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OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription

~~6/1/98~~

BRYAN LEE HALL, white, male, date of birth [REDACTED], Officer, United States Secret Service (USSS), Uniformed Division, was interviewed at the Office of the Independent Counsel (OIC), 1001 Pennsylvania Avenue, NW, Washington, DC, 20004. Present for the interview were Associate Independent Counsel MARY ANNE WIRTH, AIC, MICHAEL TRAVERS, Department of Justice (DOJ) Attorneys DAVE ANDERSON and ANNE WEISMANN. HALL was interviewed under the terms of an agreement between the OIC and the DOJ. After being apprised of the official identities of the interviewers and the nature of the interview, HALL provided the following information:

HALL has been employed by the USSS since July of 1995. HALL was unassigned at the White House for the first two years of his employment. In approximately August of 1997, HALL was assigned to the Northwest gate of the White House.

HALL advised the first time he saw MONICA LEWINSKY was in the Summer of 1997. HALL was working the Northwest gate and LEWINSKY came to the gate. HALL did not know who she was at the time. HALL had heard rumors about an intern from the East Wing being caught in a compromising position with the President and being transferred out of the White House. HALL did not associate that incident with LEWINSKY.

BETTY CURRIE came down to meet LEWINSKY at the gate. HALL believes Officer DAVE LEVINE was also at the gate at the time. HALL does not know whether LEWINSKY waited for CURRIE or if LEWINSKY called CURRIE. HALL thinks LEWINSKY gave CURRIE some sort of bag with handles.

HALL advised he could not hear the conversation between CURRIE and LEWINSKY. HALL did not speak to either LEWINSKY or CURRIE on this occasion. HALL knew who CURRIE was at the time. HALL does not recall CURRIE's attitude during this exchange. HALL advised that the fact that CURRIE came down to the Northwest gate made this incident stick out in his mind.

HALL recalls another time when he saw LEWINSKY at the White House. HALL advised that during the first two weeks of

Investigation on 05/21/98 at Washington, DC File # 29D-OIC-LR-35063

by [REDACTED] Date dictated 5/21/98

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December of 1997, on a Saturday at approximately 10:00 a.m., he and Officer NIEDZWIECKI (phonetic) were on duty at the Northwest gate. LEWINSKY showed up and advised she had a gift for the President and BETTY CURRIE.

LEWINSKY asked if her name was in the WAVES computer, but HALL checked LEWINSKY's name and advised she had no appointment. LEWINSKY attempted to call CURRIE on the telephone. HALL advised he called the West Wing post and asked MIKE TYLER if TYLER had seen CURRIE. TYLER told HALL that he had not seen CURRIE.

HALL advised it was very cold on this particular day and he was not too busy, so he allowed LEWINSKY to sit in the trailer with him at the Northwest gate. HALL advised he and LEWINSKY had a casual conversation and the subject of LEWINSKY being a former East Wing employee came up.

HALL advised that LEWINSKY had one or two bags with handles. HALL described the packages as gift bags and advised they may have been red. During HALL's conversation, he mentioned that BETTY CURRIE was probably busy.

HALL advised the interviewers that twenty minutes prior to LEWINSKY's arrival, HALL had cleared a group of five or six people in to see CURRIE. One of the people in that group, who came about five minutes after the other members of the group, was ELEANOR MONDALE. HALL advised he had cleared MONDALE in on another occasion.

HALL told LEWINSKY that CURRIE had a few people visiting her, including MONDALE, and maybe CURRIE was giving a tour. HALL advised that LEWINSKY did not react in any way to HALL's comment about MONDALE. LEWINSKY was not upset and advised HALL that she would try to stop by later. Before she left, LEWINSKY asked HALL if the President was in the Oval Office and HALL told her that the President had just moved there. HALL advised it was not uncommon to tell tour groups when the President is in the Oval Office.

A few minutes after LEWINSKY left, Officer CHINERY from the E-4 post called and asked who "pissed BETTY CURRIE off." HALL was on a break at the time of CHINERY's call, but Sergeant WILLIAMS called and HALL returned to the Northwest gate. WILLIAMS asked HALL what he said and HALL advised WILLIAMS the same things he has said in this interview.

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Continuation of OIC-302 of BRYAN LEE HALL . On 05/21/98 , Page 3

WILLIAMS said he was going to speak to CURRIE. Sometime later, WILLIAMS and Captain PURDIE came back to the Northwest gate and advised HALL not to speak to anyone about the incident. HALL advised that WILLIAMS spoke to CURRIE. HALL advised the President may have been present also. WILLIAMS said that CURRIE did not have a problem with the incident.

The DOJ attorneys advised there may be a Presidential Communications privilege on what PURDIE and WILLIAMS told HALL about their conversations with CURRIE.

HALL later had an additional conversation with WILLIAMS about these events. The DOJ attorneys claimed a Presidential Communications privilege on these conversations, as well.

HALL advised the only person he told about this incident was his wife. HALL advised that the day after the incident, while at roll call, someone made an offhanded remark about the incident and HALL denied that it happened.

HALL advised that he never told LEWINSKY that she had to take a number or to wait in line. HALL advised that he never saw LEWINSKY again. HALL advised that he heard a rumor that LEWINSKY got into the White House later on the day of the incident.

HALL advised he was somewhat surprised when the news broke in January of 1998 about LEWINSKY.

HALL heard numerous rumors about LEWINSKY and the President, but he is not sure from whom he heard them. HALL heard that LEWINSKY had been to the Southwest gate on several occasions. HALL heard LEWINSKY and the President were involved in a relationship.

HALL may have heard or read about a White House steward and LEWINSKY. HALL overheard that a White House steward supposedly saw LEWINSKY and the President, but HALL is not sure who said this.

HALL does not know JAMIE SCHWARTZ. HALL heard there was an access list to the White House.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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IN RE: :
GRAND JURY PROCEEDINGS :
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Grand Jury Room No. 3
United States District Court
for the District of Columbia
3rd & Constitution, N.W.
Washington, D.C. 20001

Thursday, July 23, 1998

The testimony of BRIAN HALL was taken in the presence of a full quorum of Grand Jury 97-2, impaneled on September 19, 1997, commencing at 1:42 p.m., before:

SOLOMON WISENBERG
Deputy Independent Counsel
MARY ANNE WIRTH
Associate Independent Counsel
Office of Independent Counsel
1001 Pennsylvania Avenue, N.W.
Suite 490 North
Washington, D.C. 20004

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1 This is a federal grand jury impaneled by a United
2 States district court judge to investigate, among other
3 things, whether or not certain people may have committed
4 crimes in connection with a civil case known as Jones v.
5 Clinton. Do you understand that?
6 A Yes, sir.
7 Q Could you tell us your title, please?
8 A I'm an officer.
9 Q And an officer with what organization?
10 A The Secret Service uniformed division.
11 Q Okay. And it would be appropriate to refer to
12 you -- to call you Officer Hall? Is that correct?
13 A That's fine.
14 Q All right. I'm going to tell you a little bit
15 before we start about your rights and responsibilities as a
16 grand jury witness and if there's anything you don't
17 understand, why don't you let us know, all right?
18 A Okay.
19 Q First of all, you do not have the right to have an
20 attorney in the grand jury room with you, but you can have an
21 attorney outside and you can consult with that attorney if
22 you need to. Do you understand that?
23 A Yes, sir.
24 Q And do you have an attorney outside for you to
25 consult with?

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1 PROCEEDINGS
2 Whereupon,
3 BRIAN HALL
4 was called as a witness and, after having been first duly
5 sworn by the Foreperson of the Grand Jury, was examined and
6 testified as follows:
7 EXAMINATION
8 MR. WISENBERG: Let the record reflect the witness
9 has entered the grand jury room.
10 Madam Foreperson, we have a quorum?
11 THE FOREPERSON: Yes, we do.
12 MR. WISENBERG: Any unauthorized persons present?
13 THE FOREPERSON: There are none.
14 MR. WISENBERG: Thank you.
15 BY MR. WISENBERG:
16 Q Could you state your name for the record, please?
17 A Brian Hall.
18 Q And it's H-a-l-l?
19 A Yes, sir.
20 Q All right. My name is Sol Wisenberg. I'm an
21 attorney with the Office of the Independent Counsel. To my
22 left is Mary Anne Wirth, who is also an attorney for the
23 Office of Independent Counsel. This is the grand jury court
24 reporter and these are the ladies and gentlemen of the grand
25 jury.

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1 A Yes, sir.
2 Q Can you tell us who that is?
3 A It's Lecanne Turner.
4 Q Okay. That's your personal attorney?
5 A Yes.
6 Q Okay. Lecanne Turner?
7 A Lenay Turner.
8 Q I'm sorry. Lenay Turner? Okay. Is that
9 L-e-n-a-y?
10 A I'm not sure.
11 Q Okay. Also, you have a privilege against
12 self-incrimination or a right against self-incrimination.
13 If a truthful answer to a question would tend to
14 incriminate you, you don't have to answer that. You
15 can say, "I'm invoking my Fifth Amendment right. Do
16 you understand that?
17 A Yes, sir.
18 Q A very basic example of that would be if I ask
19 you, "Did you rob the Gotham City Bank on October 3, 1966,"
20 you probably weren't born then, but October 3, 1966, and
21 you did -- you had really robbed it, a truthful answer to
22 that would be yes, you wouldn't have to do that.
23 A Okay.
24 Q You understand that?
25 A Yes, sir.

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<p>1 Q And these are questions that we ask of virtually of 2 all grand jury witnesses and I'm going through them, but it's 3 important that you indicate, you know, whether or not you 4 understand what I'm saying. 5 Another thing is, of course, you took an oath to 6 tell the truth. Do you understand that? 7 A Yes, sir. 8 Q Do you understand what that means? That unless you 9 take a privilege on something where you say, "I'm not going 10 to answer," that you have to truthfully answer all of our 11 questions. You understand that? 12 A Yes, sir. 13 Q Okay. Is there anything about your rights and 14 responsibilities as I've explained them that you don't 15 understand? 16 A No, sir. 17 Q If there's anything we don't ask properly, that is, 18 it's not clear to you, please let us know and we'll try to 19 rephrase it. How's that? 20 A That's fine. 21 MR. WISENBERG: And you might see some other 22 attorneys from our office coming in and as we proceed. 23 We'll try to keep traffic down to a minimum. I'm going 24 to turn over questioning to Ms. Wirth and I have to go 25 outside for just a moment.</p>	<p>1 Q Was it the summer of 1997? 2 A Yes. 3 Q Okay. So last summer. 4 A Yes. 5 Q Okay. And can you tell the grand jury where you 6 were at the time that you saw her? 7 A At the northwest gate at the White House, which is 8 located on 1600 Pennsylvania Avenue, the old northwest gate, 9 I should say. 10 Q Okay. And prior to that date, had you ever heard 11 her name? 12 A Well, I'm not sure. 13 Q You don't remember? 14 A No. 15 Q Okay. What happened that day? 16 A I wasn't the primary person involved, I was inside 17 the northwest gate. If I recall, Betty Currie had come down 18 from -- I presume the West Wing, I just came out to the gate 19 and I just observed an interaction. 20 Q Okay. So Betty came down to meet Monica? 21 A I presume, yes. 22 Q Okay. And, by the way, how do you know that this 23 Monica Lewinsky? Did you look at -- 24 A I have no idea. I just -- now, I'm thinking that 25 it was. I'm still not 100 percent sure.</p>
<p>1 BY MS. WIRTH: 2 Q Officer Hall, you've been employed by the Secret 3 Service since 1995. Is that right? 4 A Yes. 5 Q And you're with the uniformed division? 6 A Yes. 7 Q Okay. And for the first two years of your 8 employment with the Secret Service, you were assigned to the 9 White House. Is that right? 10 A That's correct. 11 Q And in August of 1997, you were assigned to the 12 northwest gate of the White House. Is that correct? 13 A Yes. 14 Q And is that your current assignment? 15 A Yes, ma'am. 16 Q Okay. And you've held it steadily since August of 17 '97? 18 A Yes. 19 Q All right. Can you tell the grand jury whether you 20 have ever seen Monica Lewinsky? 21 A Yes. 22 Q Can you tell us about the first time that you saw 23 her? 24 A The exact date, I'm not sure. It was summertime, I 25 know, but an exact date, I'm not sure.</p>	<p>1 Q Okay. So on that day, did you know her name on 2 that day? 3 A No. 4 Q So are you basing your conclusion on pictures that 5 you've seen of her and you think that this is the person? 6 A I think so. Yes. 7 Q Okay. All right. So you said that Betty Currie 8 came downstairs to the northwest gate and had some 9 interaction with this person who you think was Monica 10 Lewinsky. 11 A Yes. 12 Q Okay. And what -- did you overhear any of their 13 conversation? 14 A No. 15 Q Did you see them exchange anything? 16 A They exchanged something. 17 Q What was it? 18 A I don't know. 19 Q Who gave what to whom? 20 A It looked like Ms. Lewinsky handed Mrs. Currie an 21 item. 22 Q Okay. And what did it look like? 23 A I can't recall. 24 Q Okay. Was it in some sort of container? 25 A I think it was in a bag, but I'm not 100 percent</p>

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<p>1 sure.</p> <p>2 Q Okay. How big was the bag?</p> <p>3 A Well, from what I recall, it was passed between the</p> <p>4 gate and the gate is approximately -- maybe six inches wide,</p> <p>5 so something to that width, I guess.</p> <p>6 Q Did it look like a shopping bag or gift bag, a</p> <p>7 plastic bag?</p> <p>8 A I really can't recall, to be honest. I'm not sure.</p> <p>9 Q Did the bag have handles?</p> <p>10 A I'm not sure.</p> <p>11 Q Do you remember when you were interviewed by an FBI</p> <p>12 agent and others from the Office of the Independent Counsel,</p> <p>13 including me?</p> <p>14 A Yes.</p> <p>15 Q Okay. And on that day, do you remember telling</p> <p>16 anybody that Ms. Lewinsky gave Ms. Currie on that date some</p> <p>17 sort of bag with handles?</p> <p>18 A I may have, but I'm just saying today I don't</p> <p>19 recall what --</p> <p>20 Q Okay. All right. But you overheard no</p> <p>21 conversation between them that day.</p> <p>22 A No.</p> <p>23 Q And Ms. Lewinsky did not go inside with Ms. Currie?</p> <p>24 A No.</p> <p>25 Q Inside the White House? And Ms. Currie left at</p>	<p>1 don't remember if I picked up the phone or went to the door.</p> <p>2 I'm not sure, but she had stated she had gifts for</p> <p>3 Ms. Currie. And I asked Ms. Lewinsky if she was cleared in</p> <p>4 and she said she didn't think so.</p> <p>5 So I took her ID and we have a computer system,</p> <p>6 that's how you check to see if somebody's been cleared in.</p> <p>7 it's called the [REDACTED]. I ran her name and she</p> <p>8 wasn't cleared in, so I ran it by her first initial of her</p> <p>9 last name and date of birth and she still didn't come up as</p> <p>10 cleared.</p> <p>11 Q When you say "cleared," you mean that she had --</p> <p>12 A No appointment.</p> <p>13 Q -- clearance to be in that day with an appointment.</p> <p>14 A Yes.</p> <p>15 Q Okay. [REDACTED].</p> <p>16 A Yes.</p> <p>17 Q All right. So what happened next then?</p> <p>18 A She stated that she didn't believe she was cleared</p> <p>19 to come in. She said she'd go ahead and keep using the house</p> <p>20 phone to try and get cleared in. And I'm not sure if -- I</p> <p>21 believe it was at that time was when I was trying to call</p> <p>22 Officer Tyler [REDACTED] outside of Betty's office</p> <p>23 to see if Betty was around, just to see if we could find out</p> <p>24 if she could come out or what was going to happen because she</p> <p>25 had gifts for her.</p>
<p>1 that point and went back inside the White House?</p> <p>2 A Yes.</p> <p>3 Q Okay. And where did Ms. Lewinsky go?</p> <p>4 A I have no idea.</p> <p>5 Q Did she leave?</p> <p>6 A Yes.</p> <p>7 Q Yes? Okay. All right. When was the next time you</p> <p>8 saw this person who you've identified as Monica Lewinsky?</p> <p>9 A It was in December.</p> <p>10 Q Okay. Of 1997?</p> <p>11 A Yes.</p> <p>12 Q And was that also at the northwest gate?</p> <p>13 A It's at the current northwest gate, which is maybe</p> <p>14 a few feet difference. It's in a trailer now.</p> <p>15 Q Okay. A few feet different from where it was the</p> <p>16 previous summer?</p> <p>17 A Yes.</p> <p>18 Q All right. And do you remember what day of the</p> <p>19 week it was?</p> <p>20 A I believe it was a Saturday.</p> <p>21 Q Okay. Do you remember whether it was the first</p> <p>22 Saturday in December?</p> <p>23 A I think it was, but I'm not 100 percent sure.</p> <p>24 Q Okay. Tell the grand jury what happened.</p> <p>25 A Ms. Lewinsky came up to the northwest gate and I</p>	<p>1 Q Okay. That's Officer Michael Tyler?</p> <p>2 A Yes.</p> <p>3 Q [REDACTED]?</p> <p>4 A [REDACTED].</p> <p>5 Q [REDACTED]?</p> <p>6 A Yes.</p> <p>7 Q What is it?</p> <p>8 A [REDACTED].</p> <p>9 Q [REDACTED].</p> <p>10 A Yes.</p> <p>11 Q Okay. Okay. When you said she used the house</p> <p>12 phone, was that a phone inside your trailer?</p> <p>13 A No, it's outside the trailer, outside the door.</p> <p>14 It's hanging like on the temporary fence.</p> <p>15 Q Do you know whether she was able to reach anybody?</p> <p>16 A I don't know.</p> <p>17 Q Did she ever tell you?</p> <p>18 A No.</p> <p>19 Q What happened next?</p> <p>20 A From what I remember, it was a colder day, so since</p> <p>21 she was there to see Ms. Currie, I asked her if she wanted to</p> <p>22 step in. She said sure, so she came in --</p> <p>23 Q Into the trailer?</p> <p>24 A Yes.</p> <p>25 Q Did she sit down?</p>

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<p>1 A I don't remember. I don't know if she was sitting 2 or standing. I'm not sure. 3 Q So what happened then? 4 A We just engaged in small talk. 5 Q You and she? 6 A Yes. 7 Q Do you remember anything you talked about? 8 A She was saying that Betty was probably busy and I 9 said, you know, I think she was because maybe previously, 10 five, ten minutes before that had cleared in a group to go up 11 to Ms. Currie's office. I stated that one of the people was 12 Eleanor Mondale and she said, "Oh? Okay." 13 Q I'm sorry. So you told Monica Lewinsky that Betty 14 Currie was probably busy? 15 A Yes. Maybe giving a tour or something of that 16 sort. 17 Q And was this because Monica told you she couldn't 18 reach Betty Currie? 19 A No, I was just assuming that's what had happened. 20 I just remember clearing the people in, so I was just kind of 21 agreeing that she probably was busy at the time. 22 Q Okay. And you told Monica Lewinsky that one of the 23 people that was in the group that Betty Currie might be 24 giving a tour to was Eleanor Mondale? 25 A Yes.</p>	<p>1 Q So she asked you if he made it to the oval and you 2 said what? 3 A I'm not sure of the exact question she asked, she 4 either said, "Has he made it?" Or "Is he in the oval?" And 5 I just said, "Yes," because I heard them call him going into 6 the oval. 7 Q Did she have a reaction to that? 8 A No. 9 Q What happened then? 10 A One thing I forgot to mention, that during the 11 conversation she had told me that, you know, she had worked 12 at the White House in the East Wing and she was an intern. 13 But after that, she just said, well, she would try back later 14 and she picked her things up and left. 15 Q What did she have with her that day? 16 A I believe -- what I recall was two bags. 17 Q Okay. And had she told you at some point what was 18 in the bags or what they were? Did she tell you they were 19 presents for anyone? 20 A She just said they were for Ms. Currie. 21 Q And she had said that earlier on in your 22 conversation with her? 23 A Yes. 24 Q Okay. And did not mention the word gifts? She did 25 not mention the word gifts?</p>
<p>1 Q Okay. And how did you know that? 2 A I had cleared the group in and that's the name that 3 stuck out, being that she's the former vice president's 4 daughter, it just stuck in my mind. 5 Q Had you ever seen Eleanor Mondale before that day? 6 A Yes. 7 Q And so you knew her? 8 A Yes. 9 Q Okay. All right. So when you said that to 10 Ms. Lewinsky, did she have a reaction? 11 A No. Well, she said, "Oh? Okay." I mean -- 12 Q Did she ask you any questions about the President's 13 whereabouts? 14 A Yes. It came over the radio that Eagle was going 15 to the Oval Office and it was a few minutes after the radio 16 traffic came over she asked if -- I'm not exactly -- the 17 exact words, I don't know if she said, "Has he made it to the 18 oval?" Or "Is he in the oval?" And I just said, "Yes." 19 Q And you said a moment ago that the radio said 20 "Eagle." That refers to the President? 21 A Mm-hmm. 22 Q And was she in a position, Monica, to overhear that 23 radio transmission? 24 A She may. I don't know. She was right in front of 25 it, so --</p>	<p>1 A Well, she said they were gifts for Ms. Currie. 2 Q Okay. And could you see wrapped packages in the 3 bags? Did you look? 4 A I don't recall. I'm not sure what it was. 5 Q So to your knowledge, then, no steps were taken at 6 that point to get her in through the [REDACTED]? 7 A Not to my knowledge. 8 Q Did Betty Currie ever call down to your post at 9 all? 10 A Betty herself, no. 11 Q How soon after you told Monica that the President 12 had made it into the Oval Office did she leave? 13 A Approximately five to ten minutes. 14 Q So she waited around a little bit more? 15 A A few minutes, yes. 16 Q And did anything happen during that time? You have 17 to answer verbally. 18 A No. I'm sorry. 19 Q During that time, did you have any conversation 20 with Monica Lewinsky that you remember? 21 A Not that I recall. 22 Q All right. Can you tell the grand jury about what 23 happened when Monica left? How did it occur? Did she say 24 anything? Did she just stand up and leave? 25 A She said she would just try back later and left.</p>

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<p>1 Q And she took her things with her?</p> <p>2 A Yes.</p> <p>3 Q All right. And what's the next thing that</p> <p>4 happened?</p> <p>5 A I'm not sure what type of timeframe went by, but I</p> <p>6 got a call from Officer Chinery. I forget the exact</p> <p>7 dialogue, but it was to the effect that Betty was upset and</p> <p>8 was wondering what was said.</p> <p>9 Q Okay. Officer Chinery called you?</p> <p>10 A Yes.</p> <p>11 Q Okay. And he said that Betty Currie was upset?</p> <p>12 A Yes.</p> <p>13 Q Did you know Betty Currie? Had you ever met her?</p> <p>14 A I've never met her personally, but I know who she</p> <p>15 is.</p> <p>16 Q You had seen her?</p> <p>17 A Yes.</p> <p>18 Q Okay. And Officer Chinery said that Betty Currie</p> <p>19 was upset, she wanted to know what was said. Said to who?</p> <p>20 A I have no idea. I don't recall the entire</p> <p>21 conversation, but -- I mean, it was to that effect of what</p> <p>22 happened, I guess.</p> <p>23 Q Did you have the sense that you were being asked</p> <p>24 about what had been said to Monica Lewinsky at that point?</p> <p>25 A Yes.</p>	<p>1 A Well, then I got a call, I believe it was over the</p> <p>2 radio, to respond back to the northwest gate.</p> <p>3 Q From lunch?</p> <p>4 A Yes.</p> <p>5 Q Okay. And you did that?</p> <p>6 A Mm-hmm.</p> <p>7 Q And when you got there, who did you see?</p> <p>8 A Sergeant Williams was up there and he had asked me</p> <p>9 what had went on and that's when I told him what happened.</p> <p>10 Q What did you tell Sergeant Williams?</p> <p>11 A Just what I told you what happened.</p> <p>12 Q Which was what? Tell us again.</p> <p>13 A That Monica came up to the gate -- excuse me,</p> <p>14 Ms. Lewinsky, saying that she had items for Ms. Currie and,</p> <p>15 you know, she wasn't cleared in and so she said she would</p> <p>16 come back later.</p> <p>17 Q Okay. And did you tell him that you had told</p> <p>18 Monica that there was a group up in the Oval Office and that</p> <p>19 Betty Currie might be giving a tour?</p> <p>20 A Yes.</p> <p>21 Q And did you tell him that one of the people in the</p> <p>22 group was Eleanor Mondale and that you had told that to</p> <p>23 Monica Lewinsky?</p> <p>24 A Yes.</p> <p>25 Q Did you also tell him, being Sergeant Williams,</p>
<p>Page 18</p> <p>1 Q How did you know that, that it was with respect to</p> <p>2 her?</p> <p>3 A Well, I really didn't, but I -- you know, I don't</p> <p>4 remember if he asked what was said to her or to what effect,</p> <p>5 that I got the idea, but I just had told him that I was the</p> <p>6 one that was dealing with Ms. Lewinsky and that was it. He</p> <p>7 said okay.</p> <p>8 Q Did you tell him what had been said?</p> <p>9 A No.</p> <p>10 Q Why was that?</p> <p>11 A There was no need to.</p> <p>12 Q Okay. And did he tell you that Betty was upset?</p> <p>13 A Yes.</p> <p>14 Q Did you have any idea what that was about? You</p> <p>15 have to answer verbally.</p> <p>16 A No.</p> <p>17 Q Okay. What did Officer Chinery say to you then?</p> <p>18 A Well, we hung up.</p> <p>19 Q Okay. Then what happened?</p> <p>20 A I went to eat in the -- not the cafeteria, but our</p> <p>21 down room in the Old Executive Office Building.</p> <p>22 Q And then what happened? Did you hear anything</p> <p>23 about it while you were down there?</p> <p>24 A No.</p> <p>25 Q Did you come back to your post?</p>	<p>Page 20</p> <p>1 that Monica Lewinsky had asked you whether the President had</p> <p>2 reached the Oval Office and you responded that he had?</p> <p>3 A Yes.</p> <p>4 Q Okay. Did Sergeant Williams speak to anyone else</p> <p>5 besides you?</p> <p>6 A I don't recall.</p> <p>7 Q Did Sergeant Williams ever tell you -- well, did he</p> <p>8 tell you why he was asking about this incident?</p> <p>9 A Not at the time, no.</p> <p>10 Q Did he tell you that anyone was upset about it?</p> <p>11 A Not at that time.</p> <p>12 Q Did he tell you anything like someone could be</p> <p>13 fired over this or anything like that?</p> <p>14 A Not at that time, no.</p> <p>15 Q All right. After you spoke to Sergeant Williams,</p> <p>16 did you speak to anybody else about this?</p> <p>17 A Well, Captain Purdie was called as well and</p> <p>18 that's -- I don't know, I never talked to them until after</p> <p>19 they had come back down from the West Wing.</p> <p>20 Q Okay. Well, what's the next thing that happened,</p> <p>21 then, after you spoke to Sergeant Williams?</p> <p>22 A I presume he went up to the West Wing, but I'm not</p> <p>23 sure. I don't know.</p> <p>24 Q Did he say that was what he was going to do?</p> <p>25 A He said he was going to go talk to Betty. So --</p>

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1 Q And did there come a time when you heard what his
2 conversation with Betty Currie had been?
3 A Later on that day, before we had left for the day,
4 I ran into him in the men's room and he just said -- he said
5 when he went up to Betty's office that -- you know, he had
6 talked to her and explained what happened. I guess the
7 President was there and had stated that he wanted the officer
8 fired.
9 Q And Sergeant Williams told you that or Captain
10 Purdie?
11 A Sergeant Williams.
12 Q Okay. Let me get this straight. Sergeant Williams
13 came to your trailer, you got a call to come back from lunch,
14 you went to the trailer, you reported there, and you had a
15 conversation with Sergeant Williams where you related to him
16 what you testified to today, correct?
17 A Mm-hmm. Yes.
18 Q Then Sergeant Williams left to go talk to Betty
19 Currie. He told you, "I'm going to talk to Betty Currie."
20 correct?
21 A Yes.
22 Q What is the next thing that happened? Was it your
23 conversation with Sergeant Williams where he told you about
24 what happened with Betty Currie or did something else happen?
25 A I'm not exactly sure.

Page 22

1 Q Did you ever see Captain Purdie that day?
2 A Yes.
3 Q Did you see Captain Purdie before you saw Sergeant
4 Williams in the men's room?
5 A Yes.
6 Q Okay. What happened with Captain Purdie? Where
7 did you see him?
8 A Captain Purdie and Sergeant Williams came from
9 wherever they were, I'm not sure where they were, and just
10 talked to me in the sergeant's office at the trailer and said
11 that, you know, everything was fine and not to worry. That's
12 just basically the gist that I recall.
13 Q Was this the first time you had seen Captain Purdie
14 that day?
15 A I believe so.
16 Q Who spoke to you? Which of the two?
17 A Well, they were both there.
18 Q Did either of them indicate to you that they had
19 been up to speak to Betty Currie?
20 A I believe so. Yes. Yes.
21 Q And did either of them tell you what at that time,
22 while you were in the trailer, what that conversation with
23 Betty Currie had been, any part of it?
24 A I don't recall. I'm not sure.
25 Q You said a moment ago that they told you that

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1 everything was going to be okay, not to worry about it?
2 A Yes.
3 Q Up to this point, had you heard that someone might
4 get fired over this event? Had that entered the
5 conversation, any of the conversations you had up until that
6 point?
7 A Not that I recall.
8 Q Okay. So you're hearing everything's going to be
9 okay at this point from Captain Purdie and Sergeant Williams,
10 right?
11 A Yes.
12 Q Okay. Why were you being told that everything was
13 going to be okay?
14 A I'm not sure.
15 Q Did you have any reason to think otherwise?
16 A No.
17 Q Up to that point, you knew that Betty Currie was
18 upset, correct? About this.
19 A Officer Chinery had stated that.
20 Q Had told you that.
21 A Yes.
22 Q Other than Officer Chinery telling you that Betty
23 Currie was upset, did anybody else tell you that Betty Currie
24 was upset up to that point?
25 A I don't recall. No.

Page 24

1 Q Did anybody up until that point mention the
2 President's name in connection with any of this as being
3 involved or having said anything?
4 A I don't recall.
5 Q Okay. Other than being told that everything was
6 going to be okay, is there anything else you remember about
7 that conversation with Captain Purdie and Sergeant Williams?
8 A Not at this time.
9 Q All right. What happened next?
10 A Well, that was after I ran into Sergeant Williams
11 in the men's room.
12 Q When did you run into Sergeant Williams in the
13 men's room?
14 A I'm not sure exactly what time it was.
15 Q It was that same day?
16 A Exactly. Yes.
17 Q And it was after your conversation in the trailer
18 with Captain Purdie and Sergeant Williams?
19 A Yes.
20 Q Was it the next thing that you remember happening
21 in relation to this incident?
22 A Yes.
23 Q Okay. Now, tell us about that. Where was the
24 men's room in relation to your trailer?
25 A It's in the Old Executive Office Building, maybe

Page 25	Page 27
<p>1 50 feet away.</p> <p>2 Q That's the men's room you generally use when you're</p> <p>3 on duty?</p> <p>4 A Yes.</p> <p>5 Q And you saw Sergeant Williams there, you said.</p> <p>6 A Yes.</p> <p>7 Q What did he tell you?</p> <p>8 A He stated that when he was up there that, you</p> <p>9 know, the President had just stated he wanted the officer</p> <p>10 fired.</p> <p>11 Q Okay. Did Sergeant Williams tell you that he had</p> <p>12 seen Betty Currie?</p> <p>13 A Yes, I think so.</p> <p>14 Q And when you say "up there," you mean the Oval</p> <p>15 Office?</p> <p>16 A I'm not exactly sure if they were in the oval or</p> <p>17 Ms. Currie's office. I don't know.</p> <p>18 Q So Sergeant Williams told you that he had seen</p> <p>19 Betty Currie. Yes?</p> <p>20 A Yes.</p> <p>21 Q Okay. Did he tell you that he had also seen the</p> <p>22 President, physically?</p> <p>23 A Yes.</p> <p>24 Q Okay. Are you certain of that?</p> <p>25 A Yes.</p>	<p>1 that Captain Purdie --</p> <p>2 A Yes. It was later. After that. Yes.</p> <p>3 Q Okay. So what happened in between the trailer and</p> <p>4 the bathroom that --</p> <p>5 A Well, I'm not sure what -- this was said, I think,</p> <p>6 earlier and I'm not sure -- I mean -- why he had made the</p> <p>7 statement in the restroom. I'm not sure.</p> <p>8 MR. WISENBERG: Do you mind if I butt in?</p> <p>9 MS. WIRTH: No.</p> <p>10 BY MR. WISENBERG:</p> <p>11 Q When you say this might have been said earlier, you</p> <p>12 mean the statement that the President said.</p> <p>13 A Exactly.</p> <p>14 Q So would it be -- so it was kind of like a history</p> <p>15 of what had happened that morning, this is what he said</p> <p>16 earlier on, along those lines?</p> <p>17 A Well, in the trailer, nothing was said about that</p> <p>18 and that was before the restroom.</p> <p>19 Q Right.</p> <p>20 A I'm just saying I'm not sure why it was said later.</p> <p>21 I don't know. I'm not sure.</p> <p>22 Q Right. But what I'm -- I know you're saying that</p> <p>23 it wasn't said until the restroom and I know we're being very</p> <p>24 detailed, but we want to get your absolute best recollection</p> <p>25 on this.</p>
<p>1 Q And tell us to the best of your memory what</p> <p>2 Sergeant Williams told you about that.</p> <p>3 A That's --</p> <p>4 Q Did he tell you where he had seen the President?</p> <p>5 A I don't know if it was in the oval or if it was in</p> <p>6 actually Ms. Currie's office, but in that general area. I'm</p> <p>7 just presuming. And all he had said was that the President</p> <p>8 stated he wanted the officer fired.</p> <p>9 Q Okay. Did he say "The President told me he wanted</p> <p>10 the officer fired"?</p> <p>11 A I'm not -- I'm not sure.</p> <p>12 Q Did he say "Betty Currie told me the President</p> <p>13 wants this officer fired"?</p> <p>14 A I'm not sure how it was stated. I wasn't there.</p> <p>15 Q Okay. Well, how did you get the impression that</p> <p>16 the President spoke directly to Sergeant Williams?</p> <p>17 A That's what Sergeant Williams had said, was he had</p> <p>18 made that statement.</p> <p>19 Q That the President spoke to him?</p> <p>20 A Yes.</p> <p>21 Q Did Sergeant Williams tell you what he had said to</p> <p>22 the President when the President said that?</p> <p>23 A I don't recall.</p> <p>24 Q Well, this was after you were told that everything</p> <p>25 was going to be all right, right? In the trailer. You said</p>	<p>1 As I understand it, I understand the restroom</p> <p>2 incident occurred after the trailer incident, but are you</p> <p>3 telling us that in that restroom incident that Sergeant</p> <p>4 Williams is telling you the statement about the President</p> <p>5 wanting you fired was something that the President had said</p> <p>6 earlier in the day, before things turned out to be okay?</p> <p>7 A I presume, yes. Yes.</p> <p>8 MR. WISENBERG: Okay.</p> <p>9 BY MS. WIRTH:</p> <p>10 Q So I take it, then, Sergeant Williams was, and</p> <p>11 correct me if I'm wrong, saying in effect to you, "Boy, this</p> <p>12 is how bad it was, but it's all taken care of." Was it</p> <p>13 something like that? I mean, why was he telling you this?</p> <p>14 A I'm not sure. I have no idea.</p> <p>15 Q But did he still convey the impression to you that</p> <p>16 things were okay?</p> <p>17 A Yes.</p> <p>18 Q Even though that had been said earlier by the</p> <p>19 President?</p> <p>20 A Yes.</p> <p>21 Q Did Sergeant Williams tell you anything about the</p> <p>22 President's demeanor when he spoke to Williams?</p> <p>23 A Not that I recall. No.</p> <p>24 Q Did Sergeant Williams ever tell you whether --</p> <p>25 Sergeant Williams at some point told you he had spoken to</p>

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<p>1 Betty Currie, correct? He said that?</p> <p>2 A Yes.</p> <p>3 Q And did Sergeant Williams tell you anything about</p> <p>4 Betty Currie's manner in speaking to him, whether she was</p> <p>5 upset as Officer Chinery had told you that she was? Did you</p> <p>6 ever hear anything like that from Sergeant Williams?</p> <p>7 A I don't recall.</p> <p>8 Q All right. Other than Sergeant Williams telling</p> <p>9 you that he spoke to the President and the President told him</p> <p>10 that he wanted the officer fired, did Sergeant Williams say, -</p> <p>11 "And I told him, you know, don't do that," or "This is why we</p> <p>12 shouldn't do this," or anything like that? Did he tell you</p> <p>13 anything that he had said?</p> <p>14 A I don't believe so. No.</p> <p>15 Q Okay. How did you feel when you had this</p> <p>16 conversation with Sergeant Williams? Were you upset? Were</p> <p>17 you okay? What did you think?</p> <p>18 A When, in the restroom?</p> <p>19 Q Mm-hmm.</p> <p>20 A I was shocked more than anything.</p> <p>21 Q Did you ask Sergeant Williams any questions?</p> <p>22 A No, just left it at that.</p> <p>23 Q Okay. Did you ever have any other conversations</p> <p>24 with anybody where they raised that thought, that somebody</p> <p>25 might be fired over this incident or that you might be fired</p>	<p>1 bathroom, did you speak to anybody else that day about this</p> <p>2 incident?</p> <p>3 A On the job?</p> <p>4 Q Yes. Let's start there.</p> <p>5 A No.</p> <p>6 Q No? Did anybody ever tell you anything to the</p> <p>7 effect of that you shouldn't talk about this incident, you</p> <p>8 shouldn't tell anybody about it?</p> <p>9 A Yes.</p> <p>10 Q Who told you that?</p> <p>11 A I believe Captain Purdie and Sergeant Williams.</p> <p>12 Q Was that during the conversation in the trailer?</p> <p>13 A I think so.</p> <p>14 Q That same day?</p> <p>15 A Yes.</p> <p>16 Q The one you've already told us about.</p> <p>17 A Yes.</p> <p>18 Q And do you remember what they told you or who said</p> <p>19 it and what they said?</p> <p>20 A Not really. Just -- that was about it, I think.</p> <p>21 Q Do you remember who said it?</p> <p>22 A I think both of them had pretty much said it.</p> <p>23 Q Did they say why you shouldn't tell anyone?</p> <p>24 A No.</p> <p>25 Q Did you understand why you shouldn't tell anyone?</p>
<p>1 over this incident? Was that ever raised again?</p> <p>2 A I had just -- I had mentioned something myself to</p> <p>3 Officer Tyler. I'm not sure exactly how long it was after</p> <p>4 the incident, but I had stated that myself.</p> <p>5 Q You told him what Sergeant Williams had told you?</p> <p>6 A Yes.</p> <p>7 Q And is Tyler a friend of yours?</p> <p>8 A Yes.</p> <p>9 Q And what did Officer Tyler say?</p> <p>10 A I can't really recall what his comment was.</p> <p>11 Q Did Officer Tyler remember that day?</p> <p>12 A I have no idea.</p> <p>13 Q All right. That day, after your conversation with</p> <p>14 Sergeant Williams in the bathroom, did you speak to anybody</p> <p>15 else?</p> <p>16 A After that day?</p> <p>17 Q Yes.</p> <p>18 A I told my immediate supervisor what had happened</p> <p>19 because some things were going around at the house, so I just</p> <p>20 told him what had happened.</p> <p>21 Q That very same day?</p> <p>22 A No.</p> <p>23 Q I'm sorry. Let me back up just a minute. That</p> <p>24 very same day, this day, the day that this happened, that</p> <p>25 Saturday, after you spoke to Sergeant Williams in the</p>	<p>1 Did you have an understanding of why you were being told not</p> <p>2 to do that?</p> <p>3 A I presume, yes.</p> <p>4 Q Before we get to that, were you being ordered not</p> <p>5 to tell anyone? Was that your understanding, that this was</p> <p>6 an order from a commanding officer not to speak about this?</p> <p>7 Or were you being advised not to speak about it?</p> <p>8 A Advised, I would think.</p> <p>9 Q And what was your understanding of why you were</p> <p>10 being told that or why you were being advised not to speak</p> <p>11 about the incident?</p> <p>12 A I guess just so nothing would get out about, you</p> <p>13 know, what had happened. I'm not sure of the exact reasons,</p> <p>14 but --</p> <p>15 Q Okay. Did anybody connect the advice that you</p> <p>16 shouldn't speak about this with anything that they had been</p> <p>17 told by anybody else?</p> <p>18 A I'm not sure what you mean.</p> <p>19 Q Well, did whoever said this to you, whether it was</p> <p>20 Sergeant Williams or Captain Purdie or both, did either one</p> <p>21 of them say to you "Don't talk about this. Betty Currie says</p> <p>22 you shouldn't talk about it," or "If you don't talk about it,</p> <p>23 everything will be all right," or "The President says don't</p> <p>24 talk about it," anything like that?</p> <p>25 A No.</p>

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<p>1 Q No? Okay. All right. After that day, then, you</p> <p>2 said that you told your commanding officer at some point,</p> <p>3 your direct supervisor?</p> <p>4 A Yes.</p> <p>5 Q Who was your direct supervisor?</p> <p>6 A Ron Parthemore.</p> <p>7 Q Ron what?</p> <p>8 A Parthemore.</p> <p>9 Q P-a-r-t-h -</p> <p>10 A e-m-o-r-e.</p> <p>11 Q And when did you tell him in relation to the</p> <p>12 incident?</p> <p>13 A It was probably at least a week or maybe two.</p> <p>14 Q Why did you wait so long to tell him?</p> <p>15 A I don't know.</p> <p>16 Q Had you seen him in between?</p> <p>17 A Yes.</p> <p>18 Q Do you have any idea why you chose that moment to</p> <p>19 tell him about it, a week or two later?</p> <p>20 A He had -- I don't know -- I guess rumors, he had</p> <p>21 been hearing things, that there was an incident at the gate</p> <p>22 and he was wanting to know if it was during his shift, that</p> <p>23 way he could be prepared if something -- but --</p> <p>24 Q So he brought it up.</p> <p>25 A Yes.</p>	<p>1 A Well. Sergeant Parthemore.</p> <p>2 Q Other than Sergeant Parthemore. Did you ever write</p> <p>3 up anything about this?</p> <p>4 A No.</p> <p>5 Q Do you know whether anybody else has, any kind of</p> <p>6 report or document reflecting what happened that day?</p> <p>7 A I have no idea.</p> <p>8 Q Do you know whether Monica Lewinsky actually came</p> <p>9 into the White House that day?</p> <p>10 A I don't know myself, no.</p> <p>11 Q Did you hear that she had?</p> <p>12 A Yes.</p> <p>13 Q Who did you hear that from?</p> <p>14 A Officer Tyler.</p> <p>15 Q Did he tell you that because he had seen her?</p> <p>16 A I don't know.</p> <p>17 BY MR. WISENBERG:</p> <p>18 Q Did you see anything in any of the log entries,</p> <p>19 computer screens that you were looking at that day that would</p> <p>20 indicate to you she came in or was it strictly from what</p> <p>21 Officer Tyler told you?</p> <p>22 A Strictly from what Officer Tyler said.</p> <p>23 MR. WISENBERG: I'm going to ask you if you would</p> <p>24 just step outside for a few moments and then we'll call you</p> <p>25 back in, Officer Hall.</p>
<p>Page 34</p> <p>1 Q Was he on duty that day?</p> <p>2 A I don't think so.</p> <p>3 MR. WISENBERG: What day?</p> <p>4 MS. WIRTH: I'm sorry.</p> <p>5 BY MS. WIRTH:</p> <p>6 Q Was he on duty the day of this incident? On that</p> <p>7 Saturday at the northwest gate?</p> <p>8 A No. I don't think so, but I'm not sure.</p> <p>9 Q All right. Okay. Did you ever speak to Sergeant</p> <p>10 Williams again about this incident after the date of the</p> <p>11 incident?</p> <p>12 A I think so.</p> <p>13 Q Anything specific that you remember about it?</p> <p>14 A No.</p> <p>15 Q What about Captain Purdie? Have you ever discussed</p> <p>16 it with him again?</p> <p>17 A No.</p> <p>18 Q Have you ever discussed it with Officer Chinery?</p> <p>19 A No.</p> <p>20 Q Other than that one call that he made to your</p> <p>21 trailer and said Betty Currie was upset, did you ever speak</p> <p>22 to him?</p> <p>23 A No.</p> <p>24 Q Other than Officer Tyler, have you spoken to any</p> <p>25 other people that you know in Secret Service about it?</p>	<p>Page 36</p> <p>1 THE WITNESS: Sure.</p> <p>2 (Witness excused. Witness recalled.)</p> <p>3 MR. WISENBERG: Let the record reflect that the</p> <p>4 witness, Officer Hall, has reentered the grand jury room.</p> <p>5 Madam Foreperson, do we have a quorum?</p> <p>6 THE FOREPERSON: Yes, we do.</p> <p>7 MR. WISENBERG: And are there any unauthorized</p> <p>8 persons present in the grand jury room?</p> <p>9 THE FOREPERSON: There are none.</p> <p>10 Officer Hall, I'd like to remind you that you are</p> <p>11 still under oath.</p> <p>12 THE WITNESS: Yes, ma'am.</p> <p>13 BY MR. WISENBERG:</p> <p>14 Q Officer Hall, the grand jurors have asked me to ask</p> <p>15 you some questions and I'm sure they might have some that</p> <p>16 they're going to ask directly. Do you say directly to Monica</p> <p>17 Lewinsky or could she have overheard you or a fellow officer</p> <p>18 saying something to the effect of "Take a number" or "Stand</p> <p>19 in line"?</p> <p>20 A Did I say that?</p> <p>21 Q Yes.</p> <p>22 A No, sir.</p> <p>23 Q Either to her or a fellow officer.</p> <p>24 A No, sir.</p> <p>25 Q Okay. Who was your fellow officer on post that</p>

1 day?
 2 A That was Officer Niedzwiecki.
 3 Q Okay. Did he say something like that to you that
 4 she might have overheard?
 5 A Not that I recall. No.
 6 Q Okay. And did he say something to her, as opposed
 7 to you, along those lines, "Take a number," "Stand in line"?
 8 A No, sir.
 9 Q Okay. In other words, you've told her that Eleanor
 10 Mondale -- at some point, you tell her that Eleanor Mondale
 11 is in the White House and maybe Betty's giving her a tour, is
 12 that correct?
 13 A Yes, sir.
 14 Q And then at some point you tell her the President's
 15 gone to the -- you confirm for her the President's in the
 16 Oval Office, correct?
 17 A Yes, sir.
 18 Q Okay. And the idea would be that at some point
 19 around that or after that, either one of you tells her or she
 20 overhears you all talking, saying she ought to stand in line
 21 or she ought to take a number. Nothing along those lines
 22 happened?
 23 A No, sir.
 24 Q All right. And were there any other officers or
 25 people in that trailer that you invited her into?

1 about why you thought they were mad?
 2 A Maybe something that I had stated, maybe, that the
 3 President had gone to the oval.
 4 Q Okay. It's this idea of stating something to an
 5 outsider.
 6 A I presume.
 7 Q Okay. But no one in any way that day or later said
 8 to you, articulated for you, that's why Betty Currie was
 9 upset, that's why the President was upset.
 10 A No, sir.
 11 Q Okay. Is that something -- I'm sorry, yes?
 12 A JUROR: Officer Hall, didn't you ask? I mean,
 13 here they're telling you your job might be on the line.
 14 THE WITNESS: Well, I had asked, but nobody had any
 15 answers.
 16 A JUROR: What did you say? I mean, what --
 17 THE WITNESS: I just said well, why -- you know,
 18 why -- presumably is she upset? Or is the President upset
 19 at -- well, I don't even know if they it was me specifically.
 20 A JUROR: But they were talking to you.
 21 THE WITNESS: Exactly. So I -- yes, I inquired.
 22 No one had any answers.
 23 A JUROR: Weren't you -- I'd be concerned. I
 24 mean -- I'd want to get to the bottom of it. You didn't?
 25 THE WITNESS: There was nothing that I could do.

1 A Not at the time. No.
 2 Q Okay. What was it -- Chinery calls you up and says
 3 Betty's mad, that's not verbatim, but Betty's upset. Later
 4 in the day, Williams tells you at least one point, Sergeant
 5 Williams tells you that at least one point the President
 6 wanted to fire you, what is it they're mad about? What is
 7 that the President and Betty Currie are upset about?
 8 A That's speculation. I have no idea.
 9 Q Okay. No one ever told you, for instance? I mean,
 10 one thing that just springs to mind for me is that you're
 11 telling somebody who's visiting the White House where the
 12 President is or anything about the President. Would that be
 13 one of the things you speculated about?
 14 A I really don't know. I'm just saying it would be
 15 speculation on my part to guess. I'm not sure.
 16 Q Okay. But that's okay, you can speculate as long
 17 as we make it clear that you are speculating. And certainly
 18 you would have wondered why they were -- would you have
 19 wondered why Betty Currie was upset at you?
 20 A Mm-hmm.
 21 Q That's a yes?
 22 A Yes, sir.
 23 Q Okay. We can't pick up mm-hmm, we don't know
 24 whether it was yes or no. And what is the most logical --
 25 what was the most logical thing in your mind at the time

1 I mean, my supervisor is telling me later everything was
 2 okay, so I just left it at that.
 3 A JUROR: But how would you know what you did wrong
 4 so that you wouldn't do it again? You know, I'm just curious
 5 for myself because if that was me, I would really want to
 6 know what did I do wrong --
 7 THE WITNESS: Well, I tried to find out, but --
 8 A JUROR: So to this day, you don't know? You're
 9 saying you don't know what you did wrong?
 10 THE WITNESS: That's correct.
 11 A JUROR: You never heard anything, any rumors,
 12 about --
 13 THE WITNESS: Well, I've heard the rumors about the
 14 stand in line thing and different things like that, but --
 15 A JUROR: Did you try to tell them that you weren't
 16 involved in that, you didn't know anything about that?
 17 THE WITNESS: Well, I mean, I didn't hear that from
 18 my supervisor, I'm just saying that other people at the
 19 house, when the rumors were going around, I had just --
 20 A JUROR: So then it became clear to you why --
 21 THE WITNESS: Well, I guess so. Yes. I mean --
 22 A JUROR: Could Ms. Lewinsky have been upset by
 23 anything?
 24 THE WITNESS: Excuse me, sir?
 25 A JUROR: Could Ms. Lewinsky have been upset by

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<p>1 anything? Could she have misinterpreted anything you might 2 have said or done? 3 THE WITNESS: Possibly. I don't know. 4 A JUROR: It doesn't occur to you that it did? 5 THE WITNESS: No, sir. 6 A JUROR: When you say you tried to find out and 7 you were asking questions, was that of Sergeant Williams or 8 from your supervisor? 9 THE WITNESS: I asked Sergeant Williams and Captain 10 Purdie both to try to find out, you know, why they directly 11 mad at myself and they didn't give me any reasons, so -- 12 BY MR. WISENBERG: 13 Q Did they refuse to or just -- 14 A No, I don't know if they know. I'm just saying 15 that they just said not to worry about it, that 16 everything's -- you know, I had the understanding that 17 nothing would -- 18 A JUROR: Did you directly pose the question, 19 "Why was supposedly the President and Betty Currie mad with 20 me" to Williams and he said to you. "I really don't know"? 21 I mean, what was the response? 22 THE WITNESS: Well, I don't exactly remember the 23 exact dialogue, but, I mean, I indirectly like asked, 24 "Well, what did I do that would, you know, inspire those 25 comments?" And they just told me everything was fine and.</p>	<p>1 Q Did you ever hear anything after this incident 2 about Monica Lewinsky that made a light go on in your head 3 and say, "That's the problem, it's not really that I revealed 4 to someone who's a frequent visitor where the President was, 5 it's that it was this visitor"? 6 A Did somebody reveal that? I just -- 7 Q No, did you ever hear anything about Monica 8 Lewinsky later that made you think -- 9 A Well, after the incident, yes. 10 Q After the -- after which incident? 11 A That day. After she had left that day. I mean, 12 later, you know, I heard some things that kind of -- 13 A JUROR: What things? 14 A JUROR: What things did you hear? 15 THE WITNESS: That she was possibly the intern that 16 they were writing about. The story -- I don't remember when 17 the story actually broke, but, I mean -- 18 BY MR. WISENBERG: 19 Q The Monica Lewinsky story? 20 A Yes. But, I mean, it was right around that same 21 timeframe that, you know, I was hearing a few things, that 22 she was possibly the intern and then it broke that, you know, 23 she is -- I'm not going to speculate any more, but I just -- 24 Q Okay. Okay. Before the story broke -- the story 25 broke -- this incident occurred on December 6, 1997 and the</p>
<p>1 you know, don't worry about it, basically. 2 A JUROR: So they really never gave you an answer. 3 THE WITNESS: No, ma'am. 4 BY MR. WISENBERG: 5 Q Is that something that you're not supposed to do? 6 I've asked this in a similar way, but in general, is that 7 something you all are told not to do, not to discuss with 8 visitors, even if they're familiar, even if they are invited 9 or used to work at the White House, that you shouldn't really 10 tell them where the President is? 11 A I think typically that would be the guideline, not 12 to be -- I mean, it's been done, but -- 13 Q That was what I was going to ask you next. If it 14 is somebody who is familiar to you all, to the officers, is 15 it sometimes done? 16 A Yes. 17 Q Well, then, what was different about this that you 18 think might have been the reason for the anger? 19 A I don't know. I mean, it's -- 20 Q Again, you'd be speculating? 21 A I have no idea why. 22 Q All right. Did anybody ever say anything to you to 23 this effect, that you shouldn't be saying things like that to 24 this particular person, Monica Lewinsky? 25 A No.</p>	<p>1 story broke in the Washington Post on January 21st. And, as 2 I understand what you just said, some time right around or 3 before the story even breaking, you heard some rumors that 4 she might have been the intern, the intern that what? The 5 intern, the person who was there at the trailer that day? 6 Or what intern? 7 A Just for the -- some things that were rumors that 8 were going around, that -- you know, that -- an intern was 9 caught with the POTUS. I mean, just those type of things. 10 And then -- 11 Q POTUS being the President? 12 A Exactly. 13 Q And that what? I cut you off. And that that might 14 be the person who was -- 15 A Yes. Yes. 16 Q Okay. All right. So at some point even before the 17 Lewinsky story broke, don't let me put words in your mouth, 18 correct me if I'm wrong, at some time even before the 19 Lewinsky story broke, you heard rumors that made you think 20 that the woman in the trailer that day was the person who 21 might have been caught with the President. 22 A Possibly. 23 Q In a compromising position. Is that correct? 24 A Yes. 25 Q Okay. And then after the story broke, at what time</p>

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1 did you realize that Monica Lewinsky was the individual who
 2 had been at your trailer that day?
 3 A As soon as I saw the name in the paper.
 4 Q Okay. You remembered the name? That's a yes?
 5 A Yes, sir.
 6 Q Okay. Did anybody come to you after the incident
 7 happened -- sorry. Did anybody come to you after the Monica
 8 Lewinsky story became public and say in any way, implicitly,
 9 explicitly, "Keep your mouth shut about this"?
 10 A No, sir.
 11 Q When Williams first came down, Sergeant Williams
 12 came down that day, he's got to find out what was going on,
 13 did you first kind of play dumb and act like you didn't know
 14 what he was talking about but then kind of tell him what
 15 happened?
 16 A Well, I told him -- well, he -- as far as I recall,
 17 he just asked did I say anything offhanded about possibly --
 18 that would, you know, upset anybody and I said, "No, I
 19 just --" and then that's when I went into exactly what had
 20 happened and what I'd said.
 21 Q Okay. But it wasn't like you didn't tell him at
 22 first and he had to press you and say, "The President's
 23 really mad about this --"
 24 A No, sir.
 25 Q And then you told him more?

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1 A No.
 2 Q Okay. And you had not been there very long? How
 3 long had you been in the Secret Service when this incident
 4 occurred?
 5 A Approximately -- I came out of training December of
 6 '95, so --
 7 Q So you had been there a couple of years.
 8 A Two years, I'd say.
 9 Q Okay. And had you been -- how long had you had
 10 that post at the White House, the post you had that day?
 11 A Like five, six months, I guess.
 12 Q Is that technically something you're supposed to
 13 do? You said it was cold and you invited her in. Is that
 14 something you're supposed to do?
 15 A It's done. I mean, it's not -- not a written rule
 16 that you have to let somebody in, but -- I mean, if it's
 17 raining or cold or depending on if -- maybe, like for
 18 example, we let -- like if there's a pregnant lady that just
 19 came up not too long ago and it was hot, we let her come in
 20 and sit down because it was cooler in the trailer. So --
 21 it's done.
 22 Q Okay. The other officer on duty, I think you said
 23 his name as Niedzwiecki, did Sergeant Williams talk to you
 24 all separately or talk to you all while you were together?
 25 A I think it was separately, because I don't remember

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1 any conversation together.
 2 Q Okay. Did he tell you what he had told Sergeant
 3 Williams?
 4 A Did who?
 5 Q Did Niedzwiecki tell you what he had told Sergeant
 6 Williams?
 7 A I don't recall.
 8 Q During the restroom conversation, when Sergeant
 9 Williams told you that the President earlier that day had
 10 wanted you fired, did you -- when you first heard it, just
 11 how did it hit?
 12 A Just like I said. I mean, I was just kind of
 13 shocked because I didn't know why that would be -- you know.
 14 Q And did you -- and is that because even if you knew
 15 you weren't supposed to tell somebody like this visitor where
 16 POTUS was, it didn't strike you as a major infraction?
 17 A No, sir.
 18 Q What is the no?
 19 A I didn't that I had done absolutely anything
 20 majorly wrong. No.
 21 Q Okay. In other words -- I just want to make sure I
 22 get it right. He tells you this or you think it's something
 23 like, "Okay, I told somebody where the President was, but
 24 things like that have happened before," is that what's going
 25 through your mind?

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1 A Yes, pretty much.
 2 Q Okay. "What's the big deal?" Is that a fair
 3 statement?
 4 A I would say, yes.
 5 Q Okay. Did you like query him? Like -- what --
 6 A Well, as I stated, I -- I mean, I asked, "Well, why
 7 were they upset?" Or, "Why was he upset?" But nobody -- I
 8 don't know if they know. To be honest, I have no idea.
 9 Q Did anybody -- let's talk about Williams, Chinery,
 10 Captain Purdie. Did they ever tell you that Monica Lewinsky
 11 had been upset by or had repeated some of the things you told
 12 her about Eleanor Mondale?
 13 A No. Nobody ever said that.
 14 Q Okay. Is this something you might have heard
 15 through the rumor mill since then, then?
 16 A Yes.
 17 Q Okay. You have?
 18 A Well, like I said about the -- I mean, after that
 19 happened, I heard people commenting -- well, somebody had
 20 stated "stand in line" type stuff.
 21 Q All right. And did you also hear that Monica --
 22 that that had made Monica mad?
 23 A I don't -- no, I don't recall that, to be honest
 24 with you.
 25 Q Okay. All right. And I just wanted to make sure I

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<p>1 get the sequence right, as best as you can recall it. You 2 first mentioned that Betty might be with Eleanor Mondale to 3 Monica that day. 4 A In a group. Yes. 5 Q In a group. And may be giving her a tour. Is that 6 correct? 7 A A tour. Yes. 8 Q And at some point, then, you hear that POTUS has 9 gone to the Oval Office and Monica asks you if he's in the 10 Oval Office and you respond affirmatively. Is that correct? 11 A I said, "Yes, I believe he is." 12 Q Okay. And how long after that was it that Monica 13 Lewinsky left the trailer? 14 A I mean, I stated before, maybe five, ten minutes, 15 but I'm not -- 16 Q How sure are you of that? 17 A I'm not at all. 18 Q But no visible -- as far as you can recall, no 19 visible -- I take it she didn't swear when she heard that 20 news. 21 A No. 22 Q But no -- you couldn't tell from any of her 23 behavior, outward appearance, that she was upset? 24 A No, sir. 25 Q So if she was, she was containing it?</p>	<p>1 a time? 2 THE WITNESS: I just -- it's a guess. Maybe ten 3 minutes. I'm not sure 100 percent. 4 A JUROR: The whole time, from the time that she 5 came to the gate -- 6 THE WITNESS: That's a guess, I mean -- 7 A JUROR: -- until she went? 8 THE WITNESS: It could have been longer or shorter, 9 I don't know. Approximately ten minutes. 10 A JUROR: Officer Hall, do you take your lunch at a 11 regular time? 12 THE WITNESS: Usually we just take it -- we kind of 13 break ourselves at the gate, so just -- 14 A JUROR: Do you recall about what time it was on 15 that day? 16 THE WITNESS: Not exactly, no. 17 A JUROR: Thank you. 18 A JUROR: Did Officer Niedzwiecki interact with 19 Monica at all or was she solely talking to you? Was he 20 standing next to you? 21 THE WITNESS: From what I recall, he was sitting 22 at -- there's a table about this width here. From what I 23 recall, he was talking on the telephone, but I'm not 24 100 percent sure. 25 A JUROR: But he never got up and spoke to Monica?</p>
<p>Page 50</p> <p>1 A Yes, sir. 2 MR. WISENBERG: Okay. 3 A JUROR: I have a question. 4 MR. WISENBERG: Yes. 5 A JUROR: After she left the trailer, did she walk 6 off down Pennsylvania Avenue? Or did she go back to the 7 phone and call? 8 THE WITNESS: She left. I mean, she didn't make 9 any more calls, she just left and went -- I recall her going 10 towards 15th Street, I believe. 11 BY MR. WISENBERG: 12 Q Is it fair to say the calls had -- I'm sorry, did 13 you have more? Is it fair to say the calls were earlier? 14 Were the calls before you told her Eleanor Mondale was -- she 15 was calling to try to get a hold of Betty Currie? 16 A I presume. 17 Q Okay. So that's the best of your recollection? 18 A Yes. 19 MR. WISENBERG: Okay. 20 A JUROR: Officer Hall, can you estimate how long 21 she was there? 22 THE WITNESS: After -- 23 A JUROR: No, this whole incident. 24 THE WITNESS: Oh, the whole -- 25 A JUROR: That Monica was there. Roughly how long</p>	<p>Page 52</p> <p>1 THE WITNESS: Not that I recall. 2 BY MR. WISENBERG: 3 Q You might have said this when I was out of the room 4 earlier. Did Monica say that anybody when she first came in 5 was expecting her? 6 A I don't think she ever made that statement. I 7 think she said she just -- when she first came up, she had 8 the gifts for Ms. Currie. 9 Q Okay. And you did not find her on WAVES, is that 10 correct? 11 A That's correct. 12 Q So she was trying to call Ms. Currie to get on the 13 WAVES list? 14 A I don't know. 15 Q You don't know? She just said, "I need to get a 16 hold of Ms. Currie." 17 A Yes. 18 Q Did she seem desperate when she was trying to get a 19 hold of Ms. Currie? 20 A No, sir. 21 MR. WISENBERG: Okay. 22 A JUROR: Could Ms. Lewinsky have overheard 23 anything that was being said on the phone by Officer 24 Niedzwiecki? 25 THE WITNESS: I don't know.</p>

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<p>1 A JUROR: Was she closer to him than you?</p> <p>2 THE WITNESS: I don't recall if I were closer or he</p> <p>3 was closer. I'm not sure, to be honest with you.</p> <p>4 A JUROR: Thank you.</p> <p>5 A JUROR: Did the two of you hold a conversation in</p> <p>6 her presence during this entire time she was there?</p> <p>7 THE WITNESS: Not that I recall. I pretty much</p> <p>8 spoke with Ms. Lewinsky. I don't remember talking to Officer</p> <p>9 Niedzwiecki.</p> <p>10 BY MR. WISENBERG:</p> <p>11 Q You mentioned that you knew who Eleanor Mondale</p> <p>12 was. How often had you seen Eleanor Mondale before?</p> <p>13 A I saw her one other time and that was back the</p> <p>14 previous summer.</p> <p>15 Q Okay. She had visited the White House?</p> <p>16 A Yes.</p> <p>17 Q And you had been at the post again?</p> <p>18 A Yes, the old northwest gate.</p> <p>19 Q Okay. And you had -- the same gate?</p> <p>20 A Well, yes. It's the same gate technically</p> <p>21 speaking.</p> <p>22 Q And you had let her in?</p> <p>23 A I believe I was the one that issued the pass that</p> <p>24 day. Yes.</p> <p>25 Q Okay. And she was there to see the President?</p>	<p>1 your wife, did you talk to anybody about it?</p> <p>2 A No, sir.</p> <p>3 MR. WISENBERG: Okay. That's all I've got.</p> <p>4 Did you have some questions?</p> <p>5 MS. WIRTH: No.</p> <p>6 BY MR. WISENBERG:</p> <p>7 Q Let me ask you one question. I was out of the room</p> <p>8 when you testified about her coming by in the summer. Were</p> <p>9 you ever aware when she came by in the summer of her having</p> <p>10 been waved in on a press pass or waved in as a press person?</p> <p>11 A Not to my knowledge. No, sir.</p> <p>12 Q Okay. Did you ever hear a rumor to that effect?</p> <p>13 A No, sir.</p> <p>14 Q Sergeant Williams never told you anything about</p> <p>15 that?</p> <p>16 A No, sir.</p> <p>17 Q Okay. Do you think that Sergeant Williams was</p> <p>18 trying to protect you that day and Captain Purdie?</p> <p>19 A I don't know.</p> <p>20 Q Protect you from possibly getting fired?</p> <p>21 A I have no idea what they were trying to do.</p> <p>22 Q Okay. Do you think that might be one reason</p> <p>23 Sergeant Williams mentioned it to you later? Had mentioned</p> <p>24 to you the President's statement about wanting to fire you?</p> <p>25 A I have no idea why he brought it up.</p>
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<p>1 A I think she was there to see Ms. Currie.</p> <p>2 Q Okay. Do you know whether or not she saw the</p> <p>3 President that day?</p> <p>4 A I have no idea.</p> <p>5 Q And you had seen -- I understand you said when I</p> <p>6 was out of the room you had seen Monica before, one time</p> <p>7 before?</p> <p>8 A That same summer. I presume it was her.</p> <p>9 Q Was there anything in particular about that</p> <p>10 incident that you recall, the previous one?</p> <p>11 A When, the summer?</p> <p>12 Q Where you had seen her before in the summer.</p> <p>13 A No.</p> <p>14 Q Did you see her with the President?</p> <p>15 A No, sir.</p> <p>16 Q Do you recall who you saw her with?</p> <p>17 A Ms. Currie.</p> <p>18 Q All right. It had been an occasion when you let</p> <p>19 her in?</p> <p>20 A No.</p> <p>21 Q Okay. All right. You hadn't heard anything about</p> <p>22 her at this time, at the time of the northwest gate incident.</p> <p>23 A No, sir.</p> <p>24 Q You said you talked -- you mentioned those were the</p> <p>25 only people you talked to the same day at work. Other than</p>	<p>1 MR. WISENBERG: Any further questions?</p> <p>2 (No response.)</p> <p>3 MR. WISENBERG: May the witness be excused?</p> <p>4 THE FOREPERSON: Yes, he may.</p> <p>5 MR. WISENBERG: Thank you very much. You're</p> <p>6 excused.</p> <p>7 THE WITNESS: Thank you.</p> <p>8 THE FOREPERSON: Thank you.</p> <p>9 (The witness was excused.)</p> <p>10 (Whereupon, at 2:53 p.m., the taking of testimony</p> <p>11 in the presence of a full quorum of the Grand Jury was</p> <p>12 concluded.)</p> <p>13 *****</p>

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 1/27/98

RICHARD E. HALPERIN, Executive Vice President and Special Counsel to the Chairman, MACANDREWS & FORBES HOLDINGS, Inc. (MFH) was made available for interview by his attorney, CHARLES STILLMAN, at the law firm STILLMAN and FRIEDMAN, 425 Park Avenue. STILLMAN and his associate JOHN B. HARRIS were present during the interview. All persons present were advised of the purpose of the interview and the official and personal identity of Investigators [REDACTED] and [REDACTED]. HALPERIN thereafter provided the following information.

HALPERIN first became aware of MONICA LEWINSKY on or about December 11, 1997 when he received a phone call from VERNON JORDAN, an attorney with the law firm AKIN, GUMP in Washington D.C. and a member of the Board of Directors for REVLON, Inc. HALPERIN recalls that he either had LEWINSKY's resume at the time of this call or he received it that same day. In this phone call Jordan stated that MONICA LEWINSKY was a young, enthusiastic hard worker who was relocating to New York and wanted to obtain work in the private sector. JORDAN asked that HALPERIN meet with LEWINSKY and assess her for a New York based opportunity. JORDAN indicated that LEWINSKY is interested in Public Relations work and she should be considered at the "entry level". JORDAN did not characterize LEWINSKY as being associated with the White House or any particular member of the Administration. HALPERIN does not recall JORDAN giving any indication of how he knew LEWINSKY or what kind of relationship existed between them.

HALPERIN said it was not unusual for VERNON JORDAN to call him and likewise it is not unusual for JORDAN to call him with an employment recommendation. HALPERIN recalls possibly 3 or 4 other times that JORDAN has recommended someone to MFH or REVLON. HALPERIN recalled that JORDAN recommended DAVID DINKINS, former mayor of New York City, as a board member and on another occasion he recommended a secretary who was employed with AKIN, GUMP but was wanting employment in Europe. She was placed in the REVLON European operations located in Paris. HALPERIN could not recall any other specific recommendations from JORDAN.

HALPERIN recalls that on December 15, 1997 MONICA LEWINSKY called for him and because he was not available, his secretary took a message that she had called. HALPERIN stated that he then faxed LEWINSKY's letter and resume to JAYMIE DURNAN, Senior Vice President and Special Counsel to the Chairman and to JIM CONROY, Senior Vice President of Public Affairs, both with MFH.

Investigation on 1/26/98 at New York City, NY File # 29D-LR-35063

by [REDACTED] [REDACTED] Date dictated 1/27/98

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Continuation of OIC-302 of Richard E. Halperin , On 1/26/98 , Page 2

LEWINSKY called HALPERIN between the 15th and 17th of December and informed him that she would be in New York of December 18, 1997 and would like to be interviewed on that day. LEWINSKY came to the headquarters of MFH at 35 East 62nd Steect alone and at the appointed time where HALPERIN and JIM CONROY conducted the interview in HALPERIN's office.

HALPERIN recalls that LEWINSKY was determined to be a typical young, capable, enthusiastic Washington, D. C. type individual who described the kind of opportunity she was looking for. HALPERIN inquired about other interviews set up for LEWINSKY and she indicated that she would be interviewed by AMERICAN EXPRESS and BURSON-MARSTELLER, a large Public Relations firm. HALPERIN advised that he spent some time talking to LEWINSKY about her career path and explained to her about the differences between the client side of the business and the agency side of the business. LEWINSKY indicated a preference for the client side and specifically liked the idea of working at REVLON. LEWINSKY said she would be living with her mother who lives in Manhattan. HALPERIN stated that even though he does not usually counsel with potential employees, it was not clear in her letter that she desired to work for REVLON.

HALPERIN stated that this was "clearly an accommodation for VERNON JORDAN". HALPERIN had earlier that week sent LEWINSKY's resume to DURMAN for his consideration. HALPERIN recalls that on the following day, LEWINSKY called his office and left a message thanking him for the meeting on the previous day.

HALPERIN went on vacation and upon returning learned that LEWINSKY sent him a letter dated December 23, 1997 again thanking him for the interview.

HALPERIN recalls that on January 21, 1998 he was astonished to hear on the news early that morning that there was an allegation concerning President BILL CLINTON, VERNON JORDAN and MONICA LEWINSKY. HALPERIN was also aware at the same time that HOWARD GITTIS, Vice Chairman and Chief Administrative Officer, MFH, was intending to meet with VERNON JORDAN for breakfast on this same morning. HALPERIN called for GITTIS at about 7:30 am knowing he was probably walking at that time and left a message. GITTIS called him back at 7:45am (before he met with JORDAN) and HALPERIN told him about what he had heard on the morning news. HALPERIN also told him that he had interviewed Monica LEWINSKY during December of 1997 and that she may have already been hired.

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Continuation of OIC-302 of Richard E. Halperin, On 1/26/98, Page 3

HALPERIN is described as follows from observation and interview:

Name: [REDACTED]
Race: [REDACTED]
Sex: [REDACTED]
DOB: [REDACTED]
SSAN: [REDACTED]
Residence: [REDACTED]
Telephone: [REDACTED]
Employment: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Title: [REDACTED]
[REDACTED]

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 4/2/98

RICHARD HALPERIN, Executive Vice President and Special Counsel to the President, MC ANDREWS & FORBES HOLDINGS (MFH), 35 E. 62 Street, New York, New York, was interviewed at the law office of STILLMAN & FRIEDMAN, P.C., 425 Park Avenue, New York, New York. Present at the time of interview was his attorney CHARLES STILLMAN, JOHN HARRIS, also of STILLMAN & FRIEDMAN, as well as Assistant Independent Counsels THOMAS BIENERT and STEVEN BINHAK.

MFH is a holding company which provides the legal and financial overlay to the operating businesses which it controls. Some of the companies owned by MFH are:

THE REVLON GROUP, cosmetics and related products
 COLEMAN CORPORATION, camping and recreation products
 CAL FED, a thrift institution
 CONSOLIDATED CIGAR, tobacco products
 PANAVISION, cameras and film industry equipment
 (acquisition pending)
 MAFCO, flavors and flavorings

HALPERIN talks to VERNON JORDAN approximately every other month, usually in regard to: (1) charitable contributions to the MC ANDREWS & FORBES FOUNDATION and the REVLON FOUNDATION; (2) legal matters concerning MFH or REVLON. JORDAN's law firm, AKIN, GUMP, STRAUSS, HAUER & FELD is on retainer to the companies. JORDAN does legal work on a continuing basis for them.

HALPERIN's contact with JORDAN is generally over the telephone. He uses telephone number [REDACTED] which is located in his office. In the past he has telephoned JORDAN at his office in Washington, D.C. He has no recollection of calling JORDAN at the AKIN GUMP office in New York. In addition, he has not contacted JORDAN at his residence in the past calendar year. In the past several months, HALPERIN has received two calls from JORDAN. One of these calls was regarding MONICA LEWINSKY. The other was on an unrelated issue.

Investigation on 3/27/98 at New York, New York File # 29D-OIC-LR-35063
 by [REDACTED] Date dictated 4/2/98

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Continuation of OIC-302 of RICHARD HALPERIN, On 3/27/98, Page 2

On December 11, 1997, HALPERIN received a telephone call from VERNON JORDAN. The purpose of the call was to discuss MONICA LEWINSKY and her securing employment in New York. JORDAN said that she was a bright, energetic, enthusiastic, young candidate seeking an entry level position in public relations. JORDAN requested him to interview LEWINSKY and give her career advice, as well as explore possible employment opportunities with MFH or their corporate holdings. He took JORDAN's statements as a recommendation for employment. There was no implied time constraint or requirement for fast action. HALPERIN did not think there was anything unusual about JORDAN's request.

LEWINSKY was going to call HALPERIN's office to set up an appointment. She did, in fact, telephone to set up an interview date and subsequently called the office several times to leave messages.

An interview with HALPERIN and JAMES CONROY, Senior Vice President for Corporate Affairs, was arranged for December 18, 1997. HALPERIN said his conducting entry level interviews was not unusual for potential employees of MFH. He described the firm as thinly managed, which requires senior executives to do such interviews. HALPERIN mentioned that MFH has approximately 180 employees in offices located around the United States, approximately 30 of these are senior executives.

At the time, HALPERIN was looking for a secretary, which he believed was a position in which LEWINSKY might have interest. He sent her resume to CONROY, as well as to JAYMIE DURNAN, Senior Vice President, MFH, who also has some Human Resources (HR) duties at the firm. HALPERIN was scheduling the interview to see if she would fit into their operation. He has no specific recollection of the actual interview, but he did determine that she was not interested in a secretarial position.

When LEWINSKY contacted MFH, she said she was calling at VERNON JORDAN's suggestion and wanted to set up a time for an interview when she would be in New York. Since she did not want to be a secretary, and there was no public relations work at MFH, CONROY and HALPERIN considered from the outset the possibility of

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Continuation of OIC-302 of RICHARD HALPERIN . On 3/27/98 . Page 3

element of crisis management. In interview, LEWINSKY said she understood the limitations of opportunities, given her experience, and was flexible as to what might be offered and accepted. As to the question of her suitability for a secretarial position, HALPERIN said all their secretaries are college graduates and highly qualified for the positions. An offer of secretarial employment would not be unusual for a person of LEWINSKY's background.

HALPERIN found LEWINSKY to be enthusiastic, bright, energetic, but lacking experience. She seemed to be a quick study.

As a matter of practice at MFH, it is not unusual to have a highly qualified applicant referred to them and then finding a position within the organization for that person to fill. The less likely scenario is having a specific vacancy and locating a person to place in it.

It was HALPERIN's understanding that after her interview, LEWINSKY would be "shipped to REVLON."

Shortly after the day of the interview, HALPERIN went on vacation and did not return to work until the first Monday after January 1, 1998. He had no further contact with JORDAN about LEWINSKY. While he was on vacation a note arrived from LEWINSKY thanking him for meeting with her. He did not discuss LEWINSKY with the owner of MFH, RONALD PERELMAN, or mention the matter to anyone else.

JAYMIE DURMAN met with LEWINSKY on January 8, 1998. After the interview, on the same day, DURMAN advised HALPERIN about the event. He told HALPERIN that he was going to send LEWINSKY's resume to REVLON. During the interview, DURMAN learned that LEWINSKY wanted to work in public relations, and that she wanted to be on the client side of the business. HALPERIN would expect that DURMAN would be a logical person to meet with LEWINSKY, an entry level person, given his human resources role at the company. In addition, DURMAN had worked at the Pentagon, as did LEWINSKY, and could relate to the working experience there. HALPERIN could not remember DURMAN's impression of LEWINSKY; however, he would not have forwarded her

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resume to REVLON if he thought she was not a competitive candidate. There was no understanding as to whom LEWINSKY would be referred at REVLON.

HALPERIN assumed that DURMAN knew about the referral from JORDAN. The cover letter written by LEWINSKY, naming JORDAN, was attached to the resume and he assumed DURMAN read it.

After DURMAN's January 8, 1998 interview with LEWINSKY, HALPERIN had two conversations with him (on that day). In the first, he advised HALPERIN that it had occurred. At the time of the second conversation, he advised HALPERIN that he received a telephone call from RONALD PERELMAN, who said VERNON JORDAN had called to ask if "we could be helpful" to LEWINSKY. The implication was that this call to PERELMAN had been recent. HALPERIN and DURMAN have frequent contact during each business day. DURMAN works for HALPERIN which occasions their interaction.

HALPERIN did not find PERELMAN's involvement to be unusual. When asked how this situation struck him, HALPERIN stated that it did not strike him any way. He assumed that JORDAN was really trying to help LEWINSKY.

At the time she was hired, HALPERIN had not been informed that LEWINSKY had been offered employment by REVLON.

When the news became public as to the allegations about MONICA LEWINSKY and President CLINTON, HALPERIN recognized her name on the reports. There was also a reference to JORDAN on the news which further made the connection between LEWINSKY and MFH.

HALPERIN said he is usually in the office by 7:00 or 7:30 a.m. each day. On the day the allegations were publicized, HALPERIN was at his office. Upon learning of the news, he first called BARRY SCHWARTZ, General Counsel for MFH. He told SCHWARTZ that he had interviewed LEWINSKY and detailed the story that was being reported. Until that time SCHWARTZ did not have any knowledge of LEWINSKY.

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The second call he made was to JAYMIE DURMAN, at which time he learned from DURMAN that LEWINSKY had been offered employment by REVLON.

He then called HOWARD GITTIS, General Counsel, MFH, because he was aware GITTIS had an appointment with JORDAN in New York that very day to meet for breakfast. He told GITTIS there was a story on television that VERNON JORDAN had helped MONICA LEWINSKY, a former White House intern linked to President CLINTON, get a job with REVLON. GITTIS said he had heard the news, but was not aware there was a connection between LEWINSKY and MFH.

HALPERIN did not attend the breakfast with GITTIS and JORDAN, nor did he attend the usual MFH executive breakfast that morning.

The last conversation HALPERIN has had with JORDAN was on December 11, 1997. He has not received any written correspondence from JORDAN.

On the morning the news reported the LEWINSKY-REVLON connection, a meeting was called at MFH with upper level executives along with the corporate counsel, CHARLES STILLMAN. It was decided that REVLON would suspend the hiring process for LEWINSKY. A reference to WILLIAM GINSBURG, attorney for LEWINSKY, was seen in the press. They located his law office the same day and faxed a letter advising him that LEWINSKY's offer of employment was being suspended. There was no response from GINSBURG's office.

LEWINSKY's employment offer was subject to checking her references. Telephone calls were made to her reference at the Pentagon. When doing lower level hiring, MFH and their holdings always check references and do some background investigation. Letters of acceptance sent to newly hired employees are conditional on acceptable reference checks.

HALPERIN was aware of the situation with WEBSTER HUBBELL and his legal problems which occurred after he was retained for his services. When asked his opinion of this matter, HALPERIN said it had been an unpleasant experience for

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the company; however, this matter did not come to mind in regard to LEWINSKY and the JORDAN referral. According to HALPERIN, MFH was not "gun shy" about dealing with LEWINSKY, in view of the fact that JORDAN also referred HUBBELL for employment.

HALPERIN has not been contacted by anyone at the White House or ROBERT BENNETT. There is no defense agreement with the White House.

Richard Halperin, 4/23/98

OIC Deposition

Page 1 to Page 39

CONDENSED TRANSCRIPT AND CONCORDANCE
PREPARED BY:

OFFICE OF THE INDEPENDENT COUNSEL
1001 Pennsylvania Avenue, N.W.
Suite 490-North
Washington, DC 20004
Phone: 202-514-8688
FAX: 202-514-8802

Page 1

[1]----- x
 [2]----- x
 [3]----- x
 [4]IN RE: GRAND JURY INVESTIGATION :
 [5]----- x
 [6]----- x
 [7]----- x
 [8] DEPOSITION of RICHARD E. HALPERIN, held at
 [9]the offices of Messrs. Stillman, Friedman & Shaw,
 [10]425 Park Avenue, New York, New York 10022, on
 [11]Thursday, April 23, 1998, commencing at 9:15
 [12]o'clock a.m., before Annette Forbes, a Certified
 [13]Shorthand (Stenotype) Reporter and Notary Public
 [14]within and for the State of New York.
 [15]
 [16]
 [17]
 [18]
 [19]
 [20]
 [21]
 [22]
 [23]
 [24]
 [25]

Page 4

[1]
 [2]reporter this morning, and a transcript will be
 [3]made that will ultimately be presented to the
 [4]grand jury which is investigating these matters in
 [5]Washington, D.C.
 [6]Do you understand that?
 [7]A Yes.
 [8]Q Everything, as I said, that you say
 [9]will be taken down, and that's important for a
 [10]couple of reasons.
 [11]First, you have a Fifth Amendment
 [12]right not to say anything that may tend to
 [13]incriminate you.
 [14]Second, since everything is taken
 [15]down, we will have an accurate record of what has
 [16]been said today.
 [17]And you should just be aware that it
 [18]is against Federal law to knowingly make a
 [19]misstatement of material fact during the course of
 [20]the deposition. That can be perjury or other
 [21]crimes, and those felonies are punishable by law.
 [22]Do you understand that?
 [23]A Yes.
 [24]Q In a normal deposition you might be
 [25]provided a transcript, but because we are

Page 2

[1]----- x
 [2]----- x
 [3]----- x
 [4]----- x
 [5]----- x
 [6]----- x
 [7]----- x
 [8]----- x
 [9]----- x
 [10]----- x
 [11]----- x
 [12]----- x
 [13]----- x
 [14]----- x
 [15]----- x
 [16]----- x
 [17]----- x
 [18]----- x
 [19]----- x
 [20]----- x
 [21]----- x
 [22]----- x
 [23]----- x
 [24]----- x
 [25]----- x

[1] APPEARANCES:
 [2] OFFICE OF THE INDEPENDENT COUNSEL
 [3] 1001 Pennsylvania Avenue, N.W.
 [4] Suite 490 North
 [5] Washington, D.C. 20004
 [6] BY: THOMAS H. BIENERT, JR., ESQ.
 [7] Associate Independent Counsel
 [8] STEPHEN BINHAK, ESQ.
 [9] Associate Independent Counsel
 [10]
 [11]
 [12]
 [13]
 [14]
 [15]
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Page 5

[1]
 [2]conducting this deposition in lieu of grand jury
 [3]testimony, we will not be providing a transcript
 [4]of this morning's deposition and we will be
 [5]providing that transcript to the grand jury and
 [6]will be reading it for them.
 [7]Normally if you were to testify
 [8]before a grand jury, there are rules of secrecy
 [9]for the grand jury.
 [10]What those mean is that the court
 [11]reporter, Mr. Bienert and I are bound by those
 [12]rules of grand jury secrecy, which means we just
 [13]can't go out and tell anybody about what you said,
 [14]what has occurred here in your deposition.
 [15]Even though you are not appearing
 [16]before a grand jury, we are going to treat this as
 [17]though we were in front of a grand jury. So we
 [18]will apply all the rules of grand jury secrecy.
 [19]There are certain exceptions to
 [20]grand jury secrecy, in light of Federal law,
 [21]especially with regard to an Office of Independent
 [22]Counsel investigation.
 [23]One exception would be if there were
 [24]a trial at any time, it's possible that the
 [25]transcript of these proceedings could be used as

Page 3

[1]
 [2]RICHARD E. HALPERIN, called as
 [3]a witness, having been first duly sworn by
 [4]Annette Forbes, a Notary Public of the
 [5]State of New York, was examined and
 [6]testified as follows:
 [7]EXAMINATION
 [8]BY MR. BINHAK:
 [9]Q Good morning, Mr. Halperin.
 [10]Why don't you state your name and
 [11]spell it for the record.
 [12]A Richard E. Halperin,
 [13]H-a-l-p-e-r-i-n.
 [14]Q My name is Steve Binhak. This is
 [15]Thomas Bienert, Jr. We both work the Office of
 [16]the Independent Counsel, and our office is
 [17]conducting a criminal investigation into possible
 [18]violations of Federal law, including witness
 [19]tampering, obstruction of justice and perjury.
 [20]This morning is a deposition in lieu
 [21]of grand jury appearance. And I want to explain
 [22]to you what that means and some of the rights and
 [23]obligations that you have, okay?
 [24]The first thing you need to know is
 [25]everything we say is being recorded by the court

Page 6

[1]
 [2]part of that trial.
 [3]Do you understand that?
 [4]A Yes.
 [5]Q Also, there is a reporting function
 [6]of the Office of Independent Counsel, and as part
 [7]of that reporting function, the office will
 [8]prepare or may prepare a report, final report, of
 [9]all the work that the office did, a more specific
 [10]report of this. Excerpts of your transcript may
 [11]appear in that report.
 [12]Do you understand that?
 [13]A Yes.
 [14]Q Finally, Mr. Bienert and I work with
 [15]several investigators and agents. You might have
 [16]met one of them last time we were here. Those
 [17]people are also allowed access to grand jury
 [18]transcripts for use during the investigation, but
 [19]they are also subject to the same grand jury
 [20]secrecy rules that we are.
 [21]Do you understand that?
 [22]A Yes.
 [23]Q You understand the Fifth Amendment
 [24]right that I explained to you before, right?
 [25]A Yes.

Page 7

[1]
 [2] Q We are also here at your attorney's
 [3] office and you are represented by an attorney,
 [4] correct?
 [5] A Yes.
 [6] Q Can you state for the record who
 [7] that attorney is?
 [8] A Charles A. Stillman,
 [9] S-t-i-l-l-m-a-n.
 [10] Q Also, you should know that in any
 [11] grand jury proceeding and, of course, here today,
 [12] because we are honoring those rules, you should
 [13] feel free to go talk to Mr. Stillman at any time
 [14] during this deposition if you want to ask him any
 [15] questions or clear anything up.
 [16] Do you understand that?
 [17] A Yes.
 [18] Q The last thing I will say is if I
 [19] ask you any question that you don't understand and
 [20] you want me to clarify, please ask me to, I will
 [21] be happy to do that.
 [22] If you don't tell me, I will just
 [23] assume that you understood what I said and we will
 [24] proceed from there.
 [25] A Yes.

Page 8

[1]
 [2] Q You understand everything I said,
 [3] and you are willing to proceed this morning under
 [4] the rules that I have just set out?
 [5] A Yes.
 [6] Q Why don't you just explain, please,
 [7] the position you have and where you work and how
 [8] long you have been working there and the duties
 [9] you have under your position.
 [10] A My current title is executive vice
 [11] president and special counsel to the chairman at
 [12] MacAndrews & Forbes Holdings, Incorporated. We
 [13] are a diversified holding company based in
 [14] Manhattan. And I have been employed here since
 [15] February of 1994.
 [16] Q What are your duties as executive
 [17] vice president and special counsel, just
 [18] generally?
 [19] A Generally, I handle government
 [20] relations. I handle real estate and special
 [21] projects and special assignments as they arise.
 [22] Q Why don't you just give a sort of
 [23] brief thumbnail sketch of MacAndrews & Forbes.
 [24] You said it's a holding company?
 [25] Just tell us --

Page 9

[1]
 [2] A We are a diversified holding
 [3] company. Our largest company is a company called
 [4] Revlon, a consumer products company based here in
 [5] New York.
 [6] We have an interest in a large
 [7] thrift in California, CALFED, formerly First
 [8] Nationwide.
 [9] We have an interest in Consolidated
 [10] Cigar, an interest in a company called MacAndrews
 [11] & Forbes, MAFCO Flavors, a flavors company.
 [12] We are about to make an investment
 [13] in a company call Panavision in the entertainment
 [14] business.
 [15] We have an interest in Meridian
 [16] Sports, which is a Master Craft Boat Company.
 [17] Q Do you have an interest in Coleman?
 [18] A We just divested. We had a
 [19] controlling interest in the Coleman Company, which
 [20] is based in Wichita, Kansas.
 [21] We sold our interest in the Sunbeam
 [22] Company and it recently closed on that
 [23] transaction.
 [24] Q How many employees does MacAndrews &
 [25] Forbes have?

