

Union Calendar No. 470

105th Congress, 2d Session - - - - - House Report 105-828

INVESTIGATION OF THE CONVERSION OF
THE \$1.7 MILLION CENTRALIZED WHITE
HOUSE COMPUTER SYSTEM, KNOWN AS
THE WHITE HOUSE DATABASE, AND RE-
LATED MATTERS

FIFTH REPORT

BY THE

COMMITTEE ON GOVERNMENT
REFORM AND OVERSIGHT

together with

MINORITY AND SUPPLEMENTAL VIEWS



OCTOBER 30, 1998.—Committed to the Committee of the Whole House
on the State of the Union and ordered to be printed

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WASHINGTON : 1998

**INVESTIGATION OF THE CONVERSION OF THE \$1.7 MILLION CENTRALIZED WHITE HOUSE COMPUTER SYSTEM, KNOWN
AS THE WHITE HOUSE DATABASE, AND RELATED MATTERS**

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LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,
Washington, DC, October 30, 1998.

Hon. NEWT GINGRICH,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: By direction of the Committee on Government Reform and Oversight, I submit herewith the committee's fifth report to the 105th Congress. The committee's report is based on a study conducted by its Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs.

DAN BURTON,
Chairman.

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Union Calendar No. 470

105TH CONGRESS }
2d Session } HOUSE OF REPRESENTATIVES { REPORT
105-828

INVESTIGATION OF THE CONVERSION OF THE \$1.7 MILLION CENTRALIZED WHITE HOUSE COMPUTER SYSTEM, KNOWN AS THE WHITE HOUSE DATABASE, AND RELATED MATTERS

OCTOBER 30, 1998.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. BURTON of Indiana, from the Committee on Government Reform and Oversight, submitted the following

FIFTH REPORT

together with

MINORITY AND SUPPLEMENTAL VIEWS

On October 9, 1998, the Committee on Government Reform and Oversight approved and adopted a report entitled, "Investigation of the Conversion of the \$1.7 Million Centralized White House Computer System, Known as the White House Database, and Related Matters." The chairman was directed to transmit a copy to the Speaker of the House.

I. SUMMARY AND OVERVIEW

The story of the White House Database is one about a White House that disregarded the difference between the official business of the U.S. Government and the political business of reelecting the President. Because the line between official business and campaigning was obliterated, this President and his White House subordinates proceeded to spend at least \$1.7 million of government funds on a complex, centralized computer system known as the White House Database or "WhoDB." It was used not just for official purposes; senior White House staff planned and, in fact, used it to advance the campaign fundraising objectives of the Democratic National Committee [DNC]. This conversion of government property to the use of the DNC constitutes a theft of government property under 18 U.S.C. § 641.

Similarly, White House staff, at the President's direction, used other White House resources to translate their new expertise in database development, acquired at government expense, to plan the development and use of databases for the DNC and other political committees in violation of the Hatch Act, 5 U.S.C § 7324, which restricts government employee use of government property for political activities. This, too, represents a theft of government property.

The conversion of the White House Database and other government resources to benefit the DNC and the President's campaign in this way was an integral part of the conversion of the Nation's White House into the political fundraising tool of the President and the DNC. With respect to the Database alone, the conversion of that resource was simply a continuation of the obliteration of any distinction between the official functions of the White House and the campaign to reelect the President.

Prior to the deployment of the White House Database, lists generated by White House computers for invitations or attendance at social events, meetings, and other White House functions were routinely provided to the DNC and the Clinton/Gore '96 campaign. These lists included, for example, the 1993 and 1994 Holiday Card lists, among others, that were assembled through White House computers, merged with DNC lists and campaign lists, and then left in the possession of the DNC and the Clinton/Gore campaign for their use. The names and addresses of the people to whom the President and First Lady send holiday cards are a very valuable asset to those entities. They are also the property of the U.S. Government.

The President's involvement in the plan to convert government property to the DNC and the ultimate accomplishment of that plan (represented by the transfer of these lists and data to the DNC and the Clinton/Gore campaign) motivated the White House to mount an extraordinary effort to delay and impede the investigation. Incriminating documents were withheld until after the 1996 election—in one case, for more than a year. The White House refused to respond for months to repeated requests for documents and information. Most significantly, when called before the committee to explain the withholding of documents, Deputy Counsel to the President Cheryl Mills chose to give demonstrably false testimony. This matter has been referred to the Department of Justice for investigation of possible perjury and obstruction of the investigation.

Finally, there is evidence that the President and First Lady were responsible for the development of the Database and were informed of the theft of this and other government property for political purposes. The unlawful conversion of government property to the use of the DNC or a political campaign represents not only the crime of theft of government property. It also represents an abuse of power by the President, who used his high office and the Nation's White House to achieve his and his political party's fundraising objectives. The committee issues this report to expose the evidence of the President's possible involvement in the theft of government property and his abuse of power.

A. DEPUTY COUNSEL TO THE PRESIDENT CHERYL MILLS LIED TO THE COMMITTEE AND OBSTRUCTED THE INVESTIGATION BY WITHHOLDING DOCUMENTS

The committee found substantial evidence that Deputy White House Counsel Cheryl Mills perjured herself in testimony before the committee about her decision, made in concert with White House Counsel Jack Quinn, to withhold important documents responsive to the committee's requests. The withheld documents included: (1) the handwritten notes of Brian Bailey, an assistant to then-Deputy Chief of Staff Erskine Bowles,¹ expressing the President's desire to integrate the White House Database with the DNC database; and (2) a June 28, 1994 memorandum from Marsha Scott to Harold Ickes, Bruce Lindsey, and the First Lady,² showing that the First Lady was informed of Marsha Scott's interest in using the Database for political purposes and employing White House staff to create political databases. To these proposals, the First Lady later wrote to Harold Ickes, "This sounds promising. Please advise."³

While these documents were discovered at the White House in September 1996, they were both withheld until well after the 1996 election. Marsha Scott's memorandum was produced to the committee in February 1997, after it was found by other members of the Counsel's Office in an independent search. Bailey's notes were not produced until October 1997, when they were discovered by other members of the Counsel's Office who were reviewing, apparently for the first time, files created by Cheryl Mills to contain withheld documents.

Ms. Mills testified that she and Mr. Quinn had determined that the documents were not responsive, and that the Database referenced in one of them was not the White House Database, but was another database on which the author of the document, Marsha Scott, was working at the time. Subsequent deposition testimony establishes that there was no other database to which the document could have referred. Accordingly, not only is Ms. Mills's statement that she thought at the time that it was another database not credible, but so is her claim that she and Mr. Quinn determined that the documents were not responsive.

The committee believes that Ms. Mills, in fact, determined that the documents were responsive, would expose unlawful activity, and would be politically damaging, if released shortly before the 1996 election. The withholding of these documents illegally obstructed the committee's investigation, delayed the discovery of important relevant evidence, and raised further questions about the truthfulness of the White House's representations to the committee throughout the investigation.

B. WHITE HOUSE PERSONNEL TOOK GOVERNMENT DATA AND TRANSFERRED IT TO THE DEMOCRATIC NATIONAL COMMITTEE TO ASSIST IN CAMPAIGN FUNDRAISING

The committee uncovered substantial evidence of plans to transfer, and the actual transfer of, official government data from the White House Database and other sources to entities outside of the

Footnotes at end of report.

Federal Government for use in campaign fundraising. Additionally, White House personnel converted official resources, such as White House computers, photocopiers, stationery, office equipment, and possibly even the time of career staff for activities expressly related to the President's reelection campaign. The knowing transfer of government data for an unofficial use and the use of government resources for campaign purposes constitute the theft of government property under 18 U.S.C. § 641.

The documents withheld by Cheryl Mills make clear that (1) the President himself wanted to integrate the Database with the DNC database and (2) the First Lady was interested in using the design of the Database and White House personnel for the development of political databases outside of the White House. Many documents also suggest that Senior White House officials, such as then-Deputy Chief of Staff Harold Ickes and Deputy Counsel to the President Bruce Lindsey, were frequently informed of plans for the political use of the Database and plans to manage outside data using White House resources. Testimony from numerous White House and DNC witnesses establishes that DNC fundraising staff, in concert with Social Office and Office of Political Affairs staff, mined the White House Database for valuable information to enable the DNC to accomplish its fundraising goals.

Other data was also transferred to the Clinton/Gore campaign or the DNC. The committee has obtained evidence that the 1993 White House Holiday Card list was transmitted to and retained by the Clinton/Gore campaign and is still in their possession. The 1994 White House Holiday Card list was transmitted to the DNC and remains in its possession. Also, the committee obtained documents that show that the President routinely transferred names and addresses obtained through the official White House mail to his campaign database.

1. DATA FROM THE WHITE HOUSE DATABASE AND OTHER GOVERNMENT DATABASES

The committee has obtained substantial credible evidence that data from the White House Database was systematically made available to the DNC to assist in its fundraising efforts. Documentary evidence and sworn testimony establish that members of the DNC Finance Department contacted the White House on a routine basis to ask for information on who had attended previous White House social events. This information was then used by the DNC Finance staff to determine who would be recommended to the White House by the DNC Finance staff for invitations to future White House events.

DNC Finance staff testified to this process in depositions, as did White House Political Affairs staff. In addition, White House Social Office staff testified to giving out such information from the Database to White House Political Affairs staff who then passed it on to DNC fundraisers. One document produced by the White House states that the DNC obtained direct access to Social Office information by sending a staff person to the White House Social Office to research event attendance.

The committee obtained evidence that the distribution of this data to the DNC was authorized by Erskine Bowles (at that time,

Deputy Chief of Staff) in a meeting in March 1995 with Truman Arnold (at that time, DNC Finance Chairman) and Ann Stock, the White House Social Secretary. Truman Arnold testified that he met with Erskine Bowles and Ann Stock to seek better access to Social Office information. Erskine Bowles and Ann Stock testified that they had no recollection of that meeting. Erskine Bowles was unable to produce a calendar from that time to verify whether such a meeting took place.

The committee finds this to be part of a recurring pattern in which witnesses who had regular contact with the President develop faulty memories about key meetings and events that implicate the President and White House staff in wrongdoing. Nevertheless, these same witnesses can remember in striking detail those events that exculpate the President and his staff.

The committee also discovered, in the possession of the DNC, lists generated by the White House Database and other White House data systems, including (1) a list of Asian Pacific Americans prepared by the White House Office of Public Liaison, (2) the White House calligrapher's list prepared by the Social Office for the President's "Yale Dinner" and White House holiday parties, and (3) lists prepared by the Social Office of those invited to the White House Arts and Humanities Dinner in October 1995. While the White House permitted the DNC to have some of these lists without redacting personal information, such as home addresses, the committee was denied this information in the copy of the Database produced to the committee on the ground that it was too personal.

2. 1993 AND 1994 WHITE HOUSE HOLIDAY CARD LISTS

Although the 1993 and 1994 White House Holiday Card lists were prepared in a government database that predated the White House Database, they constitute government property of substantial value. The transfer of data through the 1993 and 1994 Holiday Card project came to light as the committee investigated the data used to populate the White House Database, which included the 1994 Holiday Card list. The knowing delivery of these lists to others outside of the government would also constitute the theft of government property under 18 U.S.C. § 641.

The committee's evidence shows that the 1994 list was deliberately transmitted to the DNC and not returned, notwithstanding a February 1997 letter to the committee from White House Counsel Charles Ruff stating that the list was inadvertently sent to the DNC and returned immediately upon the White House's discovery that it was in the possession of the DNC. Documents and deposition testimony show that White House staff was fully aware that the DNC had the list in November 1994 and that there was no documentation that the White House had imposed any restrictions on its use. Moreover, while the DNC returned one copy to the White House, it retained a copy for itself.

The transmission of the 1994 Holiday Card list from the White House to the DNC did not differ significantly from the handling of the 1993 Holiday Card list. The 1993 Holiday Card list was delivered to W.P. Malone, Inc. (Malone), a contractor to the Clinton/Gore campaign in Arkadelphia, AR, which maintained the campaign supporter lists in a database known as PeopleBase. The 1993

list from the White House was combined with the holiday card lists from the campaign and the DNC into one computer at Malone. This list was retained in that computer in Arkadelphia until the computer was shipped to the Clinton/Gore campaign offices in Washington, DC, in 1995, where it still resides.

C. THE PRESIDENT AND FIRST LADY DIRECTED THE DEVELOPMENT OF THE WHITE HOUSE DATABASE AND WERE INFORMED OF AND INVOLVED IN PLANS FOR THE USE OF GOVERNMENT RESOURCES TO ADVANCE THE PRESIDENT'S RE-ELECTION CAMPAIGN

As Marsha Scott, the architect of the White House Database and of at least one plan for integrating the White House with the campaign by converting the Database to campaign uses, noted regarding that plan: "This is the President's idea and it's a good one."⁴ Numerous documents make clear that the President and First Lady directed the development of the White House Database and were aware of and kept informed of its potential uses. The First Lady actually received a demonstration of the Database. The President approved a job description for Marsha Scott that specifically referenced her access to the Database. Also, contrary to the written opinion of the White House Counsel's Office, the President routinely continued to build PeopleBase with the names and addresses of individuals who communicated with him through the official White House mail. The pattern of evidence obtained by the committee implicates the President and the First Lady in the possible theft of government property.

D. SUMMARY OF FINDINGS AND CONCLUSIONS

Senior officials in the White House sought to obstruct the committee's investigation of the systematic transfer of data from the White House to campaign entities and the President's and First Lady's knowledge and involvement in the conversion of the White House Database and other official resources to the use of the DNC and the Clinton/Gore campaign. This obstruction culminated in the perjury of Cheryl Mills, Deputy Counsel to the President. Despite the efforts of White House officials to obstruct the investigation, the committee found substantial evidence that White House officials, including possibly the President and the First Lady, knowingly and willfully planned to convert, and did in fact convert, valuable government property, including data from the White House Database, to the DNC and the Clinton/Gore campaign in violation of 18 U.S.C. § 641. Such conduct by the President represents not only a theft of government property; it represents an abuse of power by the President.

II. PERJURY AND OBSTRUCTION

On June 27, 1996, pursuant to the direction of the Chairman of the House Government Reform and Oversight Committee, Representative William J. Clinger, Representative David M. McIntosh, Chairman of the Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs, first wrote to then-Chief of Staff to the President Leon Panetta requesting information on the White House Database, known inside the White House as

“WhoDB.”⁵ Since the committee’s very first efforts to discover the facts about the Database, including its planned and actual use, and its costs, the committee encountered unprecedented efforts by the White House to withhold documents and information and to mislead the committee with materially false statements as to its use.

Through its investigation, the committee has uncovered substantial disturbing evidence of repeated false or misleading statements emanating from the highest levels of the White House, including the White House Counsel’s Office and the Office of the Press Secretary, concerning how the Database was planned and used. The investigation has uncovered evidence which reveals that persons in the White House Counsel’s Office, which was charged with responding to the committee’s inquiry, were themselves central figures in the scheme to put the Database to prohibited uses. Those same persons, with ample motivation to protect at least themselves, actively sought to provide misleading explanations and conceal and alter documents.

These actions severely hampered the committee in the exercise of its proper oversight role and needlessly prolonged the investigation at taxpayer expense. More importantly, despite the best efforts to find the facts and to present them to the American people, the committee may never know many of the facts which would be revealed by the production of contemporaneous documents which the committee has specifically sought, but which the White House reports “cannot be found.” In addition, responsive documents that (1) the White House did locate and (2) are evidence of the President’s and First Lady’s involvement in plans to convert the Database and other White House resources to campaign uses were deliberately withheld from the committee just before the 1996 election and not produced until February 1997 in one instance, and for more than a year in another case.

To consider adequately the White House’s efforts to obstruct the committee’s investigation, it is important to recognize the fundamental legal principle applicable to data in the White House Database and other government data repositories. That principle is that once data is entered into an official government, taxpayer-funded database, distribution to any outside entity, including partisan political entities, is prohibited. As Cheryl Mills, then-Associate Counsel to the President, wrote with respect to this issue on January 17, 1994 in an internal White House memorandum:

Once White House employees integrate information provided by any source into the database system, it becomes government property in the form that it is stored in the database system. Therefore, data from the database system may be provided to a source outside the federal government only for authorized purposes. 5 CFR § 2635.704. Authorized purposes are those specified by law or regulation or those purposes for which Government property is made available to the public. *Id.*⁶

David Watkins, Assistant to the President for Administration, expressed the same view of the government’s ownership of the data in the White House Database.

[T]he White House Database will be government property and cannot be given to or used by a campaign entity (unless made public and thus available to any campaign entity).⁷

During the course of the committee's investigation, White House officials, and in particular the White House Counsel's Office, repeatedly misled the committee as to whether anyone in the White House planned to transfer, or in fact transferred, data from the White House Database. Very early in the investigation, on June 28, 1996, Jack Quinn, then Counsel to the President, told the committee:

The database is for White House use only; we prohibit distribution to outside entities or political organizations—including the Democratic National Committee or the Clinton-Gore '96 Committee.⁸

Despite such steadfast denials by the White House, the investigation has revealed the systematic distribution of data from the White House Database and other official sources to the DNC, including the ongoing distribution of such data to the DNC Finance Department which the DNC Finance Director stated in his deposition "should properly be called the fundraising division."⁹ In addition, there is substantial evidence that contrary to specific written advice from the White House Counsel's Office, other official resources, such as computer time, stationery, photocopying equipment, and other office equipment and supplies, were converted to help manage the DNC's and the Clinton/Gore campaign's data.

A. MEMBERS OF THE WHITE HOUSE COUNSEL'S OFFICE AND POSSIBLY OTHERS OBSTRUCTED THE COMMITTEE'S INVESTIGATION TO PREVENT DISCLOSURE OF THE THEFT OF GOVERNMENT PROPERTY AND THE POSSIBLE INVOLVEMENT OF THE PRESIDENT AND FIRST LADY

The principle that the distribution of government data to campaign entities is prohibited provides ample motive for the White House to obstruct the committee's investigation. In one specific instance, that obstruction, followed by material false statements by Deputy Counsel to the President Cheryl Mills during an open hearing before the committee, was especially significant because it marked the most obvious effort to conceal the clearest evidence that the President and the First Lady were involved in the distribution of such data and conversions of other government resources to serve the interests of political campaign entities.

The committee believes that there is substantial evidence that in September 1996 then-Associate (now-Deputy) Counsel to the President Cheryl Mills, with the knowledge and concurrence of then-White House Counsel Jack Quinn, knowingly and wilfully obstructed the investigative authority of this committee by withholding documents that were plainly responsive to the committee requests for documents and information. Moreover, when this obstruction was brought to light in a hearing before the committee, Ms. Mills lied under oath about the documents and the circumstances surrounding their nonproduction.

Ms. Mills's actions, withholding responsive documents from the committee, delayed the committee for more than a year from obtaining important evidence that the President wanted to "integrate" the White House Database with the DNC database and delayed until after the 1996 election the disclosure of the use of White House personnel and office equipment to assist the DNC in its efforts to develop a new database. Consequently, not only did the American public not have relevant information regarding the conversion of official resources prior to the 1996 election, the committee's ongoing investigation was impeded by the delay in producing those important documents.

Moreover, the failure to produce these documents when they were discovered in September 1996 had the effect of delaying the committee's investigation long enough to allow memories of relevant witnesses to fade for more than a year until they could plausibly testify that they could no longer remember the meetings or conversations reflected in the documents. The committee believes that Ms. Mills was fully aware of these potential effects and deliberately engaged in the withholding of documents for that purpose. In the second term, she was promoted from Associate Counsel to the President to Deputy Counsel to the President.

On October 28, 1997, White House Counsel Charles F.C. Ruff produced to the committee a document containing the handwritten notes of Brian Bailey, an assistant to then-Deputy Chief of Staff Erskine Bowles, that read:

HAROLD [ICKES] AND DEBORAH DELEE WANT TO MAKE SURE WHODB IS INTEGRATED W/DNC DATABASE—SO WE CAN SHARE—EVIDENTLY, POTUS WANTS THIS TO[O]! (MAKES SENSE)¹⁰

A letter from Mr. Ruff and a production log accompanied the document and other documents produced to the committee that day.¹¹ The letter was intended to apprise the committee of "some new information and to correct certain statements regarding two earlier aspects of [the White House] document production."¹²

Mr. Ruff's letter and the production log raised as many questions as it purported to answer. With respect to the handwritten notes, Mr. Ruff explained that these notes, along with other documents, had been found in September 1996, more than a year earlier, and set aside in folders.¹³ Mr. Ruff's letter also sought to obscure whether the previously withheld notes were responsive to the committee's request, saying: "Although certain of these documents [including the notes] are arguably not responsive, we are erring on the side of production."¹⁴

While Mr. Ruff's explanation for the nonproduction of the notes sought to avoid the admission that they were responsive and had been withheld, he was unable to make such a claim with respect to a June 28, 1994 memorandum¹⁵ from White House Office of Political Affairs staff member Marsha Scott to Harold Ickes, Bruce Lindsey, and the First Lady that was also found in September 1996. That document included evidence suggesting that the White House Database would be useful for the campaign and urging that Marsha Scott and her database development team of government

employees be allowed to continue to work with the DNC and others to develop databases outside of the White House.

This document had already been produced in February 1997 by Mr. Ruff, who at that time apparently was unaware that Ms. Mills had discovered the document in September 1996 and withheld it as nonresponsive. When Mr. Ruff produced it, he included it in a production of documents that he represented in his February 27, 1997 transmittal letter as “responsive”¹⁶ to the committee’s request and also admitted in open hearings before the committee that he had determined that it was responsive.¹⁷

The complete sequence of events relating to Ms. Mills’s withholding of the document and her testimony before the committee is as follows:

August 2, 1996

The Majority Members of the Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs write to President Clinton requesting, among other things, “All communications related to the WhoDB” which “includes all documents and materials that memorialize conversations, meetings, or other communication.”¹⁸

September 18, 1996

Deputy Counsel to the President Cheryl Mills discovers (1) handwritten notes reflecting the President’s desire to integrate the White House Database with the DNC database¹⁹ and (2) a June 28, 1994 memorandum²⁰ from Marsha Scott to Harold Ickes and Bruce Lindsey (with a copy to the First Lady) regarding the White House Database and the development of the DNC and other databases outside of the White House using government resources.

September 19–24, 1996

Despite Cheryl Mills’s discovery, the thousands of pages of documents produced by Ms. Mills and White House Counsel Jack Quinn during this time do not include either document.

February 26, 1997

Apparently unaware that Cheryl Mills had previously discovered the June 28, 1994 memorandum, White House Counsel Chuck Ruff produces it to the committee and another copy of it that includes the First Lady’s note to Harold Ickes that “This sounds promising.”²¹

March 6, 1997

Mr. Ruff inaccurately represents that the memorandum was discovered “over the last few months as part of the ongoing review of files”²²

October 28, 1997

White House Counsel Charles Ruff produces a copy of the handwritten notes, and discloses that the notes and the memorandum had been discovered in September 1996.²³

November 6–7, 1997

Cheryl Mills testifies under oath that:

(1) she determined that notes reflecting the President’s interest in integrating the White House Database with the DNC database “were not responsive to the seven enumerated items” requested by the committee;²⁴

(2) “the particular [database referenced in the second paragraph of the June 28, 1994 memorandum], at the time [she] had knowledge of, was not related to the WhoDB;”²⁵

(3) her “impression at the time” of production of a January 17, 1994 memorandum²⁶ was that the database in that memorandum was not the White House Database;²⁷ and

(4) “[u]ltimately, they ended up using WhoDB, which is not modeled on PeopleBase.”²⁸

Each and every one of these statements is a material false statement, and the evidence obtained by the committee shows that Ms. Mills knew they were false at the time that she made them.

B. THE EVIDENCE BEFORE THE COMMITTEE ESTABLISHES THAT THE TESTIMONY OF CHERYL MILLS BEFORE THE COMMITTEE WAS FALSE AND THAT SHE KNEW IT WAS FALSE

The evidence obtained by the committee contradicts Ms. Mills’s testimony in every respect. The sworn deposition testimony of five other witnesses makes clear that at the time the documents were withheld, Ms. Mills could not have believed that they were not responsive, deliberately withheld them, and lied to the House Committee on Government Reform and Oversight about withholding them.

1. MS. MILLS’S TESTIMONY REGARDING THE NOTES WAS DEMONSTRABLY FALSE

Not only are the notes on their face responsive to the committee’s request. But the author of the notes, Brian Bailey (an assistant to then-Deputy Chief of Staff Erskine Bowles), testified that the notes did indeed memorialize a “communication,”²⁹ which falls clearly within the scope of the committee’s August 2, 1996 request.

2. MS. MILLS’S TESTIMONY REGARDING THE JUNE 28, 1994 MEMORANDUM WAS DEMONSTRABLY FALSE

Like the notes, the memorandum on its face was responsive to the committee’s request. The second paragraph states: “Currently in the White House we are preparing, as you know, to implement a new database system starting August 1.” There is no other database system to which that sentence and the ensuing paragraph could have referred. Not only is that true from the face of the document, but that fact was confirmed by the testimony of four other witnesses whose testimony is consistent with the testimony of each other and who had no reason to lie.

Moreover, when that document was discovered by White House Counsel Charles Ruff, independent of Ms. Mills’s discovery, he immediately produced it as a document responsive to the committee’s request. He did not, at the time of production, qualify its respon-

siveness in any way. Mr. Ruff also expressly testified that the memorandum was responsive to the committee's request.³⁰

a. Marsha Scott's testimony contradicts Cheryl Mills's testimony

Marsha Scott, who developed the White House Database, contradicted Ms. Mills's testimony, stating under oath that the database referenced in the June 1994 memorandum was indeed the White House Database and that the description, including that the WhoDB was modeled after PeopleBase, accurately described the White House Database.³¹

The White House has been mysteriously unable to produce the January 11, 1994 memorandum from Marsha Scott or the January 13, 1994 memorandum from Erich Vaden, one of Marsha Scott's principal assistants on the White House Database project, requesting the advice provided in Ms. Mills's January 17, 1994 memorandum. Having those documents would assist in determining whether the January 17, 1994 memorandum was intended to be responsive to a request for advice regarding the White House Database or some other database as Cheryl Mills claimed.

Notwithstanding these missing documents, counsel for Marsha Scott insisted in Ms. Scott's deposition that a December 16, 1993 memorandum to Cheryl Mills with the subject heading of "White House Database"³² "track[ed]" the advice in Cheryl Mills's January 17, 1994 memorandum.³³ Ms. Scott also confirmed in her testimony that Ms. Mills's memorandum addressed some of the same issues raised in her December 16, 1993 memorandum seeking advice on the White House Database,³⁴ which contradicts Ms. Mills's claims that her January 17, 1994 memorandum referenced some other database.

b. Erich Vaden's testimony contradicted Cheryl Mills's testimony

Erich Vaden, Marsha Scott's principal assistant who was largely responsible for the technical development of the Database and who became the Database Administrator, contradicted Ms. Mills when he testified that:

(1) the database referred to in the second paragraph of the June 28, 1994 memorandum could be no database other than the White House Database;³⁵

(2) nothing in that paragraph suggested to him that the referenced database was not the White House Database;³⁶

(3) Marsha Scott was not involved in the development of databases in the White House other than the White House Database at that time;³⁷ and

(4) he had specifically and expressly discussed with Cheryl Mills in January 1994 that the database referenced in her January 17, 1994 memorandum was the White House Database, not some other Correspondence Department database, which she acknowledged at that time.³⁸

c. Laura Tayman's testimony contradicts Cheryl Mills's testimony

Laura Tayman, who also worked with Marsha Scott and Erich Vaden on the development of the White House Database, contradicted Ms. Mills's testimony when she confirmed that:

- (1) there were no other databases in the White House to which the June 1994 memorandum could be referring;³⁹
- (2) the database referenced in the January 17, 1994 memorandum was, and could only have been, the White House Database;⁴⁰ and
- (3) the White House Database was designed to include features from PeopleBase.⁴¹

d. Miscellaneous other testimony regarding the use of PeopleBase as a model for the White House Database contradicts Cheryl Mills's testimony

That the White House Database was, in fact, modeled after PeopleBase (contrary to Ms. Mills's testimony) is also confirmed by the testimony of Erich Vaden⁴² and Mark Bartholomew, a career White House technical staff member who worked on the White House Database project.⁴³

C. CHERYL MILLS COULD NOT HAVE BELIEVED THAT HER TESTIMONY WAS TRUTHFUL

The testimony of these five witnesses contradicts Cheryl Mills's testimony and establishes that she did not believe, and indeed could not have believed, that her statements before the committee were true, namely that (1) the handwritten notes were not responsive to the committee's request; (2) the database referenced in the second paragraph of the June 28, 1994 memorandum was not the White House Database; and (3) the database in the January 17, 1994 memorandum was not the White House Database.

D. MS. MILLS'S FALSE TESTIMONY BEFORE THE COMMITTEE IS EVIDENCE THAT SHE AND POSSIBLY WHITE HOUSE COUNSEL JACK QUINN AND OTHERS OBSTRUCTED THE COMMITTEE'S INVESTIGATION BY WITHHOLDING DOCUMENTS RESPONSIVE TO THE COMMITTEE'S INQUIRY

Ms. Mills's false testimony to Congress is also evidence of unlawful obstruction of the committee's investigation. The evidence contradicting Ms. Mills shows that instead of determining that the withheld documents were not responsive, she determined that the documents were responsive.

Consequently, she, White House Counsel Jack Quinn, and possibly others deliberately determined without legitimate justification to withhold documents that were the subject of the committee's request. Mr. Ruff's October 28, 1997 letter admits that the documents had been found in September 1996.⁴⁴ Ms. Mills admitted that she and White House Counsel Jack Quinn reviewed the handwritten notes in September 1996.⁴⁵ She also admitted that she placed both the handwritten notes and the June 28, 1994 memorandum in separate folders in the Counsel's Office in September 1996.⁴⁶

Finally, Ms. Mills testified that she and Mr. Quinn made the decision jointly to withhold the documents as nonresponsive.⁴⁷ The withholding of these documents without justification did, in fact, impede the committee's investigation and constitutes unlawful obstruction under 18 U.S.C. § 1505.

E. MS. MILLS PREVENTED THE AMERICAN PEOPLE FROM LEARNING JUST BEFORE THE 1996 PRESIDENTIAL ELECTION THAT THE PRESIDENT OF THE UNITED STATES AND THE FIRST LADY WERE INVOLVED IN THE THEFT OF GOVERNMENT DATA AND OTHER GOVERNMENT RESOURCES TO BENEFIT THEIR POLITICAL CAMPAIGNS

The act of withholding the documents themselves and then lying to cover up the obstruction is significant evidence of Ms. Mills's consciousness that the contents of the documents reflected involvement of the President and the First Lady in various efforts to convert government property for unauthorized purposes. Significantly, the documents were withheld only 6 weeks before the 1996 Presidential election. There can be no doubt that Ms. Mills knew that the release of the withheld documents would have been, at the very least, politically damaging if the documents had been released shortly before the 1996 Presidential election. Indeed, the documents attracted substantial media attention when they were released in 1997.⁴⁸

Since the production of the documents, the committee has also obtained other corroborating evidence of the theft of government property, *i.e.*, that data was transferred to the DNC and that other White House resources were converted. However, Ms. Mills's failure to produce the documents at the time when they were discovered was detrimental to the committee's investigation and delayed the discovery of both the documents withheld and other important evidence.

The committee considers giving false testimony before it to be a very serious matter that may subject a witness to serious penalties for perjury, making false statements in a congressional investigation, and obstruction under the criminal code of the United States. Consequently, the committee acknowledges that Chairman McIntosh has already referred evidence obtained relating to this matter to the Justice Department for further investigation and appropriate prosecution.

III. UNLAWFUL DISTRIBUTION OF WHITE HOUSE DATA AND CONVERSION OF WHITE HOUSE RESOURCES FOR POLITICAL PURPOSES

The documents ultimately produced by the White House and the testimony of numerous witnesses reveals that the theft of data from the White House Database for political purposes was an integral part of an illegal scheme to convert government data and other resources that was planned and executed to aid the DNC fundraising effort and the Clinton/Gore campaign. On May 22, 1997, Charles F.C. Ruff, Counsel to the President, told the committee that "there is no evidence . . . that WhoDB was planned to be used for political purposes . . ." ⁴⁹ Notwithstanding this denial, the handwritten notes of Brian Bailey that were withheld by Cheryl

Mills and produced 5 months after Mr. Ruff's letter reflect that the President of the United States wanted to integrate the White House Database and the DNC database to share data in violation of 18 U.S.C § 641.

In addition to the Federal criminal code's prohibition against converting government property, the White House also had a clear policy that government resources could not be used for political purposes, even if White House staff could engage in political activity under the Hatch Act. Cheryl Mills had prepared, with former White House Counsels Bernard Nussbaum, Lloyd Cutler, and Abner Mikva, memoranda to White House staff, essentially advising that they could engage in political activity provided they did not use White House resources to support it.⁵⁰ Mills testified before the committee when asked why, as reflected in the June 28, 1994 memorandum, government employees were working on the DNC's database:

As you are probably aware, White House officials and others are allowed to engage in political activity and they are allowed to use their time in that way when they volunteer to provide political activity, so to the extent that Ms. Scott wanted to provide or make herself available to engage in those activities, provided she did not use Government resources, that would be consistent with the Hatch Act.⁵¹

Congressman Shadegg further inquired regarding the use of government resources:

Government resources seems to be a good question. This is on stationery which says the White House, Washington. I presume that would be a Government resource, wouldn't it?⁵²

Ms. Mills responded to that question by admitting twice that the stationery was, in fact, a government resource.⁵³

For a similar use of government resources, including merely government photocopying paper, the Clinton administration prosecuted Peter Collins for the theft of government property. *United States v. Peter Collins*, 56 F.3d 1416 (D.C. Cir. 1995). In that case, the Court of Appeals for the District of Columbia Circuit upheld the conviction of Mr. Collins for using office supplies, including paper for making photocopies, to support the U.S. Amateur Ballroom Dancing Association. *Id.* at 1421. The court also expressly acknowledged that the theft of computer time and storage could also constitute the theft of government property under 18 U.S.C. § 641. *Id.* at 1420. The court also noted that intangible property, including the mere content of a writing, is a thing of value that can be converted to an unofficial use in violation of 18 U.S.C. § 641. *Id.* (citing *United States v. Girard*, 601 F.2d 69, 71 (2d Cir.), *cert. denied*, 444 U.S. 871 (1979)).

The committee found evidence, beyond the withholding of incriminating documents, of both the systematic transfer of data from the White House Database and other data systems to political entities and the systematic use of other government resources to advise and assist those entities in the development and management of

their data systems. These conversions of government property, according to the Deputy Counsel to the President and the rationale of *United States v. Collins*, are inconsistent with the Hatch Act and constitute the theft of government property under 18 U.S.C. § 641.

A. MARSHA SCOTT DEVELOPED A PLAN FOR THE PRESIDENT TO USE THE WHITE HOUSE DATABASE FOR PARTISAN POLITICAL PURPOSES

The committee has unearthed abundant evidence that the planned uses for the WhoDB included partisan political ones for the 1996 reelection effort. Multiple documents expressly identify using the WhoDB as critical to election year efforts to energize the President's friends and supporters. The withheld June 28, 1994 memorandum includes a timeframe for development and deployment that is directed at the 1996 campaign. The memorandum states:

By the first of the year [1995] we should have any flaws identified and corrected and the majority of the White House using the system. We will then have a year [until 1996] to fully train and familiarize our folks to its many possibilities and uses.

Although the timeframes in the memorandum plainly are aimed at making certain that the White House Database was fully operational by 1996, Marsha Scott denied that the dates had anything to do with the campaign.⁵⁴

A draft of another memorandum written by Marsha Scott for White House Chief of Staff Mack McLarty reveals a plan to: “reach[] out to [the President’s] friends and supporters . . . ; identify and contact the key early supporters in all fifty states . . . ; put in WhoDB the names and relevant information about those early supporters . . . ; [and] add to this base group by early 1995, those folks we will be working with in 1996.”⁵⁵

The draft further outlines the plan to use the White House Database to “recreate the Primary campaign structure . . . ; establish a database to hold and work these names. (WhoDB will be fully functional by January [1995]) . . . ; recreate the General campaign structure using the same method we employed for recreating the Primary . . . [,] add[ing] the DNC and campaign records . . . ; identify by early 1995, key financial and political folks in each state who can work with us” with the expectation that “[t]hrough consistent dialogue and follow-up, leaders will emerge” to allow “[c]o-ordinat[ion] with DNC and DLC about what they are doing for these folks.”⁵⁶ With respect to this plan, Scott states directly, “This is the President’s idea and it’s a good one.”⁵⁷

The final memorandum prepared and actually sent to Deputy Chiefs of Staff Erskine Bowles and Harold Ickes⁵⁸ tracks the draft in key, although not all, respects. In producing this final memorandum, the White House first produced it without the most damaging information. The concealed text included all references to using the data, and people identified in the database, for the 1996 reelection campaign, as well as the fact that the planned use was personally approved by—indeed originated with—the President.⁵⁹ Although the draft memorandum itself, not just the final version that was withheld, was responsive to the committee’s original August 2,

1996 request, it was not produced until May 13, 1997. When Marsha Scott was questioned about the contents of this memorandum, she acknowledged that this plan involved using the White House Database to identify leaders for the 1996 campaign.⁶⁰

B. THE WHITE HOUSE SOCIAL AND POLITICAL AFFAIRS OFFICES
SHARED DATA FROM THE WHITE HOUSE DATABASE WITH DNC
FUNDRAISERS

The transfer of data from the White House Database was a significant tool in the conversion of White House resources to the use of the DNC to exchange White House invitations and other perks for campaign contributions. Individuals in the White House Social Office and Political Affairs Office were the points of contact through which White House data was converted to the use of DNC fundraisers.

The transfer of data was so significant that first, Jack Quinn denied that such transfers happened. Then, confronted with newspaper reports that such transfers did occur, the White House Press Office staff acknowledged the reports, while at the same time the Counsel's Office staff and the Press Secretary himself were secretly helping to draft a misleading press release for DNC Finance Chairman Truman Arnold. When new White House Counsel Chuck Ruff was confronted with the press reports and the Press Office statements, he sought to qualify and minimize the use of the data, claiming that it happened only occasionally. However, the committee uncovered that DNC Finance Chairman Truman Arnold and Erskine Bowles agreed to a plan to allow DNC fundraisers to obtain regular access to data from the White House Database to select donors for attendance at White House events.

The committee uncovered a scheme to use data from the White House Database to enhance DNC fundraising efforts. This scheme involved the White House staff using the White House Database to identify for the DNC individuals who had attended White House social events. The DNC would then use that information to determine whom to recommend for invitations to upcoming White House social events. In this way the DNC ensured that it was able to reward its donors appropriately with White House invitations.

1. THE WHITE HOUSE COUNSEL AND THE WHITE HOUSE PRESS OFFICE
CONCEALED THE REGULAR AND CONTINUOUS TRANSFER OF DATA
FROM THE WHITE HOUSE DATABASE TO THE DNC

The White House Counsel consistently denied or sought to minimize the transfer of any data stored in White House databases to the DNC or other partisan political entities, including specific denials of dissemination of data from White House computers in the specific context of generating invitations to White House events. In a June 28, 1996 letter to the committee, White House Counsel Jack Quinn stated:

The database maintained by the White House is a list of names, addresses and other pertinent information *for generating invitations to White House events*. . . . The database is for White House use only; we prohibit distribution to outside entities or political organizations—including

the Democratic National Committee or the Clinton-Gore '96 Committee.⁶¹

This denial was untrue. On January 30, 1997, the Los Angeles Times reported that White House staff frequently retrieved data on large contributors and turned it over to the DNC to help raise money for the President's reelection. The L.A. Times story by investigative reporter Glenn F. Bunting, reported that former DNC National Finance Chairman, Truman Arnold told him that:

[the DNC finance] staff routinely used WhoDB to identify likely candidates for increased donations. . . . [T]he staff found out how many White House invitations certain donors were receiving, so they could arrange more events for prospective contributors. . . . I started checking back with the White House just as a routine matter. . . . It didn't seem very privileged to me. It was open to a lot of people.

* * * * *

[P]eople familiar with the system said that during the last two years DNC workers routinely used the database as a fund-raising tool to recruit prospective donors and to solicit large contributions.

* * * * *

Arnold said he focused on reconnecting the party with contributors who had given in 1992 but who had "fallen from the fold." To do this, Arnold said, party staff members tapped the White House computer base, usually calling for the information. . . . "It was most helpful to us because we were looking to the disaffected," Arnold said. "The database helped us to see who had been invited to what."⁶²

That day's White House Press Briefing was largely dominated by questions stemming from the story. With no mention of the White House Counsel's prior denial that any such data had been disseminated to the DNC, the White House Deputy Press Secretary Barry Toiv *after talking with the White House Counsel*, responded repeatedly that giving such White House data to the DNC was appropriate:

If the DNC, in the context of putting together a list of people that they might want to ask to be invited to an event here, asked the question, was this particular person invited to previous events, or did this person previously attend events at the White House, *it would be entirely appropriate for the Social Office to answer that question. . . . If they didn't know [the answer], the place where that information was kept was in the database.*⁶³

This statement is wholly inconsistent with Mr. Quinn's assertion 6 months earlier that the White House prohibits the distribution of such data to the DNC. The White House now admitted that what was prohibited⁶⁴ was, in fact, "entirely appropriate." In addition, the White House had refused to provide this very information to the committee for over 3 months. On October 3, 1996 the committee had specifically asked the White House to acknowledge

whether “the White House ever provided *any* data from the WhoDB to an outside organization or individual.”⁶⁵

The committee requested an answer by October 9, 1996. The White House failed to answer by that date, was asked again to respond by October 29, 1996,⁶⁶ again failed to answer, was again asked to respond by November 18, 1996,⁶⁷ again failed to answer, was again asked to do so by January 14, 1997,⁶⁸ and again did not respond.⁶⁹ Indeed, the answer to this question was never provided during the tenure of Jack Quinn as Counsel to the President.

Even after Mr. Ruff’s arrival as Counsel to the President, and after the press briefing admission of the data transfer to the DNC, the White House still failed to answer the committee’s questions with respect to that very matter. The committee once again, requested answers to these questions by February 26, 1997.⁷⁰ The White House once more failed to answer and was asked again to do so by February 28, 1997.⁷¹ Not until February 28, 1997, almost 5 months after first being asked, *well after the 1996 Presidential election, and well after the previously denied facts had been exposed by the LA Times*, did the White House finally admit to the committee that data from the White House Database had been funneled to the DNC.⁷²

In addition to the White House Counsel repeatedly refusing to answer the committee’s questions, the President’s Press Secretary Mike McCurry also concealed his own role in the story at a White House press briefing. Although Mr. McCurry had assisted Mr. Arnold in drafting a statement regarding the use of the Database, he turned the briefing over to his assistant Barry Toiv. When Toiv was asked if anyone in the White House had spoken with Truman Arnold, he responded, “I don’t know.”⁷³ Mike McCurry, although still present, said nothing. Four questions later, when reporters pressed the issue, asking “[D]on’t you think you might want to ask [Arnold] about that? [] Given all the reports you all haven’t talked to [Arnold] yet[,]” McCurry interjected to tell Toiv “Barry, the Counsel’s Office has. . . .”⁷⁴ To this, Toiv admitted, “That’s true. The Counsel’s Office has contacted him. . . .”⁷⁵

At no time did McCurry reveal the fact that he had talked to Arnold the previous night. The committee had asked who in the White House had contacted Arnold.⁷⁶ In response, the White House revealed that McCurry had indeed talked to Arnold about these matters on the evening of January 29, 1997:

Later that evening [January 29, 1997], Mr. McCurry returned Mr. Arnold’s call. * * * Mr. Arnold said that he trusted Mr. McCurry’s opinion and wanted some guidance as to how to respond to a number of press inquiries related to the WhoDB * * *.⁷⁷

Not only was McCurry silent about his own conversation with Arnold on the night before the briefing, neither he nor Toiv revealed the White House Counsel’s role in conveying a misleading denial for the DNC to issue. On the very day of the press briefing, [January 30, 1997] Sally Paxton, Associate Counsel to the President, after Arnold read her a prepared written statement denying aspects of data transfer matters attributed to him by the L.A.

Times, secretly received and thereafter transmitted to the DNC, Arnold's written denial.⁷⁸

The following day Arnold was "unavailable" and instead issued a statement under his name claiming he had never heard of WhoDB.⁷⁹ Presumably, this was the statement which had previously been read to Paxton, received at the White House, and faxed to the DNC. Of course, the committee's investigation has established that many aspects of the data transfer described by Truman Arnold to the L.A. Times were, in fact, true.

2. SWORN TESTIMONY INDICATES THAT THE DNC OBTAINED DATA EXACTLY AS ARNOLD HAD REVEALED TO THE L.A. TIMES

The committee's investigation confirmed that Mr. Arnold had set up a scheme with Erskine Bowles and Ann Stock in March 1995 to allow DNC fundraisers to contact the White House Social Office to obtain the valuable information contained in the White House Database regarding who had attended events at the White House. Prior to this confirmation by the committee's investigation, the White House sought to downplay the extent and frequency of the data flow to the DNC. In his February 28, 1997 letter to the committee, Charles F.C. Ruff, Counsel to the President, stated that

the DNC occasionally called the White House to inquire whether specific individuals had been to prior events, such as state dinners. [White House] [s]taff sometimes would consult WhoDB to answer a specific question.⁸⁰

This attempt to minimize the conduct was contrary to what Truman Arnold had revealed to the L.A. Times. Arnold is reported to have admitted: "I started checking back with the White House just as a routine matter."⁸¹ The L.A. Times also reported:

people familiar with the system said that during the last two years DNC workers routinely used the database as a fund-raising tool to recruit prospective donors and to solicit large contributions.⁸²

More importantly, as set forth *infra*, the evidence uncovered by the committee's investigation, including the sworn testimony of numerous witnesses, both at the White House and the DNC, revealed that such conduct was not at all occasional, but was a significant, regular, and ongoing practice which allowed the DNC access to the prohibited White House data. This evidence included Truman Arnold's testimony in a committee deposition in which he stood by his publicly reported statement that the DNC "started checking back with the White House just as a routine matter."⁸³

Indeed from documents and testimony obtained as part of the investigation, both from the White House and the DNC, as well as the testimony of participants in the data flow scheme both at the White House and the DNC, a clear picture emerges of the regular and ongoing practice of supplying the DNC with government-owned proprietary data. Further, the investigation reveals that this data was indeed used in a sophisticated scheme to directly further the fundraising goals of the DNC.

3. OBTAINING THE DATA ON SOCIAL EVENT ATTENDANCE WAS
DIRECTLY TIED TO FUNDRAISING EFFORTS

Obtaining invitations to White House events and other perks was part of a direct coordinated scheme between the White House and the DNC to convert the White House into nothing more than a fundraising machine. As recently as May 25, 1998, the Washington Post starkly revealed not only the tremendous value of White House event attendance, but the very effective use of such attendance in assuring a huge flow of money to the DNC.⁸⁴

Bernard Schwartz, described as “the party’s largest single individual donor,”⁸⁵ was reported to have been “twice invited to stay in the Lincoln Bedroom but couldn’t make it. He attended state dinners for the Emperor of Japan and British Prime Minister Tony Blair, and was toasted at a White House dinner two years ago on his 70th Birthday.”⁸⁶ Schwartz was quoted as saying, “It’s awesome to go to the White House, an extraordinary privilege.”⁸⁷ Indeed, the article quotes a former DNC official: “He was really sort of your perfect donor—just wanted to attend events and never asked for anything.”⁸⁸

a. The DNC planned to use White House event invitations as a fundraising tool

Documents found within the White House show that the DNC in concert with the White House staff used access to events as a tool to achieve fundraising goals. A May 5, 1994 DNC memorandum written by DNC staffer Martha Phipps sets forth the plan to use event invitations to meet DNC fundraising goals. The memorandum identifies as essential to reaching a goal of \$40 million offering invitations to specific events, including “[s]ix seats at all White House Private dinners * * * [s]ix to eight spots at all White House events * * * White House residence visits and overnight stays * * * [t]wo places per week at the Presidential CEO lunches * * * [and] [t]en places per month at White House film showings.”⁸⁹

This memorandum was discovered in the Office of the White House Chief of Staff (Leon Panetta at the time the memorandum was written) in a file marked “Democratic National Committee, FINANCE SUPPORTERS, Revised 5/4/94.”⁹⁰ Also contained in the file was another page which appears to be from a larger document. In addition to its location in a DNC file, the content of this page, and its wording, gives every appearance that it was written by someone at the DNC. It significantly states:

The White House Social Office has been relatively inaccessible to the DNC. * * * We are on the same team and would like to share information in a legal and ethical manner. If we can break down the territorial nature of the Social office, we will accomplish a great deal more for the President and the party.

PROBLEMS

Events

At this time we do not have access to calendars or advance notice of events and dates. We frequently face the

embarrassing situation of being notified of upcoming events by the contributors. Additionally, we can match the most appropriate people and events, given some advance notice.

Follow Up

The DNC is not aware of who has been taken care of to date. *Only recently have we been allowed to send a staffer to the Social office to look up Trustee involvement for the past year.* Having this information in a timely fashion is important to our fundraising efforts.

Cooperation

The nature of fundraising is very last minute. Contributors often come in at the last minute for a specific event. * * * We need flexibility to make changes where appropriate.

Fundraising Interference

DNC solicitation is subverted due to major donors being invited to high level White House events *regardless of the date or amount of contribution.* This is a disincentive especially for the Trustee level contributor.

Understanding the contributor

The Trustee consist [sic] of many of the nation's wealthiest and most influential profiles. Some White House staffers fully understand the profiles of these contributors. We avoid events with huge crowds that may make the donors feel unimportant.⁹¹

Yet another page contained in the file contains handwritten notes reflecting that 30 percent of the DNC Managing Trustees (DNC Trustees raised or donated \$100,000 or more to the DNC)⁹² had not been to the White House. The notes further reflect the need for a "list of who has been [to the White House]."⁹³

These documents found inside the White House parallel other documents discovered inside the DNC complaining of the inability to gain access to internal White House information. These documents include internal DNC memorandum prepared by DNC Fundraising staff. This fact cannot be over-emphasized. DNC Finance Director Richard Sullivan testified in depositions both before the Senate and House that the Finance Division at the DNC ought to have been named "the fundraising division."⁹⁴ Sullivan described his duties:

The finance director reported to the Finance Chairman. Essentially, the finance director had the day-to-day interaction with the fundraising staff, and worked with the fund-raising chairman in working towards the goals of how much money was to be raised and in what way.⁹⁵

Significantly, Sullivan testified that he had no other duties at the DNC other than fundraising.⁹⁶ In 1995 one of Sullivan's top fundraising assistants, Ari Swiller, served as Director of "major supporter fund-raising," whose duties including "work[ing] in raising

money from our top tier of donors.”⁹⁷ Indeed, Swiller headed the DNC Trustee program which Swiller described as “a group of major donors and contributors to the Democratic Party as well as major fundraisers.”⁹⁸ He described duties in heading the program as “speaking with donors, following up with them, working on events and soliciting contributions from new donors.”⁹⁹

b. The plan involved the transfer of prior attendance information by the White House Social Office to the DNC

The committee found evidence that the White House staff and the DNC planned to facilitate DNC fundraising by providing the proprietary prior event attendance information to DNC fundraisers. While witnesses sought to assert that providing this information was part of an “official” invitation process, much of it was, in fact, nothing more than a scheme to allow DNC fundraisers to have better information on the susceptibility of prospective donors to solicitations. By obtaining information from White House computers on previous event attendance, DNC fundraisers could decide who had already been rewarded, who needed to be rewarded, and who needed to be inspired through a White House invitation to raise and give money to the DNC.

It is clear that within the White House the guest lists detailing who has been invited, who has accepted, and who has attended White House social events is jealously guarded. This information was maintained in the White House Database with respect to events such as official State dinners with foreign Heads of State, State arrival ceremonies for visiting Heads of State, receptions, and other official events. It is equally clear from the evidence that the DNC wanted this information, and complained when they could not get it.

In March 1995, the DNC fundraising staff’s complaints about access to the White House Social Office reached the new DNC Finance Chairman Truman Arnold in a memorandum from Richard Sullivan.¹⁰⁰ The memorandum included complaints that mid-level White House staff compiled the event invitation lists and recommended who should be included in White House functions—“When we follow up, our requests are often second guessed, questioned and scrutinized by this tier of staff.”¹⁰¹ It described the “need to sell and represent our donors as supporters that represent more than contributions,”¹⁰² and proposed, under the heading “COORDINATION,” that “[e]ach agency and WH department should have a list of supporters and a staff person identified and devoted to handle matters related to reaching out to our donors.”¹⁰³

Significantly, the memorandum recommends:

[W]e might be able to work out a situation with the Social Office for us to get a copy of invited guests after WH affairs have occurred.

* * * * *

If there’s a problem sending it to [DNC] finance then perhaps it could be sent to the Chairman’s office and then routed to finance.¹⁰⁴

Ari Swiller, DNC Deputy Finance Director under Richard Sullivan, testified that many of the ideas in the memorandum rep-

resented the perception of those persons, including himself, in the DNC finance division.¹⁰⁵ Swiller testified that he formed his perception based upon his own experience of having made calls to the White House Social Secretary's Office and having his "requests for information about upcoming events [n]ot responded to, because persons in the White House [he] dealt with felt that there shouldn't be preferential treatment given to the finance division."¹⁰⁶

Swiller testified that there was a time when the DNC could not get information from the White House staff reflecting who had been invited to or attended White House events,¹⁰⁷ and that both he and others in the DNC Finance Division desired to obtain White House Social Secretary lists of persons who had attended events at the White House.¹⁰⁸ Indeed, this information was extremely valuable to the DNC Finance Division because whether or not a person had attended a prior event at the White House was a factor used by the DNC fundraising division in determining who it would recommend for invitations to upcoming events.¹⁰⁹

DNC Finance Chairman¹¹⁰ Truman Arnold, was very candid in his deposition with respect to how prior attendance information was used as part of the DNC fundraising effort. Arnold testified that the reason the DNC obtained the prior attendance information was:

Because in trying to reactivate the people who had stopped contributing . . .¹¹¹

There were people in Washington, inside Washington who know how to work the system to get to a lot of events that don't ever give a dime, or work, . . .¹¹²

So it was our way of bringing equity to the system . . . to make sure that the DNC was not being abused, and that the President wouldn't be abused.¹¹³

Arnold admitted that the system of making sure people got invited to the White House was designed to "energize" them to raise and give money.¹¹⁴ He went on to compare the DNC fundraising operation in this regard to people who attend church being expected to tithe:

. . . [I]f you attend church, you are supposed to be a tither. So if I can hopefully give a little explanation, short philosophical approach to what I was doing that may clarify some other questions, I am not a hard sell]. I have been in sales all of my life, but my whole philosophy is to include and to involve people in the process, and if they like it and embrace it, they will do their part without being asked. And if they don't like it they won't.

Whether it be charity drives that I have had for my hospitals, for my church, for civic endeavors in the community, mine is one of doing my part, stepping up, including and involving and engaging. They become energized, take part, take a role, and the balance follows. This was my approach to this. This is what I was attempting to do.¹¹⁵

Indeed, Ari Swiller, also admitted that there were discussions with respect to people being invited over and over again to the White House even though they had not contributed recently.¹¹⁶

Truman Arnold admitted that the White House attendance information was used in the preparation of DNC lists:

[W]e had the list—how many times they had attended White House social events.

* * * * *

[T]he list would have already been prioritized, and there were references who they were and the nature of their business and how they had come to be contributors.¹¹⁷

Another internal DNC memorandum to DNC Deputy Finance Director David Mercer, revealed that “The only way [the DNC] can get the things we need to have done is through the [White House Chief of Staff’s] office. This person is critical to our abilities.¹¹⁸ Indeed, it was the Chief of Staff’s Office¹¹⁹ to whom the DNC Finance Chairman, Truman Arnold, turned to break the logjam and permit the information flow. As set out below, Arnold went to the White House to obtain an agreement that the White House would provide the DNC with the information it sought.¹²⁰

In March 1995, shortly after taking over the helm as DNC Finance Chairman, and after the fundraising staff voiced to him their complaints about the inability to get proprietary White House attendance data,¹²¹ Arnold went to the White House and met with Erskine Bowles, Deputy Chief of Staff, and Ann Stock, White House Social Secretary. Although Arnold testified that the data flow arrangement had been in place before he arrived at the DNC,¹²² he explained that the meeting was arranged “because there was a lot of confusion on how the system worked and what the responsibility was. I wanted to find the responsibility of the DNC and how it interfaced with the White House Social Office.”¹²³

It was at this meeting that Arnold learned of the Social Office event data which the White House would make available to the DNC:

So I met with [Ann Stock] and * * * Erskine Bowles and we had a discussion about the protocol and how the system worked. And as a result of that, I knew that they had an *internal record* of everyone and the number that had attended a social event, and what that event was, and how many times they had attended as part of the Social Office.

So, from that, the understanding that I had with the Social Office is that we would check [for prior attendance].¹²⁴

While Mr. Arnold’s testimony was refreshingly candid with respect to most matters, one troubling aspect of his testimony on this crucial meeting was Arnold’s seeming attempt to suggest that the DNC was permitted to obtain proprietary White House data in an effort to “screen” inappropriate persons from attending events.¹²⁵ The record as a whole, however, makes clear that obtaining event attendance information had nothing to do with screening for inappropriate persons, as Arnold himself made clear. Arnold elsewhere repeatedly testified that non-familiar DNC names were already screened by the DNC before the DNC called the White House for attendance data. He said:

[W]hen we had our list screened, our nominees screened, we would call over to rate them and prioritize them to see what the record was, because we knew how many that the DNC had invited them to, but they could have come from a lot of different directions to other events.¹²⁶

The only thing we called for was to see the number of times that this list, that we had already screened, the number of times that they had attended functions because we did not have that information. * * * the only thing we used it for was to prioritize the attendees.¹²⁷

[I told the fundraising staff] [t]hat we had the responsibility to screen. In our recommendations, we would assume major responsibility for screening of IDs to the White House, and the procedure we would use is to do the best we could with the tools we had to work with and then we would call the White House to see, after we screened them, how many times they had attended, as part of prioritizing. * * *¹²⁸

As with his fleeting and seemingly half-hearted suggestion concerning a “non-fundraising” screening function, Arnold also sought to defend the appropriateness of receiving the information by suggesting that:

I never discussed financial terms in any form or fashion with the Social Office. They never knew in the list how much had been contributed, why they were being submitted, what kind of workers they were. There was a Chinese wall between the Social Office and the Financial Office.¹²⁹

While it may very well be true that the DNC Finance Division did not discuss contributions with the Social Office, that is beside the point. There was no need to discuss contributions with the Social Office because the DNC Finance Division already had the financial and contributor information about every donor and potential donor. What they lacked was the proprietary White House data about past event attendance.

Far from keeping that valuable data from the DNC—the White House agreed *to provide it*, and indeed thereafter did so on a regular and ongoing basis. It cannot be overstated that the White House agreed to provide the information that Arnold sought directly to the DNC Finance Division, the very entity which was charged with raising money.

Neither Erskine Bowles nor Ann Stock recall the meeting at all. Stock testified that she had no recollection of a meeting with Arnold and Erskine Bowles. She recalled a meeting in her office in the White House with Arnold and his wife, where they discussed the logistics of the Arnolds’ move to Washington, DC, but has no recollection of any discussions with Truman Arnold concerning the DNC and White House event attendance.¹³⁰ Significantly, Stock testified—directly contrary to Truman Arnold with respect to White House authorization for DNC staff to call and obtain information from the White House databases. Stock pointedly stated that Arnold “may have had the desire [to obtain such information] but he didn’t have the ability to do that.”¹³¹

Similarly, Erskine Bowles testified that he had no recollection of any such meeting. He testified that he did not remember a meeting with Arnold and Stock at any time, and recalled no meeting with Arnold in March 1995.¹³² Prior to his deposition, committee staff had specifically requested Mr. Bowles to bring his calendar for 1995 for use during the questioning. Bowles neither brought his calendar, nor reviewed it. He testified “I don’t know where it is.”¹³³ Bowles did recall meeting with Arnold at some time during Bowles’s tenure as Deputy Chief of Staff and recalled Arnold complaining about problems of getting people invited to White House events.¹³⁴ Bowles testified that he was unaware of any White House event attendance data which was ever provided to Arnold.¹³⁵

It is difficult to reconcile the testimony of Truman Arnold and the testimony of Erskine Bowles and Ann Stock without concluding that the meeting to discuss the arrangement took place. Arnold has a clear memory of it; the others do not.

Moreover, it is during this period that Brian Bailey worked for Erskine Bowles and created the handwritten notes reflecting that the President agreed that the WhoDB and the DNC database should be integrated.¹³⁶ These notes are evidence that the President signed off on a plan to give DNC Finance Chairman Truman Arnold the very data that he sought in his meeting with Erskine Bowles and Ann Stock.

The inescapable conclusion is that Truman Arnold and Erskine Bowles agreed that the DNC would receive the proprietary White House information to—in Truman Arnold’s words—“reactivate the people who had stopped contributing”¹³⁷ and with the “hope” that they would be “energized” to raise money.¹³⁸ The best evidence that individuals at the highest levels in the White House agreed to provide the data is the fact that the data was thereafter regularly provided.

c. Richard Sullivan, Ari Swiller, and others obtained data from the White House Social Office and the Office of Political Affairs

Apparently in response to DNC complaints about not knowing about White House events for which they might submit names for invitations, at least while Erskine Bowles served as Deputy Chief of Staff, a group operated within the White House which held regular weekly “list creation meetings.” This group permitted the notification of upcoming official White House events to coordinate component entities to be able to submit names for invitations.¹³⁹ Remarkably, the DNC as well as the the Clinton-Gore reelection campaign, and the Democratic Leadership Council [DLC] were regular participants. The DNC representative to the group, Brooke Stroud, admitted that the DNC was “just like any other department within the White House.”¹⁴⁰

Following the weekly list creation meetings at the White House, DNC personnel armed with the knowledge of upcoming events, informed the respective DNC offices of those events and invited all offices to submit names to the DNC “Office of Constituent Services.” According to testimony received by the committee it was this entity, the Office of Constituent Services, within the DNC which was the official entity to collect DNC names, prioritize them, and

send them to the White House as part of the invitation process.¹⁴¹ The number of events for which DNC submitted names was approximately 20 a month.¹⁴²

This system itself provided a mechanism which allowed for a significant flow of proprietary White House information to the DNC (and presumably to the DLC and to the Clinton-Gore reelection campaign). This data included otherwise jealously guarded (even within the White House) information revealing which individuals had been selected for invitations to upcoming official White House events,¹⁴³ and who had been invited to past events.¹⁴⁴ The information concerning who had been invited to upcoming White House events was widely sought by persons both within and outside of the White House. However, this information was kept highly confidential by the Social Office. As Ann Stock, the White House Social Secretary testified:

[Persons in the White House] could possibly call and ask [who had been invited to an upcoming event from their recommended list] but that wasn't really a regular occurrence, because we had a policy of not releasing lists, because we wanted invitations to come from President and Mrs. Clinton, not from people who had suggested names. So we had a policy of not releasing the lists [either inside or outside of the White House].¹⁴⁵

We chose not to submit [the invitation] list and circulate it through the White House so that the President and First Lady would have the opportunity to invite people . . . rather than somebody decide that they wanted to call up and say, I put you on the list. That is why it was kept very confidential.¹⁴⁶

We usually didn't give them the information, which was a source of contention, because we maintained [the invitee list] until the people came to the White House, the list was under the purview of President and Mrs. Clinton, how and why they had been invited, and we didn't circulate the list.¹⁴⁷

The value of this information was expressed most pointedly by Stock when she testified:

People want to claim credit for getting someone invited to the White House. That is why we did not circulate those lists. . . .¹⁴⁸

People like to have the information.¹⁴⁹

Beyond the list creation meetings, specific staff members of the DNC called specific individuals in the Social Office and Office of Political Affairs to obtain lists and information about prior attendance at White House events. Richard Sullivan, the DNC Finance Director himself testified that he obtained lists of attendance at White House CEO lunches and the White House Economic Conference and that he used those lists to raise money.¹⁵⁰ Karen Hancox, the Deputy Director of the Office of Political Affairs testified that Sullivan called her and asked for information about prior event attendance, that she called the Social Office staff for such in-

formation, which was given to her, and that she, in turn, gave it to Sullivan.¹⁵¹

Ari Swiller, the Director of the DNC's major donor program, similarly testified that he and two other DNC staff members called for such information from the staff in the Social Office.¹⁵² He also testified that it was his impression that Donald Dunn in the White House Office of Political Affairs was looking up data on a computer when he provided such data to Swiller.¹⁵³ Donald Dunn, whom DNC Director of Constituent Services Brooke Stroud called "Information Central,"¹⁵⁴ confirmed that Swiller contacted him and that he used the White House Database to provide him with data.¹⁵⁵ Swiller also testified that he received lists from the White House when he had inquired about prior attendance.¹⁵⁶

Consistent with Arnold's and Bowles's plan, it plainly became a routine matter for DNC staff to contact the White House staff to obtain this information. Moreover, the President's objective of integrating the White House Database was effectively achieved. DNC fundraisers had obtained access to the crucial and valuable data in the White House Database.

d. The White House Database was used to supply data to the DNC for planning DNC events at the White House

After Arnold exposed the practice of the White House providing the DNC with proprietary White House information in connection with official White House events, the White House Press Office sought to transform what Jack Quinn had said was prohibited¹⁵⁷ into something fully appropriate, claiming that the DNC by obtaining proprietary information was somehow performing an official governmental function.¹⁵⁸ During the January 30, 1997 press briefing Deputy White House Press Secretary Barry Toiv also suggested that the data flow to the DNC was limited only to "official" White House functions:

The only contact that we're aware of that the DNC would have had would have been when the Social Office was putting together lists of people to invite to official events here

* * * * *

[T]hose [DNC events at the White House such as coffees] are not the events I'm talking about.

* * * * *

It would not have been appropriate to use the database to determine who ought to come to a DNC event. And—well, that's the answer.¹⁵⁹

Although Toiv was correct that it would not be appropriate to use the White House Database "to determine who ought to come to a DNC event," he failed to answer the question of whether the Database had, in fact, been used to determine who ought to come to a DNC event. The committee's investigation revealed that the DNC did obtain data from the Database in the planning of DNC events at the White House.

Richard Sullivan testified that the DNC finance staff "probably" contacted the White House and obtained prior event attendance in-

formation with respect to putting together invitees to DNC sponsored dinners, lunches, and receptions held both at the White House and outside the White House.¹⁶⁰ Similarly, Truman Arnold testified that his DNC staff did indeed obtain for use by DNC fundraisers prior White House attendance in preparing lists for DNC events.¹⁶¹ Ari Swiller, who was very active in seeking and obtaining White House information, made no distinction between official events and DNC sponsored events at the White House.¹⁶² Swiller testified:

Often we would submit a list of names to be included at an event at the White House, and when we did that, we wanted to see if people we were submitting had been invited to previous events and attended or regretted, or been invited at all.¹⁶³

He added that this happened without distinction between official or DNC events.¹⁶⁴

Furthermore, it is clear that with respect to DNC events at the White House the DNC got more information from White House databases in the form of actual lists and printouts both for upcoming events at the White House and for previous events at the White House. In addition, the committee has exposed the establishment of an entire infrastructure, including government manpower, computer time and resources, fax transmissions, and telephone reports paid for by government funds, which were converted to the DNC fundraising efforts.

e. The White House infrastructure was dedicated to helping the DNC raise money through White House invitations

The resources dedicated to these events represent the conversion of the taxpayer-funded White House infrastructure to help the DNC raise money. That infrastructure included the preparation and mailing of invitations to DNC events.¹⁶⁵ White House computer systems, including the White House Database, were utilized for inputting the DNC names into a list for each DNC event at the White House.¹⁶⁶ Once the list was inputted, it was then printed from the White House Database (and, previously, its predecessor system) and sent to the White House Calligrapher's Office where the written invitations were prepared for mailing from the White House.¹⁶⁷

Thereafter, the White House Social Office received responses from those invited, and tracked whether they accepted or declined the invitation. White House personnel received the responses of those accepting or regretting and entered that response and for those accepting, their date of birth and Social Security number into the White House Database,¹⁶⁸ or its DOS predecessor database system.¹⁶⁹

All of this information, including the updated accept/regret responses was able to be printed out in hard copy updates from both the White House Database and its DOS predecessor system.¹⁷⁰ When the White House Database was installed, it permitted White House staff to view an entire list on the computer screen without the need to print out a report.¹⁷¹

After handling invitations at government expense,¹⁷² the White House faxed to the DNC updated guest status lists from government computer systems for upcoming DNC events at the White House. These lists provided up-to-date information from the White House computer systems reflecting who had been invited, and who had accepted, who had declined an invitation.¹⁷³

Both prior to and after the installation of the White House Database, these White House-generated and updated lists were regularly sent by persons in the White House to the DNC to facilitate event attendance.¹⁷⁴ While the DNC actually solicited the contributions, the White House infrastructure handled all of the arrangements for the events to which the contributions were attributed.

Having the lists prepared by White House staff on White House computers permitted the DNC to “work the phones,” targeting calls to those who had not responded to the White House to check on their intentions.¹⁷⁵ Remarkably, this appeared to be the exception. The usual practice was for *government employees* to make these calls in follow-up to invitations.¹⁷⁶ The use of the White House staff to generate attendance cloaked the DNC’s involvement, concealing the role that contributions played in obtaining the invitations. This process effectively integrated the White House infrastructure with the DNC staff for the purpose of raising money through White House invitations.

4. THE TRANSFER OF DATA FROM THE WHITE HOUSE DATABASE AS PART OF A SCHEME TO CONVERT THE WHITE HOUSE INFRASTRUCTURE TO THE BENEFIT OF THE DNC MAY CONSTITUTE THE THEFT OF GOVERNMENT PROPERTY

18 U.S.C. § 641 provides:

Whoever embezzles, steals, purloins, or knowingly converts to his use or the use of another, or without authority, sells, conveys, or disposes of any record, voucher, money, or thing of value of the United States or of any department or agency thereof, or any property made or being made under contract for the United States or any department or agency thereof; or

Whoever receives, conceals, or retains the same with intent to convert it to his own use or gain, knowing it to have been embezzled, stolen, purloined, or converted—

Shall be fined under this title or imprisoned not more than ten years or both; but if the value of such property does not exceed the sum of \$10,000, he shall be fined under this title or imprisoned not more than 1 year, or both.

The evidence obtained by the committee shows that individuals in the White House may have violated this section of the Federal criminal code by converting to the use of the DNC a thing of value, namely data from the White House Database. The information was plainly a thing of value in the scheme to use White House invitations to reward and energize donors.

There can be no suggestion that they did not transfer this data knowingly and without authority. White House Counsel Jack Quinn plainly recognized that such transfers were prohibited, and

memoranda from the Counsel's Office to all White House staff advised that the use of White House property was not permitted under the provisions of the Hatch Act that otherwise permit political activity by White House staff.

Erskine Bowles and Truman Arnold knowingly and willfully planned the transfer of data to support the conversion of the White House infrastructure to an effective fundraising machine. The DNC fundraisers knowingly and willfully carried out that scheme to obtain the data and to convert the White House infrastructure to the use of the DNC for fundraising. And White House staff knowingly and willfully cooperated in that scheme by giving out the data and by allowing the White House to become a fundraising tool of the DNC.

Obtaining the data itself was a critical element in advancing the scheme to use the White House for fundraising to meet DNC fundraising objectives. Without the information from the White House Database, the DNC would have wasted precious fundraising resources—White House invitations—on at least those who had already been rewarded for their generosity. Obtaining the data allowed the DNC to integrate their fundraising with the White House Social Office.

C. WHITE HOUSE STAFF TRANSFERRED OTHER DATA TO THE DNC AND THE CLINTON/GORE CAMPAIGN BEFORE THE WHITE HOUSE DATABASE WAS OPERATIONAL

The sharing of White House data did not begin with the White House Database. Prior to the development of the Database, White House staff apparently distributed White House lists to the DNC. The committee found numerous White House lists in the hands of the DNC and the campaign that pre-dated the White House Database.

These lists included calligraphers' lists with hundreds of names and addresses from White House holiday receptions in 1994 and the President's Yale Dinner in December of the same year, which were produced to the committee by the DNC.¹⁷⁷ The Yale Dinner list, although available to DNC fundraisers, was withheld from the committee by the White House.¹⁷⁸ They also included the 1993 and 1994 Holiday Card lists that were transferred to the campaign and the DNC, respectively.¹⁷⁹ The list of those invited to attend the White House Economic Conference in 1994 was also produced by the DNC.¹⁸⁰ A White House Office of Public Liaison list of Asian Pacific American leaders was given, according to the White House Counsel, possibly to John Huang while he was employed by the DNC.¹⁸¹ The transfer of the lists, which are things of value, and the knowing conversion of them to the use of the DNC is a theft of government property under 18 U.S.C. § 641, which punishes the knowing conversion of government property.

Finally, although Cheryl Mills had prepared a memorandum specifically advising that names and addresses from the official mails could not be sent to the DNC (in the context of the 1993 Holiday Card project), the President routinely directed that names and addresses from official correspondence that had not been entered in the WhoDB be included in PeopleBase. This, too, could constitute theft of government property under 18 U.S.C. § 641. It is hardly

surprising that with this history of sharing data that the White House Database, when it became operational, was used as a vehicle to transfer similar valuable data to outside entities.

1. WHITE HOUSE STAFF KNEW THAT THE 1994 HOLIDAY CARD LIST WAS TRANSFERRED TO THE DNC

The committee discovered that the Holiday Card project, at least in 1994, served as a vehicle to funnel massive amounts of proprietary government data, at least 76,000 names and addresses,¹⁸² from White House computers (prior to the creation of the White House Database) to the DNC. The Holiday Card projects undertaken during previous administrations are appropriate and legal joint undertakings by the White House, the national political party of the President, and his campaign entity, if any.

While the national party traditionally pays for the production and mailing of the White House holiday cards, government data is prohibited from being provided to the national party by the White House. In order to ensure that the law is not violated, the White House, the political party, and the campaign often transmit their respective lists to a third-party professional outside vendor to merge the lists and mail the cards.¹⁸³ The purpose of this process is to ensure that the political party does not receive the White House list, which is government property.

Despite these legal restrictions, the committee dislodged evidence that persons within the Clinton White House sought to use the Holiday Card project to unlawfully transmit government data to the DNC. Contemporaneous notes made by Erich Vaden reveal that Marsha Scott suggested that the Holiday Card project could be used as a vehicle to transmit the data to the DNC.¹⁸⁴ These notes suggest a criminal conspiracy to circumvent the prohibition on transferring data to the DNC.

According to Vaden's testimony, in response to Scott's suggestion that the White House names might be sent to DNC, Vaden felt it necessary to contact Cheryl Mills in the White House Counsel's Office to learn whether this was unlawful. "Marsha was saying, 'Hey, well, we are sending this to the public.' It is public knowledge. You know, we are not hiding who we send the Christmas card to. De facto, people find out. So it is then public? Is that a public record then?"¹⁸⁵ Vaden testified that: "to the extent possible that we could, we were looking for vehicles, you know, as ways to share that information with people."¹⁸⁶

This statement is not the only instance of the expressed desire to accomplish what the law prohibited. In her reply to a June 17, 1994 memorandum from Brooke Stroud [DNC] to Tara Burns (White House), Burns suggested that the DNC bring over their list to the White House "for a cross check"—"since we legally can't give it to you, I think it'd be helpful if you all could come over some time."¹⁸⁷

Despite knowing the prohibition on transferring White House data to the DNC, and even suggesting during her deposition that she thought it was illegal,¹⁸⁸ Brooke Stroud, Deputy Director of Membership Services at the DNC, who was in charge of the 1994 Holiday Card project for the DNC, oversaw the delivery of the merged list (including the White House lists) to the DNC in No-

vember 1994 from the Saturn Corp., a third-party contractor used for the production of the list.¹⁸⁹ There, it was entered into the DNC computer.¹⁹⁰ Further, a hard copy printout was made which reached 5 feet in height,¹⁹¹ which has not been located.¹⁹² This is troubling indeed, for as Richard Sullivan testified with respect to other White House lists:

We assembled tens of lists to work off of, and I don't rule out that those lists may have been assimilated into this assimilation of tens of hundreds of lists that were floating around in the fund-raising division. * * * [I]t * * * would have accumulated with other lists that I had and others. * * * Generally when we were working on our big Washington galas, we would try to put together thousands of names for prospect mailings or for prospect list callings. So that we would ask everyone to produce whatever list they had. * * *¹⁹³

The knowing transmission of this list to the DNC is a violation of White House policy and a violation of 18 U.S.C. § 641, which prohibits the theft of government property. The mere possession of the list by the DNC is evidence of a theft of the property. But in addition to the possession of the list, there is other evidence that White House and DNC staff knew that they had no authority to transfer or receive and retain the list. Nevertheless, the list was transferred to the DNC not just once, but multiple times and retained in several forms. The multiple transfers are part of a pattern of evidence that White House staff provided and the DNC staff retained valuable government property. It is clear that these lists should not have been sent to the DNC even once, much less the many times they were sent.

The list was transferred to DNC computers multiple times. The data in the merged file from which duplicates were removed (called "deduping") at the DNC over the 1994 Veterans Day weekend itself remained as uploaded data in a file in the DNC computer. There were in fact numerous other tapes and computer files containing this government data which were impermissibly transferred to the DNC.

a. At the direction of the DNC, Saturn delivered a sample printout of the merged tape to the DNC

After the DNC and White House lists had been combined or merged by the Saturn Corp., the DNC instructed Saturn to produce and deliver to the DNC for review a "sampling" of the lists (including the White House data).¹⁹⁴ Stroud has no recollection as to what happened to the "sample" list which included White House data.¹⁹⁵

b. At the direction of the DNC and with the knowledge and cooperation of White House staff, Saturn delivered the merged computer file tape to the DNC

Prior to the Veterans Day weekend in 1994 Brooke Stroud (with the full knowledge of White House personnel) directed Saturn to deliver the merged Holiday Card list including the White House data to the DNC headquarters. There, Stroud had arranged for the data to be entered into the DNC computer and to be further de-

duped by White House volunteers under the direction of a government employee, Sharon Lewis. Saturn made deliveries of the merged data to the DNC in multiple installments on November 8, 9, and 11, 1994.¹⁹⁶ The component parts making up the merged list were entered into the DNC computer where it was worked on and further de-duped.¹⁹⁷ As Brooke Stroud testified:

A. All the lists, PeopleBase, White House, DNC, all the lists were sent to a merge/purge house who did the de-duping. They did not—they didn't do a great job. So we brought the list in.

* * * * *

Q. All right. That list came back to the DNC?

A. Right.¹⁹⁸

DNC personnel and White House volunteers worked on the data in the DNC computer at least during the Veterans Day weekend and thereafter. The two computer personnel at DNC testified that they had no recollection of these events involving volunteers or weekend work. Though, clearly someone beyond the technical level of Stroud would have been needed to enter the data and set up the terminal access for a dozen persons. Bryan Daines, the Director of Information services at the DNC, testified that only two DNC employees were technically capable of uploading data into the DNC system from a magnetic tape—he and Al Hurst, a DNC computer programmer.¹⁹⁹ However, neither Daines²⁰⁰ nor Hurst²⁰¹ had any recollection of performing such a task.

It is likely they would have remembered this incident, given the unusual circumstances of the situation including the use of White House volunteers on a weekend.²⁰² This suggests that someone other than these two entered the data into the DNC computer. The committee has been unable to discover in what file name or other identifying information it was entered, what, if any access limitations were built in, and who thereafter had access to the information thus entered is unknown to the committee.

The committee requested all sign-in/sign-out logs and records for the time period covering the Veterans Day weekend which would reveal the names of those persons present in the DNC. The DNC did not produce those records, and refused to state what records they had produced and why they were produced. Finally, testimony revealed that these records had been destroyed.²⁰³

On or about November 30, 1994, the DNC produced tapes from the DNC computer containing the de-duped, or cleaned-up, information. However, at least one set of tapes containing the merged data was returned to Saturn Corp. to be placed in postal presort format and then transferred to the laser house (“The Last Word”) for final mailing.²⁰⁴ The information transferred to the tape, of course also, as far as is known remained in the file within the DNC computer. No evidence exists that the data was deleted from the computer system after the tapes were made to be returned to Saturn.

c. A so-called problem tape was delivered to the DNC and retained

The committee's investigation revealed that the prohibited data went to the DNC and into its computer system, yet again, this time, under the guise of a problem tape. After receiving the DNC de-duped tapes back from the DNC on or about November 30, 1994, Saturn placed the data in a postal presort format. On or about December 2, 1994 Saturn delivered the data to the laser house for addressing and mailing.²⁰⁵

However, the Last Word discovered what was perceived to be a problem with the tape provided by Saturn. The Last Word returned tapes to Saturn Corp. which Saturn received on December 14, 1994.²⁰⁶ Two days later, on Friday, December 16, 1994, Saturn representatives arrived at DNC with the problem tape. Two letters from Saturn, one dated December 20, 1994 to Brooke Stroud,²⁰⁷ and one dated December 22, 1994 to Eric Sildon,²⁰⁸ confirm the meeting of Saturn personnel at the DNC on that date concerning the problem tape.

With respect to these events, Al Hurst, the computer programmer at the DNC, recalled that his only contact with Saturn personnel occurred at the time of the "the problem tape."²⁰⁹ He testified that when Saturn brought the "problem tape" to the DNC, "we uploaded it to a secure place on the AS400 [the DNC computer database system]."²¹⁰ Beyond his recollection that he once viewed the problem tape on the computer screen with Brooke Stroud,²¹¹ Hurst has no recollection as to what happened to the tape itself, which Saturn brought to the DNC on December 16, 1994 and which Hurst uploaded into the computer.²¹²

With respect to the data from the tape which had been uploaded into the DNC computer system, the record establishes that it remained in the computer for an extended period of time. At some time after 1994, at Brooke Stroud's request, Hurst made yet another tape containing this data.²¹³ He gave the tape to Brooke Stroud, but has no idea what she did with that copy.²¹⁴ In addition to this copy of the data on yet another tape, the data also remained in the DNC computer system thereafter.²¹⁵

In fact, this data remained in the specified file in the DNC computer system for a total of over a year, until in approximately January 1996, Hurst testified he deleted the file from the DNC system.²¹⁶ However, before deleting the data, Hurst made yet another tape which contained the data.²¹⁷ This copy was placed on a tape rack in the unsecured DNC computer room.²¹⁸

Hurst's testimony regarding the deletion of the data from the DNC computer system is unusual. Hurst is a computer programmer. He described his duties as being "to keep the computer running, to train people how to use the computer, and to make enhancements and changes to the programs that are on the computer."²¹⁹

Yet Hurst, seemingly out of the blue and of his own volition, made the independent judgment to delete the file from the system—a file which contained data that he produced in the form of a tape for Brooke Stroud. Hurst testified that he did not ask anyone else whether the file should be deleted.²²⁰ He stated that he made the determination because "it was taking up a lot of space

on the system.”²²¹ Despite specific recollections of having deleted this particular file, the name he gave to the file, and when he deleted it, Hurst was unable to recall the volume of the data in this file.²²²

In addition, despite his earlier testimony that the other criteria he used in determining whether to delete a file was how often it was used, he admitted that he consulted no one about this file’s use.²²³ and that he did not check the computer program data which would have revealed its “use.”²²⁴ He could not explain why he did not check that information before deleting the file.²²⁵ Nor could Hurst provide any explanation as to why he copied the data onto a copy tape prior to deleting the file in January 1996.²²⁶

In sum, this data (from the supposed “problem tape”) was purposefully and deliberately entered into the DNC computer system where it remained for at least a year. Further, numerous copy tapes were produced from downloading that data, some of which, at least, remained unsecured in the possession of the DNC for years. At least one such copy remains in the possession of the the DNC at this very moment. And the original Saturn tape from which the data was originally uploaded remains unaccounted for, last seen at the DNC when uploaded.

d. After the mailing, the final merged tape was returned to the DNC, not the White House

Following the lasering and the mailing of the 1994 holiday cards, the final tape containing White House data was returned not to the White House, but to the DNC. Al Hurst understood it had come from Saturn in as much as it had a Saturn label on the tape.²²⁷ However he received it and placed it on the tape rack in the unsecured computer room at the DNC.²²⁸ Hurst did not recall uploading this tape into the computer, or whether anyone else may have in March 1997. This tape was subsequently retrieved by Hurst in March 1997 from the tape rack for a copy to be made at DNC counsel’s request.²²⁹

2. THE WHITE HOUSE COUNSEL SOUGHT TO EVADE THE COMMITTEE’S QUESTIONS ABOUT THE 1994 HOLIDAY CARD TAPE BECAUSE THE STAFF KNEW THAT THE TAPE HAD BEEN TRANSMITTED TO THE DNC ILLEGALLY

The White House has sought to conceal many of these facts and to mislead investigators concerning the unlawful access. These efforts to mislead are evidenced by the convoluted language in the attachment to White House Counsel Charles F.C. Ruff’s letter of February 28, 1997.

One of the most glaring examples is the White House’s assertion that it had only “recently become aware” of the DNC receipt of the White House list.²³⁰ In fact, Maggie Williams, Chief of Staff to the First Lady, Alice Pushkar, Director of the Office of the First Lady’s Correspondence, Jim Dorskind, Director of White House Correspondence, Sharon Lewis, who directed the White House volunteers, and perhaps Cheryl Mills, then-Associate Counsel to the President, were all fully aware in November 1994 that the White House data was unlawfully transferred to the DNC.

The White House certainly knew as early as August 1995 that the final list was unlawfully at the DNC. Alice Pushkar testified that she knew it by that date, and prior to that had always “assumed” that the DNC and not the White House had received the final list after the 1994 mailing.²³¹ However, in August 1995, Pushkar told Cheryl Mills, Deputy Counsel to the President, in a written memorandum that the DNC had the tape.²³² Indeed, Mills responded that the DNC could not legally have the list.²³³

While Erich Vaden testified that to his knowledge the Holiday Card list was not shared with the DNC,²³⁴ the evidence clearly reveals that, at least in 1994, it was. More importantly, the elaborate efforts taken by the White House to conceal the facts and to misrepresent the circumstances of the delivery of the data has not only obstructed the committee’s investigation, but suggests a consciousness of criminal guilt surrounding the delivery.

At least by October 1996, the committee’s investigation had identified the possible improper use of official data under the guise of the traditional joint White House/DNC Holiday Card projects. On October 3, 1996, the committee requested answers to specific questions surrounding the Holiday Card projects.

While many of the questions focused on the 1995 and 1996 Holiday Card projects, the final question asked the White House to “identify any and all outside contractors who assist or have assisted in the preparation and/or mailing of the White House holiday cards.”²³⁵ The committee requested answers by October 9, 1996. The White House failed to answer by that date and was asked again to respond by October 29, 1996.²³⁶ White House Counsel Jack Quinn again failed to answer and was asked to respond by November 18, 1996.²³⁷ He again failed to answer, was again asked to do so, this time by January 14, 1997,²³⁸ and again, he did not respond.²³⁹ Indeed, answers to these questions concerning the Holiday Card project were never provided during the tenure of Jack Quinn as White House Counsel, despite representations that such answers would be forthcoming.

After Mr. Ruff’s arrival, the White House had still failed to answer the holiday card questions. The committee, once again, requested answers to these questions by February 26, 1997.²⁴⁰ The White House once more failed to answer, was asked again to do so by February 28, 1997.²⁴¹ Not until February 28, 1997, almost 5 months after first being asked, and well after the 1996 Presidential election, did the White House Counsel’s Office respond—only then revealing for the first time the illegal transfer of massive amounts of data from the White House to the DNC in the guise of the 1994 Holiday Card project.

At a White House press briefing on January 30, 1997, White House spokesman Barry Toiv stated categorically that at no time did the DNC ever get to see any list from White House computers for the Holiday Card project. He further emphasized that “the entire [merged list] was then brought back [to the White House],” that only the printer would see the whole list, and that “The DNC would not see the White House list.”²⁴²

In a February 28, 1997 letter, the White House Counsel told the committee that in 1994 the arrangements for the preparation and

mailing of holiday cards was “similar” to that in 1995 and 1996. The White House suggested that in 1994 (as in 1995 and 1996):

The White House, [and] the DNC [] independently submitted their respective lists directly to an outside vendor. The vendor then compiled the lists into a single list, attempted to eliminate duplicates and mailed the same White House card to everyone on the list.²⁴³

Mr. Ruff’s letter further stated that “there was a clear understanding that, after the various lists had been merged and the duplicates eliminated, the final list was to be returned to the White House only.”²⁴⁴ In fact, this was simply not true. The White House was unable to produce any documentary evidence reflecting that the vendor understood that it was to return the deduped lists only to the White House. Indeed, no documents produced by Saturn included any instruction that the final list was to be returned only to the White House. The person in charge of the project at the White House similarly testified that she could not recall any discussions about the requirement of either the original White House tape or the merged tape being returned to the White House,²⁴⁵ and that with respect to the final merged tape, she “assumed it would go back to [the DNC].”²⁴⁶

The evidence uncovered by the committee revealed Saturn was instructed to send the merged lists not to the White House but to the DNC. Prior to the final mailing, the merged lists were delivered to the DNC where the list was entered into the DNC AS 400 computer system.²⁴⁷

The White House Counsel’s Office further characterized the delivery of the merged tape to the DNC as a “mistake” and a “mix-up.”²⁴⁸ In fact it was not a mistake or a mix-up at all, but was intentionally sent to the DNC to be entered into its computer and cleaned up or “deduped” by White House volunteers directed by White House employees. Not only had Saturn Corp. done exactly what the DNC asked it to do—deliver the merged tape to the DNC—it did so with the full knowledge of White House officials in charge of the 1994 Holiday Card project. In memoranda dated November 9, 1994²⁴⁹ and again on November 15, 1994,²⁵⁰ Brooke Stroud at the DNC, informed Maggie Williams and Alice Pushkar at the White House that White House lists were at the DNC for “manual de-duplication,” having been delivered from Saturn to the DNC.

Further, White House employee Sharon Lewis was fully aware that White House lists had been entered into the DNC computer, because she coordinated White House volunteers to dedupe the merged lists at the DNC headquarters on the Veterans Day weekend in 1994.²⁵¹ Jim Dorskind, Assistant to the President and Director of White House Correspondence, was also fully and specifically aware of the fact and directed Lewis to direct White House volunteers to the DNC for the project.²⁵²

In addition, it is quite possible that Cheryl Mills had specific knowledge of the unlawful transfer of data to the DNC. Brooke Stroud testified that “Cheryl Mills might have [had knowledge of the project and the use of White House volunteers to dedupe the list at DNC], but I don’t remember.”²⁵³ Stroud stated, that while

she had no distinct memory of Mills having such knowledge, Mills “was on the telephone for most of our meetings, or most of the holiday card group meetings.”²⁵⁴

Additional evidence, suggesting that other White House staff, including Mills, had actual knowledge of the prohibited transfer of data at the time of the transfer, is Mills’s later attempts at damage control in her 1995 memoranda. For example, in her memorandum to Alice Pushkar of August 14, 1995, Mills retreated from her earlier categorical response to Alice Pushkar that the DNC “shouldn’t have [the] tape”²⁵⁵ to her more expedient advice that “[n]evertheless, the DNC is, as you know, prohibited from using the official Holiday Card list for any purposes other than the Holiday Card project.”²⁵⁶

Pushkar testified that she had no idea what Mills meant by “use restrictions” and that she (Pushkar) wasn’t concerned about use restrictions at the DNC.²⁵⁷ Mills’s memorandum further suggests that not only was the DNC prohibited from using the list for any purpose other than the Holiday Card project, but also that such “use restrictions” had been imposed on the DNC by the White House.²⁵⁸ Mills’s memorandum clearly states that prior to 1995 the White House had “entered into use agreements to protect the use of the White House list against any other use than the holiday [card] project.”²⁵⁹

The committee sought from the White House copies of all such “use agreements,” both by letter request,²⁶⁰ and later subpoena.²⁶¹ Such agreements between the White House and the DNC would, of course, clearly establish that the White House staff knew very well that the DNC had obtained the prohibited data. Despite the compelled production of these critical documents, the White House has never produced these records, claiming that they are missing. On November 19, 1997, the White House Counsel’s Office responded to the committee that:

We have been unable to locate any use agreements for any years between any holiday card vendors or the DNC and the White House. * * *²⁶²

The White House Counsel’s staff provided no further explanation concerning these suddenly missing documents, casually suggesting that “should we subsequently locate responsive material, it will be provided promptly.”²⁶³ Thereafter, at the committee’s request a subpoena was issued compelling production of this material. Further, in an attempt to discover why the White House was “unable to locate” these records, the subpoena compelled all records reflecting efforts made by the White House Counsel’s Office to locate them.²⁶⁴ No documents have been produced in response to this subpoena.

It is reasonable to conclude in light of this record that the list was delivered to the DNC without any use restrictions. Mills’s memo suggests that she believed either that the DNC had the list or that it was better to lie about the existence of such use restrictions than to admit that the DNC had the list without them.

There is ample reason to prepare a memorandum after the fact, saying that use restrictions were imposed when they were not. Preparation of such a memorandum would conceal the fact that the

lists were delivered to the DNC without restrictions. The memorandum would lead the reader to believe that even if the DNC had the tape, it could not and would not use it for fundraising purposes. The inability of the White House to produce any agreements or any evidence of agreements, other than Mills's self-serving memorandum, leads the committee to conclude that White House staff knowingly allowed the list to be delivered to the DNC without restriction in violation of law, and in direct contradiction to the White House's later statements to the committee that the lists were sent to the DNC inadvertently.

3. THE CLINTON/GORE CAMPAIGN IMPERMISSIBLY RECEIVED THE 1993 HOLIDAY CARD LIST.

The committee has exposed the fact that White House staff not only impermissibly transferred the 1994 White House Holiday Card list to the DNC, but also that the White House portion of the 1993 Holiday Card list was transferred into the Clinton/Gore computer system. The documentary evidence discloses that the Clinton/Gore campaign acquired between 33,000²⁶⁵ to 43,000²⁶⁶ names and addresses from the White House, which were entered and still reside in a Clinton/Gore campaign computer.

In 1993, the entity selected to merge the Holiday Card list was W.P. Malone, Inc. (Malone), an Arkadelphia, AR firm which was also the entity which had maintained the Clinton PeopleBase campaign database.²⁶⁷ Documents obtained by the committee reveal that the White House list went to Malone on or about November 8, 1993.²⁶⁸

As a result of interviews with Malone employees conducted by committee staff in Arkadelphia on April 29, 1998, a Malone staff member supplied a sworn affidavit to the committee that (1) the White House portion of the 1993 Holiday Card list was received in disk or tape form and was merged with both DNC and PeopleBase lists to create a master database for the card mailing; (2) this separate database was entered into the Clinton/Gore ICL DRS 6000 computer which was later moved to the offices of the Clinton/Gore '96 campaign in 1995; and (3) he has no recollection that he was asked to return these disks to the White House, or to return the master merged lists containing the White House submissions to the White House.²⁶⁹

This retention of the final merged list by Malone was no mistake or inadvertent oversight. Indeed, the retention by Malone of the merged list, including the White House data, was fully known by persons in the White House, including Marsha Scott and Dan Burkhardt. In January 1994, for example, Burkhardt had asked Malone—not for the return of the final master list—but for a copy of it for White House clean up.²⁷⁰

Not only was the original list retained by the Clinton/Gore campaign following the 1993 Holiday Card mailing, but also, corrections to the list made by White House employees on White House stationery and at government expense were transmitted to the Clinton campaign to be used to clean up the campaign database.²⁷¹ The best evidence suggests that the number of returned envelopes totaled approximately 8,000.²⁷² The White House sent the directive to Malone, with instructions to use the information gleaned from

the mailing to clean up the database, with specific instruction to drop listings from the database where the envelopes reflected insufficient addresses, and where new address information had been provided, the new listings “can be updated on the database.”²⁷³

That the 1993 information was intentionally used to clean the campaign database was known at the highest levels of the Clinton-Gore campaign and the White House. Documents attached to a March 9, 1998 memorandum from Lyn Utrecht, counsel to the Clinton/Gore campaign, to Bruce Lindsey and recovered from White House files, make clear that the 1993 White House Holiday Card mailing was used to correct addresses in the campaign database.²⁷⁴

There were, in fact, elaborate efforts made in 1993 to get the 1993 White House holiday card data not only to the Clinton-Gore campaign, but to the DNC. There is evidence that plans were underway to send White House lists directly to the DNC. The data sought to be transferred under the guise of holiday card lists had been compiled by White House employees based upon official lists including “correspondence, event attendance lists, outreach lists and other sources. * * *”²⁷⁵ The DNC transfer plan was apparently set forth in a September 15, 1993 memorandum from Cheryl Mills to Maggie Williams, entitled “Holiday Greeting Cards.”²⁷⁶ Yet this crucial document is inexplicably missing. The White House Counsel informed the committee that it has “not located” a copy of this document.²⁷⁷

Thereafter, persons in the White House sought to implement complex schemes to transfer both campaign lists and White House lists to the DNC. Evidence suggests that the first scheme was designed to funnel campaign lists (presumably from PeopleBase) through the White House and then to the DNC. This scheme would have hidden evidence of a direct transfer of campaign data to the DNC. While providing such lists may be legal under certain circumstances, providing them also triggers reporting requirements as well as in-kind contribution limits which could have been avoided by sending the data through the White House.

Whatever the reason, it appears that Cheryl Mills took the position that such a transfer scheme was “impermissible.”²⁷⁸ The White House has been unable to “locate[] a written memorialization of the ‘explanation of the impermissibility of a list from campaign to [White House] to DNC[,]’”²⁷⁹ which presumably would elucidate both the details of the scheme and the reasons for opposing it.

Another effort was made to use an outside entity to funnel the data to the DNC. It is not clear whether these efforts were designed to funnel the campaign data to the DNC, similar to the first scheme, or to funnel the White House data to the DNC, or both. In an October 20, 1998 e-mail message from Matthew Moore to Cheryl Mills, Moore informed Mills that:

Dan Burkhardt, in light of your explanation of the impermissibility of a list from campaign to WH to DNC, inquired as to the permissibility of sending our created list to a third party, having the campaign and/or transition send similar lists to the same third party (for elimination of duplicates on the list and creation of a master list), who would then send the resultant list to the DNC.

Again: Campaign/Transition to Joakum Doe to DNC parallel to: WH to Joakum Doe to DNC. With all resulting list being sent to the DNC.
Please advise.²⁸⁰

The committee's efforts to fully understand the specific details of this proposal has also been prevented by missing records. In response to the committee's request for the memorialization of Daniel Burkhardt's inquiry as to the permissibility of sending a list to the DNC through third parties,²⁸¹ the White House Counsel's Office responded that it has "not located [such] a written memorialization."²⁸² In response to the committee's request for Mills's response to the e-mail proposal,²⁸³ the White House Counsel stated, "[w]e have not located a memorialization of a response to the October 20, 1993 e-mail from Matthew Moore to Cheryl Mills."²⁸⁴

However, by October 28, 1993, Cheryl Mills had provided a remarkable attempt at "legal cover" in the form of a memorandum, allowing the transfer of White House data to any outside entity, including the DNC. Despite clear pronouncement elsewhere that once data is entered into databases in the White House, it cannot thereafter be transferred to outside sources, here, Mills states:

Because the White House did not use mailing lists created from the official government mail from members of the public who wrote to the President (or the First Lady or any other White House entity), but rather created a list of supporters of the Administration based upon personal knowledge of staff members, this list properly can be provided to a non-federal entity, including the DNC or a non-governmental individual.²⁸⁵

This analysis of what data may be used for the holiday card lists sent to the DNC makes no sense. It is simply not credible that a list of approximately 43,000 names, with their accompanying addresses was "created * * * based on personal knowledge of staff members." Indeed, the names are gathered by White House personnel in performance of their official duties at the White House, and included: 2,500 names of military personnel including "all military assigned to the White House;"²⁸⁶ the internal White House and taxpayer-funded Presidential contact [PCON] database list;²⁸⁷ lists of invitees to the White House, the diplomatic corps, and the Secret Service.²⁸⁸ It also included State Department lists which were provided by "a career person who has background or who has received lists in the past."²⁸⁹ Further, Mills herself describes the source of this White House data in the very same memo—not as coming from the memories of individuals—but from White House staff who "reviewed their correspondence, event attendance lists, outreach lists and other sources * * *."²⁹⁰

In addition, only as recently as August 11, 1993, Cheryl Mills had concluded that the very same White House Holiday Card list "was created from the official mail of the President. . . ."²⁹¹ Indeed, Mills had been specifically told on August 6, 1993 that the White House Holiday Card list "will come from databases within the White House."²⁹² Yet, less than 3 months later, she authored a memorandum purporting to reach the exact opposite conclusion and concocting an argument to allow the flow of prohibited data to

the DNC, and key documents which would reveal the circumstances of this remarkable turnaround are inexplicably missing.

The committee uncovered that the White House staff, under the guidance of Cheryl Mills, assembled the 1993 Holiday Card list and forwarded it to the operator of PeopleBase, the Clinton/Gore campaign database operator, where it was merged with the DNC and the Clinton/Gore campaign lists, cleaned up based on the returns after the mailing, and has been retained in the Clinton/Gore computer to this day.

Indeed, the Clinton/Gore campaign is well aware that it has this list and has yet to notify the committee of its return to the rightful owner, which is the White House, or its destruction. As recently as August 21, 1998, Carl Mecum analyzed the file, presumably under the direction and with the permission of the Clinton/Gore campaign, to prepare the affidavit for the record of this investigation. Despite this notice of its possession of the lists, as far as the committee knows, no steps have been taken to return the government's property.

While the original transfer may constitute a theft of government property, the retention of the list knowing it to be stolen also constitutes theft under 18 U.S.C. § 641. The Clinton/Gore campaign, because of the committee's investigation, is on notice that the data belongs to the government. Accordingly, the continued retention of the list constitutes a theft independent of the original theft.

4. THE NAMES AND ADDRESSES FROM THE OFFICIAL MAIL SENT TO THE PRESIDENT WERE TRANSFERRED TO PEOPLEBASE

While Cheryl Mills's October 28, 1993 memorandum could not have been clearer—that data from the official mail could not be transmitted to the DNC—the names and addresses of people who contacted the President through the official mails or through the White House switchboard were routinely referred for entry into PeopleBase. Such transfers of official government data to the President's campaign database could constitute the theft of government property under 18 U.S.C. § 641.

According to an October 17, 1994 memorandum prepared by White House staff, "Quite frequently, the President will ask that certain names and addresses be added to the 'supporter file'. * * * Attached is a list of supporter file information. Please make sure all this information is added to the Data Base System. Also, can you send this information to Arkansas or do you need me to?"²⁹³

While the nature and extent of this practice was not fully explored, the committee obtained several specific examples of lists that were forwarded to PeopleBase from the White House, including a January 1996 White House phone log with notations in the margin in unidentified handwriting "PB" and "WhoDB",²⁹⁴ and a July 1993 list of addresses with a cover note to Monica Breadlove who operated PeopleBase, to add the names and addresses on the list to PeopleBase.²⁹⁵ It is not clear whether the President asked for these lists to be forwarded to PeopleBase or what the criteria for directing these particular addresses to PeopleBase was. If the the names and addresses were, indeed, from the official mails or

derived from other official sources, the transfer of the data to PeopleBase could be considered a theft.

D. MARSHA SCOTT CONVERTED OTHER GOVERNMENT RESOURCES TO BENEFIT THE DEMOCRATIC NATIONAL COMMITTEE AND THE CAMPAIGN

The committee has uncovered information that government personnel and resources were converted to directly benefit outside political campaigns. Marsha Scott, in memorandum after memorandum, appeared to be advising and/or managing the campaign database and/or DNC databases, as well as other DNC operations. The knowing use of government computers, paper, and other office supplies and resources for the benefit of the DNC or the Clinton/Gore campaign constitutes the theft of government property. See *United States v. Peter Collins*, 56 F.3d 1416 (D.C. Cir. 1995).

Even if Ms. Scott was permitted to engage in political activity on her own time, it is clear that she knowingly and wilfully used her White House computer and other office equipment and supplies to translate her new-found expertise in database development and data management to the benefit of the DNC or the President's campaign. This activity is contrary to Cheryl Mills's advice and testimony discussed earlier in this report that White House staff are prohibited from using White House resources to engage in political activity.²⁹⁶

Marsha Scott's June 28, 1994 memorandum makes clear that she was seeking to do just that. As Mr. Shadegg and Ms. Mills agreed at the committee hearing on November 7, 1997, Ms. Scott used government resources to prepare her memorandum to Harold Ickes, Bruce Lindsey, and the First Lady regarding her involvement in developing the DNC and other outside databases. That in itself is a violation of 18 U.S.C. § 641.

Both White House Counsel Charles F.C. Ruff and Ms. Scott in her deposition acknowledged that the memorandum dealt with working on outside databases.²⁹⁷ Indeed, in Mr. Ruff's case, his insistence that these were outside databases was intended to clarify that the memorandum was not discussing the use of the White House Database to populate other outside databases. Thus, to defend Ms. Scott from a charge that she was using the White House Database improperly, Mr. Ruff was willing to admit, as was she, that she was using other government resources to make plans for the DNC and other political databases, a violation as well.

Indeed elsewhere, in Marsha Scott's June 28, 1994 memorandum to Harold Ickes, Bruce Lindsey and the First Lady, Marsha Scott reported having used government resources and personnel to work with the DNC on the development of their database. She also sought Ickes's, Lindsey's, and Mrs. Clinton's intervention to direct the DNC to allow her team of government personnel to work with the DNC on its database to ensure compatibility with future political databases outside of the White House.

My team and I are also engaged in conversations with the DNC about the new system they are proposing. We have asked that their system be modeled after whatever system we decide to use outside the White House. I need

you to make very clear to them that their system must be technologically compatible, if not the same, as whatever system we decide to use for political purposes later on. These discussions are currently in progress and a clear direction from you to the DNC will eliminate much unnecessary wrangling.

* * * [L]et my team work with the DNC to help them design a system that will meet our needs and technical specifications. We can show them what to do and then clone another system for our specific uses later on. Any information stored in PeopleBase could then be dumped into the new system and made available * * * for political purposes.

