travel Office investigation, either Cliff Sloan or I sat in on all the interviews. GAO does not like this process either.

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I think that we should continue to insist on the right to attend all interviews, as well as to insist that the interviews be scheduled in advance by Counsel's Office. On this issue as well, it is my understanding that Counsel's Offices in prior White Houses followed this same procedure.

4. Right to Review the Report.

At the conclusion of the Travel Office investigation, we agreed to a cumbersome method of review. The GAO permitted advance review, but insisted that a GAO staff member remain with any White House staff reading the report. The GAO had been heavily criticized on the Hill for permitting the White House to review and influence the conclusions of the GAO report concerning retroactive pay. To eliminate this potential source of criticism, we agreed to the GAO method.

We should try to treat this review method as an unusual case and request greater access to the report in advance of publication. I think that other agencies have had a greater opportunity to review the report and to respond formally to the GAO's conclusions.

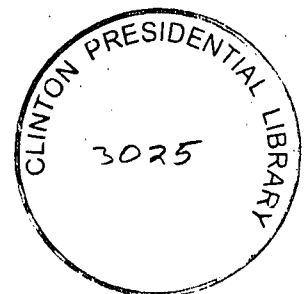
5. Need for GAO to State its Authority for an Investigation.

This issue has not been discussed between GAO and Counsel's Office, and I am less certain of its ramifications. As you know, the GAO request letters simply state the area the GAO seeks to review without any discussion of the statutory hook for the investigation. We may want to insist that GAO identify whether any particular matter is a program or activity review (31 U.S.C. § 717) or an audit (31 U.S.C. § 712), and the triggering mechanism on which GAO is relying.

One possible disadvantage to this approach is that the statute permits GAO to initiate a program and activity review on its own. As a result, this may be an entirely fruitless exercise.

W.N.E.

cc: Joel Klein
Beth Nolan
Cheryl Mills
Marvin Krislov
Chris Cerf



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Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. note	Jack Quinn to Mr. President; RE: Draft letter (1 page)	n.d.	P5 3026
001b. draft	White House Counsel to Congressman William F. Clinger, Jr. (2 pages)	02/02/1996	P5 3027
002a. draft	White House Counsel to Congressman William F. Clinger, Jr. (2 pages)	02/02/1996	P5 dup. of 3027
002b. draft	White House Counsel to Congressman William F. Clinger, Jr. (2 pages)	02/02/1996	P5 dup. of 3027

COLLECTION:

Clinton Presidential Records
Counsel's Office
Beth Nolan
OA/Box Number: 23479

FOLDER TITLE:

Bennett Correspondence - Travel Office 1996

Debbie Bush
2006-0946-F
db2523

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]
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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)]

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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]

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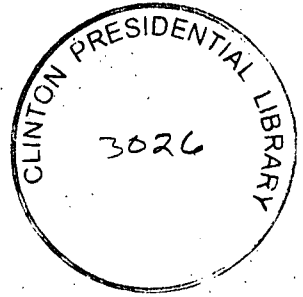
THE WHITE HOUSE

Mr. President:

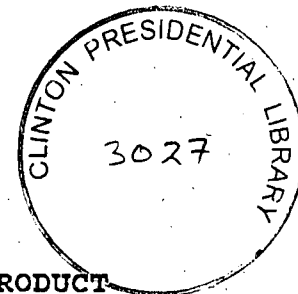
I received the attached draft letter from Bob Bennett today. He suggests that we write to Clinger in response to Clinger's letter to you of today (also attached).

All of us working on this matter think we should not write to Clinger again. Recall that I wrote to him yesterday saying "enough is enough." (My letter is attached.) There is nothing to be gained for you in our keeping this story going for a few more days.


Jack Quinn



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~~PRIVILEGED AND CONFIDENTIAL~~
SUBJECT TO THE ATTORNEY WORK PRODUCT
AND ATTORNEY-CLIENT PRIVILEGES

D R A F T

February 2, 1996

Congressman William F. Clinger, Jr.
Committee on Government Reform and Oversight
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, DC 20515

Dear Congressman Clinger:

The President has asked me to respond on his behalf to your letter of February 1, 1996.

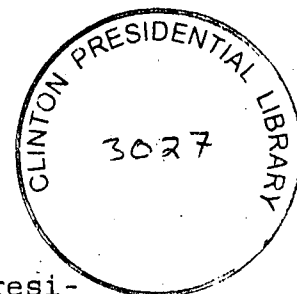
The President sees nothing inappropriate about Mr. Bennett's remarks in the Wall Street Journal or his earlier televised comments and does not view them as an attack on Mr. Dale. They are nothing more than an appropriate response to those who are using the acquittal to unfairly criticize the career professionals at the Department of Justice and others in the Administration.

Mr. Bennett has the full support and confidence of the President and he does not understand what legitimate Congressional purpose is served by your attempt to

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DETERMINED TO BE AN
ADMINISTRATIVE MARKING
INITIALS: PS DATE: 4/25/12
2006-0946-F

Congressman Clinger
February 2, 1996
Page 2



publicly discredit him or to criticize him to the President.

As to the payment of Mr. Dale's legal fees, the President is willing to consider any appropriate legislation in this regard.

Respectfully,

White House Counsel

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. form	David Craig Livingstone; RE: Security Determination (1 page)	12/14/1995	P6/b(6)
001b. report	RE: Event Report Montgomery County, Maryland Department of Police (2 pages)	11/07/1993	P6/b(6)
002. memo	Jack Quinn to Leon Panetta; RE: White House Office of Personnel Security (2 pages)	06/18/1996	P5 3028
003. profile	Charles C. Easley; RE: DOB and POB [partial] (1 page)	n.d.	P6/b(6)
004. list	RE: Executive Office of the President Clearance Process (1 page)	n.d.	b(2)
005. memo	Vincent W. Foster, William H. Kennedy to All White House Office Staff [partial] (1 page)	02/17/1993	P6/b(6), b(7)(C), b(7)(F)

COLLECTION:

Clinton Presidential Records
Counsel's Office
Sally Paxton
OA/Box Number: 13001

FOLDER TITLE:

Deposition of Chuck Easley [2]

Debbie Bush
2006-0946-F
db2545

RESTRICTION CODES

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

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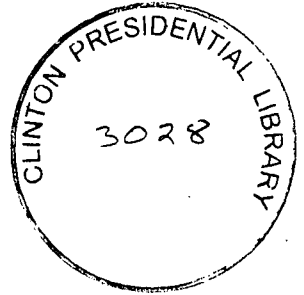
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Freedom of Information Act - [5 U.S.C. 552(b)]

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THE WHITE HOUSE
WASHINGTON



June 18, 1996

MEMORANDUM FOR LEON PANETTA
CHIEF OF STAFF

FROM: JACK QUINN
COUNSEL TO THE PRESIDENT

SUBJECT: WHITE HOUSE OFFICE OF PERSONNEL SECURITY

At present, the White House Office of Personnel Security conducts personnel security operations for the White House Office, the Office of the Vice President, the Office of Policy Development, and the Executive Residence. The Executive Office of the President (EOP) Security Office conducts personnel security functions for all other EOP offices except for the National Security Council (NSC), which conducts its own personnel security review in coordination with the White House Office of Personnel Security. Specifically, the EOP Security Office, which is part of the Human Resources Management Division of the Office of Administration, currently provides personnel security services to the following EOP agencies: Council of Economic Advisers, Council on Environmental Quality, Office of Administration, Office of Management and Budget, Office of National Drug Control Policy, Office of Science and Technology Policy, and the United States Trade Representative.

As you know from my memorandum to you of June 14, 1996, I have instituted a number of reforms to govern the procedures for White House requests to the Federal Bureau of Investigation (FBI) for background investigation material. In addition to those reforms, I recommend that the administrative personnel security functions currently performed by both the White House Office of Personnel Security and the NSC be incorporated into the EOP Security Office. In effect, this would mean that the EOP Security Office would serve on behalf of the White House in performing these functions with regard to White House Office, the Office of the Vice President, the Office of Policy Development, the Executive Residence, and NSC personnel. I believe that the reforms I instituted last week -- such as requiring the current, signed consent of the individual about whom information is sought to accompany White House requests of the FBI -- will be implemented most effectively and efficiently by merging the several existing security operations into the administrative office that currently performs security functions for the EOP.



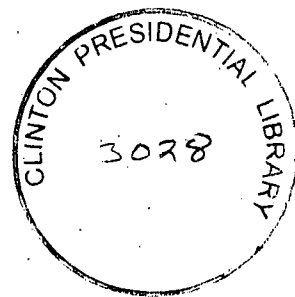
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The EOP Security Office is currently supervised by Charles "Chuck" Easley, who is a career employee hired during the Reagan Administration and who has served for ten years as the EOP Security Officer. Mr. Easley retired from the U.S. Army after 20 years. He served for 12 years as a Counterintelligence Special Agent in the Army, and for eight of those years, he served as the Technical Security Advisor to the Security Officer of the Joint Chiefs of Staff. Mr. Easley, heads a career staff at the EOP Security Office, will continue to report to the Associate Director for Human Resources Management of the Office of Administration, a career personnel specialist, who, in turn, reports to the Director of the Office of Administration.

If you approve this recommendation, the EOP Security Office will conduct its work on White House personnel in accordance with the procedures established by the Counsel to the President. As always, suitability decisions will remain the responsibility of Counsel to the President. In addition, all background investigation material regarding White House personnel will remain under the control of the Counsel to the President and will be maintained separate and apart from EOP personnel security files.

Under the new procedures I established last week, requests to the FBI for background investigation information on White House personnel will require -- in addition to the current, signed consent of the individual -- the approval of the Counsel to the President or specifically designated attorneys in the Counsel's Office. Furthermore, under the proposed plan, access to FBI background investigations would be limited to those White House and EOP employees authorized in writing by the Chief of Staff and the Counsel to the President whose assigned duties require the review or processing of such information.

Jack Quinn



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Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Jack Quinn to the President; RE: Final Determination of Executive Privilege in the Travel Office Matter (3 pages)	05/23/1996	P5 3029
002. memo	Jack Quinn to the President; RE: Executive Privilege and the Travel Office Matter (6 pages)	05/08/1996	P5 3030
003a. memo	Jack Quinn to the President; RE: Final Determination of Executive Privilege in the Travel Office Matter (3 pages)	05/21/1996	P5 3031
003b. memo	Jack Quinn to the President; RE: Executive Privilege and the Travel Office Matter (6 pages)	05/08/1996	P5 dup of 3030
004. draft	Janet Reno to the President; RE: Executive Privilege (3 pages)	05/1996	P5 3032
005. notes	Handwritten notes; RE: Clinger meeting (8 pages)	05/08	P5 3033
006. memo	TO: Jane, et al. RE: Thoughts, Requests Concerning Clinger Contempt Matter (1 page)	05/07/1996	P5 3034

COLLECTION:

Clinton Presidential Records
Counsel's Office
Sally Paxton
OA/Box Number: 13150

FOLDER TITLE:

Executive Privilege Docs - Hatch Request [1]

Debbie Bush
2006-0946-F
db2572

RESTRICTION CODES

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

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

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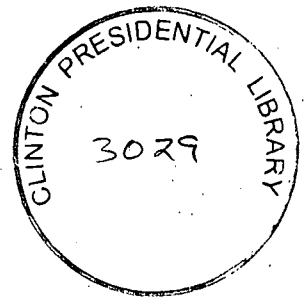
RR. Document will be reviewed upon request.

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THE WHITE HOUSE

WASHINGTON

May 23, 1996



MEMORANDUM FOR THE PRESIDENT

FROM: JACK QUINN

SUBJECT: FINAL DETERMINATION OF EXECUTIVE
PRIVILEGE IN THE TRAVEL OFFICE MATTER

I. Purpose

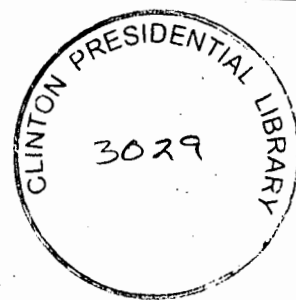
This is a follow-up to my memorandum of May 8, 1996, concerning the assertion of executive privilege over certain categories of documents that have been subpoenaed by the Committee on Government Reform and Oversight of the House of Representatives. (A copy of that memorandum is appended at Tab I for your reference.) After reviewing that memorandum, and with the advice of the Attorney General, you directed the assertion of executive privilege, on a protective basis, with respect to those categories of documents, in order to provide an opportunity for us to review the documents at issue with the Department of Justice pursuant to procedures first established in the Reagan Administration and adhered to by yours.

For the reasons described below, I now recommend that a final determination to assert executive privilege be made with respect to some, but not all, of the documents. The Attorney General's letter setting forth her position that this assertion of privilege is proper, is appended at Tab II.

II. Background

As I discussed in my earlier memorandum, in connection with its investigation of the Travel Office matter, the House Committee issued subpoenas which demanded the production of confidential documents from the files of the Office of Counsel to the President. And, as I further explained, we had anticipated that we would continue our efforts with the Committee to reach an accommodation with respect to these documents. On May 2, 1996, however, the Chairman of the Committee terminated that process and demanded immediate production of all documents responsive to his Committee's sweeping subpoenas. The Chairman informed us that if all documents were not produced on or before May 9, 1996,

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he would present a resolution to the full Committee citing me for criminal contempt of Congress.

In light of the Chairman's precipitous action, I recommended that you assert executive privilege as a protective matter with respect to the entire body of Counsel Office material that had been the subject of our accommodation efforts. You agreed and instructed me at that time to so advise the Committee. I did so and, on May 9, the Committee voted (along party lines) to refer a contempt citation to the full House of Representatives.

We have now completed our review of the documents in question in consultation with the Department of Justice. Approximately 1,000 pages are being produced to the Committee as a result of that review. The remaining documents, amounting to approximately 2,000 pages, identified on the executive privilege document index appended at Tab III, constitute confidential communications generated in the course of providing advice and assistance to you or senior White House officials with respect to ongoing congressional or Independent Counsel investigations.

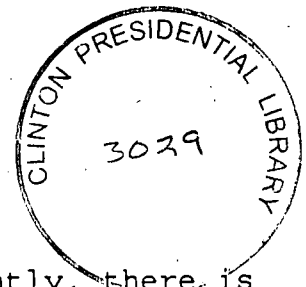
We expect a vote by the House of Representatives on the contempt resolution on next Wednesday, May 29, or shortly thereafter. A final determination as to whether to assert executive privilege with respect to these documents is required before that time because, if you do not wish to assert executive privilege, we should act on that decision in advance of the full House vote.

III. Discussion and Recommendation

In my memorandum of May 8, 1996, I outlined the factual and legal predicate for the assertion of executive privilege here. I further detailed our extensive efforts to pursue the accommodation process with the Committee and the reasons that the process failed. I believed then, as I believe now, that the Committee is not interested in compromise. The documents identified on the appended privilege index are, in my judgment, properly subject to such a claim and the Attorney General concurs in this view.

The release of these documents, I believe, would effectively chill the deliberative and analytic process which provides the basis for the provision of sound, candid, and honest legal advice to the President of the United States. I am persuaded that production of this material would substantially impair the ability of the Office of Counsel to the President to provide

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advice and assistance for years to come. Consequently, there is a compelling basis for concluding that production of these documents would frustrate your ability and that of future presidents to carry out the executive functions of Article II and would violate fundamental principles of separation of powers.

For these reasons, I recommend that you assert executive privilege with respect to each of the documents identified on the executive privilege document index and instruct me not to release the documents to the Committee. If you agree, you should so indicate below and sign the memorandum appended at Tab IV.

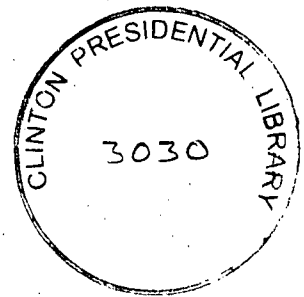
Approve _____

Disapprove _____

Discuss _____

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THE WHITE HOUSE
WASHINGTON



May 8, 1996

MEMORANDUM FOR THE PRESIDENT

FROM: - JACK QUINN J4

SUBJECT: EXECUTIVE PRIVILEGE AND THE TRAVEL OFFICE MATTER

I. Purpose

The purpose of this memorandum is to provide a basis for determining whether to assert executive privilege with respect to confidential documents that have been generated in connection with the Travel Office or related matters and reflect the internal deliberations of the White House Counsel's Office.

II. Background

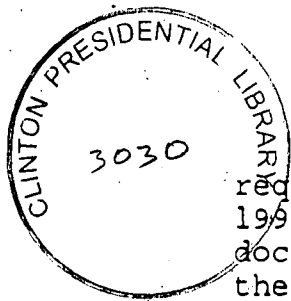
Congressman Clinger, Chairman of the House Committee on Government Reform and Oversight, has by letter dated May 2, 1996, threatened to hold me in contempt for failing to produce to the Committee certain documents responsive to the Committee's subpoena of January 11, 1996. This memorandum sets forth the history of our response to the Committee's subpoena; analyzes whether executive privilege can appropriately be asserted with respect to the documents at issue and the strength of that claim; and concludes with my recommendation that you invoke executive privilege here.

A decision in this regard is needed as soon as possible. In order to have a defense to a charge of criminal contempt, I need to communicate your decision to assert privilege by 6:00 p.m. today. Alternatively, I will need to inform the Committee that the requested documents will be produced.

III. Our Previous Responses to the Committee's Requests

The House Committee has been investigating the firing of seven employees who worked in the White House Travel Office and our compliance with the other investigations of the Travel Office matter, including the White House Management Review, the GAO investigation, the IRS investigation, the Office of Professional Responsibility inquiry, and the Public Integrity investigations of Billy Dale, Darnell Martens, and Harry Thomason.

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On June 14, 1995, the Committee served its first formal request for documents. Another request followed on September 18, 1995. Finally, a subpoena was served on January 11, 1996. The document requests have been exceedingly broad, going well beyond the Travel Office firings. For example, the requests have included matters related to the suicide of Vincent Foster and activities of Harry Thomason and Darnell Martens unrelated to the Travel Office.

In response to these broad requests, the White House has produced approximately 40,000 pages of documents. In an effort to accommodate the needs of the Committee and to cooperate fully with the investigation, the White House engaged in protracted discussions with Chairman Clinger and his staff, which resulted in the production of a substantial number of documents with respect to which confidentiality could legitimately have been claimed.

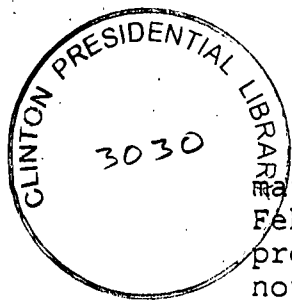
Specifically, the White House has produced (1) all primary source documents relating to the firing of the Travel Office employees; (2) all documents that were prepared in the course of the White House internal review of these events; and (3) documents that reflect the manner in which the White House responded to other investigations of these events (with the exception of the Independent Counsel investigation).

The White House has not, however, produced to the Committee other work product of the Counsel's Office -- documents that are rarely, if ever, provided to Congress because they constitute the working materials of the Counsel's office in providing legal advice to the President. The disputed documents fall in these three categories:

- (1) Counsel's Office documents relating to the ongoing grand jury investigation by the Independent Counsel;
- (2) Documents created by the Counsel's Office in connection with Congressional hearings; and
- (3) Certain confidential documents created by the Counsel's Office in order to provide legal advice to the President.

Although there may be a number of documents within these categories with respect to which we would not ordinarily assert executive privilege, the vast majority are no doubt subject to a valid claim of privilege. In some cases, it may be that only portions of documents are subject to privilege and that we will need to redact the documents accordingly. At this stage, however, we will not have the opportunity to accomplish those selections and redactions before the Committee meeting tomorrow mornin

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In an effort to resolve the dispute with respect to this material, Jane Sherburne and I met with Chairman Clinger on February 15, 1996. In the course of that meeting, we offered to provide the documents in the latter grouping, e.g., vetting notes, staff counsel meeting notes, and certain legal memoranda for in camera review. The Chairman committed to consider the proposal and respond. He did not. Rather, over two months later, he issued the threat of contempt for failure to produce all material responsive to the Committee's subpoena.

Since the May 2, 1996 letter, I have made every possible effort to engage the Chairman in the process of accommodation. I have spoken to him by telephone and twice written to ask him to work with us in a spirit of cooperation and compromise. The Chairman has rejected these overtures.

IV. Executive Privilege Analysis

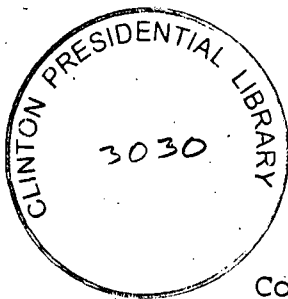
Although the Constitution nowhere explicitly provides that the Executive Branch enjoys a privilege against disclosing certain sensitive and confidential information to Congress, it has long been established that such a privilege exists and is firmly grounded in both the constitutional scheme of separation of powers and as a necessary adjunct to the responsibilities of executive power. United States v. Nixon, 418 U.S. 683, 705-6 (1974). This privilege protects from disclosure the confidential deliberations of the President's advisors, generally subsuming common law principles of attorney-client privilege and lawyers' work product. 10 Op. O.L.C. 91 (1986). It is not an absolute privilege, but requires, instead, a balancing of legitimate legislative needs with the executive's crucial interest in ensuring that the private deliberations of his advisors will not be publicly disseminated. United States v. AT&T, 551 F.2d 384 (D.C. Cir. 1976) and 567 F.2d 121 (D.C. Cir. 1977).

(a) The Scope of the Privilege

There is a presumption of confidentiality that applies to the deliberative process in the Executive Branch. This presumption is even stronger when the decisionmaking process implicates legal advice.

"The reasons for the constitutional privilege against the compelled disclosure of executive branch deliberations have special force when legal advice is involved. . . . [L]egal matters are likely to be among those on which high government officials most need, and should be encouraged to seek, objective, expert advice. As crucial as frank debate on policy matters is, 'it is even more important

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that legal advice be candid, objective, and even blunt or harsh . . . where necessary.'" 10 Op. O.L.C. 91 (1986) (citations omitted).

Congress may overcome the presumption of privilege with a "strong showing of need" and a showing that "access to the privileged communications is critical to the responsible fulfillment of [Congress's] constitutional functions." 6 Op. O.L.C. at 484. In other words, Congress must show that the subpoenaed documents are "demonstrably critical" to the performance of their legislative obligations. Senate Select Committee on Presidential Campaign Activities v. Nixon, 498 F.2d 725 at 731 (D.C. 1974).

Such a showing is rather difficult to satisfy in the context of Congressional oversight, as opposed to legislative, investigations. See 9 Op. O.L.C. 71 (1985); 5 Op. O.L.C. 27 (1981) at 30. Moreover, "Congress' power of inquiry must not be permitted to negate the President's constitutional responsibility for managing and controlling affairs committed to the Executive Branch." 9 Op. O.L.C. 71. Indeed,

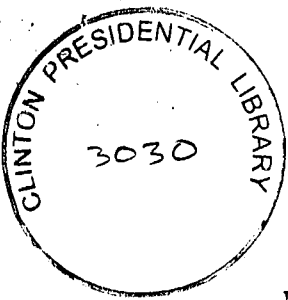
"[T]he congressional oversight interest will support a demand for predecisional, deliberative documents in the possession of the Executive Branch only in the most unusual circumstances." 5 Op. O.L.C. 27.

(b) The Accommodation Process

In order to balance the executive's strong interest in confidentiality with the Congressional need for information, the Courts have required an "accommodation process." United States v. AT&T, 567 F.2d 121, 127 (D.C. Cir. 1977). This process should not be just a test of relative political strength. "It is an obligation of each branch to make a principled effort to acknowledge, and if possible to meet, the legitimate needs of the other branch." 5 Op. O.L.C. 27, 31 (1981).

We have previously engaged in this accommodation process with the Committee. Last fall, we met with the Committee staff and reached certain agreements. And, since February my several offers of compromise as to the present demands of the Committee, have been precisely calculated to accomplish further accommodation. But Chairman Clinger has shown little interest in a compromise; rather, he has insisted on having each and every document within this Office that might remotely be of interest regardless of its relevance or confidentiality.

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V. The Basis for Executive Privilege Here

Under the principles articulated above, there is a strong basis for assertion of executive privilege with respect to the work product material at issue in the Travel Office proceeding.

First, many of the documents sought reflect the process pursued by the White House Counsel's office in responding to the Independent Counsel and to Congress itself. Others represent pure legal analysis or legal efforts that are at the core of the functioning of the Office. Compelling disclosure of this kind of material would significantly interfere with the ability of lawyers now and in the future to give "candid, objective or even blunt or harsh advice" to the President. 10 Op. O.L.C. 91.

Second, the Committee has not articulated any specific -- much less compelling -- need for the documents. At best, the Committee is exercising its legitimate oversight authority. This generalized need in the context of an oversight inquiry, however, cannot overcome the specific interest the President has in protecting this kind of confidential material from disclosure.

Third, the Committee has declined thus far to participate in the accommodation process with respect to its request for these materials. While the White House has produced extensive confidential material in response to the Committee's demands, and has offered further compromises with respect to additional documents, the Committee has made no reasonable effort to consider the White House's proposal or to provide any compromise proposals of its own.

Finally, the claim of executive privilege here would cover significantly more material than is usually at issue. This results from the far reaching and unprecedented request of the Committee. Consequently, we are working with the Department of Justice to make every effort to narrow the documents for which privilege needs to be asserted.

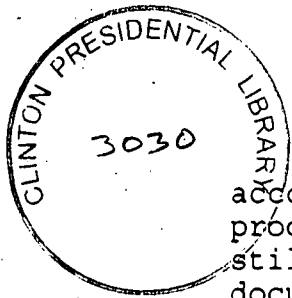
VI. Options and Recommendation

Given the posture of the Committee, there are two options:

1. You direct me to assert executive privilege with respect to all of these documents as a protective measure until we can narrow them down to a core group with respect to which the privilege would finally be asserted; or

2. We produce all of the documents to the Committee.

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Since the Committee is not prepared to engage in the accommodation process, we do not appear to have the option of producing selectively some of the documents. To do so would still leave us with the need either to turn over the remaining documents or to claim privilege.

I recommend that you instruct me to assert the privilege. I do not make this recommendation in order to uphold general principles of confidentiality of lawyers' work product. Rather, and most significantly, I believe that the Committee's request so fundamentally and unreasonably invades the workings of the White House Counsel's Office that it will cripple the ability of the office to provide you with legal advice now and in the future. Incidentally, I fear that production of this material may inevitably prolong, rather than bring a close to, the Travel Office proceedings. Although the documents, in fact, contain essentially no new information, with additional material, the Committee will argue that it needs more depositions, more hearing time, and further investigation with the "newly acquired evidence." It is these reasons, not an abstract commitment to the attorney-client privilege, that drives my recommendation here.

Approve _____

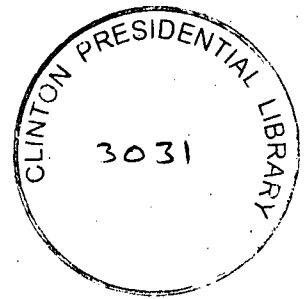
I direct you to assert executive privilege with respect to those documents in the categories identified on page two. Continue to work with the Department of Justice in an effort to narrow the breadth of our claim to the extent possible. This is a protective assertion of executive privilege designed to ensure my ability to make a final decision, in consultation with the Attorney General, as to which documents are deserving of a claim of executive privilege.

Disapprove _____

I will not invoke executive privilege.

Discuss _____

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May 21, 1996

MEMORANDUM FOR THE PRESIDENT

FROM: JACK QUINN

SUBJECT: FINAL DETERMINATION OF EXECUTIVE
PRIVILEGE IN THE TRAVEL OFFICE MATTER

I. Purpose

This is an update to my memorandum of May 8, 1996, concerning the assertion of executive privilege over certain categories of documents that have been subpoenaed by the Committee on Government Reform and Oversight of the House of Representatives.¹ After reviewing that memorandum, and with the advice of the Attorney General, you directed the assertion of executive privilege, on a protective basis, with respect to those categories of documents, in order to provide an opportunity for us to review the documents at issue with the Department of Justice pursuant to procedures established in the Reagan Administration.

For the reasons described below, I now recommend that a final determination to assert executive privilege be made with respect to some, but not all, of the documents.

II. Background

As I discussed in my earlier memorandum, in connection with its investigation of the Travel Office matter, the Committee issued a subpoena which required that the White House produce confidential documents from the files of the Office of Counsel to the President. As I further explained, we had anticipated that we would continue to pursue an accommodation process with respect to these documents. On May 2, 1996, however, the Chairman of the Committee terminated that process and demanded immediate production of all documents captured in the sweep of his Committee's subpoena. The Chairman informed us that if all documents were not produced on or before May 9, 1996, he would

¹ A copy of that memorandum is appended at Tab I for your reference.

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present a resolution to the full Committee citing me for criminal contempt of Congress.

In light of the Chairman's precipitous action, I recommended that you assert executive privilege as a protective matter with respect to the entire body of Counsel Office material that had been the subject of our accommodation efforts. You instructed me at that time to so advise the Committee and I did so.

We have now completed our review of the documents in consultation with the Department of Justice. Approximately 1,000 pages are being produced to the Committee as a result of that consultation. The remaining documents, amounting to approximately 2,000 pages, identified on the executive privilege document index appended at Tab II, constitute confidential communications generated in the course of providing advice and assistance to you or senior White House officials with respect to ongoing Congressional and/or Independent Counsel criminal investigations.

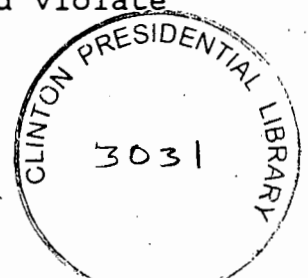
A final determination as to whether to assert executive privilege with respect to these documents needs to be made as soon as possible. We do not know when a vote by the House of Representatives on the Committee's contempt resolution will occur, but it could be imminent. A decision is therefore required promptly because, if you do not wish to assert executive privilege, we should act on that decision before the House votes on the contempt resolution.

III. Discussion and Recommendation

In my memorandum of May 8, 1996, I outlined the factual and legal predicate for the assertion of executive privilege here. I further detailed our extensive efforts to pursue the accommodation process with the Committee and the reasons that the process failed. I believed then, as I believe now, that the Committee is not interested in compromise. The documents identified on the appended privilege index are, in my judgment, properly subject to such a claim. The Attorney General concurs in this view.