Page 10

[1]
 [2] A About 170.
 [3] Q Of those 170, about how many of
 [4] these are senior people, executives?
 [5] A Maybe 30.
 [6] Q As part of your job at MacAndrews &
 [7] Forbes, do you have occasion to deal with outside
 [8] counsel?
 [9] A Yes.
 [10] Q Do you know a gentleman named Vernon
 [11] Jordan?
 [12] A Yes.
 [13] Q Does he have a relationship with
 [14] MacAndrews & Forbes in a professional capacity?
 [15] A Yes.
 [16] Q What is that relationship?
 [17] A He has been a director and a lawyer,
 [18] beginning about a decade ago, at Revlon. And he
 [19] has been a lawyer at the holding company for that
 [20] period and he has represented various interests
 [21] that the holding company holds.
 [22] Q From time to time, is it part of
 [23] your job to have conversations with him as both a
 [24] lawyer and a director?
 [25] A Yes.

Page 11

[1]
 [2] Q Do you have a personal relationship
 [3] with Mr. Jordan?
 [4] A I know him well.
 [5] Q Do you have a social relationship?
 [6] Do you see him socially at all?
 [7] A No.
 [8] Q In a typical one-month period, about
 [9] how many times on average, and I am just asking
 [10] just an approximate, about how many times do you
 [11] usually talk to Vernon Jordan?
 [12] A Probably every other month.
 [13] Q And what matters are typical matters
 [14] that might come up in a conversation between you
 [15] and Vernon Jordan?
 [16] A I may not have mentioned, sir, in my
 [17] explanation of my duties that I am also the
 [18] president of numerous foundations, MacAndrews &
 [19] Forbes, Revlon Foundation.
 [20] So I will speak to Vernon about
 [21] charitable contributions. I will talk to him
 [22] about community relations and I will talk to him
 [23] about government relations and sometimes I will
 [24] talk to him about legal matters.
 [25] Q Since November of 1997, can you put

Page 12

[1]
 [2] a number on how many times you have spoken to
 [3] Vernon Jordan?
 [4] A I could estimate two or three.
 [5] Q Of those times that you spoke to
 [6] him, did you see him in person or did you talk to
 [7] him on the telephone?
 [8] A On the telephone.
 [9] Q Of those meetings, did you ever have
 [10] any discussions with him about an individual named
 [11] Monica Lewinsky?
 [12] A Yes.
 [13] Q Why don't you tell us what the
 [14] discussions, as best you can remember, were about
 [15] Monica Lewinsky in that telephone call.
 [16] A Sure.
 [17] Q And if you can put a date on it,
 [18] that would be great.
 [19] A On or about December 11th, I
 [20] received a letter from Monica Lewinsky that
 [21] referred to Vernon Jordan, and Vernon had called
 [22] me to tell me that I would be getting a letter and
 [23] resume from Monica Lewinsky, who was a White House
 [24] intern formerly and currently at the Defense
 [25] Department who was relocating to New York and

Page 13

[1] looking for opportunities in the public relations
 [2] world at the entry level.
 [3] I can't recall precisely whether I
 [4] had Ms. Lewinsky's letter at hand when Vernon
 [5] called. I may have.
 [6] Q But if you did, receiving the
 [7] letter, receiving the phone call occurred roughly
 [8] at the same time?
 [9] A Roughly the same time.
 [10] Q Within a few days of each other?
 [11] A Yes.
 [12] Q Let's put aside the letter for a
 [13] second now.
 [14] When you spoke to Vernon Jordan and
 [15] he had told you about Ms. Lewinsky and the fact
 [16] that she wanted to relocate to New York, did he
 [17] ask you to act on her in any particular way?
 [18] A Well, he said she was a bright young
 [19] woman who was energetic and enthusiastic and
 [20] wanted me to basically give her advice on
 [21] relocating to New York and the various
 [22] opportunities in New York, encouraged me to meet
 [23] with her.
 [24] Q Was there anything unusual about
 [25]

Page 14

[1] that, the request that Vernon Jordan was asking
 [2] you, in light of your general experience as a
 [3] business executive, in general, and your business
 [4] dealings with Vernon Jordan in particular?
 [5] A No.
 [6] Q Did he ask you to work on any
 [7] particular kind of timetable with Ms. Lewinsky?
 [8] A No.
 [9] Q At the time you got this call from
 [10] Mr. Jordan, were you looking for anybody in
 [11] particular or were you looking to fill any
 [12] particular positions at MacAndrews & Forbes?
 [13] A Yes.
 [14] Q Why don't you describe which one or
 [15] which ones.
 [16] A My secretary of seven years had
 [17] recently resigned and I was looking to replace
 [18] her, and that was the specific job I was thinking
 [19] of.
 [20] Q Would Vernon Jordan have known about
 [21] that opening?
 [22] A No.
 [23] Q Were there any other specific
 [24] openings that you knew about at that time?
 [25]

Page 15

[1] A At MacAndrews?
 [2] Q Yes.
 [3] A No.
 [4] Q Is it unusual for MacAndrews &
 [5] Forbes, people, executives there to interview
 [6] people even though there is not a specific opening
 [7] at MacAndrews & Forbes that may be suitable for
 [8] the person who is coming in?
 [9] A Periodically, if someone has
 [10] ability, we will meet them with an eye to either
 [11] referring them somewhere. It's not unusual for us
 [12] to meet a person who comes highly recommended.
 [13] Q And I'm not meaning to suggest that
 [14] Ms. Lewinsky would necessarily have been
 [15] appropriate or inappropriate for the secretary's
 [16] position. I'm just asking the general question,
 [17] you understand that, right?
 [18] A Yes.
 [19] Q Your answer is the same, given what
 [20] I just said?
 [21] A Yes.
 [22] Q Did you get a chance to meet with
 [23] Ms. Lewinsky?
 [24] A Yes, I did.
 [25]

Page 16

[1] Q Why don't you describe what happened
 [2] at that meeting and when it happened, of course.
 [3] A Perhaps you could refresh my
 [4] recollection.
 [5] MR. BIENERT: Could it have
 [6] been around December 8th?
 [7] THE WITNESS: Yes.
 [8] Q Does that sound about right?
 [9] A Yes.
 [10] Q December 8th, did you have a
 [11] meeting?
 [12] A Yes. I met with her and asked Jim
 [13] Conroy, our senior vice president of public
 [14] affairs, to join us.
 [15] Q First of all, where was that
 [16] meeting?
 [17] A In my office in New York City.
 [18] Q What is the address of your office?
 [19] A 35 East 62nd Street.
 [20] Q Do you remember if the meeting was
 [21] in the morning or if it was in the afternoon?
 [22] A I believe it was in the morning, but
 [23] perhaps I should check that.
 [24] Q I don't think it's very important.
 [25]

Page 17

[1] A Okay.
 [2] Q Now, you said Mr. Jordan was there
 [3] as well?
 [4] A No.
 [5] Q Excuse me. Mr. Conroy. Pardon me.
 [6] A Right.
 [7] Q So it's you, Mr. Conroy. Did
 [8] anybody else come to the meeting?
 [9] A No. Mr. Duman was invited, but he
 [10] was out of town.
 [11] Q You are saying Duman?
 [12] A Yes.
 [13] Q Was there any reason that you
 [14] invited Mr. Conroy and Mr. Duman to come to the
 [15] meeting?
 [16] A Yes.
 [17] Q Why?
 [18] A I invited Mr. Duman because of his
 [19] duties basically as chief of staff in the office.
 [20] He routinely interviews people both
 [21] at the entry level and more experienced, and also
 [22] he had an extensive background in the government,
 [23] particularly in the military and Defense
 [24] Department.
 [25]

Page 18

[1] So I thought he might be able to
 [2] match Ms. Lewinsky's abilities with our needs and
 [3] he would be the appropriate person then because of
 [4] his Defense Department experience.
 [5] I invited Mr. Conroy because he
 [6] handles external relations, community relations,
 [7] public relations for the holding company and also
 [8] interfaces with those functions at the operating
 [9] companies.
 [10] Q Now, when Ms. Lewinsky came to this
 [11] meeting, were you treating this meeting, at least
 [12] from the outset, were you treating this meeting as
 [13] more of an informational meeting or more of a job
 [14] interview or something else?
 [15] A Frankly, both.
 [16] I wanted to be responsive to Mr.
 [17] Jordan and give her advice as a New Yorker who had
 [18] some experience leaving the Government myself and
 [19] also to see if there was a match between what she
 [20] wanted to do and what I might have or what we
 [21] might be able to offer her at one of the operating
 [22] companies.
 [23] Q How did that interview go?
 [24] A It went well.
 [25]

Page 19

[1] Q Can you describe generally what you
 [2] spoke about?
 [3] A Sure. She described her experience
 [4] in the government, in particular, at the Defense
 [5] Department. And she told me she enjoyed sort of a
 [6] crisis management atmosphere, enjoyed special
 [7] projects and deadlines, and felt that it was time
 [8] for her to transition to the private sector, and
 [9] particularly in New York, she wanted to be in New
 [10] York, and that she had a good experience in
 [11] government, but wanted to try the other side.
 [12] Q Did Vernon Jordan's name come up
 [13] during the interview at all?
 [14] A She may have thanked me at the
 [15] outset for meeting with her, and she may have
 [16] complimented me through Vernon.
 [17] Q Did she mention the President or
 [18] First Lady at all?
 [19] A No.
 [20] Q What was your impression of Monica
 [21] Lewinsky, based on the interview that you had?
 [22] A I thought she was an enthusiastic
 [23] young person who had a good experience for a
 [24] person her age, who was worthy of consideration if
 [25]

Page 20

[1] we had something to offer.
 [2] Q Did you consider her for your
 [3] secretary position as a result of the interview?
 [4] A Well, it was clear to me that she
 [5] was looking for an entry level professional
 [6] position either in a public relations agency or on
 [7] the client side and she didn't want to be an
 [8] executive assistant. She had done that.
 [9] Q Based on your interview with her and
 [10] upon an opening or the availability of a position
 [11] at MacAndrews & Forbes, did you make a decision
 [12] about whether Monica Lewinsky was right for
 [13] MacAndrews & Forbes at that time?
 [14] A Well, since there was no opening,
 [15] other than my position at MacAndrews, and she
 [16] didn't have any interest in that, it was apparent
 [17] from the interview Jim Conroy was going to refer
 [18] her to Revlon.
 [19] Q Refer her for any particular job at
 [20] Revlon?
 [21] A Yes. For a public relations entry
 [22] level job in the public relations area at the
 [23] Revlon Company.
 [24] Q Up to this point, I am talking up to
 [25]

Page 21

[1] the point where you finished the interview and Mr.
 [2] Conroy was going to forward her resume to Revlon,
 [3] was there anything unusual about the way Ms.
 [4] Lewinsky came to the company or any unusual
 [5] influence on you or the company to hire her in any
 [6] way?
 [7] A Did you notice anything like that?
 [8] A No.
 [9] Q As far as you know, did Ms. Lewinsky
 [10] come back and meet with Mr. Duman?
 [11] A Yes.
 [12] Q Would that have been on or about
 [13] January 8th?
 [14] A Yes.
 [15] Q You left the office for a bit to go
 [16] on vacation during this period, right?
 [17] A Yes.
 [18] Q Were you back by the 8th?
 [19] A Yes.
 [20] Q Did you know that Ms. Lewinsky would
 [21] be meeting with Mr. Duman?
 [22] A No.
 [23] Q So obviously you didn't arrange it
 [24] if you didn't know that it was happening?
 [25]

Page 22

[1] A Correct.
 [2] Q Did you speak to Mr. Duman after he
 [3] met with Ms. Lewinsky?
 [4] A Yes.
 [5] Q What did you talk about?
 [6] A He told me he had met with Monica
 [7] Lewinsky and that he was going to send her resume
 [8] to Revlon.
 [9] Q Did he tell you what he thought of
 [10] Monica Lewinsky?
 [11] A I don't recall discussing that.
 [12] Q Did Mr. Duman discuss with you
 [13] whether he had spoken to Vernon Jordan about
 [14] Monica Lewinsky?
 [15] A No.
 [16] Q Did he discuss with you whether he
 [17] had spoken to Ronald Perelman?
 [18] A Yes.
 [19] Q Why don't you just describe who Ron
 [20] Perelman is.
 [21] A Ron Perelman, P-e-r-e-l-m-a-n, is
 [22] chairman and chief executive officer.
 [23] Q To your knowledge, does he know
 [24] Vernon Jordan?
 [25]

Page 23

[1] A Yes.
 [2] Q What did Mr. Duman say in the
 [3] discussion with Mr. Perelman?
 [4] A If I could clarify,
 [5] I had two discussions that day with
 [6] Mr. Duman. The first was informing me that he
 [7] had met with Monica Lewinsky that day, and the
 [8] second conversation was a conversation in which
 [9] Jaymie Duman told me that Ronald Perelman had
 [10] received a call from Vernon Jordan inquiring as to
 [11] the status of Monica Lewinsky and Jaymie Duman
 [12] was asked by Mr. Perelman to see if we could be
 [13] helpful at Revlon.
 [14] Q Did Mr. Duman indicate to you that
 [15] he thought there was anything unusual about that
 [16] contact between him and Mr. Perelman?
 [17] A No.
 [18] Q Did you see anything unusual about
 [19] contact between Mr. Perelman and Mr. Duman?
 [20] A No.
 [21] Q And also, I might have asked you
 [22] this question, do you see anything unusual about
 [23] the contact between Vernon Jordan and Mr. Perelman
 [24] which led to the contact between Perelman and
 [25]

Page 24

[1] Duman?
 [2] A No.
 [3] Q Did you have any other discussions
 [4] with Mr. Duman about Monica Lewinsky at that
 [5] period of time?
 [6] A January 8th?
 [7] Q Yes.
 [8] A No.
 [9] Q Did you know that Monica Lewinsky's
 [10] resume was actually forwarded to Revlon?
 [11] A On the 8th, I think Jaymie told me
 [12] that he forwarded it.
 [13] Q Did you hear anything about it after
 [14] that?
 [15] A When?
 [16] Q With regard to the resume getting to
 [17] Revlon and her interviewing.
 [18] A What time frame?
 [19] Q Let's say in the next week or so.
 [20] A No.
 [21] Q Did you find out up to the point
 [22] when this broke as an actual news story, did you
 [23] find out that Monica Lewinsky had interviewed or
 [24] been hired by Revlon?
 [25]

Page 25

[1] A No.
 [2] Q When is the next time you heard
 [3] anything about Monica Lewinsky?
 [4] A On the morning of January 21st, I
 [5] believe it was.
 [6] Q How did you hear?
 [7] A There were television reports.
 [8] I get in the office early and I was
 [9] watching television and then I received a call
 [10] from Jim Conroy that morning.
 [11] Q When you first heard the reports, I
 [12] assume you were watching the news when you say
 [13] reports on television?
 [14] A Yes.
 [15] Q When you first heard the reports on
 [16] the news, what about the reports tipped you off?
 [17] A Well, it mentioned a White House
 [18] intern, it mentioned Monica Lewinsky by name, it
 [19] mentioned Vernon Jordan, and I immediately knew
 [20] that obviously I had met her.
 [21] Q And you made the connection to the
 [22] interviews that you had?
 [23] A Yes.
 [24] Q Once you heard those reports and you

Page 28

[1] Q What did you talk about with Mr.
 [2] Gittis?
 [3] A I told Mr. Gittis of the news report
 [4] regarding Monica Lewinsky and Vernon Jordan, and I
 [5] told him that I had interviewed Monica Lewinsky
 [6] for a job at MacAndrews and he was unaware of
 [7] that.
 [8] Q What was his response?
 [9] A He knew nothing about it.
 [10] And I told him that I wanted to let
 [11] him know that because he was having breakfast with
 [12] Vernon and this was something he needed to know in
 [13] advance of that breakfast.
 [14] Q Did you make plans to speak with him
 [15] later in the day?
 [16] A I told him I would see him in the
 [17] office.
 [18] Q Did you call anybody else that
 [19] morning?
 [20] A Yes.
 [21] Q Who was that?
 [22] A Bill Green.
 [23] Q Who is Mr. Green?
 [24] A Mr. Green is the vice president of

Page 26

[1] got a phone call, the first phone call was from
 [2] whom again?
 [3] I think you said the first phone
 [4] call may have been from Jim Conroy?
 [5] A Yes.
 [6] Q And he called you?
 [7] A Yes.
 [8] Q What did you and Mr. Conroy talk
 [9] about at that point?
 [10] A He told me that he had heard, I
 [11] believe, on the radio a report that Monica
 [12] Lewinsky was the former White House intern who was
 [13] introduced by Vernon Jordan to others seeking a
 [14] job.
 [15] Q After the conversation that you had,
 [16] that first conversation with Conroy, did you call
 [17] anybody else?
 [18] A Yes.
 [19] Q Who did you call?
 [20] A I called Jaymie Durnan.
 [21] Q And what did you speak about with
 [22] Mr. Durnan?
 [23] A I told him of the report and he told
 [24] me that Revlon had offered her a job. And I asked

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[1] government affairs and runs our Washington office.
 [2] Q What did you discuss with Mr. Green?
 [3] A I had just wanted to bring him up to
 [4] date because he runs our Washington office, so
 [5] that he would not be surprised to learn that I had
 [6] known and met Monica Lewinsky.
 [7] Q Just to clarify, I am asking you who
 [8] you called. Implicit in my question is on this
 [9] issue.
 [10] I'm not asking you who you called on
 [11] a million issues. I am sure you made a lot of
 [12] phone calls. Just so you understand that.
 [13] Did you call anybody else about this
 [14] issue, first in the morning?
 [15] A Yes. One more person, our general
 [16] counsel, Barry Schwartz.
 [17] Q What did you relate to him about
 [18] that?
 [19] A He is our counsel --
 [20] Q I don't want you to go into legal
 [21] advice.
 [22] A He is our general counsel. I
 [23] consider this privileged, but my counsel, Mr.
 [24] Stillman, told me without waiving the privilege I

Page 27

[1] him whether she had started, and he didn't know.
 [2] Q Did you make any arrangements to see
 [3] Durnan later that morning?
 [4] A I routinely, he and I are colleagues
 [5] and work continuously through the day together, so
 [6] I knew I would see him that morning.
 [7] Q So you basically left it, I will see
 [8] you when you get to the office; is that fair to
 [9] say?
 [10] A Probably.
 [11] Q Did you call anybody else after you
 [12] spoke to Mr. Durnan?
 [13] A Yes.
 [14] Q Who is that?
 [15] A I called Howard Gittis.
 [16] Q Who is Mr. Gittis?
 [17] A Howard Gittis, G-i-t-t-i-s. He is
 [18] our vice chairman and chief administrative
 [19] officer.
 [20] Q The first question I will ask is why
 [21] did you call Mr. Gittis?
 [22] A Because I knew that Mr. Gittis was
 [23] scheduled to have breakfast with Vernon Jordan
 [24] that morning.

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[1] should answer that question. I am happy to do it.
 [2] I brought him up to date to tell
 [3] him -- he, too, did not know that I had met with
 [4] Monica Lewinsky and did not know that Revlon had
 [5] offered her an opportunity.
 [6] So I told him of the current status
 [7] and we were to meet later that morning with Mr.
 [8] Gittis and with Mr. Stillman.
 [9] Q And who is Mr. Stillman?
 [10] A Charles A. Stillman is our outside
 [11] counsel.
 [12] Q And he is also representing you this
 [13] morning, correct?
 [14] A Correct.
 [15] Q So that's the same Mr. Stillman that
 [16] you identified at the beginning of this
 [17] deposition?
 [18] A Yes.
 [19] Q Again, I understand the privilege
 [20] and I don't want to get into that, but did you
 [21] have a meeting -- you just described a meeting
 [22] that you agreed to have later on in the morning
 [23] with several lawyers.
 [24] Did you have that meeting?

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[1] [2] A Yes.
 [3] Q As a result of that meeting, did you
 [4] take any action?
 [5] A Well, at that point I would consider
 [6] anything we did privileged, because I did nothing.
 [7] It was in the hands of our attorneys.
 [8] Q Did MacAndrews & Forbes, to your
 [9] knowledge, take any action — well, let's put it
 [10] this way.
 [11] Did MacAndrews & Forbes send a
 [12] letter to Monica Lewinsky or ask Revlon to send a
 [13] letter to Monica Lewinsky with regard to her
 [14] employment offer?
 [15] A I subsequently learned that Revlon
 [16] sent a letter to Ms. Lewinsky through her
 [17] attorney.
 [18] Q What did that letter say?
 [19] A I don't have that letter.
 [20] Q Do you know what the substance of
 [21] that letter was, in general?
 [22] A I haven't seen it, Tom.
 [23] Q As far as that letter, was it your
 [24] understanding that the letter was, in essence,
 [25] notifying Ms. Lewinsky that the offer had been

Page 32

[1] [2] retracted?
 [3] A Yes.
 [4] Q And that's what you had told us when
 [5] we talked last time, right?
 [6] A Yes.
 [7] Q Your understanding now is still
 [8] consistent with that?
 [9] A Yes.
 [10] Q Is Vernon Jordan on the board of
 [11] directors of Revlon, MacAndrews & Forbes, or both?
 [12] A Revlon.
 [13] Q Has he ever been on the board of
 [14] MacAndrews?
 [15] A I don't know that MacAndrews had
 [16] outside directors.
 [17] I believe he was on the board of
 [18] Revlon, Incorporated and Revlon Group,
 [19] Incorporated, which is a holding company that
 [20] previously held Revlon, Inc.
 [21] I don't believe MacAndrews & Forbes,
 [22] the ultimate parent, had outside directors.
 [23] Q So, to your knowledge, the answer is
 [24] no, he was not on any board that was the
 [25] MacAndrews & Forbes board?

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[1] [2] A To my recollection, no, but I could
 [3] certainly check the records.
 [4] Q That's fine.
 [5] A As far as the phone call on the 11th
 [6] of December that you had with Vernon Jordan, you
 [7] went ahead and described it for us.
 [8] Could you just, as best you can,
 [9] walk us through the conversation?
 [10] Who called whom? Did you call him
 [11] or did he call you?
 [12] A I had spoken with Vernon the day
 [13] before on an unrelated matter. And then I believe
 [14] he called me that day, and it was a short
 [15] conversation.
 [16] And as I previously stated, I am not
 [17] certain whether or not I had the letter in front
 [18] of me. But it was a short call, he described
 [19] Monica Lewinsky briefly to me and encouraged me to
 [20] meet with her and give her advice and that's what
 [21] it was.
 [22] And what I said was I would be happy
 [23] to do it.
 [24] Q Now, when you met subsequently with
 [25] Monica Lewinsky, you indicated to us that you were

Page 34

[1] [2] doing it in essence for two reasons, to give her
 [3] advice and to also interview her and consider her
 [4] as a possible candidate at either MacAndrews or
 [5] Revlon or one of your companies, is that correct?
 [6] A Yes.
 [7] Q You did that based upon the call
 [8] that you got from Vernon Jordan?
 [9] A Yes.
 [10] Q And the call that you got from
 [11] Vernon Jordan, you considered that to be a
 [12] recommendation of Monica Lewinsky, correct?
 [13] A Absolutely.
 [14] Q She was an entry level employee; is
 [15] that right?
 [16] A Yes.
 [17] Q How many entry level employees have
 [18] you interviewed in the last year?
 [19] A Well, I interview secretaries that
 [20] would work at the holding company, any secretary
 [21] that would go into the chairman's office or any of
 [22] our senior executives I would meet, and in terms
 [23] of entry level positions, it's not only through
 [24] the holding company that I would be meeting
 [25] people.

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[1] [2] To answer your question exactly, I
 [3] can't tell you how many of us, but it's not
 [4] unusual for me to even meet an entry level person.
 [5] Q You have indicated to us that at the
 [6] time you interviewed Monica Lewinsky that there
 [7] was an opening for a secretary, right?
 [8] A Right.
 [9] Q What has happened to that opening,
 [10] Mr. Halperin?
 [11] A My secretary informed me last week,
 [12] my previous secretary, that she is coming back
 [13] from California and she called me over the
 [14] weekend, so that has been filled. She is coming
 [15] back.
 [16] Q Had you interviewed any other people
 [17] for that job?
 [18] A Yes.
 [19] Q And did you participate in those
 [20] interviews?
 [21] A Yes.
 [22] Q You indicated that you called Bill
 [23] Green.
 [24] Did he appear to know about Monica
 [25] Lewinsky and the fact that she had interviewed at

Page 36

[1] [2] your company?
 [3] A I don't recall.
 [4] Q Again, tell me the reason why you
 [5] called him.
 [6] A Because he runs our Washington
 [7] office and I just, this was really a Washington
 [8] story. I wanted him to be informed that this was
 [9] an issue that was going to directly impact us in
 [10] the news world, in the news cycle.
 [11] And I wanted him to be informed, and
 [12] not informed by a third party, that we were
 [13] involved with Monica Lewinsky.
 [14] Q Since your December 11th call with
 [15] Vernon Jordan, have you had any communication with
 [16] Vernon Jordan at all?
 [17] A No.
 [18] Q That would include not only
 [19] telephone calls or conversations, but also written
 [20] communication?
 [21] A Correct.
 [22] Q And the answer is still no?
 [23] A Correct.
 [24] MR. BINHAK: Thank you.
 [25] MR. BIENERT: That's all

Page 37

[1] have.
 [2] Thank you very much for your
 [3] time.
 [4] (Whereupon, at 10:05 o'clock
 [5] a.m., the deposition was concluded.)
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Page 38

[1] CERTIFICATE
 [2] STATE OF NEW YORK)
 [3]) ss.
 [4] COUNTY OF NEW YORK)
 [5]
 [6] I, ANNETTE FORBES, a Certified
 [7] Shorthand (Stenotype) Reporter and
 [8] Notary Public of the State of New
 [9] York, do hereby certify that the
 [10] foregoing Deposition, of the witness,
 [11] RICHARD E. HALPERIN, taken at the time
 [12] and place aforesaid, is a true and
 [13] correct transcription of my shorthand
 [14] notes.
 [15] I further certify that I am
 [16] neither counsel for nor related to any
 [17] party to said action, nor in any wise
 [18] interested in the result or outcome
 [19] thereof.
 [20] IN WITNESS WHEREOF, I have
 [21] hereunto set my hand this 28th day of
 [22] April, 1998.
 [23]
 [24] ANNETTE FORBES, CSR, RPR
 [25]

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29D-OIC-LR-35063

Continuation of OIC-302 of RICHARD HALPERIN . On 3/27/98 . Page 5

The second call he made was to JAYMIE DURMAN, at which time he learned from DURMAN that LEWINSKY had been offered employment by REVLON.

He then called HOWARD GITTIS, General Counsel, MFH, because he was aware GITTIS had an appointment with JORDAN in New York that very day to meet for breakfast. He told GITTIS there was a story on television that VERNON JORDAN had helped MONICA LEWINSKY, a former White House intern linked to President CLINTON, get a job with REVLON. GITTIS said he had heard the news, but was not aware there was a connection between LEWINSKY and MFH.

HALPERIN did not attend the breakfast with GITTIS and JORDAN, nor did he attend the usual MFH executive breakfast that morning.

The last conversation HALPERIN has had with JORDAN was on December 11, 1997. He has not received any written correspondence from JORDAN.

On the morning the news reported the LEWINSKY-REVLON connection, a meeting was called at MFH with upper level executives along with the corporate counsel, CHARLES STILLMAN. It was decided that REVLON would suspend the hiring process for LEWINSKY. A reference to WILLIAM GINSBURG, attorney for LEWINSKY, was seen in the press. They located his law office the same day and faxed a letter advising him that LEWINSKY's offer of employment was being suspended. There was no response from GINSBURG's office.

LEWINSKY's employment offer was subject to checking her references. Telephone calls were made to her reference at the Pentagon. When doing lower level hiring, MFH and their holdings always check references and do some background investigation. Letters of acceptance sent to newly hired employees are conditional on acceptable reference checks.

HALPERIN was aware of the situation with WEBSTER HUBBELL and his legal problems which occurred after he was retained for his services. When asked his opinion of this matter, HALPERIN said it had been an unpleasant experience for

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Continuation of OIC-302 of RICHARD HALPERIN . On 3/27/98 . Page 6

the company; however, this matter did not come to mind in regard to LEWINSKY and the JORDAN referral. According to HALPERIN, MFH was not "gun shy" about dealing with LEWINSKY, in view of the fact that JORDAN also referred HUBBELL for employment.

HALPERIN has not been contacted by anyone at the White House or ROBERT BENNETT. There is no defense agreement with the White House.

Richard Halperin, 4/23/98

OIC Deposition

Page 1 to Page 39

CONDENSED TRANSCRIPT AND CONCORDANCE
PREPARED BY:

OFFICE OF THE INDEPENDENT COUNSEL
1001 Pennsylvania Avenue, N.W.
Suite 490-North
Washington, DC 20004
Phone: 202-514-8688
FAX: 202-514-8802

Page 1

[1]----- x
 [2]----- x
 [3]----- x
 [4]IN RE: GRAND JURY INVESTIGATION :
 [5]----- x
 [6]----- x
 [7]----- x
 [8] DEPOSITION of RICHARD E. HALPERIN, held at
 [9]the offices of Messrs. Stillman, Friedman & Shaw,
 [10]425 Park Avenue, New York, New York 10022, on
 [11]Thursday, April 23, 1998, commencing at 9:15
 [12]o'clock a.m., before Annette Forbes, a Certified
 [13]Shorthand (Stenotype) Reporter and Notary Public
 [14]within and for the State of New York.
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Page 4

[1]
 [2]reporter this morning, and a transcript will be
 [3]made that will ultimately be presented to the
 [4]grand jury which is investigating these matters in
 [5]Washington, D.C.
 [6]Do you understand that?
 [7]A Yes.
 [8]Q Everything, as I said, that you say
 [9]will be taken down, and that's important for a
 [10]couple of reasons.
 [11]First, you have a Fifth Amendment
 [12]right not to say anything that may tend to
 [13]incriminate you.
 [14]Second, since everything is taken
 [15]down, we will have an accurate record of what has
 [16]been said today.
 [17]And you should just be aware that it
 [18]is against Federal law to knowingly make a
 [19]misstatement of material fact during the course of
 [20]the deposition. That can be perjury or other
 [21]crimes, and those felonies are punishable by law.
 [22]Do you understand that?
 [23]A Yes.
 [24]Q In a normal deposition you might be
 [25]provided a transcript, but because we are

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[1] APPEARANCES:
 [2] OFFICE OF THE INDEPENDENT COUNSEL
 [3] 1001 Pennsylvania Avenue, N.W.
 [4] Suite 490 North
 [5] Washington, D.C. 20004
 [6] BY: THOMAS H. BIENERT, JR., ESQ.
 [7] Associate Independent Counsel
 [8] STEPHEN BINHAK, ESQ.
 [9] Associate Independent Counsel
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Page 5

[1]
 [2]conducting this deposition in lieu of grand jury
 [3]testimony, we will not be providing a transcript
 [4]of this morning's deposition and we will be
 [5]providing that transcript to the grand jury and
 [6]will be reading it for them.
 [7]Normally if you were to testify
 [8]before a grand jury, there are rules of secrecy
 [9]for the grand jury.
 [10]What those mean is that the court
 [11]reporter, Mr. Bienert and I are bound by those
 [12]rules of grand jury secrecy, which means we just
 [13]can't go out and tell anybody about what you said,
 [14]what has occurred here in your deposition.
 [15]Even though you are not appearing
 [16]before a grand jury, we are going to treat this as
 [17]though we were in front of a grand jury. So we
 [18]will apply all the rules of grand jury secrecy.
 [19]There are certain exceptions to
 [20]grand jury secrecy, in light of Federal law,
 [21]especially with regard to an Office of Independent
 [22]Counsel investigation.
 [23]One exception would be if there were
 [24]a trial at any time, it's possible that the
 [25]transcript of these proceedings could be used as

Page 3

[1]
 [2]RICHARD E. HALPERIN, called as
 [3]a witness, having been first duly sworn by
 [4]Annette Forbes, a Notary Public of the
 [5]State of New York, was examined and
 [6]testified as follows:
 [7]EXAMINATION
 [8]BY MR. BINHAK:
 [9]Q Good morning, Mr. Halperin.
 [10]Why don't you state your name and
 [11]spell it for the record.
 [12]A Richard E. Halperin,
 [13]H-a-l-p-e-r-i-n.
 [14]Q My name is Steve Binhak. This is
 [15]Thomas Bienert, Jr. We both work the Office of
 [16]the Independent Counsel, and our office is
 [17]conducting a criminal investigation into possible
 [18]violations of Federal law, including witness
 [19]tampering, obstruction of justice and perjury.
 [20]This morning is a deposition in lieu
 [21]of grand jury appearance. And I want to explain
 [22]to you what that means and some of the rights and
 [23]obligations that you have, okay?
 [24]The first thing you need to know is
 [25]everything we say is being recorded by the court

Page 6

[1]
 [2]part of that trial.
 [3]Do you understand that?
 [4]A Yes.
 [5]Q Also, there is a reporting function
 [6]of the Office of Independent Counsel, and as part
 [7]of that reporting function, the office will
 [8]prepare or may prepare a report, final report, of
 [9]all the work that the office did, a more specific
 [10]report of this. Excerpts of your transcript may
 [11]appear in that report.
 [12]Do you understand that?
 [13]A Yes.
 [14]Q Finally, Mr. Bienert and I work with
 [15]several investigators and agents. You might have
 [16]met one of them last time we were here. Those
 [17]people are also allowed access to grand jury
 [18]transcripts for use during the investigation, but
 [19]they are also subject to the same grand jury
 [20]secrecy rules that we are.
 [21]Do you understand that?
 [22]A Yes.
 [23]Q You understand the Fifth Amendment
 [24]right that I explained to you before, right?
 [25]A Yes.

Page 7

[1]
 [2] Q We are also here at your attorney's
 [3] office and you are represented by an attorney,
 [4] correct?
 [5] A Yes.
 [6] Q Can you state for the record who
 [7] that attorney is?
 [8] A Charles A. Stillman,
 [9] S-t-i-l-l-m-a-n.
 [10] Q Also, you should know that in any
 [11] grand jury proceeding and, of course, here today,
 [12] because we are honoring those rules, you should
 [13] feel free to go talk to Mr. Stillman at any time
 [14] during this deposition if you want to ask him any
 [15] questions or clear anything up.
 [16] Do you understand that?
 [17] A Yes.
 [18] Q The last thing I will say is if I
 [19] ask you any question that you don't understand and
 [20] you want me to clarify, please ask me to, I will
 [21] be happy to do that.
 [22] If you don't tell me, I will just
 [23] assume that you understood what I said and we will
 [24] proceed from there.
 [25] A Yes.

Page 8

[1]
 [2] Q You understand everything I said,
 [3] and you are willing to proceed this morning under
 [4] the rules that I have just set out?
 [5] A Yes.
 [6] Q Why don't you just explain, please,
 [7] the position you have and where you work and how
 [8] long you have been working there and the duties
 [9] you have under your position.
 [10] A My current title is executive vice
 [11] president and special counsel to the chairman at
 [12] MacAndrews & Forbes Holdings, Incorporated. We
 [13] are a diversified holding company based in
 [14] Manhattan. And I have been employed here since
 [15] February of 1994.
 [16] Q What are your duties as executive
 [17] vice president and special counsel, just
 [18] generally?
 [19] A Generally, I handle government
 [20] relations. I handle real estate and special
 [21] projects and special assignments as they arise.
 [22] Q Why don't you just give a sort of
 [23] brief thumbnail sketch of MacAndrews & Forbes.
 [24] You said it's a holding company?
 [25] Just tell us --

Page 9

[1]
 [2] A We are a diversified holding
 [3] company. Our largest company is a company called
 [4] Revlon, a consumer products company based here in
 [5] New York.
 [6] We have an interest in a large
 [7] thrift in California, CALFED, formerly First
 [8] Nationwide.
 [9] We have an interest in Consolidated
 [10] Cigar, an interest in a company called MacAndrews
 [11] & Forbes, MAFCO Flavors, a flavors company.
 [12] We are about to make an investment
 [13] in a company call Panavision in the entertainment
 [14] business.
 [15] We have an interest in Meridian
 [16] Sports, which is a Master Craft Boat Company.
 [17] Q Do you have an interest in Coleman?
 [18] A We just divested. We had a
 [19] controlling interest in the Coleman Company, which
 [20] is based in Wichita, Kansas.
 [21] We sold our interest in the Sunbeam
 [22] Company and it recently closed on that
 [23] transaction.
 [24] Q How many employees does MacAndrews &
 [25] Forbes have?

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[1]
 [2] A About 170.
 [3] Q Of those 170, about how many of
 [4] these are senior people, executives?
 [5] A Maybe 30.
 [6] Q As part of your job at MacAndrews &
 [7] Forbes, do you have occasion to deal with outside
 [8] counsel?
 [9] A Yes.
 [10] Q Do you know a gentleman named Vernon
 [11] Jordan?
 [12] A Yes.
 [13] Q Does he have a relationship with
 [14] MacAndrews & Forbes in a professional capacity?
 [15] A Yes.
 [16] Q What is that relationship?
 [17] A He has been a director and a lawyer,
 [18] beginning about a decade ago, at Revlon. And he
 [19] has been a lawyer at the holding company for that
 [20] period and he has represented various interests
 [21] that the holding company holds.
 [22] Q From time to time, is it part of
 [23] your job to have conversations with him as both a
 [24] lawyer and a director?
 [25] A Yes.

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[1]
 [2] Q Do you have a personal relationship
 [3] with Mr. Jordan?
 [4] A I know him well.
 [5] Q Do you have a social relationship?
 [6] Do you see him socially at all?
 [7] A No.
 [8] Q In a typical one-month period, about
 [9] how many times on average, and I am just asking
 [10] just an approximate, about how many times do you
 [11] usually talk to Vernon Jordan?
 [12] A Probably every other month.
 [13] Q And what matters are typical matters
 [14] that might come up in a conversation between you
 [15] and Vernon Jordan?
 [16] A I may not have mentioned, sir, in my
 [17] explanation of my duties that I am also the
 [18] president of numerous foundations, MacAndrews &
 [19] Forbes, Revlon Foundation.
 [20] So I will speak to Vernon about
 [21] charitable contributions. I will talk to him
 [22] about community relations and I will talk to him
 [23] about government relations and sometimes I will
 [24] talk to him about legal matters.
 [25] Q Since November of 1997, can you put

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[1]
 [2] a number on how many times you have spoken to
 [3] Vernon Jordan?
 [4] A I could estimate two or three.
 [5] Q Of those times that you spoke to
 [6] him, did you see him in person or did you talk to
 [7] him on the telephone?
 [8] A On the telephone.
 [9] Q Of those meetings, did you ever have
 [10] any discussions with him about an individual named
 [11] Monica Lewinsky?
 [12] A Yes.
 [13] Q Why don't you tell us what the
 [14] discussions, as best you can remember, were about
 [15] Monica Lewinsky in that telephone call.
 [16] A Sure.
 [17] Q And if you can put a date on it,
 [18] that would be great.
 [19] A On or about December 11th, I
 [20] received a letter from Monica Lewinsky that
 [21] referred to Vernon Jordan, and Vernon had called
 [22] me to tell me that I would be getting a letter and
 [23] resume from Monica Lewinsky, who was a White House
 [24] intern formerly and currently at the Defense
 [25] Department who was relocating to New York and

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[1] looking for opportunities in the public relations
 [2] world at the entry level.
 [3] I can't recall precisely whether I
 [4] had Ms. Lewinsky's letter at hand when Vernon
 [5] called. I may have.
 [6] Q But if you did, receiving the
 [7] letter, receiving the phone call occurred roughly
 [8] at the same time?
 [9] A Roughly the same time.
 [10] Q Within a few days of each other?
 [11] A Yes.
 [12] Q Let's put aside the letter for a
 [13] second now.
 [14] When you spoke to Vernon Jordan and
 [15] he had told you about Ms. Lewinsky and the fact
 [16] that she wanted to relocate to New York, did he
 [17] ask you to act on her in any particular way?
 [18] A Well, he said she was a bright young
 [19] woman who was energetic and enthusiastic and
 [20] wanted me to basically give her advice on
 [21] relocating to New York and the various
 [22] opportunities in New York, encouraged me to meet
 [23] with her.
 [24] Q Was there anything unusual about
 [25]

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[1] that, the request that Vernon Jordan was asking
 [2] you, in light of your general experience as a
 [3] business executive, in general, and your business
 [4] dealings with Vernon Jordan in particular?
 [5] A No.
 [6] Q Did he ask you to work on any
 [7] particular kind of timetable with Ms. Lewinsky?
 [8] A No.
 [9] Q At the time you got this call from
 [10] Mr. Jordan, were you looking for anybody in
 [11] particular or were you looking to fill any
 [12] particular positions at MacAndrews & Forbes?
 [13] A Yes.
 [14] Q Why don't you describe which one or
 [15] which ones.
 [16] A My secretary of seven years had
 [17] recently resigned and I was looking to replace
 [18] her, and that was the specific job I was thinking
 [19] of.
 [20] Q Would Vernon Jordan have known about
 [21] that opening?
 [22] A No.
 [23] Q Were there any other specific
 [24] openings that you knew about at that time?
 [25]

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[1] A At MacAndrews?
 [2] Q Yes.
 [3] A No.
 [4] Q Is it unusual for MacAndrews &
 [5] Forbes, people, executives there to interview
 [6] people even though there is not a specific opening
 [7] at MacAndrews & Forbes that may be suitable for
 [8] the person who is coming in?
 [9] A Periodically, if someone has
 [10] ability, we will meet them with an eye to either
 [11] referring them somewhere. It's not unusual for us
 [12] to meet a person who comes highly recommended.
 [13] Q And I'm not meaning to suggest that
 [14] Ms. Lewinsky would necessarily have been
 [15] appropriate or inappropriate for the secretary's
 [16] position. I'm just asking the general question,
 [17] you understand that, right?
 [18] A Yes.
 [19] Q Your answer is the same, given what
 [20] I just said?
 [21] A Yes.
 [22] Q Did you get a chance to meet with
 [23] Ms. Lewinsky?
 [24] A Yes, I did.
 [25]

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[1] Q Why don't you describe what happened
 [2] at that meeting and when it happened, of course.
 [3] A Perhaps you could refresh my
 [4] recollection.
 [5] MR. BIENERT: Could it have
 [6] been around December 8th?
 [7] THE WITNESS: Yes.
 [8] Q Does that sound about right?
 [9] A Yes.
 [10] Q December 8th, did you have a
 [11] meeting?
 [12] A Yes. I met with her and asked Jim
 [13] Conroy, our senior vice president of public
 [14] affairs, to join us.
 [15] Q First of all, where was that
 [16] meeting?
 [17] A In my office in New York City.
 [18] Q What is the address of your office?
 [19] A 35 East 62nd Street.
 [20] Q Do you remember if the meeting was
 [21] in the morning or if it was in the afternoon?
 [22] A I believe it was in the morning, but
 [23] perhaps I should check that.
 [24] Q I don't think it's very important.
 [25]

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[1] A Okay.
 [2] Q Now, you said Mr. Jordan was there
 [3] as well?
 [4] A No.
 [5] Q Excuse me. Mr. Conroy. Pardon me.
 [6] A Right.
 [7] Q So it's you, Mr. Conroy. Did
 [8] anybody else come to the meeting?
 [9] A No. Mr. Duman was invited, but he
 [10] was out of town.
 [11] Q You are saying Duman?
 [12] A Yes.
 [13] Q Was there any reason that you
 [14] invited Mr. Conroy and Mr. Duman to come to the
 [15] meeting?
 [16] A Yes.
 [17] Q Why?
 [18] A I invited Mr. Duman because of his
 [19] duties basically as chief of staff in the office.
 [20] He routinely interviews people both
 [21] at the entry level and more experienced, and also
 [22] he had an extensive background in the government,
 [23] particularly in the military and Defense
 [24] Department.
 [25]

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[1] So I thought he might be able to
 [2] match Ms. Lewinsky's abilities with our needs and
 [3] he would be the appropriate person then because of
 [4] his Defense Department experience.
 [5] I invited Mr. Conroy because he
 [6] handles external relations, community relations,
 [7] public relations for the holding company and also
 [8] interfaces with those functions at the operating
 [9] companies.
 [10] Q Now, when Ms. Lewinsky came to this
 [11] meeting, were you treating this meeting, at least
 [12] from the outset, were you treating this meeting as
 [13] more of an informational meeting or more of a job
 [14] interview or something else?
 [15] A Frankly, both.
 [16] I wanted to be responsive to Mr.
 [17] Jordan and give her advice as a New Yorker who had
 [18] some experience leaving the Government myself and
 [19] also to see if there was a match between what she
 [20] wanted to do and what I might have or what we
 [21] might be able to offer her at one of the operating
 [22] companies.
 [23] Q How did that interview go?
 [24] A It went well.
 [25]

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[1] Q Can you describe generally what you
 [2] spoke about?
 [3] A Sure. She described her experience
 [4] in the government, in particular, at the Defense
 [5] Department. And she told me she enjoyed sort of a
 [6] crisis management atmosphere, enjoyed special
 [7] projects and deadlines, and felt that it was time
 [8] for her to transition to the private sector, and
 [9] particularly in New York, she wanted to be in New
 [10] York, and that she had a good experience in
 [11] government, but wanted to try the other side.
 [12] Q Did Vernon Jordan's name come up
 [13] during the interview at all?
 [14] A She may have thanked me at the
 [15] outset for meeting with her, and she may have
 [16] complimented me through Vernon.
 [17] Q Did she mention the President or
 [18] First Lady at all?
 [19] A No.
 [20] Q What was your impression of Monica
 [21] Lewinsky, based on the interview that you had?
 [22] A I thought she was an enthusiastic
 [23] young person who had a good experience for a
 [24] person her age, who was worthy of consideration if
 [25]

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[1] we had something to offer.
 [2] Q Did you consider her for your
 [3] secretary position as a result of the interview?
 [4] A Well, it was clear to me that she
 [5] was looking for an entry level professional
 [6] position either in a public relations agency or on
 [7] the client side and she didn't want to be an
 [8] executive assistant. She had done that.
 [9] Q Based on your interview with her and
 [10] upon an opening or the availability of a position
 [11] at MacAndrews & Forbes, did you make a decision
 [12] about whether Monica Lewinsky was right for
 [13] MacAndrews & Forbes at that time?
 [14] A Well, since there was no opening,
 [15] other than my position at MacAndrews, and she
 [16] didn't have any interest in that, it was apparent
 [17] from the interview Jim Conroy was going to refer
 [18] her to Revlon.
 [19] Q Refer her for any particular job at
 [20] Revlon?
 [21] A Yes. For a public relations entry
 [22] level job in the public relations area at the
 [23] Revlon Company.
 [24] Q Up to this point, I am talking up to
 [25]

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[1] the point where you finished the interview and Mr.
 [2] Conroy was going to forward her resume to Revlon,
 [3] was there anything unusual about the way Ms.
 [4] Lewinsky came to the company or any unusual
 [5] influence on you or the company to hire her in any
 [6] way?
 [7] A Did you notice anything like that?
 [8] A No.
 [9] Q As far as you know, did Ms. Lewinsky
 [10] come back and meet with Mr. Duman?
 [11] A Yes.
 [12] Q Would that have been on or about
 [13] January 8th?
 [14] A Yes.
 [15] Q You left the office for a bit to go
 [16] on vacation during this period, right?
 [17] A Yes.
 [18] Q Were you back by the 8th?
 [19] A Yes.
 [20] Q Did you know that Ms. Lewinsky would
 [21] be meeting with Mr. Duman?
 [22] A No.
 [23] Q So obviously you didn't arrange it
 [24] if you didn't know that it was happening?
 [25]

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[1] A Correct.
 [2] Q Did you speak to Mr. Duman after he
 [3] met with Ms. Lewinsky?
 [4] A Yes.
 [5] Q What did you talk about?
 [6] A He told me he had met with Monica
 [7] Lewinsky and that he was going to send her resume
 [8] to Revlon.
 [9] Q Did he tell you what he thought of
 [10] Monica Lewinsky?
 [11] A I don't recall discussing that.
 [12] Q Did Mr. Duman discuss with you
 [13] whether he had spoken to Vernon Jordan about
 [14] Monica Lewinsky?
 [15] A No.
 [16] Q Did he discuss with you whether he
 [17] had spoken to Ronald Perelman?
 [18] A Yes.
 [19] Q Why don't you just describe who Ron
 [20] Perelman is.
 [21] A Ron Perelman, P-e-r-e-l-m-a-n, is
 [22] chairman and chief executive officer.
 [23] Q To your knowledge, does he know
 [24] Vernon Jordan?
 [25]

Page 23

[1] A Yes.
 [2] Q What did Mr. Duman say in the
 [3] discussion with Mr. Perelman?
 [4] A If I could clarify,
 [5] I had two discussions that day with
 [6] Mr. Duman. The first was informing me that he
 [7] had met with Monica Lewinsky that day, and the
 [8] second conversation was a conversation in which
 [9] Jaymie Duman told me that Ronald Perelman had
 [10] received a call from Vernon Jordan inquiring as to
 [11] the status of Monica Lewinsky and Jaymie Duman
 [12] was asked by Mr. Perelman to see if we could be
 [13] helpful at Revlon.
 [14] Q Did Mr. Duman indicate to you that
 [15] he thought there was anything unusual about that
 [16] contact between him and Mr. Perelman?
 [17] A No.
 [18] Q Did you see anything unusual about
 [19] contact between Mr. Perelman and Mr. Duman?
 [20] A No.
 [21] Q And also, I might have asked you
 [22] this question, do you see anything unusual about
 [23] the contact between Vernon Jordan and Mr. Perelman
 [24] which led to the contact between Perelman and
 [25]

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[1] Duman?
 [2] A No.
 [3] Q Did you have any other discussions
 [4] with Mr. Duman about Monica Lewinsky at that
 [5] period of time?
 [6] A January 8th?
 [7] Q Yes.
 [8] A No.
 [9] Q Did you know that Monica Lewinsky's
 [10] resume was actually forwarded to Revlon?
 [11] A On the 8th, I think Jaymie told me
 [12] that he forwarded it.
 [13] Q Did you hear anything about it after
 [14] that?
 [15] A When?
 [16] Q With regard to the resume getting to
 [17] Revlon and her interviewing.
 [18] A What time frame?
 [19] Q Let's say in the next week or so.
 [20] A No.
 [21] Q Did you find out up to the point
 [22] when this broke as an actual news story, did you
 [23] find out that Monica Lewinsky had interviewed or
 [24] been hired by Revlon?
 [25]

Page 25

[1] A No.
 [2] Q When is the next time you heard
 [3] anything about Monica Lewinsky?
 [4] A On the morning of January 21st, I
 [5] believe it was.
 [6] Q How did you hear?
 [7] A There were television reports.
 [8] I get in the office early and I was
 [9] watching television and then I received a call
 [10] from Jim Conroy that morning.
 [11] Q When you first heard the reports, I
 [12] assume you were watching the news when you say
 [13] reports on television?
 [14] A Yes.
 [15] Q When you first heard the reports on
 [16] the news, what about the reports tipped you off?
 [17] A Well, it mentioned a White House
 [18] intern, it mentioned Monica Lewinsky by name, it
 [19] mentioned Vernon Jordan, and I immediately knew
 [20] that obviously I had met her.
 [21] Q And you made the connection to the
 [22] interviews that you had?
 [23] A Yes.
 [24] Q Once you heard those reports and you

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[1] Q What did you talk about with Mr.
 [2] Gittis?
 [3] A I told Mr. Gittis of the news report
 [4] regarding Monica Lewinsky and Vernon Jordan, and I
 [5] told him that I had interviewed Monica Lewinsky
 [6] for a job at MacAndrews and he was unaware of
 [7] that.
 [8] Q What was his response?
 [9] A He knew nothing about it.
 [10] And I told him that I wanted to let
 [11] him know that because he was having breakfast with
 [12] Vernon and this was something he needed to know in
 [13] advance of that breakfast.
 [14] Q Did you make plans to speak with him
 [15] later in the day?
 [16] A I told him I would see him in the
 [17] office.
 [18] Q Did you call anybody else that
 [19] morning?
 [20] A Yes.
 [21] Q Who was that?
 [22] A Bill Green.
 [23] Q Who is Mr. Green?
 [24] A Mr. Green is the vice president of

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[1] got a phone call, the first phone call was from
 [2] whom again?
 [3] I think you said the first phone
 [4] call may have been from Jim Conroy?
 [5] A Yes.
 [6] Q And he called you?
 [7] A Yes.
 [8] Q What did you and Mr. Conroy talk
 [9] about at that point?
 [10] A He told me that he had heard, I
 [11] believe, on the radio a report that Monica
 [12] Lewinsky was the former White House intern who was
 [13] introduced by Vernon Jordan to others seeking a
 [14] job.
 [15] Q After the conversation that you had,
 [16] that first conversation with Conroy, did you call
 [17] anybody else?
 [18] A Yes.
 [19] Q Who did you call?
 [20] A I called Jaymie Durnan.
 [21] Q And what did you speak about with
 [22] Mr. Durnan?
 [23] A I told him of the report and he told
 [24] me that Revlon had offered her a job. And I asked

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[1] government affairs and runs our Washington office.
 [2] Q What did you discuss with Mr. Green?
 [3] A I had just wanted to bring him up to
 [4] date because he runs our Washington office, so
 [5] that he would not be surprised to learn that I had
 [6] known and met Monica Lewinsky.
 [7] Q Just to clarify, I am asking you who
 [8] you called. Implicit in my question is on this
 [9] issue.
 [10] I'm not asking you who you called on
 [11] a million issues. I am sure you made a lot of
 [12] phone calls. Just so you understand that.
 [13] Did you call anybody else about this
 [14] issue, first in the morning?
 [15] A Yes. One more person, our general
 [16] counsel, Barry Schwartz.
 [17] Q What did you relate to him about
 [18] that?
 [19] A He is our counsel --
 [20] Q I don't want you to go into legal
 [21] advice.
 [22] A He is our general counsel. I
 [23] consider this privileged, but my counsel, Mr.
 [24] Stillman, told me without waiving the privilege I

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[1] him whether she had started, and he didn't know.
 [2] Q Did you make any arrangements to see
 [3] Durnan later that morning?
 [4] A I routinely, he and I are colleagues
 [5] and work continuously through the day together, so
 [6] I knew I would see him that morning.
 [7] Q So you basically left it, I will see
 [8] you when you get to the office, is that fair to
 [9] say?
 [10] A Probably.
 [11] Q Did you call anybody else after you
 [12] spoke to Mr. Durnan?
 [13] A Yes.
 [14] Q Who is that?
 [15] A I called Howard Gittis.
 [16] Q Who is Mr. Gittis?
 [17] A Howard Gittis, G-i-t-t-i-s. He is
 [18] our vice chairman and chief administrative
 [19] officer.
 [20] Q The first question I will ask is why
 [21] did you call Mr. Gittis?
 [22] A Because I knew that Mr. Gittis was
 [23] scheduled to have breakfast with Vernon Jordan
 [24] that morning.

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[1] should answer that question. I am happy to do it.
 [2] I brought him up to date to tell
 [3] him -- he, too, did not know that I had met with
 [4] Monica Lewinsky and did not know that Revlon had
 [5] offered her an opportunity.
 [6] So I told him of the current status
 [7] and we were to meet later that morning with Mr.
 [8] Gittis and with Mr. Stillman.
 [9] Q And who is Mr. Stillman?
 [10] A Charles A. Stillman is our outside
 [11] counsel.
 [12] Q And he is also representing you this
 [13] morning, correct?
 [14] A Correct.
 [15] Q So that's the same Mr. Stillman that
 [16] you identified at the beginning of this
 [17] deposition?
 [18] A Yes.
 [19] Q Again, I understand the privilege
 [20] and I don't want to get into that, but did you
 [21] have a meeting -- you just described a meeting
 [22] that you agreed to have later on in the morning
 [23] with several lawyers.
 [24] Did you have that meeting?

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[1] [2] A Yes.
 [3] Q As a result of that meeting, did you
 [4] take any action?
 [5] A Well, at that point I would consider
 [6] anything we did privileged, because I did nothing.
 [7] It was in the hands of our attorneys.
 [8] Q Did MacAndrews & Forbes, to your
 [9] knowledge, take any action — well, let's put it
 [10] this way.
 [11] Did MacAndrews & Forbes send a
 [12] letter to Monica Lewinsky or ask Revlon to send a
 [13] letter to Monica Lewinsky with regard to her
 [14] employment offer?
 [15] A I subsequently learned that Revlon
 [16] sent a letter to Ms. Lewinsky through her
 [17] attorney.
 [18] Q What did that letter say?
 [19] A I don't have that letter.
 [20] Q Do you know what the substance of
 [21] that letter was, in general?
 [22] A I haven't seen it, Tom.
 [23] Q As far as that letter, was it your
 [24] understanding that the letter was, in essence,
 [25] notifying Ms. Lewinsky that the offer had been

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[1] [2] retracted?
 [3] A Yes.
 [4] Q And that's what you had told us when
 [5] we talked last time, right?
 [6] A Yes.
 [7] Q Your understanding now is still
 [8] consistent with that?
 [9] A Yes.
 [10] Q Is Vernon Jordan on the board of
 [11] directors of Revlon, MacAndrews & Forbes, or both?
 [12] A Revlon.
 [13] Q Has he ever been on the board of
 [14] MacAndrews?
 [15] A I don't know that MacAndrews had
 [16] outside directors.
 [17] I believe he was on the board of
 [18] Revlon, Incorporated and Revlon Group,
 [19] Incorporated, which is a holding company that
 [20] previously held Revlon, Inc.
 [21] I don't believe MacAndrews & Forbes,
 [22] the ultimate parent, had outside directors.
 [23] Q So, to your knowledge, the answer is
 [24] no, he was not on any board that was the
 [25] MacAndrews & Forbes board?

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[1] [2] A To my recollection, no, but I could
 [3] certainly check the records.
 [4] Q That's fine.
 [5] A As far as the phone call on the 11th
 [6] of December that you had with Vernon Jordan, you
 [7] went ahead and described it for us.
 [8] Could you just, as best you can,
 [9] walk us through the conversation?
 [10] Who called whom? Did you call him
 [11] or did he call you?
 [12] A I had spoken with Vernon the day
 [13] before on an unrelated matter. And then I believe
 [14] he called me that day, and it was a short
 [15] conversation.
 [16] And as I previously stated, I am not
 [17] certain whether or not I had the letter in front
 [18] of me. But it was a short call, he described
 [19] Monica Lewinsky briefly to me and encouraged me to
 [20] meet with her and give her advice and that's what
 [21] it was.
 [22] And what I said was I would be happy
 [23] to do it.
 [24] Q Now, when you met subsequently with
 [25] Monica Lewinsky, you indicated to us that you were

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[1] [2] doing it in essence for two reasons, to give her
 [3] advice and to also interview her and consider her
 [4] as a possible candidate at either MacAndrews or
 [5] Revlon or one of your companies, is that correct?
 [6] A Yes.
 [7] Q You did that based upon the call
 [8] that you got from Vernon Jordan?
 [9] A Yes.
 [10] Q And the call that you got from
 [11] Vernon Jordan, you considered that to be a
 [12] recommendation of Monica Lewinsky, correct?
 [13] A Absolutely.
 [14] Q She was an entry level employee; is
 [15] that right?
 [16] A Yes.
 [17] Q How many entry level employees have
 [18] you interviewed in the last year?
 [19] A Well, I interview secretaries that
 [20] would work at the holding company, any secretary
 [21] that would go into the chairman's office or any of
 [22] our senior executives I would meet, and in terms
 [23] of entry level positions, it's not only through
 [24] the holding company that I would be meeting
 [25] people.

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[1] [2] To answer your question exactly, I
 [3] can't tell you how many of us, but it's not
 [4] unusual for me to even meet an entry level person.
 [5] Q You have indicated to us that at the
 [6] time you interviewed Monica Lewinsky that there
 [7] was an opening for a secretary, right?
 [8] A Right.
 [9] Q What has happened to that opening,
 [10] Mr. Halperin?
 [11] A My secretary informed me last week,
 [12] my previous secretary, that she is coming back
 [13] from California and she called me over the
 [14] weekend, so that has been filled. She is coming
 [15] back.
 [16] Q Had you interviewed any other people
 [17] for that job?
 [18] A Yes.
 [19] Q And did you participate in those
 [20] interviews?
 [21] A Yes.
 [22] Q You indicated that you called Bill
 [23] Green.
 [24] Did he appear to know about Monica
 [25] Lewinsky and the fact that she had interviewed at

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[1] [2] your company?
 [3] A I don't recall.
 [4] Q Again, tell me the reason why you
 [5] called him.
 [6] A Because he runs our Washington
 [7] office and I just, this was really a Washington
 [8] story. I wanted him to be informed that this was
 [9] an issue that was going to directly impact us in
 [10] the news world, in the news cycle.
 [11] And I wanted him to be informed, and
 [12] not informed by a third party, that we were
 [13] involved with Monica Lewinsky.
 [14] Q Since your December 11th call with
 [15] Vernon Jordan, have you had any communication with
 [16] Vernon Jordan at all?
 [17] A No.
 [18] Q That would include not only
 [19] telephone calls or conversations, but also written
 [20] communication?
 [21] A Correct.
 [22] Q And the answer is still no?
 [23] A Correct.
 [24] MR. BINHAK: Thank you.
 [25] MR. BIENERT: That's all

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[1] have.
 [2] Thank you very much for your
 [3] time.
 [4] (Whereupon, at 10:05 o'clock
 [5] a.m., the deposition was concluded.)
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[1] CERTIFICATE
 [2] STATE OF NEW YORK)
 [3]) ss.
 [4] COUNTY OF NEW YORK)
 [5]
 [6] I, ANNETTE FORBES, a Certified
 [7] Shorthand (Stenotype) Reporter and
 [8] Notary Public of the State of New
 [9] York, do hereby certify that the
 [10] foregoing Deposition, of the witness,
 [11] RICHARD E. HALPERIN, taken at the time
 [12] and place aforesaid, is a true and
 [13] correct transcription of my shorthand
 [14] notes.
 [15] I further certify that I am
 [16] neither counsel for nor related to any
 [17] party to said action, nor in any wise
 [18] interested in the result or outcome
 [19] thereof.
 [20] IN WITNESS WHEREOF, I have
 [21] hereunto set my hand this 28th day of
 [22] April, 1998.
 [23]
 [24] ANNETTE FORBES, CSR, RPR
 [25]

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OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 04/08/98

GEORGE W. HANNIE, JR., date of birth [REDACTED], Social Security Account Number [REDACTED], home address [REDACTED], home telephone number [REDACTED] employed at the White House, Washington, D.C., telephone number [REDACTED], White House pager number [REDACTED], extension [REDACTED], personal cellular telephone number [REDACTED] was interviewed at the Law Office of SPRIGGS & HOLLINGSWORTH, 1350 I Street, N.W., Washington, D.C. 20005, telephone number [REDACTED]. The attorneys representing HANNIE, and present during the interview were STEPHEN R. SPIVACK and WILLIAM B. JACOBSON. After Special Agent (SA) [REDACTED] and Criminal Investigator (CI) [REDACTED] identified themselves and explained the nature of the interview, HANNIE provided the following information:

HANNIE holds a High School diploma from North Port, Alabama having graduated in 1965.

HANNIE began his White House employment as a Butler, in July of 1966, and he was promoted to Maitre d' hotel in January of 1998.

HANNIE's duties as a Butler included serving food and beverages to the First Family and to their guests. HANNIE's typical work day (as a Butler) started at 6 a.m., when he brought the daily newspaper upstairs to President Clinton (hereinafter referred to as CLINTON) and prepared the morning coffee in the kitchen. Normally, there were two Butlers on duty, for each eight hour shift, with one Butler starting at 6 a.m. and the second Butler starting at 7 a.m. After serving the meal to the First Family, HANNIE remains in the area to clean up.

As a routine, CLINTON takes his breakfast or coffee in the kitchen. CLINTON has only engaged HANNIE in conversations about sports or weather; CLINTON never engaged HANNIE in any conversations about MONICA LEWINSKY, nor has HANNIE ever overheard the First Family mention LEWINSKY.

Investigation on 04/06/98 at Washington, D.C. File # 29D-LR-35063
 by CI [REDACTED]
 SA [REDACTED] Date dictated 04/08/98

29D-LR-35063

Continuation of OIC-302 of GEORGE W. HANNIE, On 04/06/98, Page 2

In preparation for serving the CLINTONS, HANNIE had the opportunity, during the transition period in December 1992 and January 1993, to speak with CLINTON's mother, Secret Service Agents (no specific identities), ANN MCCOY (recently retired from White House), an Arkansas State Trooper named MARK Last Name Unknown (LNU), and CAROLYN HUBER (former White House employee), about what foods CLINTON prefers. HANNIE mentioned these individuals because he believed they were the most knowledgeable about CLINTON's food preferences.

HANNIE said whenever it appeared as though CLINTON was having a personal or private conversation on the telephone or in person, HANNIE departed the area to return a few minutes later, but HANNIE was never excused from the room by CLINTON. HANNIE never had any reason to believe that any of the CLINTON's personal conversations were with LEWINSKY.

Ninety-eight percent of the time, CLINTON takes his lunch in the Oval Office which is provided for by the "Navy Mess" which, according to HANNIE, operates independently from the White House Residence Staff. HANNIE did not know who would have additional information on the "Navy Mess," or their routine of services to CLINTON in the Oval Office. HILLARY CLINTON normally takes her lunch within the Residence.

HANNIE's position as a Maitre d' hotel is an administrative one that requires HANNIE to coordinate the hiring of additional butlers and kitchen staff for White House functions. In addition, HANNIE also signs vouchers and assigns work duties to other staff members. His work hours are from 7:00 a.m. to 3:00 p.m., five days a week.

HANNIE recalled one occasion in which CLINTON held a meeting in the Map Room (ground floor of the Residence), while HANNIE stood by outside in the hall. HANNIE noticed that LEWINSKY walked down that hallway approximately 10 to 15 times, within a two-hour period. LEWINSKY carried documents in her hand and commented to HANNIE, "Paper work, Paper work!" in response to HANNIE's comment about her appearing very busy. HANNIE believed that this occurred at a point in time when CLINTON held "Coffees," prior to his 1996 re-election. When that incident

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Continuation of OIC-302 of GEORGE W. HANNIE , On 04/06/98 , Page 3

occurred, HANNIE was accompanied by another butler named JAMES SELMON.

In December of 1997, at a White House Christmas party, LEWINSKY asked HANNIE if he would arrange a tour for her of the Residence (second floor, private quarters). LEWINSKY told HANNIE she was leaving the White House because she had secured employment in New York. LEWINSKY did not discuss her New York employment with HANNIE and HANNIE advised LEWINSKY to see the Chief Usher, GARY WALTERS, to arrange a tour.

At some time in early-January of 1998, HANNIE was leaving the White House at the conclusion of his shift when he saw LEWINSKY at the South East Gate (A1) and she was visibly upset. LEWINSKY said to HANNIE, "They won't let me in," and then asked HANNIE to give an envelope (held by LEWINSKY) to the "big man." HANNIE, wanting to be clear on who LEWINSKY was referring to, asked LEWINSKY who she meant. LEWINSKY replied, "The President." HANNIE described the envelope as a plain white, letter-sized envelope. HANNIE instructed LEWINSKY to deliver the envelope to the Usher's Office for delivery.

HANNIE has never heard rumors or gossip concerning an alleged affair between CLINTON and LEWINSKY, nor does HANNIE have knowledge of LEWINSKY's departure from her White House employment to the Pentagon. HANNIE has never heard any information about LEWINSKY's job performance while she was employed at the White House.

HANNIE advised that no one has attempted to influence his recollection of the above events or interfere with this interview.

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 06/02/98

OLIVER RILEY HEMSLEY, Officer, United States Secret Service, (USSS) Uniformed Division (UD), date of birth, [REDACTED], SSAN [REDACTED] was interviewed at the Office of the Independent Counsel (OIC), 1001 Pennsylvania Avenue, NW, Washington, DC, 20004. Present for the interview were Associate Independent Counsels (AIC) MICHAEL TRAVERS and MARY ANNE WIRTH; Department of Justice (DOJ) attorneys, JANIS KESTENBAUM and ANNE WEISMANN. HEMSLEY was interviewed under the terms of an agreement reached between the OIC and the DOJ. After being apprised of the official and personal identities of the interviewers and the nature of the interview, HEMSLEY provided the following information:

HEMSLEY entered on duty with the USSS on December 17, 1985 and was initially assigned to various posts at the White House. In 1993, HEMSLEY was assigned to the [REDACTED] post in the basement of the West Wing. This assignment continued until August 1996, when he became the White House Branch Fitness Coordinator and Training Officer/Certification Officer. HEMSLEY said he continues to stand duty at various posts, as needed, but he is not permanently assigned to any post.

HEMSLEY advised that he does not know the first time he saw MONICA LEWINSKY but believes it was during the time she was an intern at the White House. He remembers LEWINSKY seemed to be "starstruck" and "not like most interns." She came to the West Wing more often than other interns and she wore tight fitting clothing apparently to "show off her body." HEMSLEY stated that each time LEWINSKY came to the West Wing through the [REDACTED] post, even though she was wearing a pass, he would detain her until someone came to escort her.

HEMSLEY stated that he has heard at some unrecalled time or times, rumors about the President and LEWINSKY having an affair and at some point the rumor was "common knowledge." HEMSLEY also heard the rumor that LEWINSKY and the President were caught alone in the White House Theater, by LEWINSKY's supervisor named JOLLEY or an unidentified military aide. This apparently resulted in LEWINSKY being transferred to the Pentagon.

HEMSLEY also heard from other UD personnel that White

Investigation on 05/29/98 at Washington, D. C. File # 29D-OIC-LR-35063

by CI [REDACTED] Date dictated 06/02/98

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Continuation of OIC-302 of OLIVER RILEY HEMSLEY, On 05/29/98, Page 2

House Steward NELVIS had to clean up "the study" after LEWINSKY and the President had been there "doing something." HEMSLEY said that to the best of his knowledge, LEWINSKY and NELVIS did not have any kind of social or business association.

HEMSLEY heard the rumor that the President and ██████████ ██████████ had an affair during the 1996 election campaign. HEMSLEY advised that for a period of time he was acting as a personal trainer for ██████████ and one day in the gym she was clearly upset by the fact that someone had written a story about an affair between she and the President in the STAR magazine. ██████████ made the comment that she couldn't believe people would lie about things like that. She denied that any of the story was true.

HEMSLEY said he heard about the Northwest Gate incident involving LEWINSKY, ELEANOR MONDALE and the President, primarily from Officer CHINERY. HEMSLEY said his recollection is that Officer HALL said something to someone else, which greatly upset LEWINSKY. HEMSLEY thought that LEWINSKY may have overheard HALL say that LEWINSKY, who was trying to get in to see the President, would have to "take a number." HEMSLEY remembers that CHINERY said he spoke to Sergeant WILLIAMS and BETTY CURRIE about the incident and CHINERY informed HEMSLEY what he learned from his inquiry. (Protective Function Privilege and Executive Privilege invoked)

HEMSLEY said he remembers two occasions when he saw LEWINSKY somewhere other than the White House. The first occasion was when he attended a function at the Washington Hilton on Connecticut Avenue. HEMSLEY was in charge of the Magnetometer Team for this event and noticed that LEWINSKY was present. The President was also supposed to make an appearance and HEMSLEY became concerned that she might try to get too close to the President. HEMSLEY, being aware of the rumors of the relationship between the President and LEWINSKY, decided that the uniformed and plainclothes Secret Service details should be notified. HEMSLEY told the supervisors of each unit about her presence and, as HEMSLEY remembers, it was necessary to tell them the reasons for his concerns since they apparently had not heard the rumors. HEMSLEY could not recall the name of these supervisors or the date of the event but did remember that it was after LEWINSKY had left the White House.

The second occasion was at an unrecalled outside event at the Pentagon (possibly a military anniversary) where the President was to make an appearance. HEMSLEY was in charge of the Magnetometer Team for this event and noticed that LEWINSKY

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Continuation of OIC-302 of OLIVER RILEY HEMSLEY , On 05/29/98 , Page 3

was present. HEMSLEY did not alert Secret Service Special Agents or other security officers, because he did not think LEWINSKY would be able to get close to the President and that she was not a threat to the President.

HEMSLEY stated that he observed a person possibly related to the PAULA JONES case, while working as a fill-in at the [redacted] and [redacted] post, during the last year on more than one occasion. (Protective Function Privilege invoked as to all these observations)

Brian Henderson, 3/13/98

OIC Deposition

Page 2 to Page

CONDENSED TRANSCRIPT AND CONCORDANCE
PREPARED BY:

OFFICE OF THE INDEPENDENT COUNSEL
1001 Pennsylvania Avenue, N.W.
Suite 490-North
Washington, DC 20004
Phone: 202-514-8688
FAX: 202-514-8802

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OFFICE OF THE INDEPENDENT COUNSEL

DEPOSITION OF : Friday, March 13, 1998

BRIAN M. HENDERSON : Washington, D. C.

Deposition of
BRIAN M. HENDERSON
before the Independent Counsel, held in the Conference Room
of the Office of the Independent Counsel, in Suite 400-North,
1001 Pennsylvania Avenue, N. W., Washington, D. C. 20004,
beginning at 10:50 a.m., when were present:
For the Independent Counsel:

ROBERT J. BITTMAN, ESQUIRE
Deputy Independent Counsel

RODGER A. HEATON, ESQUIRE
Associate Independent Counsel

Court Reporter: Elizabeth A. Eastman

today?

A Yes, sir.

Q Do you understand that if you do not tell the
truth, that if you lie or mislead or say, for example, "I
don't recall", when in fact you do recall something, that you
may be prosecuted for that?

A Yes, sir.

Q Do you understand also that if an answer to one of
the questions that I ask you may incriminate you in some way,
that you may assert your Fifth Amendment privilege and not
answer that question? Do you understand that?

A Yes, sir.

Q Why don't we go right into your background. Can
you tell us about your professional background, please?

A Okay. Currently I am a Uniformed Division police
officer with the Secret Service.

Q What is your rank?

A Officer.

Q How long have you been a uniformed officer?

A For seven years, sir.

Q What did you do before you joined the Secret
Service?

A I worked for a company known as Federal Express
Corporation.

Q How long had you worked for Federal Express?

Page 3

Page 6

PROCEEDINGS

WHEREUPON,
BRIAN M. HENDERSON
having been called for examination by the Office of the
Independent Counsel, and having been first duly sworn by the
notary, was examined and testified as follows:

EXAMINATION BY COUNSEL FOR THE INDEPENDENT COUNSEL

BY MR. BITTMAN:

Q Good morning, Officer Henderson.

A Good morning.

Q My name is Robert Bittman. I am a Deputy
Independent Counsel in the Office of Independent Counsel
Kenneth Starr, and you are here appearing today to give
testimony in the matter of Monica Lewinsky.

We are proceeding today outside the grand jury, but
I want to let you know that we intend to make this transcript
available to the grand jury. So, it would be covered under
the Federal Rules of Criminal Procedure. Do you understand
that?

A Yes.

Q Do you understand that you are here today as a
witness and that you have certain rights and obligations as a
witness? You have a right to have attorneys present outside
of this room. Do you understand that?

A Yes, sir.

A Approximately five years, sir.

Q What did you do for Federal Express?

A I was a driver.

Q Do you remember exactly the date that you joined
the Secret Service?

A January the 7th of 1991.

Q What has your training consisted of at the Secret
Service?

A At this point I need to speak to my attorneys.

Q I will withdraw the question. You do not have to
answer that question.

Can you tell us where you have been assigned while
you've been at the Secret Service?

A Yes, sir. From January 7th of '91 up until 5-91 I
was in training. From 5-91 to approximately March or April
of '96 I was assigned to the White House Branch. From March
or April of '96 to approximately February of '97, I was
assigned to the Foreign Missions Branch in Washington, D. C.
And from February of '97, I'm assigned to the Rowley Training
Center.

Q So, your first assignment was at the White House
Branch? Is that right?

A (Witness nodded indicating an affirmative
response.)

Q From 5-91 through when in 1996?

Page 4

Page 7

Q And I understand that you do have a number of
attorneys outside from the Department of Justice and also
from the Secret Service available to you outside this room.
Is that right?

A Yes, sir.

Q Do you understand that at any time I ask you a
question and you wish to consult with the attorneys, please
let me know and we will take a break and you can talk to the
attorneys.

A Yes, sir.

Q I know you have been instructed that at various
times you may have to do that, and I encourage you to do
that. Okay?

A (Witness nodded indicating an affirmative
response.)

Q You also have certain obligations. One of those is
to tell the truth. Do you understand that?

A Yes, sir.

Q Have you been instructed by your attorneys to tell
the truth? That is one of the agreements that we have with
them, that you are to tell us the complete truth as far as
the questions that they will allow you to answer. Do you
understand that?

A Yes, sir.

Q Is that your intention, to tell the truth here

A Approximately March or April. I'm not sure which
month of '96.

Q What did you do at the White House Branch?

A When I first arrived at the White House Branch I
was called an unassigned officer and I worked various posts
at the complex. I also worked in the Clearance Center known
as [REDACTED]. I was also assigned permanent posts at
the East wing of the White House.

Q So, you had three different assignments there, is
that right?

A Yes.

Q You had one where you were unassigned. Two, you
worked at the clearance post for [REDACTED] is that right?

A [REDACTED] Center, yes, sir.

Q And then you had a permanent post?

A Yes, sir.

Q When were you an unassigned officer?

A I was unassigned for the period of, that would be,
that would be around 5-91 up until about 7-93 I was an
unassigned officer, approximately.

Q When did you work at the [REDACTED] Center?

A During the period I was unassigned it varied. It
might have been a day or a week. As an unassigned officer,
they pulled me when they needed me to work in the Clearance
Center.

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1 A Most of the time, no, sir.
 2 Q When would you wear it?
 3 A Generally, it was a civilian attire post, which
 4 consisted of a blue blazer, gray slacks, and any accessories
 5 you wanted to include with the uniform or the suit and tie.
 6 Q The three to five times you served in the West Wing
 7 between August '95 and early 1996, did you wear your black
 8 and gold uniform?
 9 A To my recollection, yes, as far as I can recall and
 10 remember.
 11 Q Do you remember which corridors, or where exactly
 12 you served in the West Wing on those three to five times?
 13 A Okay. At this point I would need to talk to the
 14 attorneys.
 15 Q Okay. Let's take a break. So you have two
 16 questions to ask: How many times was the President there,
 17 and which times was the President there when you served in
 18 the West Wing between August '95 and when you left in early
 19 '96, and then exactly where did you serve.
 20 A Okay.
 21 Q All right. We will take a break. The time is
 22 11:08.
 23 (Whereupon, the deposition was recessed from 11:08 a.m.
 24 until 11:15 a.m.)
 25 MR. BITTMAN: We are back on the record, and it is

Page 17

1 A Okay. Actually, there's two. That would actually
 2 be while the President is in the office, this is -- well, I
 3 kind of consider these two the same post, but it's --
 4 Q You have to identify it on the record. Are you
 5 talking about walkway #1?
 6 A That's correct, sir.
 7 Q And walkway #2, that is sort of the same post?
 8 A In my mind, yes.
 9 Q [REDACTED]
 10 A [REDACTED]
 11 Q [REDACTED]
 12 Q In walkway #1?
 13 A Walkway #1, sir.
 14 Q [REDACTED]
 15 A [REDACTED]
 16 Q [REDACTED]
 17 A Yes, sir.
 18 Q [REDACTED]
 19 A I'm sorry. Go ahead.
 20 Q -- August '95 and early '96?
 21 A Again, I'd say at least once. It may have been
 22 more, but I don't recall. The reason being these two posts
 23 are, you know, you work them both together.
 24 Q [REDACTED]
 25 A [REDACTED]

Page 15

1 now 11:15.
 2 BY MR. BITTMAN:
 3 Q The first question was, when you were serving in
 4 the West Wing, between August of 1995 and when you left in
 5 early 1996, how many times was the President there?
 6 A To my recollection, I'd say about three times.
 7 Q Then my question was, where exactly did you serve.
 8 On the three to five times that you served in the West Wing,
 9 where did you serve?
 10 A Okay. I recall serving at the [REDACTED] posts outside the
 11 Oval -- I'm sorry. Was the question when he was there?
 12 Q No, just general.
 13 A [REDACTED]
 14 (Deposition Exhibit Henderson No. 1
 15 was marked for identification.)
 16 BY MR. BITTMAN:
 17 Q Let me show you an exhibit that is marked
 18 Deposition Exhibit Henderson #1, with the date 3-13-98. That
 19 is a map of the West Wing. Do you recognize it? It already
 20 has handwriting on it.
 21 A It's a little sketchy, but, yes, sir.
 22 Q Can you identify on the map the [REDACTED] post where you
 23 served?
 24 A Okay. That would be here.
 25

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1 A Yes, sir.
 2 Q Where is the other location where you served in the
 3 West Wing?
 4 A [REDACTED]
 5 Q [REDACTED]
 6 Q Desk #1 near hallway 4, or closer to Desk #1?
 7 A Right here.
 8 Q [REDACTED]
 9 A I'd say, boy, let me say at least once. At least
 10 once. Again, it's been awhile. It may have been more, but
 11 at least once.
 12 Q [REDACTED]
 13 A [REDACTED]
 14 Q No, sir, I do not remember.
 15 A No, sir.
 16 Q [REDACTED]
 17 A [REDACTED]
 18 A Would you repeat that question for me?
 19 Q [REDACTED]

Page 16

1 Q Is that walkway #1?
 2 A Right. That would be this area right here.
 3 Q So, it's actually walkway #2?
 4 A Yes, sir.
 5 Q Can you handwrite on there? You have a blue pen,
 6 don't you?
 7 A Yes, sir.
 8 Q [REDACTED]
 9 A Yes, sir.
 10 Q [REDACTED]
 11 A I'd say at least, at least three times.
 12 Q At least three times. That is, directly outside
 13 the Oval Office?
 14 A Yes, sir, that I recall.
 15 Q Of those three times that you served in the [REDACTED] post
 16 between August '95 and when you left in early '96, how many
 17 times was the President there?
 18 A I would say at least once, sir.
 19 Q At least once. Would there be any reason for you
 20 to serve there if the President were not there?
 21 A Yes, sir.
 22 Q You mentioned that you remember serving in at least
 23 one other location. Where is that location?
 24
 25

Page 19

1 include walking down and checking hallway #4?
 2 A No, sir. I would say no.
 3 Q Okay. Let me turn now to a woman by the name of
 4 Jocelyn Jolley. Do you know a woman by the name of Jocelyn
 5 Jolley?
 6 A Yes, sir.
 7 Q How do you know her?
 8 A I worked in the East Wing, and during my tenure
 9 there she worked in the East Wing as a staff member for the
 10 Administration.
 11 Q Describe your relationship with her, please.
 12 A Amicable, friendly, as well as professional.
 13 Q How often would you speak to Ms. Jolley?
 14 A Normally when I saw her, hello, how are you.
 15 Q Would that be pretty much on a daily basis, except
 16 for weekends?
 17 A That would be pretty fair to say, sir.
 18 Q Would it be fair to say that this relationship
 19 began when you had your permanent post at [REDACTED] or was it
 20 before that?
 21 A I would say permanent post, sir.
 22 Q So, that would have started in July of '93,
 23 approximately?
 24 A Yes, sir.
 25 Q Do you know a woman by the name of Monica Lewin

Page 20

[1] A Yes, sir.
 [2] Q How do you know Ms. Lewinsky?
 [3] A Again, I was assigned to the East Wing as an
 [4] officer there and her office again was in the East Wing as
 [5] well.
 [6] Q Were you friends with Ms. Lewinsky?
 [7] A Professional, amicable.
 [8] Q Would you speak to Ms. Lewinsky on a regular basis?
 [9] A No, sir.
 [10] Q Do you remember when Ms. Lewinsky began her
 [11] employment in the White House?
 [12] A No, sir.
 [13] Q Do you know that Ms. Lewinsky went to work in the
 [14] Office of Legislative Affairs in the correspondence unit
 [15] where Ms. Jolley worked?
 [16] A Yes, sir.
 [17] Q How far apart were Ms. Jolley's office and Ms.
 [18] Lewinsky's office?
 [19] A Okay. If my memory serves me correct, I believe
 [20] they were an office apart, although I do not really recall.
 [21] I think they had an office adjacent to each other, so far as
 [22] I remember.
 [23] Q You said you spoke to Ms. Jolley pretty much on a
 [24] daily basis. Did you speak to Ms. Lewinsky on almost a daily
 [25] basis?

Page 21

[1] A Only if she had need to ask me a question
 [2] basically.
 [3] Q You were more friendly with Ms. Jolley, or better
 [4] friends with Ms. Jolley than you were with Ms. Lewinsky. Is
 [5] that fair to say?
 [6] A I would say more sociable, yes, sir.
 [7] Q Did you ever socialize with Ms. Jolley outside
 [8] work?
 [9] A No, sir.
 [10] Q Did you ever talk to her outside work?
 [11] A Not that I recall, sir.
 [12] Q So, whatever relationship you had with Ms. Jolley
 [13] was strictly from your work and her work at the White House.
 [14] Is that fair?
 [15] A That's fair to say, sir.
 [16] Q Would that be the same with Ms. Lewinsky? That is,
 [17] did you ever contact Ms. Lewinsky outside the White House?
 [18] A No, sir.
 [19] Q Do you remember when Ms. Jolley was terminated from
 [20] her employment at the White House? It was in early 1996.
 [21] A Yes, sir.
 [22] Q What is your understanding as to why Ms. Jolley was
 [23] terminated from her employment at the White House.
 [24] A At this point, I need to speak to my attorney, sir.
 [25] Q Okay.

Page 22

[1] (Whereupon, the deposition was recessed from 25)
 [2] a.m. until 11:49 a.m.)
 [3] BY MR. BITTMAN:
 [4] Q Officer Henderson, I remind you that you are still
 [5] under oath. It is now 11:49.
 [6] The question I asked was, what is your
 [7] understanding as to why Jocelyn Jolley was terminated from
 [8] the White House?
 [9] A I don't know why she was terminated from the White
 [10] House. No one of an official function or supervisory
 [11] position, or anyone in connection with her, has told me why
 [12] she was terminated. So, I don't know why.
 [13] BY MR. HEATON:
 [14] Q So, you don't have any understanding at all as to
 [15] why she was terminated?
 [16] A I don't know why. Anything beyond that would be
 [17] speculating. I don't know why.
 [18] BY MR. BITTMAN:
 [19] Q Did you talk to Ms. Jolley about why she thought
 [20] she was terminated?
 [21] A I have not.
 [22] Q You've never talked to Ms. Jolley as to why you
 [23] thought she was terminated, or she thought she was
 [24] terminated?
 [25] A I have not. When she was terminated, I had already

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[1] left. I was gone.
 [2] Q Did you talk to her before she was actually
 [3] terminated about the possibility that she may be terminated?
 [4] A No, sir.
 [5] Q You did not?
 [6] A No.
 [7] Q Was there any rumor or anything going around the
 [8] White House as to why Ms. Jolley's job may be in jeopardy?
 [9] A Not to my knowledge, sir.
 [10] Q Did you ever tell Ms. Jolley, in words or effect,
 [11] to watch her back?
 [12] A I don't recall.
 [13] Q You don't recall that. So, that could have
 [14] happened?
 [15] A It could have happened.
 [16] Q If she said that, that could have happened?
 [17] A Yes, sir.
 [18] Q And that she then asked you why she should watch
 [19] her back? Is that ringing a bell at all?
 [20] A Yes, sir.
 [21] Q Tell us what you remember.
 [22] A At this point, I need to talk to my attorneys.
 [23] Q Okay.
 [24] (Whereupon, the deposition was recessed from 11:50 a.m.
 [25] until 12:02 p.m.)

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[1] (Mr. Heaton not present
 [2] upon reconvening.)
 [3] BY MR. BITTMAN:
 [4] Q Officer Henderson, do you remember the question?
 [5] This was about Ms. Jolley and your conversations with Ms.
 [6] Jolley before she left, before she was terminated from the
 [7] White House.
 [8] A I do now recall that conversation with her. And
 [9] the reason why I would tell her something like that primarily
 [10] would be due to the fact that there was a lot of traffic from
 [11] Ms. Lewinsky back and forth to the West Wing which, for an
 [12] intern, raised my suspicions. In my opinion, she was on a
 [13] bit of a power kick, due to the fact that she would have a
 [14] lot of traffic going back and forth and it seemed like, in my
 [15] opinion, she wanted to mingle with people higher up.
 [16] Q Okay. Let me back you up for a second. What was
 [17] the comment that you remember making to Ms. Jolley?
 [18] A Based on what you just said, it would be something
 [19] like, watch your back. Basically that's it.
 [20] Q You told Ms. Jolley to watch her back. What was
 [21] Ms. Jolley's reaction, as far as you can remember?
 [22] A As far as I remember, naturally she would ask me
 [23] why.
 [24] Q What was your response to her then?
 [25] A I don't recall the exact wording on that. I don't

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[1] want to sit here and say something I don't remember. But,
 [2] again, the observation was the traffic, the going back and
 [3] forth traffic.
 [4] Q Can you tell me the gist of what you remember
 [5] telling Ms. Jolley when you suggested to her that she watch
 [6] her back, and then she asked the logical question, why. Then
 [7] what was the gist, not exact words you told her, but the gist
 [8] of what you responded? You obviously had some intent to go
 [9] to her and tell her to watch her back.
 [10] A Right. The gist of it would be the fact that she
 [11] was on a power kick.
 [12] Q She, being who?
 [13] A I'm sorry, Ms. Lewinsky. And being that Ms. Jolley
 [14] was her supervisor, I think she just made supervisor, I'm not
 [15] quite sure, you are looking at an intern who, for some odd
 [16] reason, would go back and forth to the West Wing all
 [17] throughout the day, and trying to make herself look more than
 [18] what she is, or maybe she was, if you will, for a lack of
 [19] better wording, kissing up.
 [20] Q What was Ms. Jolley's reaction, as far as you could
 [21] tell, after you were explaining the gist being that you think
 [22] Ms. Lewinsky was on a power trip, going back and forth, and
 [23] that there was no reason for her to have that much traffic
 [24] back and forth to the West Wing, right?
 [25] A In my opinion, no. I mean, not for an intern. I

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[1] don't mean, you know --
 [2] Q Not for an intern?
 [3] A Exactly.
 [4] Q Of course, she wasn't an intern any more. She was
 [5] working for Ms. Jolley?
 [6] A That's where, as far as her being an intern, I know
 [7] she worked for Ms. Jolley. And I'm not quite sure if she
 [8] still had an internship and an intern pass, but -- you know,
 [9] you have different passes and it may have been a hard pass
 [10] and she was still an intern, which means she had more access.
 [11] But still, even still, based on what I can recall -- and I
 [12] don't know all about her, what all she did as far as working
 [13] was concerned, but based on my observations, it was a bit
 [14] much traffic.
 [15] Q After you explained this to Ms. Jolley, what was
 [16] her reaction?
 [17] A Hmm. Well, obviously concern. And beyond that,
 [18] that was about it. It was more or less, you know, watch your
 [19] employee.
 [20] Q So, she expressed sort of her own concern for her
 [21] job?
 [22] A I wouldn't say for her job. I mean, you know, as
 [23] far as her employee was concerned, you know, I don't really
 [24] know what was going on in her head, I mean.
 [25] Q Right.