* * * I am proceeding as if this is the plan.²⁹⁸

The “team” to which Scott referred was composed of White House personnel, including career personnel who thought they were performing only official government services with respect to all aspects of their database work with Marsha Scott.²⁹⁹

Indeed, career employees were sent to the DNC by White House officials. One career employee testified that “[I]t just didn’t look right for us to go to the DNC. We were Federal employees * * * [M]y entire team was questioning us going to the DNC when we went, yes * * *,” until his career supervisors put a stop to any further visits.³⁰⁰ He further testified that “[W]hen we visited the DNC there was some discussion about being able to swap systems and information and things like that; but that was brought to a halt”.³⁰¹

Other career employees testified that members of the WhoDB team had been sent to the DNC for yet another meeting. While at the DNC, the team was contacted by beeper, and ordered back to the White House.³⁰² A career employee who was sent and then ordered back explained “The sense was that it wasn’t appropriate for Federal employees to have direct contact with DNC”.³⁰³

The White House Counsel’s Office would later make extraordinary and elaborate attempts to cloak the diversion of official personnel and resources to political activity as being permitted by the Hatch Act. There is no doubt, but that certain White House officials may, in appropriate circumstances, engage in partisan political activities on their own time. However, while individuals are free to voluntarily engage in certain partisan political activities, the law does not sanction White House employers directing individuals to perform political work without their knowledge or consent. That is a diversion of official government resources, which is unlawful.

In addition, the committee uncovered the fact that much of the work on database development, which the White House later sought to characterize as work on campaign databases, had involved government resources, including White House stationery, fax machines, et cetera, for which, as far as we have been able to determine, there has been no reimbursement from any campaign or party entity. The record is unmistakable that in the Clinton White

House, the lines between official and partisan political acts were so blurred as to be non-existent. This led White House staff to involve themselves in political activity using government resources in violation of 18 U.S.C. § 641.

Beyond that, the efforts to label certain database work as campaign-related, was an after-the-fact attempt to justify the non-production of records related to the official White House Database. Those records make clear that persons at the highest levels of the White House, including the First Lady, knew of the use of official government resources for partisan campaign activities³⁰⁴ in violation of 18 U.S.C. § 641.

The crucial June 28, 1994 memorandum from Marsha Scott to Harold Ickes, Bruce Lindsey, and the First Lady, was itself written on official White House stationery and prepared on government-owned word processor equipment and systems. It conveyed and update not only on the White House Database project, but a report of the White House Database team, (whom Scott referred to as “my staff”) and its trip to Arkadelphia to review the PeopleBase system. The memorandum further provides an update on the implementation of the White House Database,

By the first of the year [1995] we should have any flaws identified and corrected and the majority of the White House using the new system. We will then have a year [until 1996] to fully train and familiarize our folks to its many possibilities and uses.³⁰⁵

After reviewing this memorandum, the First Lady responded: “This sounds promising. Please advise. HRC”—and directed the memo, along with the notation to Harold Ickes.³⁰⁶ This is indeed a remarkable memorandum. It reveals that persons at the highest levels of the White House, including the First Lady, knew of, and approved the planned use of the White House Database for partisan political purposes, or the use of government personnel and resources to work on outside partisan political databases. Either scenario is simply unlawful, and represents a planned theft of government property for partisan political activities.

Further, the committee’s investigation uncovered the significance of Marsha Scott’s proposal to use government personnel to set up an outside database for future political purposes into which “any information stored with PeopleBase could then be dumped.” The evidence obtained by the committee shows that by June 28, 1994 the “information stored with PeopleBase” included over 40,000 names and accompanying data from White House computers.³⁰⁷ The committee found that the unlawfully transferred data ended up in the Clinton-Gore ‘96 campaign computer.³⁰⁸

The many other memoranda written by Ms. Scott to her superiors regarding her political activity equally reflect a diversion of government resources to the benefit of the DNC and the campaign. In addition to her June 28, 1994 memorandum, Ms. Scott wrote to Harold Ickes regarding “DATABASE OUTSIDE WHITE HOUSE.”³⁰⁹ On January 26, 1994, she had written a “CONFIDENTIAL” memorandum to Hillary Rodham Clinton and Bruce Lindsey outlining plans to use White House resources and personnel to clean up and correct campaign lists for future campaign use:

Status of Outside Databases

* * * * *

Another way we can insure accuracy, is by providing corrections to any data sent to us. As long as we are not giving “updated or supplemental information about data the entity may have initially provided”, we can correct “where the action is *de minimis*.” (See Cheryl’s [Mills] memo attached for a full explanation.) I will work with Cheryl on a case by case basis and am anxious to discuss this with you further.³¹⁰

As with other documents, the White House Counsel sought to conceal this very information from the committee by altering documents to delete the information reflecting work on outside political databases.³¹¹ Another draft of notes or an agenda for a meeting with the First Lady and Deputy Chiefs of Staff Phil Lader and Harold Ickes references “Systems outside White House,” “Database for campaign use,” and “resources available to fund outside databases.”³¹²

It is apparent that these kinds of notes and memos finally were enough for Harold Ickes. In a note dated December 5, 1994, he was reminded of a scheduled meeting with Marsha Scott in which he was “supposed to be getting her clear on what she will be doing and what she will not be doing.”³¹³ The note further exposes exasperation with Marsha Scott’s communications: “As you know, until you have this conversation, you will continue to get memos from her and copies of memos she is sending around to different people * * *”³¹⁴

Ultimately, in May 1996, the President approved a new job description for Marsha Scott, prepared mostly by Deputy Chiefs of Staff Evelyn Lieberman and Harold Ickes, expressly authorizing Marsha Scott to involve the President’s supporters in fundraising from her government position and purporting to limit her access to the White House Database to uses that were “only in connection with her official duties.”³¹⁵ However, those official duties, according to the same memo, included fundraising. The use of the Database for fundraising constitutes theft of the data for the DNC’s use.

In his deposition, Harold Ickes described Marsha Scott’s views of her responsibilities as “expansive.”³¹⁶ When asked whether he ever expressed concern to Marsha Scott about this view of her responsibilities, he said, “No. Well, the answer is, I didn’t worry about it, because I knew that this was—if it were going to go anywhere, it would have to come back up through me, and *I had no problem with her writing memos about it.*”³¹⁷ Ickes also testified that he did not concern himself with Marsha Scott’s June 28, 1994 memorandum regarding plans to develop a new DNC database because “I don’t think [the DNC] had the money at that time to even think about a new computer system. They were lucky to turn on the electricity of the one they had.”³¹⁸ He further added: “I knew what the financial situation of the DNC was. They had a database that had been there for years. They hardly had the money to turn on the damn database, much less establish a new one, so this sort of stuff didn’t worry me.”³¹⁹

This testimony demonstrates that Harold Ickes knew that Marsha Scott was using an “overexpansive” view of her responsibilities to work on the development of DNC databases at a time when the DNC had no money to do it itself. Without DNC financial capability, it was even more important that White House staff, such as Marsha Scott, conduct as much development and planning activity as possible from a position where the DNC would not have to pay her. Ickes knowingly continued to allow the diversion of government resources to the DNC at a time when he also knew that the DNC itself lacked resources. Thus, at the taxpayers expense, Marsha Scott was allowed to plan databases for the DNC.

IV. THE PRESIDENT AND FIRST LADY KNEW OF THE CONVERSION OF GOVERNMENT RESOURCES TO BENEFIT THE DNC AND THE CAMPAIGN

“The President and the First Lady want this done. Translating this into action on the part of others is the rub.”³²⁰

This statement, included in a memorandum from Marsha Scott to the First Lady and Bruce Lindsey, describes the essence of the President’s and First Lady’s involvement in the White House Database project. This and other documents and testimony showing that the President and the First Lady were informed of the use of official resources for unofficial political purposes suggest that the President and the First Lady were aware of the conversion of government resources to support the DNC and the campaign. See Section III.A and III.D (regarding Scott’s conversion of government resources for political purposes).

The committee believes that the President’s involvement in the conversion of the White House into a fundraising tool represents an abuse of power. The President is entrusted with the conservation of the White House as a national landmark. The scheme to transfer data from the White House Database and other data sources supported the overall objective of systematically using White House invitations to accomplish political fundraising goals. The committee has issued this report to expose the evidence of this abuse of power.

The documents plainly show that the President and the First Lady jointly directed the use of official resources to create the Database, with Marsha Scott in charge. Even after the initiation of the project, the President and First Lady remained deeply involved in the ongoing development and use of the Database. In this regard, the First Lady’s actions with respect to the Database and the conversion of other official resources should be viewed as the President’s.

The evidence suggests that the President and the First Lady were involved in the enhancement of the DNC fundraising operation through the use of White House staff and resources, including the White House Database. See Section III.B (regarding the conversion of data from the White House Database to the use of DNC fundraisers). While having an official purpose, the White House Database was susceptible to being used for both official and unofficial purposes. The President and the First Lady capitalized on the Database’s susceptibility to misuse for political purposes. The

White House Database included financial information,³²¹ which allowed internal decisions on invitations to White House events to be determined by the degree of financial support given by potential invitees. The President's and First Lady's involvement in the details of the Database suggest that they knew what a powerful tool the Database would be not only for internal data management, but also for working with the DNC and the campaign to upgrade their data and data management systems.

The DNC and the Clinton/Gore campaign also benefitted from the President's and First Lady's knowledge and approval of the use of official resources, in addition to the Database, for unofficial purposes. The connection between the conversion of the White House Database and the conversion of other resources is reflected in the memoranda that address the internal data needs of the White House while at the same time seeking to address the database needs of the DNC and the campaign. Indeed, those sections of documents that addressed the issues of management of the DNC were originally withheld from the committee to conceal the relationship between the White House Database and the other efforts to use official resources for political purposes.

A. EVIDENCE RELATING TO THE PRESIDENT'S AND FIRST LADY'S KNOWLEDGE OF, APPROVAL OF, AND INVOLVEMENT IN THE CONVERSION OF RESOURCES, INCLUDING THE WHITE HOUSE DATABASE, TO THE DNC AND THE CAMPAIGN

Several documents produced to the committee reflect the President's and First Lady's knowledge, approval, and involvement in the conversion of government resources, including the White House Database, to the DNC and the campaign.

1. THE PRESIDENT WANTED TO "INTEGRATE" THE WHITE HOUSE DATABASE WITH THE DNC DATABASE: HANDWRITTEN NOTES OF BRIAN BAILEY, ASSISTANT TO DEPUTY CHIEF OF STAFF, ERSKINE BOWLES³²²

The handwritten notes of Brian Bailey, Assistant to then-Deputy Chief of Staff Erskine Bowles, express most clearly the President's involvement in efforts to convert the White House Database to the use of the DNC. These notes, written in late 1994 or 1995,³²³ expressly say that the President wants to "integrate" the White House Database with the DNC database to "share" data.³²⁴ Associate Counsel Cheryl Mills had opined that once data is entered in an official government database, sharing it with anyone for political purposes violates the law.³²⁵ The President's interest in sharing data with the DNC suggests that the President was willing to convert the White House Database to the use of the DNC in violation of clear White House legal advice and in violation of 18 U.S.C. § 641, which prohibits the theft of government property.

The withholding of this document by Cheryl Mills herself further corroborates that the President was interested in illegally integrating the Database. As discussed in Section II, there would be no reason to withhold this document, which was obviously responsive to the committee's request, unless it implicated the President in wrongdoing.

2. CONVERSION OF WHITE HOUSE RESOURCES “SOUNDS PROMISING” TO THE FIRST LADY: JUNE 28, 1994 MEMORANDUM FROM MARSHA SCOTT TO HAROLD ICKES AND BRUCE LINDSEY, WITH A COPY TO THE FIRST LADY³²⁶

In her June 28, 1994 memorandum, Marsha Scott communicated to the First Lady her interest in and efforts to develop databases for the DNC or “other entities we choose to work with for political purposes later on.”³²⁷ The First Lady responded to this memo with a handwritten comment at the top of the page: “This sounds promising. Please advise.”³²⁸ This memorandum shows that the First Lady was informed of this conversion of government staff and other resources for political purposes and even found it a “promising” project.

As with the Bailey handwritten notes, the deliberate withholding of a version of this document (which is in itself a criminal violation) corroborates its incriminating content. This evidence is particularly strong corroboration because the document was withheld, again by Cheryl Mills, who had provided advice through three separate memos to White House staff that such work using government resources was prohibited by law. Cheryl Mills knew that this memorandum implicated the First Lady in Marsha Scott’s conversion of government property and withheld it for that reason. See Section II.E.

3. THE PRESIDENT RECREATES THE CAMPAIGN: DRAFT MEMORANDUM TO CHIEF OF STAFF ON EARLY SUPPORTERS³²⁹

“This is the President’s idea and it’s a good one,” announces a memorandum, which was originally produced to the committee in draft and was written by Marsha Scott for White House Chief of Staff Mack McLarty.³³⁰ This draft memo reveals a plan to: “reach[] out to [the President’s] friends and supporters * * *; identify and contact the key early supporters in all fifty states * * *; put in WhoDB the names and relevant information about those early supporters * * *; [and] add to this base group by early 1995, those folks we will be working with in 1996.”³³¹

The draft further outlines the plan to use the White House Database to “recreate the Primary campaign structure * * *; establish a database to hold and work these names. (WhoDB will be fully functional by January [1995] * * *; recreate the General campaign structure using the same method we employed for recreating the Primary * * *[,] add[ing] the DNC and campaign records * * *; identify by early 1995, key financial and political folks in each state who can work with us” with the expectation that “[t]hrough consistent dialogue and follow-up, leaders will emerge” to allow “[c]o-ordinat[ion] with DNC and DLC about what they are doing for these folks.”³³²

4. THE PRESIDENT APPROVED THE WHITE HOUSE DATABASE: “WHODB REQUIREMENTS REPORT”³³³

The WhoDB Requirements Report expressly set forth the early history of the project. It stated: “The President and First Lady have requested from Marsha Scott that a resource database containing relevant information about all White House events and contacts be

designed and implemented.”³³⁴ That document further stated that the objectives of the Database would be to “[p]rovide the President and the First Lady with a database that tracks all contacts with individuals and organizations that are important to the Presidency.”³³⁵

The knowledge and involvement of the President and the First Lady in directing the creation of the White House Database suggests that they had a particular interest in the Database project, such as the possible political uses of databases, with which they were familiar from their use of the campaign database, PeopleBase. Moreover, the potential for conversion of the White House Database to political purposes was enhanced by choosing Marsha Scott, a long-time friend of the President who was involved in other schemes to convert government resources for unofficial political purposes. This document is also consistent with numerous other memoranda that invoke the President’s and First Lady’s names for the Database project.³³⁶

5. WHODB WAS INTENDED TO SUPPORT THE FUNDRAISING OBJECTIVES OF THE PRESIDENT AND THE FIRST LADY: OCTOBER 25, 1994 DRAFT MEMORANDUM TO ERSKINE BOWLES FROM PAUL ANTONY AND BRIAN BAILEY³³⁷

The draft October 25, 1994 memorandum from Paul Antony and Brian Bailey to Erskine Bowles, “Update on White House Database Project,” confirms that the President and the First Lady thought that the Database would be a useful tool to track events and contributions. The memo expressly states under the heading “WILL IT MEET THE NEEDS OF POTUS AND THE FIRST LADY?” that those needs include “keep[ing] accurate records of individuals’ dealings with the White House (invitations, contributions, meetings) * * *”³³⁸ The answer was “YES?”³³⁹

Clearly, this memo indicates that the President wanted the Database to be able to correlate contributions, invitations to, and attendance at events and so-called “meetings.” This document reflects the contemporaneous communication to Brian Bailey (an assistant to then-Deputy Chief of Staff Erskine Bowles) by Marsha Scott, regarding what needs the First Lady expressed regarding the Database—that is, to track “invitations, contributions, and meetings.”³⁴⁰ At the time Brian Bailey wrote this memorandum, he had been in the White House only a few weeks³⁴¹ and had no reason *not* to write down what he was told about needs for the Database. Although he testified that he consulted with Cheryl Mills frequently, he could not remember whether he had spoken with her prior to the drafting of this memorandum.³⁴²

The final database that was created, in fact, met, the President’s and the First Lady’s needs. It included designations of contributors, such as DNC Trustee or DNC Managing Trustee,³⁴³ which correspond to specific dollar contributions. Not only were the designations within the Database useful for the President and First Lady to identify donors for invitations, the committee now knows that DNC fundraisers matched up their contributor information with WhoDB attendance information (see Section III.B) to appropriately reward donors. The combined efforts of the DNC and the White House most effectively and efficiently ensured the maximization of

fundraising by matching DNC data on donors and White House data on attendance. This document indicates that these functions were designed to meet a “need” of the President to have such information.

6. THE FIRST LADY RECEIVED A DEMONSTRATION OF THE DATABASE AND ASKED FOR A SPECIFIC LIST TO BE INCLUDED: MARCH 2, 1995 MEMORANDUM FROM ERICH VADEN TO MARSHA SCOTT³⁴⁴

On March 2, 1995, Erich Vaden wrote a memorandum to Marsha Scott that reflected that he had given the First Lady a demonstration of the Database. From that demonstration, the First Lady asked that a specific list, the “Miles Rubin Rapid Response List,” be included in the Database.³⁴⁵ This memorandum shows the substantial involvement of the First Lady in the details of this Database in that (1) she wanted a demonstration and (2) she wanted a particular list added to the Database.

Moreover, at the same time as she was asking for data to be put into the Database, others were devising a plan to send data to the DNC from the Database. Just a few weeks later, Truman Arnold and Erskine Bowles met to devise the plan for the White House to share data with the DNC (see III.B.2). This plan set forth an illegal scheme to convert official resources (the Database and White House personnel) to implement fundraising based on meetings and contact with the President through such activities as coffees, overnights in the Lincoln Bedroom, and invitations to White House events.

7. THE PRESIDENT REGULARLY VIEWS DATA AND PLACES “HIGH PRIORITY” ON DATA CLEAN-UP: MARCH 28, 1995 MEMORANDUM [FOR MULTIPLE DISTRIBUTION] FROM ERSKINE BOWLES, “CLEAN-UP AND CODING OF DATABASE RECORDS”³⁴⁶

Indeed, 4 days after the meeting between Erskine Bowles and Truman Arnold, Erskine Bowles wrote a memorandum to various White House staff asking them to verify the data in the Database.³⁴⁷ The memorandum stated that the new Database would “speed up the list creation process by giving us the ability to identify and target individuals.”³⁴⁸ It further represented that “The President and First Lady will view this information on a regular basis.”³⁴⁹ In addition, the memorandum stated: “This clean-up project is one of the highest priorities for the President and your office should treat it as such.”³⁵⁰

The new Database would in fact speed up the list creation process because it would allow the DNC to identify more readily those donors who were due for invitations to the White House. Because of the commitment to supply data to the DNC, it was important to clean up the data. It is logical to conclude that the President placed a high priority on the data because of the enhanced role of White House invitations in the DNC fundraising plan.

Identifying the appropriate people in the Database for White House invitations took on new importance at this time. In March of 1995, the President was attempting to raise millions of dollars from Democrat party supporters to counter the Republican electoral gains the previous November. In January, he had personally authorized the use of overnight stays to raise money, asking for “names at 100,000 or more, 50,000 or more” and noting in his own

handwriting that he was “ready to start the overnights right away.”³⁵¹ Logically, a President so personally involved in fundraising (and using White House invitations to do it) needed access to the right kind of data to make his efforts successful.

8. THE PRESIDENT SIGNS OFF ON OFFICIAL FUNDRAISING JOB: THE MAY 1996 MARSHA SCOTT JOB DESCRIPTION³⁵²

In May 1996, the President approved a job description for Marsha Scott. That description included: “insur[ing] that the President’s supporters were involved in fundraising activities to the extent possible” and “attend[ing] political fundraising coffee/events, and certain other events * * *”³⁵³ The description also stated that Scott will “have appropriate access to the White House database [sic] but only in connection with her official duties.”³⁵⁴ According to the documents produced regarding this description, the President asked to “discuss once more” the description with Harold Ickes³⁵⁵ and approved it only after the discussion (“okay, per our discussion”).³⁵⁶

It is not clear what official function is fulfilled by Marsha Scott’s efforts to involve supporters in fundraising and attending fundraisers. However, the committee regards the disclaimer of use of the White House Database “only in connection with her official duties” to be nothing but boiler plate language with little or no meaning in this context. Here, the President approved a job description that included as an “official duty” the involvement of others in fundraisers. By including that definition within the definition of official responsibilities, the President essentially gave a license to use the White House Database for Marsha Scott’s work involving fundraisers.

9. THE FIRST LADY WAS AWARE OF MARSHA SCOTT’S TRANSFER OF WHITE HOUSE DATA FROM THE WHITE HOUSE DATABASE TO THE CAMPAIGN, THE CONVERSION OF GOVERNMENT RESOURCES FOR THE DNC, AND THE POLITICAL NATURE OF THE DATABASE: JANUARY 26, 1994 MEMORANDUM FROM MARSHA SCOTT TO HILLARY RODHAM CLINTON AND BRUCE LINDSEY³⁵⁷

On January 26, 1994, Marsha Scott prepared a memorandum detailing proposals to help clean up data in the campaign database and at the DNC. Marsha Scott informed the First Lady that she was working to clean up the campaign data from the campaign database by “providing corrections to any data sent to us.”³⁵⁸ Not only was Marsha Scott’s use of government resources to work on the outside resources a conversion of government property; making corrections to the data of others using White House data was also a conversion.

a. Transfer of data through providing corrections to the Campaign

In this memorandum, Marsha Scott communicates to the First Lady about her efforts to convert government data to the campaign. The memorandum states that the White House staff can ensure the accuracy of data “by providing corrections to any data sent to us.”³⁵⁹ In her deposition, she insisted that this was permissible regardless of the quantity of data.³⁶⁰ But the corrections to

PeopleBase enhanced the value of the list that was ultimately delivered to the 1996 Clinton/Gore campaign.³⁶¹

The view that address corrections were of “*de minimis*” value is preposterous. The entire value of a list of names and addresses is derived from its accuracy. To correct a list of thousands of names, even if each correction is minor, adds significant value to that list. If that correction is taken from a White House data source, it is a theft of government property. Yet, this memorandum expressly explains to the First Lady how government property can be stolen.

b. Conversion of government resources for the DNC and the Clinton/Gore campaign

This memorandum to the First Lady is one of several memoranda to the First Lady and others prepared by Marsha Scott reflecting her involvement in the conversion of government resources to benefit the DNC and the campaign.³⁶² These memos reflect her systematic use of her time and other government resources to improve the data at the DNC and the campaign. In her deposition, Scott admitted that, like the June 28, 1994 memorandum, this memorandum was written on a White House computer and on White House stationery.³⁶³ As discussed in section III.D, this use of government resources to benefit the DNC and the Clinton campaign represents a theft of government property, even if White House staff are permitted to use their time to engage in political activity at the White House. There is no evidence that the First Lady, Harold Ickes (who was the recipient of most of these memos), or anyone else did anything to stop it.

Further evidence of the incriminating nature of the portions of this document dealing with the outside databases includes the fact that White House Counsel Jack Quinn, with the involvement of Cheryl Mills, originally produced this memorandum without any of the information regarding outside databases.³⁶⁴ The committee views this as an attempt to conceal incriminating information from the committee. Cheryl Mills, who had prepared three memoranda on the scope of permissible political activity, withheld those portions of the documents because she knew that the information withheld would expose that the First Lady had been informed of Marsha Scott’s impermissible political activities.

c. The Database as a political project

Marsha Scott communicated in this memorandum to the First Lady her view that the White House Database was a political project. She identified a career employee on her team as a “closet Democrat,” explained that his work on the Database was kept secret, and complained about the other career staff’s lack of loyalty to the President.³⁶⁵ She wrote that she found “an inherent conflict in having our entire information management system developed and supervised by people who do not know and may not support the President.”³⁶⁶ She later sent a memorandum to Deputy Chief of Staff Phil Lader complaining about the allegiance of the career technical staff.³⁶⁷ All of these steps suggest that the Database was more than just a White House management tool—it required political loyalty and secrecy.

B. THE CONTEMPORANEOUS DOCUMENTARY EVIDENCE IS CREDIBLE

The contemporaneous documentary evidence, suggesting that the President and the First Lady knew of, approved of, and continued to be involved in the conversion of White House resources to the DNC and the Clinton/Gore campaign, is very credible. These documents represent the best evidence of the real thoughts and actions of individuals at the time, and they are supported by credible testimony.

In one case, although Marsha Scott testified that she has “no memory of a conversation with the President” regarding the Database other than a passing remark that she made to him that she was “working on something to get a social system up,”³⁶⁸ nevertheless, admitting that she had read the WhoDB Requirements Report,³⁶⁹ she did not change its text about the President and First Lady’s involvement. This suggests that, at the time, she viewed it as accurate.

In addition, there is no reason to discount invocations of the President’s name in these documents. Marsha Scott, who had known the President for many years and appears to have frequent access to the President, made these invocations. Further, she made them to persons at the highest levels of the White House—persons who would have reason to know if the invocations were not accurate, including White House Chief of Staff Mack McLarty and Deputy Counsel to the President Bruce Lindsey.

Moreover, one making false invocations is not likely to do so to the very person whose name one is invoking. However, that is exactly what Marsha Scott did. In her January 26, 1994 memorandum from Marsha Scott to Hillary Rodham Clinton and Bruce Lindsey, Scott states “The President and the First Lady want this done. Translating this into action on the part of others is the rub.”³⁷⁰

Finally, Jerry Carlsen, a career employee of the Office of Administration, and Manager of the Systems Integration and Development Branch of the Office of Information Systems and Technology who was asked to lead the White House Database development team, testified that Marsha Scott told him that the Database was a top priority for the President.³⁷¹ He further testified that he had never heard the President’s authority invoked with respect to another project at the White House.³⁷²

The President and the First Lady clearly involved themselves more deeply in projects like the White House data management systems than other Presidents and First Ladies. Of course, they recognized that the Database had a value greater than just running an efficient White House, such as the value of using the Database for other unofficial political purposes. The clear involvement in the development of the Database, the President’s desire to integrate the White House Database with the DNC database, and the circumstances surrounding the distribution of data from the Database (see Section III.B) are compelling evidence that the President and First Lady planned and carried out those plans to develop a database that could be, and was, used for unofficial political purposes.

The President's encouragement of sharing official resources, such as the White House Database, to benefit the DNC, seconded by his agent, the First Lady, in her support for the development of outside databases referenced in the June 28, 1994 memo, plainly represents the dedication of White House resources to unofficial political activity. There is simply no evidence that the President or the First Lady, having been informed of these activities using White House property, ever did anything to stop them.

V. CONCLUSIONS

The committee has obtained evidence that (1) Deputy Counsel to the President Cheryl Mills perjured herself and obstructed the investigation to prevent Congress and the American public from finding out that the President and the First Lady were involved in the unlawful conversion of government property; (2) the President and the First Lady were involved in the unlawful conversion of government property to the use of the DNC and the Clinton/Gore campaign; and (3) numerous other individuals, including Truman Arnold, Erskine Bowles, and Marsha Scott were also involved in the unlawful conversion of government property to the use of the DNC and the campaign through the diversion of data and resources.

VI. RULES REQUIREMENTS

A. COMMITTEE ACTION AND VOTE

Pursuant to clause 2(l)(2) (A) and (B) of House Rule XI, a majority of the Committee having been present, the report was approved by a vote of 7 ayes to 3 nays.

B. STATEMENT OF COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Pursuant to clause 2(l)(3)(A) of House Rule XI and clause 2(b)(1) of House Rule X, the findings and recommendations of the committee are contained in the foregoing sections of this report.

C. STATEMENT ON NEW BUDGET AUTHORITY AND RELATED ITEMS

Pursuant to clause 2(l)(3)(B) of House Rule XI and Section 308(a)(1) of the Congressional Budget Act of 1974, the committee finds that no new budget authority, new spending authority, new credit authority, or an increase or decrease in revenues or tax expenditures result from approval of this report.

D. STATEMENT OF CBO COST ESTIMATE AND COMPARISON

Pursuant to House Rule XI(2)(l)(3)(C) and Section 403(a) of the Congressional Budget Act of 1974, the committee finds that a statement of Congressional Budget Office cost estimate is not required as this report is not of a public character.

E. STATEMENT OF CONSTITUTIONAL AUTHORITY

Pursuant to House Rule XI(2)(l)(4), the committee finds that a statement of constitutional authority to approve the report is not required as this report is not of a public character.

F. CHANGES IN EXISTING LAW

Pursuant to House Rule XIII(3), the committee finds that a statement of changes in existing law is not necessary, as the report does not alter existing law.

G. STATEMENT OF COMMITTEE COST ESTIMATE

Pursuant to House Rule XIII(7)(a), the committee finds that a statement of committee cost estimate is not necessary as the report is not of a public character.

H. STATEMENT OF FEDERAL MANDATES

Pursuant to the Unfunded Mandates Reform Act and Section 423 of the Congressional Budget Act of 1974, the committee finds that a statement of Federal mandates is not necessary as this report is not of a public character.

ENDNOTES

1. Handwritten notes of Brian Bailey, Assistant to Deputy Chief of Staff Erskine Bowles, undated, White House document production Bates Stamp No. M 033298. (Hereinafter, document numbers preceded by "M" or "EOP" indicate White House documents.)

2. Confidential Memorandum from Marsha Scott to Harold Ickes and Bruce Lindsey (cc: the First Lady), "Recommendation for Design of New Database," June 28, 1994, M 32433-32434.

3. Confidential Memorandum from Marsha Scott to Harold Ickes and Bruce Lindsey (cc: the First Lady), "Recommendation for Design of New Database," June 28, 1994, (copy inscribed with handwritten notes of the First Lady) M 32438-32439.

4. Draft memorandum from Marsha Scott to Mack McLarty, undated (computer archive date February 11, 1995), M 33054-33057; Memorandum from Marsha Scott to Erskine Bowles and Harold Ickes, Nov. 1, 1994, M 32457-32461 (unredacted copy).

5. The scope of the committee's investigation is set forth in the July 17, 1997 referral from the chairman of the House Committee on Government Reform and Oversight, which provides in pertinent part:

[T]he content of the WhoDB and any other database and comparable information repository; its purposes and uses, both planned and implemented; the planning, creation, design, implementation, management of the same; the sources of information that were used, planned or contemplated to be used to populate the same; the use and dissemination of any information at any time contained in any such repository to any person or entity; the use of government time and resources in any of these matters; the knowledge, direction, encouragement, assistance or acquiescence of any person with respect to any of these matters; and any matter that might reasonably lead to the production of relevant evidence concerning these matters.

In addition, the Subcommittee should investigate any attempt, plan, scheme, or other action which would impede or prevent a thorough investigation of these matters, including, but not limited to, nonresponsive or misleading answers, evasive acts, attempts at delay, or unsupported claims of privilege.

Letter from Dan Burton, chairman, Committee on Government Reform and Oversight, to David M. McIntosh, chairman, Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs, July 17, 1997, (Hereinafter, letters to or from the subcommittee chairman shall be designated as letters to or from "Chairman McIntosh.")

6. Memorandum from Cheryl Mills, Associate Counsel to the President, to Marsha Scott, Deputy Assistant to the President and Director of Correspondence and Presidential Messages, Jan. 17, 1994, M 24918-24920 (citing 5 CFR § 2635.704) (emphasis added). 5 CFR § 2635.704 provides, in pertinent part:

(a) *Standard*. An employee has a duty to protect and conserve Government property and shall not use such property, or allow its use, for other than authorized purposes.

(b) *Definitions*. For purposes of this section:

(1) *Government property* includes any form of real or personal property in which the Government has an ownership . . . or other property interest as well as any right or other intangible interest that is purchased with Government funds, including the services of contractor personnel. The term includes . . . automated data processing capabilities . . . [and] Government records.

(2) *Authorized purposes* are those purposes for which Government property is made available to members of the public or those purposes authorized in accordance with law or regulation.

See also 18 U.S.C. § 641, which provides in pertinent part:

Whoever embezzles, steal, purloins, or knowingly converts to his use *or the use of another*, or without authority . . . conveys or disposes of any record, . . .

or thing of value of the United States or of any department or agency thereof . . . ; or
 . . . Whoever receives, conceals, or retains the same with intent to convert it to his use or gain, knowing it to have been embezzled, stolen, purloined or converted—

Shall be fined under this title or imprisoned not more than ten years, or both.

Id. (emphasis added).

7. David Watkins, “Briefing Paper on Databases—Eyes Only,” Jan. 31, 1994, M 32467–32472.

8. Letter from Jack Quinn, Counsel to the President, to Chairman McIntosh, June 28, 1996 (emphasis added).

9. Committee deposition of Richard Sullivan, Oct. 22, 1997, p. 17.

10. Handwritten notes of Brian Bailey, undated, M 033298 (all capitals in original).

11. Letter from Charles F.C. Ruff, Counsel to the President, to Chairman McIntosh, Oct. 28, 1997.

12. Id.

13. Id.

14. Id.

15. Confidential Memorandum from Marsha Scott to Harold Ickes and Bruce Lindsey (cc: the First Lady), June 28, 1994, M 32433–32434.

16. Letter from Charles F.C. Ruff, Counsel to the President, to Chairman McIntosh, Feb. 27, 1997.

17. *White House Compliance With Committee Subpoenas: Hearings Before the House Committee on Government Reform and Oversight*, 105th Cong., 1st sess., p. 240 (1997) (testimony of Charles F.C. Ruff, Counsel to the President).

18. Letter from the majority members of the Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs to President William J. Clinton, Aug. 2, 1996.

19. Handwritten notes of Brian Bailey, undated, M 033298.

20. Confidential Memorandum from Marsha Scott to Harold Ickes and Bruce Lindsey (cc: the First Lady), June 28, 1994, M 32433–32434.

21. Confidential Memorandum from Marsha Scott to Harold Ickes and Bruce Lindsey (cc: the First Lady), June 28, 1994, M 32438–32439 (copy inscribed with handwritten notes of the First Lady).

22. Letter from Charles F.C. Ruff, Counsel to the President, to Chairman McIntosh, Mar. 6, 1997.

23. Letter from Charles F.C. Ruff, Counsel to the President, to Chairman McIntosh, Oct. 28, 1997.

24. *White House Compliance With Committee Subpoenas: Hearings Before the House Committee on Government Reform and Oversight*, 105th Cong., 1st sess., p. 115 (1997) (testimony of Cheryl Mills, Deputy Counsel to the President).

25. Id. p. 241.

26. Memorandum from Cheryl Mills, Associate Counsel to the President, to Marsha Scott, Deputy Assistant to the President, Jan. 17, 1994, M 24918–24920.

27. *White House Compliance With Committee Subpoenas: Hearings Before the House Committee on Government Reform and Oversight*, 105th Cong., 1st sess., p. 241 (1997) (testimony of Cheryl Mills, Deputy Counsel to the President).

28. Id.

29. Committee deposition of Brian Bailey, Feb. 6, 1998, p. 135.

30. *White House Compliance with Committee Subpoenas: Hearings before the House Committee on Government Reform and Oversight*, 105th Cong., 1st sess., p. 240 (1997) (testimony of Charles F.C. Ruff, Counsel to the President).

31. Committee deposition of Marsha Scott, Feb. 19, 1998, pp. 90–91.

32. Memorandum from Marsha Scott to Cheryl [Mills], Dec. 16, 1993, M 25101.

33. Committee deposition of Marsha Scott, Feb. 18, 1998, p. 84.

34. Id. p. 89.

35. Committee deposition of Erich Vaden, Jan. 25, 1998, p. 258.

36. Id.

37. Id. p. 260.

38. Id. pp. 25–27, 34, 81, 98–99.

39. Committee deposition of Laura Tayman, Mar. 20, 1998, p. 136.

40. Id. pp. 122–124.

41. Id. pp. 50–51.

42. Vaden deposition, pp. 144–145.

43. Committee deposition of Mark Bartholomew, Aug. 15, 1997, p. 73.

44. Letter from Charles F.C. Ruff, Counsel to the President, to Chairman McIntosh, Oct. 28, 1997.
45. *White House Compliance With Committee Subpoenas: Hearings Before the House Committee on Government Reform and Oversight*, 105th Cong., 1st sess., pp. 114–115 (1997) (testimony of Cheryl Mills, Deputy Counsel to the President).
46. *Id.* p. 133.
47. *Id.* pp. 248, 265.
48. See, e.g., Guy Gugliotta, “Lawmaker Suggests Obstruction in Late Delivery of Memo on White House Database,” the Washington Post, Friday, Oct. 31, 1997, p. A8; Jeanne Cummings, “White House Retained Memo on Database,” the Wall Street Journal, Friday, Nov. 7, 1997, p. A4; Larry Margasak, “Committee Chairman Warns White House Lawyers on Delays,” Associated Press, Nov. 6, 1997; John Solomon, “Withheld Documents Say President Wanted Database to Share With DNC,” Associated Press, Oct. 30, 1997.
49. Letter from Charles F.C. Ruff, Counsel to the President, to Chairman McIntosh, May 22, 1997.
50. Memorandum from Bernard W. Nussbaum, Counsel to the President, and Cheryl Mills, Associate Counsel to the President, to White House Staff, July 12, 1993, M 033320–033330; Memorandum from Lloyd Cutler, Special Counsel to the President, and Cheryl Mills, Associate Counsel to the President, to Executive Office of the President Staff, Apr. 6, 1994, M 033331–033342; Memorandum from Abner J. Mikva, Counsel to the President, and Cheryl Mills, Associate Counsel to the President, to Executive Office of the President Staff, Oct. 12, 1994, M 033343–033355.
51. *White House Compliance With Committee Subpoenas: Hearings Before the House Committee on Government Reform and Oversight*, 105th Cong., 1st sess., p. 241 (1997) (testimony of Cheryl Mills, Deputy Counsel to the President) (emphasis added).
52. *Id.* (statement of Representative Shadegg).
53. *Id.* (testimony of Cheryl Mills, Deputy Counsel to the President).
54. Scott deposition, Feb. 19, 1998, pp. 93–94.
55. Draft memorandum from Marsha Scott to Mack McLarty, undated (computer archive date Feb. 11, 1995), M 33054–33057 (emphasis added).
56. *Id.*
57. *Id.*
58. Memorandum from Marsha Scott to Erskine Bowles and Harold Ickes, Nov. 1, 1994, M 32457–32461 (unredacted copy).
59. Memorandum from Marsha Scott to Erskine Bowles and Harold Ickes, Nov. 1, 1994, M 25673–25677 (redacted copy).
60. Scott deposition, Feb. 18, 1998, pp. 144–146.
61. Letter from Jack Quinn, Counsel to the President, to Chairman McIntosh, June 28, 1996 (emphasis added).
62. “Fund-Raisers’ Use of White House Database Reported,” Los Angeles Times, Thursday, Jan. 30, 1997, p. A1.
63. White House Press Briefing by Mike McCurry and Barry Toiv, Jan. 30, 1997 (12:45 p.m. EST), transcript, p. 9 (emphasis added) (hereinafter “White House Press Briefing”).
64. Letter from Jack Quinn, Counsel to the President, to Chairman McIntosh, June 28, 1996 (“The database is for White House use only; we prohibit distribution to outside entities or political organizations—including the Democratic National Committee.”) (emphasis added).
65. Letter from Chairman McIntosh to Jack Quinn, Counsel to the President, Oct. 3, 1996, response to question 1(I) (emphasis in original).
66. Letter from Chairman McIntosh to Jack Quinn, Counsel to the President, Oct. 28, 1996.
67. Letter from Chairman McIntosh to Jack Quinn, Counsel to the President, Nov. 13, 1996.
68. Letter from Chairman McIntosh to Jack Quinn, Counsel to the President, Jan. 10, 199[7].
69. On Jan. 17, 1997, Quinn wrote to the Committee that, with respect to the Oct. 3, 1996 questions, “That response is almost complete and I expect it will be finished at the end of next week.” Letter from Jack Quinn, Counsel to the President, to Chairman McIntosh, Jan. 17, 1997.
70. Letter from Chairman McIntosh to Charles F.C. Ruff, Counsel to the President, Feb. 21, 1997.
71. Letter from Chairman McIntosh to Charles F.C. Ruff, Counsel to the President, Feb. 27, 1997.

72. Letter from Charles F.C. Ruff, Counsel to the President, to Chairman McIntosh, response to question 1, Feb. 28, 1997.
73. White House Press Briefing, transcript p. 8.
74. *Id.* pp. 8–9.
75. *Id.* p. 9.
76. Letter from Chairman McIntosh to Jack Quinn, Counsel to the President, Jan. 31, 1997.
77. Letter from Jack Quinn, Counsel to the President, to Chairman McIntosh, Feb. 3, 1997.
78. *Id.*
79. “DNC Statement on the White House Database,” Jan. 30, 1997, M 037428.
80. Letter from Charles F.C. Ruff, Counsel to the President, to Chairman McIntosh, Feb. 28, 1997, response to question 1 (emphasis added).
81. “Fund-Raisers’ Use of White House Database Reported,” *Los Angeles Times*, Thursday, Jan. 30, 1997, p. A1 (emphasis added).
82. *Id.* (emphasis added).
83. Committee deposition of Truman Arnold, July 18, 1997, p. 124.
84. “Big Donor Calls Favorable Treatment a Coincidence,” *the Washington Post*, Monday, May 25, 1998, p. A1.
85. According to the *Washington Post*, Schwartz contributed \$25,000 in the 1991–92 election cycle; \$112,000 in 1993–94; \$602,000 in 1995–96; and \$421,000 in 1997–98. *Id.*
86. *Id.*
87. *Id.*
88. *Id.*
89. Memorandum from Martha Phipps to Ann Cahill, “White House Activities,” May 5, 1994, EOP 036287. A previous draft of this memorandum which appears to have been prepared for Martha Phipps (inside the DNC) appears to have been faxed to the White House from the office of the Chairman of the DNC on Apr. 28, 1994. See draft memorandum to Martha Phipps, Apr. 28, 1994, EOP 036294. This earlier draft encompassed only items 1 through 10 of the later memo. It included, however, the following notation: “NOTE: Any money above and beyond the \$40 million goal would require two additional Presidential events outside of Washington, DC” *Id.*
90. Notes, undated, EOP 036283–036286. See also White House Production Log, “Documents produced to the Committee on Government Reform and Oversight on June 6, 1997, EOP 32986–36699, Office of the Chief of Staff,” June 6, 1997.
91. Notes, updated, EOP 036286 (emphasis added).
92. “Fund-Raisers’ Use of White House Database Reported,” *Los Angeles Times*, Thursday, Jan. 30, 1997, p. A1.
93. Handwritten notes, undated, EOP 036285.
94. Sullivan deposition, Oct. 22, 1997, p. 17.
95. *Id.* p. 19 (emphasis added).
96. *Id.* p. 17.
97. *Id.* p. 20.
98. Committee deposition of Jacob Aryeh (“Ari”) Swiller, Jan. 6, 1998, p. 16.
99. *Id.* p. 17 (emphasis added).
100. Memorandum from David Mercer, Fran Wakem, Ari Swiller, Jennifer Scully, and Peter O’Keefe to [Truman] Arnold and Richard Sullivan, “Proposed Communications & Marketing Ideas: INTERNAL MEMO—NOT FOR DISTRIBUTION,” Mar. 14, 1995, DNC 3236734–3236737, at DNC 3236734.
101. *Id.* DNC 3236735.
102. *Id.*
103. *Id.*
104. *Id.*
105. Swiller deposition, p. 69.
106. Swiller deposition, p. 70.
107. *Id.* p. 92.
108. *Id.* pp. 79–80.
109. *Id.* p. 54 (stating that whether or not someone had been to an event at the White House was “a factor” in DNC finance prioritization of names to recommend for invitations); pp. 57–58 (stating that information he received from the White House about prior event attendance and prior invitations to attend events was a factor that would be considered in the prioritization of recommendations for invitations to future White House events).
110. Arnold had been personally asked to become DNC finance chairman by President Clinton after declining the position when asked by DNC Chairman Don Fowler. Arnold deposition, pp. 63–64. The President’s charge to Arnold was “to raise the money and to make sure it was spent frugally.” *Id.* p. 64.

111. *Id.* p. 122.
 112. *Id.* p. 116.
 113. *Id.* p. 116.
 114. *Id.* pp. 123–124.
 115. *Id.* p. 124. See also *id.*, p. 77 (“[P]eople . . . contribute if they were included and made aware of the need.”).
 116. Swiller deposition, p. 95.
 117. Arnold deposition, pp. 117–118.
 118. Memorandum to David Mercer, “Finance Needs,” Mar. 13, 1994, DNC 3236707. This memorandum also states that “[m]ajor contributors or raisers should have the opportunity to dine in the White House Mess. We have not been able to get this done with any consistency, and I do not understand why?” *Id.* The memorandum also outlines the importance of movies, the White House Tennis Court, and theater tickets. *Id.*
 119. The very office in which DNC documents reflecting the DNC fundraising staff’s desire for the information and their complaints about getting it. See Production Log, June 6, 1997, EOP 036286.
 120. Arnold deposition, pp. 126, 141, 142.
 121. White House Automated Verification Entry System [WAVES] records reflect Arnold’s entry for a meeting with Ann Stock on Mar. 24, 1995. See WAVES records, Mar. 24, 1995, EOP 040404. This was 10 days after the Finance Staff memo was prepared which outlined complaints and sought DNC–White House coordination for servicing DNC donors. Memorandum, Mar. 14, 1995, DNC 3236734–3236737. Ari Swiller testified that the topics in the memorandum had been discussed at a fund-raising staff meeting around Mar. 14, 1995, and that both Richard Sullivan and Truman Arnold appeared to be receptive to the ideas expressed at the meeting. See Swiller deposition, pp. 63–64 (“[P]art of this discussion . . . is [that] there was a concern that on certain occasions we were unable to get information about who attended or was invited to White House events.”); p. 66 (“[The discussion would] probably [have] be[en] about the same time period.”); p. 84 (stating that Mr. Sullivan and Mr. Arnold were receptive to the concerns).
 122. Arnold deposition, p. 121 (“[I]t was a procedure in place. It seemed to work well”); p. 126 (stating that procedure was in place before Arnold arrived).
 123. Arnold deposition, p. 126. Despite the transcript reference on this page (p. 126) to his having met with Marsha Scott, the record makes clear that his meeting was only with Bowles and Stock (not Marsha Scott). See *id.* pp. 133, 137, 141, 142, 144, 108 (“[I] never met with [Marsha Scott] on official business at the White House.”).
 124. Arnold deposition, p. 126 (emphasis added).
 125. See *id.*, pp. 126–127:
 [Bowles and Stock] were concerned about someone inappropriate having access to the White House. So I assumed responsibility for doing the very best that we could with information that was available to bring equity to the system so it wouldn’t be overrun with people who knew how to work the system; they would be legitimate people of good reputation. So we shored up our responsibilities. Not only were we raising money, we were making sure that appropriate people were being invited and included.
Id.
 126. Arnold deposition, p. 115 (emphasis added).
 127. *Id.* pp. 133–134 (emphasis added).
 128. *Id.* p. 143 (emphasis added).
 129. *Id.* 122. See also *id.*, p. 137. At the meeting with Bowles and Stock, neither told Arnold that there was any information which the White House could not provide to the DNC. *Id.* However, Arnold did testify that “[t]he ground rules were discussed that there would be no financial information across those lines. The White House didn’t want to know it, was not allowed to know it. Whether it was legal or policy, I’m not sure.” *Id.*
 130. Committee deposition of Judith Ann Stock, Feb. 20, 1998, pp. 126–128.
 131. *Id.* pp. 127–128.
 132. Committee deposition of Erskine Bowles, May 5, 1998, pp. 53–54.
 133. *Id.* p. 58.
 134. *Id.* p. 54.
 135. *Id.* pp. 55–56.
 136. Bailey deposition, p. 13 (“[F]rom September 1994 until November 1995, I am not sure of the exact day, I worked at the White House Chief of Staff’s Office.”).
 137. Arnold deposition, pp. 122–124.
 138. *Id.* p. 123–124.

139. Stock deposition, pp. 33–34.
140. Committee deposition of Brooke Stroud, Nov. 4, 1997, p. 47.
141. *Id.* pp. 52–55.
142. *Id.* p. 93.
143. *Id.* p. 70. When DNC offices wanted to know who had “made the cut” or been included on the invitation list to an upcoming event, Stroud called and obtained that information from Kim Widdess. *Id.* Stroud thereafter passed on the information to the DNC requestor. *Id.* See also *Id.* p. 71 (“[I]f they were really on the ball, they were able to fax over a list that said who was included. But that was rare.”); p. 77 (“Sometimes I never—never heard back at all. Sometimes somebody would want to know just about one person to make sure the one person off the list had been selected. And sometimes an actual list would be sent over that said who had been invited.”).
144. *Id.* p. 78 (“[I]nconsistently, again, a list may or may not be sent over [from the White House to the DNC] afterward . . . But it was very rare.”). Such lists were sent to Brooke Stroud and were apparently also sent to DNC Finance Director Richard Sullivan. *Id.* p. 79. Sullivan nevertheless obtained additional such White House lists, for Stroud saw them in Sullivan’s office. *Id.* Stroud could not recall how many such lists she received; she testified that she filed them in her office. *Id.* p. 80. When the questioning turned to the location of her files, Stroud then said, “I might have thrown them away, I might have kept them. I don’t really know.” *Id.* p. 81.
145. Stock deposition, p. 56. She noted that the only instances in which White House lists were released were for State Dinners, but only for publication in the Washington Post after the dinner took place. *Id.* pp. 56–67.
146. *Id.* p. 58 (emphasis added). Stock gave every indication that providing the information to anyone was done only with the approval of the President or First Lady based upon a demonstrated need by a senior White House official of the highest level: “It went to President and Mrs. Clinton, and on occasion if the Chief of Staff asked to see something right before the event occurred, like an hour or two before it occurred, but we did not circulate lists through the White House . . .” *Id.*
147. *Id.* p. 59 (emphasis added).
148. *Id.* (emphasis added).
149. *Id.* p. 60.
150. Committee deposition of Richard Sullivan, Mar. 5, 1998, pp. 40–41, 81–86.
151. Committee deposition of Karen Hancox, Dec. 18, 1997, pp. 55–56.
152. Swiller deposition, pp. 57, 60.
153. *Id.* pp. 99, 104.
154. Stroud deposition, Nov. 4, 1997, p. 41.
155. Committee deposition of Donald Dunn, Jan. 27, 1998, pp. 78–80.
156. Swiller deposition p. 20.
157. Letter from Jack Quinn, Counsel to the President, to Chairman McIntosh, June 28, 1996.
158. White House Press Briefing, transcript pp. 6–7.
159. White House Press Briefing, transcript pp. 6, 9.
160. Sullivan deposition, Oct. 22, 1997, p. 92. Sullivan, the DNC Finance Director, testified that he did not believe this happened with respect to any of the DNC “coffee,” but that:
- I don’t rule out the fact that in putting together the list of recommended invitations for the dinners or receptions or lunches that were held at the White House or DNC-sponsored, that, again Ari [Swiller] might not have made an inquiry to the Social Secretary’s office. I don’t remember specific instances, but I can’t tell you definitely, no, because that could have happened.
- Id.* p. 93. Sullivan also stated: “I don’t rule out that he may have made a call or two or three as they related to the lunches or receptions or dinners.” *Id.* p. 95. Furthermore: “I have a very, very vague recollection that [Ari Swiller] may have made a call in reference to an individual as we put together the list for a [DNC-sponsored] dinner or a lunch.” *Id.* p. 96.
161. Arnold deposition, pp. 120–121. Arnold testified as follows:
- Q. Did you use that same process with those kinds of events?
A. Yes.
- Q. Did you use them for—let me make sure I understand. You used them for all the DNC events that you were involved in?
A. Right.
- Mr. BALLEEN. Did he use what?
Mr. AUSBROOK. That process of vetting the list and screening them with the White House.

The WITNESS. The number of times in attendance previous. The Social Office would tell us how many times they had been there. The staff did those. It was a procedure in place. It seemed to work well, because during this period of time there were no improprieties of anyone having attended or any problem being made, to my knowledge.

Id.

162. Swiller deposition, p. 21 (“I don’t recall ever drawing a distinction [between official White House events as opposed to DNC-sponsored events at the White House].”). See also Id. p. 23 (“Again, you’re drawing a distinction I was not familiar with when I was at the DNC, of what was a DNC-sponsored and what was official. . . . I didn’t know of such a distinction at the time. When it would come to submitting names, I would review a list . . . [o]r I would submit a short list of names [which went to the White House.]”); p. 24 (no distinction in his mind between official White House events and DNC-sponsored events).

163. Id. p. 20 (emphasis added).

164. Id. p. 36. Swiller participated in sending DNC names for both official events and DNC-sponsored events at the White House. See Id. pp. 21, 37.

165. Stock deposition, pp. 30–33. White House staff usually prepared and mailed written invitations for DNC-sponsored events taking place at the White House. Id. In the case of “last minute” invitations, White House personnel spent time telephoning from the DNC list to extend invitations. Id.

166. Id. p. 28 (“[W]e would put [the list] into the White House Database to create a calligrapher’s list so that invitations could be addressed. Those invitations were sent out.”). Stock testified that the process was the same for both political events, including DNC-sponsored events, and official events. Id. p. 31. See also Committee deposition of Kimberly Widdess, Feb. 24, 1998, p. 28 (“The [White House] database is used when we have a list of people that we are going to invite. We enter their names and addresses into the database and then it—that information is then printed out on a list that the calligraphers write the invitations off of. . . .”; p. 29 (“Most often, the invitations are sent—we have hard copy invitations and an actual card that is sent out to people.”).

167. Stock deposition, p. 28 (“[W]e would put [the list] into the White House Database to create a calligrapher’s list so that invitations could be addressed. Those invitations were sent out.”). Stock testified that the process was the same for both political events, including DNC-sponsored events and for official events. Id. p. 31. See also Widdess deposition, p. 28 (“The [White House] database is used when we have a list of people that we are going to invite. We enter their names and addresses into the database and then it—that information is then printed out on a list that the calligraphers write the invitations off of. . . .”). p. 29 (“Most often, the invitations are sent—we have hard copy invitations and an actual card that is sent out to people.”).

168. Widdess deposition, p. 28 (“[T]hen responses come to the office [of the Social Secretary], people responding to the event. That information is entered into the computer with their dates of birth and Social Security number.”).

169. Id. pp. 29–30 (stating that, prior to installation of White House Database, a DOS-based computer system performed a similar function).

170. Stock deposition, p. 87 (“WhoDB and the previous [White House computer system in the Social Office] generated exactly the same reports.”). See also Facsimile from Judy Spangler, White House Office of the Social Secretary, to Jennifer Scully, DNC, Apr. 15, 1994, DNC 3058341–3058351 (print-out from White House Database reflecting status of persons invited to an upcoming Apr. 19, 1994 DNC Trustee Reception at the White House, as of Apr. 15, 1994 at 1 p.m).

171. See Widdess deposition, pp. 30–31:

You can see the entire guest list on the screen so you don’t have to waste paper printing names out. It gives you information as to—immediately gives you information as to how many responses you have, how many responses you are waiting on. It is a much better system for us to use in the office for executing events. . . . The only way the old system you could see the guest list is if you printed it out. . . . The WhoDB lets you see the entire guest list and who their guest is and *if they have accepted, responded, regretted or whatever*. The other system you could only see one record.

Id. (emphasis added).

172. Swiller deposition, p. 36. Swiller participated in sending DNC names for both official events (p. 37) and DNC sponsored events at the White House (p. 21). Id. pp. 21, 37.

173. Facsimile from Judy Spangler, Office of the Social Secretary, Executive Office of the President, to Jennifer Scully, DNC, Apr. 15, 1994, DNC 3058341–3058351

(11-page White House computer report dated Apr. 15, 1994 reflecting the names of invitees and their acceptance-regret-no response status as of 1 p.m. on that date for an upcoming DNC Trustee Reception to take place at the White House).

174. See *id.* Ari Swiller, of the DNC Finance Division, testified that he saw such White House-generated lists which had been faxed to the DNC “every couple of months” during the time period 1993 through 1997, and that he had personally received such faxed lists from persons in the White House Social Office, namely Judy Spangler, Tracy LeBrequé and perhaps Kim Widdess. Swiller deposition, pp. 18–19. See also *id.* at pp. 29–30 (received lists both before and after events).

175. Swiller deposition, pp. 31–32 (stating that DNC personnel, after identifying persons who had not responded, telephoned such persons to remind them of the invitation and to inquire whether they wished to attend). Swiller personally made “dozens” of such calls connected with at least two events. *Id.*

176. See Widdess deposition, p. 115 (stating that White House employees “frequently” contacted the DNC to obtain telephone numbers of non-responding persons so that White House employees could make follow-up telephone calls to such persons); Stock deposition, p. 87 (“You have a slight problem with this list. It is Apr. 15th, and the event is Apr. 19th, and no one has responded, which is why they are sending the list to find out if anybody has phone numbers to figure out how to call people and see if they either—my guess is this was not an invitation that went out on an invitation list, and it was a phone list, and they have bad phone numbers, and it was 108 on the 15th, and it is 3½ days later. Basically you are looking at a completely unresponsive list.”).

177. Memorandum from Minyon Moore to Chair [Deborah] DeLee, Bobby Watson, Laura Hartigan, Jill Alper, and Vida Benavides, “Upcoming Holiday Events at the White House,” Dec. 9, 1994, DNC 0908516–0908663.

178. Letter from Lanny Breuer, Special Counsel to the President, to Mildred Webber, Staff Director, Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs, June 2, 1997.

179. See letter from Charles F.C. Ruff, Counsel to the President, to Chairman McIntosh, Feb. 28, 1997; Affidavit of Carl Mecum, Sept. 4, 1998.

180. “Economic Conference List—Southern Region, Invitation List of Panelists and Observers as of 3/21/95,” Mar. 21, 1995, DNC 3236693–3236694, 3236696–3236699, 3236712.

181. White House Office of Public Liaison, “APA Opinion Leaders,” DNC 0626453–0626472; letter from Charles F.C. Ruff, Counsel to the President, to Chairman McIntosh, June 6, 1997.

182. Memorandum from Brooke Stroud to Alice Pushkar, Maggie Williams, and Jim Dorskind, Nov. 15, 1994, DNC 1019684–1019685.

183. See Memorandum from Cheryl Mills to Alice Pushkar, “1995 Holiday Card Project,” Aug. 14, 1995, M 24915–24917.

184. Handwritten notes of Erich Vaden, undated, M 20536 (“MS . . . —Christmas List as vehicle to get out? . . . —Meeting w/Cheryl.”).

185. Vaden deposition, p. 183. Apparently, Scott also advanced the argument that the White House could provide the DNC the final list because they were paying for the mailing. *Id.* (referencing *de minimis* language in Cheryl Mills’s Memorandum, cited *supra* n.6 (M 24918–24920)).

186. Vaden deposition, p. 183.

187. Handwritten reply inscribed on copy of Memorandum from Brooke Stroud to Tara Burns, “X-mas List,” June 17, 1994, DNC 1019608. Marsha Scott also suggested that the DNC could come to the White House and review lists. Memorandum from Marsha Scott to Erskine Bowles, “Meetings To Be Held While I Am Gone,” Oct. 28, 1994, M 33082–33083.

188. Stroud deposition, Nov. 4, 1997, p. 133.

189. *Id.*, pp. 142–143.

190. Stroud deposition, Nov. 18, 1997, pp. 36–37. See also *Id.* p. 106 (“White House lists were uploaded into the DNC system. . . .”); Memorandum from Brooke Stroud to Alice Pushkar and Maggie Williams, Nov. 9, 1994, DNC 1020078; Memorandum from Brooke Stroud to Alice Pushkar, Maggie Williams, and Jim Dorskind, Nov. 15, 1994, DNC 1019684–1019685. The only two persons at DNC capable of entering the tape into the AS 400 were Al Hurst and Bryan Daines. Neither has a recollection of having done so. See Committee deposition of Al Hurst, Mar. 13, 1998, p. 40; Committee deposition of Bryan Daines, Apr. 6, 1998, p. 29.

191. Stroud deposition, Nov. 4, 1997, p. 169; Stroud deposition, Nov. 18, 1997, p. 30.

192. Despite Brooke Stroud’s recollection that she believed that she had boxed the printout at the DNC to send to Archives and despite the specific request for its production, the DNC has not produced it. Also unaccounted for is a “Sampling” or par-

tial printout of the merged lists from Saturn which was delivered to Stroud at the DNC. Stroud testified that she did not recall what had happened to the sample printout. Stroud deposition, Nov. 18, 1997, pp. 10–12, 28–29.

193. Sullivan deposition, Mar. 5, 1998, pp. 44–46.

194. Stroud deposition, Nov. 18, 1997, pp. 10–11.

195. *Id.* pp. 28–29.

196. Saturn documents 0000607, 0000005, 0000006; Stroud deposition, Nov. 18, 1997, p. 100. See also Memorandum from Brooke Stroud to Alice Pushkar and Maggie Williams, Nov. 9, 1994, DNC 1020078 (“White House lists are contained on multiple discs . . . Saturn delivered that list to the DNC today, we will begin manual de-duping immediately. . . Saturn will deliver [disks 6 & 7] on Friday [Nov. 11, 1994].”); Memorandum from Brooke Stroud to Alice Pushkar, Maggie Williams and James Dorskind, Nov. 15, 1994, DNC 1019684–1019685 (“Disks Six and Seven have been uploaded. We will complete clean-up no later than Friday. . .”).

197. Stroud deposition, Nov. 18, 1997, p. 36.

198. Stroud deposition, Nov. 4, 1997, pp. 164–67.

199. Daines deposition, p. 29 (“Just Al [Hurst] and myself [were the persons at the DNC in 1994 who had the expertise and the know-how to upload data from a magnetic tape into the DNC computer so that the data could be worked on.]”).

200. See Daines deposition, p. 24 (no recollection of volunteers working on 1994 Holiday Card list on any weekend in 1994); p. 37 (no recollection of volunteers being asked to modify data in a database at DNC); p. 40 (no recollection of data being received in Nov. 1994 from an outside entity to which Brooke Stroud was granted access); p. 40 (no recollection of having met Sharon Lewis); p. 44 (even after being shown documents reflecting disk deliveries from Saturn, no recollection of DNC receiving such disks).

201. Hurst deposition, p. 41 (“No, I don’t recall any contact with Brooke Stroud over Veterans Day weekend.”); *id.* (“I worked at the DNC on Saturdays and Sundays, but it is not my practice to.”); *id.* (“No, I don’t recall working on Veterans Day Weekend of 1994.”). Hurst had no recollection of any of events concerning the delivery of tapes over the Veterans Day weekend or the use of White House volunteers in that effort. *Id.* p. 100 (“I never received any disks.”).

202. Hurst deposition, p. 41 (“I worked at the DNC on Saturdays and Sundays, but it is not my practice to.”). Daines deposition, p. 24 (“No, I very rarely was there weekends.”).

203. Committee deposition of Joseph Birkenstock, June 2, 1998, p. 114.

204. See Memorandum from Brooke Stroud to Alice Pushkar, Maggie Williams and James Dorskind, Nov. 15, 1994, DNC 1019684–1019685 (“[T]he de-duped list will be returned to Saturn Corporation to be placed in a postal-presorted order . . . [T]he laser house . . . will begin [lasering, stuffing and stamping] . . . as soon as they receive the tape from Saturn . . .”); letter from Saturn Corp. to Eric Sildon, Dec. 22, 1994, Saturn documents 0000604–0000607 (“The output tapes from the DNC were sent back to Saturn in the Saturn format for presort processing . . . Tapes [were] received back from the DNC [on November 30, 1994] . . .”).

205. Letter from Saturn Corp. to Eric Sildon, Dec. 22, 1994, Saturn documents 0000604–0000607 (“4. The presort processing was accomplished by Saturn and a tape was sent to The Last Word for imaging on the envelopes; . . . [Attachment:] Tapes shipped to the Last Word . . . 12/02/94.”).

206. Letter from Saturn Corp. to Eric Sildon, Dec. 22, 1994, Saturn documents 0000604–0000605 (“Saturn received the 3 pre-sorted files back from The Last Word on Wednesday, December 14.”).

207. Letter from Saturn Corp. to Brooke Stroud, Dec. 20, 1994, Saturn document 0000633 (discussing the “problem” with the tape, “based on our meeting at the DNC on Friday December 16, 1994.”).

208. Letter from Saturn Corp. to Eric Sildon, Dec. 22, 1994, Saturn Document 0000604–0000607 (“On Friday [December 16] after your call, we identified the problem in talking with Al [presumably Al Hurst] at your offices and came over to review the problem.”).

209. Hurst deposition, p. 28 (“[The only contact with Saturn was] when it was discovered there was a problem with the tape.”); p. 30 (“[T]hey brought a tape back to us prior to the mailing of the Christmas cards when there was a problem.”); pp. 37–38 (“It is my recollection that Brooke Stroud called me upstairs and she was up there talking to the people from Saturn.”).

210. *Id.* p. 30 (“[T]hey brought a tape back to us prior to the mailing of the Christmas cards when there was a problem.”); p. 32 (“Q. The tape that came back from Saturn that was associated with the problem, what, if anything, was done with that tape at the DNC when you all received it back? A. I uploaded it to a secure place

on the AS400 We uploaded it to a library on the AS400 that only a programmer would have the capacity to look at.”).

211. Id. pp. 37–38 (“The only thing we did with it was to view it on the screen to see which records had problems with them . . . [The viewing was done by] myself and Brooke Stroud . . . [but no one else] that I remember.”).

212. Id. p. 35.

213. Id. pp. 52–53 (“[S]he wanted a tape made of the problem data.”).

214. Id. p. 54 (“I have no idea what she did with the tape.”); id. (“I don’t recall ever seeing that tape-ever again.”).

215. Hurst deposition, p. 53.

216. Id. p. 45.

217. Id. p. 79.

218. Id. p. 82 (“I deleted the file on the system. The data was now on the tape.”); id. (“I put it on the tape rack . . . in the computer room of the DNC. . . [and] labeled [the tape] S–A–T–M–S–T.”). Hurst testified that while he believes the tape remained on the tape rack until approximately March 1997, he acknowledged that “[a]nyone who came into the computer room could have pulled it off the rack,” and that, other than on weekends, the room generally was not locked. Id. pp. 83–84.

219. Id. p. 16.

220. Id. p. 46 (“I don’t recall asking anyone.”).

221. Hurst deposition, p. 45.

222. Id. p. 62 (“No, I don’t recall [the volume of information that was in the file].”). See also Id. p. 85 (“I don’t remember what the size of the file was and the number of records.”). Hurst’s failure to recollect is particularly odd in light of his specific recollections of seemingly unimportant details, as well as the fact that the volume of the data—“taking up too much space”—was the very reason he articulated for deciding to delete the file in the first place. Further, he testified that there were but two criteria which he employed in deciding to delete files, one of which was the “size” or volume of the file. Id. p. 45. The volume of the file was an important factor, not only with respect to the deletions in Jan. 1996, but also with respect to copying the data onto a tape. As Hurst testified, the time it took to make tape copies of the data depended upon the volume of data: “A larger tape would take longer to upload than a smaller tape would, because of the number of fields in the file and the total number of records in the file.” Id. pp. 74–75. Hurst, in fact, dealt with this tape at least five times: *first*, when he uploaded it into the DNC computer; *second*, when he made a copy tape for Brooke Stroud; *third*, when he decided to delete the data (using his volume criterion); *fourth*, when he made another copy tape prior to deleting the file; and *fifth*, in March 1997, when he was given the tape by DNC counsel to copy yet again.

223. Hurst deposition, p. 46.

224. Id. p. 68 (“No, I don’t recall looking—I don’t recall checking that criteria.”).

225. Id. p. 68 (“No, I don’t know why I didn’t check that criteria.”).

226. Id. p. 80 (“I don’t remember why I made the copy [in January 1996]. I don’t remember what drove me to make the copy of that tape.”). See also Id. p. 81 (“I made the copy of the tape, and, I don’t remember why I made a copy, but after I made the copy I deleted [the file] off the system.”).

227. Id. p. 117; see id. at 114 (“I recall another tape came from Saturn *after* all the Christmas cards were mailed.”) (emphasis added).

228. Id. pp. 34–35 (“I put it on the tape rack . . . in the computer room at the DNC. . . . Q. What were you [just] talking about that you had put on the tape rack? A. The tape that we received from Saturn *after* the Christmas cards were mailed.”) (emphasis added);

229. Hurst deposition, p. 62–63, 114

230. Letter from Charles F.C. Ruff, Counsel to the President, to Chairman McIntosh, Feb. 28, 1997, response to question 1.

231. Committee deposition of Alice Pushkar, Jan. 13, 1998, pp. 49, 163.

232. Memorandum from Alice J. Pushkar to Cheryl Mills, Aug. 3, 1995, M 033308–033309 (“The DNC has a tape of the entire 1994 holiday card list.”).

233. Mills immediately told Pushkar verbally that the DNC should not have the tape. That specific response was recorded by Pushkar in her contemporaneous handwritten notes of that conversation which she entered on her copy of her memorandum to Mills. Handwritten notes of Alice Pushkar, undated, M 33308 (“Shouldn’t have tape”). Pushkar testified that after receiving the memorandum, “[Cheryl Mills] immediately called me back and said, you know, the list should have been returned to the White House.” Pushkar deposition, p. 95. See also id. pp. 113–114 (“I just recall her saying . . . they shouldn’t have the tape . . .”); p. 114 (Mills understood Pushkar was going to try to get the tape back).

234. Vaden deposition, pp. 225–226.

235. Letter from Chairman McIntosh to Jack Quinn, Counsel to the President, Oct. 3, 1996.
236. Letter from Chairman McIntosh to Jack Quinn, Counsel to the President, Oct. 28, 1996.
237. Letter from Chairman McIntosh to Jack Quinn, Counsel to the President, Nov. 13, 1996.
238. Letter from Chairman McIntosh to Jack Quinn, Counsel to the President, Jan. 10, 1997.
239. On Jan. 17, 1997, Quinn wrote to the Committee that, with respect to the Oct. 3, 1996 questions, "That response is almost complete and I expect it will be finished at the end of next week." Letter to Chairman McIntosh from Jack Quinn, Counsel to the President, Jan. 17, 1997.
240. Letter from Chairman McIntosh to Charles F.C. Ruff, Counsel to the President, Feb. 21, 1997.
241. Letter from Chairman McIntosh to Charles F.C. Ruff, Counsel to the President, Feb. 27, 1997.
242. White House Press Briefing, transcript p. 13.
243. Letter from Charles F.C. Ruff, Counsel to the President, to Chairman McIntosh, Feb. 28, 1997, response to question 1.
244. *Id.*
245. Pushkar deposition, pp. 47–48.
246. *Id.* pp. 48, 163–164.
247. Stroud deposition, Nov. 18, 1997, p. 36.
248. Letter from Charles F.C. Ruff, Counsel to the President, to Chairman McIntosh, July 15, 1997.
249. Memorandum from Brooke Stroud to Alice Pushkar, Director of the Office of the First Lady's Correspondence, and Maggie Williams, Chief of Staff to the First Lady, Nov. 9, 1994, DNC 1020078.
250. Memorandum from Brook Stroud to Alice Pushkar, Maggie Williams, and James Dorskind, Nov. 15, 1994, DNC 1019684.
251. Stroud deposition, Nov. 18, 1997, pp. 6–7, 34–37.
252. *Id.* pp. 15–23. See also Memorandum from Brooke Stroud to Alice Pushkar, Maggie Williams and Jim Dorskind, Nov. 15, 1997, DNC 1019684.
253. Stroud deposition, Nov. 18, 1997, p. 49.
254. *Id.* p. 50.
255. Handwritten notations of Alice Pushkar, undated, M 033308–033309 (reflecting Mills's responses to Aug. 3, 1995 memorandum from Alice Pushkar to Cheryl Mills). See also Pushkar deposition, pp. 113–116 (stating that Cheryl Mills informed her that "[the DNC] shouldn't have the tape.").
256. Memorandum from Cheryl Mills to Alice Pushkar, "1995 Holiday Card Project," Aug. 14, 1995, M 24815–24817 at M 24916 (emphasis added).
257. Pushkar deposition, pp. 139–140. Similarly Brook Stroud could not recall giving computer personnel at the DNC any instructions with respect to limitations on access, use or copying of the White House data. Stroud deposition, Nov. 18, 1997, p. 87.
258. Memorandum from Cheryl Mills to Alice Pushkar, "1995 Holiday Card Project," Aug. 14, 1995, M 24915–24917 at M 24917 ("Despite the use restrictions we impose on the DNC, for appearance [sic] purposes, the vendor should provide either of those two lists [White House portion and final merged lists] only to the White House."). It is not at all clear whether she was suggesting that the "use restrictions" were only for appearances, or whether having the tapes returned to the White House was only for appearances.
259. Memorandum from Cheryl Mills to Alice Pushkar, "1995 Holiday Card Project," Aug. 14, 1995, M 24915–24917 at M 24915.
260. By a letter of Oct. 9, 1997, the committee requested the following:
- Any and all contracts, and, or, "use agreements," in whatever form, drafted, negotiated or entered into between the White House or Executive Office of the President and any vendor, the Democratic National Committee, the Clinton-Gore Campaign, the Clinton-Gore reelect committee, or other entities with respect to the planning, implementation or production of the 1993, 1994, 1995 and 1996 "Holiday Card Project." Such contracts, or "use agreements" are reference in Cheryl Mill's [sic] August 14, 1995 memorandum (M 24915—M 24917). Documents provided pursuant to this request should include, but not be limited to, those referred to in that memorandum. Those referred to in that memorandum should be identified as such in your response.

Letter from Chairman McIntosh to Charles F.C. Ruff, Counsel to the President, Oct. 9, 1997.

261. By Subpoena, the following records were compelled to be produced:

Any and all contracts, and, or, "use agreements," in whatever form, drafted, negotiated or entered into between the White House or Executive Office of the President and any vendor, the Democratic National Committee, the Clinton-Gore Campaign, the Clinton-Gore reelect committee, or other entities with respect to the planning, implementation or production of the 1993, 1994, 1995 and 1996 "Holiday Card Project."

Subpoena of Charles F.C. Ruff, Dec. 16, 1997 (originally returnable Jan. 15, 1998), item 2(b). See also *id.* item 2(c).

262. Letter from Charles F.C. Ruff, Counsel to the President, to Chairman McIntosh, Nov. 19, 1997, response to question 2.

263. Letter from Charles F.C. Ruff, Counsel to the President, to Chairman McIntosh, Nov. 19, 1997, response to question 2.

264. Subpoena of Charles F.C. Ruff, Dec. 16, 1997 (originally returnable Jan. 15, 1998), item 2(b). See also *id.*, item 2(c).

265. See Memorandum from Dan Burkhardt to Marsha Scott, "Holiday Card Numbers," Nov. 10, 1993, M 034954 ("White House List[:]. . . 33,000 . . .").

266. See Memorandum from Dan Burkhardt, through Marsha Scott, to Mack McLarty, "Holiday Cards," Dec. 2, 1993, M 034960-044962 and M 04961-034962 ("White House List[:]. . . 43,000").

267. The Clinton-Gore campaign committee is the owner of PeopleBase. See Memorandum from Dan Burkhardt to Marsha Scott and Jim Dorskind, "Holiday Card Problem Areas and Considerations," Aug. 29, 1993, M 034907-034909 at M 034908.

268. Memorandum from Marsha Scott to Maggie Williams, "Holiday Cards," Nov. 9, 1993, M 034950 ("The internal White House holiday card list went to Little rock last night. Malone, Inc. will work with it and other lists in maintains to come up with the agreed upon database of 250,000 names.").

269. Affidavit of Carl Mecum, Apr. 29, 1998, ¶¶ 5, 7, 16.

270. See Memorandum from Dan Burkhardt to Marsha Scott, "Holiday Card Wrap-Up," Jan. 13, 1994, M 034980-034982 at M 034981 ("I already have requested a copy of the master list from Malone so that we can review and eliminate duplicates. That list should arrive by week's end.").

271. Letter from Daniel W. Burkhardt, Special Assistant and Counsel to the Director of Correspondence and Presidential Messages, to Monica Breedlove, W.T. [sic] Malone, Inc., Mar. 2, 1994, M 034984 (directing that the information be used to correct the campaign database). Burkhardt this action despite his won documented knowledge that such action was unlawful. See Memorandum from Dan Burkhardt to Marsha Scott, "Holiday Card lists," Dec. 7, 1993, M 034965 ("[I]t has always been my understanding from White House counsel that the White House could not provide the resources to modify or correct lists coming from Malone or the DNC . . .").

272. See Memorandum from Dan Burkhardt to Marsha Scott, "Holiday Card Wrap-Up," Jan. 13, 1994, M 034980-M 034982 at M 034980 ("[A]s of [January 13, 1994] we have received only 8,000 returns.").

273. Letter from Daniel W. Burkhardt, Special Assistant and Counsel to the Director of Correspondence and Presidential Messages, to Monica Breedlove, W.P. Malone, Inc., Mar. 2, 1994, M 034984.

274. Memorandum from Lyn Utrecht, "Database at W.P. Malone," Mar. 9, 1995 Attachment 2, "Database Status Report (Summary)," M 036558-036560 and M 036560 ("Address corrections entered as received to include 1993 Christmas card mailings and DNC summer, 1994 mailing"). the more detailed memorandum discussing this fact was withheld from the committee by the White House. In a letter to the committee of Mar. 13, 1998, the White House stated that the memo was withheld because it was "subject to attorney-client privilege held by Clinton-Gore, and ha[s] not been produced." Letter from Lanny Breuer, Special Counsel to the President, to Keith Ausbrook and Jay Apperson, counsels to the committee, Mar. 13, 1998.

275. Memorandum from Cheryl Mills, via Matt Moore, to David Watkins, Oct. 28, 1993, M 034826-034827 at M 034826.

276. *Id.* ("Initially, this [White House] list was going to be provided to the Democratic National Committee [DNC].").

277. See letter from Chairman McIntosh to Charles F.C. Ruff, Counsel to the President Mar. 2, 1998, p. 1, item 2 (seeking production of this memorandum); letter from Lanny A. Breuer, Special Counsel to the President, to Keith Ausbrook and Jay

Apperson, counsels to the committee, Mar. 13, 1998, response to item 2 (“[W]e have not located a copy of this document.”).

278. E-mail Memorandum from Matthew L. Moore to Cherly Mills, “Christmas Card Lists,” Oct. 20, 1993, M 034831.

279. See letter from Chairman McIntosh to Charles F.C. Ruff, Counsel to the President, Mar. 2, 1998, p. 1, item 2 (seeking production of this memorandum); letter from Lanny A. Breuer, Special Counsel to the President, to Keith Ausbrook and Jay Apperson, counsels to the committee, Mar. 13, 1998, response to item 2 (“We have not located a copy of this document.”).

280. E-mail Memorandum from Matthew L. Moore to Cheryl Mills, “Christmas Card Lists,” Oct. 20, 1993, M 034831 (emphasis added).

281. Letter from Chairman McIntosh to Charles F.C. Ruff, Counsel to the President, Mar. 2, 1998, pp. 1–2, item 5.

282. Letter from Lanny A. Breuer, Special Counsel to the President, to Keith Ausbrook and Jay Apperson, counsels to the committee, Mar. 13, 1998, response to item 5.

283. Letter from Chairman McIntosh to Charles F.C. Ruff, Counsel to the President, Mar. 2, 1998, p. 2, item 6.

284. Letter from Lanny A. Breuer, Special Counsel to the President, to Keith Ausbrook and Jay Apperson, counsels to the committee, Mar. 13, 1998, response to item 6.

285. Memorandum from Cheryl Mills via Matt Moore, to David Watkins (cc: Dan Burkhardt), Oct. 28, 1998, M 034826–M 034827 at M 034826 (emphasis added).

286. See Memorandum from Dan Burkhardt to Marsha Scott and Jim Dorskind, “Holiday Card Lists,” Aug. 29, 1993, M 034894–034898, at 034896.

287. Memorandum from Dan Burkhardt via Marsha Scott to Mack McLarty, “Holiday Cards,” Dec. 2, 1993, M 034960–034962 at M 034961.

288. Memorandum from Dan Burkhardt, through Marsha Scott to Mack McLarty, “Holiday Cards,” Dec. 2, 1993, M 034960–034962 at M 034961–034962.

289. See Memorandum from Dan Burkhardt to Marsha Scott and Jim Dorskind, “Holiday card Lists,” Aug. 29, 1993, M 034894–034898 at M 034897.

290. Memorandum from Cheryl Mills, via Matt Moore, to David Watkins, “Holiday Greeting Cards II,” Oct. 18, 1993, M 034826–034827 at M 034826

291. Memorandum from Cheryl Mills to Dan Burkhardt, “Holiday Greeting Card Project,” Aug. 11, 1993, M 034899 (emphasis added).

292. Memorandum from Daniel W. Burkhardt, through Marsha Scott, to Cheryl Mills, “Democratic National Committee participation in Holiday Card Project,” Aug. 6, 1993, M 034893.

293. Memorandum from Helen Dickey to Kelly Crawford, Oct. 17, 1994, M 034692.

294. White House telephone call log, “PHONE CALLS CONCERNING POTUS AND THE ADMINISTRATION, LOG START DATE 1/8/96, LOG END DATE 1/26/96,” M 034780.

295. Cover note and list from Kelly Crawford to Monica Breadlove, July 27, 1993, M 036286–036301.

296. See supra notes 50–51 (regarding Nussbaum, Cutler, and Mikva memoranda).

297. Letter from Charles F.C. Ruff, Counsel to the President, to Chairman McIntosh, May 22, 1997; Scott deposition, Feb. 19, 1998, pp. 94–102.

298. Confidential Memorandum from Marsha Scott to Harold Ickes, Bruce Lindsey (cc: the First Lady), “Recommendation for Design of New Database,” Jan. 28, 1994, M 32433–32434 (emphasis added).

299. Scott deposition, Feb. 19, 1998, p. 83 (“Q. And who on your team was discussing this with the DNC? A. . . . It was Erich Vaden, it was myself, and it was Mark Bartholomew.”); Vaden deposition, pp. 256–257 (“I considered [all work related to WhoDB] to be official duties . . .”).

300. Committee deposition of Jerry R. Carlson, Aug. 28, 1997, pp. 60–62.

301. Id. pp. 68–69.

302. Committee deposition of Mark Bartholomew, Sept. 16, 1997, pp. 40–43; Committee deposition of Karl H. Heissner, Sept. 9, 1997, pp. 59–62.

303. Heissner deposition, Sept. 9, 1997, p. 61.

304. Confidential Memorandum from Marsha Scott to Harold Ickes, and Bruce Lindsey (cc: the First Lady), “Recommendation for Design of New Database,” June 28, 1994, M 32438–32439 (“My team and I are also engaged in conversations with the DNC about their new system they are proposing. We have asked that their system be modeled after whatever system we decide to use outside the White House. I need you to make very clear to them that their system must be technologically compatible, if not the same, as whatever system we decide to use for political pur-

poses later on. These discussions are currently in progress. . . . [L]et my team work with the DNC to help them design a system that will meet our needs and technical specifications. We can show them what to do and then close another system for our specific uses later on.”).

305. Id.
306. Id.
307. See Affidavit of Carl Mecum.
308. Id. ¶ 7.
309. Memorandum from Marsha Scott to Harold Ickes, “Database Outside WH,” May 31, 1994, M 036280.
310. Memorandum from Marsha Scott to Hillary Rodham Clinton and Bruce Lindsey, “Internal Database Update,” Jan. 26, 1994, M 32463–32466 at M 32463 (emphasis added).
311. See Memorandum from Marsha Scott to Hillary Rodham Clinton and Bruce Lindsey, “Internal Database Update,” Jan. 26, 1994, M 25634–25637 at M 25634.
312. Meeting agenda, Feb. 2, 1994, M 33044.
313. Unidentified note, Dec. 6, 1994, M 33181.
314. Id.
315. Memorandum from Harold Ickes to Leon Panetta and Evelyn Lieberman, May 17, 1996, M 33215–33219 at M33217 (reflecting approval of new job description fro Marsha Scott).
316. Committee deposition of Harold Ickes, Mar. 12, 1998, pp. 50, 122.
317. Id. p. 123.
318. Id. p. 51.
319. Id. p. 57.
320. Memorandum from Marsha Scott to the First Lady and Bruce Lindsey, “Internal Database Update,” Jan. 26, 1994, M 32463–32466.
321. Letter from White House counsel Charles F.C. Ruff to Chairman McIntosh, Feb. 28, 1997, response to question 2.
322. Handwritten notes of Brian Bailey, Assistant to Deputy Chief of Staff Erskine Bowles, undated, M 033298.
323. Bailey deposition, p. 13 (testifying that he was employed in the White House Chief of Staff’s Office from Sept. 1994 to Nov. 1995).
324. Handwritten notes of Brian Bailey, Assistant to Deputy Chief of Staff Erskine Bowles, undated, M 033298.
325. Memorandum from Cheryl Mills, Associate Counsel to the President, to Marsha Scott, Deputy Assistant to the President, Jan. 17, 1994, M 24918–24920.
326. Confidential Memorandum from Marsha Scott to Harold Ickes and Bruce Lindsey (cc: the First Lady), “Recommendation for Design of New Database,” June 28, 1994, M 32433–32434.
327. Id. at M 32434.
328. Confidential Memorandum from Marsha Scott to Harold Ickes and Bruce Lindsey (cc: the First Lady), June 28, 1994, M 32438–32439, at 32439 (copy inscribed with handwritten notes of the First Lady).
329. Draft memorandum from Marsha Scott to Chief of Staff [Mack McLarty], undated (computer archive date Feb. 11, 1995), M 33054–33057 at M 33057.
330. Draft memorandum from Marsha Scott to Mack McLarty, undated (computer archive date Feb. 11, 1995), M 33054–33057.
331. Id. (emphasis added).
332. Id. (emphasis added).
333. “WhoDB Requirements Report,” undated.
334. Id. p. 3.
335. Id.
336. “Centralized White House Database Security Brief,” Jan. 12, 1993, M 2778–2780. See also, Memorandum from Marsha Scott to Mack McLarty (cc: Bruce Lindsey), “Master Database”, Dec. 7, 1993, M 25921 (“Both the President and the First Lady have asked that I make this my top priority.”); Memorandum from Marsha Scott to Cheryl Mills “White House Database,” Dec. 16, 1993, M 25101 (“I am working on a project that is of high priority to the President and the First Lady”); Memorandum from Marsha Scott to James L. McDonald, Jr. “Continuing efforts for the First Lady,” Feb. 4, 1994, M 25334 (“These projects are very important to the President and the First Lady and should be a priority for us all.”); Memorandum from Marsha Scott to Phil Lader, Mack McLarty, and Harold Ickes “Follow-up to [Hillary Rodham Clinton] Meeting,” Mar. 7, 1994, M 32447 (“ . . . Hillary’s desire to have me proceed unimpeded with the Database Project. . . .”); Internal White House E-mail message from Jerry Carlson to Patsy Thomasson, undated, “Update on 11–14–9[4] Meeting Regarding Project,” M 26251–26252 (“Erskine [Bowles] . . . asked that the report and output formats be reviewed in detail to insure the Presi-

dent gets what he is expecting. Erskine . . . will then take this to the President for input.”); “Project Outline and Discussion, Updated 3–5–96,” M 23168–23169 at M 23169 (“. . . Marsha Scott is expecting to deliver reports on a weekly basis to the President and First Lady starting in March.”).

337. Draft Memorandum from Paul Antony and Brian Bailey to Erskine Bowles, “Update on White House Database Project,” Oct. 25, 1994, M21402–21404.

338. *Id.* M 21402 (all capitals in original).

339. *Id.* (underline and capitals in original).

340. *Id.*

341. Bailey deposition, p. 13 (testifying that he was employed in the White House Chief of Staff’s Office from Sept. 1994 to Nov. 1995).

342. *Id.* pp. 27–28.

343. Letter from White House counsel Charles F.C. Ruff to Chairman McIntosh, Feb. 28, 1997, response to question 2.

344. Memorandum from Erich Vaden to Marsha Scott, “Number of Items,” Mar. 2, 1995, M 25639.

345. *Id.*

346. Memorandum [for Multiple distribution] from Erskine Bowles, “Clean-up and Coding of database Records,” Mar. 28, 1995, M 32493.

347. *Id.*

348. *Id.*

349. *Id.*

350. *Id.*

351. Memorandum from Harold Ickes to Janice Enright, “Terry McAuliffe’s Requests to POTUS,” Jan. 6, 1995, EOP 35937; Handwritten notes, undated, CGRO 1570 (reflecting President’s communication cited within the memorandum).

352. Memorandum from Harold Ickes to Leon Panetta and Evelyn Lieberman, “Marsha Scott, VIP Operation at the Democratic National Committee,” May 17, 1996, M 33215–33219.

353. *Id.* M 33217.

354. *Id.*

355. Memorandum for the President from Harold Ickes, “Marsha Scott,” May 14, 1996, M 33227.

356. Memorandum for the President from Harold Ickes, “Marsha Scott,” May 14, 1996, M 33220.

357. Memorandum from Marsha Scott to Hillary Rodham Clinton and Bruce Lindsey, “Internal Database Update,” Jan. 26, 1994, M 32463–32466.

358. *Id.* M 32463.

359. *Id.*

360. Scott deposition, Feb. 18, 1998, p. 69.

361. Affidavit of Carl Mecum, ¶ 10.

362. Memorandum from Marsha Scott to Harold Ickes, “Database Outside White House,” May 31, 1994, M036280; Notes of meeting with HRC, Lader, Ickes, “Database Update,” Feb. 2, 1994, M 033044; Memorandum from Marsha Scott to Harold Ickes, “Outside Data,” Nov. 21, 1994, M 33050–33052; and Memorandum from Marsha Scott to Harold Ickes, “DNC Offices and Surrogate Speakers,” Aug. 19, 1994, M 33283–33285.

363. Scott deposition, Feb. 19, 1998, pp. 71–72.

364. Memorandum from Marsha Scott to Hillary Rodham Clinton and Bruce Lindsey, “Internal database Update,” Jan. 26, 1994, M 25634–25637.

365. Memorandum from Marsha Scott to Hillary Rodham Clinton and Bruce Lindsey, “Internal Database Update,” Jan. 26, 1994, M 25634–25637.

366. *Id.* M 32465.

367. Memorandum from Marsha Scott to Phil Lader, “Meeting Follow-up,” Mar. 4, 1994, M 27470–27475.

368. Scott deposition, Apr. 28, 1998, p. 14 (emphasis added).

369. *Id.* p. 101.

370. Memorandum from Marsha Scott to Hillary Rodham Clinton and Bruce Lindsey, “Internal Database Update,” Jan. 26, 1994, M 32463–32466.

371. Carlson deposition, p. 22.

372. *Id.* p. 23.

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2. Memorandum from Marsha Scott to Harold Ickes and Bruce Lindsey (cc: the First Lady), "Recommendation for Design of New Database," June 28, 1994 (M 32433-32434).
3. Memorandum from Marsha Scott to Harold Ickes and Bruce Lindsey (cc: the First Lady), "Recommendation for Design of New Database," June 28, 1994 (copy with handwritten notes of First Lady, undated) (M 32438-32439).
4. Letter from Chairman Dan Burton to Subcommittee Chairman David M. McIntosh, July 17, 1997.
5. Memorandum from Cheryl Mills to Marsha Scott, Jan. 17, 1994 (M 24918-24920).
6. David Watkins, "Briefing Paper on Databases—Eyes Only," Jan. 31, 1994 (M 32467-32472).
7. Letter from Jack Quinn, Counsel to the President, to Chairman McIntosh, June 28, 1996.
8. Letter from Charles F.C. Ruff, Counsel to the President, to Chairman McIntosh, Oct. 28, 1997.
9. Letter from Chairman McIntosh to Charles F.C. Ruff, Counsel to the President, Feb. 27, 1997.
10. Letter from the majority members of the Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs to President William J. Clinton, Aug. 2, 1996.
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18. Memorandum from Bernard W. Nussbaum, Counsel to the President, and Cheryl Mills, Associate Counsel to the President, to White House Staff, July 12, 1993 (M 033320-033330).
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21. Draft memorandum from Marsha Scott to Mack McLarty, Feb. 11, 1995 (M 33054-33057).
22. Memorandum from Marsha Scott to Erskine Bowles and Harold Ickes, Nov. 1, 1994, (unredacted copy) (M 32457-32461).
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27. Letter from Chairman McIntosh to Jack Quinn, Counsel to the President, Oct. 28, 1996.
28. Letter from Chairman McIntosh to Jack Quinn, Counsel to the President, Nov. 13, 1996.
29. Letter from Chairman McIntosh to Jack Quinn, Counsel to the President, Jan. 10, 199[7].
30. Letter from Jack Quinn, Counsel to the President, to Chairman McIntosh, Jan. 17, 1997.
31. Letter from Chairman McIntosh to Charles F.C. Ruff, Counsel to the President, Feb. 21, 1997.
32. Letter from Chairman McIntosh to Jack Quinn, Counsel to the President, Jan. 31, 1997.
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70. Memorandum from Lyn Utrecht to Bruce Lindsey, "Database at W.P. Malone," Mar. 9, 1995 (M 036558-036560).
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80. Cover note and list from Kelly Crawford to Monica Breedlove, July 27, 1993 (M 03286-03301).
81. Memorandum from Marsha Scott to Harold Ickes, "Database Outside WH," May 31, 1994 (M 036280).
82. Memorandum from Marsha Scott to Hillary Rodham Clinton and Bruce Lindsey, "Internal Database Update," Jan. 26, 1994 (M 32463-32466).
83. Memorandum from Marsha Scott to Hillary Rodham Clinton and Bruce Lindsey, "Internal Database Update," Jan. 26, 1994 (M 25634-25637).
84. Meeting agenda, Feb. 2, 1994 (M 33044).
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87. "Centralized White House Resource Database Security Brief," Jan. 2, 1993 (M 2778-2782).
88. Memorandum from Marsha Scott to Mack McLarty, "Master Database," Dec. 7, 1993 (M 25921).
89. Memorandum from Marsha Scott to James L. McDonald, Jr., "Continuing Efforts for the First Lady," Feb. 4, 1994 (M 25334).
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91. Internal White House E-mail message from Jerry Carlsen to Patsy Thomasson, "Update on 11-14-9[4] Meeting Regarding Project," undated (M 26251-26252).
92. "Project Outline and Discussion, Updated 3-5-96" (M 23168-23169).

93. Draft Memorandum from Paul Antony and Brian Bailey to Erskine Bowles, "Update on White House Database Project," Oct. 25, 1994 (M 21402-21404).
94. Memorandum from Erich Vaden to Marsha Scott, "Number of Items," Mar. 2, 1995 (M 25639).
95. Memorandum [for Multiple Distribution] from Erskine Bowles, "Clean-up and Coding of Database Records," Mar. 28, 1995 (M 32493).
96. Memorandum from Janice Enright to Harold Ickes, "Terry McAuliffe's requests to POTUS," Jan. 6, 1995 (EOP 035937).
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98. Memorandum for the President from Harold Ickes, "Marsha Scott," May 14, 1996 (M 33227).
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100. Memorandum from Marsha Scott to Harold Ickes, "Outside Data," Nov. 21, 1994 (M 33050-33052).
101. Memorandum from Marsha Scott to Harold Ickes, "DNC Offices and Surrogate Speakers," Aug. 19, 1994 (M 33283-33285).
102. Memorandum from Marsha Scott to Phil Lader, "Meeting Follow-up," Mar. 4, 1994 (M 27470-27475).

[The supporting documents referred to follow:]

HAROLD AND DEBORAH DEWE WANT TO MAKE SURE WHO DB IS
 INTEGRATED W/ DMC DATABASE - SO WE CAN SHARE
 - EVIDENTLY, POTUS WANTS THIS TO! (MAKES SENSE)

HE WANTS TO HAVE A MTG. — HAROLD, ERSKINE, DEBORAH,
 JUDIE, MARSHA, + TECHNICALS
 + US
 TO DISCUSS WAYS TO
 COORDINATE GOING FORWARD

BOBBY WATSON (DEBORAH'S ASST.) IS WORKING ON HER
 END.

WANTS TO MEET — MONDAY?

HOW DOES THIS IMPACT SCHEDULE OF GETTING
 THINGS TO POTUS?

Database
hcTHE WHITE HOUSE
WASHINGTONCONFIDENTIAL

MEMORANDUM TO: Harold Ickes
Bruce Lindsey
The First Lady

cc:

FROM: JS Marsha Scott

DATE: June 28, 1994

SUBJECT: Recommendation for Design of New Database

As you know, over the past year I and my staff have had extensive interaction with Percy's people and their system in Arkadelphia. We spent two days in Arkadelphia working with their people to learn their operation and software capabilities. Our technicians have worked regularly with their designers. In order to obtain lists for various functions and projects, I have requested from the PeopleBase system, many different types of information with varying time frames for turnaround time. (If you need specifics, I will be glad to provide the documentation). My overall impression is that while he has made some improvements, Percy's system and staff cannot adequately meet our quality or response demands and should not be considered for future use.

Currently in the White House we are preparing, as you know, to implement a new database system starting August 1. While that system is modeled after the PeopleBase software, it has major differences. The main differences are ease of use, function flexibility and correction capabilities. By the first of the year we should have any flaws identified and corrected and the majority of the White House using the new system. We will then have a year to fully train and familiarize our folks to its' many possibilities and uses. If they like it, as they seem to now, they will use it. The PeopleBase system was not used during the campaign because it was not user friendly. For the most part, only people from the Governor's staff used it. While I feel the new system far surpasses PeopleBase as a useful tool, it will be technically compatible with PeopleBase.

My team and I are also engaged in conversations with the DNC about the new system they are proposing. We have asked that their system be modeled after whatever system we decide to use outside the White House. I need you to make very clear to them that their system must be technologically compatible, if not the same, as whatever system we decide to use for political purposes later on. These discussions are currently in progress and a clear direction from you to the DNC will eliminate much unnecessary wrangling.

M 32433

The time to act is now. Cloning or duplicating database systems is not difficult if carefully planned by a good design team. We have proven that it can also be done relatively quickly and inexpensively. Therefore, I suggest that instead of continuing with an old outdated system (PeopleBase) that does not meet our current demands, let my team work with the DNC to help them design a system that will meet our needs and technical specifications. We can show them what to do and then clone another system for our specific uses later on. Any information stored with PeopleBase could then be dumped into the new system and made available, when deemed necessary, to the DNC or other entities we choose to work with for political purposes.

The time to make these decisions is now while we have the opportunity to coordinate the various projects. Please let me know your thoughts as soon as possible. In the meantime I am proceeding as if this is the plan.

M 32439

with Scott, Nathan
-
- [unclear]

THE WHITE HOUSE
WASHINGTON

CONFIDENTIAL

MEMORANDUM TO: *TD* → Harold Ickes
Bruce Lindsey
The First Lady
cc: *JD* Marsha Scott
DATE: June 28, 1994
SUBJECT: Recommendation for Design of New Database

*This sounds promising.
Please advise. JRC*

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M 32438

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DAN BURTON, INDIANA
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July 17, 1997

The Honorable David M. McIntosh
 Chairman
 Subcommittee on National Economic Growth,
 Natural Resources, and Regulatory Affairs
 Committee on Government Reform and Oversight
 U.S. House of Representatives
 Washington, DC 20515

Dear David:

This letter responds to your request for clarification regarding the referral of the White House Database ("WhoDB") investigation to the Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs (the "Subcommittee"). I agree that it is appropriate at this stage of your investigation to provide you with a written referral that confirms the Subcommittee's authority to conduct the WhoDB investigation and more clearly sets forth the scope of that authority.

Clause 4(c)(2) of House Rule X authorizes the Committee on Government Reform and Oversight (the "Committee") to "conduct investigations of any matter without regard to [other provisions] conferring jurisdiction over such matters upon another standing committee." The WhoDB investigation clearly falls within the Committee's oversight jurisdiction. Rule 8 of the Committee has two provisions that provide clear authority for me to delegate jurisdiction to the Subcommittee over the WhoDB investigation (because it falls within the standing jurisdiction of more than one Subcommittee and because such delegation would ensure a more manageable workload for all of the subcommittees). Accordingly, I hereby reassert in writing my previous oral referral of the WhoDB investigation to your Subcommittee.

With regard to the scope of the investigation that I have referred to your Subcommittee, I have previously instructed you to conduct a thorough investigation and examine issues related to the WhoDB that might arise in the course of your investigation. The matters I want your Subcommittee to probe include: the content of the WhoDB and any other database and comparable information repository; its purposes and uses, both planned and implemented; the planning, creation, design, implementation, management of the same; the sources of information

that were used, planned or contemplated to be used to populate the same; the use and dissemination of any information at any time contained in any such repository to any person or entity; the use of government time and resources in any of these matters; the knowledge, direction, encouragement, assistance or acquiescence of any person with respect to any of these matters; and any matter that might reasonably lead to the production of relevant evidence concerning these matters.

In addition, the Subcommittee should investigate any attempt, plan, scheme, or other action which would impede or prevent a thorough investigation of these matters, including, but not limited to, nonresponsive or misleading answers, evasive acts, attempts at delay, or unsupported claims of privilege.

I trust that this satisfies your desire for a written description of the scope of your Subcommittee's jurisdiction over the WhoDB investigation. I am pleased to hear that you have been communicating with your Ranking Member Bernard Sanders and offering him the opportunity of meaningful participation in the investigation. If there are any other specific questions regarding the scope or direction of your investigation, please do not hesitate to contact me again.

Sincerely,



Dan Burton
Dan Burton
Chairman

cc: The Honorable Bernard Sanders
The Honorable Henry Waxman

THE WHITE HOUSE
WASHINGTON
January 17, 1994

MEMORANDUM FOR MARSHA SCOTT
DEPUTY ASSISTANT TO THE PRESIDENT AND DIRECTOR OF
CORRESPONDENCE AND PRESIDENTIAL MESSAGES

FROM: CHERYL MILLS *CM*
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Correspondence Department Database Project

This memorandum responds to your request for guidance regarding a new database system for the Correspondence Department. In particular, you have requested guidance on procurement rules, receipt and distribution of data, the Presidential and Federal Records Act and personal contacts within the computer industry.

It is my understanding from you that the Correspondence Department would like to acquire new software, and any necessary associated hardware, for a new database system that will be used to track all contacts and correspondence on behalf of (or by) the President. This database will be used solely for official purposes -- to track the official contacts and correspondence of the President and White House employees acting on his behalf or at his direction.

This memorandum responds to three of the four questions you raised in your January 11, 1994 memorandum and in Erich Vaden's January 13, 1994 memorandum. Information regarding procurement issues needs to be addressed through a meeting, which I will set up as soon as you would like, with the General Counsel's Office in the Office of Administration.

Receipt and Distribution of Data

The White House can receive data (e.g., names and addresses, mailing lists, birthdates and social security numbers, etc.) for the proposed database system from any source, provided that the data is received for use in carrying out the statutory, constitutional, ceremonial or other official duties of the President. The White House can therefore receive data from private entities or individuals, non-profit organizations, political organizations, and other sources.

*- CAN WE
RECEIVE
SECURITY INFO?
- SECURITY
ISSUES*

Once White House employees integrate information provided by any source into the database system, it becomes government property in the form that it is stored in the database system. Thereafter, data from the database system may be provided to a source outside the federal government only for authorized purposes. 5 C.F.R. § 2635.704. Authorized purposes are those

*- TWO COPY
LINK!
- TAKING
BACK &
FORWARD*

24918

*→ D.S.K
- NO PEOPLE*

THE WHITE HOUSE

WASHINGTON

purposes specified by law or regulation or those purposes for which Government property is made available to the public. Id.

Generally, the White House cannot provide data from the database to a non-federal entity or individual. The White House also should not provide an outside entity with updated or supplemental information about data the entity may have initially provided to the White House, if the newly acquired information was received in the course of, or for the purpose of, official business. We obviously should be helpful where the action involved is de minimis, e.g., correcting addresses, name spellings, birthdates or social security numbers; however, the White House should not provide or update any other information for non-federal sources unless the information is to fulfill an official purpose.

*What
returns are
of value to
Assistant Sec
Gen's
is necessary for
official use*

Presidential and Federal Records Acts

Presidential records are all documentary materials (in any form) created or received by the President, his immediate staff, or a unit or individual of the Executive Office of the President whose role is to advise and assist the President, in the course of carrying out the President's constitutional, statutory, or other official or ceremonial duties.

Data in the database system is a Presidential record. As such, it must be preserved for the Archives. It is important to remember that all information in the database system belongs to the government and ultimately may be made available to the public. The Correspondence Department should make every reasonable effort to respect the privacy of the individuals, and any associated information, included in the database system.

Notes taken by your assistants in the process of reviewing available software also may be subject to the Presidential Records Act. While informal notes that contain information that ultimately is reflected in final documents and that do not document policy development or execution are not necessarily Presidential records, they potentially could be subject to the Act. Accordingly, notes made by your assistants in this enterprise should not be destroyed.

The Federal Records Act provides that all documentary materials made or received by an agency of the government in connection with the transaction of public business and appropriate for preservation because of its informational value as evidence of the agency's policies, decisions, procedures or other activities are Federal records. Notes taken by employees of the Office of Administration for the purposes of this project may therefore be

N 24919

Which is it? → Oestlin

subject to Federal Records Act; however, it is more likely that these notes will be Presidential records.

Informal notes that do not add information of value to the preparation of an official record need not be preserved under the Federal Records Act. However, if these notes are used by employees of the White House Office in making decisions to advise and assist your staff, this material may be subject to the Presidential Records Act. Accordingly, these notes should also be preserved and evaluated at the conclusion of the project to determine whether they must be preserved, and if so, pursuant to which Act.

For further guidance on Presidential records, please consult the Chief of Staff's May 5, 1993 memorandum.

Industry Contacts

It is my understanding from you that one of your assistants, Erich Vaden, has several contacts in the software industry, one of whom is his brother. It is permissible for Mr. Vaden to contact these individuals for informal advice on technological issues (e.g., what types of products are on the market, what is the state of available technology, etc.). However, Mr. Vaden may not solicit or engage in any negotiations with his brother's company for software, as this action would violate 5 C.F.R. § 2635.502 (involvement in a matter with specific parties likely to have a direct and predictable impact on the financial interest of a family member). Similarly, to avoid the appearance of using public office for private gain in violation of 5 C.F.R. § 2635.702, Mr. Vaden likewise should not engage in any negotiations with companies at which he has contacts arising from personal relationships. Contract negotiations should be coordinated with the Office of Administration's General Counsel, Chris Serf, but in particular, Stewart Bender (5-2273).

This memorandum addresses three of the four issues raised by you in your memorandum. If you need further guidance on any of the issues discussed in this memorandum, please contact me.