The release of these documents, I believe, would effectively chill the deliberative and analytic process which provides the basis for the provision of sound, candid, and honest legal advice to the President of the United States. I am persuaded that production of this material would substantially impair the ability of the Office of Counsel to the President to provide advice and assistance for years to come. Consequently, there is a sound basis for concluding that production of these documents would frustrate your ability and that of future presidents to carry out the executive functions of Article II and violate fundamental principles of separation of powers.

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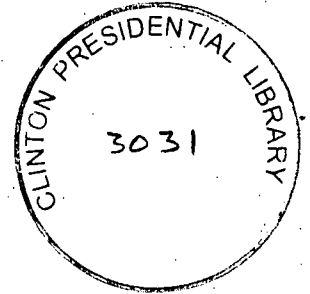


For these reasons, I recommend that you assert executive privilege with respect to each of the documents identified on the executive privilege document index and instruct me not to release the documents to the Committee. If you agree, you should so indicate below and sign the memorandum appended at Tab III.

Approve _____

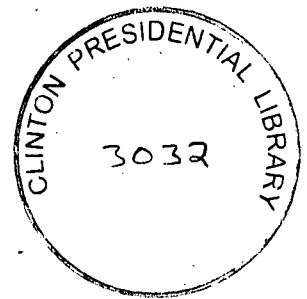
Disapprove _____

Discuss _____



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DRAFT



May __, 1996

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

You have requested my legal advice as to whether executive privilege may properly be asserted with respect to certain confidential White House Counsel's Office documents that are responsive to a subpoena issued to the Counsel to the President by the Committee on Government Reform and Oversight of the House of Representatives. The subpoena has been issued in connection with the Committee's investigation of the White House Travel Office matter.

By letter dated May 8, 1996, I advised you that, based on the circumstances described in that letter,

executive privilege may properly be asserted with respect to the entire set of White House Counsel's Office documents currently being withheld from the Committee, pending a final Presidential decision on the matter. This would be a protective assertion of executive privilege designed to ensure your ability to make a final decision, after consultation with the Attorney General, as to which specific documents are deserving of a conclusive claim of executive privilege.

The Counsel to the President has now identified the specific White House Counsel's Office documents with respect to which he requests that you assert executive privilege. The documents are identified on a privilege log attached to his memorandum to you dated May __, 1996. His memorandum to you of May 8, 1996 describes the efforts the White House has made to accommodate the Committee's information needs.

The Office of Legal Counsel of the Department of Justice has reviewed the documents for which assertion of executive privilege has been requested and is satisfied that they fall within the scope of executive privilege. I concur in that assessment.

05/21/96 (Tuesday) 5:55pm

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The documents are in three categories. Most of the documents are analytical material or other attorney work-product prepared by the White House Counsel's Office in response to the ongoing investigation by the Committee. A second category consists of similar material prepared in connection with or part of the ongoing criminal investigation by Independent Counsel Kenneth Starr. Finally, a small number of documents are analytical documents that do not concern either the Travel Office matter or these investigations, and which were prepared by the Counsel's Office in order to provide legal advice within the White House.

The Counsel to the President is appropriately concerned that the Committee's demand raises significant separation of powers concerns and that compliance with it would compromise the ability of his Office to advise and assist the President in connection with the pending Committee and Independent Counsel investigations. It would also have a chilling effect on the Office's discharge of its responsibilities in future congressional investigations, and in all of its other areas of responsibility. I agree that the ability of the White House Counsel's Office to serve the President would be significantly impaired if the confidentiality of its communications and work-product is not protected, especially where the confidential documents are prepared in order to assist the President and his staff in responding to an investigation by the entity seeking the documents.

The Supreme Court has expressly (and unanimously) recognized that the Constitution gives the President the power to protect the confidentiality of White House communications. This power is rooted in the "need for protection of communications between high Government officials and those who advise and assist them in the performance of their manifold duties." United States v. Nixon, 418 U.S. 683, 705 (1974). "A President and those who assist him must be free to explore alternatives in the process of shaping policies and making decisions and to do so in a way many would be unwilling to express except privately." Id. at 708. Executive privilege applies to these White House Counsel's Office documents because of their deliberative nature, and because they fall within the scope of the attorney-client privilege and the work-product doctrine, see Upjohn Co. v. United States, 449 U.S. 383 (1981); Hickman v. Taylor, 329 U.S. 495 (1947). Both the attorney-client privilege and the work-product doctrine are subsumed under executive privilege. See Response to Congressional Requests for Information Regarding Decisions made Under the Independent Counsel Act, 10 Op. O.L.C. 68, 78 & n.17 (1986); Confidentiality of the Attorney General's Communications in Counseling the President, 6 Op. O.L.C. 481, 490 & n.17, 494 & n.24 (1982).



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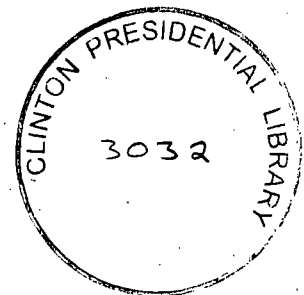
Under controlling case law, in order to justify a demand for confidential White House documents, a committee is required to demonstrate that the information sought is "demonstrably critical to the responsible fulfillment of the Committee's functions." Senate Select Committee on Presidential Campaign Activities v. Nixon, 498 F.2d 725, 731 (D.C. Cir. 1974) (en banc). And those functions must be in furtherance of legitimate legislative responsibilities of Congress. See McGrain v. Daugherty, 273 U.S. 135, 160 (1927) (Congress has oversight authority "to enable it efficiently to exercise a legislative function belonging to it under the Constitution"); Barenblatt v. United States, 360 U.S. 109, 111 (1959) ("Congress may only investigate into those areas in which it may potentially legislate or appropriate").

The confidential White House Counsel's Office documents for which privilege would be asserted are not contemporaneous documents concerning the White House Travel Office matter being investigated by the Committee, or even documents generated as part of the White House review of that matter, but rather were created in connection with other matters or the response of the White House to subsequent investigations of the Travel Office and other matters by the Committee and the Independent Counsel. Whatever may be the extent of Congress' authority to conduct oversight of the executive branch's response to oversight -- a question that must be viewed as unresolved as a matter of law in light of the requirement that there be a nexus to Congress' legislative authority -- it is clear that congressional needs for information in that context will weigh substantially less in the constitutional balancing than a specific need in connection with the consideration of legislation. As for documents concerning the White House response to an ongoing criminal investigation by an Independent Counsel, we can identify little, if any, legitimate legislative need for such information. In sum, conducting the balancing required by the case law, see Senate Select Committee, 498 F.2d at 729-30; United States v. Nixon, 418 U.S. at 706-07, I do not believe that access to these documents would be held by the courts to be "demonstrably critical to the responsible fulfillment of the Committee's functions." Senate Select Committee, 498 F.2d at 731.

In conclusion, it is my legal judgment that executive privilege may properly be asserted in response to the Committee's subpoena.

Sincerely,

Janet Reno
Attorney General



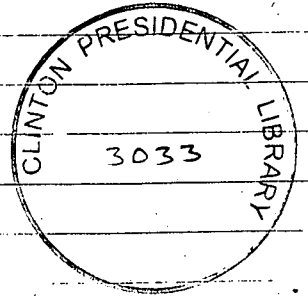
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5/8 Clinger mtg

File To / Doc Reg.

BC

Prepared to vote Resolution
substantive



Subpoena valid
legitimate right to see all
documentation requested

main thing → let a privilege log
don't know what is withheld
in dark

IF going to have session tomorrow
= need claim

CC

Continue to work together
settle in amicable way

JQ

points - no dwell on past
lower level of violence, name calling
- one difficulty → breath taking
sweep of subpoena & unavailability
ness to get it down to something
we can get arms around.

Communications w/ members of minority
heard not interested

BC

you're right. Not interested. But
want list.

JQ

better way to proceed → focus subpoena

not interested in matters related to CC
investigation

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BC -

wouldn't be right to say not
interested in any but may
be some

JQ

maybe can close the gaps.

want accommodation

accusing me of crime. contempt
will not get you a single doc
no mechanisms in crime contempt
scheme for resolution of doc matters

idea of pursuing in civil context

BC

That District Judge & I killed abt
but assumed by several not other

JQ

Ted Olson opinion
unfairness
Dellinger

civil enforcement would resolve
disputed -- get you documents if
entitled

B2

Senate has a statute

VOTE

JQ

Heard you emphasize importance of
list.

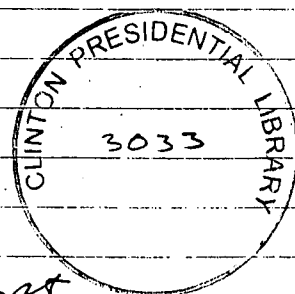
BC

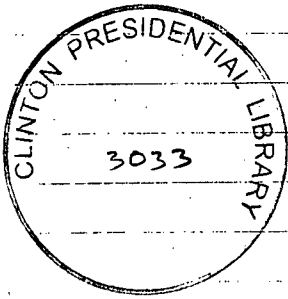
Given us categories but still don't know
what talking abt.

JQ

Can do better. If make progress today
can. ⁱⁿ category date author
wld help source of what we've got.

COPY





tempt to have conversation about what
want / don't want.

Heard you say conf. by prep mat'l
may have put together -- eg. meeting
for unanimity

BC

One hearing we've held - not
interested.

Are interested in ways gaining system
cover up.

JA Let's talk about that.

want to give what need re gaining
system, coming to

Different from it I set in other
a kind of things that might
come up -- not gaining system,
coming to.

Ways to talk re notes more reflect
what outside re strategies / objects
for presentation of to you and.

If define in fashion get, what want.
Doesn't get more intensive start goes
to my thought process.

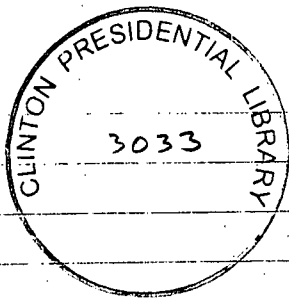
If cut that way prepared to
get you material.

But's related to our prep for you to working
time. You said we want to have
anyone if my other engaged in
wrong way cover up

BC

all hugs.

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notes means up come people in
my office had regarding strategies/
communications re presentation
of evidence.

B² Can it reveal info learned from
Dep.

Did codon of conversations
w/ members? But if had
conversations.

If sitting at desk deciding what
kind of response to give to our
subject & thinking abt cover up
would be relevant.

C² Question not one that you want.
Things that deal w/ FBS / IRS.
Can give you those things.
Give list for you to choose.

BC Jack knows kinds of things
interested in.

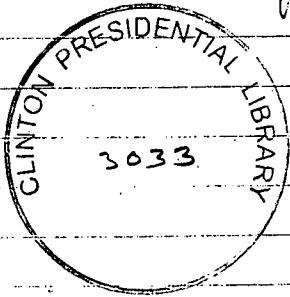
JA DK have interest in LK going
but if do, better have warned
if cause going to ~~do~~ lose. Can it
but my want all CO file
to see if wrong doing.

Jack IRS give
FBI give
Category 3 give access
to review

Whomever designated - give you access.

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This wholly unfounded, then suborned
perjury, engaged in cover up



definitely would not get it
w/ communications etc -- litany,
excluding outside people.

1st strategy

Good for the way to decide what you
say you interested in from what we
understand to protect

Prepared to give ① + log.
and if you 2-3 weeks ago what a
log want further info.

> That point if as result of decisions
29th November, not resolved then
you proceed to take civil and police
enforcement action.

BC log will give us assert claim of EP.
Clinton does endorse.
Dialogue

UQ we will give list, then have dialogue.
Try to come to ~~some~~ final
resolution.

BC Trying to final resolution tomorrow.

UQ If all you want is political gain do it.
what happen Bushman.

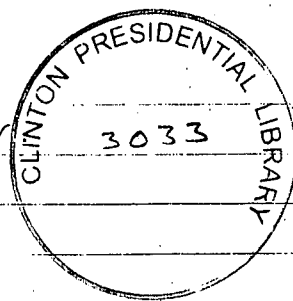
B2 Dialogue us to USAty

C2 Just asking in time to work this out

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JY

Going beyond letters now



Give access to 1.
Do a log.

JQ - I know I get asked for anything.

KS log exist?

JQ Asked for working files. Gather working files. Letter accurate. Says what's there.

BC Hard to know what we want w/out log.

JQ Opened log.
Opened 1
Opened what code testing.

BC Is broad -- all encompassing.
You say not valid.

JQ Not an invalid subpoena. But request things covered by principles of EP.

JY Really a Q of trying to complete EP. What I all lay out could do. +. Willing to catalogue all files on my desk. V. and this offer as way of wrapping up.

KS Inspiration 3 yrs, 3 mos. ^{1st letter}

JQ. 90 minutes end of Feb. Good final offer.

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- nothing.

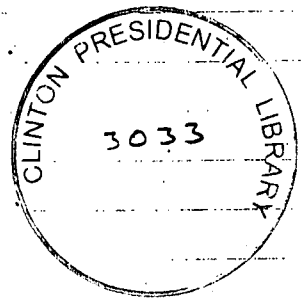
TQ - discussion was need a global deal. All 8 said don't want 6 terms^{still} in dispute while giving up others.

BC - did give HRC more time
did agree to rolling production

JQ - penalized for rolling production.

JY - moved well beyond Feb.

BC - have to weigh.
Could always go forward
Offered mechanism.



B2 - Been advised not available.
Unless pass statute.

C2 - why not put off. Is there a reason.
Good faith effort.

TD - Rome not built in a day.

BC - can I give info by tomorrow a.m.

B2 - could always vote tomorrow
but hold sending to floor

JY - once we go through tomorrow, will
make everything by diff. to resolve

B2 - wouldn't tradition have required
EP log in January

JQ

no. not entitled to log of everyone
do in C... to let happen.
at least sit here in evening when

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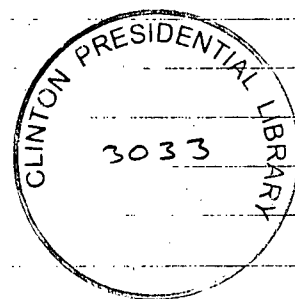
BC clearly felt has been stone-walling
and resistance

JG clearly impossible precision
of my view
inartfully drafted

DS quickly take look at log and resolve

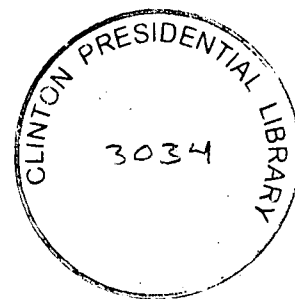
C2 Been here for hour. Get sense not
well received. Don't know what
else can do.

BC will consider. Not convinced civil
thing helpful. Be in touch
later this afternoon.



COPY

Tuesday -- 9:00 a.m.



TO: Jane, Wendy, Sally, David, Jon, Mark

RE: Thoughts, Requests Concerning Clinger Contempt Matter

1. David, could you put together a couple of paragraphs on the availability of civil enforcement proceedings as an alternative to a criminal contempt citation? See p. 137 of Olson. This is clearly the way for them (and us) to go: the criminal contempt route might dead end at the US Atty; a civil enforcement proceeding would ensure ultimate judicial resolution of the matter.
2. Wendy/Jon, this (civil) approach should be included as a talking point in the outline for the meeting with Committee Dems -- assuming the research bears it out.
3. Jon, as you recall, Barney raised the possibility of introducing a privileged motion on our side, calling for the Clinger staff to disgorge all of its notes, memos etc. If introduced before the Committee reports a contempt resolution, we could apparently have our debated first on the House floor. How do we get this moving? Should I call Tom O'Donnell? Should we discuss it with the Ds today?
4. Jane, do you think there is any chance of getting, perhaps via Lloyd, the support of people like Culvahouse and Fielding as well as past Dem WH counsels for the proposition that our work product should be off limits? Should I call Lloyd? Do you want to?
5. Mark, we need to be thinking about how to explain this confrontation in the best way possible for the press, public. We need to avoid an echo of the Kennedy notes. Something playing off sep of powers notion, Can you give that some thought?

COPY

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. note	Wendy to Jack; RE: Billy Dale (1 page) ✓	06/14/1996	P5 3035
002a. note	Wendy to Jack; RE: Billy Dale (1 page) ✓	06/14/1996	P5 dup of 3035
002b. note	Jane to Jack (1 page) ✓	06/12/1996	P5 3036
003. note	Wendy to Jack; RE: Billy Dale (1 page) ✓	06/14/1996	P5 3037
004. note	Jane to Jack (1 page) ✓	06/12/1996	P5 Dup 3036
005. note	Wendy to Jack; RE: Billy Dale (1 page) ✓	06/14/1996	P5 Dup 3035
006. note	TO: Jack; RE: Billy Dale (2 pages) ✓	06/24/1996	P5 3038
007. paper	From: Janet Reno; RE: Executive Privilege (2 pages) ✓	n.d.	P5 3039
008a. letter	Jack Quinn to the President; RE: Executive Privilege (1 page)	05/23/1996	P5, P6/b(6)
008b. memo	Jack Quinn to the President; RE: Final Determination of Executive Privilege in the Travel Office Matter (3 pages) ✓	05/23/1996	P5 Dup 3029
008c. memo	Jack Quinn to the President; RE: Executive Privilege and the Travel Office Matter (6 pages) ✓	05/08/1996	P5 Dup of 3030
008d. letter	Janet Reno to the President; RE: Executive Privilege (1 page) ✓	05/08/1996	P5 3040

COLLECTION:

Clinton Presidential Records
Counsel's Office
Sally Paxton
OA/Box Number: 13150

FOLDER TITLE:

Executive Privilege Docs - Hatch Request [2]

Debbie Bush
2006-0946-F
db2573

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]

COPY

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
008e. letter	Janet Reno to the President; RE: Executive Privilege (3 pages) ✓	05/23/1996	P5 Dup 3041
009a. letter	Jack Quinn to the President; RE: Executive Privilege (1 page)	05/23/1996	P5, P6/b(6)
009b. memo	Jack Quinn to the President; RE: Final Determination of Executive Privilege in the Travel Office Matter (3 pages) ✓	05/23/1996	P5 Dup 3029
009c. memo	Jack Quinn to the President; RE: Executive Privilege and the Travel Office Matter (6 pages) ✓	05/08/1996	P5 Dup 3030
009d. letter	Janet Reno to the President; RE: Executive Privilege (1 page) ✓	05/08/1996	P5 dup. of 3040
009e. letter	Janet Reno to the President; RE: Executive Privilege (3 pages) ✓	05/23/1996	P5 3041
010. memo	Jack Quinn to the President; RE: Final Determination of Executive Privilege in the Travel Office Matter (3 pages) ✓	05/23/1996	P5 Dup 3029
011. draft	Janet Reno to the President; RE: Executive Privilege (3 pages) ✓	n.d.	P5 Dup 3040
012a. memo	Jack Quinn to the President; RE: Final Determination of Executive Privilege in the Travel Office Matter (3 pages) ✓	05/21/1996	P5 Dup 3031
012b. memo	Jack Quinn to the President; RE: Executive Privilege and the Travel Office Matter (6 pages) ✓	05/08/1996	P5 Dup 3030

COLLECTION:

Clinton Presidential Records
Counsel's Office
Sally Paxton
OA/Box Number: 13150

FOLDER TITLE:

Executive Privilege Docs - Hatch Request [2]

Debbie Bush
2006-0946-F
db2573

RESTRICTION CODES

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

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

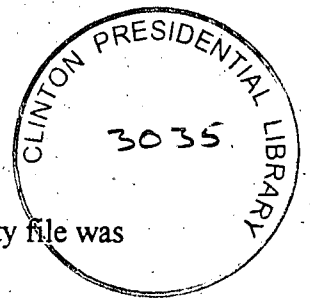
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- C. Closed in accordance with restrictions contained in donor's deed of gift.
- PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).
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COPY

June 14, 1996



Jack:

I am writing in response to Jane's note to you about why Billy Dale's security file was singled out for production. The answer is two-fold.

First, I arrived at the White House on February 14, 1996 -- less than 2 weeks before the date set for production of documents responsive to the January subpoena. Natalie was leaving and I learned what I could from her before I left. She told me that if we ever produced Billy Dale's personnel file to call Craig Livingstone for the personnel file he had for Billy Dale. I also understood from the preparation work for the meeting on Feb. 15 with Chairman Clinger that the personnel file was offered for in camera review for "privacy" reasons. Accordingly, in the White House Feb. 26 response to the subpoena -- I specifically wrote, in response to No. 29, that we were not producing Billy Dale's file to accommodate these privacy concerns. No one suggested to me then (or now) that there were any other such responsive files. If there were, they should have been identified to me in February so I could have referred to them in my response to Clinger.

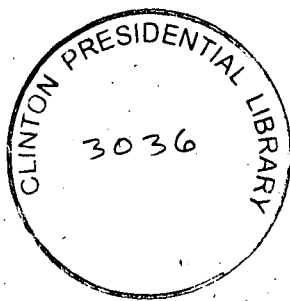
Second, Billy Dale's file was produced pursuant to No. 29 which called for all records relating to Billy Dale. The only other such broad request in the subpoena concerns Harry Thomason. So the only other possible file that would have been caught was his. I have no idea whether or not there is such a file. I understood, however, that we were reading this request as limited to Harry Thomason's activities in the White House -- so it is possible that a decision was made that his background file was not responsive.

Finally, I should add that, although I believe we were required to produce the Billy Dale file pursuant to the subpoena, it was not my decision to do so. The reason articulated to me for not producing it earlier was the Privacy Act concern - although the Act does not cover the White House and, of course, has a specific exemption for disclosure of files to the Senate or House. Whenever we discussed production of the personnel file -- a "Category 3 record" -- the consensus was that we would give it to the Committee together with the rest of this material.

Wendy

cc: Jane

COPY



June 12, 1996

Scanned
note

Jack --

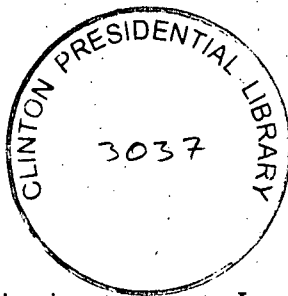
I was calling yesterday on the following points:

1. Cardiss Collins is scheduling a meeting with the small group of Committee members we discussed for 3:30 p.m. tomorrow.
2. Apropos of Wendy's research that led her to conclude that we had no basis for withholding the Billy Dale file from the Clinger Committee, we ought to get ready to respond to questions about why we have never produced such files before and whether the White House has ever had such records for Harry Thomason and others identified in the subpoena and, if so, why we singled out Billy Dale's for production to the Committee. Do you want to discuss with Wendy?
3. What is the status of the Gemmell memo review?

Jane

Ku/Wendy
ef's discuss
JR

COPY



June 14, 1996

which is a
defined term,
according to
Mary Beck.

Jack:

I am writing in response to Jane's note to you about why Billy Dale's security file was singled out for production. The answer is two-fold.

the FBI file is not an
"Official Personnel File"

First, I arrived at the White House on February 14, 1996 -- less than 2 weeks before the date set for production of documents responsive to the January subpoena. Natalie was leaving and I learned what I could from her before I left. She told me that if we ever produced Billy Dale's personnel file to call Craig Livingstone for the personnel file he had for Billy Dale. I also understood from the preparation work for the meeting on Feb. 15 with Chairman Clinger that the personnel file was offered for in camera review for "privacy" reasons. Accordingly, in the White House Feb. 26 response to the subpoena -- I specifically wrote, in response to No. 29, that we were not producing Billy Dale's file to accommodate these privacy concerns. No one suggested to me then (or now) that there were any other such responsive files. If there were, they should have been identified to me in February so I could have referred to them in my response to Clinger.

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it was never discussed; no one
knew of
that the
FBI file
was
being
produced
until
after it
was
gone.

Wendy

in fact, no one
saw any of the
personal files
(personnel or FBI)
before they were
produced.

Miriam and I
went through
the documents
to be produced
and it was
not included.

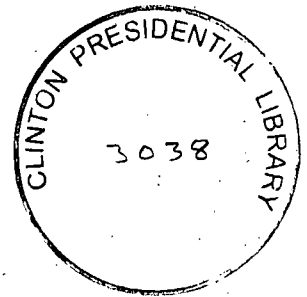
we were
complete
caught
by
surprise
and
have
been
behind
ever
since

cc: Jane

Jane -
Here are my brief
thoughts - This is my
only copy.

John
COPY

June 24, 1996



Jack --

I reviewed Wendy's June 14, 1996 memorandum describing her understanding of how we came to produce Billy Dale's FBI file to the Clinger Committee. As we now have a partial memorialization of the event it seems prudent to complete it.

In the course of gathering documents responsive to Clinger's request for all White House records related to Billy Dale, the Office of Records Management (ORM) informed Natalie Williams that they had located a file from the Office of Personnel Security (OPS) containing Billy Dale's FBI reports. Natalie declined to retrieve the file at that time (although I believe she did obtain Billy Dale's personnel file). This event is recorded in the attached communication from ORM. When Wendy took over the document collection effort related to the Clinger subpoena, I gather Natalie informed her that the FBI file existed.

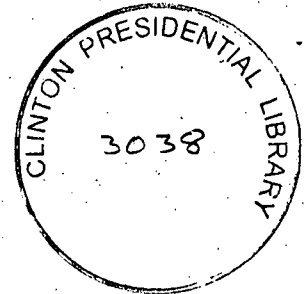
On reviewing the subpoena, I believe ORM identified Billy Dale's FBI file as responsive because Billy Dale was the only person for whom the Clinger Committee requested **any record whatsoever**. ORM would not have located FBI files for anyone else identified in the Clinger subpoena because the subpoena did not call for such files related to anyone else. For example, the records called for by the subpoena related to Harry Thomason, were limited and specifically identified personnel records. As FBI files maintained by OPS are not, by definition, "personnel records," had there been an FBI file on Thomason, it would not have been identified by ORM as responsive.

It appears that when Natalie described the "personnel files" of Billy Dale about which we raised privacy concerns with Clinger, she may have been thinking of Billy Dale's OPS FBI file, of which she had been made aware but had never seen, in addition to or as a part of his personnel file. As you know, Clinger refused to discuss a procedure for reviewing sensitive personnel material that would accommodate the privacy interests of those involved. Clinger left us with two choices -- produce the personnel material or assert executive privilege and identify the material on the index. Either action required retrieval of the document from ORM, which Wendy accomplished on May 21, 1996. Thus, the earliest anyone would have reviewed the file and appreciated the significance of its contents or observed that Billy Dale's background reports had been requested several months after his retirement was on May 21, 1996.

After obtaining the file, Wendy apparently kept it apart from the other material we decided to produce to the Committee on

COPY

May 30. Thus, Sally, Miriam and I never saw the file when each of us reviewed the box of material to be produced. Wendy is plainly correct when she recounts that we reached a consensus that we would give Billy Dale's personnel file to the Committee together with the rest of the material on May 30. However, as far as I am aware only she had reviewed the FBI file and, although she may not have realized it, the rest of us did not know that FBI material was included in what we had been describing as Billy Dale's personnel file.



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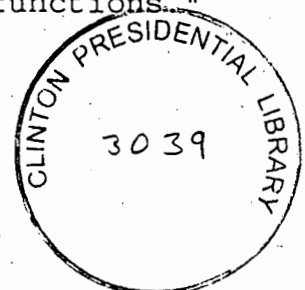
Starr. Finally, a small number of documents are analytical documents that do not concern either the Travel Office matter or these investigations, and which were prepared by the Counsel's Office in order to provide legal advice within the White House.

The Counsel to the President is appropriately concerned that the Committee's demand raises significant separation of powers concerns and that compliance with it beyond the accommodations already reached with the Committee would compromise the ability of his Office to advise and assist the President in connection with the pending Committee and Independent Counsel investigations. It would also have a chilling effect on the Office's discharge of its responsibilities in future congressional investigations, and in all of its other areas of responsibility. I agree that the ability of the White House Counsel's Office to serve the President would be significantly impaired if the confidentiality of its communications and work-product is not protected, especially where the confidential documents are prepared in order to assist the President and his staff in responding to an investigation by the entity seeking the documents. Impairing the ability of the Counsel's Office to perform its important functions for the President would in turn impair the ability of you and future Presidents to carry out your constitutional responsibilities.

The Supreme Court has expressly (and unanimously) recognized that the Constitution gives the President the power to protect the confidentiality of White House communications. This power is rooted in the "need for protection of communications between high Government officials and those who advise and assist them in the performance of their manifold duties." United States v. Nixon, 418 U.S. 683, 705 (1974). "A President and those who assist him must be free to explore alternatives in the process of shaping policies and making decisions and to do so in a way many would be unwilling to express except privately." Id. at 708. Executive privilege applies to these White House Counsel's Office documents because of their deliberative nature, and because they fall within the scope of the attorney-client privilege and the work-product doctrine, see Upjohn Co. v. United States, 449 U.S. 383 (1981); Hickman v. Taylor, 329 U.S. 495 (1947). Both the attorney-client privilege and the work-product doctrine are subsumed under executive privilege. See Response to Congressional Requests for Information Regarding Decisions made Under the Independent Counsel Act, 10 Op. O.L.C. 68, 78 & n.17 (1986); Confidentiality of the Attorney General's Communications in Counseling the President, 6 Op. O.L.C. 481, 490 & n.17, 494 & n.24 (1982).

Under controlling case law, in order to justify a demand for confidential White House documents, a committee is required to demonstrate that the information sought is "demonstrably critical to the responsible fulfillment of the Committee's functions."

- 2 -
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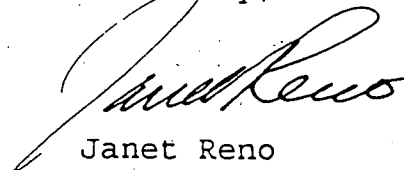


Senate Select Committee on Presidential Campaign Activities v. Nixon, 498 F.2d 725, 731 (D.C. Cir. 1974) (en banc). And those functions must be in furtherance of legitimate legislative responsibilities of Congress. See McGrain v. Daugherty, 273 U.S. 135, 160 (1927) (Congress has oversight authority "to enable it efficiently to exercise a legislative function belonging to it under the Constitution"); Barenblatt v. United States, 360 U.S. 109, 111 (1959) ("Congress may only investigate into those areas in which it may potentially legislate or appropriate").