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[1] A It may sound odd, but not necessarily. I mean,
 [2] because you have a lot of traffic over there. I mean, being
 [3] that I only worked over there -- I remember her more going
 [4] from the East Wing, going back and forth to the West Wing, as
 [5] opposed to her being there. If I saw her, maybe it was for a
 [6] second or so.
 [7] But I can't honestly sit here and say that I
 [8] actually remember seeing her in the West Wing, although I'm
 [9] sure she was there. As far as me and her at the same time, I
 [10] don't remember.
 [11] Q [REDACTED] how is it that you remember Ms
 [12] Lewinsky going back and forth to the West Wing?
 [13] A Ms. Lewinsky would -- it would be a lot of travel
 [14] going back and forth to the West Wing. Many times on many
 [15] occasions she would ask the President's schedule,
 [16] whereabouts. And, again, she would appear to me to be on a
 [17] power kick.
 [18] On the weekends, when no one else was around
 [19] working in the East Wing, she would be there. Whether she
 [20] was working or not, I really don't know. Constant travel
 [21] back and forth. There was a skeleton staff there of White
 [22] House members on the weekends. So, there was some work
 [23] always to be done. But, again, I mean, I don't know what her
 [24] responsibilities entailed.
 [25] But, in my opinion, on the weekends, her being the

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[1] A Again, as far as her employee was concerned, that
 [2] was my concern. Maybe I should have minded my business, but,
 [3] you know, again, I see someone who is going back and forth
 [4] and, in my opinion, was not necessarily liked by a lot of
 [5] people. Power struggle. And a lot of what I perceived and
 [6] speculated to be unnecessary errands.
 [7] Q Did Ms. Jolley seem surprised when you told her
 [8] about this unreasonable amount of traffic by Ms. Lewinsky?
 [9] A I don't remember. I don't remember.
 [10] Q Did you have any other conversations with Ms.
 [11] Jolley about Ms. Lewinsky?
 [12] A Not that I recall.
 [13] Q You don't recall. Do you remember anything else
 [14] about the conversation, that is, what you told Ms. Jolley in
 [15] this conversation shortly before she was terminated from the
 [16] White House?
 [17] A I do not remember.
 [18] Q Do you remember approximately how long this
 [19] conversation was, that is, when in time it was relative to
 [20] when Ms. Jolley left the White House?
 [21] A I really don't remember. I would say, if I had to
 [22] put my finger on it, I would say maybe a few months, but I
 [23] really don't remember exactly when.
 [24] Q Did you tell Ms. Jolley in this conversation
 [25] shortly before she was terminated that the President and Ms.

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[1] only person on that side and being an intern, as far as I
 [2] know she was an intern whether she had a hard pass or other,
 [3] it would seem odd to me that she would have so much traffic.
 [4] Although, again, I don't know what she was working on at
 [5] Congressional Affairs at the time.
 [6] Q When she would leave the Office of Legislative
 [7] Affairs, how would you know that she was going to the West
 [8] Wing?
 [9] A I really wouldn't. I mean, I would just -- this is
 [10] pure speculation. But I know generally at the time when the
 [11] staff leaves, they cut through the mansion and they go right
 [12] through the West Wing. I know that her office, her
 [13] supervisor, I forget his name, worked in the West Wing. And
 [14] there was paper shuffling that had to be taken care of from
 [15] the East Wing to the West Wing.
 [16] But the East Wing is kind of, as far as staffwise
 [17] is concerned, a junior West Wing, if you will. And the two
 [18] of them worked together on a lot of issues. So, as far as
 [19] her going to the West Wing, it should have been for business.
 [20] But, again, it just arose my suspicions. You know, it's
 [21] curiosity, if anything.
 [22] Q So, you would see her go towards this corridor into
 [23] the mansion, which was the corridor that people generally
 [24] used from the East Wing to go to the West Wing?
 [25] A That's correct, sir.

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[1] Lewinsky were caught smooching?
 [2] A No.
 [3] Q You did not tell her that?
 [4] A No.
 [5] Q Why are you so sure you did not tell her that?
 [6] A Because I haven't seen that.
 [7] Q Did anyone else see it?
 [8] A Not to my knowledge.
 [9] Q Tell me about your personal observations about Ms.
 [10] Lewinsky. You said that she went back and forth in your view
 [11] an unnecessary number of times. Where were you when you
 [12] observed this?
 [13] A When I observed her, I was at the East Wing post
 [14] George 4.
 [15] Q Always?
 [16] A Yeah. To my recollection, yes. I would say at
 [17] least 90 percent, 90 percent, as far as I remember.
 [18] Q Have you ever seen Ms. Lewinsky in the West Wing?
 [19] A I don't recall.
 [20] Q Is that something that, given what you remember of
 [21] Ms. Lewinsky going back and forth to the West Wing -- and you
 [22] were only in the West Wing a couple of times, is that right?
 [23] A (Witness nodded indicating an affirmative
 [24] response.)
 [25] Q Would you have remembered seeing her back there?

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[1] Q And you assumed that she was going to the West
 [2] Wing?
 [3] A Yes, sir, that's correct.
 [4] Q Because she often would ask you about the
 [5] President's schedule, about where the President was?
 [6] A (Witness nodded indicating an affirmative
 [7] response.)
 [8] Q Anything else that she would tell you?
 [9] A Yeah, kind of bugging, if you will, in that
 [10] respect. I mean, kind of an annoyance.
 [11] Q What do you mean?
 [12] A Again, she would ask me on the weekends -- there's
 [13] a schedule that the POTUS has as far as his movements, what's
 [14] going on. On the weekends, I'm not sure if she had access to
 [15] it or not, but she, again, she would come out and ask me,
 [16] what time is he coming back from, let's say for example, Camp
 [17] David. Or, is he back yet, or has the motorcade come back,
 [18] or has the chopper landed yet, or where is he in the house.
 [19] I mean, that type of information, if you as a staff
 [20] member don't know that, I don't give it out to you. If you
 [21] have enough rank or clearance to have a schedule, which most
 [22] do, you can read it for yourself.
 [23] So, on that part, she was a bit of a pest. No
 [24] disrespect intended to her, but that's my opinion of her.
 [25] Q You also said that Ms. Lewinsky was not liked by a

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lot of people.

A That's my observation.

Q Tell us about your observation.

A As far as her -- where I come from, you speak to folks when you see them. You know, that's a pet peeve of mine. That's the first thing you do.

And speaking to her, the only time she would speak to me is when she wanted to know something. Other than that, she gave you a quick glance and she looked away as though you weren't there, and she would do that with everybody, as least as far as the Uniformed Division.

As far as staff members, being observing and overhearing them in conversations, vague conversations on how they didn't really care for her. I can't quote them. I don't remember who. But I remember, you know, you're sitting in the hallway and you're hearing things in passing, she wasn't very much appreciated.

Q What were the people's complaints about her, as far as you can remember?

A As far as I can remember, a little snooty and kind of spoiled. Far as I remember, now.

Q Do you remember anyone specifically, any person specifically saying something bad about Ms. Lewinsky?

A Anything bad?

Q Not necessarily what the person said.

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[1] BY MR. BITTMAN:

[2] Q I asked you a couple of questions, one of which is
[3] had you ever heard that Ms. Lewinsky, did anyone ever tell
[4] you that Ms. Lewinsky was in the West Wing?

[5] A Yes, sir.

[6] Q Who told you that?

[7] A That would be Fremon Myles.

[8] Q Anyone else?

[9] A That would be Officer Fremon Myles. And anything
[10] beyond that, I need to assert the privilege.

[11] Q Okay. That's fine and I know that is not your
[12] decision. You shouldn't obviously be ashamed or anything
[13] like that for asserting the privilege.

[14] But the question is just who told you that he or
[15] she observed Ms. Lewinsky in the West Wing, right, just the
[16] names of the people. Is that right?

[17] A (Witness nodded indicating an affirmative
[18] response.)

[19] Q And you are supposed to assert the privilege over
[20] that?

[21] A Yes.

[22] Q How many are there? Can you tell me that? How
[23] many people told you that he or she observed Ms. Lewinsky in
[24] the West Wing?

[25] A One.

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A Right, right, right. As far as specific persons
staffwise, Servicewise, at this point I need to talk to
counsel.

Q Okay.

A Just to make sure.

(Whereupon, the deposition was recessed from 12:17 p.m.
until 12:25 p.m.)

12:25. MR. BITTMAN: We are back on the record. It is

BY MR. BITTMAN:

Q Officer Henderson, the question was who
specifically do you remember complaining or saying something
about Ms. Lewinsky's personality?

A Specifically, that would be Officer Fremon Myles.

Q Fremon Myles?

A Yes.

Q What do you remember Officer Myles saying?

A Again, I apologize, I cannot quote him, but the
feeling was that this young lady was on the rude or arrogant
side. Again, I think, I believe we both were on the same
wavelength. I believe that.

The only time that she would speak to either one of
us or anyone who worked in that particular post was when she
wanted to know something. Other than that, she wouldn't even
look at you.

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[1] Q One other person?

[2] A Yes, sir.

[3] Q Is that person a Secret Service Officer?

[4] A Again, I'll have to assert the privilege.

[5] Q Can you write that question down, please?

[6] A Sure.

[7] Q I am not going to have you go out to ask them that,
[8] but all I am asking for is the title of that person, for whom
[9] does that person work and his or her title.

[10] Then I would probably ask some followup questions,
[11] too, like in what capacity was that person serving when the
[12] person observed her.

[13] So, only two people have ever told you that they
[14] saw Ms. Lewinsky in the West Wing, is that right?

[15] A To my recollection.

[16] Q To your recollection. And that is Officer Fremon

[17] Myles and then this other person?

[18] A Correct.

[19] Q Has anyone ever told you that he or she believed or
[20] had any knowledge of a relationship between Ms. Lewinsky and
[21] the President?

[22] A That would be Officer Fremon Myles and that would
[23] be purely speculation and observation. Anything beyond that,
[24] I would need to assert the privilege as well.

[25] Q Okay. Now, is the speculation on Officer Myles'

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Q Let me ask you, you said you don't remember ever
seeing Ms. Lewinsky in the West Wing?

A I can't recall.

Q You can't recall ever seeing her in the West Wing.
Did you ever hear, or did anyone ever tell you, that she was
in the West Wing?

A I need to go back to counsel again, sir. I'm
sorry.

Q That's okay. You can write that down, if you want.

A Yes, I want to make sure I have the question right.

Q The question is if anyone ever told you that she
was in the West Wing.

A Okay.

Q If so, what did he or she say.

A Okay.

Q Then another question would be, did anyone ever
relate to you, communicate to you in any way, that there was
a relationship between Ms. Lewinsky and the President. Was I
going too fast?

A No.

Q We'll go off the record. It's 12:27.

A Thank you.

(Whereupon, the deposition was recessed from 12:27 p.m.
until 12:52 p.m.)

MR. BITTMAN: We are back on the record.

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[1] part? I'm just trying to parse this out. Can you tell me

[2] what Officer Myles told you?

[3] A Again, I would need to assert the privilege.

[4] Q Okay. Did anyone besides Officer Myles ever tell
[5] you that he or she believed or had other knowledge that there
[6] was a relationship between the President and Ms. Lewinsky?

[7] A No.

[8] Q Officer Myles is the only one who ever said

[9] anything to you about that?

[10] A To my recollection, that's it. It's my

[11] recollection.

[12] Q What Officer Myles told you, was that based on his
[13] personal observations?

[14] A Yes. I wouldn't say -- I would say so much of,

[15] that the conversations that we had about the traffic of Ms.

[16] Lewinsky going back and forth, I guess, is what he's basing

[17] it on. I don't know. But the constant traffic and the

[18] hounding, you know, of the schedule, the arrival, the

[19] departure, his whereabouts. I can't say that he saw them do

[20] anything or whatever.

[21] But, again, we're talking about two officers who

[22] were constantly hounded about her wanting to know the

[23] scheduling. So, that's what I base that on.

[24] Q Okay. You actually sort of confused me a little

[25] bit. You said that whatever Officer Myles told you -- I'm

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[1] not going to ask you right now -- but whatever Officer Myles
[2] told you about his knowledge or information about a
[3] relationship between the President and Ms. Lewinsky was based
[4] on Officer Myles' personal observations?
[5] A I apologize. Speculation. He did not -- to my
[6] knowledge, he did not see anything. It was only a hearsay
[7] speculation, you know, maybe that's a possibility, or what
[8] have you. And that was only due to the fact of the traffic
[9] back and forth.
[10] At that time, again, he was posted in the East Wing
[11] with me. He was not in the West Wing. So, he would not
[12] really know. To my knowledge, now.
[13] Q Okay. Well, what did Officer Myles tell you?
[14] A The fact that, something that we both knew, the
[15] fact that she would again, if I would take a break or what
[16] have you, she would come up to him and approach him and again
[17] ask him, inquire to the POTUS, the President's schedule, his
[18] whereabouts, his arrival/departure times, where he was at in
[19] the White House, his location, things of that nature, which
[20] got to be kind of a hounding or a nuisance. "When is he
[21] coming back?" "Is he back?" Et cetera.
[22] Pretty much the same thing that I already knew and
[23] that I was getting, and he received the same, the same
[24] inquiries from her. Ms. Lewinsky, that is.
[25] Q Okay. So, you both thought separately that the

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[1] A Okay. I think I was more or less bringing to her
[2] attention the unnecessary traffic, for one. And as far as
[3] anything else is concerned, what I perceived as a power kick.
[4] So, you know, Jocelyn, this young lady has a lot of
[5] traffic. It's on the weekends when no one else is here.
[6] She's going back and forth. You know, that's, again,
[7] something that I found unusual.
[8] And at that point, yeah, you are not talking about
[9] -- well, anyway, go ahead.
[10] Q Okay. Is it consistent with your memory that if
[11] Ms. Jolley says that you sort of warned her, watch out for
[12] yourself, Ms. Jolley, because Ms. Lewinsky is doing things
[13] that she shouldn't be doing, is that consistent with what you
[14] remember telling Ms. Jolley?
[15] A Things that are unusual. I wouldn't say that she
[16] shouldn't be doing them, because I don't know what she was
[17] doing at the time. I mean, again, I'm only speculating. If
[18] she had a stack of papers in her hand, or she had a folder in
[19] her hand, she could have been delivering something on that
[20] side. I really have no way of knowing that.
[21] But, from what I could tell, the staff members
[22] didn't do a lot of transversing of walking back and forth
[23] unless something was going on. I don't work in Congressional
[24] Affairs. It's purely an observation, speculation. So, I
[25] really don't know.

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[1] trips that Ms. Lewinsky was making back and forth to the West
[2] Wing were inappropriate for someone of her level?
[3] A In my opinion, yes.
[4] Q And that you both speculated that there may have
[5] been some relationship between the President and Ms.
[6] Lewinsky? Without knowing any facts, you both speculated
[7] that?
[8] A Yes.
[9] Q Okay.
[10] A May I add something?
[11] Q Absolutely.
[12] A I might also add that the biggest thing, and I
[13] can't stress this enough, was the fact that I thought she was
[14] on a power kick. That's besides the, you know, speculation
[15] of the relationship. It was more or less going up in the
[16] ranks, whether she was to deal with any staff member on that
[17] side to get where she had to go.
[18] Q Has anyone ever told you that he or she observed
[19] the President and Ms. Lewinsky kissing?
[20] A I would need to assert the privilege on that
[21] question.
[22] Q Have you ever talked to Evelyn Lieberman about Ms.
[23] Lewinsky?
[24] A No, sir.
[25] Q Have you ever talked to Evelyn Lieberman about

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[1] Q But did you fear, and did you warn Ms. Jolley,
[2] because you felt something might happen to Ms. Jolley?
[3] A No. I mean, this was something that I would
[4] probably do with any coworker, per se. I mean, it's not, it
[5] wasn't a big warning per se, you know, of you are going to
[6] get fired, anything like that. It's more or less, you know,
[7] keep your ears, your eyes and your ears open; you just got
[8] this position and make sure that you stay on top of your
[9] people.
[10] You know, nothing, in my opinion, that would, God
[11] knows, that would, you know, get her fired. Not at the time
[12] anyway. I look back now, you know, but now, not at the time.
[13] Q So, you had no idea when you talked to Ms. Jolley
[14] about this, you didn't even think that Ms. Jolley would be
[15] fired because of something Ms. Lewinsky was involved in?
[16] A No. No.
[17] Q Okay. It was just, one of your employees, people
[18] you supervise, has been doing this and you ought to know
[19] about it?
[20] A Yeah. I mean, I don't necessarily think that Ms.
[21] Lewinsky could -- I don't think -- I'm not saying or suggest
[22] that Ms. Lewinsky was trying to take Ms. Jocelyn Jolley's
[23] position, but maybe be her supervisor or whatever. I don't,
[24] you know, I don't see her being bumped out. I see an
[25] aggressive pattern that was very obvious to me on any given

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[1] Jocelyn Jolley?
[2] A No, sir.
[3] Q Have you ever talked to Betty Currie at all?
[4] A No, sir.
[5] Q Why did you suggest to Jocelyn Jolley that she, in
[6] words or effect, watch her back if what you were concerned
[7] about was Ms. Lewinsky's traffic back and forth to the West
[8] Wing?
[9] A Again, in my opinion, I think that, I believe that
[10] Ms. Lewinsky was on a power kick. And as far as her going
[11] back and forth like that, it was highly unusual for an intern
[12] to go back and forth. Again, I don't know what the work
[13] power was, but it was on a weekend, most of the times it was
[14] on the weekends.
[15] In the workplace, even in my organization, you have
[16] folks that go over your head. There was a supervisor.
[17] Though it should maybe have not been my place, I do have a
[18] conscience. But basically, I would say that she would try to
[19] get ahead any way possible -- and these are not facts that I
[20] know, this is only pure speculation of what I observed --
[21] even if it meant stepping on Ms. Jolley or anybody else.
[22] Q So, were you warning Ms. Jolley about the
[23] activities of one of her employees? Or were you warning Ms.
[24] Jolley that something may happen to Ms. Jolley because of her
[25] employees? That's where I'm confused.

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[1] day. Again, the walking back and forth.
[2] Like I say, just looking at her, not even
[3] communicating with you. You know, I'm-better-than-you thing,
[4] that type of thing. When you see someone sitting at a desk,
[5] namely myself or another officer, and not to speak every time
[6] you walk past, but initially, you know, good afternoon, or
[7] what have you. I mean, to only approach me when you need
[8] something, in my opinion, and not that you can -- to judge
[9] folks, but if you do that then you are on a power kick. You
[10] don't -- it's just manners.
[11] Q Did you tell anyone else about your observations
[12] about Ms. Lewinsky? And these were your observations and
[13] what you concluded from them, did you tell anyone else
[14] besides Ms. Jolley?
[15] A Yes.
[16] Q You obviously told Officer Fremont Myles?
[17] A Yes.
[18] Q Did you tell anyone else?
[19] A At this point I will need to consult with the
[20] attorneys on that one.
[21] Q Okay. We have three questions pending. I may
[22] actually go with you to sort of frame the issues for them
[23] because we are near the end.
[24] That is, I would like to know the level or the
[25] background of the person who told you that he or she saw

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[1] something, or may have seen something between the President
 [2] and Ms. Lewinsky. Not identify the person by name, but
 [3] whether the person was a Service Service Officer, or
 [4] whatever.
 [5] Then, who you told about your observations, other
 [6] than Officer Myles and Ms. Jolley.
 [7] I think that's it. Do you have any questions?
 [8] A Yes. You also asked me about anyone who told me
 [9] they may have seen Ms. Lewinsky and the POTUS kissing?
 [10] Q Kissing, right. We'll go on outside and we'll take
 [11] a short break.
 [12] A Okay.
 [13] (Whereupon, the deposition was recessed from 1:07 p.m.
 [14] until 1:54 p.m.)
 [15] MR. BITTMAN: We are back on the record. It is
 [16] 1:54 p.m.
 [17] BY MR. BITTMAN:
 [18] Q Have you told anyone else about the observations
 [19] that you made about Ms. Lewinsky going back and forth to the
 [20] West Wing, other than Officer Fremon Myles and Jocelyn
 [21] Jolley?
 [22] A Yes.
 [23] Q Who else have you told?
 [24] A Various other officers in passing. Or I should say
 [25] actually a couple of officers. And also coworkers at the

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[1] East Gate, which is also a part of the East Wing; supervisor,
 [2] a couple of supervisors, or at least one.
 [3] Q Do you remember the names of these other people,
 [4] that is, these other officers, these coworkers at the East
 [5] Gate, and then the supervisor?
 [6] A The coworker at the East Gate would be Officer
 [7] Karen Edgerton, E-D-G-E-R-T-O-N. The supervisor would be, if
 [8] I'm not mistaken now, I believe at the time it would have
 [9] been Sergeant Michael Redwine. I believe he was still my
 [10] sergeant at the time. And there may have been a couple of
 [11] others in passing. I don't recall the names or faces.
 [12] Q What did you tell Officer Edgerton and Sergeant
 [13] Redwine?
 [14] A Basically -- Sergeant Redwine pretty much had an
 [15] understanding or an idea, the same conclusion that, you know,
 [16] she's going back and forth and it was getting to be quite
 [17] annoying, because he was the East Wing/West Wing/Mansion
 [18] sergeant in charge of the house itself from my section. I
 [19] think, I'm pretty sure it was him. I had a couple sergeants.
 [20] And as far as Officer Edgerton was concerned,
 [21] again, if my memory serves me right, she may have been
 [22] working at the East Gate at times when Ms. Lewinsky would
 [23] come to work on the weekends and be by herself, or maybe one
 [24] other staff person in that wing, and work lengthy hours.
 [25] Q And you would talk to Officer Edgerton about your

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[1] observations of her?
 [2] A Well, yeah. It was more or less, oh, by the way,
 [3] she's in kind of late again, isn't she, you know; yeah, she's
 [4] bugging me again about the arrival, or whatever, along that
 [5] nature.
 [6] Q Did Ms. Lewinsky ever have any packages or cards
 [7] that you know of to be delivered to the President?
 [8] A No. I don't know of any.
 [9] Q Did you ever hear of her ever delivering any
 [10] packages or cards?
 [11] A Other than what's on television now? No. It's the
 [12] first.
 [13] MR. BITTMAN: Let's go off the record for a moment.
 [14] (Off the record.)
 [15] BY MR. BITTMAN:
 [16] Q You indicated, Officer Henderson, that there was
 [17] another person besides Officer Myles who told you that he or
 [18] she saw Ms. Lewinsky in the West Wing. Is that right?
 [19] A Yes, sir.
 [20] Q What that person a Secret Service Officer?
 [21] A At this point I would have to assert the privilege.
 [22] Q Can you tell me anything about the identity of that
 [23] person?
 [24] A No, sir.
 [25] MR. BITTMAN: Can we go off the record for a moment

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[1] again, please?
 [2] (Off the record.)
 [3] BY MR. BITTMAN:
 [4] Q Officer Henderson, has anyone ever talked to you
 [5] about -- without telling me what they said -- about a
 [6] possible relationship between the President and Ms. Lewinsky?
 [7] A Yes, sir.
 [8] Q How many people?
 [9] A That would be a possibility of at least two
 [10] persons.
 [11] Q Two persons?
 [12] A Speculating. Yes, sir.
 [13] Q Who are those two people?
 [14] A Again, I will have to assert the privilege.
 [15] Q What these people told you about a possible
 [16] relationship between the President and Ms. Lewinsky, you said
 [17] it was speculation?
 [18] A In my opinion, sir, yes.
 [19] Q In your opinion it was speculation?
 [20] A If I could correct myself? Well, go ahead.
 [21] Q The question is, was it speculation on these
 [22] people's part who told you about a relationship between the
 [23] President and Ms. Lewinsky?
 [24] A I don't know.
 [25] Q You don't know?

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[1] A I'm not a hundred percent sure.
 [2] Q Did these people, when they told you about this
 [3] possible relationship, did they relay any facts to you or
 [4] alleged facts?
 [5] A I would need to talk to counsel on that question.
 [6] Q All right, and let me make clear the distinction.
 [7] I don't want to know if anyone just said, sort of
 [8] like Officer Myles did, you've already said this, he saw her
 [9] go back and forth just like you saw her go back and forth.
 [10] A Yes, sir.
 [11] Q "You know, she's going back and forth an awful lot.
 [12] I think there may be something going on." That's
 [13] speculation. But it also is based on some personal
 [14] observations of people seeing her, thinking that she is going
 [15] back and forth to the West Wing, and also her talking to you
 [16] a lot about where the President is, et cetera. You have some
 [17] basis to speculate, so to speak. But there are some facts
 [18] there.
 [19] These two persons who told you, is one of them
 [20] Officer Myles? Or are these two others?
 [21] A The question again, the original question?
 [22] Q The question is whether anyone besides Officer
 [23] Myles told you about anything having to do with an alleged
 [24] relationship between the President and Ms. Lewinsky.
 [25] A Again, going back to the original question, I would

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[1] need to consult with the attorneys.
 [2] Q Okay.
 [3] A And your next followup question to that, if you
 [4] would, please?
 [5] Q Sure. My followup question would just be the
 [6] identity of those people.
 [7] A I think, if I'm not mistaken, I stated Fremon Myles
 [8] and that was, from my point of view, speculation on his part.
 [9] And the other person, I would need to consult with the
 [10] attorneys.
 [11] Q Okay. So, there are two people. Can you tell me
 [12] whether this other person who relayed this to you is a Secret
 [13] Service Officer?
 [14] A I would need to invoke the privilege on that one,
 [15] sir.
 [16] Q Okay. Can you tell me whether this other person
 [17] personally observed it?
 [18] A Again, I would invoke the privilege on that, sir.
 [19] Q All right.
 [20] MR. BITTMAN: Let's go off the record. It is now
 [21] 2:05.
 [22] (Whereupon, the deposition was recessed from 2:05 p.m.
 [23] until 2:17 p.m.)
 [24] MR. BITTMAN: We are back on the record. It is
 [25] 2:17.

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Page 0

[1] BY MR. BITTMAN:
 [2] Q Officer Henderson, what was the last question?
 [3] A I don't recall. I'm sorry.
 [4] (The previous question was played back.)
 [5] BY MR. BITTMAN:
 [6] Q This other person who told you that he or she saw
 [7] Ms. Lewinsky in the West Wing, have you told anyone about
 [8] that? That this person who told you he or she saw Ms.
 [9] Lewinsky in the West Wing, did you relay that information to
 [10] anyone?
 [11] A Not that I remember.
 [12] Q The information that was revealed to you by this
 [13] other person who saw Ms. Lewinsky in the West Wing, was that
 [14] this person's personal observations?
 [15] A On that one, I have to invoke the privilege, sir.
 [16] Q And that is this privilege identified as protective
 [17] function privilege? Is that how it has been described to
 [18] you?
 [19] A Yes, sir.
 [20] Q Has anyone not in the Secret Service, that is,
 [21] uniformed or Secret Service agents, someone outside the
 [22] Secret Service, ever told you that he or she observed the
 [23] President kissing --
 [24] A No, sir.
 [25] Q -- Ms. Lewinsky?

[1] Q Okay.
 [2] MR. BITTMAN: We can go off the record. That's all
 [3] I have for you.
 [4] (Whereupon, at 2:25 p.m., the deposition was concluded.)
 [5] * * *
 [6] CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC
 [7] I, Elizabeth A. Eastman, the officer before whom
 [8] the foregoing deposition was taken, do hereby certify that
 [9] the witness whose testimony appears in the foregoing
 [10] deposition was duly sworn by me; that the testimony of said
 [11] witness was taken by me electronically and thereafter reduced
 [12] to typewriting by me; that said deposition is a true record
 [13] of the testimony given by said witness; that I am neither
 [14] counsel for, related to, nor employed by any of the parties
 [15] to the action in which this deposition was taken; and
 [16] further, that I am not a relative or employee of any attorney
 [17] or counsel employed by the parties hereto, nor financially or
 [18] otherwise interested in the outcome of the action.
 [19] * * *
 [20] NOTARY PUBLIC FOR THE
 [21] DISTRICT OF COLUMBIA
 [22] My Commission Expires:
 [23] July 31, 2000
 [24] * * *
 [25]

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[1] A No, sir.
 [2] Q Has anyone in the Secret Service ever told you that
 [3] he or she observed the President and Ms. Lewinsky kissing?
 [4] A No, sir.
 [5] Q No one has ever told you that?
 [6] A No, sir.
 [7] Q Do you remember that you asserted the privilege on
 [8] that question earlier?
 [9] A No, sir. If I'm not mistaken, I thought you were
 [10] being specific as to specific individuals, one of which I did
 [11] not name. You asked a broad general question. Therefore,
 [12] there is no basis in my mind. The Secret Service is huge,
 [13] 5,000-strong.
 [14] MR. BITTMAN: I think we can conclude now.
 [15] (Discussion off the record.)
 [16] BY MR. BITTMAN:
 [17] Q This person who relayed to you that he or she
 [18] observed Ms. Lewinsky in the West Wing, when that was relayed
 [19] to you, was anyone else present?
 [20] A I'll have to invoke the privilege and not answer
 [21] that question, sir.
 [22] Q You are going to invoke the privilege as to whether
 [23] or not anyone else was present when this person told you?
 [24] A Okay. Let me make sure I understand the question.
 [25] Say that one once more.

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[1] Q You've already indicated that there was a person
 [2] who told you that he or she observed Ms. Lewinsky in the West
 [3] Wing.
 [4] A Yes, sir.
 [5] Q When that person told you that, whoever the person
 [6] was, was anyone else besides yourself present?
 [7] A Not that I recall. I don't remember though, but
 [8] not that I recall.
 [9] Q Not that you recall?
 [10] A Yes, sir.
 [11] Q It was just you and whoever this other person is,
 [12] and he or she told you whatever he or she had to tell you
 [13] about Ms. Lewinsky being in the West Wing? Is that right?
 [14] A As far as I remember, sir, that's correct.
 [15] Q And you said you haven't told anybody else about
 [16] that conversation, other than your attorneys?
 [17] A As far as I remember, sir, that's correct.
 [18] Q Okay. As far as you know, has this other person,
 [19] the person who gave you the information about the observation
 [20] of Ms. Lewinsky being in the West Wing, has she or he told
 [21] anyone else?
 [22] A I do not know, sir.
 [23] Q Have you heard that?
 [24] A No, not that I've -- I'm not aware. I have not
 [25] heard it.

Nancy Hernreich, 2/25/98

Grand Jury

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CONDENSED TRANSCRIPT AND CONCORDANCE
PREPARED BY:

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[1] UNITED STATES DISTRICT COURT
 [2] FOR THE DISTRICT OF COLUMBIA
 [3] ----- x
 [4] In re: _____
 [5] _____
 [6] GRAND JURY PROCEEDINGS :
 [7] _____
 [8] ----- x
 [9] Grand Jury Room No. 4
 [10] United States District Court
 [11] for the District of Columbia
 [12] 3rd & Constitution, N.W.
 [13] Washington, D.C. 20001
 [14] Wednesday, February 25, 1998
 [15] The testimony of NANCY HERNREICH was taken in the
 [16] presence of a full quorum of Grand Jury 97-2, impaneled
 [17] on September 19, 1997, commencing at 1:40 p.m., before:
 [18] DAVID BARGER
 [19] SOLOMON WISENBERG
 [20] MARY ANNE WIRTH
 [21] Associate Independent Counsel
 [22] Office of Independent Counsel
 [23] 1001 Pennsylvania Avenue, Northwest
 [24] Suite 490 North
 [25] Washington, D.C. 20004

Page 2

[1] PROCEEDINGS
 [2] Whereupon,
 [3] NANCY HERNREICH
 [4] was called as a witness and, after being first duly sworn by
 [5] the Deputy Foreperson of the Grand Jury, was examined and
 [6] testified as follows:
 [7] EXAMINATION
 [8] BY MR. BARGER:
 [9] Q Good afternoon.
 [10] A Good afternoon.
 [11] Q Could you please state your name for the record.
 [12] A My name is Nancy Herreich.
 [13] Q And could you spell your last name for the benefit
 [14] of the court reporter, please.
 [15] A It's H-e-r-r-e-i-c-h.
 [16] Q Ms. Herreich, you are here today pursuant to a
 [17] federal Grand Jury subpoena, correct?
 [18] A Correct.
 [19] Q Could you tell the members of Grand Jury --
 [20] actually, let me -- before I get into the substance, let me
 [21] just do a brief bit of background on.
 [22] Pursuant to the Grand Jury subpoena, you have been
 [23] subpoenaed to provide information in a federal Grand Jury
 [24] investigation concerning possible criminal offenses by
 [25] Monica Lewinsky and others, as a general background matter.

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[1] Do you understand that?
 [2] A Yes.
 [3] Q Okay. As Grand Jury witness you have certain
 [4] rights. Let me briefly go over those with you.
 [5] And one of those rights is you have a right to have
 [6] an attorney outside of the courtroom that you may consult
 [7] with. Do you understand that?
 [8] A Yes.
 [9] Q In fact, are you represented by counsel today?
 [10] A Yes, I am.
 [11] Q And is your counsel outside of the Grand Jury
 [12] room today?
 [13] A Yes.
 [14] Q Who are you represented by?
 [15] A I'm represented by Gerry Treanor and by
 [16] Judith Wheat.
 [17] Q W-h-e-a-t?
 [18] A Yes.
 [19] Q And Mr. Treanor's name is --
 [20] A It's Gerald Treanor, and it is T-r-e-a-n-o-r.
 [21] Q Okay. One of the rights you have in having counsel
 [22] is you have the right to consult with counsel, should you
 [23] choose to do so. Do you understand that?
 [24] A Yes.
 [25] Q So that if you need to take a break and consult

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[1] with counsel, simply let us know, and we will provide you
 [2] that opportunity.
 [3] A Okay. Thank you.
 [4] Q In addition to having the right to counsel,
 [5] you also have a right to not answer any question, a
 [6] truthful answer to which would incriminate you. Do
 [7] you understand that?
 [8] A Yes.
 [9] Q In addition to your rights, there are certain
 [10] obligations. The main obligation, of course, is having
 [11] been sworn under oath, you have an obligation to tell the
 [12] truth, to the best of your knowledge and belief. Do you
 [13] understand that?
 [14] A Yes.
 [15] Q And if you don't tell the truth to the best of
 [16] your knowledge and belief, you could be prosecuted for
 [17] various criminal offenses, such as perjury, obstruction of
 [18] justice -- things along those lines. Do you understand that?
 [19] A Yes.
 [20] Q All right. Thank you. Could you tell the members
 [21] of the Grand Jury where you work.
 [22] A I work at the White House.
 [23] Q Can you tell us, what is your current position?
 [24] A My title is deputy assistant to the president and
 [25] director of Oval Office operations.

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[1] Q And how long have you held that position?
 [2] A I've held this position since January 20, 1993.
 [3] The title changed at some point -- I think in September of
 [4] '94. That's approximate. I could be wrong on that. But --
 [5] but it's basically been the same job.
 [6] Q All right. Regardless of the title, the duties
 [7] have essentially been the same?
 [8] A Yes, that's right.
 [9] Q Could you tell us briefly what those duties
 [10] generally are.
 [11] A I manage the immediate office of the President and
 [12] supervise that staff of nine other people. And I act as the
 [13] President's gatekeeper.
 [14] Q Now, you used the phrase "gatekeeper." I'm sort
 [15] curious -- is that a phrase you came up with, or is that
 [16] something that someone used to describe the position
 [17] previously?
 [18] A Well, I think the first person who described that
 [19] position for me, or described me as being the gatekeeper, was
 [20] Mack McLarty, who was at the time the chief of staff to the
 [21] President. So I've sort the taken it on and used it.
 [22] Q All right. Now, you came to the White House in
 [23] approximately January of 1993; is that correct?
 [24] A Yes, that's correct.
 [25] Q And was that in connection with the election of

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[1] President Clinton as President?
 [2] A Yes.
 [3] Q Prior to Mr. Clinton being elected as President,
 [4] did you previously work for him when he was governor?
 [5] A Yes, I worked for him when he was governor.
 [6] Q And can you tell us approximately, I believe -- was
 [7] that commencing in about 1985?
 [8] A Yes, that's right -- 1985.
 [9] Q Can you tell us what position you held with the
 [10] governor commencing in about 1985?
 [11] A I was his scheduling secretary.
 [12] Q Briefly, how would you describe that position, say,
 [13] compared to the one you have now?
 [14] A Then I, you know, planned and basically executed
 [15] his entire schedule. You know, made the decisions in
 [16] conference with the chief of staff -- what he was going to do
 [17] and who he would see and, you know, made all the arrangements
 [18] and logistics for it.
 [19] Now, I manage a staff of -- you know, I -- I
 [20] would describe primarily as, you know, secretarial work.
 [21] I think we -- we've -- we take care of President's sort of
 [22] daily needs, in terms of his phone calls and handle his
 [23] correspondence. And then we execute his daily schedule. And
 [24] -- but I don't do the planning for the schedule, like I did
 [25] in Arkansas.

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[1] Q Okay. So taking up the last part of your testimony
[2] that you just finished, if I understand you, mainly, you're
[3] more concerned with executing his schedule, as opposed to
[4] planning his daily schedule -- is that a fair statement?
[5] A Yes.
[6] Q Okay. Now, you mentioned there is a staff.
[7] Are you basically the administrator of that staff, or are
[8] you -- I mean, where do you fit in the chain of command, in
[9] terms of the staff you were discussing that helped execute
[10] his schedule?
[11] A I'm -- basically, I'm the administrator of the
[12] staff. That's correct.
[13] Q How many people do you supervise?
[14] A I supervise nine people.
[15] Q Can you give us a brief overview of -- not
[16] necessarily yet who those people's names are, but sort
[17] of the chain of command -- what their positions are, that
[18] kind of thing.
[19] A Mm-hmm.
[20] Q Is it you at the top with nine people equally
[21] arrayed, or is there a further hierarchy?
[22] A Well, there's a -- a little bit of a hierarchy,
[23] I think. We have a division of it called personal
[24] correspondence, and then we have somebody who's in
[25] charge of personal correspondence.

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[1] So that Ann McCoy is -- is the person who's
[2] in charge of personal correspondence. It used to be
[3] Carolyn Huber. There are three people then who work
[4] for her under there.
[5] And then I would say the rest of them are all
[6] equally under me. There are, you know, five people that
[7] -- it would be the secretary and the President's aide,
[8] receptionist, the records keeper, and then my assistant.
[9] Q The Grand Jury has heard reference to various aides
[10] for the President -- people such as Steve Goodin, and
[11] Kris Engskov. I believe.
[12] Are those the type of people that also work for you
[13] that you supervise, or do they come under someone else's
[14] supervision?
[15] A They're under my supervision.
[16] Q And the Grand Jury has heard reference before
[17] to Betty Currie. Does Betty Currie come under your chain
[18] of command?
[19] A Yes, Betty Currie comes under my chain of command.
[20] Q And so essentially, are you Betty's boss?
[21] A Yes, I'm Betty's boss.
[22] Q Can you tell the members of the Grand Jury,
[23] where is your office in relation to, say, Betty's and
[24] the President's?
[25] A Well, the Oval Office is here, and Betty's office

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[1] is right outside of the President's office. And then I have
[2] a small office, really, off of Betty's office (indicating).
[3] Q So fairly close proximity?
[4] A Yes.
[5] Q If I recollect, there are no other people with
[6] offices between yours and Betty's office, for example.
[7] A That's correct.
[8] Q As I mentioned, the main purpose for the subpoena
[9] is in connection with a Grand Jury investigation.
[10] MR. WISENBERG: Pardon me just a minute. If you
[11] need to, you could put an exhibit sticker on either one of
[12] these, so you could identify it.
[13] MR. BARGER: Okay. If you want me to.
[14] MR. WISENBERG: I do not want you to. I do have
[15] them handy, in case you want to.
[16] BY MR. BARGER:
[17] Q Mr. Wisenberg agrees with my decision that I
[18] don't have to have the witness mark the exact office in
[19] which she works.
[20] Let me turn now to the main topic of the
[21] investigation of the Grand Jury -- and that is, possible
[22] offenses involving Monica Lewinsky and others.
[23] I assume you're familiar with the name
[24] Monica Lewinsky?
[25] A Yes, I am familiar with that name.

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[1] Q Can you tell the Grand Jury, as best you recall,
[2] when the first time it was that you became familiar with the
[3] name Monica Lewinsky, or the person Monica Lewinsky, and if
[4] we need to distinguish, we can.
[5] A The first time I can recall having seen
[6] Monica Lewinsky was in the chief of staff's office during
[7] the government shutdown.
[8] Q Do you remember approximately when that was?
[9] A I don't remember when that was.
[10] Q Do you remember what year?
[11] A Well, in remembering -- no, I don't remember what
[12] year, but I think it was -- you know, in going back, it's
[13] probably late 1995.
[14] Q Okay. Approximately the fall, would that be fair
[15] to say -- somewhere around the fall of '95?
[16] A Mm-hmm. Late fall, because at some point
[17] in the government shutdown, I remember that it started
[18] snowing -- in one of the shutdowns. So it would have been
[19] late fall-early winter.
[20] Q Why does that time stick in your mind? In other
[21] words, what was it that you recall about Ms. Lewinsky that
[22] caused you to remember her?
[23] A Well, there weren't very many people working then.
[24] It was just necessary personnel. And then they had to -- I
[25] think interns came in and substituted for extra help. And so

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[1] since there weren't very many people around, you certainly,
[2] you know, noticed the people who were new and who were
[3] helping out.
[4] Q Okay. At that time, is that what you understood
[5] her position to be -- that of an intern?
[6] A Eventually. I -- I'm sure when I first saw her, I
[7] probably didn't have a real understanding of what her
[8] position was, but --
[9] Q Okay. From your observation of that time
[10] period in approximately the fall of '95 -- is that what your
[11] observation was, that she essentially was helping out during
[12] the shutdown?
[13] A Yes, that was my observation.
[14] Q Okay. Is there a next time that you recall
[15] seeing Monica Lewinsky after this shutdown period in the
[16] fall of '95?
[17] A Specifically, no, I can't say that there's a
[18] particular time I saw her. But I know that I have seen her
[19] -- I had seen her -- I have seen her since then, so --
[20] Q Okay. What is the next incident -- and I don't
[21] mean incident in any perjorative sense. What's the next time
[22] you recall seeing her specifically after the shutdown?
[23] A Well, let me just say that I can't probably tell
[24] that you that it was a next time or -- but I can tell you
[25] what I can recall generally.

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[1] Q Okay.
[2] A One time, I can recall seeing her walk in the
[3] hallway early in the morning, as we were getting -- the
[4] President was getting ready to start going to a meeting in
[5] -- in the residence on the ground floor.
[6] And I recall one evening -- and I think probably
[7] during the shutdown, one of the shutdowns -- and it may have
[8] been that first shutdown where she, I think, brought some
[9] food into our office.
[10] Q Okay.
[11] A And then I recall a time that she came to a
[12] radio address.
[13] And those are generally the times that I can recall
[14] seeing her. I think I saw her at a social event once, but --
[15] and there may have been more, but that's what my general
[16] recollection is.
[17] Q Okay. And just to follow up to make sure it's
[18] clear: As best you recall, then, is it accurate to say that
[19] there are approximately four separate times that you have a
[20] specific recollection of seeing Ms. Lewinsky?
[21] In other words, the fall shutdown; secondly, you
[22] saw her walking down the hall early in the morning; third, at
[23] a radio address; and four, perhaps, at a social event. Is
[24] that basically -- do I have it correct?
[25] A Would you go through that again?

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Q Sure.
 A To make sure I got those right.
 Q Your first recollection is that you saw her in the fall of '95 in connection with the shutdown.
 A Yeah.
 Q And the second time, you have a recollection of seeing her at some time -- you characterize it as early in the morning -- walking down the hall.
 A Mm-hmm.
 Q And third, I believe you saw her at a radio address.
 A Mm-hmm.
 Q And then fourth, you may have seen her at a social event.
 A That's correct.
 Q Okay. Any other instances that you recall seeing her, other than those four -- as best you recall?
 A No, not -- I -- I'm sure -- oh, I'm not sure that I did, but, you know, I certainly may have seen her some other times. But I do not recall them.
 Q Okay. And that's all --
 A Sure.
 Q -- I'm asking, is to the best of your recollection.
 A Mm-hmm. Yeah.

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Q All right. Let's go back briefly to briefly to the shutdown. You mentioned something about bringing food in. Can you just briefly relate to us when you recall about that.
 A It seems like she brought food -- pizza or something in one evening late, you know, probably -- my recollection -- although I can certainly be wrong about this -- is that it was maybe, you know, 9 o'clock or so -- 9 or 10 o'clock at night. We were still working.
 Q Okay. Do you recall anything else in connection with bringing the food in -- in other words, who arranged it, whose idea it was -- anything else, other than the fact she may have brought some pizza in late in the evening?
 A No, I don't recall any of the things about, you know, who arranged it, or anything like that.
 Q Okay. Do you recall -- let me continue with this first time period of the shutdown. Was that the same day that you recall seeing her in the White House in connection with the shutdown, or was this -- the pizza incident, is that during the same time period, but on a different day, if you recall?
 A I don't recall.
 Q Okay. Do you recall, during this first time you saw her, whether you saw her in the presence of the President?

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A I don't recall. You mean the very first time I saw her in the chief of staff's office? Is that what you're asking me?
 Q Well, in connection with the shutdown. And let me make sure I understand you, because when you say you saw her in the chief of staff's office, I take it that when you recollect her bringing pizza in, that that may now have been a second, or a separate time you saw her, as distinct from being in the chief of staff's office. Or did she have pizza in the chief of staff's office?
 A I don't recall. I think you had asked me -- the second part of that, you asked once when I recalled first seeing her, and I said in the chief of staff's office. Then you asked me what other times other than that --
 Q Right?
 A -- that I had seen her, and I said I saw her once when she brought food in to our office.
 And so -- so I don't know if it was a separate day or not, and you asked me that, and I said I don't recall whether it was a separate day or not.
 And so -- but they were separate kind of events in my mind -- like once I saw her there, and once I saw her here, because they were separate places.
 MR. WISENBERG: David, can I ask one question?
 MR. BARGER: Yes, you bet.

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BY MR. WISENBERG:
 Q Do you think the food delivery incident was during the government shutdown?
 A Yes, I do think that.
 BY MR. BARGER:
 Q And I don't mean to -- I'm not trying to be tricky here. I just wanted to clarify, then, bringing the food in was in connection with the fall shutdown, but it may have been -- you may have actually seen her bring the food in and then separately saw her in the chief of staff's office.
 A Yes.
 Q But the same sort of event -- the event being the shutdown.
 A Oh, okay.
 Q Is that fair to say?
 A Yeah.
 Q All right. In either instance -- whether in the chief of staff's office, or bringing the pizza in, did you ever see her during the shutdown period in the presence of the President?
 A I believe I did.
 Q Okay. What, if anything, do you recall about that?
 A Well, this is a vague recollection, but it seems that during this event where she brought -- the time she brought the food in, that we then offered the food to the

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President, as well, or he may have been there. But that's -- you know, it really is quite vague.
 Q Okay. Well, I don't mean to suggest there's anything wrong with eating pizza.
 A No.
 Q If there is, I think we'd all be in trouble. Anything else that you recollect, other than offering pizza to the President -- in terms of her being in the presence of the President? Anything you recall in terms of that incident?
 A No.
 Q Okay. Now, the various times that you have seen her that we just went through -- and I'll go into more details in the others -- are these instances -- my question basically is: Have you refreshed your recollection recently -- in terms of either discussing or reading materials about Monica Lewinsky -- so as to cause these recollections to be recently refreshed -- if you understand my question?
 A I understand your question. And the -- the only one that I've sort of -- I have -- has been refreshed has been the one with the radio address.
 Q Okay. But the pizza shutdown topic is one you had recalled without having had your memory refreshed. Is it fair to say, or --

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A Let me just think about it a minute.
 Q Okay.
 A Because honestly, after a while, and one reads a lot, that just --
 Q Right?
 A And you forget -- you really can't distinguish what you remember from what you remember and what you remember from what you read, or somebody says something to you.
 Q Yes.
 A And I -- let me think about it a minute.
 Q Okay.
 A Whether that came -- remember the shutdown -- I think it's just a general memory. I don't think it's been refreshed by, you know, anyone or any -- any reading.
 Q Okay. Let me move to the next -- getting away from the shutdown topic to the next -- what you describe as the next time you recollect, which is seeing her walking down the hall early in the morning.
 Can you tell us what else you recall about that second general time you saw Ms. Lewinsky. What was that in connection with? How long did you see her? Where was she going? What was she doing? That kind of thing.
 A Well, I think she was going from her office probably in legislative affairs -- I assume. And that's -- walking to something in the West Wing. Because legislative

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[1] affairs offices are in the East Wing, and you'd have to walk
 [2] through the ground floor usually to -- to get over to the
 [3] West Wing -- ground floor of the -- what we call the mansion
 [4] -- the residence. Most of the staff walk through there.
 [5] Q When you saw her walking through the hall, did you
 [6] see where she went?
 [7] A No, I did not see where she went.
 [8] Q You did not see whether she went into a
 [9] particular room?
 [10] A No, I --
 [11] Q If you recall.
 [12] A I don't recall.
 [13] Q All right. And specifically, do you recall whether
 [14] she went either to see Betty Currie, or to see the President,
 [15] or to go into the Oval Office?
 [16] A Let me -- I was with the President, who was going
 [17] into a meeting in the Map Room. So she was walking down the
 [18] ground floor, and I was in the ground floor. I don't see
 [19] where -- I did not see where she went, though.
 [20] Q Okay. And again, to be clear, when you say you
 [21] were with the President, and he was getting ready to go into
 [22] a meeting, were you and President in the Map Room, or was the
 [23] meeting going to be in the Map Room?
 [24] A The meeting was going to be in the Map Room, and we
 [25] were walking from the elevator to the Map Room, and it's --

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[1] the hallway is what -- it's between us. So --
 [2] Q So you and the President are walking down the hall,
 [3] and Ms. Lewinsky is coming the other way?
 [4] A (Nodding.) Well, we were walking crossways the
 [5] hall -- going across the hall. And she was coming down
 [6] the hall.
 [7] Q Do you recall when this was in relation to the
 [8] shutdown? Are we talking shortly thereafter? Much later? A
 [9] year later? I mean, approximately how long? Can you put a
 [10] time period approximately on this time you saw her walking
 [11] down the hall?
 [12] A I can't put any time period on it.
 [13] Q Do you recall, when you saw her walking down
 [14] the hall, was this a time when she was an intern or not
 [15] an intern?
 [16] A Well, I can't -- I can't tell you that for sure.
 [17] Q Okay. You mentioned that your assumption was she
 [18] was walking from her office.
 [19] A Yeah.
 [20] Q And I think you maybe even said in legislative
 [21] affairs. Is that --
 [22] A That's my assumption. But you asked me whether I
 [23] knew if she was an intern or not at that point, and I -- I
 [24] can't tell you that for sure.
 [25] Q I understand. But your assumption is she was

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[1] walking from her office, which you believed to be in
 [2] legislative affairs.
 [3] A That's right.
 [4] Q Did she or the President, or did anyone exchange
 [5] any kind of greeting -- "Hello," anything like that -- "How
 [6] how you?" "Nice to see you" -- anything -- if you recall?
 [7] A I don't recall it.
 [8] Q The next recollection that you identified was that
 [9] of a radio address, correct?
 [10] A Mm-hmm.
 [11] Q Can you tell us what you recall about that.
 [12] A That she brought some of her family members into in
 [13] a radio address. I think it was her father and maybe her
 [14] stepmother and her brother.
 [15] Q Do you have the time? Do you remember
 [16] approximately when that was?
 [17] A Spring of 1996, somewhere in that range.
 [18] Q And I believe, and correct me if I'm wrong, you may
 [19] have earlier indicated that that particular incident is one
 [20] that you may have had your recollection refreshed.
 [21] A Yes.
 [22] Q Can you tell us what you looked at or who you
 [23] talked with, et cetera, that caused you to -- if you can
 [24] distinguish between what you recollected before and what you
 [25] now recollect, having had your memory refreshed. Do you

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[1] understand my question?
 [2] A Yeah. I do understand your question. And I'm
 [3] trying to go back and reconstruct it.
 [4] The -- it -- I looked up that particular
 [5] information because there was information that this may have
 [6] been a time when I had cleared her in. And I was trying to
 [7] go back and figure out why I would have cleared her in. And
 [8] so -- and then I found out it was for a radio address.
 [9] Q Okay. And as least as you understand it, that's
 [10] approximately the spring of '96?
 [11] A Yes.
 [12] Q Okay. And having looked into that, is that your
 [13] recollection, that you cleared her in for the radio address?
 [14] A Yes.
 [15] Q So at that time, the necessity to clear her in
 [16] suggests, of course, that she no longer is working at the
 [17] White House.
 [18] A That's right.
 [19] Q As opposed to going back to the second time, when
 [20] you saw her walking down the hall, at that point, your clear
 [21] impression is she's still working at the White House.
 [22] A That's my impression.
 [23] Q Okay. If she didn't work at the White House in the
 [24] second incident, would she be walking down the hallway alone?
 [25] A Say that again. If she did not work --

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[1] Q If she didn't work at the White House during the
 [2] time you saw her walking in the hallway early in the morning,
 [3] would she have been walking down that hallway alone?
 [4] A No, she would not have been.
 [5] Q So again, that suggests she was working there at
 [6] the time you saw her walking down the hall.
 [7] A Well, I don't think I ever said she was walking
 [8] down the hall alone. I'm sorry.
 [9] Q Oh. All right.
 [10] A I don't mean to be -- I don't recall whether she
 [11] was or wasn't. But, you know, I -- that second incident.
 [12] But you're correct in that if you're not an employee there,
 [13] then you shouldn't -- you would not be walking alone.
 [14] Q Do you recall whether she was walking with anybody?
 [15] A No.
 [16] Q Is there any particular reason -- why is it you
 [17] recall Ms. Lewinsky walking down the hall one morning when
 [18] you and the President were on your way to a meeting in the
 [19] Map Room? Is there something significant that caused you to
 [20] remember that?
 [21] I mean, I would imagine you and the President walk
 [22] down the hall fairly often and pass many, many, many people
 [23] walking down the hall. Why do you remember that?
 [24] A Well -- I don't like -- this is my nature I get
 [25] into, but I think that staff should not be in the hallway

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[1] when the President is in that vicinity and is getting ready
 [2] to do work. But staff does it, but I normally remember those
 [3] people who sort of the cross our paths when we're, you know,
 [4] in there and he's in the process of going into a meeting. I
 [5] just -- it's just something I remember.
 [6] Q Okay. So I take it, then, at least one of the
 [7] reasons you remember that is that you felt it somewhat
 [8] inappropriate for a person in Ms. Lewinsky's position to have
 [9] been in the hallway when you and the President when you and
 [10] the President are in your way to a meeting -- or in the
 [11] vicinity of the President on his way to this meeting. Is
 [12] that generally accurate?
 [13] A Well, I don't -- it's generally accurate, but I
 [14] wouldn't just characterize it as someone in Ms. Lewinsky's --
 [15] as only those in Ms. Lewinsky position would I have --
 [16] someone in her position. Okay?
 [17] Q Okay. But I assume, for high-level staff, you
 [18] wouldn't have the same hesitation.
 [19] A If I thought that they were -- if it was
 [20] inappropriate for them to be in the hall, I would have
 [21] had that hesitation, no matter what level they were.
 [22] Q Okay. You mentioned on the radio address that
 [23] you -- I believe you used the phrase you looked up some
 [24] information. Can you tell us generally what it was you
 [25] looked up to refresh your recollection about this radio

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[1] address in the spring of '96.
 [2] A I asked my assistant to look it up. So I'm not
 [3] sure what she looked up.
 [4] Q Okay. Who is that?
 [5] A Rebecca Cameron.
 [6] Q Generally describe for us what it was you
 [7] instructed Rebecca Cameron to do.
 [8] A I asked her to see what she could find out about
 [9] that day's schedule and the -- so that I could ascertain why
 [10] I cleared her in.
 [11] Q What kinds of documents would you expect Rebecca to
 [12] look at to try to answer that question?
 [13] A Well, I don't know really what she looked at. I
 [14] know what she brought me.
 [15] Q Okay. What did she bring you?
 [16] A She brought me a copy of the radio address for that
 [17] day -- the list of people attending the radio address.
 [18] Q Did you give her any instructions to figure out
 [19] -- in other words, give us a sense of what kind of process
 [20] would have to be gone through in order to figure out the
 [21] possibilities of why you might have signed Ms. Lewinsky in.
 [22] A Ask that again, or just be more specific about what
 [23] you're asking me. I'm sorry.
 [24] Q Okay. I apologize.
 [25] A That's okay.

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[1] Q The only point I'm trying to make is to sort of get
 [2] an idea of what kinds of documents Ms. Cameron would look at,
 [3] or what kind of information she might look at to solve the
 [4] problem you posed for her, which is, "I signed her in. Look
 [5] into what I may have signed her in for."
 [6] A Mm-hmm. Well, I actually don't know what she
 [7] looked at but --
 [8] Q I understand. But what kind of things would you
 [9] expect --
 [10] A I would assume that she would try to find a copy of
 [11] that day's schedule. That would -- and that would be the
 [12] only thing that I would assume she had probably looked for.
 [13] Q Okay. So when you say that the third incident
 [14] is the radio address, do you specifically recall seeing
 [15] Ms. Lewinsky at this radio address?
 [16] A Once that document was shown to me, I do have a
 [17] recollection of seeing her there.
 [18] Q Do you recall seeing her family members -- or one
 [19] or more of her family members?
 [20] A I have a vague recollection of it. Again, I think
 [21] -- you know, through all of this, you're -- I see, I don't
 [22] know, thousands of people every week in, you know, various
 [23] circumstances, and you begin to -- it all gets a little
 [24] muddled, and you begin to think, "Well, what do I really
 [25] remember, and what do I remember because somebody showed me

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[1] something?' and all that.
 [2] But I have a vague recollection of seeing the
 [3] family members. But again -- I mean, we -- some weeks we
 [4] have 125, 130 people at a radio address; some weeks, we have,
 [5] you know, 40 or 50. But you just -- so it gets a little
 [6] muddled after a while.
 [7] Q I guess my only point is, in your opinion -- is it
 [8] correct, then, that the reason you signed her in or cleared
 [9] -- I'm sorry, cleared her into the White House was for the
 [10] radio address, as opposed to some other purpose?
 [11] A Yeah. That's my assumption, yeah.
 [12] Q Well, I just want to be -- you said assumption. I
 [13] want to make clear -- is that what you're talking about, is
 [14] that it's your assumption you cleared her in for the radio
 [15] address, or you specifically recall, "That's what I cleared
 [16] her in for?"
 [17] A I don't recall that I cleared her in for that. I
 [18] have information now that leads me to believe -- that shows
 [19] me that that's what I did.
 [20] Q Okay. As you explained --
 [21] A Mm-hmm.
 [22] Q -- you had your assistant get information --
 [23] A Mm-hmm.
 [24] Q -- and based on this information, that suggests had
 [25] to you that that's --

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[1] A Yeah.
 [2] Q -- likely what you did, or that's likely why you
 [3] cleared her in.
 [4] A Yes.
 [5] Q Okay. I'll come back to the social in just a
 [6] minute, but since we're talking about clearing Ms. Lewinsky
 [7] in, do you recall whether there were any other times that you
 [8] cleared Ms. Lewinsky into the White House?
 [9] A No, I don't recall that there were other times I
 [10] cleared her in.
 [11] Q So to the best of your knowledge, you only cleared
 [12] her in once.
 [13] A To the best of my knowledge.
 [14] Q Okay. Let's go last to the social event. Can you
 [15] tell us what you recall about that. What kind of social
 [16] event are we talking about?
 [17] A You know, I have no idea.
 [18] Q All right. The obvious question -- I think it's
 [19] the obvious question -- is why is it, then, you think you
 [20] recall seeing her at a social event?
 [21] A I just have this vague image of seeing her in the
 [22] residence on the state floor at some large social event. I
 [23] mean, if somebody told me, "You never saw her at a social
 [24] event at the White House," I'd say, "Okay." But --
 [25] Q You have a vague recollection.

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[1] A But I have a vague recollection, I think, of having
 [2] seen her over there.
 [3] Q Do you remember the time of year?
 [4] A I think it may be around Christmas time, but if it
 [5] was May, you know, that would -- because it was indoors;
 [6] that's why I think it was around in the wintertime, and --
 [7] Q All right. Other than these four general
 [8] categories we've covered, are there any other times
 [9] that you recall seeing Ms. Lewinsky? Because that's
 [10] been the topic we've been talking about, is times you
 [11] have see Ms. Lewinsky.
 [12] A I can't think of any. And that isn't to say that I
 [13] haven't seen her. I just don't remember. I've seen her a
 [14] lot of television lately.
 [15] Q Have you ever seen she and the President converse
 [16] A Well, I believe that I saw them converse the night
 [17] that she brought the food into our office, but --
 [18] Q That's the pizza?
 [19] A That's a vague recollection -- pizza or something.
 [20] Q All right. Okay. So just to be clear, no other
 [21] times that you recall seeing her?
 [22] A Well, I'm sure they conversed during the radio
 [23] address, but --
 [24] Q Okay.
 [25] A But no other -- not other than these four times.

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[1] Again, you know, that doesn't say that I haven't --
 [2] Q I understand.
 [3] A -- but it's just not I -- my recall.
 [4] Q All right. Let me move on to times -- were there
 [5] ever any occasions when you spoke to Ms. Lewinsky -- well,
 [6] I'll leave it at that. Were there ever any times you spoke
 [7] to Ms. Lewinsky, whether by phone or in person?
 [8] A I don't recall any specific incidences.
 [9] Q Okay. Before I forget -- I was going to exclude
 [10] your lawyers from this question, but you made me think of
 [11] your attorneys, so let me cover that real quickly.
 [12] Who arranged for you to have representation -- if
 [13] anyone? I mean, is this something you arranged yourself, or
 [14] were you assisted in any way?
 [15] A Several months ago -- as you can imagine in my
 [16] position, I get called for various and sundry things, and so
 [17] after my last -- and I normally have had a friend of mine in
 [18] Arkansas represent me, but he's the incoming president of the
 [19] bar, and it's becoming more and more difficult for us to
 [20] schedule anything.
 [21] Q Is that Mr. Cleary?
 [22] A Keerly (phonetic).
 [23] Q Keerly?
 [24] A Uh-huh.
 [25] Q Okay.

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[1] Q It's becoming more and more difficult for him to
 [2] get up here and to schedule anything.
 [3] So I had said to Lanny Breuer in the fall -- in
 [4] October or November sometime -- I asked him at that time if
 [5] he could assist me in finding a local attorney.
 [6] And so, actually, Mr. Ruff had called and said that
 [7] Mr. Treanor would be available, and I was thrilled because he
 [8] and I have known each other for five years. Our daughters
 [9] went to high school and go to college together.
 [10] Q I'm sorry, Mr. Treanor's --
 [11] A Yes.
 [12] Q Oh, okay.
 [13] A Other daughters went to NCS together and they go to
 [14] Duke together. And he -- so I was, you know, most pleased
 [15] with -- with that.
 [16] Q Okay. But just to be clear, even though you have
 [17] a family connection with Mr. Treanor, it was Mr. Ruff and
 [18] Mr. Breuer's efforts that led you to Mr. Treanor?
 [19] A Well, I'd asked them to help me, yeah, some --
 [20] Q No, I understand. But you didn't ask them for
 [21] Mr. Treanor.
 [22] A Yes.
 [23] Q They said well, Mr. Treanor is available and you
 [24] said, "Great. I know him."
 [25] A And I had said that was wonderful, that was

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[1] somebody who would be acceptable to me. You know, because
 [2] Lanny had said, "Well, let me think about it and let me
 [3] find somebody I think that might fit with you and see what
 [4] you think."
 [5] And then when they came and said -- I said, "Oh,
 [6] that's perfect, because we have known each other for years,
 [7] and somebody I like, and you know, that's -- I'm delighted."
 [8] Q As you understand it, I take it, Mr. Treanor is a
 [9] friend of Mr. Ruff's?
 [10] A I don't -- I don't know that.
 [11] Q Okay. What is your understanding about the
 [12] compensation for Mr. Treanor? Is that something that
 [13] you are responsible for, or is someone else, or are you
 [14] to be reimbursed?
 [15] A Mr. Treanor is -- is -- will be sending me bills,
 [16] and we'll work it out from there.
 [17] Q Okay. But is there any understanding you have or
 [18] expectation that perhaps you will be reimbursed?
 [19] A I don't believe -- well, I don't know that I will
 [20] be reimbursed. I don't know that you can expect that.
 [21] Q Well, I understand that you don't know it, but do
 [22] you have any understanding or expectation --
 [23] A Well, I anticipate, you know, filing whatever I can
 [24] with the Justice Department and, you know, hoping that I will
 [25] get something back. But I don't know that's it's

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[1] ever guaranteed.
 [2] Q All right. Now, let me go back to the question
 [3] I was going to pose before the attorneys topic entered
 [4] the picture.
 [5] You don't recall having spoken to Ms. Lewinsky. My
 [6] question now is: Excluding your attorney, Mr. Treanor, and
 [7] his associate, Ms. Wheat, have you had any discussions with
 [8] anyone, other than your attorneys, about Monica Lewinsky?
 [9] A I have not had any discussion with any -- well, let
 [10] me just go back. I think you have discussions with everyone
 [11] anymore in the city about Monica Lewinsky. It seems to be
 [12] the topic on everyone's mind. But so, generally, yes. I
 [13] have general conversations with everyone.
 [14] Q Okay. We'll start with the general before I move
 [15] to the specific.
 [16] A Okay.
 [17] Q Perhaps it would be unusual if you hadn't had some
 [18] discussion with someone.
 [19] A Mm-hmm.
 [20] Q Have you had any discussions with the President of
 [21] the United States about Monica Lewinsky?
 [22] A Yes.
 [23] Q Can you tell us when it was you last conversed with
 [24] the President about that topic. In other words, I'm not
 [25] asking you what you talked about yet --

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[1] A Mm-hmm.
 [2] Q -- but when.
 [3] A Oh, it has been since -- it's been in the last
 [4] month to five weeks.
 [5] Q Approximately how long did the conversation last?
 [6] A I don't recall. Let me -- may I step out and talk
 [7] to my attorney for a second?
 [8] Q Sure.
 [9] A Thanks.
 [10] MR. WISENBERG: Ms. Hemreich --
 [11] THE WITNESS: Uh-huh?
 [12] MR. WISENBERG: -- when you're done, if you would
 [13] knock at the door and then wait for someone to open it --
 [14] when you're through talking with your attorney.
 [15] THE WITNESS: Okay.
 [16] MR. BARGER: Thank you.
 [17] (Witness excused to confer with counsel from
 [18] 2:22 p.m. until 2:24 p.m.)
 [19] * * *
 [20] MR. WISENBERG: Let the record reflect that the
 [21] witness is reentering the Grand Jury room and that we have a
 [22] quorum. Is that right, Madam Deputy Foreperson?
 [23] DEPUTY FOREPERSON: Yes, it is. Ms. Hemreich, I
 [24] need to remind you that you're still under oath.
 [25] THE WITNESS: Okay. Thank you.

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[1] BY MR. BARGER:
 [2] Q I apologize. I forget how to address you. Is it
 [3] Miss Hemreich or Ms. Hemreich or Mrs. --
 [4] A (Laughing.) It could be any of those.
 [5] Q What's your preference?
 [6] A Ms. is fine. That's my --
 [7] Q All right. Hemreich, I believe, is your married
 [8] name?
 [9] A That's correct.
 [10] Q But you are -- you are since divorced?
 [11] A Correct.
 [12] Q Approximately when were you divorced?
 [13] A 1979.
 [14] Q Okay. I'm sorry. My question before we took a
 [15] break was how long your conversation with the President
 [16] lasted -- at least, that's what I recollect my question
 [17] to be.
 [18] A Yeah. It was probably less than a minute.
 [19] Q Can you tell us where it was.
 [20] A It was in the Oval Office.
 [21] Q Was anyone else present?
 [22] A I don't recall that anyone else was President
 [23] -- present.
 [24] Q Was it a conversation you initiated, or the
 [25] President initiated?

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[1] A Let me -- may I step out and talk to my
 [2] attorneys again?
 [3] Q Sure.
 [4] A Thank you.
 [5] Q Sure. Let me -- just to save time, I am going to
 [6] ask you what was said, so you might check with him on that
 [7] one, too.
 [8] A I'll probably have to step out again.
 [9] MR. BARGER: All right.
 [10] (Witness excused to confer with counsel from
 [11] 2:27 p.m. until 2:30 p.m.)
 [12] * * *
 [13] DEPUTY FOREPERSON: Ms. Hemreich, you're still
 [14] under oath.
 [15] THE WITNESS: Okay. Thanks.
 [16] BY MR. BARGER:
 [17] Q Ms. Hemreich, before we broke, to best of my
 [18] recollection, my question is something along the lines of:
 [19] Was it you or the President who initiated the conversation
 [20] that we've been talking about? That's my question.
 [21] A It's my recollection that it was the President.
 [22] Q Now, in terms of when the conversation occurred, I
 [23] think you said generally within the last month -- is that
 [24] fair to say?
 [25] A Uh-huh.

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[1] Q Okay. When you say within the last month, is it
 [2] closer to a month, or closer to within the last week? In
 [3] other words, trying to give us a general time frame, "within
 [4] the last month," does that mean approximately 30 days ago, or
 [5] does that mean it could have been a week ago?
 [6] A I think it was closer to 30 days ago.
 [7] Q Okay. Now, do you recall that on or about -- I
 [8] believe it was Wednesday -- on or about Wednesday, January
 [9] 21st, the story concerning the President and Monica Lewinsky
 [10] broke, to use sort of a media term?
 [11] Using that event as a frame of reference, was your
 [12] conversation with the President after the story broke, or
 [13] before the story broke?
 [14] A It was after the story broke.
 [15] Q Okay. How soon after the story broke?
 [16] A My recollection was that it was, you know, shortly
 [17] after the story broke.
 [18] Q When you say "shortly after," can you tell us how
 [19] short short is.
 [20] A I would -- best of my recollection, maybe a week or
 [21] so -- within a week, 10 days.
 [22] Q Okay. As best you recollect, could you tell us
 [23] what the conversation was about. Who said what?
 [24] A Well, I understand this is an area that's being
 [25] discussed, and I respectfully decline to answer it.

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[1] Q Upon what basis?
 [2] A Executive privilege.
 [3] Q All right. And who has instructed you to invoke
 [4] the executive privilege?
 [5] A My attorneys have instructed me.
 [6] Q Okay. And what is your understanding about why
 [7] your attorneys have instructed you to invoke executive
 [8] privilege? Obviously, they're not the President.
 [9] A Well, I --
 [10] Q Who instructed them to instruct you?
 [11] A Specifically, I think you probably would need
 [12] to ask them, and I'd be glad to go out and discuss that
 [13] with them.
 [14] MR. WISENBERG: Let me -- can I butt in for
 [15] a minute?
 [16] MR. BARGER: You bet. You bet. I'd be surprised
 [17] if you didn't.
 [18] THE WITNESS: You guys are getting to know each
 [19] other well.
 [20] BY MR. WISENBERG:
 [21] Q Typically, the executive privilege can only be
 [22] invoked by the President, Ms. Herreich, or somebody speaking
 [23] on the President's behalf.
 [24] A Mm-hmm.
 [25] Q Is it your understanding that this invocation

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[1] of executive privilege has been authorized by either the
 [2] President or Mr. Ruff, if you know?
 [3] A Well, I -- I -- I don't know that for certain, no.
 [4] Q Well, you don't know anything other than the
 [5] fact that your attorney has instructed you to observe
 [6] executive privilege?
 [7] A I know my attorneys have been in conversation with
 [8] White House attorneys and -- about this matter.
 [9] Q About this matter.
 [10] A Uh-huh.
 [11] Q Are you an attorney?
 [12] A No, I'm not.
 [13] Q Okay. I don't know whether or not you're
 [14] aware of the answer -- are you aware that there are different
 [15] components of executive privilege -- different prongs of the
 [16] executive privilege? Are you aware of that?
 [17] A No, I'm not aware of it.
 [18] Q So I take it, you don't know which prong you might
 [19] be invoking -- whether it's presidential communications,
 [20] national security, something like that. You wouldn't be in a
 [21] position -- at least not right now -- to tell us which, if
 [22] any, prongs you're invoking, or the White House is invoking?
 [23] A May I step out?
 [24] Q You bet.
 [25] A Thank you.

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[1] Q And Ms. Herreich --
 [2] A Uh-huh?
 [3] Q Let me also ask if you will meet with your attorney
 [4] about -- discuss with your attorney what you are and are not
 [5] prepared to answer, in terms of discussions with the
 [6] President, the senior presidential staff, and members of the
 [7] White House counsel's office, so that we will have a
 [8] framework of knowing: Are there different categories
 [9] of questions that you simply will not answer, is it
 [10] time-based -- is it after a certain period in time;
 [11] and again, these three categories that I gave you --
 [12] conversations with the President, conversations with senior
 [13] staff, conversations with members of the counsel's office.
 [14] A Okay.
 [15] Q Thank you.
 [16] A Mm-hmm.
 [17] MR. WISENBERG: And do we want to take a break
 [18] right now, too, and just --
 [19] DEPUTY FOREPERSON: Yes.
 [20] MR. WISENBERG: A 10-minute break, and we will com
 [21] and get you when we're ready to reconvene.
 [22] THE WITNESS: Okay. Thank you.
 [23] (A break was taken from 2:36 p.m. until 2:51 p.m.)
 [24] * * *
 [25]

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[1] MR. WISENBERG: Let the record reflect that the
 [2] witness has reentered the Grand Jury room. Madam Acting
 [3] Foreperson, do we have a quorum?
 [4] DEPUTY FOREPERSON: Yes, we do. Ms. Herreich, I
 [5] need to remind you that you're still under oath.
 [6] BY MR. WISENBERG:
 [7] Q I want to ask you one informational question before
 [8] we go back to the issue we were talking about.
 [9] I notice, in addition to Mr. Treanor, there's
 [10] another individual --
 [11] (Brief interruption to proceedings.)
 [12] BY MR. WISENBERG:
 [13] Q Let the record reflect that Mary Anne Wirth
 [14] of Office of Independent Counsel just entered the
 [15] Grand Jury room.
 [16] Ms. Herreich, I noticed there's another person out
 [17] in the hall in addition to Mr. Treanor. Is that another one
 [18] of your attorneys?
 [19] A Yes.
 [20] Q Okay. Is that somebody with Mr. Treanor's firm?
 [21] A Yes.
 [22] Q Okay. Do you know what her name is?
 [23] A Judith Wheat.
 [24] MR. WISENBERG: Okay. Go ahead, Mr. Barger.
 [25]

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[1] BY MR. BARGER:
 [2] Q Ms. Herreich, before we broke, I had a question
 [3] that generally related to what the topic of conversation was
 [4] with the President -- I mean, what actually was said to and
 [5] with the President concerning this conversation you had about
 [6] Monica Lewinsky approximately a month ago.
 [7] A Mm-hmm.
 [8] Q And since that break, have you had an opportunity
 [9] to consult with your attorney concerning, generally, what
 [10] privileges you have been instructed to invoke with regard to
 [11] certain topics that we may cover in Grand Jury?
 [12] A Yes, I have.
 [13] Q And is it fair to say that Mr. Treanor and I have
 [14] also had an opportunity to discuss briefly sort of the
 [15] general topics and how the privileges that you expect to
 [16] invoke will relate to these topics?
 [17] A He indicated that.
 [18] Q Okay. Let me try to cover some of that with
 [19] you now.
 [20] As I understand it, have you been instructed by
 [21] the White House attorneys, through Mr. Treanor, to invoke
 [22] certain privileges as to certain conversations that fit
 [23] into various categories?
 [24] A Yes.
 [25] Q Okay. Is one of the categories any conversations

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[1] you had with the President regarding the topic of Monica
 [2] Lewinsky after the allegations about the President having
 [3] a sexual relationship with Monica Lewinsky became public?
 [4] In other words, is it your understanding that
 [5] conversations prior to the story breaking, so to speak, are
 [6] not being to be subject to a kind of privilege, but any
 [7] conversations after the story broke are -- you've been
 [8] instructed to invoke the executive privilege?
 [9] A That's my understanding.
 [10] Q That's the first category.
 [11] The second category, with regard -- and I'm going
 [12] to come back to some specifics as to each of these categories
 [13] in a minute. But is the second category conversations you
 [14] had with the President of the United States' private
 [15] attorneys -- Mr. Bennett and Mr. Kendall?
 [16] A (Pause.)
 [17] Q I'm sorry. Let me -- I'll rephrase it.
 [18] Is it correct to say that as you understand it, you
 [19] have been instructed to invoke privilege with regard to
 [20] conversations you have had with the President's private
 [21] attorneys, Mr. Bennett and Mr. Kendall?
 [22] A Yes.
 [23] Q As you understand it, what privilege have you been
 [24] instructed to invoke?
 [25] A I've been instructed to invoke

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[1] attorney-client privilege.
 [2] Q Okay. And with regard to that category -- I
 [3] believe you testified earlier you are not an attorney,
 [4] correct?
 [5] A That's correct.
 [6] Q And you have not been hired by Mr. Bennett or
 [7] Mr. Kendall or anybody on their behalf, correct?
 [8] A So you're asking me if I have been hired by
 [9] Mr. Bennett or Mr. Kendall or by anybody on their behalf?
 [10] Q Correct. In other words, you are employed by the
 [11] the White House, and you're not employed by anybody else.
 [12] A That's correct.
 [13] Q Okay. You don't work for Mr. Bennett, you don't
 [14] work for Mr. Kendall, correct?
 [15] A That's right.
 [16] Q All right. And you don't fall under the umbrella
 [17] of their attorneys office, correct?
 [18] A That's correct.
 [19] Q But, nevertheless, as you understand it, you've
 [20] been to invoke the President's attorney-client privilege
 [21] with regard to conversations you had with Mr. Bennett or
 [22] Mr. Kendall, correct?
 [23] A That's correct.
 [24] Q Okay. Third category: As you understand it, have
 [25] you been instructed to invoke executive privilege with regard

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[1] to conversations you have had with senior White House staff
 [2] personnel concerning conversations about the Monica Lewinsky
 [3] topic that occurred after the story broke?
 [4] A That's correct.
 [5] Q Okay. If there were such conversations --
 [6] A Did you -- did you say executive privilege
 [7] on that?
 [8] Q Yes, yes.
 [9] A Okay, so --
 [10] Q As you understand it, the privilege you've been
 [11] instructed to invoke is executive privilege, correct?
 [12] A That's correct.
 [13] Q And beyond the term "executive privilege," you
 [14] don't know what kind of executive privilege, if any, you've
 [15] been told to invoke?
 [16] A That's correct.
 [17] Q All right. The fourth category, as you understand
 [18] it, have you been instructed to invoke executive privilege
 [19] with regard to conversations you had with the President of
 [20] the United States concerning Kathleen Willey?
 [21] A That's correct.
 [22] Q Okay. Now, let me follow up on this one to clarify
 [23] a little bit. Do you have any understanding, in terms
 [24] of whether there is a time period, that applies to
 [25] that privilege?

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[1] In other words -- is it only conversations with the
 [2] President after Kathleen Willey story broke, or does it apply
 [3] to any conversations you may have had with the President
 [4] about Kathleen Willey -- if you know?
 [5] A I have to think about the answer to this --
 [6] Q Okay.
 [7] A -- because I'm not sure that it's the time period
 [8] that is the -- is the -- that from a certain item point to
 [9] now that is the question.
 [10] Q Okay.
 [11] A But -- but I think that it may not -- well, I'll
 [12] just have -- do you mind if I think about it a minute? I
 [13] have to --
 [14] Q All right. Let me ask you -- let me follow up and
 [15] see if this helps clarify the situation.
 [16] A Okay.
 [17] Q And I won't get into the content of conversations.
 [18] Did you have any conversations with the President of the
 [19] United States about Kathleen Willey?
 [20] A Yes, I have had conversations with the President
 [21] about her.
 [22] Q How many conversations?
 [23] A I don't recall how many conversations I've had
 [24] with him.
 [25] Q All right. You can give us a range, if you would.

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[1] More than one?
 [2] A I've had more than one conversation with him.
 [3] Q Less than 10?
 [4] A Probably less than 10.
 [5] Q Okay. Did any of these conversations occur -- let
 [6] me do it this way: Is it fair to say that in approximately
 [7] the summer of 1997, there became public stories alleging that
 [8] the President had made sexual advances at Kathleen Willey?
 [9] A I think that's when those -- those stories
 [10] came out.
 [11] Q Okay.
 [12] A There was something out about that, because I
 [13] became aware of that.
 [14] Q All right. Using that as the approximate time
 [15] period, were the conversation you had with the President
 [16] about Kathleen Willey after that those allegations became
 [17] public, or did any of the conversations occur before the
 [18] allegations became public?
 [19] A Some conversations I've had with the President
 [20] regarding Kathleen Willey -- not relating to these
 [21] allegations -- have been prior to point.
 [22] MR. BARGER: Okay.
 [23] MR. WISENBERG:
 [24] Q When you say "these allegation," do you mean the
 [25] allegations regarding Kathleen Willey?

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[1] A Yes.
 [2] BY MR. BARGER:
 [3] Q Were there any conversations with the President
 [4] about the allegations involving he and Kathleen Willey prior
 [5] to the allegations becoming public?
 [6] A Not that I recall.
 [7] Q Okay. So to the best of your recollections,
 [8] any conversations with the President about the topic of
 [9] Kathleen Willey and the allegations of his sexual advances to
 [10] her occurred after those allegations became public -- does
 [11] that make sense?
 [12] A It makes sense, but I -- you know, and let me just
 [13] think about it a minute --
 [14] Q All right.
 [15] A -- because I'm not sure that, actually, the
 [16] allegations -- you know, what we're discussing here. To the
 [17] best of my recollection that -- that I had a conversation
 [18] with him after these allegations became public on or about
 [19] that time or afterwards. And does that answer your question,
 [20] or is that --
 [21] Q I think so.
 [22] A Okay.
 [23] BY MR. WISENBERG:
 [24] Q When was the last conversation you recall about
 [25] Kathleen Willey that you had with the President?

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1: A The last conversation I can recall having, I
2: believe -- and I can't -- it's certainly within the last
3: eight months. But specific day or time, I think it's closer
4: to the beginning of that time. But I can't -- I can't say
5: that for certain.
6: Q Okay. Do you recall any of the content -- I'm not
7: asking you in this question for the content, but do you
8: recall the content of any of your discussions with the
9: President about Kathleen Willey?
10: A Yes, I do recall the content.
11: Q Okay. Tell us all about that -- everything you
12: recall about every conversation.
13: A Everything I recall about every conversation.
14: Q With the President about Kathleen Willey.
15: A Okay. Are we -- prior to the summer of 1997 or --
16: Q Well, let me ask you this: I had understood
17: that the executive privilege claim covered any conversation
18: with the President about Kathleen Willey. Are there some
19: conversations with the President about Kathleen Willey that
20: are not covered?
21: A Yes.
22: Q All right.
23: A As I understand it.
24: Q Okay. In which category would those be?
25: A I'm not sure what kind of category they fall

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1: into. May I step out and ask my attorney a question --
2: take a break?
3: MR. WISENBERG: Do you want to go back to that
4: later, Mr. Barger?
5: MR. BARGER: Yeah, let me -- let me -- let me --
6: THE WITNESS: I mean, you might have a better
7: way of --
8: BY MR. BARGER:
9: Q Let me ask a different question.
10: A Okay.
11: Q Or ask the same kind of question a different way.
12: A Mm-hmm.
13: Q As I understand it, there were some conversations
14: you had with the President that concerned the topic of
15: Kathleen Willey that did not concern the topic of the
16: sexual allegations --
17: A Yeah.
18: Q -- correct?
19: A I think so. I mean, you know, I'll have to sit
20: and think about it. I mean, when you're asking that, you
21: have to think did you -- was it really -- did we sit there
22: and discuss sexual allegations and, you know, that's where
23: you're getting -- was the topic of -- did a topic come up
24: after sexual allegations -- the sexual allegations came up.
25: I guess they did.

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1: And it's just how you're phrasing it, because it
2: makes it seem like that was all we were talking about, when
3: that's -- and again, I don't want to go too far, because I
4: don't want to get into this area and -- do you understand
5: what I'm saying?
6: It's a difficult question for me to answer, and
7: I've been pretty forthcoming with everything. I just --
8: Q Let me --
9: A Just to say it's difficult to answer it in a
10: straightforward way.
11: Q Let me see if I can just follow up a little bit.
12: A Okay.
13: Q If I understand what you're saying, are there --
14: did you have conversations with the President that concerned
15: the topic of Kathleen Willey, but the entire conversation did
16: not concern the topic of the allegations that the President
17: made sexual advances toward Kathleen Willey?
18: I mean, in other words, part of the conversation
19: concerned things other than the allegations of these sexual
20: advances.
21: A May I -- may I step out, just --
22: BY MR. WISENBERG:
23: Q Okay. Before we do that, why don't we switch
24: topics for a minute.
25: A Okay.

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1: Q Because I want to get a record built on the things
2: you're claiming privilege.
3: A Okay.
4: Q As I understand it, the White House is claiming
5: executive privilege on any conversation you had with the
6: President relating to Monica Lewinsky after the allegations
7: about the President and Monica Lewinsky became public; is
8: that correct?
9: A That's my understanding.
10: Q Okay. How many such conferences have you had wi
11: the President?
12: A Only one that I can recall.
13: Q Okay. And you've already invoked executive
14: privilege with respect to that conversation.
15: A That's correct.
16: Q Okay. Now, also I understand that the White House
17: is invoking executive privilege as to any discussion you had
18: with senior staff members about Monica Lewinsky after the
19: Monica Lewinsky matter became public; is that correct?
20: A That's correct.
21: Q How many such discussions have you had?
22: A Well, I can't say for certain, you know, exactly
23: how many but, you know, I think it's in the range of five or
24: less, and probably just one or two.
25: Q Okay.

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1: A But I can't -- you know, I -- without recalling
2: every single conversation, I -- you know, I hate to say
3: definitively.
4: Q Five or less, and probably one or two.
5: A Mm-hmm.
6: Q And do you remember the content of some of those
7: conversations -- any of the content?
8: A Yes, I do remember.
9: Q Okay. Who were the conversations with? Which
10: staff members, in other words.
11: A Well, the ones specifically that I remember are
12: conversations with Bruce Lindsey.
13: Q Okay. Anybody other than Mr. Lindsey?
14: A Very possibly other members of the counsel's staff.
15: Q Pardon me?
16: A Very possibly other members of the counsel's
17: staff. Again, I mean, you know -- you know, I -- there
18: are lots of general discussions -- specific conversations
19: I'd have to go back -- but probably most members of the
20: White House counsel's staff.
21: Q Okay. Now, tell us, please, what you remember
22: about the content of each of these conversations with senior
23: staff since the Monica Lewinsky matter became public.
24: A Well, tell me what you're asking me, because I
25: think the content of these conversations is what specifically

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1: I want to, you know, assert executive privilege.
2: Q That's exactly what I want you to do.
3: A Okay.
4: Q In order for us to have this litigated, we have to
5: ask you and you have to claim the privilege.
6: A Okay.
7: Q So that's what I'm doing. I want to know the
8: content of every discussion you had. You said that there
9: were five or less and probably one or two with Bruce --
10: Bruce Lindsey is the name you can remember, and probably some
11: people on the counsel's staff.
12: A Yes.
13: Q Then my question to you is now: Tell the grand
14: jurors the content of those conversations, as you remember
15: them. And do you want to tell us that, or do you invoke
16: the privilege?
17: A I want to the invoke the privilege.
18: Q Great.
19: A Thank you.
20: Q Now, how many do you remember with Bruce? How
21: conversations do you remember?
22: A I remember one or two conversations with Bruce, and
23: again, it could be more, but that's what I remember right off
24: the top of my head.
25: Q All right. I understand you've been instructed

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[1] to claim attorney-client privilege for any conversations
 [2] you had with either Mr Bennett -- Bob Bennett -- or
 [3] Mr. David Kendall; is that correct?
 [4] A Mm-hmm. That's correct.
 [5] Q Having to do with Monica Lewinsky, correct?
 [6] A One conversation that relates to Monica Lewinsky
 [7] with Mr. Kendall. And I think the other one relates to
 [8] Kathleen Willey with Mr. Bennett.
 [9] Q Mr. Bennett. Okay. There are two -- there's one
 [10] conversation with Mr. Bennett and one with Mr. Kendall?
 [11] A That's as I recall them.
 [12] Q All right. Tell us the content of the each of
 [13] those conversations. First tell us the content of the
 [14] conversation with Mr. Bennett.
 [15] A Well, I -- I would like to assert the
 [16] attorney-client privilege related to that conversation
 [17] with Mr. Bennett.
 [18] Q And now tell us the content of the conversation
 [19] with Mr. Kendall about Ms. Lewinsky.
 [20] A I would like to assert attorney-client privilege
 [21] regarding the conversation with Mr. Kendall.
 [22] Q Now, before we got -- and I cut Mr. Barger off
 [23] here. Before we got kind of lost in the morass of what is
 [24] privilege and what isn't on Ms. Willey -- and I don't mean to
 [25] suggest that Mr. Barger created that morass.