*Can
you
provide
info?*

OK

W 24920

M 32467
LM25138)

PRIVILEGED AND CONFIDENTIAL

January 31, 1994

BRIEFING PAPER ON DATABASES -- EYES ONLY

FROM: DAVID WATKINS

SUBJECT: White House Database and Clinton for President, Inc. Database

What databases exist of Bill Clinton's contacts?

A comprehensive database is currently being developed that will contain all the information in a consolidated form from the various entities leading to the election and inauguration of Bill Clinton. The Clinton for President primary campaign is unifying the diverse information from PeopleBase to the Presidential Inaugural Committee into PeopleBase II. This unified product will be referred to below as the campaign database.

Likewise, there is currently no White House database containing all contacts made by Bill Clinton since taking office. Marsha Scott and her staff are in the process of developing an internal database for the President's use. This will be referred to as the White House database.

How do those databases differ?

The campaign database differs from the White House database in that the former is a historical record of contacts individuals have had with Bill Clinton from his earliest campaigns for Governor through the 1992 Presidential campaign (whether through the primary campaign, the DNC, or the general election compliance fund), transition, and inauguration. The campaign database is currently operated on PeopleBase software owned by Malone Inc.; it is not within the White House except on a "view only" basis.

The White House database, on the other hand, will track the contacts of individuals with the First Family and selected senior staff *while Bill Clinton is President*; this database will reside within the White House and will operate on software different from previous Bill Clinton databases.

The basic difference between the databases is that the campaign database is a historical record of contacts prior to Bill Clinton's becoming President, while the White House database will be a record of official contacts with Bill Clinton while President. The former is primarily campaign related; the latter is to assist in the carrying out of official duties while Bill Clinton is President.

Perhaps the most important difference is that the campaign database is governed by FEC law, and thus may be used for campaign purposes, whereas the White House database will be government property and cannot be given to or used by a campaign entity (unless made public and thus available to any campaign entity).

M 32468
(M-25139)

The White House Database:

What are the intended purposes and uses of the White House database?

This database will be for the President's and First Lady's official use and will contain a personal history of contacts between individuals and the First Family and selected senior staff. The database's primary use will be for social, official, and scheduling functions. The database will track the contacts between individuals and the First Family and selected senior staff and create a personal history of those contacts under the individual's name.

The information in the database will be selectively available for use by various White House offices -- including the Social Office, the President's Immediate Office, the Scheduling Office, Public Liaison, and Political Affairs -- to make their planning more complete and comprehensive. Each office will develop a database for its own purposes, which will be a part of the Presidential database. Information input will be standardized and offices will be able to selectively share data with other offices via the new system.

What are the legal restrictions on the use of the White House database?

Once created, the White House database will be government property and thereafter "data from the database system may be provided to a source outside the federal government only for authorized purposes. . . . Generally, the White House cannot provide data from the database to a non-federal entity or individual. . . . The White House should not provide or update any other information for non-federal sources unless the information is to fulfill an official purpose." Cheryl Mills, January 17, 1994 Memorandum to Marsha Scott.

Once completed, who will have access to the White House database?

Access to the database will be tiered. At the highest tier, with access to all data within the system, there will be very few people: currently only *three* people are expected to have such complete access. Lower tiers of access will exist to allow entry of data and access on a limited basis based on the needs of individual offices. The end result will be that all White House Offices will have their needs for access fulfilled, but broad access will be very limited and controlled.

How will the White House database be acquired or developed?

The software either will be designed completely in-house by White House personnel -- with assistance from the Information Systems & Technology division (IS&T) of the Office of Administration -- or will be procured by the White House from an outside vendor.

M 32469
(M25140)

How will the White House database be supported?

Support for the database will be provided by White House staff and the Office of Administration's IS&T staff. Overall, the system will be very integrated with IS&T, but data will be encrypted so that systems can be serviced and maintained but information unattainable. Printing and reporting will not be performed by IS&T.

What is the estimated date of completion for the White House database? When will it be fully operational and implemented?

Currently, Marsha Scott expects the White House database to be completed and operational in some offices by April 1, 1994. The first offices to receive the system will be the Social Office, the Immediate Office, the First Lady's Office, the Political Office and Public Liaison. Other offices with a need for access to the system will be added after the first five offices have been completed.

The Campaign Database:

Who in the White House currently has access to PeopleBase?

Nancy Hernreich, Marsha Scott, Kelly Crawford, Laura Tayman, and the White House Operators each have a terminal that connects to PeopleBase. They have access on a read-only basis; they cannot change records in the system on-line.

What is the current status of the campaign database?

Malone Inc. is under contract with the Clinton for President primary campaign committee for upkeep of the entire database of campaign records of receipts and disbursements, including the campaign database of names (PeopleBase). The contract calls for consolidation, cleaning, and maintenance of the database to make it as accurate as possible; this effort will consolidate all the records required to be maintained under federal election law. 11 C.F.R. § 102.9(c).

Currently, the POC data is being merged into the campaign database. This process is ongoing and all the separate pieces are now in the possession of Malone Inc. for processing. Incorporation of the other sources of data will follow the POC data.

The contract calls for maintenance of the database through May of 1995. It is anticipated that the 1996 campaign committee will assume maintenance responsibility at that time.

M 32470
 (M 25141)

What is the estimated completion date of the campaign database maintenance effort?

Currently, the processing effort underway is scheduled to be complete by March 31, 1994. The contract calls for its completion no later than March 31, 1994 and no extension has yet been requested. The January 1 invoice represents that the project is proceeding on schedule.

What information is contained in the campaign list?

The comprehensive, totally consolidated, updated and accurate campaign database will include the following:

- All campaign records of receipts and disbursements as required by FEC law;
- Original PeopleBase I information (including constituency information and contributions received going back to the 1982 Governor's campaign);
- State-by-State field information from primary and general election campaigns;
- Primary contributors;
- General Election Compliance Fund contributors;
- Transition contributors;
- Inaugural lists;
- Volunteers and employees;
- Carol Willis contacts from 1992 campaigns;
- Arkansas appointments while Governor; and,
- Various community and political leaders at the national, state, and local level.

How is the maintenance being paid for?

Payment for the maintenance of the campaign database (including PeopleBase) is being made through Clinton for President (primary campaign), which owns and controls the data.

What are the legal restrictions on the use of the campaign list?

Since the database belongs to the Clinton for President Committee, it remains under FEC regulations as to its use. As such, if it is used by anyone who is a candidate for state or federal office, it can only be used if it is sold or leased to such a candidate pursuant to state or federal law. Despite this restriction, it may be freely used by the President for his personal use (*i.e.*, anything other than fundraising). Ultimately, it is expected that the database of names will be transferred to the 1996 campaign.

M 32471

(M25142)

Describe the software (PeopleBase II) containing the campaign database: What it provides and how it differs from previous software (PeopleBase I) used to handle that information.

PeopleBase II is programmed in a fourth generation language that is considered superior to the third generation language used for PeopleBase I. The new language adds programming flexibility.

PeopleBase II is a relational database program with improved user interface. PeopleBase II has the capacity to handle an unlimited number of records, whereas PeopleBase I was limited to 999,000 records. This is significant as each name can generate more than one record if there are multiple addresses or various other multiple records for that individual. Based on this, it is anticipated that the Clinton database will exceed one million records when all sources are merged.

PeopleBase II accommodates multiple users with much greater efficiency than PeopleBase I; this means that the access to information is not noticeably slowed as other users are added. Now, hardware, rather than software, is the limiting factor with respect to access and access speed.

Describe the security in place to protect the campaign database?

The database software is programmed to record, by user and date, every entry into information accounts. Accordingly, any access is recorded; however, no information is recorded on what changes -- if any -- the user may have made to the database. Changes may only be tracked by comparing old backup tapes with newer ones.

Currently, both the old database running on PeopleBase I software and the new database running on PeopleBase II software are loaded on the system. At some not too distant time, system limitations will necessitate moving the old database off the system to a tape medium.

Access: The following individuals have access to the database via computer terminals:

Malone Inc.:

| | | | |
|-----------------------|-------------------------------|---|---|
| Carl Mecum | (including Power Find Access) | " | " |
| Monica Breedlove | | " | " |
| Eleven Malone workers | | " | " |

DNC Arkansas Office:

| | | | |
|----------------|---|---|---|
| | (including Power Find Access) | " | " |
| | (this office has been advised that it cannot use the database for any candidate or reelection activity) | " | " |
| Sherry Curry | | " | " |
| Valencia Young | | " | " |
| Lynda Dixon | | " | " |
| Susie Whitacre | | " | " |
| Becky Vinson | | " | " |
| Maryann Salmon | | " | " |

M 32472

White House (read only access -- they cannot enter changes on-line):

Kelly Crawford
Laura Tayman
Nancy Herreich
Marsha Scott
White House Operators

(M25143)

The White House terminals are connected through dial-in telephone lines and the DNC Arkansas terminals are connected through dedicated data lines. The White House connections could be made more secure by requiring a call-back feature rather than direct dial-in.

Hard Drive: The working copy of the entire database is on the system at all times. The computer is in a secure room in a building separate from Malone Inc. offices. There are two metal locking doors between the street and the computer room. The hard drive is locked into the housing of the computer. The key to the computer housing usually remains in the computer room during business hours to allow easy access for those working in the room.

Backup Tapes: A backup tape of the system is made every day, as well as each weekend; these backups are stored for five weeks in the office of Percy Malone in the computer room. There are twenty-six tapes on hand in the computer room at all times.

Once every four weeks the system is backed up with the backup tapes being stored in a Safe Deposit box leased by Malone Inc. at Citizen's First Bank in Arkadelphia. One backup is stored in the lock box at all times. The lock box contains other records of Malone Inc., and access to the lock box is limited to Percy Malone and Gwen McAnally, his assistant.

At the end of the general election, Joan Watkins made a backup tape of everything on the system as part of the wind-down process. That tape is stored in a common vault at Central Records under the control of Susie Whitacre; this back-up tape will be moved to its own private box at Central Records in the near future.

THE WHITE HOUSE
WASHINGTON

June 28, 1996

David McIntosh
Chairman
Subcommittee on National Economic Growth,
Natural Resources and Regulatory Affairs
Committee on Government Reform and Oversight
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, D.C. 20515-6143

Dear Congressman McIntosh:

I am writing in response to your June 27, 1996 letter to the Chief of Staff, as well as your letter of today, in which you inquired about various White House database systems, most particularly, the White House Database (WHODB). Unfortunately, newspaper accounts have led many people, including Members of Congress, to draw erroneous conclusions about this database.

Before addressing your letter of today, I first would like to provide you with some background information about the White House Database to assist you. The database maintained by the White House is a list of names, addresses and other pertinent information for generating invitations to White House events, disseminating information on public issues, and sending out holiday cards. The database is for White House use only; we prohibit distribution to outside entities or political organizations -- including the Democratic National Committee or the Clinton-Gore '96 Committee. Perhaps you, like most Members of Congress, maintain a similar database of constituents and others whom you include in events or informational mailings.

As an example, I have attached a copy of the information contained in your data entry, as it appears on a computer screen. It reflects your name, gender, position, home state, office address and phone numbers, your wife's name, and your party affiliation. As you will note, this information, for the most part, is obtainable from any of a number of public Congressional directories. Please note that we do not maintain information of a private nature or about your tax payments or anything else that is not necessary to the various official uses of the information.

Additionally, your entry shows that we used it to send you invitations to events such as the Congressional Picnic, the Congressional Ball, and the New Members of Congress Reception.

Chairman McIntosh
June 28, 1996
Page Two

In your letter to the Chief of Staff, you indicated a desire for a substantial amount of information and materials by next Tuesday. As Associate Counsel Cheryl Mills assured your staff members, the White House will evaluate and respond to your request as expeditiously as possible and within reason. You may be aware that we are responding to a number of requests from other members of Congress, including more than one from your full Committee Chairman, and it is important that we give all of these requests the time and attention they deserve. I cannot, before next week, determine how long it will take to answer every question you have, but I will do so as soon as I can.

After we have an opportunity to make an assessment about the availability of the information you have requested as well as the time it will take to capture it, Ms. Mills will be in touch with your staff. In the meantime, I hope you enjoy your weekend in your district.

Sincerely,



Jack Quinn
Counsel to the President

cc: The Honorable Cardiss Collins)w/o Attachments)

WhoDB - Categories: Region

File Edit Report Data Admin Help

Hon. (Rep.) David M. McIntosh

Prefix First Name Middle Name Last Name Suffix

Social Security # Date of Birth WAVES / Clearance Type Spouse Full Name

Region Congressional Dist Political Participation(s)

Home State Home Country

Media Market(s)

OK Cancel

WHO Originating Office

DICKEY, J. Originating User

Demographic Outreach

Basic Info **Biographical Info** Categories

WhoDB - Categories: Industry/Professional

File Edit Report Data Admin Help

Hon. (Rep.) David M. McIntosh

Prefix First Name Middle Name Last Name Suffix

Social Security # Date of Birth HOUSE Clearance Type Spouse Full Name

Categories:

Position:

| Category/Position Detail | | | |
|--------------------------|---------|-------------|---------------------|
| Government | Federal | Legislative | Position |
| Government | Federal | Legislative | Congressional Staff |
| | | | Representative |

Basic Info Biographical Info Categories

List of the individual's Professional Categories - Double click on a category to edit/remove.

WhoDB - Categories: Outreach

File Edit Report Data Admin Help

Hon. (Rep.) David M. McIntosh
Prefix First Name Middle Name Last Name Suffix
HOUSE
Social Security # Date of Birth WAVES / Clearance Type Spouse Full Name

Relationship(s) to the First Name:
Source(s) of Contact:
SOCIAL OFFICE - AREV SYSTEM
WHO

Region Industry/Professional

Party Affiliation: Republican

OK Cancel

Basic Info Biographical Info Categories

WhoDB - Categories: Demographic

File Edit Report Data Admin Help

Non. (Rep.) David M McIntosh

Prefix First Name Middle Name Last Name Suffix

Social Security # Date of Birth HOUSE Spouse Full Name

Gender:
 Unknown
 Male
 Female

Ethnicities:

Religious Affiliation:

Veteran Status(es):

Social Consideration(s):

OK Cancel

Basic Info Biographical Info Categories

WhoDB - Categories: Demographic

File Edit Report Data Admin Help

Non. (Rep.) David M. McIntosh
Prefix First Name Middle Name Last Name Suffix
Social Security # Date of Birth HOUSE WAVES / Clearance Type Spouse Full Name

Gender:
 Unknown
 Male
 Female

Ethnicities:

Special Consideration(s):

Veteran Status(es):

Religious Affiliation:

OK Cancel

Basic Info **Biographical Info** Categories

THE WHITE HOUSE
WASHINGTON

October 28, 1997

VIA HAND DELIVERY

Honorable David M. McIntosh
Chairman
Subcommittee on National Economic Growth,
Natural Resources and Regulatory Affairs
B-377 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

Consistent with our commitment to deal candidly and forthrightly with the Subcommittee, I want to apprise you of some new information and to correct certain statements regarding two earlier aspects of our document production.

On February 26, 1997 we produced a number of documents, including two memoranda written by Marsha Scott. One memorandum, dated March 7, 1994, bears the number M 32447. As to the second memorandum, dated June 28, 1994, two versions were produced -- one bearing the number M 32433-34 and the other the number M 32438-39. In response to the Subcommittee's inquiry about the late production of the version numbered M 32438-39, I stated in my letter of March 6, generally, that the February 26 production was the result of an ongoing review of White House files and, specifically, that M 32438-39 had been found in Mr. Ickes's files during a search in connection with other document requests.

By letter dated May 13, 1997, from Lanny Breuer to Ms. Webber, we produced to the Subcommittee additional documents from Ms. Scott's files (bearing the numbers M33040-81), explaining that they had been found during the restoration of her computer drive in connection with unrelated searches. Further in my letter to you of May 30, 1997, in which I responded to your letters of May 5 and 15 concerning our document search and production procedures, I stated that the documents produced on May 13 had been missed when Ms. Scott's computer was searched last fall.

Both explanations were true to the best of our understanding at the time they were

The Honorable David M. McIntosh
October 28, 1997
Page 2

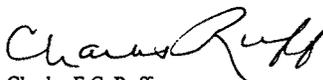
offered, but we have recently learned that they were inaccurate.

In the course of efforts to respond to the questions in your October 9, 1997 letter, staff has spent considerable time reviewing the documents produced in response to the Subcommittee's August 2, 1996 document request. As a result of that review, we learned last week that some of the Scott documents produced earlier this year (M32433-34, 32447, 33040-44, 33050-52 and 33081) had, in fact, been found in September, 1996, during the initial search for documents responsive to the August 2, 1996 request. They had not been produced at that time because they were not believed to be responsive to that request. Instead, they were placed in folders and, together with other materials, were transferred in December 1996 to the attorney who was assuming responsibility for responding to the Subcommittee's requests. She did not examine the contents of those folders, however, until last week when, as part of her effort to respond to your letter of October 9, she undertook a review of the materials gathered in 1996. Thus, when we produced the Scott documents in February and May, 1997, we believed them -- erroneously -- to have been newly discovered.

In addition, some of the documents in the folders found last week have not yet been produced in any form, but some are substantially similar to documents already produced. Although certain of these documents are arguably not responsive, we are erring on the side of production. Bearing the Bates numbers M 33292-33302, they are enclosed with this letter.

I apologize for the errors in our previous explanations concerning the source of the documents produced earlier this year and for the belated production of the remaining responsive documents. We are available to meet with your staff at their convenience to answer any questions you may have and to offer any further explanation you deem necessary about the circumstances of our 1996 and 1997 productions.

Sincerely,



Charles F. C. Ruff
Counsel to the President

Enclosures

cc: Honorable Bernard Sanders

DOCUMENTS PRODUCED TO THE
HOUSE SUBCOMMITTEE ON NATIONAL ECONOMIC GROWTH,
NATURAL RESOURCES AND REGULATORY AFFAIRS
ON OCTOBER 28, 1997

| BATES NUMBER | SOURCE |
|---------------|-------------------------------|
| M 33292-33302 | Office of White House Counsel |

DAN BURTON, INDIANA
CHAIRMANHENRY A. WADSWORTH, CALIFORNIA
RANKING MEMBER

ONE HUNDRED FIFTH CONGRESS

Congress of the United States
House of RepresentativesCOMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6143
(202) 225-6074

February 27, 1997

VIA FACSIMILEThe Honorable Charles F.C. Ruff
Counsel to the President
The White House
Washington, D.C. 20515

Dear Mr. Ruff:

While I am distressed by the way the White House handled the document production to the Subcommittee last night, I am somewhat assuaged by the conference call this afternoon involving your staff, the minority committee staff, and the subcommittee staff.

Before I respond to the statements your staff made today, let me take a moment to address the regrettable situation that came about last night and this morning. At the outset, let me say that I realize that you have only recently come on board as Counsel to the President, and I understand that you may not be intimately familiar with every detail of the Subcommittee's White House Database (WhoDB) investigation.

As you know, last night the Subcommittee received 5,000 pages of additional documents related to the WhoDB. By the admission of two members of your staff this morning, these documents are responsive to our August 2, 1996 letter. This disturbs me since the White House has an obligation to surrender all responsive materials to the Subcommittee -- even if they are discovered after the initial document production.

However, I must be candid with you. The Subcommittee's initial review of these documents calls into question how these documents and materials related to an ongoing congressional investigation could have been overlooked. While I understand there may be extra effort required to produce e-mail, the volume of memoranda included in last night's document production should not have been missed.

Moreover, last night's documents did not come with a production log. Even if Mr. Quinn and the Counsel's office did not generate such a list last fall, surely you should have realized that your choice not to do so last night would be particularly disturbing given the Subcommittee's clear and repeated communications on this matter.

In addition, the White House has still not responded to my October 3, 1996 letter that simply poses a few questions regarding the database. While I understand from your staff that the Subcommittee can expect a response to these questions by the close of business tomorrow, it is troubling to receive responses some five months after the request was made.

Finally, it troubles me that your letter of February 19, 1997 promised cooperation and compliance. When I responded on February 21, 1997 to ensure that we were on the same wavelength, I outlined the steps that constituted compliance so that there would be no unfortunate misunderstandings.

At no time did you or your staff communicate to the contrary. In the future, I hope that you will be as clear and forthcoming with the Subcommittee as I have been with you.

Despite this unfortunate situation, I am hopeful that we will be able to proceed with this investigation in a timely and professional manner. In that spirit, let me address the White House position as communicated in the staff conference call today.

1. The Counsel's office has communicated that there is no production log for the first 27,000 or the second 5,000 pages of documents. They did allow that there might be some responsive documents as outlined in my January 10, 1997 letter.

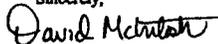
I believe we can reach a reasonable accommodation on this matter. Specifically:

- (A) For those documents already produced, please provide the Subcommittee with information regarding those documents for which the person who authored or produced the material is unclear, particularly handwritten notes.
 - (B) Please provide all documents responsive to my January 10, 1997 letter or, alternatively, a statement that no responsive documents exist and that none are being withheld.
 - (C) For all future document productions, please ensure that a production log is maintained and delivered at the time of production.
2. As our staffs discussed, the Subcommittee looks forward to a complete response to my October 3, 1996 letter by the close of business tomorrow.

3. As Mr. Lanny Breuer represented to my staff on the telephone today, the Subcommittee looks forward to receiving a clear written statement regarding compliance as outlined in my January 24, 1997 letter. It would seem this could be easily included with the response to the October 3, 1996 letter.
4. As was discussed today, the Subcommittee formally extends its request for e-mail related to the WhoDB (as outlined and defined in the August 2, 1996 letter) to all e-mail through today. The Subcommittee believes that the e-mail search provided last night should have been current as of the time of the search.
5. With regard to the redacted documents, the Subcommittee investigative staff is prepared to meet with your staff at the earliest mutually acceptable time to review these documents. The Subcommittee is not interested in any document that is not responsive and will return such documents, but must, by necessity, insist on retaining any document that is responsive.
6. The Subcommittee will address the issue of the new and updated copy of the database in communications in the near future.
7. The Subcommittee looks forward to receiving a complete list of all individuals involved with the database in a timely fashion. As was discussed today, the Subcommittee would appreciate a rolling response on an office-by-office basis. Please have your staff contact the Subcommittee staff by the close of business next Tuesday, March 4, 1997 to agree to a timetable for compliance.
8. The Subcommittee looks forward to a complete response to its February 20, 1997 letter regarding DNC Volunteers in a timely fashion. Please have your staff provide the Subcommittee staff with an update on this matter next week.

Please have your staff contact Chip Griffin at 225-4407 if your staff has any additional questions.

Sincerely,



David M. McIntosh
Chairman

Subcommittee on National Economic Growth,
Natural Resources and Regulatory Affairs

cc: The Honorable Dan Burton
The Honorable Henry Waxman
The Honorable Bernie Sanders

**Congress of the United States
Committee on Government Reform and Oversight
House of Representatives**

August 2, 1996

BY FACSIMILE

President William J. Clinton
The White House
Washington, D.C. 20500

Dear Mr. President:

As you know, the House Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs has been conducting an investigation of the White House Database (WhoDB) at the request of our full Committee Chairman, William F. Clinger, Jr.

In the course of this investigation, the Subcommittee has requested certain documents, materials, and other information from the White House. Unfortunately, the White House has provided only a limited number of documents and incomplete responses to many of the requests for information.

The Subcommittee has indicated in several letters to your Counsel, John M. Quinn, that we cannot fulfill our oversight obligation without complete answers to our questions and the production of all responsive documents and materials.

Specifically, the Subcommittee has requested a copy of the database, an alphabetized list of the Americans on whom a database file is maintained, as well as documents and other materials related to the design and development of the WhoDB. In response to Mr. Quinn's objections to providing the requested information, we have described many of the reasons why we need the documents, materials, and answers. (Please see the attached letters of July 3, 10, 23, and 29, 1996 from the Subcommittee to Mr. Quinn.) At the very least, however, this information is essential for the Subcommittee to determine if this White House project is a wise and proper expenditure of more than 550,000 taxpayer dollars and if this project should continue to be funded by the taxpayers. As you know, this is Congress's most basic oversight obligation.

Mr. Quinn confirms the legitimacy of our oversight needs, and repeatedly says that he wants to satisfy them all. In his most recent letter to the Subcommittee, however, Mr. Quinn provides absolutely no explanation as to why he will not provide answers to our questions. In addition, Mr. Quinn again rejects our request for an alphabetized list of Americans on whom you maintain a file in the WhoDB. We offered to postpone our request for the entire database if the White House would answer a number of questions about the database and produce the list. Mr. Quinn argues that the list of Americans in the WhoDB would not answer our questions. Although our recent letters establish that the list would be highly relevant to many of our questions, we agree that a copy of the entire database would be a great deal more helpful than the list in satisfying our oversight needs.

The White House cannot first deny our request for the database and then plausibly deny other information about the database simply because such information will not provide us with all of the information that is necessary for us to complete our investigation. A more forthcoming response would be to provide all the needed information. The White House response, or lack thereof, is unacceptable.

Nor can we abdicate our oversight obligation based on assurances from the White House that we would find nothing improper in our examination of the WhoDB.¹ As you can appreciate, we have a constitutional obligation to determine the facts for ourselves. That means we must examine the relevant documents and all other necessary information for ourselves, and we must make our own determinations what information is helpful and relevant to our investigation.

In this regard, you should not be surprised that we have not yet scheduled a personal visit to review the WhoDB. We have objected from the start to the unacceptable constraints you have attempted to impose on such a visit, and have also communicated that it would be premature for us to review the database until GAO made substantial progress in its review of the technical configuration of the WhoDB. Thus far, you have not permitted GAO any direct access to the database itself. In any event, we have repeatedly indicated that no personal review of the WhoDB and no technical audit would be a meaningful substitute for the information we have requested.

The Subcommittee is resolved to complete this oversight investigation. Therefore, pursuant to Rules X and XI of the House of Representatives, the Subcommittee requests that the materials described in the attached document be provided forthwith.

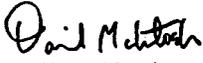
If all of these materials are not provided to the Subcommittee by noon, August 15, 1996, we are resolved to proceed with the steps necessary to issue a formal subpoena for the production of the documents and materials described.

We urge you to direct your staff to begin prompt compliance with the Subcommittee's request.

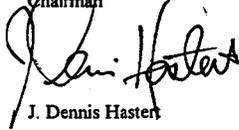
¹ Although it is not our role to render final determinations on compliance with the criminal laws, we grow increasingly concerned about Mr. Quinn's seeming indifference to whether the WhoDB is maintained and used in accordance with law because he refuses to tell the Subcommittee what steps he has taken to ensure compliance with the law. Mr. Quinn does not respond at all to the possible violation of the Computer Security Act, various ethics laws that prohibit political and campaign related activity by government employees, appropriations statutes that prohibit the expenditure of public funds for improper or non-appropriated purposes, and related executive branch regulations, all of which undoubtedly apply to the creation, maintenance, and use of the WhoDB. Mr. Quinn does address the Privacy Act with a somewhat cavalier statement that it does not apply to the WhoDB. As the White House Counsel's Office has confirmed in an earlier telephone conversation with my staff, the question of whether this White House Office is generally covered under the Privacy Act depends on its current functions, rather than any analysis of White House Office operations in any of the previous Administrations. The more our Committee learns about current White House Office operations, the more reason there is to conclude that White House Office operations of prior years is not an apt comparison, and that the current White House Office would be found by a court to be covered by the Privacy Act. Even if a court did find that the current White House Office normally is exempt from coverage of the Privacy Act, there still are several reasons to conclude that the WhoDB is covered by the Privacy Act, including the involvement of other components of the Executive Office of the President in its creation and maintenance, and because the specific uses of the WhoDB by White House staff vitiates the normal exemption. Accordingly, we urge you to take the necessary steps to ensure that the WhoDB is maintained and used in accordance with all applicable laws.

Thank you for your cooperation in this important matter.

Sincerely,



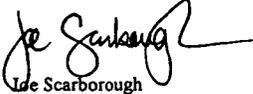
David M. McIntosh
Chairman



J. Dennis Haster



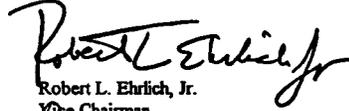
Randy Tate



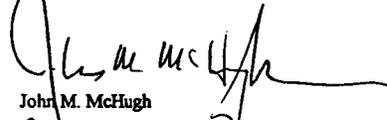
Joe Scarborough



Scott Klug



Robert L. Ehrlich, Jr.
Vice Chairman



John M. McHugh



Gil Gutknecht



John Shadegg

White House Database (WhoDB) Document and Material Request

1. An electronic copy of the White House Database (WhoDB).
2. An alphabetized list of names in the WhoDB in hard copy and electronic form.
3. All communications related to the WhoDB, including, but not limited to, those involving the White House, its employees, government agencies or entities, and/or the outside contractors. This includes all documents and materials that memorialize conversations, meetings, or other communication involving the White House, its employees, and/or the outside contractors. This should include internal communications regarding the project, as well as communications with outside entities including the contractors and other government agencies or entities.
4. All documents related to the specifications, design or modification of the WhoDB.
5. All contracts, invoices, agreements, or other documents detailing the tasks undertaken by the contractors and its employees, as well as cost-related information.
6. All documents related to the legality or propriety of creating and maintaining the WhoDB or related system(s).
7. All documents related to who initiated and approved the WhoDB project.

The foregoing request includes all documents and other materials in your possession or control, including those in draft and final form. It includes all hard copy and electronic materials, including but not limited to, electronic mail, memoranda, letters, faxes, phone messages, pager messages, and notes.

THE WHITE HOUSE
WASHINGTON

March 6, 1997

VIA FACSIMILE

Honorable David M. McIntosh
Chairman, Subcommittee on National Economic Growth,
Natural Resources and Regulatory Affairs
B377 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

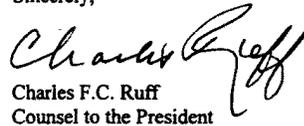
This letter is in response to your letter of March 3, 1997 requesting that we provide a chain of custody for certain documents produced to the Subcommittee on February 26, 1997.

It is not entirely clear what is meant by a "chain of custody" in this context, but I assume that you seek an explanation for any delay in producing the memorandum to which you refer. The bulk of the memoranda had been collected and forwarded to this Office over the last few months as part of the ongoing review of files to ensure compliance with outstanding document requests. Production was withheld pending completion of the e-mail search and resolution of the dispute reflected in Mr. Quinn's correspondence of January 17, 24 and 31, 1997. The documents were produced on February 26, 1997, pursuant to my letter of February 19, 1997, in which I expressed my desire to resolve the impasse that had developed earlier.

As to document M32438-39 specifically, it had been discovered in mid-February in the files of Mr. Ickes stored in the Office of Records Management while those files were being reviewed to locate documents responsive to an entirely unrelated request. It was immediately turned over to Special Associate Counsel Sally Paxton, who included it in the February 26 production.

I trust that this is responsive to your concerns, but if your staff has any additional questions, they should feel free to contact Ms. Paxton directly.

Sincerely,


Charles F.C. Ruff
Counsel to the President

cc: Congressman Sanders
Congressman Waxman

December 16, 1993

MEMORANDUM FOR *Cheryl*
FROM: MARSHA SCOTT
SUBJECT: WHITE HOUSE DATABASE

I am working on a project that is of high priority to the President and the First Lady. Along with three assistants, I am establishing a White House wide database to track contacts with individuals that are important to the President and his administration. The date for the completion of this project is February 1st. Before we can begin our efforts, there are a number of legal considerations that I need clarified.

They are as follows:

- Given the sensitivity of a project of this nature, who is authorized to work on this database?
- What are the procurement rules governing a project of this sort?
- From what entities can we get data? DNC, DLC, etc. And what are the rules governing our interaction with the members of those organizations?
- With which entities can we share data?
- Are there rules governing Presidential records of this sort that we should be made aware of?
- An assistant of mine, Erich Vaden, has a brother in the database software industry. Is it appropriate and/or legal for him to get informal advice on technological issues from his brother?

Please contact me as to a time when we can meet to discuss these issues.

25101

THE WHITE HOUSE
WASHINGTON

May 22, 1997

VIA HAND DELIVERY

Honorable David M. McIntosh
Subcommittee on National Economic Growth,
Natural Resources and Regulatory Affairs
B-377 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

This letter is a further response to your letter of May 1, 1997, and also a partial response to your May 15, 1997 letter.

I am pleased that discussions between our staffs have resulted in considerable progress in resolving various outstanding issues. Enclosed with this letter is the new copy of the WhoDB which has the redactions discussed with your staff. I believe that the events which have been redacted will protect the personal privacy of the First Family at the same time that the Subcommittee is provided with the information it believes necessary to finish its investigation. Additionally, as discussed, we are enclosing a list of those individuals who stayed overnight at the Residence and are included in the database, as well as a list of individuals (not including Chelsea's friends and family) who have stayed at the Residence. As we have offered in the past, you or a member of your staff may always come to the White House to view the unredacted version of the database. Additionally, I appreciate your staff's agreement to work out proper protocols for this information prior to any release by the Subcommittee.

In addition, as discussed with your staff, we have been reviewing those documents subject to privilege that were previously withheld from the Subcommittee. This review has been done in light of the ongoing consultation with the full Committee regarding the various privilege issues raised by its document requests. As a result, enclosed are those documents over which we will not be asserting any privilege, in addition to an index of those documents which we believe are properly subject to a privilege. As we have stated, we are willing to discuss any questions you may have regarding these documents and/or the index. The Bates stamp numbers for the enclosed documents are reflected in the enclosed production log.

As pleased as I am that we are resolving our respective differences, I want to respond to some of the serious allegations in your recent letters. Most importantly, your description of

Honorable David M. McIntosh
May 22, 1997
Page Two

the June 28, 1994 memo as providing "compelling evidence that criminal activity may have been planned" is, I submit, completely unfounded. I believe you will find that the memo discusses four separate databases; the references to "outside" database and "new system" are referring to whatever campaign database -- not WhoDB -- that was under consideration at the time. There is no evidence in this memorandum or anywhere else that WhoDB was planned to be used for political purposes, nor any evidence that it was, in fact, put to such use.

Your letters also raised several questions about the document searches undertaken in order to respond to the Committee's requests. Although we will respond to your questions under separate cover, I want to address your primary concern that the documents produced from Ms. Scott's restored drive suggest either the erasure of a computer drive or the destruction of any documents or information. Neither is true. Instead, these documents were found as part of the ongoing searches undertaken to respond to a number of pending document requests. Indeed, the very fact that they were found and produced belies any theory of erasure or destruction. The discovery of these documents simply underscores the good faith and conscientious manner in which the White House has searched for documents.

As you know, the White House has produced tens of thousands of documents, as well as copies of the database itself. These documents were produced following extensive searches of various files in the White House. However, it is not realistically possible to review every document or every file in the White House in response to each document request. The many ongoing document searches being conducted in response to more broad-ranging requests and subpoenas will, of course, result in the discovery of additional documents responsive to the Subcommittee's document requests, and I assure you that, when that occurs -- as with the documents provided last week -- these documents will be produced promptly.

Again, I am pleased that we have been able to resolve these outstanding issues and if there are any questions or concerns about these issues, please let me or my staff know.

Sincerely yours,



Charles F.C. Ruff
Counsel to the President

Enclosures

cc: Congressman Sanders

Associated Press 10-30-97 05:04 PET

Withheld documents say President wanted database to share with DNC

By JOHN SOLOMON=

Associated Press Writer=

WASHINGTON (AP) For more than a year, the White House kept documents from Congress that said President Clinton wanted a computer database built with federal money to include his contributors and be "integrated" with the Democratic Party.

The documents produced this week also include typed notes from a high-level White House meeting suggesting some aides did not think putting donor information in a government database was appropriate.

"Why do we need this info in our internal management system? Would it not be more appropriate at the DNC or Re-Elect? (Our recommendation)," the notes state. "DNC" is for Democratic National Committee.

White House officials say those notes were written by one of the aides who helped build the database. They say that even though donor names were put in the database, built with at least \$600,000 in federal money, it was never misused.

"In fact, it was used the way that every White House used lists of names and computer lists to organize accurate lists of people who the White House wanted to invite to official and social events," White House spokesman Barry Toiv said Thursday.

But the chairman of the House subcommittee that has investigated the issue angrily accused the White House of obstructing justice by withholding the documents for more than a year after they were discovered.

During that time, the committee interviewed many witnesses while unaware of the documents. The committee first requested all relevant documents from the White House in August 1996.

"It is startling new evidence about the level of involvement in the White House in regard to this database," Rep. David McIntosh, R-Ind., said. "And it appears that somebody in the White House counsel's office last year, before the election, made the decision to obstruct justice and conceal evidence."

McIntosh's House Government Reform and Oversight investigative subcommittee has been looking into whether the White House database created in 1994 was misused or improperly designed for political purposes.

Federal law generally prohibits the use of federal funds for political purposes.

White House counsel Charles Ruff turned over the latest documents on Tuesday to McIntosh's subcommittee. Ruff said that they had been located in September 1996 and turned over to his office but that a lawyer there concluded the papers "were not

responsive" to the committee's investigation.

The White House has previously acknowledged that contributor records were included in the database and that at one point aides considered sharing data with the Democratic National Committee. The White House says the latter was never carried out.

The newly disclosed documents are the first to come to light suggesting the president encouraged sharing data from the project with the party.

"Harold and Deborah DeLee want to make sure WhoDB is integrated w/DNC database so we can share. Evidently POTUS wants this to! (Makes Sense)," White House aide Brian Bailey wrote in 1994 notes.

"Harold" is then-deputy chief of staff Harold Ickes. "POTUS" is for president of the United States. Bailey, an assistant to Erskine Bowles, then another deputy, was involved in creating the database, officials said.

Officials said Bailey or one of the other aides building the database is believed to be the author of typed, undated notes in preparation for a spring 1994 meeting with Ickes and Bowles, who is now Clinton's chief of staff.

Those notes state that President and Mrs. Clinton were behind the idea to include 1992 campaign contributor records in the database.

"Primarily direct mail contributors (\$25+) from the '92 campaign. POTUS and FLOTUS have expressed interest in having these names in the database," the notes say.

The notes warn that the process of adding the contributor names "could be very time consuming" and also question whether this should be part of a government project.

Toiv said any concern that it was improper to put donor records in the database was misguided, that "every White House prior to this one would have maintained those kinds of lists."

The database documents are the latest in a string of belated disclosures of key evidence in the many congressional investigations surrounding the Clinton White House. Last month, the White House turned over videotapes of Clinton attending donor events to the Senate and House fund-raising investigators.

(LAST UPDATED AT 5:05 PM ; OCT 30, 1997)

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Lawmaker Suggests Obstruction in Late Delivery of Memo on White House Database

By Guy Gugliotta

Washington Post Staff Writer

Friday, October 31, 1997; Page A08

The Washington Post

A key House investigator said yesterday he suspects the White House counsel's office of obstructing justice by withholding a memo suggesting that President Clinton wanted to share a taxpayer-funded database with the Democratic Party, a violation of federal law.

Rep. David M. McIntosh (R-Ind.), who has been leading an investigation into the "White House database" for more than a year, said the counsel's office had had the memo since September 1996, but that "somebody, a senior official at the White House, made a decision not to give it to us."

"This means I'm going to have to open another investigation about obstruction of justice," McIntosh said. "We will also have to reopen investigations into some areas where we had concluded there was no wrongdoing."

In a letter Tuesday to McIntosh, White House counsel Charles F.C. Ruff acknowledged tardiness in providing the memo, but blamed it on an attorney in his office who found the memo while reviewing documents that were originally deemed "not responsive" to McIntosh's investigation.

Earlier this year, the White House provided documents from longtime Clinton aide Marsha Scott suggesting ways that the White House database -- used for guest lists and correspondence -- might serve to track major donors to the Democratic Party or could even be turned over to the Democratic National Committee.

White House spokesman Barry Toiv insisted at the time that "every White House invites supporters and maintains lists," and that the database, completed at a cost to taxpayers of \$1.7 million, had never been used for political purposes and simply served to keep track of the correspondence and visits of several hundred thousand people. Toiv said yesterday that the memo given to McIntosh this week is "perfectly consistent with what we have said earlier about the database."

The new memo, received Tuesday by McIntosh's Government Reform and Oversight subcommittee, contains a few lines of undated handwritten notes from what appears to have been a meeting among several White House staff members.

"Harold and Debra DeLee want to make sure WhoDB is integrated w/DNC database -- so we can share," the top line says. "Harold" apparently refers to former White House deputy chief of staff Harold Ickes. Debra DeLee is the former executive director of the Democratic National Committee, and "WhoDB" refers to the White House database.

The next line says "evidently POTUS wants this to! (Makes sense)." POTUS is the White House abbreviation for "President of the United States."

McIntosh described the memo as "the strongest evidence to date about the president's intention to use the database for political purposes." Using taxpayer-funded property for partisan activity is a violation of federal law.

McIntosh's subcommittee began investigating the White House database in mid-1996, long before the full Government Reform and Oversight Committee opened its current probe into fund-raising abuses during the 1996 campaign.

Troubled by the White House's slow pace in producing requested documents, McIntosh and other subcommittee members wrote Clinton in August, threatening a subpoena.

Ruff said in his letter that his staff had begun reviewing McIntosh's earlier requests and discovered that several documents from Marsha Scott's files "had, in fact, been found in September, 1996" but "had not been produced at that time because they were not believed to be responsive to that request."

Instead, he continued, "they were placed in folders" and given to the attorney with responsibility for responding to McIntosh's probe. The attorney "did not examine the contents of those folders, however, until last week."

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Boeing, Lockheed Martin Fight for Rocket Business

One of the most dramatic changes in the U.S. aerospace industry is under way. The Air Force, once a steady customer of Boeing Co. and Lockheed Martin, is now a fierce competitor for both.

The Air Force announced in June to one company to build a line of satellite-launch vehicles. The Air Force is expected to spend "hundreds of millions of dollars" on the program, which would have done under its single-contract plan.

For the two U.S. aerospace giants, the switch to both Boeing and Lockheed Martin is a double-edged sword. It means the government's stable business, but each will have to shed out much more in development funds than they had planned, and then they have to wait for the pie to be divided.

Both companies were upset in their reaction. John A. McLuckey, president of Boeing's Space Systems unit, said that, because the government accounts for only 20%—instead of two-thirds—of the company's revenue, the Air Force's decision to split the market is "a real problem." McLuckey's mandate to get "better, faster, cheaper" has made them lean toward more commercial practices and seeing whether they can piggyback their way onto the government's "mainstream" of the overall market.

Not "Half a Loaf"

Mel Brashers, president and chief operating officer of the space and strategic services unit of Lockheed Martin, said that the split decision "doesn't mean half a loaf." It means they are going to a market-based buying system, that could split the award among the two competitors.

In the short run, the government won't necessarily get a cheaper price as a result of the change. "I think the government will pay more," Brashers said. "The government understands that the price would actually go up because of the increased number of contracts involved," Brashers said.

The Air Force announcement was made shortly before the close of trading yesterday. Shares in Seattle-based Boeing fell 6.25 cents to \$46.05 on the New York Stock Exchange, while Lockheed Martin's shares in Washington, Md., dropped \$1.25, or 1.3%, to \$77.25.

The move means two strong U.S. rivals are likely to remain in the world market, instead of one. The leading provider of

satellite launch vehicles is the Russian-made Proton rocket, which is used by the European Space Agency and other international customers. The Air Force is expected to spend "hundreds of millions of dollars" on the program, which would have done under its single-contract plan.

For the two U.S. aerospace giants, the switch to both Boeing and Lockheed Martin is a double-edged sword. It means the government's stable business, but each will have to shed out much more in development funds than they had planned, and then they have to wait for the pie to be divided.

White House Retained Memo On Database

By James Conroy
Special to the Wall Street Journal

WASHINGTON — The White House's office withheld for more than a week a memo that says the government should build a database that was built with taxpayer's money to be "integrated" with the Democratic National Committee files.

The memo, written by a former aide to the White House, was turned over last week to the House Government Reform and Oversight Committee, which is probing campaign fund-raising abuses.

The memo says the database is "integrated" with the DNC's files, and that the subcommittee is reviewing the handling of the database, "in order to ensure the integrity, formation and conceal the evidence," the memo says.

"It's very clear to me [the White House Counsel's Office] made a decision to withhold the memo," said a Indiana Republican said. Discussion of the memo dominated a day-long oversight committee hearing on White House compliance with the Freedom of Information Act in testimony yesterday. Deputy White House Counsel Cheryl D. Mills acknowledged that she and former White House Counsel Jack Quinn decided in September to withhold the memo from the public. Quinn eventually turned it over to another White House attorney.

The memo surfaced last week after the current White House counsel, Charles F.D. Quinn, said he had reviewed the memo for reasons related to the congressional inquiries.

White House spokesman Lanny Davis said the White House database was never shared with the DNC, though the DNC

occasionally sent the White House names of donors, which were added to the database. Because the White House database is not shared with the DNC, Davis said, no law prohibits the DNC from sharing its data with the White House.

Mr. Davis characterized Mr. Mitchell's act as "a violation of the law," and "a violation of the law," and "a violation of the law." Mr. Davis said that the law prohibits the White House from sharing its data with the DNC.

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According to the memo, written by Brian Bailey, a former aide in the deputy chief of staff office, "former Deputy White House Counsel Cheryl D. Mills and Dana DeBevoise, executive director of the DNC database, made sure WhoDB is integrated with DNC database — so we can share. Evidently Thomas L. Patton, an attorney representing Mr. Bailey, said his client doesn't recall when he wrote the memo, but that the White House 'could take data in' but could not share information with outside groups. Mr. Bailey can't remember if he was informed of the law before or after the memo was written. Mr. Bailey said he has the best of his knowledge, the law was followed.

In a statement issued from the law office of the committee with the materials we understood it required. . . . The committee wrote the document request, not in a statement. Ms. Mills said the memo was "consistent" with previous documents released by the White House but that she couldn't "recall" the date that Quinn withdrew the document. She later provided the document "to relate to the DNC's ability to share information with the White House and not the reverse," she added.

Chesapeake Energy Corp. Quarterly Profit Fell 33% But Beat Analyst Forecast

Chesapeake Energy Corp., Oklahoma City, reported a third-quarter profit that fell 33% from \$2.2 million, or 13 cents a share. The independent energy company said its revenue rose 5% to \$78.4 million from \$74.8 million. The results beat analyst forecasts. Chesapeake said the recent quarter results were down because production

occasionally sent the White House names of donors, which were added to the database. Because the White House database is not shared with the DNC, Davis said, no law prohibits the DNC from sharing its data with the White House.

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DELIVER TO: Reg. Affairs Subc.

CONGRESSMAN MCINTOSH'S PRESS OFFICE

First version of the AP story.

Associated Press 11-06-97 03:28 PET

Committee chairman warns White House lawyers on delays

By LARRY MARGASAK=

Associated Press Writer=

WASHINGTON (AP) The chairman of the House investigation into campaign fund raising told White House lawyers Thursday that future delays in producing documents won't be tolerated. Even a senior Democrat was critical of the administration.

Moments after Chairman Dan Burton, R-Ind., admonished administration officials, Republicans demanded an explanation of a 15-month delay in turning over a White House staffer's handwritten notes. The notes said that President Clinton wanted a White House computer database "integrated" with a Democratic Party database.

Deputy White House counsel Cheryl Mills said she and ex-White House counsel Jack Quinn made the decision to withhold the document requested Aug. 2, 1996, and turned over last week.

The Associated Press revealed the existence of the database memo and the delay in a story last week.

Burton, chairman of the House Government Reform and Oversight Committee, told Ms. Mills and her current boss, White House Counsel Charles F.C. Ruff, that White House delays amount to "unprecedented stonewalling of investigations."

Rep. Henry Waxman, D-Calif., the senior Democrat, insisted the delay resulted from honest mistakes, not "malicious intent," but said White House officials "are going to lose their credibility" by repeated failures to produce information. "That is something they should take seriously," Waxman said.

Ruff, who took his White House post in February, said, "There is not in my office, and never will be, defiance, stonewalling, obstruction or any other inappropriate conduct."

The counsel admitted the White House blundered by taking seven months to hand over videotapes of presidential political donor events but insisted the delay was unintentional.

In testimony that repeated statements to a Senate investigating committee, Ruff said the White House audio-visual agency misplaced a page of a faxed memo from his office which asked staffers to gather materials including videotapes.

"The suggestion that the videotapes were concealed or their production delayed for some ulterior purpose is absolutely baseless," Ruff said.

Ruff said that when he became White House counsel, he decided to "break through the impasse" with Congress over production of documents.

Ms. Mills said she and Quinn decided to withhold the handwritten database document because it did not fall into seven categories

DELIVER TO: Reg. Affairs Subc.

CONGRESSMAN MCINTOSH'S PRESS OFFICE

requested by a Government Reform subcommittee headed by Rep. David McIntosh, R-Ind.

Republican staffers then handed out the Aug. 2, 1996, request for "all communications related to" the White House database.

The handwritten database notes said "make sure WhoDB (White House database) is integrated w/DNC database so we can share." The memo also said, "Evidently, POTUS wants this." POTUS is Secret Service shorthand for "president of the United States."

White House spokesman Barry Toiv said the two databases "were never integrated." He said the database was used to invite people to White House functions and was no different from noncomputerized information kept during former administrations.

In another campaign fund-raising matter, Congress' investigative arm said the White House has refused to confirm information on overnight guests in the executive mansion. A House subcommittee asked the General Accounting Office to determine the number of times an individual stayed overnight, the length of each stay and the cost associated with the visits.

The White House has said there were 938 guests, including friends of the first family as well as Democratic Party donors.

Robert P. Murphy, general counsel of the GAO, said the White House contends the information sought is in private and personal papers of the president.

"There are costs to hosting 938 people in the White House," said Rep. Jim Kolbe, R-Ariz., chairman of the subcommittee on Treasury, Postal Service and general government. Kolbe insisted there's "nothing sinister about our request" and noted that President Clinton received \$8 million to operate the residence, including \$6.3 million for 89 full-time employees.

The estimate for the domestic staff's overtime this fiscal year is \$550,000, an increase of 40 percent since the last full year of the Bush administration, Kolbe said in stressing the need for the information.

(LAST UPDATED AT 3:29 PM ; NOV 6, 1997)

THE WHITE HOUSE
 WASHINGTON
 July 12, 1993

MEMORANDUM FOR ALL WHITE HOUSE STAFF

FROM: BERNARD W. NUSSBAUM
 COUNSEL TO THE PRESIDENT 
 CHERYL MILLS 
 ASSOCIATE COUNSEL TO THE PRESIDENT
 SUBJECT: POLITICAL ACTIVITY

This memorandum is to advise you of certain legal and policy limitations on your political activity as a member of the White House staff.

Generally, only those Executive Office of the President ("EOP") employees who are in the White House Office ("WHO") itself or the Office of the Vice President ("OVF") may engage in political activity. All others¹, except those appointed by the President by and with the advice and consent of the Senate, are subject to the provisions of the Hatch Act and may not engage in any partisan political activity. A discussion of the permissible and impermissible activities of "hatched" and non-"hatched" employees is set forth below.

It is important that you adhere strictly to these guidelines. Please check with your supervising officer and with Counsel's Office to ascertain whether you are paid from White House Office or the Office of the Vice President appropriations and are exempt from certain of the Hatch Act restraints; do not assume that because you have a White House pass you are not "hatched

¹ Employees of the following Executive Office of the President agencies, unless they are appointed with the advice and consent of the Senate, are subject to the Hatch Act: Office of Policy Development, Office of Management and Budget, Office of the United States Trade Representative, Office of Administration, Office of National Drug Control Policy, National Security Council, Council of Economic Advisers, National Space Council, and the Office of Science and Technology Policy.

² Detailees from other agencies maintain the status they enjoy at their home agency. Thus, if an employee is subject to the Hatch Act at their home agency -- which virtually all detailees are -- they remain subject to the Hatch Act

M033320

I. HATCH ACT

All Hatch Act prohibitions, discussed below and found at 5 U.S.C. §§ 7321-7327, cover all EOP employees, with exceptions principally for employees:

- (a) paid from the appropriations for the WHO, from the EOP appropriation item for Special Assistance to the President in Connection with Specially Assigned Functions (OVP appropriation), or from the Senate appropriation for the Office of the Vice President; or
- (b) appointed to their current positions by the President by and with the advice and consent of the Senate (provided that such officials have nationwide or foreign relations responsibilities, as all such officials within the EOP do); or
- (c) serving as head or assistant head of an executive or military department.

These exceptions have not been interpreted to extend to other EOP employees; such other employees including Office of Management and Budget (OMB) staff, Office of Policy Development (OPD) staff, and all Schedule Cs and detailees should abide by all Hatch Act prohibitions. The restrictions of the Hatch Act are applicable to full-time employees 24 hours a day, regardless of whether such employees are on annual or sick leave or leave without pay; as long as a covered individual is on the employment rolls of the Government, he or she is subject to the restrictions of the Hatch Act.

Employees fully covered by the Hatch Act may not:

- (1) take an active part in the management of a political campaign;
- (2) be a partisan candidate in an election for State or national office;
- (3) serve as an officer of a political party, a member of national, State or local committee of a political party, or an officer or member of a committee of a partisan political club;
- (4) organize a political organization or club;
- (5) solicit, receive, handle, otherwise account for, or disburse political contributions;

restrictions while serving at the White House.

- (6) sell tickets to, organize, or actively participate in any political fundraising activity;
- (7) voluntary campaign work, such as addressing and stuffing envelopes;
- (8) solicit votes for or against a candidate;
- (9) serve as a party or candidate challenger or pollwatcher;
- (10) drive voters to the polls for a candidate or party;
- (11) endorse or oppose a candidate in a political advertisement, broadcast or campaign literature;
- (12) serve as a delegate or alternate to a political convention;
- (13) organize or actively participate in the activities of a political convention;
- (14) serve on a standing committee of a political convention;
- (15) circulate a candidate-nominating petition;
- (16) address a convention, rally, caucus or similar gathering of a political party in support of or in opposition to a partisan candidate for public office.

Employees covered by the Hatch Act may:

- (1) register and vote;
- (2) make financial contributions to a party or candidate, except that 18 U.S.C. § 603 precludes Federal employees from contributing to their employer or "employing authority" (5 U.S.C. § 7323 also imposes other restrictions on employees in Executive agencies, namely, that such employees cannot give a thing of value for political purposes to another employee, a member of Congress, or an officer in the uniformed service);
- (3) express their opinion on political subjects;
- (4) wear campaign buttons or display bumper stickers;
- (5) be a member (but not an officer or committee member) of a political party or organization, so long as they do not actively engage in campaign activities;

- (6) attend (but not as a delegate) a political convention, fundraising function or other political gathering, so long as they do not organize or participate in the program of such an activity; and
- (7) sign a nominating petition.

Because the limitations of the Hatch Act apply 24 hours a day, a "hatched" employee may not participate in political activity, either on or off the job. That means, for example, that a "hatched" employee may not draft a political speech. Although it is possible for a "hatched" employee to draft a speech concerning Administration issues that may be presented in a political setting, the "hatched" employee may not prepare any material containing statements of political advocacy, nor any materials that will be used exclusively for a political purpose.

Similarly, "hatched" employees may not type or transcribe political speeches; rather, the resources of a political organization should support political undertakings. Very limited ministerial activities, such as the typing of a brief political endorsement in a speech that otherwise deals with official matters or collating the brief political portion with the remainder of the speech are not objectionable under the Hatch Act.

Additionally, "hatched" employees may write briefing materials on official Administration activities for use by Administration officials, even when such materials will be included in partisan political statements. However, "hatched" employees may not write or prepare any materials that will be used solely for political purposes (e.g., materials for the platform of the Democratic Party), nor may they prepare any materials that contain statements of political advocacy.

Administration officials should be particularly sensitive to the limitations on "hatched" employees in instances of mixed political and official travel. Where a "hatched" employee accompanies an exempted official on a trip, it remains essential that no inappropriate political activities be performed by the employee.³ The "hatched" support staff of an exempted Administration official may perform their normal clerical and ministerial functions in connection with the political travel and appearances or activities of their principal, provided that the functions they perform are related to their official responsibilities. Such employees, however, may not perform tasks

³ Because the discharge of official duties is the only basis for a "hatched" employee to be accompanying his or her principal on a political trip, the travel expenses of such an employee must be paid from appropriated funds.

that are purely political in nature and which relate solely to their principal's political activities.

Logistical arrangements for an exempted official's purely political travel or appearances should be made where possible by the appropriate political organization, but a "hatched" employee customarily involved in such ministerial activities may make limited scheduling arrangements for his or her principal's political travel or appearances. Under no circumstances may a "hatched" employee engage in any of the "management" activities of a political event or convention (e.g., plan or sell tickets to a political event or work on the activities of a committee, such as the Platform or Rules Committees, of a political convention).

Again, if you have any questions with respect to the matters, please call the White House Counsel's Office before you act.

II. LIMITS ON POLITICAL ACTIVITIES OF EXEMPT PERSONNEL⁴

Even staff members who are exempted from the Hatch Act's prohibitions on partisan political activities are subject to certain restrictions. For example, the Hatch Act prohibits all Federal employees from using their official authority or influence for the purpose of interfering with, or affecting, the results of an election.

We have set forth below guidelines to help ensure that political activities undertaken by exempt personnel are within the limits prescribed by law and White House policy.

USE OF LEAVE

(1) Certain White House staff members are entitled to specific amounts of annual leave. As discussed below, such leave may be used for political purposes; however, one cannot take an "advance" on annual leave to engage in political activities. Those White House staff members not entitled to annual leave (e.g., commissioned officers) may use a ceiling of 15 days of compensatory leave (i.e., the equivalent of vacation time) for political purposes.

⁴ It is important to understand that for purposes of this section, the official responsibilities that customarily have been performed by the Political Affairs Office constitute "official" and not "political" activities, and the restraints cited here therefore do not in general affect activities and office maintenance or other costs undertaken or incurred in the discharge of such responsibilities.

(2) Non-"hatched" White House staff members must perform their official duties for a minimum of 40 hours per week or 80 hours per two-week pay period in order to receive their full Federal salary. If a staff member does not complete 40 hours of official duty in any week, the difference between the number of hours completed and 40 hours must be covered by annual leave, leave without pay, official holidays or made up in the second week of that pay period. The difference cannot be made up in a subsequent pay period.

(3) Those non-"hatched" White House staff members who complete a minimum of 40 hours of official duty during any full week (Monday-Sunday) may be absent from their official duty station for no more than one weekday (Monday-Friday) for the purpose of engaging in political activity without taking annual leave or leave without pay. If a staff member desires to be absent for political purposes for more than one weekday in any week, each additional weekday must be covered by annual leave or leave without pay, regardless of the number of official hours worked during that week. In other words, it is not permissible for a staff member to put in 40 hours of official duty in the first three days of the week and then take the remaining two weekdays off for campaigning without using annual leave or leave without pay.

(4) Sick leave cannot be used to cover an absence from official duty for the purpose of engaging in political activity.

(5) Any White House staff member not subject to the Hatch Act is permitted to take leave without pay to cover absences from official duties for the purposes of engaging in political activity.

(6) When annual leave, compensatory leave or leave without pay is used for political purposes:

(a) Staff members must submit a request for leave, in advance of the leave period, to their White House department supervisor. Following approval by the supervisor, the request should be forwarded to Counsel's Office.

(b) Supervisors must forward to the Counsel's Office, in advance of a leave period, a report of their intended use of leave for political purposes.

(7) Staff members may use only eight hours of compensatory leave for political activity during any 7-day period unless additional leave is approved by Counsel's Office.

USE OF VEHICLES AND MESSENGERS

White House vehicles may not be used for political purposes. This means that White House cars may not be used to transport staff members or materials to or from any political committee office or event. Nor may White House vehicles be used to transport staff members or political materials to airports or any other location if the purpose of the trip is primarily political.

Because of the special requirements surrounding departures and arrivals from Andrews Air Force Base, White House vehicles may be used to transport White House staff members to that facility when they are accompanying the President, Vice President, First Lady or Mrs. Gore on a political trip. Additionally, where the President is participating in a political event in the Washington, D.C. area or other location where White House cars are available for official purposes, White House cars may be used for the Presidential motorcade to the extent essential to the security and support of the President.

White House messenger should not be used to deliver or pick up materials from the DNC or any other political committee.

USE OF COMMUNICATIONS SYSTEMS AND COPYING MACHINES

(1) In those limited circumstances in which government communication systems -- telephone, e-mail (which automatically is backed up as a potential presidential record), telegraph, teletype, telecopy or radio -- are used for campaign-related purposes, appropriate reimbursement or payment at the "usual or normal charge," 15 C.F.R. § 100.7(a)(1)(B), must be made by a proper political campaign committee.

(2) Because of the need for liaison between limited numbers of White House staff members and a political committee, telephones may be used for local calls. However, White House telephones must not be used, even locally, for regular committee activities such as recruiting volunteers or fundraising.

(3) Government credit cards must not be used for campaign-related or other political calls, whether made from within or outside the White House.

(4) Government operators should not be used to place campaign-related or other political long distance calls.

(5) Campaign-related or political long distance telephone calls made from the White House may be made only if charged to a credit card issued by the proper campaign or political committee (or on telephones installed and maintained by such committee for exclusive use in dealing with campaign or political matters should such phones be installed).

(6) The incoming WATS System (800 #) should not be used to call into the White House on campaign or political matters.

(7) White House Communications Agency (WHCA) facilities provided outside the White House in connection with travel may continue to be used during mixed and wholly political trips. These facilities must be used exclusively for communications relating to trip planning and arrangements and not for direct political purposes such as campaign fundraising and crowd-building. The Government will be reimbursed for the use of these facilities.

(8) Except in limited instances approved by the White House Counsel's Office, Government copying machines may not be used to reproduce materials for transmittal to a campaign or political committee.

TRAVEL

Government funds must not be used for the political travel of staff members. Principles governing the allocation of travel expenses will be set forth elsewhere.

Any political or "mixed" official and political travel by White House staff must be approved in advance by the Counsel's Office. No reimbursements will be made for non-approved travel expenses.

MEETINGS IN GOVERNMENT BUILDINGS

(1) Government buildings, including White House offices and meeting rooms, should not be used for meetings or events organized by a campaign or political committee. Informal meetings involving small numbers of campaign or political officials and White House staff members may occasionally be held in a White House staff member's office or, if it is a luncheon or breakfast meeting, in the White House Mess, provided that such meetings do not interfere with the conduct of Government business.

(2) Campaign fundraising activities of any kind are prohibited in or from Government buildings.

(3) Campaign-sponsored or other political activities (receptions, dinners, meetings, but not fundraisers) may be held in the Executive Residence at the White House provided that either the President, Mrs. Clinton, or some other family member attends the event. Campaign or other political events (other than fundraisers) also may be held at the Vice President's Residence so long as the Vice President, Mrs. Gore, or some other family member attends the event. The cost of campaign or political events at either residence must be paid by the proper

campaign or political committee in accordance with the guidelines which have been established for the use of these residences for nonofficial purposes.

USE OF PHOTOGRAPHS

(1) White House photographers may continue to photograph all Presidential, First Lady, and Vice Presidential activities for the purpose of creating an archival record of this Administration. However, as a general rule, photographs taken by White House photographers at political events may not be used for distribution to individuals attending such events or for any other political or campaign purpose.

(2) Photographs taken at events in the Executive Residence (other than political-sponsored events), at West Wing and East Wing meetings, and at non-political events outside the White House may be distributed consistent with regular practices.

(3) A campaign or political committee will be expected to provide a photographer at all campaign and political events for which it desires to distribute photographs to the participants. White House photographers will not photograph receiving lines or greetings at campaign or political events, except to the extent necessary for archival purposes.

(4) A campaign or political committee may purchase, for its use, photographs taken by White House photographers in those limited circumstances where those photographs provide the only source for a particular picture. All photograph purchase requests from the campaign or political committee must be directed to the Director of White House Photo Office. A record of all campaign photo requests will be maintained by the Director of the White House Photo Office, who will be responsible for billing the campaign or political committee for all photo orders on a monthly basis at the normal rate and according to the procedures established by the Government for the purchase of such pictures.

CORRESPONDENCE

(1) Campaign and political correspondence must not be produced at the White House, nor can White House stationery, stamps or related supplies be used in the preparation of such correspondence at another location.

(2) Federal law prohibits the receipt of contributions in Federal buildings. Occasionally, contributions intended for a campaign committee may be addressed to the White House and delivered with other mail. Such contributions should be handled by returning the contributions to the sender with an explanation of the applicable Federal law and a statement of the appropriate

recipient's address. (Appropriate language may be obtained from the White House Counsel's Office.) There should be no acknowledgement of receipt of a contribution from the White House to the contributor. If the contribution is accompanied by a letter that deals primarily with governmental issues, a response dealing with those issues may be prepared and sent from the White House; however, there must be no reference to the contribution.

CRIMINAL STATUTES

A number of criminal statutes prohibit the use of Federal programs, property, or employment for political purposes. Violation of these criminal statutes is punishable by imprisonment and/or the payment of a substantial fine. Certain staff members may also be subject to investigation and possible prosecution by an Independent Counsel in connection with alleged violations of these statutes.

Solicitation of Campaign Contributions: Solicitation of campaign contributions from Federal employees (except those appointed by and with the advice of the Senate) is prohibited, as is the solicitation or receipt of contributions in Federal buildings or on Federal property. Moreover, solicitation of campaign contributions from a Member of Congress or an officer of a uniformed service also is prohibited. Unless specifically approved by the Counsel's Office and the Political Affairs Office, no White House staff member shall sign a fundraising letter on behalf of any Federal candidate.

Use of Official Authority: Criminal statutes prohibit any Federal employee, whether or not "hatched," from using his or her "official authority for the purpose of interfering with, or affecting, the nomination or the election of any candidate." While there is no definitive statement by a court or other body of what activities constitute such improper interference with election results, the following types of activities are clearly prohibited:

-- One Federal employee directly or indirectly soliciting money from another Federal employee for a campaign contribution, or making a contribution to the official responsible for his or her employment.

-- Soliciting or receiving campaign contributions on Federal property or in Federal buildings. This means that fundraising events may not be held in the White House; that no fundraising phone calls or mail may emanate from the White House or any other Federal buildings; and that no campaign contributions may be accepted at the White House or any other Federal building.

-- Soliciting or accepting a campaign contribution or campaign support in exchange for a promise to appoint someone to a Federal job.

-- Promising or withholding Federal benefits (jobs, grants, contracts, etc.) based on political support or nonsupport.

-- Favoring or penalizing employees or withholding employment in order to induce someone to make a political contribution or otherwise participate in political activity.

Violations of these statutes can, of course, have serious consequences and I urge you, if you have any questions about the legality or propriety of a proposed action, to consult the White House Counsel's Office.

THE WHITE HOUSE
WASHINGTON
April 6, 1994

MEMORANDUM FOR WHITE HOUSE STAFF

FROM: LLOYD CUTLER
SPECIAL COUNSEL TO THE PRESIDENT
CHERYL MILLS *CM*
ASSOCIATE COUNSEL TO THE PRESIDENT
SUBJECT: POLITICAL ACTIVITY

This memorandum is to advise you of recent changes in the law regarding limitations on your political activity as a member of the White House staff.

On October 6, 1993, President Clinton signed the Hatch Act Reform Amendments of 1993, which expanded the scope of permissible political activities of many Federal employees, including employees of the Executive Office of the President ("EOP"). Prior to the recent amendments, only those EOP employees who were in the White House Office ("WHO") itself or the Office of the Vice President ("OVP") could engage in political activity. All others, except those appointed by the President, by and with the consent of the Senate, were subject to the provisions of the Hatch Act that prohibited participation in any partisan political activity.

Under the recent amendments, most Federal employees may participate in political activities, subject to certain restrictions. However, some government employees are still prohibited from actively participating in political management and political campaigns.¹ Moreover, detailees from other agencies maintain the status they enjoy at their home agency, and thus might be subject to certain Hatch Act restrictions even while working at the White House. Accordingly, this memorandum sets forth a description of permissible and impermissible activities for all White House employees, including those who are prohibited from actively participating in political management and political campaigns.

It is important that you adhere strictly to these guidelines. Please check with your supervising officer and with the White House Counsel's Office if you have any questions regarding whether you are still covered by particular Hatch Act

¹ See discussion at pages 4-5.

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restrictions; do not assume that the recent Hatch Act amendments permit you to engage in all political activities.

I. RESTRICTIONS APPLICABLE TO ALL EMPLOYEES²

Under the Hatch Act amendments, certain restrictions apply to all federal employees.

A. Impermissible Activities

Staff members may not:

- (1) use their official authority or influence for the purpose of interfering with or affecting the result of an election;
- (2) intimidate, threaten, command or coerce any Federal employee to engage in or not engage in any political activity;
- (3) ever knowingly solicit, accept or receive a political contribution from any person, including a subordinate or other federal employee³;
- (4) run for the nomination or as a candidate for election to a partisan political office;
- (5) knowingly solicit or discourage the participation in any political activity of any person who has an application for any compensation, grant, contract,

² It is important to understand that for the purposes of this section, the official responsibilities that customarily have been performed by the Political Affairs Office constitute "official" and not "political" activities. Therefore, the restraints cited here do not in general affect the activities, office maintenance, or other costs undertaken or incurred in the discharge of such responsibilities.

³ A staff member may solicit, accept or receive political contributions only if all three of the following conditions are met: 1) the staff member solicits, accepts or receives the contribution from either a member of the same Federal labor organization, or from a fellow member of a Federal employee organization that had a multicandidate political action committee (PAC) as of October 6, 1993; 2) the solicitation is for a contribution to the PAC of a Federal labor organization or Federal employee organization described above; and 3) the person from whom the gift is solicited, accepted or received is not a subordinate employee.

ruling, license, permit or certificate pending before the staff member's office; or,

- (6) knowingly solicit or discourage the participation in any political activity of any person who is the subject of, or a participant in, an ongoing audit, investigation or enforcement action being carried out by the employee's office.

B. Permissible Activities

Staff members may:

- (1) register and vote;
- (2) make financial contributions to a party or candidate campaign committee;
- (3) express their opinion on political subjects;
- (4) wear campaign buttons (though not while on duty)⁴;
- (5) display bumper stickers on their personal vehicles;
- (6) sign a nominating petition;
- (7) take an active part as an independent candidate, or in support of an independent candidate;
- (8) be politically active in connection with a question that is not specifically identified with a political party, such as a constitutional amendment, a referendum, or a municipal ordinance;

This list of prohibited and permitted activities is not exhaustive. Staff members who have questions regarding any activity should direct inquiries to the Counsel's Office.

II. EMPLOYEES RESTRICTED FROM ACTIVE PARTICIPATION IN POLITICAL MANAGEMENT AND POLITICAL CAMPAIGNS

Active participation in political management and political campaigns is still prohibited for employees, unless appointed by the President, by and with the advice of the Senate, in the following agencies: the Federal Election Commission, Federal

⁴ Under the law as written, certain high level political appointees are allowed to engage in on-the-job political activity, but Congress has indicated that it would be highly inappropriate for these officials to wear political buttons or other political paraphernalia while on duty.

Bureau of Investigation, Secret Service, Central Intelligence Agency, National Security Council, National Security Agency, Defense Intelligence Agency, Merit Systems Protection Board, Office of Special Counsel, Office of Criminal Investigation of the IRS, Office of Investigative Programs of the U.S. Customs Service, the Office of Law Enforcement of the Bureau of Alcohol, Tobacco and Firearms. Also covered by this exception are Senior Executive Service "career appointees," administrative law judges, Contract Appeals Board Members, and employees of the Criminal Division of the Justice Department (unless appointed by the President, by and with the advice and consent of the Senate). 5 U.S.C. § 7323, as amended.

These employees -- whether employed in the Executive Office of the President, or on detail from another agency -- may not:

- (1) take an active part in partisan political management or partisan political campaigns;
- (2) serve as an officer of a political party, a member of a national, State or local committee of a political party, or an officer or member of a committee of a partisan political club;
- (3) organize a political organization or club;
- (4) solicit, receive, or accept political contributions or funds to be used for a partisan political purpose, including funds for Federal employee PACs⁵;
- (5) sell tickets to, organize, or actively participate in any political fundraising activity;
- (6) do voluntary campaign work, such as addressing and stuffing envelopes;
- (7) solicit votes for or against a partisan candidate or circulate a candidate nominating petition;
- (8) serve as a recorder, poll-watcher, or challenger on behalf of a political party or partisan candidate;

⁵ The prohibition regarding soliciting or receiving funds for federal employee PACs applies only to the agencies described immediately above. In addition, employees of the Federal Election Commission (other than those appointed by the President, by and with the advice and consent of the Senate) are specifically prohibited from requesting, receiving, or giving a political contribution to an employee, a Member of Congress, or an officer of the uniformed services.

- (9) drive voters to the polls for a partisan candidate or political party;
- (10) endorse or oppose a partisan candidate in a political advertisement, broadcast or campaign literature;
- (11) serve as a delegate to, organize or actively participate in the activities of a political convention;
- (12) serve on a standing committee of a political convention;
- (13) address a convention, rally, caucus or similar gathering of a political party in support of or in opposition to a partisan candidate for public office;
- (14) intimidate, threaten, command, or coerce, any Federal employee to engage in, or not to engage in, any political activity -- including voting or refusing to vote for any candidate or measure, making or refusing to make a political contribution, or working or refusing to work on behalf of any candidate.

III. EMPLOYEES ALLOWED TO ENGAGE IN POLITICAL ACTIVITIES

Under the Hatch Act amendments, Federal employees, with the exception of those employed at the agencies discussed above, are now allowed to take an active part in political management and political campaigns. However, even staff members who are allowed to engage in partisan political activities are subject to certain restrictions. We have set forth below guidelines to help ensure that political activities undertaken by White House personnel are within the limits prescribed by law and White House policy.

A. GENERAL RESTRICTIONS

Generally, unless specifically permitted by statute, no federal employee may:

- 1) engage in political activity while the employee is on duty;
- 2) engage in political activity in any room or building occupied in the discharge of official duties by an individual employed or holding office in the Federal government;
- 3) engage in any political activity while wearing a uniform or official insignia identifying the office or position of the employee; or

- 4) engage in political activity while using government vehicles, including White House vehicles.

Certain employees are exempt from the above restrictions, as long as the costs associated with their political activity are not paid for by U.S. Government funds. To be exempt from the above restrictions, an employee must meet both of the following criteria:

- (1) the employee's duties and responsibilities must continue outside normal duty hours and while away from normal duty post; and
- (2) the employee must be: a) paid from an appropriation for the EOP, or b) appointed by the President, by and with the consent of the Senate, to a policy-determination position located within the United States, involving either foreign relations or the nationwide administration of Federal laws.

Most EOP employees' duties meet the criteria for permitting political activity while on duty and in a federal building. However, if your position does not meet the criteria set forth above, you are absolutely prohibited from engaging in political activity while on duty or in a federal building.

B. POLITICAL OFFICE

Under the Hatch Act amendments, most employees may run for any office or position within a political party or affiliated organization. However, employees are still barred from running for the nomination or as a candidate for election to a partisan political office.

C. USE OF LEAVE

(1) Some White House staff members, as leave-earning employees, are entitled to specific amounts of annual leave. As discussed below, such leave may be used for political purposes; however, one cannot take an "advance" on annual leave to engage in political activities. Those White House staff members not entitled to annual leave (e.g., commissioned officers) may use a ceiling of 15 days of compensatory leave (i.e., the equivalent of vacation time) for political purposes.

(2) All White House staff members must perform their official duties for a minimum of 40 hours per week or 80 hours per two-week pay period in order to receive their full Federal salary. If a staff member does not complete 40 hours of official duty in any week, the difference between the number of hours completed and 40 hours must be covered by annual leave, leave

without pay, official holidays or made up in the second week of that pay period. The difference cannot be made up in a subsequent pay period.

(3) White House staff members who complete a minimum of 40 hours of official duty during any full week (Monday-Sunday) may be absent from their official duty station for no more than one weekday (Monday-Friday) for the purposes of engaging in political activity without taking annual leave or leave without pay. If a staff member desires to be absent for political purposes for more than one weekday in any week, each additional weekday must be covered by annual leave or leave without pay, regardless of the number of official hours worked during that week. In other words, it is not permissible for a staff member to put in 40 hours of official duty in the first three days of the week and then take the remaining two weekdays off for campaigning without using annual leave or leave without pay.

(4) Sick leave cannot be used to cover an absence from official duty for the purpose of engaging in political activity.

(5) White House staff members are permitted to take leave without pay to cover absences from official duties for the purposes of engaging in political activity.

(6) When annual leave, compensatory leave or leave without pay is used for political purposes:

(a) Staff members must submit a request for leave for political purposes in advance of the leave period to their White House department supervisor for approval.

(b) Following approval, the office supervisor should forward the request to the Counsel's Office in advance of the leave period.

(7) Staff members may use only eight hours of compensatory leave for political activity during any 7-day period unless additional leave is approved by Counsel's Office.

D. USE OF GOVERNMENT VEHICLES

Unless the costs associated with the use of a government vehicle are paid from a non-federal source, no government vehicles, including White House vehicles, may be used for political purposes. This means that White House cars may not be used to transport staff members or materials to or from any political committee office or event. Also, White House vehicles may not be used to transport staff members or political materials to airports or any other locations if the purpose of the trip is primarily political.

Because of the special requirements surrounding departures and arrivals from Andrews Air Force Base, White House vehicles may be used to transport White House staff members to that facility when they are accompanying the President, Vice President, or First Lady on a political trip. Additionally, where the President is participating in a political event in the Washington, D.C. area or other location where White House cars are available for official purposes, White House cars may be used for the Presidential motorcade to the extent essential to the security and support of the President.

White House messengers should not be used to deliver or pick up materials from the DNC or any other political committee.

E. MEETINGS IN GOVERNMENT BUILDINGS

(1) Meetings involving campaign or political officials and White House staff members may be held in a White House staff member's office, the West Wing or the Old Executive Office Building, or, if it is a luncheon or breakfast meeting, in the White House Mess, provided that such meetings do not interfere with the conduct of Government business. Such gatherings must be organized by staff members who are permitted to engage in political activity in a federal building. White House offices and meeting rooms should not be used for meetings or events organized by a campaign or political committee.

(2) Campaign fundraising activities of any kind are prohibited in or from federal buildings.

(3) Campaign-sponsored or other political activities (receptions, dinners, meetings, but not fundraisers) may be held in the Executive Residence at the White House provided that either the President, Mrs. Clinton, or some other family member attends the event. Campaign or other political events (other than fundraisers) also may be held at the Vice President's Residence, so long as the Vice President, Mrs. Gore, or some other family member attends the event. The cost of campaign or political events at either residence must be paid by the proper campaign or political committee in accordance with the guidelines that have been established for the use of these residences for non-official purposes.

F. USE OF COMMUNICATIONS SYSTEMS AND COPYING MACHINES

(1) In those limited circumstances in which government communications systems -- telephone, e-mail (which automatically is backed up as a potential presidential record), telegraph, teletype, telecopy or radio -- are used for campaign-related purposes, appropriate reimbursement or payment at the "usual or normal charge," 11 C.F.R. § 100.7(a)(1)(iii)(A), must be made by a proper political campaign committee.

(2) Because of the need for liaison between limited numbers of White House staff members and a political committee, telephones may be used for local calls. However, White House telephones must not be used, even locally, for regular committee activities such as recruiting volunteers or fundraising.

(3) Government credit cards must not be used for campaign-related or other political calls, whether made from within or outside the White House.

(4) Government operators should not be used to place campaign-related or other political long distance calls.

(5) Campaign-related political long distance telephone calls made from the White House may be made only if charged to a credit card issued by the proper campaign-or political committee (or on telephones installed and maintained by such committees for exclusive use in dealing with campaign or political matters, should such phones be installed).

(6) The incoming WATS System (800 #) should not be used to call into the White House about campaign or political matters.

(7) White House Communications Agency ("WHCA") facilities provided outside the White House in connection with travel may continue to be used during mixed and wholly political trips. The facilities must be used exclusively for communications relating to trip planning and arrangements and not for direct political purposes such as campaign fundraising and crowd-building. The Government will be reimbursed for the use of these facilities.

(8) Except in limited instances approved by the White House Counsel's Office, Government copying machines may not be used to reproduce materials for transmittal to a campaign or political committee.

G. TRAVEL

Government funds must not be used for the political travel of staff members.

Any political or "mixed" official and political travel by White House staff must be approved in advance by the Counsel's Office. No reimbursement will be made for non-approved travel expenses. Principles governing the allocation of travel expenses are set forth in a February 17, 1994 memorandum from this office.

H. USE OF PHOTOGRAPHS

(1) White House photographers may continue to photograph all Presidential, First Lady, and Vice Presidential activities for the purpose of creating an archival record of this

Administration. However, as a general rule, photographs taken by White House photographers at political events may not be used for distribution to individuals attending such events or for any other political or campaign purpose.

(2) Photographs taken at events in the Executive Residence (other than political-sponsored events), at West Wing and East Wing meetings, and at non-political events outside the White House may be distributed consistent with regular practices.

(3) A campaign or political committee will be expected to provide a photographer at all campaign and political events for which it desires to distribute photographs to the participants. White House photographers will not photograph receiving lines or greetings at campaign or political events, except to the extent necessary for archival purposes.

(4) A campaign or political committee may purchase, for its use, photographs taken by White House photographers in those limited circumstances where those photographs provide the only source for a particular picture. All photograph purchase requests from the campaign or political committee must be directed to the Director of the White House Photo Office. A record of all campaign photo requests will be maintained by the Director of the White House Photo Office, who will be responsible for billing the campaign or political committee for all photo orders on a monthly basis at the normal rate and according to the procedures established by the Government for the purchase of such pictures.

I. CORRESPONDENCE

(1) Campaign correspondence must not be produced at the White House, nor can White House stationery, stamps or related supplies be used in the preparation of such correspondence at another location.

(2) Federal law prohibits the receipt of contributions in Federal buildings. Occasionally, contributions intended for a campaign committee may be addressed to the White House and delivered with other mail. Such contributions should be handled by returning the contributions to the sender with an explanation of the applicable Federal law and a statement of the appropriate recipient's address. (Appropriate language may be obtained from the White House Counsel's Office.) There should be no acknowledgement of receipt of a contribution from the White House to the contributor. If the contribution is accompanied by a letter that deals primarily with governmental issues, a response dealing with those issues may be prepared and sent from the White House; however, there must be no reference to the contribution.

J. RECOMMENDATIONS

While encouraging political participation by Federal employees, the Hatch Act amendments are designed to shield employees from favoritism or retaliation based on their political affiliation.

A staff member may not solicit a recommendation from a member of Congress, any elected official of a state, any official of a political party, or any other organization or individual on the basis of the staff member's political affiliation. This prohibition applies to recommendations pertaining to any personnel matter, not just job applications. In addition to prohibiting employees from soliciting recommendations based on political affiliation, the law prohibits any of the sources listed above from supplying such recommendations.

The law provides that personnel actions with respect to a Federal employee or applicant for Federal employment shall be taken without regard to any recommendation or statement made by any of these prohibited sources. If an agency receives a prohibited recommendation, it must return it to its source, indicating that it is impermissible for the agency to consider it.

Recommendations from any of the prohibited sources may be accepted by an agency only if they consist solely of an evaluation of the employee's work performance, ability, aptitude, general qualifications, general character or residence. Also, if the law requires a recommendation from a prohibited source -- for instance, for the purpose of obtaining a security clearance -- an agency may accept such a recommendation.

K. CRIMINAL STATUTES

A number of criminal statutes prohibit the use of Federal programs, property, or employment for political purposes. Violation of these criminal statutes is punishable by imprisonment and/or the payment of a substantial fine. Certain staff members may also be subject to investigation and possible prosecution by an Independent Counsel in connection with alleged violations of these statutes. This section highlights those actions that may have criminal consequences.

(1) Solicitation of Campaign Contributions

Solicitation of campaign contributions from Federal employees (except for contributions to Federal employee PACs discussed in Part III(B), above) is prohibited, as is the solicitation or receipt of contributions in Federal buildings or on Federal property. Moreover, solicitation of campaign contributions from a Member of Congress or an officer of a

uniformed service is also prohibited. Unless specifically approved by the Counsel's Office and the Political Affairs Office, no White House staff member shall sign a fundraising letter on behalf of any Federal candidate.

(2) Use of Coercion

A new federal law makes it illegal for any person to attempt to or to actually intimidate, threaten, command or coerce a Federal employee to engage in or not engage in any political activity. This prohibition includes, but is not limited to, coercing an employee to vote or not vote for any candidate or ballot measure, make any political contribution, or work or refuse to work on behalf of any candidate. Violators can be fined up to \$5000 or imprisoned for three years, or both.

THE WHITE HOUSE
WASHINGTON
October 12, 1994

MEMORANDUM FOR EXECUTIVE OFFICE OF THE PRESIDENT STAFF

FROM: ABNER J. MIKVA
COUNSEL TO THE PRESIDENT

CHERYL MILLS *CM*
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: POLITICAL ACTIVITY GUIDANCE

On October 6, 1993, President Clinton signed the Hatch Act Reform Amendments of 1993, which expanded the scope of permissible political activities of many Federal employees, including employees of the Executive Office of the President ("EOP"). This memorandum is to advise you of recent changes in the implementing regulations, 5 C.F.R. § 734, affecting your ability to engage in political activity as a member of the White House staff. It supersedes guidance provided through a memorandum from this Office on April 6, 1994 ("Political Activity").

Under the new regulations implementing the Amendments, most Federal employees may participate in political activities, subject to certain restrictions. However, some government employees are still prohibited from actively participating in political management and political campaigns.¹ Moreover, detailees from other agencies maintain the status they enjoy at their home agency, and thus might be subject to certain restrictions on political activity even while working at the White House. Accordingly, this memorandum sets forth a description of permissible and impermissible activities for all White House employees, including those who are prohibited from actively participating in political management and political campaigns.

It is important that you adhere to these guidelines. Please check with your supervising officer and with the White House Counsel's Office if you have any questions regarding your ability to engage in political activity.

¹ See discussion at pages 4-5.

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I. RESTRICTIONS APPLICABLE TO ALL EMPLOYEES²

Under the Hatch Act amendments, certain restrictions apply to all federal employees.

A. Impermissible Activities

Staff members may not:

- (1) use their official authority or influence for the purpose of interfering with or affecting the result of an election;
- (2) intimidate, threaten, command or coerce any Federal employee to engage in or not engage in any political activity;
- (3) ever knowingly solicit, accept or receive a political cash contribution from any person, including a subordinate or other federal employe;³
- (4) ever knowingly solicit, accept or receive a political contribution of volunteer services from a company or organization (as opposed to from an individual);⁴

² It is important to understand that for the purposes of this section, the official responsibilities that customarily have been performed by the Political Affairs Office constitute "official" and not "political" activities. Therefore, the restraints cited here do not in general affect the activities, office maintenance, or other costs undertaken or incurred in the discharge of such responsibilities.

³ A staff member may solicit, accept or receive political contributions only if all three of the following conditions are met: 1) the staff member solicits, accepts or receives the contribution from either a member of the same Federal labor organization, or from a fellow member of a Federal employee organization that had a multicandidate political action committee (PAC) as of October 6, 1993; 2) the solicitation is for a contribution to the PAC of a Federal labor organization or Federal employee organization described above; and 3) the person from whom the gift is solicited, accepted or received is not a subordinate employee.

⁴ Political contributions do not include "individualized uncompensated volunteer services;" federal employees therefore may solicit, accept, or receive an individual's services as well as direct or supervise volunteers. Federal employees may not, however, solicit or accept the services of an organization or

- (5) run for the nomination or as a candidate for election to a partisan political office;
- (6) knowingly solicit or discourage the participation in any political activity of any person who has an application for any compensation, grant, contract, ruling, license, permit or certificate pending before the staff member's office; or,
- (7) knowingly solicit or discourage the participation in any political activity of any person who is the subject of, or a participant in, an ongoing audit, investigation or enforcement action being carried out by the employee's office.

B. Permissible Activities

Staff members may:

- (1) register and vote;
- (2) make financial contributions to a party or candidate campaign committee;
- (3) attend a political convention, rally, fundraising function, or other political gathering;
- (4) express their opinion on political subjects;
- (5) wear campaign buttons (though not while on duty)⁵;
- (6) display bumper stickers on their personal vehicles;
- (7) sign a nominating petition;
- (8) take an active part as an independent candidate, or in support of an independent candidate;
- (9) be politically active in connection with a question that is not specifically identified with a political party, such as a constitutional amendment, a referendum, or a municipal ordinance;

business, including soliciting an organization or business to make any of their employees available for campaign activities.

⁵ Under the law as written, certain high level political appointees are allowed to engage in on-the-job political activity, but Congress has indicated that it would be highly inappropriate for these officials to wear political buttons or other political paraphernalia while on duty.

This list of prohibited and permitted activities is not exhaustive. Staff members who have questions regarding any activity should direct inquiries to the Counsel's Office.

II. EMPLOYEES RESTRICTED FROM ACTIVE PARTICIPATION IN POLITICAL MANAGEMENT AND POLITICAL CAMPAIGNS

Active participation in political management and political campaigns is still prohibited for employees, unless appointed by the President, by and with the advice of the Senate, in the following agencies: the Federal Election Commission, Federal Bureau of Investigation, Secret Service, Central Intelligence Agency, National Security Council, National Security Agency, Defense Intelligence Agency, Merit Systems Protection Board, Office of Special Counsel, Office of Criminal Investigation of the IRS, Office of Investigative Programs of the U.S. Customs Service, the Office of Law Enforcement of the Bureau of Alcohol, Tobacco and Firearms. Also covered by this exception are Senior Executive Service "career appointees," administrative law judges, Contract Appeals Board Members, and employees of the Criminal Division of the Justice Department⁶ (unless appointed by the President, by and with the advice and consent of the Senate). 5 U.S.C. § 7323, as amended.

These employees -- whether employed in the Executive Office of the President, or on detail from another agency -- may not:

- (1) take an active part in partisan political management or partisan political campaigns;
- (2) serve as an officer of a political party, a member of a national, State or local committee of a political party, or an officer or member of a committee of a partisan political club;
- (3) organize a political organization or club;
- (4) solicit, receive, or accept political contributions or funds to be used for a partisan political purpose, including funds for Federal employee PACs⁷;

⁶ Under recent policy guidance from the Department of Justice (DOJ), the Attorney General has restricted the political activities of all DOJ political appointees consistent with the limitations of the agencies identified above.

⁷ The prohibition regarding soliciting or receiving funds for federal employee PACs applies only to the agencies described immediately above. In addition, employees of the Federal Election Commission (other than those appointed by the President, by and with the advice and consent of the Senate) are

- (5) sell tickets to, organize, or actively participate in any political fundraising activity;
- (6) do voluntary campaign work, such as addressing and stuffing envelopes;
- (7) solicit votes for or against a partisan candidate or circulate a candidate nominating petition;
- (8) serve as a recorder, poll-watcher, or challenger on behalf of a political party or partisan candidate;
- (9) drive voters to the polls for a partisan candidate or political party;
- (10) in concert with a political committee or organization, endorse or oppose a partisan candidate in a political advertisement, broadcast or campaign literature;
- (11) serve as a delegate to, organize or actively participate in the activities of a political convention;
- (12) serve on a standing committee of a political convention;
- (13) address a convention, rally, caucus or similar gathering of a political party in support of or in opposition to a partisan candidate for public office;
- (14) intimidate, threaten, command, or coerce, any Federal employee to engage in, or not to engage in, any political activity -- including voting or refusing to vote for any candidate or measure, making or refusing to make a political contribution, or working or refusing to work on behalf of any candidate.

III. EMPLOYEES ALLOWED TO ENGAGE IN POLITICAL ACTIVITIES

Under the regulations implementing the Amendments, Federal employees, with the exception of those employed at the agencies discussed above, are now allowed to take an active part in political management and political campaigns. However, even staff members who are allowed to engage in partisan political activities are subject to certain restrictions. We have set forth below guidelines to help ensure that political activities

specifically prohibited from requesting, receiving, or giving a political contribution to an employee, a Member of Congress, or an officer of the uniformed services.

undertaken by White House personnel are within the limits prescribed by law and White House policy.

A. GENERAL RESTRICTIONS

Generally, unless specifically permitted by statute, no federal employee may:

- 1) engage in political activity while the employee is on duty;
- 2) engage in political activity in any room or building occupied in the discharge of official duties by an individual employed or holding office in the Federal government;
- 3) engage in any political activity while wearing a uniform or official insignia identifying the office or position of the employee; or
- 4) engage in political activity while using government vehicles, including White House vehicles.

Certain employees are exempt from the above restrictions, as long as the costs associated with their political activity are not paid for by U.S. Government funds. To be exempt from the above restrictions, an employee must meet both of the following criteria:

- (1) the employee's duties and responsibilities must continue outside normal duty hours and while away from normal duty post; and
- (2) the employee must be: a) paid from an appropriation for the EOP, or b) appointed by the President, by and with the consent of the Senate, to a policy-determination position located within the United States, involving either foreign relations or the nationwide administration of Federal laws.

Most EOP employees' duties meet the criteria for permitting political activity while on duty and in a federal building. However, if your position does not meet the criteria set forth above, you are absolutely prohibited from engaging in political activity while on duty or in a federal building.

B. POLITICAL OFFICE

Under the Hatch Act amendments, most employees may run for any office or position within a political party or affiliated organization. However, employees are still barred from running

for the nomination or as a candidate for election to a partisan political office.

C. USE OF LEAVE

(1) Some White House staff members, as leave-earning employees, are entitled to specific amounts of annual leave. As discussed below, such leave may be used for political purposes; however, one cannot take an "advance" on annual leave to engage in political activities. Those White House staff members not entitled to annual leave (e.g., commissioned officers) may use a ceiling of 15 days of compensatory leave (i.e., the equivalent of vacation time) for political purposes.

(2) All White House staff members must perform their official duties for a minimum of 40 hours per week or 80 hours per two-week pay period in order to receive their full Federal salary. If a staff member does not complete 40 hours of official duty in any week, the difference between the number of hours completed and 40 hours must be covered by annual leave, leave without pay, official holidays or made up in the second week of that pay period. The difference cannot be made up in a subsequent pay period.

(3) White House staff members who complete a minimum of 40 hours of official duty during any full week (Monday-Sunday) may be absent from their official duty station for no more than one weekday (Monday-Friday) for the purposes of engaging in political activity without taking annual leave or leave without pay. If a staff member desires to be absent for political purposes for more than one weekday in any week, each additional weekday must be covered by annual leave or leave without pay, regardless of the number of official hours worked during that week. In other words, it is not permissible for a staff member to put in 40 hours of official duty in the first three days of the week and then take the remaining two weekdays off for campaigning without using annual leave or leave without pay.

(4) Sick leave cannot be used to cover an absence from official duty for the purpose of engaging in political activity.

(5) White House staff members are permitted to take leave without pay to cover absences from official duties for the purposes of engaging in political activity.

(6) When annual leave, compensatory leave or leave without pay is used for political purposes:

(a) Staff members must submit a request for leave for political purposes in advance of the leave period to their White House department supervisor for approval.

(b) Following approval, the office supervisor should forward the request to the Deputy Assistant for Management and Administration for approval in advance of the leave period.

(c) Finally, the Deputy Assistant for Management and Administration should forward the request to the Counsel's Office for approval prior to the leave period. Staff members must receive specific approval from the Counsel's Office to earn outside income.

(7) Staff members may use only eight hours of compensatory leave for political activity during any 7-day period unless additional leave is approved by Counsel's Office.

D. USE OF GOVERNMENT VEHICLES

Generally, government vehicles -- including White House vehicles -- may not be used for political purposes. This means that White House cars may not be used to transport staff members or materials to or from any political committee office or event. White House vehicles also may not be used to transport staff members or political materials to airports or any other locations if the purpose of the trip is political.

The only exception, excluding official use for compelling security considerations,⁸ is for travel to or from a political event in the following circumstances:

- (1) the White House staff member is the Chief of Staff or an EOP agency head; and
- (2) the use of the vehicle will occur during the regular work week (Monday through Friday, excluding weekends and holidays); and
- (3) the political or candidate campaign committee pays for the anticipated cost of the vehicle prior to the travel.

Because of the special requirements surrounding departures and arrivals from Andrews Air Force Base, White House vehicles may be used to transport White House staff members to that facility when they are accompanying the President, Vice

⁸ Compelling security considerations requiring use of a government vehicle include, for example, a recent threat to the life or safety of a staff member or overriding national security concerns. Specific approval must be requested from and provided by the Counsel's Office prior to the use of a government vehicle for compelling security considerations.

President, or First Lady on a political trip. Additionally, where the President is participating in a political event in the Washington, D.C. area or other location where White House cars are available for official purposes, White House cars may be used for the Presidential motorcade to the extent essential to the security and support of the President.

White House messengers should not be used to deliver or pick up materials from the DNC or any other political committee.

E. MEETINGS IN GOVERNMENT BUILDINGS

(1) Meetings involving campaign or political officials and White House staff members may be held in a White House staff member's office, the West Wing or the Old Executive Office Building, or, if it is a luncheon or breakfast meeting, in the White House Mess, provided that such meetings do not interfere with the conduct of Government business. Such gatherings must be organized by staff members who are permitted to engage in political activity in a federal building. White House offices and meeting rooms should not be used for meetings or events organized by a campaign or political committee.

(2) Campaign fundraising activities of any kind are prohibited in or from federal buildings.

(3) Campaign-sponsored or other political activities (receptions, dinners, meetings, but not fundraisers) may be held in the Executive Residence at the White House provided that either the President, Mrs. Clinton, or some other family member attends the event. Campaign or other political events (other than fundraisers) also may be held at the Vice President's Residence, so long as the Vice President, Mrs. Gore, or some other family member attends the event. The cost of campaign or political events at either residence must be paid by the proper campaign or political committee in accordance with the guidelines that have been established for the use of these residences for non-official purposes.

F. USE OF COMMUNICATIONS SYSTEMS AND COPYING MACHINES

(1) In those limited circumstances in which government communications systems -- telephone, e-mail (which automatically is backed up as a potential presidential record), telegraph, teletype, telecopy or radio -- are used for campaign-related purposes, appropriate reimbursement or payment at the "usual or normal charge," 11 C.F.R. § 100.7(a)(1)(iii)(A), must be made by a proper political campaign committee.

(2) Because of the need for liaison between limited numbers of White House staff members and a political committee, telephones may be used for local calls. However, White House

telephones must not be used, even locally, for regular committee activities such as recruiting volunteers or fundraising.

(3) Government credit cards must not be used for campaign-related or other political calls, whether made from within or outside the White House.

(4) Government operators should not be used to place campaign-related or other political long distance calls.

(5) Campaign-related political long distance telephone calls made from the White House may be made only if charged to a credit card issued by the proper campaign or political committee (or on telephones installed and maintained by such committees for exclusive use in dealing with campaign or political matters, should such phones be installed).

(6) The incoming WATS System (800 #) may not be used to call into the White House about campaign or political matters.

(7) White House Communications Agency ("WHCA") facilities provided outside the White House in connection with travel may continue to be used during mixed and wholly political trips. The facilities must be used exclusively for communications relating to trip planning and arrangements and not for direct political purposes such as campaign fundraising and crowd-building. The Government will be reimbursed for the use of these facilities.

(8) Except in limited instances approved by the White House Counsel's Office, Government copying machines may not be used to reproduce materials for transmittal to a campaign or political committee.

G. TRAVEL

Government funds must not be used for the political travel of staff members.

Any political or "mixed" official and political travel by White House staff must be approved in advance by the Counsel's Office using a political travel form. No reimbursement from appropriated funds will be made for non-approved travel expenses. Principles governing the allocation of travel expenses are set forth in a February 17, 1994 memorandum from this office.

H. USE OF PHOTOGRAPHS

(1) White House photographers may continue to photograph all Presidential, First Lady, and Vice Presidential activities for the purpose of creating an archival record of this Administration. However, as a general rule, photographs taken by White House photographers at political events may not be used for

distribution to individuals attending such events or for any other political or campaign purpose.

(2) Photographs taken at events in the Executive Residence (other than political-sponsored events), at West Wing and East Wing meetings, and at non-political events outside the White House may be distributed consistent with regular practices.

(3) A campaign or political committee will be expected to provide a photographer at all campaign and political events for which it desires to distribute photographs to the participants. White House photographers will not photograph receiving lines or greetings at campaign or political events, except to the extent necessary for archival purposes.

(4) A campaign or political committee may purchase, for its use, photographs taken by White House photographers in those limited circumstances where those photographs provide the only source for a particular picture. All photograph purchase requests from the campaign or political committee must be directed to the Director of the White House Photo Office. A record of all campaign photo requests will be maintained by the Director of the White House Photo Office, who will be responsible for billing the campaign or political committee for all photo orders on a monthly basis at the normal rate and according to the procedures established by the Government for the purchase of such pictures.

I. CORRESPONDENCE

(1) Campaign correspondence must not be produced at the White House, nor can White House stationery, stamps or related supplies be used in the preparation of such correspondence at another location.

(2) Federal law prohibits the receipt of contributions in Federal buildings. Occasionally, contributions intended for a campaign committee may be addressed to the White House and delivered with other mail. Such contributions should be handled by returning the contributions to the sender with an explanation of the applicable Federal law and a statement of the appropriate recipient's address. (Appropriate language may be obtained from the White House Counsel's Office.) There should be no acknowledgement of receipt of a contribution from the White House to the contributor. If the contribution is accompanied by a letter that deals primarily with governmental issues, a response dealing with those issues may be prepared and sent from the White House; however, there must be no reference to the contribution.

J. RECOMMENDATIONS

While encouraging political participation by Federal employees, the Hatch Act Amendments are designed to shield employees from favoritism or retaliation based on their political affiliation.

A staff member may not solicit a recommendation from a member of Congress, any elected official of a state, any official of a political party, or any other organization or individual on the basis of the staff member's political affiliation. This prohibition applies to recommendations pertaining to any personnel matter, not just job applications. In addition to prohibiting employees from soliciting recommendations based on political affiliation, the law prohibits any of the sources listed above from supplying such recommendations.

The law provides that personnel actions with respect to a Federal employee or applicant for Federal employment shall be taken without regard to any recommendation or statement made by any of these prohibited sources. If an agency receives a prohibited recommendation, it must return it to its source, indicating that it is impermissible for the agency to consider it.

Recommendations from any of the prohibited sources may be accepted by an agency only if they consist solely of an evaluation of the employee's work performance, ability, aptitude, general qualifications, general character or residence. Also, if the law requires a recommendation from a prohibited source -- for instance, for the purpose of obtaining a security clearance -- an agency may accept such a recommendation.

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Affairs Office, no White House staff member shall sign a fundraising letter on behalf of any Federal candidate.

(2) Use of Coercion

A new federal law makes it illegal for any person to attempt to or to actually intimidate, threaten, command or coerce a Federal employee to engage in or not engage in any political activity. This prohibition includes, but is not limited to, coercing an employee to vote or not vote for any candidate or ballot measure, make any political contribution, or work or refuse to work on behalf of any candidate. Violators can be fined up to \$5000 or imprisoned for three years, or both.

EARLYSUP WP5 10,219 02-11-95 1:04p

DRAFT FOR EARLY SUPPORTERS MEMO TO CHIEF OF STAFF

HISTORY:

The President identified a need for reaching out to his friends and supporters. Outreach efforts being done throughout the White House did not always include this group of people. Therefore, he asked me to locate these early friends and start a dialogue. He also wanted to see these same people included in White House social functions and legislative briefings.

GOALS:

- A. To identify and contact the key early supporters in all fifty states. (early supporter is defined as:
 1. person who worked for the primary or volunteered extensively during the primary
 2. Person who maxed out by March 1
 3. Who person who contributed in-kind during the primary
 4. FOB
- B. To put in WhoDB the names and relevant information about those early supporters in order to make their names available to other White House outreach offices.
- C. To oversee the placement of these early supporters in White House social and substantive functions which occur either here in Washington or in their home states.
- D. To add to this base group by early 1995, those folks we will be working with in '96.

SCOPE:

To contact the early Clinton base throughout the fifty states and re-energize those networks; and by early 1995 to have added to this outreach those who we want to be working with through 1996.

To act as a resource and information center for these in-state contacts.

To act as advocate and ombudsman for the in-state contacts.

PLAN:

- Outreach:
1. To recreate the Primary campaign structure by using volunteers to call into each state and check the accuracy of the information and lists we have. Linda Aaker, Joan Barram, Susie Hubbell and Andrea Ferguson have been helping on a part time basis to make these calls. The initial contacts were gleaned from lists supplied by Craig Smith, Bruce Lindsey and Amy Zisook.
 2. To establish a database to hold and work these names. (WhoDB will be fully functional by January.) A standard data sheet has been printed which is distributed to each on the road meeting participant. Upon the conclusion of the trip, the sheets are brought back to the White House and entered into

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WhoDB.

3. To travel on all domestic trips to hold meetings with key in-state supporters. At times these meetings will include the President but they will always include traveling senior staff and myself. The focus of the meetings will change depending on the nature of the trip. Different people from our early supporter lists will be included depending on the purpose of the trip. (On these initial trips, the President has indicated he wishes to attend and has done so for each meeting.) During the October-November swing, Harold or Bruce have given a briefing of the political overview. I start the meetings by making whatever amends are necessary and begin the process of re-establishing the ties. Re-creation of their in-state networks is also discussed and encouraged. Subsequent trips will build on this theme.

4. To recreate the General campaign structure using the same method we employed for recreating the Primary. However, we now can add the DNC and campaign records, as well as talking to in-state directors. (General campaign information is more accurate than Primary material.)

5. To identify by early 1995, key financial and political folks in each state who can work with us. Through consistent dialogue and follow-up, leaders will emerge.

Follow-up:

Advocacy:

1. Prepare memo for Harold about what occurred in each meeting held on the road.
2. Get memos to relevant White House offices about information gleaned on the road.
2. Disseminate names of early supporters to the appropriate outreach offices.
3. Notify Ann Stock about people that need immediate attention.
4. Give notification to Craig Smith about personnel issues that are pending.
5. Make sure that early supporters are included in all White House social functions.
6. Ensure that early supporters are included in all White House outreach briefings and functions.

Resource Center:

1. Identify and mail out photos taken on the road. Bob McNally has instructed the photographers to get those shots to me ASAP.
2. Get state specific information to them when requested and when up-dated. Ann Walker's shop will supply the information to us for dissemination.
3. Act as a resource center for early supporters visiting Washington. This can probably be handled by working with Ann McCoy and Nancy Hearnreich.
4. Arrange for tours, letters and messages, photos, and set up meetings for early supporters as they request them.