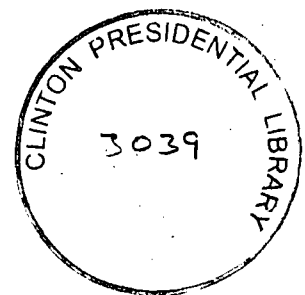
The confidential White House Counsel's Office documents for which privilege would be asserted are not contemporaneous documents concerning the White House Travel Office matter being investigated by the Committee, or even documents generated as part of the White House review of that matter, but rather were created in connection with other matters or the response of the White House to subsequent investigations of the Travel Office and other matters by the Committee and the Independent Counsel. Whatever may be the extent of Congress' authority to conduct oversight of the executive branch's response to oversight -- a question that must be viewed as unresolved as a matter of law in light of the requirement that there be a nexus to Congress' legislative authority -- it is clear that congressional needs for information in that context will weigh substantially less in the constitutional balancing than a specific need in connection with the consideration of legislation. As for documents concerning the White House response to an ongoing criminal investigation by an Independent Counsel, we can identify little, if any, legitimate legislative need for such information. In sum, based on the Office of Legal Counsel's review of the documents for which assertion of executive privilege has been requested, and conducting the balancing required by the case law, see Senate Select Committee, 498 F.2d at 729-30; United States v. Nixon, 418 U.S. at 706-07, I do not believe that access to these documents would be held by the courts to be "demonstrably critical to the responsible fulfillment of the Committee's functions." Senate Select Committee, 498 F.2d at 731.

In conclusion, it is my legal judgment that executive privilege may properly be asserted in response to the Committee's subpoenas.

Sincerely,



Janet Reno
Attorney General

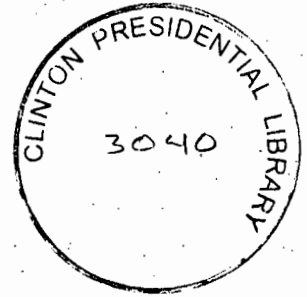


- 3 -
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Office of the Attorney General

Washington, D.C. 20530



May 8, 1996

The President
The White House
Washington, D.C. 20500

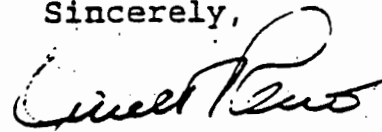
Dear Mr. President:

You have requested my legal advice as to whether executive privilege may properly be asserted in response to a subpoena issued to the Counsel to the President by the Committee on Government Reform and Oversight of the House of Representatives.

The subpoena covers a large volume of confidential White House Counsel's Office documents. The Counsel to the President notified the Chairman of the Committee today that he was invoking the procedures of the standing directive governing consideration of whether to assert executive privilege, President Reagan's memorandum of November 4, 1982, and that he specifically requested, pursuant to paragraph 5 of that directive, that the Committee hold its subpoena in abeyance pending a final Presidential decision on the matter. This request was necessitated by the deadline imposed by the Chairman, the volume of documents that must be specifically and individually reviewed for possible assertion of privilege, and the need under the directive to consult with the Attorney General, on the basis of that review, before presenting the matter to the President for a final determination. The Chairman rejected the request and indicated that he intends to proceed with a Committee vote on the contempt citation tomorrow.

Based on these circumstances, it is my legal judgment that executive privilege may properly be asserted with respect to the entire set of White House Counsel's Office documents currently being withheld from the Committee, pending a final Presidential decision on the matter. This would be a protective assertion of executive privilege designed to ensure your ability to make a final decision, after consultation with the Attorney General, as to which specific documents are deserving of a conclusive claim of executive privilege.

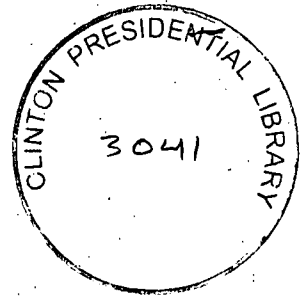
Sincerely,


Janet Reno
Attorney General

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Office of the Attorney General
Washington, D. C. 20530



May 23, 1996

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

You have requested my legal advice as to whether executive privilege may properly be asserted with respect to certain confidential White House Counsel's Office documents that are responsive to subpoenas issued by the Committee on Government Reform and Oversight of the House of Representatives. The subpoenas have been issued in connection with the Committee's investigation of the White House Travel Office matter.

By letter dated May 8, 1996, I advised you that, based on the circumstances described in that letter,

executive privilege may properly be asserted with respect to the entire set of White House Counsel's Office documents currently being withheld from the Committee, pending a final Presidential decision on the matter. This would be a protective assertion of executive privilege designed to ensure your ability to make a final decision, after consultation with the Attorney General, as to which specific documents are deserving of a conclusive claim of executive privilege.

The Counsel to the President has now identified the specific White House Counsel's Office documents with respect to which he recommends that you assert executive privilege. The documents are identified on an index of privileged documents attached to his memorandum to you dated May 23, 1996. His memorandum to you of May 8, 1996 describes the efforts the White House has made to accommodate the Committee's information needs.

The Office of Legal Counsel of the Department of Justice has reviewed the documents for which assertion of executive privilege has been recommended and is satisfied that they fall within the scope of executive privilege. I concur in that assessment.

The documents are in three categories. Most of the documents are analytical material or other attorney work-product prepared by the White House Counsel's Office in response to the ongoing investigation by the Committee. A second category consists of similar material prepared in connection with the ongoing criminal investigation by Independent Counsel Kenneth

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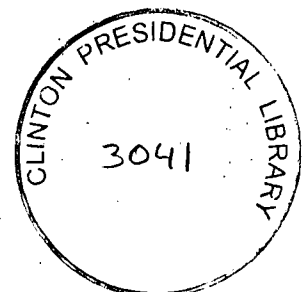
Starr. Finally, a small number of documents are analytical documents that do not concern either the Travel Office matter or these investigations, and which were prepared by the Counsel's Office in order to provide legal advice within the White House.

The Counsel to the President is appropriately concerned that the Committee's demand raises significant separation of powers concerns and that compliance with it beyond the accommodations already reached with the Committee would compromise the ability of his Office to advise and assist the President in connection with the pending Committee and Independent Counsel investigations. It would also have a chilling effect on the Office's discharge of its responsibilities in future congressional investigations, and in all of its other areas of responsibility. I agree that the ability of the White House Counsel's Office to serve the President would be significantly impaired if the confidentiality of its communications and work-product is not protected, especially where the confidential documents are prepared in order to assist the President and his staff in responding to an investigation by the entity seeking the documents. Impairing the ability of the Counsel's Office to perform its important functions for the President would in turn impair the ability of you and future Presidents to carry out your constitutional responsibilities.

The Supreme Court has expressly (and unanimously) recognized that the Constitution gives the President the power to protect the confidentiality of White House communications. This power is rooted in the "need for protection of communications between high Government officials and those who advise and assist them in the performance of their manifold duties." United States v. Nixon, 418 U.S. 683, 705 (1974). "A President and those who assist him must be free to explore alternatives in the process of shaping policies and making decisions and to do so in a way many would be unwilling to express except privately." Id. at 708. Executive privilege applies to these White House Counsel's Office documents because of their deliberative nature, and because they fall within the scope of the attorney-client privilege and the work-product doctrine, see Upjohn Co. v. United States, 449 U.S. 383 (1981); Hickman v. Taylor, 329 U.S. 495 (1947). Both the attorney-client privilege and the work-product doctrine are subsumed under executive privilege. See Response to Congressional Requests for Information Regarding Decisions made Under the Independent Counsel Act, 10 Op. O.L.C. 68, 78 & n.17 (1986); Confidentiality of the Attorney General's Communications in Counseling the President, 6 Op. O.L.C. 481, 490 & n.17, 494 & n.24 (1982).

Under controlling case law, in order to justify a demand for confidential White House documents, a committee is required to demonstrate that the information sought is "demonstrably critical to the responsible fulfillment of the Committee's functions."

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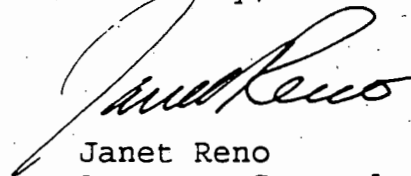


Senate Select Committee on Presidential Campaign Activities v. Nixon, 498 F.2d 725, 731 (D.C. Cir. 1974) (en banc). And those functions must be in furtherance of legitimate legislative responsibilities of Congress. See McGrain v. Daugherty, 273 U.S. 135, 160 (1927) (Congress has oversight authority "to enable it efficiently to exercise a legislative function belonging to it under the Constitution"); Barenblatt v. United States, 360 U.S. 109, 111 (1959) ("Congress may only investigate into those areas in which it may potentially legislate or appropriate").

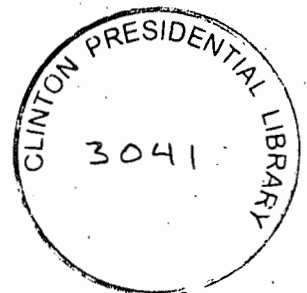
The confidential White House Counsel's Office documents for which privilege would be asserted are not contemporaneous documents concerning the White House Travel Office matter being investigated by the Committee, or even documents generated as part of the White House review of that matter, but rather were created in connection with other matters or the response of the White House to subsequent investigations of the Travel Office and other matters by the Committee and the Independent Counsel. Whatever may be the extent of Congress' authority to conduct oversight of the executive branch's response to oversight -- a question that must be viewed as unresolved as a matter of law in light of the requirement that there be a nexus to Congress' legislative authority -- it is clear that congressional needs for information in that context will weigh substantially less in the constitutional balancing than a specific need in connection with the consideration of legislation. As for documents concerning the White House response to an ongoing criminal investigation by an Independent Counsel, we can identify little, if any, legitimate legislative need for such information. In sum, based on the Office of Legal Counsel's review of the documents for which assertion of executive privilege has been requested, and conducting the balancing required by the case law, see Senate Select Committee, 498 F.2d at 729-30; United States v. Nixon, 418 U.S. at 706-07, I do not believe that access to these documents would be held by the courts to be "demonstrably critical to the responsible fulfillment of the Committee's functions." Senate Select Committee, 498 F.2d at 731.

In conclusion, it is my legal judgment that executive privilege may properly be asserted in response to the Committee's subpoenas.

Sincerely,



Janet Reno
Attorney General



COPY

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Craig Livingstone to Arnold A. Cole; RE: SSN's and DOB's [partial] (1 page)	05/19/1993	P6/b(6)
002. fax	RE: Phone number [partial] (1 page)	05/18/1993	P6/b(6)
003. memo	Bernard Nussbaum to FBI, Liaison; RE: SSN, DOB, POB and address [partial] (1 page)	03/23/1993	P6/b(6)
004. form	The White House Supplemental Information Sheet; RE: DOB, SSN, POB, address and phone number [partial] (1 page)	03/10/1993	P6/b(6)
005. note	RE: DOB and SSN [partial] (1 page)	n.d.	P6/b(6)
006. paper	Cliff to Beth; RE: A few random points (1 page)	n.d.	P5 3042
007. paper	RE: FBI [partial] (1 page)	06/17/1993	P6/b(6), b(7)(C), b(7)(F)
008. paper	RE: FBI [partial] (1 page)	06/17/1993	P6/b(6), b(7)(C), b(7)(F)
009. list	RE: Account number [partial] (1 page)	n.d.	P6/b(6)
010. diagram	RE: White House Travel Office (3 pages)	n.d.	P6/b(6), b(7)(E)
011. paper	RE: FBI [partial] (1 page)	06/22/1993	P6/b(6), b(7)(C), b(7)(F)
012. paper	RE: Account number [partial] (1 page)	n.d.	P6/b(6)

COLLECTION:

Clinton Presidential Records
Counsel's Office
Sally Paxton
OA/Box Number: 13852

FOLDER TITLE:

White House Travel Office Document Binder Volume 2 [binder] [2]

Debbie Bush
2006-0946-F
db2616

RESTRICTION CODES

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

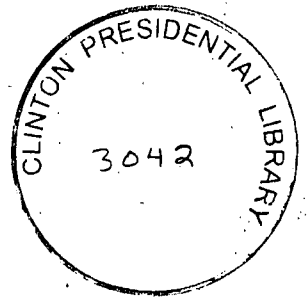
Freedom of Information Act - [5 U.S.C. 552(b)]

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]

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]

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.

COPY



T. W. B.
THE WHITE HOUSE
WASHINGTON

✓ Beth --

✓ A few random points:

(1) I spoke to Bernie. He wanted to hold up until the week of 8/30 on giving FBI HT docs and on saying anything substantive to HT lawyers re: his employment status. I've conveyed that to HT's lawyers and will try to call Pam Bombardi and give her the message. If I miss her, just tell her we've identified a couple of documents (or at least 1 doc) that may be responsive, but, because it deals with his unrelated project, it raises some issues, including relevance, that we have to consider. *OK*

(2) I'm counting on you and Todd to follow up with Roy Neel and get the ICAP memo launched. (A copy of my most recent draft, which was given to Roy, is attached). I've spoken to Roy about it and he said that he wants to send the memo but wants to change a few things. When it's ready to go, Todd should hand-walk a single copy to John Angell at OMB. Todd knows about this (but will be gone after Wed.) *OK*

(3) What do we do after Peter leaves on Thurs.
re: a system for GAO review of old docs?

-- Cliff

✓
Cliff:

I don't know. Maybe
Matt Moore (he is a
lawyer) -- is that too
close to his involvement?
(He's on leave, I leave
Thursday at the same time.
P. J. M.)

COPY

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Jack Quinn to the President; RE: Executive Privilege and the Travel Office Matter (6 pages) ✓	05/08/1996	P5 Dup 3030
002. memo	Jack Quinn to the President; RE: Executive Privilege and the Travel Office Matter (6 pages) ✓	05/08/1996	P5 Dup 3030
003. letter	Janet Reno to the President; RE: Executive Privilege (1 page) ✓	05/08/1996	P5 Dup 3040
004. memo	Jack Quinn to the President; RE: Final Determination of Executive Privilege in the Travel Office Matter (3 pages) ✓	05/23/1996	P5 Dup 3029
005. letter	Janet Reno to the President; RE: Executive Privilege (3 pages) ✓	05/23/1996	P5 Dup 3041
006. letter	Janet Reno to the President; RE: Executive Privilege (3 pages) ✓	05/23/1996	P5 Dup 3041
007a. note	Wendy to Jack (1 page) ✓	06/14/1996	P5 3043
007b. note	Jane to Jack (1 page) ✓	06/12/1996	P5 Dup 3036

COLLECTION:

Clinton Presidential Records
Counsel's Office
Shelli Peterson
OA/Box Number: 16444

FOLDER TITLE:

Travel Office Document Production [binder] [3]

Debbie Bush
2006-0946-F
db2623

RESTRICTION CODES

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

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

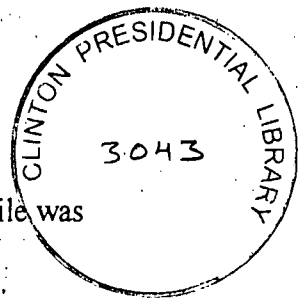
- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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- C. Closed in accordance with restrictions contained 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.

COPY

June 14, 1996



Jack:

I am writing in response to Jane's note to you about why Billy Dale's security file was singled out for production. The answer is two-fold.

First, I arrived at the White House on February 14, 1996 -- less than 2 weeks before the date set for production of documents responsive to the January subpoena. Natalie was leaving and I learned what I could from her before I left. She told me that if we ever produced Billy Dale's personnel file to call Craig Livingstone for the personnel file he had for Billy Dale. I also understood from the preparation work for the meeting on Feb. 15 with Chairman Clinger that the personnel file was offered for in camera review for "privacy" reasons. Accordingly, in the White House Feb. 26 response to the subpoena -- I specifically wrote, in response to No. 29, that we were not producing Billy Dale's file to accommodate these privacy concerns. No one suggested to me then (or now) that there were any other such responsive files. If there were, they should have been identified to me in February so I could have referred to them in my response to Clinger.

Second, Billy Dale's file was produced pursuant to No. 29 which called for all records relating to Billy Dale. The only other such broad request in the subpoena concerns Harry Thomason. So the only other possible file that would have been caught was his. I have no idea whether or not there is such a file. I understood, however, that we were reading this request as limited to Harry Thomason's activities in the White House -- so it is possible that a decision was made that his background file was not responsive.

Finally, I should add that, although I believe we were required to produce the Billy Dale file pursuant to the subpoena, it was not my decision to do so. The reason articulated to me for not producing it earlier was the Privacy Act concern - although the Act does not cover the White House and, of course, has a specific exemption for disclosure of files to the Senate or House. Whenever we discussed production of the personnel file -- a "Category 3 record" -- the consensus was that we would give it to the Committee together with the rest of this material.

Wendy

cc: Jane

From
Kathleen Wallman

COPIES TO ME

ORIGINAL TO

KATHY

put back in Travel Office binder
please.

KW

COPY

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Billy Dale to Airline of the Americas; RE: Account number [partial] (1 page)	01/27/1993	P6/b(6)
002. memo	W. Neil Eggleston, Clifford Sloan to Bernard Nussbaun; RE: Internal Revenue Service Examination (3 pages)	10/04/1993	P5 3044

COLLECTION:

Clinton Presidential Records
Counsel's Office
Cliff Sloan
OA/Box Number: 4662

FOLDER TITLE:

White House Travel Office - IRS [Folder 1] [1]

Debbie Bush
2006-0946-F
db2648

RESTRICTION CODES

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

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

- 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.

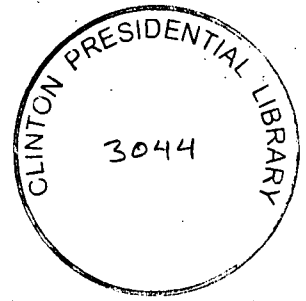
PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

- 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

THE WHITE HOUSE
WASHINGTON



October 4, 1993

MEMORANDUM FOR BERNARD W. NUSSBAUM

FROM: W. NEIL EGGLESTON
ASSOCIATE COUNSEL TO THE PRESIDENT

CLIFFORD M. SLOAN
ASSOCIATE COUNSEL TO THE PRESIDENT

RE: INTERNAL REVENUE SERVICE EXAMINATION

Three IRS revenue examiners are currently undertaking an examination into the apparent failure of the Travel Office to collect and pay the travel excise tax. They have informed us of their belief that Ultra Air did not collect or pay any excise tax when it was the charter airline. (Ultra Air was the charter airline for the vast majority of domestic flights.)

The IRS has become quite insistent that starting with the new quarter (Oct. 1, 1993), the Travel Office must begin collecting and paying the tax. The process apparently requires paying into a Federal Reserve account twice per month 10% of the amounts paid for travel. The funds in the account are then transferred to the IRS on a regular basis.

The Administration Office has sought our advice on how to proceed. Mr. Foucart anticipates that when the IRS returns to continue its review of documents on October 5, the examiners will ask him whether the Travel Office has begun to deposit the excise taxes.

PROPOSED COURSE OF ACTION:

We propose the following procedure to deal with this issue:

1. Meet with OLC or another tax expert to get a final opinion on whether the Travel Office is subject to the excise tax collection and payment obligation.

COPY

To date, we have not been entirely satisfied that OLC has reached a definitive conclusion on this issue. The tentative conclusion OLC has reached is that the Travel Office does have the obligation to collect and pay the tax. We believe that it is likely that OLC's final opinion will be the same, but at this point we cannot be certain.

We are not yet convinced that the Travel Office actually has the burden of collecting and paying the tax. When the Travel Office under Billy Dale used a charter company other than Ultra Air, the company would charge the Travel Office for the excise tax and presumably pay it to the IRS. Moreover, there may be some technical defenses to the Travel Office's actions that have not yet been explored. We might consider consulting a tax law expert for a second opinion.

We would not proceed with steps two and three of this outline until we have satisfied ourselves that the Travel Office cannot avoid collecting and paying the excise tax to the IRS.

2. Meet with the political people in the White House to discuss how to deal with the press on this issue.

If after consulting with OLC or a tax expert we agree to collect and pay the tax, any current billing for press trips will include an amount for the excise tax. The press will in all likelihood question the excise tax entry. Once told that they are now paying excise tax, they will probably inquire about the past.

The IRS has told us that we have three options: (1) pay the tax ourselves; (2) collect the tax from the press ourselves and pay it to the IRS; or (3) let the IRS collect the tax from the press. The IRS professes that it will accommodate us on any option we choose.

3. Decide how and when to inform the press about the excise tax issue, both past and future.

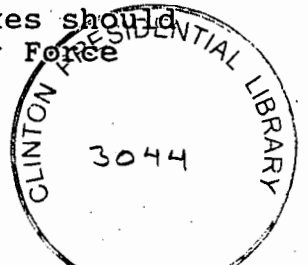
The question is whether to let the press inquire about the issue when they learn about it or to meet with the White House Correspondent's Association.

OTHER TROUBLING ISSUES:

You should also be aware that the IRS and the GAO have raised a number of other troubling issues concerning the Travel Office:

1. The IRS has questioned whether excise taxes should have been collected and paid for press travelling on Air Force

COPY



One; for staff on the press plane; and for staff on Air Force One.

2. On occasion, the Travel Office uses a Government Travel Requisition (GTR) to pay for the travel of staff on the press plane. The IRS believes that the GTR price may include the 10% excise tax. If it does, then the IRS may argue that the Travel Office should have been paying the excise tax to the IRS. Under this scenario, the Travel Office might have liability for failure to pay over taxes that it collected.

3. The GAO has begun to question whether the White House has any statutory authority to collect money from private parties and charter an airplane on their behalf. We think that it is possible that the GAO will address this issue in its final report. We may want to consider asking OLC for its opinion on this issue.

Finally, we wonder whether we should simply continue to deal with the lowest level revenue agents on this matter. It might be time to contact counsel's office at the IRS or some other authority to ensure that the revenue agents are following IRS policy. It would seem to be quite wasteful for us to continue to deal with the revenue agents if counsel's office at Headquarters were to determine that the line agents' theories were incorrect. The agents have informed us that Headquarters counsel's office is already aware of the examination. On the other hand, until the revenue agents have completed their work and issues a demand for back taxes, it is somewhat uncertain what our position would be with the higher levels within the IRS or the DOJ.

QUESTIONS PRESENTED:

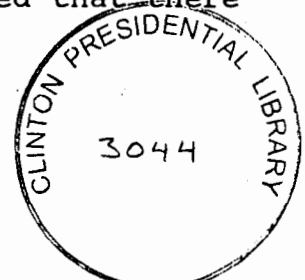
1. Should we consult with a private law firm on the excise tax issues, or should we insist that the OLC complete its review?

2. Should we contact counsel for the other charter companies that charged the Travel Office excise tax to see what their understanding was of the applicable law and the arrangement with the Travel Office?

3. Should we contact Counsel's office at the IRS or the Tax Division of the DOJ to pursue this matter at a higher level?

4. Should the Travel Office begin collecting and paying the excise tax before we have finally concluded that there is no escape from liability?

COPY



Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. note	RE: Filing Again [partial] (1 page)	07/01	P5 3045
002. note	RE: DOB and phone numbers [partial] (1 page)	n.d.	P6/b(6)
003. note	RE: Phone number [partial] (1 page)	n.d.	P6/b(6)
004. note	RE: FBI [partial] (1 page)	07/08	P6/b(6), b(7)(C), b(7)(F)

COLLECTION:

Clinton Presidential Records
Counsel's Office
Cliff Sloan
OA/Box Number: 4662

FOLDER TITLE:

[White House Travel Office Notes] [Folder 1]

Debbie Bush
2006-0946-F
db2650

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.

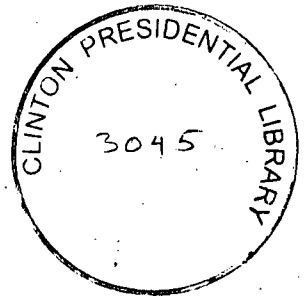
PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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



→ TT filing again

— assuming we have to file:

- ① stay silent on const. issue
- ② presume Clinton → address ~~const. issue~~ ^{new} const. issue

② Try to come up w/ good plan

— new plan Const. issue

— merit hold → make a ^{new} rule ~~off~~

③ Bar as it currently stands = unconstitutional —
old bar is unconstitutional —

— leave open to craft new policy —

Chai Feldblum : 265-6666

COPY

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. note	New Policy; RE: Attorney Work Product (2 pages) ✓	n.d.	P5 3046
002a. note	RE: Phone number [partial] (1 page)	n.d.	P6/b(6)
002b. note	RE: Phone number [partial] (1 page)	n.d.	P6/b(6)
002c. note	Bob Bucknam; RE: Phone number [partial] (1 page)	n.d.	P6/b(6)
003. phone log	RE: Phone number [partial] (1 page)	n.d.	P6/b(6)
004. phone log	RE: Phone number and personal [partial] (1 page)	n.d.	P6/b(6)
005. phone log	RE: Ty Cobb; RE: DW [partial] (1 page) ✓	08/30/1993	P5 3047
006. phone log	RE: DOB's [partial] (1 page)	08/30/1993	P6/b(6)

COLLECTION:

Clinton Presidential Records
Counsel's Office
Cliff Sloan
OA/Box Number: 4663

FOLDER TITLE:

Notes re: White House Travel Office

Debbie Bush
2006-0946-F
db2660

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]
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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).

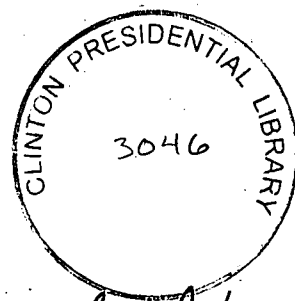
RR. Document will be reviewed upon request.

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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

New policy



- ① Homosexual Conduct → ① physical act or
② statute or actus
intended or reasonably understood to acknowledge
sexual attraction to a member or members of
same sex. It includes marriage or
attempted marriage to person of same sex.
- ② NO JUSTIFIABLE EXPECTATION OF PRIVACY IF
- ① in uniform
 - ② on duty
 - ③ while in mil. installation or naval vessel
- ③ MANDATORY SEP. OFF-BASE IF CONDUCT OFF-BASE w/ NO JUSTIFIABLE
EXPECT. OF PRIVACY
- ④ OUTSIDE MIL. SETTING → ① NOT UNLAWFUL
→ ② JUSTIFIABLE EXPECTATION OF PRIVACY
NOT SUBJECT TO SEP. OR DISCIPLINE
- ⑤ JUSTIFIABLE EXPECTATION OF PRIVACY - NOT COME TO ATTN OF PUB OR MIL.
Command
- ⑥ OWITAK - BASES FOR INVESTIGATIONS
- ⑦ NOT IF NOT ATTRACTION OR DEPARTURE FROM US. CONST. BEHAV.

COPY

HYPOS

① HOLDING HANDS / OFF-BASE / NON-UNIFORM
→ SEPARATION

② STATEMENT TO ANOTHER OFFICER IN GAY BAR
→ NO SEPARATION

→ JUSTIFIABLE EXPECT. OF PRIVACY IN GAY ~~BAR~~ BAR

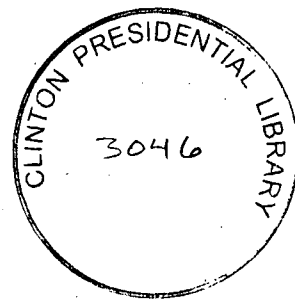
③ ATTENDANCE AT GAY BAR ACROSS FROM BASE
→ SEPARATION

④ PARTIC. IN GAY GROUP CONFIDENT. OFF-BASE
→ NO SEPARATION

⑤ DINNER IN QUARTERS - CONVERSATION RE: GAY
→ SEPARATION - ON-BASE

⑥ DINNER OFF-BASE - CONVERSATION RE: GAY → NO SEPARATION

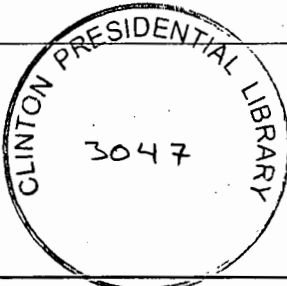
⑦ STATEMENT OFF-BASE - " " " → SEPARATION



COPY

DAILY PHONE LOG

DATE: 8/30/93

NAME <u>Nancy Kingsbury</u> Date _____ Time <u>5:05 p.m.</u> Phone _____	REMARKS _____ ACTION TAKEN ① space & doc = honorarium. ② talk to Patz re: other notes
NAME <u>Mark Shaffer</u> Date _____ Time <u>5:15 p.m.</u> Phone _____	REMARKS _____ ACTION TAKEN - Closing in on position - atty fees - from work in which we're operating
NAME <u>Ty Cobb</u> Date <u>8/31/93</u> Time _____ Phone _____	REMARKS _____ ACTION TAKEN DU- will let us interview later this week - next Thurs. or Fri. - next Thurs. or Fri. following wk -
NAME _____ Date _____ Time _____ Phone _____	REMARKS _____ ACTION TAKEN - want to avoid more the ad intrusion - want to avoid document issue - reflection after subject - didn't rely upon it - not
NAME <u>Neil Eggleston</u> Date _____ Time _____ Phone _____	REMARKS <u>4:30 - NE</u> ACTION TAKEN _____ 
NAME <u>Jim McDonald</u> Date _____ Time <u>10:35</u> Phone _____	REMARKS _____ ACTION TAKEN <u>CM</u>

COPY

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Anne Edwards to Michael Lufrano; RE: Travel Office (1 page)	08/10/1993	P6/b(6)
002. email	Michael Lufrano to Isabelle Tapia, et al.; RE: Travel Office (1 page)	08/10/1993	P6/b(6)
003. email	Catherine Cornelius to Michael Lufrano; RE: Personal [partial] (1 page)	06/21/1993	P6/b(6)
004. email	Michael Lufrano to Sarah Ryna; RE: Apology (1 page)	07/19/1993	P6/b(6)
005. email	Art Brodsky to Jeffery Eller; RE: Imprudence (1 page)	07/10/1993	P6/b(6)
006. email	Art Brodsky to Jeffery Eller; RE: Imprudence (1 page)	07/10/1993	P6/b(6)
007. email	Art Brodsky to Jeffery Eller; RE: Imprudence (1 page)	07/10/1993	P6/b(6)
008. email	Art Brodsky to Jeffery Eller; RE: Imprudence (1 page)	07/10/1993	P6/b(6)
009. email	Art Brodsky to Jeffery Eller; RE: Imprudence (1 page)	07/10/1993	P6/b(6)
010. email	John Carnevale to James Duke; RE: M&B Review - Drugs (1 page)	05/20/1993	P6/b(6)
011. email	Michael Lufrano to Isabelle Tapia; RE: Travel Office (1 page)	10/14/1993	P2 3048
012. email	Catherine Cornelius to Michael Lufrano; RE: Honolulu (1 page)	07/03/1993	P6/b(6)

COLLECTION:

Clinton Presidential Records
Counsel's Office
Brad Winter
OA/Box Number: 18896

FOLDER TITLE:

[Document Production] [Travel Office - TO 2289 - TO 2649] [1]

Debbie Bush
2006-0946-F
db2665

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]

COPY

RECORD TYPE: FEDERAL (RECONSTRUCTED EMAIL)

CREATOR: Michael R. Lufrano (LUFRANO_M) (WHO)

CREATION DATE/TIME: 14-OCT-1993 10:26:00.00

SUBJECT: travel office

TO: Isabelle R. Tapia (TAPIA_I) (WHO)
READ: UNKNOWN

TO: Anne M. Edwards (EDWARDS_A) (WHO)
READ: UNKNOWN

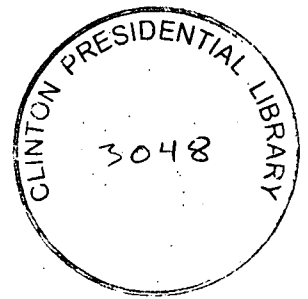
TO: Steve Riewerts at PROFS (PR_U=SRIEWERT@PR_L=CPUB@MRP@EOPMRX) (DEFAULT)
READ: UNKNOWN

TEXT:

The following persons have expressed an interest in interviewing for positions should they be available in the travel office. As you know, all have experience working with this office, with the press in some capacity and are talented, motivated persons. I write this not to lobby for any one of these persons, but to remind us that they are interested in being considered. Over the last few weeks, each of these persons has expressed an interest in making sure they are considered for a position. Given the amount of time and effort they have expended on a volunteer basis on behalf of the advance office and the travel office, I hope we will be able to do so.