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[1] MR. BARGER: Of course you don't.
 [2] BY MR. WISENBERG:
 [3] Q Are there any other -- and I'll defer to Mr. Barger
 [4] at this point. But are there any other categories -- before
 [5] do that, let me ask you: Is Mr. Bennett your attorney? Is
 [6] Bob Bennett your attorney?
 [7] A Bob Bennett is not my attorney.
 [8] Q And is Mr. Kendall your attorney?
 [9] A No, Mr. Kendall is not my attorney.
 [10] Q Okay. So is it your understanding you're being
 [11] instructed to invoke the attorney-client privilege based on
 [12] essentially the President's attorney-client privilege with
 [13] these two lawyers -- if you know?
 [14] A That's my understanding.
 [15] Q Okay. Now, there are any other categories of
 [16] privilege that you're prepared to invoke?
 [17] A I don't think so.
 [18] Q Okay.
 [19] A I think -- if it comes up, I may, you know, say it
 [20] then, but you know right off, without being asked again
 [21] specifically --
 [22] MR. WISENBERG: If Mr. Barger doesn't have any
 [23] questions, I'll ask it is okay if the witness confers with
 [24] her attorney about the Kathleen Willey, or are there some
 [25] substantive matters that you want to go over with her?

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[1] MR. BARGER: Let me -- there are a few more, and
 [2] then you want to come back to the other questions, correct?
 [3] MR. WISENBERG: Sure.
 [4] BY MR. BARGER:
 [5] Q Let me -- I'll deal with, I think, the last
 [6] topic first.
 [7] With regard to Mr. Bennett and Mr. Kendall,
 [8] where did those conversation occur? Did they occur at
 [9] their law offices, or did they occur on the grounds of the
 [10] White House -- if you recall?
 [11] A One conversation was on the telephone with
 [12] Mr. Bennett, and one conversation with Mr. Kendall was
 [13] at the house.
 [14] Q The telephone call with Mr. Bennett -- were you at
 [15] work or were you at home?
 [16] A I was at work.
 [17] Q Approximately how long did the telephone call last?
 [18] A My recollection, it was probably five minutes
 [19] or less.
 [20] Q How long ago was that conversation, approximately?
 [21] A About seven months ago -- seven or eight
 [22] months ago.
 [23] Q He initiated the call, or did you?
 [24] A Mr. Bennett initiated the call.
 [25] Q Okay. Anybody else on the phone, as far as you

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[1] knew, besides yourself and Mr. Bennett?
 [2] A Not that I'm aware of.
 [3] Q The conversation with Mr. Kendall was at the
 [4] White House?
 [5] A That's correct.
 [6] Q Was anybody else present besides yourself
 [7] and Mr. Kendall?
 [8] A I don't believe so.
 [9] Q How long did that conversation last?
 [10] A Fifteen minutes maybe.
 [11] Q I don't think I asked you, when was that
 [12] conversation approximately?
 [13] A When was the conversation with Mr. Kendall?
 [14] Q Yes, ma'am.
 [15] A In the last three or four weeks.
 [16] Q Who arranged that meeting? Was that at your
 [17] request, was that at Mr. Kendall's request, or was that
 [18] someone else's request?
 [19] A Mr. Kendall's request.
 [20] Q I may have asked -- I think I did ask you: Only
 [21] you and Mr. Kendall were present, as far as you recollect?
 [22] A That's as I recall it.
 [23] Q Let me go back to the senior staff topic that
 [24] Mr. Wisenberg covered with you.
 [25] The conversations with Mr. Lindsey -- I think we

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[1] asked you who, if anyone, else was present besides yourself
 [2] and Mr. Lindsey? In other words, were the conversations just
 [3] between the two of you, or were other people there?
 [4] A Can I step out first?
 [5] Q Sure. You bet.
 [6] A And I'll just deal with the other issue, too. I
 [7] will be brief, okay?
 [8] MR. BARGER: Okay.
 [9] MR. WISENBERG: Please knock.
 [10] THE WITNESS: Okay. I will.
 [11] MR. WISENBERG: And we'll open the door.
 [12] (Witness excused to consult with counsel from
 [13] 3:14 p.m. until 3:21 p.m.)
 [14]
 [15] MR. WISENBERG: Let the record reflect that the
 [16] witness has reentered the Grand Jury room at 3:21. Do we
 [17] have a quorum?
 [18] DEPUTY FOREPERSON: Yes, we do. Ms. Hemreich, I
 [19] need to remind you're still under oath.
 [20] THE WITNESS: Okay. Thanks.
 [21] BY MR. BARGER:
 [22] Q Ms. Hemreich, when we broke, one of the questions
 [23] I had was: Who else besides Bruce Lindsey was present, if
 [24] anybody? I think that was the one of the questions that I
 [25] had. And I think Mr. Wisenberg had another question, but

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[1] we'll deal with mine first.
 [2] And that is: Do you recall whether anyone else
 [3] besides yourself and Bruce Lindsey were present for any of
 [4] the conversations?
 [5] A I don't recall.
 [6] Q Okay. Do you recall where the conversations
 [7] occurred?
 [8] A I do recall that the conversations occurred in my
 [9] office, as I recall them.
 [10] Q Okay. At whose request did the conversations
 [11] occur?
 [12] A I don't recall that.
 [13] Q Okay. Was it your request?
 [14] A I honestly don't recall.
 [15] Q Okay. And I don't know if I -- I frankly forget if
 [16] I asked you when these conversations occurred -- how recently
 [17] the conversations with Mr. Lindsey occurred.
 [18] A I don't recall the specific date, or month even,
 [19] but it was within the last seven or eight months.
 [20] Q Okay. Now, I'm confused. I'm not going to get
 [21] into the content, but did the conversations with Mr. Lindsey
 [22] concern Monica Lewinsky, Kathleen Willey, or both?
 [23] A The specific one I'm thinking about -- well, I
 [24] think from what -- this is an area that I can -- I claim
 [25] executive privilege on.

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[1] Q Okay. I'm not going to go to the content, but let
 [2] me explain the reason I'm asking it, because I thought, as we
 [3] understood it, that the demarcation for Monica Lewinsky was
 [4] after the story broke -- which would have been on or about
 [5] January 21st or 23rd, somewhere in that area.
 [6] So given that as what you've previously indicated
 [7] as sort of your framework for invoking executive privilege,
 [8] the conversations with Bruce Lindsey -- I'm not going to ask
 [9] you the content, but did the conversation with Bruce Lindsey
 [10] concern Monica Lewinsky?
 [11] A I would like to claim executive privilege on my
 [12] conversations with Bruce Lindsey.
 [13] Q Even to as to identify the nature of the topic?
 [14] A Yes.
 [15] BY MR. WISENBERG:
 [16] Q Is this within the -- again, I want to ask you:
 [17] You mentioned executive privilege -- one of your categories
 [18] for executive privilege is discussions with senior staff post
 [19] Monica Lewinsky becoming public.
 [20] Is this Bruce Lindsey conversation meant to
 [21] fit into that privilege, or is it meant to fit into
 [22] another privilege?
 [23] A It is meant to fit into another privilege.
 [24] Q Okay. And what privilege is that?
 [25] A A privilege post, you know, July of 1997.

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[1] Q Involving senior staff?
 [2] A Involving senior staff.
 [3] Q Okay. But not having to do with Monica Lewinsky --
 [4] this particular one?
 [5] A I'd like to claim executive privilege regarding the
 [6] content of the conversation.
 [7] Q And the general subject matter?
 [8] A And the general subject.
 [9] MR. WISENBERG: Can I ask a few questions
 [10] Mr. Barger?
 [11] MR. BARGER: Yes -- well, I need to -- we need to
 [12] just finish up with --
 [13] MR. WISENBERG: Sure.
 [14] BY MR. BARGER:
 [15] Q You can come back to this. I think it will fit in
 [16] with the questions I have.
 [17] And that is: In the senior staff topic, you
 [18] identified five or less, and perhaps as few as one or two,
 [19] conversations with Bruce Lindsey. As I understand it, both
 [20] of those conversations occurred seven or eight months ago?
 [21] A I said within the last seven or eight months.
 [22] Q All right. Well, within the last seven or
 [23] eight months, can you be more specific? Did any of those
 [24] conversations occur within the last month, which would be
 [25] February of '98?

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[1] A That is in the realm of possibility, yes. I
 [2] don't -- I cannot tell you precisely when any of these
 [3] conversations took place. I don't recall. But there have
 [4] been -- well, if you'll give me a minute and let me just
 [5] think about it, honestly. But the one specifically that I am
 [6] thinking about in particular was not within the last month,
 [7] right this minute.
 [8] Q Okay. Let me go to the senior staff. You also
 [9] testified that you believe you had conversations with most of
 [10] the members in the counsel's office, I believe, or words to
 [11] that effect. Do you recall that testimony?
 [12] A Yes, I do.
 [13] Q Okay. And when you say the counsel's office, do
 [14] you mean the White House counsel's office?
 [15] A Yes, I do. I'm sorry.
 [16] Q So generally, who would these people have been, or
 [17] who were these people that you believe you had conversations
 [18] with that fall under the senior staff executive privilege
 [19] category that we had set out?
 [20] In other words, let me remind you that my questions
 [21] had to do with conversations with senior staff about the
 [22] topic of Monica Lewinsky after the story broke.
 [23] A Okay.
 [24] Q And you identified conversations with
 [25] Bruce Lindsey.

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[1] A Mm-hmm.
 [2] Q And then you identified conversations with people
 [3] in the White House counsel's office.
 [4] So now my question is: Who in the White House
 [5] counsel's office did you have conversations with, other than
 [6] Bruce Lindsey, about this topic over which you've been told
 [7] to assert executive privilege?
 [8] A I need to -- may I step out for just a minute,
 [9] please?
 [10] Q Okay. Do you understand --
 [11] A Yeah.
 [12] Q -- my question simply is --
 [13] A Who else -- yes, I understand that. And then I'll
 [14] -- then I'll get back to you.
 [15] MR. WISENBERG: Before we do that, I have a few
 [16] questions.
 [17] MR. BARGER: Yeah, go ahead.
 [18] THE WITNESS: I know. I'll be brief. I'm sorry.
 [19] BY MR. WISENBERG:
 [20] Q Let me ask you -- we're going to have to quit for
 [21] the day.
 [22] A Okay.
 [23] Q -- and ask you to come back at 9:15 in the
 [24] morning. But before we do that, I've got a series of
 [25] questions I have to ask you for the record.

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[1] Is it part of your duty to advise the President or
 [2] the senior staff on matters of national security?
 [3] A I'm sorry, would you ask that again?
 [4] Q Sure. Is it part of your duties to advise the
 [5] President or his senior staff on matters of national
 [6] security?
 [7] A No, I do not advise the President or his staff on
 [8] matters of national security.
 [9] Q Okay. Is it part of your duties to advise the
 [10] President or his staff on matters of diplomatic affairs?
 [11] A Can you be more specific in what you mean by
 [12] "advise"?
 [13] Q Give your -- are you one of the President's
 [14] advisors who advises him? I don't -- I can't give a more
 [15] specific definition than advise.
 [16] Within the White House and how it operates,
 [17] are you one of the President's advisors on matters of
 [18] diplomatic/foreign-type affairs -- diplomatic and/or
 [19] foreign affairs?
 [20] A No.
 [21] Q Are you one of the President's advisors on the
 [22] Monica Lewinsky matter?
 [23] A In what -- no.
 [24] Q Okay. Did your conversation with the President
 [25] regarding Ms. Lewinsky -- and I believe you said you had that

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[1] one conversation during the time period that you're claiming
 [2] the privilege?
 [3] A Yes.
 [4] Q Okay. Did that conversation involve national
 [5] security?
 [6] A No.
 [7] Q Did it involve state secrets?
 [8] A No.
 [9] Q Okay. Were you advising the President on an
 [10] official government matter?
 [11] A No.
 [12] Q Okay. With respect to any conversation you've had
 [13] with senior staff during the time period that you're claiming
 [14] the privilege, were you have advising senior staff on a
 [15] matter of national security or state secrets?
 [16] A No.
 [17] Q And were you advising them on official government
 [18] matters, when you were having conversations with senior
 [19] staff, about Monica Lewinsky?
 [20] A Official government matters? No.
 [21] Q We have to quit for today, but let me remind
 [22] you that you're still subject to subpoena. And we will
 [23] continue tomorrow at 9:15 a.m. And after we break right
 [24] now, Mr. Barger might very well speak with your attorney --
 [25] A Okay. Fine.

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[1] Q -- on some of these matters to help clear them up
 [2] for the record, and on scheduling.
 [3] A Okay.
 [4] MR. WISENBERG: And may the witness be excused?
 [5] DEPUTY FOREPERSON: Yes.
 [6] THE WITNESS: Thank you.
 [7] MR. WISENBERG: Thank you.
 [8] (The witness was excused.)
 [9] (Whereupon, at 3:32 p.m., the taking of the
 [10] testimony in the presence of a full quorum of the Grand Jury
 [11] was concluded.)
 [12] * * * * *
 [13]
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 [23]
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 [25]

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[1] CERTIFICATE OF REPORTER
 [2] I, Elizabeth J. Walker, the reporter for the
 [3] United States Attorney's Office, do hereby certify that the
 [4] witness(es) whose testimony appears in the foregoing pages
 [5] was first duly sworn by the foreperson or the deputy
 [6] foreperson of the Grand Jury when there was a full quorum of
 [7] the Grand Jury present; that the testimony of said
 [8] witness(es) was taken by me by stenotype and, thereafter,
 [9] reduced to typewritten form; and that the transcript is a
 [10] true record of the testimony given by said witness(es).
 [11]
 [12] Elizabeth J. Walker
 [13] Official Reporter
 [14]
 [15]
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 [24]
 [25]

Nancy Herrreich, 2/26/98

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CONDENSED TRANSCRIPT AND CONCORDANCE

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Page 1

[1] UNITED STATES DISTRICT COURT
 [2] FOR THE DISTRICT OF COLUMBIA
 [3] ----- X
 [4] In re:
 [5] GRAND JURY PROCEEDINGS
 [6] ----- X
 [7] Grand Jury Room No. 4
 [8] United States District Court
 [9] for the District of Columbia
 [10] 3rd & Constitution, N.W.
 [11] Washington, D.C. 20001
 [12] Thursday, February 26, 1998
 [13] The testimony of NANCY HERNREICH was taken in the
 [14] presence of a full quorum of Grand Jury 97-2, impaneled on
 [15] September 19, 1997, commencing at 12:12 p.m., before:
 [16] SOLOMON WISENBERG
 [17] ROBERT J. BITTMAN
 [18] JACKIE M. BENNETT, JR.
 [19] DAVID BARGER
 [20] Associate Independent Counsel
 [21] Office of Independent Counsel
 [22] 1001 Pennsylvania Avenue, Northwest
 [23] Suite 490 North
 [24] Washington, D.C. 20004
 [25]

Page 2

[1] PROCEEDINGS
 [2] Whereupon,
 [3] NANCY HERNREICH
 [4] was called as a witness and, after having been duly sworn by
 [5] the Deputy Foreperson of the Grand Jury, was examined and
 [6] testified as follows:
 [7] EXAMINATION
 [8] BY MR. BARGER:
 [9] Q Good afternoon.
 [10] A It is, isn't it? Good afternoon.
 [11] Q Thank you patiently for waiting. Ms. HERNREICH,
 [12] you are the same Ms. HERNREICH that testified yesterday
 [13] afternoon, correct?
 [14] A Yes, I am.
 [15] Q Thank you for waiting for us. I will try to
 [16] move along as rapidly as I can. I'd like to cover any
 [17] conversations you did have with the President of the United
 [18] States concerning Monica Lewinsky that occurred before
 [19] January 21, 1998.
 [20] You may recall yesterday we talked about the
 [21] four categories of privilege that were asserted and, as
 [22] I recollect, one of those concerned conversations with the
 [23] President that occurred after on or about January 21st, so
 [24] my first question is limited to any conversations you had
 [25] before that time period. Were there any conversations?

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[1] A I can remember a general conversation.
 [2] Q Okay. Can you tell us, as best you recollect, can
 [3] you relate to us the contents of the conversation?
 [4] A I remember that the President told me at some point
 [5] that Monica Lewinsky was a friend of Walter -- from New York,
 [6] the insurance man --
 [7] Q Mr. Kaye?
 [8] A Yes. Kaye. I was thinking Capps, but I knew that
 [9] wasn't right. Yes. And that's basically the only
 [10] conversation I can remember having with him prior to that
 [11] time.
 [12] Q Do you remember where this conversation occurred?
 [13] A I think it occurred in or around the Oval Office.
 [14] That's what I remember.
 [15] Q Do you remember the context? In other words, do
 [16] you remember why the topic came up?
 [17] A No. I don't remember why it came up.
 [18] Q Would it have been something you would have raised
 [19] with the President or would it have been something that he
 [20] would have raised with you?
 [21] A You know. I don't recall the context.
 [22] Q Okay. I understand. But if I can just explore
 [23] that a little bit --
 [24] A Sure. Fine. Absolutely.
 [25] Q Just to see if anything jogs your recollection.

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[1] From your testimony yesterday in describing the few instances
 [2] that you recall seeing Monica Lewinsky, is it fair to say
 [3] that it would have been unlikely that you would have raised
 [4] the topic with the President as opposed to him raising it
 [5] with you in terms of, oh, yes, Ms. Lewinsky is a friend of
 [6] Walter Kaye?
 [7] A Again, I don't recall.
 [8] Q Okay. Is that something you knew or is it
 [9] something the President told you? In other words, when you
 [10] say you had a conversation with the President about the
 [11] fact -- or words to the effect that Monica Lewinsky was a
 [12] friend of Walter Kaye, is that something you told him or he
 [13] told you?
 [14] A That was something he told me.
 [15] Q Do you recall whether this conversation occurred at
 [16] a time when Monica Lewinsky was an intern or at a time when
 [17] she was no longer an intern and worked for Legislative
 [18] Affairs or was it a time after she had left the White House
 [19] to work at the Pentagon?
 [20] A I don't recall.
 [21] Q Before the story broke, again, using that January
 [22] 21st date, did you have any conversations with anyone else
 [23] about Monica Lewinsky or conversations that concerned or
 [24] discussed or referenced Monica Lewinsky? Besides the
 [25] President in this one incident you related to us, do you

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[1] recall whether you had any conversations with anyone else
 [2] before the story broke?
 [3] A I assume that means in the entire -- from the
 [4] time --
 [5] Q The entire universe.
 [6] A Yes. Whatever. I had a conversation once with
 [7] Stephen Goodin about Monica Lewinsky.
 [8] Q Anyone else you recollect?
 [9] A Possibly others, but I can't say for certain other
 [10] than that one conversation. I feel like there probably were
 [11] others, but I can't recall specifically, you know, any other
 [12] conversations.
 [13] Q And I'll ask you about specific people in a minute.
 [14] A Okay. Sure.
 [15] Q Perhaps that will jog your recollection. Now,
 [16] briefly regarding Mr. Goodin, can you tell us the gist of the
 [17] conversation with him?
 [18] A He had told me that Ms. Lewinsky had attended
 [19] another radio address when I was not at attendance at that
 [20] particular radio address.
 [21] Q Approximately -- what was the context of this
 [22] conversation with Mr. Goodin? In other words, why did this
 [23] topic come up?
 [24] A I don't know why Mr. Goodin brought it up with me.
 [25] Q I take it, then, it was something he initiated with

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[1] you?
 [2] A Yes. He initiated it with me.
 [3] Q Can you provide any more context? In other words,
 [4] based on what you've said so far, it sounds like essentially
 [5] Mr. Goodin just sort of blurted out, "Oh, by the way, Monica
 [6] Lewinsky was at another radio address and you were not
 [7] there." I mean, can you give us any more context of why he
 [8] would volunteer or bring this information up?
 [9] A Well, I can't really speculate on why Mr. Goodin
 [10] would bring it up, honestly.
 [11] Q Aside from speculation, did you have any
 [12] understanding of why he brought it up?
 [13] A Let me think about it a minute, see if I can recall
 [14] the conversation precisely.
 [15] Q Okay.
 [16] A I can't really recall the exact conversation. I do
 [17] recall that he told me, you know, the following Monday after
 [18] I had -- I was gone over the weekend -- that she had attended
 [19] the radio address.
 [20] Q So this would have been at or near the time of the
 [21] radio address.
 [22] A I thought I said that at the beginning. I'm sorry.
 [23] Q You may have.
 [24] A I may not have. I get a little dingy every once in
 [25] a while. But it was a radio address when I was not -- she

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[1] attended a radio address when I was not in town.
 [2] Q And he let you know that she had attended the radio
 [3] address.
 [4] A Yes.
 [5] MR. WISENBERG: David?
 [6] MR. BARGER: Yes, sir?
 [7] MR. WISENBERG: Do you mind if I butt in?
 [8] MR. BARGER: Not at all.
 [9] BY MR. WISENBERG:
 [10] Q You said that you don't recall the exact words.
 [11] Tell us everything you recall about the gist of the
 [12] conversation.
 [13] A Well, that's what I was trying -- okay. Let me go
 [14] back and just say I was trying to recall the conversation per
 [15] se and what else he would have said in the conversation that
 [16] would have led me to believe why he was telling me that.
 [17] (Pause.)
 [18] I do not recall anything else that he said
 [19] specifically in that conversation that would give me any
 [20] further clues as to why he, you know, brought it all up.
 [21] MR. BARGER: Sol, more?
 [22] MR. WISENBERG: Not right now.
 [23] BY MR. BARGER:
 [24] Q Was there something about Ms. Lewinsky's status
 [25] that caused Mr. Goodin to bring this to your attention?

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[1] In other words, to let you know that Monica Lewinsky had
 [2] attended a radio address while you had not been in town?
 [3] In other words, was there some sense that people needed to be
 [4] aware that Ms. Lewinsky was coming into the White House?
 [5] Again, going back to, in essence, sort of some context as to
 [6] why he would have let you know this.
 [7] I mean, my impression -- I mean, it suggests the
 [8] possibility that it was unusual or something that someone
 [9] needed to be aware of so as to let you know that Ms. Lewinsky
 [10] was here this weekend while you were gone.
 [11] A I think Stephen always tried to keep me informed
 [12] about, you know, the comings and goings of people and he's a
 [13] very thorough young man and it's his nature to do that.
 [14] Q Fair enough, but would you -- you understand my
 [15] perspective, that it suggests that there's something --
 [16] perhaps unusual is too strong a word, but it suggests the
 [17] necessity to keep someone apprised that Monica Lewinsky is in
 [18] the White House, the fact that he's bringing it to your
 [19] attention.
 [20] A Well, again, I can't say why he told me. I think
 [21] that would be something you would have to ask him, number
 [22] one. Number two, I don't think it was unusual for him to
 [23] tell me that somebody was there or to debrief me on
 [24] situations, you know, of anybody who would come while I was
 [25] gone.

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[1] BY MR. WISENBERG:
 [2] Q Typically, aren't there a lot of people, certainly
 [3] more than one person, who witnessed these radio addresses?
 [4] A Yes.
 [5] BY MR. BARGER:
 [6] Q Did he give you a list of who else had shown up
 [7] while you were gone? Or was Ms. Lewinsky the only one he
 [8] singled out?
 [9] A I would have had that most likely in my briefing
 [10] notes, so I could have reviewed that.
 [11] Q Would you have also had Ms. Lewinsky in your
 [12] briefing notes?
 [13] A I don't recall.
 [14] Q Would you normally have the names of the people who
 [15] went to the radio address in your briefing notes?
 [16] A Yes, I would have normally had that.
 [17] Q But, again, being a good employee, he felt it
 [18] necessary to single her out and let you know she had been
 [19] there.
 [20] A He let me know.
 [21] Q For whatever reason.
 [22] A I don't know if singling out is a good enough word
 [23] and he may have told me about a half a dozen other people
 [24] that were there that day that he brought to my attention. So
 [25] singling out is not a word that I would necessarily say.

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[1] Q Okay. You mentioned Mr. Goodin. Let me turn
 [2] your attention to some specific individuals. I alluded to
 [3] that I might ask you some specific people. How about
 [4] Betty Currie? Have you ever had any conversations with
 [5] Betty Currie about Monica Lewinsky or Monica Lewinsky related
 [6] matters?
 [7] A Well, I feel certain I have but, you know, I
 [8] can't -- I was sitting here trying to think of a specific
 [9] conversation I may have had with Betty Currie about Monica
 [10] Lewinsky and I can't come up with one that I've had, but I
 [11] feel like I surely have had a conversation with her about
 [12] Monica Lewinsky or the Monica Lewinsky matter.
 [13] Q Okay. But you can't recall any specific
 [14] conversation, but believe you generally have conversed about
 [15] it?
 [16] A Yes.
 [17] Q All right. Using again the January 21st date as
 [18] sort of a reference point, do you recall after the story
 [19] broke, do you recall whether -- and I believe it might have
 [20] been a Friday -- that Betty Currie either left work early or
 [21] didn't come to work? So it would have been around Friday the
 [22] 23rd, I believe. Do you recall that incident where Betty
 [23] didn't come in on that Friday or left work early on that
 [24] Friday?
 [25] A Yes, I do.

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[1] Q Do you recall whether you did anything to attempt
 [2] to contact Ms. Currie?
 [3] A I might have. There were periods in that time when
 [4] she didn't come to work that if she hadn't called me, I might
 [5] have called her. I don't remember if it was that day or
 [6] another day. And just said, you know, "Just check in with
 [7] me, let me know what you're doing."
 [8] Q Okay. Do -- I'm sorry did you finish?
 [9] A Yes. "Just if you're going to be at work or, you
 [10] know, not going to be able to be at work today."
 [11] Q Do you recall whether you attempted to or beeped
 [12] Mrs. Currie on that Friday, the 23rd of January?
 [13] A I don't recall if I paged her that Friday.
 [14] Q Okay. Has anybody at the White House shown you or
 [15] let you review various telephone records?
 [16] A I don't believe I have reviewed any telephone
 [17] records.
 [18] Q Okay. Do you recall whether you paged Ms. Currie
 [19] around that time period after the story had broken?
 [20] A I paged her at least once and maybe more than once
 [21] in that time.
 [22] Q Do you recall the message that you sent her when
 [23] you paged her?
 [24] A I think I had told her to call me as soon as she
 [25] could.

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[1] BY MR. WISENBERG:
 [2] Q Ms. Herreich, would that have been a page that you
 [3] sent or a message that you sent relatively soon after the
 [4] morning where Ms. Currie came in early, left and left a
 [5] message that she was going to be talking with her attorney?
 [6] A I don't recall.
 [7] Q Do you recall who, if anybody, asked you to page
 [8] her?
 [9] A I don't recall that anybody asked me to page her.
 [10] Q Do you recall why you wanted to talk to her as soon
 [11] as possible?
 [12] A I don't recall why I wanted to talk to her as soon
 [13] as possible.
 [14] MR. WISENBERG: That's all I have right now on that
 [15] topic.
 [16] BY MR. BARGER:
 [17] Q Assume that the pager message basically said call
 [18] me ASAP, do you recall whether there was any other incident
 [19] on that Friday time period that would have occupied your
 [20] attention besides the Monica Lewinsky matter? In other
 [21] words, by process of elimination, is it fair to say that
 [22] likely you paged Mrs. Currie in relation to the Monica
 [23] Lewinsky matter?
 [24] A No, I would not say it was likely.
 [25] Q And why not?

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1 A Well, I think -- she was out and there could have
2 been, I think, a dozen things or a hundred things that I may
3 have needed to find out about that she would know that I
4 wouldn't know that I would have to call her about or need to
5 talk to her about.
6 Q I understand there could be, obviously given the
7 positions you and she held, literally hundreds and perhaps
8 more possibilities, but you understand the context is that
9 this message came to her from you shortly after she left the
10 White House and left messages that she was going to meet with
11 her lawyers, after the story had broken, okay? Do you
12 understand that?
13 A Okay. Well, you're making an assumption that she
14 had left me that message and I'm not positive of that for
15 that day. I just -- I don't recall if she had left me a
16 message that day and you had said something also about her
17 coming in early. I don't recall that she had come in early
18 or left me messages or notes or anything.
19 BY MR. WISENBERG:
20 Q You don't recall if the day on which you paged her
21 and said something to the effect of call me as soon as
22 possible was the same day that she came in and left a message
23 that she was talking to her attorney?
24 A No, I don't recall if it was the day she had left a
25 message to that effect.

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1 BY MR. BARGER:
2 Q Are you confident in your recollection that no one
3 asked you to page her?
4 A I don't recall anybody asking me to page her. No.
5 Q And I don't mean to -- I don't want to play
6 semantics, when I say no one asked you to page her, I don't
7 mean someone used those exact words, but suggested, implied,
8 encouraged, you know, cover the broad spectrum here to make
9 sure we're not letting something fall through the cracks.
10 Did anyone in any way suggest or encourage or ask or implore,
11 whatever the right verb would be, to cause you to page
12 Ms. Currie?
13 A I don't recall that anybody had done that.
14 Q Would that have been the kind of thing you would
15 recall, if someone had done that? I mean, in other words,
16 are you fairly confident that no one did?
17 A Well, again, there were quite a few days that she
18 was out. There were periods of time that I didn't know what
19 she was doing or I hadn't received a direct message from her
20 and I would have -- you know, so I can't tell you, you know,
21 if it was a day that somebody -- you know, even somebody in
22 the office may have said something to me, but I can't say for
23 sure if it was that day or if anybody ever said anything.
24 There were four or five days in a row, I think, she was out
25 at least, maybe longer.

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1 Q And that four or five days in a row, this is the
2 time period after the story broke, right after the story
3 broke, right?
4 A That's right.
5 Q Just to follow up on your answer, was there anyone
6 who suggested any concern over Mrs. Currie's absence?
7 Besides yourself. And I'm not suggesting you expressed some
8 concern, but was there anyone who expressed any concern about
9 Mrs. Currie being gone during this time period right after
10 the incident became public?
11 A I think there was certainly concern for Betty
12 personally.
13 Q And who expressed that concern?
14 A Well, I think most of her friends in the White
15 House expressed concern for her personally.
16 Q Did those friends in the White House expressing
17 concern include the President?
18 A I don't recall if he said anything to me
19 specifically along those lines.
20 Q When you say "specifically along those lines," and,
21 again, I want to try to cover the universe here. Did he in
22 general express concern for Ms. Currie's well being or her
23 whereabouts, given the fact that she was gone for a number of
24 days right after this story broke?
25 A It would be in the President's nature to express

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1 concern about somebody's well being, not so much her
2 whereabouts as her well being.
3 Q In the same vein as the paging topic, the same vein
4 being telecommunications, my segue, do you recall ever having
5 any conversations with Vernon Jordan about the Monica
6 Lewinsky matter?
7 A I don't recall ever having any conversations with
8 Vernon Jordan about the Monica Lewinsky matter.
9 Q Okay. In general, did you have conversations with
10 Mr. Jordan -- I guess let me back up. Were there occasions
11 when Mr. Jordan would call the President?
12 A Yes. There were occasions when Mr. Jordan would
13 call the President.
14 Q And on some of these occasions, would you put
15 Mr. Jordan through to the President? Would you be the
16 facilitator or the intermediary? I don't know what the right
17 word would be.
18 A Yes. There would be occasions I'd put him through.
19 Q All right. On those occasions, would you talk to
20 Mr. Jordan or would you just simply, "Hello, Mr. Jordan, I'll
21 get the President?" I don't know what the right procedure
22 is, but would you have occasion to talk to Mr. Jordan about
23 anything substantively?
24 A What do you mean by substantively?
25 Q Well, what I'm getting at is if Mr. Jordan called

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1 the President, perhaps they had a conversation, but it is
2 possible that if he is calling the President through you,
3 perhaps you had a conversation with Mr. Jordan as well and
4 so that's the part of it I'm asking about. Did you have any
5 conversations with Mr. Jordan when he would call the
6 President?
7 A Yes. I would have conversations with Mr. Jordan
8 when he would call the President.
9 Q Did any of those conversations with Mr. Jordan
10 relate in any way to the Monica Lewinsky matter?
11 A No. I don't recall any conversations with Vernon
12 Jordan regarding the Monica Lewinsky matter.
13 Q Or the Paula Jones lawsuit matter.
14 A I don't recall any conversations with Vernon Jordan
15 regarding the Paula Jones lawsuit matter.
16 Q Do you have any recollection of Mr. Jordan calling
17 the President of the United States between the time period of
18 December 1997 through the end of January 1998? Do you recall
19 Mr. Jordan calling the President during that two-month
20 period?
21 A Yes, I do recall Mr. Jordan calling the President
22 in that two-month period.
23 Q Do you have any recollection of approximately how
24 many times Mr. Jordan called the President during that
25 two-month period of which you would have knowledge, meaning

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1 somehow you're helping place the call or putting him through
2 or whatever?
3 A I remember two phone calls.
4 Q In any of those instances, did you have any
5 conversation with Mr. Jordan?
6 A I don't recall any conversations with Mr. Jordan.
7 Q When Mr. Jordan called the President, would he
8 relate to you the nature of the phone call or the nature or
9 the purpose of the phone call? Would he let you know why
10 he's calling the President, for example, or is that something
11 you would not know, you just put the call through?
12 A Sometimes he would. Sometimes he wouldn't. But
13 there were times he might do it.
14 Q Okay. As best you recollect, generally, the times
15 when Mr. Jordan did let you know the purpose or the nature of
16 the phone call, what were those purposes?
17 A Well, I'd say that he would say the purpose of it,
18 but it would always be somewhat vague. It would be Vernon's
19 nature to be a little obtuse about it and not be specific.
20 Q Okay. In light of your earlier answers, though,
21 as best you recollect whatever purposes he gave you, they
22 did not relate to Monica Lewinsky or the Paula Jones lawsuit
23 matter. Is that fair to say?
24 A That's fair to say. You're asking me if those
25 conversations related to that and I had earlier said they did

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[1] not, at least that I could tell.
 [2] Q Okay. Yesterday, I did a very brief bit of
 [3] background with you in terms of your coming to work for the
 [4] President. You basically started working for the President
 [5] when he was governor in about 1985, I believe, correct?
 [6] A In a paid position, yes.
 [7] Q Now, when you say in a paid position, had you done
 [8] some volunteer work earlier for Mr. Clinton?
 [9] A Yes, I had.
 [10] Q That was in the nature of assisting on campaigns?
 [11] A That's correct.
 [12] Q And that was not uncommon, for you to assist in
 [13] various campaign efforts for different candidates, is that
 [14] fair to say?
 [15] A That's fair to say.
 [16] Q Okay. Is that how you came to the attention of the
 [17] governor's office for employment there, through your campaign
 [18] volunteer work?
 [19] A Well, possibly. In part, I think.
 [20] Q All right. When you came to work for the governor,
 [21] as I understand it, basically you had a friend who was
 [22] leaving the position you ended up taking over and she called
 [23] you? Is that generally --
 [24] A No, say that again.
 [25] Q Let me back up. As I understand it -- strike what

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[1] I understand. Did you have a friend that worked for Governor
 [2] Clinton by the name of, I believe, Carol Rascoe?
 [3] A Yes.
 [4] Q And Carol was leaving a position and called you to
 [5] see if you were interested in taking the position as
 [6] appointment secretary, I believe?
 [7] A No. Well, it was another position she had called
 [8] me about. It wasn't the scheduling secretary position.
 [9] Q Had you come to Carol's attention through your
 [10] campaign volunteer work or was your friendship or whatever
 [11] relationship with her something that was independent of sort
 [12] of the campaign work?
 [13] A I think -- and you might have to ask her this, but
 [14] I believe that -- we got to know each other, I came to her
 [15] attention through -- not through the campaign, but through
 [16] other work I was doing.
 [17] Q And you have worked for the President either as
 [18] governor or as president for about the last 13 years, 12, 13
 [19] years?
 [20] A In a paid position.
 [21] Q I'm sorry?
 [22] A There was a lot of work in unpaid positions.
 [23] Q As I recollect it, you and your husband had both
 [24] done volunteer campaign work in the '70s before you got your
 [25] paid position.

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[1] A That's right.
 [2] Q During the 13 years that you have worked for the
 [3] President, how would you characterize your dealings with him?
 [4] In other words, friends, close friends, strictly business
 [5] associates or colleagues? I mean, how would you perceive
 [6] your dealings with him?
 [7] A I perceive my dealings with him primarily business
 [8] related. I feel like we probably started as friends, but I
 [9] perceive our relationship as a business relationship.
 [10] Q During the time you have worked at the White House,
 [11] did you ever hear any rumors or suggestions that the
 [12] President had a possible romantic involvement or a romantic
 [13] interest or sexual relationship with Monica Lewinsky?
 [14] A No.
 [15] Q When those allegations became public, were you
 [16] surprised by those allegations?
 [17] A Yes, I was.
 [18] (Pause.)
 [19] MR. WISENBERG: We're going to go five more
 [20] minutes.
 [21] MR. BARGER: Could I have your indulgence for just
 [22] a second?
 [23] (Pause.)
 [24] MR. BARGER: I have nothing else, but Mr. Wisenberg
 [25] has a few questions.

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[1] THE WITNESS: Okay.
 [2] BY MR. WISENBERG:
 [3] Q Ms. Herrreich, I want to go back briefly to the
 [4] report you got from Mr. Goodin about Ms. Lewinsky in relation
 [5] to the radio address.
 [6] Do you recall whether Mr. Goodin mentioned
 [7] something to this effect or reported to you that
 [8] Ms. Lewinsky -- that he had found Ms. Lewinsky hanging
 [9] around the area of Betty Currie's desk after the radio
 [10] address, that he informed the President of that and then
 [11] he witnessed Ms. Currie escort Ms. Lewinsky into the Oval
 [12] Office? Do you remember him reporting that or anything like
 [13] that to you?
 [14] A No, I don't remember him reporting that.
 [15] Q Did you hear something like that from anybody?
 [16] A No, I didn't hear that from anybody.
 [17] Q You said you didn't hear any rumors of a
 [18] relationship prior to this becoming a nationwide story.
 [19] You heard no rumors of a relationship, personal, social,
 [20] sexual between Ms. Lewinsky and the President, is that
 [21] correct?
 [22] A That's correct.
 [23] Q Were there rumors about Ms. Lewinsky being what's
 [24] called a clutch? Had you heard any rumors about that during
 [25] either her time working the White House or in the Pentagon?

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[1] do you know what I mean --
 [2] A I know what you mean by a clutch and I'm trying to
 [3] think about that and think if that's -- if I can honestly
 [4] answer yes to that. That's what I'm thinking about. I think
 [5] the answer would be yes.
 [6] Q Do you know who you heard those rumors from?
 [7] A The person that I can remember thinking that or
 [8] having a sense of that was Evelyn Lieberman.
 [9] Q Do you remember any conversation, the gist of any
 [10] conversation, she had with you about that topic?
 [11] A No, I don't remember the gist of any conversation
 [12] she had with me about it.
 [13] Q And what is your definition of a clutch?
 [14] A Well, I'm not sure. That's why I had to spend some
 [15] time thinking about that, what my definition of a clutch
 [16] would be or whether I would say that. I think it would have
 [17] been more Evelyn's definition and it was a sense that maybe
 [18] I think Evelyn thought that she was around too much or -- I
 [19] just think that's generally what she -- that she was maybe a
 [20] little flirtatious.
 [21] I think that's Evelyn -- I think, again, you would
 [22] have to ask Evelyn what she thought, but Evelyn had a general
 [23] sense that she was around too much, I think.
 [24] Q Okay. That Monica Lewinsky was around the West
 [25] Wing and Oval Office too much, is that a fair statement?

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[1] A I think the statement would be not that -- I don't
 [2] believe that is a fair statement, that's my answer.
 [3] Q Around the West Wing too much?
 [4] A Possibly. But I think you'd have to ask Evelyn
 [5] what she thought about that, because I did not have a long
 [6] conversation with her, but I just had the sense she felt that
 [7] or thought that, so -- we're into areas that -- you know, I
 [8] don't want to characterize what Evelyn thought or felt about
 [9] it.
 [10] Q I don't want you to, either, except to the extent
 [11] that you got an impression based upon something Evelyn
 [12] Lieberman told you.
 [13] A But you're getting very specific about things that
 [14] I -- I'm sorry, I just can't tell you.
 [15] Q And what is it that you remember, to the best of
 [16] your recollection, about what Evelyn Lieberman conveyed to
 [17] you about her concerns regarding Monica Lewinsky?
 [18] A I don't think Evelyn specifically conveyed
 [19] anything, or at least she certainly didn't verbally or any
 [20] long sentences, I just had a sense that Evelyn didn't like
 [21] her, didn't -- for some reason or another.
 [22] Q And somehow that was related to her being
 [23] flirtatious and hanging around too much.
 [24] A Again, I think you really would have to ask Evelyn
 [25] that because I got the sense Evelyn didn't like her and

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[1] without having long specific or any conversations that I can
 [2] recall with Evelyn about it then -- but, you know, it could
 [3] have just been facial expressions. I don't know what. I
 [4] just had the sense Evelyn didn't like her.
 [5] Q Okay. You had mentioned the word flirtatious.
 [6] though.
 [7] A Well, that was the sense that I got from Evelyn,
 [8] but, again, I'm characterizing -- I hate to characterize
 [9] something that Evelyn -- you know, this would have to come
 [10] Evelyn, her feeling about it. I did not have those feelings
 [11] and here I am trying to characterize what Evelyn felt or
 [12] thought.
 [13] Q But you got that sense.
 [14] A I got the sense from Evelyn that she did not like
 [15] her.
 [16] Q As gatekeeper, you described your role as
 [17] gatekeeper, given what you do, officially and unofficially,
 [18] given your self-described role as gatekeeper, would a clutch,
 [19] a person who I've described as a clutch, have a reason to
 [20] avoid you?
 [21] A I don't know whether they would or not.
 [22] Q In other words, let's say that I am a person who
 [23] wants face time with the President. Let's say I'm a person
 [24] that wants face time with the President. I'm trying to
 [25] figure out how I can get around the President. Based on your

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[1] knowledge of what you do, your role, would I want to try to
 [2] get around the President when you weren't there? Would it be
 [3] easier for me to try to get face time with the President when
 [4] Ms. Herrreich was not at her desk?
 [5] A I don't know. That's hard for me to say because if
 [6] I'm not there and can't observe that, then I can't tell if
 [7] that's easier for someone to do when I'm not there or not.
 [8] I can't tell you that.
 [9] Q Well, assuming that it would be easier if you
 [10] weren't there, what would your answer be?
 [11] A Assuming that -- now, start all over. Assuming
 [12] it's easier --
 [13] Q Let me stop and rephrase. If you see somebody who
 [14] is known as a clutch hanging around the Oval Office and they
 [15] don't have a good reason to be there, are you going to do
 [16] something about it?
 [17] A Not always.
 [18] MR. WISENBERG: Shall we break for lunch?
 [19] MR. BARGER: Can I just follow up? Just two more
 [20] questions having to do with the Vernon Jordan topic.
 [21] BY MR. BARGER:
 [22] Q Did you know anything about or had you heard, did
 [23] you have any understanding about any efforts by Mr. Jordan to
 [24] assist Monica Lewinsky in locating employment or getting a
 [25] job?

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[1] A Would you ask me that again? I just want to make
 [2] sure that I was --
 [3] Q Sure. Did you know of any efforts by Mr. Jordan to
 [4] assist Monica Lewinsky in locating employment or getting a
 [5] job?
 [6] A No, I did not know of any efforts.
 [7] Q And when I say know, let me broader. Did you
 [8] have any understanding, had you heard, were you aware of,
 [9] that kind of thing, beyond just, for example, talking to
 [10] Mr. Jordan directly, had you heard any information from any
 [11] sources that Mr. Jordan was attempting to assist Monica
 [12] Lewinsky in locating a job?
 [13] A No, I don't -- I had no knowledge of any sort about
 [14] Mr. Jordan helping Monica Lewinsky get a job. Does that
 [15] answer your question?
 [16] Q Yes. And last, going back to the telephone calls,
 [17] when I asked you about calls from Mr. Jordan, I didn't ask
 [18] the other half of the equation. During that same time
 [19] period, December '97 through January '98, did you place any
 [20] calls to Mr. Jordan on behalf of the President?
 [21] A Yes, I did.
 [22] Q Okay. Approximately how many do you recall doing
 [23] for the President in that time period? Give us a range.
 [24] A One or two.
 [25] Q Okay. Did the President indicate generally to you

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[1] the nature of the phone call, the purpose of the phone call?
 [2] "Can you get Mr. Jordan on the line, I want to talk to him
 [3] about X." Can you tell us basically what the President told
 [4] you to do?
 [5] A He did not indicate what he wanted to talk to
 [6] Mr. Jordan about.
 [7] Q Can you just sort of give us the gist? What would
 [8] he say? Just "Get Mr. Jordan on the line"?
 [9] A Yes.
 [10] Q Or words to that effect?
 [11] A Yes. "Get Vernon on the phone for me."
 [12] Q Did he give you any indication at all what the
 [13] subject matter was? He being the President.
 [14] A No, he did not give me any indication whatsoever as
 [15] to the subject.
 [16] Q And I guess last, just to follow up on Mr.
 [17] Wisenberg, if a clutch wanted to be smart, would they attempt
 [18] to avoid you?
 [19] A You're asking me a question that I can't answer.
 [20] I mean, you'd have to ask a clutch that rather than me.
 [21] Q I understand, but from your perspective, it would
 [22] be smarter for the clutch to attempt to avoid you.
 [23] A I don't know that. I mean, again, I'm not there
 [24] when -- if they're avoiding me, then obviously I'm not there
 [25] when they're there to observe their behavior and when I make

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[1] a judgment about something, I'm observing behavior.
 [2] MR. BARGER: Okay.
 [3] Questions by the grand jury?
 [4] MR. WISENBERG: Are there any questions before
 [5] I give an admonition?
 [6] Let me ask you if you could step outside for just a
 [7] few moments and we'll come get you.
 [8] THE WITNESS: Okay.
 [9] (Witness excused. Witness recalled.)
 [10] BY MR. WISENBERG:
 [11] Q Ms. Herrreich, we have some additional questions
 [12] that the grand jurors have asked us to ask you.
 [13] A Okay.
 [14] Q When Mr. Goodin told you about this radio address,
 [15] that Monica Lewinsky had been at the radio address, is that
 [16] something he came to tell you or was it in passing?
 [17] A It's my recollection that he came to tell me that.
 [18] Q Did you yourself have the impression based upon
 [19] your witnessing of her that Monica Lewinsky was a clutch?
 [20] A I did not see Monica very much and so it would have
 [21] been hard for me to have that sort of judgment on the few
 [22] times I actually saw her.
 [23] Q And let me rephrase the question and ask did you
 [24] have the impression that she was a clutch based upon your
 [25] witnessing of her and things you had heard about her?

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[1] A I don't think I thought of her very much at all,
 [2] one way or the other. And let me just say to clarify, I
 [3] think clutch is way too strong a word.
 [4] Q Okay. Did you, based upon your viewing of her and
 [5] things you heard about her, have the impression that she was
 [6] somebody who hung around the West Wing too often?
 [7] A I didn't see her very much in the West Wing at all,
 [8] so I would not say that I thought she hung around the West
 [9] Wing too often. I just never saw her there.
 [10] Q The question was based both on what you saw and
 [11] what you heard, did you have an impression of her as somebody
 [12] who hung around the West Wing too often?
 [13] A No, I didn't.
 [14] Q Okay. I asked you a question earlier, or somebody
 [15] did, about whether or not you had heard any rumors before
 [16] this became a public matter about a personal, sexual,
 [17] romantic relationship between Ms. Lewinsky and the President
 [18] and your answer was that you had not. I'm going to ask you a
 [19] slightly different question now.
 [20] Based upon any incidents that you witnessed or
 [21] heard about, incidents that you witnessed or heard about, did
 [22] you come to a feeling or conclusion that there may have been,
 [23] possibly, a personal, social or sexual relationship between
 [24] Ms. Lewinsky and the President?
 [25] A No.

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[1] Q Is it the policy, you're part of the Executive
 [2] Office of the President, to only page people or call people
 [3] at home for matters of urgency?
 [4] A No.
 [5] Q If you were a clutch, would you try to avoid you?
 [6] A (Laughter.)
 [7] Q It would be physically impossible --
 [8] A Oh, that's funny.
 [9] MR. BARGER: A metaphysical question.
 [10] BY MR. WISENBERG:
 [11] Q If you were a clutch, would you try to avoid
 [12] somebody like you?
 [13] A If I was a clutch, would I avoid somebody like me?
 [14] Well, part of me wants to say I hope not. I don't know,
 [15] honestly. You know that's a difficult question for me to
 [16] answer and I hope I'm not that frightening.
 [17] Q Would you characterize yourself as tougher than
 [18] Betty Currie?
 [19] A Yes, I would characterize myself as tougher than
 [20] Betty Currie.
 [21] Q If there were people where they shouldn't be, for
 [22] instance, in the White House, would it be fair to say --
 [23] including the area around Betty Currie's desk and your desk,
 [24] I take it you would be more likely than Betty Currie to tell
 [25] them to get lost?

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[1] A Yes, that's correct.
 [2] Q Okay. How often did you witness Ms. Lewinsky
 [3] spending time around Betty Currie?
 [4] A You know, I don't recall any incidences of her
 [5] hanging around Betty Currie.
 [6] Q Okay. Or with -- I guess hanging around is kind of
 [7] a loose word. In the presence of Betty Currie.
 [8] A I don't recall any.
 [9] Q Okay. I had asked you a question about if you saw
 [10] a person who had a reputation as a clutch in an area around
 [11] the Oval Office and they didn't have a reason for being
 [12] there, would you basically get rid of them, make sure they
 [13] went away, and you said "Not always."
 [14] What would be the circumstances in which you
 [15] wouldn't necessarily get rid of them? I don't mean
 [16] permanently get rid of them, get rid of them at the time.
 [17] A Well, I would try to be more human about it, I
 [18] think, and look at the person. Hopefully, if I felt like
 [19] they were somebody -- even if they're a clutch and they're
 [20] kind of in a troubled time or something, hopefully I would be
 [21] more gentle about it and more understanding for what kind of
 [22] person they are.
 [23] Q Okay. Are you saying that you would not
 [24] necessarily right then go up and say "Leave this area," that
 [25] you might speak to them later about it?

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[1] A No, that's not what I'm saying at all.
 [2] Q Okay. Tell us --
 [3] A Well, I may not say anything. I think if the
 [4] person is somebody who -- I mean, you have to make a judgment
 [5] about those things and if they're somebody who's having -- I
 [6] would look at what's going on with them, if it's somebody
 [7] who's having maybe a hard time or somebody who's insecure or
 [8] somebody -- you know, I really wouldn't want to scare
 [9] somebody, I wouldn't want to intimidate somebody in some way
 [10] that would cause them to feel badly about themselves, and so
 [11] I try to look at the person. If they're not causing any harm
 [12] at all, I mean, then I don't see any point in doing it, if
 [13] they're not.
 [14] Q Okay. So you might continue to let a person like
 [15] that hang around the Oval Office area, even if they didn't
 [16] have a reason to be there and they had a reputation as a
 [17] clutch?
 [18] A Possibly. Yes.
 [19] Q Any other reason you might continue to let them do
 [20] that?
 [21] A I'm sure there are probably -- you know, in each
 [22] day, there's probably -- you know, somebody who comes by that
 [23] probably doesn't belong there at least and, you know, it's
 [24] not -- there are all kinds of reasons every day that I
 [25] wouldn't push somebody out of there.

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[1] Q Any other that you can think of? Any other
 [2] particular reasons you can think of that you wouldn't have a
 [3] person like that leave the area?
 [4] A Well, I wouldn't have somebody leave that area if
 [5] there wasn't a thousand other people in there. I mean, if
 [6] there wasn't anybody else in there that they were disturbing
 [7] or there wasn't a huge meeting going on or people weren't
 [8] walking back and forth trying to go between the Cabinet Room
 [9] and the Oval Office.
 [10] I mean, there are all kinds of reasons. If they're
 [11] not causing any harm, they're not creating a disturbance or
 [12] potentially creating a disturbance, then if they were in
 [13] there and they want to talk to Betty or if they want to talk
 [14] to either Stephen or Chris, the two aides, or they're coming
 [15] to get a piece of candy or -- you know, they just are lonely.
 [16] Especially Betty who is like the nicest person in the world
 [17] and a lot of people come in and talk to her all the time.
 [18] And that's -- you know, just people who are visiting. That's
 [19] what I view it and I don't -- there's no reason for me to --
 [20] Q Any reasons you can think of, other than the ones
 [21] you've articulated, why you would let a person like that stay
 [22] in the area?
 [23] A There probably are but, you know, it's not
 [24] something I really have spent a lot of time thinking about.
 [25] I make decisions daily, lots of decisions daily, and I make

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[1] each one of them personally and hopefully they're right.
 [2] Q But are there any other reasons you can think about
 [3] right now?
 [4] A That I would not have somebody leave?
 [5] Q Right.
 [6] A I can't think of any, but, again, there are
 [7] probably hundreds of them. Honestly.
 [8] Q I believe you answered this yesterday, but in case
 [9] you haven't, did you ever see Monica Lewinsky alone with the
 [10] President?
 [11] A I have never seen Monica Lewinsky alone with the
 [12] President.
 [13] Q All right. Did you ever see Monica Lewinsky in a
 [14] room with the President where nobody else was in that room?
 [15] A Did I ever see Monica Lewinsky in a room with the
 [16] President? I don't recall seeing Monica Lewinsky in a room
 [17] with the President when nobody else was there.
 [18] Q All right. Is that something you would be likely
 [19] to recall?
 [20] A I think I would recall it if I had seen it.
 [21] Q All right. Have you ever heard that Monica
 [22] Lewinsky was in a room with the President and nobody else was
 [23] there in that room?
 [24] A No, I've never heard of a time that Monica Lewinsky
 [25] was alone in a room with the President with nobody else

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[1] there.
 [2] Q Have you ever seen Monica Lewinsky leave a room
 [3] where the President was or where you thought the President
 [4] was?
 [5] A Well, she left the room, the Oval Office, the day
 [6] of the radio address and the President was still in there, I
 [7] believe.
 [8] Q There were others in there, too.
 [9] A As I recall.
 [10] Q Okay. Have you ever seen her leave a room where
 [11] you thought the President was and nobody else was there?
 [12] A Have I ever seen Monica Lewinsky leave a room that
 [13] I thought the President was there and nobody else was there?
 [14] I'd have to say that I would -- the answer to that might be
 [15] yes and there's kind of a fine difference between that and
 [16] some of the other ways you've asked the question.
 [17] Q Okay. Tell us about that.
 [18] A Well, I don't know -- it's hard to know because you
 [19] don't always see the President at all times whether he's
 [20] alone or not and there are other ways to get into all areas
 [21] of the White House or into the Oval Office area. But I think
 [22] the night that she brought us food, I let her take some food
 [23] to the President but I don't know for sure if they were alone
 [24] or not and she wasn't in there but about two minutes or three
 [25] minutes, that I recall.

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[1] Q That was the Oval Office?
 [2] A I don't know if it was -- it was in the Oval Office
 [3] area.
 [4] Q Okay. Could it have been in the study or the
 [5] dining room?
 [6] A It could have been either the study or the dining
 [7] room.
 [8] Q You're not sure which?
 [9] A No, I'm not sure which.
 [10] Q All right. And you saw her leave, at some point
 [11] leave the area?
 [12] A As I recall, it was just a few minutes and Betty
 [13] and I were on the outside and she offered and I let her go
 [14] back and take the food.
 [15] Q How many is a few?
 [16] A A few minutes? My recollection, it was two or
 [17] three, four.
 [18] MR. WISENBERG: Shall we break for lunch? I
 [19] thought that I could finish before then, but I don't think
 [20] I'm going to be able to. Shall we break for lunch?
 [21] THE DEPUTY FOREPERSON: Yes.
 [22] MR. WISENBERG: When should we tell the witness to
 [23] return?
 [24] THE DEPUTY FOREPERSON: 2:15.
 [25] MR. WISENBERG: Okay. May the witness be excused?

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[1] THE DEPUTY FOREPERSON: Yes.
 [2] THE WITNESS: 2:15, did you say?
 [3] THE DEPUTY FOREPERSON: Yes.
 [4] THE WITNESS: Okay.
 [5] (The witness was excused.)
 [6] (Whereupon, at 1:10 p.m., the taking of testimony
 [7] in the presence of a full quorum of the Grand Jury was
 [8] concluded.)
 [9] * * * * *

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

----- x
UNITED STATES OF AMERICA :
 :
v. :
 :
GRAND JURY PROCEEDINGS :
----- x

Grand Jury Room No. 3
United States District Court
for the District of Columbia
3rd & Constitution, N.W.
Washington, D.C. 20001

Wednesday, March 26, 1998

The testimony of NANCY HERRREICH was taken in the presence of a full quorum of Grand Jury 97-2, impaneled on March 29, 1997, commencing at 2:35 p.m., before:

DAVID BARGER
MICHAEL EDMICK
SOLOWOW WISENBERG
Associate Independent Counsel
Office of Independent Counsel
1001 Pennsylvania Avenue, N.W.
Suite 490 North
Washington, D.C. 20004

1 Q And that is what?
2 A I'm Deputy Assistant to the President and Director
3 of Oval Office operations.
4 Q Sometimes known as the gatekeeper.
5 A Sometimes, yes.
6 Q In a non-pejorative way.
7 A Yes.
8 Q You've made two prior appearances before this grand
9 jury, I believe, on February 25th and then again on February
10 26th. In the course of those appearances, you were
11 instructed by counsel to invoke certain privileges, correct?
12 A Correct.
13 Q In general, having to do with executive privilege
14 for certain conversations and attorney-client privilege with
15 regard to other conversations.
16 A That's correct.
17 Q All right. As you understand it today, have you
18 been instructed to invoke privilege with regard to any of the
19 conversations that you had been instructed to invoke
20 privilege on previously, or are you now free to answer
21 questions about those conversations?
22 A I am now free to answer questions about those
23 conversations.
24 Q And just as a refresher for the grand jury, can you
25 tell us a little bit about who it was and what your

PROCEEDINGS

1 Whereupon,
2
3 NANCY HERRREICH
4 was called as a witness and, having been first duly sworn by
5 the Foreperson of the Grand Jury, was examined and testified
6 as follows:

EXAMINATION

BY MR. BARGER:

8 Q Good afternoon.
9 A Good afternoon.
10 Q You may recall me. I'm David Barger.
11 A I do recall you.
12 Q How are you today?
13 A I'm fine, thank you.
14 Q I appreciate you coming back. I know you have to
15 come back, but we still appreciate you coming back.
16 A Thank you.
17 Q It's been a while since we last spoke, so I'd ask
18 you to identify yourself for the record and for the members
19 of the grand jury.
20 of the grand jury.
21 A My name is Nancy Herrreich.
22 Q And, Ms. Herrreich, you are employed at the White
23 House.
24 A That's correct.
25 Q Same position as when we last spoke.
26 A Yes.

1 understanding of the circumstances was that led you to be
2 told to invoke privilege and now you're not invoking
3 privilege? In other words, tell us why it was you invoked
4 privilege previously.
5 A So I should tell you why I invoked privilege
6 earlier. The circumstances surrounding that, what led up to
7 it? Is that what you're asking?
8 A Right. I mean, in essence, you were told to invoke
9 privilege and couldn't answer certain questions because you
10 were told to.
11 A Mm-hmm.
12 Q And now you're not told to. So can you tell us why
13 it was you were told to, and then we'll get to why it is
14 you're allowed to.
15 A Oh. Well, I was told to on advice of my counsel
16 and on advice of White House counsel. And then I am told not
17 to on the advice of my counsel.
18 Q Okay. And your counsel is Jerry Trainor, correct?
19 A Yes, and Judy Wheat, too.
20 Q And your understanding of the White House counsel
21 who had previously instructed Mr. Trainor to invoke privilege
22 was who?
23 A I assume -- this is an assumption because I didn't
24 have the conversation directly with Charles Ruff. But that
25 would be my assumption.

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1 Q Your understanding from Mr. Trainor is that Mr.
2 Ruff told Mr. Trainor to have you invoke these privileges.
3 Is that fair to say or not?
4 A Well, that -- I didn't -- I don't know that Mr.
5 Trainor ever said that to me, so I want to be clear about
6 that. But it was my understanding it was the White House
7 counsel. Whether it was specifically Mr. Ruff or whether it
8 was Cheryl Mills -- but I assume it was Mr. Ruff that
9 actually made that final decision.
10 Q Your best recollection is that you were not told
11 the specific identity of the White House counsel that -- in
12 other words, your assumption is it's Mr. Ruff, but you were
13 never given a name as to who it was that told you to invoke
14 privilege?
15 A That's my recollection.
16 Q By process of elimination, I take it, the President
17 of the United States never directly instructed you to invoke
18 privilege.
19 A That's correct.
20 Q And the President of the United States never, I
21 take it, this time authorized you to answer either.
22 A You mean by that that he didn't have a direct
23 conversation with me?
24 Q Correct.
25 A Yeah, that's correct.

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1 Q How is it that you are now able to answer these
2 questions, whereas previously you were instructed to invoke
3 privilege? In other words, why have you been given
4 permission to answer now?
5 A I -- I'm not sure I can answer that. I have been
6 told by my counsel I can now answer. I am -- I don't know
7 that I have been told specifically -- generally I've been
8 told, but I can't even tell you what the general reason was.
9 Q Your answer piques my interest.
10 A Mm-hmm.
11 Q What generally is your understanding about why it
12 is you now are allowed to answer?
13 A (No response.)
14 Q Do you even know why it is you're now allowed to
15 answer, other than the fact that you've been told it's okay
16 to answer?
17 A They told me what the restrictions were in terms of
18 -- of, I guess, the -- it's my understanding that they went
19 to court last Friday, and that there were certain guidelines,
20 and they told me, and I -- now, the longer I talk, the more I
21 think it has to do with strictly -- well, I even hate to say.
22 They told me the category, and they said I didn't
23 fall into that category. And that's -- and it was, I think,
24 having to do with specific, more legal advice and that area
25 with the President.

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1 But I'm not sure of that. I hate to even answer it
2 with -- talking like this. They told me. I can't recall
3 exactly.
4 Q "They," being your attorneys.
5 A Yes.
6 Q And is it fair to say that you don't have a real
7 clear understanding of why it is you don't fall under the
8 executive privilege claim?
9 A I don't have a clear understanding.
10 Q Okay. Now, one of the privileges you previously
11 invoked was the attorney-client privilege with regard to -- I
12 don't know if you recall, but with regard to conversations
13 you had with Mr. Bennett and Mr. Kendall. Do you recall --
14 A Yes.
15 Q All right. And as you understand it, you are now
16 allowed to answer questions with regard to those
17 conversations as well, correct?
18 A That's correct.
19 Q And who is it that you told you that you don't have
20 to invoke that privilege? Again, is that Mr. Trainor and Ms.
21 Wheat?
22 A That's correct.
23 Q And what is your understanding of why it is you've
24 been released from that privilege? In other words, who has
25 given authorization for you to be released from that suppose'

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1 privilege?
2 A I think the -- both attorneys released me from
3 that. Now, that's my understanding.
4 Q Both attorneys, being Mr. Kendall and Mr. Bennett?
5 A That's correct, the specific issues that they
6 discussed with them.
7 Q Okay. And your understanding of your being
8 released by Mr. Bennett and Mr. Kendall comes through your
9 attorneys.
10 A That's correct.
11 Q Have you ever heard the term, "joint defense
12 agreement"?
13 A Yes, I have read about it in the paper.
14 Q It's a fairly recent -- well, it has recently been
15 discussed in the media, and it's something you've become
16 familiar with or --
17 A Vaguely familiar with.
18 Q Do you know whether or not you have what is
19 sometimes called or loosely called a joint defense agreement
20 with regard to your representation?
21 A I do not know.
22 Q To the best of your knowledge, I take it then from
23 your answer that you do not know, that your attorneys have
24 not discussed with you and have not asked you to consent to a
25 joint defense agreement whereby you would share information

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1 with some other attorney or some other witness or some other
 2 suspect in the investigation.
 3 A Well, rephrase that again.
 4 Q Okay. A joint defense agreement basically is an
 5 agreement by your attorney and some other party, usually
 6 another attorney --
 7 A Mm-hmm.
 8 Q -- to share information.
 9 A Mm-hmm.
 10 Q And to share information about the questioning by
 11 the government of you.
 12 A Mm-hmm.
 13 Q And as you understand it, there is no such formal
 14 agreement to provide information from -- the information --
 15 what we questioned you about. Is that fair to say?
 16 A That's fair to say.
 17 Q Okay. So aside from whether there is a formal
 18 agreement, which you understand there is not, do you have any
 19 understanding of whether there is an informal arrangement
 20 whereby your attorneys share information with White House
 21 counsel or Mr. Bennett or Mr. Kendall or other attorneys
 22 connected with them?
 23 A Would you ask me that again, please?
 24 Q Your best understanding is there is no formal
 25 arrangement, no formal agreement, such as what's sometimes

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1 called a joint defense agreement.
 2 A That's correct.
 3 Q Do you have any understanding of whether there is
 4 an informal arrangement?
 5 A May I step out for a moment?
 6 Q Sure.
 7 (The witness was excused to confer with counsel.)
 8 THE FOREPERSON: Ms. Hernreich, you're still under
 9 oath.
 10 THE WITNESS: Okay.
 11 BY MR. BARGER:
 12 Q Ms. Hernreich, as best I recollect my question, or
 13 at least the intent of my question was whether there is an
 14 informal arrangement to share information with White House
 15 counsel or the President's counsel.
 16 A I don't have any independent knowledge of an
 17 informal arrangement. Sharing knowledge between -- let me
 18 make sure what you said -- with the White House counsel?
 19 Q I don't mean to be oblique. Basically my question
 20 has to do with, for example, if a witness is questioned by
 21 the grand jury, a witness is free to talk with anyone they
 22 choose. And my question simply is, is there an intention
 23 then to pass on to White House counsel or the President's
 24 lawyers what it is the grand jury asks you about?
 25 A I don't have any independent knowledge that there is.

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1 Q When you say "independent knowledge," I don't know
 2 what that means. I mean, do you intend -- and I'm not saying
 3 there's anything wrong with that. You're certainly free to
 4 do that. I'm just trying to understand if there is an
 5 intention to provide -- let me withdraw the question.
 6 You were questioned twice before in this grand
 7 jury, correct?
 8 A That's correct.
 9 Q After your grand jury appearances, were you
 10 debriefed about what you told the grand jury?
 11 A I was debriefed by my attorneys.
 12 Q Do you know whether your attorneys shared that
 13 debriefing with other attorneys?
 14 A I do not know.
 15 Q Did they get your consent to do so, to share that
 16 information?
 17 A Not that I recall.
 18 Q Okay. Let me -- I'll move on to a new topic.
 19 Now, when you were previously before the grand
 20 jury, I believe it was on the first day, and we went through
 21 these various categories of privilege that you're now free to
 22 talk about, we didn't get into the substance of conversations
 23 because of the privilege indication, and I now want to come
 24 back to it and try to go through as many as I can today.
 25 And I'll try to do it chronologically eventually, but first

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1 I'll just do it topically.
 2 One of the topics you were asked about had to do
 3 with a conversation you had with the President about Monica
 4 Lewinsky. I believe -- obviously, your recollection should
 5 govern, but I believe you gave testimony to the effect that
 6 your best recollection was you had one conversation with the
 7 President about Monica Lewinsky after the story broke.
 8 And we were using January 21st of 1998 as sort of
 9 the date on which the story broke. So conversations after
 10 that date were the ones you took privilege on. And you took
 11 privilege on one conversation with the President.
 12 Does that ring a bell?
 13 A Yes.
 14 Q Okay. Now, my question is -- it's long-winded to
 15 get to the question, but can you tell us about your
 16 conversation with the President about Monica Lewinsky?
 17 A Do you -- tell me what you want to know about it.
 18 Q Tell us basically -- your testimony was, it was a
 19 fairly short conversation, as I recollect.
 20 A That's correct.
 21 Q And that the President instigated the topic.
 22 A Yes.
 23 Q Okay. Tell us, as best you recollect, what the
 24 conversation was. Tell us what he said, what you said, as
 25 best you recall.

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1 A What he said was, "I didn't do this. They don't
2 believe me. They won't" -- either "They don't" or "They
3 won't -- "They won't believe me," I think it what he said.
4 "I didn't do this."
5 Q Okay. Did he give any explanation about what
6 "this" was?
7 A No, he didn't.
8 Q He just characterized it as "this."
9 A That's correct.
10 Q Okay. Anything else he said, as best you recall,
11 other than he didn't do this?
12 A No.
13 Q Now, you also invoked privilege about conversations
14 you had with Mr. Bennett and Mr. Kendall, and that was in the
15 second category -- I don't know if you recall that was in
16 your second category of privileges, and that was in the
17 attorney-client area.
18 Let's take those one at a time. First, with regard
19 to your conversation with Mr. Kendall, did that conversation
20 contain the topic of Monica Lewinsky, if you recall?
21 A To be honest, my answer would be I thought so.
22 Q Okay.
23 A To be very clear about that, I'm not sure what's he
24 said to me, though.
25 Q Okay. Your impression --

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1 A My impression.
2 Q -- and perception is that it was about Monica
3 Lewinsky.
4 A That's correct.
5 Q Can you tell us where the conversation occurred?
6 In other words, was it at the White House, was it on the
7 telephone, in person, at his office? Where was the
8 conversation?
9 A It was at -- my recollection is that it was a
10 combination of both the phone and at the White House.
11 Q You were at the White House on the phone?
12 A I think -- my recollection, again, it was the same
13 day. It was a conversation on the phone. He then came to
14 the White House. We had a subsequent conversation at the
15 White House on the same topic.
16 Q And using the January 21st date as our sort of
17 benchmark, was this conversation with Mr. Kendall after that
18 date or before?
19 A It was after that date.
20 Q Approximately how long did the conversation on the
21 phone last?
22 A It was less than five minutes.
23 Q He called you or you called him?
24 A He called me.
25 Q And the purpose of the phone call was to arrange

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1 the face-to-face meeting?
2 A That's correct.
3 Q Okay. And he came over to see you the same d:
4 A That's correct.
5 Q And he came to see you at the White House?
6 A That's correct.
7 Q How long did the conversation at the White House
8 take, approximately?
9 A Approximately five minutes.
10 Q Tell us as best you recall what that conversation
11 was about, what he said, what you said.
12 A Mr. Kendall asked me to look for some books, and he
13 gave me the titles of them. And then he indicated that he
14 would be coming to the White House and that we would -- and
15 that he would be there at a certain time, and to let him know
16 what I think.
17 Q Let me see if I understand you. In the phone
18 conversation he gave you the information relating to, he
19 wanted you to look for some books, and that he would come
20 over to pick them up?
21 A Correct, and at least indicate to him if I had
22 located them.
23 Q Okay. Do you recall, on the phone conversation,
24 what else he said about the books? I mean, I assume he gave
25 you some more information.

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1 A He gave me titles, as I recall.
2 Q And what were those titles?
3 A Well, I can't tell you exactly. I can tell you one
4 was generally called The President of the United States, and
5 then a second book, I don't recall the title.
6 Q If I suggested a possible title to you, would it --
7 might it refresh your recollection?
8 A Yes, it might.
9 MR. EMMICK: Let me throw out some possibilities.
10 By the way, my name is Mike Emmick.
11 THE WITNESS: Uh-huh.
12 MR. WISENBERG: Yes, Mr. Barger forgot to introduce
13 him.
14 MR. EMMICK: The voice from the east over there.
15 BY MR. BARGER:
16 Q I'm sorry, I apologize. This is Mr. Emmick, and
17 that's Mr. Wisenberg, whom you've met in the past.
18 A Yes, I have.
19 Q And I doubt very seriously you forgot.
20 A I have not forgotten him.
21 Nice to meet you, Mr. Emmick.
22 BY MR. EMMICK:
23 Q Thank you. Was one of the books The Notebook?
24 A The Notebook?
25 Q Yes.

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1 A No.
 2 Q Was one of the books a book by the name of Vox?
 3 A No.
 4 Q Was one of the books a book by the name of Oy Vey?
 5 A Oy Vey? No.
 6 Q Was one of the books a book by the name of Geek
 7 Love?
 8 A No.
 9 Q You would have remembered that one, I take it.
 10 A I'm not sure about that.
 11 Q If I could just follow up. How many books were you
 12 asked to look for?
 13 A My recollection is, I was asked to look for two.
 14 Q One of them was the President of the United States,
 15 and you don't remember what the other book was?
 16 A I don't remember the title of the other book.
 17 Q How was the other book described? Was it simply by
 18 title, or was there some description of the nature of the
 19 book, the size of the book, hardback, softback, how old,
 20 anything like that?
 21 A I think he told me the title of the book, and then
 22 he did tell me the general topic of the book.
 23 Q And what was the general topic of the book?
 24 A It was a book on Theodore Roosevelt, as I recall.
 25 Q And did you write down on some sheet of paper what

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1 the title of the book was to help you as you looked for it?
 2 A I probably did.
 3 Q And did you keep that piece of paper?
 4 A I doubt it.
 5 Q Did you find the book?
 6 A Yes, I did find that book.
 7 Q Did you give it to Mr. Kendall?
 8 A You know, I don't remember if I gave it to Mr.
 9 Kendall or not.
 10 Q What did you do with the book?
 11 A Well, I -- I just don't remember. I think I
 12 probably gave it to Mr. Kendall, but I can't say without a
 13 doubt that I gave it to Mr. Kendall. I may have left it
 14 where it was and just indicated to Mr. Kendall where it was.
 15 Q Where did you look for the books?
 16 A I looked for the books in the Oval Office and in
 17 the study off of the Oval Office and in the President's
 18 dining room.
 19 Q How did you decide to look for the books there?
 20 A Mr. Kendall asked me to look for the books there.
 21 Q Is that where the President keeps his books?
 22 A The President keeps all his books there.
 23 Q Can you give us a description of how many books and
 24 where the books are in those three rooms? I don't have a
 25 mental picture of sort of a bookcase, for lack of a better word.

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1 A Well, you've seen pictures of the Oval Office, I'm
 2 sure, and then along one wall, if you're looking at, say, the
 3 desk and to the right, there are two bookcases. And so there
 4 are books in both of those bookcases.
 5 There are books in the President's study.
 6 There's -- one wall is almost entirely a bookcase. And in
 7 the dining room there's a few display books out, mostly kind
 8 of out flat and -- and, actually, there's a third place, the
 9 hallway between the Oval Office and the dining room, there's
 10 a bookcase.
 11 Q Where did you find the two books you had been asked
 12 to look for?
 13 A Well, I found the one book that I was certain of in
 14 the Oval Office. And, in reality, I found three books with
 15 the same title, the other one. So --
 16 Q Three books with the same title, the Theodore
 17 Roosevelt --
 18 A The President of the United States.
 19 Q Oh, The President of the United States books, you
 20 found three of those.
 21 A Mm-hmm. Three with the same title. They were
 22 different authors, different --
 23 Q I see. Did you give all three books to Mr.
 24 Kendall?
 25 A I believe I showed them to Mr. Kendall.

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1 BY MR. BARGER:
 2 Q Was The President of the United States book
 3 different than the Theodore Roosevelt book?
 4 A Yes.
 5 BY MR. EMMICK:
 6 Q And maybe I didn't understand. Where did you find
 7 the three President of the United States books?
 8 A I think I found all three in the Oval Office, but
 9 I'm not actually certain of that. That's my recollection
 10 right now.
 11 Q As you look at those books -- I assume that you
 12 looked at them a bit for inscriptions, anything like that, or
 13 did you?
 14 A I don't recall if I did or didn't. That was not
 15 something he had asked me to ascertain, I mean, to get, so
 16 I -- I'm not sure I did. But I may have. I just -- I don't
 17 know for sure.
 18 Q If you had and you had seen the name, Monica
 19 Lewinsky, would it have struck you?
 20 A I think it would have.
 21 Q Where did you find the Theodore Roosevelt book?
 22 A I found it in the Oval Office.
 23 Q Also?
 24 A Yes.
 25 Q Having found those books that you were asked to

Page 21

1 look for, did you continue to look?
 2 A Tell me what you mean by that.
 3 Q Here's what I mean. You were asked for look for
 4 two books.
 5 A Mm-hmm.
 6 Q To find two books. I would have thought that you
 7 would have started in the Oval Office, your search for those
 8 two books.
 9 A Mm-hmm.
 10 Q And you found those books.
 11 A Mm-hmm.
 12 Q But you still went on and looked. Why?
 13 A I -- I couldn't find the Roosevelt, the Theodore
 14 Roosevelt book at first.
 15 Q All right. So what happened is, you look in the
 16 Oval Office, you find the three President of the United
 17 States books. You can't find Theodore Roosevelt there. You
 18 then go to the study, the hallway, the dining room, and you
 19 decide to go back and renew the search of the Oval Office,
 20 and that's when you find the Theodore Roosevelt book.
 21 A I think so. It may have been, actually, that Mr.
 22 Kendall came, and we both looked together at that point and
 23 then found it, the second book.
 24 Q You mentioned at the beginning that you thought
 25 this request related to Monica Lewinsky.

Page 22

1 A I thought so.
 2 Q Why?
 3 A I don't remember. I don't remember if Mr. Kendall
 4 said that. I don't -- I don't know if I made that
 5 assumption. I -- I just don't remember.
 6 Q Did he ask you to look for anything else?
 7 A Not that I recall. Not that I recall.
 8 Q Did you look for anything else?
 9 A No, I didn't look for anything else.
 10 Q Having found the one book, "The President of the
 11 United States," why did you continue to look for other books,
 12 The President of the United States, or did you? Were they
 13 all three together?
 14 A I think I was still looking for the Theodore
 15 Roosevelt book, and then continuing to look at all these
 16 books, I found the other two as well, the other two, The
 17 President of the United States. That's as I recall.
 18 I do hundreds and hundreds of things every day, and
 19 to remember exactly how I progressed through each one of them
 20 is a little hard to remember, but --
 21 BY MR. BARGER:
 22 Q Just a couple of follow-ups, and you may have
 23 covered this. The books you did find, were they hardbound or
 24 softbound?
 25 A I think the Roosevelt book was softbound.

Page 23

1 Q Okay.
 2 A And I think the other -- the three The President of
 3 the United States books were hardbound.
 4 Q And do you recall whether there were any
 5 inscriptions from Monica Lewinsky?
 6 A I don't recall that there were any.
 7 Q Your view is, you probably would have remembered
 8 that had you seen -- if there were and you had seen them,
 9 you'd remember them.
 10 A I think so, yes.
 11 Q Do you remember when in connection with the January
 12 21st time period the Monica Lewinsky matter sort of became
 13 public, when in relationship to that did Mr. Kendall call you
 14 on the phone and ask you for these books? Same day? Day
 15 after?
 16 A No, I think it was, you know, sometime after, but
 17 it wasn't -- it certainly wasn't that day.
 18 Q What time of day was it, approximately, that Mr.
 19 Kendall called you to have you look for them? Morning?
 20 Afternoon? Evening?
 21 A Well, I know he came in around noon or so.
 22 Q He came about noon.
 23 A Mm-hmm. So he may have called me at 10:00 or 11:00
 24 or 11:30. I don't know.
 25 Q And the conversation on the phone you estimated

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1 lasted less than five minutes.
 2 A That's correct.
 3 Q Tell us everything you can recall about the
 4 conversation. He asked you to look for these books, and he
 5 gave you descriptions of the books, the titles, for example?
 6 A The titles of the books.
 7 Q What else did he tell you about -- what else did he
 8 say -- did he say why he needed you to look for the books?
 9 A No, he didn't say why I needed to look for them.
 10 Q What, if anything, did he say?
 11 A I don't remember anything else he said to me about
 12 it.
 13 Q Did he give you any explanation at all, any context
 14 at all about why he was having you look for these books?
 15 A No, not that I recall.
 16 Q You said earlier that -- and I may be
 17 mischaracterizing what you said -- but, in essence, that your
 18 assumption was, or your perception was that these books
 19 somehow related to Monica Lewinsky.
 20 A Yes.
 21 Q Why did you make that assumption or connection?
 22 A I don't know. I mean, either he said it, but he
 23 may not have said it, and I don't recall the exact
 24 conversation. Or it was after January 21st. It seemed to be
 25 the prime focus of what Mr. Kendall was working on at that

Page 25

1 time in relationship to this, you know, representing the
2 President.

3 And I had possibly at that point read in the
4 newspaper that she had given him some gifts, and I might have
5 just made all those assumptions at that point.

6 Q How many times before this had Mr. Kendall called
7 you?

8 A Since I've known him?

9 Q Yes, I guess. If that's too many, we'll narrow the
10 topic.

11 A How many times has Mr. Kendall called me in the
12 last four or five years?

13 Q Lots.

14 A Hundreds.

15 Q How many times has he asked you to look for
16 something?

17 A I don't know. It may be the only time. But I
18 would have to think about it a long -- a good long time to
19 think if he had ever asked me to look for anything before.

20 Q Assuming these were gifts from Monica Lewinsky, how
21 many other times has he ever asked you to look for gifts from
22 Monica Lewinsky?

23 A I don't think he's ever asked me to look for
24 anything else like -- in this period of time, since January
25 21st.

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1 Q How soon after he called you on the phone did he
2 come over?

3 A It seemed like it was, you know -- as I had said,
4 either he had called me between 10:00 and 11:30, so it was
5 either from an hour-and-a-half to 30 minutes, you know.

6 I don't recall. Sometime late morning he called
7 and then came in around noon. He may have said, "Well, I'll
8 be over there in 30 minutes." I don't remember. Or he may
9 have then said, "I'll be over there in two hours."

10 Q All right.

11 A But I think it was maybe 30 minutes or so.

12 BY MR. EMMICK:

13 Q Actually, I wanted to follow up on a couple of
14 things. You mentioned that Mr. Kendall has only asked you to
15 look for this one thing during this time period.

16 A Mm-hmm.

17 Q What about during other time periods?

18 A Well, I -- I think that maybe he had asked me that,
19 too. I don't recall, but I'd have to think about it, you
20 know, a long time because we're covering, what, three or four
21 years here. And so -- but, you know, I don't recall that he
22 did or under what circumstances he might have asked me to
23 look for something. But he may have, yeah.

24 Q Why were you the one asked to do the searching for
25 these books? Were you the logical choice?

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1 A I think that the President probably indicated to
2 Mr. Kendall some years ago that he should work through me for
3 things like that. That's my guess.

4 Q When you say, "things like that," what does that
5 mean? What are the "things like that"?

6 A Well, I think if he needs to see the President, he
7 should call me, or if he needs to talk to the President about
8 something, to work through me, or if he needs to send a
9 document to the President, to send it to me.

10 I -- that's usually -- Mr. Kendall just seems to
11 have worked through me for the last three or four years.

12 Q Were you sent a copy of a subpoena that was sent to
13 -- I think it was sent to Mr. Kendall. It might have been
14 sent to White House counsel's office, or both, asking for the
15 production of certain items from the President? Were you
16 asked to look for other items?

17 A No. I have not seen a copy of the subpoena listing
18 specific items.

19 Q Have you seen a copy of the subpoena asking for
20 general items?

21 A The only subpoena that I've seen lately is one this
22 week I received from the counsel's office relating to
23 documents concerning four people, I think.

24 Q You weren't asked to look for any items at all, as
25 opposed to documents?

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1 A I -- I don't recall other than these couple books.
2 I mean, I could go back. Again, there's so many things that
3 go on, and, believe me, we get enough document requests and
4 requests for things that it begins to get a little blurry
5 after a while.

6 But I don't recall being asked to look for other
7 specific items rather than documents. I just don't recall
8 that.

9 Q Is there anyone else who would have been asked to
10 look for the items that might respond to that subpoena?

11 A I don't know.

12 Q But you would think that you're the logical choice.

13 A I would think so.

14 Q Were you asked by the President's other attorney in
15 the Paula Jones case, Mr. Bennett, to look for any items?

16 A No, I don't recall having Mr. Bennett ask me to
17 look for any items.

18 Q Did anybody on Mr. Bennett's behalf ask you to look
19 for any items?

20 A No, I don't recall that Mr. Bennett -- anybody on
21 Mr. Bennett's behalf asked me to look for any items.

22 Q When the President was subpoenaed for items in
23 connection with the Paula Jones case, do you have any
24 information about who the President arranged for to look for
25 items?

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1 A No. I'm not sure he was aware that anybody asked
2 him to -- that he was subpoenaed to look for items in
3 relation to that case.

4 MR. EMMICK: That's all.

5 BY MR. BARGER:

6 Q So I understand, your best recollection is, the
7 only time you were asked to search for what Mr. Emmick has
8 characterized as "items," which would include things like
9 books, tangible gifts, that kind of thing, the only person
10 who has asked you to make such a search was Mr. Kendall.

11 A That's as I recall it. I mean, I could be here and
12 think about that a while. I just -- it's not a question I've
13 thought about and --

14 Q Okay. Well, give it some thought.

15 A Okay.

16 Q If your answer -- if you think about it while
17 you're here and you remember something different, obviously,
18 bring it to our attention. But at least, as best you recall
19 right now, this was the only time you were asked to search
20 for what I'll call gifts.

21 A Mm-hmm.

22 Q Books, hat pins, T-shirts, anything like that that
23 the President may have been given by Monica Lewinsky.

24 A That's as I recall it --

25 Q Okay.

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1 A -- for right now. And I'm relatively certain that
2 I -- I'd have to -- it's not something I've thought about
3 before.

4 BY MR. EMMICK:

5 Q What happened to the books?

6 A You know, I'm just sitting here -- I think I gave
7 one of them to Mr. Kendall.

8 Q How did you decide which one?

9 A Well, after we finally found the Roosevelt book, I
10 think I gave it to Mr. Kendall, but I'm not absolutely
11 certain. And then I left the other books where they were in
12 the Oval Office.

13 Q So with respect to the three The President of the
14 United States books, you found them, you showed them to Mr.
15 Kendall, and you put them back.

16 A That's correct.

17 Q Do you know anything about what was looked at with
18 respect to those books that would cause you to put the books
19 back since those were the books you were looking for?

20 A I don't think Mr. Kendall also knew for certain
21 which one of those books was the book that he was looking
22 for.

23 Q I see.

24 A And so -- and he just -- he just had me leave them
25 where it is. And I'm not absolutely certain that I gave the

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1 other one to him. I may have left it there as well.

2 The reason I'm -- I'm just not certain, because I
3 know I left the one set of books there because we didn't know
4 which one it was, and he may have just had me leave all of it
5 there -- I mean, the second book, the book I did find there.

6 And we kind of found that one together, as I recall, because
7 by the time he got there maybe it was before I found that
8 Roosevelt book. But I don't really remember.

9 Q Did you go through all four books to look for
10 inscriptions or other ways of linking the book to another
11 person?

12 A I might have. I don't remember if I did or didn't.
13 I just don't remember.

14 Q Do you know whether he did?

15 A I -- I don't -- remember if he did.

16 Q Was it just the two of you who were conducting this
17 search, this follow-up search, after he got there?

18 A As I recall, yeah. I don't even think Nicole
19 Seligman was there. I mean, there's always that chance, but
20 I think it was just David.

21 Q And when you were looking for the books before he
22 got there, was it just you who went through looking for the
23 books?

24 A Yes.

25 Q Was the President present?

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1 A No, the President was not present.

2 BY MR. BARGER:

3 Q Was he there when Mr. Kendall called? I mean, was
4 he there at all during any part of that morning?

5 A I don't believe so.

6 BY MR. EMMICK:

7 Q Do you know how those books were identified? In
8 other words, did Mr. Kendall say, "We've been asked to look
9 for books, and here are the books that the President said he
10 got?"

11 A No. I said that's why -- no. That's why I'm not
12 -- I don't know that -- that it was an assumption I could
13 have made that it was regarding gifts from Monica Lewinsky,
14 but I wasn't certain because I don't believe he -- he didn't
15 get into any of that. He certainly didn't say any of that.

16 Q Regardless of what matter it pertained to, though,
17 did he indicate whether the titles of the books were obtained
18 from the President?

19 A He didn't indicate, that I recall.

20 Q Did you assume that the President had given him the
21 titles of those books?

22 A I assumed that, but I certainly don't know that for
23 sure.

24 Q Do you know how those books got into the library?

25 A No, I do not know how they got into the library.

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1 Q Had you seen those books before?
 2 A I don't recall seeing those books before.
 3 BY MR. BARGER:
 4 Q When you were talking earlier about the time of day
 5 that Mr. Kendall came in, who -- I don't know if this -- this
 6 may not be the right technical word -- who buzzed him into
 7 the White House?
 8 A Who cleared him in?
 9 Q Who cleared him in?
 10 A I don't know who cleared him in. It could have
 11 been the counsel's office. He may have had a meeting
 12 upstairs with them. I do not know.
 13 Q Your understanding when he called you was -- now
 14 that you mentioned it was perhaps the counsel's office, was
 15 he on the White House grounds when he called you, or was he
 16 at his office or outside of the White House grounds? Or
 17 what's your perception or understanding of whether he was at
 18 the White House or not at the White House?
 19 A I don't remember.
 20 Q Okay. Other than Mr. Kendall having you look for
 21 these books, have you had any other conversations with Mr.
 22 Kendall about the Monica Lewinsky matter?
 23 A I don't think that I had any conversations with Mr.
 24 Kendall -- any other conversations with Mr. Kendall about the
 25 Monica Lewinsky matter.

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1 Q How about any attorneys for the President, whether
 2 it's Mr. Kendall or any associate to Mr. Bennett, or any
 3 associate to any of the attorneys in the White House
 4 counsel's office? Have you had any conversations with any
 5 other attorneys -- excluding your own --
 6 A Mm-hmm.
 7 Q -- about Monica Lewinsky?
 8 A Well, I'm certain that I've had conversations with
 9 attorneys in my counsel's office about Monica Lewinsky.
 10 Q Let me -- then I'll be more restrictive. How about
 11 attorneys associated with Mr. Kendall? Aside from government
 12 attorneys paid for by the taxpayers and the White House, how
 13 about Mr. Kendall -- private attorneys? Any conversation
 14 with anyone else associated with Mr. Kendall about Monica
 15 Lewinsky?
 16 A I know what you're asking. No, I don't believe I
 17 have. I don't recall any conversations with anybody
 18 associated with Mr. Kendall.
 19 Q So when you appeared here in February and you were
 20 told through your lawyer -- you were told by Mr. Kendall
 21 through your lawyer to invoke the attorney-client privilege
 22 with regard to your dealings with Mr. Kendall, it was with
 23 regard to looking for these books.
 24 A But you just said that I was told by Mr. Kendall
 25 through my lawyer rather than Mr. Ruff.