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5. Notify key, in-state people about pending in-state visits by President, First Lady, Vice President and Cabinet officers. Advance notices from First Lady's office is the only thing missing in this. I've asked Capricia for help on this.
6. Establish solid links with White House staffs, White House liaisons, DLC, DNC and government agencies so that we can get information and resources quickly. Once other staffs know what we are doing this will become much easier.
7. Start a monthly fax giving up-dates of our activities and accomplishments. This should come from the DNC.
8. Distribute in-statemeeeting information to Capricia for the First Lady and to Ann Stock to work into private dinners.
9. Co-ordinate with DNC and DLC about what they will and are doing for these folks.

RESOURCES NEEDS:

1. More staff. I currently share two people with Kevin and John. The outreach phoning and computer work is done by volunteers and one intern. I need at least one dedicated staff person to oversee the follow-up. I would like to keep Tim Flynn and get another person for John to use. (He needs a secretary.)
2. Office space. We are currently working out of the Database room and my office. The staff needs a place with three computers and three phones and room to store materials and assemble packets. If the database project moves upstairs we could stay in their office (Room 98), or move to the fourth or fifth floor.
3. Trinkets. Each trip involves contacts with approximately 20-30 folks. They are given a packet of information and I want to also give them a small gift from the President. I've done it on several trips and they loved the gesture. I am working with Tracy in Jodie Torkelson's office to get this done.
4. Phones and Computers. We still need one more phone line in Room 98, if we're going to stay there. We also need one more computer and desk set-up.
5. File Cabinets. I need a two drawer file cabinet for Room 147. This has been on request for over four months.
6. Broadcast Fax. We can send out weekly or monthly information sheets from my office if we have a broadcast fax.
7. Establish our legitimacy. People want to know what I/we do. I'm still part of a floating group and in order for my staff to get response from folks (especially other staffs) they need to be called something. I don't know whose budget I fall under for the various projects I'm involved in.
8. Pagers and Cell Phones. Tim Flynn needs a pager. I need a Skypager and a Cell phone. These are on request but so

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far I haven't gotten anywhere.

SUMMARY:

This is the President's idea and it's a good one. We are already seeing results through positive feedback and requests which we have been able to fulfill. People are thrilled to be contacted. However, this will quickly grow beyond my staff of one and overwhelm me if we do not act immediately. My biggest fear is that we raise expectations and then fail to deliver. Because there is very little outreach to early supporters coming from the DNC, I am having to do more than I originally estimated. When they are better organized, my work can focus more clearly on strictly White House functions. However, until that time the need is still there and the job must be done.

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(M 25673)

THE WHITE HOUSE
WASHINGTON

November 1, 1994

MEMORANDUM FOR ERSKINE BOWLES
HAROLD ICKES
DEPUTY CHIEFS OF STAFF

FROM: MARSHA SCOTT (MS)
DEPUTY ASSISTANT TO THE PRESIDENT

SUBJECT: Early Supporter Outreach Proposal

INTRODUCTION

The President has requested that an immediate effort be made to reach out to his friends and early supporters. Ongoing White House outreach has not always included these friends and early supporters. The President recognizes how crucial this group is to his success. Therefore, he has asked me to locate these friends and begin a dialogue with them. As these supporters are identified and located, the President has asked that they be included in White House social functions as well as policy briefings.

GOALS

1. To identify and contact all early supporters in some manner by January 1, 1995. Early Supporters are defined as: a) persons who volunteered extensively or were employed during the primary; b) individuals who contributed the maximum allowable by March 1, 1992; c) persons who contributed in-kind during the primaries; and d) FOB's.

who is contacting? how?

*How, by
1/3*

2. To input the names, address, phone numbers and other relevant information of early supporters into the White House Database (WhoDB) by February 15, 1995 so that other White House outreach offices can utilize the information.

3. To ensure that early supporters are invited to White House social/substantive functions as well as events in their home states.

M 32458
(M25674)

4. By Working the early supporters, identify by March 1, 1995 all those folks we will be working with in '96.

SCOPE

To contact the early Clinton base around the country, acknowledge our supporters' frustrations in not having heard from the White House and work to re-energize their local networks for the President. These local networks can then tell us who else we will need to bring in to work with in '96.

To serve as a resource/information center within the White House for these in-state networks.

To advocate the concerns of early supporters within the White House.

OUTREACH PLAN

in order of priority?

1. To recreate the primary campaign structure by using volunteers/interns to call key people in each state and verify the accuracy of the information and lists which we already possess. These initial contacts were gleaned from lists supplied by Bruce Lindsey, Craig Smith and Amy Zisook.

2. To determine who are the key early supporters in each state, Tim Flynn is directing a number of volunteers including Linda Aaker, Joan Barram, Susie Hubbell and Andrea Ferguson. This group is working these and other contacts in order to determine who our early supporters were in each state and gather accurate phone numbers and addresses.

EXTRA
RISKS
NEEDS?

3. To organize the data into a workable format which will then be entered into the White House Database (some already has been entered) so that everyone doing outreach in the White House can utilize the information.

4. To share these names with other outreach office prior to each trip these lists are sent to all the outreach offices as well as to the President and First Lady's offices.

5. To travel on all domestic trips to brief our early supporters. Sometimes these meetings will include the President (who has indicated that he wishes to attend and has done so on these initial trips) but they will always include traveling staff and myself. The focus and message will change with the nature of the trip. The specific supporters included in each meeting will also be dependent upon the nature of the trip.

M 32459
(M. 25.6.75)

I begin the meetings by making the necessary amends and then begin the process of reestablishing our ties. During these October-November swings, Harold or Bruce have given a political overview. Re-creation of their in-state networks is discussed and encouraged. Reestablishing the networks will be the primary focus of subsequent trips.

6. Send out follow-up letters to people I've met with inviting them to contact myself or Tim Flynn if there is anything we can do to help them work their local network.

7. To Recreate the General campaign structure using the same method employed to recreate the primary campaign in addition to using DNC/Campaign records.

8. To Identify by March 1, 1995 key financial and political folks who will work with us in '96 who were not '92 "early supporters." Through dialogue and working these networks, our leaders should emerge

ADVOCACY PLAN

1. Prepare a memo for Harold describing what occurred in each meeting. I will get this to Capricia as well.

2. Provide "heads-up" memo to White House offices about relevant information obtained on the road.

3. Disseminate the names of early supporters to the appropriate outreach offices.

4. Provide Craig Smith information about pending personnel issues of import to early supporters.

5. Ensure that early supporters are always included in White House social functions as well as substantive briefings and functions.

6. Work with Ann Stock to ensure that early supporters are always included in social events.

RESOURCE PLAN

1. Identify and mail out photos taken in early supporter outreach meetings. Bob McNally has instructed the photographers to get those shots to us ASAP.

2. Provide in-state networks state specific information from Ann Walker's shop.

M. 32460

(M25076)

3. Serve as a resource center for early supporters visiting Washington. This can be handled by working with Ann McCoy and Nancy Kernreich.
4. Arrange for tours, letters & Messages, photos and meetings for early supporters upon request.
5. Notify key early supporters about pending visits by the President, Vice-President, First Lady and Cabinet officers. We currently do not receive advance notice of the First Lady's schedule, so I've asked Capricia for help on this.
6. Establish links with other White House staff, DNC, DLC, and government agencies so that we can obtain information/resources for early supporters as quickly as possible.
7. Work to integrate the early supporters into the political briefs and events put together by Political affairs and OPL.
8. Oversee the establishment of a monthly fax providing information about our activities and accomplishments. This needs to come from the DNC.
9. Pass along information obtained in early supporter meetings to Capricia and Ann Stock so that the President and the First Lady can work it into conversations during private dinners.
10. Attempt to coordinate with the DNC & DLC about what they are doing with these folks.

RESOURCES NEEDED TO DO THE JOB

- Should file with DNC?*
1. Legitimacy. People want to know what it is that I/we do. We are still part of this floating Intradepartmental Working Group. In order for my staff to get a proper response from our folks in the states as well as other White House staff, we need to have some institutional standing as well as a name.
 2. More Staff. I currently share Tim Flynn and Julie Watson with John Emerson & Kevin O'Keefe. The outreach phoning and computer work is done by volunteers and one intern. Julie can serve as office manager and do the secretarial work. I would like to take Tim as my deputy and get another person for John to use as an assistant. Tim is in contact with key early supporters in many states and actually puts together the early supporter meetings. Tim also is the principal liaison between my operation and the rest of the White House staff. Tim requires a suitable title in order to do his job.
 4. Office Space. Our volunteers currently work out of the database office and my office. Julie & Tim share an office with

M 32461

(M25677)

a number of interns and volunteers. We need a place for three computers/phones and room to store material and assemble packets. If the database office moves upstairs, we could use their office (room 98).

5. Phones and Computers. If we do stay in room 98, we need one more computer, desk set-up and phone.

6. Trinkets. Each early supporter meeting involves contact with between 20-50 folks. I would like to give them a small gift from the President. I've done it on several trips and people loved the gesture. Tim is working with Kelli in Jodie Torkelson office to get the DNC to fund trinkets which would only be given out to early supporters.

7. File Cabinet. I need a wooden, two-drawer file cabinet for room 147. This has been on request for a number of months.

8. Broadcast Fax. We could send out periodic information sheets if we had a broadcast fax. — to W

9. Pagers and Cel Phones. Tim needs a pager. I need a skypager and a cel phone so that Tim can communicate with me when I'm traveling.

CONCLUSION

This is the President's idea and it is a good one. We have already seen results. People are thrilled to be contacted and are already energized. However, I don't have the resources to do the job. With what we have already set in motion, we will soon be overwhelmed if we do not get some more help. My biggest fear is that we will raise expectations and then fail to deliver. There is very little outreach to early supporters coming from the DNC. Until they are better organized and can do more, the need is there and the job must be done.

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THE WHITE HOUSE
WASHINGTON

November 1, 1994

MEMORANDUM FOR **ERSKINE BOWLES**
HAROLD ICKES
DEPUTY CHIEFS OF STAFF

FROM: **MARSHA SCOTT** (13)
DEPUTY ASSISTANT TO THE PRESIDENT

SUBJECT: **Early Supporter Outreach Proposal**

REDACTED

GOALS

REDACTED

MS, 89
1/17

2. To input the names, address, phone numbers and other relevant information of early supporters into the White House Database (WhoDB) by February 15, 1995 so that other White House outreach offices can utilize the information.

REDACTED.

M 25673

OUTREACH PLAN

Redacted

DATA
REMOVED
HERE?

3. To organize the data into a workable format which will then be entered into the White House Database (some already has been entered) so that everyone doing outreach in the White House can utilize the information.

M 25674

173

Redacted

M 25675

174

Redacted

M 25576

175

Redacted

M 25677



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Fund-Raisers' Use of White House Database Reported

■ Politics: Law prohibits providing information from computer system, established at Clintons' behest, for nongovernment use. Spokesman denies illegality.

By GLENN F. BUNTING, Times Staff Writer

WASHINGTON--The Clinton administration, acting at the direction of the president and first lady, created a massive computer data system with federal funds in 1994 to keep tabs on as many as 350,000 people, including large political donors, Democratic campaign workers and visitors to the White House.

Internal documents reveal that the White House issued guidelines and legal opinions advising that the system could be used only for official government purposes. But the White House staff frequently retrieved data on large political contributors and turned it over to the Democratic National Committee to help raise money for the president's reelection, interviews show.

The use of the computer, dubbed "WhoDB" for White House Office Data Base, provides further indications that aspects of the Democratic Party's \$125-million fund-raising effort were carried out in the White House and that some of its components were based there.

Also, the records reflect the assortment of perquisites beyond private coffee klatches with the president that the administration made available for prospective donors: seats aboard Air Force One, personal notes from Clinton, lunch in the White House mess and invitations to watch a movie in the East Wing.

It is entirely legal and customary for the White House to gather information from a variety of sources to help the president in his "official" capacity. But federal laws prohibit the administration from providing such data to a nongovernment organization, particularly a political committee such as the Democratic Party, for partisan purposes.

White House spokesman Barry Toiv said that the computer system serves as an electronic social calendar by storing lists of people who have been invited to presidential

events or received holiday cards from the first family.

"The database is not a tool for tracking contributors," Toiv said. "Nobody outside the White House was given access to it." He said that the program logging perks was developed for the computer but never actually used.

However, a former top Democratic official said in an interview that he and his staff routinely used WhoDB to identify likely candidates for increased donations. For example, he said, the staff found out how many White House invitations certain donors were receiving, so they could arrange more events for prospective contributors.

This began in 1995 when the party was striving to raise money early for Clinton's reelection in the wake of the Republican landslide the year before.

"I started checking back with the White House just as a routine matter," said Truman Arnold, a Texas oil executive who served at Clinton's request as finance chairman of the DNC during most of 1995. "It didn't seem to be very privileged to me. It was open to a lot of people."

Experts in campaign finance said that the national committee's use of the information stored in WhoDB raises questions about whether the administration went over the line in using government equipment and personnel for political purposes.

"This is a very sophisticated, state of the art information file that is of great use internally to the White House staff and the president," said Herbert E. Alexander, a USC political science professor and director of the Citizens' Research Foundation. "But using that file for political purposes with an outside agency like the DNC is beyond the law and ought to be the subject of an investigation."

Since July, a House Government Reform and Oversight subcommittee has been investigating WhoDB. The subcommittee is at odds with the White House over the release of computer records and is threatening to issue subpoenas for more material.

Democratic officials said they were not able to confirm Wednesday whether the DNC had used the White House computer for fund-raising purposes. "We are looking at this internally right now," said spokeswoman Amy Weiss Tobe.

Internal memos obtained by The Times reveal that the administration took steps to keep the White House database secret.

In a Jan. 26, 1994, memo marked "confidential" to the first lady and top presidential aide Bruce Lindsey, deputy assistant to the president Marsha Scott wrote that all WhoDB equipment and records were in a locked room in the Old Executive Office Building next door to the White House and that she had taken extra precautions to ensure that the project was not subject to disclosure under the

federal Freedom of Information Act.

According to a report filed by "The WhoDB Team," the president and first lady requested in late 1993 that the White House staff start a resource database that would track official correspondence by the president and certain White House employees. It would allow staff members to plan future events and meetings as well as to compile a list for holiday cards.

The White House provided the subcommittee with a count of 355,211 individuals listed in the system. Toiv, however, said that the system contains the names of about 200,000 people. They include members of Congress, mayors, governors, community leaders, business leaders and reporters. Private information such as addresses, home telephones, Social Security numbers and dates of birth also are included, in part to expedite clearance into the White House by the Secret Service.

Documents show descriptions entered in a "Political Participation" field include "DNC Latino 1000," "Early Supporter--Financial," "1992 General Election Fundraiser" and "DNC Trustee." The latter designation identified party donors who gave more than \$100,000 a year.

These labels, according to administration officials, were used to help identify the backgrounds of visitors invited to attend White House functions or meet with the president and others.

"To the extent there are contributors in there, the vast majority of them [have] no indications of how much they gave or when they gave," Toiv said. "The database was not used in any way to solicit campaign contributions."

Nor were WhoDB files used to select guests to be invited to the 103 coffee klatches at the White House in the last two years, Toiv said. "That would be an inappropriate use of the database."

The WhoDB manual and memos from the White House legal counsel make clear that the database may be used only for "official purposes." In July, then-White House Counsel Jack Quinn said in a memo that providing information to "any outside source, including any campaign committees, for unofficial purposes is an impermissible use" of the database.

However, people familiar with the system said that during the last two years DNC workers routinely used the database as a fund-raising tool to recruit prospective donors and to solicit large contributions.

Arnold, the former party finance chairman, said that he was given a fund-raising goal of \$42 million when he joined the national committee in March 1995. Arnold said he focused on reconnecting the party with contributors who had given in 1992 but who had "fallen from the fold."

To do this, Arnold said, party staff members tapped the White House computer base, usually calling for the information. Arnold said that the national committee occasionally dealt with Ann Stock, head of the White House social office. Stock could not be reached for comment.

"It was most helpful to us because we were looking to the disaffected," Arnold said. "The database helped us to see who had been invited to what."

In some cases, Arnold said, the party discovered through the computer that donors who had given \$25,000 had received numerous invitations to the White House, while supporters who had given \$100,000 or more received nothing.

Arnold said he saw to it that the national committee focused attention on big donors who had been ignored by showering them with invitations that included movies at the White House theater, state dinners, seats aboard Air Force One, White House coffees and rounds of golf with Clinton.

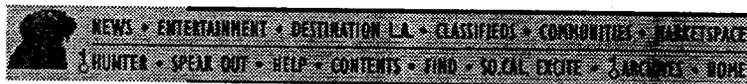
"This was the way we reconnected to people. . . ." Arnold said. "And when you started having fund-raisers . . . they would be the first people to show up and work for you."

However, Toiv said, the computer was not used to aid fund-raising. "That is not the way it was used," he said. "The DNC would only be calling in response to the White House wanting to know what names they would want to submit to an official event."

Rep. David M. McIntosh (R-Ind.), who is leading the House investigation into the database, said it is evident that the White House was doing more than organizing social events and planning holiday greeting cards.

"It looks like the Democrats set up their donor-tracking software at the White House rather than the DNC," he said. "We have to get to the bottom of this."

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THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

January 30, 1997

PRESS BRIEFING BY
MIKE MCCURRY AND BARRY TOIV

The Briefing Room

12:45 P.M. EST

MR. MCCURRY: Good afternoon, ladies and gentlemen. A couple of things to open with here: Some of you asked about the swearing-in of Mr. Daley, and we are happy to say that the Vice President will be swearing him in this afternoon at 3:40 p.m. And he asked that he have a small family-only event with the Vice President, but we will have stills for that. And they're going to escort folks over at 3:15 p.m.

Q What's the coverage?

MR. MCCURRY: Stills only, yes -- at his request. That's the way he wanted to do it and that was fine by us.

Second, the President will travel to Augusta, Georgia, on Wednesday, February 5th. He will be highlighting his emphasis on education, which a key, if not the key, priority that he has on the domestic agenda as we look ahead to a second term. He looks forward to seeing the Governor, obviously, talking a bit about the HOPE Scholarships and the program in Georgia upon which HOPE Scholarships have been modeled, but other education issues as well.

Q Playing golf?

Q Any golf?

MR. MCCURRY: Day trip down, back early in the evening, so he'll be ready for the National Prayer Breakfast the next morning. Okay?

President Clinton had a good conversation today with French President Jacques Chirac; about 30 minutes long, 15 minutes worth of conversation given the consecutive translation. Obviously, the President wanted to touch base with President Chirac prior to President's Chirac's trip coming up this weekend to Moscow. President Chirac will be seeing President Yeltsin this weekend. This is an opportunity for them to consult on issues that are related to the future of Europe and Russia's important role in the future of Europe -- NATO adaptation, expansion, modernization clearly part of the subject matter discussed. Also, a review of those types of issues that we expect to be on the summit agenda when the NATO leaders meet in Madrid.

Q Did he call?

MR. MCCURRY: The President called -- we initiated it, yes. We initiated it.

Alexis Herman may have helped to arrange White House meetings for business people going on trade missions that might have been improper.

MR. MCCURRY: I have not looked into that matter and to my knowledge -- I don't believe our letter addressed that particular question. But I think Joe Lockhart is in a position to help you out if you're working on that subject.

Q Any reaction to Alan Greenspan's call for a separate commission to annually take something off the CPI?

MR. MCCURRY: I don't have any change in the views we've articulated in the past about how the measurement of inflation ought to be factored into federal budgeting. We've laid out our views on how that issue should be addressed and I think it's pretty clear. And he's obviously an influential voice in that debate, but I don't know that that's all that different a position than saying, as we have said, that this is a matter that ought to be addressed by those who are technically expert in giving advice to those who must make policy related decisions.

Q Mike, on this computer list story, could you clarify, was the list actually used for giving information to the DNC to help them to give perks to big donors?

MR. MCCURRY: I think Barry has looked into that. If you don't mind, I'm going to let him take that.

MR. TOIV: Could you repeat the question?

Q Well, if you can just clarify, I guess the essential question is, was this list compiled from information that came from the DNC and then, in turn, used for political purposes, for giving information to the DNC?

MR. TOIV: No. The database, as far as we know, all the information we have gotten was used only for official purposes, and would have been used only for putting together lists of people for official events here at the White House -- state dinners, presidential dinners, that sort of thing. The database basically is a list of people who come into contact with the White House, or who might come into contact with the White House.

Q So Truman Arnold was wrong when he said that he got information off the database, or he was misquoted?

MR. TOIV: The only contact that we're aware of that the DNC would have had would have been when the Social Office was putting together lists of people to invite to official events here -- they would sometimes talk to the DNC to see if there was anybody they were interested in having attend events here. And in getting those lists, they would have contact with them. The DNC did not have access to the database; only people who worked at the White House had access to the database.

Q He said, the database helped us understand who had been invited to what.

Q He said he was able to call up --

Q And they were looking for disaffected people, disaffected Democrats.

MR. TOIV: I don't know what Truman Arnold said, but I .

can tell you that the only use of the database would have been to consult it to see who had attended what events here at the White House, and that would only be in the context of putting together an official event here at the White House.

Q What did you mean when you said it was a list of people who might come into contact with the White House? Was it prospects?

MR. TOIV: Well, there would be people on the list -- also, people who attended events at the White House, or who the White House might want to invite to attend events at the White House. Also, people who receive holiday cards, those sorts of things.

Q Who got on the list, and what was the criteria for getting on the list?

MR. TOIV: Well, if an office at the White House wanted to put people in the database, then essentially they would put people into the database.

Q Barry, Arnold claims that he discovered through this database the people who contributed \$25,000 were wined and dined here, and that people who contributed \$100,000 or more were basically getting very short shrift, and that was one of the things that he corrected. Was there a computer run made to get those kinds of numbers, and would that be passed on to the DNC?

MR. TOIV: No, there was no computer run of that sort that I'm aware of.

Q Barry, one of the things that is said in the memos about setting this database up on Marcia Scott is that it was to be done under the utmost secrecy. Have you been able to determine why it was such a secret project?

MR. TOIV: First of all, I don't know why anybody would call it a secret project. I read about it back in March of 1995 in a newspaper report where a White House official said that we were putting this together. As far as contracting it out, there was no need to contract it out, there was expertise within the Executive Office of the President, computer expertise, that would enable people inside to do most of the work. A little -- some of it was contracted out.

Q You don't know why, in memos to Bruce Lindsey and the First Lady, she constantly stressed the need to keep this very secret, to keep access restricted, to have the computers in a locked room that no one had access to, not to use career people because they weren't for the President?

MR. TOIV: The only other reason I would know for that kind of security would be that there was -- because of privacy concerns. Because, as you know, to be admitted to the White House, you need to provide Social Security number and date of birth and that sort of thing, and so that kind of information is contained in there for people who visited the White House.

Q Barry, The L.A. Times story says that over the last two years, DNC workers routinely used the database as a fundraising tool to recruit prospective donors and to solicit large contributions. Do you take issue with that statement?

MR. TOIV: It was used only for official purposes, and that would not be an official purpose.

Q So that's wrong, you're saying --

Q Is that wrong?

MR. TOIV: The database was not used by the White House for any sort of fundraising capacity.

Q Was it used for the DNC?

MR. TOIV: The DNC did not have access to it.

Q Did they have access to the information?

Q What Truman Arnold said is he could call up and have people run things on the computer for him. Have you all talked to Truman Arnold? Do you disagree with what he says?

MR. TOIV: I am not aware that he said he would have things run on the database.

Q Have you spoken with him.

MR. TOIV: No.

Q Has anyone in the White House spoken with him?

MR. TOIV: I don't know.

Q When you say that they didn't have access to the list, the actual physical computer list -- could they get the list printed out and sent to them?

MR. TOIV: No, absolutely not.

Q You're saying -- just to any of the information --

MR. TOIV: Absolutely not. There was clear guidance as to how the database could be used, and the guidance was that it could only be used for official purposes, and no information could be printed out and sent elsewhere outside of the White House.

In fact, the DNC -- at one time there was a DNC employee who was visiting the White House and apparently went over to the Social Office and asked to see the database and he was bounced out of there. I mean, it was just -- they followed the rules. We have no information that they did not follow the rules.

Q Don't you think that if you've got Truman Arnold making public statements that he could call over here and get something run anytime he wanted, in effect, that you ought to talk to him about it and find out if that's the case, and if it was the case, who was doing it for him?

MR. TOIV: We would certainly be concerned if there was unofficial use of the database.

Q Don't you think you might want to ask him about that?

MR. TOIV: Well --

Q Given all the reports you all haven't talked to him yet?

MR. MCCURRY: Barry, the Counsel's Office has --

MR. TOIV: That's true. The Counsel's Office has contacted him, and we still do not -- even after that conversation we still do not have any information at the White House that the White House used the database inappropriately.

Q If the DNC had wanted to find out who had attended official functions at the White House, would someone have consulted the database to tell them, and properly? I mean, like, the DNC called and said, I don't know if Joe Dokes and Suzy Q and Herman Q. Public have come to the White House for official business. That would be a proper request and they'd tell them?

MR. TOIV: If the DNC, in the context of putting together a list of people that they might want to ask to be invited to an event here, asked the question, was this particular person invited to previous events, or did this person previously attend events at the White House, it would be entirely appropriate for the Social Office to answer that question. And the Social Office -- obviously, the Social Office would frequently know the answer to that question. If they didn't know, the place where that information was kept was the database.

Q It's now also been established I think beyond anybody's dispute here at the White House that the DNC as often intimately involved in putting together lists of people to come to official events at the White House and who happened to be supportive of the President, contributed to the President, et cetera, et cetera, et cetera. It's also been demonstrated that people came to the White House for various official events, and just in the immediate aftermath or preceding days, made contributions, et cetera. So I guess what I'm asking is, you keep stressing the official nature of the event; at what point is that almost just a legalistic phrase with no practical meaning, because no, "political events" are ever held in the White House that you're trying to define them. I mean, fundraisers cannot be held in the White House in the sense that you're trying to define them. I mean, fundraisers cannot be held in the White House.

MR. TOIV: Well, no, but there are DNC events at the White House, as you know, and --

Q Like these coffees, or whatever.

MR. TOIV: For example, and those are not the events I'm talking about.

Q So they never called and asked who should be invited to a coffee with the President using the database --

MR. TOIV: Correct. The database --

Q -- things like the Christmas parties, the --

MR. TOIV: It would not have been appropriate to use the database to determine who ought to come to a DNC event. And -- well, that's the answer.

Q One of the elements, one of the categories in the database reads, "H Pres '96, Presidential supporter 1996." Where did that information come from, and was there ever a trade with DNC on that information?

MR. TOIV: No, the database did not provide the DNC that

kind of information. Sometimes that information would come in from the DNC. It was entirely appropriate to input information into the database if it's only use for was official purposes.

Q So it sat here and never went back? Also, also, in one of these reports -- we were talking about it last night -- that Lanny handed out last week, Ethnic Constituency Plan, it sites something called the databank at the White House to develop statewide Democratic ethnic coordinating committees. Was that never done?

MR. TOIV: We have no knowledge that that was -- that it was ever used for any unofficial purpose, only for official purposes. Again, if it were used to invite people here to an official event at the White House, that would be appropriate. If it were used for unofficial purposes, that would be inappropriate.

Q But these were -- and the information that these reports called for was supposed to go to the DNC. Did the ethnic group that was in your database go to DNC as part of this report --

MR. TOIV: First of all, the ethnic group in the database -- that classification was disabled last year, early last year, first of all. Secondly, again, I have no information to suggest that information from the database was used for campaign purposes -- for any campaign purposes.

Q The congressional committee that's been looking into this asked for some information from the White House and the chairman of the committee sort of is saying that look, you guys have not been forthcoming. You sent him something on the early supporter outreach proposal -- just goals totally redacted, outreach plan redacted -- just blank pages. What is it in here that is so secret that you can't talk about goals of a project?

MR. TOIV: The White House has provided the House subcommittee with approximately 27,000 pages of documents on the database. We have also provided them with a copy of the database itself. And we will continue to provide documents to the subcommittee and they have had and will have ample information with which to conduct their inquiry.

Q You know as well as I do that the amount of pages, which is something you guys say every time you get into one of these things, isn't necessarily important. It's whether they get the key pages or not. Are you sure -- do you believe that when you send them something like this, which doesn't give information on what the goals of the project were or how the project was carried out, that you're really giving them the information that they need?

MR. TOIV: Well, judging from the information I've seen reported in the news media, they seem to be getting quite a lot of information from us.

Q Barry, after the conversations with Mr. Arnold in the White House Counsel's Office today, what did he say to explain the comments that were attributed to him in The L.A. Times?

MR. TOIV: I don't know, I'm not privy to that conversation. But, again, I still have -- based on my conversation with Counsel's Office, I have no reason to believe that the database was used for anything other than official purposes.

Q Is he denying that the comments in The L.A. Times were correct?

MR. TOIV: Well, I'd rather let him speak for himself.

Q Barry, I don't mean to be obtuse about this distinction on official purposes, but isn't the very essence of the criticisms being leveled at the White House from all the various quarters that they're being leveled that financial and political supporters of the President were invited to any number of events -- Christmas parties, summer picnics, spent nights in the Lincoln Bedroom, coffees in the Map Room -- which would be deemed official events of the White House and, in fact, the controversy is precisely because these people who had a private political and-or financial contribution to the President are invited to official events in the White House.

MR. TOIV: I think most of you would know that every White House invites here people who have been their supporters, people who have been friends of the President. That goes back to time immemorial. That is ordinary practice and there's nothing wrong with that.

Q That's my question. What would be -- I don't understand the distinction between inviting those people to the kinds of events you've described. I guess, what would be an unofficial event at the White House? That's what I'm --

MR. TOIV: I've already described that for you, an instance of that.

Q Forgive my obtuseness, but that's because -- in other words, an unofficial event would be a coffee organized by the DNC that would happen to take place at the White House for big contributors, or something.

MR. TOIV: That would be an example.

Q That would not get imputed into the database?

MR. TOIV: The only -- the database would not be used to decide who ought to go to an event like that. But once the DNC had a list, it would end up in the database for purposes of printing out a list for people who should be cleared into the White House and to have a record of who had been here at the White House.

Q But the DNC, on the other hand, as we've known and as everyone has said, does participate in forming lists for the Christmas parties, the summertime picnics, whatever. So in other words, is it a one-way street, one way, where the DNC can offer advice to the White House Social Office about who among the President's political and financial contributors could be invited to official events, but the White House is not allowed to offer to the DNC information in its files about invitees to the White House --

MR. TOIV: That's correct.

Q -- leveraged for direct fundraising activities?

MR. TOIV: That, in essence, is correct. Let me add that just because the DNC asks that a person be invited to an event, that doesn't mean they got invited.

Q Barry, they can retrieve -- the DNC, when they call over here, can retrieve information.

MR. TOIV: The DNC -- again, to repeat -- when the Social Office is putting together official events, they will consult

sometimes with the DNC to ask whether there are certain people they would like to have invited to an event. Again, if they give us names, sometimes that person would be invited, sometimes they would not. But in doing that, the DNC, in determining their criteria for deciding whether someone should be invited, would say, well, has this person been to a state dinner before, or some other kind of event. And the Social Office would provide that answer. The Social Office either had that information there, or they would consult the database.

Q Barry, what information would the White House have not provided to the DNC that they asked for? In other words, what was there in the database that --

MR. TOIV: There's not a whole -- the database doesn't have a whole lot in it besides what events people have attended here that the DNC would be interested in. The DNC knows who its contributors are.

Q Is there any information in the database that they wouldn't have given to the DNC in the context of the discussions that you were just outlining?

MR. TOIV: That's a real hypothetical question. Again, the database was to be used only for official purposes, so if an occasion came up where there was something that would be used not for an official purpose, that would not be appropriate. It's hard to come up with an example, though.

Q Let me think if one, Barry. For example, if the DNC called and said, we're -- as you acknowledge, they know their own contributor base -- but if they say, we're going to have a dinner for big donors for the party or for the DCCC or whatever in New York on February 24th, and in compiling this list, we'd like to cover some new territory, people who haven't been invited to the White House. If we give you these names, will you tell us how many of them have already been to state dinners, been to this, been to whatever, that we can say let's spread the wealth and go to some of these other people. Is that the kind of thing that the database would then cooperate, or is that unofficial and you're saying --

MR. TOIV: No, that's unofficial, inappropriate.

Q But, Barry, as you're setting it up, it sounds like each inquiry made by the DNC, there was somebody asking the question, for what purpose do you want this information, and, therefore, making a judgment over whether it's appropriate or not appropriate. Is that really the case? Were they being quizzed each time somebody called?

MR. TOIV: Again, my understanding is that this would be done only in the context of setting up official events, that it would not be done in the context of setting up nonofficial events.

Q But it was always an event that precipitated it. Somebody couldn't just call and say, I'm curious -- I work at the DNC and I'm curious, how many times has John Smith been to the White House. and the person would answer, I can't answer that because it's not an appropriate inquiry.

MR. TOIV: The information we have is that it was done only in the context of setting up official events.

Q Why would the DNC call and ask for information to help set up an official event?

MR. TOIV: No, the Social Office would consult with the DNC sometimes in putting together the list for an event, list of people who to invite, they would consult with the DNC sometimes as to whether there were people that they would like to have invited.

Q But we're talking about the other way, going the other way, the DNC calling the White House trying to make use of the computer.

Q To put together a coffee, for example.

Q And you're saying that would only happen in the context of official events, that they would never call --

MR. TOIV: The DNC would -- again, the information we have is the DNC would be calling in the context of having been asked who to invite.

Q The DNC never called and asked for information from the computer? Did the DNC ever have occasion to --

MR. TOIV: In the context -- I don't know that they were asking for information from the computer, per se. They were asking for the information in the context of the White House putting together an official event here.

Q Well, why would they need the information from the computer --

MR. TOIV: The information that they would sometimes ask for would be, well, if we want person X to -- we're thinking of asking you to invite person X to a particular event; has person X been to that kind of event before, or how many such events has that person been to before. And then the Social Office would provide that answer in the context of helping to put the event together they would do that.

Q Barry, does the DNC get to see any list from the computer for the purposes of Christmas cards?

MR. TOIV: No.

Q Then who handles the Christmas card list?

MR. TOIV: The holiday cards were put together -- there are actually three separate lists. The White House had its own list, the DNC had a list, and Clinton-Gore '96 had a list. And they would separately submit their lists to the printer, and the DNC, in fact, would pay the cost of the holiday cards even that came from the White House list. And then those -- the entire list was then brought back and put in the database. Again, the names came from those lists into the database statement.

Q Only the printer would see the whole list?

MR. TOIV: Right, and then the database. That's correct. The DNC would not see the White House list.

Q You said that the President had friends spend the night in the Lincoln Bedroom, and Mike has said this before. But in the current issue of The New Yorker, Jane Mayer, writing about this, interviewed one such person who spent the night and said he was not friends of Clinton, but he was a contributor to the DNC. And if that's true, that undercuts this argument. Do you take issue with that story?

MR. MCCURRY: No, I do not take issue that they talked to someone who said that they were not necessarily a personal friend. What I've said in the past is that the people who stayed in the Lincoln Bedroom, in the President's opinion, were his personal guests. He's described them as friends, supporters, family members, friends of his daughter, friends of his wife. On occasion, they would invite people who were at the White House attending a function. He would say at the end of a dinner, invite someone to stay over after they had been there late at night for a dinner. But he considers all of those people to have been personal guests that he personally wanted to see at the White House overnight.

Q I'd like to ask Barry, of the 27,000 pages that were sent to the committee, were they mostly names on the database?

MR. TOIV: To tell you the truth, Helen, I haven't seen them.

Q Given that the White House Counsel's Office has talked to Mr. Arnold, does that mean that the White House is investigating this or has the White House concluded that there's nothing to investigate -- nothing improper to investigate? What's the status?

MR. TOIV: Well, the Counsel's Office wanted to get a sense of what -- of how the database had been used. And so, I think that's why they talked to them.

Q Well, what's the conclusion?

MR. MCCURRY: On that one too, remember that when we provide answers to questions that you're asking, we rely on the help of the Counsel's office to help us get the information. So, it's -- what we've obviously had press inquiries on this and we've asked them to help us get the necessary answers.

Q Who actually runs the database? Is there just a computer specialist?

MR. TOIV: I don't know the answer to who actually is the person in charge of it. I believe it comes under the Office of Administration though.

Q Barry, just to pin that down, though, the feeling is that you have the answer now, there's no further inquiry into this -- into whether there's any truth to the claims that the DNC had access to the White House database?

MR. TOIV: I don't know what further actions the Counsel's Office might take. I don't know of any that they're -- any further actions that they're taking on that.

Q I'm not clear on what you're -- are you disputing Arnold's quotation, or are you disputing the implication that the LA Times took from Arnold's quotation?

MR. TOIV: Well, I think I'll let it rest with the facts that I've given you.

Q Which are a direct contradiction with that story and with the on-the-record -- apparently, with the on-the-record quotations that Arnold gave them.

MR. TOIV: Well, I'm not sure that that's the case. But

I will -- I'm going to --

Q That's why I'm asking you to clarify it if it's not.

MR. TOIV: No, I will let what I have said stand as the record from here. And I'm not going to get into what is inaccurate about the story.

Q I just want to make sure we get it straight. The DNC did have access to things when they would ask and say, let's check some names, but not wholesale access to this database?

MR. TOIV: They did not have access to the database at all.

Q So they just would go to the Social Office and then --

MR. TOIV: And again, the only time a question from the DNC would be answered from the information that we have is -- was in the context of putting together an invitation list for the White House for people to be invited to official events.

Q Can you take please one more crack at this -- define the distinction between an official and an unofficial event?

MR. TOIV: An official event would be -- I can give examples.

Q Can you do something that's a little more abstract to define what makes an event official and what makes an event not official?

MR. TOIV: No, I would probably need to Counsel's Office to write that down for me, John. I'll take it and get a definition from the Counsel's Office.

Q Was this in effect in other administrations?

MR. TOIV: Excuse me?

Q Was this system in effect?

MR. TOIV: No, but let me point out that every White House has kept lists of this kind. Forty years ago, they were keeping them on pen and paper and keeping them in their file drawers. What happened here was that, like the most recent White Houses, we had about two dozen different smaller databases in different offices in the White House, none of which could talk to each other -- to use computer parlance. And so that was why the decision was made to create one database, put all this information into one database, so that you would -- so that it would be more efficient and more accurate. And that's why the database was created.

Q Are we all in this database having been invited as we are periodically to various White House official events?

MR. TOIV: As a matter of fact, if you have been invited to, say, a holiday party here at the White House, your name is probably in the database. And what would be in there would be your name and address and probably your affiliation with whatever your -- whoever your employer is, and the fact that you have been invited to this event. And for purposes of coming to the event, your Social Security number and your date of birth and phone numbers, and that's

about it.

Q Mike, did the database ever reflect that people had made donations to the DNC, or was there some mechanism where names came from the DNC? Because some of the press reports have suggested that donors, or high donors, somehow made their way on the list. Can you explain that mechanism to us?

MR. TOIV: Well, first of all, early on when the list was put together, there were lists input into the computer that had names which might have suggested that they were donors. But it has not been -- but the database was never used to track donations, and in fact, there are -- first of all, the vast majority of people in there are not listed as donors and there are probably large numbers of donors in there who are not listed as donors, because we did not keep up a list of donors, per se.

Q What was the purpose of recording that information in the database?

MR. TOIV: The information was not recorded -- the donations or the fact of the donations was not listed per se, but if a list was input initially, the way the computer was set up was, if that list had a name then they would include that name in there, so that the list could have a name that suggested that they were supporters or had some affiliation with the DNC that suggested that they might be contributors.

Q That came from the DNC?

MR. TOIV: Yes, that came from the -- usually from the DNC or perhaps from the '92 campaign.

Q Do you mean like within the long list of people in the database there would be a subhead or something that would -- is that what you're saying?

MR. TOIV: You're asking what it actually looked like?

Q -- stay in its form?

MR. TOIV: No, it would just be a notation in a person's entry, on one of the pages of the person's entry that this was -- that they came in on this list. There were no -- as far as I know, there was never a specific amount listed, what a person contributed. And again, it was not used to track contributions or contributors, per se.

Q I was just confused about where things stand now with the Counsel's Office checking in to this. Have they done all of the looking into it that they're going to and they're satisfied at this point? What did they communicate to you on that?

MR. TOIV: Well, the Counsel's Office, as Mike said, has looked into this in order to enable us to answer your questions.

Q And they're done now?

MR. TOIV: I assume they will continue to do that, if you have further questions.

Q Is the database technically accessible from outside the building?

MR. TOIV: No.

Q No modem connection, nothing like that would be possible?

MR. TOIV: There is no modem connection, and that would be -- that would definitely be in contravention of the rules that were established.

Q Are these administration rules or is there some sort of legal rule that is guiding use of this?

MR. TOIV: The administration obviously had to -- the Counsel's Office had to interpret the law determining how the system could be used and how it could not be used.

Q But if I called up and said, hey, tell me who's been to the party, you wouldn't tell me, right? But in terms of a legal distinction, obviously I'm not legally different than a DNC person.

MR. TOIV: Mike reminds me that we may have used it from time to time to answer press inquiries.

Q What's the level of security? Is it --

MR. TOIV: It is actually designed to be very secure, and the access to it is very much limited within the White House.

Q To certain terminals and computers?

MR. TOIV: Yes, exactly.

Q Or limited by password?

MR. TOIV: Let me describe. Essentially, access is limited to, in the vicinity of somewhere between 120 and 140 people right now. And it is limited -- well, and it is limited in terms of how they're able to use it. There are different levels of access. People can obtain certain information and they cannot obtain other information. There are people -- again, you have to keep in mind what it's used for. It is used to -- what's recorded in there is what events people have attended for the most part. The Social Office -- there are a number of people in the Social Office who use it because they put together so many of the events here. But they've drawn up -- they've tried to draw it very tightly so that only people who are supposed to have access can get into it.

Q Do they do so only from specific terminals, or do they do so with passwords?

MR. TOIV: Both. Both.

Q -- those terminals in there access the database?

MR. TOIV: No. There's -- nobody in the Press Office has access to the database.

Q Only open --

MR. MCCURRY: I don't have access?

Q I hope not. (Laughter.)

MR. TOIV: I've never -- and I worked in the Chief of Staff's Office; I never had access to it.

Q But do you not have access because you don't have a password, or do you not have access because your computer will not physically --

MR. TOIV: My computer doesn't have the software for it, and I don't have a password for it. You have to pass both levels before you can use it.

Q Can you go back to whoever your contact is in the Counsel's Office and ask them specifically did Truman dispute any of the quotes in the story, and if he does, please call us ahead now -- I guess we can assume that he doesn't dispute them. And, second, did Truman say whether or not he used any of these names to put together DNC or any nonofficial events? And can you post both those answers?

MR. TOIV: I'd be happy to ask the Counsel's Office that question.

Q Barry, forgive me. I just feel -- this is so depressing, I feel like a remedial student here. But it sounds to me as if what Arnold was saying is that he would call Ann Stock, along something like this line: you know, I've been hitting up Bill Gotrocks -- (laughter) -- for a big contribution, and he grouses and moans that he's given in the past, and he's never been invited to a G.D. thing at the White House. Can you tell me, has he been invited, and can't we get him to the Korean state dinner. And then she would say, oh, my God, we've overlooked him, and then they'll invite him. And then he'll call Bill Gotrocks and say, now, you went to see -- you have the Korean state dinner; how about the \$25,000? That sounds to me exactly like what Mr. Arnold said happened. And is that illegal or wrong?

MR. TOIV: First of all, I don't know if Mr. Arnold ever made such calls. Secondly, I don't know if Ann Stock ever took such calls --

Q But that's what we're looking at --

MR. TOIV: But he would not -- but if he had put it in that context, no, that would not be appropriate, because it sounds to me what you're saying is that he's trying to solicit a contribution based on information in the database.

Q Well, nobody is writing anything about this if that's not what was going on, so I can assure you.

MR. TOIV: Well, Todd, what I'm trying to tell you is that, to my knowledge, that's not the context in which this took place.

Q Barry, do you know -- two questions. Do you know if these kinds of conversations, the ones that you say are okay, happen very frequently, somewhat frequently, provided tons of information, happened four times over the last year? These conversations that used information --

MR. TOIV: My sense of it is occasionally.

Q -- with the DNC --

Q Can you specifically ask the Counsel's Office that question, if Arnold was asked that? And if not, perhaps he should be.

MR. TOIV: Sure.

Q Is the \$1.7 million estimate correct for the cost of this database?

MR. TOIV: Thank you for asking. No. Our estimate of the cost of the system, both setting it up and the operation and maintenance through September of 1996, the end of the last fiscal year, was approximately \$638,000.

Q Now, furthermore, do you feel that -- or is it White House's position that the DNC should not pay any portion of the use of it, when they are obviously making some use of it?

MR. TOIV: This data base, as far as we know, was used only for official purposes. And it's appropriate to use official funds for something that is used for official purposes.

Q Barry, I said I had two questions. The other question that I had was -- I'm sorry, never mind. (Laughter.)

Q One request. When you get the answers to the questions -- would you post them generally so that everybody can get access to them?

MR. MCCURRY: If we can get them.

MR. TOIV: Sure, if we can get the answers.

Q The DNC official who came to the Social Office to try to look at the database, are you saying -- are you prepared to say who that was or when it happened?

MR. TOIV: I don't know who it was. I don't know who it was, I don't when it happened. I'll be happy to take it, see if we can find out. I've no idea.

Q And do you know, did they give a reason for why they wanted to see it?

MR. TOIV: I don't know if they did.

Q Can you see if you can find out?

MR. TOIV: Sure.

Q You said that you don't know of anybody who provided this information from the database. Are you sure that no one did? Have you asked these 140 people? Has there been some kind of thorough understanding that the database was not used that way? Or do you just not have that information that it was used that way?

MR. TOIV: I don't know everybody the Counsel's Office has necessarily spoken with. I do know that they pursued inquiries based on the press inquiries we were getting, and obviously the primary one we were getting related to the story you all are talking about. And so I suspect that the Counsel's Office focused their inquiry there. I don't know how many people they've actually talked to, though.

Q You don't even know if Truman Arnold could ever ask to use this information for inappropriate or DNC events.

MR. TOIV: I have no information that he did.

Q You don't even know if the quotes are accurate or inaccurate. You don't even know if Arnold thinks they're accurate.

MR. TOIV: Yes, I don't know for a fact that Truman Arnold knows of the existence of the database.

Q That's the kind of questions that you guys need to be prepared to answer.

Q Why is talking about it all the time?

MR. TOIV: Well, I don't know that he is.

Q Barry, was anyone with authorized access to the database also authorized to release information from it in what you consider to be a proper way -- any one of 120 people could take a proper request for information in the database?

MR. TOIV: No, no -- there again -- I mean, I don't have the exact rules and procedures that were used, that they had, but they were not -- it was not the case that anybody who had access to it was then able to answer questions from somebody about it. In fact, probably a good number of those people, a good percentage of them -- I don't know how many -- had access only to input information and not to take out information.

Q The percentage of the 120?

MR. TOIV: That's right. I didn't say -- right, that's correct. That's correct.

Q Thank you.

MR. MCCURRY: Any other subjects?

Q Just going back to Greenspan's comments on the CPI today, as far as you know, is there anymore funding for the BLS in the '98 budget to look at the CPI question more?

MR. MCCURRY: I don't have the answer to that. But I know that there is a real concern in the administration and I've heard a concern expressed on the Hill to make that we have adequate funding for the statistical series that the government maintains. In fact, Senator Moynihan is very eloquent in talking about the needs of those who keep the official statistical records of the United States to some of the concerns he has about the lack of funding for them. So we'll have to answer that question as we look at the budget. But there is concern about that and properly so, because the maintenance of some of the longstanding government statistical series that we have available are very important for those who have to make policy. And measuring inflation is but one of many examples of that.

Q Mike, it may be a little bit early, but have you all put together an agenda of any sort for the President's get-together with governors when they come here? He's got a dinner meeting Sunday night. He's got business with them Monday morning.

MR. MCCURRY: Yes, I know. I think it's a dinner Sunday night and a meeting on Monday. But I don't think that we've put together the agenda yet.

Q For those of use doing State of the Union previews this weekend, can you give us anything to preview?

MR. MCCURRY: I've indicated to some of you that's a

good question for tomorrow. For right now, I'll have more that I can say on it tomorrow than I can today.

Q Mike, on Northern Ireland, an independent commission has made a series of recommendations to try and prevent the recurrence of the street violence in the so-called marching season this summer. What's the White House view on this and would you support full implementation of the recommendations?

MR. MCCURRY: I'm not familiar with those recommendations. I'll have to look into it further. We have generally suggested to all parties, especially during the marching season, that they refrain from episodes that would create additional violence and try to assist those who are attempting to bridge differences and assist in the peace process itself. We'll be happy to look into the work of the commission.

Q Thank you.

MR. MCCURRY: Thank you.

Last one.

Q On that family planning freeze, do you have any indication now when he's going to do something?

MR. MCCURRY: We believe it probably won't be until Friday and we'll try -- until sometime tomorrow. We'll try to do it early tomorrow.

Q Friday?

MR. MCCURRY: Yes, tomorrow.

THE PRESS: Thank you.

END

1:40 P.M. EST

#306-01/30

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October 3, 1996

BY TELECOPIER

The Honorable John M. Quinn
Counsel to the President
The White House
Washington, D.C. 20500

Dear Mr. Quinn:

Thank you for your letter of October 1, 1996 and the documents produced thus far in response to the Subcommittee's requests for documents relating to the creation and maintenance of the White House Database (WhoDB). These documents provide new insight into the nature and uses of the WhoDB, contain clear contradictions of prior White House statements, and raise new questions about the propriety and legality of the system and its uses. In addition, several prior requests have still not been adequately addressed.

I am troubled by your claim that somehow the Subcommittee's requests made it difficult for the White House to keep a record of whose documents it produced. The time frames for production were proposed by you and were necessary only after the White House declined to produce documents for two months. Moreover, it would not take much effort for such a record to be created. In my experience, it is quite unusual for documents to be produced without keeping such a record, unless the party producing the documents wants to conceal the origin of the documents.

Obviously, the Subcommittee cannot compel you to create a document even with a subpoena. But I thought you wanted to be cooperative in meeting the Subcommittee's oversight needs, which include knowing the origin of the documents. Therefore, please provide the Subcommittee with whatever information the White House has concerning the origin of these documents, even if that means that you must ask each person who provided documents to identify to you what documents he or she produced.

In addition, contrary to your assertions, the redactions in the memoranda were responsive to the Subcommittee's request. The subjects of the redactions appear highly relevant to us. In

addition, the Subcommittee did not ask for portions of documents that relate to the WhoDB; the Subcommittee asked for "documents." If a memorandum included sections relating to the WhoDB and sections that related to other matters, the whole document must be produced. Therefore, please produce the redacted memoranda, and any other redacted documents, without redactions.

With respect to obtaining a back-up tape, I believe that we should designate a third party, such as the General Accounting Office (GAO), to take custody of an unredacted back-up tape and arrange for the appropriate redactions. The Subcommittee must be able to have adequate assurances that only the redactions agreed upon are made. Alternatively, the Subcommittee could review an unredacted tape in GAO's possession, without taking custody of it. I believe that we can reach an agreement on this matter.

The documents produced thus far raise particularly troubling concerns regarding the use of the WhoDB for partisan political purposes. Please respond to the following questions:

1. The documents produced reference 1995 DNC Holiday Cards and 1995 Reelect Holiday Cards.
 - A. What legitimate purpose is served by identifying, on a taxpayer-funded database, whether a person received 1995 DNC Holiday Card or a 1995 Reelect Holiday Card?
 - B. How has the White House actually used the fact that a person is identified by this designation?
 - C. What is the criteria for determining who receives a DNC or Reelect Holiday Card?
 - D. Who decided that the White House should store this information in the WhoDB?
 - E. How did the White House obtain the 1995 DNC Holiday Card and Reelect lists?
 - F. Were these lists provided directly by the DNC and the reelection campaign?
 - G. Were the lists provided through an outside contractor who assists in the preparation and mailing of White House Holiday Cards?
 - H. Were the lists provided to the White House on a diskette, by electronic transmission, or in hard copy for manual entry?

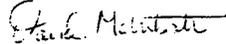
- I. Has the White House ever provided any data from the WhoDB to an outside organization or individual?
 - J. If so, to which organization(s) or individual(s)?
 - K. Please identify any and all outside contractors who assist or have assisted in the preparation and/or mailing of the White House Holiday Cards.
2. The documents produced reference many political identifiers in the WhoDB, such as "1992 Early Supporter," "DNC Trustee," and "1992 Early Supporter -- Top Twenty."
- A. What does it mean to be identified as a "1992 Early Supporter," "DNC Trustee," "1992 Early Supporter -- Top Twenty," or other political designations?
 - B. What legitimate purpose is served by identifying individuals in the WhoDB this way?
 - C. How has the White House actually used the fact that an individual is identified by one or more of these designations?
 - D. Who decided that the White House should use the WhoDB to store this information?
4. The documents produced state that certain reports were created using WhoDB data.
- A. Please explain the purpose of creating the reports entitled "Top 20 Contributors by State" and the "Early Supporter Fax Network."
 - B. Who requested these reports?
 - C. How were they actually used?
 - D. Were they provided to any group(s) or individual(s) outside of the White House?
 - E. If so, what group(s) or individual(s)?
 - F. Please produce a list of the reports produced by or using data from the WhoDB .

For each separate question, or subsection thereof, please restate the question and subsection to which a response is provided. Please provide the answers to these questions by noon on Wednesday, October 9, 1996.

Finally, I am disappointed that you have declined to allow the invited witnesses to appear at the hearing that we scheduled for today. Ranking Member Collin Peterson expressed his concern at the Subcommittee's September 10, 1996 hearing that the White House was not represented among the witnesses. Although one of the previous Administrations that you cite would not permit certain White House staff to testify, it did permit those staff members to be available through other means to speak with Congressional staff. Accordingly, the Subcommittee will commence interviews with appropriate White House staff, beginning with, at your suggestion, Frank Reeder. The Subcommittee will contact Mr. Reeder directly to arrange an interview. At a later date, we will probably need to interview Harold Ickes, Marsha Scott, Cheryl Mills, and others.

Thank you very much for your assistance with this inquiry.

Sincerely,



David M. McIntosh
Chairman
Subcommittee on National Economic Growth,
Natural Resources, and Regulatory Affairs

cc: Representative Collin Peterson

*Actual
Copy not
available*

October 28, 1996

VIA FACSIMILE

The Honorable Jack Quinn
Counsel to the President
The White House
Washington, D.C. 20500

Dear Mr. Quinn:

It appears that the White House has decided to completely stonewall the Subcommittee's investigation of the White House Database (WhoDB) and related issues. Your letter of October 24, 1996 is a clear indication that the White House has chosen to attempt to ignore the legitimate oversight and investigation responsibilities of the Congress.

Regardless of whether or not the Congress is in session, the authority of its committees and subcommittees to conduct investigations and hold hearings remains. It is not for the White House to decide whether or not to comply with requests of Congress. Simply put, you must comply.

It took the White House from June until September to begin to comply with this Subcommittee's requests for information regarding the White House Database. Since Congress has adjourned, the White House has apparently decided to hide from this investigation.

As you are well aware, since the start of October, the White House has refused to comply with any of the investigative requests of this Subcommittee, as well as the requests of the non-partisan government watchdog agency, the General Accounting Office (GAO). In fact, the GAO has told the Subcommittee that it has repeatedly called and written the White House Counsel's Office for the past month in an attempt to obtain the information that it needs to complete its report.

It is absolutely outrageous that the White House has not responded in any fashion to the GAO's requests for information.

At this time, there are several requests that remain outstanding for the White House to complete. Among these requests are:

1. The Subcommittee's long-standing and repeated request for a production log for the documents provided by the White House in September to permit the Subcommittee to know who generated the large volume of unmarked notes and documents.
2. The Subcommittee's October 3, 1996 request for responses to questions raised in the Subcommittee's initial review of the White House documents.
3. The Subcommittee's request for interviews with White House employees regarding their involvement with the White House Database.
4. The Subcommittee's October 18, 1996 request for information on only 11 individuals in the White House Database.
5. The General Accounting Office's request for certain technical information related to the WhoDB.

None of these requests are particularly difficult to fulfill. Your insistence that you meet with me in person to discuss compliance represents a bald-faced attempt to stonewall the Subcommittee's investigation. Your repeated claim that the White House desires to comply and cooperate fully with the Subcommittee and with the GAO does not hold water.

The Subcommittee fully expects that the White House will comply, as it must, with any and every legitimate oversight request made by the Subcommittee and by the non-partisan General Accounting Office.

Please advise the Subcommittee by 4 pm on Tuesday, October 29, 1996 as to the status of White House compliance with each of the five above-referenced requests by clearly listing each individual request and all the steps you have taken to date to achieve compliance with that request.

Sincerely,



David M. McIntosh
Chairman
Subcommittee on National Economic Growth,
Natural Resources and Regulatory Affairs

cc: Chairman William F. Clinger, Jr.
Representative Collin Peterson

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November 13, 1996

VIA FACSIMILE

The Honorable Jack Quinn
 Counsel to the President
 The White House
 Washington, D.C. 20500

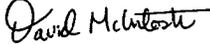
Dear Mr. Quinn:

As you are aware, there are several information requests that remain outstanding for the White House to complete with regard to the Subcommittee's White House Database (WhoDB) investigation. This letter serves to reiterate those requests. Please advise the Subcommittee by 4 pm on Monday, November 18, 1996 as to the status of White House compliance with each of the requests by clearly listing each individual request and all the steps you have taken to date to achieve compliance with that request. Your response should specifically address:

1. The Subcommittee's long-standing and repeated request for a production log for the documents provided by the White House in September to permit the Subcommittee to know who generated the large volume of unmarked notes and other documents.
2. The Subcommittee's October 3, 1996 request for responses to questions raised in the Subcommittee's initial review of the White House documents.
3. The Subcommittee's several requests for interviews with White House employees regarding their involvement with the White House Database.
4. The Subcommittee's October 18, 1996 request for information on 11 individuals in the WhoDB.

Thank you in advance for your cooperation in this matter.

Sincerely,



David M. McIntosh
 Chairman
 Subcommittee on National Economic Growth,
 Natural Resources and Regulatory Affairs

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MAILGRTT-0001 001-4001
SENCRFTT-0001 001-4001

January 10, 1996

VIA FACSIMILE

The Honorable Jack Quinn
Counsel to the President
The White House
Washington, D.C. 20500

Dear Mr. Quinn:

Due to the holiday season, the Subcommittee has chosen to be extraordinarily flexible with the White House in not insisting on immediate responses to its longstanding inquiries. However, your letter of November 19, 1996 indicated that you would respond "shortly" to the Subcommittee's limited set of questions submitted to the White House last fall. You have had more than a reasonable period of time to compile responses to those questions.

Therefore, the Subcommittee must ask that the requests set forth in the October 3, 1996 letter be met by 4 pm on Tuesday, January 14, 1997.

Further, it is difficult for me to believe your contention that you have no idea where the documents came from that were provided to the Subcommittee. It would be irresponsible for the White House to provide the Congress with both unidentified and unidentifiable documents. In addition, the Subcommittee did not ask if you already had a production log or if it would be simple for you to generate.

Therefore, the Subcommittee must insist that you direct your staff to develop a production log.

Moreover, the Subcommittee requests all documents and materials related in any way to the production of WhoDB-related documents to the Subcommittee, as well as all documents and materials related in any way to the Subcommittee's request for a production log. This request includes, but is not limited to, all communications, notes, memoranda, letters, e-mail, pages, phone messages, or other documents and materials. These materials should be produced to the Subcommittee's investigative staff by 4 pm on Thursday, January 16, 1997.

Additionally, the White House has no legitimate basis to refuse interviews with members of the White House staff that documents or other information show to be involved with the development, production, or use of the White House Database (WhoDB). Especially in light of the fact that you have not told the Subcommittee which staff provided specific documents, the Subcommittee requires personal interviews to accurately assess the materials provided by the White House. A personal meeting between us is not necessary to resolve this simple issue.

Therefore, the Subcommittee renews its request for interviews with members of the White House staff. Please advise the Subcommittee in writing by 4 pm on Tuesday, January 14, 1997 regarding whether the White House will continue to refuse to cooperate in the interview process.

Your letter continues to refuse to provide complete and unredacted copies of WhoDB records, not in the possession of the Subcommittee, for 11 individuals. While the Subcommittee believes this is an unreasonable and untenable position for the White House to take, I am prepared to agree to permit Subcommittee investigators to visit the White House next week to review individual WhoDB entries.

Therefore, please have a member of your staff contact Chip Griffin of the Subcommittee's investigative staff (225-4407) by 4 pm on Monday, January 8, 1997 with a time at which they can review this information at the White House next week. As you know, all materials should be delivered to B-377 Rayburn HOB or faxed to the Subcommittee at 225-2441.

The Subcommittee looks forward to your full cooperation with these longstanding requests.

Sincerely,



David M. McIntosh
Chairman
Subcommittee on National Economic Growth,
Natural Resources and Regulatory Affairs

cc: Cheryl Mills

THE WHITE HOUSE
WASHINGTON

January 17, 1997

The Honorable David M. McIntosh
Chairman
Subcommittee on National Economic Growth,
Natural Resources, and Regulatory Affairs
Committee on Government Reform and Oversight
2157 Rayburn House Office Building
Washington, DC 20515

Dear Congressman McIntosh:

I have received your letter of January 10, 1997.

Before addressing the several points in your letter, I want to raise an issue of grave concern. As you know, we provided to you a copy of the White House database with the express understanding that access to it would be limited strictly to you and certain members of your staff. You specifically told me when we met that the database would be secure with you. Recent press reports and inquiries give us reason to believe that the press has been given access to the database. This would be a serious breach of our agreement, and I ask that you investigate whether your staff has provided such information to others and let me know your findings. I know you can appreciate that we will not be able to provide confidential information to you without your assurances that it will remain so. I continue to want to give you what you need to conclude your inquiry. Please give me your assurance that we can proceed in good faith reliance on the commitment of confidentiality we have been given.

As another preliminary matter, let me address, again, the practice of unilaterally imposing deadlines. As I stated in my letter to you of November 19, 1996, given the pressing demands of this Office, and the time in which it takes to respond to your many requests, it is not productive or acceptable for you to set arbitrary deadlines. Instead, I believe that we will both be better served if we work together to meet mutually acceptable timetables.

Your letter asks about the progress of the numerous questions posed in your October 3, 1996 letter. That response is almost complete and I expect it will be finished at the end of next week. Additionally, we are continuing to review the e-mails that have been restored (as previously discussed with your staff) and we will be ready to produce them as soon as we have completed our review.

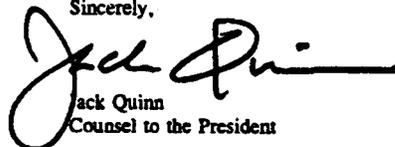
The Honorable David M. McIntosh
January 17, 1997
Page 2

You have also inquired again about a production log. As we have stated to you and your staff on numerous occasions, including letters to you dated September 26, 1996 and November 18, 1996, we do not have a production log and we are not prepared to create one now. Your letter also demands all documents which pertain to both our efforts in responding to your document requests and the Subcommittee's request for a production log. Although I cannot understand why the Subcommittee believes that such a request is either productive or proper, we will undertake to see if there are any responsive, non-privileged documents. There well may not be any such documents, but we will check.

As to interviews, I would still like to meet with you to discuss this issue. Please let me know when it would be convenient for you to do so. Likewise, please have whomever on your staff you would like to view the database call Sally Paxton, at 456-5079, to arrange a time.

Finally, your Subcommittee still has a copy of the database that was to be returned some time ago. I would appreciate your arranging for its return as soon as possible.

Sincerely,



Jack Quinn
Counsel to the President

cc: Congressman Peterson
Congressman Waxman

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ONE HUNDRED FIFTH CONGRESS

Congress of the United States
House of Representatives

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT
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WASHINGTON, DC 20515-8143
(202) 225-6074

February 21, 1997

VIA FACSIMILE

The Honorable Charles F.C. Ruff
Counsel to the President
The White House
Washington, D.C. 20515

Dear Mr. Ruff:

I am pleased that the White House has reversed its earlier statements and will now provide responses to our longstanding requests for information.

So that there will be no misunderstandings, let me clarify what is expected, which I believe is consistent with your letter of February 19, 1997.

On the question of the updated copy of the database, the Subcommittee will not object to the redactions you specify in your letter, specifically Social Security Number, home address, and phone number. Further, as the Subcommittee has previously indicated, there is no interest in Chelsea Clinton's private matters. Therefore, the new copy of the database may exclude the information specifically and directly related to Chelsea Clinton, and/or any private events held for or on behalf of Chelsea Clinton.

The Subcommittee does require, however, that only the street address be redacted, leaving intact non-specific information like city, state and zip code for individuals. I am certain you will agree that such information will not create an undue invasion of privacy. The Subcommittee also expects that the new copy of the database will be current as of February 19, 1997.

Further, the Subcommittee expects that there will be no additional redactions to the updated database. In particular, the Subcommittee expects all events and the information in the "Relationship to the First Family" field.

With regard to redacted documents, the Subcommittee fully expects that the White House will turn over the uncensored versions of these documents, except in the cases outlined above as acceptable redactions for the new and updated copy of the database. It is simply unacceptable to turn over documents like the memo titled "Early Supporter Outreach Proposal" that has only two uncensored sentences in a six pages.

Finally, let me summarize all of the outstanding requests that must be fulfilled. Of course, if there are other documents or materials you are aware of that are responsive to our earlier requests but have not been provided previously, those should be surrendered immediately.

1. A production log and all related materials as specified on multiple occasions, including in my January 10, 1997 letter.
2. A complete response to the requests in my October 3, 1997 letter.
3. A clear statement regarding compliance as requested in my January 24, 1997 letter.
4. All outstanding documents, including any responsive e-mail, particularly those revealed in Mr. Quinn's recent letter.
5. Uncensored versions of all redacted documents, as specified above.
6. A new and updated copy of the database, as agreed to above.
7. A list of all individuals involved with the database as requested in my January 24, 1997 letter.
8. Any additional documents or materials related to any other earlier request related to the WhoDB.

Assuming these specific outstanding requests are fulfilled by February 26, 1997 as you promised in your letter of February 19, 1997, I am happy to meet with you at our earliest mutual convenience. Please provide these documents and materials to the Subcommittee investigative staff in B-377 Rayburn House Office Building.

Please have your staff contact Chip Griffin at 225-4407 if your staff has any additional questions.

Sincerely,



David M. McIntosh

Chairman

Subcommittee on National Economic Growth,
Natural Resources and Regulatory Affairs

210

cc: **The Honorable Dan Burton**
The Honorable Henry Waxman
The Honorable Bernie Sanders

51 349 237

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 MINORITY—(202) 555-0061

January 31, 1997

VIA FACSIMILE

The Honorable Jack Quinn
 Counsel to the President
 The White House
 Washington, D.C. 20500

Dear Mr. Quinn:

As you know, the House Government Reform and Oversight Subcommittee on National Economic Growth, Natural Resources and Regulatory Affairs is conducting an investigation of the legality and propriety of the White House Database (WhoDB).

This week, the Los Angeles *Times* and *Time* magazine have reported that the Democratic National Committee apparently benefited from the WhoDB to conduct partisan political activity, particularly centered on campaign contributors.

These press reports raise very troubling questions about whether laws may have been violated by White House and/or Democratic National Committee employees. Many of the facts revealed in the media accounts are substantiated by White House documents previously provided to the Subcommittee.

Next week, the Subcommittee will request additional documents and information that will be needed in light of recent revelations.

However, one issue deserves immediate attention.

One of the sources for the media's information was Mr. Truman Arnold, a former Democratic National Committee Finance Chairman. At yesterday's White House press briefing, Barry Toiv indicated that "The Counsel's Office has contacted" Mr. Arnold.

Given that Mr. Arnold attempted to retract a portion of his statements yesterday, apparently after speaking with the White House, the Subcommittee is concerned that one or more Members of the White House staff may have attempted to alter or otherwise influence Mr. Truman's story. As his statements may be important to our ongoing investigation and perhaps others, it is important to ensure that his statements be truthful and remain free from White House interference.

Therefore, pursuant to Rules X and XI of the House of Representatives, the Subcommittee requests the following information:

1. Who from the White House contacted Mr. Arnold regarding the White House Database and related issues? (This request is not limited to the Counsel's Office and should include all White House employees as well as anyone acting at the request or knowledge of the White House.)
2. When were these contacts with Mr. Arnold made? (This request is not limited to yesterday and should include all such contacts between the White House and Mr. Arnold since the Subcommittee began its investigation in June 1996.)
3. What was the substance of the contacts with Mr. Arnold?
4. Who ordered/requested the contacts with Mr. Arnold?
5. Who else was involved in any manner with the contacts with Mr. Arnold?
6. Please provide all documents and materials related to the contacts with Mr. Arnold, including but not limited to notes, memoranda, e-mail, phone messages/logs, and talking points.

Please provide this information to the Subcommittee investigative staff in B-377 Rayburn (fax: 225-2441) not later than 5 pm on Tuesday, February 4, 1997. Feel free to have your staff contact Mildred Webber or Chip Griffin of my staff at (202) 225-4407 should you have any questions regarding this matter.

The Subcommittee looks forward to your cooperation with this investigation.

Sincerely,



David M. McIntosh
Chairman

Subcommittee on National Economic Growth,
Natural Resources and Regulatory Affairs

THE WHITE HOUSE
WASHINGTON

February 3, 1997

The Honorable David M. McIntosh
Committee on Government Reform and Oversight
2157 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman McIntosh:

This is in further response to your letter of January 31, 1997 concerning Mr. Truman Arnold. Although we do not yet have at hand all of the facts necessary to respond to each one of your questions, I want to respond preliminarily to your principal inquiry.

As I mentioned to you in my earlier letter, the assertions which appeared in Time about the uses to which the WhoDB has been put were of great concern to the White House. As you know, we have strict policies for access to and use of the database, and uses of the database for other than official purposes would violate those policies. We would not countenance such violations and, for that reason, we were determined to ascertain if in fact any occurred. Sally Paxton, Special Associate Counsel, contacted Mr. Arnold on Wednesday, January 29. In substance, Mr. Arnold stated that he had never heard of WhoDB until he read the Time magazine article. He stated that he was aware that the DNC had occasionally called the White House to find out whether a particular person had been to an event, but that he was not the person who made the calls. He also said that he did not know precisely the White House source of any information concerning event attendance. Mr. Arnold expressed concern about the accuracy of the Time article and also said he was scheduled for other interviews. He told Ms. Paxton that he had already placed a call to Michael McCurry, had not heard back from him, and asked if Mr. McCurry would call him.

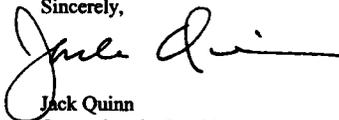
Later that evening, Mr. McCurry returned Mr. Arnold's call; Ms. Paxton was in the room at the time. Mr. McCurry has apparently known Mr. Arnold from a previous working relationship when Mr. McCurry was in the private sector in 1991 or 1992. Mr. Arnold said that he trusted Mr. McCurry's opinion and wanted some guidance as to how to respond to a number of press inquiries related to the WhoDB. Mr. McCurry told Mr. Arnold that he wasn't conversant with the facts of WhoDB, as this was being handled by someone else in the press office. He said, however, that it was important for Mr. Arnold to be precise and truthful in any press statements he might make. Mr. McCurry suggested that Mr. Arnold prepare a written statement to release in lieu of conducting numerous interviews.

The Honorable David M. McIntosh
February 3, 1997
Page 2

The following day, Ms. Paxton again spoke to Mr. Arnold. He said that he had drafted a written statement, and he read it over the phone. He again expressed concern that he was not being treated fairly by the press, specifically mentioning the Los Angeles Times story of January 30, 1997. At the end of the discussion, he faxed the statement to Ms. Paxton. She forwarded it, without any changes, to the DNC.

I trust that this will put to rest your concerns about our contacts with Mr. Arnold. If and as we become aware of other facts that are pertinent to your inquiry, we will supplement this response.

Sincerely,

A handwritten signature in black ink, appearing to read "Jack Quinn". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jack Quinn
Counsel to the President

cc: Congressman Peterson
Congressman Waxman

Democratic National Committee*Steve Grossman, National Chair * Governor Roy Roman, General Chair***FOR IMMEDIATE RELEASE**
JANUARY 30, 1997**CONTACT: AMY WEISS TOBE**
202/488-5037**DNC STATEMENT ON THE WHITE HOUSE DATABASE**

Washington, D.C.-- "To our knowledge, there was no use of the White House database by DNC officials or employees. Inquiries as to whether donors had been invited to White House events were made through the appropriate channels," DNC Press Secretary Amy Weiss Tobe said.

"Inclusion of political supporters together with many others at White House social functions is completely appropriate and occasional confirmation by DNC staff of the past attendance by individuals at such events was likewise completely appropriate," Tobe concluded.

In response to requests for interviews, Mr. Truman Arnold is unavailable but issued the following statement:

"In my view, the primary function of the Finance Chairman of the DNC during my tenure was to practice good social graces and to interface with supporters of the Democratic Party. Generally, when people feel good about their charity or their politics they will contribute repeatedly to those causes.

"I'm very proud of the accomplishments in both areas and the professional manner my staff performed these functions on my watch (February 1995 to October 1995). As to the information technology at this time-- I do not know. Not being computer literate, the gathering of information came from multiple sources by our staff and I never heard of WhoDB until I read about it in the February issue of *Time* magazine."

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**THE WHITE HOUSE
WASHINGTON**

February 28, 1997

Honorable David M. McIntosh
Chairman, Subcommittee on National Economic Growth,
Natural Resources and Regulatory Affairs
B377 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman McIntosh:

As promised, attached please find the responses to your letter of October 3, 1996. As you requested, the responses to your questions appear after the restated question.

Sincerely,



Charles F.C. Ruff
Counsel to the President

Attachment

cc: Congressman Sanders (with attachment)
Congressman Waxman (with attachment)

Attachment to letter of February 28, 1997

- Question 1. The documents produced reference 1995 DNC Holiday Cards and 1995 Reelect Holiday Cards.
- A. What legitimate purpose is served by identifying, on a taxpayer-funded database, whether a person received 1995 DNC Holiday Card or a 1995 Reelect Holiday Card?
 - B. How has the White House actually used the fact that a person is identified by this designation?
 - C. What is the criteria for determining who receives a DNC or Reelect Holiday Card?
 - D. Who decided that the White House should store this information in the WhoDB?
 - E. How did the White House obtain the 1995 DNC Holiday Card and Reelect lists?
 - F. Were these lists provided directly by the DNC and the reelection campaign?
 - G. Were the lists provided through an outside contractor who assists in the preparation and mailing of White House Holiday Cards?
 - H. Were the lists provided to the White House on a diskette, by electronic transmission, or in hard copy for manual copy?
 - I. Has the White House ever provided any data from the WhoDB to an outside organization or individual?
 - J. If so, to which organization(s) or individual(s)?
 - K. Please identify any and all outside contractors who assist or have assisted in the preparation and/or mailing of the White House Holiday Cards.

Response:

As you may know, WhoDB was used in preparing lists for the 1995 and 1996 holiday cards; it was not used in 1993 and 1994. We do not believe that any particular person decided to store the names of individuals receiving holiday cards in WhoDB. Instead, problems encountered by numerous databases and overlapping and inaccurate lists in sending the holiday cards was precisely the kind problem that the database was supposed to solve and it was reasonable to use WhoDB for this purpose.

In 1995 and 1996, in preparation for sending holiday cards, the White House, the DNC and the Reelect Committee independently submitted their respective lists directly to an outside vendor. The vendor then compiled the lists into a single list, attempted to eliminate duplicates, and mailed the same White House card to everyone on the list. (The indication of Holiday Card -- DNC ReElect Holiday Card -- is simply the source code for the information; no independent use is made by the White House of this information). The final list is returned to the

White House *only*; the vendor, the DNC and the Reelect Committee did not retain or receive the final list. In 1995 and 1996, the vendor EU Services (who is both hired and paid by the DNC), returned the final list to the White House on magnetic tapes.

Although your question references the 1995 holiday card, we want to bring to your attention something about which the White House has recently become aware. In 1994, there was a similar arrangement for preparing and mailing the holiday cards as described above. The DNC hired an outside contractor, the Saturn Corporation, to prepare the final list from lists provided by the White House and the DNC. Although there was a clear understanding that, after the various lists had been merged and the duplicates eliminated, the final list was to be returned to the White House only, the vendor returned the list to the DNC. When this error was brought to the attention of the White House, it asked for the tapes to be returned, which they were. Apparently, however, the computer personnel at the DNC made a copy of the tape that was returned to the White House. The White House recently learned this fact, at which time we promptly asked for the return of these tapes. However, due to outstanding document requests pending at the DNC, it did not believe it was in a position to return potentially responsive material. Thus, the tapes now are in the custody of the DNC's counsel. According to the DNC, these tapes were not accessed until we requested their return. At that point, the tapes were inspected (in the presence of DNC counsel) for purposes of determining their contents.

Your letter also inquires about the provision of information within WhoDB to outside sources. The White House guidance provides that, other than publicly available materials and information, White House information may only be used for official purposes. Thus information from WhoDB may be provided to non-governmental entities consistent with the guidance on use of government materials for official matters. We are aware, for example, that in the regularized process of submitting names of suggested guests for official events at the White House (in which a number of offices and the DNC were asked for guest list recommendations), the DNC occasionally called the White House to inquire whether specific individuals had been to prior events, such as state dinners. Staff sometimes would consult WhoDB to answer a specific question. There are many official uses and matters for which the database may be used so it is simply not feasible to identify all of the circumstances and all organizations or individuals who may have information that is maintained in WhoDB. If you have questions about a particular event or circumstance, please let us know and we will attempt to answer any questions you may have.

Question 2. The documents produced reference many political identifiers in the WhoDB, such as "1992 Early Supporter," "DNC Trustee," and "1992 Early Supporter -- Top Twenty."

A. What does it mean to be identified as a "1992 Early Supporter," "DNC Trustee," "1992 Early Supporter -- Top Twenty," or other political designations?

- B. What legitimate purpose is served by identifying individuals in the WhoDB this way?
- C. How has the White House actually used the fact that an individual is identified by one or more of these designations?
- D. Who decided that the White House should use the WhoDB to store this information?

Response:

The designations referenced in 2.A of your question refer to coding and sourcing mechanisms for individuals who may or may not have already been entered into WhoDB. Such designations were subsets (values) of the political participation field and were maintained in WhoDB to identify the source of the data.

The DNC Trustees is a list of 303 DNC Trustees, and, with the exception of one name, were all entered between July and October, 1995. The early supporter categories were individuals who were early supporters -- and not necessarily financial supporters -- of the President. As we have indicated to you before, early supporters includes friends, supporters, federal and local elected officials, business people, volunteers and others. There are 3181 individuals who are listed as 1992 Early Supporters and 2030 individuals listed as 1992 Early Supporter -- Top Twenty. This data was made part of WhoDB so that the Social Office could include early supporters of the President in events at the White House. The decision to include these lists in WhoDB was a decision reached by the Marsha Scott, after receiving guidance from the Counsel's Office and after discussions in the regular meetings held with the Chief of Staff's Office.

Question 4. The documents produced state that certain reports were created using WhoDB data.

- A. Please explain the purpose of creating the reports entitled "Top 20 Contributors by State" and the "Early Supporter Fax Network."
- B. Who requested these reports?
- C. How were they actually used?
- D. Were they provided to any group(s) or individual(s) outside of the White House?
- E. If so, what group(s) or individual(s)?
- F. Please produced a list of the reports produced by or using data from the WhoDB.

Response:

The "Top 20 Contributors by State" was a report generated by WhoDB which consisted

of a list of names of people to be included in events at the White House. The Early Supporter Fax Network was a list of early supporters to whom public information on issues and statements was faxed on a regular basis. The Database Administrator is the only individual who may request that such a report be run. In the process of developing and operating WhoDB, guidance was given that information from the database could only be provided for official purposes, and we have no information that these reports were used in a manner inconsistent with these guidelines.

As you may know, "canned" reports are frequently generated by the Social Office, which consist of lists of attendees for the Secret Service WAVES list and other lists used in conjunction with event planning. Additionally, in the course of developing and working on the system, numerous test reports would have been run. Specially requested reports, such as the two mentioned in this question, were also run, and as you have requested, attached to this letter is a list of such specially requested reports which were run on WhoDB.

1998 WL 11582405
The Washington Post
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Monday, May 25, 1998

A Section

Big Donor Calls Favorable Treatment a Coincidence
Ruth Marcus and John Mintz
Washington Post Staff Writers

In June 1994, Bernard L. Schwartz, the chairman of Loral Corp., wrote his first six-figure check to the Democratic Party, donating \$100,000 to the Democratic National Committee.

Around the same time, Schwartz asked to be included on a trade mission being organized by then-Commerce Secretary Ronald H. Brown to China, where his company hoped to win a piece of the growing telecommunications market. On the trip, Brown arranged a meeting for Schwartz and a rival industry executive with the Chinese communications minister -- a session that, as Schwartz recalled it yesterday, "helped open doors that were not open before."

The Clinton administration has been good to Bernard Schwartz, and he to it. Schwartz, a lifelong Democrat and longtime political donor, dramatically ratcheted up his giving after President Clinton took office, contributing a total of more than \$1 million to Democratic Party committees since then.

And as it has adopted policies favorable to U.S. companies seeking and doing business in China, the administration has taken steps favorable to Loral.

Last February, Clinton approved the company's request to launch a commercial telecommunications satellite aboard a Chinese rocket, choosing to side with the State Department's assessment of the launch as "in the national interest" rather than Justice Department concerns that approval would interfere with an ongoing criminal investigation. The Justice Department was -- and still is -- looking into whether Loral and another company provided unauthorized assistance to China's ballistic missile program after an unsuccessful previous launch.

Schwartz, a self-described "Democratic populist" who has spent his career in an industry dominated by Republicans, says the "confluence" of his own increased contributions and the Clinton administration's favorable treatment of his company was "just coincidence." He stepped up his political contributions at the same time that his own wealth increased, big-ticket giving to political parties soared and a Democratic president was elected whom Schwartz describes as "the most friendly to business of any in a long time."

But Republicans have seized on Schwartz and Loral to accuse the administration of essentially selling out U.S. national security for big bucks to the Democratic Party. "You have major concessions made by the president on technology transfers which adversely affect national

security," Sen. Arlen Specter (R-Pa.) said on "Fox News Sunday" yesterday. "These transfers are made at a time exactly when these enormous contributions were being made. . . . It raises a very substantial question."

Rep. Christopher Cox (R-Calif.), who is to head a select House committee looking into the technology transfer, took a more detached view of the matter on NBC's "Meet the Press" yesterday, carefully separating the inquiry from questions about campaign finance into a possible national security threat. His committee's first step, Cox said, is to ask, "What really happened? Second, if it's as bad as it looks or possibly even worse, how did it happen? And once we figure that out, we can infer some possible solutions. But I think we're a long way away from trying to point the finger at any individual just now."

Saying he wants to ensure that the committee of five Republicans and three Democrats is "very collegial," Cox pledged, "It won't be political theater in the form of flashy congressional hearings."

Schwartz also took to the Sunday talk show circuit yesterday, making his case that he "never sought a favor nor got a favor" from the Clinton administration. He came from his maiden appearance on ABC's "This Week" to The Washington Post to explain his political generosity and argue that he got nothing for it besides good government.

"I don't see anything wrong with looking at the performance of the administration and saying this is worth supporting, but the implication that this is a quid pro quo is just outrageous," he said.

Loral, he said, "did not need, expect or receive any special treatment." Indeed, Schwartz noted, the company obtained one of its most lucrative governmental contracts, for weather satellites, from the Bush administration -- and lost it at the Commerce Department under Brown's tenure.

And Schwartz pointed out that during the same period that he has made major political contributions he also has given more than \$10 million to hospitals and schools and more than \$18 million to Loral employees -- half the \$36 million bonus he received in the 1996 sale of Loral Corp. to Lockheed Martin. (Schwartz spun off Loral's commercial activities, and now oversees them as chairman of Loral Space and Communications.)

National security adviser Samuel R. "Sandy" Berger, speaking on CBS's "Face the Nation," said, "The fact that Mr. Schwartz was a contributor to the Democratic Party was not a factor that was known to me. That's not part of my job."

Asked whether Clinton was aware of Schwartz's giving, Berger changed the subject.

It seems unlikely that Clinton, always closely involved in his own campaign fund-raising, was not aware of Schwartz's loyalty. In a

1994 memorandum, then Deputy White House chief of staff Harold Ickes recommended that Clinton call Schwartz to solicit contributions for a \$3 million party advertising blitz. "I have it on very good authority that Mr. Schwartz is prepared to do anything he can for the administration," Ickes wrote.

In an interview last week, Ickes recalled Schwartz as a man who has "never thrown his weight around. . . . So many people who operate at this level, they're always basically acting in a tone of voice and a demeanor that they expect a meeting with the deputy chief of staff or they expect tickets to this or they expect special privilege on a receiving line, whatever the little dinky perks are. He never did that."

Recalled one former Democratic National Committee official, "He was really sort of your perfect donor -- just wanted to attend events and never asked for anything."

Schwartz has always been a loner, shunned by his fellow CEOs in the defense and space industry -- the only liberal Democrat, as well as the only non-engineer to lead a major aerospace company in recent years.

He traces his Democratic roots to his grandfather, a Tammany Hall functionary in New York who died after catching pneumonia while campaigning for the party around the turn of the century. For decades afterward, Schwartz's grandmother received a holiday turkey from the Democratic machine. "It left an impression that my family was connected to somebody who cares," Schwartz said in an interview last year.

In the late 1960s, he worked as an accountant for a Wall Street takeover artist. In 1971, at a rushed midtown Manhattan lunch, a friend persuaded him to buy Loral, then a floundering defense firm. He quickly turned it around, and over the next 25 years gobbled up 16 more defense companies, becoming the industry's paramount dealmaker and a pacesetter in the trend toward aerospace mergers.

Liberal politics were always a sideline to his empire-building, Schwartz said yesterday. During the Vietnam War, he would argue vociferously against U.S. intervention with generals and Pentagon officials, then sign more contracts to provide them with armaments.

Schwartz donated to Democrats along the way, along with a few key Republicans, but his political giving rose sharply after Clinton took office.

He first met Clinton at a Manhattan dinner party hosted by a friend in 1992, before the then-Arkansas governor had announced his presidential run.

The defense executive was taken by Clinton's quick grasp of the industry issues the two men discussed. He became one of Clinton's earliest supporters in the business community.

"He's just smart and he's fun and he has a good sense of humor," Schwartz said. "He calls me his friend and I am proud that he does that. But we don't shoot golf together."

Still, as Schwartz has written check after check to Democratic Party committees -- from \$25,000 in 1991-92 to \$112,000 in 1993-94, \$602,000 in 1995-96 and \$421,000 so far this election cycle -- the White House has been assiduous in courting him. Now the party's largest single individual donor, Schwartz was twice invited to stay in the Lincoln bedroom but couldn't make it. He attended state dinners for the emperor of Japan and British Prime Minister Tony Blair, and was toasted at a White House dinner two years ago on his 70th birthday.

He said he has never asked for a business favor. "It would have been imposing on a friendly relationship to advance my parochial interest with the president," he said. "It's awesome to go to the White House, an extraordinary privilege."

But the administration has helped out anyway -- sometimes with steps specific to Loral, more often with policies designed to help U.S. businesses compete in a global market. In 1996, for example, it blessed Lockheed Martin Corp.'s acquisition of Loral's defense divisions.

That same year, after a bruising interagency battle, the administration tried to help ease the bureaucratic way for satellite makers -- Loral and others -- to gain government approval for their international ventures by transferring control of the process from the State Department to the Commerce Department.

Schwartz was enlisted by another industry executive to be one of the signers of a letter to Clinton asking the president to approve the transfer of satellite export licensing from the State Department to Commerce. "Your decision will greatly enhance the ability of U.S. manufacturers to retain our global competitiveness," the letter said.

Yesterday, Schwartz said the controversy over his donations would not cause him to close his checkbook. "I'm not going to be intimidated by this flap," he said. "The conspiracy thinkers who see a ghost behind every door can say what they want."

TABULAR OR GRAPHIC MATERIAL SET FORTH IN THIS DOCUMENT IS NOT DISPLAYABLE

CAPTION: Bernard L. Schwartz: "I'm not going to be intimidated by this flap."

--- INDEX REFERENCES ---

KEY WORDS: NATIONAL

EDITION: FINAL

Word Count: 1592
5/25/98 WASHPOST A01
END OF DOCUMENT

Memorandum

May 5, 1994

TO: Ann Cahill

FR: Martha Phipps

RE: **WHITE HOUSE ACTIVITIES**

In order to reach our very aggressive goal of \$40 million this year, it would be very helpful if we could coordinate the following activities between the White House and the Democratic National Committee.

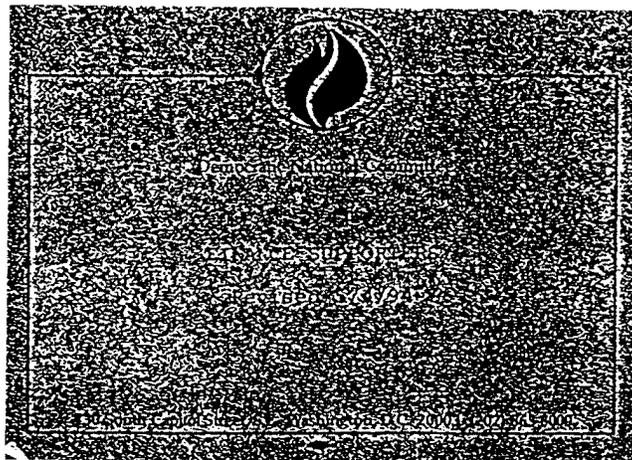
1. Two reserved seats on Air Force I and II trips
Contact: Ricki Seidman/Mike Lufanio
2. Six seats at all White House private dinners
Contact: Ann Stock
3. Six to eight spots at all White House events (i.e. Jazz Fest, Rose Garden ceremonies, official visits)
Contact: Ann Stock
4. Invitations to participate in official delegation trips abroad
Contact: Alexis Herman
5. Better coordination on appointments to Boards & Commissions
6. White House mess privileges
Contact: Patsy Thomason
7. White House residence visits and overnight stays
Contact: Ann Stock
8. Guaranteed Kennedy Center Tickets (at least one month in advance)
Contact: Ann Stock
9. Six radio address spots
Contact: David Levy
10. Photo opportunities with the principles
11. Two places per week at the Presidential CEO lunches
Contact: Alexis Herman

TO: MARTHA PHIPPS

IN ORDER TO REACH OUR VERY AGGRESSIVE GOAL OF \$40 MILLION THIS YEAR, IT WOULD BE HELPFUL IF WE COULD COORDINATE THE FOLLOWING ACTIVITIES:

1. Two seats on Air Force I and II trips.
2. Six seats at all private dinners.
3. Six to eight spots at all White House events (ie....Jazz Fest, Ceremonies, Official visits.....)
4. Official delegation trips abroad.
5. Better coordination on appointments to Boards and Commissions.
6. White House mess privileges.
7. White House residence visits and overnight stays.
8. Guaranteed Kennedy Center Tickets (at least one month in advance.
9. Six radio address spots
10. Photo opportunities with principles.

NOTE: Any money above and beyond the \$40 million goal would require two additional Presidential events outside of Washington, DC.



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membership services

one point of contact.

TERRY + LAURA.

MARSHA?

- John Cardley
- Paul Mortagne
- Bruce Steen
- Finn Caspersen
- Frederick Field

Amb vs. "New people"
"I don't know"

30% managers. trustees.
not been to
WH.

soft \$\$

pre:

JUN 22 - GAIA

list of who
has been
here.

- Kevin
- Justin
- Caroline
- Carole
- Patti
- Joe
- Peter

The White House Social Office has been relatively inaccessible to the DNC. We understand the Social office has a vast scope of responsibilities that this partially includes the DNC contributors. We are on the same team and would like to share information in a legal and ethical manner. If we can break down the territorial nature of the Social office, we will accomplish a great deal more for the President and the party.

PROBLEMS:

EVENTS

At this time we do not have access to calendars or advance notice of events and dates. We frequently face the embarrassing situation of being notified of upcoming events by the contributors. Additionally, we can match the most appropriate people and events, given some advance notice.

FOLLOW UP

The DNC is not aware of who has been taken care of to date. Only recently have we been allowed to send a staffer to the Social office to look up Trustee involvement for the past year. Having this information in a timely fashion is important to our fundraising efforts.

COOPERATION

The nature of fundraising is very last minute. Contributors often come in at the last minute for a specific event. We are respectful of deadlines, but need flexibility to make changes where appropriate.

FUNDRAISING INTERFERENCE

DNC solicitation is subverted due to major donors being invited to high level White House events regardless of the date or amount of contribution. This is a disincentive especially for the Trustee level contributor.

UNDERSTANDING THE CONTRIBUTOR

The Trustee consist of many of the nations wealthiest and most influential profiles. Some White House staffers fully understand the profiles of these contributors. We avoid events with huge crowds that may make the donors feel unimportant.

INTERNAL MEMO—NOT FOR DISTRIBUTION

Memorandum

DATE: March 14, 1995
TO: Chairman Arnold
Richard Sullivan
FROM: David Mercer, Fran Wakem
Ari Swiller, Jennifer Scully & Peter O'Keefe
RE: Proposed Communication & Marketing
Ideas

This memo outlines several ideas for servicing our customers and marketing our program. The proposal includes both a day-to-to servicing operation and a program that we can promote to prospective donors and our WH and DNC counterparts.

ANALYSIS

Finance has been perceived as an operation on to itself. This may be partly self-imposed, but it also due to the reservations many WH and DNC departments have of being associated with finance. At times our biggest obstacle is not our donors reluctance to give, but the resistance we encounter internally. As a result, coordination and cooperation with other WH or DNC divisions is conducted more on an event-by-event or ad hoc basis. The need, therefore, exists to develop a program that re-orientes the attitudes and perceptions of other departments and to develop relationships on various staff levels that foster a sense of advocacy. This can be addressed in several ways.

 DNC 3236734

First, we need to sell and represent our donors as supporters that represent more than contributions. We need to promote them as businessmen and women who have share mutual business and political interests and the commitment to further the Clinton agenda. We have to dispel the myth that they are pursuing a personal agenda and let it be known that they are working with us towards a mutually beneficial goal.

Secondly, this approach needs to occur on levels beyond the senior staff. In most cases, it is the mid-level staff that compile the invitation lists, conduct most of the outreach, recommend to the senior staff who should be included at various functions and follow up on the requests that we generate. When we follow up, our requests are often second guessed, questioned and scrutinized by this tier of staff. We need to create an environment whereby our counterparts want to call us for input to ensure that our political bases are covered. They should want to include us in the vetting process.

Just as the staff of the political division meet with their WH counterparts, arrangements need to be made for our staff to be working with their political counterparts to ensure that the Party and President's supporters are contacted. This way a finance staff person can follow up and ensure that our requests are addressed.

Thirdly, a DNC finance staff person, perhaps the Deputy Finance Director, should serve as the point person to establish the coordination and communications between the finance staff and other DNC and WH departments. In developing the system and creating operational parameters, this coordinator might consider the following issues and recommendations to remove the negative stigma attached to our donors and our department.

PROPOSAL

COORDINATION

White House & Interdepartmental Communications

Each agency and WH department should have a list of supporters and a staff person identified and devoted to handle matters related to reaching out to our donors. The Cabinet Secretary Director at the WH should have a supporters list distributed throughout Cabinet offices and reminders issued to contact and schedule calls or meetings with supporters. The Cabinet Director should direct agencies to assign the political point person that can be contacted by our Deputy Director to coordinate the outreach. This should be institutionalized within each WH department.

The DNC political and WH political have had several meetings to date. At some point the same should be done with WH political and DNC finance to establish a rapport and more importantly to improve perception they may have of donors and the finance division.

To assist the WH departments we need to develop a sort capacity of our lists to generate names based on industries or other associations. This would help us and the Administration to reach out to key supporters on various issues-driven events, briefings or initiatives.

Regional Finance Committee

A Regional Finance Infrastructure should be formed as a regional peer-to-peer system that serves the donor interests of the region and provides a clearinghouse for political and fundraising efforts. Members would serve as Ambassadors holding periodic "board meetings". The peer-to-peer communications would help to strengthen the bond among supporters and reduce the burden on staff in coordinating efforts. The ideas, programs and planned activities coming out of operations could be presented in quarterly reports or newsletters. The chairs of these regional committees should state lists to develop the leadership and to supplement fundraising.

Honorary Congressional Finance Chairs

The Business Leadership Forum has recruited several congressional members who have committed to supporting various recruitment and servicing initiatives. Perhaps we could expand this by establishing a group of congressman and senators willing to serve as honorary chairs of the finance committee.

Our fund-raisers and donor council directors are constantly being asked to set up meetings on the Hill or, in turn, to seek the participation of certain members for various functions. An honorary committee would be helpful to creating additional benefits—Roundtable Breakfasts, briefings, etc.—for the our supporters, expediting requests and furthering the cooperation between the Hill and our offices.

PROGRAM RECOMMENDATIONS

- As part of the coordination effort, arrangements or provisions need to be made for access to the White House mess, movies, tennis courts, Kennedy Center and Fox Theater tickets. In addition, through coordination with our Deputy Director we should be able to count on arranging "drop-bys" for our supporters to visit with key WH staff.
- As the regional finance committee is established we might think of providing them with business cards that only reinforce their ties to us and helps them promote us as a business.
- As it stands no one person can keep up with all the requests generated from finance. By having various point people designated throughout the Administration we have an opportunity to streamline the process and be more responsive to our supporters requests for private tours, picture signings, boards and commission appointments, cabinet trips and presidential jogs.
- Through the new approach we might be able to work out a situation with the Social Office for us to get a copy of invited guests after WH affairs have occurred. If there's a problem sending it to finance then perhaps it could be sent to the Chairman's office and then routed to finance.
- A Family and Friends Calling Campaign that includes fund-raisers, chairs, BLF vice chairs, cabinet officials, congressional members and senior DNC and WH staff. Lists should be developed whereby senior WH and DNC officials are calling into top donors to notify them of trips, invite them to dinners/events or briefing sessions, or simply to touch base.

Write in names.
+ Cabinet Secretaries
office.

 DNC 3236737

MEMORANDUM TO DAVID MERCER

RE: Finance needs
DT: 3/13/94

Per our conversation and meeting with Truman, the following notes are a sketch of some of the improvements we need between the finance division of the DNC and The White House.

When members of our programs visit Washington there are a few services that we should be automatically able to offer them. In fact, it should be standard in our conversations with these people to say, "Have you been to The White House". Some of the improvements I would suggest include:

- 1) A White House Tour. For the most part this is fairly easy to arrange through the donor relations shop and for the most part these people do not need a tour. But it is always nice if these people can in turn offer a tour to their colleagues who are travelling with them or friends, etc.
- 2) Major contributors or raisers should have the opportunity to dine in The White House Mess. We have not been able to get this done with any consistency, and I do not understand why?
- 3) Movies, The White House Tennis Courts, Kennedy Center Box, Ford's Theater tickets (I understand that the President has numerous seats in a number of the areas theaters designated to him) and other special opportunities should be available to our members. These things need to be bird-dogged by some in our shop.
- 4) A designate staffer in Harold Ickes or Erskine Bowles office should be dedicated to the requests of the DNC. The only way we can get the things we need to have done is through the CoS office. This person is critical to our abilities.
- 5) Tacit understanding that we can arrange "drop-bys" for our members on some of the President's staff (or request that they stop by a pre-arranged lunch in the mess to say hello.



 DNC 3236707

REPORT DATE 04/15/94
 REPORT TIME 01:06PM

Reception (DNC Trustees) - April 19, 1994

U Mr. Michael Caddell
 Caddell & Conwell

U Ms. Tracy Conwell

U Mr. Joe Carl
 Partner, Coffield, Ungaretti & Harris

A R Mr. Finn M.W. Caspersen
 CEO, Beneficial Corporation

U Mr. M.E. Cauthen, Jr.
 Cauthen and Associates

U U Mr. & Mrs. Phillip T. Cavanaugh (Neg)
 The Chevron Companies

A A Mr. & Mrs. Joseph Chapman (Jeanette)
 Royal American Development

A A Mr. & Mrs. Rashid Chaudary (Samia)
 Alexandria, VA

U U Hon. & Mrs. Warren M. Christopher (Marie)
 Secretary of State, Department of State

U U Hon. & Mrs. Henry Cisneros (Mary)
 Secretary of Housing & Urban Development

A Mr. Melvin Clark, Jr.
 President, Metroplex Corporation

A Bishop Melvin Clark, Sr.

A Mr. John E. Connelly
 Chairman & CEO, J. Edward Connelly & Associates

A Ms. Audree Connelly Wrigginis

U U Mr. & Mrs. Clay Constantinou (Eileen)
 Wilentz, Goldman, & Spitzer

U Mr. Robert Daly
 Los Angeles, CA

U U Mr. Charles L. Dequaijoe & Mrs. Susan Eanes-Dequaijoe
 Liberal Group

U Mr. Sam Domb
 Travel Inn Hotel

A A Dr. & Mrs. Ronald I. Doxoratz (Beth)
 Norfolk, VA

U Dr. Robert W. Eikins
 CEO, Integrated Health Services

U Mr. Mark Ervin
 President, Ervin Capital Inc.

U Hon. Michael Espy
 Secretary of Agriculture, Department of Agriculture

U Mr. Alfred Estrada
 Miami, FL

U Mr. Fred Eychaner
 Newsweb

A A Mr. & Mrs. Edward Faberman (Linda)
 Vice President of Government Affairs, American Airlines

Confidential Information

 DNC 3058343

REPORT DATE 04/13/94
 REPORT TIME 01:09PM

Reception (DNC Trustees) - April 19, 1994

REGRETS

R Mr. & Mrs. Michael Adler (Judy)
 President, Adler Group

R Mr. & Mrs. Dwayne O. Andreas (Dorothy "Ines")
 Chairman & CEO, Archer-Daniels-Midland Company

R Hon. Bruce Babbitt & Eon. Harriet Babbitt
 Secretary of the Interior

R Mr. & Mrs. Russ Barakat (Leona)
 Broward County Housing Commission

R Mr. & Mrs. Jack Benzhaim (Gail)
 Fort Lee, NJ

R Hon. (Sec.) & Mrs. Lloyd Bentsen (Beryl Ann (B.A.))
 Secretary of the Treasury

R Mrs. Barbara Casperea

R Mr. & Mrs. William M. Daley (Loretta)
 Mayer, Brown & Platt

R Mr. & Mrs. Marvin Davis
 President, The Davis Companies

R Mr. & Mrs. Steven Grossman (Barbara)
 Massachusetts Envelope Company

R Mr. & Mrs. William Haber (Carole)
 Creative Artists Agency

R Hon. & Mrs. Neil F. Hartigan (Marge D.)
 Gardner, Carton & Douglas

R Ms. Anita Howe-Vaxman
 Chairman of the Board, Howe Lewis International

R Mr. Jeffrey Katzenberg
 Walt Disney Studios

R Mrs. Carol Gant Leventhal

R Mr. & Mrs. Ron Meyer (Kelly)
 Creative Artists Agency

R Mr. Alex W. Newton
 Marx, Wayne, Newell & Newton

R Mr. & Mrs. James L. North (Lettie)
 North and Associates

R Mr. & Mrs. Michael Oritz (Judy)
 Creative Artists Agency

R Mr. & Mrs. Bernard Rapsport (Audrey)
 Chairman of the Board, American Income Life Insurance

R Mr. William D. Rollnick & Ms. Nancy Ellison
 New York, NY

R Mrs. Doris Seigel

R Mr. & Mrs. Herb Simon (Diane Meyer)
 President, Melvin Simon & Associates

R Ms. Sylvia Steiner

R Mr. Maurice Tempelman
 Senior Partner, Leon Tempelman & Son

Confidential Information

 DNC 3058350

REPORT DATE 04/15/94
REPORT TIME 01:10PM

Reception (DNC Trustees) - April 19, 1994

R Mr. Steven E. Tisch
 Culver City, CA
R Mrs. Janet Townsley
R Mr. Laird Walker
 Vice President, U.S. West

Confidential Information

 DNC 3058351

MEMORANDUM

TO: Chair DeLee
Bobby Watson
Laura Hartigan
Jill Alper
Vida Benavides
FR: Minyon Moore
DT: December 9, 1994
RE: Upcoming Holiday Events at the White House

I received the attached lists from the White House Office of Public Liaison today. We are being asked to check these lists for potential political problems.

It is unclear to me how the list originated, but I do feel this gives us an opportunity to weigh-in on these much talked about parties and briefings. If you need any additional information, please do not hesitate to ask.

Redacted by the subcommittee



Confidential Information

CALLICAMPERS LIST

Holiday Reception - Monday, December 11, 1984 - 09:00PM/Est Visitors

THE PRESIDENT AND MRS. CLINTON

133948 - Mr. George Arut and Guest
[REDACTED]

133682 - Ms. Lynn Abraham
[REDACTED]

133442 - Mr. Judith Bagley & Mr. Garry
Kareo
[REDACTED]

133635 - Mr. Gilbert Adams and Guest
[REDACTED]

133658 - Ms. Catherine Baker-Knell and
Guest
[REDACTED]

133488 - Mr. Glenn E. Anderson and Guest
[REDACTED]

133906 - Mr. James Allen Barnes and
Guest

133804 - Mr. Rod Anderson and Guest
[REDACTED]

133688 - Mr. & Mrs. Leonard Barrock
[REDACTED]

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Confidential Information

CALLIGRAPHERS LIST

Holiday Reception - December 12, 1994

133659 - Mr. & Mrs. George Becker
United Steelworkers of America

[REDACTED]

133955 - Mr. & Mrs. Alan J. Blikhan
Warthola, Schroder & Co., Inc.

[REDACTED]

133952 - Mr. Larry Bennett and Guest

[REDACTED]

133956 - Mr. & Mrs. Donald Blikhan

[REDACTED]

133460 - Mr. Daniel Berger
Berger, Kapetan, Mayers

[REDACTED]

133908 - Mr. Terry Bloomberg and Guest

[REDACTED]

134909 - Mr. David Berger and Guest
Berger & Motapuo, P.C.