1. Ashley Bell
2. Catherine Grunden
3. Amy Lehrman
4. David Morehouse

I'm sure other names will follow. As always, thanks for your patience.



COPY

TO 2382

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Art Brodsky to Jeff Eller; RE: Personal (1 page)	07/10/1993	P6/b(6)
002. email	Anne Edwards to Patsy Thomasson and Brian Foucart; RE: Travel Office Offer (1 page)	09/29/1993	P5 3049
003. email	Anne Edwards to Jeremy Gaines, et al.; RE: Philly Trip Tasks [partial] (2 pages)	05/27/1993	P5, P6/b(6), b(7)(C), b(7)(E), b(7)(F)
004. email	Sheryl Hall to Neil Eggleston; RE: USSS [partial] (1 page)	11/15/1993	P6/b(6), b(7)(C), b(7)(F)
005. email	Michael Lufrano to Anne Edwards; RE: Personal (1 page)	09/17/1993	P6/b(6)
006. email	Catherine Cornelius to Coppoolse; RE: Personal (1 page)	05/04/1993	P6/b(6)
007. email	Sheryl Hall to Gwendolyn Weaver, et al.; RE: FBI Meeting [partial] (1 page)	11/14/1993	P6/b(6), b(7)(C), b(7)(F)
008. email	Brian Foucart to Neil Eggleston; RE: Travel Office and IRS (1 page)	01/05/1994	P6/b(6)
009. email	Michael Lufrano to Brady Williamson; RE: Revised pre-advance manifest (6 pages)	05/06/1993	P6/b(6), b(7)(C), b(7)(E), b(7)(F)

COLLECTION:

Clinton Presidential Records
Counsel's Office
Brad Winter
OA/Box Number: 18900

FOLDER TITLE:

[Document Production] [Travel Office - TO 0993 - TO 1394] [3]

Debbie Bush
2006-0946-F
db2678

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]

COPY

RECORD TYPE: PRESIDENTIAL (RECONSTRUCTED EMAIL)

CREATOR: Anne M. Edwards

(EDWARDS_A) (WHO)

CREATION DATE/TIME: 29-SEP-1993 13:07:00.00

SUBJECT: Trav Ofc offer

TO: Patsy L. Thomasson

(THOMASSON_P) (OA)

READ: UNKNOWN

TO: Brian L. Foucart

(FOU CART_B) (WHO)

READ: UNKNOWN

TEXT:

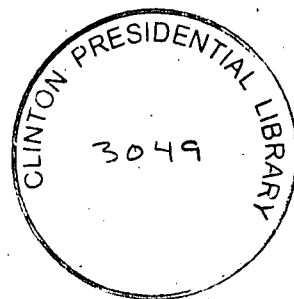
I was approached by someone outside the process of hiring for the Travel Office who claims an offer was made to Steve Riewerts. Wasn't I supposed to know when this happened? I'm hearing it second-hand.

I more concerned about Mark and Dee Dee getting blind-sided by the press. Have we made an offer? Is that true? If it is, we skipped the part about running it by Mark and Dee Dee.

I thought we had agreed the process would be this: agree on a candidate, thoroughly vet and quadruple-check all statements on the resume and application for veracity and then run it by Mark and Dee Dee so they wouldn't be caught open-mouthed if the press came to them when this got out?

IT'S OUT.

Please page me as fast as possible so we can do what we can to cover their flanks.



COPY

TO 1282

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Catherine Cornelius to Jean Charlton; RE: DOB [partial] (1 page)	04/21/1993	P6/b(6)
002. email	WHCACDR to Michael Lufrano; RE: USSS [partial] (1 page)	08/19/1993	P6/b(6), b(7)(C), b(7)(F)
003. email	Michael Lufrano to Isabelle Tapia, et al.; RE: Travel Office (1 page) ✓	10/14/1993	P2 Dup 3048
004. email	Anne Edwards to Isabelle Tapia and Michael Lufrano; RE: We need trip clean-up (1 page)	11/17/1993	P5 3050
005. email	Andre Oliver to Catherine Cornelius; RE: Phone number [partial] (1 page)	05/11/1993	P6/b(6)
006. email	Michael Lufrano to Anne Edwards; RE: Travel Office (1 page)	08/11/1993	P6/b(6)

COLLECTION:

Clinton Presidential Records
Counsel's Office
Brad Winter
OA/Box Number: 18900

FOLDER TITLE:

[Document Production] [Travel Office - TO 1831 - TO 2288] [3]

Debbie Bush
2006-0946-F
db2687

RESTRICTION CODES

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

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

- 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.

- 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]

COPY

RECORD TYPE: PRESIDENTIAL (RECONSTRUCTED EMAIL)

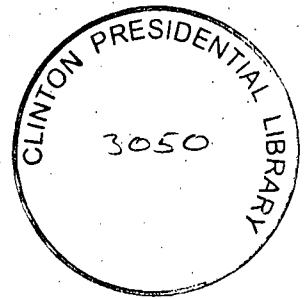
CREATOR: Anne M. Edwards (EDWARDS_A) (WHO)

CREATION DATE/TIME: 17-NOV-1993 09:23:00.00

SUBJECT: We need trip clean-up

TO: Isabelle R. Tapia (TAPIA_I) (WHO)
READ: UNKNOWN

TO: Michael R. Lufrano (LUFRANO_M) (WHO)
READ: UNKNOWN



TEXT:

This is among us, and I'm sorry to be het up about this, but I'm feeling frustrated: I thought this matter of press advance leaving town prematurely was put to rest, but now I see Kara, Sam and Janna manifested out of Seattle on the back-up within an hour of the Air Force One departure.

That leads me to ask: Why are the Press Advance lead and the Press Advances for the most complicated AND EXPENSIVE events that we've done since G-7 leaving town before trip clean-up can possibly have been accomplished by any business standard?

Several new road patterns have moved beyond irksome to alarming. One is when I see press advance blow town while the runway is still warm from the Air Force One takeoff. The other is that a press advance would even considering leaving town while the press are still working or on the ground.

I know you two totally understand what I'm talking about, but I don't know why the teams aren't piping up to say: OUR JOB ISN'T DONE HERE YET. The emerging practices are unprofessional and unacceptable. There's a responsibility the team has that it must see through. If they aren't going to stop themselves, we have to. We are seeing the damage: We have a series of confusing and unexplained bills as well as claims for "missing" or "lost" equipment. There is a direct correlation to the absence of the advance people who should have done trip clean-up.

Whatever savings we cosmetically realize by putting them on a back-up, we're gonna lose out the unprotected hole in the other pocket to some other vendor. And it's totally understandable when a team member is pressured to get back to a real job, but there's a volume and frequency to this urge which rather connotes: Impatience. If it's impatience, why not save a few minutes and leave before the President does??? What's the difference?

And there is other concern: We are nowhere near out of the woods on public perception on the Travel Office issue nor on press confidence in our capacities for the future. We have been getting by by burning off a lot of personal credit of a lot of press support staff. But we cannot have another crisis develop because, for some reason, the advance teams leave town without managing their budgets or accounting for the material and equipment secured in President Clinton's name.

I know you have a lot to worry about today. But can we fix this Seattle thing please and then talk about it in principle for the long run? If the teams aren't going to self-correct, there are ways they can be clearly instructed must discourage the practice and clearly instruct otherwise.

Thanks.

Anne

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Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Jane Sherburne and Miriam Nemetz to Abner Mikva; RE: Pending Disputes Regarding Assertions of Privilege (3 pages)	04/13/1995	P5 3051

COLLECTION:

Clinton Presidential Records
Legislative Affairs
Ira Fishman
OA/Box Number: 6789

FOLDER TITLE:

Independent Counsel

Debbie Bush
2006-0946-F
db2723

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]

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April 13, 1995



MEMORANDUM FOR ABNER J. MIKVA
COUNSEL TO THE PRESIDENT

FROM: JANE C. SHERBURNE
SPECIAL COUNSEL TO THE PRESIDENT

MIRIAM R. NEMETZ
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Pending Disputes Regarding Assertions of Privilege

We must determine whether the President should begin to assert privileges in connection with information now being sought from the White House by Independent Counsels Starr and Smaltz. In keeping with the President's pledge to cooperate with the investigation of Special Counsel Fiske, Starr's predecessor, the White House has not asserted any privileges with respect to the contacts between White House and Treasury Department officials regarding the Resolution Trust Corporation's investigation of Madison Guaranty Savings & Loan, and all internal communications relating to those contacts, up to the time Fiske began investigating this conduct on March 4, 1994. In addition, the White House disclosed, without asserting any privileges, all communications relating to Vincent Foster's death and the handling of documents in Foster's office after his death, up until the time Fiske authorized the White House to begin its own examination of the matter.

Starr and Smaltz each are currently pressing demands for privileged information beyond the scope of any prior waiver of privilege. Starr seeks privileged information generated after the White House began its own review of the conduct investigated by Fiske, as well as privileged documents whose creation predated Fiske's investigation, but which Fiske had agreed not to review. Smaltz seeks privileged information that appears to relate only tangentially, if at all, to the conduct he is charged with investigating. In response to these requests, the Counsel's Office has made limited assertions of privilege. (At the same time, outside parties have begun to raise challenges to the scope of requests by both Starr and Smaltz.)

We are attempting to resolve these demands for information by negotiation, but some or all of them may soon be ripe for litigation. We have strong legal arguments that the information withheld is protected by executive privilege, and that the

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interest in confidentiality is not outweighed by any investigative needs articulated by the independent counsels. We also have arguments available to us that some of the information withheld is protected by the attorney-client privilege, which may not be overcome by any showing of need. Predicting the results of litigation is difficult, however, because such disputes have rarely been brought before the courts.

The remainder of this memorandum describes the status of the most important pending requests. It is intended as background for a broader discussion about the implications of either acceding to or litigating each request.

1. Department of Agriculture Appointment Documents (Smaltz).

Smaltz has issued a subpoena seeking broad categories of documents relating to the selection and appointment of Department of Agriculture officials. Smaltz claims the information is relevant to his investigation of Espy's and others' relationships with individuals and organizations in regulated industries. The request is remarkably broad in that it seeks disclosure of seemingly unrelated and sensitive documents that reflect deliberations as to how and why various people were chosen (or not chosen) for positions in the Administration. The subpoena reaches both transition and post-inaugural documents.

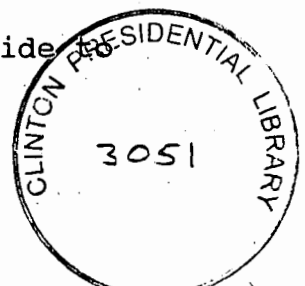
2. Attorney Interview Notes (Starr).

Starr has issued a subpoena that seeks notes of Counsel Office interviews relating to Foster document handling conducted after Fiske authorized the White House to begin reviewing the matter. He also plans to subpoena attorneys' notes of interviews of White House and Treasury Department officials in connection with Lloyd Cutler's internal review of White House-Treasury Department contacts. We have urged Starr to narrow his request for the notes, which we view as protected by the attorney-client privilege, arguing that his need for the notes is minimal and that compliance with the request would impede the functioning of the Counsel's Office. Starr argues that no privileges apply to the notes, and he has so far resisted focusing his request.

3. Espy Internal Review Documents (Smaltz).

Last fall, the White House provided Smaltz with correspondence from Espy's attorney received by the Counsel's Office in its internal review of Espy's conduct; these documents outline essentially all of the facts in this matter. Smaltz now seeks all documents prepared by White House lawyers during that review, including draft reports and interview notes. We have refused to produce these documents because Smaltz has articulated no need for the material that would justify foregoing the assertion of executive privilege. We have offered to provide

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Smaltz the few facts reflected in the analytical materials that were not disclosed in the documents already produced, if he agrees not to seek review of the materials themselves.

4. Documents In Vincent Foster's Office (Starr).

Starr has subpoenaed all documents in Vincent Foster's office at the time of his death, arguing that they may shed light on the motivation for Foster's suicide and the question whether documents were improperly removed from Foster's office after his death. We have agreed to permit Starr's office to review (but not copy) Foster's files, from which we will first remove certain privileged materials, such as documents reflecting confidential client communications where waiver of the attorney-client privilege is not warranted. We will attempt to persuade Starr not to review the withheld documents. We believe that the fewer documents we withhold, the less the chance of litigation. By allowing Starr to review documents as to which privileges might otherwise be asserted, however, we risk strengthening claims of third parties, including the Congress, for access to these and related materials.

5. Possible Future Privilege Challenges.

The independent counsels may try to probe other areas we consider confidential and beyond the proper scope of their investigations, such as:

- (a) communications between White House lawyers and outside counsel for White House officials;
- (b) internal deliberations regarding the strategy for responding to allegations and investigations;
- (c) work product of White House lawyers in preparation for the next round of congressional hearings on these matters.

In determining whether to litigate the more pressing privilege issues, we should also consider the effect on possible future requests for such information. We also should leave ourselves flexibility to make appropriate accommodations of the legitimate needs of coordinate branches of government.



COPY

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. report	RE: Presidential Travel Planning - Suggested Reforms [3 copies] (12 pages)	n.d.	P5 3052
001b. report	RE: White House Travel Office Internal Operations Review (16 pages)	08/02/1995	P5 3053
002. briefing paper	RE: Travel Office Bill Reconciliations (5 pages)	11/07/1997	P5 3054
003. email	Susan Hazard to Michael Malone; RE: Meeting [partial] (1 page)	09/15/1997	P6/b(6)
004. email	Michael Malone to Susan Hazard; RE: Meeting [partial] (1 page)	09/16/1997	P6/b(6)
005a. paper	RE: Introductory Comments (3 pages)	n.d.	P5 3055
005b. memo	Susan Hazard to Jodie Torkelson; RE: White House Travel Office Progress [partial] (7 pages)	05/06/1997	P5 3056
006. email	Susan Hazard to Courtland Willman; RE: DOB abd SSN [partial] (1 page)	08/13/1997	P6/b(6)

COLLECTION:

Clinton Presidential Records
Management and Administration
Mike Malone
OA/Box Number: 12626

FOLDER TITLE:

Misc. [Miscellaneous] Travel Office [1]

Debbie Bush
2006-0946-F
db2726

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]
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- 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]

COPY

PRESIDENTIAL TRAVEL PLANNING - SUGGESTED REFORMS

DRAFT

COST SAVINGS - Domestic Trips

Financial accountability of Advance Staff: Staff from the Advance Office have certain purchasing responsibilities associated with their duties. As we have discussed, we are developing a mechanism for ensuring that an approval system, cost control, and policy compliance are built into the trip building formula. In addition, we will be working with the Advance Office to ensure that all costs are documented in writing at the completion of each trip. Samples of a financial trip summary are being drafted by the Travel, Administrative, and Advance Offices.

RON: Staff Hotel

Problem: Hotel bills currently are incorrect and include hundreds if not thousands of dollars in unapproved or incorrect expenses.

Approval Authority: Staff Hotel Arrangements - Administration
Press Hotel Arrangements - Travel Office

Motorcade: Motorcade Vehicles

Problem: Unauthorized vehicles are being added. Not enough control of insurance and return of vehicles.

Approval Authority: Staff Vehicle Rentals - Administration
Press Vehicle Rentals - Travel Office

Press: Press Logistics & Sites

Problem: Undocumented costs result in late press billings and delayed vendor payments.

Approval Authority: General Press Corps - Travel Office
Network Pool - Network Producer

Travel Office: Press Logistics & Sites - in & out only

Problem: Unable to participate on overnight nights which causes press advance to have to fill two roles and diminishes cost control

Approval Authority: General Press Corps - Trip Coordinators
Network Pool - Network Producer

Site: Presidential Sites

Problem: Host confusion results in misdirected vendor bills and delayed vendor payments.

Approval Authority: Host/Staff - Advance Office
Press - Travel Office.

Lead: Oversight



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Cost Savings examples:

- **Motorcade vehicles** represent approximately 25% of a domestic trip cost. The delay in returning just 2 vehicles for 2 days is usually over \$300 -- the average cost of a round trip ticket
- **Hotel no-show charges** by staff can result in avoidable costs, ranging from \$80 to \$200.00 per night. RON advance team members should be aware of procedure to cancel rooms and vehicles.

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Clarity of Approving Authorities for all Trip Expenses: Delineation of responsibilities would automatically enhance the financial control. In the case of the press costs, for example, there cannot be a final delineation until the travel office is budgeted to advance each trip. The travel office should have sole responsibility for final approval of all press costs because it has the sole billing responsibility and subsequent vendor disbursement authority.

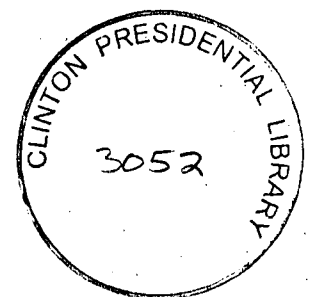
Travel Office pro-active participation in event planning: The Travel Office routinely handles the conference-like planning for all four principals & their staffs as well as the travelling press corps. This encompasses negotiations for hundreds of sleeping rooms, related meeting rooms, transportation, catering, charter flights, and, in the case of the press, related accounting. This experience should be used to enhance WH related conferences such as our participation in the 1996 G-7 Conference. Too often, the Travel Office experience is used after the fact to reconcile problems which could have been avoided.

Reliable Communication of Trip announcements/cancellations/changes: More reliable and more structured trip announcements/cancellations would benefit logistical and cost planning. Any acceleration of trip announcements would have positive economic results. For example, planning starts the minute a trip appears to be a reality but final commitments usually depend upon final confirmations from the scheduling office.

Delays and last minute announcements result in problems. Examples:

- WHCA learned a trip was cancelled after they had already shipped 5,000 pounds of gear to the site.
- Reserved hotel rooms, cancelled by the hotels because no financial commitment can be made until the trip is announced, are later rebooked at a higher rate because of availability.

Add cost consciousness into scheduling meetings. Instilling a subtle awareness of costs into the routine of all scheduling meetings will have an impact on the bottom line. The President's schedule is not and should not be influenced by the cost but where there are choices which don't impact the message, costs should play a role.



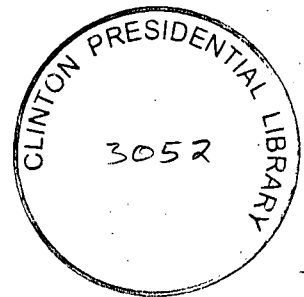
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COST SAVINGS - International Trips

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Logistical Meetings on Pre Advance: Representatives from each White House entity and the Press participate each pre-advance. These entities share logistical coordination and costs of the 600-700 sleeping and office space and the movement of hundreds of staff throughout a visit. Brief on-site meetings during these pre-advances should be scheduled to discuss merits of available hotel and meeting facilities and make draft determination of allotments. These meeting would positively impact the trip logistics and costs. Example:

- Agreement on the Presidential Hotel allows all other entities to start planning transportation, security, sleeping, and start cost negotiations. The last minute change of the Presidential hotel at NATO Madrid Summit caused stress to the President and the First Lady & other entities not to mention increased costs.

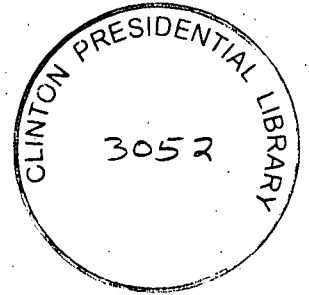


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POTENTIAL EMBARRASING STORIES

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- Hosts whose vendors do not get paid or who end up paying for services they didn't anticipate. In addition to the initial generic host agreement, more detailed agreements of subsequent event meetings should be documented. Confusion easily results from last minute addition of events or sites, press conferences, etc. Staff should consistently reiterate to host WH & Press formula of cost responsibilities.
- Late or expensive billings to the Press Corps.
- Late procurement of Press charter on foreign trips.
- Unpaid vendors due to late or lack of documentation.
- Angry Hotel Chains caused by last minute cancellations of large blocks of rooms. Caused either by site change, event cancellation, or late vetting issues.
- Late payments by the DNC to vendors for Presidential or Vice Presidential Visits.
- Presidential Trip budget running out of money.



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WHITE HOUSE TRAVEL OFFICE

Internal Operations Review

DRAFT -- August 2, 1995



INTRODUCTION

In its May 1994 Report to Congress on White House Travel Office Operations, the United States General Accounting Office ("GAO") recommended that the White House improve its managerial oversight of the White House Travel Office ("WHTO"). As a result of this recommendation, the White House has undertaken several initiatives to improve its oversight.

First, the White House contracted Tichenor & Associates of Woodbridge, Virginia to perform an independent financial statement audit of the WHTO, which was completed on April 24, 1995. Tichenor & Associates issued an unqualified favorable report.

Second, the White House solicited suggestions and comments from individuals associated with the WHTO. These recommendations have been reviewed by management, and many have resulted in marked improvements in WHTO operations in recent months.

Third, the White House commissioned an internal management review of WHTO operations. This report summarizes the conclusions and recommendations of this internal review. The review was conducted by Brian Bailey of the Office of the Chief of Staff, Andris Kalnins of the Office of Administration, and Michael Malone of the White House Office of Management and Administration.

During the past year, the WHTO has significantly improved its operations. In particular, WHTO officials have recently instituted a number of changes in the areas of general management and financial management. Although this report contains a large number of recommendations, considerable progress has been made already.

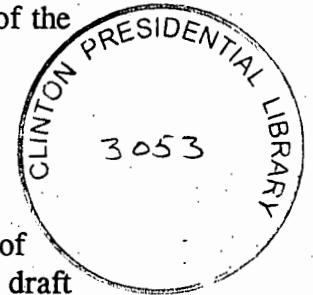
In conducting this internal review, the team sought to examine WHTO operations from an independent, unbiased perspective. Although the team did review the recommendations of GAO, Tichenor & Associates, and others, it did not seek to verify whether any of these suggestions had been adopted or implemented by WHTO management. Instead, the review team developed its own independent list of observations and recommendations.

This document presents the methodology and the findings of the internal operations review. The conclusions are divided into five sections. The team believes that these observations and suggestions would help develop the WHTO into a more effectively run organization.

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The team recognizes that many of these recommendations are interrelated. For example, moving the billing and financial management functions to the Travel Management Center ("TMC") would obviate the need for other recommendations in the "Financial Management Issues" section of this report.

The team believes that the White House should continue its managerial oversight of the WHTO, by conducting subsequent internal reviews on an annual basis.



METHODOLOGY

Before beginning field work, each member of the review team reviewed a packet of information which included the KMPG/Peat Marwick report, the GAO report, the draft handbook of Travel Office policies and procedures, and the Tichenor & Associates audit.

The team began its field work by conducting a series of interviews with each of the primary employees in the White House Travel Office, including the Deputy Director, two Trip Coordinators, the Bookkeeping Accountant, and the Manager of the TMC. Because of the importance of the relationship between the WHTO and the White House Press Advance staff, the team also interviewed the two primary press advance employees.

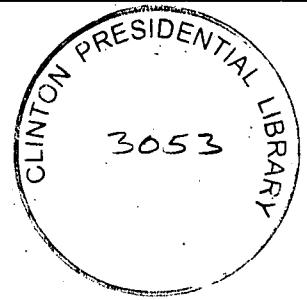
Upon completion of the initial interviews, the team identified five specific subject areas on which to focus its analysis: (i) General Management, (ii) Trip Coordination, (iii) Press Advance, (iv) Travel Management Center, and (v) Financial Management. For each of these areas, the team identified specific topics which merited further review.

With these specific topics in mind, the team returned for follow-up interviews with each of the primary employees involved in WHTO operations, including the Press Advance staff. In these sessions, every attempt was made to observe daily operations.

The results of this work are presented in the following sections. In each category, the team has presented specific recommendations which it believes would help to improve WHTO operations. These recommendations were shared with both WHTO and Press Advance employees, as well as senior White House officials, prior to the final release of this report.

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CONCLUSIONS AND RECOMMENDATIONS



I. GENERAL MANAGEMENT ISSUES

- Clarify roles of the WHTO and Press Advance offices.

Currently, on every trip, the WHTO and the Press Advance office are responsible for arrangements for the traveling press. Securing the charter aircraft is the responsibility of the WHTO. All other arrangements, however, may be made by either WHTO employees or by Press Advance employees. The assignment of such duties varies by trip. For example, in some cases the WHTO is responsible for securing the room for the press filing center; on other trips, the Press Advance agent in the field makes this arrangement.

Because specific duties are not clearly delineated prior to a particular trip, there is the potential for essential elements to be overlooked until the last minute. There is also the potential for duplication of effort.

RECOMMENDATIONS:

- *Establish clear areas of responsibility for each office prior to future travel.*
- *Develop job descriptions for staff in both offices.*

It is important for the two offices to establish responsibilities which would be effective for all trips. The division of duties should be delineated and followed. This would ensure that everyone involved knows who is responsible for each element of a trip.

- **Develop closer relationships between all offices involved in the scheduling process.**

Scheduling decisions often are not made with adequate lead time. Late decisions or changes often necessitate last minute, and often expensive, modifications in travel plans. Scheduling staff should promptly notify all relevant staff of any scheduling adjustments. WH staff should make every effort to solidify travel schedules as far in advance as possible.

RECOMMENDATIONS:

- *Establish a schedule due date for each trip. All scheduling changes after this date must be approved by a specific official such as the Deputy Chief of Staff or the Director of Scheduling and Advance.*
- *Include Trip Coordinators and Press Advance staff in all relevant trip meetings and weekly schedule creation meetings early in the process.*
- *Have pre-trip meeting (involving parties from all related offices) for each trip.*
- *Include Trip Coordinators and Press Advance staff on electronic mail distribution lists regarding scheduling issues (see "Improve use of electronic mail communication.").*

These actions would require increased communication and cooperation between trip coordinators and schedulers, and would help reduce most last minute scheduling changes.

- **Establish a point of contact for each office on a trip-by-trip basis.**

Currently, contact between the WHTO, Press Advance and Scheduling and Advance is made on a first-come, first-served basis, either because of working relationships that have been developed or because individuals in other offices do not know whom to call. Such disconnect leads to tasks being overlooked (when staff assumes someone else is doing the job) or duplicated (when two people are tasked to do the same thing).

RECOMMENDATION:

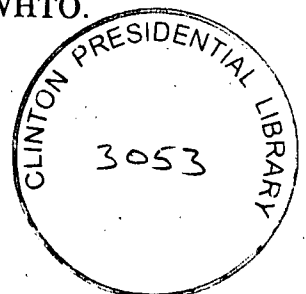
- *At the first pre-trip meeting for each trip, establish a point of contact in each office through whom all communication related to that trip should be funneled.*

Because the WHTO is frequently inundated with constantly changing information, it is important to ensure that one individual maintains a holistic view of a particular trip. This person would always know which tasks have been completed. As tasks are identified, this contact person would either complete them or assign them to available parties.

It is also important for the offices who contact the WHTO on a particular trip to do so through a consistent point of contact. It is unreasonable for the WHTO to track numerous requests which come from different staff members from Scheduling and Advance or Press Advance. Having a consistent point of contact in these offices would allow these offices to understand which issues are still pending in the WHTO.

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• **Improve use of electronic mail communication.**

Currently, most of the communication among the WHTO, the TMC, the Scheduling and Advance office, the Press Advance office, and the press is conducted verbally, often over the telephone. This makes it difficult to keep up with the numerous and changing requests associated with each trip.

Because of this verbal communication, there are no written records of decisions or commitments, and decisions are often made without complete information. The WHTO should require that all decisions must be communicated in writing or electronically, so that accurate records can be maintained and stored.

RECOMMENDATIONS:

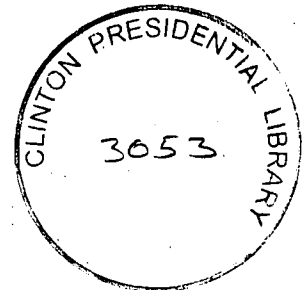
GOOD IDEA?

- *Require written confirmation for all reservations, purchases, and commitments.*
- *Provide Trip Coordinators with access to electronic mail while on the road.*
- *Provide the TMC with access to electronic mail.*
- *Place appropriate staff from the WHTO, the TMC, the Scheduling and Advance office, and the Press Advance office on e-mail distribution lists to ensure adequate communication.*

By encouraging the WHTO, the Press Office, Scheduling and Advance, WHCA, USSS and the White House Military Office to utilize e-mail, written records would be created that can also help to serve as to-do lists for the WHTO staff. This system would also help reduce the potential for misunderstanding that sometimes occurs in a system without full documentation.