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1 Q Okay. I'm sorry. Maybe I'm confused. Because
 2 there's executive privilege --
 3 A Uh-huh.
 4 Q -- and there's the attorney-client privilege.
 5 A Uh-huh.
 6 Q Are you saying that Mr. Ruff to invoke the
 7 attorney-client privilege with respect to --
 8 A Mr. Ruff didn't tell me anything. I don't know how
 9 my attorneys determined that, if it was -- but my attorney
 10 told me to invoke the attorney-client privilege the first
 11 time.
 12 Q Okay. What is your understanding about why it was
 13 that Mr. Trainor had you invoke attorney-client privilege
 14 with regard to your dealings with Mr. Kendall? Was it
 15 because Mr. Kendall told Mr. Trainor to do that? I take it,
 16 Mr. Trainor on his own wouldn't just say --
 17 A All I can tell you is, I don't know. He did not
 18 tell me.
 19 THE FOREPERSON: This may be a good time for the
 20 grand jury to take a break.
 21 MR. BARGER: Yes, ma'am. May the witness be
 22 excused?
 23 THE FOREPERSON: Yes, she may.
 24 MR. BARGER: We'll come and get you.
 25 (Witness excused. Witness recalled.)

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1 THE FOREPERSON: We have a quorum.
 2 MR. BARGER: Thank you, Madam Foreman.
 3 THE FOREPERSON: And we're on the record. And,
 4 Ms. Hernreich, you are still under oath.
 5 THE WITNESS: Thank you.
 6 BY MR. BARGER:
 7 Q Ms. Hernreich, let me stay with or go back to the
 8 topic which I'll generally characterize as looking for
 9 things. I think "items" was the term that Mr. Emmick used at
 10 one point.
 11 A Mm-hmm.
 12 Q And we asked you some questions about had you been
 13 asked to search for, besides the books, anything else.
 14 A JUROR: Louder, please.
 15 MR. BARGER: Sorry.
 16 BY MR. BARGER:
 17 Q I wanted to ask you a broader question in terms of,
 18 have you been asked -- I guess we should put a time frame on
 19 it -- let's say since the summer of 1997, which is when the
 20 Kathleen Willey story broke, which would include the fall,
 21 October of '97, which is when the Paula Jones litigation
 22 geared up, through today, have you been asked to do any
 23 searches for any items, books, documents, gifts, you know,
 24 anything connected with the Paula Jones litigation or this
 25 investigation?

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<p>1 Aside from looking for these books, have you been 2 asked by anyone to do a search for any of the other types of 3 information that may be relevant to either that civil case or 4 this grand jury investigation? 5 A Well, I had been asked to look for correspondence 6 from Kathleen Willey. 7 Q Okay. Anything else besides that that you've been 8 asked to look for? 9 A In relation to the Paula Jones matter? Is that 10 what you're asking? 11 Q Well, remember, my question's very broad. It 12 includes anything having to do with that civil litigation and 13 anything having to do with the criminal investigation. 14 A Books, gifts, documents? Not other than the 15 document requests that come through the White House counsel 16 and the letters that I just mentioned. I don't recall any 17 other -- and the books, the two books that I mentioned, I 18 don't recall any other. 19 Again, if I think of any, I'll clarify the record 20 on it. 21 Q Okay. 22 A But I don't think -- I can't think of any right 23 now. I'll think back about it. 24 Q Okay. Let me go through that in a little bit of 25 detail --</p>	<p>1 and volunteered it. 2 Q All right. Well, let me stay with that a minute. 3 A Okay. 4 Q Because I'm simply asking to the best of your 5 recollection, as opposed to without a doubt. 6 A Mm-hmm. 7 Q Obviously, if you want to qualify something, you 8 can. But as I recall your answer, you started out by saying 9 Mr. Bennett asked you to look, and then you said Mr. Bennett 10 and the White House office, and then you said, "Well, 11 possibly I did it on my own without being asked." 12 So let me just make sure we're clear here. 13 A Okay. 14 Q To the best of your recollection, were you asked to 15 look for correspondence from Kathleen Willey? 16 A To the best of my recollection. 17 Q You were, all right. 18 A I was. 19 Q And your best recollection is that -- who is it 20 that asked you, as best you recall? 21 A To the best I recall, it was Mr. Bennett. 22 Q Aside from looking for the correspondence from 23 Kathleen Willey, a second thing you've been asked for were 24 the books that Mr. Kendall asked you to look for that we've 25 already talked about, correct?</p>
<p>Page 38</p> <p>1 A Okay. 2 Q -- to make sure. 3 A Okay. 4 Q You said you were asked for correspondence from 5 Kathleen Willey; is that correct? 6 A Correct. 7 Q Who asked you to look for that? 8 A My recollection it was Mr. Bennett, but it could 9 have been the counsel's office. And some of it I might have 10 just looked on my own. 11 Q All right. Well, but my question -- 12 A I know. 13 Q I want to limit it to -- you were asked to look for 14 correspondence from Kathleen Willey, and you believe from Mr. 15 Bennett or the counsel's office. 16 A That's as I remember it. And I'm not entirely 17 absolutely positive that Mr. Bennett asked me or anybody 18 asked me, or that I looked on my own and said, "Oh, by the 19 way, I have this." I don't know. 20 You asked me whether someone had asked me to look 21 for things. 22 Q Right. 23 A And I'm trying to be clear and I'm trying to be 24 honest, because I cannot say without a doubt that Mr. Bennett 25 or that somebody asked me to do it. I may have looked for it</p>	<p>Page 40</p> <p>1 A That's correct. 2 Q Okay. Anything else you were asked to look for 3 besides those two items -- those two -- "items" is the wrong 4 word -- those two topics or categories? 5 A I don't recall anything else. 6 Q Now, I thought you might have alluded to possibly 7 being asked to look for something -- strike that. Let me ask 8 it this way. 9 In the course of the civil litigation and in the 10 course of this criminal investigation, subpoenas have been 11 issued. Were you ever asked to look for any items in 12 conjunction with subpoenas that had been issued, either in 13 the civil case or in the criminal investigation? 14 A Subpoenas just for the President? 15 Q Well, any subpoena. In other words, on occasion a 16 subpoena will be issued by this office to the White House to 17 look for certain documents or to the President to look for 18 certain documents. 19 Have you been asked to do any searches in 20 conjunction with the production of documents related to grand 21 jury subpoenas? 22 A Yes. I mean, if you're talking about -- certainly 23 we have been asked to -- the White House has been asked to 24 look for documents, and to categorize -- I mean, really, it 25 becomes a bore after a while, because we get so many document</p>

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1 requests from either the House, the Senate, the independent
2 counsel.

3 Q You know, exactly -- this particular document, who
4 it's from, what they're asking for and -- for me. But I know
5 that right now I have a document request on my desk from the
6 independent counsel to I think everyone in the White House
7 that lists four names and asks for anything related to those
8 four people.

9 Q Okay. And is this the first -- and let me limit it
10 to the OIC. Is that the first document request from the
11 independent counsel that you have been asked to look for
12 items listed on that grand jury subpoena, or have there been
13 other independent counsel subpoenas that you've been given to
14 look for documents called for by the subpoena?

15 A I have been asked from the Office of Independent
16 Counsel several times, either personally and then through the
17 White House, to look for certain documents over the last
18 three, four years, however long this has been going on.

19 Q Okay. And then have you also been given document
20 requests that are from the Paula Jones civil litigation?

21 A I don't remember if I have or not. I don't recall
22 any. But, again, I'd have to think about that.

23 Q Okay. Going back to the first topic, the
24 correspondence from Kathleen Willey, that, as best you
25 recall, that request came from Mr. Bennett, that is a topic

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1 that you distinguish from the OIC subpoenas, right? In other
2 words, that's a request that came from Mr. Bennett, not from
3 the Office of Independent Counsel subpoenas.

4 A That's correct.

5 Q Now, the Mr. Bennett topic reminds me of one of the
6 other privileged invocations that came up in February.
7 You've already talked about your dealings with Mr. Kendall.

8 If you recall, you also invoked attorney-client
9 privilege with regard to a conversation you had with Mr.
10 Bennett regarding Kathleen Willey. Do you recall that
11 invocation?

12 A Yes, I do.

13 Q Okay. Is that topic, the conversation you had with
14 Mr. Bennett relating to Kathleen Willey, does that have to do
15 with the correspondence, or is that something separate?

16 A That's something separate.

17 Q All right. Tell us about that conversation with
18 Mr. Bennett. What was that conversation with Mr. Bennett
19 about?

20 A That conversation asked me if I knew if the
21 President ever saw Kathleen Willey in the Oval Office or -- I
22 think that's -- that's how I recall the conversation.

23 Q Can you relate that to me one more time? I'm
24 sorry, I was a little confused.

25 A My recollection of the conversation that I had with

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1 Mr. Bennett was when he asked me if I had any knowledge if
2 the President knew or ever saw Kathleen Willey.

3 Q Okay. Do you recall where this conversation with
4 Mr. Bennett occurred? At the White House, at home, in his
5 office? Where was the conversation?

6 A It was on the telephone.

7 Q Okay. Did he call you or did you call him?

8 A No, he paged me, actually, I think, or the
9 operator, the White House operator paged me with a call.

10 Q Okay. Can you tell us approximately when it was
11 this conversation occurred?

12 A It was in July of 1997.

13 Q As you understand it, the Newsweek article and the
14 Drudge report regarding the Kathleen Willey incident or
15 Kathleen Willey allegations, that occurred, I believe, at the
16 end of July, first week of August of 1997, as I recall. Is
17 that --

18 A Is that right?

19 Q Is that consistent with your recollection or --

20 A No. I don't -- it's absolutely inconsistent with
21 anything that I know. Was there a Newsweek article last
22 summer?

23 Q All right, well, I don't want to testify. Let me
24 ask it this way.

25 Do you recall -- what was it that prompted

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1 Mr. Bennett to ask you about your knowledge of Kathleen
2 Willey? Why did Mr. Bennett ask you --

3 A I don't know. I think you'd have to ask Mr.
4 Bennett that.

5 Q What, if anything, did he say to you about why he
6 wanted to ask you about Kathleen Willey?

7 A Something had come up, and I don't know where he
8 got that information, but something had -- you know, he just
9 said, "Do you know if the President has seen this woman? Do
10 you know her? Do you know if he's ever seen her?"

11 Q And did it pique your curiosity?

12 A I'm sure it did.

13 Q What else, if anything, did he say to you about
14 that, "Do you know whether the President knew this woman,"
15 or, "Does the President have any knowledge of this woman,"
16 or, "Had the President seen this woman?" What else did he
17 say to you?

18 A What else did he say to me? I don't -- I don't
19 recall what else he said to me.

20 Q Do you recall that there was some publicity about
21 Kathleen Willey in the summer of 1997 regarding an article
22 written by Michael Isikoff of Newsweek?

23 A I don't recall the publicity about it, no.

24 Q Do you recall there being any publicity at all in
25 the summer of '97 about Kathleen Willey supposedly -- about

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1 the President supposedly having this encounter with her,
2 whether there was publicity in the summer of '97 regarding
3 this allegation?

4 A I don't recall -- again, I don't recall the
5 publicity. I don't recall that anybody said there was
6 publicity. I just don't -- I don't recall right now. The
7 timing of all this, and all of the different kinds of
8 articles really begins to blur after a while, and I can't
9 tell you if it was the first time I ever saw an article was a
10 month ago or two months ago or six months ago or eight months
11 ago. I mean, I just don't -- I don't remember.

12 I know that Mr. Bennett called me last summer and
13 asked me about it. I do not recall when I first heard of any
14 publicity about it.

15 Q Do you recall whether Mr. Bennett calling you was
16 prompted by the publicity?

17 A No, I don't recall.

18 Q Did you ask Mr. Bennett why he wanted to know, or
19 words to that effect, why he was asking you these questions
20 about Kathleen Willey?

21 A I don't believe that I asked him why.

22 Q Now, you knew Mr. Bennett was representing the
23 President in connection with civil litigation either being
24 brought by or contemplated by Paula Jones, correct?

25 A That's correct.

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1 Q It didn't strike you as something curious or
2 unusual or -- the fact that here's Mr. Bennett, the
3 President's private attorney, who's representing him on a
4 civil case involving allegations of sexual harassment, ask
5 you if you knew whether the President had known or had seen
6 Kathleen Willey?

7 A I don't -- again, it may have struck me as curious.
8 If Mr. Bennett doesn't offer it, I don't ask it.

9 Q And as best you recall, he didn't offer any
10 explanation as to why he needed to ask you these questions.

11 A He might have, but I just don't recall the context
12 in which he -- you know, he framed this question. And he
13 very well may have given me some background, but I just -- I
14 do not remember what it was that he -- why he said he was
15 calling, where he -- you know, what kind of information he
16 had or where he got it.

17 Q And the conversation was over the telephone,
18 correct?

19 A That's correct.

20 Q Approximately how long did the conversation last?

21 A Probably five minutes.

22 Q What did you tell Mr. Bennett?

23 A I told Mr. Bennett that I knew her, and my
24 recollection is, yes, she had seen the President in the Oval
25 Office one or two times.

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1 Q Did he ask you anything more than that?

2 A Not that I recall.

3 Q Your recollection is, though, that this
4 conversation only lasted about five minutes?

5 A That's my recollection.

6 Q Does it strike you as somewhat odd that the
7 President's private attorney, who's representing the
8 President on a sexual harassment claim, would not -- from
9 your recollection, does not probe you further on this topic,
10 other than the fact that the President had seen her in the
11 Oval Office one or two times?

12 A Well -- ask that question again? Does it seem odd
13 to me that he didn't probe any farther?

14 Q Your testimony is Mr. Bennett asked you whether the
15 President knew or had seen Kathleen Willey, and you said,
16 yes, he had seen her one or two times in the Oval Office.
17 And that's basically all Mr. Bennett asked and that's all you
18 said. Am I missing something?

19 A No.

20 Q All right. If that's all he asked and that's all
21 you said, that doesn't strike you as odd that he would ask
22 only that?

23 A No.

24 Q Okay. What else did you tell him other than -- did
25 you tell him anything in addition to the fact that the

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1 President had seen Kathleen Willey in the Oval Office one or
2 two times?

3 A Not that I recall.

4 Q Did he ask when the President had seen Kathleen
5 Willey?

6 A Not that I recall. But he could have. I just --
7 that part I don't remember at all. I don't remember if he
8 said when.

9 Q Did he ask the circumstances?

10 A Not -- not that I recall. But it would be logical
11 that he might ask that portion of it, but I don't remember if
12 he did.

13 Q Okay. Aside from Mr. Bennett, has anyone asked you
14 -- you had this five-minute conversation with Mr. Bennett
15 about Kathleen Willey. Has anyone asked you what you know
16 about Kathleen Willey and her dealings with the President?
17 And I can exclude your attorneys.

18 A No, not -- well, let me -- let me just make sure
19 that that's right.

20 Q Has anyone other than your attorneys ever asked you
21 about what you know about Kathleen Willey?

22 A (No response.)

23 Q And I don't mean, you know --

24 A I know what you -- okay, go on.

25 Q I don't want to be cute here. I'm trying to get

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1 at, did anyone interview you? Did anyone try to gather
2 information from you? I'm not leaving my question simply,
3 did anyone ask you that specific question?

4 I asked you what do you know about Kathleen Willey.

5 A Mm-hmm.

6 Q You know, we're trying to get at the truth here.

7 So please don't narrowly construe my question.

8 A Mm-hmm.

9 Q Has anyone ever attempted to gather information
10 from you -- other than this five-minute call from Mr.
11 Bennett, has anyone ever attempted to gather information from
12 you about what you know about Kathleen Willey?

13 A Well, I'm trying to think about it, and the portion
14 of it that I'm trying to think about is whether anybody in
15 the counsel's office has ever talked to me or asked me that
16 kind of question, and I'm going back trying to think if I had
17 conversation and they asked me that.

18 I believe, though, I have had conversations with
19 people in the counsel's office.

20 Q Who?

21 A I believe that I've had conversations with Cheryl
22 Mills about it.

23 Q How long would you estimate your conversation with
24 Cheryl Mills lasted? I'm not asking you the contents at this
25 time, but how long -- I mean, we've talked with you in the

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1 grand jury for hours upon hours.

2 A Mm-hmm.

3 Q So I'm curious how long Ms. Mills talked with you.

4 A I don't know. I mean, it could have been a very
5 conversation, you know. But it -- you know, maybe 15
6 minutes, maybe.

7 Q Certainly -- well, 15 minutes. I take it then
8 definitely no longer than an hour?

9 A I don't think so.

10 Q Okay. Other than Cheryl Mills talking to you for
11 less than hour and Mr. Bennett talking to you for five
12 minutes, has anyone else ever interviewed you or tried to
13 gather information from you about what you know about
14 Kathleen Willey?

15 A I think I've spoken with Bruce Lindsey about it as
16 well.

17 Q All right. How long would you estimate Mr. Lindsey
18 talked with you about what you knew about Kathleen Willey?

19 A Oh, cumulatively, probably less than an hour. But,
20 you know, that's -- I think that would be right, less than an
21 hour.

22 Q Anyone else besides Cheryl Mills, Bruce Lindsey,
23 and Bob Bennett?

24 A Not that I recall.

25 Q You mentioned in your answer about Bruce Lindsey

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1 that less an hour, I believe you used the word
2 "cumulatively."

3 A Mm-hmm.

4 Q Does that mean there was more than one conversation
5 with Mr. Lindsey?

6 A Yes, it does.

7 Q How many would you estimate?

8 A I probably had more than five conversations,
9 probably less than ten.

10 Q And Cheryl Mills, just one?

11 A One or two, maybe three, somewhere in that range.

12 Q Can you tell us the approximate time frame of the
13 conversations with Cheryl Mills? Are these recent? In other
14 words, let's say, are these since January 1st of 1998, or did
15 these occur in 1997?

16 A I had -- probably had -- I've had a conversation or
17 two with Cheryl Mills since the first of the year, January of
18 '98, I think.

19 Q Any prior to that?

20 A I know I had at least one conversation with her
21 last summer.

22 BY MR. EMMICK:

23 Q Anyone else present during the conversations you
24 were just describing?

25 A Well, I don't know. I know at least two of the

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1 occasions that were over the telephone and --

2 Q Anyone else on the line for those telephone
3 conversations?

4 A Not that I recall. And I -- let me just -- let me
5 think again a minute because -- whether she -- at any time
6 did we discuss Kathleen Willey when other people were
7 present.

8 My attorneys have been present in one conversation.

9 Q For -- I'm sorry, for one conversation with Cheryl?

10 A That's as I recall it.

11 Q So that would have been the conversation in 1998.

12 A That time.

13 Q Okay. How about with Bruce Lindsey? Was anyone
14 present besides Bruce Lindsey for any of the conversations
15 you had with Bruce?

16 A Not that I recall.

17 Q I'm not going to get into any of the substance of
18 conversations with your attorneys, but in terms of the amount
19 of time your attorneys have asked you about Kathleen Willey,
20 can you give us an approximate amount of time they have
21 gathered information from you about Kathleen Willey? I mean,
22 have they interviewed you for any length of time? I'm not
23 going to ask you what was said, I'm just talking about the
24 amount of time.

25 A Fifteen minutes, maybe.

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<p>1 Q Okay. Let me go back to -- sometimes I forget 2 things. On the correspondence from Kathleen Willey that Mr. 3 Bennett asked you to look for. 4 A Mm-hmm. 5 Q I don't think I asked you when he asked you to do 6 that. You had a conversation with him in the summer of '97, 7 which was separate from the correspondence, correct? 8 A Mm-hmm. Well, let me again clarify. I'm not 9 absolutely certain he asked me, so -- 10 Q Okay. As best you recall, he did. 11 A As best I recall, but I can't even give you a time 12 frame if I'm not absolutely certain. I can't remember the 13 conversation. 14 Q What is your best recollection of when it was you 15 looked for the correspondence from Kathleen Willey? Was it 16 in 1998 or 1997? 17 A It was in 1997. 18 Q Do you recall, was it in the summer of '97 or was 19 it in late 1997, for example? 20 A I believe it was in the fall, but I could be way 21 off on that. 22 Q Do you recall who, if anyone, you gave the 23 correspondence to? 24 A I think I gave the correspondence to Bruce Lindsey. 25 Q Where did you look for the correspondence?</p>	<p>1 President? 2 A Mm-hmm. 3 Q Okay. 4 A Sometimes on personal correspondence, they file it 5 in the personal correspondence area. And so I could have 6 asked them in personal correspondence to look in the files 7 and see if they had anything. 8 Q Okay. Just so I understand, so it sounds like 9 there may be three possible areas one could look for this 10 kind of correspondence. 11 A Mm-hmm. 12 Q One is records management. 13 A Mm-hmm. 14 Q Second is -- the one you just mentioned, the third 15 one. 16 A Personal correspondence. 17 Q Personal correspondence. 18 A Mm-hmm. 19 Q And the third, you might ask Rebecca to look for 20 it -- 21 A Mm-hmm. 22 Q -- somewhere else besides those two places? 23 A Yes. She would -- sometimes we list 24 correspondence, and she holds those files for a little while 25 and then sends them off to records management, so there would</p>
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<p>1 A You know, I don't even -- I can't visualize looking 2 for it to even know where I looked for it. I may have just 3 asked my assistant, you know. 4 Q And you may have told us before. Your assistants 5 are? 6 A My assistant is Rebecca Cameron. I don't 7 remember -- I just don't have a visual recollection of 8 sitting there digging through files -- 9 Q Okay. 10 A -- in one particular place looking for this, you 11 know. 12 Q Take us through generally -- unfortunately, the 13 rules of evidence have a little way to deal with things like 14 this. 15 A Mm-hmm. 16 Q Take us through sort of your habit, your routine, 17 your practice of where it is you would normally put 18 correspondence, and so where would the places be you would 19 look? 20 A Well, I would either give it to the -- to the 21 records management who keeps the presidential records. I'd 22 just give it to my -- to Rebecca to file it. And -- or if 23 there was a response, it would have -- well, would probably 24 have gone to records management. 25 Q A response, for example, if it's from the</p>	<p>1 be sort of an interim hold, I think, to -- 2 Q Does the President keep any files in his -- like 3 Oval Office study, dining room, or anything like that, 4 separate and apart from these areas you identified? In other 5 words, would there be a place that you could look in the 6 President's space for correspondence, either from Kathleen 7 Willey or to Kathleen Willey, for example? 8 A No. 9 Q So this wouldn't have been -- the correspondence 10 that you looked for from Kathleen Willey wasn't something you 11 looked for in the President's Oval Office, for example. 12 A That's correct. 13 Q And not in his personal study. 14 A That's correct. 15 Q Did Mr. Lindsey say anything about why he wanted or 16 what he planned to do with the correspondence you gave him? 17 A Not that I recall. 18 Q Why was it you gave it to Mr. Lindsey? Your best 19 recollection is you gave it to Mr. Lindsey. Assuming that's 20 true, why was it you gave it to Mr. Lindsey, since your best 21 recollection is Mr. Bennett asked you to look for it? 22 A Again, that's why I'm not certain Mr. Bennett's the 23 one that asked me for it. 24 Q Okay. 25 A I probably gave it to Mr. Lindsey because I trusted</p>

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1 that he would handle it appropriately and he would get it to
2 the right person.
3 So -- and I don't know that Mr. Bennett asked me.
4 I keep clarifying that, but -- you know, it is those kinds of
5 things that go -- I'm not sure he asked me. I may have just
6 looked for it and said, "Look, you know, this is an issue,
7 and here it is," you know.
8 Q The correspondence that you found, approximately
9 how many pieces of paper are you talking about that you found
10 which was correspondence from Kathleen Willey?
11 A Oh, I don't know. I've, you know, read all this in
12 the papers recently, and if I have to go back and think of
13 what I've read in the paper rather than what I even know, it
14 could be the case that --
15 Q Let's not criticize what you read in the paper.
16 A I don't -- I don't know.
17 Q Okay.
18 A It's 10 or 15 pieces, maybe 20. I don't --
19 Q Okay.
20 A Yeah. Independent, frankly, of having read that,
21 I'd probably say five or ten. But having read that, you
22 know, it seems like there's more than that. I know you just
23 told me not to, but --
24 Q No, that's okay.
25 A -- I'm all mixed up.

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1 Q You can qualify it.
2 A Mm-hmm.
3 Q So I understand your answer -- and I appreciate
4 your willingness at least to try to sort of dichotomize and
5 separate what you knew versus what you read.
6 A Mm-hmm.
7 Q So I understand your answer. Before you had read
8 this, you would estimate that you believe you found five to
9 ten pieces of correspondence.
10 A I would have placed it around ten.
11 Q Okay. And in light of the newspaper articles or
12 the media, the publicity about it, perhaps now, as many as
13 20, but that's rough estimate.
14 A That's correct.
15 Q Okay. Did you look for or find any correspondence
16 from the President to Kathleen Willey?
17 A I didn't find any, no.
18 Q Had you ever been asked to look for any
19 correspondence from the President to Kathleen Willey?
20 A Well, I don't -- I don't know. I wouldn't keep
21 correspondence from the President to Kathleen Willey.
22 Q That sounds like the answer is no, but let me make
23 sure then. Have you ever been asked to look for any
24 correspondence from the President to Kathleen Willey?
25 A Not that I recall.

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1 Q All right. If the President did write
2 correspondence to Kathleen Willey, what would be the normal
3 course of action in terms of the White House maintaining a
4 copy? Who would maintain it?
5 A Records management would maintain it.
6 Q Not personal records? Let me stop for a minute.
7 There's a knock at the door.
8 (Interruption to proceedings.)
9 MR. BARGER: I guess we can continue. Mr. Emmick
10 has left the room.
11 BY MR. BARGER:
12 Q If the President had written correspondence to
13 Kathleen Willey, the normal course of record-keeping is that
14 a copy would be kept in records management, correct?
15 A That's correct.
16 Q Does the President, to your knowledge, keep any
17 copies himself of personal correspondence he writes to
18 people?
19 A No.
20 Q When the President handwrites correspondence to
21 someone, is a copy of the handwritten correspondence still
22 maintained?
23 A Yes.
24 Q And when the President writes correspondence to
25 someone, let's assume handwritten correspondence, does he

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1 mail it himself or is that something he leaves to somebody
2 else?
3 A He leaves it to somebody else.
4 Q Who would he normally leave that to?
5 A Either to Betty or to me.
6 Q Do you recall if the President has ever had you
7 mail any correspondence from him to Kathleen Willey?
8 A I don't recall.
9 Q Is it possible he has?
10 A It's possible.
11 Q But in your experience, if he had written a
12 handwritten note to Kathleen Willey, that would be the kind
13 of thing that a copy would still be kept in records
14 management.
15 A That's correct.
16 Q And your best recollection is no one has ever asked
17 you to search for correspondence from the President to
18 Kathleen Willey.
19 A That's correct.
20 Q Going back to the topic I left a little while ago,
21 other than the five-minute conversation you had with Mr.
22 Bennett, the one, two, three or so conversations you had with
23 Cheryl Mills, which totaled approximately 15 minutes, and the
24 more than five, less than ten conversations you had with
25 Bruce Lindsey that totaled less than an hour, and then last,

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1 your approximately 15 minutes with your attorneys talking
 2 about -- we're not going to get into the substance, but
 3 generally the topic of Kathleen Willey, has anyone else ever
 4 asked you about or attempted to gather information from you
 5 about what you know about Kathleen Willey?
 6 A Other than you?
 7 Q Other than --
 8 A Not that I recall.
 9 Q Cumulatively, we've well topped the record.
 10 A Really, you have.
 11 Q Okay. Generally what were your conversations
 12 with -- what did you and Cheryl Mills talk about with respect
 13 to Kathleen Willey? What did you say to her? What did she
 14 want to know?
 15 A Well, the last conversation I had with her was
 16 regarding a -- I think a letter that Kathleen's attorneys
 17 released, and she asked me -- it was not something we had in
 18 our files, and she asked me again about that.
 19 She said, "Well, it's not a letter that you
 20 produced, and they've got -- she's released a letter." And I
 21 said, "Well, I've given you all everything I've got."
 22 She just asked me about that and told me actually
 23 it's from the news magazines this week. So that was the last
 24 conversation I had with her.
 25 Q Okay. I apologize. I haven't been able to -- and

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1 I'm sure you probably haven't either -- been able to keep up
 2 with all the news articles --
 3 A Mm-hmm.
 4 Q -- about these topics. So I understand you --
 5 apparently there's a published report that Kathleen Willey's
 6 attorney has released some correspondence from the President?
 7 A No.
 8 Q No?
 9 A It's from her to me.
 10 Q Oh, okay, it's from Kathleen Willey to you.
 11 A That's correct.
 12 Q And Cheryl Mills basically asked you if they or you
 13 or the White House had a copy.
 14 A That's correct.
 15 Q And you said no.
 16 A That's correct.
 17 Q Okay. How about your prior conversations with Ms.
 18 Mills? Is that generally the substance of the conversations
 19 with Ms. Mills, the most recent conversation, that it
 20 concerned this letter?
 21 A That was the most recent one.
 22 Q How about the other conversations, what did they
 23 concern?
 24 A Well, I think one conversation was probably just
 25 generally in the presence of my attorneys, generally --

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1 Q Okay.
 2 A -- general stuff. I mean, nothing really specific.
 3 And then I think that at some point last summer -- late
 4 summer or late fall, she just indicated that -- just asked me
 5 if I knew anything about her. Did I think that was somebody
 6 that, you know -- I think at that time there was some inkling
 7 of some publicity, whether it was out or not, but --
 8 Q Okay.
 9 A And she was -- said, "Do you know anything about
 10 her, or did the President ever see her?"
 11 Q And what did you tell her?
 12 A Just what I've already said, that, yes, I knew her,
 13 and, yes, she had been in to visit, you know, once or twice,
 14 and --
 15 Q Okay.
 16 A -- that's the extent of what I knew about her,
 17 generally.
 18 Q And in your conversations with Bruce Lindsey,
 19 generally what did those conversations with Mr. Lindsey
 20 concern or entail? What was that about, with regard to
 21 Kathleen Willey?
 22 A I remember that one of the first conversations was
 23 that Mr. Lindsey didn't seem to be aware of who she was when
 24 some of this stuff came up, and just the same questions, do I
 25 know her and who is she and that sort of thing.

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1 And I think the other later conversations more had
 2 to do with maybe this correspondence. I found it in stages,
 3 I didn't find it all at once, and so when I'd find something,
 4 I'd let him know I had something, and he would come get it.
 5 But that's generally, I think, what -- basically
 6 what we talked about.
 7 Q Okay. Let me -- I alluded to what seems like, and
 8 probably is, a long time ago --
 9 A Mm-hmm.
 10 Q -- that I would go through some of this
 11 chronologically.
 12 A Mm-hmm.
 13 Q Let me do a little bit of that now.
 14 MR. EMMICK: Can I ask one question --
 15 MR. BARGER: Yes.
 16 MR. EMMICK: -- just so we don't move off the issue
 17 too far.
 18 BY MR. EMMICK:
 19 Q In your conversations with Bruce Lindsey and with
 20 Cheryl Mills, did they take notes?
 21 A I have no idea. Two of the conversations with
 22 Cheryl were on the telephone, so I have no idea.
 23 Q How about the ones that were in person?
 24 A I don't think she took notes, no. And with Bruce,
 25 he never took notes, no.

1 BY MR. BARGER:
 2 Q Let me chronologically go through some of this and
 3 start back in 1992.
 4 A Mm-hmm.
 5 Q In the summer of 1992, then Governor Clinton was
 6 running for President, correct?
 7 A Correct.
 8 Q And did you accompany him on occasion in some of
 9 his campaigning?
 10 A Occasionally, yeah.
 11 Q Just to refresh the grand jury's recollection, at
 12 that point in time you worked for and had worked for a number
 13 of years for the governor in Arkansas, correct?
 14 A That's correct.
 15 Q And I forget your exact title when you were in
 16 Arkansas.
 17 A You want me to tell you?
 18 Q Please.
 19 A I was scheduling secretary.
 20 Q Okay. And on occasion you said you accompanied the
 21 governor on some of his campaign stops, correct?
 22 A Mm-hmm.
 23 Q Do you recall that there came a time in
 24 approximately the fall of 1992 that the governor attended a
 25 debate, I believe, in Williamsburg, Virginia?

1 Richmond for the actual debate.
 2 A Yes, that's right.
 3 Q Do you recall whether after the debate there was
 4 a -- it could be before the debate, but around that time
 5 period, either before or after the debate, there also was a
 6 campaign appearance on the grounds of the governor's mansion
 7 in Virginia there in downtown Richmond? Do you remember
 8 that?
 9 A No, I don't remember that.
 10 Q Okay.
 11 A Was it after the debate, you said, or before?
 12 Q I don't know -- I don't want to use my
 13 recollection --
 14 A Mm-hmm.
 15 Q -- but as best you recall, do you recall whether,
 16 either before the debate or after the debate, but right in
 17 that time period, he had a campaign appearance, a rally, on
 18 the grounds of the governor's mansion there in Richmond?
 19 A I don't remember that.
 20 Q Okay. Going back to his arrival in Richmond, do
 21 you recall whether he flew in?
 22 A To Richmond?
 23 Q Yes, ma'am, as opposed to by train or something
 24 like that?
 25 A Yeah, I think, yeah, he flew in.

1 A Yes.
 2 Q Did you accompany him --
 3 A Actually -- well, it wasn't -- the debate wasn't in
 4 Williamsburg.
 5 Q All right. How would you --
 6 A It was the debate prep.
 7 Q The debate prep, okay. The debate actually
 8 occurred in --
 9 A Richmond.
 10 Q -- Richmond. Do you remember the approximate time
 11 period that occurred, September, August?
 12 Q No. It was in the fall. I think they were
 13 probably in October, but --
 14 Q Okay. Did you accompany him on that trip?
 15 A Yes, I did.
 16 Q Do you recall, was he having trouble with his voice
 17 from the hard campaigning he was doing?
 18 A Yes, he was having trouble with his voice.
 19 Q When the President came for the debate and the
 20 debate prep, do you recall where he arrived? Did he fly into
 21 Richmond, for example?
 22 A I think so.
 23 Q And from Richmond he went to Williamsburg?
 24 A Yes. I think that's how -- yeah.
 25 Q And after staying in Williamsburg, came back to

1 Q Do you recall -- and I guess perhaps this is a
 2 little bit -- do you know Kathleen Willey?
 3 A Yes, I do.
 4 Q And have known her for a number of years.
 5 A Yes, I have.
 6 Q And after President Clinton was elected in November
 7 of '92 and took office in January of '92, there came a time
 8 when Kathleen Willey became a White House volunteer, correct?
 9 A Yes, uh-huh.
 10 Q Do you recall when it was that you first met Mrs.
 11 Willey? Do you recall whether it was after she became a
 12 White House volunteer or whether it was then Governor
 13 Clinton's campaign?
 14 A I think I met her during the campaign, but I
 15 wouldn't bet my life on it.
 16 Q Okay. How many times would you estimate you
 17 accompanied Governor Clinton on campaign trips where he flew
 18 during that 1992 campaign? And you can give a range.
 19 A It wasn't very many of them. I would say five or
 20 so.
 21 Q On any of those campaign stops with then Governor
 22 Clinton, were there ever any occasions where he asked you to
 23 obtain phone numbers of any of the people he saw, the people
 24 he was greeting, or people that he came in contact with?
 25 A I don't recall.

1 Q When you say you don't recall, you don't recall him
2 doing that or --
3 A I don't recall him ever asking me to get somebody's
4 -- anybody's phone number.
5 Q Okay. Do you recall -- and let me be more
6 specific. Do you recall whether he ever asked you to get
7 Kathleen Willey's phone number?
8 A Well, I don't recall that he ever asked me to get a
9 phone number.
10 Q Have you heard news reports or allegations that he
11 asked you to do that?
12 A I haven't read any news report that he asked me to
13 do that, no.
14 Q Okay. And your best recollection is that he did
15 not?
16 A I just don't remember one way or the other whether
17 he -- yeah, my --
18 Q Okay.
19 A You asked me specifically, did he or didn't he? I
20 just don't recall that he ever asked me to get anybody's
21 phone number.
22 Q Okay.
23 A And so, specifically, that would fall into that
24 category.
25 Q Okay. And you saved me the next question. That

1 was -- not only Kathleen Willey's, but your best recollection
2 is, he never asked you to get anybody's telephone number.
3 A That's my best recollection.
4 Q Have you seen an ABC news report about his campaign
5 stop in Richmond, where Lieutenant Governor Beyer -- do you
6 know who Lieutenant Governor Beyer is?
7 A Uh-huh, I do.
8 Q Have you seen the videotape where Lieutenant
9 Governor Beyer is on the screen, and the President's talking
10 to him, and Lieutenant Governor Beyer and Kathleen Willey's
11 name is mentioned?
12 A I don't think I have.
13 Q Okay. Let me see we have that. I'd like to show
14 it to you. It may help refresh your memory.
15 (Whereupon, the videotape identified above was
16 shown to the Grand Jury.)
17 BY MR. BARGER:
18 Q My question is, having -- and, by the way, you
19 recognize yourself over there on the left-hand side?
20 A Uh-huh, I do.
21 Q All right. And the person in the middle is
22 Lieutenant Governor Beyer?
23 A Uh-huh.
24 Q Does that help at all in refreshing your memory
25 whether the President asked you to get Mrs. Willey's phone

1 number?
2 A No, it doesn't.
3 Q Is it possible you did?
4 A It's possible. I just don't remember.
5 Q Do you recall any conversation with the President
6 about Kathleen Willey? And I'm talking about here at the
7 Richmond airport in '92. Do you recall any conversation with
8 the President about Kathleen Willey or -- and let me be clear
9 here. He may not have used the name, but he may have
10 directed you to go get someone's phone number.
11 Do you recall him doing anything like that?
12 A For me to go get somebody's phone number? I don't
13 recall any time that he asked me to go get somebody's phone
14 number.
15 Q But it is possible?
16 A It is possible.
17 Q Okay. And you don't recall him ever doing that in
18 any of the other campaign stops? In other words, you don't
19 recall any instance where he asked you to go get somebody's
20 phone number. While you say, "Well, perhaps it is possible
21 he had me do that."
22 A Mm-hmm.
23 Q "I don't recall any time he had me do that."
24 A Yeah, let me just -- let me think back a minute.
25 Q Okay.

1 A Because I didn't go on very many places, but, you
2 know, it certainly is -- I know I've got to isolate that time
3 as opposed to any time since then. That's --
4 Q Right. And if it helps at all, we can limit it to
5 the 1992 campaign.
6 A Yeah, I know that's, you know, basically what
7 you're after, and I don't remember any specific instance that
8 he asked me to do it. It's possible, but I don't remember a
9 time he asked me to do it.
10 Q Okay. Let me show you another clip and see if that
11 may help you as well.
12 (Whereupon, a portion of the videotape identified
13 above was played for the Grand Jury.)
14 BY MR. BARGER:
15 Q Having looked at that tape, does that appear to be
16 a portion of the same arrival of the President, then Governor
17 Clinton, in Richmond, but from a different angle?
18 A Yes.
19 Q And on this second videotape, we did a longer and
20 clearer picture of your presence, correct?
21 A Mm-hmm.
22 Q And does it appear that the second videotape als
23 Lieutenant Governor Beyer in the picture as well with
24 Governor Clinton?
25 A Uh-huh.

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1 Q And from this videotape, does it appear that
2 Governor Clinton is talking to you and then directing you to
3 do something?

4 A That's right.

5 Q Having looked at that, does that refresh your
6 recollection as to whether Governor Clinton asked you to go
7 get Kathleen Willey's telephone number?

8 A No, it doesn't.

9 Q And, again, is it possible he had you to do that?

10 A Yes, it is possible.

11 MR. BARGER: This is as good a place as any --
12 I think we're done for the day. My understanding is that Ms.
13 Herrnreich is scheduled to come back on Tuesday morning.

14 So, Madam Foreman, may the witness be excused?

15 THE FOREPERSON: Yes, she may. Thank you very
16 much.

17 MR. BARGER: Thank you very much. We'll see you on
18 Tuesday.

19 THE WITNESS: Okay.

20 (The witness was excused.)

21 (Whereupon, at 4:30 p.m., the taking of the
22 testimony in the presence of a full quorum of the Grand Jury
23 was concluded.)

24 * * * * *

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

----- x
IN RE: :
GRAND JURY PROCEEDINGS :
----- x

Grand Jury Room No. 3
United States District Court
for the District of Columbia
3rd & Constitution, N.W.
Washington, D.C. 20001

Tuesday, March 31, 1998

The testimony of NANCY HERNREICH was taken in the
presence of a full quorum of Grand Jury 97-2, impaneled on
March 29, 1997, commencing at 9:57 a.m., before:

DAVID BARGER
MICHAEL EMMICK
SOLOMON WISENBERG
Associate Independent Counsel
Office of Independent Counsel
1001 Pennsylvania Avenue, N.W.
Suite 490 North
Washington, D.C. 20004

PROCEEDINGS

1 Whereupon,
2 NANCY HERNREICH
3 was called as a witness and, having been first duly sworn by
4 the Foreperson of the Grand Jury, was examined and testified
5 as follows:

EXAMINATION

BY MR. BARGER:

6
7
8 Q Good morning.
9 A Good morning.
10 Q Could you please state your name for the record?
11 A My name is Nancy Hernreich.
12 Q And, Ms. Hernreich, you have previously appeared
13 before the grand jury, correct?
14 A Yes, I have.
15 Q In fact, I believe you testified last Thursday
16 afternoon, and in order to try to complete your testimony, we
17 had you come back today, correct?
18 A Correct.
19 Q All right, thank you.
20 I'd like to go over just a few of the areas in a
21 little bit more detail that we covered on Thursday and cover
22 some new areas. Before I start, just to give you the
23 opportunity, is there anything since you testified last
24 Thursday that has come to mind, or that you've recalled

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1 differently than you testified to last Thursday?
2 I know you gave us your best recollection of
3 things, but just to give you the opportunity, is there
4 anything that's come to mind since that you need to qualify
5 any of your answers?
6 A The only thing I can think of is that -- you had
7 asked me about whether I had a document request, but I also
8 had one on Monica Lewinsky earlier that I'd forgotten to
9 mention last week.
10 Q Okay. Thank you.
11 I don't think I will cover that in any detail,
12 although Mr. Emmick may, but just to give us a time frame,
13 when, as best you recall, was the document request regarding
14 Monica Lewinsky?
15 A Well, obviously, it's been since, you know, January
16 21st, so --
17 Q All right.
18 A So I can't tell you precisely.
19 Q All right. This was a document request from whom?
20 A I think it was Independent Counsel, Office of
21 Independent Counsel.
22 Q Speaking of document requests, that's one of the
23 topics I wanted to cover with you, so it's just sort of
24 generally the topic of records, and you testified briefly in
25 response to some of my questions I asked you last week about

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<p>1 correspondence.</p> <p>2 As I understand it, as I recall, generally there is</p> <p>3 a records-keeping function for personal correspondence at the</p> <p>4 White House; is that correct?</p> <p>5 A Well, there could be several -- several ways to</p> <p>6 describe that. We have a department called Personal</p> <p>7 Correspondence, and generally on replies to personal</p> <p>8 correspondence, those go to the Office of Records Management.</p> <p>9 If there's a reply that goes out to a personal letter, then</p> <p>10 all those things go to Records Management.</p> <p>11 Q All right.</p> <p>12 A And then in some of the other correspondence --</p> <p>13 personal correspondence is listed on pieces of paper, and</p> <p>14 those eventually will go to, you know, Records Management as</p> <p>15 well.</p> <p>16 And then -- then I make a determination on some, on</p> <p>17 personal correspondence sort of as an interim measurement</p> <p>18 until I can make a decision on what to do with it finally, to</p> <p>19 file some personal letters until the time is that I can go</p> <p>20 through it and then, you know, send it to Records Management.</p> <p>21 And I just happen to file those in the Personal</p> <p>22 Correspondence area because they have more room to do it than</p> <p>23 I do, they've got more space.</p> <p>24 Q The Personal Correspondence area to which you</p> <p>25 refer, generally where is that located? Is that somewhere</p>	<p>1 you in your personal capacity at the White House, "Nancy</p> <p>2 Herrnreich at the White House," for example --</p> <p>3 A Mm-hmm.</p> <p>4 Q -- that letter would come to you, and you could</p> <p>5 then make a decision as you've outlined whether it's</p> <p>6 something that would be filed in the official White House</p> <p>7 record-keeping system, or whether it would be simply</p> <p>8 something you would keep personally, or whether it would be</p> <p>9 simply something that you might just throw away.</p> <p>10 A Mm-hmm.</p> <p>11 Q Generally have I sort of outlined the</p> <p>12 possibilities?</p> <p>13 A That's correct, mm-hmm.</p> <p>14 Q With regard to Kathleen Willey, did you ever</p> <p>15 receive any correspondence from Kathleen Willey that you</p> <p>16 recall?</p> <p>17 A Well, I know I have, and I'm trying to even sit</p> <p>18 there and recall specifically which ones, you know, I had,</p> <p>19 because I had found those recently, and there have been</p> <p>20 articles in the paper about them, but -- so I have received</p> <p>21 correspondence from Kathleen Willey.</p> <p>22 Q Okay. Generally where did you file the</p> <p>23 correspondence from Kathleen Willey? How did you handle that</p> <p>24 correspondence? Is that something you kept personally at</p> <p>25 your desk or somewhere else, or was it something that went</p>
<p>1 that has some proximity to your office, or is that somewhere</p> <p>2 else?</p> <p>3 A It's in the East Wing.</p> <p>4 Q Let me use an example to flesh this out and perhaps</p> <p>5 clarify. For example, if there is a personal letter to you,</p> <p>6 or a letter addressed to you, generally what would happen to</p> <p>7 that letter when it comes into the White House? Sort of take</p> <p>8 us through. Would it come to you, and then would you file</p> <p>9 it, or what would -- take us through that.</p> <p>10 Q I think various things would happen. If a personal</p> <p>11 letter -- if it's personal and has some meaning to me, then I</p> <p>12 would save it personally. For instance, it was a really</p> <p>13 nice, for instance, thank-you note or something really</p> <p>14 special about it, then -- then I would just save it. You</p> <p>15 know, I'd just put it in a bag in the office, and at which</p> <p>16 time I'd kind of go through it, but I would -- I wouldn't</p> <p>17 have particularly any filing system for it particularly.</p> <p>18 And then sometimes I would give them to my</p> <p>19 assistant, you know, just as a matter of, you know, "Here's -</p> <p>20 - this is your filing," and which she probably gets to about</p> <p>21 every six months, but --</p> <p>22 And then sometimes I just throw them away. If it</p> <p>23 doesn't have a lot of meaning to me and it's not, you know --</p> <p>24 then I just put it in the trash can.</p> <p>25 Q Okay. So correspondence to you that's addressed to</p>	<p>1 into the White House record-keeping system?</p> <p>2 A You know, I don't remember where it was filed, and</p> <p>3 I have absolutely no recall about where we even found any of</p> <p>4 those.</p> <p>5 Q Well, you used the words, "we found," and I think</p> <p>6 you used the word "recently." Can you elaborate on that and</p> <p>7 what you mean by that?</p> <p>8 I take it, someone has recently taken the</p> <p>9 opportunity to look for correspondence from Kathleen Willey</p> <p>10 to you?</p> <p>11 A Well, I don't know why I said "recently." I mean,</p> <p>12 maybe I meant in the last six or eight months. But my</p> <p>13 assistant has as she would run across things, because she</p> <p>14 knew I was looking for things. So in her filing, getting</p> <p>15 ready, for instance, to send things to Records Management, if</p> <p>16 she found something, then she would bring it to me.</p> <p>17 Q Now, you testified last week about a request, at</p> <p>18 least as best you recall, from Mr. Bennett to look for</p> <p>19 correspondence relating to Kathleen Willey.</p> <p>20 And I wanted to make sure whether, when we're</p> <p>21 talking about -- today when we're talking about letters or</p> <p>22 correspondence that Kathleen Willey wrote to you as oppos</p> <p>23 to President Clinton, whether we're talking about different</p> <p>24 times or different instances of looking for records or</p> <p>25 whether the looking for the Kathleen Willey correspondence at</p>

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<p>1 the request of Mr. Bennett would have included and did 2 include correspondence that she addressed to you. 3 Does that make sense? 4 A Yeah, I think what you're asking me is whether 5 someone -- as I said the other day, I couldn't tell you 6 definitively that it was Mr. Bennett who asked me to look for 7 the correspondence, or if he ever did specifically. And so, 8 therefore, I couldn't really tell you, because I can't recall 9 that, whether he said to look for all correspondence to the 10 President or correspondence to me. 11 As I -- I have this recollection that I basically 12 took this upon myself to do. There may have been at some 13 point a conversation with Mr. Bennett that I was going to do 14 that, but I have a problem with characterizing that he asked 15 me to do it. I still have a problem with that, because I 16 don't recall that. 17 Then -- but generally when I started looking, I 18 looked for all correspondence. And it was, you know, over a 19 period of time. I didn't one day sit down and go through 20 everything I had looking for it. I think it just came about 21 over a period of time. 22 Q Perhaps I misunderstood you last week, but do you 23 recall testifying, at least in essence, that your best 24 recollection is that Mr. Bennett asked you to look for 25 correspondence relating to Kathleen Willey?</p>	<p>1 made a big point to me about looking for this correspondence. 2 BY MR. WISENBERG: 3 Q Why would you take it upon yourself to look for 4 Kathleen Willey correspondence? 5 A Because it had become an issue. Somehow or 6 another, it was up on the radar screen, so to speak. And 7 so -- and I wanted to be ahead of the game. I thought, well, 8 someone's going to ask me for this some time, some -- you 9 know, someplace, and I should just start looking for it now 10 and see what the facts of this -- someone will ask me what 11 the facts were at some point, and so I should start looking 12 for this correspondence, because I remembered that she had 13 written. 14 Q Is there any other time in your life in the White 15 House when you've taken it upon yourself to look for 16 correspondence to and from a particular person? 17 A I think probably there have been those occasions, 18 but I can't specifically tell you right now what they were. 19 But if I thought about it enough, I could probably come up 20 with some. 21 MR. WISENBERG: Pardon me for interrupting. 22 MR. BARGER: No, that's all right. 23 BY MR. BARGER: 24 Q Well, let's go down this road a little further. 25 A Okay.</p>
<p>Page 10</p> <p>1 A Well, that was your words and not mine. You had 2 said, you know, "Well, to the best of your recollection." 3 I -- I mean, I still have problems -- I want you -- I want to 4 be very clear that I have problems with that, in saying that 5 Mr. Bennett asked me to look for that. 6 I mean, my best recollection is that I basically 7 took it upon myself. I may have mentioned to Mr. Bennett at 8 some point that I was going to look for it, but I really have 9 problems with characterizing it precisely like that. 10 Q Okay. Perhaps I simply misunderstood you. 11 A Mm-hmm. 12 Q Do you recall testifying that your best 13 recollection was Mr. Bennett asked you to look for that? 14 A Well, I recall that you said to me, "Well, to your 15 best recollection." 16 Q Right. 17 A Yeah. And to my best recollection, he may have -- 18 he may have asked me to do that. I want to be really very 19 clear, though. I don't recall it. And that's what I have to 20 tell you, is that I don't recall why I looked for the 21 correspondence. 22 My best recollection is that I took it upon myself. 23 My best recollection is that I may have had a conversation 24 somehow, somewhere with Mr. Bennett about this correspondence 25 that I was looking for, but I don't recall that Mr. Bennett</p>	<p>Page 12</p> <p>1 Q I believe your testimony last week was, your best 2 recollection was that you gave these documents to Bruce 3 Lindsey; is that correct? 4 A That's correct. 5 Q Okay. Following up on Mr. Wisenberg's questions, 6 how many other individuals in addition to Kathleen Willey 7 have you gathered documents for that you turned over to Bruce 8 Lindsey that relate to the matters under the jurisdiction of 9 the Office of the Independent Counsel? 10 Does that make sense? 11 A I understand what you're asking. Maybe you could 12 give me some examples so I can think of something. 13 Q Anybody besides Kathleen Willey whose 14 correspondence you went and hunted for, whether on your own 15 initiative or whether perhaps at the suggestion or after 16 discussion with Mr. Bennett? I mean -- 17 A Mr. Bennett? 18 Q Is there anybody else's correspondence you gathered 19 besides Kathleen Willey's that you recall that somehow 20 relates to this investigation? 21 MR. WISENBERG: Just a point of clarification. 22 THE WITNESS: Mm-hmm. 23 MR. WISENBERG: This investigation and/or the Paula 24 Jones case, Jones v. Clinton also. 25 MR. BARGER: I'll rephrase my question to make it a</p>

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<p>1 larger universe.</p> <p>2 BY MR. BARGER:</p> <p>3 Q In addition to Kathleen Willey, what other</p> <p>4 individual's correspondence have you gathered and given to</p> <p>5 Bruce Lindsey?</p> <p>6 A I don't recall that I've given other people's</p> <p>7 correspondence to Bruce Lindsey.</p> <p>8 Q Okay. So your best recollection is, Ms. Willey is</p> <p>9 the only instance.</p> <p>10 A To my best recollection.</p> <p>11 Q Okay.</p> <p>12 A But when I say that, I want to be clear that I'm</p> <p>13 not definitive about it.</p> <p>14 Q Okay. Now, let's assume for a minute that you took</p> <p>15 it upon yourself to look for Ms. Willey's correspondence. As</p> <p>16 I understood your testimony last week, this correspondence</p> <p>17 was within the custody and control of the Office of Records</p> <p>18 Management, correct?</p> <p>19 A No, not at the time I don't believe.</p> <p>20 Q Okay, well, maybe I misunderstood you last week.</p> <p>21 Where were these letters and correspondence that you found?</p> <p>22 A I -- and I've testified today to that, too. It</p> <p>23 came out over a period of time. I had my assistant look for</p> <p>24 those. I don't recall where I found them.</p> <p>25 She -- I remember she was going through her things</p>	<p>1 Q All right. So that takes care of documents that</p> <p>2 Rebecca Cameron had within her control. I take it, there</p> <p>3 were other documents you found that were not at the Office</p> <p>4 Records Management that were within your control.</p> <p>5 A I think so. I do not remember where I found these</p> <p>6 documents. I just don't remember.</p> <p>7 Q Where would they have been? Since you've said</p> <p>8 they're not at the Office of Records Management, and we're</p> <p>9 not talking about things in Rebecca Cameron's control, where</p> <p>10 would they have been?</p> <p>11 A I don't know. They would have been maybe in a box</p> <p>12 for her to pick up, things for her to look through. I may</p> <p>13 have gone through those. I don't -- I do not remember where</p> <p>14 I found these particular letters.</p> <p>15 Q All right. But my question is -- let's talk about</p> <p>16 the universe of where they could physically be. Could they</p> <p>17 be in the President's -- in the Oval Office, for example?</p> <p>18 A I don't believe they would have. No, they could</p> <p>19 not be in the Oval Office.</p> <p>20 Q Could they have been in the private study?</p> <p>21 A No, they would not have been in the private study.</p> <p>22 Q Would they have been in the dining room?</p> <p>23 A No, they would not have been in the dining room.</p> <p>24 Q So they would have been either in your office or --</p> <p>25 how about Betty Currie's -- would they have been in Betty</p>
<p>Page 14</p> <p>1 in one particular case, getting ready to send them to Records</p> <p>2 Management, her filing, and she found, I think, two of these</p> <p>3 documents minimally at that time.</p> <p>4 She -- yeah, I think -- and this was over three or</p> <p>5 four months, because there wasn't any press to find these</p> <p>6 from anybody at the time. That's my recollection, over two</p> <p>7 or three months.</p> <p>8 Q All right. So your -- I'm sorry, you told us</p> <p>9 previously your assistant's name, but I've forgotten.</p> <p>10 A Rebecca Cameron.</p> <p>11 Q All right. So Rebecca Cameron, at your</p> <p>12 instructions, looked through her things and found a couple --</p> <p>13 perhaps a couple of Kathleen Willey-related correspondence.</p> <p>14 A Well, you said at my instruction. I'm not</p> <p>15 absolutely certain it was at my instruction.</p> <p>16 Q At whose instruction would it be?</p> <p>17 A I'm not sure it was at anybody's instruction.</p> <p>18 Q So are you saying that she on her own is just</p> <p>19 happening to look for Kathleen Willey documents?</p> <p>20 A She may have known that I had been looking for some</p> <p>21 and, you know, on her own found them and brought them to my</p> <p>22 attention.</p> <p>23 Q How would she know you were looking for them?</p> <p>24 A I may have indicated to her that I was looking. I</p> <p>25 don't -- I don't recall.</p>	<p>Page 16</p> <p>1 Currie's office?</p> <p>2 A No, they would not have been in Betty Currie's</p> <p>3 office.</p> <p>4 Q So the only place -- maybe I'm missing something,</p> <p>5 but the only place they would be then is in your office.</p> <p>6 A My office, Rebecca's office, Records Management.</p> <p>7 Q You previously said they weren't at Records</p> <p>8 Management.</p> <p>9 A I said I didn't -- well, I think there have been --</p> <p>10 they have found some subsequently there. I did not look at</p> <p>11 Records Management that I recall.</p> <p>12 And they could have been filed in Personal</p> <p>13 Correspondence. But I do not recall asking anyone over there</p> <p>14 to look. I do not recall looking myself over there.</p> <p>15 But as an interim measure until they -- we had a</p> <p>16 chance to go through them, they may have been filed there.</p> <p>17 Q Is Personal Correspondence different than the</p> <p>18 Office of Records Management?</p> <p>19 A Yes.</p> <p>20 Q Who is in charge of Personal Correspondence? Who's</p> <p>21 in charge of record-keeping in Personal Correspondence?</p> <p>22 A That's my -- part of my office. Personal</p> <p>23 Correspondence is part of the Oval Office operations.</p> <p>24 Q And who works under you in that capacity?</p> <p>25 A I have four employees there.</p>

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1 Q Who are they?
 2 A Well, now it's Ann McCoy, Helen Robinson, Eugenie
 3 Basilko, and Millie Alston.
 4 Q And when you say "now," who else in addition to
 5 those people worked there starting in, say, July of '97?
 6 A In July of '97, Maureen Lewis was there, and
 7 Eugenie Basilko started in August, and Maureen left --
 8 Q Is Maureen the only other -- is she the only
 9 addition? In other words --
 10 A No.
 11 Q -- if we went back to July and came forward, who
 12 are the universe of people that worked under your control in
 13 Personal Correspondence?
 14 A Carolyn Huber was there and left in February, I
 15 think, and Ann McCoy took her position.
 16 Q Where physically are the records located in
 17 Personal Correspondence? I mean, where would one go to find
 18 the Office of Personal Correspondence?
 19 A They would go to the East Wing.
 20 Q And do you recall whether you gave anyone any
 21 instructions in Personal Correspondence to look for Kathleen
 22 Willey-related correspondence?
 23 A I do not recall, other than this week, because we
 24 have document requests right now, asking anybody to do that.
 25 Q But prior to the Office of Independent Counsel

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1 document requests or subpoenas, you had not, to the best of
 2 your recollection, asked anyone in Personal Correspondence to
 3 look for Kathleen Willey-related documents.
 4 A I just -- I do not remember.
 5 Q Did you ask anyone in the Office of Records
 6 Management to look for Kathleen Willey-related
 7 correspondence?
 8 A I don't think so, but I cannot say that
 9 definitively.
 10 Q So what is your best recollection -- aside from the
 11 documents found by Rebecca Cameron, your best recollection is
 12 that the other documents you found that related -- the other
 13 Kathleen Willey correspondence was found where?
 14 A I don't remember.
 15 Q In your office?
 16 A I -- I don't remember where I found it, and that's
 17 all I can tell you. I have no visual recollection of where I
 18 looked for it, where I found it. It could have been -- it
 19 could have been in my office, it could have been Rebecca's
 20 office, but I just don't remember. And I don't want to
 21 characterize something that I don't remember.
 22 Q All right.
 23 A And I haven't asked anybody. I could go back and
 24 say, "Well, did I do this?" And you can do the same. But I
 25 just don't remember.

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1 Q You've already excluded -- they're not in the Oval
 2 Office, the dining room --
 3 A That's correct.
 4 Q -- the study. And they're not -- your best
 5 recollection is they weren't in Personal Correspondence
 6 because you didn't ask anybody to look for those.
 7 A I said to my best recollection, I didn't -- I don't
 8 remember that I asked anybody there to look.
 9 Q Everything I ask you is always to the best of your
 10 knowledge and belief.
 11 A Yeah. Well, I want to be clear that --
 12 Q So is it fair to say that the likely location of
 13 these documents, as I think you just said, is in Rebecca
 14 Cameron's office or in your office.
 15 A That would be -- yes. That's the best of my
 16 recollection.
 17 Q Do you recall whether you found any correspondence
 18 from Kathleen Willey to you?
 19 A I don't recall whether I found it.
 20 Q Do you recall Kathleen Willey having written to you
 21 in the past?
 22 A Yes, I do recall that she wrote me in the past.
 23 Q Did you generally save that correspondence or did
 24 you throw it out?
 25 A I don't remember what I did with the correspondence

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1 as a rule.
 2 Q What would have been your usual practice?
 3 A Throw it away.
 4 Q When Kathleen Willey wrote a note or a letter to
 5 President Clinton -- well, strike that. From your
 6 recollection from seeing the documents, is it correct to say
 7 that Kathleen Willey on occasion wrote some letters or
 8 correspondence to the President?
 9 A Yes, she did write some letters to the President.
 10 Q When those would come in, generally, what would
 11 happen to those? Would those be given to the President, or
 12 would they be short-stopped and would he not be bothered with
 13 those kinds of things?
 14 A Well, a combination of things. I would sometimes
 15 list it just on a correspondence list, sometimes I would show
 16 it to him, and sometimes I would send it off to have a reply
 17 done to it.
 18 Q Who generally took care of the replies? Is that in
 19 the Personal Correspondence section?
 20 A Yes, it is.
 21 Q And if a reply is done, would a copy of the letter
 22 be kept in Personal Correspondence? In other words, if a
 23 letter comes in, and you make a determination that Personal
 24 Correspondence should do a reply, I take it you send Personal
 25 Correspondence the letter that Kathleen Willey wrote.

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1 A Generally, no.
 2 Q Generally, no, what?
 3 A No letters of that sort would be kept in Personal
 4 Correspondence.
 5 Q What would Personal Correspondence do with the
 6 incoming letter after they wrote a reply?
 7 A After the President signed the reply, it would go
 8 to Records Management.
 9 Q Okay. And how about a copy of the reply that was
 10 written, what would happen to that? Would a copy be made?
 11 A A copy would be made, and that would go to Records
 12 Management.
 13 Q It is correct, is it not, that replies to some of
 14 Kathleen Willey's correspondence were made?
 15 A I believe that there were some replies made.
 16 Q Do you recall whether these were replies that the
 17 President himself wrote, or whether they were replies that
 18 Personal Correspondence wrote, or both?
 19 A I think they were just replies that Personal
 20 Correspondence wrote.
 21 Q All right. As you previously mentioned, if
 22 Personal Correspondence were to reply, then a copy of the
 23 reply would go to Office of Records Management, correct?
 24 A That's correct.
 25 Q And I may have misunderstood you earlier, but I

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1 thought your testimony was that when you were looking for
 2 Kathleen Willey-related correspondence, you do not recall
 3 asking Office of Records Management to look for any such
 4 documents.
 5 A Again, you know, I -- I told you what I -- that I
 6 took this upon myself, as I recall, and there wasn't a
 7 concerted effort on my part to look for this at Records
 8 Management. I was just looking for things, and I didn't --
 9 you know, if the attorneys wanted that, then they would take
 10 that upon themselves to ask Records Management for that.
 11 Q Well, when you say you took it upon yourself, are
 12 you now saying that Mr. Bennett had absolutely no role in you
 13 looking for this correspondence?
 14 A Mr. Barger, I told you I don't recall that. I have
 15 the sense that I took it upon myself. I may have had a
 16 conversation with him about it. I don't know that he made a
 17 big point of directing me to look for all of the
 18 correspondence. I just don't remember.
 19 Q All right. Then why did you give it to Bruce
 20 Lindsey?
 21 A Because I thought he was the best person to handle
 22 it. He was in the Counsel's Office, and that he is an
 23 attorney and he would know how to handle it.
 24 Q He would know how to handle what? I mean, what was
 25 "it" that needed a lawyer in the White House Counsel's Office

Page 23

1 to handle Kathleen Willey correspondence?
 2 A Well, I'm not an attorney, and this --
 3 Q Sometimes I wish I wasn't.
 4 A Well, most of the time I wish I was anymore, but --
 5 you know, I, frankly -- it seemed to be a -- a possible
 6 issue, and I just thought that the Counsel's Office would be
 7 in a better position in making a decision on how to handle
 8 it.
 9 Q You mentioned a correspondence list. In addition
 10 to keeping copies of correspondence and copies of replies, I
 11 take it, that a list is made of incoming correspondence?
 12 A Only that which I determine doesn't need a reply.
 13 Q If a reply is made, a copy of the reply is kept.
 14 A That's correct, in Records Management.
 15 Q When a reply is made, is there also a list made of
 16 the replies?
 17 A A list made of the replies?
 18 Q In other words, you said there's a correspondence
 19 list --
 20 A Oh, I see what you're saying.
 21 Q -- and the correspondence list applies to things to
 22 which there is not a reply? I misunderstood.
 23 A Well, you know, when the letters come in, then I go
 24 through them, or someone goes through them with me, and I
 25 decide -- if it's a thank-you letter or if it's just a

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1 courtesy letter, you don't need to do a thank-you -- the
 2 President doesn't need to do a thank-you for a thank-you.
 3 So those kinds of letters I usually just have them
 4 listed. And if there's not -- you know, if it's a courtesy
 5 of some sort or if it's not an issue or doesn't really
 6 require a reply, then I ask that it be -- that it just be
 7 listed. And then the President is given this list.
 8 Q Is a list made of things that are replied to as
 9 well, or does the correspondence list consist of only those
 10 things there is no reply?
 11 A Well, it is -- the correspondence list is that list
 12 which -- those things which I determine do not need a reply
 13 on the front end.
 14 Q Okay. And who makes the correspondence list? Who
 15 types that or writes that out?
 16 A There have been various people who have made it
 17 over a period of time.
 18 Q Let's go back to -- let's start now and work our
 19 way back, and I'll tell you when to stop.
 20 A Okay. I think Millie Alston does it now. And I
 21 have probably had various interns work on those. I don't
 22 know if either of my assistants have done, but I would
 23 imagine that either Kelly Crawford or Rebecca Cameron has
 24 done them. And I think Betty Currie did them early in the
 25 administration.

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1 And then our lists weren't strictly those that
2 didn't require a reply, but generally I think most of the
3 personal correspondence was listed at that point.

4 Q Where is the correspondence list maintained?

5 A Rebecca keeps them for a while. She then goes
6 through them and sends them on to Records Management.

7 Q And you indicated that the list would be
8 periodically given to the President for his review to see
9 those things to which a reply was not necessary?

10 A That's correct.

11 Q Is a copy kept by the President, or does he give
12 back the list that you provide him?

13 A He gives it back.

14 Q Is any distinction made when the President gets
15 correspondence between personal correspondence and official
16 correspondence?

17 A Tell me what you mean by that.

18 Q Well, if someone writes the President a thank-you
19 note as opposed to a government official writing the
20 President a letter about official business, are those kinds
21 of things distinguished and put in different places, or do
22 they all go to Office of Records Management under their
23 record-keeping system?

24 In other words, you talked about there's personal
25 correspondence and then there's Office of Records Management,

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1 although eventually things that are in Personal
2 Correspondence go to Office of Records Management.

3 Is personal correspondence kept differently from
4 official correspondence?

5 A Well, I don't understand precisely what you're
6 asking me. In what way?

7 Q Well, using my example, if someone writes the
8 President a thank-you note as opposed to a letter from a
9 government official on official government stationery, I take
10 it that except for the personal notes that you determine need
11 to be destroyed, both of those are maintained.

12 A What did you say about personal notes that need to
13 be destroyed?

14 Q I thought you said there were some things that
15 would come in the office that you made a determination --

16 A That was my personal correspondence, I think is
17 what you asked me, not correspondence to the President.

18 Q All right. Anything to the President, whether
19 personal or official, is not destroyed. You don't make that
20 kind of determination that --

21 A That's correct.

22 Q Okay. So both of those kinds of items are going to
23 be maintained eventually by the Office of Records Management,
24 both personal notes to the President and then official
25 correspondence.

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1 A Well, not every single item have I made the
2 determination about. You know, Archives have indicated to us
3 that we -- that you can separate personal correspondence
4 items out, but we have -- just because we don't have the
5 personnel often to deal with it, then I often send, you know,
6 everything over there.

7 And everything has not been sent over there. I
8 just -- I want to be clear about that. I have not sent
9 everything to Records Management because I haven't had the
10 time to go back through it all personally and make a
11 determination about it.

12 Q But, I take it, as a general rule, though, you do
13 not destroy correspondence to the President, whether it's
14 characterized as personal or official.

15 A That's correct.

16 Q If President Clinton were to ask you to give him
17 any correspondence he had received from Kathleen Willey,
18 whether it would be characterized as personal correspondence
19 or official correspondence, I take it, you would have
20 complied with that request.

21 A Yes, certainly.

22 Q I mean, the fact that it was personal
23 correspondence, for example, would not cause it to not be
24 within President Clinton's control.

25 A Ask that again?

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1 Q The fact that it was personal correspondence
2 wouldn't take it out of President Clinton's control. In
3 other words, if he wanted a copy of his personal
4 correspondence from Kathleen Willey, all he would need to do
5 is say, "I'd like a copy of that correspondence," and he'd be
6 given it, wouldn't he?

7 A He could ask that from, you know, various offices,
8 as I did, indicating -- I mean, as I had looked, and it took
9 months. It may not all be in one place, and it may take --
10 it may not have been all filed properly yet. And there
11 usually isn't the need to go through and do all that quickly
12 and file it all quickly. It just takes some time to think
13 about these items, so --

14 Q Okay.

15 A But if he asks for correspondence, certainly we
16 would make an effort to comply with his request.

17 Q To the best of your recollection, President Clinton
18 has never asked you -- or to the best of your recollection,
19 has President Clinton ever asked you to look for
20 correspondence related to Kathleen Willey?

21 A I don't recall that the President has ever asked me
22 for -- to look for correspondence related to Kathleen Willey,
23 but he might have.

24 BY MR. WISENBERG:

25 Q If the President ever asked you -- I'm asking this

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1 a little narrower than Mr. Barger did. If the President ever
 2 asked you to retrieve any correspondence, whether personal or
 3 official, you would make your best effort to do so; is that
 4 correct?
 5 A Yes.
 6 Q You would not tell him, "No, I refuse to do that";
 7 is that correct?
 8 A That's correct.
 9 Q And if you asked somebody in the White House to
 10 assist you in looking for correspondence or for -- let's just
 11 start out for any reason, for any reason at all you have for
 12 looking for it, if Nancy Hernreich asks somebody to help her,
 13 they're going to make their best effort to do it; is that
 14 correct?
 15 A Well, I would hope so, but sometimes I question
 16 that.
 17 Q Certainly if they are in your chain of command,
 18 underneath you in the chain of command; is that correct?
 19 A I would hope so.
 20 Q I mean, presumably, if you went up to Erskine
 21 Bowles and said, "I need you to stop what you're doing and go
 22 look for the Kathleen Willey correspondence," presumably he
 23 could tell you that he was too busy to do that; is that
 24 correct?
 25 A He could tell me that, yes.

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1 Q And presumably you would never go to Erskine Bowles
 2 to ask for general correspondence, is that correct, as an
 3 example.
 4 A Yeah, well, certainly in his present position, I
 5 wouldn't ask him to look for it.
 6 Q But anybody who you would normally ask to perform a
 7 task for you in your normal day-to-day business, if you went
 8 to them and said, "I need this correspondence," you would
 9 expect them to get it done; is that correct?
 10 A I would expect them to.
 11 Q And that would include if you directly or
 12 indirectly asked Office of Records Management; is that
 13 correct?
 14 A If I asked Records Management to do it, they would
 15 do it.
 16 Q Thanks.
 17 BY MR. BARGER:
 18 Q Let me finish up on this records topic point and
 19 move on to another one by going back to the correspondence
 20 lists. Where are the correspondence lists maintained?
 21 A Well, I think I said this before.
 22 Q I apologize if --
 23 A That's okay. I think Rebecca Cameron -- I give
 24 them to my assistant, who's Rebecca Cameron. I think she
 25 holds onto them, and at some point when she has time to go

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1 through them, she goes through them and then sends them on
 2 directly to management.
 3 Q So they, too, would be eventually maintained by the
 4 Office of Records Management.
 5 A Yes.
 6 Q I think we covered this last Thursday, but I don't
 7 think we --
 8 THE FOREPERSON: Break?
 9 MR. BARGER: Break?
 10 THE FOREPERSON: Since you're about to change --
 11 MR. BARGER: Yes, ma'am.
 12 THE FOREPERSON: -- I think now would be a good
 13 time for the grand jury to take a break, 15 minutes.
 14 MR. WISENBERG: A 15-minute break, and we'll come
 15 get you when we're ready.
 16 THE WITNESS: Okay, fine.
 17 (Witness excused. Witness recalled.)
 18 MR. WISENBERG: Let the record reflect that the
 19 witness has reentered the grand jury room. And, Madam
 20 Foreperson, we have a quorum, do we not?
 21 THE FOREPERSON: Yes, we do.
 22 MR. WISENBERG: There are no unauthorized persons
 23 in the grand jury room, correct?
 24 THE FOREPERSON: No, there are not.
 25 Ms. Hernreich, you're still under oath.

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1 THE WITNESS: Thank you.
 2 BY MR. BARGER:
 3 Q Ms. Hernreich, I have a few follow-up questions
 4 before we move to a new topic, and there are also a couple of
 5 questions that the grand jurors have raised that I believe
 6 we'll cover as well.
 7 First of all, to the best of your recollection, did
 8 you ever tell the President that you were looking for
 9 Kathleen Willey-related correspondence?
 10 A I don't recall if I ever told him that I was
 11 looking for it, but I -- but I possibly did. I -- I can't
 12 say with any certainty that I did or didn't.
 13 Q All right. Regardless of whether you told him, to
 14 best of your knowledge, was the President aware of the fact
 15 that you were looking for Kathleen Willey-related
 16 correspondence or did he come aware of that fact?
 17 A I don't recall having a conversation with him about
 18 it.
 19 Q I understand you don't recall a conversation.
 20 A Mm-hmm.
 21 Q But given the fact you said earlier you looked for
 22 this correspondence over a significant period of time, what
 23 is your understanding of whether he became aware of it? I'm
 24 not asking you whether you had a conversation, I'm asking
 25 whether, under all the circumstances, whether the President:

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1 became aware you were looking for or had been looking for
2 Kathleen Willey-related correspondence.

3 A I don't recall having -- all I can tell you is, I
4 don't recall having a conversation with him. So I don't -- I
5 don't think he was aware of it, just because I don't ever --
6 I don't recall having that conversation that I was looking
7 for it.

8 Q Did you see anything or hear anything or come to
9 any understanding that he may have become aware of it, for
10 example, from Bruce Lindsey? In other words, you say you
11 don't recall having a conversation with him --

12 A Uh-huh.

13 Q -- but you earlier indicated that you gave the
14 documents to Mr. Lindsey. So from what you saw or observed
15 or heard, did the President, to the best of your knowledge,
16 become aware of the fact that you had looked for Kathleen
17 Willey-related correspondence?

18 A From Bruce Lindsey or that -- you're asking me
19 whether the President -- did anything indicate to me that he
20 was aware of it because Bruce had possibly told him?

21 Q Certainly, yes.

22 A Is that what you're asking me?

23 Q Your best recollection is you didn't have a
24 conversation with the President.

25 A Yeah.

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1 Q But since you gave the records to Mr. Lindsey, and
2 Mr. Lindsey is a close adviser of the President, it certainly
3 is possible, is it not --

4 A Mm-hmm.

5 Q -- that Mr. Lindsey made the President aware that
6 you had looked for the correspondence and that Mr. Lindsey
7 had been given the correspondence.

8 A Well, that's certainly a possibility. I don't
9 recall that the President indicated to me that Bruce Lindsey
10 told him about the correspondence I had given him.

11 Q To the best of your recollection, did you throw
12 away any correspondence from Kathleen Willey to you? In
13 other words, you already talked about the fact you did not
14 throw away correspondence from Kathleen Willey that was
15 addressed to the President.

16 A I don't recall throwing any of it away, but I'm --
17 I have -- I'm aware that she's indicated that she sent me
18 things that I have not seen when I've searched for it, so --

19 Q Okay. That creates a follow-up question. Given
20 your understanding that she has sent you correspondence or
21 things that you have not been able to locate, have you
22 attempted to or caused anybody to look at the Office of
23 Records Management to see if there was any correspondence
24 from her to you?

25 A I have not done that, no.

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1 Q Do you know if anybody else has?

2 A Well, I assume that the Counsel's Office has
3 because there's a document request right now --

4 Q Okay.

5 A -- and they would ask Records Management to look
6 for all that.

7 Q Prior to the OIC document request -- and I may have
8 covered this with you; I apologize if I did -- prior to the
9 oic document request, did anyone attempt to look for Kathleen
10 Willey correspondence to you?

11 A I don't know. To Records Management?

12 Q Correct. You've already indicated that you
13 didn't -- there are things -- you have not found -- strike
14 that. Let me make sure about that.

15 A Mm-hmm.

16 Q Have you found any correspondence from Kathleen
17 Willey to you?

18 A I think that -- I don't know where -- I don't
19 recall is my answer. But I think in the things I've seen in
20 the paper, Mr. Barger, it indicated also that there was a
21 note, I think, to me in that. And I may be wrong about that,
22 but in the publications. And whether they found that --
23 whether I gave that to them or whether they got that from
24 Records Management I don't know, Counsel's Office.

25 Q All right, let me perhaps --

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1 A I just don't remember.

2 Q I'm confused.

3 A Yeah.

4 Q You've seen some media accounts that there was
5 correspondence from Kathleen Willey to you.

6 A I think so. I think that that's -- listen, I can't
7 even remember -- I obviously can't remember what happened
8 last week or the week before in some cases. But it seems
9 like that's what's been in the paper or the news magazines,
10 that there were other letters that the White House released -
11 - at least one, a note that they released.

12 I'd have to go back and look at it. If you're not
13 aware of it either, then I could have just --

14 Q But this is a note -- as you understand it, this is
15 a note from Kathleen Willey to you.

16 A That's my recollection.

17 Q Okay.

18 A But if it's not something you remember, then --

19 Q Well, let's assume that fact. Let's assume that
20 the White House released a piece of correspondence from
21 Kathleen Willey to you.

22 A Mm-hmm.

23 Q If that is correct, did the White House get that --
24 how did the White House come to have that document? Was that
25 something you gave them, or was that something that was in

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1 the Office of Records Management?
 2 A I don't know.
 3 Q Was it something that you found recently and gave
 4 to anybody in the White House or anybody? I mean, I must not
 5 be making myself clear.
 6 Have you found any correspondence from Kathleen
 7 Willey to you?
 8 A I received a letter in December from Kathleen
 9 Willey.
 10 Q December --
 11 A Of 1997, or November of 1997, which I gave to the
 12 Counsel's Office.
 13 Q And when did you give that to the Counsel's Office?
 14 A Shortly after receiving it.
 15 Q Who in the Counsel's Office did you give that to?
 16 A I gave that to Bruce Lindsey. And it could have
 17 been November or October or December. I don't recall the
 18 exact date, but it was before the holidays.
 19 Q Aside from that single letter, have you found any
 20 other correspondence from Kathleen Willey to you?
 21 A I don't remember. Again, I just -- I found -- I
 22 don't know if I found anything, if my assistant found
 23 anything, or if it was to me or if it was to the President.
 24 Some letters were found. I don't know if we found them in
 25 Records Management. I have not reviewed all of that, either

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1 A That's my recollection.
 2 Q So how many times did you give Bruce Lindsey
 3 documents relating to Kathleen Willey?
 4 A I don't remember.
 5 Q Well, give us a range. More than once?
 6 A More than once.
 7 Q Less than 20 times?
 8 A Less than 20.
 9 Q Less than ten times?
 10 A I don't recall.
 11 Q Okay. Definitely less than 20 times?
 12 A Nothing's definite. I don't -- I don't think it
 13 was less than 20 times -- I think it was less than 20 times.
 14 Q More than once.
 15 A And I believe it was more than once.
 16 Q More than twice?
 17 A I believe it was more than twice.
 18 Q You can see how this is going.
 19 A I know, but I don't remember. If I remembered, I
 20 could tell you.
 21 Q All right.
 22 A And I don't remember. And --
 23 Q More than three times?
 24 A I believe more than three.
 25 Q More than four?

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1 from newspaper articles or in the Counsel's Office or
 2 anywhere else to -- to see that, determine that.
 3 I don't remember whether I found anything from
 4 Kathleen Willey to me, is my answer. And I'm trying to be
 5 helpful here --
 6 Q Okay.
 7 A -- very honestly, but my answer is, I don't
 8 remember.
 9 Q And when you say you don't remember, you're talking
 10 about the documents that you testified to on Thursday that
 11 you found that you turned over to Bruce Lindsey?
 12 A That's correct.
 13 Q Is that what you're talking about?
 14 A Yes.
 15 Q And that would include a couple of documents that
 16 Rebecca Cameron found and then the other documents you found,
 17 that you then, in total, turned over to Bruce Lindsey; is
 18 that correct?
 19 A It wasn't quite like that. It was maybe like one
 20 at a time. And you're -- you visually indicated that I
 21 pulled them all together and handed them to Bruce Lindsey.
 22 As I found these, I would hand these to -- or send them to
 23 Bruce Lindsey.
 24 Q Okay. So you did not give them to Bruce Lindsey
 25 all at once.

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1 A I don't know.
 2 Q Okay.
 3 A That may be our limit here.
 4 Q When you gave Mr. Lindsey these records -- or not
 5 when. Was any type of record ever made of you giving these
 6 documents to Mr. Lindsey?
 7 A No.
 8 Q What was the subject matter, as best you recall, of
 9 the letter from Kathleen Willey to you in approximately
 10 November, December of 1997, the one that you turned over to
 11 Bruce Lindsey? What was the subject matter of that?
 12 A Kathleen had asked to be invited to a White House
 13 Christmas party.
 14 Q And that was a letter to you as opposed to the
 15 President?
 16 A Yes, it was.
 17 Q Do you recall approximately how many other times
 18 Kathleen Willey has written letters to you as opposed to the
 19 President?
 20 A No, I don't recall how many.
 21 Q More than once?
 22 A More than once.
 23 Q More than twice?
 24 A More than twice. I don't know.
 25 Q I understand.

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1 A You want to say a range to begin with. You want to
2 say between one and five or one and ten? I would say between
3 one and ten.

4 Q All right. But you also said more than two.

5 A I believe -- okay, between two and ten.

6 Q Generally, as best you recall, what -- do you
7 recall the subject matter of any of those letters she wrote
8 to you? Aside from the one from November, December of '97,
9 do you recall the subject matter of any of the other letters?

10 A No.

11 Q And just so I understand you, you do not recall
12 whether or not any of these other letters were turned over to
13 Mr. Lindsey.

14 A Anything that I found from Kathleen Willey to me or
15 to the President I gave to Mr. Lindsey.

16 Q Okay, I understand. But whatever that is, you
17 don't recall if you found letters from her to you.

18 A That's correct.

19 Q Were the majority of the items you turned over to
20 Mr. Lindsey letters to you or to the President?

21 A My recollection is that they were to the President.

22 Q Do you recall -- other than the November '97
23 letter, do you recall the approximate dates of any of the
24 other correspondence from Kathleen Willey that you turned
25 over to Mr. Lindsey?

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1 A No, I don't recall the dates.

2 Q Do you know any years? In other words, was this
3 fairly recent correspondence? Is it fairly old
4 correspondence?

5 A I think it was old. I mean, basically, from '93 to
6 '96. But certainly not in the last, you know, six months or
7 year, I believe.

8 Q When Kathleen Willey wrote to the President,
9 mechanically was that -- what I'm trying to ask is, does that
10 correspondence come through you? Would she address it to the
11 President in care of your attention and would you then turn
12 it over to the President, or is that something that just is
13 handled routinely that doesn't go through you?

14 I mean, if you understand my question. Would she
15 try to have the correspondence to the President come through
16 you, or would it go through normal -- and I don't mean to
17 suggest by not going through you it's not normal channels,
18 but other channels.

19 A My recollection is that she -- that it would go
20 through me.

21 Q All right. Is that because of her request, or is
22 that just because that was the way it routinely was handled,
23 or is that because since you knew Ms. Willey, it was directed
24 to you? In other words, what --

25 A I believe she addressed it to me. That's my

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1 recollection.

2 Q Is it fair to say -- let me use July '97 as a
3 benchmark. And the reason I picked that -- or July, August
4 of '97, because around August -- late July, August is when
5 there's an article by Newsweek and by the Drudge Report
6 having to do with the -- sort of the Kathleen Willey incident
7 or the allegations about the incident.

8 A Mm-hmm.

9 Q Let me use that as a benchmark. Prior to that time
10 period, prior to the summer of '97, how would you
11 characterize your relationship with Kathleen Willey? Was it
12 a friendly relationship or an unfriendly relationship?

13 A I would characterize my relationship with Kathleen
14 Willey as friendly.

15 Q Again, using that time period as an approximate
16 benchmark, again, July, August '97, do you recall when it was
17 approximately you began looking for the Kathleen Willey-
18 related correspondence?

19 A I believe I began looking for the correspondence
20 approximately in July of '97.

21 Q There was a -- I may not have the phrasing right,
22 but one of the grand jurors had a question.

23 A JUROR: Can I ask it?

24 MR. BARGER: Yes, ma'am.

25 A JUROR: You just mentioned that you started

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1 looking for those documents in July.

2 THE WITNESS: Uh-huh.

3 A JUROR: Was anything produced in July? Or when
4 were the documents produced and given to you?

5 THE WITNESS: To me? I don't know if I found
6 anything or if Rebecca found anything in that period of time
7 immediately or not. Again, it was -- it was over a period of
8 time, and it was done somewhat informally.

9 Since we didn't have a formal document request,
10 there wasn't a pressing need to sort of locate these
11 documents in a time frame, and so we casually looked for it.

12 So I probably found something in that time, but I
13 couldn't say definitively that I did.

14 A JUROR: Is there anything special that happened
15 within the last few weeks that would prompt a more urgent
16 request to find these documents, say, like the 60 Minutes
17 interview or something that prompted everyone to really go
18 and search and find these documents?

19 THE WITNESS: I don't believe that I have located
20 any letters since the 60 Minutes interview, and no one has
21 asked me -- other than we have a general document request
22 right now that we received. I was out of town for a few
23 days, but when I got back, I think I had it the beginning of
24 last week from the Office of Independent Counsel looking for
25 documents related to Kathleen Willey.

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1 But no one had asked me to produce or to look
2 further for things since that interview. Is that what you're
3 asking me?

4 A JUROR: Well, kind of, because what I would like
5 to know is, was there any special reason that they were --
6 these documents materialized immediately after the 60 Minutes
7 broadcast?

8 THE WITNESS: I had nothing to do with that, and
9 that -- and so I can't speak to that. I had given everything
10 I had found already to Mr. Lindsey, and so I can't speak to
11 why they were produced at that time. I had no part in that.

12 A JUROR: Can you recall as close as possible when
13 you turned over the documents -- or the final document that
14 you found to -- because I know that it was in pieces.

15 THE WITNESS: Yes. I think the last document I
16 handed over was the -- at least letter or correspondence was
17 the letter that I received prior to Christmas asking to be
18 invited to a White House Christmas party. So October,
19 November, December, in that range. I believe that was the
20 last one that I located, or that Rebecca found.

21 BY MR. WISENBERG:

22 Q But that would have been virtually contemporaneous,
23 I take it, your getting it and turning it over?

24 A That's correct.

25 Q How about before -- before then, you're doing a

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1 historical search; is that correct?

2 A Yes.

3 Q What do you remember as the last -- when was the
4 last one you would have turned over, the last piece?

5 A I don't -- I really don't remember. It was prior
6 to that, so -- and I think I probably got that letter in
7 November sometime. So it seems like Rebecca found some
8 things later on again as she was going through filing, and it
9 -- maybe it was in October sometime. But I -- I don't
10 remember.

11 I just remember it was over a period of time. We
12 didn't find them all at once. And we were doing it pretty
13 much on our own, you know. There wasn't a pressing need to
14 find them all at one time.

15 THE FOREPERSON: Can I ask you a question?

16 THE WITNESS: Sure.

17 THE FOREPERSON: I'm just curious, and I hope I'm
18 not out of line here. Do you have a high regard for the
19 President's job and the job that he's doing?

20 THE WITNESS: Yes, I do.

21 THE FOREPERSON: That being the case, would you not
22 find a sense of urgency to try to find these articles that
23 would sort of dismiss some of the allegations that are
24 swimming around?

25 Even at that time, even July, August, September,

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1 would there not have been a sense of urgency and more
2 attention to detail in finding these things, that given the
3 case, knowing that someone you admire and respect is unde
4 fire?

5 THE WITNESS: Well, I don't -- I don't read the
6 Drudge Report, number one, and my recollection -- and
7 somebody correct me on this -- I'm not -- there may have been
8 an article in Newsweek that I do not remember, that there was
9 an article in Newsweek, and so I guess I didn't sense that
10 there was an urgency about the allegations at that time or
11 that -- I didn't have that sense about it.

12 And I'm not sure that I knew ever until, you know,
13 recently what her allegations were at all, or what was even -
14 - and I possibly did, you know, may have heard rumors of the
15 Drudge Report, but certainly maybe not until the last few
16 weeks when, you know, more of the detail has come about that
17 I know what her allegations were.

18 THE FOREPERSON: Also, is part of your job to sort
19 of put out fires before they become huge flames? And if you
20 see there is a potential problem, to -- to avoid having the
21 President spend his time on these small things. You want him
22 to do his job of running the country.