[REDACTED]

134216 - Hon. Freeman Borley, Jr. and
Guest
Mayor of St. Louis

[REDACTED]

133953 - Mr. & Mrs. Herb Berman

[REDACTED]

134292 - Hon. & Mrs. Ershina Bowles
West Wing

CALLIGRAPHERS LIST

Holiday Reception - December 12, 1994

133924 - Mr. Bill Burton and Guest

133948 - Hon. (Gov.) & Mrs. Robert P. Casey
[REDACTED]

133862 - Mr. Michael Caddell & Ms. Tracy Conwell
[REDACTED]

133968 - Mr. John Cotelmatides and Guest

133818 - Mr. Bruce Campbell & Ms. Cynthia Clark
[REDACTED]

133907 - Gov. Richard Celeste
[REDACTED]

133813 - Mr. Russ Carnahan and Guest
[REDACTED]

133666 - Dr. Sam C. Chippell and Guest
[REDACTED]

133664 - Mr. Gilbert Caselles and Guest

133877 - Hon. Linda Chavez-Thompson
[REDACTED]

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Confidential Information

CALLIGRAPHERS LIST

Holiday Reception - December 12, 1994

133901 - Mr. & Mrs. Tom Chana
[REDACTED]

133971 - Mr. Rod Cloonan and Guest
[REDACTED]

133878 - Hon. & Mrs. Henry Cisneros
Department of Housing & Urban
Development
[REDACTED]

133973 - Mr. & Mrs. Tony Coelho
President's Committee on Employment of
Persons with Disabilities
[REDACTED]

133968 - Ms. Liz Claiborne & Mr. Arthur
Ortenberg
[REDACTED]

133668 - Mr. Daniel Cohen and Guest
[REDACTED]

133970 - Mr. Edward Cleary and Guest
[REDACTED]

133871 - Mr. David Cohen and Guest
[REDACTED]

136207 - Hon. & Mrs. Emanuel Cleaver
[REDACTED]

133975 - Mr. Sam Coleman and Guest
[REDACTED]

REPORT DATE 12/07/96
REPORT TIME 09:38AM

CALLIGRAPHERS LIST

Holiday Reception - December 12, 1996

133818 - Mr. Dale E. Collins and Guest
[REDACTED]

133820 - Mr. Pat Cooney and Guest
[REDACTED]

133976 - Mr. Tim Collins and Guest
[REDACTED]

133978 - Mr. Vivian Cook and Guest
[REDACTED]

133672 - Hon. & Mrs. Richard P. Conaboy
[REDACTED]

133821 - Mr. F.S. Copland and Guest
[REDACTED]

133888 - Mr. & Mrs. C. W. Coon
[REDACTED]

133822 - Mr. Robert Cox and Guest
[REDACTED]

133673 - Mr. John P. Connolly and Guest
[REDACTED]

133979 - Mr. Andrew Cronin and Guest
[REDACTED]

CALLIGRAPHERS LIST

Holiday Reception - December 12, 1994

133921 - Hon. Nancy Cuellar and Guest
[REDACTED]

133974 - Mr. Kennel G. Devlin & Mr.
Claude Fatten
[REDACTED]

133981 - Hon. & Mrs. Andrew Cuomo
[REDACTED]

133968 - Mr. Ronald G. DeLoed and Guest
[REDACTED]

133983 - Hon. (Gov.) & Mrs. Marie M.
Cuomo
[REDACTED]

133823 - Mr. James Dempsey and Guest
[REDACTED]

133924 - Mr. T.D. Darnell and Guest
[REDACTED]

137355 - Mr. & Mrs. Ed Dennis
[REDACTED]

133947 - Ms. Deralyn Davis and Guest
[REDACTED]

133985 - Mr. Jack Dillenbery and Guest
[REDACTED]

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Confidential Information

CALLING NUMBERS LIST

Holiday Reception - December 12, 1994

133906 - Mr. Jackson Doey and Guest

133965 - Mr. Charles Duncan and Guest

133832 - Ms. Pauline Muna Doyle and Guest

133994 - Hon. Maria Schaveste and Guest

133989 - Mr. Ed Graves & Mrs. Eileen Shaughnessy

133678 - Hon. & Mrs. Everett Ehrlich

133907 - Mr. & Mrs. G. Thomas DuBose

133908 - Mr. John Elm and Guest

133992 - Mr. Hazel Duke and Guest

133997 - Mr. Ronald Eldridge and Guest

CALLIGRAPHERS LIST

Holiday Reception - December 12, 1994

133999 - Mr. Arthur Eva and Guest
[Redacted]
[Redacted]
[Redacted]
[Redacted]

136911 - Mr. S. David Flanagan & Mr.
Linda Loyd
[Redacted]
[Redacted]
[Redacted]

133679 - Mr. Happy Fernandez and Guest
[Redacted]
[Redacted]

133838 - Mr. Emily Firebaugh and Guest
[Redacted]
[Redacted]

134000 - Mr. Fernando Ferraz and Guest
[Redacted]
[Redacted]
[Redacted]
[Redacted]

136908 - Hon. & Mrs. Leo Fisher
[Redacted]
[Redacted]
[Redacted]
[Redacted]

134002 - Ms. Virginia Fields and Guest
[Redacted]
[Redacted]

134000 - Mr. & Mrs. Joseph Fion
[Redacted]
[Redacted]
[Redacted]

133834 - Mr. & Mrs. Dwight Fine
[Redacted]
[Redacted]

134009 - Ms. Martin Flournoy and Guest
[Redacted]

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Confidential Information

REPORT DATE 12/07/94
REPORT TIME 09:36AM

CALLIGAPHEAS LIST

Holiday Reception - December 12, 1994

134010 - Mr. David Ford and Guest

133688 - Mr. Vincent J. Fumo and Guest

..

133684 - Mr. Frank Frederick and Guest

133988 - Mr. & Mrs. Mike Gallagher
[REDACTED]
[REDACTED]

134011 - Mr. Tom Pricano and Guest
[REDACTED]

134018 - Hon. & Mrs. Jeffrey Garten
[REDACTED]

134014 - Mr. George Friedman and Guest
[REDACTED]

133993 - Mr. Ignacio B. Garcia and Guest

133909 - Mr. John Frontera and Guest
[REDACTED]

133910 - Mr. Marc Cathala and Guest
[REDACTED]
[REDACTED]

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Confidential Information

CALLIGRAPHERS LIST

Holiday Reception - December 12, 1994

134019 - Mr. Joel Ciarra and Guest

134018 - Mr. & Mrs. Lee Godfrey

134020 - Mr. Bob Gigante and Guest

134018 - Mr. Dan Colerth and Guest

134005 - Mr. Lukis T. Gilliland, Jr. and Guest

133913 - Mr. & Mrs. Gilbert B. Goldberg

134021 - Mr. Bill Ciske and Guest

134023 - Hon. Howard Golden and Guest

134025 - Hon. Rodolph Giullisi and Guest

133689 - Mr. W. Wilson Goode and Guest

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CALLIGRAPHERS LIST

Holiday Reception - December 12, 1994

134025 - Mr. Dennis Gorski and Guest
[REDACTED]

134026 - Ms. Audrey Cruse and Guest
[REDACTED]

134027 - Mr. Alexander Cranis and Guest
[REDACTED]

134027 - Hon. Rudolph Wiliam and Guest
[REDACTED]

134029 - Hon. Mark Green and Guest
[REDACTED]

134030 - Hon. (Dr.) & Mrs. Sheldon
Eckney
[REDACTED]

134030 - Ms. Alison Greene and Guest
[REDACTED]

133912 - Mr. Timothy Egan and Guest
[REDACTED]

134032 - Mr. Lawrence Greenwald and
Guest
[REDACTED]

136355 - Hon. Marcia L. Hale and Guest
[REDACTED]

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CALL MEMBERS LIST

Holiday Reception - December 12, 1994

134044 - Mr. Alan Novack and Guest
[REDACTED]

134049 - Mr. Shann Hogan and Guest
[REDACTED]

133843 - Mr. & Mrs. Steve Hill
[REDACTED]

134051 - Mr. Michael Boyce and Guest
[REDACTED]

134045 - Hon. William P. Hobby and Guest
[REDACTED]

132913 - Mr. Chayo Melcomb and Guest
[REDACTED]

134046 - Mr. Fred Hochberg and Guest
[REDACTED]

133845 - Mr. Bob Selden and Guest
[REDACTED]

134048 - Mr. Tom Moffay and Guest
[REDACTED]

133846 - Hon. Joan Kelly Bova & Mr.
Terrence Jones
[REDACTED]

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Confidential Information

CALLGUESTS LIST

Holiday Reception - December 12, 1994

133914 - Mr. & Mrs. Lee Farley
[REDACTED]

134056 - Ms. Patricia Irvin and Guest
[REDACTED]

134053 - Hon. & Mrs. Reed S. Hundt
[REDACTED]

134098 - Mr. & Mrs. Joe Jaeger
[REDACTED]

133851 - Mr. Hal Hunter, Jr. and Guest
[REDACTED]

134904 - Mr. Hulbert James and Guest
[REDACTED]

133853 - Mr. & Mrs. Hal Hunter, Sr.
[REDACTED]

134289 - Hon. Gerald D. Jennings and Guest
[REDACTED]

134055 - Hon. Harold Ickes & Ms. Laura Handman
[REDACTED]

134057 - Mr. Richard Jenrette and Guest
[REDACTED]

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Confidential Information

CALLIGRAPHERS LIST

Holiday Reception - December 12, 1994

133916 - Mr. Stephanie Jones and Guest
[Redacted]
[Redacted]

134063 - Mr. Jurate Kasichas & Hon.
Roger C. Altman
[Redacted]

134001 - Hon. Barbara Jordan
[Redacted]
[Redacted]
[Redacted]

134045 - Mr. John Keichle and Guest
[Redacted]

134091 - Dr. & Mrs. Gene Joyce
[Redacted]

134067 - Mr. Thomas Keith and Guest
[Redacted]

133704 - Mr. & Mrs. Alan Callian
[Redacted]

133703 - Mr. Edward J. Koller and Guest
[Redacted]

136912 - Mr. & Mrs. Peter Ellis
[Redacted]

133706 - Mr. Jim Kennedy, Sr. and Guest
[Redacted]

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Confidential Information

CALLIGRAPHERS LIST

Holiday Reception - December 12, 1994

134069 - Mr. Roland Kidder and Guest
[REDACTED]

134075 - Mr. & Mrs. George Landeggar
[REDACTED]

134071 - Mr. & Mrs. Jerome Kohlberg
[REDACTED]

134102 - Mr. & Mrs. Richard Landsman
[REDACTED]

134094 - Mr. & Mrs. Livingstone Kosberg
[REDACTED]

134112 - Hon. & Mrs. Bob Lanier
[REDACTED]

133711 - Hon. Peter H. Kostmayer and Guest
[REDACTED]

134076 - Mr. & Mrs. Peter Lober
[REDACTED]

134073 - Ms. Jenny Lam and Guest
[REDACTED]

136901 - Ms. Pat Lenamyer and Guest
[REDACTED]

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CALLIGRAPHERS LIST

Holiday Reception - December 12, 1994

134077 - Hon. & Mrs. Arthur Levitt, Jr.
[REDACTED]

134084 - Mr. & Mrs. Bill Lynch
[REDACTED]

133716 - Mr. Edward Lewis
[REDACTED]

133720 - Mr. Leon Lynch and Guest
[REDACTED]

134078 - Mr. John LoCicero and Guest
[REDACTED]

134085 - Mr. & Mrs. Bill Mainer

134080 - Mr. Helen Look and Guest

134087 - Mr. Martin Malcave-Ollan and Guest
[REDACTED]

133854 - Mr. & Mrs. Scotty Luther
[REDACTED]

133917 - Mr. Mort Mandell and Guest

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Confidential Information

CALLSIGNERS LIST

Holiday Reception - December 12, 1994

134089 - Mr. John Marins and Guest

133857 - Mr. James Matheson and Guest

...

133855 - Mr. William E. Harite and Guest

134096 - Mr. Peter Mathias and Guest

134090 - Councilwoman Helen Marshall and Guest

133918 - Mr. Dana Mattison and Guest

134204 - Hon. Anthony Mascella and Guest

134914 - Mr. David Kattar and Guest

134093 - Ms. Alice F. Mason

134098 - Mr. & Mrs. Jay Narur

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Confidential Information

CALLCAMPERS LIST

Holiday Reception - December 12, 1994

134099 - Ms. Jewell Jackson McCabe and Guest

[REDACTED]

133860 - Mr. Bill McKeana and Guest

[REDACTED]

134100 - Ms. Patricia McCarthy and Guest

[REDACTED]

133726 - Mr. Patrick Melloy and Guest

[REDACTED]

133858 - Ms. Laura Wilson McCashill and Guest

[REDACTED]

134116 - Mr. Leo Mandelson & Mrs. Sylvia Mandelson

[REDACTED]

134101 - Mr. Walter McCaffery and Guest

134118 - Ms. Sherri Nerfish and Guest

[REDACTED]

133919 - Mr. Tom McDonald and Guest

[REDACTED]

133728 - Ms. Dianne Nerline and Guest

[REDACTED]

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Confidential Information

CALLGRAPHERS LIST

Holiday Reception - December 12, 1994

134106 - Mr. Ruth W. Messinger and Guest

[REDACTED]

134109 - Mr. Joyce Miller and Guest

[REDACTED]

133849 - Hon. Mark Middleton and Guest

[REDACTED]

133867 - Ms. Kathleen Miller and Guest

[REDACTED]

133920 - Mr. & Mrs. David Alenthal

[REDACTED]

134111 - Ms. Gertrude Melotoff and Guest

133864 - Mr. Woodrow Millard and Guest

[REDACTED]

136353 - Mr. Gary Moore and Guest

134107 - Mr. Bob Miller and Guest

[REDACTED]

134121 - Mr. & Mrs. John J. Noeres, Sr.

[REDACTED]

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Confidential Information

CALLIGRAPHERS LIST

Holiday Reception - December 12, 1994

134123 - Hon. Daniel C. Morales and Guest

[REDACTED]

134113 - Ms. Sandie Murphy and Guest

[REDACTED]

134126 - Mr. & Mrs. Jim Moriarty

[REDACTED]

134217 - Hon. Tom Murphy and Guest

[REDACTED]

133734 - Mr. John Morris and Guest

[REDACTED]

134114 - Mr. Kevin Murray and Guest

[REDACTED]

133922 - Ms. Karen Moses and Guest

[REDACTED]

133741 - Ms. Sandra Byars and Guest

[REDACTED]

133736 - Mr. Pat Malpin Murphy and Guest

[REDACTED]

133742 - Ms. Stephanie W. Maidoff and Guest

[REDACTED]

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Confidential Information

CONFIDENTIALS LIST

Holiday Reception - December 12, 1994

133744 - Mr. Henry Nichols and Guest
[REDACTED]

133761 - Hon. & Mrs. Robert O'Donnell
[REDACTED]

133869 - Mr. Jay Nixon and Guest
[REDACTED]

133872 - Mr. Mark Odom and Guest
[REDACTED]

134262 - Mrs. Ann Northrup and Guest
[REDACTED]

134282 - Hon. Manfred Obereartaia and Guest
[REDACTED]

134280 - Mr. Jack Hussbaum and Guest
[REDACTED]

134331 - Mr. Lyndon Olson, Jr. and Guest
[REDACTED]

133759 - Ms. Gloria O'Donnell and Guest
[REDACTED]

133767 - Hon. Angel L. Ortiz and Guest
[REDACTED]

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Confidential Information

CALL:GAPHEAS LIST

Holiday Description - December 12, 1994

134286 - Mayor Owens and Guest

134288 - Mr. & Mrs. Alan Patricof

[REDACTED]

136301 - Mr. Ervin Orley and Guest

134294 - Mr. Audrey Phofter and Guest

[REDACTED]

136916 - Mr. Lavar Palmick and Guest

137401 - Mr. Raymond Pierce and Guest

[REDACTED]

[REDACTED]

136289 - Hon. & Mrs. Leon E. Paetta

134295 - Mr. & Mrs. Bert B. Pograbin

[REDACTED]

[REDACTED]

134171 - Mr. Allan Parker and Guest

133923 - Mr. Malcolm Porter and Guest

[REDACTED]

[REDACTED]

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Confidential Information

SOLICITORS LIST

Holiday Reception - December 12, 1994

133769 - Mr. Lazar Povolnick and Guest
[REDACTED]

134139 - Mr. Wayne Reand and Guest
[REDACTED]

134296 - Mr. Tom Dreyfus and Guest

134144 - Mr. Joseph Zoodar and Guest
[REDACTED]

133924 - Mr. & Mrs. Albert Ratner
[REDACTED]

136199 - Mrs. & Mrs. Ed Rendell
[REDACTED]

134326 - Mr. & Mrs. Bruce Ratner
[REDACTED]

133925 - Mr. Fred Rosopha and Guest
[REDACTED]

133871 - Mr. John Rava and Guest
[REDACTED]

133774 - Ms. Linda Rhodes and Guest
[REDACTED]

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Confidential Information

CALLIGRAPHERS LIST

Holiday Arrivals - December 12, 1994

134327 - Mr. Macy Rich and Guest
[REDACTED]

134331 - Mr. Julius Robertson and Guest
[REDACTED]

134145 - Hon. (Mrs.) Ann W. Richards and Guest
[REDACTED]

134333 - Lou Rodis and Guest
[REDACTED]

134153 - Mr. Edgar King and Guest
[REDACTED]

134342 - Mr. & Mrs. Felix G. Kobayn
[REDACTED]

134329 - Mr. Salinas Rivera and Guest
[REDACTED]

134343 - Mr. Bill McInaich & Ms. Nancy
Ellison
[REDACTED]

134148 - Mr. Jon Rivera and Guest
[REDACTED]

133927 - Mr. Richard Romero and Guest
[REDACTED]

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Confidential Information

REGISTRATION LIST

Holiday ... - December 12, 1994

133777 - Mr. Arthur J. Donney II and Guest

[Redacted]

133929 - Ms. Maryo Roth & Mr. Bob Roth

[Redacted]

134150 - Ms. ... and Guest

134372 - Ms. Julia Rothman and Guest

[Redacted]

134344 - Mr. Daniel Rose and Guest

[Redacted]

133876 - Mr. Ed Bucher and Guest

[Redacted]

134361 - Ms. Phyllis Rosen & Mr. Jack Rosen

[Redacted]

134273 - Ms. Barbara J. Sabol and Guest

[Redacted]

134366 - Mr. Caryl Roth & Mr. Steven Roth

[Redacted]

134374 - Ms. Deborah Sale and Guest

[Redacted]

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Confidential Information

TELETYPE LIST

Holiday Reception - December 12, 1994

133780 - Mr. ... and Guest
[Redacted]

134406 - Mr. Robert Schiffer & Mr.
MaryAnn Holbein
[Redacted]

137846 - Hon. ... William Donald
[Redacted]

134416 - Mr. & Mrs. Stan Schman
[Redacted]

134156 - Hon. & Mrs. Michael D.
Schattman
[Redacted]

133782 - Hon. Allison Schwartz & Mr.
David Schwartz
[Redacted]

134161 - Mr. Arthur Schachter and Guest

134429 - Mr. & Mrs. Bernard Schwartz
[Redacted]

134412 - Hon. James H. Scheer & Hon.
Emily Maline
[Redacted]

136314 - Hon. Marcia Scott and Guest
[Redacted]

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Confidential Information

CALLGRAPHERS LIST

Holiday Reception - December 12, 1994

133783 - Mr. [REDACTED] and Guest
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

134433 - Mr. & Mrs. Jack Sholman
[REDACTED]
[REDACTED]
[REDACTED]

134431 - Mrs. Susan Goodman and Guest

133880 - Mr. & Mrs. Jim Shinn
[REDACTED]
[REDACTED]

134476 - Ms. Suzanne Seiden & Mr. Kevin Shura
[REDACTED]

136196 - Mr. Claire Sholman and Guest
[REDACTED]
[REDACTED]

133785 - Mr. Joseph R. Sotolro and Guest

133786 - Mr. Mary Van Shura and Guest
[REDACTED]
[REDACTED]

133879 - Mr. Robert B. Shapiro and Guest

134435 - Mr. & Mrs. Jerome Siegal

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Confidential Information

REPORT DATE 12/07/94
REPORT TIME 09:30AM

CALLCARRIERS LIST

Holiday Reservation - December 12, 1994

134437 - Mr. Stephen Silver and Guest

134492 - Mr. & Mrs. George Soros

[REDACTED]

134462 - Mr. Bob Single and Guest

[REDACTED]

134441 - Mr. Connie Spahn and Guest

134511 - Mr. & Mrs. Craig Smith

[REDACTED]

134591 - Mr. Roy Spence and Guest

[REDACTED]

134450 - Mr. Stephen Soler and Guest

134920 - Mr. & Mrs. Roy Spence

[REDACTED]

134491 - Mr. & Mrs. Nancy Rosenber and Guest

[REDACTED]

134444 - Mr. Archie Spigner and Guest

[REDACTED]

Redacted by the Subcommittee ---

Confidential Information

CALLICAPHERS LIST

Holiday Reception - December 12, 1994

- 136916 - Mr. Mark Spilone and Guest
- 136918 - Mr. Phillip Stout and Guest
- 134454 - Mr. Leonard Stavinsky and Guest
- 134458 - Mrs. Susan Strausberg & Mr. Marc Strausberg
- 134457 - Mr. Norman Stein & Mrs. Sheryl Dicker
- 133787 - Mr. John Street and Guest
- 136372 - Mrs. George R. Stephanopoulos and Guest
- 134466 - Mr. Ted Striggles & Mrs. Deborah Sale
- 133884 - Mr. Gary Still and Guest
- 134168 - Mr. & Mrs. Stephen D. Freeman

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Confidential Information

CALLSIGNPHERS LIST

Holiday Extension - December 12, 1994

134171 - Mr. Craig Kutherland and Guest
[REDACTED]

134471 - Mon. Peter Turoff & Ms. Mathew
Falco
[REDACTED]

133932 - Mr. & Mrs. Patricia Sweeney

133789 - Mrs. Maria Thaco and Guest
[REDACTED]

134468 - Mr. & Mrs. Steven C. Suid
[REDACTED]

134473 - Mr. Oren Telchar and Guest
[REDACTED]

133788 - Mr. & Mrs. Jerry and Guest
[REDACTED]

133790 - Mr. Paul Titus and Guest
[REDACTED]

134469 - Mr. & Mrs. [REDACTED] and Guest
[REDACTED]

136224 - Mon. Bruce Todd and Guest
[REDACTED]

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Confidential Information

REPORT DATE 12/07/94
REPORT TIME 09:39AM

MEMORANDUM LIST

Holiday Period - December 12, 1994

133792 - Mr. Ed Jochey and Guest

134678 - Mr. Marc Tucker and Guest

[REDACTED]

133793 - Judge Patrick J. Toole and Guest

134682 - Mr. Richard Chovicki and Guest

[REDACTED]

134677 - Ms. Ida Torres and Guest

134687 - Mr. Peter Valone and Guest

[REDACTED]

134678 - Mr. Ed Jones and Guest

133886 - Mr. Harold F. Volkmer and Guest

[REDACTED]

133794 - Mr. Ed. Jose Trumpan and Guest

134695 - Aito Walden and Guest

— Redacted by the Subcommittee —



Confidential Information

REPORT DATE 12/07/94
REPORT TIME 09:39AM

CALLERS LIST

Holidays: November 12, 1994

134201 - Hon. [redacted] & Mrs. Michael R. White

[redacted]
[redacted]
[redacted]

133898 - Ms. Harriet P. Woods and Guest

[redacted]
[redacted]

134504 - Mr. [redacted] & Mrs. Larry [redacted]

[redacted]
[redacted]

134195 - Ms. Janet Wright-Simpson & Mr. Kyle Simpson

[redacted]
[redacted]

133897 - Mr. [redacted] Wilson and Guest

136889 - Ms. Lucile Wyman & Mr. William Wyman

[redacted]
[redacted]
[redacted]

136354 - Ms. [redacted] White and Guest

133801 - Ms. Lynn Toshal and Guest

[redacted]
[redacted]

134185 - Hon. [redacted] W. Wolff and Guest

[redacted]
[redacted]

134191 - Mr. Randy Young and Guest

[redacted]
[redacted]

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Confidential Information

ALLIANCE LIST

Holiday - December 12, 1994

134188 - Dr. [redacted] and Youngblood and Guest

[redacted]

134506 - Hon. [redacted] and Guest

[redacted]

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Confidential Information

CALLIGRAPHERS LIST

Yale Dinner - Friday, December 16, 1994 - 07:30PM/East Executive Avenue/East
Visitors

THE PRESIDENT AND MRS. CLINTON

Ms. Nancy Behavak and Guest

[REDACTED]

Mr. & Mrs. Floyd Abrams

[REDACTED]

Mr. Alan Bersin and Guest

[REDACTED]

Mr. & Mrs. Peter Alesi

[REDACTED]

Mr. Charles Black, Jr. and Guest

[REDACTED]

Ms. Ronna Lee Beck & Mr. Paul Friedman

[REDACTED]

Mr. Robert Bookman and Guest

[REDACTED]

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CALLIGRAPHERS LIST

Yale Dinner - December 16, 1994

Mr. & Mrs. Douglas S. Eakley

[REDACTED]

Mr. Owen Fiss and Guest

[REDACTED]

Ms. Marian Wright Edelman & Mr. Peter Edelman

[REDACTED]

Professor & Mrs. William A. Fletcher

[REDACTED]

Mr. & Mrs. Peter Ehrenberg

[REDACTED]

Mr. & Mrs. Morton H. Fry II

[REDACTED]

Lisa Fenning & Mr. Alan Fenning

[REDACTED]

Ms. Nancy Gertner and Guest

[REDACTED]

Ms. Rosalind S. Fink, Esq. and Guest

[REDACTED]

Ms. Nancy Gist

[REDACTED]

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Confidential Information

CALLIGRAPHERS LIST

Yale Dinner - December 16, 1974

Mr. Paul Joffe and Guest

[REDACTED]

Mr. Mark A. Klugheist & Dr. Marianna Klugheist

[REDACTED]

Ms. Nor-Jith Jones and Guest

[REDACTED]

Mr. & Mrs. Harvey Boivin

[REDACTED]

Mr. & Mrs. Peter Joseph

[REDACTED]

Ms. Ruth Lassar & Mr. Lloyd Merrill

[REDACTED]

Mr. Lewis Kaden & Mrs. Ellen Orens

[REDACTED]

Ms. Anna Letelle Lassar and Guest

[REDACTED]

Dr. Jay Katz and Guest

[REDACTED]

Ms. Dina E. Lassar & Mr. Richard Fishman

[REDACTED]

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Confidential Information

DNC 0908557

CALLIGRAPHERS LIST

Yale Dinner - December 16, 1974

Mr. Richard Leone and Guest

[REDACTED]

Mr. & Mrs. Donald J. Mann

[REDACTED]

Mr. & Mrs. Mark I. Levy

[REDACTED]

Professor & Mrs. Buck Marshall and Guest

[REDACTED]

Hon. (Sen.) & Mrs. Joseph I. Lieberman

[REDACTED]

Mr. & Mrs. Ronald F. Macrae

[REDACTED]

Ms. Barbara Lindemann and Guest

[REDACTED]

Ms. Gloria McHugh and Guest

[REDACTED]

Hon. & Mrs. Eugene A. Ludwig

[REDACTED]

Ms. Laura A. Miller and Guest

[REDACTED]

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DNC 0908558

CALLIGRAPHERS LIST

Yale Dinner - December 16, 1994

Mr. Chuck Muckenfuss and Guest
[REDACTED]

Mr. Donald C. Pogue & Mr. Susan Bucknell
[REDACTED]

Mr. Chuck Muckenfuss and Guest

Mr. & Mrs. Gerald F. Forner
[REDACTED]

Mr. James W. Olson and Guest
[REDACTED]

Mr. Daniel L. Rabinovitch & Mrs. Ann Thomas
[REDACTED]

Hon. & Mrs. Stephen A. Ozam
[REDACTED]

Mr. & Mrs. Harold Labner
[REDACTED]

Mr. Robert A. Peck & Mrs. Lynn Palmer
[REDACTED]

Mr. Robert Boyner & Ms. Romie Liebowitz
[REDACTED]

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12/01/94 02:38 PM 0908559 DNC 0908559

REPORT DATE 12/07/94
 REPORT TIME 02:12PM

*Briefing
 List
 only*

Reception - Monday, December 19, 1994 - 05:00PM
 Contact Social Office X7781

THE PRESIDENT AND MRS. CLINTON

Mr. Terrence B. Adamson
 Member, State Justice Institute
 Hon. Art Agnos
 former Mayor of San Francisco
 Mr. Tom Allgood
 Augusta, GA
 Ms. Aida Alvarez
 U.S. Department of Housing
 Mr. Daniel Amos
 CEO, AFLAC Incorporated
 Dr. Raj Asand
 Indo-American Political Association
 Mr. Frank Anousino
 Washington, DC
 Ms. Nancy Aursin-Schwartz & Mr. Dennis Schwartz
 East Lansing, MI
 Mr. David Ambrod
 Oak Park, IL
 Mr. Gary Bachels & Mrs. Jane Woodfin
 Department of Commerce
 Ms. Donna Ballman
 N. Miami Beach, FL
 Mr. John Baranovic
 St. Clair County Board Chairman
 Mr. Gary Barnes
 Vitas Healthcare Corporation
 Ms. Phyllis Barrow
 Athens, GA
 Mr. Tom Bates
 Member, California State Assembly
 Mr. Frank Bates
 Office of the Governor
 Ms. Marjorie Benton & Mr. Charles Benton
 Chair, Chapin Hall Center for Children
 Mr. Mandell ("Bill") Berman & Ms. Madeline Berman
 President, Council of Jewish Federations
 Ms. Margaret Blackheve

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

DNC 0908563

Hon. & Mrs. James J. Blanchard (Janet)
America's Ambassador to Canada
Ms. Elaine Blood
Miami, FL
Ms. Deane Bonner
Marietta, GA
Mr. Ted Brabham
West Palm Beach, FL

Mr. John L. Cundenis
Chairman, President & CEO, BellSouth Corporation
Mr. Tommy Coleman
Ex Mayor Albany
Mr. Michael A. Collins
Washington, DC

REPORT DATE 12/07/94
 REPORT TIME 02:13PM

Reception - December 19, 1994

Ms. Alice Huffman
 Sacramento, CA
 Hon. Karen Humphrey
 Fresno, CA
 Ms. Ruth Hunter & Mr. Sean Daniel
 Beverly Hills, CA
 Mr. & Mrs. Patrick Husting (Carolyn Sparks)
 Hazel, MI
 Mr. Tommy Irvin
 Agricultural Commissioner, State of Georgia
 Hon. Maynard Jackson
 Chairman, Jackson Securities, Inc.
 Mr. Doney Jacobs
 East Moline, IL
 Mr. Roger Johnson & Mrs. Janice Thompson
 Administrator, General Services Administration
 Mr. Bob Johnson
 Atlantic Records
 Mr. Phil Johnson
 Tandem
 Mr. Don Johnson
 Athens, GA
 Ms. Ingrid Jones
 Vice-President, Corporate External Affairs
 Hon. Frank Jordan
 Mayor of San Francisco
 Mr. Mike Katz
 TRI-STAR PICTURES
 Ms. Susan Keasey
 San Francisco, CA
 Hon. (Gov.) & Mrs. Bruce King (Alice)
 Governor of New Mexico (D)
 Mr. Wyck Knox
 Ms. Dolores Kohl
 Ms. Kam Kwana
 Los Angeles, CA
 Ms. Andrea H. Latus
 Mr. Thomas Lamont
 University of Illinois Board of Trustees
 Mr. Sydney Laush

||||| DNC 0908573

REPORT DATE 12/07/94
REPORT TIME 02:13PM

Reception - December 19, 1994

Hon. Barbara Lee
State Representative, State of California
Mr. Bruce Lee
UAW Region 6, Agenda for the 90's
Mr. William Lee
House Majority Caucus Chair, Georgia
Mr. Don Lebern
Georgia Crown Distributing Co.
Ms. Liane Leznan
Mr. David Linarraga
Telcel Corporation
Mr. Bill Lockyer
State Capitol
Mr. Herb Mabry
Atlanta, GA
Ms. Barbara Maddox
Lansing, MI
Mr. Paul Marciano
President, Guest?, Inc.
Mr. William Marovitz
Chicago, IL
Rev. Sampson Matthews
Detroit, MI
Ms. Linda May
Atlanta, GA
Hon. Leo McCarthy
Lt. Gov. of California
Ms. Debbie McCarty
Commissioner of Parks & Recreation
Ms. Juliana McConnell
Suwanee, GA
Ms. Celeste McLain
Mr. Ken Mas
Western Regional Director, Teamsters
Hon. Carol Migden
Supervisor, San Francisco County
Hon. Tony Miller
Sacramento, CA
The Honorable Arthur Miller, Jr.
Lansing, MI

REPORT DATE 12/07/94
 REPORT TIME 02:13PM

Reception - December 19, 1994

Mr. Jeffery Pollack
 Pollack Media Group
 Ms. Penny Frinkler
 Chicago, IL
 Mr. & Mrs. Kirk Raab (Mollie)
 CEO, Genentech, Inc.
 Mr. Gil Ray
 O'Malley and Myers
 Ms. Louise Reese
 Ms. Elaine Reyes
 Loma Linda, CA
 Mr. Chuck Richards
 Elliott Cty, MD
 Sen. David Roberti
 President Pro Tempore, California Legislature
 Mr. Hadley Rull
 San Francisco, CA
 Ms. Kathy Rogers
 Concord, NH
 Mr. Simon Rosenberg
 Democratic Leadership Council
 Mr. Thomas Rosenberg
 Capital Associates
 Mr. Dennis Ross
 President & CEO, Jim Walter Corporation
 Ms. Madeline Haas Russell
 R & S Associates
 Ms. Betty Lou Salzman
 Chicago, IL
 Mr. Eugene Sawyer
 Former Mayor of Chicago
 Hon. Joe Serna
 Mayor of Sacramento
 Mr. Mirajee Shah
 Chairman, Globetrotter Engineering
 Mr. Bryan Shantz
 Wheatland, WY
 Mr. Douglas Shorenstein
 San Francisco, CA

REPORT DATE 12/08/94
REPORT TDCE 02:547K

CALLIGRAPHERS LIST

Arkansas Gala Buffet - December 17, 1994

Mr. & Mrs. Richard L. Nays
[Redacted]
[Redacted]

Mr. & Mrs. James McLarty III
[Redacted]
[Redacted]

Mr. & Mrs. Herbert McAdams III
[Redacted]
[Redacted]

Hon. & Mrs. Thomas P. "Mack" McLain
[Redacted]

Mr. & Mrs. Herbert H. McAdams II
[Redacted]
[Redacted]

Mrs. Montine McFulty & Mr. Jack M.
[Redacted]
[Redacted]
[Redacted]

Mr. Alonso McChes and Guest
[Redacted]
[Redacted]

Mr. Joe Melton, Jr. and Guest
[Redacted]
[Redacted]

Mr. George McGill and Guest
[Redacted]
[Redacted]

Hon. Mark Middleton and Guest
[Redacted]

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Confidential Information

REPORT DATE 12/08/94
REPORT TIME 02:55PM

CALLIGRAPHERS LIST

Arkansas Gala Buffet - December 17, 1994

Hon. (Sen.) & Mrs. David Pryor
[Redacted]
[Redacted]

Mr. & Mrs. Don Rodgers
[Redacted]
[Redacted]
[Redacted]

Mr. & Mrs. Clyde Rease
[Redacted]
[Redacted]
[Redacted]

Ms. Faye Rodgers and Guest
[Redacted]
[Redacted]
[Redacted]

Mr. & Mrs. Terry A. Renaud
[Redacted]
[Redacted]
[Redacted]

Mr. & Mrs. J.T. Rose
[Redacted]
[Redacted]

Mr. & Mrs. Nolan Richardson, Jr.
[Redacted]
[Redacted]
[Redacted]

Mr. & Mrs. Skip Rutherford
[Redacted]
[Redacted]

Mr. & Mrs. Bobby Robinson
[Redacted]
[Redacted]
[Redacted]

Mr. & Mrs. Don Salton
[Redacted]
[Redacted]

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Confidential Information

REPORT DATE 12/08/94
REPORT TIME 02:56PM

CALLIGRAPHERS LIST

Arkansas Gala Buffet - December 17, 1994

Mr. & Mrs. John Tisdale
[Redacted]
[Redacted]

Mr. & Mrs. John Tyson
[Redacted]
[Redacted]

Mr. Joe T. Todd and Guest
[Redacted]
[Redacted]

Mr. John Tyson and Guest
[Redacted]
[Redacted]

Mr. & Mrs. Lin Trie
[Redacted]
[Redacted]

Mrs. Jan Van Matre and Guest
[Redacted]
[Redacted]

Mr. & Mrs. John Tull
[Redacted]
[Redacted]

Mr. & Mrs. Charles Varner
[Redacted]
[Redacted]

Mr. Don Tyson and Guest
[Redacted]
[Redacted]

Mr. Albert Vesley, Jr. and Guest
[Redacted]
[Redacted]

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Confidential Information

REPORT DATE 12/08/94
REPORT TIME 01:56PM

CALLIGRAPHERS LIST

Arkansas Gals Buffet - December 17, 1994

Mr. Jimmy Victory and Guest
[Redacted]
[Redacted]

Mr. C. Randy Warner Jr. & Mrs. Sa
Warner
[Redacted]
[Redacted]

Mr. John Walker and Guest
[Redacted]
[Redacted]

Hon. & Mrs. David Watkins
[Redacted]
[Redacted]

Mr. & Mrs. James A. Walters
[Redacted]
[Redacted]

Mr. & Mrs. Carl S. Whillock
[Redacted]
[Redacted]

Ms. Alice Walton and Guest
[Redacted]
[Redacted]

Mr. Robert White and Guest
[Redacted]
[Redacted]

Mr. & Mrs. Robson Walton
[Redacted]
[Redacted]

Ms. Caroline Whitson & Mr. Turner
Whitson
[Redacted]
[Redacted]

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||||| DNC 0908593

CALLIGRAPHERS LIST

Arkansas Gala Buffet - December 17, 1994

Mr. & Mrs. H.R. Wilbourn
[Redacted]
[Redacted]

Mr. Jewell "Pete" Willie and Guest
[Redacted]
[Redacted]

Dr. Alonzo Williams, Sr. & Mrs.
Henrietta Williams
[Redacted]
[Redacted]

Mr. Paul H. Willmuth and Guest
[Redacted]
[Redacted]
[Redacted]

Ms. Mary Louise Williams and Guest
[Redacted]
[Redacted]

Mr. Michael E Wilson and Guest
[Redacted]
[Redacted]
[Redacted]

Mr. & Mrs. W. Jackson Williams
[Redacted]
[Redacted]
[Redacted]

Hon. (Judge) William Wilson, Jr.
Guest
[Redacted]
[Redacted]

Rev. Carroll Willis, Sr. and Guest
[Redacted]
[Redacted]

Mr. Howard Woods and Guest
[Redacted]
[Redacted]

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Confidential Information

REPORT DATE 12/01/94
REPORT TIME 02:52PM

CALLIGRAPHERS LIST

Arkansas Gala Buffet - Saturday, December 17, 1994 - 06:00PM/East Visitor

THE PRESIDENT AND MRS. CLINTON

Mr. & Mrs. William H. Allen
[REDACTED]

Ms. Annie Abrams and Guest
[REDACTED]

Mr. John Allison and Guest
[REDACTED]

Mr. Elijah Agnew and Guest
[REDACTED]

Mr. & Mrs. Sam Angel
[REDACTED]

Mr. & Mrs. Edwin Alderson
[REDACTED]

The Honorable & Mrs. Beryl F. Anth
[REDACTED]

Mr. Ben Allen and Guest
[REDACTED]

Mr. & Mrs. Truman Arnold
[REDACTED]

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||||| 0908596

REPORT DATE 12/08/94
REPORT TIME 02:52PM

CALLIGRAPHERS LIST

Arkansas Gale Buffet - December 17, 1994

Mr. & Mrs. Bob Bogle
[REDACTED]
[REDACTED]

Mr. Coner Boyett, Jr. and Guest
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Hon. & Mrs. Jerry P. Bookout
[REDACTED]
[REDACTED]
[REDACTED]

Mr. & Mrs. Curt Bradbury
[REDACTED]
[REDACTED]
[REDACTED]

Mr. & Mrs. William Bovan
[REDACTED]
[REDACTED]

Hon. & Mrs. Jay Bradford
[REDACTED]
[REDACTED]

Hon. & Mrs. Erskine Bowles
[REDACTED]

Mr. Marby Brancum, Jr. & Mrs. Lei
Brancum
[REDACTED]
[REDACTED]
[REDACTED]

Mr. Sam Boyce and Guest
[REDACTED]
[REDACTED]

Dr. & Mrs. Richard Bronfsan
[REDACTED]
[REDACTED]

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Confidential Information

REPORT DATE 12/08/94
REPORT TIME 02:51PM

CALLIGRAPHERS LIST

Arkansas Gala Buffet - December 17, 1994

Ms. Georgia Elrod & Mr. John Elrod
[Redacted]
[Redacted]
[Redacted]

Mr. & Mrs. Edward Falwell
[Redacted]
[Redacted]

Mr. Stephen Engstrom and Guest
[Redacted]
[Redacted]

Mr. & Mrs. Jerry Flippe
[Redacted]
[Redacted]

Mr. S. Wootan Epps and Guest
[Redacted]
[Redacted]

Mr. & Mrs. John B. Frazer
[Redacted]
[Redacted]

Mr. & Mrs. Harry C. Ervin III
[Redacted]
[Redacted]

Mr. & Mrs. George T. Frazier
[Redacted]
[Redacted]

Mr. & Mrs. Harry C. Ervin, Sr.
[Redacted]
[Redacted]

Mr. James Frazier and Guest
[Redacted]
[Redacted]

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INFORMATION REPORTING SYSTEMS INC. DNC 0908604

CALLIGRAPHERS LIST

Reception - December 19, 1994

Mr. Gary Bachula & Mrs. Jane Woodfin
[Redacted]
[Redacted]
[Redacted]

Mr. Frank Bates and Guest
[Redacted]
[Redacted]
[Redacted]

Ms. Donna Bellman and Guest
[Redacted]
[Redacted]

Mr. Tom Bates and Guest
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Mr. John Baracovic and Guest
[Redacted]
[Redacted]
[Redacted]

Ms. Marjorie Benton & Mr. Charles Benton
[Redacted]
[Redacted]
[Redacted]

Mr. Gary Barrow and Guest
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Mr. Mandell ("Bill") Berman & Ms.
Madeline Berman
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Ms. Phyllis Barrow and Guest
[Redacted]
[Redacted]

Ms. Margaret Blackbeve and Guest

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CALLIGRAPHERS LIST

Reception - December 19, 1996

Hon. Kathleen Brown and Guest
[Redacted]
[Redacted]
[Redacted]

Mr. Jim Butler and Guest
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Hon. Willie L. Brown, Jr. and Guest
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Mr. John V. Caldwell and Guest
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Mr. & Mrs. John H. Bryan
[Redacted]
[Redacted]
[Redacted]

Mr. Joe Carl & Ms. Rita Bahr
[Redacted]
[Redacted]
[Redacted]

Ms. Katie Buckland and Guest
[Redacted]
[Redacted]

Mr. Bill Carriek and Guest
[Redacted]
[Redacted]

Ms. Alice Sules and Guest
[Redacted]
[Redacted]

Rachid Chaudry and Guest
[Redacted]
[Redacted]

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CALLIGRAPHERS LIST

Reception - December 19, 1984

Mr. & Mrs. Alfred Checchi
[Redacted]
[Redacted]
[Redacted]

Mr. Tommy Coleman and Guest
[Redacted]

Hon. Rachelle B. Cheng & Mr. Kirk Del
Prots
[Redacted]
[Redacted]
[Redacted]

Mr. Michael A. Collins and Guest
[Redacted]
[Redacted]

The Honorable Floyd Clack and Guest
[Redacted]
[Redacted]
[Redacted]

Mr. Bobby Lee Cook and Guest
[Redacted]
[Redacted]

Mr. Joe Clark and Guest
[Redacted]
[Redacted]
[Redacted]

Mr. Clarence Cooper and Guest
[Redacted]
[Redacted]
[Redacted]

Mr. John L. Clendenin and Guest
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Mr. Alston Dayton Correll, Jr. and Guest
[Redacted]
[Redacted]

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CALLIGRAPHERS LIST

Reception - December 19, 1994

Hon. & Mrs. Alan J. Dixon

Mr. Charles Dussow and Guest

Hon. Harry Dixon and Guest

Mr. Bob Zrecca and Guest

Ms. K Terry Dornbush and Guest

Mr. & Mrs. Bob Evans

Hon. John Pat Dorrian and Guest

Mr. Fred Eychner and Guest

Mr. Christopher Durn and Guest

Mr. Joel Ferguson and Guest

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Confidential Information

CALLIGRAPHERS LIST

Reception - December 19, 1996

Mr. Milton Ferrell, Jr. and Guest
[Redacted]
[Redacted]
[Redacted]

Mr. Sam Flood and Guest
[Redacted]
[Redacted]
[Redacted]

Mr. Ted Field and Guest
[Redacted]
[Redacted]
[Redacted]

Hon. (Gov.) & Mrs. Jim Tolson
[Redacted]
[Redacted]
[Redacted]

Ms. Liz Figueroa and Guest
[Redacted]
[Redacted]

Ms. Carolyn Forrest and Guest
[Redacted]
[Redacted]
[Redacted]

Mr. Lowell Finley and Guest
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Hon. & Mrs. Wyche Fowler, Jr.
[Redacted]
[Redacted]

Hon. (Gov.) Joan H. Finney & Mr. Spencer
Finney
[Redacted]
[Redacted]
[Redacted]

Mr. J.B. Fuqua and Guest
[Redacted]
[Redacted]
[Redacted]

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Confidential Information

REPORT DATE 11/08/96
REPORT TIME 01:33PM

CALLIGRAPHERS LIST

Reception - December 19, 1996

Ms. Barbara Lee and Guest

[Redacted]

Ms. Lianne Loxton and Guest

Mr. Bruce Lee and Guest

[Redacted]

Mr. David Linnage and Guest

[Redacted]

Mr. William Lee and Guest

[Redacted]

Mr. Bill Lockyer and Guest

[Redacted]

Mr. Don Lobern and Guest

[Redacted]

Mr. Herb Mabry and Guest

[Redacted]

Ms. Rita Lewis & Mr. Carlton Lewis

[Redacted]

Ms. Barbara Maden and Guest

[Redacted]

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||||| DNC 0908623

CALLIGRAPHERS LIST

Reception - December 19, 1974

Mr. Peter Norton and Guest

[REDACTED]

Sen. Tom Murphy and Guest

[REDACTED]

Mr. Elie E. Muller, Jr. and Guest

[REDACTED]

Mr. Robert McNulty and Guest

[REDACTED]

Sen. George Munoz and Guest

[REDACTED]

Mr. Jantine Nelson and Guest

Ms. Kim Moran and Guest

Mr. Robert Melara and Guest

[REDACTED]

Sen. Thomas S. Murphy and Guest

[REDACTED]

Mr. Frank Newman and Guest

[REDACTED]

Redacted by the Subcommittee

Confidential Information

CALLIGRAPHERS LIST

Reception - December 19, 1994

Mr. Tim Nichols and Guest
[Redacted]

Ms. Gloria Rose Ott & Mr. John
Vasconcellos
[Redacted]

Mr. Alfred Nochrice and Guest
[Redacted]

Hon. Gus Owen and Guest
[Redacted]

Mr. Pierce O'Donnell and Guest
[Redacted]

Mr. Charles Palmer & Ms. Kathy Gernery
[Redacted]

Ms. Brigitte O'Keefe and Guest
[Redacted]

Mr. & Mrs. Milan Pavia
[Redacted]

Hon. & Mrs. Kevin O'Keefe
[Redacted]

Mr. Benny Parker and Guest
[Redacted]

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Confidential Information

CALLIGRAPHERS LIST

Reception - December 19, 1994

Mr. Hadley Roff and Guest
[Redacted]

Ms. Madeleine Raus Russell and Guest
[Redacted]

Ms. Kathy Rogers and Guest
[Redacted]

Ms. Betty Lou Saltman and Guest
[Redacted]

Mr. Simon Rosenberg and Guest
[Redacted]

Mr. Eugene Sawyer and Guest
[Redacted]

Mr. Thomas Rosenberg and Guest
[Redacted]

Hon. Joe Sarna and Guest
[Redacted]

Mr. Dennis Ross and Guest
[Redacted]

Mr. Virendra Shah and Guest
[Redacted]

Redacted by the Subcommittee

Confidential Information

REPORT DATE 12/01/94
REPORT TIME 02:33PM

CALLIGRAPHERS LIST

Reception - December 19, 1994

Mr. & Mrs. Bruce Stern
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Sen. (Gov.) Bruce Sundlum and Guest
[REDACTED]
[REDACTED]
[REDACTED]

Mr. & Mrs. Richard Stern
[REDACTED]
[REDACTED]
[REDACTED]

Mr. Melvin Svig and Guest
[REDACTED]
[REDACTED]

Mr. Larry Stewart and Guest
Esq.
[REDACTED]
[REDACTED]
[REDACTED]

Mr. & Mrs. Richard Svig
[REDACTED]
[REDACTED]

Ms. Merrill Stumberger and Guest
[REDACTED]
[REDACTED]

Mr. Pat Toraille, Jr. and Guest
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Sen. (Gov.) & Mrs. Michael J. Sullivan
[REDACTED]
[REDACTED]
[REDACTED]

Mr. Larry Tramotola and Guest
[REDACTED]
[REDACTED]

Redacted by the Subcommittee —

Confidential Information

Holiday Reception (Black Tie) - Tuesday, December 20, 1994
 05:30PM

THE PRESIDENT AND MRS. CLINTON

Mr. Daniel Amor
 AFLAC, Inc.

Mr. & Mrs. Arthur T. Anderson, Jr. (Barbara)
 Hartford, CT

Dr. Ben Armstrong
 East Hampton Travel Agency, Inc.

Mr. Louis Moore Bacon
 Investment Management Services

Mr. Russ Barakat
 Lauderdale, FL

Mr. Vincent Bartolotta
 Thornes, Bartolotta, McGuire, Padilla

Mr. Dennis Basso
 President, Dennis Basso Couture

Mr. Steve Berlin
 Chief Financial Officer, Citgo Petroleum Corporation

Mr. Jim Bernhard
 President & CEO, Shaw Industries

Ms. Stephanie Biddle
 Chairman, Computer & Communications Industry

Judge Harry L. Bigbee
 Judge, B.C.O., Inc.

Mr. & Mrs. Richard Bloch (Nancy)
 Santa Fe, NM

Mr. Michael Bloomberg
 New York, NY

Mr. W. Michael Blumenthal
 Lazard Freres & Co.

Mr. & Mrs. Tom Boggs (Barbara)
 Patton, Boggs, & Blow

Mr. Peter Borish
 CEO, Tudor Group

Mr. & Mrs. George L. Bristol (Valerie)
 President, Georgia Bristol and Associates

Mr. & Mrs. Bob Brobyn, Esq. (Meg)
 Plymouth Meeting, PA

Mr. & Mrs. Robert Burkett (Rebecca)
 President, Yucaipa Companies

Holiday Reception (Black Tie) - Tuesday, December 20 4.

Mr. Ronald Harris
 Stamford, CT
 Mr. John A. Harris, IV
 Beryn, PA
 Mr. John G. Heilmann & Ms. Maria Cristina Anzola
 Chairman, Merrill Lynch Global Financial Institutions
 Group
 Mr. Benjamin Heinenan & Ms. Christine Russell
 General Counsel, General Electric
 Mr. Joe M. Hanson
 Westborough, MA
 Mr. Steven Herman
 Sr. V.P. & General Counsel, U.S. Generating Company
 Mr. Lee Hillman
 Bally's Casino Holdings
 Mr. Wayne Hilner
 M. Key Largo, FL
 Mr. David Hodgkinson
 Washington, DC
 Mr. Wen-Jen Huang
 Carritos, CA
 Mr. Harry Jacobs
 Senior Director, Prudential Securities
 Mr. Richard Johnston
 Washington, DC
 Mr. Paul Tudor Jones
 Tudor Investment Corporation
 Mr. Robert Juliano
 Hotel and Restaurant Employees
 Mr. Victor Kamber
 Kamber Group
 Mr. & Mrs. Robert Kaplan (Ellen)
 Kaplan & Klisshner
 Mr. Jeffrey Kell
 Brooklyn, NY
 Mr. & Mrs. S. Lee Kling (Rosalyn)
 Kling, Rechter, and Company
 Mr. Philip M. Klutznick
 Senior Partner, Klutznick Investments

Holiday Reception (Black Tie) - Tuesday, December 20 6.

Mr. & Mrs. Robert Morgado (Mrs.)
Warner Music Group

Mr. Marie M. Merino
Great Falls, VA

Mr. Andrew R. Morse
Senior Vice President, Smith Barney Shearson

Mr. Kiyoshi Patrick Okura &
President, Okura Mental Health Leadership Foundation

Mr. Jonathan Oriaff
S. Cassidy & Associates, Inc.

Mr. Morris Ostin
Los Angeles, CA

Mr. Jeffrey Peck & Mrs. Lisa Vigdor-Peck
Managing Director, Government Affairs, Arthur Anderson
Consulting

Mr. & Mrs. Gary J. Perkinson (Marcella)
Vice President, Govt Relations, Beneficial Management
Corporation

Mr. Alfred S. Perlman
Chicago, IL

Mr. & Mrs. Leonard Pickett (Ann)
President and CEO, Parco U.S.A., Ltd.

Mr. & Mrs. George Pla (Gail)
President, Cordoba Corporation

Mr. John Quinn
Houston, TX

Mr. & Mrs. Tom Rabon (Susan)
Raleigh, NC

Mr. & Mrs. Mark P. Robinson (Kathleen)
Partner, Robinson and Phillips

Mr. Christopher Ross
Gainesville, FL

Holiday Reception (Black Tie) - Tuesday, December 20 8.

Mr. David Steiner
The Sudler Company
Mr. & Mrs. David Stern (Dianne)
Commissioner, National Basketball Association
Mr. & Mrs. Gerald Stern (Linda)
Special Counsel, Department of Justice
Mr. & Mrs. Julian J. Studley (Jane)
Chairman, Julian Studley & Company
Mr. George Tagg
Managing Director, Federal Express
Mr. Robert P. Thomas
Boult, Cummings, Connors and Berry
Mr. Andy Tobias
New York, NY
Mr. & Mrs. John Torkelson (Pam)
Princeton Venture Research, Inc.
Mr. & Mrs. Angelo Tsakopoulos (Sofia)
AKI Development Corporation
Mr. & Mrs. John Uchina (Violet)
Office of the Governor
Mr. Jose Villareal & Mrs. Sara Villarreal
San Antonio, TX
Mr. James Wade
CEO, Wade Industries, Inc.
Mr. Carl Wagner & Ms. Tin Thant
Wagner Communications
Mr. Robert S. Wallace
Washington,
Mr. Bert Wasserman
Kings Point, NY
Mr. Malcolm H. Weiner
The Milburn Corporation
Mr. Walter H. Weiner
New York, NY
Mr. Mark Weinstein
SR. VP Govt. Affairs, Viacom International Incorporated
Mr. & Mrs. Lavrance Weissberg (Anita)
Wilfred, Inc.

CALLIGRAPHERS LIST

Holiday Gala - Tuesday, December 20, 1994 - 07:30PM/East Executive Avenue/East
Visitor's

THE PRESIDENT AND MRS. CLINTON

Dr. Ben Armstrong and Guest
[REDACTED]
[REDACTED]
[REDACTED]

Mr. Herb Allen and Guest
[REDACTED]
[REDACTED]

Mr. Byllie E. Avery and Guest

Mr. Daniel Amor and Guest
[REDACTED]
[REDACTED]
[REDACTED]

Mr. Louis Moore Bacon and Guest
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Mr. & Mrs. Arthur T. Anderson, Jr.
[REDACTED]
[REDACTED]

Dr. Sue Bailey and Guest
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

— Redacted by the Subcommittee —

Confidential Information

CALLIGRAPHERS LIST

Holiday Gala - December 20, 1994

Mr. & Mrs. Sonny DeGole
[Redacted]

Mr. John Eisberg and Guest
[Redacted]

Mr. & Mrs. Don R. Duncan
[Redacted]

Mr. & Mrs. Paul J. Elston
[Redacted]

Mr. & Mrs. John Dunfee
[Redacted]

Mr. Dan Fabrizio and Guest
[Redacted]

Mr. Tom Eggleton & Ms. Barbara Eggleton
[Redacted]

Mr. Zachary Fisher and Guest
[Redacted]

Mr. John Earhart and Guest
[Redacted]

General Ronald E. Fogelman, USAF & Mrs.
Jane Fogelman
[Redacted]

Redacted by the Subcommittee. —

Confidential Information

||||| DNC 0908647

CALLIGRAPHERS LIST

Holiday Gala - December 20, 1994

Mr. Leonard I. Green and Guest

[Redacted]

Mr. Ronald Harris and Guest

[Redacted]

Mr. McGee Crigaby and Guest

[Redacted]

Mr. John G. Heilmann & Ms. Maria Cristina
Arcola

[Redacted]

Mr. Arsenio Hall and Guest

[Redacted]

Mr. Benjamin Heidenan & Ms. Christine
Russell

[Redacted]

Mr. John A. Harris, IV and Guest

[Redacted]

Mr. Joe H. Hanson and Guest

[Redacted]

Mr. & Mrs. Louis Morris

[Redacted]

Mr. Steven Herman and Guest

[Redacted]

Redacted by the Subcommittee —

Confidential Information

CALLIGRAPHERS LIST

Holiday Gala - December 20, 1994

Mr. & Mrs. Robert MacCrace
[REDACTED]
[REDACTED]
[REDACTED]

Mr. Marlan Matthews and Guest
[REDACTED]
[REDACTED]

Mr. & Mrs. Robert Nelson
[REDACTED]
[REDACTED]
[REDACTED]

Mr. Michael McInosh and Guest
[REDACTED]
[REDACTED]

Mr. Jean Nason, III and Guest
[REDACTED]
[REDACTED]

Mr. Thomas McKinney and Guest
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Mr. & Mrs. Bernard Mastor
[REDACTED]
[REDACTED]
[REDACTED]

Ken. & Mrs. Leo Melomed
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Ms. Ann MacIndale and Guest
[REDACTED]
[REDACTED]

Mr. & Mrs. Olan Mills
[REDACTED]
[REDACTED]
[REDACTED]

Redacted by the Subcommittee —

Confidential Information

CALLIGRAPHERS LIST

Holiday Gals - December 10, 1974

Mr. & Mrs. Harold J. Haffie
[Redacted]
[Redacted]
[Redacted]

General & Mrs. Carl E. Hardy, Jr.
[Redacted]
[Redacted]
[Redacted]

Hon. & Mrs. Frank Moore
[Redacted]
[Redacted]
[Redacted]

Mr. Kiyoshi Patrick Okura &
[Redacted]
[Redacted]
[Redacted]

Mr. & Mrs. Robert Mergado
[Redacted]
[Redacted]

Mr. Jonathan Orloff and Guest
[Redacted]
[Redacted]
[Redacted]

Mr. Mario N. Morino and Guest
[Redacted]
[Redacted]

Mr. Morris Ostin and Guest
[Redacted]
[Redacted]
[Redacted]

Mr. Andrew B. Morse and Guest
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Adm. & Mrs. William A. Ovens
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Redacted by the Subcommittee ---

Confidential Information

CALLIGRAPHERS LIST

Holiday Gala - December 30, 1996

Hon. Carl D. Palant and Guest
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Mr. Alfred B. Perlman and Guest
[Redacted]
[Redacted]

Ms. Jan. Pauley & Mr. Garry Trudeau
[Redacted]
[Redacted]

Mr. & Mrs. Leonard Fickert
[Redacted]
[Redacted]
[Redacted]

Mr. Jeffrey Peck & Mrs. Lisa Vigdor-Peck
[Redacted]
[Redacted]

Mr. & Mrs. George Pic
[Redacted]
[Redacted]
[Redacted]

Mr. & Mrs. Martin Peretz
[Redacted]
[Redacted]

Mr. John Quinn and Guest
[Redacted]
[Redacted]

Mr. & Mrs. Gary J. Parkinson
[Redacted]
[Redacted]

Mr. & Mrs. Tom Laben
[Redacted]
[Redacted]

Redacted by the Subcommittee

Confidential Information

CALLIGRAPHERS LIST

Holiday Gala - December 20, 1994

Mr. M. Max Schwabel and Guest

[REDACTED]

Mr. Edward Shelton and Guest

[REDACTED]

Mr. Charles Seivers and Guest

[REDACTED]

Mr. & Mrs. Robert V. Shlan

[REDACTED]

Mr. & Mrs. Prakash Shah

[REDACTED]

Mr. Robert Shrum & Ms. Mary Louise Gates

[REDACTED]

General & Mrs. John M. D. Shalikshvili,
USA

[REDACTED]

Ms. Rena Shulsky and Guest

[REDACTED]

Mr. David Shaw & Mr. Beth Koblner

[REDACTED]

Mr. & Mrs. Herb Sines

[REDACTED]

Redacted by the Subcommittee

Confidential Information

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THE WHITE HOUSE
WASHINGTON

June 2, 1997

VIA FACSIMILE

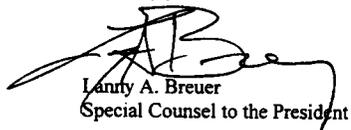
Ms. Mildred Webber
Staff Director
Subcommittee on National Economic Growth,
Natural Resources and Regulatory Affairs
B-377 Rayburn House Office Building
Washington, D.C. 20515

Dear Mildred:

This letter is in response to Keith Ausbrook's request for dates associated with the events redacted from the copy of the WhoDB that was provided to the Subcommittee on May 22, 1997. Attached is a list of the events with the corresponding dates. I am assuming that this information will be treated with the same confidentiality and protocols that we mutually agree upon.

Please give me a call if you have any questions.

Sincerely yours,



Larry A. Breuer
Special Counsel to the President

Attachment

cc: Congressman Sanders (with attachment)

Events (With Dates) Redacted from WhoDB Copy Provided to House Subcommittee
on National Economic Growth, Natural Resources and Regulatory Affairs

| | | |
|-----|--|----------|
| 1. | Georgetown and Hot Springs Reunion | 1/21/93 |
| 2. | Dinner and movie | 2/3/93 |
| 3. | Georgetown Reunion | 6/5/93 |
| 4. | Birthday Party for Al From | 6/9/93 |
| 5. | Dinner with Mrs. Clinton | 8/4/93 |
| 6. | Birthday Party for Mrs. Clinton | 10/26/93 |
| 7. | Reception for J. Carville and M. Matalin | 11/9/93 |
| 8. | Holiday Reception for Family and Friends | 12/19/93 |
| 9. | Basketball Game | 2/9/94 |
| 10. | Birthday Party for Chelsea Clinton | 2/26/94 |
| 11. | Basketball Game | 3/2/94 |
| 12. | Boxer-Rodham Wedding | 5/28/94 |
| 13. | Hot Springs High School Reunion | 10/9/94 |
| 14. | Birthday Party for Mrs. Clinton | 10/21/94 |
| 15. | Yale Dinner | 12/16/94 |
| 16. | Holiday Reception for Family and Friends | 12/18/94 |
| 17. | Wellesley Briefing and Reception | 2/3/95 |
| 18. | Basketball Game | 2/28/95 |
| 19. | Basketball Game | 3/24/95 |
| 20. | Movie | 3/26/95 |
| 21. | Birthday Party for Ann Stock | 6/3/95 |
| 22. | Movie | 8/4/95 |
| 23. | Birthday Party for Mrs. Clinton | 10/27/95 |
| 24. | Baby Shower | 10/28/95 |
| 25. | Family and Friends Reception | 12/17/95 |
| 26. | Movie | 3/29/96 |
| 27. | Birthday Party for Mack McLarty | 6/14/96 |
| 28. | Private meeting | 7/6/96 |
| 29. | Birthday Party for Nancy Herreich | 7/26/96 |
| 30. | Party for Lisa Caputo | 7/29/96 |
| 31. | Birthday Party for Kevin O'Keefe | 9/23/96 |
| 32. | Reception for Jane Sherburne | 12/19/96 |
| 33. | Holiday Reception for Family and Friends | 12/22/96 |

AFFIDAVIT

I, Carl Mecum, being duly sworn, hereby depose and say:

1. I am currently employed by W.P. Malone, Inc. ("Malone") and have been employed by Malone since 1969. I am a computer programmer for that company.
2. My responsibilities with Malone included the preparation of a database for use in mailing holiday cards from the President and First Lady in 1993. I was the only employee of Malone who handled the 1993 holiday card list.
3. I was instructed to use codes from the database known as PeopleBase to select individuals who were to receive holiday cards from the President and First Lady in 1993.
4. I was instructed to use codes that included codes identifying individuals as supporters of the President or contributors to one of his campaigns.
5. I also received lists in magnetic media from both the White House and the Democratic National Committee (DNC) of individuals to whom holiday cards were also to be sent.
6. I merged the lists from PeopleBase, DNC, and the White House and purged the combined list of duplicate names and addresses.
7. I prepared a diskette of the final list and sent it to the firm that printed the names and addresses from the list on envelopes and mailed the holiday cards. I maintained the database in its own file in an ICL DRS 6000 computer, which I never deleted.
8. The final holiday card list containing the merged and purged PeopleBase, DNC, and White House lists was stored in its own file on an ICL DRS 6000 computer

located at the offices of Malone in Arkadelphia, Arkansas. In anticipation of the move of the ICL DRS 6000 computer from Arkadelphia, Arkansas to Washington, DC, on September 22, 1995, I consolidated and reorganized all data files on the ICL DRS 6000 computer. I compressed the final holiday card list in its own file since I felt it unlikely this file would be used again.

9. In order to access the holiday card list file a person would have to know the password for the computer, know the holiday card list existed and the name assigned, uncompress the holiday card list file using an uncompression software utility program and load the database using a software program known as Progress. My memory is that I did not create a menu or other interface for the holiday card list file. In order to use the data within the file, persons unfamiliar with Progress software would find the task of accessing the holiday card list file very difficult.

10. The ICL DRS 6000 computer with the file containing the final holiday card lists was subsequently moved to the offices of the Clinton/Gore '96 campaign or a successor entity in Washington, DC during the period October 4th through October 8th, 1995.

11. I understand the move of the ICL DRS 6000 computer was to allow the Clinton/Gore '96 Campaign workers to have the PeopleBase data readily available. On August 21, 1995, I accessed the ICL DRS 6000 computer at its location in Washington, DC, and the separate file containing the holiday card list. September 22, 1995 is the last date tag appearing in the computer file for the holiday card list. If the computer file had been accessed after September 22, 1995, a different date tag would have appeared on the file list. Since no date tag appeared later than September 22, 1995, I concluded to the

best of my ability that the data in the holiday card list file has not been accessed after the date of September 22, 1995.

12. I have no reason to believe the holiday card list was accessed by anyone in the Clinton/Gore '96 campaign or used for political fundraising or any campaign purpose.

13. I understand the holiday card information which came from the White House was to be treated confidentially and did not release the information without the authorization of my superiors. Such authorization would have come only upon direction from the original owner of the information.

14. I have no reason to believe that the holiday card list file was inputted into the database known as PeopleBase.

15. Although a request for the return of the list may have been made, I have no recollection of receiving a request from the White House or the DNC to return their original lists.

16. Although a request for the return of the list may have been made, I have no recollection of receiving a request from the White House or the DNC for the final holiday card list.

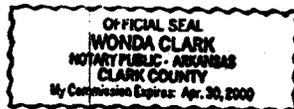
Further, the affiant saith not.

Carl E. Mecum
Carl Mecum

STATE OF ARKANSAS)
)ss.
COUNTY OF CLARK)

Subscribed and sworn to before me, a Notary Public, duly commissioned and acting within and for the County and State aforesaid, on this 24 day of September, 1996.

Wonda Clark
NOTARY PUBLIC



REVISU 118
INDEX

| LAST NAME | FIRST NAME | COMPANY | CITY | STATE | INDUSTRY |
|-----------|----------------|--|--------------|-------|-----------------|
| Spive | John | Department of State | | MD | |
| T M | Blument | Blount, Purich & Nelson | Montgomery | MD | |
| M | Buchner | Manufacturers of America | Monteville | MD-2 | |
| M | Callier | National Appraisal, Inc. | Montgomery | 1 | Manufacturing & |
| T M | Downard | Downard Company, Inc. | Birmingham | MD | |
| M | Harrie | Alabama Power Co. | Birmingham | 1 | Utility |
| T M | Johns | Protective Life Organization | Birmingham | MD | |
| T M | Allison | Spirit House, Inc. | Conroy | MD | |
| M | Bradbury | | Little Rock | 1 | Banking |
| M | Brayden | First National Bank of Phillips County | Indian | 1 | Banking |
| M | Glass | Wal-Mart | Monteville | 4 | Retail |
| M | Knappl | ACME | Little Rock | 1 | Mar-Profit |
| M | King | Adams Lead and Pann Development | Richley | 1-4 | Agriculture |
| M | Reynolds, H.D. | Currency One-Mark Veterans Infirmary | Little Rock | 1 | Physician |
| M | Reuro | Reuro & Company, Inc. | Hot Springs | 1 | Contractor |
| M | Shall | Salbia and Shell Construction Company | Little Rock | 1-2 | Construction |
| T M | Stephens | Stephens, Inc. | Little Rock | 4 | Financial |
| M | Tollett | Tyson Foods, Inc. | Springdale | | Agriculture |
| M | Vindusius | Good Faith Fund | Flaco Bluff | 1 | Mar-Profit |
| T M | Walton | LJana Company | Fayetteville | MD | |
| M | White | The John White Furniture | Orange | 1 | Manufacturing |

Jack Rosen

(202) 857-4224

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11-86 86 82 20

NO. 481
11:07
ECONOMIC CONFERENCE LIST -- SOURCE: HOUSE INVESTIGATIVE LIST OF PARTICIPANTS AND OBSERVERS AS OF 3/21/75

| STATE | LAST NAME | FIRST NAME | COMPANY | CITY | CODE | INDUSTRY |
|-------|-----------------|----------------|--|-------------|-------|----------------|
| CA | Blady | James | Company | Los Angeles | 4 | Export/Import |
| P.C. | Blum | Richard Davis | Lyons Bank | Washington | 1 | Commercial |
| P.C. | Chubb | Kathleen | Adams National Bank | Washington | 1 | |
| P.C. | Dehann | Richard Wright | Children's Defense Fund | Washington | 1 | Non-Profit |
| P.C. | Flaherty, Ph.D. | Gregg L. | Microelectronics and Computer Technology Corp. | Washington | 2 | High Tech |
| P.C. | Fynn | Al | Democratic Leadership Council | Washington | 1 | Non-Profit |
| P.C. | Green III | Robert | Lehman Brothers | Washington | 1 | Financial |
| P.C. | Grosshans | Robert | Center on Budget and Policy Priorities | Washington | 177 | |
| P.C. | Johnson | Robert L. | Black Intergovernmental Information | Washington | 1 | Entertainment |
| P.C. | Lewis | Richard B. | National Public Radio | Washington | 2 | Media |
| P.C. | McIntyre | William Thomas | World Resources Institute | Washington | 1 | |
| P.C. | Pollack | Ben | Families USA | Washington | 1 | |
| P.C. | Prentiss, Jr. | Clyde V. | National Academy of Sciences | Washington | 7 | Trade |
| P.C. | Seeger | John | Small Business Legislative Council | Washington | 207 | Small Business |
| P.C. | Schwarz | Richard | Harvard | Washington | 7 | Communications |
| P.C. | Tier-Whelan | Mark | Center for Policy Alternatives | Washington | 177 | Non-Profit |
| DC | Sahr | Harlan | Communication Workers of America | Washington | 207 | |
| DC | Donahoe | Thomas B. | NPR-CIO | Washington | 1 | Telex |
| DC | Reich | Ben | Disabled American Veterans | Washington | 207-A | |

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| STATE | LAST NAME | FIRST NAME | COMPANY | CITY | SCORE | INDUSTRY |
|-------|--------------|-------------|-------------------------------------|-----------------|-------|----------------|
| DC | Hickman | Leon | AF-CIO | Washington | 887 | |
| DC | Hickman | Donald | AF-CIO | Washington | 1 | Laber |
| DC | Langston | Paul | National Council of La Raza | Washington | | Education |
| FL | Boyer | Richard | Boyer & Boyer | Fort Lauderdale | 887 | |
| FL | Boydston | William | Mid-Continent Health Services, Inc. | Miami | 1 | Health |
| FL | Boyer | Alfonso | Fla-Gas, Inc. | Palm Beach | 1 | Agriculture |
| FL | Boyer | James | University of Florida | Gainesville | 887-8 | |
| FL | Boyer | James | Florida Industries | Sanford | 887 | |
| FL | Boyer, H.B. | William | YUSE Corporation | Miami | 1 | Health |
| FL | Boyer | Paula Stone | International High Tech Marketing | Miami | 887-8 | High Tech |
| FL | Boyer | Edward | Edward Levin Foundation | Armeda | 1 | Pub. Products |
| FL | Boyer, Ph.D. | Robert | School of Business and Industry | Tallahassee | 1 | Academic |
| FL | Boyer | James | Qualis Industries Citrus Company | Zephyrhomes | 1 | Agriculture |
| FL | Boyer | James | Related Companies | Miami | 1 | Business/Ret |
| FL | Boyer | James | Subofficia and Research | Orlando | 887-8 | |
| FL | Boyer | James | Jas Walter Corporation | Orlando | 1 | |
| FL | Boyer | James | AFSA | Fort St. Louis | 887-8 | |
| FL | Boyer | James | Vitalis Health Care | Fort Pierce | 887-8 | Small Business |
| FL | Boyer | James | Alver Grove, Inc. | Miami | 887 | Employment |
| FL | Boyer | James | | Orlando | 1 | Agriculture |

BOYER CONFERENCE LIST -- SOUTHERN REGION
 INVESTIGATIVE LIST OF FAMILIES AND COMPANIES AS OF 3/21/75

DNC 323669

| NAME | LAST NAME | CONTRACT | CITY | GRADE | EMPLOYER |
|------|-------------|--|----------------|-------|----------------|
| CA | Allan | Ronald W. | Atlanta | MS | Airline |
| CA | Ann | AT&T | Chamblee | MS | Insurance |
| CA | Angela | Kidrick and Struggles | Atlanta | MS | |
| CA | Blanchard | Systems Financial Corporation | Chamblee | MS | |
| CA | Buchanan | Southern Telephone/Telecommunications Board (STTB) | Atlanta | MS-2 | |
| CA | Brown | Technology Park/Atlanta Inc. | Decatur | MS | |
| CA | Campbell | | Atlanta | MS | |
| CA | Case | Emory University | Atlanta | MS | |
| CA | Chapman | | Atlanta | MS | Media |
| CA | Cherula | | Stone Mountain | MS-2 | |
| CA | Clements | | Atlanta | 1 | Utility |
| CA | Colo, Ph.D. | Hill South Corporation | Atlanta | 1 | Academics |
| CA | Colson | Spelman College | Atlanta | MS | |
| CA | Conwell | Great American Cables Company | Atlanta | MS | Paper Products |
| CA | Conway | Georgia Pacific | Atlanta | MS | |
| CA | Cook | Comline Properties | Maricotta | MS | |
| CA | Cooksey | The Southern Company | Atlanta | MS | |
| CA | Cook | | Atlanta | MS | |
| CA | Corliss | Tenneco, Inc. | Super | MS-2 | |
| CA | Corliss | Cobb County Job Training Program | Maricotta | MS-2 | |
| CA | Cowan | | Atlanta | MS | |
| CA | Cowan | Long, Aldridge & Hanna | Atlanta | MS | Attorney |
| CA | Cowan | Barnack Electric and Power | Maricotta | MS | |

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11:07 03 22 75

DNC 3236697

NUMERIC CONTRACTS LIST -- DOMESTIC REGION
 INVESTIGATIVE LIST OF HANDELERS AND CONTRACTORS AS OF 3/21/75
 STATES LAST NAME FIRST NAME

NO. 491 005

ALABAMA COMPANIES LIST - ECONOMIC SECTOR
 INVESTIGATION LIST OF FAMILIES AND COMPANIES AS OF 3/31/76
 STATE LAST NAME FIRST NAME

| STATE | LAST NAME | FIRST NAME | COMPANY | CITY | FOCUS | INDUSTRY |
|-------|-------------|------------|------------------------------------|---------|-------|-----------------|
| GA | Colapinto | Roberto | Core-Oils Company | Atlanta | 1 | Manufacturing |
| GA | Gribbenoff | Frank | | Atlanta | 100-2 | |
| GA | Hammon, Jr. | Charles E. | Georgia Chamber of Commerce | Atlanta | 100 | |
| GA | Hill, Jr. | James | Atlanta Life Insurance | Atlanta | 1 | Insurance |
| GA | Howell | Fluore | | Atlanta | 100 | |
| GA | Jackson | Raymond | Jackson Securities Inc. | Atlanta | 100 | |
| GA | Kilian | Don | Computer Transport, Inc. | Atlanta | 100 | |
| GA | Marino | Raymond | Home Depot | Atlanta | 100 | Consumer Retail |
| GA | McClendon | Raymond J. | Payer, McClelland, Owsen | Atlanta | 1 | Financial |
| GA | Miller | Bill | | Atlanta | 100 | |
| GA | Moore | Virginia | | Decatur | 100-2 | |
| GA | Payne | William P. | Atlanta Commission for the Olympic | Atlanta | 100 | |
| GA | Rothman | Donald | Revenue Processing Center | Atlanta | 100 | |
| GA | Russell | Thomas J. | Thomas J. Russell Company | Atlanta | 1 | |
| GA | Sweeney | Jeffrey A. | Atlanta Business School | Atlanta | 100 | |
| GA | Tilton | Robert | Call-o-Share | Atlanta | 100-2 | |
| GA | Tucker | Tom | Turner Broadcasting | Atlanta | 100 | Media |
| GA | Vernon | William J. | Riverside Manufacturing Company | Atlanta | 100 | |
| GA | Wanda | Ray | Wanda Corporation | Decatur | 100 | |
| GA | Wheeler | Thomas | Wheeler/Robb Management Company | Atlanta | 100 | |

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NO. 481

03.27.96 11:08

DNC 3236698

INDUSTRY CONFERENCE LIST - GOVERNMENT SERVICE
 INVESTIGATION LIST OF PARTICIPANTS AND OBSERVERS AS OF 3/21/75
 STATE LAST NAME FIRST NAME

| STATE | LAST NAME | FIRST NAME | CONTACT | CITY | AGENCY | INDUSTRY |
|-------|-----------------|---------------|---|-------------|--------|----------------|
| GA | Williams | Marjorie | Williams Investment Ltd. Post Properties | Thomasville | WSP | |
| GA | Williams | John A. | | Atlanta | WSP | |
| GA | Young | Andrew | Law Corporation Group, Inc. | Atlanta | WSP | |
| TX | Green | Raymond | South Central Bell | Louisville | 1 | |
| TX | Shugart | William | Golden Oak Mining Company | Louisville | 1/4 | |
| LA | Antoon | Thomas A. | | Monroeville | WSP | |
| LA | Carter | Conchalyne G. | WMA Travel, WMA Construction | New Orleans | 1 | Travel |
| LA | Thomas | Robert | Shades Intergroup | New Orleans | 1 | Small Business |
| LA | Wapshley | Michael | Acadian Submarine Services | Lafayette | | |
| MS | Smith | John | General Motors Corporation | Meridian | WSP | Auto |
| MS | Chapman | Patrick Page | | Meridian | WSP-2 | |
| MS | Funder, Sr. | Larry | Diversified Rural Development Services, Inc. | Meridian | WSP-2 | Non-Profit |
| MS | Ball | Freida | | Osageport | WSP-2 | |
| MS | Gray | Barbara | | Indianola | WSP-1 | |
| MS | Goodman | Alma | WMA Hotel Group | Osageport | 1/4 | Hotel |
| MS | Carroll | John D. | WMA Corporation | Charleston | 1 | Manufacturing |
| MS | Edson | Beverly | WMA, Inc. | Charleston | WSP-2 | |
| MS | Grimes | John | Metrolite Outreach Typography | Charleston | WSP-2 | Small Business |
| MS | Hayes | Charles | Chilled Mills, Inc. | Greenville | 1 | Manufacturing |
| MS | Stephens | Sam | Marlington Industries | Greenville | WSP | |
| MS | Mitchell, Jr. | Hugh | Richmond, Co. | Charleston | 1 | Commercial |
| MS | Mullis, Jr. | John G. | Woburn Corporation | Walterboro | 1 | |
| MS | Anderson, Ph.D. | Charles | Olson, Inc. | Porter | 2/3 | Manufacturing |

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NO. 491

11:08

SECURITIES COMMISSION LIST -- SOURCE OF SECURITIES
INVITATION LIST OF REGISTRARS AND CHANGES AS OF 3/31/75

| STATE | LAST NAME | FIRST NAME | COMPANY | CITY | FORM | INDUSTRY |
|-------|---------------|------------|--------------------------------|-------------|------|------------|
| TX | Spencer, Jr. | Ray E. | Central Advertising | Austin | 2 | Marketing |
| VA | Sabin | Donald W. | THE MIF Corporation | Arlington | 1 | Non-Profit |
| VA | Gray III | William H. | United Negro College Fund | Fairfax | 1 | Non-Profit |
| VA | Hubbard | Kenneth | Richard S. Reed-Cohen, Inc. | Reston | 1 | Commitment |
| VA | Malone | Claudia | Financial and Management, Inc. | McLean | 1 | Non-Profit |
| VA | Payne | John | | Arlington | 1 | Non-Profit |
| VA | Phillips, Jr. | B. B. | Impact News Publishing | Impact News | 287 | |
| VA | Stow | John | CSE Corporation | Richmond | 287 | |
| VA | Turner | Catherine | DeLap Commission | | 287 | Good Info |

Count:

178

10:00

8:33

Dollar

283

Credit

16,000 - 10,000

10,000 - 20,000

EXHIBIT
RS 296

~~SECRET~~
Clean

City List
City

OFFICE OF PUBLIC LIAISON: APA OPINION LEADERS
LOS ANGELES

| FIRST NAME | LAST NAME | COMPANY | REFERENCE | ETHNICITY |
|------------|-------------|--|-----------------------|------------|
| | | Veterans of Foreign Wars | F. ONATA | |
| | | Asian American Artist Association | F. ONATA | |
| Rajan | Anand | Indo-American Political Association | R. ANAND | INDIAN |
| Angela | Anand | Asian Indian Woman's Network | R. ANAND | INDIAN |
| Ajit | Anara | | R. ANAND | INDIAN |
| Randy | Au | Western Region Asian Pacific Agency | F. ONATA | |
| Steven | Ambani | California Federal Bank | F. ONATA | |
| Emm | Ballastrero | Philippine American Bar Association | F. ONATA | PHILIPINO |
| Sart | Chawla | | R. ANAND | INDIAN |
| Pamela | Chin | ARCO | D. TSENG | CHINESE |
| Deborah | Ching | Chinatown Service Center | F. ONATA, D. TSENG | CHINESE |
| Anand | Chopra | Indo-American Political Association | R. ANAND | INDIAN |
| Donald | Chou | Professional Financial Advisors | F. ONATA | |
| Havnest | Chugh | Toothmaster Club | R. ANAND | INDIAN |
| Tammy | Chung | State Attorney General's Office | D. TSENG | KOREAN |
| Hai | Cong | Vietnamese Service Center | F. ONATA | VIETNAMESE |
| Kerry | Del | Pacific Asian Consortium on Employment | F. ONATA | |
| Renate | Domingo | | D. TSENG | PHILIPINO |
| Samuel | Fujii | | F. ONATA | |
| Fred | Fujioka | Gomez, Fujioka, and Furukawa | F. ONATA, D. TSENG | JAPANESE |
| Hai | Fukui | Gardena City Council | F. ONATA | |
| Warren | Furutani | Los Angeles Board of Education | F. ONATA | |
| Dolly | Gee | Schwartz, Steinapir, Behrman and Sommers | F. ONATA, D. TSENG | CHINESE |
| Sam | Haru | Association of Asian Pacific American Artists | F. ONATA | |
| Frances | Hoshimuro | Little Tokyo Business Association | F. ONATA | JAPANESE |

OFFICE OF PUBLIC LIAISON: APA OPINION LEADERS
 LOS ANGELES

| FIRST NAME | LAST NAME | COMPANY | REFERENCE | ETHNICITY |
|------------|-----------|--|-----------------------|-----------|
| Jonathan | Lee | Mayor Richard Riordan | F. ONATA | |
| Ronald | Lee | | F. ONATA | |
| Ashok | Madan | Lions Club | R. ANAND | INDIAN |
| Ashir | Mahida | | R. ANAND | INDIAN |
| Ajay | Mahotra | | R. ANAND | INDIAN |
| Timothy | Manaka | Funakoshi Insurance Agency | F. ONATA | |
| Mark | Masooka | Los Angeles County Employees Union | F. ONATA | |
| Jonathan | Meyada | | F. ONATA | |
| Ed | Miyakawa | Asian Pacific American Labor Alliance, Los Angeles Chapter | F. ONATA | |
| James | Miyano | | F. ONATA | |
| Rory | Miyashita | | F. ONATA | |
| Ruth | Mizobe | Japanese American Citizens League | F. ONATA | JAPANESE |
| Dennis | Mukai | | F. ONATA | |
| Jeffery | Murakami | University of Southern California Asian Pacific American Alumni Support Group | F. ONATA | |
| Trisha | Murakawa | Lang, Murakawa, and Wong | F. ONATA | |
| Sej | Nagendrar | | R. ANAND | INDIAN |
| Donald | Nakanishi | | F. ONATA | |
| Michael | Ng | University of California, Los Angeles Asian American Alumni Support Group | F. ONATA | |
| Audrey | Noda | | F. ONATA | |
| Angelo | Oh | Beck, De Corso, Vertaman, Berrera, and Oh | F. ONATA, D. TSENG | KOREAN |
| Vincent | Okamoto | Pacific Federal Bank | F. ONATA | |
| Henry | Ota | Baker and McKenzie | F. ONATA | |
| William | Ouchi | University of California, Los Angeles Graduate School of Management | F. ONATA | |
| Vinay | Patel | | R. ANAND | INDIAN |

OFFICE OF PUBLIC LIAISON: APA OPINION LEADERS
LOS ANGELES

| FIRST NAME | LAST NAME | COMPANY | REFERENCE | ETHNICITY |
|------------|-----------|---|-----------------------|-----------|
| William | Matsubae | Little Tokyo Service Center | F. ONATA | JAPANESE |
| Kent | Wong | University of California, Los Angeles Labor Center | G. TSENG | |
| Linda | Wong | Rebuild Los Angeles | F. ONATA | |
| Michael | Woo | National Community Service | F. ONATA | |
| Michael | Yanaki | Los Angeles City Fire Department | F. ONATA | |
| Michael | Yamamoto | Horikawa, Ono, and Yamamoto | F. ONATA, G. TSENG | JAPANESE |
| Kellogg | Yorasi | | R. ANAND | INDIAN |
| Gerald | Yoshitomi | Japanese American Cultural and Community Center | F. ONATA | JAPANESE |

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

DNC 0626457

OFFICE OF PUBLIC LIAISON: APA OPINION LEADERS
SAN DIEGO

| FIRST NAME | LAST NAME | COMPANY | REFERENCE | ETHNICITY |
|------------|-----------|---|-----------|-----------|
| T. | Kelke | | F. ONATA | |
| Jesse | Santos | Asian Business Association of San Diego | F. ONATA | |

||||| DNC 0626458

OFFICE OF PUBLIC LIAISON: APA OPINION LEADERS
SAN FRANCISCO

| FIRST NAME | LAST NAME | COMPANY | REFERENCE | ETHNICITY |
|------------|------------|---|-----------|-----------|
| Jude | Barry | Office of the Santa Clara County Supervisor | 8. MONG | |
| Wima | Chen | Board of Supervisors, Alameda County | 8. MONG | |
| Gordon | Chin | Chinatown Resource Center | 8. MONG | CHINESE |
| Peter | Chiu, M.D. | Environmental Control Advisory Commission | 8. MONG | |
| Annie | Chung | Self Help for the Elderly | 8. MONG | |
| Henry | Der | Chinese for Affirmative Action | 8. MONG | CHINESE |
| Angie | Fa | San Francisco Board of Education | 8. MONG | |
| Emil | Gullerms | | 7. ONATA | |
| William | King | Stanford University Law School | 8. MONG | |
| Michael | Mende | Santa Clara County Board of Supervisors | 8. MONG | |
| Thomas | Neish | San Francisco Board of Supervisors | 8. MONG | |
| Georgette | Imura | Former State Senator Roberti | 9. MONG | |
| Daniel | Inouye | | 8. MONG | |
| Caryl | Ito | San Francisco Commission on the Status of Women | 8. MONG | |
| William | Jung | Transport Workers Union 250A | 8. MONG | |
| Lily | Kimura | Alameda County Bar Association | 8. MONG | |
| Yvonne | Lee | Chinese American Citizen's Alliance | 8. MONG | CHINESE |
| Edward | Lee | San Francisco Human Rights Commission | 8. MONG | |
| Carl | Lindstrom | Filipino American Caucus | 8. MONG | |
| David | Len | California School Employees | 8. MONG | |
| Harry | Lowe | San Francisco Police Commission | 8. MONG | CHINESE |
| Russ | Lowe | Senator Dianne Feinstein | 8. MONG | |
| Vinh | Luu | | 8. MONG | |
| Dale | Mizumi | Coalition of Asian Pacific Americans | 8. MONG | |
| Jeffery | Nori | Japanese Community Youth Council | 8. MONG | JAPANESE |
| George | Ono | Yank Sing Restaurant | 8. MONG | |
| Paul | Osaki | Japantown Cultural and Community Center | 8. MONG | JAPANESE |
| Adrienne | Pan | Pacific Bell | 8. MONG | |
| Bruce | Quan | | 8. MONG | |

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FOR THIS LISTING ONLY THE ORDER BEING SHOWN IS NOT NECESSARILY THE ORDER OF THE LISTING DNC 0626459

OFFICE OF PUBLIC LIAISON: APA OPINION LEADERS
SAN FRANCISCO

| FIRST NAME | LAST NAME | COMPANY | REFERENCE | ETHNICITY |
|------------|-----------|---|-----------|------------|
| Katie | Buen | International Ladies Garment Workers Union, San Francisco | B. MONG | |
| Vincent | Boyes | Multi-Cultural Multi-Diversity Programs | B. MONG | PHILIPPINO |
| Dele | Shimazaki | Community College of San Francisco | B. MONG | |
| Saran | Singh | Office of Congressman Zoe Lofgren | B. MONG | |
| Habel | Tong | San Francisco Board of Supervisors | B. MONG | |
| Raylee | Tom | Casady and Associates | B. MONG | |
| Vu Duc | Vuong | Southeast Asian Refugee Center, San Francisco | B. MONG | |
| George | Mong | Asian American Federation of Union Members | B. MONG | |
| William | Mong | Office of State Senator Blida Solis | B. MONG | |
| Lawrence | Mong | Asian Pacific Democratic Club | B. MONG | |
| Jackson | Mong | | B. MONG | |
| Michael | Yaki | Congressman Nancy Pelosi | B. MONG | |
| Seigon | Yamooka | Buddhist Churches of America | F. ORATA | |
| Rayden | Yee | Organization of Chinese Americans | B. MONG | CHINESE |
| Leland | Yee | San Francisco Board of Education | B. MONG | |
| Peter | Yee | Foster City | B. MONG | |
| Robert | Yee | South San Francisco | B. MONG | |

OFFICE OF PUBLIC LIAISON: APA OPINION LEADERS
SEATTLE

| FIRST NAME | LAST NAME | COMPANY | REFERENCE | ETHNICITY |
|------------|-----------|---------------------------------------|------------|-----------|
| James | Arlow | | E. CHOW | |
| Phyllis | Campbell | United States Bank of Washington | S. NABBA | |
| Arthur | Caniza | | E. CHOW | |
| June | Chen | | E. CHOW | |
| Kimberly | Choung | Brving Company | P. YUN | KOREAN |
| Enaid | Chou | International Examiner | S. NABBA | |
| Kerthe | Choo | Seattle City Council | YUN;E.CHOW | KOREAN |
| Hart | Chou | King County District Court | E. CHOW | |
| Ruby | Chou | Seattle City Council | E. CHOW | |
| Cheryl | Chou | Seattle City Council | E. CHOW | |
| Samuel | Chung | Lane Powell Spore Luberdy | P. YUN | KOREAN |
| Sin | Dang | Tacoma Urban League | P. YUN | KOREAN |
| David | Delle | Commission on Asian American Affairs | E. CHOW | |
| Douglas | Han | | P. YUN | KOREAN |
| Key | Hiral | Studio 906 | S. NABBA | |
| Chun | Hong | | P. YUN | KOREAN |
| Joe | Kim | Korean Women's Association | P. YUN | KOREAN |
| Suck-Win | Kim | Seattle-Washington Korean Association | P. YUN | KOREAN |
| Ricky | Kim | | P. YUN | KOREAN |
| Robert | Kim | Western Washington University | P. YUN | KOREAN |
| Dwang | Kim | National Korean Chamber of Commerce | P. YUN | KOREAN |
| David | Koh | Korean Chamber of Commerce | P. YUN | KOREAN |
| Ali | Kurose | Lanekhurst Elementary | S. NABBA | |
| Song | Kwak | TTI Telecommunications | P. YUN | KOREAN |
| Kenneth | Lee | Jean's Salsce | P. YUN | KOREAN |
| Cheryl | Lee | Boeing | P. YUN | KOREAN |
| Ick-Ishan | Lee | Korean Historical Society | P. YUN | KOREAN |
| Benjamin | Lee | Korean Bar Association | P. YUN | KOREAN |
| Gary | Leabo | King County Administration | P. CHOW | |
| Tamie | Nariguchi | Uonjima's Market | S. NABBA | JAPANESE |
| Patsy | O'Connell | Kim's Tour and Travel | P. YUN | KOREAN |
| Arlene | Oh | | E. CHOW | |
| Raymond | Pelt | Seattle Police Department | P. YUN | KOREAN |
| Michael | Pelt | Korean American Grocers Association | P. YUN | KOREAN |

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OFFICE OF PUBLIC LIAISON: APA OPINION LEADERS
SEATTLE

| FIRST NAME | LAST NAME | COMPANY | REFERENCE | ETHNICITY |
|------------|-----------|---|-------------|-----------|
| Theodore | Pang | | E. CHOW | |
| Shirley | Pang | | E. CHOW | |
| Michael | Park | Federal Way City Council | P. YUI | KOREAN |
| Sharon | Sakamoto | | E. CHOW | |
| Paul | Shin | Shoreline Community College | P. YUI | KOREAN |
| Deleora | Sibonga | Seattle City Council | E. CHOW | |
| Chang | Sohn | State of Washington | S. MAEDA | |
| Sheri | Song | Korean American Professional Society | P. YUI | KOREAN |
| Jonathan | Song | Korean American Professional Society | P. YUI | KOREAN |
| Hee | Sul | Radio Korea Northwest, Incorporated | P. YUI | KOREAN |
| Velma | Veterie | Washington State Legislature | E. CHOW | |
| Arthur | Wang | Washington State Legislature | E. CHOW | |
| Burh | Woo | | MAEDA; CHOW | |
| Anita | Woo | | E. CHOW | |
| Eyo | Yang | Korean Restaurant Association | P. YUI | KOREAN |
| Sang | Yang | Korean American Professional Society | P. YUI | KOREAN |
| Jensen | Yee | Korean Dry Cleaners Association | P. YUI | KOREAN |
| Brian | Yoo | Radio Korea Northwest | P. YUI | KOREAN |
| Michael | Yoon | Peaceful Unification, Northwest Chapter | P. YUI | KOREAN |
| Jean | Yoshitani | County Executive Office | E. CHOW | |

OFFICE OF PUBLIC LIAISON: APA OPINION LEADERS
CHICAGO

| FIRST NAME | LAST NAME | COMPANY | REFERENCE | LEADERSHIP |
|------------|-----------|--|-----------|------------|
| Sanjona | Bhargava | Apna Ghar | H. CHEN | |
| Rory | Soden | Asian American Educators Association | H. CHEN | |
| Tariq | Butt | | H. CHEN | |
| C. | Chan | Chinatown Chamber of Commerce | H. CHEN | |
| James | Chao | Netro Provider Service | H. CHEN | |
| Roshid | Chaudry | | H. CHEN | |
| Nancy | Chan | Office of Senator Paul Simon | H. CHEN | |
| Raymond | Chin | R.H. Chin and Associates | H. CHEN | |
| Inchul | Choi | Korean American Community Services | H. CHEN | |
| Allan | Chou | Forplex Corporation | H. CHEN | |
| Virgilio | Jensen | | H. CHEN | |
| Ann | Kalayil | | H. CHEN | |
| Seth | Kemphe | Cambodian Association of Illinois | H. CHEN | |
| Ho-Taun | Euen | Center for Korean Studies | H. CHEN | |
| Buk Gun | Euen | Korean American Association of Chicago | H. CHEN | |
| Erishno | Lall | Indo-American Center | H. CHEN | |
| Ngoun | Le | | F. ONATA | |
| Ngoun | Le | Illinois Department of Public Aid | H. CHEN | |
| Raymond | Lee | | H. CHEN | |
| Bernard | Lee | Institute of Gas Technology | H. CHEN | |
| Yvonne | Low | Loyola Asian American Studies | F. ONATA | |
| Ashraf | Manji | Asian American Institute | H. CHEN | |
| Calvin | Marahie | | H. CHEN | |
| Barton | May | | H. CHEN | |
| Jose | Melrido | South East Asia Center | H. CHEN | |
| Ho | Nguyen | Vietnamese Association of Illinois | H. CHEN | |
| Sandra | Otake | | H. CHEN | |
| Abha | Pandya | Asian Human Services of Chicago, Incorporated | H. CHEN | |

OFFICE OF PUBLIC LIAISON: APA OPINION LEADERS
CHICAGO

| FIRST NAME | LAST NAME | COMPANY | REFERENCE | LEADERSHIP |
|------------|-----------|---|------------|------------|
| Paul | Park | East-West Realty | H. CHEN | |
| Bijan | Shah | | H. CHEN | |
| Kishore | Thampy | | H. CHEN | |
| Chiye | Tamihira | | F. OHATA | |
| Edward | wang | Chinese American News | H. CHEN | |
| Bernade | wang | Chinese American Service League, Incorporated | H. CHEN | |
| Chien | Wu | | H. CHEN | |
| Joy | Yamaaki | Japanese American Citizens League, Chicago Chapter | F. OHATA | |
| Sandra | Yamate | Asian American Bar Association | F. OHATA | |
| Sandra | Yamate | Polychrome Publishing Corporation | H. CHEN | |
| Tung | Yap | Cambodian Association of Illinois | H. CHEN | |
| William | Yoshino | Japanese American Citizens League | CHEN;OHATA | |
| Patricia | Tuzawa | Illinois Board of Education | F. OHATA | |

OFFICE OF PUBLIC LIAISON: APA OPINION LEADERS
WASHINGTON, DC

| FIRST NAME | LAST NAME | COMPANY | REFERENCE | ETHNICITY |
|------------|-----------|---|-----------|-----------|
| | | League of Korean Americans | L. KDC | KOREAN |
| Boe | Ahn | Korean American Grocers Association of the Greater Washington, D.C. Area | L. KDH | KOREAN |
| Yong | Blaine | Korean American Women's Organization | L. KDH | KOREAN |
| Baniel | Choi | Korean American Association of the Greater Washington, D.C. Area | L. KDH | KOREAN |
| Sehwan | Chong | Korean American Association of the Greater Washington, D.C. Area | L. KDH | KOREAN |
| Uoon | Chung | Virginia Korean American Democrats | L. KDH | KOREAN |
| Jung | Dawson | Organization for Korean American Women | L. KDH | KOREAN |
| Taka | Fujizura | | S. NAEDA | |
| David | Kim | The Korea Society | L. KDH | KOREAN |
| Wunhee | Kim | Fairfax County Public Schools | L. KDH | KOREAN |
| Beuglas | Kim | Korean American Chamber of Commerce of the Greater Washington, D.C. Area | L. KDH | KOREAN |
| Lloyd | Lee | Korean American Chamber of Commerce of the Greater Washington, D.C. Area | L. KDH | KOREAN |
| Ben | Lee | Korean American Association of Maryland | L. KDH | KOREAN |
| Ilryong | Noon | Noon, Park, and Associates | L. KDH | KOREAN |
| Young | Nan | Korean American Alliance | L. KDH | KOREAN |
| Yoonsoo | Park | Korean American Scholarship Foundation | L. KDH | KOREAN |
| Sang | Park | Noon, Park and Associates | L. KDH | KOREAN |
| Anna | Rhee | National Korean American Women's Network | L. KDH | KOREAN |
| Joe | Song | Korean American Association of Northern Virginia | L. KDH | KOREAN |
| James | Yin | National Korean American Grocers Association | L. KDH | KOREAN |

OFFICE OF PUBLIC LIAISON: APA OPINION LEADERS
DALLAS

| FIRST NAME | LAST NAME | COMPANY | REFERENCE | ETHNICITY |
|------------|-----------|---------|-----------|-----------|
| Suzanne | Ahn | | G. BLANK | |
| Phillip | Shinoda | | G. BLANK | |
| Kathleen | To | | G. BLANK | |

OFFICE OF PUBLIC LIAISON: APA OPINION LEADERS
HOUSTON

| FIRST NAME | LAST NAME | COMPANY | REFERENCE | ETHNICITY |
|------------|-----------|---|-------------|------------|
| Berna | Benson | Asian American Coalition | T. HAKAGAMA | |
| Harold | Gee | Houston Taipei Society, Incorporated | T. HAKAGAMA | |
| Nirvan | Isoo | Asian American Heritage Association | T. HAKAGAMA | |
| Mark | Lee | Asian American Bar Association of Houston | T. HAKAGAMA | |
| Judith | Lee | Asian American Democrats of Texas | T. HAKAGAMA | |
| Sheng | Liang | NAJCA Association | T. HAKAGAMA | |
| Philean | Tran | | T. HAKAGAMA | VIETNAMESE |
| Elizabeth | Maki | Japanese American Citizens League | T. HAKAGAMA | JAPANESE |

OFFICE OF PUBLIC LIAISON: APA OPINION LEADERS
 NEW YORK CITY

| FIRST NAME | LAST NAME | COMPANY | REFERENCE | ETHNICITY |
|------------|--------------|---|-----------|-----------|
| Leonard | Ng | Asian Pacific American Labor Alliance, New York City | B. CHONG | |
| Jonathan | Ng | Asian American Committee District Council 37 | B. CHONG | |
| Can | O | Asian American Federation | B. CHONG | |
| Syng nan | Rhee | National Council of Churches | B. CHONG | |
| Prabir | Ro | Federation of Indian Associations | B. CHONG | INDIAN |
| Francis | Sugi | Japanese American Museum Board of Trustees | B. JONES | JAPANESE |
| Vera | Sung | Sung and Company | B. CHONG | |
| Naoko | Tamura | Japanese American Citizen's League | B. CHONG | JAPANESE |
| Suki | Torada Ports | Family Health Project, Incorporated | B. CHONG | |
| Jonathan | Wang | Asian American Business Development Center | B. CHONG | |
| Charles | Wang | Greater Blouse, Skirt, and Undergarment Association | B. CHONG | |
| Donald | Young | Chinese Employees Association of New York City | B. CHONG | CHINESE |
| Alice | Young | Kayo, Scholer, Fiorman, Hays, and Hendler | B. CHONG | |

OFFICE OF PUBLIC LIAISON: APA OPINION LEADERS
BOSTON

| FIRST NAME | LAST NAME | COMPANY | REFERENCE | ETHNICITY |
|------------|-----------|---|-----------|------------------------------------|
| Slyan | Bhatti | Metropolitan District Commission | R. LEE | |
| Peter | Chan | United States Department of Health and Human Services | R. LEE | CHINESE |
| Caroline | Chang | United States Department of Health and Human Services | R. LEE | |
| Hiep | Chu | University of Massachusetts, Harbor Campus | R. LEE | VIETNAMESE |
| Jacarie | Key | UPI, Incorporated | R. LEE | |
| Peter | Kiang | University of Massachusetts, Harbor Campus | R. LEE | |
| Daniel | Lam | Office of the Norfolk County District Attorney | R. LEE | CHINESE (REFUGEE FROM CAMBODIA) |
| Paul | Lee | Goodwin, Procter and Hoar | R. LEE | |
| Carol | Lee | Roxbury Community College | R. LEE | |
| Andrew | Loang | University of Massachusetts | R. LEE | |
| nancy | Lo | Office of the Mayor | R. LEE | |
| Ray | Louis | Chinese Progressive Association | R. LEE | |
| Thomas | Louis | Massachusetts English Plus Coalition | R. LEE | |
| David | May | Quincy School Community Council | R. LEE | CHINESE |
| Sean | Ory | The Community Builders | R. LEE | |
| Hai | Pho | University of Massachusetts at Lowell | R. LEE | VIETNAMESE |
| Lan | Pho | University of Massachusetts at Lowell | R. LEE | VIETNAMESE |
| Deborah | Tan | Center for Immigrant and Refugee Community Leadership and Empowerment | R. LEE | |
| Anna | Wong Yee | Women's Institute for Housing and Economic Development | R. LEE | |
| Ruth | Yan | Office of the Attorney General | R. LEE | CAMBODIAN |

OFFICE OF PUBLIC LIAISON: APA OPINION LEADERS

| FIRST NAME | LAST NAME | COMPANY | REFERENCE | ETHNICITY |
|------------|-----------|--|-----------|-----------|
| Hermin | Cheng | North Carolina State University | S. CHOU | CHINESE |
| Ann | Cheng | Triangle Area Chinese Society | S. CHOU | CHINESE |
| Edward | Cheng | Agricultural and Technical University, Greensboro | S. CHOU | |
| Helen | Cheng | | S. CHOU | |
| Tung | Choo | Triangle Area Chinese Society | S. CHOU | CHINESE |
| Lily | Choo | Triangle Area Chinese Society | S. CHOU | CHINESE |
| Shu-Chang | Fang | North Carolina University | S. CHOU | |
| C.L. | Fang | | S. CHOU | |

OFFICE OF PUBLIC LIAISON: APA OPINION LEADERS
PORTLAND

| FIRST NAME | LAST NAME | COMPANY | REFERENCE | ETHNICITY |
|-------------------|----------------|---|----------------------|----------------------|
| Paul | Augustus | Office of Congressman Furze | E. CHOW | |
| She | Dozono | Azumano/Carlson Travel Network | S. MAEDA | JAPANESE |
| Joseph | Ho | Louis and Clark College | S. MAEDA | KOREAN |
| Tran | Die | Vietnamese Chamber of Commerce | S. MAEDA | VIETNAMESE |
| Catherine | Kiyomura | Asian American Journalists Association, Portland Chapter | S. MAEDA | |
| Percy | Loy | Kubie Chen Food Company | S. MAEDA | CHINESE |
| Vincent | Ninh | Archdiocese of Portland | S. MAEDA | VIETNAMESE |
| Peggy | Nogee | National Asian Pacific American Bar Association | S. MAEDA | JAPANESE |
| William Samuel | Naoto Naoto | Horcrest China Horcrest China | S. MAEDA S. MAEDA | JAPANESE JAPANESE |
| Charles | Shi | Asian Pacific Business Alliance | S. MAEDA | BURMESE |
| Jack | Shinn | Camera World | S. MAEDA | KOREAN |

409

THE WHITE HOUSE
WASHINGTON

June 6, 1997

VIA FACSIMILE

Honorable David M. McIntosh
Subcommittee on National Economic Growth,
Natural Resources and Regulatory Affairs
B-377 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

This letter is in response to your letter of May 23, 1997.