It is important to keep accurate written records in the trip folders maintained by the WHTO. This would ensure that every party has written access to the information necessary to make key decisions. No reservation or scheduling changes should occur, and no funds should be obligated, without written documentation that can be placed in the relevant trip folder for future reference.

E-mail distribution lists are an easy method for ensuring that all parties involved are properly notified of schedule or logistical changes, and for reducing the time it takes to notify every appropriate WHTO staff member of a schedule change.



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Return hotel management duties to the Office of Scheduling and Advance.

The WHTO and other offices have to respond quickly when Scheduling and Advance makes final decisions about locations and other travel arrangements. Because these decisions sometimes come at the last minute, the WHTO and other offices often make time-consuming and costly last minute changes.

Frequently, when Scheduling and Advance changes a schedule, a new hotel manifest must be prepared. In some cases, more than five hotel manifests have been created for a single trip. This is not optimal.

It appears that the other offices for which rooms are reserved (WHMO, USSS and WHCA) all notify the WHTO well in advance of a trip. They do not add significant work to the hotel management process.

At one time, Scheduling and Advance was responsible for preparing hotel manifests. By default, the WHTO assumed this duty. The Deputy Director of the WHTO claims that managing the hotel letters takes the largest portion of her time each day. However, because she is busy managing the office during weekdays, she often has to work on the billing letters after regular business hours.

RECOMMENDATIONS:

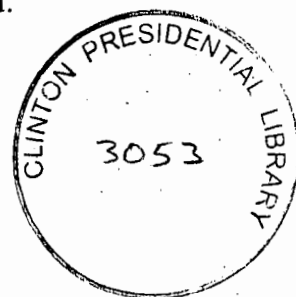
- *In the short-term, reassign the responsibility of preparing hotel manifests to the Scheduling and Advance office.*
- *In the future, hotel manifests could be prepared by the TMC at the time reservations are made by the TMC.*

Because Scheduling and Advance has immediate access to the information that frequently causes the hotel billing letters to have to be redrafted, and because the other offices for which rooms are reserved (USSS, WHMO, WHCA) do not add significant work to the process, Scheduling and Advance should prepare the hotel billing letters for all agencies involved. This duty would serve as an incentive for Scheduling and Advance to finalize scheduling decisions several days in advance of a trip.

Instead of providing the WHTO with the names of their traveling parties, WHCA, USSS and WHMO would provide this information to the person in Scheduling and Advance tasked to prepare hotel manifests. As scheduling decisions are made further in advance, the TMC could provide hotel manifest information directly to the hotel at the time they are reserving rooms.

This change would allow the Deputy Director to focus on office managerial duties and would give him/her more time to serve as a Trip Coordinator as needed.

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II. TRIP COORDINATION ISSUES

- Improve the process by which the press manifest is created.

Perhaps the most critical function performed by the WHTO is the development of the press manifest, the document used to make most billing decisions. Thus, it is imperative that this list accurately reflects the press who actually travel on the trip in question.

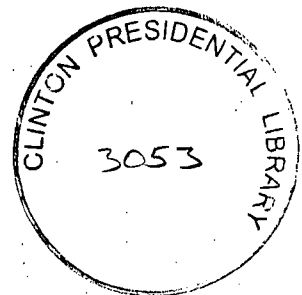
Several issues can lead to an incomplete manifest. First, the press often makes or revises reservations by phone. Their requests are taken by different WHTO employees, and sometimes it is difficult for the Trip Coordinator to compile an accurate record of all messages. Second, the signature cards from the air charter are often illegible, making it difficult to determine accurately who flew on the plane. Third, the Trip Coordinators sometimes allow certain members of the press to cancel reservations after the plane and other assets have been contracted by the WHTO. This increases the bills of other press who adhere to their commitments. Finally, the manifest is created incrementally, with periodic changes due to telephone and written messages. Due to these changes, many manifests are typed and retyped up to five or ten different times. This frequent manual typing can eventually lead to inaccurate information.

RECOMMENDATIONS:

- *Establish a single Trip Coordinator as the point person for each trip. This should be the only person authorized to accept requests -- and only if the requests are in writing from press with an active billing account.*
- *Prohibit cancellations after a certain time, except in the case of emergencies. Clarify the types of emergencies allowing such cancellations. Permit substitutions only if in writing. Enforce these policies strictly with no favoritism.*
- *Point person should check names on the manifest as the press enters the plane. Persons whose names are not on the manifest should be required to sign a card before boarding.*
- *Explore the use of bar codes, scanning equipment, and/or computers to automate the sign-up process and produce manifests automatically.*

These actions would streamline the manifest creation process, and would help to ensure that the press manifest accurately reflects which press actually traveled on a given trip.

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- **Increase the number of WHTO Trip Coordinators and travel advance volunteers.**

The WHTO does not currently have adequate resources to perform the trip coordination function. With only two Trip Coordinators, the WHTO is often forced to send both out of the office for a single trip - one for travel advance, and the other for supervision of the press air charter. This arrangement does not leave the office with adequate resources to plan upcoming trips or to follow up on trips recently completed. Because overall WHTO resources will not likely be increased, the WHTO should redistribute and retrain its staff so that four persons are capable and qualified to serve as Trip Coordinators. In addition, the WHTO Director should be able to perform the trip coordination functions as needed.

The WHTO also suffers from a declining pool of volunteers who perform the travel advance function. Given the lack of Trip Coordinators, the WHTO recently decided that it would send a Trip Coordinator to advance only for overnight trips. This appears to be a suitable policy, but it amplifies the need for an increased number of capable travel advance volunteers.

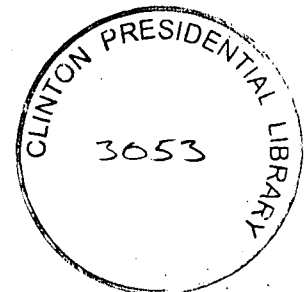
RECOMMENDATIONS:

- *Reassign the billing, financial management, and most reservation functions within the WHTO (see recommendations under "TMC Issues" section) to enable more members of the WHTO staff who previously provided these services to serve as Trip Coordinators.*
- *The WHTO Director or Deputy Director should identify, recruit, and train new volunteers to perform travel advance.*

These actions would provide the WHTO with additional resources to perform the trip coordination and travel advance function.

- **Conduct follow-up meeting with advance staff after each trip.**

Trip Coordinators have difficulty collecting bills from advance staff. This forces the WHTO to send out a significant number of rebillings, which require additional time and expense. There is also no follow-up mechanism by which Trip Coordinators meet with Scheduling and Advance staff and Press Advance staff to discuss problems and brainstorm about potential remedies for future trips.



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RECOMMENDATIONS:

- *Conduct follow-up meeting with lead advance person as soon as possible after each trip. The Trip Coordinator should call the meeting and include representatives from Scheduling and Advance and Press Advance. The meeting should be held no later than one week after the trip. The agenda at this meeting should include discussion of problems and completion of the billing folder.*
- *Prepare a written summary of trip issues for inclusion in each trip folder. Present a copy of this report to the Director and/or Deputy Director as a debrief.*

This meeting would enable Trip Coordinators to compile complete billing folders in a timely fashion, and would provide a venue for discussion regarding suggested improvements for upcoming trips.

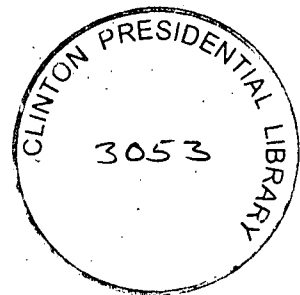
- **Enter into an exclusive contract with a single air charter company.**

The WHTO solicits bids from air charter companies on a trip-by-trip basis, and the winning bid serves as the official contract between the company and the WHTO. It could save both time and money if the WHTO entered into an exclusive contract with a single air charter company.

RECOMMENDATION:

- *Explore the possibility of entering into an exclusive, medium term (three to six months) contract with a single air charter company.*

This contract would eliminate the need to conduct a time-consuming bidding process before each trip. The sole contractor must have access to the various types of aircraft required by the press.



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III. PRESS ADVANCE ISSUES

- Press Advance staff should resume using Purchase Orders for obligating costs on behalf of the traveling press.

On several recent trips, pre-printed numbered Purchase Orders were issued as costs were obligated on behalf of the press. All who were involved in this process said that this was an effective method for accumulating costs. Even if it took a vendor extra time to forward a bill to the WHTO, the WHTO could bill from the Purchase Orders. These provided accurate estimates of the bills that the WHTO should expect to receive on behalf of the traveling press. However, for unknown reasons, the system was abandoned after only a few trips.

RECOMMENDATION:

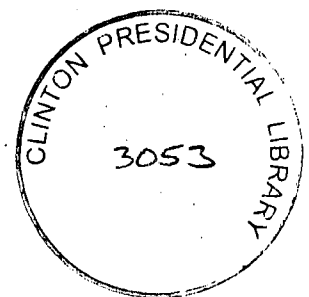
Require the Purchase Order system on all future trips.

All indications are that the system was an effective method for tracking costs. The review team cannot identify why use of the system was halted, and recommends that it be reinstated.

The system would provide written records of all cost obligations as soon as the trip is completed. Instead of waiting to receive the bills, the WHTO would be able to bill from the Purchase Orders.

Additionally, the Purchase Order system would ensure that the WH staff member who obligates costs and the vendor who provides services agree, in advance, on the services to be provided. Once a Purchase Order is signed, it is much less likely that a vendor will provide additional services and then bill for them when they were not specifically identified on the Purchase Order. Press Advance staff should welcome this system for accountability purposes.

A note of caution: the Purchase Order system will be ineffective unless the Press Advance staff are trained and encouraged to use the forms.



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- **Provide Press Advance staff with further training related to the work of the WHTO.**

It appears that many of the Press Advance staff are not aware of what the WHTO actually does and how Press Advance should interact with the WHTO.

RECOMMENDATION:

- *Provide training to all Press Advance staff members who are responsible for obligating expenses on behalf of the press.*

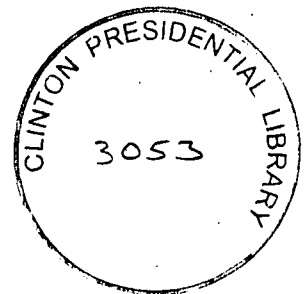
This action would clarify to Press Advance staff members their roles and responsibilities in the cost obligation and cost accumulation processes.

On-site training would be the most valuable way to bring the Press Advance to the WHTO and demonstrate to them the daily WHTO functions. A simple training manual, which would include checklists for cost obligation and accumulation responsibilities, should be drafted by the appropriate employees.

Increased education would go far toward solving some of the communication problems between these two offices.

- **Press Advance staff should notify WHTO as costs are obligated to the press fund.**

On each trip, Press Advance staff obligates expenditures on behalf of the traveling press. The WHTO then bills these expenses to those press organizations which traveled. However, it is not feasible for the WHTO to bill out a trip until all costs are known. Because the WHTO billing account frequently does not have an accurate record of the costs obligated by the Press Advance staff, the WHTO must wait for all bills to come in from vendors before billing out a trip. This sometimes leads to lengthy delays in billing. In addition, the WHTO often receives notice of expenditures after bills have already been sent to press organizations. This lack of communication forces the WHTO to resend bills to each of the organizations.



RECOMMENDATION:

- *Implement a system for ensuring that the WHTO is notified promptly of all costs obligated on a particular trip.*

This could be successfully accomplished in two ways: 1) using a pre-trip checklist that consists of the usual expenses incurred on a trip, the Press Advance staff member should note any costs that are approved and place their initial next to them. At a follow-up meeting, this list is presented to the Trip Coordinator; or, 2) each time a cost is approved by Press Advance, they should send an e-mail to the designated point of contact in the WHTO. As e-mails are received, they are printed and placed in a billing folder for that trip.

AWKWARD?

[Having a record of costs that they should expect to receive, the WHTO could then verify as invoices are received. This would give them an idea of how many bills they were missing before they could bill out a trip.

IV. TRAVEL MANAGEMENT CENTER ("TMC") ISSUES

- **Encourage closer communication between the TMC and Scheduling/Press Advance.**

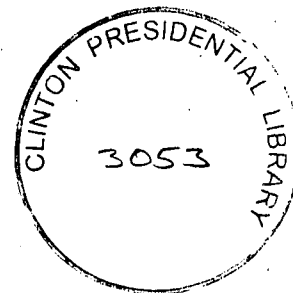
The TMC needs to receive prompt notification of scheduling changes from the Scheduling and Advance and Press Advance offices. These changes affect many of the functions performed by the TMC including hotel and airline reservations. There is no process by which the TMC and the WHTO are in close contact with both the Scheduling and Advance office and the Press Advance office on a regular basis.

RECOMMENDATIONS:

GOOD IDEA? [-

*Provide TMC employees access to the EOP electronic mail system.
Require the Scheduling and Advance office and the Press Advance office to post all scheduling changes to a fixed distribution list on electronic mail which includes the TMC employees.*

Immediate notification of scheduling changes will reduce the confusion, last minute pressure, and financial penalties often associated with such changes.



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- Clarify TMC rules and policies to appropriate WH and advance staff.

The TMC has established a number of rules and policies that govern travel plans for WH and advance staff. For example, the TMC does not issue airplane tickets until the traveler produces a travel authorization form signed by the Chief of Staff. Also, if travelers elect to add a personal stop on the end of an official trip, they must pay the incremental increase in fare. The TMC, through the WHTO, should clarify and enforce these regulations for all potential travelers:

RECOMMENDATION:

- *Produce, distribute, and enforce written TMC guidelines for WH and advance staff. This information could also be produced for distribution via electronic mail. All travelers should receive this information when they make initial reservations through the TMC.*

The clarification and enforcement of these policies would reduce the confusion that may arise from the current lack of communication.

- Transfer the billing and financial management functions to the TMC.

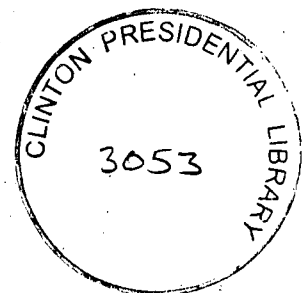
Currently, press funds are held outside of Treasury, in a commercial bank account. The WHTO billing and financial management functions require one full-time accountant, several interns, and additional time from the Deputy Director. Third party TMCs exist which could manage the press funds and assume all billing and financial management functions now performed by WHTO staff.

RECOMMENDATIONS:

- *Award the TMC contract to a third party to hold and manage press funds.*
- *Transfer the WHTO billing and financial/cash management functions to the TMC.*

AWKWARD [These actions would eliminate certain issues related to the WHTO holding the press funds in a commercial bank account.

Moving the billing and financial management functions to the TMC would permit the WHTO to dedicate additional staff to the trip coordination and other important functions. Also, these actions would eliminate the need for many of the recommendations mentioned in the "Financial Management Issues" section of this report.



V. FINANCIAL MANAGEMENT ISSUES

- Invest excess press travel funds.

Following standard collection practices, the WHTO makes daily deposits of collections for press travel funds. The daily balance of funds in the account averaged over \$500,000, with the highest daily balance being \$828,340, over the last three months. The FDIC provides insurance of \$100,000 for each account held in a bank. This policy leaves the press travel funds at risk against loss.

RECOMMENDATION:

- *Invest funds in government securities to generate income and to protect funds from losses in excess of the FDIC \$100,000 coverage.*

A repurchase agreement with the bank holding the collections for the press travel fund would invest funds in government securities which provide a safe haven for funds in excess of the FDIC limit of \$100,000. Under the self-insurance rule, the government could be held liable for any loss of funds due to placing funds in under-insured accounts. Funds held in government securities are not at risk for loss. Also, based on an estimate from Riggs Bank, the current bank for the WHTO, revenues would be approximately \$20,000 per year. If this recommendation is adopted, the White House Correspondents Association should apply for a tax exempt status with the Internal Revenue Service to avoid any tax consequences from the income derived from investments.

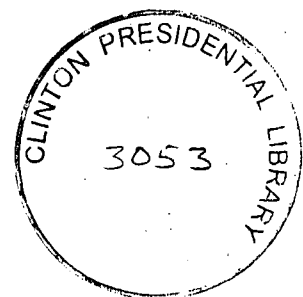
Another option to protect funds against loss would be to open additional accounts with Riggs of Virginia and Maryland which would be treated as separate accounts for insurance purposes.

- Replace existing financial management system.

The current financial management system will not be able to satisfy the additional demands of the press travel fund as travel increases in 1996.

RECOMMENDATIONS:

- *Evaluate the potential for the TMC contractor to assume the billing and collection functions related to press travel (see "Travel Management Center Issues" section).*
- *Establish separate accounts for each press organization to facilitate collection by the TMC.*



If the TMC or another third party assumes the financial management function as recommended, this party would likely use its own system which might be better designed to meet the needs of the WHTO. However, if this reassignment does not occur, then the WHTO needs to make appropriate improvements in the existing system or investments in a new system.

The current system was an excellent choice for a cost-effective software to implement WHTO controls for managing the press travel fund and documenting financial transactions. These procedures and the controls have corrected most of the deficiencies which were inherited by the current administration. However, the system has reached its peak in performance and may not be able to handle an increased workload of the WHTO. The current system is labor intensive. WHTO staff must perform duplicative data entry since the current system does not have import capability (i.e., importing Lotus spread sheets to the accounting system). Many of the deficiencies of the system, including excess transactions beyond the system capability, have already been addressed by previous studies. However, some improved productivity could be realized immediately by implementing the automated check writing capability of the current system that posts disbursements automatically to the financial management system.

- **Send bills monthly to press organizations, including past due items.**

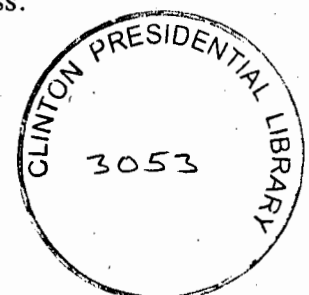
One of the labor intensive procedures in the WHTO is the billing function, which requires many hours to bill on a per trip basis. Some of the bills are re-billed three or four times because vendors send invoices late or the WHTO does not have accurate billing addresses. Each re-billing requires every invoice to be re-done for each of the 40-80 press organizations billed on each trip. Last year, the WHTO sent 6,200 bills, many of which were re-billings. A Purchase Order system has been designed, and is in process of implementation, which will enable the WHTO to know when a vendor has not billed for a service and thus will reduce re-billings.

RECOMMENDATIONS:

- *Bill press travel organizations on a monthly basis. This would be more efficient and would reduce the administrative burden of re-billing accounts when a late bill comes in.*
- *Include an overhead charge of 1%, or \$500, whichever is lower, to reduce the number of accounts that need to be re-billed.*

The overhead charge would be used to pay small bills, subject to the approval of the WHTO Director, to avoid the expenses of re-billing. Also, a monthly billing should reduce re-bills and make the process more efficient. Past due accounts should be incorporated with the monthly statement as part of the collection process.

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- **Add interest charge to invoices.**

Collection of bills sent to press organizations has been such a serious problem that some vendors will no longer bid on press travel business. This results from slow payment to vendors in some cases in excess of 180 days. This adds to the cost of press travel when fewer vendors submit proposals and reduces competition.

RECOMMENDATION:

- *Add a 10% annual interest charge to past-due billings to the press.*

Interest should be charged on delinquent accounts, as a standard business practice. A 10% annual rate would improve collections by providing the press organizations an incentive to pay the WHTO in a timely manner. Some businesses are taking as long as 200 days to pay their accounts. This causes serious cash flow problems for the press travel fund, resulting in late payments to vendors, increased costs of travel and reduced level of services to the traveling press.

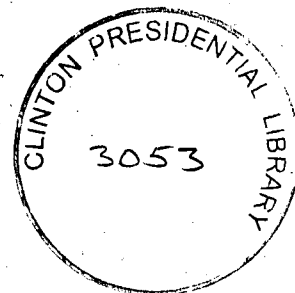
- **Continue aggressive collection of bills.**

Due to other workload priorities, May was the first month that statements were sent out for delinquent accounts, for the period ending April 30. The statements, along with phone calls to the press business offices, resulted in a noticeable improvement in collections of delinquent receivables and resolved several billing errors.

RECOMMENDATION:

- *Send statements out each month to keep press organizations informed of the status of their accounts. If the recommendation to bill monthly is adopted, the information contained in the statements on past due accounts should be combined on a single document sent to the press organizations.*

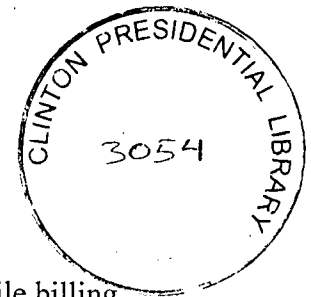
Periodic statements would provide the press organizations with an accurate accounting of past due accounts and would assist with collection efforts. Timely collection of bills from press organizations is critical to the ability to secure vendors at the lowest cost who will provide the best service to the traveling press. Standard collection practices such as follow-up telephone calls at least once every 30 days after an account becomes delinquent should be followed.



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Travel Office Bill Reconciliations
BRIEFING

November 7, 1997



- In mid-November, the Travel Office will send out a series of invoices reconcile billing activity on trips dating as far back as 1994.
- The reconciliations include costs and credits that must be allocated to members of the traveling press corps. Because the Travel Office operates on a "dollar for dollar" basis on every trip, every penny that is spent on a trip must be paid for by the travelers on that trip. These reconciliations are generally adjustments to ensure that all costs on a trip are paid.
- **I think we agreed to delete \$ amount. This briefing could get out and the volume could become a prop.** The total volume of reconciliations is expected to be about \$900,000.
- Counsel has reviewed the "dollar-for-dollar" billing system on more than one occasion and determined that under the current organization, reconciliations are a necessary component of our system. However, once a stack of reconciliation bills are received, many of the news organizations are likely to call for reopening the dialogue on restructuring the billing program. In each case, these rebills will constitute major budget problems for them on top of an already expensive budget item.
- * **In 1995, there was dialogue about a 2% surcharge on each press billing to be accrued against potential reconciled adjustments. The following outlines the applicable percentages of adjustments to total revenue for each of the past 3 years.**

Year	Total revenue	Adjustments	Percentage
1994	\$10M	\$243,000	2.4%
1995	\$5.2M	\$105,800	2.0%
1996	\$14M	\$547,000	4.0% *

Note: 1996 was unusual because of the campaign. 56% of 1996 are reallocations and late bills between September and December 1996.

Adjustments include both debits and credits to the press. The 1996 adjustments include \$167,000 in credits and \$714,000 in debits.

Why are reconciliations necessary?

- We've reconciled the bills in order to best manage the funds spent by the press corps on travel. Because additional charges must be spread to travelers and because credits are owed to travelers, we are reconciling the billing for many trips in order to ensure that all

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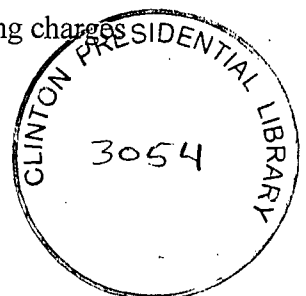
charges and credits are correctly issued.

- The Travel Office bills each member of the press a pro-rata share of their costs on each trip. The trips are audited at their conclusion, related costs calculated, and billed to the press. Reconciliations generally occur for the following reasons:
 - 1) additional bills are received from vendors on a trip after the Travel Office has sent an initial bill for that trip to each member of the traveling press; and/or,
 - 2) if one travelers bill is incorrect, the difference must be made up by spreading the additional costs or credits to all other members of the traveling press on the trip.

Why are some of these reconciliations for trips that occurred many months or years ago?

- The Travel Office automation system was inadequate to handle the complex "dollar for dollar" reconciliation formula on a timely basis. A new system is planned for early 1998.
- There are generally multiple causes for reconciliations and each adjustment has to be reallocated among each press member on that trip. It is not practical to reconcile a trip until there is a reasonable expectation that all late bills and credits have been identified and recorded. Otherwise, the news organizations would receive 5-10 invoices per person, per trip.
- Some invoices are received long after a trip concludes. Because we try to bill the large majority of costs on a trip as quickly as possible, we may send initial bills knowing that other charges are yet to come. Presidential trips are composed of many complex entities and vendors often become confused. Sometimes a vendor mistakenly bills a press cost to the trip host or other entity and our share is not discovered until that entity completes its own audit.
- In the past, some press were slow in lodging their disputes. If the Travel Office needs to correct an individual bill, the costs that were credited to that individual traveler must be reconciled among all other travelers on that trip.
- The Travel Office did not have additional staff during the 1996 campaign and their accounting manager was out of the office seriously ill for over four months. This and the high volume of travel **and higher percentage of late vendor bills** during this period, made reconciliation projects impossible. **This year represents 64% of the total adjustments.**
- Because we are interested in ensuring that the reconciliations are accurate, the Travel Office asked for the independent auditing firm to perform a full review of 1994, 1995, and 1996 trips as part of their review of the 1996 financial statements.
- We have also conducted a trip-by-trip review to ensure that as many outstanding charges

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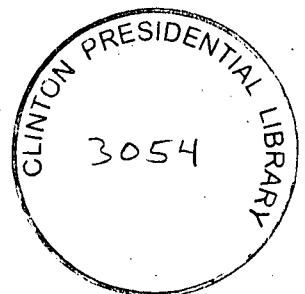
as possible are captured during this reconciliation process. The review process has taken some time as we have been reviewing the billing of each trip to identify any charges or credits that were not initially included on the bills for a particular trip.

- We have spent a significant amount of time trying to reconcile as many individual disputes as possible before reconciling charges on a particular trip. If reconciliations are performed with charges that are incorrect, we will have to send another round of bills on each trip in which disputes are identified. This will be a reconciliation of the reconciliation. By spending time resolving as many disputes as possible, we are seeking to avoid as many additional reconciliation rounds as possible.
- For each trip, the current computerized accounting steps involved for an adjustment are very time-consuming -- even for reconciliations of a very small amount. They are the same steps involved with initially billing a trip. Each step in the initial billing process must be repeated for every trip that includes reconciliations. Each trip billing process takes 5-7 hours for cost audit and billing.
 - When additional costs are identified that need to be reallocated, a spreadsheet is created that lists every traveler on the particular trip. The spreadsheet calculates how much of the additional costs should be reallocated to each traveler.
 - Once each traveler's share of the reconciled costs are identified, the information is entered into the accounting system by traveler. For a trip of 100 travelers, this requires 100 separate entries in the accounting system, each time the press is billed for that trip.
 - After the information is posted to the accounting system, individual invoices must be created for each traveler on the trip. Again, if there are 100 travelers on a trip, 100 invoices must be created individually. The current accounting system does not allow the accountant to automatically create all the invoices at one time after the data is entered.

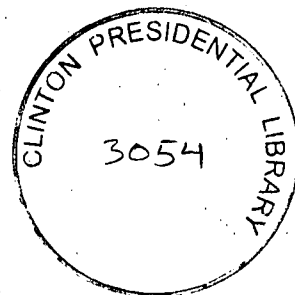
What are you doing to ensure that we don't have any more reconciliations?

- Some form of reconciliations will always be with us under a "dollar for dollar" system. However, we are doing some things to minimize the number of trips to be reconciled and to make reconciliations more timely.
 - We are increasing efforts to work more closely with those who obligate funds on behalf of the traveling press corps. We continue to look for ways to strengthen the financial control system on the road to ensure that all costs are controlled and documented by the completion of each trip. Failure of this structure in the major cause of reconciliations.

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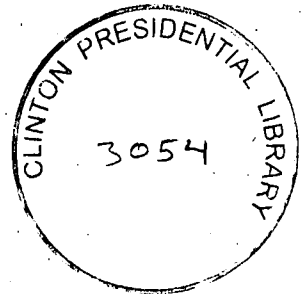
- We are in the process of reviewing new accounting systems that will help decrease the number of time-consuming steps involved with the trip billing process. Even when reconciliations are necessary, with a better integrated system, we can get those bills to the news organizations much more quickly. Implementation is expected in early 1998.
- The news organization favor a revised system of billing under which they are billed a "surcharge" or "accrual" of rebills so they have better budget control. We are reviewing this as an option.



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News organizations should also keep in mind that any uncollected accounts receivable for 1993 and 1994 trips will have to be reconciled as well. The Travel Office has been working hard to collect all old receivables but undoubtedly will have to spread the costs to other travelers on particular trips in the near future

- * **There is one unreconciled ATT billing of approximately \$300,000 for 1993 which also represents a potential billing.**



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Introductory Comments

TO has done many things well:

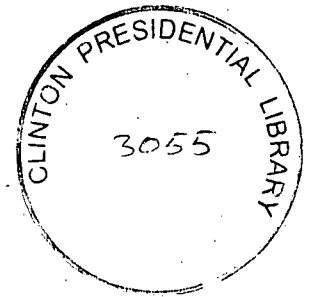
- kept things moving during campaign season with the same number of staff
- clean audit reports and for the most part, good reports from the GAO
- improved customer relations
- monthly statements have improved cash flow
- scheduling Jen's work leading up to the audit

Some good ideas that need to be followed through up on by the TO:

- no pay, no plane -- need to consistently follow up every month
- automation
- continuing to schedule Jen's time

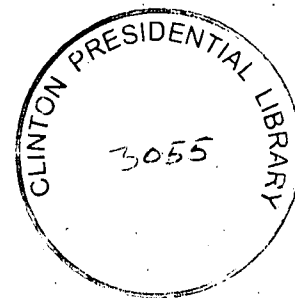
Problems that must be addressed:

- how to deal with FET
- rebills
- reaching out for necessary info (i.e., USIA bills, invoices, hotel info)
- staffing issues



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Issue-by-Issue Points



Staffing issue (page 4):

- nothing has been done with Jen
- there are no more slots at this time
- we need to figure out some more creative ways to address this than just adding a staff member
 - arrange long term (full semester) interns directly with Business departments
 - if the press funds an advance position (see below), could one Trip Coord. slot be used for this purpose?
 - with a new accounting manager and a new system, this could easily become a one person job

WHTO Staff on In-and-Outs (she proposes sending a TO advance person paid for by the press) (page 5):

- an idea worth looking into
- she should come up with projected costs and a proposal for presenting this to the press
- after we look at it, we'll need to make sure the Press Office approves
- if the press would approve paying the costs for an advance person (or two), could we reduce the number of Trip Coordinator slots?