23 When you see that there is a potential problem and
24 it may take him away from that job, would you bring something
25 to his attention to say, "This is I'm going to do about this

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1 issue"? Say, for instance, "I think I better look for these
2 letters, because this could be a problem in the future, and I
3 know you have these other things on your plate right now, so
4 I'm taking it upon myself to do this."

5 Is that -- can you tell me, is that something that
6 is part of your job description to sort of take care of the
7 small tasks so the President can handle the large ones?

8 THE WITNESS: Possibly, but -- but I'm not sure I
9 would have a conversation with the President about that. I
10 would more likely, if I felt like it was a legal issue, have
11 a conversation with the Counsel's Office rather than with the
12 President himself.

13 A JUROR: Excuse me. I have a question on the
14 Newsweek article. You stated that you don't recall the
15 Newsweek article that came out around August about Kathleen
16 Willey.

17 I would suspect an article that involved someone
18 who was so closely involved with the President and your
19 office would cause some talk in the office. You don't recall
20 reading that or being conscious of the seriousness of the
21 content of that article?

22 THE WITNESS: Well, I think, you know, my -- tl
23 series of events have gotten muddled, and I thought -- and
24 this is my recollection of it, whether this is actually what
25 happened or not -- but that -- and this is mostly in

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1 retrospect. I thought the Drudge Report was on the article
2 that Isikoff was going to write for Newsweek, but my
3 recollection is that it wasn't in Newsweek. Now, it may have
4 been.

5 But, you know, I -- I -- frankly, I just don't
6 remember, you know, if -- obviously I do not remember if
7 there was a specific article in Newsweek about that. There
8 were the allegations, apparently, in the Drudge Report, which
9 I don't read. And some of those things swirl around you, but
10 it's not -- you asked whether it's my responsibility.

11 If something comes to my attention. But it's the
12 Counsel's, you know, responsibility or the President's
13 personal lawyers to take care of those things, and not mine
14 necessarily. And if it's something that is blatant and I see
15 it, then certainly I would, you know, try to do something,
16 you know, for instance, like the correspondence or whatever.
17 But if it wasn't, you know, blatant, then it's something the
18 Counsel's Office should handle. It's not my responsibility.

19 BY MR. WISENBERG:

20 Q Pardon me. The question was, did you hear any talk
21 about it --

22 A I don't --

23 Q -- around that time?

24 A Did I hear any talk? Well --

25 Q "It" being the allegation.

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1 A Yeah. Well, again, the specific allegations, I
2 don't know that I was very aware of that until just recently,
3 what the specific allegations were in the papers recently.

4 Q Let's talk about the general allegations, the
5 incident that occurred with Kathleen Willey and the President
6 in the Oval Office.

7 A I would have to say probably, would be my answer to
8 that without, you know -- but I couldn't tell you
9 specifically who talked or, you know, what kind of
10 conversations were held or maybe you heard, "Well, there's a
11 Drudge Report."

12 But may I say also that in August -- and I don't
13 know when this article came out -- but the President was on
14 vacation for about three weeks, and sort of -- and in that
15 period of time things are very quiet in our office. And so
16 being that swirls kind of follows him, and it wasn't in my
17 particular, you know, area.

18 So that was a period of time, those several weeks
19 in August, you know, then, that most of the people were out
20 of the White House at that time.

21 Q Do you get -- you get a press clipping packet every
22 day at the White House.

23 A That's right, I do.

24 Q Do you usually read it?

25 A I try to, yes.

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1 Q Do you recall that there were several follow-up
2 press stories about the Newsweek article?

3 A Again, time-wise, you know, I don't know. I don't,
4 again, know the dates or -- I really don't. And if you
5 showed them to me and you said, "Here are the articles," I'd
6 say, "Okay, fine," you know.

7 But I do every day. I mean, if I read those every
8 day for the last five years, and there are probably 200 pages
9 in those, and I might be reading about, you know, Bosnia or
10 Iraq, I might be reading about tornadoes or hurricanes, and
11 in that is a story on Kathleen Willey. But 200 pages, 365
12 days a year for five years, I can't tell you that I read that
13 particular article in August.

14 And that's just one of the things I do every day.
15 That's, you know, out of the 2,000 -- well, it sometimes
16 feels like 2,000, I'm sure that's a bit of an exaggeration.
17 But the several hundred, you know, pieces of correspondence
18 and, you know, phone calls or staff requests that I get every
19 day, and I just -- there are too many things going on, and I
20 can't remember everything. Yes?

21 A JUROR: Apart from a general awareness of those
22 allegations --

23 THE WITNESS: Mm-hmm.

24 A JUROR: -- of the incident, what factors might
25 have prompted you to take it on yourself to search for

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1 correspondence and turn it over to Bruce Lindsey?

2 THE WITNESS: I think what started it -- and this
3 may be where I'm getting a little bit mixed up on whether Mr.
4 Bennett asked me to look for it or not -- was that he became
5 aware of the allegations and brought them to my attention.

6 And I had, you know, I think testified to on
7 Thursday that he had called me and asked me -- I'm not sure
8 if they were specific allegations -- if I knew of this woman,
9 ever heard of her, ever knew if she had seen the President.

10 So -- and maybe I didn't know specific allegations,
11 but generally that she was going to make some allegations and
12 thought, well, at some point somebody's probably going to ask
13 me for this, so I'll just start looking for it now.

14 And -- and, as I said, started looking for it, and
15 did it over a period of time because there didn't seem to be
16 the urgency to look for it.

17 Does that answer your question?

18 A JUROR: Yes.

19 BY MR. WISENBERG:

20 Q Do you recall Robert Bennett's statement around
21 this time to the effect that Linda Tripp is not to be
22 believed? Linda Tripp being the person who said she saw
23 Kathleen Willey leave the President's office and indicate
24 that something had occurred there. Do you recall Mr.
25 Bennett's statement to that effect?

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<p>1 A Oh, I certainly don't recall it at the time, no. I 2 mean, I couldn't -- certainly I've read it since then, but 3 for it to have made an impression upon me -- I don't recall 4 that it made any kind of impression upon me nor do I remember 5 that he said it at the time.</p> <p>6 MR. BARGER: I think there was another grand juror 7 that had a question.</p> <p>8 A JUROR: No, that answered my question at the same 9 time.</p> <p>10 BY MR. BARGER:</p> <p>11 Q Let me follow up with the Newsweek article related 12 to the other grand juror's question.</p> <p>13 I take it that you did not start looking for 14 Kathleen Willey-related correspondence until after the 15 conversation with Mr. Bennett.</p> <p>16 A That's my recollection.</p> <p>17 Q And as you just testified to, at least as best you 18 recall it, the conversation with Mr. Bennett, in part, 19 concerned the fact that Kathleen Willey was going to make 20 these allegations.</p> <p>21 A He, I think, had heard -- I don't know that she was 22 going to make the allegations, but he had heard some sort of 23 rumors, I think. And maybe -- obviously that follows, but --</p> <p>24 Q That it was possible that these allegations were 25 going to come out.</p>	<p>1 life, or has something happened to you that would affect your 2 memory between July and today?</p> <p>3 A No. I can't think of anything that -- other than 4 the normal aging process.</p> <p>5 Q Okay. What was significant about the President 6 being on vacation for three weeks in that same time period 7 that caused you to remember that, but unable to remember some 8 of the other details we've talked to you about?</p> <p>9 A Well, that's a huge blank period of time, I mean, 10 where sort of nothing happened. I mean, that's obviously 11 something you're going to remember. It's so wonderful to be 12 able to have three weeks without the sort of daily, you know, 13 four million things that hit you.</p> <p>14 And I had -- I remembered it because I stayed in 15 town, I think, for most of that period. No, actually, I 16 didn't. I left for some of that. I forgot. This year I 17 left for the first time, and I was gone for two weeks. I 18 just now remembered that.</p> <p>19 Q You didn't want to spend July in Washington, D.C.?</p> <p>20 A It wasn't July, it was August, actually, and I went 21 to -- went on a vacation with my daughter for two weeks.</p> <p>22 Q Let me go just briefly back to providing the 23 documents to Mr. Lindsey.</p> <p>24 A Mm-hmm.</p> <p>25 Q I take it that, as best you recall, you had this</p>
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<p>1 A That maybe he heard a rumor -- I think you'd have 2 to ask Mr. Bennett, you know. I know that's not possible, 3 but --</p> <p>4 Q I wouldn't dismiss that.</p> <p>5 A Pardon me?</p> <p>6 Q Nothing.</p> <p>7 A But maybe he had heard about the Drudge Report or a 8 potential, you know, Isikoff story or --</p> <p>9 Q Is that your impression, that perhaps he was 10 calling you because he had heard a rumor or heard some media 11 reference or the media was checking around about this 12 possible story, and that maybe there was going to be a story?</p> <p>13 Does that sound -- is that consistent with what you 14 recall Mr. Bennett calling you about? In other words, if the 15 story had not come out, perhaps there was going to be a 16 story?</p> <p>17 A I'm sure Mr. Bennett called me because there was 18 some sort of either -- there were rumors going around either 19 about a potential story or potential allegations of some 20 sort.</p> <p>21 Q Using that July time period, that period Mr. 22 Bennett called you to the present, has anything -- has there 23 been any -- and I'm not trying to be flip here -- has there 24 been any significant stress -- I'm sure the job you have is 25 stressful. Has there been any significant stress in your</p>	<p>1 October, November, December, whatever that approximate date 2 is, of this letter from Kathleen Willey asking to be invited 3 to the White House Christmas party, correct?</p> <p>4 A Mm-hmm.</p> <p>5 Q You turned that over to Mr. Lindsey.</p> <p>6 A That's correct.</p> <p>7 Q All of the other correspondence from Kathleen 8 Willey, which, at least as best you recall, was older -- 9 generally older correspondence, you had previously turned 10 over to Mr. Lindsey.</p> <p>11 A That's my recollection, but, you know, there's a 12 possibility it could have. But I think that was the last 13 piece I got --</p> <p>14 Q All right.</p> <p>15 A -- and the last piece I turned over.</p> <p>16 Q Using that last piece as a benchmark, approximately 17 how much before that had you turned over the earlier 18 correspondence?</p> <p>19 A Oh, I think you all at least tried to ask that 20 earlier, and I don't remember that specific time. But I 21 would just guess it was probably somewhere in October. An- 22 that's with no real specific recollection.</p> <p>23 I mean, I could go back and ask Rebecca, and 24 Rebecca could say, "Oh, Nancy, I gave that to you in mid- 25 December." And I have not asked her, you know, to recall any</p>

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1 of that and what her memory about it is, so --

2 Q Okay. In the years that you have worked for the
3 President, both when he was governor and in the last number
4 of years while he's been President, have you become familiar
5 with his handwriting?

6 A Yes, I am familiar with his handwriting.

7 Q Do you think you'd be able to recognize his
8 handwriting if you saw samples, for example?

9 A I think so. There are some, you know, cases where
10 it's not -- you know, a long document that I might not be
11 able to.

12 Q Okay. Let me go back to the fall of 1992. We
13 talked about this on Thursday --

14 A Mm-hmm.

15 Q -- and I was asking you some questions about --

16 A JUROR: Mr. Barger --

17 MR. BARGER: Sorry. A question?

18 A JUROR: Did we ask her a question about the
19 correspondence list?

20 MR. BARGER: Oh, you're right. I did not.

21 BY MR. BARGER:

22 Q When you were testifying earlier before the
23 break --

24 A Mm-hmm.

25 Q -- I believe there was some testimony to the effect

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1 that Rebecca Cameron, I think, would review the
2 correspondence list and then perhaps at some point the list
3 was going to be sent off to the Office of Records Management.

4 A Mm-hmm.

5 Q Generally, what were her responsibilities with
6 regard to the correspondence lists? Why would she review it,
7 for example, what would she do with it, that kind of thing.

8 A Well, I really don't know what she would do with it
9 in the interim time. I know that -- it seems to me, having
10 watched her work, it was sort of her responsibility to take
11 it and -- in fact, until recently I didn't know that she held
12 onto it.

13 But it seems like what she does is when -- for
14 instance, if the President's out of town, and she's got some
15 time where she can actually do some other work, and the
16 phones die down a little bit, then she can go back and look
17 at all of her filing and catch up on things.

18 So then at that point she goes back to those things
19 and looks at them and says, "Well, this all needs to go to
20 Records Management," and goes back through all of her stuff
21 and tries to get caught up on just paper.

22 Q Okay. I believe in the interim you mentioned that
23 until recently you didn't know that she kept it for a while?

24 A Mm-hmm.

25 Q What caused you to learn that fact?

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1 A Well, maybe it was, you know, this, and maybe I
2 just didn't pay any attention to it. But it seems like when
3 she has -- when she gets around to it, that she brings these
4 to me and sometimes will show them to me and say, "This is --
5 I'm sending all this over to Records Management. I just want
6 you to look at it and know what I'm sending."

7 Q What I was getting at was, what has happened that
8 has caused you to learn something new? In other words, have
9 you talked to her about this? Has someone else talked to the
10 two of you about it? I mean, have you had conversations
11 about this record-keeping function, about looking for
12 documents?

13 What is it that has happened that caused you to now
14 learn something new that you previously either didn't know or
15 hadn't really been aware of?

16 A I think she recently has finally gotten around to
17 start getting caught up on her filing, is what I honestly
18 think. She's had a volunteer and intern, a former intern,
19 come in and help her, and so I think she's finally getting
20 caught up in the last six months. And so that's probably why
21 it was brought to my attention.

22 Q In other words, it was not brought to your
23 attention as a result of the grand jury appearance or in
24 connection with your grand jury appearance?

25 A That's correct.

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1 A JUROR: What is she -- what are you looking for
2 before you decide to send it to -- particularly on the
3 correspondence.

4 THE WITNESS: Well, one of the things that we look
5 for is a letter that -- that the writer, in my opinion -- and
6 now I'll need to qualify this by giving you some examples,
7 because I think it's important to phrase this properly so
8 it's not misunderstood.

9 Periodically we'll have somebody write a letter to
10 the President, and it will be -- they will write in there and
11 say, "My mother did this, and I just want to clobber her.
12 And I'm so mad at my brother because he, you know, is a jerk
13 and he doesn't treat his children right."

14 And you read that and you're going, "Now, do we
15 want history to read this letter and, you know, read all
16 about this woman's personal family life and that sort of
17 thing?"

18 So sometimes you -- you read them for the
19 sensitivity from the writer's point of view, and I think, "Do
20 I -- would this person want this to be history?" if I think
21 it's particularly sensitive, and they don't want some
22 reporter at some point or historian to go through and read
23 this and then have it be in the paper, and so that this, you
24 know, family then is angry at the President.

25 I can remember those specific cases, you know,

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1 where someone has written like that, on relationships, family
2 relationships primarily, is what I'm looking at, something
3 that might offend somebody in the family, or they might be --
4 it might hurt them in some way, if it was, you know,
5 disclosed.

6 That's primarily what we're looking for, or what
7 Rebecca, I think, is looking for and what she brings to me.

8 BY MR. WISENBERG:

9 Q What would she do about it if she got something
10 like that? You wouldn't redact the letter. You would just
11 make sure the letter didn't go over to ORM?

12 A Well, I don't recall having pulled any. She's
13 brought some to my attention and just said, "Look at this
14 and" -- but earlier there certainly have been -- and not very
15 many of them -- but a few letters like that, where a high
16 school friend of the President would write or a grade school
17 friend, where the President might know the person's family
18 personally.

19 You know, if somebody grew up next door to him and
20 she's written and says, you know, "My brother" -- and I just
21 remember this one particular, you know, woman who would write
22 and talk about her brother and how he didn't treat his
23 children right and now she's mad at her mother, and you're
24 going, "Now, we don't" --

25 You know, she does not want that letter to be part

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1 of history. And so you pull that and file it. And in that
2 case I might send it over to Personal Correspondence to file.
3 I might file it in our own files, whatever is most
4 convenient, frankly.

5 BY MR. BARGER:

6 Q When you said you might file it in your own files,
7 I don't -- can you explain what you mean by that? Are you
8 saying that there is a -- you have a filing system in
9 addition to Personal Correspondence and Office of Records
10 Management?

11 A Well, Rebecca has -- goes through her files
12 periodically, but I don't know if Rebecca keeps other items -
13 - other correspondence in any of her files or not. I don't
14 go through her files.

15 I give her stacks of things to file, and I can't
16 always tell you how she does that, and I haven't really
17 reviewed all that with her recently in anticipation of this.

18 Q Going back to the fall of 1992, you recall last
19 Thursday I asked you some questions about President, then
20 Governor Clinton's trip to Richmond/Williamsburg for the
21 presidential debate. Do you remember that topic?

22 A Mm-hmm.

23 Q And I showed you a couple of videotape clips to see
24 if it helped your recollection. Do you recall that?

25 A Mm-hmm.

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1 Q You recall seeing Lieutenant Governor Beyer in the
2 video, correct?

3 A Yes, I do.

4 Q Having seen that, do you recall -- and I'm not
5 speaking about the video -- but do you recall from your
6 recollection that Lieutenant Governor Beyer was on the tarmac
7 there in Richmond to greet the then governor when he came in
8 for that debate? I mean, do you recall Lieutenant Governor
9 Beyer being there?

10 A No, I don't recall Lieutenant Governor Beyer being
11 there.

12 Q Do you recall yourself being there?

13 A I recall being in Richmond that day, or being --
14 yeah, I couldn't have told you it was absolutely Richmond.

15 Q Okay.

16 A But, in recollection, I guess we didn't land in
17 Williamsburg, but I couldn't have told you definitely it was
18 Richmond prior to that.

19 Q Do you recall -- you mentioned Williamsburg. Do
20 you recall going to Williamsburg?

21 A I recall being in Williamsburg.

22 Q Do you recall, is that where then Governor Clinton
23 stayed that evening, in Williamsburg?

24 A Yes. My recollection is we did debate preparation
25 in Williamsburg prior to the debate in Richmond.

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1 Q And is that where you stayed that evening, in
2 Williamsburg?

3 A Yes, I stayed in Williamsburg.

4 Q Do you recall how many nights that was? Was that
5 one night in Williamsburg or two, if you recall?

6 A I think it was more than one night. I believe it
7 was two, but, you know, if someone came and said it was one,
8 then I'd say, okay, it was one. But my recollection it was
9 more than one.

10 Q Generally the expenses that were incurred for then
11 Governor Clinton for that type of trip, which would include
12 your expenses as well --

13 A Mm-hmm.

14 Q -- those were paid by who? Was that by the --

15 A I assume those were paid by the campaign.

16 Q Did you have any function, any role in maintaining
17 any records of those expenses? Let me ask it this way.

18 A Mm-hmm.

19 Q Do you know whether records of the expenses
20 incurred for that campaign trip, like the one in
21 Williamsburg, were kept?

22 A No, I don't know if records were kept.

23 Q Do you ever recall President Clinton, or then
24 Governor Clinton using the expression -- in order to get some
25 free time or to make time available for himself, did you ever

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1 hear him use the expression, "clear the decks"?

2 A No.

3 Q Did you see the 60 Minutes interview of Ms. Willey?

4 A No. I saw the very end of it, but I didn't see --
5 I didn't see most of it.

6 Q Do you recall whether then Governor Clinton talked
7 to Kathleen Willey that day by telephone?

8 A No, I don't recall if he talked to her by
9 telephone.

10 Q After the presidential debate, did you attend a
11 fundraiser -- strike that. Do you recall whether there was a
12 fundraiser in Richmond after the presidential debate, I
13 believe, at the Marriott Hotel?

14 A I thought you had asked me that the other day.
15 Maybe you asked me about a rally. No, I don't recall if
16 there was a fundraiser afterwards, after the debate.

17 Q I did ask about a rally. As I understand it, the
18 rally occurred the next day on the grounds of the governor's
19 mansion.

20 A Mm-hmm.

21 Q And I think your testimony was you don't recall the
22 rally.

23 A Yes, I don't recall. But you're indicating to me
24 there was a fundraiser after the --

25 Q Before the rally.

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1 A Before the rally?

2 Q Yes.

3 A The day after the debate? Is that what you're
4 saying?

5 Q I believe so.

6 A Obviously I don't recall it. I mean, that's my
7 answer. But I -- I don't recall any of it.

8 Q Assuming that that chronology was accurate --

9 A Mm-hmm.

10 Q -- you don't recall whether there was a fundraiser
11 at the Marriott in Richmond after the debate.

12 A Well, once the debate is over -- but I -- you know,
13 that's -- you can imagine what my memory's like now. You can
14 imagine what it's like, you know, six or seven years ago.

15 I -- I don't remember if I stayed over. I may have
16 literally left early the next morning, because once the
17 debate was over, I probably headed out of there on a
18 commercial airplane.

19 Q What was your understanding, or what is your
20 understanding of what role, if any, Kathleen Willey and her
21 husband had in the presidential campaign in 1992?

22 A Well, I -- it was my understanding that they played
23 a, you know, large role, raising money and, you know, holding
24 events and were actively involved in the campaign. That was
25 my understanding.

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1 Q Where does that understanding come from? How did
2 you gather that --

3 A My understanding came primarily from her, and I
4 believe the President felt -- it was my understanding from
5 the President that he felt like they had helped him a lot.

6 Q And, I take it, that understanding from the
7 President came from conversations -- one or more
8 conversations you had with the President?

9 A Yes.

10 Q Do you recall -- after the President was elected,
11 do you recall whether you made any phone calls for then
12 President-elect Clinton to thank campaign supporters?

13 A That I personally called people to thank them for
14 him? Is that what you're asking me?

15 Q No, I'm not limiting it to that. Whether you made
16 phone calls on his behalf, whether you placed phone calls for
17 him, whether neither of those things, but you were aware that
18 he made phone calls?

19 A Well, that would have been in my responsibilities
20 at the time, and I don't recall specific phone calls, but I
21 will just say that it seems to me that he certainly would
22 have made phone calls after the election, and if he did, then
23 I would have been there with him, most likely placing those
24 calls for him.

25 Q After then President-elect Clinton was elected in

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1 November of '92, do you recall whether there was a time in
2 and around that period that, I believe, Pamela Harriman
3 organized a party for the President-elect in Washington,
4 D.C., in the Georgetown area?

5 A After he was elected?

6 Q Correct. After his election, do you recall whether
7 Pamela Harriman threw a party for the President?

8 A No, I don't recall that Pamela Harriman threw a
9 party for him after the election.

10 Q Now, I noticed -- and you're certainly free to do
11 so --

12 A Mm-hmm.

13 Q -- provided it doesn't interfere with the
14 questions --

15 A Mm-hmm.

16 Q But I notice you had been taking notes. Can you
17 tell the members of the grand jury why it is you're taking
18 notes?

19 A For a couple reasons. One, I can remember your
20 question better and -- I think that's the primary reason.
21 And sometimes I take it afterwards. It's mostly -- it's for
22 my benefit.

23 BY MR. WISENBERG:

24 Q Let me just interrupt for a second --

25 A Sure, Sol.

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1 Q -- and let you know that I direct you not to do
2 anything to destroy the documents or integrity of the notes
3 because it's possible we might be subpoenaing them.
4 A That's fine.
5 Q And, I take it, those notes are just what you've
6 taken while you're in the grand jury -- while you're in the
7 grand jury room?
8 A Yes, they're notes I've taken just from the grand
9 jury.
10 Q Okay. So as to avoid redaction problems, we would
11 also direct you not to write down -- not to get in a
12 conversation with your attorney and write down what might be
13 privileged in your conversation with him on those notes, so
14 there might be -- to avoid any redaction problems, of you
15 having to go through later and redact certain things.
16 A Okay. From this point on, you know, but -- I mean,
17 I don't know that I've done it prior to that, but you've just
18 now given me those instructions, so --
19 Q Yes. It's our position that anything written down
20 in the grand jury room is not privileged. So if there's
21 anything that you've written to date that is between you and
22 your attorney, if we subpoenaed them, you would have the
23 right to redact those.
24 A Okay.
25 Q So that is part of our definition of doing anything

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1 to destroy the documents or the integrity.
2 A Okay.
3 BY MR. BARGER:
4 Q After the President was elected -- so I'm moving to
5 after the inauguration, so I'm moving into the early part of
6 1993.
7 A Mm-hmm.
8 Q And you came up to Washington, D.C., to work for
9 the President, correct?
10 A That's correct.
11 Q Do you recall -- initially when you started working
12 for the President the early part of 1993, do you recall, did
13 you sit in the same place you sit down, or did they have to
14 move you around?
15 A They moved me around.
16 Q Do you recall where it was you initially had your
17 office?
18 A On the back side of the dining room. It was not in
19 the dining room, but on the other side of the dining room,
20 and presently Rahm Emanuel is in that office.
21 Q Okay.
22 A Actually -- let me just back up. The very first
23 place I had my office was in the dining room.
24 Q Right. And then after --
25 A Then it went into the office next to the dining

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1 room.
2 Q Was that a promotion? I don't mean -- I know your
3 job stayed the same. Was it a better office in the dini
4 room?
5 A There were no promotions involved at all in all
6 those moves.
7 Q But after the dining room, you went into an office
8 on the back side of the dining area that you believe Rahm
9 Emanuel now has.
10 A Yes.
11 Q How long, approximately, were you in that office?
12 A I think four months, four, five months.
13 Q And then you moved to where you are now?
14 A That's correct.
15 THE FOREPERSON: Excuse me. Can I ask you, is that
16 the same office that George Stephanopoulos had?
17 THE WITNESS: Yes, it is, uh-huh.
18 THE FOREPERSON: Okay.
19 BY MR. BARGER:
20 Q Directing your attention to the early part of 1993,
21 January, February, March, April, May, somewhere in that area,
22 I guess.
23 A Early '93?
24 Q Correct.
25 A Okay.

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1 Q Correct, or at least the first half of '93. Do
2 you recall either calling or ultimately meeting Kathleen
3 Willey for the first time? Strike that. Well, meeting
4 Kathleen Willey at the White House?
5 A I don't recall the first time I saw her or a
6 specific, you know, first time meeting her. Is that what
7 you're asking me?
8 Q Right. Do you recall whether you met her -- no, my
9 question is, do you recall in that first six months of 1993
10 whether you met Kathleen Willey at the White House?
11 A I don't recall whether I met her at the White House
12 during that time, but I believe I saw her in that period of
13 time, or, you know, met her in that time. But I just don't
14 recall it. I can't tell you when I did it or under what
15 circumstances. We can save all the questions that come
16 afterwards then.
17 Q Well, let me --
18 A Okay.
19 Q Otherwise, I won't have as much to do.
20 A Okay, well --
21 Q Do you recall sometime in 1993 -- well, strike
22 that. Do you recall, did there come a time when the
23 President of the United States gave you some instructions
24 about finding a position for some volunteer work for Kathleen
25 Willey to do at the White House?

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1 A No, I don't recall that, no, but -- there are
2 documents that indicate that, but I don't recall it.

3 Q What is your understanding of how it is or how it
4 was that Kathleen Willey -- strike that. There did come a
5 time, did there not, that Kathleen Willey began to do
6 volunteer work at the White House?

7 A I believe -- yes, she did do volunteer work at the
8 White House.

9 Q What is your understanding of where it was she
10 worked, or where did she start doing her volunteer work?

11 A I don't recall. Without these other documents, I
12 would have thought she started in the Social Office and --
13 but it is now my belief that she probably started somewhere
14 else and then moved to the Social Office.

15 My recollection would have been that I had nothing
16 to do with her being in the Social Office, that she started
17 there.

18 Q What is your understanding of where she started
19 before moving to the Social Office?

20 A I don't remember that. See, that's what I just
21 said. It would have been my -- my recollection -- and I
22 don't know where she started from documents or anything else.
23 I just don't know where she started. But my recollection
24 would have been that she started in the Social Office.

25 Is that making sense to you?

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1 Q Yes.

2 A I mean, you really get confused after a while
3 because you read these articles and you see documents and you
4 think --

5 Q Trying to separate out what it is you recall --

6 A But what I recall is that she -- she started in the
7 Social Office.

8 Q Okay. And one of the phrases you used was "would
9 have." What is it you understand that is different from your
10 recollection?

11 A Well, it seems like I have seen something somewhere
12 that indicated that she asked to get a position -- she asked
13 me to help her get a position doing volunteer work in the
14 Social Office.

15 And, again, prior to that, I would have thought she
16 was already there. That was my personal recollection of it.

17 Q What is it you have seen or heard or been told that
18 has led you to believe that Kathleen Willey asked you about
19 getting a position in the Social Office?

20 A I don't know what it is. Either I've seen
21 something in the papers or a document. I don't -- I don't
22 know what I've seen.

23 Q How recently was it that you saw or became aware of
24 this information?

25 A In the last couple of weeks, I believe.

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1 Q In order to try to narrow the universe, what is
2 your opinion of where it was you learned this information?

3 A I don't know whether it was a document or whether
4 it was a publication or a newspaper, I don't -- I don't
5 remember. And I don't want to speculate on something that I
6 absolutely don't remember.

7 Q All right. Was it something someone gave you, or
8 was it something you stumbled across by accident? Was it
9 something you looked for yourself?

10 A I don't remember.

11 Q Well, did anybody give you documents to review or
12 newspaper articles to review about Kathleen Willey?

13 A No, no one has given me documents to review about
14 Kathleen Willey.

15 Q And I don't want to play a semantic game here.
16 When I say "given you," I include that to mean, has someone
17 shown you documents, has someone discussed documents with
18 you? Let's not -- you know, I don't want to play semantic
19 games or --

20 A Are you asking -- I mean, in preparation for the
21 grand jury, are you asking whether someone has given me
22 documents?

23 Q No, I'm just trying to figure out what it is that
24 makes you think something different than what you thought in
25 the past. You said that you would have thought she started

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1 in the Social Office, but you've seen something recently that
2 caused you to think she asked you for a position.

3 A Okay. Well, let me just --

4 Q I want to know, why did you think that?

5 A Okay. I don't know what I've seen. I don't know
6 whether they were newspaper articles or -- I had -- I asked
7 the Counsel's Office to let me know, after they had released
8 the documents to the newspaper, what they released. Whether
9 I looked at something there or whether I looked at something
10 in the -- that was in the paper, it would have been all the
11 same thing. It would have been in that universe.

12 They did not bring anything to me and say, "Review
13 these documents," you know, as I haven't reviewed documents
14 in preparation for this. That's what I mean.

15 Q If I understand what you just said, part of what
16 you said suggests to me that you asked someone in the
17 Counsel's Office to let you look at what it is they released
18 to the media?

19 A I did, and, actually, they didn't give it to me.

20 Q All right. Who did you ask?

21 A Well, I don't know the -- now, I remember. Kris
22 Engskov, who is the President's aide, who used to work in the
23 Press Office, brought them to me. And so you might want to
24 see what they released, or what --

25 Q All right.

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1 A And so my recollection is that the Counsel's Office
2 didn't give them to me.

3 Q All right. Mr. Engskov, what did Mr. Engskov give
4 you?

5 A He gave me a packet of documents, letters, or
6 whatever they released to the press following the 60 Minutes.

7 Q How big a packet?

8 A How big?

9 Q An inch thick?

10 A It's a little less, about a half-an-inch thick.

11 Q All right. And how did Mr. Engskov come to give
12 you this packet?

13 A I think he probably saw something on the news and
14 thought I might be interested in it and sort of brought it to
15 me. He worked in the Press Office for a long time. He goes
16 back and forth there and visits his friends there.

17 I don't know why. You'd have to ask -- you know,
18 here I am speculating on something. I don't know why Mr.
19 Engskov brought it to me. All I know is, he brought it to
20 me. After I had seen it on television, he came and brought
21 it to me.

22 Q And I don't mean this to be -- well, I'll just ask
23 it, really.

24 A Mm-hmm.

25 Q He's doing this out of the goodness of his heart,

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1 that, "Gosh, you know, I just think Nancy would like to look
2 at these things." I mean, is that what you're -- don't you
3 find that characterization a little odd, that Mr. Engskov --
4 that there's no connection for why he'd bring these things to
5 you?

6 A I think something was on television already, and I
7 think it was already out in the media. And I don't think it
8 was odd. It was perfectly in character for Mr. Engskov.

9 Q To bring you a packet of documents about Kathleen
10 Willey because Kathleen Willey's in the news.

11 A Absolutely.

12 Q How many other times had Mr. Engskov brought you
13 documents about somebody who's in the news?

14 A I don't recall that he did it. But that's -- it's
15 not out of his character. He hasn't worked for me that long,
16 and, if I recall correctly, they probably had my name in some
17 of those documents. He probably knew that -- that my name
18 was associated with them in some way and thought I would be
19 interested in them. I think that's perfectly reasonable and
20 understandable.

21 Q Did you do anything -- maybe I misunderstood you
22 earlier, but I thought you said that you asked the Counsel's
23 Office to look at what they'd released.

24 A You know, I said that. Then I tried to clarify it.
25 I may have asked the Counsel's Office, but I remember who

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1 brought them to me was Kris Engskov.

2 Q Did Mr. Engskov bring them to you because you had
3 asked to look at them?

4 A No, he did not -- I don't think that's why he
5 brought them to me.

6 Q So you asked the Counsel's Office to look at them,
7 and Mr. Engskov brought them to you, but you don't know if
8 there's any connection.

9 A Well, this is why -- I feel like I ought to say on
10 everything after a while, "I don't know," or, "I don't
11 remember," because I can't tell you I asked the Counsel's
12 Office. I said that. Then I thought, no, that isn't what
13 happened. My memory is not good. The Counsel's Office
14 didn't bring those to me. Mr. Engskov brought those to me.

15 I may never have asked the Counsel's Office. Maybe
16 I'm just saying something because that seems reasonable. I
17 know I got a packet of that. So I thought, oh, no, I didn't
18 get that from the Counsel's Office. I got that from Mr.
19 Engskov.

20 Now, I'm trying to be as honest and open with you
21 all as I can, and I don't -- you know, you're twisting what
22 I'm saying around. I do not remember asking the Counsel's
23 Office for that. Mr. Engskov brought those to me. He
24 brought those to me, I believe -- and you'd have to ask him
25 -- precisely because my name was associated with them

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1 BY MR. WISENBERG:

2 Q Was that, what, two, three weeks ago? We're
3 talking about two, three weeks ago?

4 A I believe that's when the -- they released these.

5 BY MR. BARGER:

6 Q Did Mr. Engskov bring you these documents after
7 they were released to the public or before?

8 A I believe it was after they were released to the
9 public.

10 Q And what is your understanding of why Mr. Engskov
11 brought them to you?

12 A I think Mr. Engskov probably thought that I would
13 be interested in them since my name was associated with them.

14 But I believe you would have to ask Mr. Engskov why
15 he brought them to me, because I don't believe I asked Mr.
16 Engskov why he brought them to me.

17 Q Okay. And that's my next question. So when Mr.
18 Engskov brought these to you, what conversation did you have
19 with him?

20 A I don't recall my conversation with Mr. Engskov
21 when he brought them to me.

22 Q Did you have a conversation with him?

23 A We probably a sentence or two conversation, but I
24 don't recall the conversation.

25 Q Did you ask him why it is he was giving you these

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1 documents?

2 A I don't recall my conversation with Mr. Engskov.

3 Q Do you recall anything about your conversation with
4 Mr. Engskov?

5 A I don't recall anything of my conversation -- about
6 my conversation with Mr. Engskov.

7 Q Would the grand jury be in error if they were to
8 assume that it was just mere coincidence that Mr. Engskov
9 brought you these documents after they became public?

10 A Well, as I said earlier, I think there were
11 television articles -- or television -- that they had been
12 released and something was on television. And as I said
13 earlier, that I thought Mr. Engskov -- but here I am
14 characterizing -- you're asking me to characterize why
15 somebody else is going something, and I think it's unfair to
16 do it.

17 But in the interests of sort of moving this along,
18 I would say that probably Mr. Engskov saw it on television,
19 saw my name associated with it, had been in the Press Office,
20 had, you know, seen this there and thought, "Boy, I guess
21 Nancy might be interested in this since her name is, you
22 know, associated with this."

23 Now, I think that makes sense. I don't recall the
24 conversation with Mr. Engskov. I did not ask Mr. Engskov why
25 he brought them to me. And I think it's unfair, in reality,

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1 for you to ask me to characterize why he did it. I think if
2 you want to know why he brought them to me, you should
3 probably ask Mr. Engskov.

4 Q To the best of your recollection, did you ask
5 anybody in the Counsel's Office to give these documents?

6 A I could have asked someone in the Counsel's Office
7 to get those for me, but I do not recall that I asked anybody
8 in the Counsel's Office to get them for me. I recall that
9 Mr. Engskov is the person who brought them to me.

10 Q Did you have any conversation with anyone in the
11 Counsel's Office about the topic of the Kathleen Willey
12 correspondence within the last month?

13 A I had a conversation with Cheryl Mills about the
14 correspondence, Kathleen Willey correspondence.

15 Q Now, you testified last Thursday, I believe, that
16 Ms. Mills asked you about a piece of correspondence from
17 President Clinton to Kathleen Willey that had been released,
18 at least as you understand it, by Mr. Gecker, correct?

19 A Wait a second. Let's back up. From -- no, no,
20 that's not what I said.

21 Q All right. What is it that Cheryl Mills asked
22 you --

23 A She asked me about a piece of correspondence from -
24 - that's completely off -- from Kathleen Willey to me that
25 had been released by Mr. Gecker.

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1 Q All right. And this was a piece of correspondence
2 that you had not been able to find previously?

3 A That's correct.

4 Q And what else, if anything, did you talk with
5 Cheryl Mills about?

6 A She indicated to me that they were going to be
7 releasing correspondence or -- I think the day before or that
8 morning, shortly thereabouts, but she didn't get back to me
9 or didn't give me copies of it.

10 Q All right. So it sounds like you can bracket or
11 pinpoint the approximate date you talked with Cheryl Mills,
12 because, I take it, that your conversation with Cheryl Mills
13 is before the White House actually releases their copies of
14 the Kathleen Willey correspondence.

15 A That's my recollection of that.

16 Q Okay. And why was it -- perhaps I misunderstood
17 you last week, but I thought your testimony -- strike that.

18 I take it then that your conversation with Cheryl
19 Mills -- strike that.

20 I apologize, Ms. Hernreich, I guess I'm confused,
21 because I thought your conversation with Ms. Mills also
22 concerned a piece of correspondence Mr. Gecker released that
23 the White House did not have.

24 Q This is now an additional conversation that I just
25 remembered that I had with Ms. Mills that I hadn't recalled

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1 before.

2 BY MR. WISENBERG:

3 Q Let me -- I want to interrupt just a second.

4 A Okay.

5 Q And I apologize. I want to go back to something
6 that you -- I want to clarify something for you, Ms.
7 Hernreich.

8 A Uh-huh.

9 Q If I understood correctly -- and I don't have a
10 photographic memory, so I'm sure this will not be a verbatim
11 presentation of an answer you gave a few questions back to
12 Mr. Barger. But I believe you mentioned that sometimes your
13 answers are based on a logical inference of what must have
14 been.

15 I think it's important that you know we're assuming
16 that your answers that you're giving us here are based on
17 your recollection unless otherwise indicated. If you're
18 giving an answer to a question that's based on your
19 supposition of what must have logically been, you need to
20 make sure you identify that for us for the record.

21 A Yes. You're right, I should. And I -- and I'm
22 afraid I'm not as careful sometimes as I ought to be with
23 that, and it's very important that I am more careful.

24 Just let me reiterate again that I do hundreds and
25 sometimes it feels like thousands of things every day, and I

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1 do not remember -- it's impossible to remember. If you sat
2 in my office for an hour or so, I think your head would be
3 swimming, too.

4 There are just -- people -- you know, the phone
5 rings constantly, there are people constantly in my door,
6 there are constantly people in my outer office, there are
7 people, you know, going in and out for meetings with the
8 President, and it is -- you know, in the middle of that, he's
9 saying something, and somebody else has got to do this, and
10 somebody else is on the phone and they're asking you a
11 question, you answer quickly, and someone's got something out
12 there and -- I mean, that's what it -- and it happens about
13 that fast. It's -- sometimes it's something every five or
14 ten seconds.

15 And for me to remember precisely how things
16 occurred -- I'm trying to be helpful to you all, but, you
17 know, we may sit here all day with, "I don't recall," and, "I
18 can't tell you precisely," because that is how my life is.
19 There are too many things that go on every day for me to
20 remember precisely what goes on and how it happened and
21 precisely what was said, in what order.

22 And then for me, on top of that, to sit there and
23 guess why somebody else does something, and to spend an hour-
24 and-a-half dealing with that -- I don't know why Kris Engskov
25 brought me that. And, you know -- and that's, again, a

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1 supposition which I tried to make clear to you all.
2 I'll try to be helpful. I'm trying to be helpful.
3 My memory --

4 Q I think we got your point.

5 A Okay. I know, but it's just --

6 Q I believe the context was -- and everybody knows
7 you can remember something and then later on remember
8 something else later and say, "Gosh I got that wrong."
9 As a matter of fact, one of the things that we
10 typically -- or one of the things that we'll tell you before
11 you leave ultimately -- right before you ultimately leave,
12 whenever that is, will be, if you remember something
13 differently, to let us know through your attorney.

14 A Mm-hmm.

15 Q And I think your answer was in the context of
16 something you might have said about the Counsel's Office
17 versus now your memory is Mr. Engskov.

18 A Mm-hmm.

19 Q My only point is a narrow one.

20 A Yeah.

21 Q Which is, if you're giving an answer, if it's not
22 based on your best recollection and it's based on, instead,
23 some logical supposition that you're making because you
24 usually do things that way, you need to make sure you're
25 letting us know that.

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1 A Yeah. Well, I understand, and it's a point well-
2 taken, and I will try to do better with making sure I clarify
3 that.

4 BY MR. BARGER:

5 Q Following up on the Cheryl Mills topic, if I
6 understand you, you had a meeting with Cheryl Mills before
7 the Kathleen Willey correspondence was released by the White
8 House, correct?

9 A That's correct.

10 Q And when I say released by the White House, we're
11 talking about the fact that the White House released some
12 pieces of Kathleen Willey correspondence after her appearance
13 on 60 Minutes, correct?

14 A That's correct.

15 Q And what was the purpose of that meeting with
16 Cheryl Mills before -- strike that. And as you understand
17 it, who was it that released the correspondence? Was that
18 the White House Counsel's Office?

19 A I don't know who released the correspondence.

20 Q What's your understanding of who released the
21 correspondence?

22 A I don't know who released the correspondence.

23 Q My question is, what's your understanding?

24 A Well, you're just asking me to make a supposition
25 again. I don't know who released the correspondence.

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1 Q No, I'm not asking you to make a supposition. You
2 can have an understanding based on what people tell you
3 without actually seeing who releases the correspondence.

4 A I will tell you that Cheryl Mills indicated to me
5 that the correspondence would be released. Beyond that, I
6 can't tell you, you know --

7 Q What was the purpose of the meeting with Cheryl
8 Mills?

9 A I did not have a meeting with Cheryl Mills.

10 BY MR. WISENBERG:

11 Q How did she tell you?

12 A Probably -- my recollection is that she told me on
13 the phone.

14 BY MR. BARGER:

15 Q Why did you have a phone conversation with her?

16 A I don't know why I had a phone call with Cheryl
17 Mills.

18 Q Did you initiate it or did she?

19 A She initiated it.

20 Q Did she indicate what the purpose of the phone call
21 was?

22 A I believe she just told me that they were going to
23 be releasing some of the correspondence -- releasing the
24 Kathleen Willey correspondence.

25 Q Now, you had a second conversation with Cheryl

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1 Mills, I believe, you indicated? You had two separate --

2 A Later on regarding this -- this letter that was
3 in -- that Kathleen Willey's attorney released that was to me
4 from her, and it wasn't in the documents or the letters that
5 I had previously given Cheryl.

6 Q And your recollection is that that discussion -- I
7 don't know if want to say meeting -- but that discussion or
8 meeting with Cheryl Mills, that occurred after the White
9 House released the correspondence.

10 A That's correct.

11 Q Okay. And that was what -- okay. So part of what
12 you recall today is this other conversation with Cheryl Mills
13 regarding the pre-release -- or which occurred pre-release of
14 the White House documents.

15 BY MR. WISENBERG:

16 Q Could you just tell us, to the best of your
17 recollection, sitting here today, what did Cheryl Mills say
18 to you on the first conversation -- the conversation about
19 the release of the -- the public release of the
20 correspondence?

21 A "We're going to be releasing some of the
22 correspondence or documents related to Kathleen Willey." And
23 I think she said something to the effect that, "I'll get back
24 to you later about it," and never did.

25 Q Did she indicate to you in any way that this was

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1 the correspondence that you had gathered up?

2 A That was my understanding, but I'm not sure she
3 indicated that to me.

4 Q Did she reference it as "the correspondence,"
5 "We're going to be releasing the Willey correspondence?"

6 A I don't remember her exact words.

7 Q Are you aware of any Willey correspondence gathered
8 -- pardon me for pacing -- are you aware of any Willey
9 correspondence gathered other than what you and your
10 assistants had gathered?

11 A I think they found things in Records Management
12 that I didn't gather.

13 Q Did Ms. Mills tell you that during the conversation
14 with her or have you subsequently learned that?

15 A I have subsequently learned that.

16 MR. WISENBERG: That's all I have on that point.

17 BY MR. BARGER:

18 Q Going back to the first half of 1993, I was asking
19 you some questions about -- I take that back. Before I get
20 there, the packet of materials that Mr. Engskov gave you,
21 what did you do with those?

22 A I threw them away.

23 Q Did you read them first?

24 A Oh, yes. I looked through them. I'm not sure I
25 read them in detail. I glanced at them.

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1 Q Where did you throw them away?

2 A I think I probably threw them in the burn bag.

3 Q At the White House?

4 A Yes.

5 THE FOREPERSON: Excuse me. When you turned over
6 the documents to Bruce Lindsey, did you make photocopies just
7 so you would know what was passed on to Mr. Lindsey?

8 THE WITNESS: No, I didn't.

9 THE FOREPERSON: Thanks.

10 BY MR. BARGER:

11 Q Going back to the first half of 1993, we were on
12 the topic of Kathleen Willey beginning to do volunteer work.

13 Do you recall who it was back then that was in
14 charge of the Social Office?

15 A Yes, I do. It was Ann Stock.

16 Q And there was a Correspondence Office at that time,
17 correct?

18 A Yes.

19 Q Do you recall who it was that was in charge of the
20 Correspondence Office?

21 A At that time? At the beginning, it was Marsha
22 Scott.

23 Q And after Marsha Scott, who?

24 A Well, there were three or four of them in a row. I
25 mean, there were three or four that were in there briefly. I

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1 don't really remember who was after her.

2 Q Do you remember whether Melinda Bates ever was in
3 charge of --

4 A No, I don't believe Melinda Bates was in charge of
5 the Correspondence Office.

6 Q What was she in charge of, if you recall?

7 A She's always been in charge of the Visitors'
8 Office. That's the office that handles tours and some
9 events, like the Easter Egg Roll.

10 Q Do you recall having a meeting with Kathleen Willey
11 in approximately April of 1993 at the White House?

12 A I don't recall having a meeting with Kathleen
13 Willey in April of '93.

14 Q Well, do you -- and I don't mean to -- I don't want
15 to play words here. Do you recall any meeting with Kathleen
16 Willey in, you know, the early part -- in the first six
17 months of 1993 in connection with her attempting to get a
18 volunteer position at the White House?

19 A I recall a conversation with her about -- moving on
20 here, about getting a better position in the Social Office,
21 or taking on more responsibility in the Social Office. But
22 that's the only kind of conversation that I remember at that
23 time, in that period of the first year or so.

24 Q Do you recall whether the President of the United
25 States gave you any instructions or discussed with you

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1 anything having to do with Kathleen Willey getting a
 2 position, a volunteer position at the White House? This
 3 would have been, again, in approximately -- in the first six
 4 months of 1993.

5 A Do I recall the President asking me to -- rephrase
 6 that, because I'm not sure what you're asking me.

7 Q I'm trying to figure out how it was that Kathleen
 8 Willey came to get a job at the White House. That's what
 9 we're trying to figure out.

10 A Sure. What job are you talking about?

11 Q Any job. Let's pick the first job. How was it she
 12 came to get a job at the White House in the first place?

13 A Are you talking about a volunteer position?

14 Q Volunteer position.

15 A I don't know how she came to get a position -- a
 16 volunteer position in the White House to begin with.

17 Q Do you know whether the President played any role
 18 in her obtaining a volunteer position at the White House?

19 A I don't know if the President played any role in
 20 her getting a volunteer position at the White House.

21 Q Do you recall the President ever discussing with
 22 you anything about Kathleen Willey getting a volunteer
 23 position at the White House, either assisting Kathleen Willey
 24 or contacting Kathleen Willey, setting up a meeting with
 25 Kathleen Willey, anything like that?

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1 A I don't recall him ever having a conversation with
 2 me -- I don't recall a conversation with him about getting
 3 Kathleen Willey a volunteer position.

4 Q I asked you some questions last week about whether
 5 then Governor Clinton asked you to get Kathleen Willey's
 6 phone number at the Richmond airport in approximately the
 7 fall of 1992. Do you remember that topic?

8 A Yes, I do.

9 Q Do you recall meeting with Kathleen Willey in or
 10 about April of 1993?

11 A I don't recall meeting with Kathleen Willey in
 12 April of 1993.

13 Q Do you recall meeting with Kathleen Willey and
 14 having a discussion or talking about or recollecting or --
 15 I'm trying to be general here so that we don't fall through
 16 the cracks -- about the fact that you met Kathleen Willey at
 17 the Richmond airport in the fall of 1992?

18 A Do I recall having a conversation -- meeting with
 19 her at -- let me -- you seem to have said two or three things
 20 there, so --

21 Q Did there come a point when you and Kathleen Willey
 22 had a conversation about the fact that you met Kathleen
 23 Willey at the Richmond airport in the fall of 1992?

24 A I believe that we had a conversation along those
 25 lines.

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1 Q Having had that conversation, does that refresh
 2 your recollection in any way about having, in fact, met her?

3 Do you understand my distinction?

4 A It -- recalling the conversation and then having
 5 met her? Yes, it does help, yeah.

6 Q Okay. Well, putting aside the question of the
 7 phone number --

8 A Mm-hmm.

9 Q -- do you recall meeting Kathleen Willey at the
 10 Richmond airport?

11 A I do recall meeting her at the Richmond airport.

12 Q Do you recall at some point later, perhaps in 1993,
 13 having a conversation with her that, in part, included the
 14 fact that, you know -- words to the effect of, "Well, we met
 15 at the Richmond airport"?

16 A I recall that we had a conversation about that.

17 Q All right. I'm going to stay in 1993 for a little
 18 bit. Do you recall Kathleen Willey in 1993 talking with you
 19 about her desire to work in the Social Office?

20 A No, I don't recall a conversation with her about
 21 her desire to work in the Social Office.

22 Q Is it possible -- and we'll go further down the
 23 continuum. Is it possible that the President asked you to
 24 assist Kathleen Willey in getting a position, a volunteer
 25 position at the White House in or about April of 1993?

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1 A It's possible.

2 Q And as you testified earlier, at least from a
 3 conversation -- one or more conversations you've had with the
 4 President, the President viewed Mrs. Willey and her husband
 5 as valuable assets in the 1992 campaign.

6 A Rephrase that? Because you said two or three
 7 things there, too, that I want to make sure that --

8 Q I don't know the exact wording you used, but there
 9 was a point -- at some point you had a conversation with the
 10 President where he -- I don't know the right words here, but,
 11 basically, he was aware that Kathleen Willey and her husband
 12 had assisted in his 1992 campaign.

13 A I think you had asked me that -- you know, whether
 14 it was my understanding that they were valuable, you know --
 15 or they had participated in the campaign and in what way and
 16 where I got that from, and I said, you know, from her, and I
 17 believe the President as well valued what they had done.

18 Q Okay.

19 A So that is rephrasing that and saying --

20 Q That's all I was trying to get at.

21 A Yeah, yes.

22 Q And my only point was -- the point I wanted to
 23 to make was, given the fact that they were at least
 24 participants in the '92 campaign, I take it, it was not
 25 unusual for Kathleen Willey, given her and her husband's

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1 assistance to the campaign, to get a job as a volunteer at
2 the White House.

3 Is it fair to say there's nothing unusual about her
4 getting that position?

5 A I think that's fair.

6 Q Okay. That's all I -- that's the only point I was
7 trying to make.

8 A Okay.

9 Q Your understanding is that she at some point --
10 perhaps she had an earlier position, but at some point she
11 became a volunteer in the Social Office working for Ann
12 Stock?

13 A That's correct. It's my understanding that she had
14 that -- she was a volunteer in the Social Office.

15 Q Turning your attention to approximately the summer
16 of 1993, you were talking about the President's vacation in
17 1997.

18 A Mm-hmm.

19 Q Do you recall the President and Mrs. Clinton taking
20 a vacation in the summer of 1993 in Vail?

21 A Oh, well, I wouldn't have been able to pinpoint the
22 time, but they at some point went to Vail --

23 Q All right.

24 A -- in the last, you know, five years.

25 Q All right. Do you recall Kathleen Willey

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1 volunteering her and her husband's condominium to any of the
2 White House -- or to people in the White House staff who
3 might be accompanying the President if they needed a place to
4 stay in Vail during that summer vacation? Does that ring a
5 bell? Do you recall any of that?

6 A No, I don't recall any of that.

7 Q Do you recall the President asking you to obtain
8 the Willeys' Vail phone number in case they wanted to contact
9 the Willeys on their summer vacation?

10 A No, I don't recall him asking me for their phone
11 number.

12 Q If he did, that would not have been particularly
13 unusual, would it?

14 A I don't think it's unusual, no.

15 Q Now, there came a time on or about November 29th of
16 1993, which is the date that is associated with the alleged
17 incident between the President and Kathleen Willey --

18 A Is that what you're saying, that that's the date --

19 Q That's the date --

20 A -- of the alleged --

21 Q -- November 29th, correct.

22 A Mm-hmm.

23 Q And my question is, do you recall Kathleen Willey
24 asking you if she could meet with the President on that day?
25 And I don't mean to say she asked you, "Can I meet with the

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1 President on November 29th?" I'm asking you whether, around
2 that time period, you recall Kathleen Willey asking you if
3 she could -- that she needed to meet with the President, or
4 asking you if she could meet with the President?

5 A I -- I don't recall the specific incident of her
6 asking to meet with the President, no.

7 Q Obviously, given her position as a volunteer, is it
8 fair to say she couldn't just walk in and see the President,
9 she would need to clear it with somebody?

10 A That's correct.

11 Q All right. From your experience, generally, if
12 Kathleen Willey wanted to meet with the President, who would
13 she check with to see if it would be all right to meet with
14 the President?

15 A She'd check with me.

16 Q So if she did have a meeting with the President on
17 that day, the likely person she would have checked with to
18 get permission would be you.

19 A That's correct.

20 Q And just to clarify here, do you recall whether you
21 arranged or whether she asked to meet with the President that
22 day?

23 A Not that day. I don't recall anything related to,
24 you know, this specific incident.

25 Q Okay. Assuming she met with the President on that

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1 day in the afternoon, do you recall seeing Kathleen Willey
2 leave the Oval Office after meeting with the President?

3 A No, I don't recall seeing her leave.

4 Q There have been allegations or various media
5 reports, depending on who you believe --

6 A Mm-hmm.

7 Q -- that she was disheveled, or her lipstick was
8 smeared, or her blouse may have been disheveled, for want of
9 better terminology.

10 A Mm-hmm.

11 Q Do you recall seeing anything like that?

12 A No, I don't recall seeing anything like that.

13 BY MR. WISENBERG:

14 Q Do you think that's something you would remember?

15 A If I saw it, I think I'd remember it.

16 BY MR. BARGER:

17 Q Generally, do you recall how Mrs. Willey dressed?

18 A Generally, yeah, I do recall how she dressed.

19 Q Okay. And what I was sort of smiling at to myself
20 is, I don't know if my wife would -- a man might not
21 appreciate that, although I'd probably get in trouble for
22 saying that, too, but perhaps a woman would be more likely to
23 remember -- and I mean that in a purely complimentary way --

24 A (Laughing) You're treading very lightly. Mostly
25 women in here, I think.

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1 MR. BARGER: The record should reflect we were all
2 laughing.

3 BY MR. BARGER:

4 Q Generally, do you recall how she dressed? I
5 thought you said yes. Could you elaborate on that?

6 A Well, I recall -- her clothes seemed to be
7 expensive --

8 Q Okay.

9 A -- is one thing I remember about her.

10 Q Generally dressed appropriately for the office in
11 which she worked?

12 A Yes, she did dress appropriately.

13 Q Generally dresses?

14 A Dresses or suits. My recollection would be more
15 that she wore suits.

16 Q Okay. Do you recall, because this date has been
17 bandied about some, this November 29, 1993 date.

18 A Mm-hmm.

19 Q Do you recall -- and perhaps you had an opportunity
20 to look -- to refresh your memory, et cetera -- do you recall
21 whether or not the President had any type of meeting or
22 specifically perhaps a cabinet meeting the afternoon of
23 November 29, 1993?

24 A No. No, I don't recall that.

25 Q Have you taken any steps to try to figure out what

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1 the President's schedule was that day or reviewed any
2 documents, or has anyone had any discussions with you about
3 the events of that day to either refresh your memory -- what
4 I'm trying to get at is whether you've looked at anything
5 that would make you aware of whether the President had a
6 meeting in the afternoon of that day.

7 Q What kind of documents are you talking about?

8 Q You know, since I'm not familiar with the White
9 House --

10 A Mm-hmm.

11 Q -- I don't know what would be available to you.
12 But all I'm trying to get at is whether, having looked at --
13 or talked with anyone, whether you are aware of or whether
14 you have any understanding of whether the President had a
15 meeting scheduled for that afternoon.

16 A No, I don't know anything about a meeting that
17 afternoon. I haven't looked at anything to refresh my
18 memory.

19 MR. WISENBERG: Let me butt in for just a second.

20 MR. BARGER: Yes.

21 BY MR. WISENBERG:

22 Q Mr. Barger is asking you a lot of questions about a
23 specific date, I think November 29, '93.

24 A Mm-hmm.

25 Q Let me ask you this. Do you recall Kathleen Willey

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1 having asked to see the President very shortly before it
2 turned out that her husband had killed himself?

3 A No, I don't recall that she had asked very shortly
4 before he killed himself.

5 Q And you don't recall any unusual incident
6 whatsoever involving her, how she acted or looked when she
7 left a meeting in the Oval Office with the President; is that
8 correct?

9 A That's right. I don't recall -- let me make sure I
10 understood you correctly. That -- you're asking basically
11 almost the same thing, that she -- was there anything unusual
12 about how she looked or anything that would maybe help me
13 remember it, or specifically --

14 Q With respect to any of that, in the history of your
15 time at the White House, do you recall anything unusual about
16 Kathleen Willey -- any occasion where Kathleen Willey would
17 have left the Oval Office area after a meeting with the
18 President, anything unusual?

19 A I -- you're asking me whether the whole time I've
20 worked there, if I recall anything unusual following a time
21 Kathleen Willey would have left the Oval Office, something
22 that would --

23 Q Right. Anything unusual about anything she looked
24 like or said or did upon leaving the Oval Office.

25 A No, I don't.

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1 BY MR. BARGER:

2 Q I was going to ask you some questions along
3 the lines of the meeting that apparently took place on
4 November 29th in terms of how long she was in the Oval
5 Office, but I take it you don't recall that meeting.
6 Is that fair to say?

7 A That's correct.

8 MR. BARGER: Okay. So we'll skip those questions.

9 MR. WISENBERG: Let the record reflect that we will
10 get a knock when lunch arrives.

11 BY MR. BARGER:

12 Q Do you recall that there came a time when Kathleen
13 Willey's husband committed suicide?

14 A Yes, I do remember that there was a time when --
15 I do remember that time.

16 Q Okay. Accept for the purposes of -- that the date
17 of that was on or about November 29, 1993. Do you recall
18 having any discussion or conversation with the President
19 about Kathleen Willey's husband's death? In other words,
20 did the President ever talk with you about the fact that
21 Mrs. Willey's husband had died or committed suicide?

22 A Yes, he did talk to me about her husband committing
23 suicide.

24 Q Do you remember when it was in connection -- in
25 conjunction -- in relation to Mr. Willey's death? Was it a

1 conversation you had fairly close in time after the death,
2 a long time after the death? Using the death as a benchmark,
3 when was the conversation with the President?

4 A It was a pretty long time after. May I just
5 expand a little bit on this? I don't recall any specific
6 conversations that I had with the President during that
7 time or shortly thereafter, although I feel certain that I
8 probably told him about it because people I think had told
9 me, maybe someone in the counsel's office -- or not counsel's
10 office, maybe one of her friends, I don't know who told me, I
11 don't recall who told me, for all I know, Kathleen could have
12 called and told me. But I don't remember that. But I feel
13 like I was probably the one who told him that her husband had
14 died.

15 Now, again, someone could come and say "I'm the one
16 who told him and I'd say, "Fine, I agree with you," but that
17 is my general recollection.

18 That's to say that for follow-up questions, I don't
19 know that specific conversation, but I just want to be clear
20 that we probably did have a conversation in that period of
21 time about it. It would have made a lot of sense and I'll
22 just make that clear for the record, that I don't have a
23 specific memory, but I feel like we probably did.

24 A JUROR: Just a quick question.

25 THE WITNESS: Sure.

1 A JUROR: In a case like this, would the White
2 House have sent flowers or some sort of condolence?

3 THE WITNESS: Well, not necessarily would we have
4 sent flowers. Sometimes we -- in fact, very rarely do we
5 send them in Washington. More often they send them in
6 Arkansas, but it's interesting because just how -- it's a
7 long complicated story about the people in Arkansas are
8 people who always did that for him when he was governor and
9 they've assumed that role and stayed in Arkansas and do that,
10 but it's not something we commonly do in Washington.

11 A JUROR: Thank you.

12 BY MR. BARGER:

13 Q Do you recall after Ed Willey committed suicide, do
14 you recall whether there came a time when Kathleen Willey
15 expressed an interest in obtaining a paying job at the White
16 House?

17 A Yes. I recall her interest in obtaining a paying
18 job.

19 Q Do you recall whether approximately -- do you
20 recall whether Kathleen Willey came to see you after she --
21 in other words, her husband commits suicide, there's a period
22 of time where she takes leave and doesn't come to the White
23 House, do you recall after she comes back to the White House
24 that she came in to see you and met with you in the -- well,
25 I'll just leave it at that, that she met with you after she

1 returned to the White House after her husband's death?

2 A What period of time? How much time are you talking
3 about?

4 Q Approximately ten to fifteen days after her
5 husband's death.

6 A I don't recall that specific meeting nor would I
7 have been able to say that it was that soon at all.

8 Q Do you recall after she came back to the White
9 House after her husband's death, do you recall whether she --
10 do you recall her meeting with the President after her
11 husband's death?

12 A No, I don't recall her meeting with the President
13 after her husband's death.

14 Q Do you recall whether she had any conversations
15 with the President about obtaining a paying job at the White
16 House after her husband's death?

17 A Say that again. Do I recall whether she had any
18 conversations with the President?

19 Q Correct.

20 A About --

21 Q About getting a paying job.

22 A No, I don't recall whether she had any
23 conversations with the President about that.

24 Q Did the President ever -- after Mr. Willey's death,
25 did the President ever say anything to you about the topic of

1 Kathleen Willey getting a paying job at the White House?

2 In other words, what I'm trying to get at is did
3 the President have any conversations, did the President
4 express an interest in helping her, did he show an interest
5 in assisting her getting a job, helping out because of the
6 death of her husband, that kind of thing?

7 A At some point, and I can't tell you exactly when,
8 especially in relation to her husband's death, the President
9 indicated an interest in helping her get a job, a paying job,
10 a job.

11 Q Was this more than one conversation? If you
12 recall.

13 A I don't recall.

14 Q What, if any, role or what, if any, efforts did
15 you take to try to assist Mrs. Willey in getting a position,
16 a paying position, at the White House? Did you play any
17 part in that, any role in that? Did you assist her?

18 A Well, I know that I spoke with the Office of
19 Presidential Personnel about assisting her in getting a
20 paying job.

21 Q Do you recall who would have been in charge
22 of Presidential Personnel? And if that changed over
23 time?

24 A Well, my recollection of conversations I had
25 were with Craig Smith, who was in charge of personnel for

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<p>1 a while.</p> <p>2 Q And after Craig Smith, do you recall who took</p> <p>3 over from him? Was that Bob Nash?</p> <p>4 A Bob Nash, I believe, took over from Craig.</p> <p>5 Q In any conversations that you had, did you convey</p> <p>6 the fact or convey information that the President was</p> <p>7 supportive of Mrs. Willey trying to get a paying position?</p> <p>8 A I believe I conveyed that to people.</p> <p>9 Q And, again, from your perspective, nothing improper</p> <p>10 about the President assisting Mrs. Willey and nothing</p> <p>11 improper in you assisting Mrs. Willey.</p> <p>12 A That's correct.</p> <p>13 Q Do you remember -- was there any discussion about</p> <p>14 where in the White House Mrs. Willey could possibly work?</p> <p>15 What kinds of positions, if any, were you trying to get for</p> <p>16 her or were you trying to see were available?</p> <p>17 Did you have any particular area in the White House</p> <p>18 you were looking or --</p> <p>19 A No. Well, I'm sorry. I should let you finish.</p> <p>20 Q That's all right.</p> <p>21 A No, I didn't have any specific ideas about a</p> <p>22 place in the White House for her to work.</p> <p>23 Q As best you recall, generally, what were</p> <p>24 your conversations with Craig Smith about with regard to</p> <p>25 Mrs. Willey? I mean, generally, what did you talk to</p>	<p>1 A I had nothing to judge that or base that on.</p> <p>2 Q I'm sorry. Based on your dealings with her, you</p> <p>3 had no opinion --</p> <p>4 A Well, you're asking me about a worker and I didn't</p> <p>5 deal with her on that level. I didn't deal with her as a</p> <p>6 worker.</p> <p>7 Q Well, how about just in the context of the contact</p> <p>8 you had with her, as a friend, a friend who you saw at the</p> <p>9 White House but really didn't have the opportunity or didn't</p> <p>10 take -- nothing pejorative, you didn't socialize outside of</p> <p>11 work, but in the context of your contacts with Mrs. Willey,</p> <p>12 did you find her to be a reliable, trustworthy person?</p> <p>13 A Well, again, let me just say probably the only</p> <p>14 context I would have that to base that on, if she told me</p> <p>15 "I'll come see you in 30 minutes," then she might show up in</p> <p>16 30 minutes. But for me to say beyond that, she didn't work</p> <p>17 for me and so I had nothing to base it on if she was -- you</p> <p>18 asked me reliable, trustworthy worker.</p> <p>19 Q Right.</p> <p>20 A She didn't work for me, so I would not have</p> <p>21 anything to base that on.</p> <p>22 Q I take it, though, if you had felt she was not</p> <p>23 qualified or she was not reliable or was somehow a threat</p> <p>24 to the White House, you wouldn't have been willing to assist</p> <p>25 her in getting a position there?</p>
<p>Page 110</p> <p>1 Mr. Smith about and what did you say to him?</p> <p>2 A My general recollection is that she was interested</p> <p>3 in a position and were there any available in government and</p> <p>4 could he assist her and that this was something that the</p> <p>5 President would like to see done as well as I would like to</p> <p>6 see done.</p> <p>7 Q And the fact that you would like to see it done, I</p> <p>8 think we've covered this a little bit before, but during this</p> <p>9 time period, you considered Mrs. Willey a friend.</p> <p>10 A I did consider her a friend.</p> <p>11 Q Was she a social friend? In other words, did you</p> <p>12 all go out together? Or was she a friend only in the context</p> <p>13 of you worked together?</p> <p>14 A We worked together and my recollection is that she</p> <p>15 would come in on the train and go back to Richmond, so we</p> <p>16 talked about going out to dinner, but I think she generally</p> <p>17 would go home in the evenings. My work hours are such that I</p> <p>18 don't have a whole lot of time to socialize.</p> <p>19 Q And when you say "go back to Richmond," as you</p> <p>20 understood it, she was commuting from her home in Richmond.</p> <p>21 A Yes. My recollection is she took the train up</p> <p>22 here.</p> <p>23 Q Now, during the time that you worked with her</p> <p>24 and you developed a friendship, did you generally consider</p> <p>25 her to be a reliable, trustworthy worker at the White House?</p>	<p>Page 111</p> <p>1 A She seemed to be intelligent. She indicated to me</p> <p>2 that she was capable and that she had done a lot of things</p> <p>3 and she indicated that she -- you know, wanted some help.</p> <p>4 And I, frankly, would leave it to other people to make the</p> <p>5 determination of whether she was qualified and they could</p> <p>6 check into her background and I could make the recommendation</p> <p>7 and say this is somebody who has helped the President a lot</p> <p>8 and he would like to see us help her. You know, I do this</p> <p>9 for people. But then take it from there for someone else to</p> <p>10 look into her work record and determine if she's a reliable,</p> <p>11 trustworthy worker. I liked her personally and because I</p> <p>12 liked her personally I wanted to help her.</p> <p>13 Q And, in fairness, I'm not asking you to pass on</p> <p>14 the truthfulness or untruthfulness of the allegations that</p> <p>15 are out there about the November 29th incident.</p> <p>16 Do you recall -- did there come a time when</p> <p>17 Mrs. Willey did get a part-time paying job at the White</p> <p>18 House?</p> <p>19 A There was a time that she did get a part-time</p> <p>20 paying job.</p> <p>21 Q Do you remember for whom it was she worked?</p> <p>22 A She worked in the counsel's office.</p> <p>23 Q Do you recall whether she worked for Mr. Cutler?</p> <p>24 A I think it was Mr. Cutler.</p> <p>25 Q And did there come a time that her position in the</p>

1 counsel's office -- I don't know what the right word is,
 2 terminated or ended?
 3 A Yes. There was a time that her position --
 4 Q Do you recall whether that occurred about the time
 5 that Mr. Cutler left and Judge Mikva replaced Mr. Cutler as
 6 White House counsel?
 7 A Well, I don't recall the specific timing of it, but
 8 it's my understanding that that was the time.
 9 Q Okay. At least as you understand it, that's about
 10 the time period that Mrs. Willey left her part-time position
 11 in the counsel's office?
 12 A Yes, that's my understanding.
 13 MR. BARGER: All right.
 14 I notice there's been no knock on the door for
 15 lunch yet.
 16 THE FOREPERSON: I know. I'm almost worried. This
 17 is something that's not normal.
 18 MR. BARGER: That Mr. Wisenberg has left to eat the
 19 lunches? Is that it?
 20 THE FOREPERSON: Well, I could hear his stomach
 21 over here, so --
 22 (Laughter.)
 23 A JUROR: We still need a break.
 24 THE FOREPERSON: No, I think somebody ought to
 25 check.

1 MR. BARGER: All right.
 2 THE FOREPERSON: Let me go check.
 3 MR. BARGER: All right.
 4 THE WITNESS: What time is lunch usually?
 5 MR. BARGER: Usually 12:30 and it's one now. Yes.
 6 THE WITNESS: Do they bring it from downstairs?
 7 MR. BARGER: For the jurors. Not for us.
 8 We're still on the record. One of the jurors has
 9 left, but we still have a quorum, correct?
 10 THE DEPUTY FOREPERSON: Yes. I think the jurors
 11 would like to break anyway.
 12 MR. BARGER: All right. Permission for the witness
 13 to be excused?
 14 THE DEPUTY FOREPERSON: Yes.
 15 MR. BARGER: All right.
 16 Thank you, Ms. HERNREICH. We'll break until -- I
 17 don't know.
 18 What time are you --
 19 A JUROR: Well, it depends on when lunch comes.
 20 MR. BARGER: All right.
 21 THE WITNESS: You'll let me know?
 22 MR. BARGER: We'll let you know.
 23 THE WITNESS: I'll wait out there for you.
 24 (The witness was excused at 1:00 p.m.)
 25 * * * * *

1 Whereupon, (4:13 p.m.)
 2 NANCY HERNREICH
 3 was recalled as a witness and, having been previously duly
 4 sworn by the Foreperson of the Grand Jury, was examined and
 5 testified further as follows:
 6 EXAMINATION (RESUMED)
 7 MR. WISENBERG: Let the record reflect that the
 8 witness, Ms. Nancy HERNREICH, has reentered the grand jury
 9 room.
 10 We have a quorum and there are no unauthorized
 11 persons, correct?
 12 THE FOREPERSON: We have a quorum and there are no
 13 unauthorized persons.
 14 MR. WISENBERG: Okay. Go ahead.
 15 THE WITNESS: She has to remind me I'm still under
 16 oath.
 17 THE FOREPERSON: Yes, you are still under oath.
 18 THE WITNESS: Thank you.
 19 MR. EMMICK: First let me apologize for the delay,
 20 that sometimes things are just beyond our control. Let's try
 21 to do what we can in the 15 minutes that we have left.
 22 BY MR. EMMICK:
 23 Q What I would like to do is turn our attention to
 24 one of the things that we had talked about a bit ago and
 25 that was your earlier search for books at the request of

1 Mr. Kendall.
 2 A Okay.
 3 Q And as you were describing that, it occurred to me
 4 that I didn't have a picture in my head of where you were
 5 looking and that further reminded me that I don't even know
 6 what items are in the various rooms that we're talking about.
 7 And so what I'd like to ask you to do is turn your attention
 8 to a diagram that I have in a very rudimentary fashion drawn.
 9 Can you see this reasonably well?
 10 MR. WISENBERG: Mr. Emmick?
 11 MR. EMMICK: Yes?
 12 (Pause.)
 13 MR. EMMICK: We apologize for the trouble. If we
 14 could ask you to leave and we'll have the other person come
 15 back in.
 16 (The witness was excused at 4:15 p.m.)
 17 * * * * *
 18 Whereupon, (4:22 p.m.)
 19 NANCY HERNREICH
 20 was recalled as a witness and, having been previously duly
 21 sworn by the Foreperson of the Grand Jury, was examined and
 22 testified further as follows:
 23 EXAMINATION (RESUMED)
 24 THE WITNESS: Try again?
 25 MR. EMMICK: Yes. Since I'll be asking you to

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<p>1 stand, you might as well stand.</p> <p>2 MR. WISENBERG: Let the record reflect that</p> <p>3 Ms. Hernreich has entered the grand jury room.</p> <p>4 THE FOREPERSON: Ms. Hernreich has entered the</p> <p>5 grand jury room. There are no unauthorized people and we do</p> <p>6 have a quorum.</p> <p>7 Ms. Hernreich, you are reminded you are still under</p> <p>8 oath.</p> <p>9 THE WITNESS: Yes.</p> <p>10 MR. EMMICK: I mentioned to you earlier that one of</p> <p>11 the things I wanted to do is take a look at a rudimentary</p> <p>12 diagram of the Oval Office, your office, the study, the</p> <p>13 dining room, the bathroom and the pantry. First, that's what</p> <p>14 I have attempted to draw here. I don't purport to be an</p> <p>15 engineer or a master draftsman, but why don't we just start</p> <p>16 off by calling this -- I guess it would be -- the next</p> <p>17 exhibit would be NH-1. I don't think we have labelled</p> <p>18 others. Do you know? Not today. All right. Let's just</p> <p>19 call this --</p> <p>20 (Grand Jury Exhibit No. NH-1 was</p> <p>21 marked for identification.)</p> <p>22 BY MR. EMMICK:</p> <p>23 Q Let's just start off, how bad is my diagram?</p> <p>24 A It's remarkably good. You missed a few doors,</p> <p>25 but --</p>	<p>1 Q Okay.</p> <p>2 A Oh, there's a door to the pantry.</p> <p>3 Q That makes sense. All right. Well, let's as a</p> <p>4 first step in the process, can you tell us where the</p> <p>5 furniture is in the oval office, in the study and the</p> <p>6 dining room so that we have a picture in our minds as we</p> <p>7 sort of put things there?</p> <p>8 A Okay.</p> <p>9 Q I'll give you a pen if you feel comfortable --</p> <p>10 A I'm not --</p> <p>11 Q If you want, you can point and I'll draw.</p> <p>12 A Okay. This is the President's desk in here.</p> <p>13 Q I'll draw that. I'll draw a desk. Okay.</p> <p>14 A And there is a table behind his desk.</p> <p>15 Q A credenza type table?</p> <p>16 A Yes. A credenza table.</p> <p>17 Q A credenza. A desk. Okay. What else?</p> <p>18 A There's a table here that has some drawers in it.</p> <p>19 Q Okay. I'll just --</p> <p>20 A And then there's a table over here -- I think</p> <p>21 that's what you'd call it. It has drawers in it, too.</p> <p>22 A JUROR: A credenza?</p> <p>23 THE WITNESS: Pardon me?</p> <p>24 A JUROR: A credenza?</p> <p>25 THE WITNESS: It's a credenza. I think it's got</p>
<p>Page 118</p> <p>1 Q All right.</p> <p>2 A -- but it's still remarkably good.</p> <p>3 Q All right. We've marked it there as NH-1. Which</p> <p>4 are the doors that I've missed? And we'll use a black pen to</p> <p>5 mark the doors. Go ahead.</p> <p>6 A There are a couple of things, I think. The only</p> <p>7 thing is the bathroom's not that big, so I would have the</p> <p>8 bathroom about right there.</p> <p>9 Q All right. The bathroom is there?</p> <p>10 A Okay. And there's a door to the bathroom.</p> <p>11 Q That would make some sense.</p> <p>12 A Mm-hmm.</p> <p>13 Q The door goes in?</p> <p>14 A No, I don't remember.</p> <p>15 Q All right. We'll make it like that.</p> <p>16 A Okay. There's a door here.</p> <p>17 Q Okay. It goes in?</p> <p>18 A I think so. I don't pay attention to those kinds</p> <p>19 of things.</p> <p>20 Q Okay.</p> <p>21 A There's a door about right here. There's a door</p> <p>22 here.</p> <p>23 Q All right.</p> <p>24 A There's a hallway by those offices -- I think</p> <p>25 that's all the doors.</p>	<p>Page 120</p> <p>1 drawers in it. On the top of the table, it has a bust of</p> <p>2 Rodin's "The Thinker" and that's what you really see or pay</p> <p>3 attention to and above that is a picture of the American</p> <p>4 flag. Those are the two things that really strike you about</p> <p>5 that particular table, is the Rodin and the painting above</p> <p>6 it.</p> <p>7 BY MR. EMMICK:</p> <p>8 Q What else is in the Oval Office?</p> <p>9 A Well, here there is a small table with a Frederick</p> <p>10 Remington sculpture on it.</p> <p>11 Q A table?</p> <p>12 A Mm-hmm.</p> <p>13 Q Okay.</p> <p>14 A And there's a couch here and a couch here, facing</p> <p>15 each other.</p> <p>16 Q Facing couches?</p> <p>17 A Mm-hmm. There's an oval table between them.</p> <p>18 Q All right. Well, it will work. Okay.</p> <p>19 A Two arm chairs here with tables on either side of</p> <p>20 them, kind of between the couch and the arm chairs, you can</p> <p>21 get people on either end.</p> <p>22 Q There's a table there and a table there? Somethi.</p> <p>23 like that?</p> <p>24 A Yes.</p> <p>25 Q All right.</p>

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<p>1 A Of course, there's a fireplace here, a mantel. 2 Q Okay. A fireplace. 3 A Mm-hmm. 4 Q All right. 5 A The built-in bookcases -- here. 6 Q Bookcases? 7 A Mm-hmm. 8 Q Okay. 9 A So this table is probably right about here, because 10 these are bookcases, built-in bookcases, and the table is 11 beyond that. 12 Q Okay. 13 A Built-in. 14 Q Okay. 15 A And -- let's see. Seems like -- I think the busts 16 are on the fireplace. I don't really remember if there's 17 another table with a bust on it. There are several busts in 18 here. There's a table in front of this bookcase. 19 Q Okay. 20 A That's a low table that has some items on it. 21 Q Okay. 22 A And then along the wall, you probably don't have 23 enough room here, there are a few sort of straight back 24 wooden chairs. There are probably two along here, maybe, 25 under the bookcases, two along here.</p>	<p>1 A It's not a roll top, it has a top that lifts up and 2 down and it opens. It looks like a table when you're looking 3 at it. It doesn't really look like a desk particularly. 4 Q We'll call it table. Okay. 5 A And then along this wall -- it doesn't quite go all 6 the way to the end, there's a small table in the corner, I 7 think it's got a stereo on it, a small portable stereo. 8 Q Okay. And then -- 9 A And along this wall are bookcases. 10 Q Bookcases there. Okay. All right. Anything else 11 along this wall? 12 A I don't think so. There are windows here and here, 13 the better portion of this is windows. There's a small strip 14 that's not, but it's almost completely window. 15 Q Anything in front of the bookcase? I'm just 16 thinking to myself there's a table here, there's a rocking 17 chair, is there anything else in there at all? 18 A No. Other than golf clubs. They may have put 19 sculptures in the windows, little pieces of sculpture like 20 that, I think, in both these windows. 21 Q All right. What about in the dining room? 22 A There's a dining room table, about here. There's 23 a fireplace here and a mantel. And, actually, I'm sorry, 24 this pantry is more flush. It doesn't come out. It seems 25 like it's flush along the wall --</p>
<p>Page 122</p> <p>1 Q They would be loose chairs? 2 A Loose chairs. 3 Q All right. 4 A Two here, two here, one on either side of the desk. 5 That's minimally. There might be four in each of those 6 places, I don't remember. 7 Q Chair -- chair -- chair -- and we'll put C for 8 chair. 9 A There might be a couple more chairs in there. 10 They're small, movable chairs. And there are some on either 11 side of the desk. 12 Q Okay. 13 A Okay. That's about it. I might have missed a 14 few -- that's generally it. 15 Q Okay. What about in the study? What is there in 16 the study? 17 A There's a rocking chair here, right around in here. 18 Q Let's call it -- we'll call it RC for rocking 19 chair. Okay. 20 A There is a sort of a table there, like a credenza, 21 something like that. 22 Q Credenza. Okay. 23 A There's a desk over here that's small and that's a 24 desk that -- 25 Q A roll top?</p>	<p>Page 124</p> <p>1 Q Flush with the fireplace? 2 A And that for some reason it extends out here into 3 the hall, but it doesn't -- the hallway looks flush, so I 4 don't know how that works. 5 Q All right. 6 A You know, but it's not -- not that -- 7 Q We can make the fireplace go out further, how about 8 that? 9 A Well, that's okay. And then -- they keep a small 10 table there, that's not a big deal. There's a credenza here. 11 Q Two credenzas on either side of the wall? Okay. 12 A And then there's one here. 13 Q Okay. 14 A And there's one over here that looks more -- it's 15 high and it looks more like a chest of drawers. Tall. 16 Q So we'll call it tall credenza. 17 A Mm-hmm. 18 Q Okay. We've got that. 19 A Mm-hmm. 20 Q Could you tell us where you found the books? 21 A I found the one about Theodore Roosevelt in this 22 bookcase. 23 Q Okay. So we'll use this black to put TR. 24 A JUROR: She's pointing to the Oval Office 25 bookcase?</p>

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1 MR. EMMICK: She's pointing to the Oval Office
2 bookcase that's to the left of the desk as one is looking
3 toward the fireplace.

4 THE WITNESS: Because you all, I think, probably
5 see pictures of the Oval Office and these are built-in
6 bookcases there. And then I think -- I'm not sure if all
7 three of those other ones were over here, but I think they
8 were all in -- I know they were all in the Oval Office and
9 I think that all three of them were in this bookcase.

10 BY MR. EMMICK:

11 Q And when you say "all three of them," you're
12 talking about the President of the United States?

13 A Yes.

14 Q All of them. The POTUS books.

15 A Mm-hmm.

16 Q Okay. And that takes us right to 4:30. We'll come
17 back to this on Thursday and ask about other items.

18 A Okay. Okay.

19 Q I think that's all we can do for now.

20 A Okay. That's fine.

21 MR. EMMICK: Okay. Thanks.

22 MR. WISENBERG: May the witness be excused?

23 THE FOREPERSON: Yes, she may.

24 MR. WISENBERG: Thank you for your patience.

25 (The witness was excused.)

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1 (Whereupon, at 4:30 p.m., the taking of testimony
2 in the presence of a full quorum of the Grand Jury was
3 concluded.)

4 * * * * *

5

Nancy Hernreich, 6/16/98

Grand Jury

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CONDENSED TRANSCRIPT AND CONCORDANCE
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Page 1

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

----- x

In re: _____

GRAND JURY PROCEEDINGS

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Grand Jury Room No. 3
United States District Court
for the District of Columbia
3rd & Constitution, N.W.
Washington, D.C. 20001
Tuesday, June 16, 1998

The testimony of NANCY HERNREICH was taken in the
presence of a full quorum of Grand Jury 97-2, impaneled on
September 19, 1997, commencing at 9:50 a.m., before:

SOLOMON WISENBERG
Deputy Independent Counsel

MICHAEL EMMICK
Associate Independent Counsel
Office of Independent Counsel
1001 Pennsylvania Avenue, Northwest
Suite 490 North
Washington, D.C. 20004

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PROCEEDINGS

Whereupon,
NANCY HERNREICH
was called as a witness and, after having been duly sworn by
the Deputy Foreperson of the Grand Jury, was examined and
testified as follows:

EXAMINATION
BY MR. EMMICK:

Q Ms. Hernreich, my name is Mike Emmick. We've met
before.

A Yes.

Q This is, we hope and expect, your last grand jury
appearance.

A I hope so.

Q What I would like to do first is to remind you of
some of the admonitions that we routinely start off with.

A Okay.

Q First, you have the right to have an attorney
outside the grand jury. Do you have an attorney?

A Yes, I do.

Q Who is that?

A Gerry Treanor.

Q Is he outside?

A Yes, he is.

Q Okay. You also have a right under the Fifth

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Amendment to refuse to answer any questions that may tend to
incriminate you. Do you understand that right?

A Yes.

Q You have an obligation. That obligation is to tell
the truth and that obligation is imposed because of the fact
that you have taken an oath. Do you understand that?

A Yes.

Q If you were to say something that you know to be
false, that's materially false, that could constitute perjury
and that's a crime that carries a five-year maximum penalty.
Do you understand that?

A Yes.

Q All right. What I intend to do then is to start
off with some questions, but let me start preliminarily by
saying or by asking, rather, whether in the time between this
appearance and your last appearance you have thought of
anything that has made you think, "Well, gosh, I need to
clarify or expand upon my past testimony"?

A I don't think so. I haven't, you know, come across
anything that's caused me to think of that coming in today.

No.

Q All right. Fair enough. Why don't we get started,
then?

A Okay.

Q My first question has to do with yoga classes.

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Do you have a yoga class or have you taken yoga classes?

A Yes. I do take yoga.

Q Okay. And when is that?

A I usually take it on Tuesday nights.

Q What times?

A 7:30.

Q When did you start taking a yoga class?

A I don't recall exactly. Actually, the first time
I took a yoga class was probably 20 years ago or a little
bit longer, maybe 25 years ago, but since I've been in
Washington, I have taken yoga -- maybe -- I really don't
remember. '94, '95, probably. And I took it for maybe
one term and then I didn't take it for six months and
then I'd pick it back up again, but consistently I think
for about two years now.

Q The class starts at 7:30, when do you have to leave
the White House in order to go there?

A I leave the White House between 7:00 and 7:15
usually. Sometimes earlier. Sometimes I run to yoga class
and so when I run to yoga class, I would leave earlier, 6:30
or so.

Q And when the yoga class is over, do you return to
the White House or do you go home from there?

A I usually go home. Actually, we usually go to
dinner because I have friends who take yoga with me and then

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I go home after dinner.

Q And is your attendance at these yoga classes pretty
regular?

A Yes, it is.

Q Do you have any comparable regularly scheduled
activities that take you away from the White House, for
example, with any regularity?

A Well, I don't think so, but something that's
regularly scheduled at a specific time?

Q Yes.

A I can't think of anything, but if you've got
something to remind me of --

Q I don't.

A But not that I can recall.

MR. EMMICK: Okay. Any questions from the grand
jury about that subject area?
(No response.)

BY MR. EMMICK:

Q Seeing none, my next question is there has been
some reference to your having a meeting with Monica Lewinsky
immediately after her -- either having a meeting or planning
to have a meeting with Monica Lewinsky after she was
terminated from her job at Legislative Affairs, so I'm going
to ask you to think back on whether you had such a meeting or
whether you planned to have such a meeting or discussed

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having such a meeting at all.

A I have no recollection of that whatsoever. You
know, if somebody told me I did it, I wouldn't deny it or
if you could show me something that indicated I did, but I
certainly have no recollection of it and I have no
recollection of planning one or having one with her after she
was terminated.

Q Is it the kind of thing that you would remember or
is it not?

A Not necessarily. Honestly.

Q Would it be unusual for someone in a position like
Legislative Affairs to meet with you and have some discussion
relating to her termination?

A Well, I think the Legislative Affairs part of that
question is not -- it doesn't relate to that. It's not
unusual for a young person in the White House to come to me
and talk to me about their position in the White House and,
you know, their future. That sort of thing.

Q Why is that?

A I don't know. Maybe it's -- I don't know. Maybe
I'm motherly. I don't know why. But I do seem to get a fair
share of young people who come and talk to me about that.
Maybe it's my proximity to the President, maybe it's my
tenure at the White House. I've been there from the
beginning.