I wish at the outset to reiterate my commitment to provide the Subcommittee with accurate and complete information. I must disagree with your characterization of my May 5th letter as "vague" "incomplete" and "indifferent." We made significant efforts to collect and verify the responses to your questions, despite my concerns, with all due respect, that some of your inquiries were very difficult to address and, in part, appeared to stretch the boundaries of your investigation. Nevertheless, I will attempt to respond fully to your letter of May 23, 1997.

First, let me address the printout that was attached to your April 21, 1997 letter. Contrary to what was reported in the Philadelphia Inquirer, this printout was not "given to the DNC by the White House." Instead, as explained in my May 5th letter, this list was circulated once to at least some of the members of the Asian Pacific American working group to stimulate group discussion about who might serve on national or state steering committees. (The final list that was eventually developed was not based on this APA Leaders list.) One member of that working group, who worked at the DNC, apparently took a copy of the list with him. We have no information concerning what, if any, use was made of the list.

Further, the attribution by the Philadelphia Inquirer to Mr. Davis did not purport to be a direct quote and did not report correctly what Mr. Davis had relayed to the reporter about the OPL list. Mr. Davis was not responding to a question about the OPL printout. Instead, he was responding to a hypothetical question about the use of White House computers for political purposes. I agree that if the printout had been supplied to the DNC for fundraising, for example, such a use would be inappropriate. There is no evidence, however, that any such thing happened.

The Honorable David M. McIntosh
June 6, 1997
Page 2

Below are the responses to your specific questions:

1. Please identify the computer system from which the OPL list was produced. In what computer system was the "new file entitled APA Opinion Leaders" created?

The computer system in which the data was entered and from which it was printed was a system known as "Q & A."

2. Please ask each current OPL staff member whether he or she has ever provided the DNC with computer printouts, such as the one at issue, or other computerized information in whatever format. Please provide the Subcommittee with the names of the individuals who have provided such materials to the DNC, a description of the materials, and the date on which the materials were provided to the DNC.

Other than the clarification provided above, no OPL staffer has any recollection of providing any computer printout or other computerized information from any OPL computers to the DNC.

3. Please provide the Subcommittee with a list of every individual who has worked in OPL during the Clinton Administration.

Attached is a list of OPL staff during the Clinton Administration.

4. Who transmitted the OPL list to the DNC?

As indicated above, the list was circulated to members of the APA working group. That group, as you know, included John Huang, who was then working at the DNC.

5. Who were the members of the APA working group? When was that working group established? Does it still exist? Who currently serves on it?

The members of the APA working group were (at various times) Doris Matsui, David Tseng, Ed Fujimoto, Maria Haley, Ginger Lew, Tom Keaney, Bill Kaneko, John Huang, Mona Pasquill and Sharon Singh. Discussions about formation of the working group started in December, 1995, however, no meetings occurred until February, 1996. The working group no longer exists.

6. Although you have stated that you are personally unaware of any non-public list being provided to any non-federal entity for unofficial purposes, please provide the Subcommittee with the assurance that you have asked all current staff of OPL whether any list of other computerized information was provided to any non-federal entity. Please provide the Subcommittee with the

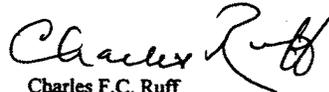
The Honorable David M. McIntosh
June 6, 1997
Page 3

name of any individual who has provided such a list or information to a non-federal entity, a description of the list or information, the entity to which the list or information was given, and the date on which the list or information was given.

Before addressing your question, let me clarify that my previous response on this same issue was provided *only* after completing the necessary inquiries in order to provide a truthful and complete response. Nonetheless, I can assure you that no current OPL staff has any recollection of providing any listing of individuals, which had not otherwise been publicly released, to any non-federal entity other than in connection with their official OPL duties.

I trust that these answers fully respond to your questions.

Sincerely,



Charles F.C. Ruff
Counsel to the President

Attachment

cc: Congressman Sanders

WHITE HOUSE OFFICE OF PUBLIC LIAISON**NAME**

Altemus, Michele J.
Blunt, Sheena
Carr, Kathleen Smith
Carter, Cheryl M. Cole
Carver, Holly M.
Davis, Howie R.
Digiacobbe, Marilyn
Dixon, Mary A.
Duncan Cox, Teresa
Echaveste, Maria
Eder, Ann T.
Fine, Deborah L.
Footlik, Jay K.
Gardenswartz, Craig
Garza, Maria C.
Gold, Judith A.
Hayes, Richard L.
Heistad, Wendy
Herman, Alexis
Hernandez Kolski, Joseph E.
Hilton, Steven Michael
Hunker, Mark
Johnson, Robert Benjamin
Leeds, Robin S.
Lin, Christina L.
Long, Gloria J.
Lux, Michael
Maeda, Sharon R.
Marteau, Kimberly
Matsui, Doris O.
McAfee, Floydetta
Mohile, Deborah
Morin, Andrew M.
Moy, Ruby G.
Murray, Melissa M.
Myers, Elizabeth A.
Nishikawa, Wendy A.
Ohata, Fugie Ota

NAME

O'Keefe, Peter M.
Oliver, Andre
Oliver, Ashley M.
Powell, Susan L.
Rayford, Claudia N.
Robinson, Christa
Ross, Lisa Osborne
Ryan, Maureen S.
Satterfield, Lee Ann
Scott, Brian G.
Scott, Marsha
Seba, Sandra L.
Shelly, Dana V.
Shulman, Jeffrey S.
Socarides, Richard
Stoddard, Christina P.
Stokes, Joshua C.
Sugihara, Lori
Tarmey, Marjorie
Valdez, Suzanna A.
Watson, Julie Ann
Wayne, Christopher T.
Wexler, Daniel
White Jr., William H.
Wilcox, Caren A.
Wofford, Carolyn G.
Woolley, Barbara
Wycoff, Dana A.
Yager, Marilyn
Zisook, Amy

- TRAVEL OFFICE: X Rm. 87
- 12:00
- 12:10
Wed. - 1:00 → 3:55 Penn Station
- \$ #114
Sat. 14th #221
5:00
4:30
5:30 - 8:29
\$192

- RELIGION
- ISSUE DURING CAMP.

MS
- Support?
- How, Who?
-基督徒 list as venue
to get out?
- Meeting w/ Council

- David
- FTE
- REP
- TRAINING - Windows + US 2000
- Windows

20536

MEMORANDUM

TO: TARA BURNS
FROM: BROOKE STROUD
RE: X-MAS LIST
DATE: JUNE 17

Thank you for giving the DNC the opportunity to submit names to you for the White House Christmas Card list. The gesture is appreciated. In order to facilitate a smooth collation process, I hope that you would answer the following specific questions:

Would you like the DNC to revamp the list that was submitted last year? yes no
Actually, they gave us your list to review for duplications, updates, deletions, etc. - since we legally can't give it to you, I think it'd be helpful if you all could come over some time

Where would you like the names to generate from -
The DNC? yes no
The DCCC? yes no
The DSCC? yes no

- III. Is there a limit to the number of names that should be submitted from each department?
yes no *but don't go over boards*
- IV. Is there a limit to the number of names that should be submitted from the White House?
yes no *at least not that I'm aware of*
same

Additional Comments:
*s. don't include elected officials - 167A
doing that. If you all want to revamp
last yr's list + bring it over for a cross
check, I think that would be very
helpful - Thane! Tara*

Tara, I understand that the deadline is July 1. Please let me know if that has changed. Return form at your convenience at 863-8174(0). Thanks.

EXHIBIT
BS-5

CONFIDENTIAL AND PERSONAL

MEMORANDUM TO: ERSKINE
 FROM: MARSHA S.
 DATE: OCTOBER 28, 1994
 SUBJECT: MEETINGS TO BE HELD WHILE I AM GONE

LIST CREATION MEETING

I've had to cancel the List Creation meeting twice and the next one should be held even though I will be travelling. There are not many social events which require name input but there are major process issues still to be resolved. Those attending the meeting have all signed off on the new process. I met with Ann Stock yesterday and she also agreed to work with this process. However, there are still some issues that are fuzzy and need clarifying:

1. The proposed process does not apply to State Dinners or Private Dinners.

It should. However, Ann and Capricia will raise strong objections. Hopefully, you can elicit open discussion from the group. People have very strong feelings about this but there may be hesitation to speak openly if either Ann or Capricia are present. Because the control is so tightly held, folks fear they will be shut out of the process completely if they openly confront anyone about what is wrong.

2. There is generally no notification of who is being invited to an event.

The Social Office argues strongly that people in other offices leak this information; therefore, they have decided not to let anyone know in advance who it coming. However, outreach offices cannot work effectively with their constituencies without knowing who is going to events. There have been many embarrassing situations because our outreach people were not properly informed about what the Social Office was doing.

3. No one except Mack and Joan Baggett (according to Ann Stock) gets a list of who actually attends an event.

She denies that others have asked for this information. But if you have an open discussion, the group will tell you that they have all requested this information since the beginning of the Administration. I have asked Ann to provide for our group, a weekly update of who attends each event. She agreed that this list could be viewed during the meeting. Privacy of information seems to be a primary issue for her because of potential leaks. However, this is not a practical solution. We either trust the process and individuals involved, or we should change the process and/or the individuals so that it does work.

*Two must
attend
to provide
by set
minutes*

M 33082

4. Access to lists by the DNC and DLC.

It is my understanding from Counsel (Cheryl Mills), that we cannot provide lists to any outside entity unless it is a public document (i.e. we would also make it at least theoretically available to the press.) However, there is nothing that precludes members of those groups who are working with us, from viewing those lists and taking notes. (I specifically asked Cheryl Mills about this and she indicated that taking notes is permitted.)

*great
on this
is not the
DNC*

SUMMARY:

The group is enthusiastic but very pessimistic that anything will change. We have twenty-one months of built-up frustrations and in some instances, real personality clashes. I believe, however, that if we put a workable process in place, the personality tensions will greatly diminish. However, these tensions are real and must be addressed if the process has a chance to work. As I have indicated in previous conversations, the President and First Lady are not being well served both internally and externally. While this addresses the mainly internal problems, what we do will have direct influence on the outside perceptions as well. I have scheduled a meeting through Pam for you to hear from some of our outside friends who are extremely concerned. That will occur on November 21. Hopefully, we will have talked by then.

The following offices are involved in the process:

| | |
|-----------|-------------------------------------|
| OPL | Flo McAfee |
| IGA | Keith Mason/Sharon Kennedy |
| DLC | Holly Page |
| DNC | Eric Sildon |
| Pol. | Joe Velasquez/Donald Dunn |
| Bus. | Amy Zisook (who is the new person?) |
| LegAff. | Susan Brophy |
| Social | Robyn Dickey |
| Pres. | Nancy Hernreich/Kelly Crawford |
| HRC | Capricia Marshall |
| Person. | Craig Smith |
| Cab.Sec. | Steve Silverman |
| Ear.Supt. | Marsha Scott |

DATABASE PROJECT: WhoDB

Even though I will be gone, I hope you will be able to at least view the WhoDB prototype and get a demonstration from Erich and Jerry. While there are issues still outstanding, none will effect the immediate testing of the prototype which is now taking place. Viewing the system at work should give you a much clearer conceptual understanding of what it can and can't do. I would like to be part of the broader discussion with you but if time won't permit, please feel free to talk with Erich, Jerry, and Helen without me. They know much more about the actual system than I ever will. However, if you are really pressed for time, the discussion can take place after APEC.

M 33083

DEMOCRATIC NATIONAL COMMITTEE

David Wilhelm, Chairman

MEMORANDUM

TO: Alice Pushkar
Maggie Williams

FROM: Brooke Stroud

RE: Holiday Card

DATE: November 9, 1994

Following is a list of the Holiday Card records to date. Please keep in mind that the People Base and White House lists are contains on multiple discs.

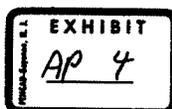
| Saturn Disc # | Description | # pre-de-dupe | Records remaining |
|---------------|------------------|---------------|---|
| Disc One | DNC list | | Manual de-duping has revealed 670 duplicate names |
| Disc Two | People Base | 97,000 | therefore approx. |
| Disc Three | People Base | | 96,000 remain |
| Disc Four | White House | 41,832 | 30 |
| Disc Five | White House | 9,444 | 6,739 |
| Disc Six | MIA's (W.H.) | 1,857 | 1,857 |
| Disc Seven | Non-MIA's (W.H.) | 76,141 | 76,141 |
| Subtotal | | | 181,767 |

Discs One, Two and Three are at the DNC for manual de-duplication. Six hundred and seventy (670) names have been discovered to be duplicates or bad address in a partial search of the alphabet (Letters A, B, C, D, E & X, Y, Z).

Discs Four and Five have been compared against themselves and against the 97,000 person list for exact duplicates. Saturn delivered that list to the DNC today. We will begin a manual de-duping immediately.

Discs Six and Seven are still at Saturn and have not yet been de-duped for exact duplicates. Saturn will deliver those names on Friday at which point we will begin the manual process. Our volunteers will be working at the DNC on Veterans Day, though the DNC is officially closed. Please call if you have any questions. My number at the DNC is (202) 863-8121.

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DNC 1020078

December 6. They will begin this process as soon as they receive the tape from Saturn and have committed to work through the weekend of December 3 & 4. Please feel free to give me a call at (202) 863-8121.

 DNC 1019685



Rob Power

4701 Lydell Road Cheverly, Maryland 20781 (301) 772-7000

December 22, 1994

Mr. Eric Sildon
Democratic National Committee
430 South Capitol Street, SE
Washington, DC 20003

Dear Eric,

As we discussed last Friday in our brief meeting in your offices, I'm writing to provide an outline of the problem regarding the free-form company name field.

I'm hopeful that this explanation will help you in explaining the details of the processing at the DNC and to hopefully provide a framework to ensure that the same error doesn't occur next year.

The following is an outline of the processing which occurred:

1. The DNC sent a number of computer files on tape and diskette to Saturn for unduplication processing. The merge/purge was completed and a net file of the processing was sent to the DNC to load to your system for additional editing.
2. The DNC converted the data into your system. However, in converting the data, the data was converted wrong. Rather than converting positions 25-65 as a complete free-form field when an "*" (asterisk) appeared in the name type field (pos. 24), the field was inadvertently converted as a parsed last name, first name, suffix, title fields.

In converting the field as a parsed record, the data was reformatted improperly and as a result, the information which appeared on the editing screens appeared garbled.

0000604 *AK 1-*

As a result, the editing process at the DNC was cumbersome and took much longer to do than necessary. And, because the information was edited online and then downloaded back into the original format without also adjusting the name type field (removing the asterisk), the error was carried through to the output tapes.

The processing at Saturn was intended to provide a printable format for the envelope printer --- The Last Word.

3. The output tapes from the DNC were sent back to Saturn in the Saturn format for presort processing.
4. The presort processing was accomplished by Saturn and a tape was sent to The Last Word for imaging of the envelopes.
5. The Last Word converted the data from Saturn according to the record layout. However, since the data had been edited and the asterisk error was carried through the processing, The Last Word noticed that some of the addresses were garbled when printed on the envelopes.
6. After a conference call with Saturn, the DNC, and The Last Word, it was determined that there was something wrong with the records containing an asterisk in the name type field.

It was then decided that The Last Word would pull off the "asterisk" records to a separate tape and send them to Saturn on Monday for review.

Rather than receiving a separate tape of "asterisk" records, Saturn received the 3 presorted files back from The Last Word on Wednesday, December 14th.

On Friday after your call, we identified the problem in talking with AI at your offices and came over to review the problem.

Eric, I hope this provides you with a detailed description of the problem. In regards to your question about timing and possible avoidance of the mailing delay, I would say that Brooke allowed for enough time in her schedule to complete mailing in a timely fashion. However, once the conversion error took place, delays in editing of records slowed down the schedule. I've attached a schedule of the tape processing --- as you can see, the overall schedule allowed for enough time.

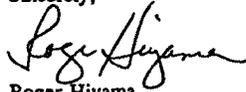
0000605

It is my understanding that this project has been plagued historically with problems. My recommendation is to keep the processing at the same vendors from year to year. Saturn is very interested in reviewing the process with you --- in fact, I would even recommend a "dry run" in early August for next year.

This is a highly visible project for the DNC and the White House --- I would recommend putting a process in place which doesn't recreate the process from scratch each year.

Please call me if you have any questions. Rod Power is on vacation but I will ask him to follow up with you and Brooke in early January. Thanks.

Sincerely,



Roger Hiyama
Director of Sales

CC: Rod Power
Fielding Yost

0000606

THE WHITE HOUSE CHRISTMAS CARD 1994

| DESCRIPTION | PROJECTED DATE | ACTUAL DATE |
|---|----------------|--|
| Tapes arrive at Saturn *Two weeks from last tape input was projected to complete the unduplication process. | 10/24/94 | 10/27/94 10/31/94 11/02/94 11/04/94 |
| Tapes shipped to DNC *One week to review records at the DNC, to eliminate duplicates not able to be matched at Saturn. | 11/07/94 | 11/08/94 11/09/94 11/11/94 |
| Tapes received back from the DNC *One week to provide a postal presort for the remaining names. | 11/18/94 | 11/30/94 |
| Tapes shipped to the Last Word | 11/25/94 | 12/02/94 |

December 20, 1994

Ms. Brooke Stroud
Deputy Director
Democratic National Committee
430 South Capitol Street, S.E.
Washington, DC 20003

Dear Brooke,

As promised I am documenting some facts based on our meeting at the DNC on Friday, December 16, 1994. I have outlined a brief summary of the overall process and explained the problem that occurred with the company name field.

Please find attached a chart that gives the projected and actual chronology of the Christmas card program for the White House. The chart will indicate the steps performed by Saturn. It may also highlight some areas to be modified for next years card program.

There is also a detailed review of the problem created by the conversion of the tape and the handling of the data at the DNC.

Hopefully, the Presidents Christmas cards arrive at there destinations safely and in a timely manner. Saturn has been privileged to have assisted in such an high profile project.

I look forward to working with you again in the future, we appreciate the opportunity to work on this project.

Sincerely,

Roderick Power
Sales Representative

cc: Roger Hiyama
Eric Sildon

0000633

NAME FIELD PROCESSING AT SATURN AND DNC

Saturn

We at Saturn provide a separate field for company names "Free Form Company Name". This is a field containing 41 character bytes, it allows company names to be unaffected by first name and last name processing. Essentially, the Company name can be processed as a block of information.

During conversions we separate prefix, first name, middle initial, last name and suffix into individual fields. This process is essential for unduplication and personalization. It is then possible to identify these elements.

When tapes arrive at Saturn they are converted into a Saturn format(I have included a copy of our standard layout). At that time company names are identified. Where a company name is identified an asterisk is place in position 24 in the record. This allows internal programs and other companies to process these records as names with a company present. This is spelled out clearly in the documentation shipped with every tape we process.

Each Tape Layout states that if there is an asterisk in position 24 the record contains a company name. The company field is called a "Free Form Company Name".

To process any tape with companies present it is essential that the conversion program looks at position 24 to see if a company name is present.

DNC

When the tape was received from Saturn and entered onto the DNC computer system the company names were not identified. This created a problem with any name where a company existed. The conversion program was looking for first name and last names as separate fields. For all other names that was the correct approach, but it altered the company names, which should have been treated as one free form field.

The asterisk was not printed on the screen at the DNC and therefore volunteers could not know if a record had been identified as a company. Records were modified by volunteers. The asterisk even though not displayed on the screen was present in all company records. I have provided an example of a record that was modified.

0000634

THE WHITE HOUSE
WASHINGTON

July 15, 1997

VIA HAND DELIVERY

Honorable David M. McIntosh
Subcommittee on National Economic Growth,
Natural Resources and Regulatory Affairs
B-377 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

Your July 3, 1997 letter references H. Res. 167, which provided the full Committee with authority to take depositions which are related to "political fundraising improprieties and possible violations of law." Without addressing the extent to which this authority encompasses inquiries into WhoDB, suffice it to say that we intend to continue our cooperation with the Subcommittee in responding to its requests for information.

As you are aware, we have produced almost 40,000 pages of documents to the Subcommittee, in addition to two copies of the database and we have responded to many letters requesting information. Further, we have cooperated fully with the GAO investigation, which has yet to issue any final findings or report. We have responded to many of the requests for information and documents in your July 3d letter, but we will undertake to address your concerns:

1. Please produce an updated list of individuals who have or ever had access to the WhoDB. This list should identify who has current access, the type of access that each individual was assigned, and whether each individual has ever accessed his or her WhoDB account. The last list of such users was produced to the Subcommittee nearly a year ago.

A complete listing of all individuals who have or ever had access to the database was provided to the Subcommittee on April 25, 1997. This listing indicates whether or not a particular account was ever accessed. If you would like another copy of this list, we would be happy to provide one to you. We are in the process of updating the list provided on April 25, 1997, and we will provide that to you as soon as it is available.

2. Please explain with greater specificity than you provided in your February 28, 1997 letter the political designations, such as "DNC Trustee" or "Early Supporter -- Top 20."

The Honorable David M. McIntosh
July 15, 1997
Page 2

The February 28, 1997 letter stated that the "DNC Trustee" list consisted of 303 DNC Trustees, and "the early supporter categories were individuals who were early supporters -- not necessarily financial supporters -- of the President. These descriptions are not sufficient. The Subcommittee expects you to explain the specific qualifications for each category.

Although your letter requests greater specificity as to these categories, we can only provide the information we have. The DNC Trustee category was a list -- now obviously outdated -- of those individuals designated as Trustees by the DNC, and you may want to check with the DNC for further information. The "Early Supporter -- Top Twenty" category was an effort undertaken to rank the top twenty early supporters in each state. There were no hard criteria; instead, the listing was a subjective one which included people who were family, former high school, college or post graduate friends, individuals who volunteered a significant amount of time through the 1992 primary, supporters who had contributed the maximum in the 1992 primary and individuals who had a long-term relationship with the Clintons.

3. The press has reported extensively on political events held at the White House for which the White House claims that no appropriated funds were used. Was the database used in any way in the planning and holding of such events? If so, how?

As we have explained previously (see, for example, letters from Mr. Quinn of September 16 and 19, 1996), there were many events held at the White House -- including political events -- which were not paid for by appropriated funds. Event planning differs from event to event, so it is not possible to specify the use of WhoDB for every event. However, when DNC-paid political events were held at the White House, the database was used to assist the Secret Service in clearing guests into the White House -- as it is for any function. Additionally (as with all events), various guest lists are printed from the database.

4. Please provide the name of the individual who provided the Saturn Corporation with the 1994 Holiday Card list, the name and business telephone number of the person at the Saturn Corporation with whom the White House contracted for mailing the 1994 holiday cards, and the address of the Saturn Corporation.

Although we voluntarily provided the Committee with information about the mistaken return of the final 1994 holiday card list to the DNC from the Saturn Corporation, that mix-up was completely unrelated to WhoDB, as the database was not used in any way to produce lists for the 1994 holiday card. We have not yet been able to identify any individual at the White House who had any direct dealings with Saturn, in large part because the DNC, not the White House, had the contractual relationship with the Saturn Corporation. Thus, you may want to refer your questions to the DNC.

The Honorable David M. McIntosh
July 15, 1997
Page 3

5. Please produce all records, including notes, memoranda, drafts and other materials relating to an internal review of the White House Database conducted by Cheryl Mills during the period January through April 1996.

As we explained in Ms. Wallman's September 26, 1996 letter to you, Ms. Mills has no documents related to the review you have referenced. To the extent that there are responsive documents -- for example there are some e-mails that reference the review -- we have already provided them to the Subcommittee.

6. Please produce a back up tape of the WhoDB from February 1996 with redactions identical to the redactions in the database produced most recently to the Subcommittee.

Because producing such a tape places considerable burdens on IS&T, as indicated to your staff, fulfilling this request will not be possible until the end of July. We will notify you as soon as the copy is ready.

7. Please produce all documents that you have not previously produced that would be responsive to my requests. If there are document or materials that you believe we previously agreed to their non-production at the time of a previous request, please identify those documents.

Enclosed are documents bearing the Bates numbers M 33197-214; these documents were recently located in connection with other searches unrelated to the Subcommittee's investigation, and, consistent with our practice, they are being promptly produced. I am not aware of any documents which meet the description in your second sentence, but if you or your staff have a particular document in mind, please let us know.

8. Please certify to me that you or your predecessor have notified all White House staff of the need to produce all responsive documents and materials and that they have either informed you that a search of their records did not result in the discovery of any responsive documents or materials or that they have produced to you all responsive documents and materials, which you, in turn, have produced to the Subcommittee.

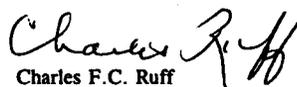
Your subcommittee has already been provided with a copy of the directive which was sent to all staff in the EOP. Furthermore, we have produced all documents that were related to the process of the document production itself, in addition to describing particular document searches. To the best of my knowledge, the White House has produced all documents responsive to the Subcommittee's requests, with the exception of those documents that appear on the privilege log that we have provided to the Subcommittee.

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The Honorable David M. McIntosh
July 15, 1997
Page 4

If you have further questions, we will be happy to respond to the best of our ability.

Sincerely yours,


Charles F.C. Ruff
Counsel to the President

Enclosures

cc: Congressman Sanders (with enclosures)

THE WHITE HOUSE
WASHINGTON

August 14, 1995

MEMORANDUM FOR ALICE PUSHKAR
OFFICE OF FIRST LADY'S CORRESPONDENCE

FROM: CHERYL MILLS 
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: 1995 Holiday Card Project

This memorandum responds to your August 3, 1995 memorandum. In your memorandum, you sought guidance regarding the production of the 1995 holiday card mailing list.

I. Background

As you know from previous years, the holiday card project has aspects that are both official (e.g., cards to constituents, world leaders, state and local officials) and political (e.g., cards to political supporters, state party chairpersons, party fundraisers). In light of the dual purposes for which cards are mailed and out of an abundance of caution, this office made the policy decision that the costs associated with producing, printing and mailing holiday cards should not be borne by the federal government. Accordingly, the Democratic National Committee (DNC) has paid those costs associated with producing the holiday cards.

In mailing the holiday cards, this office has advised your office that the White House may and should provide a list of individuals to whom cards should be mailed. An important caveat to this advice always has been that the White House list only may be used for the official purposes of the holiday card project; hence, no other entity may use this list for any other purpose. In view of this restriction, we have recommended that your office forward the White House's holiday card list to an outside vendor to consolidate, collate and mail, with lists generated from other sources (e.g., DNC list). The White House list was to be returned to the White House and not to any other entity. We also have entered into use agreements to protect the use of the White House list against any other use than the holiday project.

II. Guidance Requested

In your August 3, 1995 memorandum, you asked: 1) whether entries can be made to the White House database solely for the purpose of

ensuring an individual receives a holiday card; 2) whether the White House may provide the DNC with its list of individuals to whom to mail holiday cards; 3) whether interns may assist in entering the names of individuals to receive holiday cards into the White House database and, 4) whether it is permissible to enter the 1994 holiday card list for the purposes of updating and correcting the list.

A. Preparation of White House Mailing List

In preparing the list of persons to receive holiday cards, the White House can and should draw upon the names of individuals in the White House database. The database, which only may be used for official purposes, includes persons with whom the White House has interacted in the conduct of official and ceremonial business (e.g., State dinners, White House events, Congressional Members, etc.). It also includes persons with whom the President or officials in the White House have interacted in other fora. You have asked whether it is appropriate to enter names into the database solely for the purposes of receiving a card. As I previously have advised, the White House is permitted to enter any names into the database. Accordingly, it is permissible to include any names into the database, such as members of the public who write and ask to be added to the holiday card mailing list, solely for the purpose of designating that individual to receive a holiday card.

B. Outside Vendor to Perform Holiday Card Mailing

The White House is restricted from providing the White House holiday card list to any non-federal entity for unofficial purposes. To avoid even the appearance of impropriety, this office previously has recommended that an outside vendor compile the final holiday card mailing list from the various available lists. Thus, while the DNC pays the vendor for their services in compiling and mailing the cards, the White House list is not provided to any other entity.

You have indicated that the DNC has a tape of the 1994 holiday card list; it is unclear to me whether that list encompasses the White House's holiday card list. Nevertheless, the DNC is, as you know, prohibited from using the official holiday card list for any purposes other than the holiday project. I want to reiterate this office's recommendation that the White House's final mailing list be provided to an outside vendor rather than to the DNC.

C. Intern Assistance on White House List

You also have asked whether it is permissible for White House interns to work on the holiday project, in particular, to provide assistance entering the addresses of persons designated to

receive cards into the White House database. White House interns may assist on any White House projects, including data entry for the purposes of the holiday project. In previous years, you asked to use White House interns to assist the DNC in de-duping its holiday card mailing list. In those circumstances, we continue to advise against using interns.

D. Merging of 1994 and 1995 Holiday Card List

Finally, you have asked whether it is permissible to merge the 1994 holiday card mailing list into the White House database. As you know, the White House may enter names or databases from any source -- the restrictions that apply go to the use of the information, not to the inclusion of this information in the database. Once data has been entered into the White House database, it only may be used for official purposes. Thus, while you may merge the 1994 list into the White House database, you may not provide a "cleaned-up" version of this list to any entity other than for official purposes. Accordingly, you should not provide a copy of this list to the DNC.

III. Conclusion

As a reminder, the final White House holiday card list should be forwarded to an outside vendor, not the DNC, for production and mailing. At the conclusion of the project, neither the White House portion of the holiday card mailing list nor the entire 1995 holiday card list should be provided to the DNC. Despite the use restrictions we impose on the DNC, for appearances purposes, the vendor should provide either of those two list only to the White House.

BILL BRATTON, IDAHO
Chairman
BETHANN A. BILIRAK, NEW YORK
J. DENNIS HASTERT, ILLINOIS
CONSTANCE A. HORNELL, MARYLAND
CHRISTOPHER SHAYS, CONNECTICUT
"DICK" W. SCOFF, NEW MEXICO
CHRISTOPHER COLE, CALIFORNIA
LEAH RIGBI, FLORIDA
JOHN M. McRAUL, NEW YORK
STEPHEN HORN, CALIFORNIA
JOHN L. MICA, FLORIDA
THOMAS H. DAVIS, VIRGINIA
DAVID W. BONIOR, INDIANA
JOE SCARBOROUGH, FLORIDA
MARK E. SOUDER, INDIANA
JOE SCARBOROUGH, FLORIDA
JOHN SWANSON, ARIZONA
STEVE C. LACOUTURE, OHIO
MARSHALL "MARK" SANDFORD, SOUTH CAROLINA
JOHN E. SUNUNU, NEW HAMPSHIRE
PETE SESSIONS, TEXAS
MIKE PAPPAS, NEW JERSEY
VINCE ENGLISH, KANSAS
BOB BAYL, GEORGIA

ONE HUNDRED FIFTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6143

Telephone (202) 225-6874
Hearings (202) 225-6881
TTY (202) 225-6882

HENRY A. WELLS, CALIFORNIA
Ranking Member
TOM LANTOS, CALIFORNIA
BOB WIRE, WEST VIRGINIA
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ROD R. BLANKENHORN, ILLINOIS
DANNY K. DANIEL, ILLINOIS
JOHN F. TERRY, MASSACHUSETTS
JIM TURNER, TEXAS
THOMAS H. ALLEN, MARYLAND

INTERNET: BANCROFT
INDEPENDENT

October 9, 1997

BY FACSIMILE

The Honorable Charles F.C. Ruff
Counsel to the President
The White House
Washington, D.C. 20500

Dear Mr. Ruff:

In reviewing documents previously provided to the Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs in connection with its investigation of the White House Database, the Subcommittee has found references to other relevant documents that have not been produced. In addition, the Subcommittee seeks additional information regarding certain documents produced. Consequently, please provide the Subcommittee with a copy of the following items,¹ and please provide the information requested below:

1. The August 3, 1995 memorandum from Alice Pushkar, Office of First Lady's Correspondence, to the White House Counsel's Office, concerning the 1995 Holiday Card Project. This memorandum is identified in Cheryl Mills' August 14, 1995 memorandum (M 24915 -M 24917).
2. Any and all contracts, and, or "use agreements," in whatever form, drafted, negotiated or entered into between the White House or the Executive Office of the President and any vendor, the Democratic National Committee, the Clinton-Gore Campaign, the Clinton-Gore reelect committee, or other entities with respect to the planning, implementation or production of the 1993, 1994, 1995, and 1996 "Holiday Card Project." Such contracts, or "use agreements" are referenced in Cheryl Mill's August 14, 1995 memorandum (M 24915 - M 24917). Documents provided pursuant to this request should include, but not be limited to, those referred to in that memorandum. Those referred to in that memorandum should be identified as such in your response.

¹ If the document requested has already been produced, please identify it by Bates Stamp number.

Charles F.C. Ruff
October 9, 1997
Page 2

3. The memorandum from Laura (Tayman?) to Marsha Scott which is referenced in the December 6, 1993 memorandum from Marsha Scott to Capricia Marshall, "Update on Database Projects" (M 33042 - M 33043).

4. The December 22, 1993 handwritten memorandum to Marsha Scott from Laura Tayman (M 32452 - M 32454) does not contain portions of the handwriting on the copy previously provided. Please provide a clear copy containing all handwriting.

5. All documents, records and material reflecting the "White House Policy . . . [which] prohibits campaign fundraisers on behalf of any candidate at the White House" which was referred to in an August 31, 1995 Memorandum from Cheryl Mills to Erich Vaden, "Guidance on Data from Outside Sources." (M 24926 - M 24927).

6. All documents, records and material described in "White House Files, Erich Vaden: Index" and contained in Boxes 1- 9 (M 33091 - M 33095).

7. The May 24, 1994 memorandum prepared by Kevin O'Keefe concerning prioritization by State of early supporters which was referred to in the July 5, 1994 memorandum from Marsha Scott (M 33045 - M 33046).

8. The non-disclosure statement prepared for, and/or sent to, W.P. Malone, Inc. or Percy Malone with respect to PeopleBase. This non-disclosure statement is referred to in the handwritten notes (M 26138 and M 21275).

9. All documents, records and material related to PeopleBase database system, or data contained therein, including but not limited to, a copy of any and all contracts or agreements, in whatever form, drafted, prepared, negotiated, or entered into, between 1) the White House or Executive Office of the President and W.P. Malone, Inc. or Percy Malone and 2) Any Clinton for President campaign committee, or Bill Clinton, and W.P. Malone, Inc., or Percy Malone, with respect to the planning, implementation, maintenance, consolidation, cleaning, use, or transfer of PeopleBase database system or data contained therein, and any and all invoices, or payments, for work billed, performed, or to be performed, pursuant to any such contract or agreement. Such a contract and one such invoice are referenced in the January 31, 1994 Memorandum from David Watkins (M 32469 - M 32470).

10. All documents, records, and material reflecting any contact connected with or related to the involvement by any person employed by, working at, or connected with, the White House or

Charles F.C. Ruff
October 9, 1997
Page 3

Executive Office of the President, including, but not limited to Hillary Rodham Clinton, with respect to any database, contemplated, discussed, planned, or implemented anywhere outside of any governmental agency or entity, including, but not limited to, the Democratic National Committee, from January 20, 1993 to the present. An outside database is referenced in the June 28, 1994 Memorandum from Marsha Scott to Harold Ickes and Bruce Lindsey (M 32438 - M 32439).

11. The Subcommittee has information indicating that handwritten notes (M 26141 - M 26145, M 26137 - M 26140, and M 21272 - M 21275) were part of a journal or notebook in which various persons working on the WhoDB system would and did, periodically, make entries. Please produce the entire notebook or journal in which such entries were made and identify all persons who made entries, which entries each person made, and when.

12. Please confirm whether pages M 26137 - M 26145 properly follow one another sequentially as reflected in the original format. Further, please state if pages are missing from the sequence produced to the Subcommittee. M 26143, for example, appears to be continued text from a previous page, yet not from M 26142.

13. Please compare produced page sequence M 26137 - M 26145, with produced page sequence M 21272 - M 21276. Obviously, the first four pages of both sequences are identical. Please state whether or not the first four pages of each sequence were produced separately to your office. Please state what pages are from original documents and which, if any, are from copies of originals, in whole or in part. Please state from whom your office received each sequence and when? Please identify which pages (and in what sequence) constitute separate documents.

14. Please identify who wrote M 21276 - M 21277 and when it was written. Please identify who produced M 21276 - M 21277 to your office for production to the Subcommittee, and when.

15. Please state whether or not M 21276 - M 21277 are part of a longer original document. M 21277 indicates that the notes continue to a subsequent page.

16. Please identify who wrote M 5871 - M 5873, and when. Please identify who provided these notes to your office for production to the Subcommittee.

17. Please identify who wrote M 20536, when it was written, who produced it, and from what office was it produced. Please state where this page came from, and whether or not it is a

Charles F.C. Ruff
October 9, 1997
Page 4

page from a longer document or collection of notes. Please identify who provided M 20536 to your office for production to the Subcommittee.

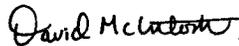
Further, the Subcommittee has learned of other documents that are relevant to its investigation and may be in the possession of the White House. Please provide the Subcommittee with the following:

1. A copy of the White House Office Administrative Manual in existence on January 19, 1993 and a copy of all subsequent editions of that Manual or changes thereto to the present.
2. A copy of two memoranda dated April 26, 1996 from Harold Ickes to the Democratic National Committee regarding various matters, including computer equipment for the White House.

Thank you for your prompt attention to this matter. I regret having to ask for some of this information, but some of these requests are necessary only because you have declined to provide the Subcommittee with a production log for all of the documents produced.

Kindly assure that all copies provided to the Subcommittee are clear and legible, giving particular care to copies of any handwritten notes. Further, I ask that in responding to my inquiries that you set forth each question followed by your response to that question. Please provide the requested records and your response to these inquiries no later than noon, October 17, 1997. If you have any questions concerning these matters please contact Jay Apperson, Special Counsel for Investigations at 202-225-4407.

Sincerely,



David M. McIntosh
Chairman

Subcommittee on National Economic Growth
Natural Resources and Regulatory Affairs

cc: The Honorable Dan Burton
The Honorable Henry Waxman
The Honorable Bernard Sanders

Subpena (Deposition)

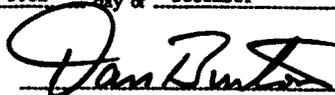
**By Authority of the House of Representatives of the
Congress of the United States of America**

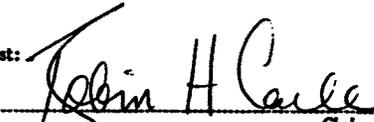
Custodian of Records _____
To _____ Counsel to the President SERVE: Charles F. C. Ruff _____

You are hereby commanded to be and appear before the _____ full _____ Committee on
_____ Government Reform and Oversight _____ of the House of Representatives of
the United States, of which the Hon. _____ Dan Burton _____ is chairman, in
Room _____ 2203 _____ of the _____ Rayburn _____ Building _____, in the
city of Washington, on Thursday, January 15, 1998 the hour of _____ 10:00 a.m. _____,
then and there to produce the things identified on the attached schedule and to testify on deposition
touching matters of inquiry committed to said Committee; and you are not to depart without leave
of said Committee.

To _____ Judy McCoy or the U.S. Marshals Service _____
to serve and make return.

Witness my hand and the seal of the House of Representatives
of the United States, at the city of Washington, this
_____ 16th _____ day of _____ December _____, 19_97


_____ Chairman.

Attest: 
_____ Clerk.

SCHEDULE A

**Subpoena Duces Tecum
To appear and to produce records
Committee on Government Reform and Oversight
United States House of Representatives**

**TO:
Charles F.C. Ruff
Counsel to the President
Executive Office of the President
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500**

**Serve: Charles F.C. Ruff
Counsel to the President**

The Committee hereby subpoenas the appearance of the custodian of records at a deposition and the production of certain records. You may obviate the need for such an appearance at the scheduled deposition by producing all records called for herein and by complying with the certification instructions set forth in paragraph 12, below, prior to the date and time for such appearance set forth in the Subpoena. Please provide logs which indicate each record's Bates number, author, description, and source file. Further, in your response please identify which records respond to which specific numbered request. If you have any questions, and to arrange for the delivery of all records in lieu of your personal appearance, please contact Senior Counsel of the Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs, Keith Ausbrook, at (202) 225-4407.

Definitions and Instructions

1. For the purposes of this subpoena, the word "record" or "records" shall include, but shall not be limited to, any and all originals and identical copies of any item whether written, typed, printed, recorded, redacted or unredacted, transcribed, punched, taped, filmed, graphically portrayed, video or audio taped, however produced or reproduced, and includes, but is not limited to, any writing, reproduction, transcription, photograph, or video or audio recording, produced or stored in any fashion, including any and all activity reports, agendas, analyses, announcements, appointment books, briefing materials, bulletins, cables, calendars, card files, computer disks, cover sheets or routing cover sheets, drawings, computer entries, computer printouts, computer tapes, contracts, external and internal correspondence, diagrams, diaries, documents, electronic mail (e-mail), facsimiles, journal entries, letters, manuals, memoranda, messages, minutes, notes, notices, opinions, statements or charts of organization, plans, press releases, recordings, reports, Rolodexes, statements of procedure and policy, studies, summaries, talking points, tapes, telephone bills, telephone logs, telephone message slips, records or

Page 2 of 6

evidence of incoming and outgoing telephone calls, telegrams, telexes, transcripts, or any other machine readable material of any sort whether prepared by current or former employees, agents, consultants or by any non-employee without limitation. "Record" or "records" shall also include all other records, documents, data and information of a like and similar nature not listed above.

2. For purposes of this subpoena, the terms "refer" or "relate" and "concerning" as to any given subject means anything that constitutes, contains, embodies, identifies, mentions, deals with, or is in any manner whatsoever pertinent to that subject, including but not limited to records concerning the preparation of other records.

3. This subpoena calls for the production of records, documents and compilations of data and information that are currently in your possession, care, custody or control, including, but not limited to, all records which you have in your physical possession as well as any records to which you have access, any records which were formerly in your possession, or which you have put in storage or anyone has put in storage on your behalf. Unless a time period is specifically identified, the subpoena includes all documents to the present.

4. The conjunctions "or" and "and" are to be read interchangeably in the manner that gives this subpoena the broadest reading.

5. No records, documents, data or information called for by this subpoena shall be destroyed, modified, redacted, removed or otherwise made inaccessible to the Committee.

6. If you have knowledge that any subpoenaed record, document, data or information has been destroyed, discarded or lost, identify the subpoenaed records, documents data or information and provide an explanation of the destruction, discarding, loss, deposit or disposal.

7. When invoking a privilege or any other reason as a ground for withholding any responsive record, document, data or information as a ground for withholding such record, document, data or information, list each record, document, compilation of data or information by date, type, addressee, author (and if different, the preparer and signatory), general subject matter, and indicated or known circulation. Also, indicate the privilege or reason asserted with respect to each record, document, compilation of data or information in sufficient detail to ascertain the validity of the claim of privilege or other reason.

8. This subpoena is continuing in nature. Any record, document, compilation of data or information, not produced because it has not been located or discovered by the return date shall be provided immediately upon location or discovery subsequent thereto.

Page 3 of 6

9. For the purposes of this request, the term "White House" includes but is not limited to the White House and any office or agency thereof, the Executive Office of the President and any office or agency thereof, and any and all employees, representatives, officers, contractors, volunteers, interns, agents, and or consultants, of, to, or at the White House, whether paid or unpaid, including but not limited to individuals working in the White House Office, individuals working in the White House Counsel's Office, the First Lady and individuals working in her office, the President, the Vice President, individuals working in the Office of Administration, individuals working in the Office of the National Security Affairs or the National Security Council, and individuals assigned to or working at the White House, regardless of the designation describing their service at the White House.

10. Please provide a printed and, where possible, an electronic version of records. Electronic information may be stored on 3½ inch diskettes in ASCII format. In addition, please provide the Committee's Minority staff with an identical copy of all records provided.

11. This subpoena covers all Staff Secretary records including all records which the President has seen, on which the President has commented, or to which the President has responded.

12. Please certify under oath to the Committee the following: (1) the records produced were collected following a comprehensive search and represent all relevant records called for by this subpoena; and (2) that no other records exist. Such certification will obviate the need for the custodian of records to appear in person to attest to the same.

Subpoenaed Items

Please provide the Committee with the following:

1. A copy of M 033309 which clearly copies all handwritten notations.
- 2 a) Any and all contracts, and, or "use agreements" in whatever form, drafted, negotiated, or entered into between the White House or Executive Office of the President and any vendor, the Democratic National Committee, the Clinton-Gore Campaign, the Clinton-Gore reelect committee, or other entities with respect to the planning, implementation or production of the 1993, 1994, 1995, and 1996 "Holiday Card Project."
- b) All records with respect to the efforts made by the White House Counsel's office, and any other office or person within the White House to request or direct a search within the White House in response to the Subcommittee's request of October 9,

Page 4 of 6

1997 for any and all contracts, and, or "use agreements" in whatever form, drafted, negotiated or entered into between the White House or Executive Office of the President and any vendor, the Democratic National Committee, the Clinton-Gore Campaign, the Clinton-Gore reelection committee, or other entities with respect to the planning, implementation or production of the 1993, 1994, 1995, and 1996 "Holiday Card Project."

- c) All records with respect to the responses from any office or person within the White House in response to any such efforts, request, or directive.
3. All records which reflect any use restrictions imposed by the White House on the Democratic National Committee, or the Clinton-Gore reelection campaign, with respect to any information provided by the White House to either entity, including but not limited to information from the White House Database (WhoDB), and including, but not limited to, the "use restrictions we impose on the DNC" as that term was used in Cheryl Mills' August 14, 1995 memorandum, page 3 (M24915- M24917).
- 4 a) The May 24, 1994 memorandum prepared by Kevin O'Keefe concerning prioritization by state of early supporters which was referred to in the July 5, 1994 memorandum from Marsha Scott (M 33045 - M 33046).
 - b) All records with respect to the efforts made by the White House Counsel's office, and any other office or person within the White House to request or direct a search in response to the Subcommittee's October 9, 1997 request for the May 24, 1994 memorandum prepared by Kevin O'Keefe concerning prioritization by State of early supporters which was referred to in the July 5, 1994 memorandum from Marsha Scott (M 33045 - M 33046).
 - c) All records with respect to the responses from any office or person within the White House in response to any such efforts, request, or directive.
- 5 a) The non-disclosure statement prepared for, and/or sent to W.P. Malone, Inc. Or Percy Malone with respect to People Base. This non-disclosure statement is referred to in the handwritten notes (M 26138 - M 21275).
- b) All records with respect to the efforts made by the White House Counsel's office, and any other office of person within the White House to request or direct a search in response to the Subcommittees October 9, 1997 request for the non-disclosure statement prepared for, and/or sent to W.P. Malone, Inc. or Percy Malone with respect to PeopleBase which was referred to in the handwritten notes (M 26138 and M 21275).
 - c) All records with respect to the responses from any office or person within the White House in response to any such efforts, request, or directive.

Page 5 of 6

- a) All records related to PeopleBase database system, or data contained therein, including but not limited to, a copy of any and all contracts or agreements, in whatever form, drafted, prepared, negotiated, or entered into, between 1) the White House or Executive Office of the President and W.P. Malone, Inc. or Percy Malone and 2) Any Clinton for President campaign committee or Bill Clinton and W.P. Malone, Inc., or Percy Malone, with respect to the planning, implementation, maintenance, consolidation, cleaning, use, or transfer of PeopleBase database system or data contained therein, and any and all invoices, or payments, for work billed, performed, or to be performed, pursuant to any such contract or agreement. Such records shall include, but shall not be limited to the contract and invoice which are referenced in the January 31, 1994 Memorandum from David Watkins (M 32469 - M 32470), as well as the "agreement" which was entered into between the Clinton for President Committee and Percy Malone and Malone, Inc. "for approximately \$650,000 for consolidation and cleaning of [the "campaign list"] as reflected on page 3 (M 033296) of the December 3, 1993 Memorandum for Mack McLarty from David Watkins (M 033294 - M 033297), as well as the "initial bid . . . in excess of \$1,000,000" as well as all subsequent bids and negotiations referenced therein.
 - b) All records with respect to the efforts made by the White House Counsel's office, and any other office or person within the White House to request or direct a search in response to the Subcommittees October 9, 1997 request for all documents, records and material related to PeopleBase database system, or data contained therein, including but not limited to, a copy of any and all contracts or agreements, in whatever form, drafted, prepared, negotiated, or entered into, between 1) the White House or Executive Office of the President and W.P. Malone, Inc. or Percy Malone and 2) Any Clinton for President campaign committee, or Bill Clinton, and W.P. Malone, Inc., or Percy Malone, with respect to the planning, implementation, maintenance, consolidation, cleaning, use, or transfer of PeopleBase database system or data contained therein, and any and all invoices, or payments, for work billed, performed, or to be performed, pursuant to any such contract or agreement, including, but not limited to the contract and invoice which are referenced in the January 31, 1994 Memorandum from David Watkins (M 32469 - M 32470).
 - c) All records with respect to the responses from any office or person within the White House in response to any such efforts, request, or directive.
7. All notebooks referred to in November 19, 1997 letter from Charles Ruff to the Subcommittee, page 4, "Question 11... Response" in their entirety.
8. All three-ring binders referred to in the November 19, 1997 letter from Charles Ruff to the Subcommittee, page 4, "Question 11... Response" in their entirety.

Page 6 of 6

9. All "spiral notebooks" in the files of Eric Vaden in the Office of Records Management referred to in November 19, 1997 letter from Charles Ruff to the Subcommittee, page 6, "Question 17... Response" in their entirety.
10. The January 11, 1994 memorandum from Marsha Scott referenced in the January 17, 1994 Memorandum from Cheryl Mills to Marsha Scott (M 26966).
11. a) Page one of the telefaxed document M 033310 - M 033316, previously provided to the Subcommittee which reflects pages 2-8 of a telefaxed document.
b) The cover or transmittal page of M 033310 - M 033316, previously provided to the Subcommittee in the event that page one (called for in 12(a) above) is not itself the cover or transmittal page.
12. The Memorandum from Marsha Scott to Roy Neel referenced on page two (M 033295) of the December 3, 1993 Memorandum for Mack McLarty from David Watkins (M 033294 - M 033297).
13. The memorandum or other document or record referred to as "Kevin's draft" which is referred to in the February 23, 1994 memorandum from Marsha Scott to Bruce Lindsey (M 033292).
14. All records relating to guidelines for payment for the use of the residences of the President or the Vice President for nonofficial purposes, including but not limited to guidelines referenced in (1) the July 12, 1993, Memorandum for All White House Staff from Bernard Nussbaum and Cheryl Mills (previously produced to the Subcommittee as document M033320 - M033330) at pp. 8-9 (M033328- 29); the October 12, 1993, Memorandum for Executive Office of the President Staff from Abner Mikva and Cheryl Mills (previously produced to the Subcommittee as document M033343 - 55) at p. 9 (M033351); and (3) the April 6, 1994, Memorandum for White House Staff from Lloyd Cutler and Cheryl Mills (previously produced to the Subcommittee as document M033331 - 42) at p. 8 (M033338).
15. All records relating to W.P. Malone, Inc. of William Percy Malone.
16. The entire document of which EOP 036286, previously produced to the Committee on Government Reform and Oversight, was a part.

THE WHITE HOUSE
WASHINGTON

November 19, 1997

VIA HAND DELIVERY

Honorable David M. McIntosh
Chairman
Subcommittee on National Economic Growth,
Natural Resources and Regulatory Affairs
B-377 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

This is in further response to your letter of October 9, 1997. Our reply to your letter of November 14 is being sent to you today under separate cover.

As you requested, we have set out below your questions followed by our responses. Where you have requested a document, we have not reviewed the tens of thousands of pages that we have already produced to the Subcommittee to see if that document was already produced, but are simply providing a copy. A production log is also enclosed.

Question 1. The August 3, 1995 memorandum from Alice Pushkar, Office of First Lady's Correspondence, to the White House Counsel's Office concerning the 1995 Holiday Card Project. This memorandum is identified in Cheryl Mills' August 14, 1995 memorandum (M24915-M24917).

Response:

Attached is a copy of the document bearing the number M 33308-09.

Question 2. Any and all contracts, and, or "use agreements," in whatever form, drafted, negotiated or entered into between the White House or the Executive Office of the President and any vendor, the Democratic National Committee, the Clinton-Gore Campaign, the Clinton-Gore reelect committee, or other entities with respect to the planning, implementation or production of the 1993, 1994, 1995, and 1996 "Holiday Card Project." Such contracts, or "use agreements" are referenced in Cheryl Mill's [sic] August 14, 1995 memorandum (M24915-M24917). Documents provided pursuant to this request should include, but not be limited to, those referred to in that memorandum. Those referred to in that memorandum should be identified as such in your response.

Honorable David M. McIntosh
November 19, 1997
Page 2

Response:

As we have stated in several previous letters, the WhoDB was not used in connection with either the 1993 or 1994 holiday cards. Furthermore, the DNC, and not the White House, was responsible for both contracting with and paying for the outside vendor. We have been unable to locate any use agreements for any years between any holiday card vendors or the DNC and the White House, although it is possible that such provisions appear in the DNC-vendor agreements. Should we subsequently locate responsive material, it will be provided promptly.

Question 3. The memorandum from Laura (Tayman?) to Marsha Scott which is referenced in the December 6, 1993 memorandum from Marsha Scott to Capricia Marshall, "Update on Database Projects" (M33042-M33043).

Response:

Attached is a copy of the document bearing the number M 33310-16.

Question 4. The December 22, 1993 handwritten memorandum to Marsha Scott from Laura Tayman (M32452-M32454) does not contain portions of the handwriting on the copy previously provided. Please provide a clear copy containing all handwriting.

Response:

Attached is a copy of the document bearing the number M 33317-19.

Question 5. All documents, records and material reflecting the "White House Policy ... [which] prohibits campaign fundraisers on behalf of any candidate at the White House" which was referred to in an August 31, 1995 Memorandum from Cheryl Mills to Erich Vaden, "Guidance on Data from Outside Sources." (M24926-M24927).

Response:

The White House Counsel's Office has disseminated its policy to all EOP employees on four occasions in written memos and provides guidance to individual staff as requested. Additionally, the staff manual, which was distributed in 1993 and 1997, also contains the same White House policy. Attached are copies of both the EOP-wide memos and the relevant pages of the staff manual; these documents are numbered M 33320-74.

Honorable David M. McIntosh
November 19, 1997
Page 3

Question 6. All documents, records and material described in "White House Files, Erich Vaden: Index" and contained in Boxes 1-9 (M33091-M33095)

Response:

The boxes you have identified contain thousands of documents. All of them were reviewed in connection with the Subcommittee's August 2, 1996 document request, and the responsive documents were produced to the Subcommittee. If your staff has questions about a particular document or entry in the index, please let us know and we will respond promptly.

Question 7. The May 24, 1994 memorandum prepared by Kevin O'Keefe concerning prioritization by State of early supporters which was referred to in the July 5, 1994 memorandum from Marsha Scott (M33045-33046).

Response:

We have looked for a copy of this document, but have been unable to locate it. Should we find it, we will produce it promptly.

Question 8. The non-disclosure statement prepared for, and/or sent to W.P. Malone, Inc. or Percy Malone with respect to PeopleBase. This non-disclosure statement is referred to in the handwritten notes (M26138 and M 21275).

Response:

Although the handwritten notes contain a discussion of a non-disclosure statement, we have not located any such document in the White House. We understand, however, that there may have been a disclaimer statement on PeopleBase data sent to the White House which sought to limit the use of the information, and stated: "These records are for personal use of the President only. They may not be used to solicit any contributions or given to any candidate or political committee (including political parties)."

Question 9. All documents, records and material related to PeopleBase database system, or data contained therein, including but not limited to, a copy of any and all contracts or agreements, in whatever form, drafted, prepared, negotiated, or entered into, between 1) the White House or Executive Office of the President and W.P./ Malone, Inc. or Percy Malone and 2) Any Clinton for President campaign committee, or Bill Clinton, and W.P. Malone, Inc., or Percy Malone, with respect to the planning implementation, maintenance, consolidation, cleaning, use, or transfer of PeopleBase database system or data contained therein, and any and all invoices, or payments, for work billed, performed, or to be performed, pursuant to any such

Honorable David M. McIntosh
November 19, 1997
Page 4

contract or agreement. Such a contract and one such invoice are referenced in the January 31, 1994 Memorandum from David Watkins (M32469-M32470).

Response:

As you know, a number of the documents that have already been provided to the Subcommittee refer to PeopleBase. To the extent that your request seeks documents relating to contracts or agreements entered into by the White House for any use of PeopleBase, enclosed are documents bearing the numbers M33375-M33451. These documents reflect the agreement to have a limited number of PeopleBase terminals installed in the White House on a read-only basis. We are currently conducting a search targeted at certain individuals and offices most likely to have information responsive to part (2) and would be happy to consult with your staff about the scope of your request and our search. Responsive documents will be provided as soon as possible.

Question 10. All documents, records, and material reflecting any contact connected with or related to the involvement by any person employed by, working at, or connected with, the White House or Executive Office of the President, including, but not limited to Hillary Rodham Clinton, with respect to any database, contemplated, discussed, planned, or implemented anywhere outside of any governmental agency or entity, including, but not limited to, the Democratic National Committee, from January 20, 1993 to the present. An outside database is referenced in the June 28, 1994 Memorandum from Marsha Scott to Harold Ickes and Bruce Lindsey (M32438-M32439).

Response:

We are, of course, willing to search for responsive documents, but we would like first to meet with your staff to clarify the scope of your request and discuss how best to focus the search.

Question 11. The Subcommittee has information indicating that handwritten notes (M26141-M26145, M26137-M26140, and M21272-M21275) were part of a journal or notebook in which various persons working on the WhoDB system would and did, periodically, make entries. Please produce the entire notebook or journal in which such entries were made and identify all persons who made entries, which entries each person made, and when.

Response:

A number of the documents produced to the Subcommittee were made or maintained in spiral notebooks and/or three ring binders. Thus, there is no single journal or notebook. It is my understanding that many of these notebooks were shared by a number of people

Honorable David M. McIntosh

November 19, 1997

Page 5

working on the database project, and there was no log of who made the entries in the notebooks or when they were made. All of the notebooks, however, were reviewed for responsiveness to the Subcommittee's requests, and responsive materials were produced.

Question 12. Please confirm whether pages M26137-M26145 properly follow one another sequentially as reflected in the original format. Further, please state if pages are missing from the sequence produced to the Subcommittee. M26143, for example, appears to be continued text from a previous page, yet not from M26142.

Response:

As you are aware, several versions of these handwritten notes were copied and produced to the Subcommittee, since several people apparently had copies of the notes. As we have previously stated, we cannot recreate the production steps for each individual document; however, documents should have been copied and produced as they were provided to the Counsel's Office. Thus, the order and completeness of any particular document would depend on how each individual maintained it. We have however, located the original documents in one of the notebooks and can tell you that M26137-40 appear directly behind M21276-77; M 26141-42 appear together; 26143 appears as a single page; and 26144-45 appear in that order together.

Question 13. Please compare produced page sequence M26137-M26145, with produced page sequence M21272-M21276. Obviously, the first four pages of both sequences are identical. Please state whether or not the first four pages of each sequence were produced separately to your office. Please state what pages are from original documents and which, if any, are from copies of originals, in whole or in part. Please state from whom your office received each sequence and when? Please identify which pages (and in what sequence) constitute separate documents.

Response:

See Response to Question 12.

Question 14. Please identify who wrote M21276-M21277 and when it was written. Please identify who produced M21276-M21277 to your office for production to the Subcommittee, and when.

Response:

As you know, no production log was created for these numbered documents, thus there is no way to identify precisely either who provided these particular pages or when they were

Honorable David M. McIntosh
November 19, 1997
Page 6

provided to the Counsel's Office. Although it is difficult, we are currently making inquiries and will promptly provide any requested information we discover to the Subcommittee.

Question 15. Please state whether or not M21276-M21277 are part of a longer original document. M21277 indicates that the notes continue to a subsequent page.

Response:

As indicated in Response to Question 12, these two pages do not appear to be part of a longer document. The arrow on page M 21277 appears to be part of the bottom sentence of that page. In case your copy is not clear, attached is another copy of this two-page document bearing the stamp M 33452-53.

Question 16. Please identify who wrote M5871-M5873, and when. Please identify who provided these notes to your office for production to the Subcommittee.

Response:

Kathryn Jackson, with the Information Systems and Technology Division, wrote these notes on or about June 27, 1996 and provided them to the Counsel's Office for production to the Subcommittee.

Question 17. Please identify who wrote M20536, when it was written, who produced it, and from what office was it produced. Please state where this page came from and whether or not it is a page from a longer document or collection of notes. Please identify who provided M20536 to your office for production to the Subcommittee.

Response:

These are part of the handwritten notes of Erich Vaden that were in his files in the Office of Records Management and were reviewed by Counsel's Office. They appear in one of his spiral notebooks, which contain notes taken between April 8 and April 22, apparently in 1994.

Request 1. A copy of the White House Office Administrative Manual in existence on January 19, 1993 and a copy of all subsequent editions of that Manual or changes thereto to the present.

Honorable David M. McIntosh
November 19, 1997
Page 7

Response:

There is no manual by that name in the White House. If you provide us with a description of what you are looking for, we would be happy to try and identify the appropriate manual.

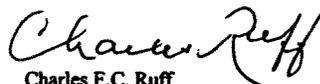
Request 2. A copy of two memoranda dated April 26, 1996 from Harold Ickes to the Democratic National Committee regarding various matters including computer equipment for the White House.

Response:

Based on your description, we have reviewed Mr. Ickes' voluminous materials in the Office of Records Management, in addition to making other searches, but have been unable to locate any such memos. If you have additional information, we would be happy to look further.

Please let us know if you have any questions about any of the above.

Sincerely,



Charles F.C. Ruff
Counsel to the President

Enclosures

cc: Honorable Bernard Sanders

**DOCUMENTS PRODUCED TO THE
HOUSE SUBCOMMITTEE ON NATIONAL ECONOMIC GROWTH,
NATURAL RESOURCES AND REGULATORY AFFAIRS
ON NOVEMBER 19, 1997**

| BATES NUMBER | SOURCE |
|---------------------|---|
| M 33308-09 | Alice Pushkar |
| M 33310-16 | Marsha Scott |
| M 33317-19 | Erich Vaden |
| M 33320-64 | Cheryl Mills |
| M 33365-451 | Office of Management and Administration |
| M 33452-53 | Information Systems and Technology |

THE WHITE HOUSE
WASHINGTON

November 10, 1993

MEMORANDUM FOR MARSHA SCOTT

FROM: *MB* DAN BURKHARDT
SUBJECT: HOLIDAY CARD NUMBERS

Today I spoke with Monica Breedlove regarding the name and address lists for the President's and First Lady's holiday cards.

Currently, according to Monica, the combined lists (POC, legal and compliance, transition, PIC, White House, and DNC) total approximately 450,000 entries (based upon the numbers she provided to me, I come up with approximately 370,000). Our agreed-upon figure for the project is 250,000.

Monica believes that one way to get closer to that number is to send cards only to those persons or households that donated \$250 or more during the primary. The numbers compare as follows:

| | <u>All POC</u> | <u>\$250+ only</u> |
|----------------------|----------------|--------------------|
| POC | 170,000 | 29,000 |
| Legal and compliance | 98,000 | 98,000 |
| Transition | 3,700 | 3,700 |
| PIC | 29,000 | 29,000 |
| White House | 33,000 | 33,000 |
| DNC | <u>40,000</u> | <u>40,000</u> |
| TOTAL | 373,700 | 232,700 |

I have some misgivings about this approach since I believe that primary donors are probably some of the Clintons' most loyal supporters. On the other hand, we do need to bring the list down to size.

Monica also would like to know if the convention delegates should be included in the list (they total approximately 2,500). I think that they should be.

What do you think?

*Delegate - yes
But we can cutoff at \$250 +*

JD MC34954

THE WHITE HOUSE
WASHINGTON

December 2, 1993

MEMORANDUM FOR MACK McLARTY

FROM: *DM* DAN BURKHARDT
THROUGH: *MS* MARSHA SCOTT
SUBJECT: HOLIDAY CARDS

Phil Lader has asked whether it would be possible to send additional holiday cards if there was additional money available. The issue breaks down into whether: (1) American Greetings can produce the additional cards and envelopes; and (2) we can produce a reasonably clean list to augment the 250,000 names we already have.

Today I received word from American Greetings that they cannot produce any significant quantity of additional cards and envelopes (100,000 or more) prior to December 25. I learned this from Ertharin Cousin, Deputy Chief of Staff at the DNC, who spoke with Harvey Levin at American Greetings. We would need at least 100,000 additional cards and envelopes to include all contributors. We could augment our list, although this appears to be a moot issue.

Following is a discussion of how the size of the current list was determined and how it was constructed as well as a discussion of how the list can be augmented.

Development of the List

The size of the holiday card list always has been constrained by the amount of money available from the DNC. The DNC budgeted only \$100,000 for the entire project. Under cost estimates from the DNC (with no in-kind donations), that would pay for the manufacture and mailing of at most 40,000 cards.

Under in-kind contracts that the DNC negotiated with American Greetings for cards and envelopes and another company for laser printing the envelopes, stuffing and stamping them, the number of cards we could send rose to 250,000.

In early September, Mark Middleton suggested he could raise additional money for the project. I passed that information along to the First Lady's office through Evelyn Lieberman. I

M034960

understand that Marsha Scott also connected the DNC with Mark on this issue but that nothing came of any discussions regarding this subject.

On October 19, 1993, I prepared a memorandum which outlined various levels at which we could send cards. The possibilities ranged from sending approximately 290,000 cards to sending approximately 400,000 cards. On or about October 19, I provided the First Lady's office and Marsha with copies of that memorandum.

On November 2, 1993, Marsha and Maggie Williams met. After that meeting, Marsha informed me that we would send 250,000 cards.

The total database, prior to the elimination of duplicates, was composed of more than 1,000,000 names. To develop the database, I told Monica Breedlove of Malone Inc. that we wanted to include all donors from the POC, Legal and Compliance, and Transition Fund lists. In addition, I told her that we should include any other lists that contained donors, supporters, close friends, and family. Based upon that information, Monica included the Strategic Response list and the Clinton list. The database breaks down into the following categories:

| | | |
|--|-----------|---------|
| POC List: | | 177,000 |
| | \$0-249 | 148,098 |
| | \$250-499 | 13,074 |
| | \$500-999 | 7,301 |
| | \$1000+ | 8,778 |
| Legal and Compliance List: | | 98,035 |
| Strategic Response List: | | 72,169 |
| | \$0-249 | 70,420 |
| | \$250-499 | 1,068 |
| | \$500-999 | 307 |
| | \$1000+ | 474 |
| Transition List: | | 1,207 |
| Clinton List (family, friends, supporters during gubernatorial years): | | 85,000 |
| PIC List: | | 525,000 |
| White House List (including staff, persons helpful to the administration, Presidential appointees, media and press, members of Congress, PCON list, Yale alumni, | | |

MD34961

invitees to the White House, the diplomatic corps, the Secret Service): 43,000

DNC List: 40,000

Of the above lists, the POC, Legal and Compliance, Strategic Response, and Transition Fund lists are entirely composed of donors. Approximately 35,000 of the names on the Clinton list are donors during the President's years as governor. Approximately 15,000 of the names on the DNC list are donors. Monica Breedlove informs me that donor names on the PIC list all are contained on the other lists in the database.

To get within the 250,000 card cut-off, the PIC list was limited to friends, supporters, former staff, and former classmates. We strictly limited the use of this list because it is the oldest and least reliable of the lists. In addition, the POC and Strategic Response lists were limited to contributors of \$250 or more.

Augmenting the List

According to figures provided to me by Doris Shepherd of the DNC, we can send approximately 250,000 additional cards for \$100,000. The costs involved are \$290/1000 cards for postage and \$90/1000 cards for laser printing envelopes, stuffing, stamping, and mailing them.

The additional list would be composed of donors who contributed \$249 or less to the POC fund and the Strategic Response fund. Monica informs me that that would add approximately 120,000 names to the list. We also could augment the list further with names from the PIC list. Given the limited time available, however, the new list may not be very clean (that is, it may duplicate portions of the current list).

cc: David Watkins
Phil Lader

THE WHITE HOUSE
WASHINGTON

August 29, 1993

MEMORANDUM FOR MARSHA SCOTT
JIM DORSKIND

FROM: *hld* DAN BURKHARDT

SUBJECT: HOLIDAY CARD PROBLEM AREAS AND CONSIDERATIONS

PROBLEM AREAS

Following are the current problem areas regarding the holiday card project.

Internal Lists

Missing Lists

We do not have lists nor have we heard from the following White House departments:

Office of Administration

✓ Staff Secretary *call in*

✓ Communications (media or press)

National Economic Council - *Have spoken of Liz Lindemuth. Be Carter's ent.*
Ad/has to get list in ASAP.
Scheduling - *wait on this - no one in position*

✓ Intergovernmental Affairs

✓ Public Liaison

✓ Counsel's Office

✓ Office of the Vice President

Of these offices, Communications, Intergovernmental Affairs, and Public Liaison are likely to produce the largest numbers. I suggest that another memo go out on August 30 to all of the above offices which says that we must receive all lists, no exceptions and no excuses, by COB September 10, 1993. It also should state that the people whose names these offices are responsible for providing will not receive cards from the President and First

MC34907

Lady if we do not receive their lists by September 10. (Anne Stock thinks that a memo similar to the one I propose should instead go out under the First Lady's name.)

Improper Format

The lists we have received largely do not follow White House style guidelines. For example, some do not contain "Mr." or "Mrs.", all use state abbreviations.

We have three options. The first is to return the lists and have the individual departments clean them up. Because we are running behind schedule, however, I am reluctant to return the few lists that we have received.

The second is to correct the lists ourselves. I do not believe we have the people available to pursue this option. This almost defeats the purpose of laser printing envelopes if we have to devote large groups of people to cleaning up lists.

The third is to leave the lists as they are and correct them for future mailings after this year's cards are sent. At this point, this is not the most desirable option but the most realistic given time and personnel constraints.

Peoplebase

I found out Thursday from Percy Malone that he has been unable to clean up this list because Clinton/Gore still owns it. He has been working with David Watkins and Barbara Yates to transfer control, but that may be several weeks off. THIS NEEDS IMMEDIATE ATTENTION. We need to get Watkins' office to focus on this now. Percy will be in town next week and we plan to meet.

Screening Lists

Cheryl Mills has provided me with an answer which does not allow for the screening of internal against external lists. Those lists have been screened against each other in previous administrations. Obviously, if we cannot screen lists against each other, we will have duplicates. I am trying to get a clearer answer from Counsel's office. Marvin Kresloff, who works with Steve Neuwirth in that office, hopes to have an answer to me by COB Monday, August 30, 1993.

CONSIDERATIONS

Space

We will need room for the three printers that we must lease as well as the boxes of envelopes and cards. This is a significant amount of space, given that there will be approximately 1,000 boxes of cards and 1,000 boxes of envelopes.

MC34998

We also will need space for volunteers to stuff and for staging the stuffed envelopes in alphabetical order. Bernie Silverstein from IRMD says that we should have the space selected by this Friday, September 3, 1993, so that they can get the area wired for the printers. THIS IS A PRIORITY ITEM.

Cards Allowed for Staff Friends and Family

We need to determine how many cards staff will be allowed to designate for family and friends. I have heard all sorts of numbers from the past, ranging from only immediate family to five to fifteen cards. IRMD has a format set up in OASIS for staff to enter names once we make this decision.

Cards for Volunteers

Jamie Williams makes the valid point that volunteers should receive cards because they get so few other perks. We need to decide on this.

Prints for Staff

In years past, the President and First Lady have given a large print of the holiday card to staff. My understanding is that this will not happen this year.

Cards for People Who Write to Request Them

We need to decide whether to send cards to such people. Jamie Williams already has received some requests.

M034509

462

THE WHITE HOUSE
WASHINGTON

November 9, 1993

MEMORANDUM FOR MAGGIE WILLIAMS

FROM:  MARSHA SCOTT
SUBJECT: HOLIDAY CARDS

The internal White House holiday card list went to Little Rock last night. Malone, Inc. will work with it and other lists it maintains to come up with the agreed upon database of 250,000 names.

The project can go no further without decisions from your office on card and envelope specifications, a laser printer font for envelope printing, and selection of a postage stamp. Your office should work out those details with the DNC. We will continue to work with Malone to finalize lists.

11/30/93
Memoranda delivered to Phil Lader today.
DWB

MC34950

THE WHITE HOUSE
WASHINGTON

January 13, 1994

MEMORANDUM FOR MARSHA SCOTT

FROM: *AM* DAN BURKHARDT
SUBJECT: HOLIDAY CARD WRAP-UP

While the holiday card project is still fresh in our minds, I wanted to provide you with a wrap-up of this past year's mailing.

On the whole, the project was an enormous success. We mailed or distributed more than 265,000 cards. This is by far the largest distribution in the history of presidential holiday card mailings. The largest previous mailing was a 165,000 card distribution by the Bush administration. The high water mark for the Reagan administration was 125,000 cards. We distributed or are in the process of distributing (to volunteers as they return from their holidays) almost 11,000 commemorative prints.

Returns

The number of cards returned because they were undeliverable has been far below what we expected for a mailing of this size and significantly less than it has been under previous administrations.

Prior to the mailing, Tony Mendoza estimated that we would receive at least 20,000 returns based upon his experience with previous holiday mailings. Instead, as of this date, we have received only 8,000 returns. That is only 3.1 per cent of the 250,000 cards mailed. The number of returns at this point has significantly tapered off, so we do not expect the total returns to be much above 8,000.

The Bush administration received more than 13,000 returns from its largest mailing, or 13.7 per cent.

Duplication

There always will be some duplication in a database the size of the card list, and we had more duplication within the master list than we would like. Given the extensive review of White

M034980

House lists that we made here, I believe the duplication arose primarily from the DNC and Peoplebase lists.

I already have requested a copy of the master list from Malone so that we can review and eliminate duplicates. That list should arrive by week's end.

Improvements

I have met with our data people and conferred with Monica Breedlove of the Malone group regarding steps we can take to improve the project in the future. We make the following broad recommendations:

1. Begin the Process Earlier

As you know, we tried to get the ball rolling in May but it difficult to get people to take December holiday cards seriously in the middle of the year. Staff throughout the White House must begin to focus on the project no later than mid-year if we are significantly to improve upon this year's performance.

An earlier start applies to all aspects of the project, but in particular we need to concentrate on these issues:

a. Size of the Mailing

A decision on the size of the project should be made early this year. This is critical so that we can arrange funding from the DNC early in its budgeting process.

b. Design for the Card

We should have a final decision on the design of the card no later than early fall so that the DNC can discuss specifications with and solicit bids from card and envelope production companies.

c. Lists

Monica Breedlove advocates the development and maintenance of a comprehensive list within the White House, both for the holiday card project and other uses. Until that happens, we should work to improve the system we developed this year. This means a much earlier focus along the following lines:

- | | |
|------|--|
| 4/15 | Distribution of lists submitted this year to White House offices for revisions and additions |
| 6/1 | Return of modified lists by White House offices to IRMD |

MO34981

- 7/1 Distribution of corrected lists to White House offices for review and further additions
- 8/15 Return of lists by White House offices to IRMD
- 9/1 Mail White House list to Malone for incorporation into master list and screening for duplicates

Because it has by far the lion's share of the data for the card list, I also believe that it would be wise to contract with Malone to have a clean database ready on their end by a date certain this year.

2. Standardize the Format for Information Submitted

Although we used a standard format for the information that we received from various sources this year, I see room for improvement. Our data people have some good ideas in this area, and I will get them started on implementing them soon. Standardizing the format for information in the database will help us eliminate duplicates.

MC34982

466

THE WHITE HOUSE
WASHINGTON

March 2, 1994

Ms. Monica Breedlove
W.T. Malone, Inc.

Dear Monica:

Yesterday, I spoke with Barbara Yates regarding the clean-up of the holiday card database. She said that you were ready to review the returned envelopes that we received here.

We have sorted the enclosed envelopes into three categories:

1. envelopes that state: "forwarding order expired"; "moved, left no address"; "attempted not known"; "unclaimed/refused"; "no such street"; "no such number"; or "insufficient address"

These listings probably should be dropped from the database.

2. envelopes that read "deceased"

These also should be removed from the database.

3. envelopes that state that the forwarding time has expired but provide a new address

The information related to these can be updated on the database.

If you have any questions, please give me a call.

Sincerely,



Daniel W. Burkhardt
Special Assistant and Counsel to
the Director of Correspondence
and Presidential Messages

Enclosures: four boxes

cc: Marsha Scott

M034984

REDACTED

December 7, 1993

MEMORANDUM FOR MARSHA SCOTT

FROM: DAN BURKHARDT
SUBJECT: HOLIDAY CARD LISTS

Today I learned of a problem with the quality of the data that is being printed onto envelopes for the President's and First Lady's holiday cards. Apparently a relatively small amount of the data, approximately 1.5% or 3,800 of the records, will contain data entry errors.

I have instructed Doris Shepherd of the DNC (and, through Doris, Debra Easter at the mail house doing the lasering) to institute a strict quality control program to catch such errors. When they catch errors, they will do one of two things: (1) send the error-containing envelopes to us so that we can properly hand-address envelopes; or (2) fax copies of the envelopes to us so that we can make corrections and have the mail house laser new envelopes. This should solve the problem.

In putting together the master card list, each contributor to the list was responsible for ensuring the accuracy of the information that it provided. That is, we were responsible for eliminating duplicates and errors from the White House list, Malone, Inc. was responsible for cleaning its list, and the DNC was responsible for providing a clean list to Malone. Malone was to compare the White House and DNC lists against its own to eliminate duplicates. Malone understood that it was to provide the master list to the mail house that is lasering the envelopes. All parties knew that the master list would be used to laser print envelopes.

Indeed, it has always been my understanding from White House counsel that the White House could not provide the resources to modify or correct lists coming from Malone or the DNC (see the attached memorandum from Cheryl Mills). Consistent with that understanding, we have worked diligently to ensure the accuracy of the White House list.

Attachment

M034965

OLDAKER, RYAN & LEONARD
ATTORNEYS AT LAW
818 CONNECTICUT AVENUE, N.W.
SUITE 1100
WASHINGTON, D.C. 20006

(202) 728-1010
FACSIMILE (202) 728-4044

MEMORANDUM

To: Bruce Lindsey
From: Lyn Utrecht *Lyn Utrecht*
Date: March 9, 1995
RE: Database at W.P. Malone

Enclosed are three documents:

1. a summary of the contents of the database taken from my memo to you and Harold dated February 14, 1995;
2. a summary of what has been done to the database; and
3. a copy of the memo to you and Harold describing the entire history with Malone.

The summaries (nos. 1 and 2 above) can be distributed to anyone. The memo (no. 3) should probably not be widely distributed.

If you would like anything changed, please call me.

M036558

CONTENTS OF DATABASE (SUMMARY)

The data currently consolidated and maintained on the system consists of the following types and origins of data:

Governor's office "people" records beginning in 1982. The original database contained approximately 100,000 names with addresses and various personal and political information.

1992 Clinton for President (Primary) contributor information. This information was originally processed by Public Office Corporation, the contractor who processed the contributor data, and consists of approximately 100,000 names, addresses, contribution dates and amounts. For contributors over \$200, it also includes occupation and employer information for many of them.

1992 Clinton/Gore (General) Legal Accounting Compliance contributor information. Approximately 84,000 names, addresses, contribution dates and amounts. Also, for contributors over \$200, it includes occupation and employer information for many of them. This information was originally processed by campaign staff in Little Rock. This data includes all contributors during the General Election campaign period.

1992 Clinton for President and Clinton/Gore 1992 campaign files. Approximately 200,000 new names were added via correspondence and other campaign activities. All campaign staff were directed to turn over their lists at the end of the campaign. Everything that was produced has been included, including the following:

- Craig Smith records
- Betsy Wright records (limited)
- Carol Willis records
- Campaign staff listings
- Correspondence
- BC's personal campaign correspondence
- Bob Farmer list
- HRC personal campaign correspondence from her office
- Exploratory Committee records
- Rodney Slater records
- Arkansas Traveler information

1992 Presidential Transition Foundation contributor information. Selected portions of this information have been included. There were two sources for Transition contribution information: the Little Rock Transition fundraising staff and the Strategic Political Response direct mail. Contributors over \$250 raised by the Little Rock staff have been included, approximately 770 contributions. Little Rock contributions under \$250 and the SPR direct mail contributors have not yet been entered, but can be done so as discussed below. Since the Transition lists, particularly the SPR direct mail list, came primarily from campaign contributor lists, it is likely that most of this list is already in the database.

Selected Personal White House information. Numerous lists compiled by individuals based on personal contacts of the President and others arising since the President entered the White House have been added to the database.

M036559

DATA BASE STATUS REPORT (SUMMARY)

Cleanup Procedures Employed

New additions to the data base arising from field, public liaison, and other sources were coded, reviewed for duplication and merged as appropriate.

Campaign contribution information including name, address, occupation and employer as well as date and amount of the contribution was electronically merged into the original data base. Transition information for contributors who gave \$250 or more was also merged. (The balance of the Transition information is on tape available for merger.)

The National Change of Address data base was used to get current change of address information, or to identify persons who had moved and left no forwarding information. Addresses were standardized to bring them in compliance with Postal Service standards, including zip + 4 codes.

Data entry mistakes have been corrected, duplicate records merged, family member records linked, records separated where appropriate, spelling errors corrected, etc.

Reports were generated to identify possible duplications, addresses with no zip codes, names with missing address, missing phone numbers, P. O. Box addresses, etc. Phone books and crisscross references were used to verify existing information as well as to make corrections and additions. Prophone residential and business phone and address information was used to add missing information.

Address corrections entered as received to include 1993 White House Christmas card mailings and DNC summer, 1994 mailing.

DNC mailed the entire data base of 426,108 names under an exchange agreement including request for address corrections during the summer of 1994. Corrections totaling 6,698 were received through that agreement and have been made. Undeliverables were minimal. This mailing confirmed the address accuracy at approximately 98%.

M036500

THE WHITE HOUSE
WASHINGTON
October 28, 1993

MEMORANDUM FOR DAVID WATKINS
ASSISTANT TO THE PRESIDENT FOR MANAGEMENT
AND ADMINISTRATION

VIA: MATT MOORE
OFFICE OF MANAGEMENT AND ADMINISTRATION

FROM: CHERYL MILLS *CM*
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Holiday Greetings Cards II

This memorandum responds to your inquiry of October 27, 1993, regarding whether the White House could provide a non-government individual with a list of supporters of the Administration to whom to send Holiday cards.

Approximately one and one-half months ago, the First Lady's Chief of Staff requested from each office in the White House a list of individuals who have been supportive of the Administration. Each office had the responsibility for identifying those names to forward to her office for inclusion in a single list. Staff members reviewed their correspondence, event attendance lists, outreach lists and other sources to identify individuals to designate to receive Holiday cards. Initially, this list was going to be provided to the Democratic National Committee ("DNC"). See, Memorandum for Maggie Williams from Cheryl Mills, "Holiday Greetings Cards" (September 15, 1993). You now would like to send this list instead to a non-government individual who maintains other lists for the Clintons (i.e., the Primary election contributors' list, the Clinton/Gore contributors' list, and the Transition Planning Foundation contributors' list) to have it collated with the other lists into a single list from which to send Holiday greetings cards.

Because the White House did not use mailing lists created from the official government mail from members of the public who wrote to the President (or the First Lady or any other White House entity), but rather created a list of supporters of the Administration based upon the personal knowledge of staff members, this list properly can be provided to a non-federal entity, including the DNC or a non-government individual.

M034826

In addition, the DNC or another non-federal entity or individual, may pay for the costs associated with designing and sending out such Holiday greeting cards to supporters of the President because this is not an activity for which funds are appropriated. And, since no monies have been appropriated for this purpose, it would not be an augmentation of appropriations for a non-federal entity to pay these costs.

If I can be of further assistance in this matter, please let me know.

cc: Dan Burkhardt

M034827

DAN BRYSON, MISSOURI
 CHAIRMAN
 BENJAMIN R. SELMAN, NEW YORK
 J. DENNIS RASTYERT, ALABAMA
 GONZALES, A. MONTELLA, MARYLAND
 CHRISTOPHER COPELAND, CONNECTICUT
 STEVEN SCHIFF, NEW MEXICO
 CHRISTOPHER COPELAND, CALIFORNIA
 LEMMA ROSS LENTINI, FLORIDA
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 FR. C. BOULDER, MISSISSIPPI
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 JOHN BARNES, ARIZONA
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 MARSHALL, NANCY, SOUTH CAROLINA
 JOHN E. SUNUNU, NEW HAMPSHIRE
 PETE DESSON, TEXAS
 MIKE PAPPA, NEW JERSEY
 VANCE SHUMAKER, KANSAS
 BOB BARR, GEORGIA
 BOB PORTMAN, OHIO

ONE HUNDRED FIFTH CONGRESS
Congress of the United States
House of Representatives
 COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT
 2157 RAYBURN HOUSE OFFICE BUILDING
 WASHINGTON, DC 20515-6143

MAJORITY (207) 225-6294
 MINORITY (208) 225-6261
 TTY (202) 225-6262

HELVY A. HERRERA, CALIFORNIA
 RANKING MEMBER
 TOM LANTOS, CALIFORNIA
 BOB WELLS, WEST VIRGINIA
 MAURICE H. OWENS, NEW YORK
 EDWARD J. TOMBLA, NEW YORK
 PAUL E. ROSENBERG, PENNSYLVANIA
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 BLANKET HOLMES, MONTANA
 DISTRICT OF COLUMBIA
 CHUCK FATTAL, PENNSYLVANIA
 BLANKET HOLMES, MONTANA
 GENE RUCKENSTEIN, OHIO
 ROD R. BLADEN, VIRGINIA
 DANIEL E. ROY, ALABAMA
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 THOMAS H. ALLEN, MASSACHUSETTS
 HAROLD E. FORD, JR., TENNESSEE
 BERNARD SANDERS, VERMONT
 INDEPENDENT

March 2, 1998

BY FACSIMILE

The Honorable Charles F.C. Ruff
 Counsel to the President
 The White House
 Washington, D.C. 20500

Dear Mr. Ruff:

We have made a preliminary review of documents produced pursuant to the three outstanding subpoenas to determine whether the documents produced fully satisfy the requirements of the subpoenas. That review has revealed outstanding items to date which are set forth below. We will require the following documents and information:

1. A legible copy of the page identified by Bates Stamp number M 034374 which reflects the text on lines 4, 5, and 6 of the first paragraph. This text is currently blacked out on the copy produced to the Subcommittee.
2. The September 15, 1993, Memorandum to Maggie Williams from Cheryl Mills, "Holiday Greeting Cards." This memorandum is referred to in the October 28, 1993 Memorandum from Cheryl Mills to David Watkins (M 34826-27).
3. The draft memorandum which was attached to the June 29, 1993, memorandum from Daniel Burkhardt to Margaret Williams, and which was referenced therein (M 034828).
4. Any written memorialization of Cheryl Mills's "explanation of the impermissibility of a list from campaign to [White House] to DNC" which is referenced in the October 20, 1993, e-mail from Matthew Moore to Cheryl Mills (M 34831).
5. Any written memorialization of Daniel Burkhardt's inquiry as to the permissibility of sending "our created list to a third party having the campaign and/or transition send similar lists to the same third party (for elimination of duplicates on the list and creation of a master list), who

The Honorable Charles F.C. Ruff
March 2, 1998
Page 2

would then send the resultant list to the DNC" which is referenced in the October 20, 1993, e-mail from Matthew Moore to Cheryl Mills (M 34831).

6. Any memorialization of the response from Cheryl Mills to the October 20, 1993, e-mail from Matthew Moore to Cheryl Mills (M 034831).

7. A clear legible copy of M 035319.

8. The telefax coversheet which accompanied the telefaxing of M 036268.

9. A copy of M 036268 clearly reflecting the telefax transmission information on the page.

10. With respect to references in M 036392, the document and the precise location thereon to which the "green tag" was affixed.

11. The memorandum from Cheryl Mills which was attached to the December 7, 1993, memorandum from Dan Burkhardt to Marsha Scott (M 036321).

12. A clear and legible copy of M 033300 which reproduces *all* handwriting, including that at the top of the page.

13. The following records called for by item 33 of the subpoena originally returnable January 12, 1998: 1) the printouts of "case abstracts" which were given to Trey Schroeder; 2) all printouts run from staff files of Yusuf Khapra; and 3) copies of files from Box #6773, all of which were referenced in M 32473.

14. The following records called for by items 29 and 31 of the subpoena originally returnable January 12, 1998: all cover or transmittal memoranda from Alice Pushkar to the Counsel's office conveying responsive documents for production to the Subcommittee. The Subcommittee has information that Alice Pushkar prepared and sent a cover memorandum or memoranda which referenced the document request by date (perhaps of the directive). Such cover memoranda should accordingly have been maintained in the Counsel's office and should be produced. Further, we have reason to believe that copies of the conveyance memoranda accompanying responsive documents were maintained by Alice Pushkar. Accordingly, copies from that source should be produced as well.

15. Documents responsive to item 1 of the subpoena originally returnable January 12, 1998, with respect to which we see no records which appear to be responsive. Clearly, as envisioned by the request, all White House sign-in/sign-out records which reflect persons who worked in the White House Counsel's office

The Honorable Charles F.C. Ruff
March 2, 1998
Page 3

on the weekend in question should have been produced. The Subcommittee prefers not to obtain records reflecting *all* persons entering the White House on that weekend. Rather, in the absence of your ability to identify who worked in the Counsel's office at this time, we had sought the entry records of those persons who were in the Counsel's office at any time during the weekend in question. If you are not able to discern who those persons were from a review of the entry/exit logs and produce only those portions of the logs, we will of course subpoena *all* logs and thereafter utilize other fact finding tools at our disposal to find out who worked in your office on that weekend.

16. The identity of the person in whose file, and/or the file or other repository itself, by title or heading, and its location within Oval Office Operations, in which M 034782 - 83 was found.

17. A copy of M 034723 reflecting original handwriting.

18. A clear copy of M 034725 which includes information/text in the bottom left hand corner within the circle.

19. An unredacted copy of M 034741 - 61 that includes all information on the original report, including all handwriting.

20. The identity of the person from whose file, and/or the file itself by title or heading, and its location within the Oval Office Operations, from which M 034780 - 81 were found.

21. Any "Copies of correspondence and a summary" which were sent to the President and attached to M 034698.

22. The memorandum from Cheryl Mills which was attached to the December 7, 1993, memorandum from Dan Burkhardt to Marsha Scott (M 034965).

23. The January 10, 1994, memorandum from Marsha Scott [perhaps to Tara Burns or others in the Office of Political Affairs] to which Tara Burns responded in the January 12, 1994, Memorandum from Tara Burns to Marsha Scott (M 035482 - 83).

24. Copies of the following pages which clearly reflect all handwriting: M 034690; M 034716; M 035926, M 036287, M 036289, and M 036295.

25. New pages reflecting the substitution of handwriting *and* identifying that the substitution is *of the President's handwriting*, with respect to M 034720, M 034725, M 034735 and M 034762.

The Honorable Charles F.C. Ruff
March 2, 1998
Page 4

Further, with respect to M 036322 the Subcommittee will require a copy of the entire unredacted printout. We appreciate your notifying us of the difficulty with respect to copying the printout. We will accordingly agree to a reasonable time for its production, but will ask that you begin the process now in order to facilitate production at the earliest possible time.

Please provide your responses to the Subcommittee not later than noon on Friday, March 6, 1998. Your responses should be sent to the Subcommittee office in room B-377 Rayburn House Office Building. If you have any questions regarding this letter, please contact Subcommittee Special Counsel Jay Apperson at 202-225-4407.

Thank you for your cooperation.

Sincerely,



David M. McIntosh
Chairman

Subcommittee on National Economic Growth,
Natural Resources and Regulatory Affairs

cc: The Honorable Dan Burton
The Honorable Henry Waxman
The Honorable Bernard Sanders

THE WHITE HOUSE
WASHINGTON

March 13, 1998

VIA FACSIMILE AND FIRST CLASS MAIL

Keith Ausbrook
Senior Counsel
Jay Apperson
Special Counsel
Subcommittee on National Economic Growth,
Natural Resources and Regulatory Affairs
B-377 Rayburn House Office Building
Washington, D.C. 20515

Dear Keith and Jay:

This letter is in response to Chairman McIntosh's February 24, 1998 and March 2, 1998 letters. Please note that, as Sally and Dimitri indicated during your meeting on Tuesday, March 10, we did not receive the February 24 letter when it was originally sent, and first received a copy on March 11, 1998.

We have reviewed the requests in your March 2 letter. I also understand that Sally and Dimitri discussed a number of these requests with you during your meeting on Tuesday, at which Kristin Amerling was also present. In light of our review and discussion with you, we respond to these requests as follows:

1. As Sally and Dimitri explained to you during their meeting with you on Tuesday, the original document also contains the same blacked out text.
2. We have not located a copy of this document.
3. We have located the attachment, and will be providing a copy to you by Tuesday, March 17, 1998.
4. We have not located a written memorialization of the "explanation of the impermissibility of a list from campaign to [White House] to DNC" that is referenced in M 034831.

Keith Ausbrook, Esq.
Jay Apperson, Esq.
March 13, 1998
Page 2

5. We have not located a written memorialization of Dan Burkhardt's inquiry, as described in Request No. 5.
6. We have not located a memorialization of a response to the October 20, 1993 e-mail from Matthew Moore to Cheryl Mills.
7. We showed you a legible copy of this document, and will be providing a copy to you by Tuesday, March 17, 1998.
8. We have not located any facsimile coversheet with the original document.
9. The original document does not contain a fax line.
10. We have examined document M036392 and did not see a "green tag" or any reference to a "green tag." You stated that you would confirm that this is the correct document control number.
11. We have previously provided this document to the Subcommittee. It bears control number M 034899.
12. We showed you a more legible copy of this document, and will be providing a copy to you by Tuesday, March 17, 1998.
13. We believe that we have thoroughly searched for and previously provided this information to the Subcommittee. If you continue to have questions, please call us.
14. We have not located any responsive documents.
15. We do not maintain "sign-in/sign-out" records that reflect the entry and exit of people who work in the Counsel's Office. If you continue to have questions, please call us.
16. This file does not belong to any particular individual. Rather, it was located on an unassigned computer in Personal Correspondence in the East Wing.
17. We showed you the original copy of M 034723. We have also provided you with a copy that contains a typewritten substitution of the President's handwriting. You stated on Tuesday that you want a copy of the original without the typewritten substitution. Please articulate why you need the President's original handwriting, and we will consider your request.

Keith Ausbrook, Esq.
Jay Apperson, Esq.
March 13, 1998
Page 3

18. We showed you the original copy of M 034725.
19. We showed you an unredacted copy of M 034741-61, which contains information relating to a personal and private event of the First Family. As you know, you previously stated that you would not and did not seek the personal private information of the President and First Family. The names of the President's high school reunion guests clearly fall within that category of information. We will gladly continue to work with you to address your needs, which, as we understand from you, does not extend to the names of their guests.
20. These materials are located in a file labeled "Supporter File" that was initially maintained by the Staff Assistant, Kelly Crawford, and subsequently by Rebecca Cameron, in Oval Office Operations.
21. We have not located any attachments to M 034698.
22. See Response to Request No. 11.
23. We have not located a January 10, 1994 memorandum from Marsha Scott to Tara Burns, as described in Request No. 23.
24. The original version of M 036286-01 and M034716 are illegible. We have not located the original version of M 034690. We showed you a more legible copy of M 035926, and will be providing you with a copy by Tuesday, March 17, 1998.
25. We have identified that the substituted handwriting is that of the President. We will provide you with new copies of those pages containing substituted handwriting by Tuesday, March 17, 1998.

Finally, with respect to document M 036322, you indicated in our recent discussions that you are not seeking a copy of the entire unredacted printout at this time.

With respect to your February 24, 1998 letter, we respond as follows:

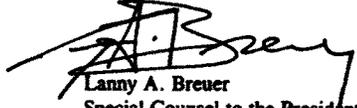
1. We continue to work on this request, and will respond as soon as possible.
2. The following pages have been produced: M 036658-60, M 036566-19, M 36225-79. The following pages are subject to attorney-client privilege held by Clinton-Gore, and have not been produced: M 036561-65, M 036620-24, M 36680-84.

480

Keith Ausbrook, Esq.
Jay Apperson, Esq.
March 13, 1998
Page 4

If you have any questions, please call Sally or Dimitri.

Sincerely yours,



Lanny A. Breuer
Special Counsel to the President

cc: Elizabeth Munding, Esq.
Kristin Amerling, Esq.

481

EXECUTIVE OFFICE OF THE PRESIDENT

20-Oct-1993 17:42

TO: Cheryl D. Mills
FROM: Matthew L. Moore
Management and Administration
SUBJECT: Christmas Card Lists

Dan Burkhart, in light of your explanation of the impermissibility of a list from campaign to WH to DNC, inquired as to the permissibility of sending our created list to a third party, having the campaign and/or transition send similar lists to the same third party (for elimination of duplicates on the list and creation of a master list), who would then send the resultant list to the DNC.

Again: Campaign/Transition to Joakem Doe to DNC
parallel to: WH to Joakem Doe to DNC.
With one resulting list being sent to the DNC.

Please advise.

M034831

29
August 24, 1993

MEMORANDUM FOR MARSHA SCOTT
JIM DORSKIND

FROM: DAN BURKHARDT

SUBJECT: HOLIDAY CARD LISTS

As I understand it, based upon Marsha's and my meeting with Evelyn Lieberman and Anne Stock on August 5, 1993, the President and First Lady will send approximately 250,000 holiday cards this year. Following is a discussion of the various groups that will provide lists, and a list of individuals and groups who must be included in the overall list. *should*

Department

Chief of Staff

Mark Middleton is supposed to be getting in touch with Marsha to discuss the list for this office.

Cabinet Affairs *- also*

This office has provided a list of members of the Cabinet and their chiefs of staff only. That number is 43. I think that we need to include at least deputy secretaries. We probably will pick these names up from the list that Presidential Personnel plans to provide.

Personnel *Christian Balda and Dan Hyde, et*

According to this office, they plan to send cards to all political appointees. The office estimates that number at 4000. *Christina Balda and Dan Hyde are the contacts for the project.* The list will be ready by 9/10 and 9/19

Office of Administration

None - We have received nothing and don't know what to expect

Staff Secretary

None *Ditto*

M034894

National Service

This office will provide a list of less than 500 names.

Communications

Media We have not received list.

Obviously, we should send cards to all reporters and camerapeople on the White House beat. We also probably want to send to ~~as many~~ radio, television, and cable stations ~~as we can~~. Within that framework, we want to hit owners, ~~chairpersons~~, presidents, general managers, anchors, and reporters who cover national government and politics and do opinion segments. I have not received a list from Communications, ~~but~~ my numbers show the following:

| | |
|--------------------------------------|--------|
| Total broadcast and cable companies: | 12,166 |
| AM: | 1,290 |
| FM: | 4,837 |
| TV: | 1,332 |
| Cable: | 807 |

Press

Again, we should send to all reporters on the White House beat. We ~~also~~ should send to ~~as many~~ newspapers and periodicals ~~as feasible~~. Within those groups, we should send to owners, publishers, presidents, general managers, executive editors, managing editors, and editorial page editors. ~~Again, I do not have numbers from Communications, but my figures show:~~

| | |
|--|--------|
| Total newspaper and periodical companies: | 22,153 |
| Newspaper (of which 1,735 are daily and 8,218 are weekly): | 11,296 |
| Periodicals (of which 439 are weekly, 4,208 are monthly, 2,119 are bimonthly, and 2,974 are quarterly) | 10,857 |

③ Domestic Policy

I spoke with Carol Rasco this ~~past~~ week. She does not know what her shop's numbers will be. Her staff is gone until ~~next~~ week. At that point, they will begin to assemble a list composed largely of advocacy groups that have helped push the President's domestic programs.

④ National Economic Council

~~None.~~ We have rec'd nothing, and I don't know who -
(people from Econ. Coun?) (some overlap w/ Dom. Policy)
Prinke Economists

MO34895

Legislative Affairs

I have spoken with Leagann Anadomi. She tells me that their list will include all members of Congress, as well as helpful members of their staffs. She estimates the total number as less than 1,000. Howard Paster will review their list. We should have it by Friday *this week* ^{at}

National Security Council

Marsha Dimel and Helen Pahlke are the contacts for this office. Their list will be ready by September 3.

Scheduling and Address

None *I have received nothing and not sure what will be on this list.*

Intergovernmental Affairs

This office plans to send to at least to all governors and all mayors. I have not received their list, but my numbers show that the number for these groups would be 4,833.

Public Liaison

I have not received the list for this office. It should at least include the CEOs of Fortune 500 companies. There could be as many as several thousand additional recipients.

Counsel's Office

None

Office of the First Lady

Anne Stock told me this week that she expects her list to be primarily a subset of Carolyn Huber's, which is approximately 5,000 names. Carolyn's list is largely a subset of the Peopabase list. Thus, the net contribution from this office probably is not large.

Military Office

I have spoken with Joni Stevens. She estimates their total card requirements at 2,500. This includes all military assigned to the White House as well as members of the service branches who historically have received cards. Rather than allow military assigned to the White House to designate family and friends, the Military Office policy is to allow them to designate one officer and one enlisted member for cards.

We discussed how deeply we should send cards (e.g., four star, three star). Joni recommended sticking with past policy,

MD34896

which is to send only to the very top. Her reasoning is that we would not want to send to a two star and miss a four star.

Her list will be ready October 1. This is late, given that Bernie and Vanessa will be gone by then. Joni said that they can do their own addressing, however, if we need it.

Political Affairs

④ Tara Burns is in charge from this office. She estimates their total number at 1,000.

Office of the Vice President

None

DNC

Karen Anderson is the contact here. She estimates their total at 20,000. They will screen their lists for duplicates.

Peoplebase

I have spoken with Percy Malone. THIS IS A PROBLEM AREA. The database is still controlled by Clinton/Gore. Therefore, Percy has not been able to do any work to clean up the database and get it ready for us. He is working with David Watkins and Barbara Yates to transfer control. This may take up to three more weeks. He assures me that he will work with us to get the lists done.

Percy estimates the core list (those people who the President and First Lady always send cards to) at 100,000. In addition, he estimates another 75,000 names added during the campaign. Eliminating duplicates, both within the Peoplebase list, and as compared against other lists, his clean list may be as small as 125,000.

State Department

The list from this group should include our ambassadors, as well as ambassadors to the United States. It also should include most heads of state. ~~Cherylene~~ Cherylene Cozart has contacted the head of protocol at the State Department. This is a career person who ~~has background on who has received lists in the past~~

Groups and Individuals Who Should Receive Cards

1. Supreme Court Justices
2. Circuit and District Court Justices (?)

Move to other memo

Anna Hook is responsible for proving this list from State. All of those overlaps are catalogued, they will provide me with a list. WJ34357

3. Heads of departments, agencies or commissions where a new appointee not nominated or confirmed or where head is not an appointee

4. other

Rec. personal to provide me with this list for review

↓
Volunteers?

5. People who write it?

6. Chairman of Fed Reserve

MO34098

*Steve Neumann**- Marvin Keruloff*

THE WHITE HOUSE
 WASHINGTON
 August 11, 1993

MEMORANDUM FOR DAN BURKHARDT
 SPECIAL ASSISTANT TO THE DIRECTOR OF
 CORRESPONDENCE AND PRESIDENTIAL MESSAGES

FROM: CHERYL MILLS *CM*
 ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Holiday Greeting Card Project

This memorandum responds to your memorandum dated August 6, 1993, which was hand-delivered on August 10, 1993. In your memorandum, you asked whether the Democratic National Committee properly can send out holiday greeting cards from the Clintons to individuals on the DNC mailing list, the Peoplebase mailing, and the White House mailing list.

The DNC is free to mail greeting cards to individuals from the President on the DNC mailing list as well as the Peoplebase, since neither database was created nor is maintained by the White House. Indeed, mailings to individuals who only are on the DNC mailing list must be performed by the DNC.

The Peoplebase database is neither maintained by, nor can it be modified by, the White House. Rather, it is the President's database of friends from his years of public life that is maintained in Little Rock. Thus, the DNC can use this database to send out holiday greeting cards from the President.

The real issue arises with regard to providing the database of addresses created from the official mails that the President has received in the White House. Because this list was created from the official mail of the President, I believe it would be unwise to provide this list to the DNC to send holiday greetings from the President; certainly this database of addresses may not be used for cards mailed for partisan purposes.