Problems with the automated accounting system (page 5):

- Jodie, Kim and I have said on many occasions that we will spend what is needed if we're getting our money's worth on a system -- because no one has told us exactly what is out there, we can't say whether or not it looks like we're getting our money's worth
- after the audit, the TO should coordinate between IST and Procurement to move this forward
- we could look for someone with MIS experience when filling the Jen role who could also take this as a project
- again, if we're going to ask the press to pay some or all of the costs, we need to have an estimate and a proposal
- if the WHO is going to pay, we've got about three months (at the most) for the TO to wrap this up

Inadequate work space problem (page 5):

- let's move forward with the wall removal
- even if we're only realizing 80 square feet, this will be a much nicer space that will enable the people in both areas to do their jobs better
- we can probably identify some filing space for the infrequently used 93 and 94 files that are stacked around the TO and the Room 1 vault
- the Security Office hasn't been released by the Independent Counsel but even if it is released, there may be other uses for the space

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Job descriptions (pages 6-7):

- the breakout of job duties caused me to think creatively about how responsibilities could be realigned/reassigned (must separate the people from their positions)
- could the hotel management be picked up by someone else (AmEx or a Trip Coordinator) other than the Deputy Director?
- could the Deputy Director slot go away and have this be the second accounting slot?
- could the Deputy Director slot go away and have this be an office manager slot?
- could the Deputy Director become the Accountant supervising Jen?
- should the Accounting Manager be responsible for intern supervision and training?

Approval of overseas press filing centers (page 7):

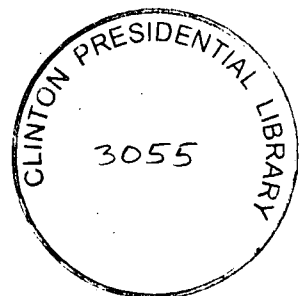
- call meetings on each one -- involve me and Lorrie so that Ann can't tell you one thing and her another
- should I talk to Lorrie about the need for this?

Need for better trip related information (page 8):

- assert yourselves where necessary
- hotel decisions for example: do you provide Advance with any recommendations or do you just give them a list of hotels for them to decide from?
- in cases where they flat-out make the wrong decision, what do you do about it? What should you do about it?

Meetings with M&A (page 10):

- we certainly should detail long term goals and set markers by which we can measure success
- this is the first annual review that I plan to have during my tenure
 - salaries
- title -- several people who are heads of offices don't have the SAP title (Ex Clerk, Bob McNeely, Alice Pushkar); a few people who make more than Sue don't have the title (Lisa Ross (now departed), some Assistant Counsel's, Carol Parmalee, Beverly Barnes)
- I try to give as much positive feedback as possible -- there are a lot of problems (some which occurred during previous Director's tenures with which we're still dealing) that must be addressed in each of our meetings

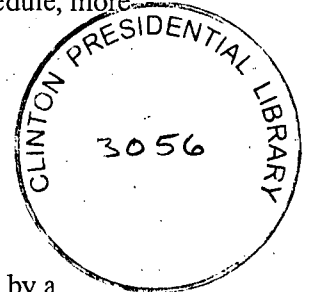


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"No pay-No plane policy" denying press charter and related trip services for failure to pay invoices within 90 days.

c. Held meetings as requested with individual news organizations to review costs and discuss their concerns and outstanding invoices. Recommended formation of press financial committee. Provided end-of-the year un-billed trip cost estimates to assist news organizations' financial planning.

d. Regained trust of the regular traveling press corps by providing consistently well-organized trips at a reasonable cost. Received particular praise for our performance during the campaign. The Travel Office provided the same excellent service for an accelerated travel schedule, more press travelers, and almost triple the billings with no added resources or staffing.



TOOLS/RESOURCES NECESSARY TO COMPLETE MISSION

1. Staffing

Issue:

The accounting office is understaffed. Currently, there is one accounting manager supported by a continually changing pool of unskilled interns. While the intern program provides free labor, the young interns need to be trained and constantly supervised and add an element of error to the operation. Important accounting functions suffer because of the under staffing. The *two* most important aspects to suffer are:

- 1) *the inconsistent accounts receivable collection and subsequent delayed payments to vendors.*
- 2) *internal controls cannot be maintained when accounting manager is doing significant data entry and training interns.*

Jen?
arrange long term interns

Proposed Solution:

My continued recommendation is to increase the staff by one full-time employee. A department of this size, responsibility, and complexity should have one full time accountant plus a receivables/payables clerk in addition to the intern assistance.

Issue:

The travel office advance program is only funded to travel on overnight Presidential trips. The press advance must then perform Travel Office logistical duties on Presidential day trips. Travel Office duties include: the press filing center, press office, transportation, airport logistics, press charter, costs, etc. . The press advance responsibilities are different. They are: press technical facilities at each Presidential site, coordination with local print and television, setting up all holds, *the Picture*, and so on. So, on day trips, there is no advance person exclusively assigned to handle the press logistics and cost control. This inconsistency of responsibilities is directly reflected in the subsequent timeliness and accuracy of trip costs, and often in other trip logistical planning.

Proposed Solution:

Fund the Travel Office advance on all trips. The additional cost for the advance could be funded through press expenses. Ultimately, the cost savings resulting from implementing cost and time savings measures would offset any costs for the advance staff. This formula would have to be presented and ratified by the White House Correspondents' Association. Another alternative would be to create a permanent Travel Office Advance position.

2. Tools

Issue:

Inadequate Automated Accounting - Our present software program DacEasy served its initial purpose of quickly introducing automated accounting into the new Travel Office. However, It is insufficient to handle the current accounting load and dollar-for-dollar billing complexity. It is more suitable for a small simple under \$1 million dollar business. It is incapable of performing simple tasks such as downloading to or from a spreadsheet or database, or creating open item billing statements. There is no integration between the operational side of the Travel Office and the accounting side.

The system represents the main obstacle from reaching our goals of billing the press in compliance with the GAO recommendations and preparing timely re-bills. The Travel Office has documented the need for new automation and completed all stages of White House Management's requirements, including IS&T meetings, work flow analysis, discussions with private vendors, and the RFI.

Proposed Solution:

Management and Administration ^{told them we'll spend what we need} has acknowledged the need for new automation but has not given the Travel Office a budget for guidance nor a realistic approach for research and implementation. The Travel Office's consistent and reasonable recommendation is to hire a qualified MIS consultant on a short-term basis. This consultant will have the foundation of automation research the Travel office has completed to finalize the selection of vendor, and implement and oversee the cut-over to a new system.

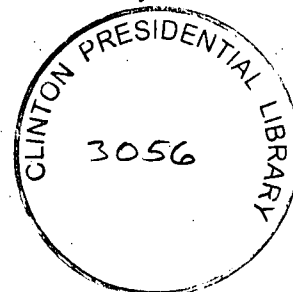
^{why couldn't a new Jan fill this role} The Travel Office staffing is insufficient to properly oversee this final phase. Improved automation will simplify the dollar-for-dollar pro-rata billing system, reduce man-hours, and provide better and more accurate information to the press and management. It is reasonable to expect that the press corps might be willing to participate in the funding of this cost since it directly impacts them and will save them time.

Issue:

Inadequate Work/File Space - Current accounting office is a (10 X 13 ft) hot, windowless closet housing 4 computers, 1 server, 1 laser printer, 3 work spaces, 3 filing cabinets, the accounting manager and between 2 and 3 interns. The heat generated from the computers makes the room very hot; the lack of space impedes paper flow, and lowers efficiency. There is concern about the functioning of the computers in this overheated space.

The interns have a work space in the small kitchen space immediately outside of the accounting office which also houses a sink, kitchen cabinets, microwave, fax, and printer used by the Room One staff. The area is inappropriate for work. Management has recently proposed to remove the kitchen (leaving the sink) and a wall to enlarge the space. The Travel Office is appreciative but the proposal will only

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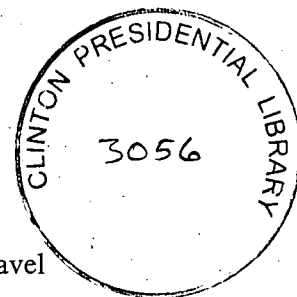
provide about 80 additional square feet. It still leaves us with insufficient space, air, and natural light to house this number of people and facilities.

The main office of the Travel Office is approximately 700 sq feet. The TMC (American Express travel agency) pay rent and occupy half of this space. The Travel Office Deputy Director and two trip coordinators occupy the remaining 350 or so square feet, each in a small cubicle of about 8 x 8 feet.

Proposed Solution:

A draft drawing of proposed accounting space was submitted to Management in July 1996. During subsequent conversations, the White House Security office was discussed as a serious candidate for our accounting office. It is nearby, has a secure vault for our accounting documents, and is an appropriate size.

The Travel Office proposes that its accounting office and related staffing and facilities move into a larger nearby space in the OEOB, the Deputy Director move into management's proposed enlarged accounting space, and the two press Trip Coordinators share the remaining space in the main office. This reconfigured space would provide everyone with some private and healthy work space.



Part Two - Survey

The following is an outlined response to the Management and Administration's request to the Travel Office for future planning. Some of the questions have been previously addressed.

1. Describe the mission statement for your office.

The White House Travel Office Mission Statement is previously outlined on page 1.

2. Provide the job descriptions for the people who work for you.

a. Director - The functions of the Travel Office Director are as follows: to supervise press logistics of each Presidential trip, including selection of air charters, hotel accommodations, etc; to coordinate on trips with other White House Offices, including Advance Office, Press Office, Scheduling, White House Operations, Airlift Operations, etc; to supervise the Travel Office accounting function, to ensure appropriate accounting mechanisms are maintained and trip costs are allocated and billed appropriately; to perform high profile/international advance to ensure that the goods and services the traveling press receive are appropriate and cost-effective; to make appropriate decisions regarding trip assignments, costs, problems; to continue improvement in automation, employee morale, and press satisfaction; and to supervise, to an appropriate level, the on-site employees in the Travel Management Center.

b. Deputy Director - The Deputy Director manages the overall hotel and motorcade operation of the four principals, including research, negotiation, correspondence, and liaison with the four principals' offices. Hotel rooms are blocked for the Secret Service, White House Communications, Military Office, and Advance and Scheduling Office. The hotel blocks range from 60 to 240 in each city, depending on the type of trip. Other duties include compliance with Press Fund Federal Excise

Tax Program and timely vendor payments. Another important duty is to supplement the Director's ability to perform the above functions, and to act in the Director's place when the Director is fulfilling off-site Travel Office responsibilities.

c. Trip Coordinators - The trip coordinators function to ensure that press logistics are sufficient to conform to the Presidential Press Schedule; to assist in the selection of air charters; to provide advance services; to design Presidential trip sign ups; to coordinate all press trip requirements; provide appropriate manifests to the charter companies, hotels, advance staff, and when appropriate, U.S. Embassy officials; to keep in contact with Andrews AFB Special Air Missions and Public Affairs ; to interact directly with members of the traveling press on all trips; to collect and organize all bills/purchases made on behalf of the press during the course of a trip; to interact with Travel Office accounting ; and to escort the traveling press on all Presidential Trips.

d. Accounting Manager - The function of the accounting manager is to ensure that the press costs of all trips are appropriately accumulated, segregated, documented and billed to the traveling press; in addition, oversees the accounts receivable, accounts payable, and cash flow for the Press Fund which ranges from \$7 to \$15 Million. The accounting manager is responsible for all financial and tax reporting. The accounting manager assists in intern supervision and training.

3. What are the tools/resources necessary for you to successfully complete your mission.

See page 4 of progress document.

4. What are the areas of overlap that your offices experiences in relation to work being done by other offices around the complex?

A. Some areas of overlapping duties.

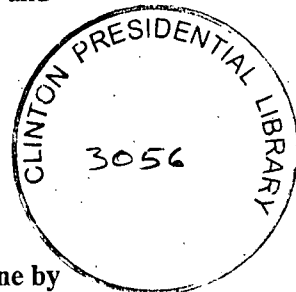
Press logistics on day trips: See page 4 of progress document.

Authorization of press costs: The Travel Office has a mandate to review and approve all press costs; unauthorized purchases still occur, resulting in late and incorrect press billings.

Solution: Fund Travel Office Advance on all trips.

Travel Office approval of overseas press filing centers, and expensive domestic ones. The Travel Office doesn't wish to intrude on the press scheduling role. However, its experience and/or objections to Filing Centers or other contracts because of cost or convenience should be an integral part of the final selection process.

Solution: Establish financial meeting with Travel Office and Press Advance prior to final selection of overseas or expensive domestic filing centers. Deputy Press Secretary of Operations should arbitrate any disputes.



B. Close working relationship without duplication of tasks.

Press Advance: The Travel Office relies on the Press Advance Office entirely to provide a schedule that our office carries out. We work with their office daily.

Airlift Operations: The Travel Office relies on Airlift Operations to supplement our research with general information about recommended airports, airport support, ramp space, noise abatement and other basic information that would assist our planning. The Travel Office works in close coordination with the AF1 advance officer on each trip to coordinate the press plane parking. They provide us with an airport parking diagram for each trip which we pass on to our charter operations and pilot and keep on file.

White House Transportation: The Travel Office meets with "Carpet" personnel on each trip to coordinate the intricate transport of press baggage and equipment.

5. How can your offices's efforts be better coordinated with those of other offices?

Each trip-related office should be aware of each other's function. A universal increased awareness of logistics and costs in general would raise trip efficiency and cost effectiveness. In our case alone, few offices are aware of the level of detail that goes into our trip planning and the fiscal and logistical responsibility we have prior, during, and after a trip. Some offices think we are a travel agency, some that we work exclusively for the press corps, and some have no idea. The result is that the Travel Office's broad experience is not used to benefit Presidential Trip planning. The Travel Office is used as a reactive tool, rather than a pro-active one. There are instances when White House event planning could have benefited logistically and financially by using the Travel Office's institutional knowledge and experience.

The 1996 Presidential train trip is a good example. Press Advance had contracted for 46% of the train. The Travel Office reasonably expected to be part of the financial discussion because of its responsibilities. But, instead it was denied a forum to address its cost and payment schedule questions. The Travel Office ultimately was given less than a week to collect the press's share from over 100 news organizations, many of whom had never traveled and were unknown to us. It resulted in unnecessary stress and confusion for the press, staff, and Amtrak. Similar logistical and financial problems occurred during the Olympics, Democratic Convention, and Election Night that could have been avoided had our advice been taken seriously.

6. How can communication be improved?

Communication *has improved* in the last two years between the Travel Office and other offices. The Travel Office has worked hard at this improvement. Areas which still need improvement are:

- a. Responsiveness to Travel Office questions. In some cases, an acknowledgment of a pending question is better than none, even if the issue is not resolved.
- b. Inclusion in long term trip planning.
- c. Better chain of communication for trip announcements.



7. How well do you believe you are accomplishing your mission? If you don't feel your mission is being full achieved, why not?

The travel office accomplishes less than it would like because of resources stated earlier. The travel office functions in the context of a bureaucracy where other offices take the lead with respect to Presidential travel; the travel office is not regularly included in the pre-trip decision-making meetings. The Travel Office is a multi-million dollar operation which is staffed by one accountant and several interns who do not necessarily have any accounting background. The travel office is permitted to function with an outdated technical accounting system which provides limited services and requires the manual re-entry of information.

With these parameters, the Travel Office still has substantially improve its operations and reputation, and I am grateful that my staff is as hard-working and committed to the President as they are. However, if conditions don't improve, it's reasonable to expect a complete turnover of the Travel Office staff this year.

The solution, articulated again are: appropriate participation in Presidential travel planning; an appropriate level of professional accounting staff; a technical environment which is multi-purpose, reasonable work space, and respect.

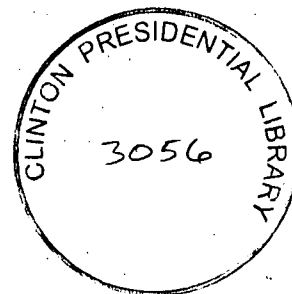
8 What meetings are important to have to better manage business.

a. Within our office:

The Travel Office has frequent productive meetings for long and short term planning of goals, trip schedules, and accounting. Each trip is reviewed in detail 24 hours in advance by the Trip Coordinator and Director. Quarterly accounting schedules are designed and tracked.

b. Between our office and other offices in the Complex:

The Travel Office meets: Monthly with Airlift Operations.
Frequently with the Press Advance office.
Weekly with Short Term Scheduling.
As scheduled, trip meetings.
With related trip entities prior to each foreign trip



The Travel Office would like to participate in:

Long term Scheduling Meetings.
Special Event Meetings, e.g. Summit of Eight.

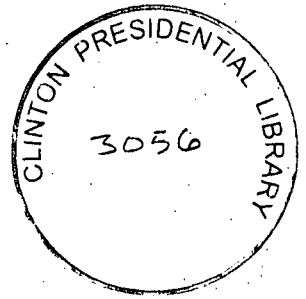
The Travel Office recommends these meetings:

Post-foreign trip meetings - Press - Travel office
A logistical meeting on each pre-advance agenda. *The White House and State Department lose space and incur costs by not making logistical commitments while on the ground.*

- c. *Between our office and other offices in Management and Administration*

The TRAVEL OFFICE meets weekly with Management and Administration.
Proposed new agenda items:

- a. Delineation of M&A long term goals for Travel Office and subsequent reviews
- b. Annual progress and salary reviews. Only one staff has received a review or salary increase since initial employment.
- c. Director's title change to Special Assistant to the President in keeping with responsibility and other office heads.
- d. Positive as well as negative feedback.



12 month proposed accomplishments.

- a. Overhaul of Press billing policy to include a program of surcharge or capitalization.
- b. Reconciliation of old accounts receivable - Implement retroactive "No pay-No plane" Policy. Institute policy of rebilling uncollectibles.
- c. New automation.
- d. Improved office space.
- f. Increased staffing.
- g. Improved communication with M&A.
- h. Salary adjustments.
- i. Continued improvement of press operations and communication with other offices.
- j. Collection or re-billing of old accounts receivable.
- k. Bringing all payables current.

In 2 years.

- a. Fully integrated automation of Travel Office operations and accounting with possible introduction of smart-card and third party billing program.
- b. Feasibility study of Integrating press logistics into Press Advance office.
- c. Continued progress.

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. letter	Mike Malone to Paul Bedard; RE: Address [partial] (1 page)	09/04/1997	P6/b(6)
002. letter	To Paul Bedard; RE: Address [partial] (1 page)	07/11/1997	P6/b(6)
003. letter	Paul Bedard to Sue Hazard; RE: Address and phone number [partial] (1 page)	04/07/1997	P6/b(6)
004a. letter	Leonard G. Birnbaum and Company to Michael Malone; RE: Audit for 1995 (3 pages) ✓	07/24/1996	P5 3057
004b. letter	Nelson Cunningham to Leonard G. Birnbaum and Company; RE: Audit (2 pages) ✓	12/27/1997	P5 3058
005. draft	RE: Travel Office Charter Operations (4 pages) ✓	05/12/1997	P5 3059
006. draft	RE: Security Procedures (2 pages)	05/21/1997	b(7)(E)

COLLECTION:

Clinton Presidential Records
 Management and Administration
 Mike Malone
 OA/Box Number: 12626

FOLDER TITLE:

Misc. [Miscellaneous] Travel Office [2]

Debbie Bush
 2006-0946-F
 db2727

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]
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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

LEONARD G. BIRNBAUM AND COMPANY

CERTIFIED PUBLIC ACCOUNTANTS

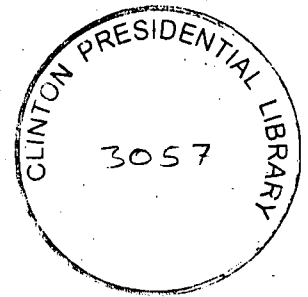
WASHINGTON OFFICE

6285 FRANCONIA ROAD

ALEXANDRIA, VA. 22310

(703) 922-7622

FAX: (703) 922-8256



LEONARD G. BIRNBAUM
LESLIE A. LEIPER
DAVID SAKOFS
CAROL A. SCHNEIDER

WASHINGTON, D.C.
SUMMIT, NEW JERSEY
LOS ALTOS, CALIFORNIA
SAN DIEGO, CALIFORNIA

MEMBERS OF THE
AMERICAN INSTITUTE
OF CPAs

July 24, 1996

Mr. Michael Malone
Director, White House Operations
Room 1, Old Executive Office Building
Washington, D.C. 20500

Dear Mr. Malone:

In conducting the audit of White House Travel Office (WHTO) Press Funds' financial statement for the year ending December 31, 1995 (see Independent Auditors' Report dated July 24, 1996), we noted several management issues that we wish to bring to your attention. These issues are matters for further review and not considered to have a material impact on financial statement.

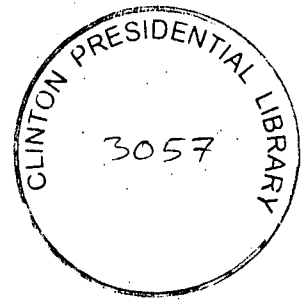
- ✓1. Our review of WHTO's Accounting Procedures dated May 1, 1994, which was revised effective March 1, 1995, disclosed that Chapter 11 - Federal Transportation Excise Tax (FET) and Chapter 12 - Cash Reconciliation were incomplete.

We recommended that WHTO complete the development of the missing chapters of its Accounting Procedures and implement them. We noted that subsequent to our audit, WHTO revised and completed the Chapter 11 and Chapter 12 of its Accounting Procedures.

- ✓2. Section 1-4.2 of WHTO Accounting Procedures provides that all agreements for goods and services provided for traveling should be documented on an approved WHTO Purchase Order. It further provides that vendor invoices without the corresponding approved purchase order will not be paid. Our review of selected trip folders and payable folders disclosed that WHTO has not yet implemented this procedure.

COPY

Mr. Michael Malone
White House Operations
Washington, D.C. 20500



While a review of activity subsequent to the period of audit disclosed improvement in this area, we recommended that WHTO intensify its efforts to comply with its Accounting Procedures with respect to having Purchase Orders approved by the Director of the White House Travel Office prior to delivery of goods and services. In this respect, WHTO revised its procurement policies to be consistent with its procurement practices.

3. The White House Press Corps Travel Policies and Procedures provide that an accurate billing will be provided by WHTO within 20 business days of the return from a domestic trip. For international trips, the Policies and Procedures provide that invoicing for air transportation and ground transportation will be made within 20 business days after trips are completed and 15 business days after receipt of the final USIA billing, respectively. Our review, however, of receivable folders for certain domestic trips disclosed that, in some cases, invoices were prepared subsequent to 20 days after completion of trips. As stated in the Travel Policies and Procedures, timely billing and reimbursement are critical elements in this operation.

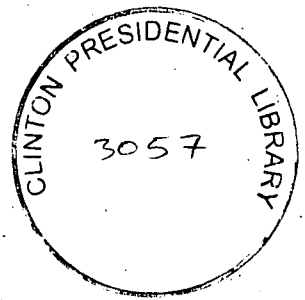
We recommend that WHTO intensify its efforts towards preparing its invoices in accordance with its Policies and Procedures to ensure prompt reimbursement from news organizations which, in turn, enables timely payments to its service providers. We did note improvement in this area in activity subsequent to the period audited.

4. We were not able to identify that section of WHTO's Accounting Procedures which requires timely payment of payables. Nevertheless, our review of payable folders indicated that, in some instances, invoices were not paid in a timely manner.

We recommend that WHTO develop and implement procedures requiring timely payment of its payables.

5. Our testing of accounts receivable balances by independent confirmation disclosed that, in some instances, news organizations disagreed with the balances claimed by WHTO. We noted that some of these outstanding receivables were for trips taken quite some time ago. Although some disagreements were resolved in recent months, we believe WHTO should intensify its efforts in timely collections of its accounts receivables. With respect to erroneous billings, given the nature of WHTO's operations, overbilling to one traveler results in underbilling to other travelers. While the aggregate balance of accounts receivable is not invalidated by erroneous billings, an improvement in controls over accounts receivable will enhance timely collections and accurate accounting.

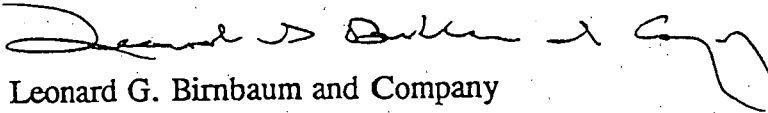
Mr. Michael Malone
White House Operations
Washington, D.C. 20500



We recommend that WHTO strengthen its internal controls over accounts receivables to enhance timely collections and accurate accounting. Again, improvement in this area was noted in transactions subsequent to the period audited.

We have already discussed these observations and suggestions with representatives of WHTO and we are aware of initiatives undertaken subsequent to the period audited. We wish to commend the WHTO staff for their commitment to enhancing the accuracy, effectiveness and efficiency of their accounting system.

Sincerely,

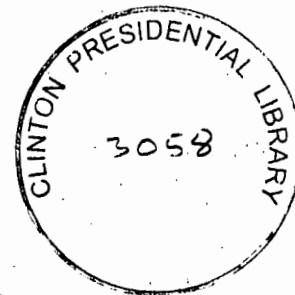


Leonard G. Birnbaum and Company

COPY



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF ADMINISTRATION
WASHINGTON, D.C. 20503



~~December 27, 1996~~
1997

Leonard G. Birnbaum and Company
6285 Franconia Road
Alexandria, VA 22310

Re: White House Travel Office

Ladies and Gentlemen:

As General Counsel of the Office of Administration, Executive Office of the President, which provides legal support to the White House Travel Office (Travel Office), I advise you as follows in connection with your audit of the Travel Office Press Fund's financial statements as of December 31, 1996 and for the fiscal year ended on that date.

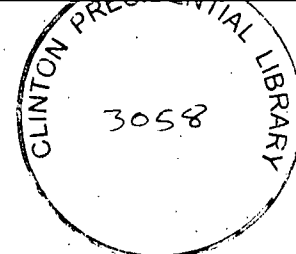
As General Counsel of the Office of Administration, I have general supervision of the Travel Office's legal affairs. In such capacity, I have reviewed litigation and claims threatened or asserted involving the Travel Office Press Fund. As you are aware, the Press Fund operates on a dollar-for-dollar basis, with all liability for Fund expenses ultimately borne by the members of the White House travelling press corps. Accordingly, any claims that might successfully be asserted against the Press Fund would be the responsibility of the travelling press, and not of the Press Fund.

Subject to the foregoing and to the remainder of this letter, I advise you that since January 1, 1996 neither I, nor any of the lawyers over whom I exercise general legal supervision, have given substantive attention to, or represented the Travel Office in connection with, material unresolved loss contingencies coming within the scope of Paragraph 5 of the Statement of Policy referred to in the last paragraph in this letter.

The information set forth herein is as of the date of this letter. I disclaim any undertaking to advise you of changes which thereafter may be brought to my attention or the attention of the lawyers whom I exercise general legal supervision.

This response is limited by, and in accordance with, the ABA Statement of Policy Regarding Lawyers' Responses to Auditor's Requests for Information; without limiting the generality of the foregoing, the limitations set forth in such Statement on the scope and use of this response (Paragraphs 2 and 7) are specifically incorporated herein by reference, and any description herein of any "loss contingencies" is qualified in its entirety by Paragraph 5 of the Statement and accompanying Commentary (which is an integral part of the Statement).

COPY



Leonard G. Birnbaum and Company
~~December 27, 1996~~
Page 2

Consistent with the last sentence of Paragraph 6 of the ABA Statement of Policy, this will confirm as correct the Travel Office's understanding that whenever, in the course of performing legal services for the Travel Office with respect to a matter recognized to involve an unasserted possible claim or assessment that may call for financial statement disclosure, I have formed a professional conclusion that the Travel Office must disclose or consider disclosure concerning such possible claim or assessment, I, as a matter of professional responsibility to the Travel Office, will so advise the Travel Office and will consult with the Travel Office concerning the question of such disclosure and the applicable requirements of Statement of Financial Accounting Standards No. 5.

Very truly yours,

Nelson W. Cunningham
General Counsel

cc: White House Travel Office

ABA Statement
that whenever
with respect to a matter
that may call for
at the Travel Office
or assessment of,
advise the
of such disclosure
accounting standards

and/or
S. W. Cunningham
General Counsel

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DRAFT

DRAFT - Revised as of 5/21/97

Background

On March 6, 1997, one of the Travel Office's charter operators contacted Sue Hazard, the Travel Office Director, to raise a question concerning the safety procedures used during the conduct of charter flights.

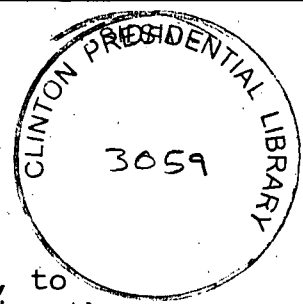
Under current operating procedures, inherited from previous administrations, the travelling press, who are the occupants of the White House Travel Office (WHTO) chartered flights, do not have their persons or their equipment safety inspected, per the requirements for "public" charters for domestic flights under 14 C.F.R. 108. The charter operator was concerned that fines would be levied against them for non-compliance with these requirements. Sue Hazard forwarded this matter to Counsel for treatment. The charter operator requested that WHTO contact the F.A.A. and obtain a letter from the F.A.A. which exempted WHTO coordinated charters from these requirements.

During mid-March and early April, Counsel conducted regulatory research to identify the regulatory framework under which charterers operate. Counsel repeatedly contacted the charter operator directly in order to understand the question being asked, as well as to assist in Counsel's understanding of the regulations. The charter operator stated that the reason they were raising the issue was based upon the recent heightened concerns about safety and the 1995 determination by the I.R.S. that, for purposes of application and payment of the Federal Excise Tax, the WHTO would be treated as a public charter. The charter operator stated that they did not believe that the current exemptions the WHTO has, which relate to economic reporting requirements under Title 14, encompassed an exemption from safety requirements.

Having established a better understanding of the charterer's question and the distinct regulatory treatment of public and private charters, Counsel determined that direct contact with the F.A.A. would be useful in order to: (1) clarify regulatory points; and (2) identify the process by which an exemption or other formal action may be taken to safeguard the travelling press' ability to follow and provide the public with coverage of Presidential events. At the end of the second week in April, Counsel briefed the issue to and cleared the proposed agency contact through White House Counsel's office, which determined that the proposed agency contact was administrative in nature and therefore permitted.