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[1] And hopefully, it's -- you know, partially just
 [2] because I have an open door and I'm nice to people,
 [3] hopefully, and they feel comfortable coming to me.
 [4] Q So it wouldn't be unusual if it had happened, but
 [5] you just don't have any recollection of it either occurring
 [6] or planning for it to occur.
 [7] A That's right.
 [8] Q Okay. I want to ask about a specific occasion and
 [9] that is did there come a time when you were in your office
 [10] and Monica Lewinsky and a thirty-ish white female came to the
 [11] Oval Office or toward the Oval Office, they were stopped by a
 [12] Secret Service agent by the name of Byrne -- do you know a
 [13] Secret Service agent by the name of Byrne?
 [14] A Yes, I do.
 [15] Q You stepped out of your office to say to that
 [16] Secret Service agent something like, "It's okay," and then
 [17] you had a discussion further with Monica and possibly with
 [18] the woman she was with.
 [19] A You're asking me if I recall that?
 [20] Q Yes. I'm trying to --
 [21] A I have no recollection of that whatsoever.
 [22] Q Okay. Let me just give you a couple of other bits
 [23] of information to see if it will jog your memory at all.
 [24] A Okay.
 [25] Q And then Monica left your office, said something

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[1] but that wouldn't necessarily have been usual. I'm just
 [2] trying to recall it and so --
 [3] Q Right. Let me throw out another possibility. If
 [4] in your role as gatekeeper, if you were to think that someone
 [5] were walking around the Oval Office too much and you wanted
 [6] to speak with them, is this a possible way that you would
 [7] speak to them?
 [8] A That is, you would hear that they were outside,
 [9] you would bring them into your office, you would discuss with
 [10] them hanging out at the West Wing and the Oval Office too
 [11] much and then they would leave?
 [12] A Would you say that again? Because it seems like
 [13] that's an unlikely scenario, but I want to make sure of what
 [14] you're saying.
 [15] Q Okay. Well, I'm just asking really whether if you
 [16] were to talk to someone to try to discourage them from coming
 [17] around the Oval Office so much, the scenario that I just
 [18] described to you is one way that it might happen.
 [19] A That is, that they would be walking in the Oval
 [20] Office, you would become aware that they were around, you
 [21] would call them into your office, you would discuss with
 [22] them the fact that, you know, they shouldn't be around here
 [23] unless they have business and then they would leave saying
 [24] "I'm sorry."
 [25] A Well, I'm trying to think if I've done something

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[1] about --
 [2] A Would you go back a little bit?
 [3] Q Sure.
 [4] A Because you said -- were they approaching the
 [5] outside or were they coming in to -- I don't --
 [6] Q I don't have enough detail to know.
 [7] A Okay. All right. Okay.
 [8] Q My information is that they were somewhere in the
 [9] vicinity, they were stopped briefly by the Secret Service
 [10] agent --
 [11] A By the Secret Service person?
 [12] Q -- and apparently there was some discussion about
 [13] whether they should be there or not and you stepped out of
 [14] your office, had a discussion with Monica, Monica said as she
 [15] left something about, "I'm sorry that it happened, it won't
 [16] happen again." Do you have any recollection of a discussion
 [17] like that at all?
 [18] A No. I have no recollection of a discussion of
 [19] that. I mean -- and you may be able to give me more
 [20] information that might refresh my memory, but did it happen
 [21] before or after she was -- you don't know that?
 [22] Q Don't know.
 [23] A And we don't know how far -- if she came into -- to
 [24] like to the inner office? Or if she was standing outside
 [25] looking into the -- sometimes people -- the guard, Gary

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[1] like that. You know, we had -- people bring guests in and
 [2] we've gone through various sort of structures of rules
 [3] regarding that door open or shut and whether people can see
 [4] into the Oval Office or not and my personal view of it
 [5] generally was that when you have a guest and if they're not
 [6] disturbing anybody down the hall or in the Roosevelt Room or
 [7] any other meeting is going on right around there that it
 [8] seems perfectly appropriate to be able to open the door and
 [9] let them in.
 [10] I don't know kind of exactly where I'm going with
 [11] this other than just trying to figure out under what
 [12] circumstances. I'm trying to recall if I've ever -- I may
 [13] have gone out and said, "Well, you all, there are meetings
 [14] going on here, we can't really -- you can't be hanging out
 [15] right here, right now, there are people."
 [16] So sometimes if the President's between the
 [17] Roosevelt Room and the Oval Office, I discourage people from
 [18] being in the hallway then. And if there were things going on
 [19] down the hall and I know they've got a guest and they're
 [20] not -- that's basically -- they should not be taking their
 [21] guest down the hall, then I would discourage them.
 [22] But other than those circumstances, I can't think
 [23] of a time, although I certainly may have done it where I
 [24] have, you know, discouraged someone or told them to go away.
 [25] You know, hopefully I would be nicer than that.

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[1] Byrne, it would have been who you're talking about, was
 [2] stationed outside of the Oval Office generally and sometimes
 [3] that door was shut and people would want to walk by it.
 [4] If the President's not in there, then they would
 [5] want to show somebody the inside of the Oval. And there are
 [6] times when you would -- I would go out or they would ask me
 [7] or the Secret Service would ask me is it okay for them to
 [8] see -- first to open the door and let them see the inside of
 [9] the Oval.
 [10] And so -- and that might be something like that.
 [11] But that's not particularly unusual, either. That would
 [12] happen several times a day.
 [13] Q Sounds like you're exploring different
 [14] possibilities about what would make that more likely to
 [15] happen or less likely to happen.
 [16] A Mm-hmm.
 [17] Q And that would have to do with, I guess, whether
 [18] the President was around?
 [19] A Right.
 [20] Q Whether she was walking quite closely to the Oval
 [21] Office area as opposed to just passing by?
 [22] A Yes. I guess. I don't know. Gary may have come
 [23] in there and asked me -- you know, sometimes my door is shut
 [24] and he may have, you know, not wanted anybody to come into my
 [25] office or something and, you know, they may have stepped in,

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[1] I mean, I really feel like that a lot of this is
 [2] you should be nice and gracious to people and not rude and
 [3] I'm not. I try to do all of this in a nice enough way so that
 [4] I understand their point of view, but not disrupt the
 [5] workings of the White House.
 [6] Q The next subject area I'd like to get into is gifts
 [7] and gift procedures. If someone were to give you a package
 [8] of things some of which were for you and some of which were
 [9] for the President, what procedures would you employ to try to
 [10] account for the gifts?
 [11] A Well, I usually give it to someone else and ask
 [12] them to do a gift form. That's primarily what I would do.
 [13] Q Okay. Can you expand on that? Have them do a
 [14] gift form?
 [15] A Well, they would fill out a form which would be
 [16] sent to the gift unit so that the person can be thanked for
 [17] it. I don't do that in 100 percent of the cases, but
 [18] generally that's what I would do.
 [19] Q Would you show the President the gift first or
 [20] would you have the gift form filled out first?
 [21] A Well, it's not 100 percent. I wouldn't do it every
 [22] time. I think all of it is the circumstances. But normally
 [23] when things come to me, they come to my assistant first. My
 [24] assistant would automatically do all of that. And we've
 [25] changed procedures.

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For a while, they would bring it up to me and at some point I said just do the gift form before you ever bring it to me and then show it to me first and then I'll go and give it to the President or whatever. But sometimes in certain circumstances, it might come in and he might see it first before we've had a chance to do a gift form on it, so in those cases then he would see it sometimes first.

Q The gift form should be filled out regardless of whether the President sees it first or whether the gift form is filled out first, I take it?

A Well, we try to do that. I don't think we do it in 100 percent of our cases, but we try to fill out a gift form on gifts.

Q What kinds of cases would you not fill out a gift form?

A Well, I think if we just -- in my particular case, I can't speak for others, but in my case, if it's something he saw and I was really busy and he picked it up before I got a chance to do it and I just forgot about it and just didn't fill it out. You know. So that's a possibility.

Q Well, forgetfulness, I think, is a common thing.

A Yes.

Q But that wouldn't be a matter of policy or practice, I take it.

A Well, it's not what -- I, again, my particular

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and a gift form, we fill out a gift form on things that come to me. Another instance, for instance, where I may not fill it out but I would send it to Personal Correspondence and have them do a thank you and then I would just make a copy of the letter for the gift unit and maybe a gift form wouldn't be filled out then.

Q All right. Were you aware in any way that Monica Lewinsky was giving gifts to President Clinton, let's say, during the period after she left?

A I don't think I was aware of that.

Q Okay. You sound like you have some hesitation.

A Well, there was some awareness. Somehow, I have a awareness of a tie possibly being given to him, but, you know, I -- I don't -- I'm not 100 percent certain of that.

Q But -- and then -- but that's the only gift that I maybe am partially aware of, that I remember.

Q The gift forms that Betty Currie would fill out, would they be forms that would be sent directly to -- I guess it would be the gift unit or would she give that form to you or to Ms. Cameron?

A I think she would handle it directly, but I don't know. Again, I think that's a little -- it's a little unfair to ask me what she does with them or how she handles them because I really don't pay that much attention to how she handles them.

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items usually come to my assistant and at some point, you know, our policy was just fill out the gift form in the back, they're down the hall, away from me, before you bring it to me. It just makes it easier. And so the gifts that come to the President through me, then that's what I do.

Q Would that same procedure apply to gifts that come to the President through Betty Currie?

A You know, I think you'd have to ask Betty how she handles those because she doesn't necessarily have an assistant who's going to sit there and do all that and she is right outside of the Oval Office, closer to the President than I am. And so she may set something aside that comes to her and, you know, he may pick it up before she has a chance to fill out a form easier.

Q Well, do you mean to say that there are different procedures that apply to Betty than would apply to you or to Rebecca Cameron?

A Well, I think everybody handles it in their own way. I think the general procedure is that we try to fill out a gift form. I think you can't say in all cases that you do that because just different circumstances exist and I think we all do our best to fill them out or to do that, but we don't do it in 100 percent of the cases. And there are just, you know, times that it falls through the cracks.

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Q Well, then I can just ask it in terms of what the procedure is. What is the procedure?

A My procedure, what Rebecca and I would do, would be -- usually we would attach a copy to the gift and send one to the gift unit. I think that's -- and actually, since Rebecca does all that, I don't pay a whole lot of attention to it, even what I do. But that's -- sometimes the whole packet comes in together to me with the gift form attached to the gift and hopefully they've made a copy of it and sent it to the gift unit.

Q When I asked you what the procedure was, your answer was here's what I do and what Rebecca does. That again implies to me the suggestion that there are independent procedures, there are different procedures that Betty Currie, who works for you, may be using procedures of which you're unaware. That sounds odd to me.

A No. I don't -- that's not what I'm necessarily trying to say. I think what I'm trying to say is that I think the only person I can speak for -- I don't sit and look over her and watch her and say this is what you're doing.

In fact, as I'm sitting here talking about it, I don't even know that I know what Rebecca does with the things that come through me. I started talking about it and I thought, well, I don't know that they make a copy and send it to the gift unit. And she may bring in the whole thing and

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Q Is it a matter of discretion when a gift form is not filled out or would it simply be, as you put it, a falling through the cracks or, as you put it earlier, forgetfulness?

A Well, I think it would probably be either, you know, falling through the cracks or forgetfulness.

Q So it's not a matter of discretion, for example.

A It's not the case that either you or Rebecca Cameron or Betty Currie could say in this instance we shouldn't fill out a gift form.

A Well, as a rule, I think there are probably some instances where you might do that, if it comes from an exceedingly close friend, someone -- I mean, if it came from his brother or something, I don't know that I'd fill out a gift form. Another relative.

But generally -- I mean, sometimes, we give him gifts, for instance, for his birthday and I think that's another -- you know, the group goes together. I think we neglect to fill out gift forms on those items just because we kind of forget to do it.

Again, I guess that's a matter of forgetfulness, but you don't think something's coming in and then you turn around and fill it out.

Q All right.

A So generally, I can only really speak for myself

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sometimes it's usually interns who will do it, bring the whole thing up to me and I may stick the whole thing in there for the President and we may not pull the gift form off.

I don't know. That's the bottom line. And I hate to be out here on -- you know, talking about it when I really am not certain about it.

Q Right. In my mind, you're talking about two concepts and I want to make sure that I'm not confusing them. The concept I'm trying to get to is what should happen, what is the procedure that is supposed to be followed.

And what you seem to be responding to more is what actually happens and that is something that since you're not sitting at Betty Currie's desk you don't have any direct knowledge of, but you would have direct knowledge of what the procedure is and what should happen.

A Yes. Well, I guess the other thing I'm saying is I'm not even certain that we follow precisely the procedure, which is that that form makes it to the gift unit, as it should.

Q Right. But there is a procedure, whether you adhere to it each and every time is a different question, but there is a procedure.

A The procedure ultimately would be that the gift unit is notified of gifts received by the President so they can keep a record of them.

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Q All right. And would the procedure be for you to review whatever gift forms Betty Currie had filled out to send to the gift unit or at least to have a copy or the original of that form passed through you?

A No.

MR. EMMICK: All right. Good. Does anyone have any questions about the gift forms or the gift procedures?

(No response.)

BY MR. EMMICK:

Q All right. Seeing no questions, you had mentioned earlier, if I recall, that with respect to correspondence that comes to you, sometimes you would gather that correspondence and wait for a time and then either send it to Personal Correspondence or send it to the Office of Records, but there was a somewhat informal arrangement for compiling correspondence before dealing with it formally. Do you remember that?

A No. I don't. Not that. Talk some more. Remind me what I -- that is not -- I wouldn't necessarily say that's what I usually do, that I gather it all and then send it off?

Q I thought I had recalled that on occasion you gave correspondence to -- you held correspondence either in your office or Rebecca Cameron's office prior to handling

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it formally. That is, rather than sending each and every letter off to Personal Correspondence or the Office of Records Management, you might wait until you had 10 or 15 or 20.

A Well, are you talking about filing it?

Q Yes.

A Oh. Okay. I didn't know if -- because I deal with it on the front end, sending it off to be responded to.

Q I see.

A And I have it -- and I don't have all of it as well. Yes. I think it's more than 15 or 20. It may be held for months, six months or a year, before anybody gets around to going through it.

Q My pointing that out is more of a prelude to the next question and that is when gifts are given to the President, is it ever the case that he would, for example, gather several of the gifts before any gift forms are filled out?

A I don't know. You know, let me back up. I think there's an important point here that is sort of missing.

Q All right.

A And that is early on I gave Betty the responsibility of handling gifts and so that basically the only gifts that I handle are the ones that come directly to me.

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She handles mostly the intake of gifts and I think once -- like, for instance, a gift with a gift form comes to me, I will give it to her. But her desk is right outside of the Oval Office so the President walks in and out by her desk probably a hundred times a day.

I really -- I assume she's doing, you know, a good job with all of that. I really haven't heard any complaints. She handles the gifts that, you know, he receives that he never sees. You know, the gift unit might send her a list of these are the gifts we've gotten and so she handles the disposition of all the gifts.

And so in terms of how the gifts are handled once I put them on her desk, I really don't pay any attention to them. I assume -- it seems like things are going well, that they're handled well. I haven't heard any complaints from anybody, so I've just, you know, let her handle it.

Q Gifts that would be addressed to you for forwarding to the President, would you give them then to Betty to handle?

A Yes. Once the gift form is in the back -- and this is what we do now and I can't tell you how long we've been doing it, but once they do the gift form in the back, then I would then take the whole package and give it to her.

For some time, up until -- and I don't remember when we exactly changed it, they would just bring me the

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gifts and then sometimes they'd just bypass me and give them directly to Betty. And sometimes they would --

Q And they --

A My assistants or my intern in the back. My assistant or my intern. And sometimes the gift form, again, would have been attached, which is a certain period of time and I would have to go back and figure out when we started that, but for a long time, they would just give them to her and then she would be responsible for doing the gift form as well.

So sometimes I would see them. Then I asked people, I asked my intern and my assistant, bring them to me first so I know if somebody calls me and says, "Did you get this gift?" I would at least have some recollection that the gift came in.

But for a number of years, probably years, they just handed them all directly to Betty. She handled them. She did the gifts.

Q And, again, the they would be your intern or your assistant?

A That's correct.

Q All right. Now, if something -- if a package came to Betty, if she picked it up at one of the gates, for example, if it had been delivered to her, it was boxed up, it came to her before anybody had done anything with it, then I

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assume that would also mean that a gift form had not been filled out. How should she handle it then?

A Well, I don't know how she should handle it. Again, I think what I said earlier was that eventually that there should be some notification of the gift unit. There is generally some notification of the gift unit of gifts.

But, you know, that doesn't happen in 100 percent of the cases.

Q All right. Are you aware of the President keeping, gathering together gifts either in the Oval Office or in the study, keeping them in a bag, keeping them in a cluster so that at some point he would either do something with them or say, "Betty, why don't we fill out gift forms for this," anything like that?

A I'm not aware of anything like that.

Q Would there be anything unusual about that, if it had happened?

A For him to -- unusual about what?

Q For him to have gotten a couple of gifts, not have handled it through a gift form being filled out, and then finally saying to Betty, "Betty, here are several gifts, why don't we take care of the paperwork on it?"

A Well, I'm not certain what you're asking. If you could be a little more specific about what you're asking me there. What portion of that are you asking me? Because

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you've got about three parts of that.

Q Let me describe something and then I'll ask you the question would that be unusual.

A Okay. Good.

Q And that will have fewer parts.

A All right.

Q If Betty were to receive gifts for the President, she were to give the President these gifts, and if the President were at some point to say, "Betty, let's fill out the paperwork on these gifts," would that be unusual?

A Yes.

Q In what respects?

A Well, I'm not sure the President would say to her "Let's fill out the paperwork on this."

Q All right. What would he do instead?

A I don't know. I don't know that he would ever think that we have to fill out the paperwork on a set of gifts.

Q You think he might not even know that there's paperwork to be filled out?

A Well, I think he --

Q Or he just wouldn't bother with that aspect of it, he would just assume Betty would take care of it?

A I think so. But you're asking me to -- you know, to judge or to assume something that's in his head, you know,

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[1] about why he would have done it.
 [2] I don't know, but I don't think -- I don't recall
 [3] him ever saying to me, "Nancy, let's make sure we fill out
 [4] the paperwork on this gift." And I think you'd have to ask
 [5] Betty if he's ever said anything to her like that. I don't
 [6] recall him ever saying anything to me like that.
 [7] Q Do you recall him ever handling gifts from some
 [8] people differently from gifts from other people?
 [9] A I think honestly if it's handed to the President
 [10] directly in some way, for instance, if he gets it on the road
 [11] and somebody hands it to him, he doesn't necessarily think
 [12] "Someone's got to fill out a form on this."
 [13] Now, he might think "Eventually someone's got to
 [14] make sure we get this person thanked," but I don't think he
 [15] would necessarily say "We've got to fill out a form on it."
 [16] And he might say the other and he might just -- you know,
 [17] maybe it just doesn't dawn on him either one of them.
 [18] Q And the only gifts from Monica Lewinsky to the
 [19] President that you're aware of is possibly a tie?
 [20] A Yes. Possibly a tie.
 [21] Q All right. I'm going to ask questions in the same
 [22] subject area having to do with notes or correspondence that
 [23] may go to the President but not to the President directly,
 [24] rather, to the President through you or through Betty.
 [25] A Okay.

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[1] Q What would be the procedure for handling that? And
 [2] I'll even be more specific. Let's say that someone sends an
 [3] envelope and on the outside it's addressed to Betty. Inside,
 [4] there are two things: one to Betty and one to be passed on
 [5] to the President. What's the procedure for handling that?
 [6] A I don't know what Betty's procedure is for handling
 [7] that.
 [8] Q What's the Oval Office procedure?
 [9] A My procedure for handling it, if someone sends me
 [10] one, I will open mine, I will open his usually, and I will
 [11] put his in a folder and put it in his box for him to pick up.
 [12] And that's not 100 percent. Sometimes I'd send it off for an
 [13] answer, sometimes I'd just give it directly to him.
 [14] Q And, again, I asked the question what's the
 [15] procedure and you initially started to say I don't know what
 [16] Betty's procedure is and then you said what your procedure
 [17] is.
 [18] A Mm-hmm.
 [19] Q Are there two different procedures in play here?
 [20] A Well, I think in a way there are. I think Betty
 [21] might handle -- I ask that Betty give them to me, but she may
 [22] set it -- I notice that she does this, she doesn't give it to
 [23] me 100 percent of the time and she makes decisions herself on
 [24] how to handle it.
 [25] Q How would you expect her to handle it?

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[1] A I ask her to give it to me first, but to this day,
 [2] she doesn't. So she makes decisions. And I think sometimes
 [3] she sets it behind her, the President picks up things. And
 [4] if I'm not there and she thinks it's something he needs to
 [5] see, she'll hand it to him directly.
 [6] Q Why is it that you want to see these items?
 [7] A Well, because I feel like I need to screen, you
 [8] know. Mostly for answers that -- if there's a more
 [9] substantive piece, a letter that comes in, a policy issue,
 [10] then I feel like you can't just give it to him blindly,
 [11] generally. And plus I don't like to see him overloaded with
 [12] paper and then I make a judgment about what he needs to see
 [13] and what he doesn't see, just because he doesn't end up with
 [14] too much. So those are the two reasons that I ask to see
 [15] them first.
 [16] Q Sounds to me like there are different parts of what
 [17] she may do or does do or you expect her to do. Let me make
 [18] sure I understand what the parts would be.
 [19] A Would you expect her to open the -- let's call it
 [20] the correspondence that's addressed to the President before
 [21] giving it to the President?
 [22] A She doesn't always do that. I am much more
 [23] comfortable doing that than she is and I don't notice that
 [24] she always opens the correspondence to him.
 [25] Q Do you think she should?

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[1] A Not necessarily.
 [2] Q Is it the procedure to open the letters to the
 [3] President?
 [4] A It is the procedure for me to open the letters to
 [5] the President. And not 100 percent of the cases would I open
 [6] them. If someone asked me not to, they tell me -- a staff
 [7] member says "This is a personal note to the President. I
 [8] would like for him to see it and prefer if no one else reads
 [9] it," then I would give it to him directly. I try to respect
 [10] their privacy.
 [11] Q And what paperwork would be filled out in
 [12] connection with that correspondence that has been given to
 [13] the President?
 [14] A No paperwork would be filled out.
 [15] Q All right.
 [16] A I'm just -- I've got to make sure of that, but I
 [17] don't think there's any paperwork that we fill out on
 [18] correspondence.
 [19] Q How would a thank you note or a response be put
 [20] together under those circumstances, if one were to be put
 [21] together?
 [22] A Well, if it's appropriate to do a note back,
 [23] you know, I would either send it to Personal Correspondence
 [24] or to General Correspondence or I would send it to the
 [25] staff secretary. I'd send it to a specific person in the

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[1] correspondence department. It's just various. Sometimes
 [2] the President would hand write a note back.
 [3] Q Is it fair to say that -- it sounds like what
 [4] you're saying is that you would leave a note like that with
 [5] the President and if some particular response were required,
 [6] he would let you know.
 [7] A Yes. Well, what kind of note are you talking
 [8] about? One that is in an envelope that I don't open?
 [9] Q Let's take one and then we'll take the other. One
 [10] is you open it, you look at it and you give it to the
 [11] President. What should be done at that point? Is there any
 [12] record kept of that piece of correspondence? Do you put it
 [13] on a list of things that have been shown to the President,
 [14] letters that have been received by the President?
 [15] A No.
 [16] Q What if you haven't opened it and you give it to
 [17] the President?
 [18] A No record is kept of that either.
 [19] Q All right. And then it's entirely left with the
 [20] President whether or not that letter is ultimately filed?
 [21] A Yes, I guess so. I mean, if there's a
 [22] particular -- you know, if it doesn't come out to me, then
 [23] nothing happens to it. If he doesn't give it to me, for
 [24] either filing or a response.
 [25] Q I had the general impression that there was a hope

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[1] that the correspondence that went to the President would
 [2] generally be made a part of the public record, if you might
 [3] call it that, and I'm a little surprised to hear that
 [4] correspondence that is sent to you or that is sent to Betty
 [5] that's ultimately forwarded to the President isn't always
 [6] logged in, if you will.
 [7] A Is my general impression wrong or is this -- try to
 [8] straighten me out here.
 [9] A Well, your general impression is wrong. The rules
 [10] regarding that are what is personal should be and can be
 [11] kept personal. It does not have to go into the public record
 [12] and should not go into the public record. Most archivists
 [13] encourage you not to do that. And what's personal can be
 [14] kept personal. What's presidential then goes to the public
 [15] records and what's personal doesn't go to public records.
 [16] Q So there would be nothing unusual about him not
 [17] arranging for there to be a filing of a personal note that he
 [18] has received.
 [19] A Not unusual. No. I wouldn't think much about it
 [20] if he didn't ask that it be filed in one way or another.
 [21] Q Now, if you haven't opened the envelope, how do you
 [22] know whether this is presidential or personal? Would you
 [23] leave it to him to decide that?
 [24] A Yes. I mean, if someone asked me, tells me it's
 [25] personal and they say "I would prefer that no one read it,

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11: it's really personal." then you have to respect that and
 12: trust that.
 13: People haven't -- I haven't noticed that anybody
 14: has done anything like that that's -- you know, it's -- there
 15: might be an isolated case here or there, but --
 16: MR. EMMICK: All right.
 17: THE FOREPERSON: Mr. Emmick, it's time for the
 18: grand jury to take a break.
 19: MR. EMMICK: All right. Break time it is. Ten
 20: minutes?
 21: THE FOREPERSON: Ten minutes.
 22: MR. EMMICK: All right. Thank you.
 23: (Witness excused. Witness recalled.)
 24: THE FOREPERSON: Ms. Herrreich, you're still under
 25: oath.
 26: Mr. Emmick, we have a quorum and there are no
 27: unauthorized people in the grand jury room.
 28: MR. EMMICK: Sounds like we can go forward, then.
 29: BY MR. EMMICK:
 30: Q Let's follow up on some of the areas we had touched
 31: on before. Are you aware of whether Monica was giving any
 32: gifts to Betty Currie?
 33: A No, I wasn't aware of that.
 34: Q All right. Did she ever give any gifts to you?
 35: A Not that I recall.

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1: having too many things on my mind. It's just a bad habit of
 2: not paying enough attention.
 3: Q Did anyone other than Betty report that to you?
 4: For example, did Carolyn Self or any of the other interns or
 5: anyone else who had picked up any of these deliveries, did
 6: they say "Gosh, Monica's sending all these packages. What's
 7: going on?"
 8: A Not that I recall.
 9: Q Okay. It sounds like it's the kind of thing you
 10: would have remembered had it been said to you.
 11: A Well, I would hope I would but I learn daily that I
 12: don't, you know, remember. Again, I am constantly reminded
 13: that ten minutes ago that someone said something and I didn't
 14: remember what they had said to me. So -- too many things.
 15: Q You mentioned that you thought it was the kind of
 16: thing you would like to know about. Why is that? What is
 17: causing your alarms to go off? Or if that overstates it,
 18: your interest?
 19: A Well, I think that overstates it. If the packages
 20: were sent to Betty, then that's of no interest to me. But if
 21: we're having -- if there are a lot things that are being sent
 22: to the President --
 23: Q Yes.
 24: A -- then that is of some interest to me.
 25: Q Why?

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1: Q Do you know whether she ever sent any notes or
 2: letters or correspondence to Betty Currie?
 3: A Not that I recall.
 4: Q Did she ever send any to you?
 5: A Not that I recall.
 6: Q Were you aware that Monica was having deliveries
 7: sent to Betty Currie during the period -- I guess you'd call
 8: it the fall of '97?
 9: A Fall of '97? I was unaware of any deliveries that
 10: Monica was having made to Betty -- is that what you're
 11: saying?
 12: Q Yes.
 13: A No. I'm unaware of anything like that.
 14: Q All right. Where in the chain of command does
 15: Carolyn Self fit?
 16: A Carolyn Self was an intern.
 17: Q Did she report to you?
 18: A No, she reported to Betty directly.
 19: Q All right. With respect to deliveries that are
 20: made to the White House for forwarding to Betty, what would
 21: be the mechanism by which you would know about those or
 22: would there be a mechanism by which you would know about
 23: those?
 24: A There would not be a mechanism that I would know
 25: about them unless I was told about them or just, you know,

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1: A Well, because I like to know and, you know, the
 2: amount of paperwork that he receives and to be able to
 3: control it so that he's not overloaded with that sort of
 4: thing. And to be able to monitor if someone's sending a
 5: lot of things in through her, then if there are issues
 6: related to that we need to be on top of, you know, then
 7: that.
 8: It wouldn't necessarily -- you know, it could be
 9: another cabinet member or anybody. If anybody is
 10: consistently sending things in, then I would like to know
 11: about it. And sometimes I don't. Even from a cabinet
 12: member.
 13: Q Does it have anything to do with who is sending the
 14: packages? It's one thing to try to keep track of the total
 15: volume of packages that are sent, but you could keep track of
 16: that by just asking Betty to let you know how many packages
 17: were sent.
 18: It sounds to me like this has more to do with the
 19: fact that they're all from a particular person and what that
 20: might imply. Is that right?
 21: A What you're asking me is if I would be more
 22: concerned that a number of packages were coming to her from a
 23: certain person, it's the person I would be concerned about?
 24: Q Yes.
 25: A More concerned about a person? Well, I think

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1: was involved in it, was in the middle of it or saw it.
 2: Q If you were to hear or know that Monica Lewinsky
 3: had sent six, seven, eight packages for delivery to Betty
 4: Currie in a couple-month period, would that be something you
 5: would be interested in?
 6: A I would be interested in anyone who send a number
 7: of packages to the President in a certain time period. I
 8: would be interested in the fact that people sent packages.
 9: Q All right. Is it the kind of thing that you would
 10: expect Betty to let you know about?
 11: A I would expect Betty to tell me about packages or
 12: letters that were being sent on a regular basis to her. Yes.
 13: Q Did she tell you about such deliveries?
 14: A Not that I recall. Not that I recall.
 15: Q Okay. It sounds like you're not entirely sure
 16: about that or is it simply just a lack of recollection but
 17: it's a possibility?
 18: A Well, I think in all cases, I mean, you know, my
 19: memory is not the best in the world and especially the older
 20: I get it becomes worse, but I don't recall it. You know, but
 21: there's always a possibility somebody would have said
 22: something to me.
 23: I mean, that could happen in five minutes, someone
 24: could tell me something and I could turn around and ask them
 25: the very question they just told me. Sometimes it's just

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1: partially, yes. To be honest, I mean, you have to say that
 2: anything that comes from one -- that might be a concern of
 3: mine. But also just that there is a volume of paper going to
 4: the President from anybody that I'm unaware of, that I feel
 5: like I should be controlling the amount of paper that goes to
 6: him. Plus, again, issues. And I don't know if that answers
 7: your question.
 8: So it's -- you know, obviously, it's a double --
 9: I would be concerned if, for instance, a lobbyist was
 10: sending something in to the President through Betty and she
 11: didn't tell me about it because, again, it could be an issue
 12: that I feel like he's not as informed on or someone that he
 13: may be blind sided on and if you're going to send something
 14: to him, you should send it to him with all the correct
 15: information.
 16: Q Would there have been any special interest in the
 17: fact that it was in this case Monica who would be sending a
 18: number of packages for delivery over a couple-month period?
 19: Any special concerns?
 20: A Well, I don't know that any special concerns --
 21: you know, I can't say that now. I mean, in retrospect, I
 22: don't know.
 23: Q Were you aware that Monica Lewinsky was visiting
 24: President Clinton during 1996 and 1997 after she had left
 25: OLA?

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11 A No, I was not aware that she was visiting the
 12 President. I think that we had talked about before that I
 13 knew that she had come to a radio address. Other than that,
 14 I don't know that I was aware that she was visiting the
 15 President or that she did visit the President. I'm not sure
 16 I'm aware of that today.
 17 Q Were you aware that she was having visits to Betty
 18 with some regularity?
 19 A No, I was not aware that she was visiting Betty
 20 with some regularity.
 21 Q Would you expect Betty to let you know if she had
 22 had -- let's try to put a number on it. Let's say, you know,
 23 monthly visits from Monica Lewinsky while you were not there
 24 and were therefore not personally aware of?
 25 A It would not be unusual for Betty to have regular
 visits from somebody and my not be aware of them.
 Q And would you want Betty to let you know if Monica
 Lewinsky had visited with that regularity?
 A Well, I think if Monica Lewinsky is a personal
 friend of Betty's and that's a personal visit by Monica to
 Betty, then there's no reason for her to let me know. I
 think that's a friendship separate and apart from our work
 and there's no reason for her to inform me of that.
 Q And if they were more than personal visits or
 perhaps personal visits as well, that is, if they were also

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visits to the President, is that something you would have
 expected Betty to let you know about?
 A I would have liked to have -- yes. I would expect
 her to let me know if Monica Lewinsky was visiting the
 President on a regular basis.
 Q Why?
 A Well, because I like to control and maybe -- the
 number and amount of people he sees and to -- you know,
 almost for the same reasons that you would do the other, it's
 my job and I would like to be able to -- you know, if there
 are issues that someone is talking to him about, then make
 sure he's not blind sided on those.
 Q I'm not sure I followed that last one.
 A Well, for instance, if, you know -- even if a
 cabinet member or an agency or department head, anybody comes
 in to see the President on a regular basis, then I would like
 to know about it because I am responsible for the department
 and, you know, the Chief of Staff may ask me is General
 McCaffrey, who is, you know, for instance, the head of the
 National Drug Control Policy, has he dropped by to see the
 President or has he sent the President a note lately or --
 you know, because there are issues related to that the
 President would need to know about but there might be other
 issues, too, that he should be hearing all sides of an issue.
 And so that's what I mean by that.

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So that if there are -- because of issues and who
 it is that's visiting him that --
 Q Would there be any special issues raised by the
 frequency of visits from Monica?
 A To the President?
 Q Yes.
 A Special issues? I don't know that I would have any
 special issues unless it was something related to the
 Department of Defense, you know, and I probably would have
 asked that question.
 Q All right. Were you aware that Monica was
 frequently calling Betty during 1997?
 A Not that I recall.
 Q Did Betty mention to you any calls from Monica?
 A Well, I don't remember, but she might have. I
 can't -- you know, I just don't recall.
 Q Did she ever complain to you about the number of
 calls she had received from Monica?
 A I don't recall that she did.
 Q You supervise Betty.
 A Yes.
 Q Are you someone who would be concerned about any
 calls that might be disruptive of Betty, either because of
 their frequency or their manner?
 A Well, I might be concerned, but Betty and I have

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different personalities and one of the things that I admire
 about her is the fact that she is so nice and gracious to
 everyone. And she's been in here, you might ask her about
 some of the people she gets on the phone and she's always so
 gracious and nice to them.
 And really, literally, mentally ill people who
 will call her on a regular basis and say that they are
 the ambassador to whatever, or they were promised to be
 ambassador to somebody and she's gracious and kind and nice
 to them day after day after day. And I not sure I would be
 that gracious and kind and nice to these people.
 And she, you know -- she always treats them with a
 lot of respect and you have to admire somebody who is that
 kind and good to people.
 Q We do have to admire that, but it is also sometimes
 disruptive, if you're so gracious and taking so long with so
 many calls that it disrupts your work.
 Did you have the impression that that was happening
 with Betty and Monica at all?
 A No, I did not have that impression. I didn't know
 about it.
 Q Have you ever heard Betty speaking loudly on the
 phone, yelling at someone?
 A Well, certainly not that I recall. Not off the top
 of my head, I don't recall her yelling at anybody.

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Q Were you aware of any calls that Monica Lewinsky
 made to the President through Betty?
 A Not that I recall.
 Q Let's talk a little bit about your work hours.
 A Okay.
 Q What are your work hours?
 A Well, usually, I try to be at work around a quarter
 of eight and I work until -- most days, until 7:30 or 8:00 at
 night.
 Q Do you work weekends?
 A Some weekends, not every weekend.
 Q How often do you work weekends?
 A Well, I work weekends generally when we have a
 radio address and it varies over time. If I know the
 President is going to be in, is going to be by himself and
 we've got meetings or phone calls, then I'll come in.
 But if, you know, right at the beginning, the first year
 we worked, I worked seven days a week. We worked 18, 20
 hours a day for at least six months and probably longer
 than that.
 And then after that, what I started doing
 eventually was staying as late as I could on Friday night,
 I'd stay until 11:00 or 12:00 on Friday night just to keep
 from coming in on Saturday or Sunday.
 Q You made a reference to if the President were by

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himself. I take it you mean if he didn't have a secretary
 like perhaps Betty there at the same time?
 A Mm-hmm.
 Q So is it fair to say that there was an effort by
 Betty and you to have one or the other of you there? Or does
 that overstate it?
 A Well, that might overstate it, certainly on the
 weekends. One of the things I noticed about Betty is that
 she liked to come in on the weekends to work rather than if I
 would stay late on Friday night just so I don't have to, I
 think Betty likes being in there by herself and kind of
 working without a bunch of other people around. So she
 seemed to come in a lot on the weekends.
 Now, what was the original question here about --
 what did you ask me?
 Q I was trying to figure out if there was sort of a
 plan to have one or the other of you there or was it simply
 that in your mind there's more call for you to be there if
 there's no one else there?
 A Well, I think we would try to work it out. For
 instance, if they scheduled a meeting on Sunday afternoon,
 then between the President's aide and Betty and myself we
 would probably work it out.
 I mean, normally, I feel like I'm the head of the
 office and if I can I usually -- if I knew that he was going

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[1] to be in at a specific time doing a specific meeting, then I
 [2] would offer to come in. Or if he had to make a call to a
 [3] foreign head of state and he needed to do it in the Oval,
 [4] then I would first offer to come in.
 [5] But we would -- if I couldn't go in -- but often,
 [6] I mean, if there was something scheduled that I knew
 [7] about, then I would -- you know, we would discuss it among
 [8] ourselves. And sometimes we all would show up and sometimes,
 [9] you know, just one of us would.
 [10] Q Has the President ever called you at home?
 [11] A Yes.
 [12] Q Often?
 [13] A Periods of time, yes, when it's often. Yes.
 [14] Q Well, let's take 1997 as an example year. How
 [15] often during 1997 as best you can recall would he call you
 [16] at home?
 [17] A Once or twice a week, probably. But that -- you
 [18] know, I'd have to go back. I mean, I couldn't guarantee that
 [19] it's once or twice a week, but, you know, at times it would.
 [20] Q I'm assuming that's an estimate.
 [21] A Yes.
 [22] Q And what sorts of things would he call you at home
 [23] for?
 [24] A Well, he would call me about golf a whole bunch.
 [25] About this is Saturday and I want to play golf and, you know,

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[1] who should I play with and can I play at a certain time.
 [2] Q Sort of scheduling matters, somewhat social
 [3] matters?
 [4] A Scheduling. Social. Sometimes he's done that.
 [5] "I'm going to take my wife and my daughter to Easter brunch.
 [6] Where should I take them?" You know, that's not an
 [7] uncommon question. "We're going out to dinner, where should
 [8] we go?"
 [9] So I would say scheduling, but it also might be,
 [10] you know, paperwork or if he ran into somebody and they
 [11] said something to him and do I remember this or do I
 [12] remember that. Or "I saw so and so last night and they
 [13] said this."
 [14] And sometimes he would call me for phone numbers.
 [15] If we have a friend in town, he would ask me, "Where's so
 [16] and so staying? I need to call him."
 [17] Q It appears that the President, then, would have
 [18] called you at home much more frequently than he called Betty
 [19] at home. Any particular reason for that?
 [20] A Well, I don't know that that's the case. I mean,
 [21] you all might know that, you may have asked that question.
 [22] I've never paid any attention to the fact if he called me
 [23] more than he called Betty.
 [24] Q All right. Would there be any particular reason
 [25] for it if that appeared to be the case?

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[1] A Well, probably because of the kinds of things he
 [2] might call somebody about would be the things that I might
 [3] know something about.
 [4] I mean, I would be able to handle scheduling
 [5] matters or basically all the friends. I keep track of the
 [6] friends more than Betty does. Because most of the people
 [7] who come to Washington are from Arkansas, a lot of them,
 [8] and they know to call me and so we basically keep track of
 [9] most of the friends. And so I might be the one who knows
 [10] where someone is.
 [11] Q Has he ever called you and asked you to come back
 [12] to the office? On a weekend, for example, or at night?
 [13] A Yes, I think he has, but --
 [14] Q It sounds like you're a bit unsure of it?
 [15] A Well, I'd have to come up with a specific, if that
 [16] would be the next question, I was already jumping ahead, to
 [17] think of when he did it and under what circumstances. But I
 [18] believe he has.
 [19] Q Well, sometimes people can be certain that
 [20] something has happened in general and not have a specific in
 [21] mind. Is that the situation with you?
 [22] A Yes.
 [23] Q All right. Do you have any impression about how
 [24] often that would be, once or twice a year, once or twice a
 [25] month?

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[1] A Well, I think more like a year, but it might be
 [2] between those two numbers. You know, maybe more than once or
 [3] twice a year and less than once or twice a month.
 [4] Q Has he ever asked you to come in for the purpose of
 [5] letting someone into the White House, for the purpose of
 [6] WAVE-ing someone in?
 [7] A I believe so?
 [8] Q He has?
 [9] A Mm-hmm.
 [10] Q Tell us about that.
 [11] A Well --
 [12] Q Let's focus on 1997, just so that we have a year
 [13] that's fairly fresh in our mind, at least more fresh than
 [14] '96.
 [15] A The ones that I can remember are either -- you
 [16] know, maybe a personnel matter, sometimes those have to be
 [17] handled. Sometimes legal reasons.
 [18] Q I'm not sure I'm following either what personnel
 [19] matter or legal matter would me in the circumstances.
 [20] A Personnel, he needs to interview somebody for -- I
 [21] mean, obviously this is not the case -- Secretary of Defense
 [22] and it has to be kept very quiet and you don't want people,
 [23] you know, everyone and their brother knowing that this person
 [24] is coming in because then it's in the newspaper and, you
 [25] know, basically you may embarrass somebody if this person is

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[1] not picked.
 [2] And so he would call me in there to handle that
 [3] because I can do it in a way that everyone in the world
 [4] doesn't see them. Four people don't see them coming in and
 [5] that sort of thing.
 [6] Q And that would be an example of a personnel matter.
 [7] A Right.
 [8] Q And then you made reference to a legal matter?
 [9] A Well, the same with his lawyers. I think a lot of
 [10] it would be, you know, "I need to get -- my lawyers need to
 [11] come over today, can you come in and make sure they get in
 [12] okay?"
 [13] And it might be friends or sometimes it would be
 [14] "So and so wants to come in for a photo, can you handle
 [15] that?" And so, I mean, a variety of reasons.
 [16] Q How often has he asked you to come in to WAVE in
 [17] friends?
 [18] A Well, I think -- didn't we just discuss that?
 [19] Maybe -- I don't know how many times. I don't know if it's
 [20] a dozen, I don't know if it's six, I don't know if it's two
 [21] dozen. Probably less than 25, probably less than two dozen
 [22] times and probably -- but I don't know -- more than six, so
 [23] somewhere in that range.
 [24] Q So you wouldn't necessarily regard it as unusual?
 [25] A No. Un-uh. Unusual in what manner?

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[1] Q Unusual in the sense that it doesn't happen very
 [2] often or you're not sure why he would turn to you to WAVE
 [3] someone in rather than someone else. I assume that there are
 [4] others at the White House and maybe even in the Oval area who
 [5] would have the authority to WAVE someone in.
 [6] A I guess I never thought it was unusual when he
 [7] called me to ask me to do that.
 [8] Q All right. I'm next going to ask a question that
 [9] will seem incredibly stupid, but I feel obliged to ask it.
 [10] I assume that the President doesn't handle e-mail himself,
 [11] doesn't have his own computer system, anything like that.
 [12] A He has a computer, but he doesn't handle e-mail.
 [13] Q Okay. What kinds of things does he do on his
 [14] computer?
 [15] A Well, actually, he has a computer. I'm not sure he
 [16] does anything on it. He has it, but I don't believe he uses
 [17] it at all.
 [18] Q He doesn't send e-mails to the Chief of Staff or
 [19] anything like that?
 [20] A Not that I'm aware of.
 [21] Q Okay. If he wanted to have someone contacted
 [22] electronically, would he simply do it through you or Betty
 [23] or would he not do that at all?
 [24] A I don't know that --
 [25] Q Has he ever done that?

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[1] A I have people who send me e-mails for the
 [2] President, but I'm not sure that it was at the President's
 [3] request that they do it.
 [4] Q I see. Okay. Let me turn then to another subject
 [5] area, Linda Tripp. Have you had any discussions with the
 [6] President about Linda Tripp?
 [7] A Not that I recall. Let me think about that a
 [8] minute. Well, her name has probably come up, but going to
 [9] the next part, whether there were conversations about Linda
 [10] Tripp or what the conversations were or in what context is
 [11] what I don't remember, but did her name ever come up in a
 [12] conversation with the President? Probably.
 [13] Q Can you try to reconstruct as best you can when it
 [14] happened, who else was there, how it arose, what was said?
 [15] A Well, I'm not -- I don't know. It might take me a
 [16] while, if you want to give me some time and let me think
 [17] about it. Certainly she -- but really -- I'm trying to even
 [18] remember if at first -- I know she worked -- Bruce Lindsey
 [19] initially was a part of our office, even though he was
 [20] Director of Personnel.
 [21] And so I hired a woman named Deb Coyle to be one of
 [22] the President's secretaries with Betty Currie, but Deb felt
 [23] like Bruce needed more help, which he did, than the President
 [24] did at that time and so Deb did a lot for Bruce. But then
 [25] when she was gone sometimes she'd bring in Linda Tripp.

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[1] So now the question then becomes did Linda Tripp --
 [2] did we ever have any conversations about Linda Tripp then,
 [3] which was very early on working for us, or whether "Who is
 [4] that?" You know, and what -- you know, is she answering the
 [5] phone or -- possibly that. But --
 [6] Q Well, let me be a bit more direct because I'm less
 [7] interested in whether you might have discussed Linda Tripp's
 [8] typing speed than in whether you ever discussed Linda Tripp
 [9] in connection with, first, Monica Lewinsky.
 [10] A I don't believe that I ever discussed Linda Tripp
 [11] in relation to Monica Lewinsky. It is my recollection, which
 [12] is jumping ahead of you, but, believe me, I can be wrong
 [13] about this, that the first time I knew of any relationship
 [14] was possibly when one of these news accounts came out. Now,
 [15] I wouldn't swear on a Bible, which I may have done that,
 [16] but -- but that's my recollection.
 [17] Q Did you ever discuss with the President Linda Tripp
 [18] in connection with Kathleen Willey?
 [19] A Well, that's what I'm trying to reconstruct in my
 [20] brain, whether -- if I ever had a conversation with him post
 [21] that, it would have been in relationship with -- you know, in
 [22] that context with Kathleen Willey and I don't recall a
 [23] specific conversation right now, but I'd be glad to think
 [24] about it. Because they worked -- Linda Tripp and Kathleen
 [25] worked together in the counsel's office.

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[1] I would more associate Linda Tripp with Kathleen
 [2] Willey because they worked together than I would with Monica
 [3] Lewinsky. Maybe Monica and she worked together, but I'm not
 [4] sure I was aware of that.
 [5] Q All right. Think on it, if you would.
 [6] A Okay. I'll be glad to.
 [7] Q I'm going to ask similar kinds of questions about,
 [8] for example, discussions between you and senior staff about
 [9] Linda Tripp and Monica Lewinsky.
 [10] A Okay.
 [11] Q Have you had such discussions?
 [12] A Well, in what way? I think -- you know, sometimes
 [13] you might have general conversations with people because of
 [14] what you read in the paper or whatever, but I don't recall a
 [15] specific conversation I've had with someone about Linda Tripp
 [16] and Monica Lewinsky.
 [17] Q Did you ever discuss it with Bruce Lindsey?
 [18] A Linda Tripp and Monica? Not that I recall.
 [19] Q What about with senior staff relating to Linda
 [20] Tripp and Kathleen Willey?
 [21] A I don't recall one, but that's not -- you know,
 [22] again, that one would be more likely and that would be the
 [23] one I want to make sure about and that I'd have to think
 [24] about for a long while because, again, that's where my
 [25] association with Linda Tripp is.

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[1] Q Let me be just a little more directed, then, rather
 [2] than just senior staff, what about Bruce Lindsey in
 [3] particular?
 [4] A Linda Tripp and Kathleen Willey?
 [5] Q Mm-hmm.
 [6] A Actually, I do think I did talk to him once about
 [7] that.
 [8] Q Can you give us your best recollection of that?
 [9] Where, when, the circumstances, who said what to whom?
 [10] A Well, it seems like there was some sort of a
 [11] conversation about whether Linda Tripp ever called him and
 [12] whether he --
 [13] Q Whether Linda Tripp called Bruce?
 [14] A Yes. At some point. And whether he ever returned
 [15] the phone call. But that is -- I'm uncertain of that,
 [16] honestly, whether I had that conversation or I just had --
 [17] you know, but there's a possibility I had that conversation
 [18] with him. And I am aware that that's -- you know, I'm being
 [19] a little -- I'm not answering that directly, but I want to be
 [20] very careful about it when I say something like that because
 [21] I don't recall a specific conversation that I had with Bruce,
 [22] I have a general feeling that I may have talked to him about
 [23] that.
 [24] And, you know, this has serious repercussions and
 [25] so I don't want to say something so flippantly that would,

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[1] you know, create -- when there's a possibility I never did
 [2] have that conversation with him in reality. So --
 [3] Q It sounds to me like you feel like you probably
 [4] did, but you don't know enough about the specifics to commit
 [5] yourself to it, is that another way to say it?
 [6] A Well, that might be a way of saying it. Yes.
 [7] Q All right. Why don't you think on that one as
 [8] well.
 [9] A Okay.
 [10] Q Sometimes when you massage memories, they come
 [11] a bit more.
 [12] A Okay.
 [13] Q What about discussions with people at the White
 [14] House Counsel's Office about Linda Tripp in connection with
 [15] Monica? And then, as you might anticipate, I'll ask the same
 [16] thing about Linda Tripp and Kathleen Willey.
 [17] A Well, I don't recall, but, you know, they may have
 [18] asked me what you're asking me, which is do I know anything
 [19] about Monica Lewinsky and Linda Tripp or, you know, a
 [20] relationship, which I -- so I don't think I had anything
 [21] other than just maybe that, but I don't know for sure that
 [22] they asked me that.
 [23] Q Who at the White House Counsel's Office would it
 [24] have been who was talking to you on that subject or those
 [25] subjects?

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[1] A Possibly Cheryl Mills, but, you know, it could have
 [2] been someone else. Maybe Lanny Breuer, but possibly Cheryl
 [3] Mills. But, again, I can't say definitively that I had that
 [4] conversation.
 [5] Again, it's a general feeling that I might have had
 [6] that conversation with somebody and if I had a conversation
 [7] with someone in the counsel's office, then that's who it
 [8] would have been. But I can't recall a specific conversation
 [9] I had with either Lanny or with Cheryl.
 [10] Q At about the time -- I guess it would have been
 [11] early to mid 1997, there was an investigator who was looking
 [12] into the -- let's call it the Kathleen Willey situation. At
 [13] about that time, did you have any conversations with Kathleen
 [14] Willey?
 [15] A In early '97?
 [16] Q Well, I guess, let's talk about -- I'm always
 [17] hesitant to put things in time because it's easy for a
 [18] witness to say I don't remember that time. In 1997, did you
 [19] have conversations with Kathleen Willey?
 [20] A I might have. I don't remember. I'm like you,
 [21] it's like was it '97? I've had conversations with Kathleen
 [22] Willey. Was it '97, '96, '95? Who knows?
 [23] Q All right. Then let me suggest a subject matter
 [24] for you. Did you ever have any conversations with Kathleen
 [25] Willey about Michael Isikoff, a Newsweek article, about

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1 Kathleen Willey possibly being approached by the President in
 2 an unwanted way?
 3 A By the President? Well, you've asked -- tell me
 4 what you're asking me there because you've asked me a
 5 complicated question or a compound question with several
 6 parts.
 7 Q Objection sustained. Let's put it this way.
 8 Michael Isikoff did research on a possible article relating
 9 to whether the President had made an unwanted gesture, let's
 10 call it, toward Kathleen Willey. He did some research during
 11 early '97 and there was an article that came out in the
 12 summer of '97. Did you have any discussions with Kathleen
 13 Willey about that?
 14 A Well, I'm not sure -- you're still -- it's still a
 15 compound question here. I had a conversation with Kathleen
 16 Willey about a call or that somebody was trying to -- some
 17 sort of news person of some sort was trying to approach her
 18 in some way.
 19 Q What can you tell us about that?
 20 A That's about all I can tell you about it.
 21 Q She called you?
 22 A She called me. Mm-hmm.
 23 Q Why would she call you about that?
 24 A Well, she -- I think I was the person that was left
 25 at the White House that she felt closest to.

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1 Q Well, if all it was was a news person trying to
 2 contact her in some way, why would she call you? Presumably
 3 it had something to do with the White House, I take it.
 4 A Well, as I remember, she wasn't specific about
 5 that. That's as I recall it.
 6 Q What was the news person asking her about?
 7 A I don't think she told me.
 8 Q It's hard for me to get a feel for what this
 9 conversation must have been like. She calls you and she says
 10 "A news persons contacted me about --" and then could you
 11 fill in the blanks for us?
 12 A Well, I don't think she told me. I don't think
 13 there was any blank to fill in.
 14 Q Was it a long conversation?
 15 A Not that I recall.
 16 Q Could you give us sort of a best estimate of how
 17 long you think the conversation was?
 18 A Certainly less than five minutes, but maybe even
 19 shorter than that.
 20 Q What seemed to be her emotional reaction to the
 21 call from the news person?
 22 A Kathleen always seemed to be pretty calm in most
 23 circumstances.
 24 Q So she seemed to be calm?
 25 A Seemed to me.

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1 Q What would have prompted her to call, then? She
 2 gets a call from a news person, she's calm about it --
 3 A Well, Kathleen's been in here and I assume you've
 4 asked her that and I would say you would have to use her
 5 answer. I mean, why -- you're asking me to judge why she
 6 would have called me. I don't know why she called me, why
 7 she would have called me.
 8 Q Well, another way to get that same information
 9 would be to ask you what she said about why she called you
 10 and that would be something you would know about.
 11 A Well, I'm not sure she told me why she called me.
 12 Let me think about it. I mean -- but -- I do not recall
 13 specifically what she said as to why she called me about it.
 14 And let me add that it is not unusual for someone to call and
 15 just say -- I mean, you could have the President's high
 16 school friends call and say, "Well, we have somebody, you
 17 know, a news person here who is asking questions about, you
 18 know, what he did in the band in 1962."
 19 That's not an unusual question. And they would
 20 just call to inform us that someone is out there doing
 21 interviews in case we don't know.
 22 Q What did Kathleen Willey tell you the call was
 23 about?
 24 A She did not, that I recall, tell me what the call
 25 was about.

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1 Q Did you have an impression of what the call was
 2 about?
 3 MR. WISENBERG: Could I just ask, are we talking
 4 about the call from the reporter or the call to
 5 Ms. Herreich?
 6 MR. EMMICK: Well, I'm trying to figure out what
 7 you understood Kathleen was talking to you about regarding
 8 the call from the reporter.
 9 THE WITNESS: What I understood the call from the
 10 reporter was about to her?
 11 MR. EMMICK: Yes.
 12 THE WITNESS: I did not ask her and she did not
 13 tell me, as I recall.
 14 BY MR. EMMICK:
 15 Q Well, was she looking for advice?
 16 A It did not appear to me that she was looking for
 17 advice.
 18 Q Was she giving you and the President a heads up?
 19 A I got the idea that she was informing me.
 20 Q And what was she informing you of?
 21 A That someone was calling her wanting to interview
 22 her -- yes. Interview her, I guess, since it was a news
 23 person.
 24 Q Someone was calling wanting to interview her in
 25 connection with the President? In connection with the White

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1 House? In connection with her children's schooling? There
 2 must have been some reason that she was calling you or
 3 someone associated with the White House.
 4 A Well, again, as I recall, she did not tell me.
 5 Q All right. So she was calling to give you a sort
 6 of a heads up or to give you information.
 7 A That's as I recall it.
 8 Q Okay. What was your reaction? Were you interested
 9 to ask, "Gosh, what was the reporter asking about?"
 10 A No.
 11 Q "Why are you calling me?"
 12 A I did not ask her that, that I recall. And I did
 13 not ask her why she was calling me, that I recall.
 14 Q Did any other names come up? Did Linda Tripp's
 15 name come up?
 16 A Not that I recall.
 17 Q Did she ask any questions of you?
 18 A Who, Kathleen?
 19 Q Yes.
 20 A Not that I recall.
 21 Q And after you got this call that you think she was
 22 trying to give you information about, to whom did you tell
 23 this information?
 24 A My recollection is that I told the President that
 25 she had called.

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1 Q And what did you tell the President?
 2 A That Kathleen called and said that there was a
 3 reporter who was trying to talk to her or interview her or
 4 something.
 5 Q And why did you tell the President?
 6 A I'm not certain if Kathleen asked me to let him
 7 know or if I did it sort of as chatting. "Well, today, these
 8 are the phone calls I got and this is what so and so said."
 9 And so I don't recall.
 10 Q And what was the President's reaction?
 11 A I think, and I'm uncertain of this, too, but this
 12 would have made sense to me, is that he told me to tell
 13 Bruce, to let Bruce know, or maybe he, you know, "Well, why
 14 don't you let Bruce know."
 15 Q Did you let Bruce know?
 16 A I think so, but I can't guarantee it. And he may
 17 not have said anything, he may have just sort of shrugged his
 18 shoulders. I don't really recall.
 19 Q Would you have let anyone else know?
 20 A Well, I might have let the press office know.
 21 Q And who at the press office would you have advised
 22 of that?
 23 A Whoever I could have gotten in touch with.
 24 Q Do you have any recollection of speaking to anyone
 25 in particular?

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[1] A I don't have a recollection of speaking to anybody
 [2] in particular about it.
 [3] Q And what would it have been about Kathleen Willey's
 [4] call that would have been suitable or appropriate or would
 [5] have called for letting the press office know or letting the
 [6] President know or letting Bruce Lindsey know?
 [7] A Well, what would it have been? You've asked again
 [8] three or four different things there. I mean, are you asking
 [9] as a group or as -- you know why -- because a newspaper
 [10] person was interested in interviewing somebody.
 [11] Q Okay. Somebody formerly associated with the White
 [12] House? Is that the thing that made it worthwhile?
 [13] A Well, I guess that was my assumption, is that that
 [14] had something to do with the White House or maybe that's why
 [15] she called me and so I should inform somebody that she should
 [16] call. Or it could have just been -- I think I let somebody
 [17] know that for that --
 [18] I'm not sure that's -- you know, the President --
 [19] it may have just been in just normal conversation. "Well,
 [20] these are the calls I got today." I really -- I don't recall
 [21] specifically why or the circumstances or the exact --
 [22] obviously the exact conversation I had with her.
 [23] Q Did you understand that her call to you related in
 [24] some way to a report of an unwanted advance by the President?
 [25] A No, I was not -- ask me that again?

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[1] Q When she made this call to you, did you understand
 [2] that it had something to do with an unwelcome advance that
 [3] the President had made toward Kathleen Willey?
 [4] A No.
 [5] BY MR. WISENBERG:
 [6] Q Or an alleged unwelcome advance?
 [7] A No.
 [8] MR. EMMICK: All right. I have no other questions
 [9] on that subject area.
 [10] Sol or any of the grand jurors?
 [11] MR.
 [12] end.
 [13] MR. EMMICK: Okay.
 [14] BY MR. EMMICK:
 [15] Q Let me ask, then, a question in another subject
 [16] area. Any knowledge that you might have of any job efforts
 [17] taken to get Monica Lewinsky a job in the following three
 [18] categories. One would be in connection with the U.N. Any
 [19] knowledge or information at all about efforts by anyone to
 [20] get Monica a job at the U.N.?
 [21] A No.
 [22] Q What about to get her a job in private industry in
 [23] New York City?
 [24] A No.
 [25] Q What about to get her a job back in the White

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[1] House?
 [2] A No. Well, let me just make sure of that last one.
 [3] At any time, a job back in the White House?
 [4] Q Right.
 [5] A That one I may have had some awareness of. When
 [6] you say that, to this point, it had never dawned on me, but
 [7] just how you said that, whether it was Monica or someone else
 [8] who ever left the White House, people who leave the White
 [9] House all seem to want to come back at some point.
 [10] And so whether specifically Monica or somebody else
 [11] who ever left and called and said, "Oh, I'd love to get back"
 [12] or "I'm trying to get back at the White House," I don't know
 [13] if she called me, but I may have had some general awareness
 [14] of that, but I can't be specific or I can't guarantee that I
 [15] was aware of that.
 [16] Q Well, then, let me run through a list of names and
 [17] see if that helps jog the memory.
 [18] A Okay.
 [19] Q Did you have any discussions with the President
 [20] about bringing Monica back to the White House?
 [21] A No.
 [22] Q What about with Marsha Scott?
 [23] A No.
 [24] Q When you think about bringing Monica back to the
 [25] White House as a concept, let me suggest that she was

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[1] interviewing at the National Security Council for a while.
 [2] Does that jog any memory at all?
 [3] A No memory of that.
 [4] Q All right. What about with either Mr. Hilley or
 [5] Mr. Nash?
 [6] A No. I don't recall any conversations with any of
 [7] those people about Monica Lewinsky and a job. Is that what
 [8] you're asking me?
 [9] MR. EMMICK: Yes.
 [10] MR. WISENBERG: Or if you heard about any such
 [11] conversations.
 [12] THE WITNESS: No. Not that I recall. I don't
 [13] remember ever hearing anything about jobs with any of these
 [14] people.
 [15] BY MR. EMMICK:
 [16] Q Next, I'm going to ask about a phone number.
 [17] A Okay.
 [18] Q [REDACTED]
 [19] A Well, I think it's mine, but I can't guarantee it.
 [20] It's one of mine, but I don't pay any attention to that
 [21] number because it's not the number that I give out. So -- I
 [22] think it's mine, but it could be somebody else's in there.
 [23] Q It's our impression that it's yours.
 [24] A Okay. Good.
 [25] Q It's not a number called as frequently as the other

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[1] numbers, so let's make the question more general. How many
 [2] numbers are your numbers and how does [REDACTED] fit in as opposed
 [3] to other numbers that you have and give out to people?
 [4] A Well, the [REDACTED] is -- I think the only person I ever
 [5] gave -- I only gave that number to two people, although my
 [6] staff knows it. I've given it to my daughter and a former
 [7] boyfriend who I dated for a number of years, five or six
 [8] years, he had the number. And those are the only two people
 [9] I really remember giving it to, although my staff, I think,
 [10] knows the number. Again, I've given it out so little, I
 [11] don't even know what the number is.
 [12] MR. EMMICK: Just a minute, if you would.
 [13] (Pause.)
 [14] BY MR. EMMICK:
 [15] Q Did Kenneth Bacon ever call you?
 [16] A Not that I recall.
 [17] Q Would he have called you to get a hold of the
 [18] President ever?
 [19] A Not that I'm aware of.
 [20] Q The reason we're asking is there are records of
 [21] calls from his office to your [REDACTED], I believe, number and
 [22] we just want to make sure that since the DOD number is
 [23] one shared by Monica Lewinsky and Ken Bacon, we're trying
 [24] to make sure that it's a Monica call rather than a Ken Bacon
 [25] call.

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[1] A Well, I don't recall ever speaking with Ken Bacon
 [2] about anything, honestly. I may have met him, I don't even
 [3] know that I've ever met him, but I may have. I probably
 [4] have, but I just don't remember.
 [5] Q It sounds like you're suggesting that if there are
 [6] calls from that number they're more likely to be calls from
 [7] Monica than they would be calls from Ken Bacon.
 [8] A I would think so, but it's not out of the question
 [9] that he would have called and I wouldn't have known about it.
 [10] To that number.
 [11] Q Okay. It doesn't sound like you regard it as
 [12] likely, when you say out of the question, it's sort of
 [13] everything is possible.
 [14] A Well, I would think that eventually I would
 [15] have -- that name would have crossed my desk with a message
 [16] or something from him, but, again, it's not out of the
 [17] question.
 [18] Q Do you have any recollection of calls from Monica
 [19] to you?
 [20] A No. I do not.
 [21] Q If Monica had called you to speak to the President,
 [22] what would you have done?
 [23] A What would I have done? I don't know what I would
 [24] have done. I would have taken a message, I guess. I don't
 [25] know.

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[1] I don't ever recall her calling me to speak to the
 [2] President, so that's kind of a -- I don't know what I would
 [3] have done, frankly. Especially -- I mean, now you're asking
 [4] me in retrospect rather than at the time, but I probably -- I
 [5] don't know. Just taken a message.
 [6] Q Is it possible that Monica would have called you to
 [7] try to get a hold of Betty because she was having difficulty
 [8] getting a hold of Betty?
 [9] A Possibly. Can I tell you a little bit about that
 [10] [REDACTED]?
 [11] Q Sure.
 [12] A It's a published -- it's the number that's out, I
 [13] think, on all the books and everything, so it's like my phone
 [14] number. I never answer that line, it doesn't ring on my
 [15] desk, I don't see it. It goes to Rebecca's desk and it only
 [16] rings on her desk.
 [17] Q So it's possible that Monica was trying to get a
 [18] hold of Rebecca?
 [19] A It's possible.
 [20] Q And it sounds like certainly Rebecca would have
 [21] been the person to answer that line.
 [22] A Rebecca or the intern would have answered it.
 [23] Or sometimes Janice Kearney answers it. Whoever's back
 [24] there.
 [25] Q Do you know whether Rebecca or the intern knew

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[1] Monica?
 [2] A Oh, I'm -- or I say I'm certain. I'll back up.
 [3] Yes. Rebecca knew her.
 [4] Q Well, did Rebecca ever report to you that Monica
 [5] had called, for example?
 [6] A Well, not that I recall.
 [7] BY MR. WISENBERG:
 [8] Q Does [REDACTED] ring on Betty's desk?
 [9] A Eventually, it will roll. Eventually, if it's not
 [10] answered in the back by Rebecca and I don't know if it's six
 [11] or twelve times that it rings in the back on Rebecca's desk
 [12] before it rolls to another person in the complex. Since it's
 [13] one of the published numbers, then we try to answer it. But
 [14] I think it rings on Betty's desk eventually, but like either
 [15] after six or twelve rings.
 [16] BY MR. EMMICK:
 [17] Q So if you're in on a weekend and somebody calls
 [18] [REDACTED] it wouldn't ring on your desk and you'd have to go out
 [19] to Rebecca's desk in order to answer the phone?
 [20] A Yes. Rebecca is down the hall from me and quite a
 [21] bit away, so -- well, we also have a thing if it rang up to
 [22] Betty's desk, I can hear the phone on Betty's desk and I can
 [23] do star 7 and pick it up, which is if I hear her phone ring
 [24] and I want to answer it then I can do star 7 and pick the
 [25] number up. So it would eventually roll most likely to

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[1] Betty's desk and then I could pick it up.
 [2] BY MR. WISENBERG:
 [3] Q When you get a call from outside the complex, are
 [4] you able to look in your caller ID and tell who it's from,
 [5] what number it's from?
 [6] A Well, if it rings on my desk, I can. But if it's
 [7] not ringing on my desk, I can't.
 [8] Q Do you know whether or not if somebody called a
 [9] number such as the Rebecca Cameron number and then it rolled
 [10] over, for instance, to yours or Betty's desk, whether or not
 [11] the person at your desk or Betty's desk, let's say, let's say
 [12] Betty's desk, it rolls over there, would be able to look and
 [13] get a caller ID on where it was coming from?
 [14] A I'm not sure. I don't pay enough -- it doesn't
 [15] ring -- when it rolls, it doesn't ring to my desk if it rolls
 [16] to hers.
 [17] While I have gone out there sometimes to look, to
 [18] see, it may just have by that point "outside call to Nancy
 [19] Herreich" on it or something like that. But it does usually
 [20] put on the bottom of it "to Nancy Herreich" because that's
 [21] how I know if I look at Betty's phone if it's to me, the
 [22] [REDACTED] or if it's to her number directly. You understand
 [23] that?
 [24] MR. WISENBERG: All except the very last part.
 [25] THE WITNESS: Okay. It's okay. You don't want to

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[1] know anyway, right.
 [2] MR. WISENBERG: I'll look at the record.
 [3] THE WITNESS: All right.
 [4] BY MR. EMMICK:
 [5] Q I wanted to ask a couple of questions having to do
 [6] with calls to you from Vernon Jordan.
 [7] A Okay.
 [8] Q You had mentioned I believe, earlier that on
 [9] occasion Vernon Jordan had called you and that ordinarily if
 [10] he does call you he's calling for the President. Is that a
 [11] fair summary?
 [12] A Well, I think -- well, I don't know ordinarily. I
 [13] would say maybe that's -- why don't we say -- and that's
 [14] throwing it out there -- 50 percent of the time or maybe even
 [15] less. I wouldn't say ordinarily.
 [16] Q You mean so sometimes he just calls you to say,
 [17] "Hi, how are you doing?"
 [18] A Well, he may have a message for the President.
 [19] He may ask me, you know, what the President's schedule is,
 [20] he may say -- I mean, he may just want to know something
 [21] from me about something that's going on in the White House.
 [22] I mean, it could be a variety of reasons, you know, he might
 [23] call me.
 [24] Q Does he call often?
 [25] A Not any more.

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[1] Q Part of the reason I'm asking is we have some phone
 [2] records and the phone records indicate the calls from Vernon
 [3] Jordan starting only in November of '97 and that doesn't seem
 [4] consistent with what you had said --
 [5] A Un-uh.
 [6] Q And so -- well, that's the reason that I'm asking.
 [7] Does that sound wrong?
 [8] A Yes.
 [9] Q Okay. Tell me how wrong it sounds. You've been
 [10] speaking with him, you know, whatever, a couple times a month
 [11] for years and years and years --
 [12] A Let me just -- there were a few -- six months or
 [13] so, I guess, where I thought Vernon was probably angry at me
 [14] because I had chided him once on something and so he sort of,
 [15] I think, talked to Erskine or to other people around there
 [16] and quit calling me quite as much.
 [17] Q Which six-month period would that have been?
 [18] A I don't know. It's been a long time ago. I don't
 [19] think it was in '97. I think it was pre-'97.
 [20] Q Okay.
 [21] A I find that hard to believe. I think you should
 [22] probably go back and re-check the phone records. I cannot
 [23] imagine that those calls started in November of '97. There
 [24] is absolutely nothing to explain that. Now, you're looking
 [25] at maybe -- he may be calling -- do you look at all of my

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[1] extensions? I mean, there's another one which is [REDACTED]. I
 [2] think. He may have called me on that one. Did you check
 [3] that one? You're welcome to try.
 [4] Q We tried to, but let's --
 [5] A I can give you a number there.
 [6] Q We'll check it out. I mean, that's the reason that
 [7] I'm asking. It seemed unusual in light of what you had said
 [8] and I wanted to check with you.
 [9] Can you give us a best estimate of how often he
 [10] seemed to call?
 [11] A How often would Vernon call me?
 [12] Q Yes.
 [13] A Well, we'd go through periods of time -- once or
 [14] twice a week sometimes. Once or twice a day sometimes.
 [15] Sometimes five times a day. Sometimes once a month.
 [16] A lot of it depends on -- Vernon travels a lot
 [17] and a lot of that probably depends on his travel schedule
 [18] and where he's going and sometimes -- it seems like he goes
 [19] to Asia or some place that you wouldn't hear from him very
 [20] much.
 [21] Q All right. I have to ask, what prompted him to
 [22] call five times in a day, if you remember?
 [23] A I don't know. Let me think about it. What would
 [24] cause him to call? Obviously that may be an exaggeration,
 [25] but -- maybe if he -- okay. Let me give you an example. If

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[1] he was out of town and wanted to speak with the President and
 [2] the President was unavailable but there wasn't a number where
 [3] we could call Vernon back on or something --
 [4] Q Just being persistent.
 [5] A Yes. So -- and that's a possibility. And
 [6] obviously that could be a complete exaggeration, he may have
 [7] never called me five times in one day. Maybe the most he
 [8] called me was twice. I don't know that.
 [9] Q Did you ever talk with Vernon about Monica?
 [10] A Not that I recall.
 [11] Q Did her name ever come up at all?
 [12] A Not that I recall.
 [13] Q Did you know that Monica and Betty were close
 [14] friends?
 [15] A No. I did not know they were close friends.
 [16] Q Did you know they were friends?
 [17] A Betty is a friend to everyone. Everyone is Betty's
 [18] friend. And that's not, you know, meant facetiously or
 [19] exaggerated, but I think Betty is the mother of the world,
 [20] really. I mean, she -- everyone loves her and comes to see
 [21] her and calls her.
 [22] Q Did you have the impression that Betty was closer
 [23] friends with Monica than she is with everyone else in the
 [24] world?
 [25] A No, I did not have that impression.

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[1] Q Okay. I'd like to ask some questions related to
 [2] subjects that might have arisen in connection with the Paula
 [3] Jones case and whether you ever discussed these subjects with
 [4] others.
 [5] On December 5th, a witness list in the Paula Jones
 [6] case came out and there were lots of people on the witness
 [7] list. Did you ever have any discussions with anyone in --
 [8] let's call it December of '97 or January of '98 about that
 [9] witness list? Who was on it, who the people were?
 [10] A Well, can you tell me who was on it?
 [11] Q No.
 [12] A Okay. I don't know is my answer, then.
 [13] Q Okay. I mean, so the subject of witness list
 [14] itself didn't come up?
 [15] A I don't know. You know, it possibly did. It
 [16] doesn't just ring a lot of bells in my brain.
 [17] Q It strikes me that if in a lawsuit involving the
 [18] President of the United States a witness list had come out
 [19] with pages and pages and pages of witnesses it might have
 [20] been of some interest to those working with the President in
 [21] the Oval Office.
 [22] A I just don't recall who was on it or whether it was
 [23] published which was -- you said it came out and part of that
 [24] could be, you know, whether it was in the newspaper?
 [25] Q No, no, no. Then we'd be more specific. The

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[1] witness list went to Mr. Bennett and then it was made aware
 [2] to the President and I'm just trying to figure out whether or
 [3] not there were discussions that you were aware of pertaining
 [4] to that witness list.
 [5] A No.
 [6] Q No references or excitement about it in discussions
 [7] with Bruce Lindsey, the President, anyone?
 [8] A Well, you're making an assumption that I knew about
 [9] this, which is why I asked you was it published and I think
 [10] you just told me it wasn't.
 [11] Q Correct. It wasn't.
 [12] A Okay. If it wasn't published, then chances are I
 [13] didn't know anything about it.
 [14] Q Right. Unless someone had talked to you about it
 [15] or had mentioned it to you, which is why I'm asking the
 [16] question.
 [17] A Yes. And I don't recall that.
 [18] Q All right. What about any subpoenas to either
 [19] Linda Tripp or Monica Lewinsky or Kathleen Willey?
 [20] A Subpoenas?
 [21] Q Any discussions --
 [22] A Discussions?
 [23] Q -- about subpoenas to those persons?
 [24] A So it's Monica? Who did you say? Kathleen Willey?
 [25] Linda Tripp?

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[1] Q We'll just take it a little piece at a time. We'll
 [2] start with Monica. Monica got a subpoena. Did you have any
 [3] discussions with anybody about Monica getting a subpoena in
 [4] the Paula Jones case?
 [5] A Not that I'm aware of. Not that I remember. I
 [6] don't recall ever having a conversation with anybody.
 [7] Q Did you overhear conversations? Were you aware
 [8] that Monica had been subpoenaed?
 [9] A I don't think so. I really don't think so.
 [10] Q What about Kathleen Willey?
 [11] A I don't know. I mean, the timing of all this,
 [12] you're asking sort of ahead of time, you know? You know,
 [13] what you end up reading in the paper since then -- there
 [14] possibly could have been.
 [15] It seems like there was something in the papers at
 [16] some point about Kathleen Willey and it may have just all
 [17] been this spring, but I don't recall a specific conversation
 [18] with anybody, especially around that time, about them getting
 [19] subpoenas. I just don't recall it.
 [20] Q Similarly a question about subpoenas or a subpoena
 [21] to Linda Tripp. Any discussions about that? Did that
 [22] subject come up in any discussions in the Oval Office, the
 [23] White House?
 [24] A I don't think so.
 [25] Q Okay. Similar question about an affidavit that

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[1] Monica Lewinsky was supposed to sign. Did the subject of
 [2] Monica signing an affidavit come up in discussions that
 [3] you're aware of at the White House?
 [4] A No. Not that I'm aware of. Not that I have any
 [5] recollection of.
 [6] Q Okay. Do you know what Betty's phone numbers are
 [7] there at the office?
 [8] A No. No, I don't, actually, because I end up having
 [9] to -- I can never remember her present phone number. I
 [10] really can't.
 [11] Q Do you know what the presidential aide's phone
 [12] number or phone numbers would be?
 [13] A I do not know. I have an intercom system. I don't
 [14] even know what that is. I have them all on -- you know, I
 [15] holler at Betty through the wall.
 [16] Q All right. Okay. Does everyone there in the Oval
 [17] Office have an answering machine?
 [18] A Well, no. I think they all are part of the system,
 [19] an Audix system that, you know, is internal -- I assume so.
 [20] I don't know.
 [21] Q I meant sort of the concept of an answering
 [22] machine, not whether it physically has a Radio Shack set up.
 [23] A I assume so, but I don't know that.
 [24] Q Okay. Does everyone have caller ID?
 [25] A I don't go in and look at their phones. I assume

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[1] so, but I don't know that.
 [2] Q Do you ever call for the President when he's in the
 [3] residence?
 [4] A Yes.
 [5] Q Do you know whether the President has ever called
 [6] any interns at home?
 [7] A I don't know if he has.
 [8] Q Do you know whether the President has given any
 [9] gifts to any interns?
 [10] A I don't know right off the top of my head.
 [11] Q Do you know whether the President has had any
 [12] meetings with any interns individually, either in the Oval
 [13] Office or the study?
 [14] A Yes. I do recall.
 [15] Q Tell us.
 [16] A Well, I remember at least one of my interns he's
 [17] met with before. And this is a young lady whose father
 [18] went to Georgetown with him and she worked for us for
 [19] some time and I think when she was getting ready to go to
 [20] law school that she went in and talked to him for a few
 [21] minutes.
 [22] Q Is that the only one that comes to mind?
 [23] A That's the one that comes to mind right off the
 [24] top of my head. There may have been other interns that we
 [25] had specifically. And other interns who have been in the

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White House.
 We've got a young man right now who -- it's an interesting story -- went to the University of Arkansas who has sort of modeled his life after the President and there's a possibility that Warwick has been in there. So, you know, it's certainly in the realm of possibilities, the meetings.
 Q Kris Engskov.
 A Engskov is how you pronounce it.
 Q Engskov?
 A Engskov. Uh-huh.
 Q All right. Let me show it to you --
 A Well, I pronounced it Engskoff for a while, too, and I was corrected.
 Q All right. When he took over -- I guess he took over Goodin's position?
 A Stephen Goodin's? Yes.
 Q Did you train him?
 A No.
 Q Okay. Did you ever tell him anything about his job at all? Are you a person who is advising him? I mean, you're his supervisor, right?
 A Well, I'm sure I've told him -- I'm sure we've had conversations about his job.
 Q Did you ever tell him that the President's study area is a very private area and that in general he shouldn't

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than maybe his.
 MR. EMMICK: Any questions you have on that area?
 MR. WISENBERG: I'm just going to save all mine until the end.
 THE WITNESS: I know -- I can tell by the way he says that --
 MR. EMMICK: All right.
 BY MR. EMMICK:
 Q Who is Walter Kaye?
 A Walter Kaye is a businessman from New York. He's a wonderful, delightful man. Has he been in here? I don't recall if he has.
 Q We can't say.
 A All right. Well, I should know. You know, if he has, it's probably been in and out of the paper, but he's a delightful man, a businessman from New York.
 Q What is your relationship with Walter Kaye?
 A Sort of acquaintances.
 Q Does he call you to say hello?
 A Not usually.
 Q Does he call you to get a hold of the President?
 A No, not that I can recall.
 Q Is he regarded as close to President Clinton?
 A Oh, I don't know. By whom?
 Q By President Clinton.

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be going in there?
 A I don't recall telling him that.
 Q Is that the kind of thing that you would have told him?
 A I guess so. I can't imagine saying it just like that, though, because I don't feel that way about it. I mean, so -- I mean, it's a private area, but I just -- you know, it doesn't seem like -- it's not necessarily how I -- I mean, the President goes in there and sometimes we have to go let him know about meetings, so, you know -- now, tell me what you're asking again? It's a private area and --
 Q Right. I guess there were a couple of parts to it. One would simply have been did you tell Krs Engskov that it was a private area and then a part of that would be in connection with telling him that it's a private area, did you tell him that you shouldn't be going in there. You know, it's the President's area, it's not your area?
 A Well, I don't -- I can't imagine -- the first part, yes. The second part, I can't imagine that I said it just like that.
 Q Okay.
 A But that doesn't mean someone didn't hear it like that.
 Q Right. Right. You mean Kris may have interpreted your use of the word private area to mean that he shouldn't

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A The President thinks everyone is close to him.
 Yes.
 Q All right. Have you ever spoken with Walter Kaye on the phone?
 A I think so.
 Q All right. I have some questions that I'd like to ask about a time when Monica did apparently visit with the President and it was a very short visit and it was at about the time when President Zedillo was in town. So I'm going to ask you first do you remember when President Zedillo was in town?
 A No.
 Q No? All right. Do you remember Monica coming by the White House and having a very short meeting with the President?
 A No. You're asking me -- I mean, I've read these accounts of this and -- I mean, this is -- well, I guess you're asking me -- I do not remember if Zedillo came once or if he came ten times to the White House. We've had some people like King Hussein who was in town yesterday who's been there probably 15 or 20 times.
 Q I'm talking about the October-November of '97 timeframe.
 A I don't recall Zedillo. In '97? October of '97?
 Q So you don't have any recollection of that at all?

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head in there.
 A Mm-hmm. Well, I do tell people in relation to that area that it's not an area that I like to do -- I don't -- sometimes people doing a tour of the Oval Office, that I don't like to do tours back there. I think there are certain places that, you know, are just private. Some people should feel like they've got an area that, you know, is theirs.
 But I'm not sure the President feels that way because I think certainly people like Carolyn Huber would take people back there and show them that. And I felt that way also about the study.
 I don't like the press doing press events -- not the study, but in the dining room. But they periodically have to do them, but I just feel like, well, there's got to be some area that you feel like that's your own and I may be reflecting my own feelings rather than his on that, but there's a space that's yours that's sort of not -- everyone from the outside doesn't want to take over as well.
 Q All right. Now, is that more when the President's not there or when the President is there?
 A I think I feel about it both -- both times, both when he's there and when he's not there, that there should be some space that is yours and is private and you feel like you've got a place to go that is yours. But that, again, reflects much more my own feelings about my need for privacy

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A No.
 Q Do you have any recollection of Monica being brought in to the President's study area for a time?
 A No. I mean, if you have -- well, I have no recollection of that. And then when you started that, you sounded like that was a given and, I mean, do you have confirmation that that occurred?
 Q Well, rather than my answering your questions about how much evidence we may or may not have --
 A You didn't fall for it, huh?
 (Laughter.)
 Q I'm trying to be gracious myself --
 A You're trying to be by listening to my questions.
 Q All right. Do you know whether during that time period the President received a gift that was a paperweight of some kind that looked like the White House?
 A No. I am unaware of a gift that President received during this October or so of '97.
 Q Yes. October-November.
 A It's a White House paperweight?
 Q No.
 A Oh, what did you say?
 Q An antique paperweight that depicted the White House.
 A Oh, okay. No, I'm not aware of that.

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frogs? Q All right. Does the President have a collection of frogs?
 A Mm-hmm. He does have a collection of frogs.
 Q Tell us about that.
 A Well, we even go to places like The Nature Company. He gives them away sometimes to little children who come to the White House, too. And so he has a few frogs. And I think Mrs. Clinton collects them, too.
 Q And where does he keep the frog collection?
 A Well, he has some that are on his desk, some of the littler ones. Usually, it's -- it's cute when children especially come to the radio address, they're always sort of taken with it, so he always takes them up there and shows them all the little frogs. And if he has an extra one or two, then he gives them away.
 Q All right. Let me ask just a few more questions and then we'll let Sol pile on.
 A Okay.
 Q Earlier, you had mentioned that on a couple of occasions you received requests to search for documents and things.
 A Mm-hmm.
 Q I believe you said one time Mr. Kendall had asked you to look for a couple of books and possibly Mr. Bennett had asked you to look for things related to Kathleen Willey,

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[1] know, beyond the realm of possibilities that you say
 [2] something here or there about it or just the general matter,
 [3] but I don't recall anything specific or anything that would
 [4] really have any kind of impact or affect on this case.
 [5] Q I'm going to ask the same question about recent
 [6] discussions, anything with senior staff like Bruce Lindsey?
 [7] A I don't recall. But, again, I think you have --
 [8] because there's just this sort of constant, you know, --
 [9] things are constantly in the newspaper that it wouldn't be
 [10] out of the realm of possibility that I had a general
 [11] discussion with Bruce, but nothing specific and nothing,
 [12] again, that I think that you all would be -- there would be a
 [13] specific interest.
 [14] You might say, well, I may say to Bruce, "Well, I'm
 [15] going to the grand jury." I mean, Bruce is a friend of mine
 [16] and when -- especially on foreign trips is the only time I
 [17] travel, but we spend a lot of time together. And just in
 [18] general conversation, it's hard to have a conversation in
 [19] this town and not have, you know, some -- discuss that in
 [20] some form or fashion. So --
 [21] Q What about with Mr. Kendall or his staff?
 [22] A I don't think so, but I do talk to David Kendall
 [23] every once in a while or Nicole Seligman. And I don't
 [24] recall that I've had any kind of specific conversations
 [25] with them.

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[1] but you weren't sure whether it was him asking your coming up
 [2] with it on your own.
 [3] A Mm-hmm.
 [4] Q My question is have you received any new requests
 [5] since the time of your last grand jury testimony to search
 [6] for documents or to search for things?
 [7] A Oh, lord. I'm sure we have. I mean -- but I get
 [8] most of them from the counsel's office. Are you asking me
 [9] from the counsel's office or --
 [10] Q From either the counsel's office or from --
 [11] A Mr. Bennett?
 [12] Q Mr. Kendall or Mr. Bennett. But since that
 [13] time, have you been asked to search for documents or for
 [14] things?
 [15] A I have from the counsel's office, yes.
 [16] Q All right. In connection with the Monica Lewinsky
 [17] matter?
 [18] A I don't remember. Probably. And I say it flip,
 [19] but honestly, I bet we have a document request -- this might
 [20] be an exaggeration, but I know in the last three weeks that
 [21] we've probably had three of them.
 [22] One of them was on -- most of them -- they're
 [23] probably for the House or the Senate. It seems like one was
 [24] on Bernard Schwartz and one was on something related to
 [25] Indians or Native Americans.

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[1] Q With Mr. Bennett or his staff?
 [2] A I don't believe so. I've talked to Mr. Bennett in
 [3] the last, you know, several weeks, month or so, but I don't
 [4] even remember what it was about.
 [5] Q We've asked you before whether or not to your
 [6] knowledge you were a member of a joint defense agreement or
 [7] some other sort of information sharing agreement and what you
 [8] said was to your knowledge not.
 [9] A Mm-hmm.
 [10] Q I wondered if there has been any change in that
 [11] status.
 [12] A No.
 [13] MR. EMMICK: Then in general, that brings my
 [14] questions to an end.
 [15] MR. WISENBERG: Why don't we take with your
 [16] permission a brief -- ask the witness to step outside --
 [17] THE WITNESS: Okay.
 [18] MR. WISENBERG: We'll come get you in a few
 [19] minutes.
 [20] THE WITNESS: Okay.
 [21] (Witness excused. Witness recalled.)
 [22] MR. WISENBERG: Let the record reflect the witness
 [23] has reentered the grand jury room.
 [24] And, Madam Foreperson, do we have a quorum?
 [25] THE FOREPERSON: Yes, we certainly do.

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[1] I mean, I'd have to go through and figure out, you
 [2] know, what are the last, but we get quite a few of them and
 [3] so I don't remember if I've had one related to Monica
 [4] Lewinsky or not, the matter.
 [5] Q Anything related to Kathleen Willey?
 [6] A Not that I recall, but that doesn't mean that we
 [7] haven't had one. You all might be able to answer that better
 [8] because if we got one, it probably came from the Independent
 [9] Counsel.
 [10] Q Possibly.
 [11] A Possibly.
 [12] Q Possibly not as well.
 [13] A Yes. Yes.
 [14] Q Anyway, you have no recollection of any searches
 [15] you've been asked to make for Monica Lewinsky related items
 [16] since you last spoke with us?
 [17] A I don't recall anything. No. Since I last spoke
 [18] with you.
 [19] Q Any more recent discussions regarding Monica
 [20] Lewinsky or Kathleen Willey with the President?
 [21] A I don't think so. And that's one of those I'd have
 [22] to think about, you know, just -- because things -- I don't
 [23] recall any specific conversation I've had with the President
 [24] or, frankly, with anybody else, but it's in the papers,
 [25] obviously, day in and day out, and it wouldn't be -- you

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[1] MR. WISENBERG: Are there any unauthorized persons
 [2] in the grand jury room?
 [3] THE FOREPERSON: No, there are none.
 [4] Ms. Herreich, you are still under oath.
 [5] THE WITNESS: Okay.
 [6] BY MR. WISENBERG:
 [7] Q Ms. Herreich, I'm going to ask you some questions,
 [8] some of which are mine, some of which are the grand jurors',
 [9] from the grand jurors.
 [10] A Okay.
 [11] Q And let me just preface it by saying that you're
 [12] not required to be 100 percent certain before you give
 [13] an answer. What we're interested in is your best
 [14] recollection.
 [15] You said you're not even aware now that Monica
 [16] visited the President with any regularity after she left
 [17] the White House. You said that in response to one of
 [18] Mr. Emmick's questions.
 [19] Let me ask you, has he denied this to you? Has
 [20] the President denied to you that Monica visited with some
 [21] regularity after she left the White House? Was transferred,
 [22] in other words.
 [23] A To my recollection, I've never had that
 [24] conversation with the President.
 [25] Q What has he told you about his relationship, if

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[1] any, with Monica Lewinsky?
 [2] A I don't recall that I've had that conversation.
 [3] I think early on, at one point, we talked about the fact that
 [4] Walter Kaye -- at some point, we talked about the fact that
 [5] Walter Kaye -- that she interned because Walter Kaye had --
 [6] she was a friend of Walter Kaye's, something to that effect,
 [7] and that at some point, as I said earlier, he said something
 [8] to the effect that "I didn't do this. They don't believe me."
 [9] "I didn't do this." But I didn't -- I didn't press him on
 [10] what he was talking about specifically.
 [11] Q Okay. At some point after the scandal broke, he
 [12] told you, "I didn't do this." Is that correct?
 [13] A Mm-hmm. Yes.
 [14] Q He didn't identify what "this" was?
 [15] A No.
 [16] Q Okay. And he didn't tell you anything other than
 [17] "I didn't do this?"
 [18] A Not in that particular conversation. I don't
 [19] recall having other ones with him about this, but that --
 [20] that's all I remember of that. "I didn't do this." You
 [21] know, "They don't believe me. I didn't do this." And I
 [22] didn't press him on it.
 [23] Q Okay. Certainly one of the biggest, if not the
 [24] biggest, scandals of his entire political career. Is that a
 [25] fair statement?