Accordingly, holiday cards mailed in response to letters to the President in the White House should be generated by the Correspondence Department. Similarly, the State Department mailing list for dignitaries also should be used by the Correspondence Department only for official purposes, since this list also was generated from the official government mails.

cc: Ann Stock Vanessa Miller
 Maggie Williams Bernie Silverstein
 Jim Dorskind

M034399

D. B.

THE WHITE HOUSE
WASHINGTON

August 6, 1993

MEMORANDUM FOR CHERYL MILLS
ASSOCIATE COUNSEL TO THE PRESIDENT

FROM: *AWB* DANIEL W. BURKHARDT
SPECIAL ASSISTANT TO THE DIRECTOR OF
CORRESPONDENCE AND PRESIDENTIAL MESSAGES

THROUGH: *MS* MARSHA SCOTT
DEPUTY ASSISTANT TO THE PRESIDENT AND DIRECTOR OF
CORRESPONDENCE AND PRESIDENTIAL MESSAGES

SUBJECT: DEMOCRATIC NATIONAL COMMITTEE PARTICIPATION IN
HOLIDAY CARD PROJECT

We are in the process of assembling the names and addresses of people who should receive holiday greetings from the First Family. That information will come from databases within the White House, Peoplebase, and Democratic National Committee databases (as well as from sources such as the State Department, which would provide the names and addresses of diplomats who should receive greetings).

These various lists will need to be screened for duplicate entries. We would like the Democratic National Committee to perform this work.

We have the following questions for you: (1) Can we legally provide White House, Peoplebase, and other lists to the DNC for screening? (2) Are there any prohibitions against the DNC preparing the greeting card envelopes, stuffing them, and mailing them?

We need your written advice by Friday, August 13, 1993.
Thank you for your help.

cc: Ann Stock
Maggie Williams
Jim Dorskind
Bernie Silverstein
Vanessa Miller

MC34893

489

October 17, 1994

MEMORANDUM

To: Helen Dickey
From: Kelly Crawford
Re: Data Base System's Supporter File

Quite frequently, the President will ask that certain names and addresses be added to the "supporter file." These are often names of people he meets on the road or people that send correspondence that he has a special interest in. We had been sending this information to Jacki for PRIV and to Laura to put in the Data Base System. Laura would also forward this information to Arkansas for the People Base System.

Attached is a list of supporter file information. Please make sure all this information is added to the Data Base System. Also, can you send this information to Arkansas or do you need me to? I sent the info to Jacki. I have the original business cards, scraps of paper ect. that were used to compile this list, if you would like to see it. Please call me to discuss.

I hope you are enjoying your new job, unfortunately you didn't get rid of me. Sorry!

M034692

REDACTED

PHONE CALLS CONCERNING POTUS AND ADMINISTRATION
LOG START DATE: 1/8/96
LOG END DATE: 1/26/96

1/9

per memo

Albert Salvala 21/
encourages the President to "hang in there" and stand
firm on budget position.

1/11

per memo

Carol Motley] feels
that the "Republicans in Congress need to take wage cuts
first, and then they should cut the government pensions"
before cutting out beneficial institutions like Medicaid
and Medicare. She is a "56-year-old female who has seen
it all" in politics. She is solidly a Democrat and
"(agrees) with everything Bill Clinton has said and
continues to say." She encourages the First Lady to
"hang in there." She then said she was going to call
Newt Gingrich's office to give him a piece of her mind.

1/12

1/18

THE WHITE HOUSE
WASHINGTON, D.C.

C. F.
029903
PP

Ms. Monica Breadlove

COPY
from ORM

THE WHITE HOUSE
WASHINGTON

July 27, 1993

Monica:

Attached are names, numbers and addresses
for you to add to the People Base system,
per Nancy's request. Thank you very much.
Let me know if you have any questions.

Kelly Crawford
456-6610

REDACTED

M036286

Handwritten notes:
 DA as to 10/12
 H. L. ...
 ...
 ...
 ...

Murphy, Dick

Judith
World Wide

Romani, Dan >

Bechtel, Ann
Reagan Library

Paschal, Jan

Swyg, Charlotte (Mrs. Mel)

Sheinbaum, Stanley K.

Pincus, Ann & Walter

Stearns, Rick & Patty

REDACTED

Nancy
Kit As

(have sec. interrupt when you return call)

Governor Caperton (WV)

Lader, Linda LeSourd
(home, office, voice mail)

...3 (office at 17th & K Streets)
3 (Evergreen Farm, Lincoln, VA)

M036227

Coopersmith, Esther

Morris, Dick

White, Randy

Sayler, Betty (event planning/lawyers committee)

Rapoport, Bernard (Ovida-secretary)

Mayor Johnson

Steeley, Richard

Wilson, Russel

Brandberry, Dr. Harry (from England)

Herrell, Charlie

Flowers, Bill

Wyman, Lucia

)

Governor Bayh

REDACTED

Fuller, Don

M036788

Loche, Andrew (Betsy Kinney's husband,
President of NBC News)

Hyland-Dangremond, Denise

|

~~Maurice~~

Lyons, Jim

Schaffer III, Archie

Bassett, Woody

Tyson, John

Reep, The Honorable R. Gregg
Mayor of Warren

*So. S. #15
FOX T.V.*

Field, Ellen

501 [REDACTED] / NOT FOR T.V. BUT FOR FRANCHISE

Herron, Betty

~~Hudson, Richard~~

Kirchner, Terry (FOB)

Matter, David

Kaki ~~HUCKLESLIGHT~~

Butch ~~Stall~~

Bersin
Bersin, Alan

REDACTED

M036289

Dennis, Mary

Halter, Bill

Morris, Will

Vanner, Stewart

Lindsey, Bart

Williams, Lee

Wilky, Kathleen

Benjamin, Saul

Witt, Walter
Asst. to Bob Farmer

Whalen, Katie

Don

Gatewood, Amy

The Arnolds

Hunter-Gault, Charlene

Woods, Woods ?

REDACTED

M036290

~~Harper, Helen~~

~~Boxer, Nicole~~ **Bowen**

Berry, Paul

Dixon, Lynda
Clinton's Arkansas Office

Willey, Kathleen

Lepard, Bonnie

Trie, Charlie

Lawrence, Shelia Davis
Crown Manor

Witt, James Lee

Lancaster, Laura

Enzo De Charri

Lynch, Bill (Mayor Dinkins)

Winer, Mark

Chairman Rostenkowski

REDACTED

M036291

Farmer, Bob (golf)

Thicksten, Ed

Clark, Bill

Campbell, Tom

Miller, Howard & Linda

Armstrong, Bob
Department of the Interior

Streisand - NYN's (confidential)

Stone, Butch

Verveer, Phil

Senator Bradley

Presock, Patricia

Altes, Steve & Zadina, Barbara

REDACTED

M036292

Markusen, Ann
SS#:
Project on Regional and
Industrial Economics
Rutgers

Hanson, Grant

Ebbert, Mike/Kemp, Julia

Halsey, Brent

Kitadai, S. (Sam)
Sumitomo Corporation of America

Thompson, Judy

Barnes, The Honorable Mike (former Congressman)

Fry, Tom

Foley, Bruce

Harrell, Ty

Mathis, Debra

REDACTED

M036293

Croy, Jason (barber)

Shearer, Cody

Sapp, Ruth (friend of Virginia Kelley)

Lacey, John

Bradley, Mayor Tom

Anthony, Beryl

Dolan, Christine

King, The Reverend Richard C. (Dick)
SS#:

Leak, Reverend 7

Brier, Rosie

Lancaster, Congressman

Marcus, Ruth
Washington Post

Ishiyama, George
Tokyo

Chorba, Tim
Patton, Boggs & Blow

REDACTED

MO76094

Dierman, Connie

Lawrence, M. Larry

Sherman, Ilene — WORK FOR LARRY LAWRENCE

Leopoulos, David
Office Outfitters

Lader, Linda

Campbell, Tom

Robinson, Liz

Horn, Rex

Fleisinger, Pam FLEISCHAKER

~~XXXXXXXXXX~~ NA 01/24

Brock, Ph.D., Horace W.
President
Strategic Economic Decisions, Inc.

Schneider, Thomas J.
President and CEO
Restructuring Associates, Inc.

REDACTED

Schneider, Professor Cynthia P.
Department of Fine Arts
Georgetown University

Trauger, Byron R.
Doramus & Trauger

Dubbin, Samuel J.
Steel Hector & Davis

Roberts, The Reverend Bill
Christ Chapel

Slater, Rodney

Enright, Janice

Crowe, Admiral (Contact: Brooke Jaffey)

Clinton, Roger

Wexler, Ann

McIntee, Gerald

3 / CONFIDENTIAL INFO

REDACTED

M036296

Reffert, Mary Jane

Mfume, Congressman

Slater, Rodney
Federal Highway Administrator
Department of Transportation

Murphy, Jr., Mr. Ewell E. (wife Pat deceased)

Andrews, Robert L.
Vincent Andrews Management Corporation

Roberts, Jerry L.
President
J. L. Roberts and Company

Gibson, Nettie

Brody, Ken

Hunter, Al

Wallcott, Andy Pool

May, Bobby

Jones, Chris

REDACTED

M036297

Santa Cruz, Dr. Susan
.....

Pogrebin, Letty Cottin

Thomasess, Susan
.....

Kean, Tom
Drew University

Nash, Bob

Constantinou, Clay
.....

Smulyan, Deborah
Deputy Director
Democratic Leadership Council

Guinier, Lani

Cornwell, Tommy & Lisa

Ford, Chairman Bill

Bostick, Cathy
.....

Morris, Willie
.....

REDACTED

M036308

Gardner, Governor Boothe
State of Washington

Miles, Alex

Masloff, The Honorable Sophie
Mayor of Pittsburgh

Breedlove, Monica

Eisenstadt, Stu

McGrory, Mary

Helen (w/Bob Farmer)

Frost, David (in England)

Engleberg, Steve
Mickey Kantor

Berman, Mike

McPeake, Ellen

Rasco, Carol H.

REDACTED

M036299

Whitacre, Susie
Clinton Arkansas DNC Office Home:

Dana Monahan
Mozark Productions

Cain, Paul

Manilow, Lew

~~Kevin & Holly~~

Strobe ~~TALBOT~~

Reich, Bob

Ickes, Harold & Janice ~~ENRIGOT~~

Fran ?

George S

Harris, Elphue

Lorain (Tom Tisch's Office)

REDACTED

M036300

Lorraine Westbrook
Jesse Jackson's Scheduler

Jack Rosen

Leeds, Arthur

M 36301

REDACTED

Scot, n. m. l.

PRIVATE AND CONFIDENTIAL

MEMORANDUM TO HAROLD ICKES

FROM: *MS* MARSHA SCOTT
DATE: MAY 31, 1994
SUBJECT: DATABASE OUTSIDE WH



The '92 campaign materials are stored in Arkansas. Percy Malone, Inc. in Arkadelphia has the contract for cleaning up and cataloging this material. While names and addresses have been verified, there have been no successful attempts to validate the veracity of this information or to collect the missing data by state. The cataloging and de-duping was supposed to be finished by April. However, final payment has been upheld pending the resolution of some issues of dispute. Bruce indicates that they are close to agreement with Malone and should have these initial contract terms fulfilled or renegotiated by next week.

In retrospect it appears that data storage or collection was not a campaign priority. Therefore, when the election was over many walked off with their lists stored on their personal PCs. This material must be retrieved or recreated. All lists need to be located and catalogued by state and entered into a system outside of the White House. (The DNC has finance lists from the General and I am working closely with Martha Phipps to ensure the accuracy and accesability of this information.) The Malone group should catalogue the political lists and add theirs to the DNC finance information; but not without a new contract and close supervision.

Bruce, along with Watkins, has been overseeing this process. There is one person on salary in the Little Rock DNC office who is responsible for cataloging what campaign material we have stored. Where we are in that process is unknown. It has not been a priority. However, it must become one and quickly. Lists need to be validated and reproduced before they are brought into the White House so that they can be re-used at a later date. As you know, once lists are used internally they are no longer legally available to outside sources.

A meeting is scheduled with the outside lawyer, John Teasdale, and Bruce for sometime around the 15th of June to discuss where we are with Percy and where we need to be for '96 as regards data. I will be in Arkansas but feel strongly that you or Janice should attend. I will meet independently with Teasdale or Percy while I am away, if necessary.

I would like to oversee this work so that it coordinates with other projects I am currently managing. I know that Bruce doesn't want the headache and I would like to minimize the number of people involved. Let me know how you want me to proceed.

MO36290

M 32463

(M25634)

CONFIDENTIALMEMORANDUM TO HILLARY RODHAM CLINTON
BRUCE LINDSEYFROM: MARSHA SCOTT
DATE: JANUARY 26, 1994
SUBJECT: INTERNAL DATABASE UPDATEStatus of Outside Databases

Arkadelphia: The contract deadline is April 1, 1994. However, because they were involved in the Holiday Card Project Percy probably will ask for an extension. The contract designates an error rate of 20% or less. I am told this is an industry standard. Technically they will probably meet this standard. However, I have already alerted them that I feel their coding is often in error and that all further data entered must be checked for veracity. (They do check for spelling, street address, etc. but not for accuracy of the designated code.) I am working with Sherry in Little Rock and Monica in Arkadelphia to have this done.

If you will provide me with a list of two knowledgeable people from each state so that I can do another independent verification, I will have a way to personally check the accuracy of their coding. (Remember: We did this for the twenty-one targeted states that we worked on for the Holiday Card Project. That is how we discovered the data problems. The correct names were then incorporated into the lists provided to the Social Office.)

Another way we can insure accuracy, is by providing^f corrections to any data sent to us. As long as we are not giving "updated or supplemental information about data the entity may have initially provided", we can correct "where the action is de minimis." (See Cheryl's memo attached for a full explanation.) I will work with Cheryl on a case by case basis and am anxious to discuss this with you further.

One way we can make information available to outside sources is when we make it public. Therefore, all public functions, schedules, briefings, social functions, etc. which we release to the press, those individual names and attendant information can be given to an outside source for whatever use they designate. I don't know what our guidelines are for releasing information but I welcome further discussion on this issue.

M 32464

(M25635)

A major concern voiced to me during my last trip to Arkansas, is the lack of provisions for future additions to the database. In Percy's mind, this is not covered by the maintenance contract which kicks into effect on April 2, 1994. I've alerted David to his concerns and will see that there is follow-up. However, in order for any of this data to be usable in the future, a mechanism must be provided and mutually agreed upon for updates and additions. There are several options:

(1) Have the DNC do it: This presents a violation of the integrity of the system since DNC primarily does fundraising. However, they have the most readily available resources to handle such an on-going operation.

(2) Contract with Percy: His system is good but too many people are involved at the top for it to be efficient and confidential. There are also major funding issues. He is presently contracted with Clinton For President (primary) and supervised by their Board. Their money is specifically designated for wind-down of primary information. A new money source must be provided with a new supervising structure for ongoing efforts.

(3) Locate an independent funding source and contract with Percy: I don't know the legitimate ways this can be funded but I have asked David Watkins to find out. I will ask for an update next week or when he is feeling better.

DNC Database: According to Craig Smith they are in the process of reviewing their system and will possibly be contracting for new software to handle this huge database. While he did inherit the DNC lists when his staff assumed their jobs, he did not bring much campaign information with him. He assures me that he has, however, independently recreated most of our campaign lists. This should be checked with the information in storage in Little Rock and Arkadelphia.

As you are probably now very well aware, the handling of data during the campaign was sloppy and a low priority. Through my staff contacts I will try to stay informed on their ongoing efforts to build a solid database. However, I feel there is a need for a designated White House Liaison with the DNC who keeps this task on the front burner. Everyone wants information but my observation is that the DNC as well as the White House have not allocated resources or made it a top management priority.

It is now a top priority in the White House and with the proposed reorganization of the DNC, this is a prime opportunity to make information management their highest priority for resource allocation as well. This directive must come from the highest level with people put in place who will see that it is carried out.

Status of Internal Database: I have picked a staff of three people - Erich Vaden, campaign staffer from California who helped me set up the Correspondence Department; Laura Tayman from Arkansas who Nancy Harnreich hired to help Trey with the President's personal correspondence; and Mark Bartholomew, a career IS&T person, closet Democrat and computer techy. The office is located at the end of my suite of offices in OE08 with a private entrance. All of our records and computers are kept in this locked room. I have checked with Counsel and although Mark

M 32465

(M25636)

is a career employee his work on this project is not subject to FOIA as long as we keep it separate from his other work. To insure this, his notes and discs are kept in my offices.

The interview phase of the project is almost finished. All offices will have been interviewed at the close of work Friday. We have collected input from each office as to what they need and expect from a system. Next week we will begin the design phase.

In order to get the highest quality design and to expedite the process, I am bringing in several volunteer experts to assist. On a volunteer basis they will guide my small staff so that we design the best system we can given time and lack of real resources. If I wrote the guidelines and then put it out to bid to various software companies, it would take too long as to be effective. It would also be open to public scrutiny and inquiry. And last but not least, there seems to be little money for development and implementation. I will be having extensive conversations with David on this subject. It is my hope that I am misinformed and that he has prepared for the development and maintenance of a Presidential Database and this preparation is reflected in allocated monies and personnel. However, I am skeptical. If there are no resources, then a directive will be needed from the President in order to make this happen. Either way, I am proceeding forward with this project being my top priority.

In order to develop the team, I have taken two of the Correspondence Department FTE's and used them for this purpose. One slot I took from the President's Personal Correspondence Unit and they want the slot back. David is aware of the dilemma but I may need help in resolving this issue. The work must be done on the database but it has to have priority status. I will keep you and the First Lady informed with progress reports. (The first timeline is included). I am briefing Phil Lader today (January 27) and will hold another briefing with selected Senior Staff in the next week or two.

While the various staffs are very excited about the project, there is also much skepticism about whether it will really happen. Many people have asked for this since we came into office. A lot of energy has been spent with little results. There is fear that while a need is recognized, no resources will be allocated. I share the concern but intend to push with a hard and loud voice to keep on track.

One real concern is the role that IS&T has and will play in the development and upkeep of this system. Except for four positions, this is a career staff composed of some individuals who were placed there in the waning days of the previous administration. I find an inherent conflict of interest in having our entire information management system developed and supervised by people who do not know and may not support the President.

Another fundamental concern is that when this system is up and running, it will make redundant the twenty or so individual systems that are currently in place or being developed. (None of these are databases in the true sense of the word, several are bootlegged, off the shelf items and one developed by IS&T doesn't

M 32466
(M25637)

work.) A new, central system will not need a large staff to maintain, only a highly trained one. Therefore, by developing this new system, IS&T will be eliminating jobs. This could explain some of the foot dragging and poor quality work that has often occurred in the past.

Another unanticipated obstacle has been the recent downsizing efforts throughout EOP which resulted in the removal of the very career people who could have done a technologically superior job for us. They were the young, computer enthusiasts who kept up with cutting edge technologies and software ideas. When they were let go we were left for the most part with an older, less informed and certainly less enthusiastic career group whose allegiance is, in my opinion, highly questionable.

While we are in the software development stage, I hope time can be set aside to address these concerns. Time and lack of resources are my only real enemies. I can manipulate the time but the priority which decides the resources must come from others. The President and First Lady want this done. Translating this into action on the part of others is the rub.

512

CONFIDENTIAL

MEMORANDUM TO HILLARY RODHAM CLINTON
BRUCE LINDSEY

FROM: MARSHA SCOTT

DATE: JANUARY 26, 1994

SUBJECT: INTERNAL DATABASE UPDATE

Status of Outside Databases

REDACTED

M 256:

REDACTED

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M 2567

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M 25637

HRCDATAB WP5 1,480 02-11-95 1:05p

MEETING WITH HRC
LADER
ICKES

DATE: FEBRUARY 2, 1994

SUBJECT: DATABASE UPDATE

HISTORY

1. Systems currently in use in WH
2. Systems outside the WH

NEEDS

1. Centralized, internal tracking system for contacts
2. Database for campaign use
3. Document retrieval system inside WH & outside

ISSUES

1. What resources available to fund outside databases
2. What resources available to support internal database
 - a. Where is it housed
 - b. Who maintains and services
 - c. Access
 - d. Training
 - e. Security
3. WH priority item
4. DNC priority item

M 33044

12/5/94

Harold - at 2 p.m. today you are meeting with Marsha Scott. You are supposed to be getting her clear on what she is supposed to be doing and what she will not be doing.

As you know, until you have this conversation, you will continue to get memos from her and copies of memos she is sending around to different people (see attached examples).

* As you also know, until you have this conversation with her, Ann Castagnetti cannot begin working on the database project.

M 33181

518

17 May 1996

MEMORANDUM TO LEON PANETTA
EVELYN LIEBERMAN

From: Harold Ickes (H)

Re: Marsha Scott
VIP operation at the Democratic National Committee

On 15 May, the President approved the following with regard to Marsha Scott and with regard to the VIP operation at the Democratic National Convention.

These recommendations are made with the understanding that over the past 3 years a sophisticated process, involving several key people, has evolved at the White House for ensuring contact and follow up with friends and key political and financial supporters of the President and the First Lady.

For example, Maggie Williams and Ann Stock manage a number of functions in connection with the Residence, invitations to Camp David, etc; Nancy Herbreich, working with Carolyn Huber, Debbie Schiff, Rebecca Cameron, and others, are responsible for a broad range of matters, including personal friends of the President and First Lady. In addition, (a) the Chief of Staff's office handles seating on Air Force I; (b) Jodie Torkelson, through Melinda Bates, oversees White House tours; (c) the White

1

M 33215

M 33104

House Political Department handles political/fundraising coffees and other political type events with the President; and, with Nancy Hernreich, OPL, Cabinet Affairs, Intergovernmental Affairs, and other departments, coordinates access to the President when he is on trips; (d) Debra DeLae, handles access to the National Convention and related activities; (e) Democratic National Committee (through Doug Sosnik/Karen Hancox), handles access to DNC events; (f) Department of Interior, deals with special non White House/EOP tours and events.

Although early on there undoubtedly were a number friends and other political and financial supporters who may not have received the attention and follow up they should have (or at least thought they should have), given the close and much more effective coordination among the political and other departments of the White House, with Nancy Hernreich, the Social Office, etc., it appears that few friends and other political/financial supporters are not being "taken care of" in appropriate ways. Unfortunately, there will always be a few people who "fall through the cracks" of any system, and reasonable steps to reduce this to the smallest number possible should be taken.

It is, however, very important that the existing system continue to function smoothly and not be disrupted.

Marsha is currently spending most of her time as liaison with the gay/lesbian leadership, in which capacity she has done an excellent job. She feels, however, that all interests would be better served during the next 5 months if a recognized gay or

lesbian leader were brought in to handle these functions. I agree with her assessment.

Therefore, Marsha will continue to be the liaison with the gay/lesbian leadership (until an appropriate replacement is found, who will probably work at the C/G Re-elect), and, in addition, working with the appropriate White House staff, she will a) create opportunities for the appropriate friends of the President to validate him in the press; b) insure that the President's supporters are involved in fundraising activities to the extent possible; c) while at the White house, attend political fundraising coffees/events, and certain other events, as determined in consultation with Evelyn Lieberman and Harold Ickes, and handle follow up with attendees.

Any friend or supporter of the President who feels overlooked or not attended to in the appropriate way will be referred by Marsha to Nancy Hernreich, Ann Stock or other appropriate person in the White House for follow up.

Marsha and her assistant, Wendy Heistad, will be transferred from the political department, where she is currently located, and will henceforth report directly to Harold and Evelyn.

She and Wendy will be relocated from OEOB office 115 to OEOB office 166.

While on the White House staff, she will have appropriate access to the White House database but only in connection with her official duties. The information in the database cannot be

used for preparation of convention or campaign related activities.

VIP operation at the Convention: Since the outcome of the upcoming Convention is a foregone conclusion, and given the large number of friends and supporters expected to attend the Convention during the last week in August, dealing with VIP's will take on additional dimension and importance -- compared to 1992. It is, therefore, imperative that we come to closure on the structure and staffing of the VIP operation at the Convention. People have long been requesting special seats, function rooms and other accommodations and privileges in connection with the Convention. We must begin to sort out the various priorities and begin to make allocations and specific assignments of various Convention related "amenities".

The VIP operation will be large, diverse and complex: Arkansas friends and supporters, political and financial supporters from the various states/territories, members of Congress, Governors, State Legislators, Cabinet Secretaries, other members of the Administration, friends and supporters of the President, the Vice President and Mrs. Gore, etc.

The Vice President has suggested Karen Adler, currently the Region II Director of the GSA, be recruited to help head up and coordinate the Convention VIP operation.

The structure and staffing of the VIP operation at the Convention will include:

- Marsha Scott and Karen Adler as co-directors, reporting to Debra DeLee, the Convention will CEO.
- Appropriate paid and volunteer staffing.

-

- A number of people will be responsible for different categories of VIP's and will coordinate with Marsha and Karen. For example, Skip Rutherford has asked to be designated in this capacity for Arkansas friends, on a volunteer basis; Terry McAuliffe and Laura Hartigan will be responsible for C/G Re-elect fundraising people, etc. The DNC will designate someone to work with Marsha and Karen. Likewise with the Congress, DSCC, DCC, DGA, and so on.
- Marsha and Karen will relocate "permanently" to Chicago not later than the first week in June.

-

The President has endorsed this proposal.

REDACTED

M 33219

5

M 33108

**Centralized White House Resource Database
Security Brief**

January 12, 1992 (3:00pm)

The objectives of the database is to provide the President and the First Lady with a database that tracks all direct and indirect contacts with individuals who are important to the Presidency.

The President and the First Lady wish to have a resource database containing relevant information about all White House events and contacts made with individuals. Currently, they are frustrated that there is no central repository for this information. Those White House databases that are available do not provide a means for accessing core, centralized information quickly or easily. Often the information is maintained redundantly which introduces the possibility of incomplete or inaccurate information being presented to the President or First Lady. In addition, the ability to access the database from remote or mobile locations will be required.

It is anticipated that the information stored in the shared database system will be entered and accessed by staff from these White House Offices:

Immediate Office of the President, to include the President
First Lady's Office, to include the First Lady
Cabinet Affairs
Intergovernmental Affairs
Legislative Affairs
Political Affairs
Public Liaison
Scheduling and Advance
Social Office

The information collected and/or maintained by each office will be combined to form a single 'record' on each individual who has contact with the White House. In this way we will maintain accurate records and remove duplication. Security procedures will also be built into the system that will allow for these offices to share some information, while maintaining complete control over that information they deem to be only for their private departmental use only.

This project is a top priority of the President and First Lady. Interviews will be coordinated with each of the aforementioned White House offices.

M 2779

During these interviews, work flow, functional analysis and systems requirements analysis will be conducted. While collecting the system requirements several areas will be covered. The purpose of today's meeting is to address assumptions and constraints with regard to security.

Some of the system security requirements already identified include:

- All access will be password protected.
- Each functional group should be able to share non-restricted information.
- Each functional group, work group and individual should have access control ability to restrict read and write.
- Import/Export authority should be password protected.
- Data should not be readable to anyone with out system access and appropriate authority, this authority is to be granted through a White House systems administrator.
- ~~Audit ability on all access must be implemented.~~ This should include but not be limited to: create, modify, read, delete, import, export. The audit should include the ability to determine the specific individual 'logged on' and accessing the data, the date and time of the access and any associated password violations. *Account tracking and auditing must be implemented*
- Personal notes or comments entered by or at the direction of the President and First Lady should be stored in a format that is not able to be read (or otherwise acted upon) unless accessed via password control.
- Alternate emergency(backup) site.
- Secure storage of backups and archives. (Within the White House complex?)

The project team has begun collecting background information for the systems information requirements. A preliminary list of those information elements that have been identified is attached.

M 2780

ATTACHMENT #1**General Background for Requirements Specifications**

Typical biographic, contact and event information to be maintained by all White House Offices -

Biographic**Name****Address****Home(domicile)****Business****Current****Home State(where does the individual 'say he's from')****Mobile****Net****Relationship****Self****Spouse (of whom)****Dependant (of whom)****NICK NAME****DOB****Gender****Ethnicity****Vet****Disability****Type (for consideration during event captioning, wheelchair ramp, interpreter etc...)****Comment****SSN****Title****Employer****Organization(Agency, Board, Commission, etc...)****Sub-Org(Bureau, Panel, committee, etc...)****Area(s) of interest****Alma Mater****Year graduated****Major****Association with First Family****Comments**

M 2781

Contact Information

Name
Type (e.g. campaign, event, state, DNC, school etc...)
Date of contact
Coordinating office
Coordinating officer
Initiated
 By whom
 When
 Why
Staff Indicator (is this person an appointee, candidate, etc...?)
Action Required
Comments

Event Scheduling Information

Type
Travel
 Dest
 Domestic
 Foreign
 Time
 Date
Coordinating Office
Coordinating Officer
 Address
 Phone
 Bus.
 Mobile
 Net
Demographics Breakout
 Ethnicity
 Economic
 Political
Issue
Action
Comments

Other:

Member (House/Senate) Information, Scheduling information of senior staff and should be accessible for reporting and display within the context of the common user interface. (eg. MTS information, Legistate access)

M 2792

Note: The issues and areas addressed above will be more fully explored and detailed. Additional areas will be documented throughout the Requirements Specification phase.

C:\backments.wps

MEMORANDUM TO MACK MCLARTY

FROM MARSHA SCOTT
 DATE DECEMBER 7, 1993
 SUBJECT Master Database

As you know I am working on establishing a master database in the White House. Both the President and the First Lady have asked me to make this my top priority. Bruce will be kept fully informed on the progress and you, of course, if you desire. However, in order to accomplish the task I need some immediate and direct assistance from you.

I am working with a number of the White House offices collecting information, developing formats and training staff in the new system. Laura Tayman of my staff is overseeing the daily work on this project and is responsible for working with IRMD.

We have already experienced innumerable delays and obstacles. Therefore, in order to get this done quickly, I would appreciate it if you would announce to the Senior Staff that I am responsible for this project and will need their full cooperation. Without empowerment from you on an official level, this project will be most difficult to complete.

It would also be most helpful to me if you would let the Senior Staff know that I am and will be involved in other projects as well that fall outside my prescribed job description (i.e. liaison with Commerce Task Force on California, California politics, Health Care Communications Room, etc.). My work is expanding and it is important that all staff be aware of the evolution.

Please let me know if you have any questions.

Thanks.

cc: Bruce Lindsey

M 25921

THE WHITE HOUSE
WASHINGTON

February 4, 1994

MEMORANDUM TO JAMES L. MACDONALD, JR.

FROM: Marsha Scott
RE: Continuing Efforts for the First Lady

We would like to continue the effort begun in November to supply the First Lady with information on Clinton early supporters who should be invited to WH social events held this year. It is my understanding that the information from November is being stored (and backed up on a routine basis) in the DB2 system.

We have requested that the Arkadelphia office supply us with the information --as they did in November for 20 states-- on the rest of the 50 states.

As you know, we had a troubling experience with the last effort and are hesitant to go through something similar with some members of the IST staff trying to convert the data to DB2. For that reason, I ask that you appoint only Jim Wright and Karl Heissner (who I understand oversee DB2) to work on any of the past, present, and future converting and storing efforts with information from Arkadelphia (this would also include converting the Christmas card list). Laura Tayman and Erich Vaden from my team will serve as liaisons for this project.

Please ask Jim and Karl to contact Laura on Monday to discuss these projects. The Arkadelphia office has been asked to only deal with me, Laura, or Erich on these efforts. Any questions or concerns from any IST staff should be funneled through Laura, Erich, or me.

On another note, it is my understanding that Mark, Erich, and Laura have developed a PC presentation on the development of our future WH database which I will be viewing this afternoon. I request that anything prepared on this project not be shared with anyone other than the assigned members of the database team until I, as Executive Sponsor, see and approve it.

Thank you in advance for your assistance. These projects are very important to the President and the First Lady and should be a priority for all of us.

M 95334

THE WHITE HOUSE
WASHINGTON

Scot, Mark
DPS
Paula

MEMORANDUM TO PHIL LADER
cc: Mack
Harold
FROM: MARSHA SCOTT
DATE: MARCH 7, 1994
SUBJECT: FOLLOW-UP TO HRC MEETING

While I heartily endorse Hillary's desire to have me proceed unimpeded with the Database Project, there are some factors that weren't discussed at the meeting. I have been able to craft my role in the Correspondence Department into a political and procedural oversight position rather than daily management. With our excellent staff and systems in place, my time is not taxed. Our team system has allowed me to become intimately involved for the last five months in other issues and problems outside the department's scope.

The Database Project requires my oversight and direction but little of my actual time on a daily basis. The team meets daily and the directors update me each evening. We have a team meeting every Monday with the entire group and set the agenda for the week. I provide the drive and direction but the team does all of the work. One of the team members, Tim Flynn, is actively working with me on an early supporters project. This state by state break-out of contacts will form the basis from which I will do my work in my new position.

I intend to continue to go forward with that project while I am implementing the new database. As soon as relevant staff have been notified, I want to be included in political and social planning meetings. Even though I won't be actively pursuing the new agenda until early summer or late spring, I want to stay informed. It is important that the team concept be preserved with the proposed moves of John, Kevin, and myself. While I don't have to be officially moved, I do want to be a part of the process and the planning. I know that I can accomplish the goals that have been set for the Database Project as well as do the advance planning necessary in the new position.

I would appreciate a chance to further discuss this before any concrete action is taken. Good coordination on the front end will ensure a successful transition. Thanks...



M 32447

OA/WH/WhoDB

To: Patsy Thomasson

From: Jerry Carlsen

Subject: Update on 11-14-95 Meeting Regarding Project

Patsy,

These were the areas I heard discussed.....

In attendance were: Jody, Erich, Marsha, Erskine, Brian, Paul and Cheryl

1. Erskine asked if the system could be used for the 96 campaign. The answer from Cheryl was no due to official business versus political nature and use etc.

No follow-up expected.

2. Erskine asked if we had developed a system on the outside or used an outside service firm to perform the functions of the database, could we bring it inside and use it. Cheryl strongly cautioned against this from a legal perspective, not to mention operational difficulties in doing this.

No follow-up expected.

3. Erskine asked for a date when the President would be able to use this system and have presented to him useable and accurate reports and output. Our response was if we froze requirements by 11-18-94 we were looking at a mid - February delivery date of product. One caveat I mentioned was the accuracy of data. This is for the White House to accomplish by using a review and data entry process.

Follow-up expected from Jody.

Related to data clean-up, the group agreed to identify players to review and verify hardcopy information and then submit back to data entry personnel. This has to be accomplished between now and Feb 17. We will have to look to Helen and Marsha to identify these folks. Obviously we can't do the print-outs until the data loads are complete.

Follow-up expected by WH and WhoDB Team.

4. The roll-out of US 2000 loads was brought up by Erich. He feels the process of installation is taking much longer than necessary. They need a few more machines loaded now. I mentioned that we needed to do another survey to see who had what and then submit a list back to OA.

Follow-up expected by WhoDB Team.

5. Erskine asked for a report from Erich outlining probable report formats etc. He also asked that the report and output formats be reviewed in detail to insure the President gets what he is expecting. Helen is heading up this process of review. She has been told to provide Erskine, Marsha and Brian Bailey with output formats for review. It is my understanding Erskine will then take this to the President for input.

Follow-up expected by Helen and Marsha with assistance from SI&D programming staff.

6. Erskine asked for an interim report showing early supporters and who attended what events. He would like this by Jan 15. I think we can provide it sooner as we have already provided similar reports to Marsha by combining mainframe and Social Office system data.

Follow-up expected by Erich or Helen and SI&D programming staff.

7. Erskine then asked about the peer reviews of the phase one product. Erich reported he had several meetings scheduled this week. Erskine then asked Brian to reiterate to the key players that they need to go see the phase one product etc. Erskine is to be advised if cooperation is not forthcoming.

Follow-up expected by Brian and Erich.

I think I covered about everything. Erskine is still trying to understand what the system will provide but I think he is getting a clearer picture at this point. Bottom line, I need to deliver a production ready product on Feb 17 or sooner. I will do my absolute best to make sure this happens.

If you have any questions, let me know. I will keep you in the loop on any pertinent developments or problems.

M 26252

Project Outline and Discussion
Updated 3-5-96

Project Name and Sponsor

Perq Tracking Module

Marsha Scott

Narrative and Introduction

The creation of a Perq module within WhoDB to track special outreach functions and the individuals receiving "Perq's" from the White House. Three fields will capture information about Perq's given to individuals. The "Perq's field" will list the Perq's given to individuals, the "Perq's date" field will list the dates each Perq was granted and the "Source name" field will list those offices or staffpersons responsible for issuing the Perq.

Reports by individual, Perq and date will be created using already existing report screens and code.

Schedule

| | |
|---|----------------|
| Project Approval | 1 day |
| Database evaluation for the placement of data | 3 days |
| Add two additional fields to the "Outreach" data screen | 2 day |
| Generate reports by individual, perq, month and state | 6 days |
| Add prompts for report screens | 3 day |
| Receive system acceptance | 3 days |
| Install system | 1 day |
| Train users | 1 day |
| Verify objectives met | 1 day |
| Total Business Days | 21 Days |

M 23168

Resources Needed

| | |
|---|---------|
| Gobi Ghuman - OMNIS programmer | 17 days |
| Karl Heissner and/or Rich McKay - Database Engineer | 3 days |
| Kathy Jackson | 1 day |

Issues and Risks

Proven technology and a number of features are already embedded in WhoDB, for example, Special Outreach codes, tables and screen real estate. This is an anticipated module for which we have already built references in the system. Technical and business risk is minimal.

Impact if Not Done

It is my understanding that Marsha Scott is expecting to deliver reports on a weekly basis to the President and First Lady starting in March. (A first for this type of report and information) The date for starting data entry so the reports can be generated is March 15 according to our last meeting with WhoDB contacts and Frank Reeder. If we do not do this task, the reports and data will not be made available as there is no other system in place that contains all the relevant data.

Approved _____ Disapproved _____

Comments _____

Date _____

MEMORANDUM
SUBJ: Update on White House Database Project

MEMORANDUM
DRAFT - 10/23

DATE: October 25, 1994
TO: Erskine Bowles
FROM: Paul Antony, Brian Bailey
SUBJ: Update on White House Database Project

*Tommy's information
on this is helpful
for the project!*

This memorandum provides a summary of major issues regarding the White House database project. We look forward to discussing these topics with you at your earliest convenience.

1) WILL IT MEET THE NEEDS OF POTUS AND THE FIRST LADY? YES?

Apparently the First Lady has never seen the demo of the software. Erich received FL requirements from Marsha Scott who described priority need was to keep accurate records of individuals' dealings with the White House (invitations, contributions, meetings, etc.) This database will definitely provide the capability to manage large volumes of this type of data. The information will be significantly more comprehensive than what is currently available from the various unrelated systems currently in use. Once the system is in use, continued adjustments will need to be made to meet specific needs and incorporate other areas of the EOP (Correspondence, Legislative affairs?).

2) WHEN WILL IT BE READY? AROUND JANUARY 15.

Phase one of the development process was completed on 10/12, and the system now has the capability to manage individual records. Several offices (WhoDB, Public Liaison, and Intergovernmental Affairs) have the system in their workspaces and have begun entering and verifying data into the system. However, the events management portion of the system is necessary to satisfy all the needs of the Social Office and the First Lady. The development of this portion of the system will be completed by January 15. This part of the development must be completed before the First Lady will view her needs as having been addressed. Although it would be nice to have the new system working during the holiday season, it would probably not be wise to be "debugging" the system in such a busy period.

3) WHAT WILL IT COST? THERE SHOULD BE NO FURTHER DEVELOPMENT COSTS.

Software, hardware, and programming costs were paid in FY94. While additional expenditures, such as contract programmers, would make the project go quicker than expected, these extra costs are not necessary. Hardware costs for implementation will be covered through standard White House equipment upgrades in upcoming years. The only other costs associated with this project will be the ongoing costs of maintaining support staff.

for...

4-27402

MEMORANDUM

Page 2

SUBJ: Update on White House Database Project

etc. to keep the database operational.

4) HOW SECURE WILL THE SYSTEM BE? MORE SECURE THAN CURRENT SYSTEMS.

A password system will prevent access by unauthorized users. Authorized users will be further segmented into different access classes, which restrict ability to delete, edit, and/or view information.

5) HOW SHOULD THE PROJECT BE MANAGED GOING FORWARD? NO IMMEDIATE ACTION REQUIRED.

is it the right one - that is it
on Eric's part
 We recommend maintaining the current organizational structure until a working prototype is produced and evaluated. At this time, which should be around mid-January, we believe you could make a better decision based upon the outlook of the project.

6) SHOULD THIS PROJECT BE CONTINUED? YES.

For several reasons. First, virtually all of the necessary funding has already been spent. Second, the project has taken up a lot of time and has a lot of support in different offices. It will definitely be better than what the offices are now using.

7) RECOMMENDATIONS REGARDING OTHER REQUESTS IN ERICH'S MEMO:

a) Assign Martha Williams from OA. NO IMMEDIATE ACTION REQUIRED.

Erich has handled situation himself.

b) Assign one additional contract programmer at a cost of \$95,000. NO IMMEDIATE ACTION REQUIRED.

While an additional programmer would speed up the development process, this expense is not critical to the success of the project. With the recent unexpected trip to the Middle East, it may now be too late to make this decision such that it would have a significant effect on the timing of the project. We recommend waiting to see what progress is made in upcoming weeks, and reevaluating development needs at some point in the future.

538

March 2, 1995

MEMORANDUM FOR MARSHA

FROM: ERICH

SUBJECT: NUMBER OF ITEMS

I need to talk to you about a number of items.

- Early Supporter Data Entry

Tim and I wanted to meet with you around 3:00 to talk about cleaning-up the early supporter lists. Is that a good time for you? I am going to bring Helen along.

- Rapid Response List

During the demo the First Lady mentioned that she would like to see the Miles Rubin rapid response list in the database. I wanted to see what you thought about that list and get your okay to go ahead and get it.

- Lists

I have a number of lists that you sent down to be entered that I have questions on. I need about an hour to sit down with you to go through them.

M 25639

March 28, 1995

MEMORANDUM FOR

FROM: ERSKINE BOWLES

SUBJECT: CLEAN-UP AND CODING OF DATABASE RECORDS

In the next few days, your office will be receiving a list of all the records that you contributed to the central database (WhoDB). These records were either downloaded from databases used in your offices or have been inputted by your staff over the past year. Your office will be responsible for verifying the data in the database (addresses, name information, family info, etc.), consolidating and eliminating any redundant data, and accurately coding the information with regard to demographic, regional, and other criteria.

The success of our future outreach efforts will be directly impacted by the quality of this data. Absolutely accurate address information will ensure that invitations and any other mailing will arrive on time. Furthermore, coding these records will allow us to drastically speed up the list creation process by giving us the ability to identify and target individuals. Finally, the President and First Lady will view this information on a regular basis.

As a result, your office must develop a strategy for cleaning and coding this data. You will need to identify responsible individuals whom you trust and who can be devoted to this effort. You will also need to identify the computers that will be free for this work. It is imperative that you work with the database team members, Erich Vaden and Helen Dickey, in developing your clean-up plan and in getting the right individuals and computers access to the database. This clean-up project is one of the highest priorities for the President and your office should treat it as such.

M 32493

6 January 1995

MEMORANDUM TO HAROLD ICKES
 FROM JANICE ENRIGHT
 RE Terry McAuliffe's requests to POTUS

Attached is a memo from Terry to Nancy requesting cooperation with 3 "projects". In brief:

1. 3 dates within the next month, for breakfast, lunch or coffee with the President and about 20 supporters from across the country.
2. Overnights for top top supporters. A potential list is attached under item "2" attached.
3. Incursion in presidential activities such as golf, morning jogs, etc.

Nancy has asked us to follow up on this at the President's direction and his note indicates "promptly". In addition, the President has asked for a list of the top \$50,000 donors and a list of the top \$100,000 + donors.

[Additionally, some 6 of his people were invited to the radio address tomorrow.]

Please discuss with me immediately on how to proceed.

4/8 - J - Check w/ ^{Nancy} ~~Stewart~~ to see if these lists were sent to President, if no, when -

4/10 They were, we have copies as well.

THE PRESIDENT HAS SEEN

5-15-96

96 MAY 14 P 3: 55

May 14, 1996

MEMORANDUM FOR THE PRESIDENT

CC: Leon Panetta
 Evelyn Lieberman

FROM: Harold Ickes

SUBJECT: Marsha Scott

The attached "decision" memorandum to you, dated 14 May 1996, recommends that Marsha Scott and Karen Adler be hired by the Democratic National Convention Committee ("DNCC") to co-manage the VIP operation at the Convention. They would move to Chicago no later than the first week in June.

The memorandum also recommends, that until she moves to Chicago, Marsha continues to be the liaison with the gay/ lesbian leadership, until an appropriate replacement is found, who will probably work at the C/G Re-elect, and, in addition, working with the appropriate White House staff, she would a) create opportunities for the appropriate friends of the President to validate him in the press; b) insure that the President's supporters are involved in fundraising activities to the extent possible; c) while at the White House, attend political fundraising coffees/ events, and certain other events, as determined in consultation with Evelyn Lieberman and Harold Ickes, and handle follow up with attendees. She would be shifted out of the Political Department and would report to Evelyn and Harold.

*Let's discuss once more
 [POTUS's handwriting replaced with typed text]*

REDACTED

M 33227

M 33116

Okay per our discussion
[POTUS's handwriting replaced with typed text]

May 14, 1996

MEMORANDUM FOR THE PRESIDENT

CC: Leon Panetta
Evelyn Lieberman

FROM: Harold Ickes

SUBJECT: Marsha Scott

The attached "decision" memorandum to you, dated 14 May 1996, recommends that Marsha Scott and Karen Adler be hired by the Democratic National Convention Committee ("DNCC") to co-manage the VIP operation at the Convention. They would move to Chicago no later than the first week in June.

The memorandum also recommends, that until she moves to Chicago, Marsha continues to be the liaison with the gay/ lesbian leadership, until an appropriate replacement is found, who will probably work at the C/G Re-elect, and, in addition, working with the appropriate White House staff, she would a) create opportunities for the appropriate friends of the President to validate him in the press; b) insure that the President's supporters are involved in fundraising activities to the extent possible; c) while at the White House, attend political fundraising coffees/ events, and certain other events, as determined in consultation with Evelyn Lieberman and Harold Ickes, and handle follow up with attendees. She would be shifted out of the Political Department and would report to Evelyn and Harold.

REDACTED

M 33220

M 33109

DATAREC WP5 7,182 02-11-95 12:56p

MEMORANDUM TO HAROLD ICKES

FROM: MARSHA SCOTT
DATE: NOVEMBER 21, 1994
SUBJECT: OUTSIDE DATA

I have looked at four different methods for storing and updating the President's data held outside the White House:

1. The DNC
2. People Base (where most of it currently is held)
3. Developing our own outside system
4. An established database company.

DNC

Advantages:

1. Cheapest initially (They gave an initial estimate of \$50,622, September 23. However, this should be thoroughly scrutinized.)
2. Close working relationship
3. Could put our people directly in charge

Disadvantages:

1. Unorganized and too bureaucratic
2. Must remain neutral in contested Primary
3. Do not presently have a system which can quickly or easily handle the data in a format workable for the White House

PEOPLE BASE

Advantages:

1. The President likes them and his staff has used them for the last 9 years.
2. They have most of the material. They have the rights to the entire DNC list, however, it is not yet in their system. PeopleBase does not have the Inaugural List or Event lists for fundraisers.

Disadvantages:

1. Difficult system to operate
2. Slow and unresponsive in past
3. Can't easily access (in Arkansas)
4. Reports are difficult to use
5. Our campaign people did not like the system and know no reason to think they will like or use it now.
6. Cost - We presently have a contract with them to keep the data clean and safely stored. There is a serious

M 33050

discrepancy between what our lawyers identify as terms of the contract and what PeopleBase defines as the contract. Before new costs are incurred, the old must be addressed and expectations redefined.

DEVELOP A NEW SYSTEM

- Advantages:
1. We know what we need.
 2. The people who know our current system (WhoDB and PeopleBase) are in DC.
 3. We have total control over design and product.
 4. Initially we could do this at a very low cost using only one person. We already have the hardware and space.
 5. Most of the lists are now fairly well scrubbed so clean-up would be minimal.
 6. Our folks are very familiar with the data and how it would be used.

- Disadvantages:
1. This is an interim measure which would take us through 1995 or until the re-elect is established.

ESTABLISHED DATABASE COMPANY

- Advantages:
1. Technically sophisticated
 2. Experienced with handling this kind of data.
 3. Easy access & quick turn around time for reports.
 4. Less time consuming for our staff

- Disadvantages:
1. Our folks are not in control
 2. Cost - \$50-60,000

RECOMMENDATIONS

My first recommendation is that we do it ourselves. In order to get this project moving, I suggest that all the material be gathered by and placed with a designated person, outside the White House. Laura Tayman, who helped design WhoDB, no longer works for the White House. As a private citizen, however, she is willing to supervise the care and feeding of our data until we decide what to do for the long term. She has the resources, knowledge, and the time. She also knows all of the sources I used to collect the data we currently possess so anything she doesn't already have can be easily obtained. Erich Vaden, during his off hours is willing and eager to assist her.

This will cost far less than any of the other options and allow us the greatest control. Start-up will be fairly quick and both Laura and Erich feel they can develop the reports we will need in a timely manner. While they are doing the clean-up and reporting we need, a thorough investigation of what we want for

the campaign can be conducted. (Erich has already begun researching our options.) Until then, let's begin with a process and people who will do the work the way we want it done.

If this seems too simple, my second recommendation is to go with the firm that Al Gore uses, POC. They are the most familiar with our data - having done our financial reporting during the Primary; and they have extensive experience with this type of information and how we will want to use it. I have spoken extensively with them as has Erich Vaden. The Vice President's office has worked with them for over seven years and are satisfied with their service. I have enclosed their most recent bid outlining costs and services which they could provide.

Let me know what you think...

M 33052

PERSONAL AND CONFIDENTIAL

MEMORANDUM TO: HAROLD ICKES
 FROM: MARSHA SCOTT
 DATE: AUGUST 19, 1994
 SUBJECT: DNC OFFICES AND SURROGATE SPEAKERS

To my knowledge there are at least three offices throughout the country funded by the DNC: San Francisco (Martha Whetstone), Los Angeles (Katy Bucklin) and Little Rock (Susie Whitaker). In DNC terms, Katy does the most work because she is intimately involved in the California Co-ordinated Campaign and major fundraising. She has at least one full-time assistant and is housed in the Co-ordinated Campaign Offices. Martha, has volunteers and is housed in an FOB's law office. This office was forced on them. Martha is an outspoken FOB with little statewide clout but we have surrounded her with a corp of dedicated and savvy Clinton folks as advisors. The Little Rock office has at least six full-time staff who handle only Arkansas matters. This office presents great possibilities for redirection.

Redirection:

These offices must be used to reach out to our friends and supporters throughout the country. Even if the DNC fully establishes and implements a grassroots organization, these offices will be invaluable assets in the effort. Until then, they will be our grassroots organization, albeit on a primitive scale and reliant heavily on fax and computer. A lot can be done with limited resources and even more limited personnel. If good information is given to these offices from both DNC and our sources (I will direct this from our side to ensure the validity of the contacts), these offices can become great goodwill ambassadors for this administration and reliable, rapid response systems when immediate action is required locally or nationally.

How To Do It:

1. Divide the country into three regions and assign each office responsibility for grassroots networking to sixteen states.
2. Assign each office a DNC organizer (in DC) to act as liaison.
3. Assign a WH Political staff member to each office to act as liaison.
4. Require the liaisons to talk to these offices once a week to give and get information.
5. These DNC and Political liaisons will meet once a week for direction and information sharing. (Kevin and or I can chair this meeting and report back to you and Joan on a weekly basis.)
6. A weekly DNC, Political and Communications meeting of principals or deputies will be held to establish the message and

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the agenda. If the message of the week is unchanged, a phone call will suffice. But weekly contact is essential no matter what!!

7. Give each office a broadcast fax and copy machine.

8. On a weekly basis, these regional offices will receive talking points from both the DNC and the WH. (These will be different only to the extent that the WH release will be on specific Administration policies and Administration travel schedules, while the DNC may be on Co-ordinated campaign activities.)

9. Each regional office will be required to establish phone and fax networks in their sixteen assigned states. (I can help supply them with contacts for the Clinton piece and DNC can supply contacts for Co-ordinated Campaign folks.)

10. Each office will be required to establish media contacts in major media markets within their assigned states. (The DNC and our communications folks can supply these names.)

11. Weekly press releases (approved by the liaisons) will be sent to the media markets from the regional offices (all broadcast fax).

12. Travel schedules of Cabinet and sub-cabinet Administration folks as well as dates and locations of DNC events will be given to the regional offices for dispersement to pertinent states.

13. Budgets: I don't have hard figures but they will need money to cover postage, phones, salary to cover one assistant (at least) to maintain the fax operation, and stationary.

Little Rock Office:

This is a particular situation that will require some finesse on our part. They have functioned very loosely since the Inauguration and with unclear and sometimes confusing directions from us. (If there is a need for someone to go there and help them get re-established, I will be available.) Both Bruce and Mack have been approached with at least some of these re-organizational ideas; but at the time of our discussion, my slant was more on using this office as a beefed-up Clinton operation focused solely on Arkansas.

There are at least three personnel, Lynda Dixon, Susie Whitacre and Maryann Salmon who are non-negotiables. Susie is the manager but takes direction from Bruce. The other two are basically on their own. I suggest that you or I immediately bring Bruce into this loop and get his approval. However, this does not need to happen before your conversation with David. Regardless of what we ultimately do in Little Rock, the other two offices can be redirected.

Surrogate Speakers Operation:

While we are doing a much better job in letting our state folks know about travel plans of the Cabinet offices and the President, we have no mechanism in place for letting them know about other Administration officials' travel. There are hundreds of political appointees who speak each day. They need talking

points about the Administration accomplishments and goals.

How To Do It:

1. Establish the message of the week. (Use the same structure as outlined above for establishing this theme.) This should be three or four basic points which don't change for long periods of time. Repetition is the key.
2. Through the Cabinet Secretary's office, ask each White House Liaison to establish a mechanism within their respective agencies for tracking travel schedules for all political appointees above a Schedule C.
3. Contact person for the agencies should be Steve Silverman or someone he assigns.
4. Steve Silverman can be responsible for tracking these speakers and getting them appropriate talking points.
5. State by state information can be supplied from NEC, Cabinet Secretary and OMB. This should be gathered and overseen by Kevin.

I will supply you with a weekly memo on Monday regarding the Database (inside & out). This issue is getting muddled.

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550

THE WHITE HOUSE
WASHINGTON

PERSONAL AND CONFIDENTIAL

MEMORANDUM TO PHIL

FROM  MARSHA

DATE MARCH 4, 1994

SUBJECT MEETING FOLLOW-UP

Normally I would sanitize the enclosed report. However, I think you should see it unedited to get the impact of what we have been discussing. I'm excited that you are officially involved and will prepare an updated report for you by early next week. I have also asked the staff to arrange with Missy a time for you to view the prototype.

Thanks...



M 27470

TO: Marsha Scott
FROM: Laura Tayman
Erich Vaden
RE: Serious Concerns with Information Management Office

As we have worked on both the early supporters project and the development of the new database for the Clintons, grave concerns about the management and function of the Information Management office have developed.

Both projects were delayed and hampered by the ineffectiveness and the lack of cooperation of those who manage IM's Information Systems and Technology office (IST). For the last five months, we have been met with roadblock after roadblock on each project. We consider the office to be in chaos, with no vision, no leadership, and no energy.

We do not fault most of the career staff with IST. We have spent a great deal of time in their offices and sense low morale and much frustration because of poor management judgement from the top. Many are not lazy and incompetent, as a majority of WH staff believes, they have just not been introduced to the newest technologies in their ever changing industry nor to a positive customer service philosophy.

In this memo, we have provided specific details of what we consider to be the reasons for IST's failure to adequately support both White House offices and our specific projects. We believe that unless action is taken to rectify the situation, the White House will continue to suffer from lack of support and loyalty from one office that means a great deal to this President's success.

Lack of Loyalty to President Clinton and Staff

The two managers that we have serious concerns with in this office are Jim Macdonald (Director of IST) and Sheryl Hall (Manager of IST's Customer Support section).

In doing a little research on the backgrounds of both Jim and Sheryl, we have discovered that both were appointed by the Bush Administration.

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Jim Macdonald came to the White House from California, from the Mattell Toy Company, in 1990. We believe he was involved with Republican fundraising there and that is what brought him to the White House. His first position here was as the financial officer/facilities maintenance contact for Information Management Office. He replaced a Bush staffer that had ties to the Bush family. This was a position that "friends" received.

He was promoted during the reorganization of the office to Director of IST, overseeing and approving all Information Systems projects. It is important to note that he had no real background in any kind of computer technology before taking the position here.

Jim hired Sheryl Hall. She, too, has lived in California, though it is not clear whether they knew each other. She came from the Pentagon, where she was there for over 10 years. She was chosen to first manage the customer support "help desk" and, during the office reorganization, Jim promoted her to manager the entire customer support team. This office has been noted by everyone we have talked to as being absolutely unhelpful. You have your own experiences.

Both Jim and Sheryl have considered us the enemy from the start. They have enjoyed quite a bit of autonomy because the Republicans didn't put a lot of stock into that office. Therefore, they had established a small fiefdom that did not keep up with the times and was more interested in self-preservation than service.

IST management has been overwhelmed by the demands for new technology that this Administration has placed on it, and, therefore, incompetent at meeting those demands.

When we began the early supporters project, they realized that the support they were giving us was inadequate. Now with the database project and the demands it will require, (not to mention the retraining of staff and the cancellations of many of the systems they now support) they are realizing that things have to change, and they are not happy. They were outraged that we chose the best folks they had for our team. They continue to convey to their staffs through their actions that the new database is not a priority of theirs. Their loyalty is questionable to say the least.

Unresponsive Management

Though told that the new database project was a priority of the President's and First Lady's, IST management has withheld a great deal of attention and resources and has, in fact, greeted the project with hostility and lack of cooperation.

M 27472

-In December, Jim Macdonald was told in a DB meeting that the legacy systems of the participating offices would need to be replaced by the new system. However, IST staff was not told until mid-February to stop updating and revising those legacy programs. A complete waste of staff time occurred between those dates.

-In December, Marsha Scott requested that Mark Bartholomew of IST staff be immediately assigned full-time to work on the database project. She was told that would happen right away, but instead Mark Bartholomew was forced to take leave. Jim Macdonald would not approve carrying over the leave that Mark had gathered and told him he would lose it if he did not take it.

-In December, Jim Macdonald assigned IST staff member Karl Heissner to head the database effort. Karl was not told to give this priority and was not given adequate time to attend important meetings and work on a plan of action. Consequently, Mark Bartholomew took control of IST's role in the database development (though was made to take leave). Jim Macdonald to this day has not clarified those roles.

-Throughout the development of the database design and planning, Jim Macdonald has established a "not doing" approach to delaying the project. Contracts that would have a direct impact on the design and implementation of the new system have sat on his desk for weeks. Jerry Carlsen asked to meet with Jim and Gwen Weaver to discuss the future vision for the IST office and to plan for the technical demands of the new system. Seven meetings were scheduled and missed. This went on for a number of weeks.

Jerry could not proceed with any planning because he was given no authority to do so.

-The "team" approach has been emphasized to Jim by you numerous times, yet he continues to try and take control of the project in many ways. He requests to his staff that they not share relevant information about implementation of the system to the rest of the team. He has organized presentations of the system design without the team director's knowledge or approval. He does not adequately brief his superiors nor his other staff members (who will be affected by the new system) on the progress of the project.

-He refuses to answer calls, E-mail, pages, and memos from team members. It should also be noted that he purposely avoids meetings with team management (actually leaving the office when he sees them in the area). He attends no team meetings.

M 27473

-We are continually met with untruths from IST management. During the early supporters project, we were given at least 10 deadlines that were never met. Because of reservations about Sheryl Hall's abilities, we asked that she be out of the picture in December. That was not clear to her until January, though we are not convinced it is yet done. Mark was told not to go on a team interview without another IST team member, yet Jim told us that was never the case. Jim told us that Jerry Carlsen was in charge of the Windows roll-out for WH offices, though Jim is in charge of approving the plan of action.

Incompetence/Lack of Management Skills

In every interview that the database team has had with the offices participating in the project, staff members have lamented the ineffective and discourteous service of IST staff -- every office. What could make an information systems office in the White House so poor? Incompetent management.

This, of course, has been evident since day one. Most of the offices that are participating in the project don't have a system or have one they don't use because it isn't user-friendly or doesn't meet their needs.

It took us about one month to interview and work with staff members on designing a system that would meet their needs and requirements. Wouldn't it have been logical for IST to do the same -- assign their many staff members to work with all offices to deliver a useful automated tool? Why was it assumed that the technology of the past was good enough for the future? Why aren't their staff members continuously trained in the most advanced technology available so they can be helpful to their clients?

-Regarding the early supporters project, no plan of action was ever developed by the management team. No staff member assigned to the project ever spoke with us about what we were looking for. IST management never spelled it out for their staffs, and, come to find out, even disagreed amongst themselves about what to deliver to us.

-IST management doesn't know the strengths and weaknesses of their own staff. The early supporters project was assigned to a programmer that could not handle the job. Others who had those skills remained on other projects. A staff reorganization occurs regularly where staff members are reassigned duties, so that there can be no "expert" for one system that clients can turn to (which is particular frustrating to the customer).

M 27474

-Morale among IST staff is low. And no wonder with what they put up with: micromanagement of projects; no empowered team approaches; no decentralized budgets; switching offices every few weeks.

Resistance to/Inexperience with New Technologies

-There is definite resistance to or inexperience with new technology. No technologies have been deployed or contemplated that allow for evolution to more sophisticated systems. It's 11th hour crisis management.

-IST staff has very low morale. Many are wanting to get new training, recognizing they are falling behind the times and not supporting their clients. Management is not keeping up with (not even recognizing) those demands. Many are switched to projects they know nothing about. The recent RIF process let go all of the newer, talented folks and left us with older, less energetic staff.

Poor Service

-IST service to their customers is poor. The response time is slow and many times they convey a lack of commitment to the Administration and its staff. All participating WH offices are in agreement.

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MINORITY VIEWS OF HON. HENRY A. WAXMAN, HON. TOM LANTOS, HON. ROBERT E. WISE, JR., HON. MAJOR R. OWENS, HON. EDOLPHUS TOWNS, HON. PAUL E. KANJORSKI, HON. GARY A. CONDIT, HON. BERNARD SANDERS, HON. CAROLYN B. MALONEY, HON. ELEANOR HOLMES NORTON, HON. CHAKA FATTAH, HON. ELIJAH E. CUMMINGS, HON. DENNIS J. KUCINICH, HON. ROD R. BLAGOJEVICH, HON. DANNY K. DAVIS, HON. THOMAS H. ALLEN, AND HON. HAROLD E. FORD, JR.

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I. EXECUTIVE SUMMARY

The majority report accuses the President, the First Lady, senior White House staff, and Democratic National Committee [DNC] employees of theft of government property. These conclusions are extraordinary. Simply put, the record does not support an allegation of theft. It is not theft to remove duplicate addresses from the President's holiday card list so that recipients do not receive duplicate cards. It is not theft to answer an inquiry as to whether an individual has attended an event at the White House. Yet, at bottom, this is the type of evidence the majority cites as support for its conclusions.

There has not been any prosecution for "theft of government property" that even remotely resembles the conduct examined here—nor will there ever be. Violation of the "theft" statute occurs where an individual "embezzles, steals, purloins, or knowingly converts to his use or the use of another, or without authority sells, conveys or disposes of any record, voucher, money, or thing of value of the United States." As the Supreme Court has ruled, to be guilty of this crime a person must have a "criminal intent to steal."

No one "stole" the President's holiday card list. In both the Republican and Democratic administrations, the President's holiday cards are paid for by the President's political party, so as to avoid any appearance that taxpayer money is being used to pay for greetings to political supporters. In the case of the 1994 list, a conscientious DNC employee, Brooke Stroud, learned that the contractor that had been hired by the DNC to remove duplicate addresses from the President's holiday card list did not properly "de-dupe" the list. She therefore worked over a weekend with her parents and several volunteers to properly remove duplicate addresses from the list. This is not embezzling, stealing, or purloining the holiday card list. Ms. Stroud obtained the holiday card list for the purpose of insuring that the President did not send two cards to the same address—not for the purpose of stealing the list.

Similarly, there was no theft of the 1993 holiday card list. Apparently, the contractor charged with "de-duping" the 1993 holiday card list failed to remove the list from its computer. The computer was later moved—for unrelated reasons—to the 1996 Clinton/Gore campaign. There is no evidence that this list was used for campaign purposes. In fact, the Clinton-Gore campaign never even accessed this list. Not only was there no intent to steal, but it appears that the Clinton-Gore campaign was not even aware that it possessed the list.

The majority's assertion that it is theft to disclose attendance at White House events has even less of a foundation. When the White House Social Office was planning official events like a state dinner, the office had the responsibility of submitting a proposed guest list to the President and the First Lady. In order to assemble an appro-

private list, the Social Office asked various parties, including the DNC, for suggestions. This was exactly the same practice followed in prior administrations.

To avoid recommending individuals to the White House who had recently been to the White House, the DNC, on occasion, asked the White House Social Office whether certain individuals had attended an event at the White House recently. When White House employees answered these legitimate inquiries, they were not stealing government property. They were simply helping to insure that the President and the First Lady were presented with a better guest list.

A legitimate question is whether anyone improperly used government resources for political purposes. On this issue, however, the relevant witnesses testified that they had no reason to believe that the holiday card list or the attendance information—or any other information derived from the White House database—was ever used for campaign or political fundraising purposes. The Committee fully investigated every minuscule transfer of information from the White House to the DNC and did not establish that any of the information was used improperly.

It is tempting not to dignify the majority report's accusations regarding the President and First Lady with a response. Since the charge has been made, however, it is necessary to correct the record. The majority report's attempt to implicate the President and First Lady in the theft "scheme" is not, in any way, substantiated by the evidence. First, it is impossible to implicate the First Family in a crime that has not been committed. Further, the record indicates that the President and First Lady were only peripherally involved with the database. The staff involved in the database project could recall only a handful of conversations with the President and First Lady about the database—and those discussions were general in nature and raise no concerns.

The majority also unfairly claims that Cheryl Mills, Deputy White House Counsel, has committed perjury and obstruction because Ms. Mills and other White House counsel disagreed with Rep. McIntosh's conclusion about whether two documents were responsive to his document request. It is not a crime to reach a different conclusion than Rep. McIntosh.

Two years ago, Rep. McIntosh falsely accused SEC Chairman Arthur Levitt of flying first-class at taxpayer expense, leading a Wall Street Journal columnist to observe:

Rep. David M. McIntosh has been chasing SEC Chairman Arthur Levitt Jr. all over Planet Washington. He does so in pursuit of a "scandal" that, when we press our x-ray spectrometer up against it, seems to consist of the substance of interstellar space, which is to say, nothing.

Mr. Levitt is accused of flying first class and staying in nice hotels, and digging into his own pocket to pay for it.

It takes a special kind of ingenuity to find something to get outraged about here.¹

¹Holman W. Jenkins, Jr., *Business World: Fly First Class* (With the Other Criminals), Wall Street Journal (July 15, 1997) (attached as exhibit 1).

It also takes “special ingenuity” to discern a theft of government property in this case. It may be frustrating to spend over two years investigating an esoteric issue like the White House database and find nothing. However, this does not justify smearing the reputations of numerous public servants and others without factual or legal support, nor does it justify making ludicrous charges about the President and the First Lady.

II. FINDINGS

The White House Database (“WhoDB”) is a computerized Rolodex used to track contacts of citizens with the White House and to create a holiday card list. Well over two years ago, Rep. McIntosh, Chairman of the Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs began a sprawling investigation into the development and use of the WhoDB.² The Subcommittee, in conjunction with the Committee on Government Reform and Oversight, has deposed 34 witnesses exclusively on WhoDB issues,³ and obtained over 43,000 pages of documents. It spent a great deal of taxpayer money on this investigation. Yet neither the Subcommittee nor the Committee held a public hearing on merits of the investigation in the entire 105th Congress. What the evidence gathered by the Committee shows is summarized below.

A. THE DEVELOPMENT OF WHODB

The Clinton administration inherited a number of different computer systems that various offices within the White House had used to track contacts. The Clinton administration planned to update the computer systems by creating one White House database that a number of the offices could access for the most up-to-date contact information on individuals such as addresses and phone numbers.⁴ The idea for such a system apparently was not unique to the Clinton administration. A database contract proposed late in the Bush administration similarly described a system that would maintain a “list of names and addresses of individuals identified as important to the President.”⁵

The new database eventually became what is known as the White House database or the “WhoDB.” According to a survey by the Government Accounting Office, the White House estimated that the WhoDB contains approximately 200,000 names of individuals, as well as information such as the individuals’ addresses, organizational affiliations, and relationships with the First Family.⁶ The White House estimates that the total cost of development, oper-

²Letter from Subcommittee Chairman David M. McIntosh to Leon Panetta (June 27, 1996).

³The deposition of one additional witness focused on both WhoDB and other campaign finance related matters. See Deposition of Truman Arnold, House Committee on Government Reform and Oversight (July 18, 1997). All depositions referenced in this report, unless otherwise noted, were conducted by this Committee.

⁴Deposition of Laura Tayman, 29 (Mar. 20, 1998); Deposition of Marsha Scott, 26–27, 58–59 (Feb. 18, 1998); Deposition of Erich Vaden, 15–16 (Jan. 25, 1998); Deposition of Mark Bartholomew, 36–37 (Aug. 15, 1997).

⁵See *The Propriety of the Taxpayer-funded White House Database*, Hearing Before the Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs of the Committee on Government Reform and Oversight, 53 (Sept. 10, 1996).

⁶*Id.* at 97.

ations, and maintenance of the database from FY 1994 through August 1998 is \$785,467.⁷

Although early plans anticipated that WhoDB would be used by many offices within the White House, the two main users were the Social Office, which used it to create guest lists for events held at the White House, and the Correspondence Office, which used it to create a list of names and addresses of individuals who would receive holiday cards from the President.

After conducting a lengthy investigation into the development and use of the WhoDB, the Subcommittee has learned that those involved in developing the WhoDB regularly consulted White House counsel on database issues, including the limits on the receipt and use of information contained in the WhoDB.⁸ For example, Brian Bailey, who was an assistant to then-Deputy Chief of Staff Erskine Bowles, testified as follows:

Erskine, from day one, was insistent that . . . this is a short-term assignment and it just didn't make any sense to even think about doing anything illegal, immoral, or unethical. He used those three words all the time. And he said, if there is anything that you have one ounce of question about or even a shade of gray in, go talk to the White House Counsel, and if White House Counsel says no, then the answer is no.⁹

The advice from White House counsel to those who worked on the WhoDB distinguished between the transfer of data from outside sources into a White House database and the transfer of data from a White House database to outside sources. The counsel's office advised that the White House can receive data for a White House database from any source, including "private entities or individuals, non-profit organizations, political organizations, and other sources."¹⁰ For example, if the Clinton-Gore campaign had a computerized Rolodex of contacts who were important to the President, it would not be illegal to import this data into the WhoDB, just as it would not be illegal for a new government employee to bring the employee's personal Rolodex with him or her into government service.

The White House counsel took a dimmer view of transferring data from a White House database to outside sources. The counsel advised "data from the database system may be provided to a source outside the federal government only for authorized purposes."¹¹ All of the relevant witnesses testified that there was no

⁷This estimate was provided by the Office of White House Counsel in September 1998. The majority does not explain anywhere in its report how it reached the conclusion that the WhoDB cost \$1.7 million, and no witnesses deposed by the Committee confirmed that that number was accurate.

⁸See, e.g., Deposition of Erskine Bowles, 30, 107-08 (May 5, 1998); Deposition of Laura Tayman, 79-80 (Mar. 20, 1998); Deposition of Marsha Scott, 90-91 (Feb. 18, 1998); Deposition of Erich Vaden, 101-04 (Jan. 25, 1998); Deposition of Brian Bailey, 27-28 (Feb. 6, 1998).

⁹Deposition of Brian Bailey, 27 (Feb. 6, 1998).

¹⁰Memorandum from Cheryl Mills, Associate Counsel to the President, to Marsha Scott, Deputy Assistant to the President and Director of Correspondence and Presidential Messages (Jan. 17, 1994), White House Bates No. M24918-20. All documents produced by the White House for the WhoDB investigation are designated with the letter "M."

¹¹Memorandum from Cheryl Mills, Associate Counsel to the President, to Marsha Scott, Deputy Assistant to the President and Director of Correspondence and Presidential Messages (Jan. 17, 1994), M24918-20.

transfer of data from the WhoDB to databases outside the White House.¹²

In fact, according to testimony, the WhoDB system had a warning banner stating that data was for official use, and users had to acknowledge this before logging on.¹³ Not only were employees made aware of the legal limits on the WhoDB, witness after witness testified that they had no reason to believe that the legal advice from White House counsel was ever disregarded.¹⁴

B. EVENT PLANNING

The Social Office uses the WhoDB when planning official White House events and unofficial events held on the White House grounds. The Clinton administration's Social Office has helped plan thousands of events to which hundreds of thousands of guests were invited to the White House.¹⁵

1. Official events

According to deposition witnesses, official events include events such as state dinners, arrival ceremonies, and bill signings. Following the practices of previous administrations, for these events, the Social Office collects a list of recommended invitees from other offices within the White House and from relevant outside entities such as congressional offices, the DNC, and interested parties.¹⁶ These lists are compiled into one list which is reviewed by the President, the First Lady, or the White House Counsel's Office.¹⁷ The guest list is then input onto the WhoDB.¹⁸

The WhoDB list is apparently used to create a calligrapher's list of names and addresses for producing written invitations; a Presidential identifier list which lists the names and affiliations of the guests for the President; a security list which lists names, social security numbers, and birthdates which is sent to the WAVES computerized security system; a gate list used for check-in on the date of the event which contains the list of guests approved by security; and a final attendee list which the gate sends to the Usher's Office after the event.¹⁹

According to the testimony of relevant White House and DNC staff, the White House did not want the same people to be invited repeatedly to official White House events.²⁰ Therefore, before the

¹² *E.g.*, Deposition of Erich Vaden, 296 (Jan. 25, 1998); Deposition of Marsha Scott, 133 (Feb. 18, 1998); Deposition of Mark Bartholomew, 88–89 (Aug. 15, 1997); Deposition of Al Hurst, 112 (Mar. 13, 1998).

¹³ Deposition of Erich Vaden, 115–16 (Jan. 25, 1998).

¹⁴ See, e.g., Deposition of Erskine Bowles, 107–08 (May 5, 1998); Deposition of Laura Tayman, 142 (Mar. 20, 1998); Deposition of Harold Ickes, 132–33 (Mar. 12, 1998); Deposition of Judith Ann Stock, 162 (Feb. 20, 1998); Deposition of Marsha Scott, 134 (Feb. 19, 1998); Deposition of Donald Dunn, 151 (Jan. 27, 1998); Deposition of Erich Vaden, 296 (Jan. 25, 1998).

¹⁵ See Deposition of Judith Ann Stock, 54–57 (Feb. 20, 1998) (testifying that the Social Office held about 2,000 events in 4 years, entertaining about half a million people in 4½ years).

¹⁶ Deposition of Judith Ann Stock, 32–37 (Feb. 20, 1998) (“again, what we’re going on is a precedent of me sitting down with previous social secretaries and asking them how they did that and how they went about building lists”).

¹⁷ Deposition of Judith Ann Stock, 68, 76 (Feb. 20, 1998).

¹⁸ Deposition of Kimberly Widdess, 26–28 (Feb. 24, 1998).

¹⁹ Deposition of Judith Ann Stock, 90–95 (Feb. 20, 1998); Deposition of Kimberly Widdess, 129 (Feb. 24, 1998).

²⁰ Deposition of Judith Ann Stock, 98 (Feb. 20, 1998) (“Of course. We don’t want duplicate invitations”); Deposition of Donald Dunn, 152 (Jan. 27, 1998); Deposition of Richard Sullivan, 59 (Oct. 22, 1997); Deposition of Jacob Aryeh Swiller, 182–83 (Jan. 6, 1998); Deposition of Karen

DNC recommended potential invitees, DNC staff would sometimes call the White House and ask whether a particular individual had been to a past White House event.²¹ These calls generally involved a request about the attendance of one or two individuals.²² The White House sometimes did not respond to these requests and sometimes did—at times consulting WhoDB.²³

As a general rule, after guest recommendations were submitted to the Social Office by outside entities, the Social Office did not inform them whether their suggested invitees had been invited. However, on a few occasions, this information was verbally provided—sometimes to the DNC.²⁴ In addition, for about a month (five to six events), the Social Office provided written lists of invitees to the offices and outside entities that had made recommendations.²⁵ However, this process was dropped as too cumbersome.²⁶ The Social Secretary assumed the entity wanted this information in order to set up appointments while the invitee was in town.²⁷

2. Events sponsored by outside entities

As with prior administrations, outside entities sponsored events at the White House, meaning that these entities reimbursed costs of events held on White House grounds. In the Clinton administration, entities sponsoring such events have included the Kennedy Center, the Ford's Theater, and the International Olympics Committee, among others. The DNC has also sponsored events at the White House.²⁸

During the Reagan and Bush administrations, political entities also held events at the White House.²⁹ Former Clinton administra-

Hancox, 60 (Dec. 18, 1997) (stating that the “genesis” of such calls was that the White House Social Secretary was concerned that DNC staff was submitting names of people who had been invited a lot to the White House).

²¹ Deposition of Richard Sullivan, 33 (Oct. 22, 1997); Deposition of Jacob Aryeh Swiller, 105–06 (Jan. 6, 1998).

²² *E.g.*, Deposition of Jacob Aryeh Swiller, 105–06 (Jan. 6, 1998); Deposition of Richard Sullivan, 72–73 (Oct. 22, 1997).

²³ *E.g.*, Deposition of Jacob Aryeh Swiller, 70, 80–81, 86 (Jan. 6, 1998) (testifying that “often” DNC requests to the White House for information about upcoming events “were not responded to,” and that DNC requests to the White House for event attendance lists were “often” denied); Letter from Charles Ruff, Counsel to the President, to Subcommittee Chairman McIntosh (Feb. 28, 1997).

²⁴ Deposition of Judith Ann Stock, 54–64, 97–99, (Feb. 20, 1998) (“we didn’t have time, energy, or the inclination to give that information . . . That is not the business I was in . . . I did not provide the information . . . The rule was not of not giving out the list . . . I don’t know if [Social Office Staff] ever provided it”); Deposition of Kimberly Widdess, 76–77 (Feb. 24, 1998) (noting that the Social Office received requests from entities such as the Ford Theater and the Kennedy Center for information about who had accepted or regretted invitations, and that the Social Office treated such requests “the same way we treated the [DNC] requests”); Deposition of Jacob Aryeh Swiller, 70 (Jan. 6, 1998); Deposition of Richard Sullivan, 86–88 (Oct. 22, 1997) (Mr. Sullivan remembers other DNC employees making this type of call on 4–6 occasions); Deposition of Donald Dunn, 107–109 (Jan. 27, 1998) (Mr. Dunn testified that on some occasions he provided information to the DNC regarding the status of persons invited to an upcoming event. He did not specify whether this information concerned official or unofficial White House events).

²⁵ According to testimony, such lists were created and printed off of a Wordperfect system—not off of WhoDB. Deposition of Kim Widdess, 27–28, 108 (Feb. 24, 1998).

²⁶ Deposition of Judith Ann Stock, 54–64 and 143 (Feb. 20, 1998); Deposition of Brooke Stroud, 87 (Nov. 4, 1997) (noting that she saw such lists “once in a blue moon . . . rarely”).

²⁷ Deposition of Judith Ann Stock, 57–62 (Feb. 20, 1998).

²⁸ House Committee on Appropriations, *Hearings on Treasury, Postal Service, and General Government Appropriations for Fiscal Year 1998*, Part 3, 113–142.

²⁹ For example, Republican donor program events at the White House during the Bush administration include: Oct. 17, 1991, Team 100 dinner hosted by President Bush; Feb. 20, 1992, National Republican Senatorial Committee Trust reception, hosted by President Bush; Mar. 9, 1992, National Republican Senatorial Committee [NRSC] and National Republican Congressional Committee [NRCC] fundraising planning event in which President Bush met with members of the NRSC and NRCC to discuss the President’s Dinner, a joint fundraising event; Apr.

tion Social Secretary Judith Ann Stock testified that “[i]t’s the same as if there were a Republican President, the RNC also would pay for an event that might be sponsored in the White House with the Eagles. That’s what we based our judgment on. And that was something that was well defined and well understood . . . by previous administrations as well as this administration.”³⁰

As in prior administrations, invitation lists for White House events sponsored by outside entities generally were kept in White House databases, and the invitations were sent from the White House.³¹ The guest lists were vetted with the counsel’s office to ensure the potential invitees were “appropriate to be admitted to the White House.”³² The lists were then put into a database—like the WhoDB—to create a list for the calligraphers’ office, which sent out the invitations. The Office of the Social Secretary would receive invitation responses and ask for the social security numbers and birthdates of guests. According to the Social Secretary, that system had been “in place since they’ve been using the Secret Service to admit people through the White House.”³³ Thus, as in previous administrations, the Clinton administration used White House resources and staff to input information from outside organizations like the DNC into White House databases and to process RSVPs and guest admission for events sponsored by outside entities.

The White House Social Secretary testified that the Chief Usher of the White House was responsible for reimbursement for the time and resources of the persons involved in the invitation process. She stated that the Chief Usher’s system regarding what was reimbursed was “again based on what the Bushes had used.”³⁴

The record indicates that, on a few occasions, the Clinton White House provided status reports to the sponsoring entity regarding

8, 1992, Eagles reception hosted by President and Mrs. Bush; Apr. 9, 1992, Eagles reception hosted by President and Mrs. Bush; May 14, 1992, NRCC President’s Forum and House Council briefing and reception involving meeting with President Bush; Jan. 6, 1993, Presidential Trust and Eagles reception hosted by President and Mrs. Bush; Jan. 7, 1993, Presidential Trust and Eagles reception hosted by President and Mrs. Bush; Jan. 12, 1993, Team 100 dinner hosted by President Bush. Republican donor program events at the White House during the Reagan administration include: July 9, 1981, two Eagles receptions hosted by President Reagan; Sept. 22, 1981, Eagles reception hosted by President Reagan; Apr. 16, 1982, Eagles reception hosted by President Reagan; June 21, 1982, Senatorial Trust reception hosted by President Reagan; Sept. 13, 1983, Eagles reception hosted by President Reagan; Nov. 22, 1983, Senatorial Trust reception hosted by President Reagan; May 10, 1984, reception for the President’s Dinner Committee hosted by President Reagan; August 29, 1984, reception for GOP Re-elect Committee hosted by President Reagan; Apr. 2, 1985, Presidential Trust reception hosted by President Reagan; Apr. 22, 1985, reception for the Republican Congressional Leadership Council; Sept. 12, 1985, Eagles reception; Dec. 9, 1986, Eagles meeting attended by President Reagan; Dec. 16, 1986, reception for House-Senate dinner fundraisers hosted by President Reagan; Apr. 29, 1987, President’s Dinner reception hosted by President Reagan; May 28, 1987, meeting hosted by President Reagan with GOPAC, a political action committee founded by Congressman Newt Gingrich; Sept. 15, 1987, NRCC meeting with President Reagan; Sept. 30, 1987, Eagles meeting with President Reagan; Apr. 14, 1988, President’s dinner state chairmen meeting with President Reagan; May 11, 1988, President’s dinner donors meeting with President Reagan; June 30, 1988, Republican Congressional Leadership Council reception hosted by President Reagan; July 26, 1988, NRSC meeting with President Reagan; July 29, 1988 Presidential Trust meeting with President Reagan. See Minority Report, Senate Committee on Governmental Affairs, *Investigation of Illegal or Improper Activities in Connection with 1996 Federal Election Campaigns*, S. Rept. No. 167, 105th Cong., 2d sess., v. 5., pp. 8053–55, appendix to Chapter 28 (Mar. 10, 1998) (hereafter “Senate Minority Report”).

³⁰ Deposition of Judith Ann Stock, 21 (Feb. 20, 1998).

³¹ Deposition of Judith Ann Stock, 27–29 (Feb. 20, 1998).

³² Deposition of Judith Ann Stock, 27 (Feb. 20, 1998).

³³ Deposition of Judith Ann Stock, 28 (Feb. 20, 1998).

³⁴ Deposition of Judith Ann Stock, 29 (Feb. 20, 1998).

who had RSVPed.³⁵ The White House Social Secretary suggested that the purpose of providing such information was to help the sponsor determine whether it needed to follow-up on inviting people to the event.³⁶ Because guests generally RSVP directly to the White House, the entity would have no other way of obtaining up-to-date RSVP information. The White House provided such information to sponsoring entities such as the Library of Congress, the DNC, and others.³⁷ The record also indicates that the DNC received from the White House a few attendance lists regarding past DNC-sponsored events at the White House.³⁸ Mr. Swiller of the DNC testified that “sporadically, every couple of months” the DNC would receive such lists.³⁹

C. THE HOLIDAY CARD PROJECT

Since 1995, the WhoDB was also used to create a list of names and addresses for individuals designated to receive a holiday card from the President. The Clinton administration followed the holiday card procedure established by previous administrations.⁴⁰ A number of entities—including the White House, the DNC, the campaign, and others connected with the President—created lists of card recipients. The DNC paid outside contractors to merge the lists and to produce and mail the cards.⁴¹ As was the practice in prior administrations, the President’s political party (in this case, the DNC) paid for the costs of producing and mailing the cards to avoid any appearance that federal funds were being used to send greetings to the President’s supporters.

The record indicates that the holiday card lists that were on the WhoDB were not provided by the White House to any outside entity other than the contractors who were hired to merge and purge the lists and print the cards. No relevant witnesses had reason to believe the lists were used for campaign fundraising or any inappropriate purposes.⁴²

However, in 1994, before the WhoDB was used for the holiday card project, the contractor charged with merging the various lists provided a copy of a holiday card list to the DNC. The White House informed the Subcommittee of this fact even though the Subcommittee had not requested this pre-WhoDB information.⁴³ Although relevant witnesses were questioned for numerous hours on the 1994 holiday card project, the record does not indicate that the 1994 holiday card list was used for any purpose other than the holiday card project.⁴⁴

³⁵ *E.g.*, Deposition of Judith Ann Stock, 87 (Feb. 20, 1998).

³⁶ Deposition of Judith Ann Stock, 87 (Feb. 20, 1998).

³⁷ See Deposition of Kimberly Widdess, 76–77 (Feb. 24, 1998); Deposition of Judith Ann Stock, 30–31 (Feb. 20, 1998).

³⁸ *E.g.*, List for “Reception (DNC Trustees),” with cover fax sheet dated Apr. 4, 1994, DNC B No. 3058341.

³⁹ Deposition of Jacob Aryeh Swiller, 18–20 (Jan. 6, 1998).

⁴⁰ Deposition of Alice Pushkar, 158 (Jan. 13, 1998).

⁴¹ Deposition of Alice Pushkar, 158 (Jan. 13, 1998); Deposition of Jodie Torkelson, 99 (Sept. 9, 1997).

⁴² Deposition of Brooke Stroud, 90–92 (Nov. 18, 1997); Deposition of Alice Pushkar, 157 (Jan. 13, 1998).

⁴³ Letter from the Executive Office of the President to Subcommittee Chairman McIntosh (Feb. 28, 1997).

⁴⁴ See, *e.g.* Deposition of Brooke Stroud, 92 (Nov. 18, 1997); Deposition of Al Hurst, 110–11 (Mar. 13, 1998).

Apparently, the DNC and White House employees responsible for the 1994 holiday card project were not satisfied with the work done by the contractor who merged the lists. Therefore, the DNC employee charged with the project, Brooke Stroud, along with her parents, spent a holiday weekend at the DNC with volunteers (apparently women who had volunteered to help with the holiday card project in previous administrations) removing duplicate names and addresses from a holiday card list.⁴⁵

During this process, only two DNC employees had access to this list, Ms. Stroud and computer specialist Al Hurst. Both testified that they had no reason to believe the information was used for campaign fundraising or any campaign purpose.⁴⁶ They only used the information for the holiday card project.⁴⁷

It also appears that the contractor responsible for “de-duping” the 1993 holiday card list failed to remove the list from its computer when the project was completed. The list ended up in the hands of the 1996 Clinton-Gore campaign by accident when the contractor moved its computer to the Clinton-Gore campaign in October 1995 so the campaign could access a different database on that computer (PeopleBase). Again there is no evidence that the list was used for campaign fundraising or any unofficial purpose.⁴⁸ To the contrary, the date-tag on the computerized file containing the holiday card list indicates that the file was not accessed after the computer was moved to the campaign.⁴⁹ Apparently, the campaign was not even aware of the existence of this file.

D. THE INVOLVEMENT OF THE PRESIDENT AND FIRST LADY

The Committee thoroughly investigated the extent to which both the President and First Lady were involved in the WhoDB project. The record indicates that the President and First Lady were interested in and aware of the database, but had little involvement in its development or use. Several individuals who have regular contact with the President and First Lady testified about this matter.

Marsha Scott, then Director of Correspondence at the White House, who led the WhoDB project, testified that she felt confident that “at some point I probably said [to the President], ‘I am working on something to get a social system up.’” She had no memory, however, of specific discussions with the President about the data-

⁴⁵ Deposition of Brooke Stroud, 164–175 (Nov. 4, 1997). It also should be noted that the list that was de-duped at the DNC may not have included information that came from the White House. Although Brooke Stroud believed it did include White House information, documents relating to the de-duplicating project show that it may have been limited to a “merge and purge” of information provided by the DNC and the PeopleBase. Ms. Stroud explained, “The way I remember it is different than the way it is being described here (in the documents), but that doesn’t mean that my memory is the one to go with.” Deposition of Brooke Stroud, 97, 103 (Nov. 18, 1997). Furthermore, James Dorskind, a White House employee who worked on the 1994 holiday card, testified that he believed that de-duplication did not include White House information. Deposition of James Dorskind, 90–91 (Oct. 3, 1997) (“there were volunteers who assisted in 1994 in de-duping the PeopleBase list, as I recall it, or the DNC, whatever it was that was going in for the purpose of the holiday card project”).

⁴⁶ Deposition of Brooke Stroud, 92 (Nov. 18, 1997); Deposition of Al Hurst, 110–11 (Mar. 13, 1998).

⁴⁷ Deposition of Al Hurst, 111–12 (Mar. 13, 1998); Deposition of Brooke Stroud, 91–94 (Nov. 18, 1998).

⁴⁸ Affidavit of Carl Mecum (Sept. 4, 1998).

⁴⁹ Id.

base. She further testified that she did not believe that she ever made a progress report to him on the project.⁵⁰

Erskine Bowles, then-Deputy Chief of Staff to the President, testified that he spoke with the President about the database “maybe twice.”⁵¹ Harold Ickes, also then-Deputy Chief of Staff to the President, testified that he believes he had “one or two conversations” with the President about the database, but that “it was not something that he was particularly focused on.” Mr. Ickes noted that the President’s concern was that “people be remembered.”⁵²

Furthermore, the record indicates that the President was not involved in discussions with White House staff regarding outside databases. Ms. Scott testified that she does not believe she ever spoke with the President about outside databases.⁵³ Mr. Ickes testified that he did not ever have an understanding that the President wanted the White House and DNC databases integrated or compatible.⁵⁴

Evidence indicates that the First Lady wanted a database of White House contacts, but that her involvement with the details of the WhoDB project was peripheral. Ms. Scott testified that she only recalled one conversation with the First Lady.⁵⁵ This discussion occurred early on in the development of the WhoDB. She discussed that conversation as follows:

What I remember of my discussions with her was that she hoped I would make this a high priority and she wanted this to get done. I mean, we were in a technological wasteland in the White House and it was very, very time consuming for all of us, and particularly for the offices that she controlled, which was the Social Office, to get their work done. And she wanted, before we got into another round of big functions and holiday lists, she very strongly and I would even say even desperately wanted us to have something set up so it would be a lot easier on all the staffs as we got into this.⁵⁶

Mr. Ickes testified that he did not recall any conversations with the First Lady about the WhoDB.⁵⁷

III. RESPONSE TO MAJORITY ALLEGATIONS

The majority report makes six major allegations regarding the WhoDB investigation: (1) the holiday card list was stolen, (2) event attendance information was stolen, (3) government resources and personnel were stolen, (4) an infrastructure at the White House was dedicated to supporting the Democratic National Committee, (5) the President and the First Lady were involved in the unlawful conversion of government property to the use of the DNC and the Clinton/Gore campaign, and (6) White House counsel, Cheryl Mills, committed perjury and obstructed the investigation. These allega-

⁵⁰ Deposition of Marsha Scott, 14–25 (Apr. 28, 1998).

⁵¹ Deposition of Erskine Bowles, 18 (May 5, 1998).

⁵² Deposition of Harold Ickes, 22–28 (Mar. 12, 1998).

⁵³ Deposition of Marsha Scott, 22 (Apr. 28, 1998).

⁵⁴ Deposition of Harold Ickes, 63–64 (Mar. 12, 1998).

⁵⁵ Deposition of Marsha Scott, 17 (Apr. 28, 1998).

⁵⁶ Deposition of Marsha Scott, 116 (Feb. 18, 1998).

⁵⁷ Deposition of Harold Ickes, 26–29 (Mar. 12, 1998).

tions, however, are not substantiated by the Committee record. To the contrary, the majority's allegations conflict with the overwhelming weight of the testimony and evidence gathered by the Committee.

Regrettably, despite the extensive resources devoted to investigating the WhoDB and the serious nature of the charges being made by the majority, the majority did not schedule a single day of hearings on the merits of the WhoDB investigation in the 105th Congress.⁵⁸ As Rep. Waxman stated:

Mr. McIntosh didn't hold a single hearing on this investigation in the last two years, despite the fact that he summoned 34 witnesses to depositions and demanded 43,000 documents. . . . [T]hat means the entire investigation has been conducted in secret. The media and the public have had no opportunity to observe Representative McIntosh's methods or evaluate the credibility of his suspicions. In short, the public has had no chance to see if the investigation of the alleged Christmas card list caper was legitimate oversight or political witch hunt, or just foolishness.⁵⁹

A. THE ALLEGED "THEFT" OF THE HOLIDAY CARD LIST

The majority report claims that "[t]he knowing delivery of [the] holiday card lists to others outside of the government . . . constitute[s] the theft of government property under 18 U.S.C. § 641."⁶⁰ The record simply does not support this accusation.

The theft statute provides:

Whoever embezzles, steals, purloins, or knowingly converts to his use or the use of another, or without authority sells, conveys, or disposes of any record, voucher, money, or thing of value of the United States or any department or agency thereof; or whoever receives, conceals, or retains the same with intent to convert it to his use or gain, knowing it to have been embezzled, stolen, purloined or converted—shall be fined . . . or imprisoned not more than ten years, or both.⁶¹

The majority claims that "[t]he mere possession of the list by the DNC is evidence of a theft of the property," but this is not true. As the Supreme Court has held in *Morissette v. United States*,⁶² an individual does not commit theft under this statute unless there is

⁵⁸ In the 104th Congress, there was one hearing on the WhoDB. *The Propriety of the Taxpayer-funded White House Database*, Hearing Before the Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs of the Committee on Government Reform and Oversight (Sept. 10, 1996). In the 105th Congress, the Committee addressed questions relating to document production, including the production of WhoDB material in a hearing, but never held a hearing on the merits of the investigation. *White House Compliance with Committee Subpoenas*, Hearing Before the Committee on Government Reform and Oversight (Nov. 6 and 7, 1997).

⁵⁹ Business Meeting on Committee Report, Report on Investigation of the White House Database, and Release of Documents, House Committee on Government Reform and Oversight (Oct. 9, 1998).

⁶⁰ Majority report, *Investigation of the Conversion of the 1.7 Million Centralized White House Computer System, Known as the White House Database, and Related Matters*, House Committee on Government Reform and Oversight (Oct. 9, 1998) (hereafter, the "Majority Report").

⁶¹ 18 U.S.C. 641.

⁶² 342 U.S. 246 (1952).

“criminal intent to steal or knowingly convert, that is, wrongfully to deprive another of possession of property.”⁶³

This crucial element of intent does not exist in the case of the alleged theft of the 1994 holiday card list. Ms. Stroud, the DNC employee who obtained the list, did not obtain the list from the contractor with an intent to deprive the White House of property that belongs to the White House. Instead, she obtained the list for an entirely legitimate reason: to remove duplicate addresses. This is not a crime. In fact, it is commendable.⁶⁴

The same fundamental flaw—lack of criminal intent—invalidates the majority’s assertion that a theft of property occurred in connection with the 1993 holiday card list. This holiday card list ended up at the 1996 Clinton-Gore campaign by accident. It is not theft to unknowingly accept a used computer that happens to have White House data stored in its hard drive.

In addition, the record indicates that neither of the holiday card lists were used for any purpose other than sending out holiday cards.⁶⁵ In fact, the 1996 Clinton-Gore campaign apparently did not even know that it had received the 1993 holiday card list and never accessed the list. Thus, there is no support for another element of the “theft” statute—conversion of the property for his use or the use of another.

B. THE ALLEGED “THEFT” CONCERNING EVENT ATTENDANCE INFORMATION

The majority report also alleges that the White House and DNC committed “theft” by executing a “scheme” involving the use of WhoDB to help the DNC and the Clinton/Gore campaign. According to the majority, this plan purportedly was approved at a March 1995 meeting between then-DNC finance chair Truman Arnold, then-White House Social Secretary Ann Stock, and then-Deputy Chief of Staff Erskine Bowles. The majority claims that “theft” occurred because the White House responded to DNC inquiries about whether individuals had attended past White House events, and the DNC used that information in fundraising efforts.

These allegations are not substantiated by the evidence. The evidence shows that the White House employees who provided event attendance information to the DNC did not commit a “theft” of government property. To the contrary, they had a legitimate reason for responding to the DNC requests. The White House did not want to invite the same people repeatedly to White House events. Providing information on recent event attendance to entities like the DNC that were asked to submit recommendations for potential guests helped the White House build better guest lists. The DNC, too, sought information for legitimate purposes: making sure they pro-

⁶³ 342 U.S. 246, 276.

⁶⁴ The majority report mentions other versions of the 1994 list that may have been sent to the DNC. Deposition testimony indicates that these versions, as well, stayed in the possession of two employees—Brooke Stroud and a computer operator—until they were provided to DNC counsel in response to requests made pursuant to this investigation. Further, these lists were protected from disclosure to other employees and were only used for the purpose of sending out the holiday cards. Deposition of Brooke Stroud, 173–74 (Nov. 4, 1997); Deposition of Brooke Stroud, 32–33, 45–46, 92–95 (Nov. 18, 1997); Deposition of Al Hurst, 30–54, 66–91, 110–11 (Mar. 13, 1998).

⁶⁵ Deposition of Brooke Stroud, 92 (Nov. 18, 1997); Deposition of Al Hurst, 110–111 (Mar. 13, 1998); Affidavit of Carl Mecum (Sept. 4, 1998).

vided appropriate guest suggestions for White House events. Nothing in these actions reflects any sort of intent to wrongfully deprive the government of property.

Further, it is difficult to see how the mundane information involving White House event attendance can even be “stolen.” Everyone who attends an event at the White House has this information, as they obviously can see who is there. In addition, the White House regularly publishes who attends state dinners in the newspaper.

Other evidence also fundamentally contradicts the majority’s claims. Relevant DNC witnesses testified that they did not use event attendance information from the White House for fundraising purposes. Richard Sullivan, former finance director of the DNC, testified as follows:

Q: Now, to your knowledge, was anyone who had been invited or who had attended official events—that’s still what we are talking about here—thereafter contacted by anyone at the DNC to make a contribution and reminded of their having been invited or attended an event?

A: Not to my knowledge.

Q: You never contacted anybody who had been invited or attended an event, asked for a contribution and reminded them of their having been invited or having attended?

A: No.

Q: Okay. . . . Did anyone at DNC ever contact a potential contributor and ask for a contribution and remind that contributor that a member of their family or a business associate had attended or been invited to such an event, to a White House event, to your knowledge?

A: No, not to my knowledge.⁶⁶

Ari Swiller, former head of the DNC trustee program, provided similar testimony:

Q: Do you have any reason to believe anyone at the DNC used this information that you received relating to attendance to White House events to determine whether or not to solicit a contribution from the invitee? For instance, would you solicit contributions from confirmed invitees and attendees and hold off soliciting from recommended invitees who had not been accepted by the White House?

A: No.⁶⁷

This testimony is inconsistent with the majority’s claim that information was “converted” for the benefit of the DNC. Further, DNC staff requests to the White House were often ignored, and

⁶⁶Deposition of Richard Sullivan, 89–90 (Oct. 22, 1997). Later in his testimony, Mr. Sullivan testified that he had made a few fund-raising calls using names he saw on a list of attendees at a 1993–1994 White House CEO luncheon. The list Mr. Sullivan used, however, was created before the WhoDB was operational. Moreover, the record before the Committee does not establish that the list even came from the White House. Deposition of Richard Sullivan, 21, 40–49 (Mar. 5, 1998).

⁶⁷Deposition of Jacob Aryeh Swiller, 183 (Jan. 6, 1998). Mr. Swiller also testified that he had no reason to believe that WhoDB was used for political fundraising or campaign purposes. *Id.* at 182. See also Deposition of Brook Stroud, 90–91 (Nov. 18, 1998) (testifying that she did not use final attendance lists regarding White House events to determine whether or not the DNC should solicit a contribution from anyone on such lists, and that she never used these lists for campaign fundraising purposes).

DNC staff testified that the DNC was not able to obtain information from the White House more readily following Mr. Arnold's March 1995 visit at the White House.⁶⁸

C. THE ALLEGED "CONVERSION" OF GOVERNMENT PERSONNEL AND RESOURCES

The majority also alleges that the White House violated the "theft" statute by converting "government personnel and resources" to directly benefit outside political campaigns.⁶⁹ The main basis for the majority's assertion is a June 28, 1994, memo by Marsha Scott, who was leading the development of WhoDB at the time the memo was written.⁷⁰ The majority's claim, however, ignores relevant testimony by the author of the document and others that directly contradicts the majority's conclusion.

The June 28, 1994, memo by Ms. Scott discusses four different databases, including the White House database.⁷¹ In the memo, Ms. Scott states that her "team" and she are "engaged in conversations with the DNC about the new systems they are proposing," and suggests, "let my team work with the DNC to help them design a system that will meet our needs and technical specifications."⁷² Ms. Scott in her deposition testimony explained that she and the WhoDB team were working with the DNC to ensure that the WhoDB would be able to receive information from the DNC.⁷³

As the White House Counsel's Office had advised,⁷⁴ these efforts were not illegal. Like many individuals in many other types of jobs, the President is entitled to build a Rolodex of individuals who he knows and with whom he is interested in maintaining contact. The DNC database had extensive information about individuals who the President knew. It was therefore a logical source of data for populating the electronic White House Rolodex.

Consistent with Ms. Scott's testimony, individuals who worked with her on WhoDB testified that they recalled talking with the DNC to discuss making sure the White House could receive data from the DNC.⁷⁵ Nowhere in the voluminous deposition record is there evidence that any individuals on the WhoDB team—or any White House employee—did, in fact, work on developing outside databases. In fact, when Ms. Scott's former assistant, Erich Vaden, was asked whether anyone worked with the DNC to design a system, he testified, "I know she [Ms. Scott] would have liked that, but it never happened."⁷⁶

The only use of government resources for unofficial purposes that this investigation demonstrated regarding the June 28, 1994, memo was that the memo itself arguably should not have been printed on government paper because, in addition to discussing

⁶⁸ Deposition of Jacob Aryeh Swiller, 70, 80–81, 86–87 (Jan. 6, 1998).

⁶⁹ Majority Report.

⁷⁰ Memo from Marsha Scott to Harold Ickes and Bruce Lindsey, cc'd to the First Lady (June 28, 1994), M32438.

⁷¹ Deposition of Marsha Scott, 89–101 (Feb. 19, 1998).

⁷² Memo from Marsha Scott to Harold Ickes and Bruce Lindsey, cc'd to the First Lady (June 28, 1994), M32438.

⁷³ Deposition of Marsha Scott, 94–95 (Feb. 19, 1998).

⁷⁴ See, e.g., Memorandum from Cheryl Mills, Associate Counsel to the President, to Marsha Scott, Deputy Assistant to the President (Jan. 17, 1994), M24918–20.

⁷⁵ Deposition of Mark Bartholomew, 50–51 (Aug. 15, 1997), 47–48 (Sept. 16, 1997); Deposition of Erich Vaden, 166–67 (Jan. 25, 1998).

⁷⁶ Deposition of Erich Vaden, 263 (Jan. 25, 1998).

WhoDB, it also discussed outside political databases. Under the Hatch Act, it is not illegal for certain employees of the Executive Office of the President to engage in political activity, but the costs associated with that activity cannot be paid by the government.⁷⁷ Thus, it is arguable that a memo discussing outside political databases should not be written on official stationary.

The majority asserts that the use of government paper for the memo is “similar” to the conduct prosecuted in *United States v. Collins*.⁷⁸ The conduct in *Collins*, however, involved a government employee with an apparent partiality to ballroom dancing who made approximately 76,500 copies of ballroom dancing newsletters and calendars on a government copier, on government paper, for his personal use.⁷⁹ It is irresponsible—and just plain silly—to compare that conduct to using two sheets of government paper for a memo discussing ideas on both government and nongovernment databases.

D. THE ALLEGATION OF A WHITE HOUSE “INFRASTRUCTURE” TO SUPPORT DNC

The majority report asserts that the investigation “exposed” a White House “infrastructure” that processed invitations for DNC events at the White House.⁸⁰ The majority fails to mention that the White House Social Office has processed invitations the same way for all outside entities holding an event at the White House, including the Kennedy Center and the Library of Congress. The majority also fails to mention that the system followed in the Clinton White House was based on the precedent set by past Republican administrations.⁸¹ The exclusion of this relevant evidence underscores that this investigation appears to be designed to generate allegations about the Clinton Administration, rather than seriously examine the way White House resources are used.

E. THE ALLEGATIONS REGARDING THE PRESIDENT AND FIRST LADY

The majority claims that the President and the First Lady were “involved in the unlawful conversion of government property to the use of the DNC and the Clinton/Gore campaign.”⁸² The record, however, does not even remotely support the majority’s claim.

First, as discussed above, the conduct at issue in the WhoDB investigation did not violate the “theft” statute. It is impossible to implicate the President and First Lady when a crime did not occur.

Second, as discussed above, the deposition testimony from the relevant witnesses indicates that the President and First Lady were interested in and aware of the database, but were not involved with the details of its planning and use.