During the third week of April, Counsel contacted F.A.A. Counsel's Regulatory Division and spoke with its attorney for security-related issues, Mike Chase. Mr. Chase went over the relevant regulations with Counsel, specifically referencing the security requirements for public charters under section 108, and

COPY



the general petition procedures for requesting exemptions from rules in Chapter 11 of Title 14. Counsel, in turn, related the circumstances of the inquiry.

To date, Counsel has coordinated on the investigation of current processes and potential options, as well as having made appropriate inquiries.

Regulatory Framework Analysis

Subsections 108.3(c) and (d) of Title 14 define private and public charters, respectively, as follows:

(c) *Private charter* means any charter for which the charterer engages the total capacity of an airplane for the carriage of:

(1) Passengers in civil or military air movements conducted under contract with the Government of the United States or the Government of a foreign country; or

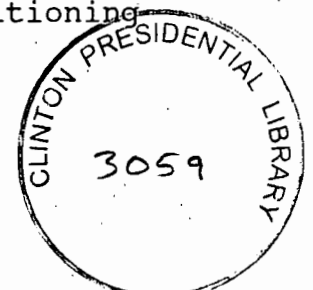
(2) Passengers invited by the charterer, the cost of which is borne entirely by the charterer and not directly or indirectly by the individual passengers.

(d) *Public charter* means any charter that is not a *private charter*.

As concerns the characterization of the WHTO operation, the key distinction in subsection (c)(2) is that the WHTO makes payment, as a charterer, to the air carrier/broker and is reimbursed by the travelling press for the direct costs associated with chartering the aircraft for their use. The WHTO may argue that the charter constitutes a private charter under (c)(1), as a civil air movement under contract with the Government of the United States, if it wants to identify the WHTO as the United States Government. Otherwise, the WHTO may argue that its operations closely resemble those of a private charter, and that unique circumstances exist which commend the treatment of WHTO charters as private charters.

The procedural rules for petitioning the FAA to grant a permanent exemption from a rule are covered under Chapter 11 of Title 14 in the Code of Federal Regulations. This Chapter generally provides that rulemaking include public notice, unless the Administrator determines that such notice is "impracticable, unnecessary, or contrary to the public interest." See 14 C.F.R. 11.21. The effective date of an exemption must be included in the petition. The regulations provide that "(i)n the case of a petition for exemption, unless good cause is shown in that petition, be submitted at least 120 days before the proposed effective date of the exemption." See 14 C.F.R. 11.25(b)(1). Subsections(b)(3) through (b)(5) summarize the substance of the petition, including regulatory citation of the rule from which the exemption is being sought, an explanation of the petitioning

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party's interest, and information and argument supporting both a public interest in the acquiring the exemption as well as maintaining an appropriate level of safety consistent with current regulatory requirements. See 14 C.F.R. 11.25(b) (3-5).

Options

Option 1: Do not pursue a formal course of action through the FAA to seek a waiver/exemption of safety requirements for WHTO charters. Refer the issue to the Correspondents Association for resolution.

Pro - This option requires little commitment of internal resources. Currently, no other charter organization has identified the issue to the WHTO; if one charter organization refuses to provide services, this may be something the WHTO can accept.

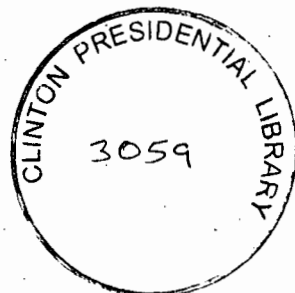
Acting on behalf of the press, however, the WHTO has a fiduciary duty to represent the press' best interests, which would require that, at a minimum, we forward the issue to them for action. The Correspondents Association has their own attorney, and can pursue an exemption as well as we can. Moreover, the concerns in maintaining the press' ability to report on the President and the paramount public interest in having access to such reports may best be expressed by the organizations themselves.

Con - The charter organization has identified a valid issue. The Correspondents Association could just as easily return the issue to WHTO for treatment.

Option 2: Initiate the process for petitioning the FAA to: (a) grant a formal waiver of the safety requirements for "public charters" for WHTO charters by seeking an amendment to the Air Carrier Security Program; or (b) seek a definitional change of WHTO charters as "private charters" for purposes of non-application of the safety requirements of Title 14, Chapter 108. The WHTO specifically may seek to qualify as a private charter under subsection 108.3(c)(1) or may seek that characterization based on unique circumstances. The relief granted from any of these petitions would be the same - no charter would be in violation of the safety requirements of Chapter 108. The WHTO may make such a petition; the outstanding issue is whether the press will want WHTO to do so. The press needs to be provided with the alternatives, and a description of how their trips will be impacted by each. The WHTO may also include both of these alternative arguments in its petition for relief.

Pro - Developing and presenting alternatives to the press, and taking informed leadership once the press has made its choice, positively demonstrates our concern in representing their interests.

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One of the advantages to seeking an amendment to the Air Charter Security Program, Option 2(a) is that the program itself is not public, for reasons of security, and, therefore, the process for seeking relief/change from provisions of the program are similarly non-public. Since the Program applies to carriers, the WHTO would seek a blanket amendment on behalf of carrier organizations, the amendment applying when an organization is conducting a WHTO charter related to a Presidential event. The WHTO would then be responsible for forwarding a copy of the amendment to the specific carriers selected for each trip.

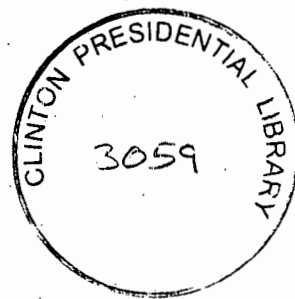
The advantage to Option 2(b) is that the security requirements would simply no longer apply to the WHTO charters, and WHTO operations would be minimally impacted.

Con - Taking leadership for the press perpetuates the press' reliance on WHTO services for more than the arrangement of the press' travel needs.

The disadvantage of seeking a re-definition of the WHTO as a private charter under subsection 108.3(c)(1) is that identifying the WHTO as the United States Government may subsequently render the Federal government liable for payment of WHTO contracts.

Required follow-on activities: Regardless of the choice of Option 1 or Option 2, the following activities need to be engaged in to have enough information to make an informed decision.

The information necessary to support the petition for an exemption needs to be gathered. The WHTO has already begun to analyze the times and places where security measures are currently in place. The WHTO is similarly identifying both the types of trips and junctures where security would need to be implemented or improved. The WHTO is investigating the costs of implementing new security requirements for trips. Potential sources for security services include: (a) Secret Service, which could perform the service if reimbursed by WHTO - WHTO could spread the cost to their customers as a ground expense; and/or (b) Airport security - the WHTO would have to arrange or have the charter organizations arrange for additional security measures to be implemented at each stop in a trip. Much of this will depend on the type of trip the President is taking. The WHTO is also coming up with time estimates of running the press through regular airport terminal security, and determining the extent to which this may effect the President's travel schedule.



COPY

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. paper	Mike Berman; RE: Phone numbers [partial] (1 page)	n.d.	P6/b(6)
002. list	Calls; RE: Phone numbers [partial] (1 page)	n.d.	P6/b(6)
003. notes	RE: DOB [partial] (1 page)	n.d.	P6/b(6)
004. notes	Agenda; RE: Phone numbers [partial] (1 page)	07/13	P6/b(6)
005. notes	RE: Handwritten notes (5 pages)	07/13	P2, P6/b(6)
006. notes	RE: Handwritten notes (2 pages)	07/07	P2 3061
007. notes	Handwritten notes (6 pages)	07/07	P2, P6/b(6)
008. notes	RE: Notes from a meeting (2 pages)	07/25/1993	P2 3062
009. notes	RE: Handwritten notes and phone numbers (11 pages)	07/01	P2, P6/b(6)
010. notes	RE: Notes from meeting (3 pages)	07/23/1993	P2, P5 3063
011. notes	RE: Handwritten notes (3 pages)	n.d.	P2, P6/b(6)
012. notes	RE: Handwritten notes (15 pages)	n.d.	P2, P6/b(6)

COLLECTION:

Clinton Presidential Records
Scheduling Office
Ricki Seidman
OA/Box Number: 6072

FOLDER TITLE:

[Blue Binder with Various Notes and Lists Including White House Travel Office Notes]
[1]

Debbie Bush
2006-0946-F
db2731

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]
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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).

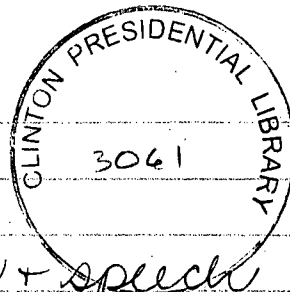
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Freedom of Information Act - [5 U.S.C. 552(b)]

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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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9/7



8:30 FRIDAY

Friday

ACLU (Qin)

1st Amend - Religion + speech (Qin)

crime

antitrust/business (Qel)

Rou - ask
mandatory
minimums

Howard Phillips / US Taxpayers Party
Hispanic National Bar Assn.

3 or 4 panels - Roger Wilkins

hires out of same pool of super qualified
African Americans always go to more
liberal

I regret the appearance of insensitivity this
cheater

Eleanor Holmes Norton

Vernon

Nate Jones

Blattner

Manion

Pat King

COPY

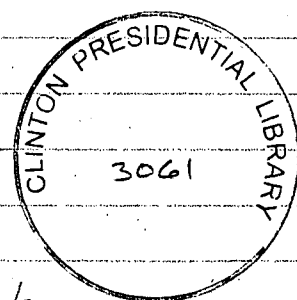
7/7

RBG Briefing

ACLU - committees reported to the bd w/ proposed resolutions

exec comm controlled agenda, didn't generally get involved except Vietnam War & Nixon impeachment

in ordinary course, staff had no involvement in policy



as a responsible bd member, wld cast votes different than personal position

1st year - 1/2 time on ACLU staff; after that NOT ACLU staff

as GC, attended exec. comm. but didn't have vote

equal protection
affirmative action
voting rts

Shaw

Pressley

1991 Civil Rts Act

procedural v. substance

single sex education

taxing power

comparable worth

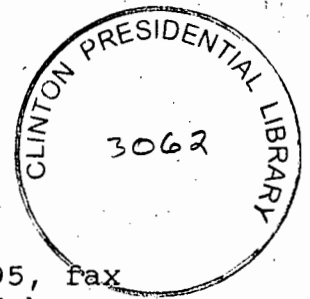
cong. power under § 5 of 14th A

" " to enact statutes re: FOIA

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Notes from meeting of July 25, 1993



Berman, Greenfeld, Klain, Klein, Seidman

Space/ Administrative

There is now office space in OEOB 566, 456-2156, 2695, fax 456-6519. Helaine Greenfeld will be the coordinator, and by Monday there will be a secretary from Justice, Martha Jackson. Helaine will compile and circulate a list of home, office and vacation phone numbers.

Briefings with law professors and mock hearings will be held in Room 180 OEOB.

Courtesy Calls

Ron reported that RBG has seen all the senators on the Judiciary Committee except Specter and about 12 others off the committee. Monday she has plans to see Congressmen Brooks, Fish and Edwards. So far the only follow up meeting that looks necessary is with Metzenbaum to further discuss issues of Roe, Antitrust and a few opinions on which he questioned Bork that RBG joined as well. Helaine will keep a schedule of the courtesy calls and a list of those already completed. Notes from the courtesy calls so far will be gathered from Ricki and Susan and compiled by Ron.

Video Tapes

Tapes of previous hearings are being gathered by Collier in Ricki's office and will be in Room 566 as they come in.

Briefing Materials from Previous Nominees

This material is being copied by Justice and will be sent over to Joel today.

Preparation Team

Ron suggested adding someone from Public Liaison to work with Ricki on police groups and other similar constituencies.

Joel said that the group of lawyers preparing memoranda should be finishing today and that all will be complete by Monday. This includes both the 2 page memos and the longer, more comprehensive materials. When they are finished, a set will be sent around to everyone unless they tell Helaine it isn't necessary.

Faculty Briefings

Joel reported on the academics being enlisted to brief RBG on a variety of subjects. So far they include (with apologies on the spellings):

- o Antitrust/ Communications - Tom Krattenmaker (Georgetown)
- o Criminal Law - Jerry Lynch (Columbia)
- o Administrative Law - David Shapiro (Harvard)
- o Religion - Martha Minnow (Harvard)

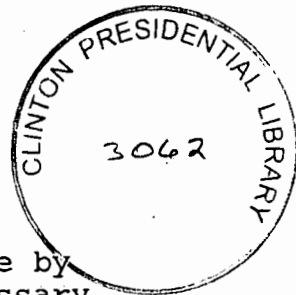
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- o 1st amendment - Geoffrey Stone (Chicago)
- o Federalism - Sue Block (Georgetown) & Vicki Jackson ? (Georgetown)
- o General Constitutional - Jerry Gunther (Stanford)
- o Civil Rights - unclear - either Burt Neuborne (NYU) or Charles Abernathy (Georgetown)
- o Property - Milton Regan (Georgetown)
- o Privacy - Sylvia Law (NYU)
- o What's New at the Supreme Court - Kathleen Sullivan (Stanford)

Ron's Visit to the Judiciary Committee

Ron went over what he sees as the 6 major areas of focus in the hearings:

- 1) Death Penalty/ Crime/ Habeas Corpus
- 2) Gay Rights
- 3) Madison Lectures
- 4) ACLU (membership/ involvement)
- 5) Takings/ Property/ Environmental
- 6) Labor/ Consumer/ Antitrust



Ron hopes to get the Judiciary Committee questionnaire by today, after which we will begin compiling all of the necessary documents and opinions. We decided that any per curiam decisions she has authored should not be included.

Ron also reported that he has gotten the committee to agree to 2 minute openings by all the members except Biden and Hatch, and that he is close to an agreement on only two 30 minute rounds of questioning.

There will be a meeting at 2 pm on July 1st with the Democratic staff members of the committee.

Mock Hearings

It was decided that before the mock hearings it would be useful to set aside a half day to prepare for the preparation and do some Q&A with RBG. Ron and Joel volunteered to do the questioning.

Next Meeting

The next meeting will be Tuesday, June 29th at 9:30 a.m. in 125 OEOB.

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Notes from meeting of July 23, 1993

Seidman, Brophy, Berman, Kline, Klain

* Would be useful to get some republicans from the outside who will let us know what they hear from committee and senate republicans - Mike

* Ginsburg could be asked to respond to Lani's substantive positions. Has she read any of the relevant articles?

* Committee Republicans are looking for the letters that the President received on behalf of Ginsburg. They will not get same but they might look for some of them by asking the nominee.

* Ask her about any information she has about any campaign to help her secure the nomination

* Rumor is that some abortion rights zealot in the White House advised Marty Ginsburg to start a campaign to overcome questions about her position on choice

* There is a group of 8 - 10 lawyers who are reviewing all of her opinions and catagorizing them...They will then prepare 3 separate memoranda

- 2 page summary sheet on her views on various subjects as reflected in those opinions...these will be ready not later than June 28
- detailed memoranda on the essence of the decisions
- potential areas of questioning that they can identify

* Memoranda will also be prepared comparing her positions to the right and left wings of her court

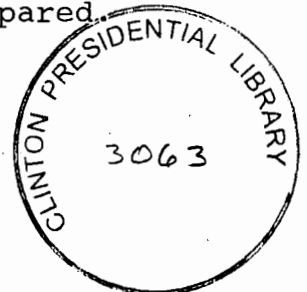
* A group of lawyers and Wilmer, Cutler are doing a detailed analysis of her written and spoken work outside of the court

* The madison lectures are getting considerable attention especially on the issue of whether she has made any changes that would make her look more sympathetic to the pro-choice position. It is her view that she has only made word changes on substance changes in preparation for publication which will not come until the fall but drafts are floating around.

* Howard is meeting with Marty and the Judge so they will understand the process and the need for them to not involve themselves in an active role in the coming weeks leading up to the confirmation.

* Kline to look for law school types who can engage in the briefing process using the materials that are being prepared.

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* The Souter and Thomas preparation materials are available in DOJ and Kline and Greenfield will review them to determine which materials we want to copy.

* With a few exceptions the mock hearing panel should be composed of people who are in the administration and who are not likely to appear before the court....find out whether Dellinger can participate given his promise to keep OLC out of judicial politics. Consider the inclusion of staff people from the hill who are not involved in the Senate Judiciary Committee work.

* A group of lawyers at Covington and Burling is preparing a review of the pattern of questions at the last for hearings for nominees and O'Connor

* Ricki is working to get the relevant video tapes for the judge to review. Ron will also identify particular exchanges in several of the hearings that should particularly be brought to the Judge's attention.

* Given her history of disassociating herself with any clubs that discriminate...there could well be questions about whether membership in such clubs should be debilitating.

* Her chron files have been reviewed and there is nothing of note.

* Jeff Peck and Mark Gittenstein are working with the Judiciary Committee.

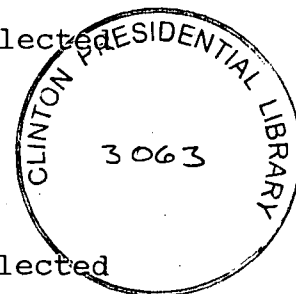
* The first mock hearing should be Friday afternoon July 9 and should just be for a couple of hours to let the Judge start warming up. The Tuesday and Friday mock hearings the next week should be all day affairs.

* Determine where preparation work should take place given that there is too much going on at the court house.

* Helene...arrange to get 180 for the Friday 7/9 session in addition to the hold that is on the room for the following week.

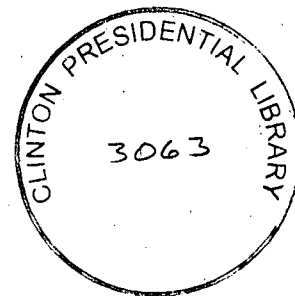
* Proposed schedule of briefings and mock hearings

- Week of July 5
 - Separate Briefing and Q & A sessions on selected issues
 - Tuesda, Wednesday, Thursday
 - Friday...mock hearing 2:00 p.m.
- Week of July 12
 - July 13...mock hearing
 - July 14...briefing and Q & A session on selected issues



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- July 15...rehearse opening statement
briefing and Q & A on selected issues
- July 16...mock hearing
- July 17, 18, 19 - hold
- Week of July 19
 - Hearing begins July 20
 - Close session - 4:00 p.m. Friday 7/23
- Should go over this schedule with Judge at earliest convenient time



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Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. notes	RE: Handwritten notes [partial] (1 page)	06/08	P6/b(6)
002. note	RE: Phone numbers [partial] (1 page)	n.d.	P6/b(6)
003. notes	Joycelyn Elders; RE: Handwritten notes (1 page)	07/17	P2, P6/b(6)
004. notes	RE: Handwritten notes (4 pages)	07/15	P2, P6/b(6)
005. notes	RE: Handwritten notes (2 pages)	07/14	P2, P6/b(6)
006. outline	RE: Joycelyn Elder's (1 page)	07/16	P2, P6/b(6)
007. memo	Jerry Klepner to Working Group on the Confirmation of Dr. Joycelyn Elders (7 pages)	07/01/1993	P2, P5 3064
008. memo	Bill Galston to David Gergen, et al.; RE: Elders Nomination (2 pages)	06/29/1993	P2, P5, P6/b(6)
009. list	24-Hour Contacts for Cabinet Members; RE: Phone numbers (3 pages)	01/26/1993	P6/b(6)
010. list	Telephone Numbers for Cabinet Members; RE: Phone number [partial] (2 pages)	n.d.	P6/b(6)

COLLECTION:

Clinton Presidential Records
Scheduling Office
Ricki Seidman
OA/Box Number: 6072

FOLDER TITLE:

[Blue Binder with Various Notes and Lists Including White House Travel Office Notes]
[2]

2006-0946-F
db2732

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).

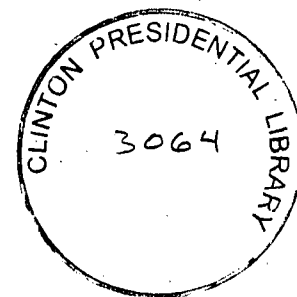
RR. Document will be reviewed upon request.

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]

STRATEGY FOR DR. JOYCELYN ELDERS' CONFIRMATION

Timing
Hearing-July 16
Confirmation-Prior to August Recess



I. Legislative Effort

A. Principals:

1. HHS: Jerry Klepner, 690-7627
2. White House: Susan Brophy, 456-2230

B. Strategy

1. Preparation for Confirmation Hearing

A. Mock Hearing

1. Develop Q/A to be cleared by White House/HHS
2. Prepare Opening Statement
3. Briefing Materials to Elders (programs/Senators' issues/Q & A)
4. Distribute Packet/Poll Labor Committee members re: questions
5. Bumpers/Pryor strategy

B. Senate Vote

1. Develop Target List (Conservative Democrats, Moderate Republicans)
2. Advocacy Group meeting: Lobbying assignments to each group
3. Pryor and Bumpers to work target list
4. Floor commitment from Mitchell
5. Line up floor speakers

II. Public Liaison/Grass Roots/Advocacy Groups

A. Principals:

1. HHS: Carol Roddy, 690-8335
2. White House: Alexis Herman, 456-2930

B. Strategy

1. Develop list of friendly organizations (D.C. and target states)
2. Meeting to coordinate grassroots activities including:
 - a. meetings with Senators and staff in state offices
 - b. letter writing campaigns
 - c. Op-Eds and letters to Editor
 - d. radio actualities by nurses, unions, public health organizations

III. Communications

A. Principals:

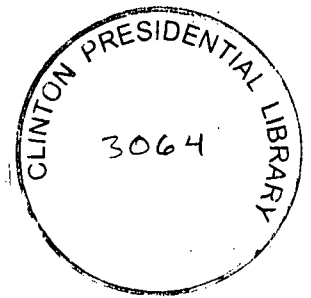
1. HHS: Avis LaVelle, 690-7580
2. White House: Ricki Seidman, 456-2520

B. Strategy

1. Develop list of "friendly" reporters and editorial boards--national and target states
2. Disseminate Dr. Elders packet (bio., speeches/articles, charges/responses)
3. Schedule background briefings for reporters and editorial board meetings
4. Op-Eds and Letters to Editor
5. Develop strategy to neutralize right wing talk show hosts
6. Clinton/Elders event to "visualize" priority of nomination

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MEMORANDUM



TO: Working Group on the Confirmation of Dr. Joycelyn Elders
FROM: Jerry Klepner
DATE: 7/1/93
SUBJECT: STRATEGY FOR DR. JOYCELYN ELDERS' CONFIRMATION

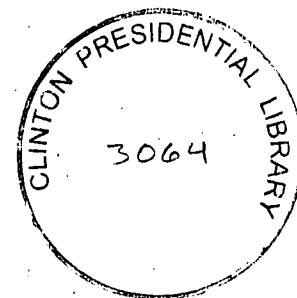
Dr. Joycelyn Elders' confirmation hearing before the Senate Labor and Human Resources Committee is tentatively scheduled for July 16. Our goal is to ensure her confirmation before the August congressional recess. This memorandum outlines the strategy we expect to follow in order to ensure a successful hearing and timely Senate confirmation of Dr. Elders.

It is imperative that strategy be coordinated between the Department of Health and Human Services ("HHS") and the White House as opposition to Dr. Elders' confirmation is expected to be fierce. In fact, several groups are already mobilizing their forces in anticipation of blocking the nomination. Included in this force of opposition is Concerned Women for America, the Eagle Forum, the American Family Association, the Family Research Council, the Traditional Values Coalition, and Pat Robertson's Christian Coalition.

Our strategy is to divide the process into three components: a legislative effort, a public liaison effort, and a communications effort. A team of White House and HHS staff will be established for each component, and the overall effort will be coordinated throughout to

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ensure communication at all stages of the process.



I. Legislative Effort

A. Principals:

1. HHS: Jerry Klepner, 690-7627
2. White House: Susan Brophy, 456-2230

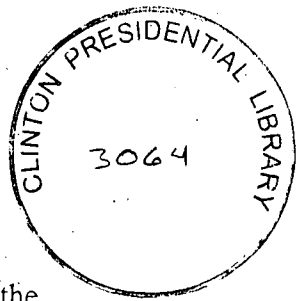
B. Strategy

1. Preparation for Confirmation Hearing

The HHS legislative staff held a mock hearing session with Dr. Elders on Monday, June 28.

A more intensive mock hearing will be held prior to her scheduled hearing. The second mock hearing will be designed to more closely simulate the atmosphere of the actual hearing (i.e. video cameras, lights, microphones). Assistant Secretary for Legislation ("ASL") staff will prepare a list of questions and responses on sensitive issues, which will be cleared internally and by the White House in preparation for the second mock hearing. Additionally, ASL will work with Dr. Elders and Carol Roddy to develop an appropriate opening statement for the confirmation hearing.

During the Congressional recess, ASL staff also will distribute packets and communicate with friendly committee members to ensure that "softball" questions will be asked at the confirmation hearing. ASL staff also will work with Chairman Kennedy's staff to determine the source(s) and content of potential lines of attack from committee members opposed to the



nomination.

Lastly, we have requested that Senators Bumpers and Pryor accompany Dr. Elders to the confirmation hearing. By introducing her to the Committee, these two individuals will lend support and credibility to Dr. Elders, particularly among Southern Democrats.

2. Full Senate

By July 14, 1993, ASL staff will conduct a full polling of all Senators to determine where our strengths and weaknesses lie. Moreover, Michael Iskowitz of Chairman Kennedy's staff has been assigned to assist us in developing a target list of: (1) Democrats who may be "undecided" or "leaning no" on the nomination; and (2) moderate Republicans who might potentially support Dr. Elders. This target list is likely to include the following Senators:

Democrats:

Breaux	Heflin
Byrd	Hollings
DeConcini	Johnston
Exon	Nunn
Graham	Shelby
Matthews	Sasser

Republicans

Chafee	Jeffords
Cohen	Packwood
Durenberger	Roth
Hatfield	Danforth

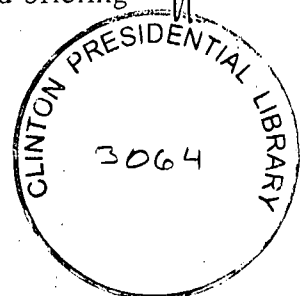
Once the target list has been developed and finalized, the White House Public

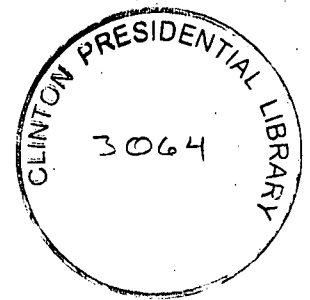
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Liaison/Advocacy Group teams will meet with advocacy groups here in Washington (list to be developed) to distribute a "Joycelyn Elders" kit, prepared by the Communications team. In these meetings, each advocacy group will be asked to concentrate their lobbying on certain Members on the target list. Additionally, these groups will be asked to write a letter of endorsement supporting Dr. Elders nomination. These letters should be forwarded to Michael Iskowitz no later than July 14, 1993 so that Senator Kennedy will have them prior to the confirmation hearing.

ASL staff will extend invitations to Senators on the target list to meet with Dr. Elders, either before or after the Labor Committee hearing. Furthermore, Senators Bumpers and Pryor will be asked to actively lobby those on the target list and, as required, accompany Dr. Elders to meetings with key Senators. Additionally, Senator Boren has offered his assistance in Dr. Elders' confirmation and ASL staff is presently communicating with Senator Boren on how to most effectively utilize his assistance.

We will need to secure a commitment from Senator Mitchell that time for floor debate will be scheduled prior to the August recess. ASL/White House Legislative staff will coordinate their discussions with Senator Mitchell's staff. Additionally, ASL and the White House will prepare for floor debate by securing commitments from key Senators to speak in support of Dr. Elders' nomination. ASL will provide these Senators with talking points and briefing memoranda to assist in the preparation of floor statements.





II.

Public Liaison/Grass Roots/Advocacy Groups

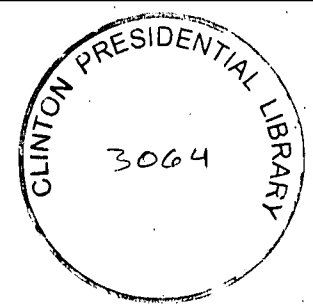
A. Principals:

1. HHS: Carol Roddy, 690-8335
2. White House: Alexis Herman, 456-2930

B. Strategy

The initial activity in this area has focused on developing a list of friendly organizations with strong presence and influence in both the D.C. area and the states of those Senators on the target list (see I.B.2.). After the target list is prepared and finalized, the above-mentioned meeting of advocacy groups will be convened for the purpose of making assignments for grass-roots activity as well as direct lobbying in Washington.

The grass roots activities should be coordinated by one key advocacy group in each state, but all groups with a presence in a targeted state should be included. These activities will include the following: meetings with Senators or staff in their state offices, coordinated letter-writing to targeted Senators, preparation of op-ed pieces and letters to the editor, and targeted radio actualities by unions, nursing and public health organizations.



III. Communications

A. Principals:

1. HHS: Avis LaVelle, 690-7580
2. White House: Ricki Seidman, 456-2520

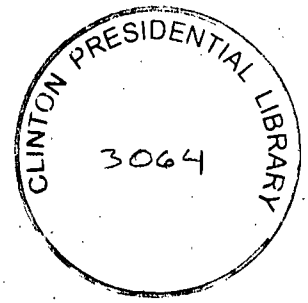
B. Strategy

In order to maximize favorable media exposure for Dr. Elders, lists of editorial boards for "national" papers, such as The New York Times, and "friendly" national reporters will be developed and targeted. Lists of key media outlets in the target states also will be developed. These national and state media outlets will be provided with information packets that include biographical information, speeches/articles by and about Dr. Elders, and a "charge/response" fact sheet about Dr. Elders to refute information circulated by conservative groups.

Background briefings for national reporters and editorial board meetings should be scheduled as soon as possible. As mentioned above, we will also solicit editorial board meetings, Op-Editorials and letters to the editor for inclusion in newspapers in target states during the same period.

We should also plan at least one event with President Clinton, Secretary Shalala and Dr. Elders that is covered by the press, in order to highlight in "visual" terms the importance of this nomination to the Administration.

A strategy to neutralize right-wing talk show hosts (Rush Limbaugh) also should be implemented as soon as possible.



IV. Conclusion

A meeting to review strategy and coordinate these efforts will be convened on Wednesday, July 7, at 9:00 a.m.

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Patsy Thomasson to Leon Panetta; RE: 1994 Audit and Review of Travel Office Press Support Operations (4 pages)	12/23/1994	P5 3065

COLLECTION:

Clinton Presidential Records
White House Operations
Mike Malone
OA/Box Number: 11205

FOLDER TITLE:

1994 Annual Travel Office Audit [Folder 1]: WHTO [White House Travel Office] -
Memo to LP [Leon E. Panetta] 12/23/94

Debbie Bush
2006-0946-F
db2737

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]
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- 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)]

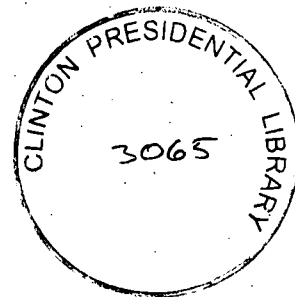
- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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- b(9) Release would disclose geological or geophysical information concerning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

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THE WHITE HOUSE

WASHINGTON

December 23, 1994



MEMORANDUM FOR LEON E. PANETTA
CHIEF OF STAFF

THROUGH: JODIE TORKELSON
DEPUTY ASSISTANT TO THE PRESIDENT FOR
MANAGEMENT AND ADMINISTRATION

FROM: PATSY L. THOMASSON
SPECIAL ASSISTANT TO THE PRESIDENT FOR
MANAGEMENT AND ADMINISTRATION AND DIRECTOR
OF THE OFFICE OF ADMINISTRATION

SUBJECT: 1994 Audit and Review of Travel Office Press Support Operations

In its May 1994 review of the operations of the White House Travel Office, the General Accounting Office (GAO) recommended that the financial accounts of the Travel Office be audited on a regular basis and that the operations of the office be reviewed to correct "weaknesses" identified by the GAO. These recommendations were agreed to by the Director of the Travel Office and other responsible White House Office officials.

This memorandum takes this process forward and proposes:

- that an audit of the 1994 financial transactions (financial audit) be initiated as soon as possible after the books are closed; and,
- that an approach be endorsed for reviewing program and compliance matters (management operations review) identified in the GAO report.

BACKGROUND

Specifically, the GAO recommended that "the Chief of Staff direct the Assistant to the President for Management and Administration to

- complete efforts to prepare comprehensive and accurate guidance for Travel Office staff to better ensure that procedures are implemented properly;
- establish a process to ensure that appropriate oversight and review of Travel Office operations is provided, including an annual financial audit;
- give priority to completing other actions that will fully implement systems and procedures consistent with the financial management criteria described in th[e GAO's] report; and
- establish a mechanism to validate that the actions taken and promised have been effectively implemented."¹

¹ GENERAL ACCOUNTING OFFICE, WHITE HOUSE TRAVEL OFFICE OPERATIONS (GAO/GGD-94-132, May 1994), page 10.

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APPROACH

In order to address the GAO recommendations set forth above, it is suggested that an overall review of the Travel Office operations, as restructured after May 1993, be initiated to determine how effectively new procedures and personnel are functioning.

To accomplish a comprehensive review, we recommend a two-stage process. The first stage would be an audit of Travel Office financial statements. Stage two would be a more extensive management review. (Tabs A and B list all recommendations made in the GAO's Travel Office report broken-out by the two types of proposed reviews.)

Stage 1: Financial Audit

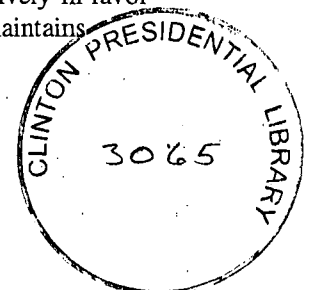
A financial audit of the Travel Office accounts associated with supporting press travel can be initiated immediately and be accomplished independently of the general management review. The scope of such an audit would be parallel to that performed on the financial statement of any organization for purposes of certifying the accuracy of its accounts.² TAB A sets forth the areas that a financial audit would cover. Several options are available to accomplish a financial audit:

- A small business firm could be contracted under applicable competitive contracting procedures. Since it is envisioned that this audit is straightforward and likely to cost less than \$25,000, the procedures for contracting with a small business firm are available. This is relatively expeditious, since a contract could be in place six weeks after approval of the scope of work (i.e. statement of work). It is expected that the Travel Office will have its books for 1994 closed and available at the end of January. A contractor potentially could begin in March.³
- The Inspector General's Office of another executive agency could be requested to perform the audit on a reimbursable basis. Adoption of this option would obviate the need to award a contract with an accounting firm under any one of several available procurement avenues. However, this option does not achieve the complete appearance of independence that an outside contractor provides. Moreover, this may not be a cost-efficient approach, since the cost of reimbursing an IG for its services, may well exceed the cost of a contract.

² The audit, regardless of who performs it, would be expected to meet all of the applicable standards set forth in the General Accounting Office: Government Auditing Standards booklet.

³ OA legal counsel advises that payment for the financial audit could either be made by the White House Correspondents' Association or the government (WHO). Since the funds being handled by this function of the Travel Office are press funds, it would be entirely proper for the Association to cover the cost of the audit. On the other hand, an audit is also inherently connected with reviewing the activities of government employees in their support of the press function at the White House, an agency activity that GAO has never questioned. Hence, the expenditure of government appropriations on an audit is also proper. Arguing persuasively in favor of a government-funded audit is the fact that, to the extent the government pays for the audit, it maintains control over its parameters.

COPY



- There are also existing contracts with agencies that the EOP could ride. We understand that GSA frequently provides audits and maintains contracts with accounting firms which have been competitively awarded. Moreover, GSA is chartered to assist agencies in this area. This option is the most positive because an independent contractor could be available to start within three weeks of approval of the scope of the audit. We would know the costs before work began, avoid the added costs in time and overhead of awarding our own contract, while still having the benefit of an independent audit.

RECOMMENDATION: That you approve the audit of the Travel Office's 1994 financial statements by an independent contractor whose services the EOP would obtain on a reimbursable basis by riding an existing contract with another government agency.

Because the financial audit is not complex, and should be able to be accomplished in a timely manner after the closing of the books, it is recommended that this option be pursued. This is not only an expeditious route to responding to one of the GAO's recommendations, but it affords maximum independence by allowing a private sector firm, wholly apart from the government, to review the financial transactions associated with the Travel Office's press support operations.



Approve _____ Disapprove _____ Other _____

Comments: _____

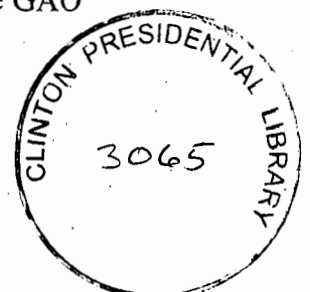
Stage 2: Management Operations Review

With respect to a general review of the press support operations of the Travel Office, this stage will be broader, and more time consuming. TAB B contains a list of GAO recommendations that would fall under the purview of a management operations review. We believe there are two options for conducting the management operations review.

- In order to obtain necessary expertise and independence, and yet maintain the confidentiality associated with the review of any White House Office operation, it has been suggested that a team be drawn together which would review the designated operations, compliance with applicable guidelines, and implementation of internal controls systems.

This would be a review similar to other self-assessments that are conducted as part of the Federal Managers' Financial Integrity Act, although this review would be more extensive and would cover all of the management recommendations made in the GAO's Travel Office report. The team could either provide informal findings or provide a more formal evaluation of the status of the implementation of the GAO recommendations.

COPY

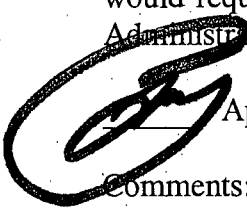


To keep the process streamlined, the review team should be small and include individuals who are not associated with White House Office Travel Office operations. A group of three, comprised of a staff member from the management side of OMB, the Financial Management Division of the Office of Administration, and the White House Office of Management and Administration would provide the necessary objectivity and breadth of experience.⁴

- Alternatively, this review could also be undertaken by an Inspector General's office. While the pros of that approach would be the gain in perceived objectivity and independence, this gain may be eroded by the reality that it is nevertheless a review by a government entity within the Executive Branch of a White House activity.

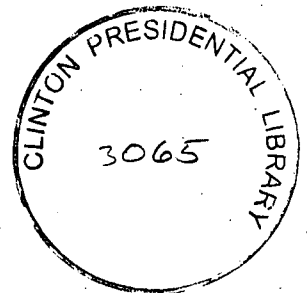
Additionally, this option would require reimbursement. Although we would not recommend rejecting this option solely because reimbursement might be substantial, the additional cost of going outside the EOP may not achieve any added value in terms of objectivity and independence.

RECOMMENDATION: That you authorize initiation of an internal review group drawn from EOP staff to examine the operations, compliance, and internal controls of the newly constituted Travel Office. Before such a group proceeds, it would present an audit plan that would require the approval of the Deputy Assistant to the President for Management and Administration.

 Approve _____ Disapprove _____ Other _____

Comments: _____

Attachments



⁴ As always, where there is the involvement of individuals from other EOP agencies, questions arise regarding the applicability of the Freedom of Information Act (FOIA) to their documents and report. OA legal counsel advises us that, so long as the preparation of the final report is done by the White House Office member and not circulated beyond the White House Office, it would not be subject to the FOIA. Working notes and papers of the staff from other EOP entities, to the extent they are subject to FOIA, could be claimed to be exempt from disclosure on the basis that they are deliberative and pre-decisional in nature to any findings and recommendations issued by the review group.

COPY

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Catherine Cornelius to Jeffrey Eller; RE: Travel (1 page)	05/04/1993	P6/b(6)
002. email	Catherine Cornelius to Michael Kohler; RE: Staffing (1 page)	05/12/1993	P2
003. email	Mary Friedrich to Kelli McClure; RE: Phone number [partial] (1 page)	04/06/1994	P6/b(6)
004. email	Mary Friedrich to Patricia Bishop, et al.; RE: Phone number [partial] (1 page)	04/06/1994	P6/b(6)
005. email	Mary Friedrich to Phalia Johnson, et al.; RE: Phone number [partial] (1 page)	04/06/1994	P6/b(6)
006. email	Michael Lufrano to Sarah Ryan and Catherine Cornelius; RE: Personal [partial] (1 page)	06/21/1993	P6/b(6)
007. email	Jeffrey Eller to Catherine Cornelius; RE: Jamestown (1 page)	04/20/1993	P6/b(6)
008. email	Sheryl Hall to Patsy Thomasson; RE: Phone number [partial] (1 page)	04/07/1994	P6/b(6)

3081

COLLECTION:

Clinton Presidential Records
Counsel's Office
Brad Winter
OA/Box Number: 18896

FOLDER TITLE:

[Document Production] [Travel Office - TO 2289 - TO 2649] [2]

Debbie Bush
2006-0946-F
db2666

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]

COPY

RECORD TYPE: PRESIDENTIAL (RECONSTRUCTED EMAIL)

CREATOR: Catherine Cornelius (CORNELIUS_C) (WHO)

CREATION DATE/TIME: 12-MAY-1993 09:35:00.00

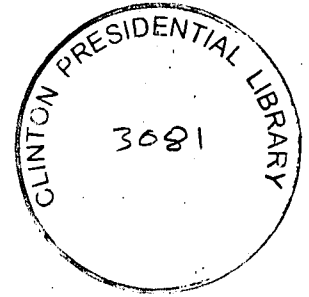
SUBJECT: Cindy Kohler

TO: Michael R. Lufrano (LUFRANO_M) (WHO)

READ: UNKNOWN

TEXT:

It's hard when you can not talk in your own office.
Cindy Kohler was one of BCs primary overnight advance persons during the campaign, and just called me from Austin. She is looking for a job in Austin, and will stay there. She has no interest in pursuing a job up here; however, she would be glad to do overnights for you every once in a while...
She also understands it is only per diem, so no sales pitch there. Her number is (512)459-1973. Keep her in mind.
Secondly, lets start working on ideas for Andrew Hirsch in an agency or something. Things are going to move quickly, and I feel compelled to help him get some type of a job.. Any advice would be great.
Thanks... Catherine.



COPY

TO 2415

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. note	Bernie Silversten; RE: Phone number [partial] (1 page)	n.d.	P6/b(6)
001b. note	RE: DOB [partial] (1 page)	n.d.	P6/b(6)
001c. note	Weiss; RE: Phone number [partial] (1 page)	n.d.	P6/b(6)
001d. note	Doug Feliner; RE: Personal (1 page)	06/14	P6/b(6)
001e. note	RE: Attorney Work Product (11 pages)	n.d.	P5 3082
001f. note	RE: Phone number (1 page)	n.d.	P6/b(6)
001g. note	RE: Attorney Work Product (9 pages)	n.d.	P5 3083
001h. note	RE: Attorney Work Product (2 pages)	n.d.	P5 3084
001i. note	RE: Attorney Work Product (1 page)	n.d.	P5 3085

COLLECTION:

Clinton Presidential Records
Counsel's Office
Cliff Sloan
OA/Box Number: 4663

FOLDER TITLE:

[Notes]

Debbie Bush
2006-0946-F
db2659

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.

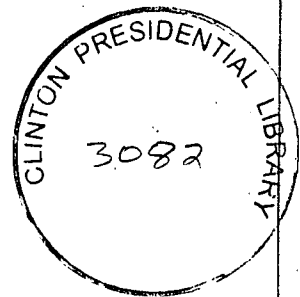
PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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

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- 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]
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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



1175

1187

• AG ?, later, Governor

1972

- Emprise convicted of felony (conspiring to hide mafia \$\$\$ in a Las Vegas case).
- Case tried in Las Vegas or L.A.
- Jacobs tried

1974

- BB elected AG
- S. ver. appy fls (75) re: Emprise.

2/76 → limited appeal - still same JN -

Emprise → Delance North, run by Jerry Jacobs -

1976 - Hauser: test - Bullett let make probes.

→ Hawkons closed. + dismissed.

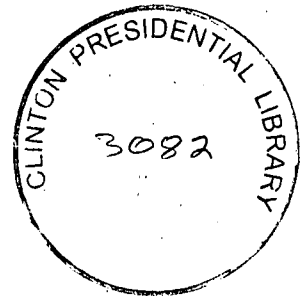
- 3 references to BB find in Cable Control Capital System.
Hawkins: sub/ put Bullett's name in.

DPS INVESTIGATION

• Vernon Hay, head of DPS

- Hay disrupted Chilcoate. Chilcoate: why run?
- BB fired Hay. Chilcoate got royal pants

COPY



• BB book from. away from Morocco W. Hy.

• DB of works - "Adams, Engineer, the wife."

- Keith Nation, local Phoenix desert & desert - given type reader by
POPD -

- 7/76 - Nation teleconul letter (handwritten)

- Loe: BB bought & sold for. re: 45K.

Dever: 45K marker at Dues Casino - could be not yet -

Nation - Loe type: lost or misfiled for 9 yrs.

Tape file in 185.

Adams - guilty plea

Reason: Dues - travel, record -

'84 or '85 - Dever confirmed that Loe had 45K payoff re: BB -
marker at Dues Casino

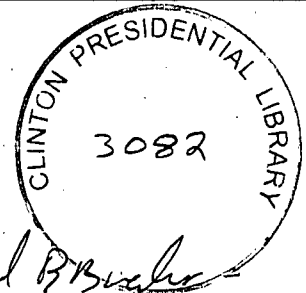
- found plane = BB's marker in his possession -

Bob Nader: Richard Medlin: said he could provide documents &
notes -

4 - 1st Dues, 1st ~~at~~ Caesars Palace, 20th -

- numbers related (40K, 170K) -

COPY



Per Devorens - Bob Nolan saved Ash Resnick and BBinder -

→ Weiss - BB - CU since high school

→ Anz. AG's from Las Vegas / Nevada tape -

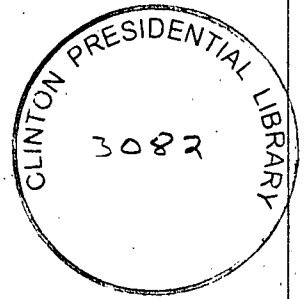
- Bob Goldwater belief to him in w/ Bob Cray talks -

→ Babbitt his to Las Vegas - Dante Ruppel Berles
- Al Weil - record -

COPY

Woolf

-6/7/93



raised \$ for Jacobson

relat. to Delaware North?

• Bill Gresser - Rep. in Ariz. - helped him

• Woolf had Oscar

• Gresser helped get Jackson to go to
Barrett's

- "how who to ask"

- ans. of \$\$\$? doesn't remember

→ checks - sent to Canyon office -

- more than 1 -

Other exes of Delaware North?

- not to his knowledge -

- to his knowledge - for Sub

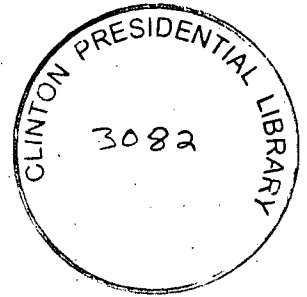
- might have been check for money

COPY

- divorcing gov. race - had asked if they'd like to help -

Grosser

- donate for this PAC
- definitely from



- help raise \$\$\$

Gubernatorial - had in mind → \$\$\$ for ones of "reality"

- knew one's reality in Yuma →

Salesman - knew friendship

- worked for William Bushkin

- returned since you've been in Arizona

• early 1970's -

- Indy Co-ordinator - Babbitt

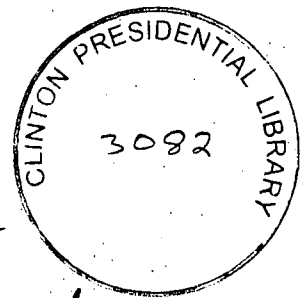
seeing it in his Presidential campaign -

Tony Bolden - for Gov. of Ariz

Denis De Courci -

for Connell -

COPY



- grub. Anger - big dinner
- sell tickets to dinner
- co-ord. side of fix to dinner -

- 4 1000 / per - dinner - Pres. Anger
• might have been table or pay table -

JACOBS!

→ NO RECOLLECTION / NEVER ATTENDED
DINNER -

→ NO TELEPHONE CONTACT
• maybe mail -

Greener

Greener attend dinners

boastful
Greener

• not wealthy

• good upshots -

Boris report - film
Paul report - film -

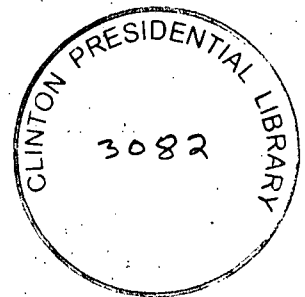
new report in to Anger

COPY

- Robert J. Higgins to get something - from Gesser or Jacobs -

- Gesser: not good - f - heavy -

- down 1 point in Tucson -



contact Gesser to get Antiochian

PAC = Delmar North - ~~doesn't~~ ^{doesn't} real at all

Republ. J. T. J. in Arizona? don't know

Bullseye figure:

4K - Pres.

1K - Gub.

1K - Gub.

1-10-10- and 5

Doesn't look like any more

Q is not prev. raised -

COPY

are - of the col -

date & what is left of time —

maybe for Gold - don't need
puts \$ - 400 = 100

→ over 1000 lines input per second

→ will contact people directly

→ all dist. types of fl - ratios

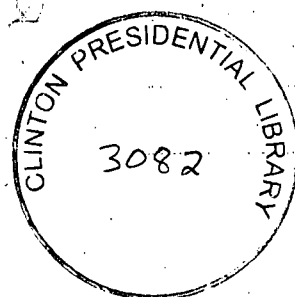
- NO RECOGNITION OF DISCUSSION RE W/ BABBY/VV
W/ RE CONTRIB.

- kept in good -

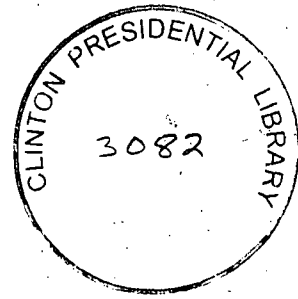
→ total not to contact - people that did business w/ state -

- asked for ~~the~~ ~~the~~ - for with ~~the~~ also -

COPY



Here final sales



- involved in politics in Conn.

→ Anne Wexler

ful-varying for Joe Duffly he was ~~for~~ ^{Secret}

SELF-employed -

- pt. to do ful-varying - low minimum -

• Ronnie Lopez - (one of Brown's chf. - 1-staff)
- good ful -

• Fred DuVal

• Chris Hanks

didn't know anything about Lou Jacobs -

• business acquaintance

• only contact = contact re: Cubans -

• cold call to him -

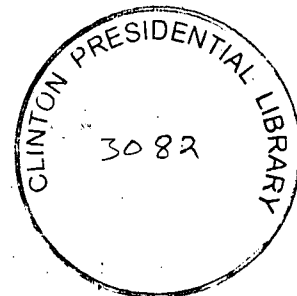
701 East Tully Lane -

Phoenix 85014

277-1994 (Belmont's file)

COPY

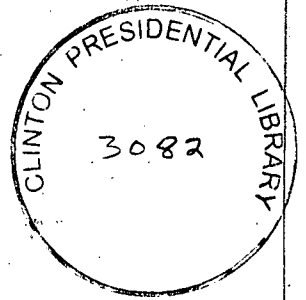
Cross
Wm P.



COPY

Todd Campbell

6/7/93



Les Rosenthal, Novell

referred by mutual friend

Software sales rep. for Novell to EOP

- high-level old-timer in Ireland
- people illegally copying software - that Novell has -
- people soliciting vendors for loans of products to evaluate (free gifts)
- people calling up - I'm from Health Care -
- Julie Jackson "find 7HE" - I'm from Info Superhighway - asked for source as -

Indurand. for Ireland - will go to press

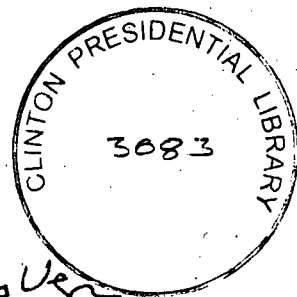
• Chip Sparks

Cheryl Mills

- gift of computers

Cheryl in technology circle -
• personal affairs -

COPY



1977 - Mike Harkin - 1 vestigial - 100% member in Las Vegas

- no truth with

- somebody else put BB's acc in credit club

BB: never to CU, other than the dying place, some high school

Deveraux: Harkin = cut ee -

polit. pressure to shut down investigation -

BB: now → never to CU since college

• Bowles killed

• BB - Q: whether he should be recanted

- public: BB as "hit list"

Conspir. theory - took control of key agencies for his pres -
steal pres. & other govt secrets -

Empire = corp. entity

= control of fed. security changes - '72

= headed by Lou Jacobs - died before he could
be hit

= and sons and grandkids interests registered

= Paul: investigated his book Empire, FOC

COPY

BB - pros. Surody etc - w. no con. etc (Morley)
- appeal over it -

- people suggest - BB look to Empire in a happy way -

174 - BB knew AG

- refer want wants to kick Empire out of the
- G.S. knows outside Counsel
Outside Counsel: impress. to see the end

BB - promotes proposal - participation
- Empire left w/ one, but from, say
what in Arizona.

L.A. - Joseph Hawer - BT prof (176)

BB = long - the guber - has 100k members
Casinos -

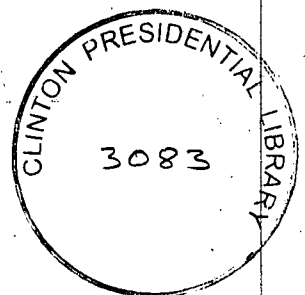
FBI Credits Investigate -

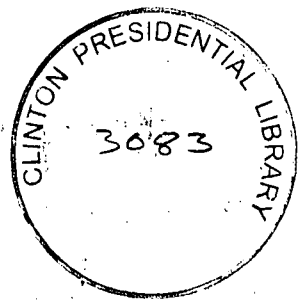
- guber has credits to Mob -
- seems public -

Hawer: not to do it -

core chye = Barrett and lay not - not loyal his
work -

COPY





Barth - new in W -

asked him why not disqualify himself as pres -

ending my syl -

Failure to disqualify himself puts clay -

George Weiss - not direct centralist - 1 BB
Kotj

- new wants for Horace Ab Jr

- rocky relationship - BB didn't like
his work. It's long -

- FBI now talked to Weiss

Weiss and from who felt by sys BB was in W

- otherwise he would be in W -

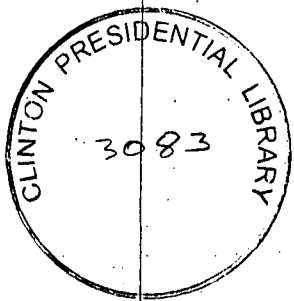
Delane North - '0's - either is or isn't

successor to Eugene -

- chair related to Eugene

- children: 3 - 1 Lou Jacobs

COPY



now the most Ideals for me by Eric -

BB - Del. No. not not trial, not not-entire -
- success to Empire's interest

188 - BB real at least to K for Jacobs file -
BB: didn't know ~~an~~ ~~any~~ ~~about~~ ~~it~~
: Bot Wolf - raised \$\$\$ - full-rain
: actual old guy in Arizona -

- don't know if Del. No. contributed to pub. Cygns
for Gov -

don't know - Jacobs contributed to sub. Cygns
- other Del. No. gave \$\$\$ to sub. ~~for~~ ~~on~~
Pres. Cygns -

DOI - also to sign 1.5 billion K - not James
at Yellowstone to Del. North -

- Del. No. + res to GC - $\therefore$ substantial public entry -

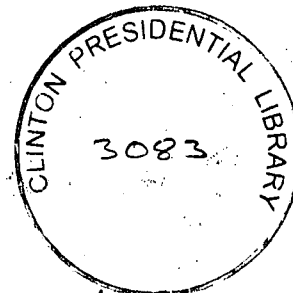
BB - long process under prior Admin.

Enjan - got Del. No. deal done -

• sitting on BB desk - for BB to review - has to
get to Cygns -

• 6 bidders - Del. No. all are the fully

COPY



med specs:

• total indemnified for Hazards waste Cl - y -

BB: a fable - Judo for next opportunity -
... will to cut T-Pls by god del -

1977: as Bowley trial windup -
BB buys new house

• home - bought for Doreen Bulzano
- never listed
- private sale Bulzano & BB's -

acrd to records: Bulzano under invest. by
DB -

- under surveillance → suspect chop shop -

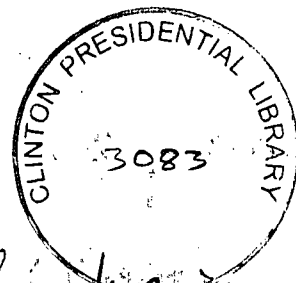
BB: Hattie sold for Bulzano in night - fresh -
Bulzano - 3 down down -

Charts = Del Webb Corp - well-known Vegas firm -
- a lot of geologists
BB → hard issues; water issues -

VF: how get that chart?

COPY

⇒ Del Webb = good chad - legs



Dan Devore - report to be for - he joined

WST - is not

BB → Devore filed by Scottsdale Progress

IRE - Investigative Reports & Editors

- also involved Bowles with

- Devore affiliated with

BB - Devore tried to sell in '88 copy - not
w/ly to lang. H

Tom Collier - 208-5043

- was put as Skipton - one w/BB -

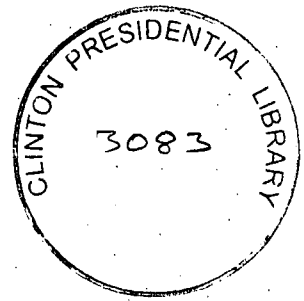
Pub. rec. over - Del No. / Jacobs for -

Miller Schutte - report

Del. No.

COPY

Gresser



Woolf

who's he?

'88 presidential Campaign contributor -

- related to Jacobs - never partic. either in any way, shape or form
- only donets made to Babbitt - for Governor -
- never partic. w/ Jacobs firm in circumstances -

Pres - Yuma Arizal Truck - past 3 yrs.

- law degree - for Georgia - '90 - Law School
- small carpet Co. at - '86 - Georgia

- was President of Arizal Arizal

name & # - Bill Cress -

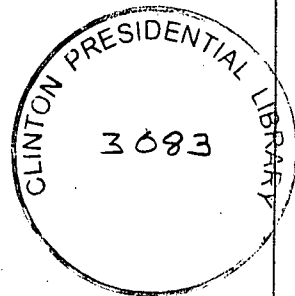
Yuma - 602-782-2808

Terry Jacobs - mother - 1974 - Lisan C. Jacobs -
→ sister → passed away in 1974 -

602-392-9312

Director: 602-726-4655

COPY



→ Hoy - unavailable

→ Chilcoat - ass. gen by Hoy in '75 to investigate allegations & Bubba's guidelines

- could find no substantiating info

- pushed to Hoy - Hoy refused to believe -

→ Kent Clifford - Las Vegas Police Dept -

- BB signed at Dunes in 1981; as occurred in '83

→ NW: Schreier & Carlson are two individuals final. w/ type in which BB have held - two docs.

• Schreier listed to be / Native type -

• Carlson - the allegations; behind them was not

Nolan: said he had no info re: Balbo, to

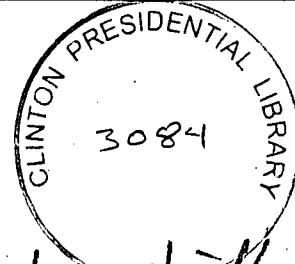
: inquiries were made re: allegations -

: former ee at DHC - said he had got doc. BB

incred large debt -

3 numbers - 1254 - 1754 -

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→ Judson Roberts - Maricopa Co. DA - mostly involved
- alleged ABB - no substantial info collected
- Denver - "no activity"
- spec. - that Dwyer ~~didn't~~ tried to Denver

→ Sellers: no subord. w.

- Davis/Luc County re: Empress - Babbitt red
Puff / 45K -

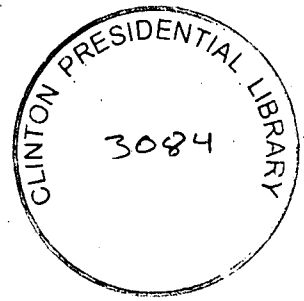
→ Sellers - Phoenix PD - initial Spurno
- sup Denver looks healthy -

→ Ted Schwarz - no substantial info -

CCI - 4 rings - MHC, Las Vegas
Bally's
Caesars Palace
Unlabeled Part

→ report FBI → PA files in '78 & 88
(why accept letters?)

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→ Slightly disagree - interview re: personal knowledge

- WH records

- Contee re: pers. knowledge -

Beauf - don't look in postin -

- avoid looking like blocking access to individuals. -

- not in the middle if ^{they} want to talk privately

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