The majority cites nine documents to argue that the President and First Lady conspired to steal government property. In this discussion, however, the majority mischaracterizes most of the documents, fails to include any of the substantial exculpatory evidence

⁷⁷ 5 U.S.C. 7234(b)(1).

⁷⁸ 53 F.3d 1416 (D.C. Cir. 1995); Majority Report.

⁷⁹ *Collins*, 53 United States F.3d at 1418.

⁸⁰ Majority Report.

⁸¹ See discussion above in Part II.B.

⁸² Majority Report.

that the Committee uncovered when questioning witnesses about these very documents, and makes enormous leaps of logic. Despite the majority's elaborate efforts to demonstrate a link between a scheme to illegally use the WhoDB and the First Family, the record simply does not support the majority's allegations.

The following are a few examples of how the majority ignores exculpatory evidence, mischaracterizes documents, and makes arguments that strain credulity in order to tie the First Family to an alleged "scheme":

- *Brian Bailey Notes*.⁸³ As its strongest evidence, the majority cites to the handwritten notes of Brian Bailey, former aide to Mr. Bowles, which state that "Harold [Ickes] and Deborah DeLee want to make sure WhoDB is integrated w/DNC database—so we can share—evidently, POTUS [the President] wants this to." Although the majority asserts that these notes indicate that the President wanted to transfer data from the WhoDB to the DNC, these notes do not support the majority's assertion. On their face, the notes do not make clear whether the reference to "sharing" information concerned White House receipt of information from the DNC (which is appropriate) or DNC receipt of White House database information (which might not be appropriate). Moreover, the testimony of all the relevant witnesses conflicts with the majority's assertion. These witnesses uniformly testified that they had a clear understanding that it was inappropriate for the White House to share data from its databases, and had no reason to believe that the White House ever transferred information from WhoDB to an outside database.⁸⁴ In fact, none of the 35 witnesses that testified in the WhoDB investigation said that they believed that WhoDB was inappropriately linked with a DNC or other outside database, or that the President wanted improper linkage to occur.⁸⁵ Mr. Bailey, the author of the notes, himself testified that he had no personal knowledge of what the President wanted with respect to the database, and that the notes likely were based on information he heard in passing and quickly wrote down to himself.⁸⁶ He also testified that he likely spoke with White House counsel on this matter and had no reason to believe anyone at the White House ignored legal advice relating to the database.⁸⁷

- *June 28, 1994, Marsha Scott Memo*.⁸⁸ The majority claims that this memo from Marsha Scott to Harold Ickes and Bruce Lindsey and "cc'd" to the First Lady "shows that the First Lady was informed of the conversion of government staff and other resources," because Ms. Scott describes her interest in ensuring that the WhoDB is com-

⁸³ Handwritten notes of Brian Bailey (undated), M033298.

⁸⁴ *E.g.*, Deposition of Brian Bailey, 39, 129–32 (Feb. 6, 1998).

⁸⁵ See, e.g., Deposition of Harold Ickes, 61–63, 130–31 (Mar. 12, 1998); Deposition of Brian Bailey, 129–132 (Feb. 6, 1998).

⁸⁶ Deposition of Brian Bailey, 129–30 (Feb. 6, 1998).

⁸⁷ Deposition of Brian Bailey, 36–37, 129–32 (Feb. 6, 1998).

⁸⁸ Memo from Marsha Scott to Harold Ickes and Bruce Lindsey, cc'd to the First Lady (June 28, 1994), M032438.

patible with the DNC database. As discussed above in Part III. C, however, the record does not establish that this memorandum is evidence of an illegal conversion of government resources. In fact, the only wrongdoing that was potentially established was that this two-page memorandum was printed on government stationary.

- *WhoDB Requirements Report*.⁸⁹ In one of its more bizarre leaps of logic, the majority report points to the language in a WhoDB requirements report that states that the President and First Lady requested that a database “containing relevant information about all White House events and contacts be designed and implemented.”⁹⁰ Based on that language, the majority concludes that the document suggests that the President and First Lady “had a particular interest in the Database project, *such as the possible political uses of databases*.”⁹¹ There is simply no foundation for this inference, however, since the WhoDB requirements report never mentions any political uses of databases.

The only evidence in the Committee record of direct involvement by the President in building *any* database concerns his occasional practice of passing along names and addresses of individuals to be incorporated into the PeopleBase database. The PeopleBase is the database developed by Malone, Inc., for President Clinton in the early 1980’s which was used by President Clinton while he was Governor of Arkansas.⁹² President Clinton owns the data within the PeopleBase.⁹³

The majority report states in its opening pages that the President’s conduct was illegal because “the President *routinely* continued to build PeopleBase with the names and addresses of individuals who communicated with him through the official White House mail.”⁹⁴ There are two fundamental problems with this assertion, however. First, the record does not establish that the President forwarded information from official White House mail to PeopleBase. In fact, the majority report simply ignores the testimony of the Committee witness who actually was responsible for forwarding names and addresses from the President to PeopleBase, and who was the only Committee witness with personal knowledge of the practice. This individual, former White House aide Laura Tayman, testified that she forwarded “business cards and torn-off sheets of paper with [the President’s] actual writing. It was not any electronic information.” She noted that she was generally asked to do this after the President had been traveling. Most importantly, Ms. Tayman stated flatly that she “never” forwarded names from correspondence.⁹⁵

Second, even if the President had forwarded to PeopleBase the names of certain individuals who had corresponded with him, it is

⁸⁹ WhoDB Requirements Report, undated, produced by the White House with no bates stamp No.

⁹⁰ WhoDB Requirements Report, undated.

⁹¹ Majority Report (emphasis added).

⁹² Deposition of William Percy Malone, 14 (Oct. 1, 1997).

⁹³ Deposition of William Percy Malone, 55 (Oct. 1, 1997).

⁹⁴ Majority Report (emphasis added).

⁹⁵ Deposition of Laura Tayman, 108–10 (Mar. 20, 1998).

not at all clear that this would be illegal. If the practice of occasionally transferring such information were prohibited, then no elected public officials would be able to put names and addresses of individuals they meet on the job into their personal Rolodexes.

F. THE ALLEGATIONS REGARDING CHERYL MILLS

Finally, the majority makes unsubstantiated accusations that smear the reputation of White House Deputy Counsel to the President, Cheryl Mills. On September 17, 1998, Rep. McIntosh requested that the Department of Justice investigate Ms. Mills for perjury and obstruction of justice because Rep. McIntosh disagreed with the White House's determination that two documents were not responsive to a request made pursuant to the WhoDB investigation. He also discussed his charges publicly, resulting in a Washington Post article containing his allegation that there was "very strong evidence" that Ms. Mills lied to Congress.⁹⁶ The majority has now reiterated these claims in the majority report.

The majority claims that Ms. Mills committed obstruction of justice and gave false testimony regarding the production of two documents: (1) the June 28, 1994, memo by Marsha Scott,⁹⁷ and (2) the notes of White House aide Brian Bailey.⁹⁸ The White House did not produce these documents in its initial September 1996 response to Mr. McIntosh's August 2, 1996, request. Upon further review of the documents, however, the White House, on its own initiative, produced them to Rep. McIntosh.⁹⁹

The majority believes that the two documents at issue are responsive to the August 2, 1996 request and that the White House erred in failing to produce the documents in the initial September 1996 production. The majority reaches this conclusion after having had the benefit of the testimony of numerous witnesses on these documents, including the authors of the documents, which the White House did not have. The majority, however, is not justified in asserting that this difference in judgment—and Ms. Mills's subsequent testimony describing what happened—involved obstruction and lying.

1. *The majority's "evidence" of perjury and obstruction*

a. Scott memo

The majority claims that Ms. Mills made three false statements in her testimony regarding production of the Scott memo. The majority further alleges that these statements are evidence that Ms. Mills, and possibly other White House counsel, committed obstruction by "withholding" the Scott memo "without justification." The record does not support the majority's claims.

The Scott memo describes a number of different databases and does not explicitly mention WhoDB. The disputed paragraph of the memo states that "Currently in the White House we are preparing, as you know, to implement a new database system starting August

⁹⁶ *Database Criminal Probe Sought*, Washington Post (Sept. 9, 1998).

⁹⁷ Memo from Marsha Scott to Harold Ickes and Bruce Lindsey, cc'd to the First Lady (June 28, 1994), M32438.

⁹⁸ Handwritten notes of Brian Bailey (undated), M033298.

⁹⁹ The White House produced the Scott memo on Feb. 26, 1997, and the Bailey notes on Oct. 28, 1997.

1. While that system is modeled after the Peoplebase software, it has major differences.”¹⁰⁰ After the document was produced, the Committee learned from its author that the disputed paragraph refers to WhoDB. Ms. Mills, who consulted with her supervisor, the counsel to the President, on the production of documents that included the Scott memo, apparently had a different impression when she reviewed the document in September 1996.

The majority claims that Ms. Mills testified falsely by stating that, when she reviewed the Scott memo in September 1996, she believed that the database referenced in the disputed paragraph was not WhoDB. The main basis for the majority’s conclusion appears to be testimony of other witnesses regarding what *they* thought the memo meant. The judgments of others, however, cannot be imputed to Ms. Mills, and such evidence therefore does not support any charge that Ms. Mills was lying instead of having a different impression of the memo.

Further, the majority omits testimony received by the Committee that shows that the disputed paragraph was ambiguous and subject to different interpretations. As noted above, the memo does not expressly refer to “WhoDB.” Moreover, it is a confusing document that discusses four different databases. Even Marsha Scott, the author of the memo, testified that the memo lacks clarity:

This is a very poorly written memo, and I am very embarrassed by it. It is one of several that I have encountered 5 years later that embarrassed me greatly. This is one that will go down in my own personal history as being one of the worst that I have ever written . . . So I can see why it is very confusing to you. And on this particular memo, I actually don’t mind the questions because I think it is really poorly written.¹⁰¹

When specifically asked about the database referenced in the paragraph at issue, Ms. Scott also testified that her reference to a database was to her concept of WhoDB at the time of the memo, but that it “didn’t happen.”¹⁰²

In light of these ambiguities, the record does not support the majority’s effort to criminalize Ms. Mills’s impression of and testimony about this document.

The majority also claims that Ms. Mills testified falsely during questioning about the Scott memo when she stated her view that the WhoDB is not modeled on a computer system known as “PeopleBase.” To support this claim, the majority cites to witnesses who do not in fact contradict Ms. Mills. One of these witnesses is former White House aide Erich Vaden. Unfortunately, in his September 17 letter to Attorney General Reno regarding his allegations about Ms. Mills, Mr. McIntosh selectively edited the testimony of Mr. Vaden to exclude statements by Mr. Vaden that support Ms. Mills’s testimony.

Mr. McIntosh attached to his letter *only* the following Vaden testimony discussing PeopleBase: “[W]hat we wanted to use was sort

¹⁰⁰ Memo from Marsha Scott to Harold Ickes and Bruce Lindsey, cc’d to the First Lady (June 28, 1994), M32438.

¹⁰¹ Deposition of Marsha Scott, 99 (Feb. 19, 1998).

¹⁰² Deposition of Marsha Scott, 91 (Feb. 19, 1998).

of a list of its functionalities, the kind of data it stored, how it presented the data. You know, just as, I guess, an inspiration, so to speak, of similar type systems.” Mr. McIntosh omitted what Mr. Vaden said immediately before the quoted passage. When the quoted passage is put in context, Mr. Vaden’s testimony actually indicates that PeopleBase was not the model for WhoDB. Following is the entire relevant portion, with the portion Mr. McIntosh *did not* include in italics:

Q. *So were you in some way trying to use the design of PeopleBase to help you design WhoDB?*

A. *We didn’t want to adopt the design of the system. It is an old system. It’s character-based, as opposed to a GUI-based system, a graphical user interface. So we never went down with the intention of adopting it or adopting anything similar to it. But what we wanted to use was sort of a list of its functionalities, the kind of data it stored, how it presented the data. You know, just as, I guess, an inspiration, so to speak, of similar type systems.*¹⁰³

Rep. Waxman informed the majority of the selective editing over a week before the majority issued its report on the WhoDB investigation.¹⁰⁴ Nevertheless, the majority report still claims that Mr. Vaden’s testimony “confirms” that WhoDB was modeled after PeopleBase, and fails to point out Mr. Vaden’s statement that “We didn’t want to adopt the design of the system. It is an old system.” The majority’s conduct in discussing Mr. Vaden’s testimony on PeopleBase—both in Mr. McIntosh’s September 17 letter and in the majority report—provides an illustration of the majority’s unfair approach to presenting evidence.

The testimony of Mr. Bartholomew, another witness cited by the majority regarding the PeopleBase issue, also does not support the majority’s claims. The Committee did not ask Mr. Bartholomew whether WhoDB was modeled after PeopleBase, nor did he testify one way or the other about this issue. The testimony cited by the majority simply states that PeopleBase was one of several systems identified to “take under consideration” in designing the new database.¹⁰⁵ Therefore, Mr. Bartholomew’s testimony, including the part cited by the majority, is irrelevant to this issue.

Further, the majority omits the testimony of other witnesses that supports Ms. Mills’s understanding that WhoDB was not modeled after PeopleBase. One witness, Jerry Carlsen, was manager of systems integration and development at the White House and tasked to lead the development of WhoDB. He testified that he neither met with PeopleBase staff nor heard any discussions about PeopleBase beyond the fact that it was “somewhat highly inaccurate . . . and that it wasn’t necessarily real user friendly.”¹⁰⁶

The third statement of Ms. Mills that the majority claims was “false” concerned her remarks about one of her own memos, a January 17, 1994, memo entitled “Correspondence Department Database Project.” Ms. Mills was questioned on this document during

¹⁰³ Deposition of Erich Vaden, 143–44 (Jan. 25, 1998).

¹⁰⁴ See Letter From Rep. Henry A. Waxman to Attorney General Janet Reno (Sept. 28, 1998) (cc’d to all members of the Committee) (exhibit 2 to these views).

¹⁰⁵ Deposition of Mark Bartholomew, 73 (Aug. 15, 1997).

¹⁰⁶ Deposition of Jerry R. Carlsen, 65–66 (Aug. 28, 1997).

her testimony on the Scott memo. She testified that her “impression” when she wrote the “Correspondence Department Database Project” memo was that it did not concern WhoDB.¹⁰⁷ She also stated that there were many different databases at the White House.¹⁰⁸ The majority claims that Ms. Mills’s testimony regarding her impression of her memo constitutes perjury. This allegation, again, is based on impressions of other witnesses as to whether the memo related to WhoDB, and the majority’s discussion of the allegation omits testimony that supports Ms. Mills.

The “Correspondence Department Database Project” memo does not expressly reference WhoDB. Further, Ms. Scott testified that, at the time the memo was created, there were two other ongoing Correspondence Department database projects.¹⁰⁹ These facts, in addition to Ms. Mills’s own testimony about her own impressions of her own document, underscore the unfairness of the majority’s claims.

b. Bailey notes

The majority also claims that Ms. Mills committed obstruction by failing to produce the Bailey notes in September 1996 and lied by testifying that she determined the Bailey notes were “not responsive to the seven enumerated items” requested by the Subcommittee. Similar to their arguments on the Scott memo, the justification the majority provides for these serious charges is that Ms. Mills “could not have believed” that the Bailey notes were not responsive because the document is in fact responsive.

In her testimony, Ms. Mills stated that she “can’t go back and recreate . . . at this time what information I had that led us to conclude that this material was not responsive to any of the seven enumerated items [in Mr. McIntosh’s August 2, 1996 request].”¹¹⁰ She discussed the process she went through, which she said involved reviewing the notes with then-White House Counsel Jack Quinn.¹¹¹ She further elaborated that she “think[s]” that they assumed that Mr. Bailey’s own notes were not responsive to Mr. McIntosh’s request for “communications.”¹¹²

The White House may well have erred by not producing the Bailey notes. However, the Committee record, which includes a deposition of Mr. Quinn, does not support the majority’s serious allegations that Ms. Mills “deliberately withheld” a document she believed to be responsive, or purposely misled the Committee in her testimony. This conclusion is reinforced by the fact that the Bailey notes were part of a large group of documents that were reviewed for responsiveness by White House counsel in a short period of

¹⁰⁷ Testimony of Cheryl Mills, *Hearings Before the House Committee on Government Reform and Oversight, White House Compliance with Committee Subpoenas*, 105th Cong., 1st sess., 105–61, 241 (Nov. 6 and 7, 1997). Relevant excerpts of Ms. Mills’s testimony are attached as exhibit 3.

¹⁰⁸ *Id.*

¹⁰⁹ Deposition of Marsha Scott, 90 (Feb. 18, 1998).

¹¹⁰ Testimony of Cheryl Mills, *Hearings Before the House Committee on Government Reform and Oversight, White House Compliance with Committee Subpoenas*, 105th Cong., 1st sess., 105–61, 115 (Nov. 6 and 7, 1997).

¹¹¹ *Id.*

¹¹² *Id.* at 263.

time.¹¹³ It would not be surprising if honest mistakes were made under such time pressure.

In light of these facts, it simply is not responsible to conclude that Ms. Mills committed obstruction and lied.

2. *The majority's allegations regarding motive*

The majority alleges that Ms. Mills had a motive to obstruct the Committee's investigation and commit perjury because the documents at issue reflect involvement by the President and First Lady in "conversion" of government property and would have been "politically damaging" to release before the November 1996 election. This is a bootstrap argument. As discussed above, the Committee record does not establish that there was "conversion" of government property. In fact, despite the extraordinary investment of resources in the WhoDB investigation, the majority failed to uncover any serious wrongdoing. The majority's suggestion that the White House had a motive to withhold documents is in direct conflict with the fact that there was simply no wrongdoing to cover up.

Further, not one of the 35 witnesses that the Committee deposed on WhoDB issues questioned Ms. Mills's honesty or integrity. Ms. Mills also showed these documents to the White House counsel, her supervisor, who agreed with her analysis and interpretation.¹¹⁴

As discussed in more detail in Rep. Waxman's September 28, 1998, letter to Attorney General Janet Reno,¹¹⁵ these and other facts demonstrate that the majority's assertions about Ms. Mills are based on selective testimony of other individuals about their impressions of the documents at issue, as well as speculation about Ms. Mills's motives. It is wrong to base such serious allegations on such insubstantial and incomplete evidence.

All of the majority's allegations relating to Ms. Mills essentially boil down to a disagreement between the majority and the White House about the relevance of two documents. Disputes between lawyers over the relevance of documents are commonplace and legitimate. What is extraordinary is the majority's attempt to elevate this run-of-the-mill document dispute into a federal criminal case. Not only do the majority's accusations lack foundation in fact, but they also set a dangerous precedent: that to disagree with Mr. McIntosh on the relevance of documents is to risk being publicly smeared and called a criminal.

IV. THE COSTS OF THE WHODB INVESTIGATION

Although this investigation of the esoteric subject of a computerized Rolodex did not reveal any serious wrongdoing, it did eat up a great deal of resources and taxpayer funds. The WhoDB investigation began over 27 months ago, on June 27, 1996.¹¹⁶ The Sub-

¹¹³Id. at 114. Ms. Mills's testimony to the Committee indicates that the White House Counsel's Office produced to the Subcommittee over 27,000 pages of documents for the WhoDB investigation within a short time after the Counsel's Office received the documents.

¹¹⁴Testimony of Cheryl Mills, *Hearings on White House Compliance with Committee Subpoenas*, House Committee on Government Reform and Oversight, 115, 248-49.

¹¹⁵Letter from Mr. Waxman to Attorney General Janet Reno (Sept. 28, 1998). This letter describes how Mr. McIntosh's allegations of perjury and obstruction are unsubstantiated and do not warrant further review. The letter also addresses numerous other unfounded statements made by the majority regarding Ms. Mills.

¹¹⁶Letter from Subcommittee Chairman McIntosh to Leon Panetta (June 27, 1996).

committee spent so much time and energy on this investigation that it did not hold hearings on any topic between June 16, 1997 and March 5, 1998. During those nine months, Subcommittee resources were devoted almost exclusively to the investigation.

The Subcommittee requested information from 14 different entities who produced over 43,000 pages of documents. Over 16 subpoenas were sent and 250 letters written on the subject. In addition, the Committee deposed 35 witnesses for a total of more than 135 hours of questioning on the WhoDB. In fact, about 20 percent of all of the depositions taken by this Committee in the \$7.4 million campaign finance investigation were limited to WhoDB issues. Although it is difficult to ascertain the exact cost of the WhoDB investigation, it would appear to dwarf the cost of developing and using the WhoDB, which the White House estimates to be less than \$800,000.¹¹⁷

The Committee's first three depositions in the WhoDB investigation illustrate the significant costs that the Committee frequently imposed on witnesses for no tangible benefit. These depositions concerned document production by PRC, a White House computer contractor that provided systems support to the WhoDB. When PRC received a request for documents, it informed the Subcommittee that its contract with the White House required that it obtain White House authorization before providing White House information to the Subcommittee.¹¹⁸ PRC requested and received the necessary authorization,¹¹⁹ and provided the documents to the Subcommittee *within three weeks* of receiving the request for documents.¹²⁰ Nothing in the record regarding this timely response suggests that the White House obstructed the investigation. Nevertheless, the Committee conducted three depositions to try to determine if the few days it took the White House to authorize PRC to respond was a deliberate attempt to frustrate the Committee's investigation. According to one of the witnesses, PRC, Inc., spent more responding to document requests and attending depositions related to the WhoDB investigation than it did fulfilling the terms of its White House contract.¹²¹

Another witness who was unnecessarily burdened and harassed during the course of the investigation was Marsha Scott, the White House official who supervised the development of the WhoDB. Her unfortunate experiences, which included providing eight days of testimony for nearly 40 hours to congressional investigators, are described in detail in the minority views accompanying the Committee's report on the campaign finance investigation.

There are numerous other examples of unnecessary burdens imposed by the Committee during the WhoDB investigation. For example:

¹¹⁷In Sept. 1998, the Office of White House Counsel estimated that the cost of the development and operation of the WhoDB was about \$785,467.

¹¹⁸Deposition of Donald Upson, 66 (Aug. 7, 1997).

¹¹⁹Letter from the Executive Office of the President to PRC, Inc. (Aug. 15, 1996) and Deposition of Donald Upson, 66 (Aug. 7, 1997).

¹²⁰Letter request from Subcommittee Chairman McIntosh to PRC, Inc. (July 30, 1996); Letter from PRC, Inc. to Subcommittee Chairman McIntosh (Aug. 19, 1996).

¹²¹Deposition of Donald Upson, 61 (Aug. 7, 1997). Mr. Upson testified that the document request and related depositions cost PRC more than it spent on "porting the WhoDB," which he estimated to cost \$40,000–\$50,000.

- One witness, Charles Benjamin, former associate director in the White House Office of Administration, estimated that he spent about 1,500 hours—the equivalent of over 37 work weeks—between June 1996 and September 1997 responding to requests for information relating to WhoDB. He said that such responses consumed about one-half to three-quarters of his time, and that “quite frequently” he had to work after hours to respond to these requests.¹²²
- The White House estimated that the computer division of the Office of Administration, which is charged with running the database, devoted over 5,500 hours to answering questions. That’s the equivalent of one full-time employee devoting two and a half years to nothing but responding to Committee questions. During just one three-month period in which the White House tracked the cost of responding to this investigation and the related GAO audit, it estimated that the response cost the taxpayers \$155,000.
- The Committee required Bryan Daines, a former computer operator at the DNC, to fly to Washington, DC from Bend, Oregon for 1½ hours of questioning in a deposition on issues about which the witness had little substantive knowledge. Prior to the deposition, the witness’s attorney informed the Committee that Mr. Daines had little relevant knowledge and offered to make him available for a phone interview. The Committee refused this sensible alternative, forcing the witness to spend between two and three days preparing for and traveling to this deposition.¹²³
- Even Jacqueline Bellanti, an unpaid volunteer at the White House who is accused of no wrongdoing, was forced to hire a lawyer to represent her at a deposition.¹²⁴

V. CONCLUSION

Rep. McIntosh’s investigation of the WhoDB is reminiscent of his investigation of the travel practices of SEC Chairman Arthur Levitt. A Wall Street Journal opinion piece by Holman Jenkins summarized the Levitt investigation as follows:

Rep. David M. McIntosh has been chasing SEC Chairman Arthur Levitt Jr. all over Planet Washington. He does so in pursuit of a “scandal” that, when we press our x-ray spectrometer up against it, seems to consist of the substance of interstellar space, which is to say, nothing.

Mr. Levitt is accused of flying first class and staying in nice hotels, and digging into his own pocket to pay for it.

It takes a special kind of ingenuity to find something to get outraged about here, but Mr. Levitt did use legitimate government-paid upgrades to defray the cost of upgrading even further. If you stand back and twist your head at a

¹²² Deposition of Charles Benjamin, 130–31 (Sept. 5, 1997).

¹²³ Deposition of Bryan Daines, 85–86 (Apr. 6, 1998).

¹²⁴ Deposition of Jacqueline Bellanti, 66 (Oct. 7, 1998).

funny angle, you can pretend this means taxpayers “paid” for Mr. Levitt to fly first class. . . .

Perhaps there is a secret McIntosh method here—a plan to disable the Clinton administration by hassling one of its few grown-ups. But Republicans should remember that someday, perhaps within the lifetimes of our grandchildren, they could conceivably end up the party of government again. Then they might want to coax some grown-ups into service too. The precedent here is not an inviting one. . . .

Life being short, Mr. Levitt entered into a plea bargain with Mr. McIntosh’s subcommittee and has agreed to suffer in business class at taxpayer expense rather than loll in first class at his own. We are honestly at a loss to understand what principle of good government is served by this outcome, but that’s par for the course. It would be interesting, though, to get a full accounting of how much of the taxpayer’s money Rep. McIntosh spent to bring this heroic denouement. The SEC calculates it alone has spent \$187,000 responding to Mr. McIntosh’s request for documents and accounting of Mr. Levitt’s every limo ride.¹²⁵

Regrettably, much of what Mr. Jenkins said about the Levitt investigation seems to apply with equal force to the WhoDB investigation. Once again, the Committee has been in pursuit of the “scandal” that “seems to consist of the substance of interstellar space, which is to say, nothing.”

HENRY A. WAXMAN.
TOM LANTOS.
ROBERT E. WISE, Jr.
MAJOR R. OWENS.
EDOLPHUS TOWNS.
PAUL E. KANJORSKI.
GARY A. CONDIT.
BERNARD SANDERS.
CAROLYN B. MALONEY.
ELEANOR HOLMES NORTON.
CHAKA FATTAH.
ELIJAH E. CUMMINGS.
DENNIS J. KUCINICH.
ROD R. BLAGOJEVICH.
DANNY K. DAVIS.
THOMAS H. ALLEN.
HAROLD E. FORD, Jr.

[Supporting documentation follows:]

¹²⁵Holman W. Jenkins, Jr., *Business World: Fly First Class (With the Other Criminals)*, Wall Street Journal (July 15, 1997).

EXHIBIT ONE

Fly First Class (With the Other Criminals)

From the perspective of a Martian now being chased around that planet by NASA, one Washington travel-perk "scandal" probably looks pretty much like another.

However, congressmen and journalists on this planet are nearer the problem, one would think near enough to make the distinctions that are the mark of intelligent life-forms.

One would think.

Rep. David M. McIntosh has been chasing SEC Chairman Arthur Levitt Jr. all over Planet Washington. He does so in pursuit of a "scandal" that, when we press our x-ray spectrometer up against it, seems to consist of the substance of interstellar space, which is to say, nothing.

Mr. Levitt is accused of flying first class and staying in nice hotels, and digging into his own pocket to pay for it.

Business World

By Holman W. Jenkins Jr.

It takes a special kind of ingenuity to find something to get outraged about here, but Mr. Levitt did use legitimate government-paid upgrades to defray the cost of upgrading even further. If you stand back and twist your head at a funny angle, you can pretend this means taxpayers "paid" for Mr. Levitt to fly first class.

Such allegations are padded together by junior subcommittee staffers, the sort who find the magic phrase "government rate" works wonders with the airlines when scheduling their own travel. Their work is passed on to senior staffers and the congresspersons themselves, for whom "fact-finding missions" to interesting and attractive parts of the world seem to be a daily necessity.

Then, no doubt reading from something

somebody handed him, Mr. McIntosh pronounces, "It's clear to me that taxpayers have been subsidizing Mr. Levitt's first-class lifestyle. While taxpayer-subsidized French wine . . . and stays at luxury hotels may draw approval from Wall Street, that kind of lifestyle offends average Americans on Main Street." Voilà, a soundbite is born.

Mr. McIntosh added that all this troubles him "deeply," an adverb it wouldn't normally occur to us to apply to anything connected with Congress.

Strange as it may seem, though, we have gotten the feeling over the years that Mr. Levitt does care deeply about the honor and fairness of the securities markets, and about whether the people who labor in them are worthy of public trust. In an administration that oozes false sincerity about many things, he's at least a novel sensation.

As with any federal agency, the SEC does things that defy our understanding from time to time, but less so than most. He hasn't shut down the bull market by trying to put its perpetrators in jail, as some of his predecessors did. Yet he has shown a willingness to wade into an authentic garbage dump, the municipal finance racket.

He has also taken steps, prophylactically, to make sure the mutual fund industry performs as advertised. He has sermonized about conflicts of interest, and worked to correct its habit of wandering far and wide from the published investing strategies of particular funds. What the heck, it's a useful, if incremental, application of the SEC, which, after all, is there to be useful. And he just got a nice pat on the head from the generally cynical General Accounting Office.

Most of all, he has seen fit to leave well enough alone, unlike a lot of Clinton regulators who seize on the "activism" theme

to muck things up in their portfolios and keep their names in the paper.

By way of research, we examined an Institutional Investor article about the "Washington-Wall Street shuffle." Putting two and two together, we noticed the one place where the Clinton administration has been an unalloyed, scandal-free success is the economy, which has rested firmly in the hands of Wall Street rejects like Mr. Levitt, Bob Rubin and Alan Greenspan.

Perhaps there is a secret McIntosh method here—a plan to disable the Clinton



administration by hassling one of its few grown-ups. But Republicans should remember that someday, perhaps within the lifetimes of our grandchildren, they could conceivably end up the party of government again. Then they might want to coax some grown-ups into service, too. The precedent here is not an inviting one.

Mr. Levitt has been around a long time, too long to let the silliness of congressmen ruffle him unduly. He was one of the saviors of Roll Call, the Capitol Hill newspaper and chronicler of silliness without end.

Yet one or two people have noticed the stock market going up lately. This it has done on the basis of lots of middle class people wanting to invest for their retirements. There was some \$1 trillion in mutual funds as of last week.

Apropos of these people, there is not a Lion's Club or trade association in the land that Mr. Levitt won't show up at in order to make a speech assuring the small investor that the SEC is on the job.

As the Washington Post reported in rip-

ping the lid off what somebody somewhere told them was a "scandal," the SEC chairman took 153 official trips in 175 weeks between September 1993 and November 1996 at a cost of about \$111,000--or \$725 19 a trip.

We would say the taxpayer is getting his money's worth out of Mr. Levitt. Traveling every week to give a speech really isn't a barrel of fun, even if the hotel is nice and the wine is French.

On taking the job he informed his staff that he wanted to fly first class. This strikes us as a wise precaution. At 66, he would have to be considered at high risk for coach aneurysm.

He's also a rich guy, having made his bundle by founding a Wall Street firm. But instead of acting like those jerks who keep piling up money as a way of "keeping score," he tried his hand at things where he could be useful to society--head of the American Stock Exchange, resurrecting Roll Call, and for the last four years, head of the SEC, a job that by his standards doesn't pay all that well.

Life being short, Mr. Levitt entered into a plea bargain with Mr. McIntosh's subcommittee and has agreed to suffer in business class at taxpayer expense rather than loll in first class at his own. We are honestly at a loss to understand what principle of good government is served by this outcome, but that's par for the course. It would be interesting, though, to get a full accounting of how much of the taxpayer's money Rep. McIntosh spent to bring about this heroic denouement. The SEC calculates it alone has spent \$187,000 responding to Mr. McIntosh's request for documents and accounting of Mr. Levitt's every limo ride.

Disclosure: Chairman Levitt once bought us breakfast, and we wrote a column making fun of him for threatening to nationalize the accounting profession.

EXHIBIT TWO

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House of Representatives

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BERNARD SANDERS, VERMONT
 *DEPENDENT

September 28, 1998

The Honorable Janet Reno
 Attorney General
 U.S. Department of Justice
 950 Pennsylvania Avenue, N.W.
 Washington, DC 20530

Dear Madame Attorney General:

This letter responds to Rep. David M. McIntosh's September 17 letter to you, which requested that the Department of Justice investigate evidence regarding Deputy Counsel to the President Cheryl Mills's actions and testimony in the White House database ("WhoDB") investigation. I believe there is no reasonable basis for Mr. McIntosh's request that you investigate whether Ms. Mills committed perjury, obstructed justice, and violated 18 U.S.C. 1001, regarding the production of certain documents.

Mr. McIntosh's allegations focus on two documents: (1) a June 28, 1994, memo by Deputy Director and Chief of Staff of White House Presidential Personnel Marsha Scott (the "Scott memo"); and (2) a page of undated handwritten notes authored by former White House aide Brian Bailey (the "Bailey notes"). As Mr. McIntosh's letter discusses, the White House did not produce these documents in its initial, September 1996 response to Mr. McIntosh's August 2, 1996, request. Upon further review of the documents, however, the White House, on its own initiative, produced them to the Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs.¹

I believe these documents are responsive to the Subcommittee's August 2, 1996, request, and that the White House made a mistake by failing to produce these documents to the Subcommittee in September 1996. However, there is a vast difference between making a mistake and Mr. McIntosh's very serious charges that Ms. Mills "willfully . . . testified to material matters that she knew to be false," and "corruptly . . . influence[d], obstructe[d], or

¹The White House produced the Scott memo on February 26, 1997, and the Bailey notes on October 28, 1997.

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impede[d]" the WhoDB investigation.

I know that Mr. McIntosh strongly disagrees with Ms. Mills's original conclusion that these documents were not responsive. His efforts to transform this disagreement into a criminal act, however, are offensive to our system of government.

I. MR. MCINTOSH'S "EVIDENCE OF PERJURY AND OBSTRUCTION"

A. Scott Memo

The Scott memo describes a number of different databases, and doesn't explicitly mention WhoDB. The disputed paragraph of the memo states that "Currently in the White House we are preparing, as you know, to implement a new database system starting August 1. While that system is modeled after the Peoplebase software, it has major differences."

After the document was produced, the Committee learned from its author that the disputed paragraph refers to WhoDB. Ms. Mills apparently had a different impression when she originally reviewed the document, and concluded that this paragraph did not refer to WhoDB. While Mr. McIntosh may reasonably disagree with her conclusion, it is not reasonable for him to charge her with obstruction and lying. It should not be a federal crime to reach a different conclusion than Mr. McIntosh.

Mr. McIntosh alleges that Ms. Mills knowingly made three false statements in her testimony on the Scott memo. First, he states that Ms. Mills knowingly made a false statement by testifying that, when she reviewed the Scott memo initially, she believed that the database referenced in the disputed paragraph was not related to WhoDB. The main basis for Mr. McIntosh's conclusion appears to be testimony of other witnesses regarding what they thought the memo meant. Such evidence does not support the serious charge that Ms. Mills was lying instead of being mistaken.

Further, the record before the Committee does not support Mr. McIntosh's speculation that Ms. Mills "could not have believed" that the Scott memo was not responsive. The Scott memo does not expressly refer to "WhoDB" anywhere in the memo. Moreover, it is a confusing document. The author of the memo herself testified that the memo lacks clarity. In responding to questions of the majority regarding the meaning of the memo, Ms. Scott stated:

This is a very poorly written memo, and I am very embarrassed by it. It is one of several that I have encountered 5 years later that embarrassed me greatly. This is one that will go down in my own personal history as being one of the worst that I have ever written . . . So I can see why it is very confusing to you. And on this particular memo, I actually don't

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mind the questions because I think it is really poorly written.²

When specifically asked about the database referenced in the paragraph at issue, Ms. Scott testified that her reference to a database was to her concept of WhoDB at the time of the memo, but that a different type of system ultimately developed:

Q: What database system is that?

A: I am hoping that's going to be what I envisioned WhoDB to be. It didn't happen, but I was hoping it would.³

Given these ambiguities, there is no basis in the record before the Committee that could reasonably support Mr. McIntosh's efforts to criminalize Ms. Mills's testimony.

Mr. McIntosh also claims that Ms. Mills knowingly testified falsely when she stated: "[u]ltimately, they ended up using WhoDB, which is not modeled on Peoplebase." To support his allegation, Mr. McIntosh states that WhoDB "was, in fact, modeled after Peoplebase," and he cites brief excerpts from a few witnesses' testimony. The testimony received by the Committee, however, does not clearly establish that WhoDB was "modeled" after Peoplebase.

Mr. McIntosh cites to the deposition of Mr. Erich Vaden, a former aide to Ms. Scott. Mr. McIntosh attaches to his letter only the following Vaden testimony discussing Peoplebase: "[W]hat we wanted to use was sort of a list of its functionalities, the kind of data it stored, how it presented the data. You know, just as, I guess, an inspiration, so to speak, of similar type systems." What Mr. McIntosh omits is what Mr. Vaden said immediately before the quoted passage. When the quoted passage is put in context, Mr. Vaden's testimony actually could be interpreted as indicating that Peoplebase was not the model for WhoDB. Following is the entire relevant portion, with the portion Mr. McIntosh does not include in bold:

Q So were you in some way trying to use the design of PeopleBase to help you design WhoDB?

A We didn't want to adopt the design of the system. It is an old system. It's character-based, as opposed to a GUI-based system, a graphical user

²Deposition of Marsha Scott, House Committee on Government Reform and Oversight, 99 (February 19, 1998). All depositions cited hereafter in this letter were taken by the House Committee on Government Reform and Oversight. In addition, testimony excerpts cited in this letter will be attached to this letter.

³Deposition of Marsha Scott, 91 (February 19, 1998).

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interface. So we never went down with the intention of adopting it or adopting anything similar to it. But what we wanted to use was sort of a list of its functionalities, the kind of data it stored, how it presented the data. You know, just as, I guess, an inspiration, so to speak, of similar type systems.⁴

Further, Ms. Scott's testimony, cited by Mr. McIntosh, does not establish that WhoDB was ultimately modeled after Peoplebase. She testified that at the time of her June 28, 1994, memo she had "envisioned" that WhoDB would be modeled after the Peoplebase software, and that it would have "major differences." However, as noted above, Ms. Scott also stated that what she envisioned WhoDB to be in her June 28, 1994, memo "didn't happen."⁵

Mr. McIntosh also cited to the deposition of Mark Bartholomew, another White House staffer who worked on WhoDB. The cited statement refers to a trip taken early in the development of WhoDB to Arkadelphia, the location of Peoplebase. It simply notes that Mr. Bartholomew went to Arkadelphia to "do systems analysis on the Peoplebase system," and that Peoplebase "was identified as one of those systems that we needed to take under consideration in the design of our new system." This statement does not establish that WhoDB was "modeled" after Peoplebase.

The only other testimony Mr. McIntosh cites that discusses the relationship of Peoplebase to WhoDB was from the deposition of Laura Tayman, a former aide to Marsha Scott, which also does not establish Mr. McIntosh's claim. The sum total of this testimony concerns the early trip to Arkadelphia:

- Q Okay. What was the plan for a site visit to Arkadelphia? Why were people going to Arkadelphia?
- A To look at the setup of PeopleBase, the design.
- Q And why did people need to look at the design of PeopleBase?
- A There were components of it that worked very well that we wanted to incorporate into the design of WhoDB.

In asserting that WhoDB was modeled after Peoplebase, Mr. McIntosh fails to cite the testimony of the technical staffer who was tasked to lead the development of WhoDB. This individual, Jerry Carlsen, was manager of systems integration and development at the White House during the development of WhoDB. Mr. Carlsen's testimony suggests that Peoplebase

⁴Deposition of Erich Vaden, 143-44 (January 25, 1998).

⁵Deposition of Marsha Scott, 90-91 (February 19, 1998).

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was a data source, but not the "model" for WhoDB:

- Q Can you tell us what PeopleBase is again, in your understanding?
 A My understanding is that it is a collection of information about people that Governor Clinton -- then Governor Clinton -- used. . . .⁶ **The only discussions I've heard about the PeopleBase is that it was somewhat highly inaccurate as far as from the data elements and that it wasn't necessarily real user friendly, that type of thing.**
 Q **Did you ever attend any meetings with people who worked for Malone [the business that developed Peoplebase]?**
 A No.
 Q Did you obtain information about the Malone -- about PeopleBase? Did you analyze it?
 A We had information in our design documents related to PeopleBase.
 Q What was the purpose of having that?
 A Just so we could see what their table definitions were.
 Q Why would you want to know that?
 A I would imagine for future import potential.⁷

The fact that Mr. Carlsen, a lead staffer on WhoDB development, neither met with Peoplebase staff nor heard any discussions about Peoplebase beyond that it was "somewhat highly inaccurate . . . and that it wasn't necessarily real user friendly" underscores the serious flaws with Mr. McIntosh's assertion that WhoDB was "modeled" after Peoplebase.

Mr. Carlsen's testimony regarding "compatibility" of WhoDB with other computer systems also is inconsistent with Mr. McIntosh's claim:

- A I didn't intentionally design [WhoDB] to be compatible with other systems. We designed it to be somewhat of an open system so that we could query it fairly easily. And, there again, I don't want to talk technical aspects of it, but it was a system that was based on certain standards.
 Q Were those standards consistent with other known databases like the DNC database or PeopleBase or the PRIV database, the inputting sources?
 A No, it was not compatible with PRIV or PCON, that was a mainframe-based system. What we had was a different type of system.

⁶These ellipses reflect the omission of a couple of questions and answers.

⁷Deposition of Jerry R. Carlsen, 65-66 (August 28, 1997) (emphasis added).

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- Q What about the DNC and PeopleBase?
A I have -- no, as far as the table structure and layout, some similarities, but there was no direct mapping, necessarily, that I am aware of.
Q Did that make it difficult to import the data?
A It makes it more difficult, yes.⁸

During her testimony on the Scott memo, Ms. Mills also was asked about a January 17, 1994, memo, she authored entitled "Correspondence Department Database Project." Mr. McIntosh claims that Ms. Mills falsely testified when she stated that her "impression" of the "Correspondence Department Database Project" memo was that it did not concern WhoDB. Again, Mr. McIntosh supports this serious allegation by citing other witnesses' impressions as to the meaning of the document.

The record does not support Mr. McIntosh's position. The "Correspondence Department Database Project" memo does not expressly reference WhoDB. Moreover, while Mr. McIntosh cites Ms. Scott's testimony that the "Correspondence Department Database Project" memo "looks like" it addresses some issues raised in an earlier memo on WhoDB,⁹ Mr. McIntosh does not cite additional relevant testimony by Ms. Scott. In this testimony, Ms. Scott noted that there were two other ongoing Correspondence Department database projects.¹⁰ In light of these facts, it is unfair to conclude that Ms. Mills "willingly" and "knowingly" stated a falsehood when she said that her impression was that the "Correspondence Department Database Project" memo did not concern WhoDB.

B. Bailey Notes

Mr. McIntosh also claims that Ms. Mills committed obstruction by failing to produce the Bailey notes in September 1996, and lied by testifying that she determined the Bailey notes were "not responsive to the seven enumerated items" requested by the Subcommittee. Similar to his arguments on the Scott memo, the justification Mr. McIntosh provides for these serious charges is that Ms. Mills "could not have believed" that the Bailey notes were not responsive because the document is in fact responsive.

In her testimony, Ms. Mills stated that she "can't go back and recreate . . . at this time

⁸*Id.* at 19-20.

⁹Deposition of Marsha Scott, 89 (February 18, 1998).

¹⁰*Id.* at 90.

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what information I had that led us to conclude that this material was not responsive to any of the seven enumerated items [in Mr. McIntosh's August 2, 1996 request]."¹¹ She discussed the process she went through, which she said involved reviewing the notes with then-White House Counsel Jack Quinn.¹² She further elaborated that she "think[s]" that they assumed that Mr. Bailey's own notes were not responsive to Mr. McIntosh's request for "communications."¹³

Ms. Mills may well have improperly interpreted the August 2, 1996, McIntosh request, and erred by not producing the Bailey notes. However, the Committee record, which includes a deposition of Mr. Quinn, does not contain evidence supporting Mr. McIntosh's allegation that Ms. Mills purposely withheld the document or purposely misled the Committee in her testimony.

This conclusion is reinforced by the fact that, at the time of document production, Ms. Mills was operating under time pressures that I believe would increase the likelihood that honest mistakes would be made. Ms. Mills's testimony to the Committee indicates that the White House Counsel's Office produced to the Subcommittee over 27,000 pages of documents for the WhoDB investigation within a short time after the Counsel's office received the documents.¹⁴ In light of these facts, I do not think it is responsible to conclude that Ms. Mills committed obstruction and lied.

With respect to all of his allegations against Ms. Mills, Mr. McIntosh apparently is basing his assertions on selectively edited testimony of certain other individuals about their impressions of the documents at issue. His letter leaves out information that supports Ms. Mills's impressions -- even to the point where one excerpt includes a portion of a sentence, but leaves out the immediately preceding sentence that appears to support Ms. Mills. It is wrong to base such serious charges on such incomplete and insubstantial evidence.

II. MR. MCINTOSH'S ALLEGATIONS REGARDING "MOTIVE"

Mr. McIntosh also alleges that Ms. Mills had the "motive" to withhold the documents

¹¹Testimony of Cheryl Mills, *Hearings Before the House Committee on Government Reform and Oversight, White House Compliance with Committee Subpoenas*, 105th Cong., 1st Sess., 105-61, at 115 (November 6 and 7, 1997). All other cites in this letter to Ms. Mills's testimony refer to pages in this source.

¹²*Id.*

¹³*Id.* at 263.

¹⁴*Id.* at 114.

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because "[t]he withheld documents themselves are significant evidence of the theft of government property," and their release would have been "at the very least, politically damaging." This allegation is unfounded. Ms. Mills gave no testimony suggesting her motive was to avoid political damage. The Committee also deposed 34 other witnesses for over 135 hours on WhoDB, and not one of them questioned Ms. Mills's integrity or honesty, or cast aspersions on her motives.

Moreover, Mr. McIntosh's position conflicts with significant facts. First, the White House turned over both the Scott memo and the Bailey notes voluntarily. The White House's production of these documents undermines Mr. McIntosh's argument that the documents are so politically damaging that White House attorneys would intentionally withhold them.

Second, testimony taken by the Committee on the Scott memo and Bailey notes -- including testimony by the authors of the documents -- does not support Mr. McIntosh's allegation that the documents are "significant evidence of the theft of government property." For example, while the Scott memo discusses several outside databases, nothing in Ms. Scott's extensive testimony on the document establishes that the memo reflects improper sharing of information from WhoDB or improper use of government resources to develop outside databases.¹⁵

The Bailey notes use the terms "integrated" and "share," and reference WhoDB and a DNC database, without making clear whether the notes contemplate White House receipt of data from the DNC or DNC receipt of data from the White House. Mr. Bailey testified, however, that he had a clear understanding that it was inappropriate for the White House to share data from its databases,¹⁶ and that he had no reason to believe that the White House ever transferred information from WhoDB to an outside database.¹⁷ Further, while the Bailey notes indicate that the President was "evidently" interested in the subject matter of the notes, Mr. Bailey testified that he had no personal knowledge of what the President wanted with respect to the database,¹⁸ and that the notes likely were based on information he heard in passing and quickly wrote down to himself.¹⁹ None of the 34 witnesses the Committee deposed in the WhoDB investigation

¹⁵Deposition of Marsha Scott, 89-102 (February 19, 1998).

¹⁶Deposition of Brian Bailey, 39 (February 6, 1998).

¹⁷*Id.* at 129-132.

¹⁸*Id.* at 129-30.

¹⁹*Id.* at 36-37.

The Honorable Janet Reno
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testified that they believed that WhoDB was "integrated" or otherwise inappropriately linked with any DNC or other outside database, or that the President wanted such improper linkage to occur.

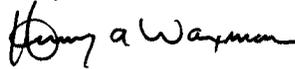
Mr. McIntosh spent an extraordinary amount of Committee -- and taxpayer -- resources in his over two-year investigation of WhoDB. Despite his allegations to the contrary, the WhoDB investigation has uncovered no significant wrongdoing.²⁰ Even if one accepts Mr. McIntosh's assertion that Ms. Mills would have a desire to cover up evidence of wrongdoing -- an assumption that I find offensive -- in this case there was simply no wrongdoing to cover up.

III. CONCLUSION

Mr. McIntosh's September 17 letter sets a dangerous precedent. The signal it sends is that it is a potential criminal offense to disagree with Mr. McIntosh about the relevance of documents. Mr. McIntosh has made a frivolous accusation that amounts to a smear on Ms. Mills. It is unfortunate that this is the climate public servants face in Washington, especially since allegations alone are often a sufficient basis for newspaper headlines.

Before any more damage is unnecessarily inflicted on Ms. Mills's reputation, I urge you to act quickly and reject this attempt to turn an ordinary, run-of-the mill document dispute into a federal crime.

Sincerely,



Henry A. Waxman
Ranking Minority Member

Enclosures

cc: Members of the Committee on Government Reform and Oversight

²⁰In fact, GOP leadership sources reportedly recently said that "McIntosh's probe has found little substantive evidence that any high-ranking White House officials committed indictable offenses." Roll Call, 3 (September 10, 1998).

RPTS JACKSON

DCMN HERZFELD

EXECUTIVE SESSION

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

SUBCOMMITTEE ON NATIONAL ECONOMIC GROWTH,

NATURAL RESOURCES, AND REGULATORY AFFAIRS

U.S. HOUSE OF REPRESENTATIVES

WASHINGTON, D.C.

DEPOSITION OF: MARSHA SCOTT (CONTINUED)

Thursday, February 19, 1998

A Yes.

Q Three: White House priority item?

A I would have wanted to know that that was a priority item.

Q "DNC priority item"?

A I would want to know that the DNC was compatible with our system.

Q Okay. Thank you.

A You're welcome.

Q I show you MS-38, which is document M 32438 and 9.

[Scott Deposition Exhibit No. MS-38

was marked for identification.]

The Witness. The famous leaked memo, leaked from this committee. How interesting to see it today.

BY MR. AUSBROOK:

Q Anyhow, do you recognize this memo?

A Yes.

Q Do you recall preparing it?

A No.

Q Do you have any reason to think you didn't prepare it?

A No.

Q It's a memorandum to Harold Ickes, Bruce Lindsey, copied to the First Lady, from Marsha Scott, date June 28, 1994, recommendation for design of new database. It has some handwriting up in the upper right-hand corner and then some handwriting. And right next to the to and from lists it says, "This sounds promising. Please advise. HRC."

Are those your initials next to your name?

A Yes.

Q Do you recognize any other handwriting on this?

A No.

Q I note from your Senate deposition that you testified that you wouldn't recognize the First Lady's handwriting if you saw it, so you can't testify to the fact that this is or isn't the First Lady's handwriting?

A That's still correct.

Q And let's look at the first sentence of the second paragraph. It says, "Currently in the White House we are preparing, as you know, to implement a new database system starting August 1."

What database system is that?

A I am hoping that's going to be what I envisioned WhoDB to be. It didn't happen, but I was hoping it would.

Q Right. And it says, "While that system is modeled after the PeopleBase software, it has major differences."

Does that describe the WhoDB as well, what you envisioned the WhoDB to be?

A Yes. And I went on to say what I thought those differences were.

Q And then it says, "We should have any flaws identified and corrected and the majority of the White House using the new system. We will then have a year to fully train and familiarize our folks to its many possibilities and uses."

Why would you have a year to do that?

A I think if you go back and look at all of our time lines we had set out, that we needed a big period of time in which we could train people. And I think in all of our stated goals we had looked at this as I think it was a 2- to a 3-year project, and we had time lines of when things were going to happen, and I think that I'm referring to the time line that we had identified as being the part where we would have to train people.

One of the critical, critical aspects of WhoDB being successful was that everyone was

properly trained and that they liked using it; and we felt like it was going to take an extensive period of time in order to get that done.

Q The words you use, "We will then have a year to fully train and familiarize our folks to its many possibilities and uses," that year is the beginning -- by the end of that year, that would be beginning of 1996. Was there a reason why it was important to have people fully trained by 1996?

A No.

Mr. Pierson. Counsel, moreover, I object to your question. August 1, 1994, plus a year is August 1, 1995.

Mr. Ausbroom. Counsel, if you'd read the entire paragraph, it says, "By the first of the year we should have any flaws identified." That's the next date that's mentioned. And then it says, "We will then have a year."

Mr. Pierson. So you get to January 1996.

Mr. Ausbroom. That's right, we will then have a year by the first of the year. You can shake your head all you wish, but the fact is that's the way it reads.

BY MR. AUSBROOK:

Q Is there any reason why people needed to be fully trained by 1996?

A The year became irrelevant. If we had followed the time lines that we originally set out, we would have had this done much earlier. But, unfortunately, we encountered numerous delays. So, as of the date of this writing, looking at all the work we had to do and how extensive we wanted it to be, that was just what factored out. It has no relevance other than, in our planning for this database, we knew that it was going to take a long amount of time to get the entire White House up and running. It had many components. There were three separate phases to this project. Each phase required a whole bunch of training and reorganization within the White House.

The time line now is way past when I would have liked it to have been out, if you look at all the other memos. So it fits with what we were trying to say about how much time would be needed to do this.

Q Let me ask you, did you think that this would be a particularly useful device to have during a campaign year?

A I never ever considered what we were doing in the White House as useful to a campaign. I considered it useful to running an efficient White House and being efficient government workers.

I had, as I have stated over and over, thought that what we were designing was a good

system. I hoped that people outside of the White House, that the campaign people, would either duplicate this system or clone one very similar to it, try to model it. I thought we were doing a really neat, wonderful, efficient system. I would have been proud if the campaign or anybody else had wanted to copy this.

Q That brings me to my next question. It says, "My team and I are also engaged in conversations with the DNC about the new system they are proposing." That's the beginning of the third paragraph.

A I'm now talking about another system.

Q What system are you talking about?

A DNC system.

Q And who on your team was discussing this with the DNC?

A You already know that. You've asked me that. You asked me about conversations I had with the DNC. I answered you. It was the same group of people. It was Erich Vaden, it was myself, and it was Mark Bartholomew.

Q Okay. And how often did you meet with the DNC regarding their -- or how often did you discuss with the DNC their new system?

A You've asked me that. I've answered that. I have a memory of one meeting where

we went to the DNC. I hoped that there were many other meetings, because it was very important to me that the DNC system, whatever it was, that it be technologically compatible with the system that we had in the White House so that we could receive information from the DNC.

Q Are you aware of any other -- besides your own conversation with the DNC, are you aware of any other individuals in the White House who were discussing with the DNC their new database?

A I am sure those conversations took place, and I'm not sure who those people were.

Q On the next page it says, "The time to act is now. Cloning or duplicating database systems is not difficult if carefully planned by a good design team."

Did you discuss cloning or duplicating a system with the DNC?

A I talked about that, I would assume, because I pleaded that that was a good idea and it's an easy thing to do.

Q Did you discuss with the DNC whether doing so would be difficult? It goes on to say it would not be difficult. Did you discuss whether it would be difficult to do?

Mr. Pierson. With who?

BY MR. AUSBROOK:

Q With the DNC?

A I don't remember the exact content of that meeting that I remember having with them, but I would assume I would have said that because I believe that.

Q Did you get that belief from people that you worked with in the White House?

A I got that belief from my own experience and observation.

Q Did you discuss whether it would be difficult with Erich Vaden and Mark Bartholomew?

A We found the work that we were doing to be very exciting and creative, and we made an assumption that others would find that exciting and creative. And so I guess, based on that, we would have discussed that, yes, this is something that is relatively easy. We only had four people working on it. That's not a big deal.

Q The memo goes on, it says, "We have proven it can also be done relatively quickly and inexpensively."

Was that your experience with the WhoDB that made you think it could be done quickly and inexpensively?

A That was my assumption. It was not what proved to be true. I found that because there were so many obstacles to getting WhoDB implemented, that it became extremely

time-consuming and very difficult.

Q But at this time you still thought that it had been relatively quick and inexpensive to do it?

A I was still believing in the theoretical possibility.

Q Okay. Was anyone on your team allowed to work with the DNC on their system?

A What do you mean by "work with"?

Q Well, help them with the design of the system?

A I'm not sure what you're getting at. But we shared information about how they needed to format their system so that we could receive information from them, and if that's what you define as "work," we certainly did that, as we would do and did do with any outside entity that we wanted to receive regular information from.

Q Let's go back to the first page for a second here. It says, "We have asked that their system be modeled after whatever system" --

A Excuse me, where are you?

Q Last paragraph, second sentence. "We have asked that their system be modeled after whatever system we decide to use outside the White House."

What system are you talking about there?

A We needed to have a system outside of the White House that could be used that was more efficient than the PeopleBase system. And I am now switching subjects on you and talking about the fact that there is a need for that system.

Q Is that just the campaign system? Is that what you're talking about?

A At this point I'm talking about whatever system that we are going to use. I had been making arguments up to this point saying that the system that had been in use and was in use, PeopleBase, was not adequate.

This was a system that, whatever it was -- PeopleBase was where campaign materials were stored. Obviously, eventually we would have to have a campaign database. My original concern was that we start moving that material into a system that worked better than PeopleBase did. So I'm referring to that there.

Q I guess my question also is who is "we." "we" decide to use outside the White House?

Mr. Pierson. You're referring to the third paragraph. Counsel.

BY MR. AUSBROOK:

Q The same sentence, "We have asked that their system," I take it that is you and your team?

A Correct.

Q But then it also says, "...after whatever system we decide to use outside the White House." Who is the second "we"?

A I shifted "we," meaning whoever is working on information outside of the White House.

This is a very poorly written memo, and I am very embarrassed by it. It is one of several that I have encountered 5 years later that embarrassed me greatly. This is one that will go down in my own personal history as being one of the worst that I have ever written, because, in truth, I go into this long preamble, which occurs in the first three paragraphs --

Mr. Pierson. Two paragraphs.

The Witness. -- two paragraphs to then get to the crux of what I was trying to talk about. So I can see why it is very confusing to you. And on this particular memo, I actually don't mind the questions because I think it is really poorly written.

BY MR. AUSBROOK:

Q We are just trying to clear it up what was going on here.

A I appreciate that. I'd like to clear up this one.

Q Who were the people were going to be working on information outside of the White

House?

A I don't know.

Q Who were the people at that time? Was there anyone besides Percy Malone, or who was working on outside data at that time?

A To my knowledge, no one but Percy Malone.

Q So there was no outside data management going on except the update that Percy Malone was engaging in that you knew of?

A That was true for the President's information. The Vice President had his own source of information. Their name escapes me.

Q Were you going to be one of those people working on data outside the White House?

A I never had plans to be, no.

Q Did anyone ever ask you to do that?

A No.

Q Let's go on to in the first full paragraph on the second page, at the end of line 5. "We can show them what to do and then clone another system for our specific uses later on."

What is the other system that you're talking about there?

A Another system which I was hoping would replace the PeopleBase system.

Q So that's the same system as you were talking about in the third paragraph, the one that we decide to use for political purposes later on?

A Yes.

Q And what is your plan here? Can you explain it to me?

A I'm sorry, where are you referring?

Q "We can show them what to do and then clone another system for our specific uses later on. Any information stored with PeopleBase could then be dumped into the system and made available, when deemed necessary, to the DNC or other entities we choose to work with for political purposes."

Can you just explain to me in simple terms what you wanted to do?

A I wanted to make sure that we did several things. One, I wanted to get the White House system so that it was technologically compatible with the DNC so we could receive information from the DNC. I also thought it was very important that, whatever other entity was set up, be it the DNC, maybe that's where we would have it, maybe it would be PeopleBase, it needed to be done better, or we could create another system, that that

system be, if it is not the DNC and if it is not PeopleBase, that it be compatible.

My objective originally was that the White House could receive information from any source that held a lot of information that we wanted, that we could receive that information quickly and easily so that we were technologically compatible with it. I had a team in the White House that was spending a lot of time trying to design a system for the White House. Several key members of that team were going to leave the White House. They were going to leave the White House. They were loyal Clinton young people. I knew that at some point they were going to want to get involved in other things. And I thought they would be a wonderful resource if we want to clone one, if we want to design one, these were the kids that had helped work on it, they are going to be made available. I was hoping that if they wanted to design an entirely new system, that they would at least consider using these young people that had spent so much time trying to design this one.

Q Okay. Did you keep a copy of this memo, without the handwriting on it, obviously?

A I don't know.

Q Do you know if you produced a copy of this to the Counsel's Office in response to request for documents from this committee?

RPTS STRICKLAND

DCMN MAYER

EXECUTIVE SESSION

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

SUBCOMMITTEE ON NATIONAL ECONOMIC GROWTH,

NATURAL RESOURCES, AND REGULATORY AFFAIRS

U.S. HOUSE OF REPRESENTATIVES

WASHINGTON, D.C.

DEPOSITION OF: MARSHA SCOTT

Wednesday, February 18, 1998

Q So it is also your memo.

Mr. Pierson. She did say that she hadn't compared the one to the other.

Mr. Ausbroom. I understand. I'm not asking for a detailed analysis.

BY MR. AUSBROOK:

Q But the January 17th memo does address some of the issues that were in your December 16th, 1993, memo?

A Looks like it does, yes.

Q The subject of this, it says, of Cheryl Mills's memo to you says Correspondence Department Database Project. Can you tell me about what that was?

A Well, actually that threw me off when I first saw that, because the Correspondence Department did have a whole separate Database Project that we were working on involving the gift unit. And we were, at some point -- and I don't know the time lines -- were in a process of wanting to upgrade and change that. And the Correspondence Department is on a stand-alone system that had been developed during the Bush administration and, in fact, the Bush administration had contracted to have a very particular database system set up in the Correspondence Department.

I -- I don't know why Cheryl chose to use that as her subject heading, but all I can think

of is, since I worked in the Correspondence Department, she was responding to it that way.

But there was, in truth, two other Correspondence Department Database Projects going on.

Q But this memo doesn't refer to those other two projects, does it?

A I thought it did at first, but then, as I read further down, it doesn't seem to.

Q When you say, when you saw it first, do you mean when you saw it first today?

A Today.

Q Do you remember, when you received it, did that surprise you in any way?

A What?

Q That it was called the Correspondence Department Database Project.

A I don't remember receiving it. And also, I now read things very differently since you are all lawyers, and I'm trying to read like a lawyer reads it. I wouldn't have read it that way.

Q I wouldn't make that mistake if I were you.

Did you have a subsequent meeting with Cheryl Mills regarding the advice in this memo?

A I don't know if it was subsequent. I had numerous meetings with Cheryl Mills over the course of the years, because she was the White House counsel that worked regularly

RPTS STRICKLAND

DCMN GALLACHER

EXECUTIVE SESSION SUBCOMMITTEE ON NATIONAL
ECONOMIC GROWTH, NATURAL RESOURCES, AND
REGULATORY AFFAIRS.

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C.

DEPOSITION OF: ERICH VADEN

Sunday, January 25, 1998

Q In the upper left-hand corner is the date 1-19, and it says "Arkadelphia trip" and there are several names written, "Marsha, Erich, Mark, Percy, staff, Sherrie, Curry, Monica Breedlove, Carl, Mecham." M-E-C-H-A-M, "Gwen."

Do you recall a meeting that you attended involving those people in Arkadelphia?

A Yes, I do.

Q When was that?

A I don't know. It was in January, I know that. January of '94.

Q January of '94? What was the purpose of that meeting?

A We went to -- we were looking -- it was part of the research we were doing into the design of the system. And PeopleBase had been brought to our attention as a good example of what, you know, the President's operations have used in the past, you know. So this would be a good example of what -- well, like I said, the President's operations had used.

Q So were you in some way trying to use the design of PeopleBase to help you design WhoDB?

A We didn't want to adopt the design of the system. It is an old system. It's character-based, as opposed to a GUI-based system, a graphical user interface. So we

never went down with the intention of adopting it or adopting anything similar to it. But what we wanted to use was sort of a list of its functionalities, the kind of data it stored, how it presented the data. You know, just as, I guess, an inspiration, so to speak, of similar type systems.

Q What about codes, did you want to use similar codes to what was in PeopleBase?

A No, we didn't want to use similar codes, no.

Q Why not?

A Because it was, you know, geared towards a Governor's office, you know, a State Governor's office, so the specific codes it had in there weren't very useful to us.

Q Who paid for your travel to this meeting; do you know?

A I don't know.

Q Do you recall discussions of a nondisclosure agreement regarding Malone's database?

A No. No, I don't. No, I don't.

Q Do you know if any nondisclosure agreement with Malone was ever entered?

A I don't know.

Q What exactly was the relationship between the WhoDB design and PeopleBase?

1 RPTS BRYAN

2 DCMN MAGMER

3

4 EXECUTIVE SESSION

5

6 COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

7 SUBCOMMITTEE ON NATIONAL ECONOMIC GROWTH,

8 NATURAL RESOURCES AND REGULATORY AFFAIRS

9 U.S. HOUSE OF REPRESENTATIVES

10 WASHINGTON, D.C.

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14 DEPOSITION OF: JERRY R. CARLSEN

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Thursday, August 28, 1997

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Washington, D.C.

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23

The deposition in the above matter was held in Room 2247,
Rayburn House Office Building, commencing at 10:00 a.m.

24

25

1 mainframe system, which was presidential contacts, that also
2 has been in existence for quite a number of years.

3 And then there was also information from the Office of
4 Public Liaison, I believe. I am not absolutely definite on
5 that. But there was a spreadsheet data that we imported from
6 them.

7 Q Do you know what was in the OPL data?

8 A I never saw it firsthand.

9 Q How were these -- how was this data inputted into
10 WhoDB?

11 A It would be different programming routines to select
12 the information and then map it into the database.

13 Q It was electronically transmitted?

14 A Some of it was electronically transmitted, yes.

15 Q And others?

16 A There was others that was actually keyed in
17 manually.

18 Q By whom?

19 A By White House interns and White House contractors,
20 the people we contracted with to input the information.

21 Q Was the WhoDB designed to be compatible with other
22 systems?

23 A I didn't intentionally design it to be compatible
24 with other systems. We designed it to be somewhat of an open
25 system so that we could query it fairly easily. And, there

1 again, I don't want to talk technical aspects of it, but it
2 was a system that was based on certain standards.

3 Q Were those standards consistent with other known
4 databases like the DNC database or PeopleBase or the PRIV
5 database, the inputting sources?

6 A No, it was not compatible with PRIV or PCON, that
7 was a mainframe-based system. What we had was a different
8 type of system.

9 Q What about the DNC and PeopleBase?

10 A I have -- no, as far as the table structure and
11 layout, some similarities, but there was no direct mapping,
12 necessarily, that I am aware of.

13 Q Did that make it difficult to import the data?

14 A It makes it more difficult, yes.

15 Q Did anybody suggest to you that it needed to be
16 compatible with other systems?

17 A There was some discussion about -- I recall some
18 discussion, I don't know when, about making it compatible, at
19 least from a tables perspective, with -- like PeopleBase and
20 perhaps what the DNC had, although I don't have firsthand
21 knowledge of what the DNC has or had.

22 Q With whom did those discussions occur?

23 A That was primarily during the design phase with
24 Laura Tayman, Erich Vaden.

25 Q Was Mark Bartholomew involved in those discussions?

1 A I believe they're the people that built PeopleBase.

2 Q Can you tell us what PeopleBase is again, in your
3 understanding?

4 A My understanding is that it is a collection of
5 information about people that Governor Clinton -- then
6 Governor Clinton -- used.

7 Q Do you have any knowledge of whether that was a list
8 used by the Clinton-Gore campaign?

9 A I have no direct knowledge of that being used for
10 campaign purposes, for the election.

11 Q Do you have any indirect knowledge of that?

12 A No.

13 Q Do you recall any discussions of what that list had
14 been used for in the past?

15 A The only discussions I've heard about the PeopleBase
16 is that it was somewhat highly inaccurate as far as from the
17 data elements and that it wasn't necessarily real user
18 friendly, that type of thing.

19 Q Did you ever attend any meetings with people who
20 worked for Malone?

21 A No.

22 Q Did you obtain information about the Malone -- about
23 PeopleBase? Did you analyze it?

24 A We had information in our design documents related
25 to PeopleBase.

1 Q What was the purpose of having that?
2 A Just so we could see what their table definitions
3 were.
4 Q Why would you want to know that?
5 A I would imagine for future import potential.
6 Q Was PeopleBase imported into the White House
7 database?
8 A I believe parts of the data contained in PeopleBase
9 was imported. In other words, select elements.
10 Q Did Mark Bartholomew know who Percy Malone was? Did
11 you ever discuss Percy Malone with him?
12 A At what point in time?
13 Q During the time that you knew him.
14 A Did he know who Percy Malone was? After this
15 meeting, going to Arkadelphia, I guess he did. I'm not aware
16 that he knew him beforehand.
17 Q Did he discuss Percy Malone with you ever?
18 A I'm sure that once I was involved in the project, we
19 probably had some conversations about it. I don't remember
20 specifics.
21 Mr. Ausbrook. I'm going to show the witness document
22 number 32438 and 32439, a memorandum to Harold Ickes, Bruce
23 Lindsey, First Lady, from Marsha Scott with some handwriting
24 on it; and I am marking it Exhibit 9.
25 [Carlsen Deposition Exhibit No. 9

**WHITE HOUSE COMPLIANCE WITH COMMITTEE
SUBPOENAS**

HEARINGS
BEFORE THE
COMMITTEE ON
GOVERNMENT REFORM
AND OVERSIGHT
HOUSE OF REPRESENTATIVES
ONE HUNDRED FIFTH CONGRESS
FIRST SESSION

NOVEMBER 6 AND 7, 1997

Serial No. 105-61

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Mr. APPERSON. Are you testifying that Mr. Quinn made the decision—

Mr. RUFF. I cannot—

Mr. APPERSON. Excuse me—not to produce this document?

Mr. RUFF. I obviously cannot tell you as to each document, who made which decision, because I was not there.

Mr. APPERSON. Have you asked the people in the White House Counsel's Office the question I am asking you now?

Mr. RUFF. No, I have not. But may I suggest—

Mr. FATTAH. Could we allow the witness to answer the question?

Mr. RUFF. May I suggest that my colleague's recollection, that since she was there at the time, she may be able to shed some light on that.

Mr. APPERSON. I appreciate it.

Ms. Mills, do you know about this?

Ms. MILLS. Yes. At that time—

Mr. APPERSON. Let me ask the question of you.

Who made the decision in the White House Counsel's Office in 1996 not to produce this document, which had been provided to you pursuant to the request of the committee for production? Who made the decision in 1996 not to give it to Congress?

Ms. MILLS. Well, setting aside your premise, because actually this was one of the materials that were found by the Counsel's Office in going through archived materials—

Mr. APPERSON. When?

Ms. MILLS. Back in September.

Mr. APPERSON. Of what year?

Mr. FATTAH. Mr. Chairman, can we allow the witness to answer the question?

Mr. BURTON. Let her answer the question.

Ms. MILLS. Thank you.

Mr. APPERSON. What year?

* Ms. MILLS. In 1996, as—I don't know if you were familiar with the data base production at that time, but Mr. McIntosh at that time was seeking seven itemized materials related to the data base; and in connection with that, we sent out a directive on September 12th.

On September 18th, when documents were to be returned, Mr. McIntosh determined that he needed those documents that day. We began production at that time. We completed production within 4 days of over 27,000 documents—

Mr. MCINTOSH. Mr. Chairman, the witness is not answering the question as to who made the decision.

Mr. SANDERS. Mr. Chairman, let her answer the question, please.

Mr. MCINTOSH. Could I ask unanimous consent for additional time if she is going to stonewall and not answer the question as to who made the decision?

Mr. WAXMAN. I object. I object.

Mr. FATTAH. I have no objection that he has the time, but we should allow the witness to answer the question if we want to know the truth.

Mr. MCINTOSH. And that's all I ask for is time.

Mr. BARRETT. I understand that Mr. McIntosh is upset that he can't control the witness's answer, but if she could be allowed to continue.

Mr. BURTON. That's enough. That's enough.

The gentlelady will be allowed the time to answer the question, and we will allow the continuance to get to the conclusion of this. We have 10 minutes. Go ahead.

Ms. MILLS. We reviewed all the materials at that time and produced them to you. At that time, this is a part of the materials that I reviewed and then reviewed with Mr. Quinn, and made the determination that these materials were not responsive to the seven enumerated items that you all had listed in the August 2nd directive.

Mr. APPERSON. So your testimony is that you looked at this document, which reflected "WWhoDB" in bold letters at the top line of that document, and reflects people at the highest levels of the White House and the DNC sharing data bases, and you determined it was not responsive to a request for WWhoDB material?

Ms. MILLS. Actually, I think you probably are familiar with the directive that actually asked for seven enumerated things. It doesn't ask for all documents related to WWhoDB.

But setting that aside, I can't go back and re-create for you at this time what information I had that led us to conclude that this material was not responsive to any of the seven enumerated items. But at that time we sat down, we looked at these documents, I reviewed them with Mr. Quinn, and ultimately made the determination that those materials did not fall within the scope of the materials that were requested.

As you likely—are probably aware, there were many documents of a similar type to this that we produced that are equally—provide the same information with respect to the desire by many of the staff members to ensure that there were supporters of the President included in the data base, so that they might have an opportunity to invite and include them in events. The President and First Lady also were obviously interested in ensuring that they could have a data base that would provide them with an opportunity to include supporters at events, and that is something that—

Mr. BURTON. The gentleman's time has expired.

The Chair will stand in recess, and when we return, the minority will have their half-hour.

Mr. BURTON. The committee will reconvene. The gentleman from California is recognized for 30 minutes.

Mr. WAXMAN. Thank you, Mr. Chairman. In my opening statement—

Mr. BURTON. Excuse me. I agreed that Mr. Ruff would have 1 minute to respond to some comments that were made earlier so, Mr. Ruff, if you want to be recognized, we will go to Mr. Waxman.

Mr. RUFF. Excuse me, Mr. Waxman, and thank you, Mr. Chairman. In your opening statement, Mr. Chairman, you raise the question about the importance of communications with the leaders of the People's Republic of China concerning cooperation with this committee's and other investigations I just wanted to inform the Chair that indeed this very issue of cooperation in the investiga-

Ms. MILLS. I think that as we looked at this request, we noted that Mr. McIntosh had made distinctions between instances where he was seeking all documents and instances where he was seeking communications. I think if you look at 3, he indicates he is seeking communications. I think if you look at 4, 6, and 7, he had indicated documents. *

So I think at that time, when we were setting this beside his request and trying to be uniquely responsive, that's how we interpreted it, and we interpreted Mr. Bailey's own notes as not being responsive.

I understand that there is a debate. I have no interest in a debate. I quite clearly find it something that we could provide. It was nothing I was concerned about and don't really believe it is worth debating, because you all have the document and there is nothing to hide or be concerned about.

Mr. BENNETT. Right. I want to get to that. I want to get to that. I understand now the position is it is not worth debating and that the White House has now essentially in the Washington Post today said you should have had the document; you didn't get it. So I don't think there is any real dispute about it being within the requirements of paragraph 3.

Ms. MILLS. I think probably Mr. Quinn's own statement is he probably would dispute that. I just don't—I don't know.

Mr. BENNETT. I don't know who made the statement. Is Mr. Quinn speaking for the White House? I am talking about what is quoted in the paper today.

Ms. MILLS. No. I think at that time we were reviewing the materials, and I think there are a number of things. And I just think that we tried to be uniquely responsive to the request as it was drafted. We assumed that Mr. McIntosh intended something in particular with respect to stating "communications."

Mr. BURTON. Let me just interrupt. The appearance is that you were splitting hairs in order not to comply with the intent of the memo.

Ms. MILLS. Actually, Mr.—

Mr. BURTON. You know—

Ms. MILLS. Mr. Burton, I can understand and appreciate that concern, and I think one of the things we tried to do was be very responsive to this request because we had such a short period of time to try and address it. And I can appreciate how that might appear, and it is certainly the reason why I think it is not worth any debate and would provide it, and if I sat here tomorrow and knew that you all would be seeking this document again, I would certainly provide it.

I think what we tried to do was be uniquely responsive to your requests. And I appreciate your concern.

Mr. BENNETT. Just to wind up, and I will come back in just 1 second, Ms. Mills; Mr. Ruff, in terms of this whole point in these documents, clearly this document that was turned over—and I know that you wrote a very professional letter to Congressman McIntosh's subcommittee on October 28th, extending apologies and turning the document over—clearly that document was within the requirement of paragraph 3 of Congressman McIntosh's request; wasn't it?

RPTS COLCHICO

DCMN GALLACHER

EXECUTIVE SESSION

SUBCOMMITTEE ON NATIONAL ECONOMIC GROWTH,

NATURAL RESOURCES, AND REGULATORY AFFAIRS,

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

U.S. HOUSE OF REPRESENTATIVES

WASHINGTON, D.C.

DEPOSITION OF: BRIAN DAVID BAILEY

Friday, February 6, 1998

A Yes, more often than not.

Q Do you remember being in a meeting with Harold, and Deborah Delee?

A I don't remember, but I think I -- I think that I saw another memo that suggests that Harold was in a meeting that talked about the database. I am not sure if Deborah was there too, or not. I am not sure if I was ever in a meeting with Deborah about that.

Q So you think you got this information from a memo that Harold, and Deborah Delee want to make sure WhoDB is integrated with the DNC database?

A My guess is that I heard it from someone and that I wrote it down. Had I gotten it -- had I read it in a memo, I think I probably would have just kept the memo. So my guess is that somebody said something to me about it, and I wrote it down, and I wanted to talk with White House Counsel's Office about it.

Q When somebody said to you -- you mean somebody said it in passing, or in another meeting like a meeting with Marsha or a meeting with Erich?

A My guess is that it was in passing, because had it been in another meeting, it would be part of the notes of another meeting. But I have no -- I have no way to know that without a date or anything.

I mean, this is not an official memo. This is clearly a note to myself, I think, or at least

it is very informal. I mean, there are, you know, errors in this that I am surprised to see in something that I have written. It is not what I typically do.

Q To whom did you speak in the White House Counsel's Office about this?

A I don't recall. I would guess that Cheryl Mills, because I talked with Cheryl on almost everything that had to do with issues that I thought dealt with the whole political versus official tasks within the White House.

Q And what exactly did you talk about with her?

A I don't remember.

Q Did you show Cheryl these notes?

A I don't remember. My -- I have no way to know.

Q Okay. It talks about the -- there is a line from "Harold" down to, "he wants a meeting, Harold, Erskine, Deborah, Jodie, Marsha, and technicals and us to discuss ways to coordinate going forward."

Were you asked to set up a meeting?

A I don't remember.

Q Did you set up a meeting regarding the integration with the DNC database?

A I don't -- I really don't remember.

Q Did you ever set up a meeting with that group of people?

A I know that there was a meeting with at least some subset of these people that talked about external data issues once we knew that -- you know, with the objective of trying to figure out what the external data needs of, you know, outside of the White House were and the fact that WhoDB was not going to be able to solve those.

My recollection is that from day one -- or day one is not right -- from when we first learned what was appropriate and what wasn't appropriate, that the idea of, you know, having -- being able to share information back and forth as is written here was not something that was appropriate and, you know --

Q But apparently somebody had the idea that it was?

A You know, this is a memo that was written really quickly. I don't -- like I said, I think when I said earlier that I hate the word "compatible, the word I really hated was "integrated." and it is simply because "integrated" and "shared" connote something that, to my recollection, we knew, you know, after a very short while at the White House that that was not something that we could do.

And my recollection is that the main reason we would want to talk to the DNC was really twofold. First of all, it was that the DNC had a database that -- whether it was a

good database or a bad database. I don't know, but it had a database.

You know, if -- suffice it to say, a lot of people in the White House, including myself, don't understand databases that well and, if we were going to build a database and construct a database, that it might make sense to at least try to get knowledge from people about what a good way to build a database would be.

So that was the first reason that I think it would make sense to call on the DNC.

The second reason was really the reverse, you know, that there were things that we couldn't provide in our database, things that weren't appropriate for WhoDB to do; in particular, political functions and things that most likely would need to be provided at some point; and to the extent that we were learning about databases and we were doing the WhoDB, that anything that we learned in that process, that knowledge could, you know, be shared with the DNC, but that it was two different databases and the White House database could take information in but it could not share it out. I heard Cheryl say that a hundred times.

Q When did you first learn about the prohibitions with respect to the DNC?

A I don't -- the whole time line. I don't know.

Q I was just wondering if there are notes from before the time that you knew that

Q Do you have any reason to believe information from the Early Supporter Project was used for any campaign fundraising purposes?

A No. No.

Q Do you have any reason to believe the White House database was used to track contributions, dollar amounts put in with the individuals?

A Could you be more specific with the question?

Q Yes. Do you have any reason to believe that the White House database was used in order to track contributions, such as when somebody contributed a certain amount of money, and it was linked with that person in the White House database? Was it tracking that?

A No.

Q Do you have any reason to believe the White House database was used for campaign fundraising?

A No.

Q Do you have any reason to believe the White House database was used for any campaign purposes?

A No.

Q At what point in the process of developing the WhoDB did the individuals on the WhoDB project ask for legal advice on the appropriate creation and use of an official White House database?

A Would you repeat the question again? I am sorry.

Q At what point in the process did the individuals on the WhoDB project ask for legal advice on the appropriate use and creation of the database? Was it something that was done throughout? Was it done only early on?

A Certainly it was done throughout, once I was there. I don't know what was done before Erskine and I began working at the White House. I have seen at least one memo today that suggests that people talked about database and legal issues, you know, at the same time. But I am not sure what happened before.

Q Okay.

A Before I got there.

Q Do you have any reason to believe that anyone at the White House acted inconsistently with any legal advice that was received with regard to the use or creation of the database?

A No.

Q I believe you testified that you never spoke to the President or the First Lady about the database: is that correct?

A That is right. Yes.

Q Is that also true relating to the Early Supporter Project?

A Yes.

Q So you did not speak to either the President or the First Lady about the Early Supporter Project?

A That's correct. I did not speak with either of them.

Q Do you have any reason to believe that the DNC database and an official White House database were illegally linked or integrated?

A No.

Q There were a number of documents that talked about -- a number of your handwritten notes, for example Exhibit 2, where you refer to POTUS and what POTUS wants, and a couple of your other handwritten documents, you refer to what the President or First Lady want or desire.

Do you have any personal knowledge of what they desired or wanted with regard to the database?

A By personal knowledge, do you mean directly from them?

Q Yes.

A No.

Q You went over what you believe was the ability to access information on the database. I just want to go over it clearly to make sure that I understand your testimony correctly.

Did any office in the White House, other than the Social Office, have access to event information before the event took place?

A Could you be a bit more specific?

Q If you don't know, that is fine.

A Well, no. Could you be a bit more specific with the definition of "event information"?

Q When you pull up --

A On the database?

Q On the database, correct.

A No.

Q I'm looking for access on WhoDB.

A No.

Q No other office could have printed the invitee list to determine who had been invited? No other office could do that?

A That is my understanding, yes.

Q And then after the event, could any office other than the Social Office print event information such as the final attendee list after the event took place?

A My understanding was no, that you could not print a final list, that no one had access to the final list except for the Social Office and whoever they shared it with.

Q They couldn't view or print it, the final --

A That is my understanding, yes.

Q Was the WhoDB designed to allow information to be transferred from the WhoDB to outside databases?

A No.

Q Do you have any reason to believe information from the WhoDB was transferred to a database outside the White House?

A No.

Q Do you have any reason to believe information from any official database at the

White House was transferred to a database outside the White House? We are going beyond the WhoDB to all official --

A No.

Ms. Mundinger. That is it. Thank you.

BY MR. AUSBROOK:

Q Just a few follow-up questions. When you wrote in your notes "POTUS/FLOTUS," or the President and the First Lady want this, the Minority asked you if you had direct knowledge that that is what they wanted.

A Personal knowledge.

Q Personal knowledge. Did you have any reason not to believe that is what they wanted?

A No.

Q Did you write down in your notes what someone else had said?

A That or summarizing, or whatever, in most cases, yes.

Q I think at one point in your testimony you said people were often invoking the higher-ups' names in order to get things done.

A You never knew if they were doing it --

EXHIBIT THREE

**WHITE HOUSE COMPLIANCE WITH COMMITTEE
SUBPOENAS**

HEARINGS
BEFORE THE
**COMMITTEE ON
GOVERNMENT REFORM
AND OVERSIGHT**
HOUSE OF REPRESENTATIVES
ONE HUNDRED FIFTH CONGRESS
FIRST SESSION

NOVEMBER 6 AND 7, 1997

Serial No. 105-61

Printed for the use of the Committee on Government Reform and Oversight:



Mr. RUFF. I am attempting to answer your question. Mr. Apperson.

Mr. APPERSON. My question is, is this document responsive to the August 2 letter?

Mr. RUFF. If you will permit me, I will try to make my answer shorter than the introduction.

Mr. BURTON. Just wait a second. We all want to hear what you have to say, and when beepers go off—

Mr. RUFF. Thank you, Mr. Chairman. I appreciate it. I didn't know that beepers could be controlled, but I appreciate it.

My view has been, since the early months of this year, and as reflected in my discussion, my correspondence with Chairman McIntosh, that we would break through the impasse that had developed previous to that. We have produced documents erring on the side of responsiveness without worrying, candidly, about fine questions about whether or not they fit exactly within a particular description. I will not, I think, venture to go back into even the modestly dim mists of history and make a judgment about where this document fit into the sequence of events.

I made the decision on production on October 28th because there was no question in my mind that it was directly relevant to the chairman's concerns, the committee's investigation, the subcommittee's investigation, and there was clearly no reluctance on our part to produce it at that time.

Mr. APPERSON. Well, Mr. Ruff, a year before, well over a year before, there was more than a reluctance on the part of someone in your office to make that exact decision. And my question to you is, who in 1996 in the White House Counsel's Office made the decision to withhold that document?

Mr. RUFF. Mr. Apperson, obviously I was not there at the time so what I am about to tell you is a reconstruction of events that led up to my letter of October 28th to Chairman McIntosh.

As I understand the situation last fall, there were a number of lawyers working to collect documents responsive to the WHoDB request. Ultimately, as I understand it, the decisions about responsiveness were made by my predecessor, Mr. Quinn, who, as is my practice, reviews these close questions whenever they arise and makes the ultimate judgment about them.

[Exhibits 166, 162, and C-66 follow:]

Mr. APPERSON. Are you testifying that Mr. Quinn made the decision—

Mr. RUFF. I cannot—

Mr. APPERSON. Excuse me—not to produce this document?

Mr. RUFF. I obviously cannot tell you as to each document, who made which decision, because I was not there.

Mr. APPERSON. Have you asked the people in the White House Counsel's Office the question I am asking you now?

Mr. RUFF. No, I have not. But may I suggest—

Mr. FATTAH. Could we allow the witness to answer the question?

Mr. RUFF. May I suggest that my colleague's recollection, that since she was there at the time, she may be able to shed some light on that.

Mr. APPERSON. I appreciate it.

Ms. Mills, do you know about this?

Ms. MILLS. Yes. At that time—

Mr. APPERSON. Let me ask the question of you.

Who made the decision in the White House Counsel's Office in 1996 not to produce this document, which had been provided to you pursuant to the request of the committee for production? Who made the decision in 1996 not to give it to Congress?

Ms. MILLS. Well, setting aside your premise, because actually this was one of the materials that were found by the Counsel's Office in going through archived materials—

Mr. APPERSON. When?

Ms. MILLS. Back in September.

Mr. APPERSON. Of what year?

Mr. FATTAH. Mr. Chairman, can we allow the witness to answer the question?

Mr. BURTON. Let her answer the question.

Ms. MILLS. Thank you.

Mr. APPERSON. What year?

Ms. MILLS. In 1996, as—I don't know if you were familiar with the data base production at that time, but Mr. McIntosh at that time was seeking seven itemized materials related to the data base; and in connection with that, we sent out a directive on September 12th.

On September 18th, when documents were to be returned, Mr. McIntosh determined that he needed those documents that day. We began production at that time. We completed production within 4 days of over 27,000 documents—

Mr. MCINTOSH. Mr. Chairman, the witness is not answering the question as to who made the decision.

Mr. SANDERS. Mr. Chairman, let her answer the question, please.

Mr. MCINTOSH. Could I ask unanimous consent for additional time if she is going to stonewall and not answer the question as to who made the decision?

Mr. WAXMAN. I object. I object.

Mr. FATTAH. I have no objection that he has the time, but we should allow the witness to answer the question if we want to know the truth.

Mr. MCINTOSH. And that's all I ask for is time.

Mr. BARRETT. I understand that Mr. McIntosh is upset that he can't control the witness's answer, but if she could be allowed to continue.

Mr. BURTON. That's enough. That's enough.

The gentlelady will be allowed the time to answer the question, and we will allow the continuance to get to the conclusion of this. We have 10 minutes. Go ahead.

Ms. MILLS. We reviewed all the materials at that time and produced them to you. At that time, this is a part of the materials that I reviewed and then reviewed with Mr. Quinn, and made the determination that these materials were not responsive to the seven enumerated items that you all had listed in the August 2nd directive.

Mr. APPERSON. So your testimony is that you looked at this document, which reflected "WHoDB" in bold letters at the top line of that document, and reflects people at the highest levels of the White House and the DNC sharing data bases, and you determined it was not responsive to a request for WHoDB material?

Ms. MILLS. Actually, I think you probably are familiar with the directive that actually asked for seven enumerated things. It doesn't ask for all documents related to WHoDB.

But setting that aside, I can't go back and re-create for you at this time what information I had that led us to conclude that this material was not responsive to any of the seven enumerated items. But at that time we sat down, we looked at these documents, I reviewed them with Mr. Quinn, and ultimately made the determination that those materials did not fall within the scope of the materials that were requested.

As you likely—are probably aware, there were many documents of a similar type to this that we produced that are equally—provide the same information with respect to the desire by many of the staff members to ensure that there were supporters of the President included in the data base, so that they might have an opportunity to invite and include them in events. The President and First Lady also were obviously interested in ensuring that they could have a data base that would provide them with an opportunity to include supporters at events, and that is something that—

Mr. BURTON. The gentleman's time has expired.

The Chair will stand in recess, and when we return, the minority will have their half-hour.

Mr. BURTON. The committee will reconvene. The gentleman from California is recognized for 30 minutes.

Mr. WAXMAN. Thank you, Mr. Chairman. In my opening statement—

Mr. BURTON. Excuse me. I agreed that Mr. Ruff would have 1 minute to respond to some comments that were made earlier so, Mr. Ruff, if you want to be recognized, we will go to Mr. Waxman.

Mr. RUFF. Excuse me, Mr. Waxman, and thank you, Mr. Chairman. In your opening statement, Mr. Chairman, you raise the question about the importance of communications with the leaders of the People's Republic of China concerning cooperation with this committee's and other investigations I just wanted to inform the Chair that indeed this very issue of cooperation in the investiga-

Mr. SHADEGG. OK. As a matter of fact, like the handwritten notes of yesterday, you determined that it was not responsive and put it in that separate folder?

Ms. MILLS. That's correct, because I had a working knowledge then of the different data bases that had been addressed at that time. Ms. Scott was trying to address several different types, and this particular one, at the time I had knowledge of, was not related to WhoDB.

Subsequently, WhoDB, which is what your request was, came into being and the documents that were specifically related to WhoDB were provided.

Mr. SHADEGG. Well, you said subsequently. But you wrote—you had already written in January 1994 a memo to Marsha Scott about WhoDB and you knew that she was working on WhoDB.

Ms. MILLS. Actually, that's not correct. My memoranda in January is about a new correspondence data base, and as I think you probably are aware, in the end the data base that was implemented was not a correspondence data base, but WhoDB, which is the data base that is used throughout the White House.

Mr. SHADEGG. So your January 17th data base didn't have to do with WhoDB?

Ms. MILLS. That was my impression at the time, that's correct.

Mr. SHADEGG. The second paragraph does talk about the new data base and you now agree with me that that is the WhoDB. And you are saying that it wasn't the WhoDB at the time?

Ms. MILLS. It was my impression at the time, through conversations and other materials that we had with respect to this, that it was not with regard to the WhoDB. As you probably are aware, there were many different data bases in the White House and there were many different designs that were considered as to what would be the final data base that was going to ultimately be used.

At this time, we are talking about using a system modeled on PeopleBase. Ultimately, they ended up using WhoDB, which is not modeled on PeopleBase.

Mr. SHADEGG. OK. Let's talk about the first sentence of the third paragraph. Let me turn your attention to that.

That sentence says, "My team and I are involved in conversations with the DNC about the new system they are proposing."

Do you see that?

Ms. MILLS. Yes.

Mr. SHADEGG. Do you have any idea why someone in the White House, a White House official, working with a team, presumably a team of Government officials, would be working on a DNC, or discussing working with the DNC on a data base?

Ms. MILLS. As you probably are aware, White House officials and others are allowed to engage in political activity and they are allowed to use their time in that way when they volunteer to provide political activity, so to the extent that Ms. Scott wanted to provide or make herself available to engage in those activities, provided she did not use Government resources, that would be perfectly consistent with the Hatch Act.

Mr. SHADEGG. Government resources seems to be a good question. This is on stationery which says the White House, Washington. I presume that would be a Government resource, wouldn't it?

Mr. SNOWBARGER. Well, if you could, we have a number of documents that are listed here as White House Counsel's Office, M 33292 through 33302; I would ask at a minimum that we get a log that shows us specifically where those documents came from. And, again, I think—I suspect we have other production logs like this that are very general in nature, and I think we need to have that more specific information.

Mr. RUFF. As I indicated to Congressman McIntosh when he raised this issue a little earlier today, we will be happy to work with his committee staff to identify the source of any documents we can that are of particular concern.

Mr. SNOWBARGER. Mr. Chairman, thank you. I would yield back.

Mr. BURTON. Are you finished, Mr. Snowbarger?

Mr. SNOWBARGER. Yes, I yield back.

Mr. BURTON. The gentleman has completed.

Mr. FATTAH.

Mr. FATTAH. Thank you, Mr. Chairman.

In our search for the truth, I have some final questions I just want to walk through.

Ms. MILLS, you have been at the White House since—for how many years?

Ms. MILLS. Since January 20, 1993.

Mr. FATTAH. And during this period of time, you have had a number of different supervisors?

Ms. MILLS. Yes, that's fair to say.

Mr. FATTAH. Or people that you report to?

Ms. MILLS. Yes.

Mr. FATTAH. Can you lay them out in chronological order for us?

Ms. MILLS. I reported to Bernard Nussbaum. I subsequently reported to Lloyd Cutler. I subsequently reported to Ab Mikva. And I subsequently reported to Jack Quinn; and then I subsequently report to Chuck Ruff.

Mr. FATTAH. In all of the times that these issues that the committee has asked you about, did you have someone you were directly reporting to?

Ms. MILLS. Yes, indeed, with respect to these materials, I reviewed them.

Mr. FATTAH. In response to this particular issue about the memo that was termed to be nonresponsive, was it not your testimony yesterday that that was a decision jointly arrived at between you and White House Counsel Quinn?

Ms. MILLS. Yes.

Mr. FATTAH. The two of you made this decision?

Ms. MILLS. Yes. I put—

Mr. FATTAH. Because in subsequent questions by members of the committee, they seemed to have missed this point; that this was not an individual decision that was made by you.

Ms. MILLS. That's correct.

Mr. FATTAH. OK. So I just wanted to clarify the record. You also indicated that the subcommittee's response vis-a-vis this data base was quite specific, seven enumerated questions, and that, under the decision of the person who was your immediate supervisor and was, in fact, the ultimate authority on what was going to be re-

sponsive, both of you agreed that this was not responsive at that time?

Ms. MILLS. That's correct.

Mr. FATTAH. Now, Counsel Ruff has indicated to the committee that he has a different view of responding to this committee's requests. He says, we are going to give them everything, even those things that maybe are not responsive, so that we don't get accused of being not responsive.

Ms. MILLS. That's correct. I think a—

Mr. FATTAH. That is a different policy in the office, right?

Ms. MILLS. That's correct.

Mr. FATTAH. So whereas before you were responding to the specific nature of the subpoenas, this is a broader interpretation of what should be delivered?

Ms. MILLS. Correct; and it was a request, that's correct.

Mr. FATTAH. So that as we—and the other thing that you said, I think, in your testimony yesterday, was that substantially the same information that's in this document, that people keep going around and around about was available in other information that was provided?

Ms. MILLS. That's correct.

Mr. FATTAH. So that in all of this smoke, there was nothing that was being hidden from anyone?

Ms. MILLS. That's correct.

Mr. FATTAH. And that finally, when the chairman was asking you whether or not, when they talk about having these—these data bases being able to be compatible, that it was fully the White House's viewpoint that legally they could develop a data base that would serve a public purpose, but that also had the ability to be coordinated with data bases that were built and financed through political dollars?

Ms. MILLS. That's correct.

Mr. FATTAH. And that this was advice that various legal authorities had given to those who were producing this or preparing this data base?

Ms. MILLS. Correct.

Mr. FATTAH. So that at all times when those who were involved in the effort to produce the data base, they thought that they were acting and still believed that they were acting well within the color of the law?

Ms. MILLS. Yes, that's my understanding.

Mr. FATTAH. I want to thank you for your testimony. I want to thank all of you, and I want to thank the chairman for allowing me an opportunity to clarify the record as we conclude this hearing.

Mr. BURTON. Mr. Fattah.

Mr. MICA. Mr. Chairman, would the gentleman yield?

Mr. BURTON. Would you yield to Mr. Mica?

Mr. FATTAH. I would be glad to yield.

Let me ask one last thing, though. I do want to ask unanimous consent—I know you provided a general unanimous consent to all

SUPPLEMENTAL VIEWS OF DAVID M. McINTOSH

During consideration of the Committee's Report, Mr. Waxman referred to a previous investigation, conducted by the Subcommittee on National Economic Growth, Natural Resources, and Regulatory Affairs of the travel practices of senior agency officials. Unable to address the evidence in the Report, Mr. Waxman instead attempted to smear the Subcommittee and its staff for their work on that investigation and the evidence discovered about the failure of Securities and Exchange Commission [SEC] Chairman Arthur Levitt, Jr. to conform his travel practices to the travel policies of his own agency.

The single most important point that the Minority ignores is that the SEC travel policy prohibited flying first class even when paid for with personal funds. Chairman Levitt violated this policy and used taxpayer funds to help defray the cost of upgrading from coach to first class. In contrast to the biased and polemical Wall Street Journal article referenced by Mr. Waxman, the Washington Post reported that SEC documents and other records show that Mr. Levitt "often flies first class and stays at luxury hotels, *partly at government expense*, and sometimes attaches personal travel to official trips . . .¹ According to the Post, "The documents show that Mr. Levitt uses government-paid upgrades and reimbursements to help reduce his own costs when he chooses more expensive accommodations than government rules allow."²

Mr. Waxman's attacks on that investigation are entirely unwarranted. He failed to recognize that the Subcommittee's investigation of Mr. Levitt brought Mr. Levitt's travel practices into conformity with the SEC's policy. As a result of the Subcommittee's investigation, Mr. Levitt stopped flying first class, at least for a while, until the SEC changed its travel policy to allow first class travel paid for with personal funds. The Subcommittee will continue to investigate ways to save taxpayer funds through ensuring that agency travel practices are in conformity with agency policy.

Mr. Levitt's willingness to change his practices and then change the SEC policy is ample evidence that his practices were not in conformity with SEC policy. Apparently, it is not Mr. Waxman's view that regulators should abide by their own regulations.

HON. DAVID M. McINTOSH.

[Supporting documentation follows:]

¹Brett D. Fromson, *Levitt's Travel Practices Scrutinized*, the Washington Post, (July 3, 1997) (emphasis supplied).

²Id.

Washington Post 7/3/97

Levitt's Travel Practices Scrutinized

House Subcommittee Examines SEC Chief's Official, Personal Trips

By Brett D. Fromson
Washington Post Staff Writer

Securities and Exchange Commission Chairman Arthur Levitt Jr. often flies first class and stays at luxury hotels, partly at government expense, and sometimes attaches personal travel to official trips, according to SEC travel documents and other records obtained by The Washington Post.

The documents show that Levitt uses government-paid upgrades and reimbursements that help reduce his own costs when he chooses more

expensive accommodations than government rules allow.

Levitt, who as head of the SEC is the chief regulator of U.S. financial markets, took 153 official trips in 175 weeks between September 1993 and November 1996 at a cost of about \$111,000, according to the documents, which were obtained through a Freedom of Information Act request.

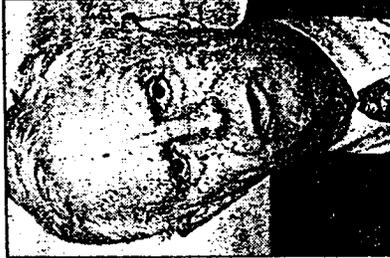
Ninety of those trips were to New York City, and 37 of the 90 included a weekend at Levitt's beachside house in Westport, Conn., or his apartment in New York at his own expense. Levitt also attached eight personal trips to his

Santa Fe, N.M., vacation house to 22 official swings he took to the West Coast and Southwest.

Levitt's travel habits have been criticized by House subcommittee staffers who have been juggling into his official trips. The subcommittee began examining travel practices at 16 federal agencies and offices in early 1996 and by year-end had narrowed its focus to Levitt and the SEC.

Levitt broke no laws, the majority staff said in a report to the Subcommittee on National Economic Growth, Natural Resources and Regulatory Affairs.

See TRAVEL, B4, Col. 1.



ARTHUR LEVITT JR.
... 153 trips cost \$111,000.

House Panel's Staff Finds Levitt's Travel Practices Broke No Law

TRAVEL, From E1

But the staff report said Levitt loosely followed regulations intended to limit government employees from using taxpayer money for first-class air travel or luxury hotel stays. The report also said he received preferential treatment that would not be afforded to other employees.

"It's clear to me that the SEC loosely applied its own travel policies and the Federal Travel Regulations, particularly to exempt Levitt from the first-class travel and other upgrades for Mr. Levitt. I believe there was a considerable gap in the system between the subcommittee Chairman Rep. David M. McIntosh (R-Ill.) said.

Levitt and his staff said there were no appropriations and that he paid for upgrades not permitted by the regulations, and that he did not always fly first class. In letters to the subcommittee, the agency said Levitt violated no government regulations or SEC rules, did not attempt to subsidize his personal travel at the expense of the government and did not arrange official travel to suit his personal convenience.

Last night Levitt said, "I believe the committee's inquiry has been politically motivated—and the suggestion that I

funds for private purposes is an outrageous statement."

The SEC told the committee in May that it would change its travel policies to ban first-class travel that is not authorized by federal regulations, annually audit all SEC travel, strictly interpret federal regulations on travel upgrades and treat all employee request for upgrades in the same way.

"In the interest of getting on with the commission's business of protecting investors, we accepted certain reforms that go beyond previous requirements," Levitt said yesterday.

SEC travel records show that Levitt sometimes used overseas trips as jumping-off points for personal travel he paid for, to such places as Bali and Venice.

On 17 official trips, the records show, Levitt used government-permitted and paid upgrades from coach to business class even though he did not use the upgrades to fly business class, but instead used them to help reduce the cost to him of flying first class.

SEC guidelines say employees should not travel first class on official business even when they personally pay the extra charge. But the agency said the guidelines are not prohibitions.

On 26 occasions Levitt received 150 percent of the SEC's standard lodging per diem, which is allowed under some

circumstances, and sometimes used the higher allowance to defray the cost to him of staying at more expensive hotels such as the Four Seasons in Chicago, the Mandarin Oriental in San Francisco and the Ritz-Carlton in Los Angeles.

Levitt also has charged in-house service to the government, in one case \$13,156 for a car from VIP Limousine Co., to LaGuardia Airport. An SEC spokesman said yesterday that a judgment was made that this was a reasonable way to get Levitt back to Washington quickly.

Levitt, who as chairman has made a great effort to stay in touch with Wall Street, also has charged the government for dinners he hosted for chief executives. At one such dinner in 1985 at a private New York club that Levitt belongs to, the bill for 12 people included \$891.05 for the meal, \$247.89 for liquor, French wine and imported beer, \$65.49 for flowers, \$198.19 for the private room and \$136 in tips for a total of \$1,240.62. An SEC official said the discretionary fund that chairman traditionally have had for such events.

In a letter to the subcommittee in March SEC general counsel Richard H. Walker said Levitt has paid tens of thousands of dollars of his own money for business lunches and dinners he has

held for financial and business executives to discuss regulations.

Before joining the SEC, Levitt, who declined assets of more than \$21 million in 1985, routinely flew first class and stayed at the fanciest hotels and spas, according to sources close to him. When Levitt arrived at the SEC, he told the agency's executive director, James McConnell that he would always fly first class, according to subcommittee staffers who interviewed McConnell.

Federal rules restrict travel arrangements of government employees. For example, first-class travel at government expense except when economy class is not available, when an employee is disabled or when security considerations require it.

Former energy secretary Hazel O'Leary was investigated by her department's inspector general for expensive overseas trips. Former General Services Administration chief Roger W. Johnson was investigated by the Justice Department for accepting free first-class upgrades from airlines. In neither case did the inquiries lead to findings of wrongdoing.

Levitt and his staff have been concerned about the subcommittee's inquiries and any public criticism of the chairman, according to the correspondence and interviews with SEC officials.

In a letter written last February the staff director of the subcommittee Walker said that if the subcommittee "conclusions, however inaccurate they may be, were reported publicly, and the subcommittee would receive substantial and unsubstantiated disservice to a person of great distinction and achievement."

Sources close to Levitt said he retained lawyer Arthur B. Culvahos Jr., a partner at O'Melveny & Myers to help deal with the subcommittee. SEC and congressional sources said Levitt cost the subcommittee almost \$200,000.

SEC and congressional sources said Levitt's representatives negotiated hard to prevent a report critical of travel.

Levitt also enlisted Sen. Alfonse D'Amato (R-N.Y.), who said he called McIntosh to vouch for Levitt's character and request that the subcommittee meet with Levitt.

Among the travel cited by the committee were two government first-class flights to San Francisco from South Africa. No business class seats were available on either flight but the subcommittee staff said this such cases federal rules require no travel.

An SEC spokesman said both flights were "judgment calls" allowed by travel regulations.