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[1] A Yes. But immediately, as you know, this was --
 [2] you know, somewhat blown out of proportion and that's my
 [3] assessment of it. And so -- I mean, to sit down and have a
 [4] purposeful conversation with him is just not something either
 [5] one of us would do.
 [6] Q Okay. So he never gave you any -- other than
 [7] just saying that he didn't do this, he never gave you an
 [8] explanation, for instance, of why he might have met with
 [9] Ms. Lewinsky several times?
 [10] A We've never discussed it that I remember.
 [11] Q Since Monica was transferred at least partially
 [12] because she had a reputation as a clutch, why wouldn't you
 [13] be concerned if you found out she was regularly visiting
 [14] the President when you weren't there?
 [15] A Well, number one, I'm not sure that that's what
 [16] we said. It was like whether she was visiting the White
 [17] House or visiting Betty, wasn't it? Wasn't that what you
 [18] asked me?
 [19] Q Well, let's do --
 [20] A And I don't know that she was visiting the
 [21] President, to this day.
 [22] Q Okay. Well, let me ask --
 [23] A I haven't had anybody confirm that to me.
 [24] Q All right. Well, let's assume that she was. Let's
 [25] start with the President -- let's start with -- let's do the

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[1] President and then Betty.
 [2] If you found out that Monica was regularly visiting
 [3] the President when you weren't there, would this be something
 [4] that would have concerned you, given everything you knew
 [5] about Ms. Lewinsky?
 [6] A Well, it would have concerned me enough to ask
 [7] somebody about it, either the President or Betty, at the
 [8] time, you know, if I had known about it. But I try not to
 [9] prejudge.
 [10] Q Okay. And why would that have concerned you enough
 [11] to ask somebody about it?
 [12] A Well, I think that -- well, concerned or I would
 [13] have -- concerned me enough to ask, maybe concerned is a
 [14] little bit of a strong word at first, to say, you know --
 [15] probably would talk to Betty about it first, you know.
 [16] "Monica's coming in, do you know what she's coming in about?"
 [17] You know, "Why is she -- is she visiting with the President?"
 [18] "Why is she coming in?"
 [19] You know, I mean, so -- but anybody who would come
 [20] in a lot, I would at least want to know why they were coming
 [21] in.
 [22] Q Would that be --
 [23] A If they're coming in that much, if they were coming
 [24] in to see the President. Yes.
 [25] Q Sorry to cut you off.

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[1] A That's all right.
 [2] Q And would that have been a special concern about
 [3] Monica since -- because of her clutch reputation?
 [4] A Well, I don't think specifically Monica because she
 [5] had a clutch reputation. It would have been a concern.
 [6] Q Okay. You wouldn't have been concerned about
 [7] Monica any more than anybody else if you found they were
 [8] regularly meeting with the President?
 [9] A Well, part of that -- didn't you say -- yes, I
 [10] mean, if it's something I didn't know and all of a sudden I
 [11] found out somebody had been coming in a lot? Yes, no matter
 [12] who it was, I would want to know. It would concern me.
 [13] I would at least ask, you know, whether it was a
 [14] man or, you know, anybody. Why would somebody be coming in a
 [15] lot to meet with him? What are the issues? What's going on
 [16] here? Is there something I need to know about, something I
 [17] need to be concerned about or work on?
 [18] Q And yet here was somebody who had a reputation as a
 [19] clutch --
 [20] A Well --
 [21] Q -- at least among some people.
 [22] A Yes.
 [23] Q And that might have had something to do with why
 [24] she was transferred out of the White House. Wouldn't that
 [25] have even heightened your concern?

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[1] A Well, when we had that conversation, I'm not sure I
 [2] had -- clutch may be a little bit of a strong word, you know,
 [3] Evelyn Lieberman may have had some concerns about her, but --
 [4] and I had seen her, you know, walk by when we were over in
 [5] the map room a couple of times, but that she had a reputation
 [6] as a clutch, that's your characterization and not mine. And
 [7] I'm not sure I had that feeling, that she was a clutch or
 [8] that people sat and talked about her and said this girl's a
 [9] clutch.
 [10] Q Okay. Were you even aware of her reputation as a
 [11] clutch?
 [12] A Well, I may have been aware generally that Evelyn
 [13] thought that. I don't recall ever having that conversation
 [14] with Evelyn, but I had this general feeling Evelyn didn't
 [15] like her, so --
 [16] Q Well, let me rephrase my question.
 [17] A Well, I don't know. I mean, you're asking me to
 [18] judge and I don't know that I thought that of Monica or that
 [19] I would have thought any more of it. If anybody was meeting
 [20] with the President on a regular basis and I didn't know about
 [21] it, I would want to know about it. I would want to know why
 [22] they were meeting with him.
 [23] Q And I guess my question to you is then aside from
 [24] what you knew about her reputation, was there anything
 [25] that you knew or heard or thought at Monica Lewinsky in

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[1] particular that would have even heightened your concern?
 [2] What it was that you heard or knew that would
 [3] have heightened your concern even above the concern you're
 [4] telling us you would have felt if you found this out about
 [5] anyone?
 [6] A Well, to be honest, I would be more concerned about
 [7] a woman because I just think that's -- you know, the
 [8] appearance doesn't look good than I would a man and so
 [9] because she's a woman, I would have a little more concern
 [10] about it.
 [11] Q Okay. Other than the fact that she was a female,
 [12] the fact that she was a female who was Monica Lewinsky?
 [13] Would that have heightened your concern at all?
 [14] A Honestly, Sol, I don't think so. I don't think
 [15] that she had that negative -- I think what you're getting at
 [16] whether she had that negative a reputation in the White House
 [17] or --
 [18] Q Just is there anything about what you knew at that
 [19] time, what you knew before the scandal broke, but after she
 [20] had left the White House, her job at the White House, is
 [21] there anything you knew or heard or thought about that would
 [22] have even heightened your concern over and above the fact
 [23] that she was a female?
 [24] A Probably a little bit, but not, you know, an
 [25] excessive amount. And, you know, you might put everybody in

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[1] some sort of category where, you know, you have a baseline
 [2] here and, you know, you might start ratcheting it up, she
 [3] might be a little bit over the baseline, but not way up here.
 [4] I mean, so you're asking me to judge something that -- what I
 [5] say may sound worse than what I really felt. Yes, I might
 [6] have a little more concern about it as Monica. I probably
 [7] wouldn't be -- it wouldn't be outrageous.
 [8] Q You mentioned that you would sometimes go over to
 [9] the White House or be at the White House to be there when
 [10] personal friends of the President came in. I believe that
 [11] you testified to that effect.
 [12] A Yes.
 [13] Q Do you remember any of those personal friends?
 [14] A Well, not off the top of my head, but I can come up
 [15] with them if you give me, you know, a little bit of time.
 [16] Sometimes people come in for photos on Sundays and that's the
 [17] only time they can come in.
 [18] Q You don't remember any particular names right now?
 [19] A I don't, but I could -- if you needed me to, I
 [20] could come up with them. It might take me 24 hours or I
 [21] might have to go back and try to reconstruct things, although
 [22] I don't know that I could reconstruct it, but if I thought --
 [23] I could go back and ask Rebecca or somebody else to help me
 [24] remember.
 [25] Q Okay. What do you recall about -- do you recall

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[1] anything about the day after Monica Lewinsky's name appeared
 [2] on the witness list? Mr. Emmick asked you a question kind of
 [3] on this topic, but what do you personally recall, if
 [4] anything, or what were you told about events that might have
 [5] happened on the day after her name appeared on the witness
 [6] list in the Jones case?
 [7] A I am unaware, that I recall, of being -- I have no
 [8] recollection of being aware at that time, which was like
 [9] December 4th, did you say? Something like that? When this
 [10] witness --
 [11] MR. EMMICK: The 5th.
 [12] THE WITNESS: Yes. Of being aware that her name
 [13] was on any witness list at that time.
 [14] BY MR. WISENBERG:
 [15] Q Okay. Did you hear any confirmatory rumors after
 [16] the Monica story broke from anybody?
 [17] A What do you mean by that?
 [18] Q Somebody saying something -- here's an example.
 [19] Somebody saying something about, "Well, that's not a surprise
 [20] to me." Things like that. "That confirms something that I
 [21] saw." Anything like that among your acquaintances or friends
 [22] who worked in the White House or had worked in the White
 [23] House or knew the President or knew you.
 [24] A Specifically what are you talking about? Like
 [25] "That's not a surprise to me" that what was? That she --

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[1] Q This idea that she had a relationship, an alleged
 [2] physical relationship, with the President.
 [3] A Oh, I didn't hear anybody say anything like that.
 [4] Q Okay. You understand the question?
 [5] A Well, you're asking me whether I ever heard anybody
 [6] say anything like -- after there was these allegations of a
 [7] relationship with the President, did anybody say, "Well, that
 [8] doesn't surprise me?"
 [9] Q Right. Or "So and so saw them somewhere."
 [10] A No.
 [11] Q Anything like that?
 [12] A No. I didn't hear anything like that.
 [13] Q Okay. You mentioned that you recalled in
 [14] connection with Kathleen Willey -- you had a vague
 [15] recollection of a conversation with Bruce Lindsey, correct me
 [16] if I've got it wrong, concerning whether he returned a call
 [17] from Linda Tripp.
 [18] A Well, somehow in the back of my mind, I have this
 [19] idea that Linda Tripp tried to call him at some point. Now,
 [20] where I got it, I don't know. And whether I just made it up
 [21] or if I actually, you know, recall this and whether I had a
 [22] conversation with Bruce or not about it, I don't know.
 [23] I think I had a conversation with Bruce to the
 [24] effect that did Linda Tripp ever try to call you or did she
 [25] ever try to call you and you not returned her phone call or

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[1] you know, something to that effect, but I can't be certain.
 [2] I have this idea that Linda Tripp tried to call him and I
 [3] think I had a conversation with him about that.
 [4] Q Do you recall whether or not he was criticized for
 [5] not returning a page, beep or call from Linda Tripp?
 [6] A By whom?
 [7] Q Anybody.
 [8] A Not that I'm aware of.
 [9] Q Do you -- how many conversations have you had with
 [10] Bruce Lindsey about the Monica Lewinsky matter since the
 [11] story broke?
 [12] A I don't know. You know, I don't know that I had
 [13] any just sit down, "Okay, Bruce, let's talk about this and
 [14] plot and scheme." I mean, I don't have conversations with
 [15] Bruce like that. Whether you have a general conversation
 [16] about what's in the paper or I'm going to the grand jury
 [17] or --
 [18] Q Anything. Let's just be broad.
 [19] A I don't know.
 [20] Q What can you tell us -- give us a ballpark idea of
 [21] how many times you've discussed Monica Lewinsky or the Monica
 [22] Lewinsky matter with Bruce since the story broke.
 [23] A Hmm.
 [24] Q And when I say the story, let's say in The
 [25] Washington Post on January 21st, Wednesday.

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[1] A Well, and you're talking just in general? If I had
 [2] any conversations like "Did you read the newspaper today?"
 [3] Q Yes. How many?
 [4] A Probably 10 or 20, maybe more. Again, I think I
 [5] have more conversations and I see Bruce, which is on the
 [6] road, and since that time, I guess we've just been to -- I'm
 [7] trying to think, to Chile and to Europe, I don't know if
 [8] there's another European trip, but certainly we're on the
 [9] road and you're reading the paper, you might pass, you know,
 [10] we get clips on the road, "Did you see this article? It's an
 [11] interesting article." Or something like that.
 [12] So conversations are more likely to occur like that
 [13] when we're around each other, you know, 18 hours a day, so
 [14] many days in a row, than on a regular basis. I don't see him
 [15] or talk to him daily in the White House.
 [16] Q About how many conversations do you recall with him
 [17] that were not based on press stories about Ms. Lewinsky?
 [18] Again, after the story broke.
 [19] A Not based on a press story? Well, maybe one or
 [20] two. I'm not even sure that's an accurate number. It may be
 [21] five, it may be zero. You know.
 [22] Q Do you recall the content of those conversations at
 [23] all?
 [24] A No. About the whole Monica Lewinsky matter?
 [25] Q No, the more narrow category, the zero to five.

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[1] A The zero --
 [2] Q Obviously if you had zero, there's nothing to
 [3] recall, but do you recall the substance of any conversation
 [4] with Bruce about Monica that was not press related or not
 [5] related to some story in the press that happened after the
 [6] scandal broke?
 [7] A I don't recall any right off the top of my head.
 [8] Q Do you recall any conversations --
 [9] A But give me enough time and I might be able to
 [10] recall one.
 [11] Q All right. Do you recall any conversations with
 [12] Bruce Lindsey about Monica Lewinsky before the scandal broke
 [13] on January 21st?
 [14] A No. I don't recall any beforehand.
 [15] Q You mentioned that after Ms. Willey called you to
 [16] tell you about her contact by the press that you think you
 [17] mentioned it to the President.
 [18] A Mm-hmm.
 [19] Q And you think he might have told you to talk to
 [20] Bruce Lindsey about it.
 [21] A Well, he may have or he may have just said he would
 [22] talk to Bruce about it. I don't know.
 [23] Q And I think you said Ms. Willey might have asked
 [24] you to talk to the President or you might have just done it
 [25] on your own. Is that correct?

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[1] A Yes. I don't, again, recall a specific
 [2] conversation and I don't recall discussing this today but
 [3] we may have discussed it at another time, but, yes, she may
 [4] have asked me to do that or she just -- maybe that was my
 [5] assumption.
 [6] Q Is one of the reasons you told the President about
 [7] the Willey call because you suspected that he might have had
 [8] a relationship with her of some kind?
 [9] A No.
 [10] Q Did you ever talk to --
 [11] I'm on the last page.
 [12] THE WITNESS: You all want to go to lunch.
 [13] Everyone's hungry.
 [14] (Laughter.)
 [15] MR. WISENBERG: I need to confer with Mr. Emmick.
 [16] (Pause.)
 [17] BY MR. EMMICK:
 [18] Q Did you ever talk to Vernon Jordan about an
 [19] affidavit or statement of any kind?
 [20] A Oh, that's obviously -- I'm sure you're talking
 [21] about in relation to Monica Lewinsky or in relation to -- I
 [22] mean, did I ever talk to Vernon Jordan about a statement?
 [23] Maybe.
 [24] Q All right. Well, let's confine it to the last --
 [25] from -- let's confine it to December, the beginning of

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[1] coming out.
 [2] A I don't recall any time that I thought they had
 [3] been alone like that.
 [4] Q Now, let's take the converse. Did you ever see the
 [5] both of them heading toward a room where you thought that
 [6] they were going to be alone or one or the other heading
 [7] toward a room where the other one was waiting?
 [8] A Not that I recall.
 [9] Q Okay. Did you ever hear about -- you say you never
 [10] came upon them. Did you ever hear about an event of any kind
 [11] prior to Monica's transfer out of the White House that caused
 [12] or might have led to -- been one of the things leading to the
 [13] transfer out of the White House?
 [14] A I don't think so. I've not thought of that
 [15] question in that way before, so -- but I don't think so.
 [16] Have I ever heard of an event which may have
 [17] caused her to be transferred out? Is that what you're
 [18] asking me?
 [19] Q Yes. Either an event that somebody witnessed
 [20] or something, even if it's not an event, something that
 [21] somebody saw that basically was told to somebody and that
 [22] was one of the reasons that she was transferred.
 [23] A No.
 [24] Q Okay. Has the policy about gifts tightened
 [25] up at all about how gifts are received and logged in,

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[1] December until January 21st. Did you ever talk to Vernon
 [2] Jordan about an affidavit or statement?
 [3] A Not that I recall.
 [4] Q All right. Did you ever see the President alone in
 [5] the Oval Office complex with Monica Lewinsky? And let me
 [6] define the Oval Office complex for purposes of this question
 [7] because we might have asked a similar question early on when
 [8] you were here.
 [9] I would include that to be the dining room, the
 [10] Oval Office dining room, the study, the hallway that leads to
 [11] the study and the dining room, the Oval Office itself, your
 [12] office or Ms. Currie's office, or the bathroom that's off of
 [13] that hallway.
 [14] Did you ever see Monica Lewinsky alone with the
 [15] President in the Oval Office complex as I've defined it?
 [16] A Might I say something about the way that question's
 [17] asked? Because if I saw them alone, then they weren't alone
 [18] because I was with them, so --
 [19] Q Okay.
 [20] A The answer to that would be no.
 [21] Q Did you come upon them when they apparently had
 [22] been alone?
 [23] A No.
 [24] Q All right. Did anyone ever tell you that they had
 [25] seen them alone or come upon them when they were alone?

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[1] been tightened up at all, since the Monica story became
 [2] a story?
 [3] A I don't think so.
 [4] Q You said that you didn't -- were you about to say
 [5] something?
 [6] A Well, I was just thinking I got a call yesterday
 [7] from somebody who wanted to know why she wasn't thanked for
 [8] her gift, so I thought, well, no, it hasn't because I'm still
 [9] getting --
 [10] BY MR. EMMICK:
 [11] Q It wasn't Monica, I take it.
 [12] A No, it wasn't Monica. So I thought, well, we're
 [13] still not doing a good job of getting these gifts logged
 [14] down.
 [15] BY MR. WISENBERG:
 [16] Q Any kind of event -- I think we might have asked
 [17] you this at an earlier time, but sometimes an event happens
 [18] and something that happened in the past that you didn't at
 [19] the time think was significant becomes significant, this is a
 [20] similar question, but do you recall any kind of -- whether or
 [21] not it led to Monica's transfer, any kind of thing you heard
 [22] from anybody about an unusual event of any kind involving
 [23] Ms. Lewinsky and the President?
 [24] A No. I have not heard of anything or anybody talk
 [25] about it. I guess that's what you're asking me.

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[1] A No. Not that I recall.
 [2] Q Okay. I had started telling you -- one day you
 [3] started answering a question I asked, it was near the end of
 [4] the day, certain people were restless, kind of like they are
 [5] now, and I had asked you whether or not you saw Monica
 [6] heading toward a room where you thought the President might
 [7] be and you answered yes and you mentioned pizza. I think you
 [8] mentioned the pizza incident.
 [9] A Un-uh. That isn't what you asked me. What you
 [10] asked me was did I ever see them coming out of somewhere I
 [11] thought they may have been alone.
 [12] Q Okay.
 [13] A I think that was the way the question was phrased.
 [14] Q I stand corrected. And you mentioned the pizza
 [15] incident.
 [16] A Yes.
 [17] Q Let's stay with that formulation. Did you see them
 [18] coming out or any one of them coming out of an area where you
 [19] thought they had been? Is there any incident other than the
 [20] pizza incident?
 [21] A Not that I can recall. And, obviously, I've had
 [22] some time to think about it, but I've not been able to recall
 [23] any time.
 [24] Q Okay. And that's either the both of them coming
 [25] out of where you thought they had been or either one of them

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[1] Q Right.
 [2] A How is that different than what you asked me
 [3] before, was I personally aware of it before?
 [4] Q Before it was something that might have prompted
 [5] her transfer.
 [6] A Yes.
 [7] MR. WISENBERG: All right. I think that's all the
 [8] questions I have.
 [9] Are there any other questions from the grand
 [10] jurors?
 [11] A JUROR: When Vernon Jordan called you, would he
 [12] call on the [redacted] line?
 [13] THE WITNESS: That's why I was kind of surprised
 [14] that they had only found calls in November or whatever.
 [15] I don't know.
 [16] I actually have four lines, one that no one uses,
 [17] it's just an incoming call, but I think there's a number
 [18] assigned to it or an extra phone is what it is for my office.
 [19] And then [redacted], which is the one my daughter just has and
 [20] uses. And some of my staff people do. And [redacted]. And then I
 [21] have a number which is [redacted] and it is the one that rings
 [22] on my desk and Rebecca's desk simultaneously.
 [23] So I have a feeling that Vernon when he would have
 [24] called would have called on the [redacted] number rather than the
 [25] [redacted] number. But, you know, who knows? He may have just

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had -- that's a semi-private number and a lot of people have
it that -- you know --

A JUROR: Which one is semi-private?

THE WITNESS: The [REDACTED]. So he may have had
that number to call me directly. I may have given it to
him.

A JUROR: If he did dial the [REDACTED] and it would ring
on Rebecca Cameron's desk, how would she let you know that he
was on the phone?

THE WITNESS: She would intercom me. We have an
intercom system between our offices. And that's why -- well,
I know Rebecca's or Kris Engskov's intercom number, but I
don't know their regular phone numbers sometimes.

A JUROR: Would she then transfer the call to
another line?

THE WITNESS: Yes, she could then transfer it. She
could transfer it to -- I don't know how she does it, whether
she transfers it to the [REDACTED] or she can intercom and transfer
it. I don't know how she does it precisely.

A JUROR: It just seemed unusual to me that the
[REDACTED] line would be your published number and not have it on
your desk.

THE WITNESS: Yes. It's just because I can't
possibly answer all those calls and it's published for
everyone in the White House and it's hard to conceive of the

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number of calls that I get asking me -- you know, the
President's friends or staff members or others who want to
know something from the President a day. So poor Rebecca has
to answer it or the intern. It gets a little overwhelming
for them.

A JUROR: Thank you.

BY MR. WISENBERG:

Q Did you ever see a book or a gift that anybody gave
the President that you found troubling?

A I don't think so but let me think about that.
We get some pretty unusual stuff. Troubling. I don't
know.

We also get things, you know, from mentally
ill people out there that some days you -- you know, that
might be troubling, but I know what you're after. I mean,
specifically, the stuff we're reading about and I'm unaware
of anything like that that was troubling.

MR. WISENBERG: Further questions?

(No response.)

MR. WISENBERG: I'm going to ask you to step out
for a few more minutes.

THE WITNESS: Okay.

MR. WISENBERG: We might not need to have you back
in.

THE WITNESS: Okay.

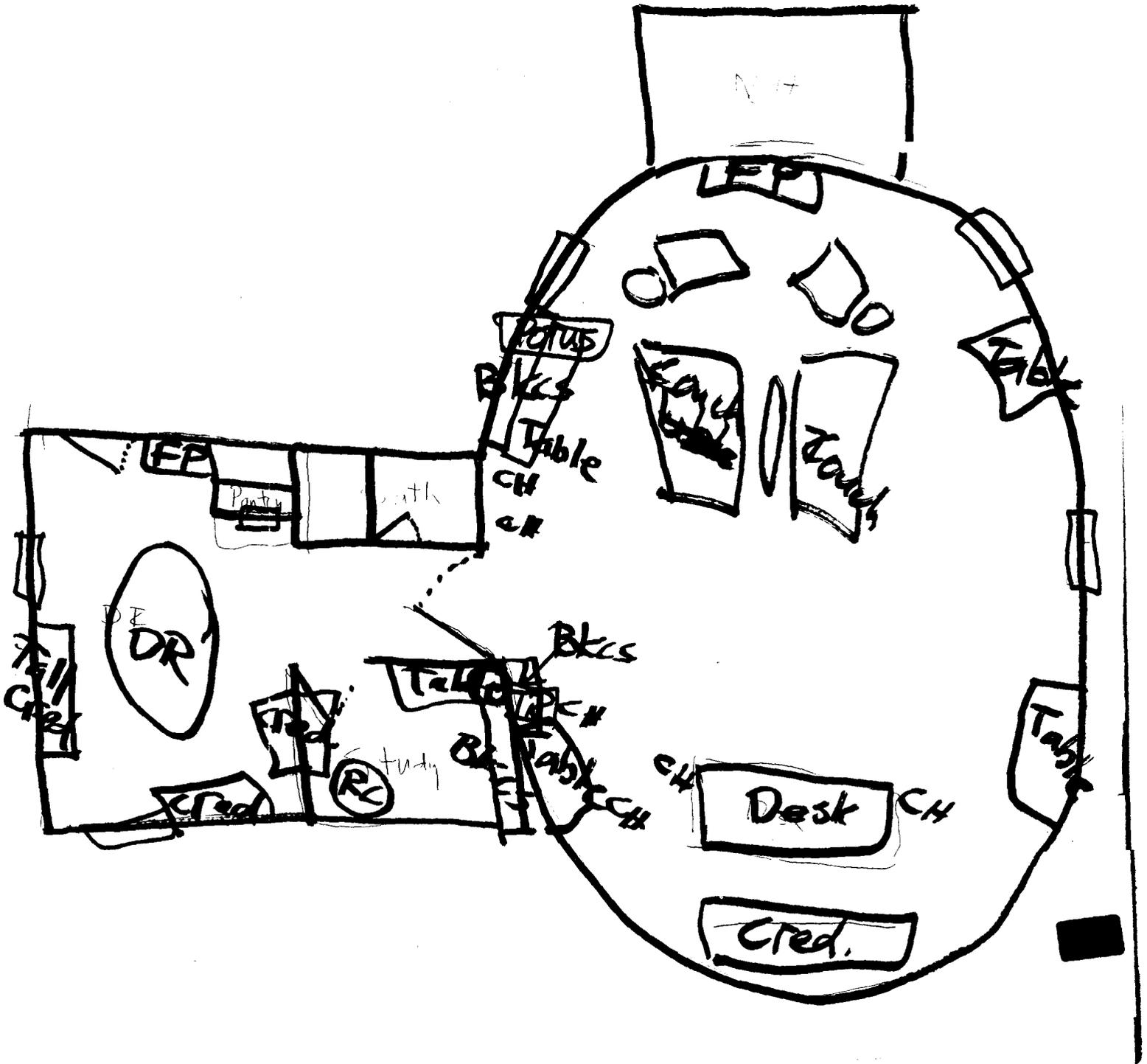
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MR. WISENBERG: I'll also ask you not to destroy
your notes.

THE WITNESS: I won't.

(The witness was excused.)

(Whereupon, at 12:50 p.m., the taking of testimony
in the presence of a full quorum of the Grand Jury was
concluded.)



UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:

GRAND JURY PROCEEDINGS

Grand Jury Room No. 2
United States District Court
for the District of Columbia
3rd & Constitution, N.W.
Washington, D.C.

Tuesday, July 28, 1998

The testimony of REGINALD HIGHTOWER was taken in
the presence of a full quorum of Grand Jury 97-5, Impaneled
on December 5, 1997 commencing at 9:09 a.m. before:

TIMOTHY SUSANIN
Associate Independent Counsel
EDWARD PAGE
Associate Independent Counsel
MARY ANNE WIRTH
Office of Independent Counsel
1001 Pennsylvania Avenue, N.W.
Suite 490 North
Washington, D.C. 20004

PROCEEDINGS

1 Whereupon,
2
3 REGINALD HIGHTOWER
4 was called as a witness and, having been first duly sworn by
5 the Foreperson of the Grand Jury, was examined and testified
6 as follows:

EXAMINATION

7 BY MR. SUSANIN:

8 Q Good morning, sir.

9 A Good morning.

10 Q Would you please state your full name and spell
11 your last name for the record?

12 A My name is Reginald Hightower. R-e-g-i-n-a-l-d
13 Hightower, H-i-g-h-t-o-w-e-r.

14 MR. SUSANIN: Mr. Hightower, we briefly met a
15 moment ago, but let me reintroduce myself while we're on the
16 record. And, incidentally, I'll ask the foreperson if there
17 is a quorum.

18 THE FOREPERSON: There is a quorum.

19 MR. SUSANIN: And whether there are any
20 unauthorized in the room?

21 THE FOREPERSON: No, there are no unauthorized
22 people.

23 MR. SUSANIN: Okay. Thank you, ma'am.

24
25

CONTENTS

WITNESS:

PAGE

Reginald Hightower

3

GRAND JURY EXHIBITS:

No. RH-1 - Diagram of White House

21

...

1 BY MR. SUSANIN:

2 Q Sir, again, my name is Timothy Susanin. I'm an
3 associate independent counsel. I want to let you know who
4 else is in the room.

5 Across from me is the court reporter. To my left
6 is the foreperson of the grand jury. At the far end of the
7 table are other members of the grand jury. And everyone
8 sitting out in the chairs are also ladies and gentlemen of
9 the grand jury.

10 A Yes.

11 Q As you know, I'm going to be asking you some
12 questions before the grand jury this morning; and I want to
13 take a moment or two to let you know about some rights and
14 obligations you have before this grand jury. Do you
15 understand, sir?

16 A Yes, I do.

17 Q Before we get started, I'm going to ask that you
18 try to elevate your voice as loudly as possible, so the
19 individuals in the back can hear you.

20 A Okay.

21 Q I know it's going to be tough. At times, you might
22 feel like you're shouting at us. But we're going to ask you
23 to do that, so everyone can hear you loudly and clearly.

24 Let me tell you, before we begin, you have the
25 right to counsel, sir. You don't have the right to have an

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<p>1 attorney in the room here with you, but you do have the right 2 to stop at any time and step outside and consult with your 3 attorney. Do you understand that? 4 A I understand that. 5 Q And do you have an attorney here with you today? 6 A I have a Secret Service, yes. I understand. 7 Q Secret Service attorney? 8 A Yes, sir. 9 Q Do you have a personal attorney? 10 A No. No. 11 Q And who are the Secret Service attorneys you have 12 here with you today? 13 A Matt, I forget his last name, and Tom Doherty. 14 Yes. 15 Q You let us know if you want to stop and consult 16 with them. 17 A Oh, absolutely. Absolutely. 18 Q I'm also going to ask that you make sure you wait 19 until I'm finished speaking 'til you answer a question, and 20 I'm going to try to wait until you finish your answer before 21 I start up again, just so the court reporter can take us down 22 easily. 23 A Yes. 24 Q You are under oath: do you understand that, sir? 25 A Yes, I do.</p>	<p>1 A Yes, I am. 2 Q Tell the ladies and gentlemen where you work within 3 the Secret Service, Agent Hightower. 4 A I'm assigned to the Presidential Protective 5 Division and right now I'm on the counter-assault team. 6 Q The counter-assault team? 7 A Yes, I am. 8 Q I'm going to remind you again to try to keep your 9 voice up. 10 A Okay. 11 MR. SUSANIN: I know it's difficult, but as much as 12 possible. Ladies and gentlemen, let us know if you're 13 having problems hearing, okay? 14 BY MR. SUSANIN: 15 Q Is the detail that you're assigned to known as the 16 PPD? 17 A Yes, it is. 18 Q Tell the ladies and gentlemen how many years you've 19 been with the Secret Service. 20 A I've been in the Secret Service nine-and-a-half 21 years, now. 22 Q And when did you start with the PPD? 23 A I started with PPD March of 1996. 24 Q And were you with the Uniformed Division before 25 then?</p>
<p>1 Q You have an obligation to tell the truth before 2 this grand jury? 3 A Yes, I do. 4 Q And you understand that you can't mislead the grand 5 jury? 6 A Yes. 7 Q And that indicating to the grand jury that you 8 don't recall something when you do would count as not telling 9 the truth. Do you understand that, sir? 10 A Oh, yes, I do. 11 Q You have a Fifth Amendment right against self- 12 incrimination. In other words, if you feel that the truthful 13 answer to a question I posed to you would tend to incriminate 14 you, you have the right not to answer that question. Do you 15 understand that, sir? 16 A Yes, I do. 17 Q Lastly, I want to ask you to make sure, as you've 18 been doing, that you give a verbal response here before the 19 ladies and gentlemen. In other words, you can't nod your 20 head or shake your head. You have to give us a "Yes" or 21 "No," so the court reporter can take you down. Do you 22 understand that, sir? 23 A I understand that. 24 Q All right. Let's begin, sir. You're a special 25 agent with the Secret Service; is that correct?</p>	<p>1 A No, I was not. 2 Q Where did you work before you were with the PPD? 3 A Before I came to PPD, I was assigned to Chicago 4 Field Office. 5 Q What did you do there? 6 A Investigate Secret Service violations. 7 Q How many years were you in the Chicago Field 8 Office? 9 A Seven years, approximately seven years. 10 Q So you started -- 11 A Yes. 12 Q -- with the Secret Service in the Chicago Field 13 Office? 14 A Yes, I did. 15 Q And once you started with the PPD -- I believe you 16 said in March of '96; is that right? 17 A That's correct. 18 Q -- where did you work specifically? 19 A I was in the Chicago Field Office. 20 Q No, I mean as of March of '96. 21 A Oh. The Presidential Protective Division. 22 Q And that's at the White House? 23 A That's at the White House, correct. 24 Q Did you have a particular shift or assignment 25 within PPD, starting in March of '96?</p>

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1 A I was assigned to a shift, and a shift does the
2 protection around the President.
3 Q Now, did you have an occasion -- let me back up.
4 You've been with the PPD continuously since March of '96 'til
5 today; is that right?
6 A That's correct.
7 Q And I believe you said you also are with the
8 counter-surveillance team currently?
9 A Counter-assault team right now.
10 Q Counter-assault team?
11 A Yes.
12 Q And when were you assigned to that?
13 A I went to counter-assault March of '97.
14 Q And would you have been assigned to counter-assault
15 once you finished that training?
16 A Yes. Well, I started counter-assault March of '97.
17 Q I see.
18 A And I've been on counter-assault since then.
19 Q Is that something that -- is that a duty that's a
20 collateral duty to your other duties within the PPD?
21 A If I could explain --
22 Q Please do.
23 A -- when I came to Presidential Protective
24 Division, it has several little units inside of it, as well.
25 When I first got to Presidential Protective Division, I was

1 A Can I check with counsel for a second?
2 Q Well, let me withdraw that question, then.
3 A Okay.
4 Q Do you feel that's going to get into a security
5 area?
6 A Yes, sir. I do.
7 Q Let me ask a different way, then. During your
8 shift work, would you stand outside a door that leads to the
9 Oval Office?
10 A Yes, I would.
11 Q And your recollection is this is known as either
12 or
13 A Yes, it is. It's one of the two. I don't know the
14 number off the top of my head.
15 Q Okay. Let me ask you if -- and is this known as
16 the main door to the Oval Office?
17 A I'm trying to answer that. I mean, there are a
18 number of doors, I guess. Can I talk to someone about that
19 one?
20 Q If you feel you need to, you can. But let me see
21 if I can get this a different way.
22 A Okay.
23 Q Is there a door that leads into the Oval Office
24 that has a little table to the right of the door with a
25 telephone on it?

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1 on a shift, and the shift is work around the President.
2 After a year or so, they transfer agents to a
3 satellite detail, if you will, and that's where I'm at right
4 now. I'm on a satellite detail.
5 Q And your satellite detail is counter-assault?
6 A Counter-assault team.
7 Q And you've been there since March of '97?
8 A Since March, correct, March of '97.
9 Q Give the ladies and gentlemen, if you would, sir,
10 just a thumbnail sketch of what you do now with the counter-
11 assault team.
12 A Counter-assault, for lack of a better word, is a
13 SWAT team, if you will. That's it.
14 Q In the year that you worked a shift -- that is,
15 from March of '96 to March of '97 -- did you become familiar
16 with a Secret Service post near the Oval Office known as
17 A Yes. I did. Yes.
18 Q Describe for us where that post is.
19 A Well, it's been a while since I pushed posts around
20 the White House. if that's the correct post, we're
21 talking about the Oval door. Is that what you're referring
22 to? I don't know whether -- I can't recall whether it's
23 or
24 Q Okay. You made reference to Oval door, the Oval
25 door. Tell the ladies and gentlemen about that post.

1 A Yes, there is.
2 Q And is this the door that you were talking about a
3 minute ago --
4 A Yes.
5 Q -- when you said that you would sometimes stand
6 posts outside the Oval door?
7 A Yes, sir.
8 Q All right. If you're standing looking at that door
9 with the telephone table next to it, there are doors to the
10 right down the hallway that lead into the Oval Office dining
11 room and pantry; is that correct?
12 A If you're standing outside the Oval, at my post
13 that we're talking about, correct?
14 Q If you're standing outside, looking at that
15 door --
16 A Okay.
17 Q -- where the telephone table is.
18 A Are there doors to the right?
19 Q That's my question.
20 A Yes, there are doors to the right.
21 Q And those doors go into the Oval dining room and
22 pantry area; is that correct?
23 A I recall maybe one that goes in there. I mean,
24 that's what I recall.
25 Q And when you say "goes in there," it goes into the

1 dining room, pantry area?
 2 A Goes into the pantry area, which eventually leads
 3 into the Oval and study, if you will.
 4 Q And then, as you're looking at the Oval door, with
 5 the telephone next to it, to the left, down the hall, is
 6 where the President's secretary sits, is that correct, Mrs.
 7 Currie?
 8 A That's correct.
 9 Q And there's also an entrance into the Oval Office
 10 through the secretary area?
 11 A Yes, it is.
 12 Q Now, how many times would you say, in the year that
 13 you did shift work by that door, that you ever heard that
 14 telephone ring?
 15 A The telephone that's by the post?
 16 Q That's right.
 17 A Oh, Lord. I can't recall. It rings. You know, it
 18 rings.
 19 Q Did you ever ring when you were on duty there?
 20 A Oh, absolutely.
 21 Q And when you were standing duty by that door, would
 22 you normally be alone?
 23 A Standing post there, sir?
 24 Q That's right.
 25 A [REDACTED]

1 faces, and I vaguely remember her face. I mean, maybe press
 2 reports and pictures jarred the memory. You know, I might
 3 remember her.
 4 Q Do you know an individual by the name -- an
 5 individual from the Uniformed Division -- by the name of John
 6 Muskett?
 7 A I would know Muskett by face, if I saw him. The
 8 name, it doesn't -- I can't put the name with the face.
 9 MR. SUSANIN: Excuse me for one second.
 10 (Interruption to the proceedings.)
 11 MR. SUSANIN: Let me state for the record that I've
 12 been joined by one of my colleagues from the Independent
 13 Counsel's Office. Ed Page.
 14 BY MR. SUSANIN:
 15 Q Now, Agent Hightower, do you recall working Easter
 16 Sunday of 1996?
 17 A No, I can't recall whether I worked that day or
 18 not.
 19 Q Did you routinely work holidays as part of your
 20 shift duty, from March of '96 to March of '97?
 21 A Yes, we do. Yes, I do. Yes, I did.
 22 Q How frequently would you work a major holiday?
 23 A You know, I -- the frequency, I don't know. I
 24 mean, the shift alignment is done by the boss, and I -- I
 25 don't know how frequently I may have worked a holiday that

1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 Q [REDACTED]?
 6 A [REDACTED]
 7 [REDACTED]
 8 Q And then does Uniform stay in the hallway while
 9 you're outside that door?
 10 A We're within earshot of, or eyeshot of each other,
 11 correct.
 12 Q How many feet away would you say you are for
 13 Uniformed Division when you come on duty at that door?
 14 A Go with 15 yards. That's just an estimate.
 15 Approximately 15 yards, or less.
 16 Q Agent Hightower, let me ask you if you know an
 17 individual by the name of Monica Lewinsky.
 18 A No, I do not.
 19 Q Have you come to know her through press reports,
 20 since January of this year?
 21 A Yes. Yes.
 22 Q Did you ever see her in the West Wing?
 23 A I vaguely recall seeing her in the West Wing.
 24 Q What do you recall?
 25 A As a new agent on a detail, you try to remember

1 year.
 2 Q In a given work week, what was your normal
 3 schedule? Did you normally work weekdays, weekends?
 4 A It depends. It's not a regular Saturday, Sunday,
 5 weekends off job, or mornings off or days off.
 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 Q [REDACTED]
 13 [REDACTED]
 14 A [REDACTED]
 15 Q [REDACTED]
 16 A [REDACTED]
 17 Q [REDACTED]
 18 A [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 Q Okay. I want to get an understanding for the grand
 22 jurors as to how weekends factored into the schedule.
 23 A It's there, it's no rhyme or reason to it. Maybe
 24 they put new guys on weekend. I don't know.
 25 But it depends. You can work Wednesday through

1 -- through Monday, and maybe you might not have a day off
 2 during that week, if the schedule is tight. It's no better
 3 way, I guess, I could describe that.
 4 Q In that year that you did shift work, can you
 5 -- can you estimate for the grand jurors, let's say in a
 6 given month, how many weekends you would work?
 7 A It's hard to do, but if I throw something out,
 8 maybe a couple weekends a month. I mean, it's hard.
 9 Q Do you remember, during the time you did shift
 10 work, an incident where you and an officer from the Uniformed
 11 Division were outside this door that we've been speaking
 12 about with the telephone cable, where Monica Lewinsky came on
 13 a Sunday to see the President?
 14 A No, I do not.
 15 Q Could it have happened and you just forgot it,
 16 Special Agent Hightower?
 17 A That's possible, yes.
 18 BY MR. PAGE:
 19 Q So, in view of that answer, Officer, you can't
 20 exclude that that event that's been just described to you in
 21 fact happened?
 22 A Oh, I can't exclude whether she visited or anybody
 23 else visited, for that fact.
 24 BY MR. SUSANIN:
 25 Q Do you ever recall seeing Monica Lewinsky in the

1 the Oval Office to let the President know there was a phone
 2 call for him?
 3 A No, I do not.
 4 Q Can you tell the ladies and gentlemen of the grand
 5 jury how frequently in that year that you did shift work,
 6 from March of '96 to March of '97, you would be in a position
 7 to go in and let the President know that there was a phone
 8 call for him?
 9 A You wouldn't be, more or less. His direct line
 10 would probably ring.
 11 Q So, given your answer, if, in fact you did go in to
 12 find the President for a phone call, is that the type of
 13 thing that would be unusual and stick out in your memory?
 14 A In my memory? No. There's just so many things
 15 that happen, really, you could forget about something. Now,
 16 did that happen to me? Uh-huh. I don't think so. No.
 17 Q Do you ever remember knocking on that door that
 18 we've been talking about to get a message in to the President
 19 on a weekend?
 20 A No, No, I do not.
 21 Q Do you remember ever stepping into the Oval Office
 22 to look for the President, to get him a message?
 23 A No, I do not.
 24 Q How many times, in the year that you did shift work
 25 at that doorway, would you have gone in, would you have

1 West Wing on a weekend?
 2 A I have -- like I say, I vaguely recall her. And
 3 whether it was on a weekend or not, I don't know.
 4 Q Well, can you give the grand jurors a sense of what
 5 the traffic through that area was like on a weekend, as
 6 opposed to a weekday?
 7 A Sure. Traffic on the West Wing is minimum on a
 8 weekend.
 9 Q And how about a holiday?
 10 A It's probably about the same, or maybe less. It's
 11 not a lot of traffic in the West Wing on the weekends.
 12 During the business days, there's a lot of traffic, there's a
 13 lot of people.
 14 Q Do you ever remember an incident shortly after you
 15 started shift work -- and you had never done PPD work before
 16 March of '96; is that correct?
 17 A That's correct.
 18 Q Do you remember an incident, when you were still
 19 fairly new to shift work, in the West Wing, where the
 20 operator called to that table, the phone on the table that
 21 we've been talking about, saying she had a call for the
 22 President, but he wasn't picking up inside the Oval?
 23 A No, I do not.
 24 Q Do you remember an incident shortly after you
 25 started shift work in the West Wing where you had to go into

1 initiated going in to have communications with the President?
 2 A Never. We would never -- I would never do that.
 3 Q Why is that?
 4 A Initiating communications with him wasn't part of
 5 what I would -- I'm doing there, if you will, as I understood
 6 it.
 7 Q If someone had come to you at that post with a
 8 message, or with information to get to the President, how
 9 would you have handled that? Was there a procedure?
 10 A The staff people who would come there with a
 11 message for him, or whomever, knows to go around into the
 12 secretary's office or, if he's expecting them, they would go
 13 right in.
 14 Q And how about if they had a message for the
 15 President and it was on a weekend, so the secretary wasn't
 16 there?
 17 A They would walk right in through the secretary's
 18 office.
 19 Q Is that locked or unlocked on the weekends?
 20 A I believe it's locked.
 21 Q So how would they get in?
 22 A We would have to let them in, I believe.
 23 Q And how would that take place?
 24 A Key. We had a key.
 25 Q I mean, what kind of verification would you do?

1 A Well, you would see the people by sight, and they
 2 have a pass, a hard pass. Do I need to explain that? Okay.
 3 Q Now, you've testified that you believe the post
 4 that we're talking about is either [redacted] or [redacted] --
 5 A Yes, sir.
 6 Q -- is that correct? Do you know of a post at the
 7 White House complex designated [redacted]?
 8 A [redacted]? No, I do not. I don't recall that.
 9 Q And how about a post designated [redacted]?
 10 A Yes, I know [redacted], but I know it's a gatepost.
 11 Q Which gate is that?
 12 A If I saw the diagram, I could tell you. I can't
 13 recall off the top of my head. I mean, I know the post,
 14 but --
 15 Q Okay. Let me show you a diagram that's been marked
 16 as Grand Jury Exhibit, we're going to call it your initials,
 17 which is RH. Do you have a middle initial?
 18 A No middle initial.
 19 MR. SUSANIN: All right. We'll call this RH-1.
 20 (Grand Jury Exhibit No. RH-1
 21 was marked for identification.)
 22 BY MR. SUSANIN:
 23 Q Do you recognize what that is a chart of, Agent
 24 Hightower?
 25 A Yes. It's the White House grounds.

1 Q Are there two southwest gates?
 2 A There are some -- there are -- yes, correct.
 3 Q How about [redacted]?
 4 A I know where [redacted] is. [redacted] is this one right
 5 here, because that's the place we take our tours.
 6 Q How about [redacted]?
 7 A I don't know where [redacted] is at, no.
 8 Q [redacted]?
 9 A No.
 10 Q [redacted]?
 11 A No.
 12 Q [redacted]?
 13 A Oh, no.
 14 Q Do you know where [redacted] is?
 15 A [redacted]? Yeah. Again, that's another one of the
 16 gates here. It's either up here -- if you want me to mark
 17 something on here, I will. I believe it's this one right
 18 here.
 19 Q Can you mark where you believe it is?
 20 A I think -- yes. I will mark where I believe [redacted]
 21 is.
 22 Q How about [redacted]?
 23 A I'm running out of gates, now. [redacted] would be this
 24 one right here, I would believe.
 25 Q [redacted]?

1 Q Okay. Are you able to point out on there where
 2 Gage [redacted] is?
 3 A Yes, sir. Sir, it's -- again, I mean, the post is
 4 not on here, but it's one of these gates around here. But
 5 this is [redacted]. This might be [redacted] right here, sir, east
 6 appointment gate
 7 Q I'm going to ask you to put [redacted] on there, with the
 8 pen. How about [redacted]? Do you know where that gate is?
 9 A [redacted] might be this one.
 10 Q How about [redacted]?
 11 A I don't know which one is -- [redacted] might be the
 12 visitor's center, I guess. I don't know. I'll put it there.
 13 Q Now, are you guessing?
 14 A Well, I mean, I'm trying to recall. The diagrams I
 15 looked at got the post on there. And I mean, there's so many
 16 gates. I know where the entrances are to the White House,
 17 but if you would ask me, "Reg, is that [redacted] or [redacted]," well,
 18 yeah, I think that's [redacted], correct.
 19 Q Do you know where [redacted] is?
 20 A [redacted]. Yeah, I know [redacted] off the top of my
 21 head, but I couldn't mark it on the diagram.
 22 Q Can you tell me where it is?
 23 A I would believe [redacted] is -- I know it's a south
 24 gate. It's maybe the south -- that's [redacted] -- southwest
 25 gate, one of the southwest gates, I believe.

1 A [redacted]. I don't know where [redacted] is at, sir.
 2 Q How about [redacted]?
 3 A I'll put this one [redacted].
 4 Q Is that where you believe [redacted] is?
 5 A That's where I believe it is, yeah.
 6 Q How about [redacted]?
 7 A I would look at the diagram. I'm trying to recall
 8 these gates. No, [redacted], I don't know. No.
 9 Q [redacted]?
 10 A No. No.
 11 Q [redacted]?
 12 A No.
 13 Q [redacted]?
 14 A No. Okay. Keep going.
 15 Q [redacted], do you know where that is?
 16 A [redacted]? No. Do you want me to tell you ones I do
 17 know?
 18 Q Why don't you?
 19 A All right.
 20 Q Are there any on there that you know? Let me ask
 21 you one more before you do that.
 22 A Okay.
 23 Q [redacted]?
 24 A [redacted] That's -- I know that's in the Old
 25 Executive Office Building somewhere. That's the only thing I

Page 25	Page 27
<p>1 can tell you.</p> <p>2 I know it's -- most of them, ■■■. As, have</p> <p>3 kind of got a designation, you can kind of recall where</p> <p>4 they're at. But again, I haven't looked at a map in a while.</p> <p>5 Q Let me ask you to mark the Old Executive Building</p> <p>6 on that chart with ■■■, then. You believe it's somewhere in</p> <p>7 the Old Executive?</p> <p>8 A Yes, sir, I believe it is. Yeah. I know it's in</p> <p>9 the Old Executive. It's a ■. It's a ■■■.</p> <p>10 Q Can you mark ■■■ on Old Executive there?</p> <p>11 A No. I tell you what. I probably -- the one that</p> <p>12 I'm most familiar with, with the number, would probably be ■-</p> <p>13 something, where you go into the credit union, at the main</p> <p>14 entrance where most people go into the credit union. It's</p> <p>15 off of Pennsylvania -- 17th Street.</p> <p>16 Q And that's a ■ gate?</p> <p>17 A It's a ■ gate, correct.</p> <p>18 Q Let me back up and ask you about something you just</p> <p>19 said, that the different letters have different designations.</p> <p>20 Are all ■-gates in the Old Executive Building?</p> <p>21 A Can I just hold on that one? I haven't said it</p> <p>22 right. Yeah. Mostly, I would assume ■ are in the Old</p> <p>23 Executive Office Building. Correct.</p> <p>24 Q And how about ■ and ■?</p> <p>25 A ■ and ■■■ are probably the south grounds and ■■■</p>	<p>1 A Yes.</p> <p>2 Q -- to people that are staffers, in one category,</p> <p>3 and people that actually are White House employees, maybe</p> <p>4 beyond administration --</p> <p>5 A Yes, sir.</p> <p>6 Q -- on the other. As you said, groundskeepers,</p> <p>7 butlers, that kind of a thing.</p> <p>8 A Yes, sir.</p> <p>9 Q Do staffers use different gates from those</p> <p>10 employees?</p> <p>11 A That's a possibility. Yes, sir.</p> <p>12 Q Do you know?</p> <p>13 A Do I know that they probably go through other</p> <p>14 gates? Yes, sir.</p> <p>15 Q And explain your answer.</p> <p>16 A Again, through either of those checkpoints there.</p> <p>17 They can go through the east gate, the north gate, the south</p> <p>18 gate, or -- the visitor's center -- east, north, or south.</p> <p>19 Q And who are you talking about now --</p> <p>20 A The staff.</p> <p>21 Q -- the staffers or the employees?</p> <p>22 A Staffers, too, sir.</p> <p>23 Q All right.</p> <p>24 A With the passes. You have to have a pass.</p> <p>25 Q Okay. So staffers have a certain type of a pass?</p>
<p>1 are closer around the mansion, if you will.</p> <p>2 Q And how about ■?</p> <p>3 A As would be your north ground gates.</p> <p>4 Q Are there different gates designated for different</p> <p>5 groups of people that have access to the White House? In</p> <p>6 other words, do White House employees use certain gates?</p> <p>7 A I would say yes to that, for the most part.</p> <p>8 Q Which gates do White House employees use?</p> <p>9 A Well, let me put it to you this way. To get in the</p> <p>10 complex, there are a number of gates that you can go through.</p> <p>11 Groundkeepers, Park Service people that take care</p> <p>12 of the grounds, the butlers, the social secretaries and stuff</p> <p>13 like that, they can enter any of these gates around the</p> <p>14 complex.</p> <p>15 Now, is the question what gate do visitors go</p> <p>16 through that's on official business, or what gate would a</p> <p>17 staff person go through?</p> <p>18 Visitors would go through the appointment gates.</p> <p>19 The appointment gates that I know of for sure again, is</p> <p>20 -- well, this is written on there. The appointment gate over</p> <p>21 here, the east appointment gate, and the southwest</p> <p>22 appointment gate, and the northwest appointment gate, those</p> <p>23 are the three that some visitors would go through.</p> <p>24 Q It sounds like you're breaking up people that work</p> <p>25 at the White House --</p>	<p>1 A Yes, sir.</p> <p>2 Q And do certain gates require that type of pass?</p> <p>3 A Yes, sir, certain -- entry into certain parts of</p> <p>4 the compound does require a certain pass.</p> <p>5 Q Okay. Tell us about that.</p> <p>6 A Passes are color-coded, and -- can I talk with</p> <p>7 these guys about this? Just about these, sir.</p> <p>8 Q Okay. Well, let me defer that question for a few</p> <p>9 moments, then.</p> <p>10 A Okay. Sure. Sure.</p> <p>11 MR. SUSANIN: Let me speak with my colleague for a</p> <p>12 moment.</p> <p>13 (Counsel conferred.)</p> <p>14 BY MR. SUSANIN:</p> <p>15 Q. All right. Let me go back to an incident we were</p> <p>16 talking about before, Special Agent Hightower.</p> <p>17 Let me ask you, if Ms. Lewinsky came to visit the</p> <p>18 President on a holiday weekend, when you were working the</p> <p>19 shift there, and had been let in, is that the type of thing</p> <p>20 you could have forgotten?</p> <p>21 A I could have forgotten it's a holiday weekend,</p> <p>22 correct. Oh, yes.</p> <p>23 Q Well, if she had come to see the President and was</p> <p>24 let in, is that the type of thing that could have happened</p> <p>25 and you just don't remember?</p>

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1 A Oh, absolutely.

2 Q Okay. So is it your testimony in front of the

3 grand jury -- well, let me ask it this way. You're not

4 saying to the grand jury that that type of situation could

5 not have happened?

6 A Right. I'm not saying that she could have come

7 there on a weekend and -- and I've forgotten, yes. She could

8 have come there, and I just did not realize it was her, and

9 it was a weekend.

10 Q Now, how about you going into the Oval Office to

11 pass a message or to otherwise look for the President? Is

12 that the type of thing that could have happened and you've

13 just forgotten?

14 A Yeah. Yeah. That's true. I mean -- no, I -- no,

15 I wouldn't have done that. I was too new and too jittery.

16 Q And explain what you mean to the grand jury.

17 A I -- in the instance you're talking about, I just

18 would have remembered probably doing that.

19 Q Okay. Given that you were new in the spring of

20 '96, if there was a message or information that had to get

21 through to the President during a weekend or a quiet time on

22 the West Wing --

23 A Yes, sir.

24 Q -- is it likely you would have asked someone else

25 to go in with you to look for the President or to go in and

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1 look for the President on your behalf?

2 A Oh, absolutely. That could have happened, yes.

3 Q And that's something that could have happened?

4 A Oh, absolutely. Absolutely.

5 Q What types of people would you have reached out to

6 to do that?

7 A If the phone had rang, and someone had said, "I'm

8 looking for so-and-so-and-so" -- the President in this case

9 -- the Uniform guy, we look to those guys for guidance. They

10 help us out, the new guys on the shift.

11 Q Why is that?

12 A I mean, you're standing there, you don't know all

13 the faces, you try to recognize the faces and remember the

14 faces, and you don't know all the procedures. So yes, it's

15 very possible that a Uniform guy could help you out. They

16 help you out. They've been around a while.

17 Q They've been around a while and they know the

18 shift?

19 A Well, they know that you're new, for sure, and they

20 know all the players, the people that are walking around the

21 West Wing.

22 Q Do you recall in those weeks when you were new to

23 the Oval Office ever asking Uniformed Division officers to

24 help you with anything that came up on the job?

25 A I don't recall, but it could have happened. I'm

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1 sure it happened.

2 Q Now, you stated earlier that you had some vague

3 recollections of Monica Lewinsky that was jarred by the press

4 releases of earlier this year --

5 A Yes.

6 Q -- and reports in the media; is that right?

7 A Yes, sir.

8 Q Now, as you're talking here about March of '96

9 through March of '97, when you're doing shift work, is your

10 memory jarred any further about seeing Monica Lewinsky in the

11 West Wing?

12 A Nothing other than seeing her walk past me on post

13 and maybe even remembering her name, Monica.

14 Q And how would it be that you would know her name?

15 A I would ask, maybe, the Uniform guy, because

16 sometimes, again, you know, being new, you don't know all the

17 faces and names and you don't want to stare at the passes,

18 "Who is that?" And maybe someone would say "That's so-and-

19 so." And so that's, you know, whoever -- whoever the person

20 was.

21 Q And you testified earlier, when we were talking

22 about staffers who might want to get in with a message to see

23 the President on the weekend, that you would frequently know

24 them by faces, especially if you were going to let them in.

25 Was that part of your duty, as you saw it, as part

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1 of the PPD, to recognize those people that were in and around

2 the West Wing when you were doing shift work?

3 A Is it part of my duties to recognize people that

4 are in the West Wing? Is that the question, sir?

5 Q Would you try to --

6 A Oh, yes, sir.

7 Q -- learn the faces?

8 A Oh, absolutely, yes, sir.

9 Q And why is that?

10 A Well, it's a security issue, for one. And just

11 because they're in the West Wing, you know, hopefully no one

12 didn't wander in there that wasn't supposed to be.

13 And you just try to recognize the faces. You want

14 to recognize the chief of staff. You want to recognize the

15 press secretary. You want to recognize these people, because

16 you don't want to be stopping them, asking them for their

17 pass.

18 Q And you mentioned a moment ago that you might have

19 asked someone "Who is that" with regard to Ms. Lewinsky. Who

20 are you asking about when you are trying to find out the

21 identity of faces that you're seeing when you're new in the

22 West Wing?

23 A A Uniform officer, especially those that been

24 around. And they have been around.

25 Q Do you remember asking a Uniform officer Ms.

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1 Lewinsky's name?
 2 A No. I probably did, but I can't remember it.
 3 Q But you remember that you knew her as Monica?
 4 A I just remember the name Monica, sir. Yes, sir.
 5 Q And you remember that as something you knew before
 6 the press reports came out earlier this year?
 7 A The press report probably jarred the memory, my
 8 memory, but again, I mean, maybe I remember the name, Monica,
 9 from, being on the West Wing, sir.
 10 Q You mentioned when we were reviewing Grand Jury
 11 Exhibit RH-1 that this is a little different from the chart
 12 that you normally look at.
 13 A Yes, sir.
 14 Q Okay. And what chart is that?
 15 A Well, the gates. I mean, it's the same grounds,
 16 but the gates are numbered and labeled. I mean, I could
 17 point to [REDACTED] and you could, too, because it's on there.
 18 Q Okay. So the chart you're talking about --
 19 A Yes.
 20 Q -- would actually have [REDACTED] printed on the chart?
 21 A Yes. Yes.
 22 Q And what chart is that you're talking about?
 23 A Well, that's anywhere in our offices, or wherever,
 24 you know, where we're at.
 25 Q So it's throughout the different postings or gates?

1 A Secret Service, sir. I guess.
 2 Q And what officer, who within the Secret Service?
 3 Is that something that would be in [REDACTED] or in the command
 4 center?
 5 A Oh, yeah. Yes, sir. You could find this in [REDACTED]
 6 with the numbers and letters, for sure, sir.
 7 MR. SUSANIN: Agent Hightower, I'm going to ask you
 8 to bear with us by stepping outside the door --
 9 THE WITNESS: Yes, sir.
 10 MR. SUSANIN: -- for a few minutes.
 11 THE WITNESS: Okay.
 12 MR. SUSANIN: You can just wait outside the door.
 13 We'll be with you in a moment or two.
 14 (Witness excused. Witness recalled.)
 15 MR. SUSANIN: Have a seat, Special Agent Hightower.
 16 THE FOREPERSON: Agent Hightower, do you understand
 17 you are still under oath?
 18 THE WITNESS: Yes, I do.
 19 THE FOREPERSON: Okay.
 20 BY MR. SUSANIN:
 21 Q First, Special Agent Hightower, let me ask you, I
 22 believe you mentioned earlier in your testimony that there
 23 were some gate numbers or designations that I didn't ask
 24 about, that you might know of. In other words, I think you
 25 said, "Do you want me to mark the ones I do know?"

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1 A Not necessarily. But I mean, in your packet when
 2 you come to the detail, you have a gate post like this,
 3 compound post map, if you would.
 4 Q So it's something that goes out to most Secret
 5 Service employees working at the White House?
 6 A Yes. Yes, sir. But the gates, like [REDACTED] or [REDACTED]
 7 or this one over here, the east appointment gate, I think the
 8 public know, staff people would know, maybe, the numbers,
 9 too. I don't know. I really don't.
 10 Q Okay. But it's fair to say this is not some super
 11 secret chart that you're talking about, this is something --
 12 A Oh, no, you got it. No, this is --
 13 Q If you could, just let me finish the question.
 14 A Yes, sir.
 15 Q The chart that you're talking about, that has the
 16 [REDACTED] designation on it, that's a chart that's passed out to
 17 all of you when you begin employment with the Secret Service
 18 at the White House?
 19 A Yes, sir. I believe it is.
 20 Q Okay.
 21 A I mean, for the agents, sir.
 22 Q And where would we get a copy of that if we wanted
 23 to see a copy of that?
 24 A With the numbers on there, sir?
 25 Q The chart you're talking about.

1 Did you get to finish that process, or are there
 2 any others you could mark on that exhibit for us? Can you
 3 just state for the record --
 4 A Yes. Yes. I'm marking [REDACTED], [REDACTED]. I
 5 think this [REDACTED] or [REDACTED] is one of the two. Ours is [REDACTED] and [REDACTED]
 6 in there, inside the building itself, inside the West Wing,
 7 the Oval door, and the secretary's office door. [REDACTED] is
 8 one that we pushed posts on.
 9 Q Where is [REDACTED]?
 10 A [REDACTED] is right here, sir, on the grounds.
 11 Q Can you state for the record, what you're talking
 12 about? It's outside what?
 13 A [REDACTED] is outside. It's an outside post, not
 14 too far from the putting green, you know, golf green.
 15 Q How about [REDACTED]?
 16 A [REDACTED] is the diplomatic entrance, the south
 17 grounds. If you looked at a picture of the south grounds,
 18 that door that's right there, you go right into it, just
 19 straight through.
 20 Q And are there any others that you can think of?
 21 A [REDACTED] is this one.
 22 Q [REDACTED]?
 23 A [REDACTED], [REDACTED] is by the press room, the Oval
 24 colonnade, if you will. That's a lot of them, sir.
 25 Q Any others?

1 A [REDACTED]. And that's it, sir. That's pretty much it.
 2 Q And where is [REDACTED]?
 3 A [REDACTED] is inside the mansion, inside the house itself.
 4 Q Okay. And where inside the house is it?
 5 A The ground level, right by the diplomatic entrance.
 6 Q Now, when you moved in March of '97 to the counter-
 7 assault --
 8 A Yes, sir.
 9 Q -- is it counter-assault team or counter-assault
 10 unit?
 11 A Counter-assault team, sir.
 12 Q Counter-assault team. Did you actually stay at the
 13 White House? In other words you still work at the White
 14 House?
 15 A Oh, yes, sir. I'm still on the Presidential
 16 Protective Division, yes, sir.
 17 Q Okay. So you don't work elsewhere since March of
 18 '97, you still work at the White House?
 19 A I'm still a part of Presidential Protective
 20 Division. And work at the White House, sir? I mean, I don't
 21 do the post around the White House. No, sir. Is that what
 22 the question is?
 23 Q Right. Where do you go to work each day, as part
 24 of the counter-assault unit?
 25 A Our offices is in the New Executive Office

1 Q And when you do advance work, is that to advance a
 2 place that the President is visiting?
 3 A Yes, sir.
 4 Q Okay. So you haven't worked, for instance, say,
 5 the Oval Office door, since you've moved to counter-assault?
 6 A Oh, no. Oh, no. I haven't worked there since
 7 this.
 8 Q If you're working counter-assault, and there was an
 9 incident at one of the gates, and given some of your
 10 testimony about being a little shaky on some of the gates,
 11 how would you get to a gate, if there were an incident there
 12 while you were on duty with counter-assault?
 13 A This one I have to talk to the guys about.
 14 Q Okay. Do you want to talk to them now?
 15 A Yeah, about that stuff. Excuse me.
 16 (Witness excused. Witness recalled.)
 17 MR. SUSANIN: Special Agent Hightower, have you had
 18 an opportunity to consult with your counsel?
 19 THE WITNESS: Yes, sir.
 20 THE FOREPERSON: And, Agent Hightower, you
 21 understand you are still under oath?
 22 THE WITNESS: I understand.
 23 MR. SUSANIN: Thank you, Madam Foreperson.
 24 BY MR. SUSANIN:
 25 Q Let me ask the question again for the record. And

1 Building. We cover motorcade movements and the President's
 2 movements, basically.
 3 Q Okay.
 4 A Yes, sir.
 5 Q So you're still where the President is, as part of
 6 the counter-assault unit?
 7 A Yes, sir. But -- but I'm not in a suit.
 8 Q Okay. If he's in the White House, where are you?
 9 A I'm in the New Executive Office Building.
 10 Q Okay. And if he's traveling, are you traveling
 11 with him?
 12 A If my team is traveling, yes, sir.
 13 Q So, as part of the counter-assault unit, you don't
 14 work the gates?
 15 A No, sir.
 16 Q Okay. Have you ever done any shift work on a full-
 17 in basis or a temporary basis since you've been with counter-
 18 assault?
 19 A Yes, sir.
 20 Q Okay. How many times would you say, since March of
 21 '97?
 22 A Oh, sir, I can't recall. It would be a number of
 23 times. Advances, no actual shift work, if you will, but
 24 advance guys come from shifts. So advances, more than
 25 anything.

1 again, this is a question from one of the grand jurors.
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 A [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 Q And to follow up, it sounds like, since you've
 17 stopped doing shift work, you've been working at the
 18 Executive Office Building?
 19 A Yes, sir. Yes, sir, until we get in the truck and
 20 go over and pick up the motorcade and leave.
 21 Q Let me ask you about your recollection of Ms.
 22 Lewinsky in the West Wing, as it was jarred by media accounts
 23 of earlier this year.
 24 A Yes, sir.
 25 Q One of the grand jurors had the question as to

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1 whether you remember Ms. Lewinsky carrying anything or
 2 holding anything when you would see her in the West Wing?
 3 A: No, sir. I can't remember that, no, sir.
 4 Q Can you remember anything else about her that would
 5 be helpful to the grand jury?
 6 A No, sir. She's attractive, I think, and that helps
 7 you remember who people are, I guess, sometimes.
 8 Q Can you describe whether she was in work attire or
 9 weekend attire?
 10 A No, sir. No, sir.
 11 Q You testified, in response to my question, that it
 12 was possible that the phone outside the Oval Office door
 13 could have rung when you were on duty there. And one of the
 14 grand jurors wanted to know if it's possible that did not
 15 happen.
 16 A Oh, yes, sir. But the phone would ring. I mean,
 17 it would have rung.
 18 Q Yeah. I asked you whether it was possible, about
 19 an incident where there was a phone call from someone looking
 20 for the President and couldn't find him. I believe you
 21 testified you don't recall that incident.
 22 A Yes, sir.
 23 Q And I asked you if that incident, if it was
 24 possible that that happened; is that right?
 25 A Yes, sir. Oh, yes.

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1 Q And you said it was possible?
 2 A Yes, sir.
 3 Q And the question is, from one of the grand jurors,
 4 is it possible that that did not happen?
 5 A Yes, sir.
 6 Q And given what I think is fair to say, your lack of
 7 memory about such an incident, if I were to represent to you
 8 that, in fact, there was a time when that phone rang while
 9 you were on duty there, from someone who was trying to get
 10 through to the Oval Office and couldn't find the President, I
 11 take it that your testimony is it's possible that that did
 12 happen?
 13 A Oh, yes, sir.
 14 Q Let me ask you, with regard to going into the Oval
 15 Office to look for the President to tell him about the phone
 16 call, again, you testified that it's possible that that
 17 happened.
 18 And one of the grand jurors has a question, is it
 19 possible that did not happen?
 20 A Oh, yes, sir. And again, let's just take that
 21 phone call for an example. If that phone had rang, and I
 22 picked it up, or the Uniform guy there picked it up, being
 23 the new guy on the detail, I would have let him handle it. I
 24 know that for a fact. I would have let him handle it.
 25 Q And when you say you know that for a fact, do you

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1 have a recollection of ever deferring to the Uniformed
 2 Division to handle incidents like that?
 3 A You know what? I can't recall, but I know I've
 4 been there when it happened.
 5 Q Tell the grand jurors what you mean when you say "I
 6 know I've been there when it's happened."
 7 A The phone will ring, or an alarm will go off or
 8 something, and I let them know."
 9 Q Let me ask you, if I were to represent to you that,
 10 in fact, there was an incident where you went into the Oval
 11 Office to look for the President about a phone call, do you
 12 still maintain that it's possible that that happened?
 13 A I don't understand the question, sir.
 14 Q If I were to represent to you that there were an
 15 incident where you and a Uniformed Division officer went into
 16 the Oval Office, stepped into the doorway of the Oval Office
 17 to look for the President because of a phone call that had
 18 come for him, is it possible that happened?
 19 A It's possible, sir.
 20 MR. SUSANIN: I'm going to ask you to step outside
 21 again, Agent Hightower.
 22 THE WITNESS: Yes, sir.
 23 MR. SUSANIN: Thank you.
 24 (The witness was excused at 10:11 a.m.)
 25 (Whereupon, a luncheon recess was taken.)

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1 *****
 2 Whereupon, (2:20 p.m.)
 3 REGINALD HIGHTOWER
 4 was recalled as a witness and, having been previously duly
 5 sworn by the Foreperson of the Grand Jury, was examined
 6 further and testified as follows:
 7 THE FOREPERSON: Good afternoon, Mr. Hightower.
 8 You understand you are still under oath?
 9 THE WITNESS: I understand.
 10 THE FOREPERSON: Okay.
 11 EXAMINATION
 12 BY MR. SUSANIN:
 13 Q Good afternoon, Special Agent Hightower. I have a
 14 few additional questions for you from the grand jurors.
 15 A Yes, sir.
 16 Q First, I want to ask you whether you felt you had
 17 ample opportunity to consult with counsel during your
 18 appearance here in the courthouse today?
 19 A Yes, sir, concerning the things that I was
 20 concerned about, yes, sir.
 21 Q Okay. A second question from a grand juror
 22 regarding your testimony that some of the media accounts
 23 involving Ms. Lewinsky that appeared earlier this year, I
 24 think to use your phrase, triggered your memory --
 25 A Yes, sir.

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<p>1 Q -- about having seen her in the West Wing; do you 2 recall that testimony?</p> <p>3 A Yes, sir.</p> <p>4 Q And the grand juror would like a little bit of 5 clarification as to what exactly -- what memories exactly 6 were triggered by the media account as opposed to you 7 adapting some of what you saw in TV into your recollection. 8 Do you understand the question?</p> <p>9 A I understand it. It's just the face, putting a 10 face there more or less is what I remember. It's, I'm 11 saying, well, you know, I remember that, remember her, if you 12 will.</p> <p>13 Q Okay.</p> <p>14 A Yes, sir.</p> <p>15 Q Let me ask you, as a followup to that, then, how 16 bright a line can you draw between what you saw on TV and 17 what is your recollection from before this story broke?</p> <p>18 A Nothing. It's just another person, if I understand 19 the question correctly.</p> <p>20 Q Yeah. In other words, are you certain that your 21 recollection is really what you remembered from before this 22 incident broke?</p> <p>23 A Yes. Yes, sir, and here's an example. Just over 24 lunch, I remember the posts, now, [REDACTED] and [REDACTED] and [REDACTED] I 25 know where those are at.</p>	<p>1 something that I remember, but yes, sir.</p> <p>2 Q Okay. Let me try to ask you a bit more about that.</p> <p>3 When you say you have a vague recollection of a phone call 4 coming in --</p> <p>5 A Yes, sir.</p> <p>6 Q -- what is it that you do remember, as you sit 7 here today?</p> <p>8 A Just this, sir, that maybe a phone call came in and 9 -- I can't remember. It had -- I know it was probably on the 10 weekend, for sure. I know that's for sure. But a phone call 11 coming in, coming in and he's taking the call. And I don't 12 remember what guy it was. But he's taking it. And --</p> <p>13 Q When you say "he," is that --</p> <p>14 A The officer, sir.</p> <p>15 Q Is that someone from the Uniformed Division?</p> <p>16 A Yes, sir. Yes, sir. And maybe saying something 17 like "The operator is looking for the President" or 18 something. I -- just that's what I remember, more or less.</p> <p>19 Q And do you remember what efforts were undertaken to 20 locate the President?</p> <p>21 A I believe he might have -- he might have went into 22 the Oval or knocked on the door or something. I can't 23 remember. It might come back.</p> <p>24 Q And I know it's difficult, but let me still probe 25 what you do remember --</p>
<p>Page 46</p> <p>1 And, about the telephone ringing, I can kind of 2 almost remember that. And not me answering the phone, but 3 maybe the UD officer answering the telephone and saying 4 something about the President or "The operator, he's looking 5 for the" -- I don't know. But it just, it comes back a 6 little bit.</p> <p>7 Q Okay.</p> <p>8 A I don't remember, really, I can't say 100 percent 9 I'm sure about that, but I can almost remember that, sir.</p> <p>10 Q Okay. Let me ask you, then, just in light of that 11 statement, if you could explain in a little bit more detail 12 what it is that you remember when you say over lunch you 13 remember about a phone call coming in.</p> <p>14 A Right. I just, you know -- I can't say a blanket 15 letter, "This is what happened." On the weekend, it's not 16 that much traffic over there. And, being the new guy on the 17 detail, I didn't know a lot of procedures. And again, as I 18 explained to you earlier, the Uniform guys help out the new 19 guys.</p> <p>20 So I can vaguely recall maybe an incident like 21 that, where the phone rang and he was looking for the 22 President, the Uniform guy, that is, and I happened to be 23 there, and maybe going into the Oval or something.</p> <p>24 I don't remember going in there, but I mean, I just 25 -- I don't know whether you're triggering it or it's</p>	<p>Page 47</p> <p>1 A Yes, sir.</p> <p>2 Q -- or what's come back to you over lunch. Do you 3 recall that this was a weekend?</p> <p>4 A I'm sure it was a weekend.</p> <p>5 Q Okay. And how -- you testified earlier today that 6 you started in March of '96, doing shift work?</p> <p>7 A Yes, sir.</p> <p>8 Q Can you tell the ladies and gentlemen of the grand 9 jury, if you know, how soon after you started in March of '96 10 this took place?</p> <p>11 A It had to have been early on. I mean -- I mean, 12 that's when you're trying to learn everything. And I mean, 13 it had to have been early on, sir. By the time that I left 14 the shift, I know it wasn't then. At least I think it 15 wasn't.</p> <p>16 Q Do you recall whether the person on the line had 17 tried to get through to the Oval Office by the time they 18 called to you and the Uniformed Division officer?</p> <p>19 A At that post, called to that post? I don't know, 20 sir. I mean, I don't know.</p> <p>21 Q Are you saying that the phone call that you're 22 talking about did come to that table right next to the Oval 23 door that we were talking about?</p> <p>24 A Yes, sir. Yes, sir.</p> <p>25 Q Do you have any recollection how it played out?</p>

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1 A No, sir, I really don't. The things that I can
2 remember, again, is maybe something like that happening. And
3 I wouldn't tell you I'm 100 percent sure, because I want to
4 be 100 percent sure, but I may can recall that incident. I
5 don't know.

6 Q I'm sorry?

7 A I can probably recall that incident. I mean, I'm
8 not saying I'm 100 percent sure on it. But that could have
9 happened, for sure.

10 Put it this way. You asked me could it not have
11 happened. I'll scratch it out and say it probably did
12 happen.

13 MR. PAGE: What did you have for lunch?

14 MR. SUSANIN: Excuse me for one moment.

15 BY MR. SUSANIN:

16 Q Do you recall, Special Agent Hightower, during this
17 incident, whether the President was in the Oval Office?

18 A Well, sir, he had to have been over in the Oval
19 Office, because I was there. He would only be there if we're
20 there.

21 Q Okay. So the fact that you were there means he was
22 there?

23 A Yes, sir.

24 Q And do you remember, as you try to sit back and
25 remember this incident, do you remember hearing the sound of

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1 his voice at any time, and maybe trying to locate him or --

2 A No, sir. No, sir.

3 MR. SUSANIN: Yes, please do.

4 BY MS. WIRTH:

5 Q I'm Mary Anne Wirth. Do you have any memory at all
6 of whether the President had a guest, a visitor, at that
7 time?

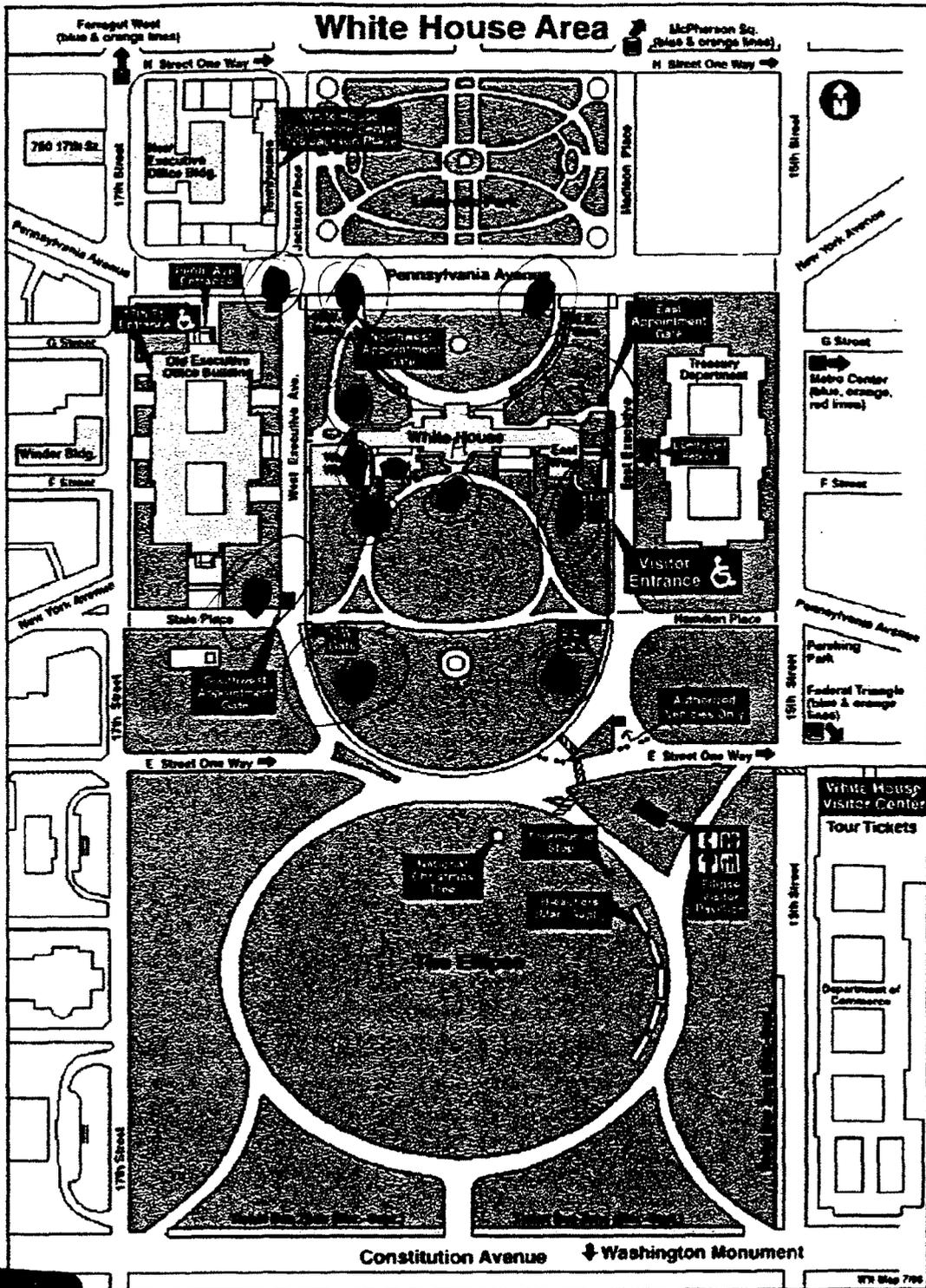
8 A No, ma'am.

9 MR. SUSANIN: Sir, if you could bear with us again
10 and step outside, we'll be with you momentarily.

11 (The witness was excused.)

12 (Whereupon, at 2:29 p.m., the taking of the
13 testimony in the presence of a full quorum of the Grand Jury
14 was concluded.)

15 * * * * *



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OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 2/12/98

JOHN LEE HILLEY, white male, born [REDACTED], Social Security Account Number [REDACTED], home address [REDACTED], [REDACTED], [REDACTED], telephone number [REDACTED], was interviewed in the Conference Room of the Office of the Independent Counsel, 1001 Pennsylvania Avenue, N.W., Suite 490 North.

After being advised of the personal and official identities of the interviewers and the purpose of the interview, HILLEY provided the following information:

Since February 6, 1996, HILLEY has been employed as Senior Advisor to the President and Director of Legislative Affairs with offices on the second floor of the White House, West Wing, telephone number [REDACTED]. HILLEY has no pager or cell phone since he is resigning from this position effective February 20, 1998, and both have been returned. HILLEY's successor is LARRY STEIN.

Effective February 23, 1998, HILLEY will be employed as Executive Vice President, National Association of Securities Dealers, 1735 K Street, N.W., Washington, D.C., telephone 202-728-8100.

HILLEY does not recall ever meeting MONICA LEWINSKY or having a personal conversation with LEWINSKY. HILLEY is certain that he must have seen LEWINSKY at office staff meetings or elsewhere in the West Wing since HILLEY recognized LEWINSKY as someone he had seen in the White House when LEWINSKY's photograph appeared in the news.

HILLEY was aware that LEWINSKY and [REDACTED] made up the Congressional Correspondence Section of Legislative Affairs. A couple of months after HILLEY assumed the position of Director, TIM KEATING, the Staff Director, came to HILLEY and informed HILLEY there was a complaint that [REDACTED] and LEWINSKY had taken a large volume of mail to another office and demanded that office prepare immediate responses. It was obvious that neither [REDACTED] nor LEWINSKY were doing their job because of the large volume of unanswered mail; some of the mail was in excess of six months old.

Investigation on 2/11/98 at Washington, D.C. File # 29D-LR-35063

by SA [REDACTED]
CI [REDACTED] Date dictated 2/12/98

29D-LR-35063

Continuation of OIC-302 of JOHN LEE HILLEY , On 2/11/98 , Page 2

HILLEY instructed KEATING to "take care of it" and to "run the traps." HILLEY explained the use of the phrases "take care of it" and "run the traps" as meaning for KEATING to contact the people "upstairs," i.e., EVELYN LIEBERMANN, who HILLEY understood to be in charge of personnel and operations, to make sure the proper procedures were followed to move both ██████████ and LEWINSKY out of Congressional Correspondence. HILLEY did not personally speak with LIEBERMANN about the matter but HILLEY felt sure that KEATING did.

HILLEY was not aware of any other reason for the termination of ██████████ and LEWINSKY. HILLEY was not aware, at the time, of any rumors or gossip that LEWINSKY was having a sexual affair with anyone in the White House. HILLEY has never seen LEWINSKY in the presence of the President or in the vicinity of the Oval Office.

HILLEY has not seen LEWINSKY in the White House since LEWINSKY's termination.

HILLEY recalled only one conversation with KEATING after LEWINSKY's termination. This conversation occurred on a Tuesday night, possibly January 20, 1998, just after the story broke in the news. Both HILLEY and KEATING attended a going-away party for HILLEY and four other departing employees of Legislative Affairs. HILLEY and KEATING had a short conversation about LEWINSKY and the circumstances under which LEWINSKY left Legislative Affairs.

HILLEY also recalled a conversation with JOHN PODESTA which occurred sometime between one and three months ago. PODESTA stopped HILLEY in the hallway outside the Chief of Staff's Office and asked HILLEY if LEWINSKY had worked for HILLEY. When HILLEY responded in the affirmative, PODESTA asked HILLEY if HILLEY would be willing to write a letter of recommendation for LEWINSKY. HILLEY agreed to write a recommendation letter for LEWINSKY since it was office practice to write letters for all former employees of Legislative Affairs. HILLEY explained to PODESTA that due to the less than favorable circumstances of LEWINSKY's leaving Legislative Affairs, the letter would have to be "generic," confirming LEWINSKY's employment and dates. PODESTA indicated that PODESTA would get back to HILLEY on the matter, but to date has not done so.

29D-LR-35063

Continuation of OIC-302 of JOHN LEE HILLEY, On 2/11/98, Page 3

HILLEY was not aware that his name had been given to any prospective employers as a reference for LEWINSKY and HILLEY has not been contacted by anyone regarding possible employment of LEWINSKY.

The above described conversations with KEATING and PODESTA are the only conversations that HILLEY has had with anyone regarding LEWINSKY's employment with Legislative Affairs.

HILLEY is slightly acquainted with VERNON JORDAN and has played golf with JORDAN on one occasion. HILLEY has not talked to JORDAN about LEWINSKY.

HILLEY has not been contacted by anyone prior to the interview today and HILLEY has not discussed LEWINSKY with anyone except the attorney representing PODESTA. PODESTA's attorney recently telephoned HILLEY and asked questions about the hallway conversation between HILLEY and PODESTA.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

In re:
GRAND JURY PROCEEDINGS

Grand Jury Room No. 3
United States District Court
for the District of Columbia
3rd & Constitution, N.W.
Washington, D.C. 20001

Tuesday, May 19, 1998

The testimony of JOHN LEE HILLEY was taken in the presence of a full quorum of Grand Jury 97-2, impaneled on September 19, 1997, commencing at 1:47 p.m. before:

SOLOMON WISENBERG
Deputy Independent Counsel
MARY ANNE WIRTH
JAMES CRANE
Associate Independent Counsel
Office of Independent Counsel
1001 Pennsylvania Avenue, Northwest
Suite 490 North
Washington, D.C. 20004

PROCEEDINGS

1
2 Whereupon,
3 JOHN LEE HILLEY
4 was called as a witness and, after having been duly sworn by
5 the Foreperson of the Grand Jury, was examined and testified
6 as follows:

EXAMINATION

BY MR. CRANE:

9 Q Mr. Hilley, my name is Jim Crane. I met you
10 outside briefly in the hallway.

11 A Right.

12 Q I'm an Associate Independent Counsel. Here at my
13 right is Mr. Sol Wisenberg, also with the Independent
14 Counsel's office. His title is Deputy.

15 Obviously, this is the court reporter; the
16 foreperson has just sworn you in. A grand juror is to her
17 immediate left and the other grand jurors sit in the jury box
18 and in the seats there out in the audience.

19 Before we start asking you some factual questions,
20 I'll just go over some of your rights and responsibilities as
21 a grand juror, which we do with all witnesses. This is not
22 targeted at you in particular.

23 But before I do that, will you state your full name
24 and spell your last name for the court reporter?

25 A John Lee Hilley, H-i-l-l-e-y.

CONTENTS

WITNESS:

Page

John Lee Hilley

3

GRAND JURY EXHIBITS:

No. JLH-1 Memo dated 10/16/96 to
Lieberman from Hilley

33

1 Q All right. We are here in a federal grand jury
2 impaneled here in the United States District Court in the
3 District of Columbia investigating possible violations of
4 federal criminal law, in particular, perjury, obstruction of
5 justice, subornation of perjury and witness tampering.

6 We are here pursuant to a jurisdictional grant from
7 the United States Court of Appeals for the D.C. Circuit and
8 we are in particular investigating those criminal allegations
9 I just mentioned, perjury, subornation of perjury, et cetera,
10 in relation to the civil lawsuit Paula C. Jones v. William
11 Jefferson Clinton.

12 Is it clear to you what we are investigating?

13 A Yes, it is.

14 Q All right. As we tell all witnesses before
15 the grand jury, you have a right and a privilege against
16 self-incrimination, meaning that if you feel that a truthful
17 answer to a question would tend to incriminate you, you do
18 not have to answer it. Is that clear to you?

19 A That is clear.

20 Q As you know, if you have retained counsel, your
21 counsel may not be present with you in the courtroom. You do
22 have counsel here today, do you not?

23 A I do. Yes, I do.

24 Q And what was his name?

25 A His name is Steve Spivack.

Page 5	Page 7
<p>1 Q S-p-i-v-a-k?</p> <p>2 A I think it's S-p-i-v-a-c-k -- c or k.</p> <p>3 Q All right. We will check that and confirm the</p> <p>4 spelling later.</p> <p>5 You understand that if you feel the need you will</p> <p>6 be given a reasonable opportunity to consult with your</p> <p>7 attorney?</p> <p>8 A Right.</p> <p>9 Q Anything that you or any witness says here in the</p> <p>10 grand jury can be used against you in a subsequent legal</p> <p>11 proceeding. Do you understand that?</p> <p>12 A I do. Yes.</p> <p>13 Q And you understand, of course, that you are under</p> <p>14 oath and you must tell the truth.</p> <p>15 A Sure. Of course.</p> <p>16 Q All right. There are several categories of</p> <p>17 individuals that appear before a grand jury. The first is a</p> <p>18 target. You are not a target. A target is defined as a</p> <p>19 person whom the prosecutor or the grand jury has substantial</p> <p>20 evidence linking him or her to the commission of a crime.</p> <p>21 And, as I said, you are not a target.</p> <p>22 The second category is defined very broadly and it</p> <p>23 is called a subject. A subject is defined in the Department</p> <p>24 of Justice grand jury manual as a person whose conduct is</p> <p>25 within the scope of the grand jury's investigation. You</p>	<p>1 Security Dealers here in Washington, D.C.</p> <p>2 Q All right. And that is a private organization, is</p> <p>3 it not?</p> <p>4 A That's correct.</p> <p>5 Q And what is your title there?</p> <p>6 A I am Executive Vice President for Strategic</p> <p>7 Development.</p> <p>8 Q All right. And, just generally, what do you do as</p> <p>9 Vice President for Strategic Development?</p> <p>10 A I deal with a whole variety of issues, working with</p> <p>11 the chairman of the NASD, about what our business goals are,</p> <p>12 how we plan for those and how we implement those.</p> <p>13 Q All right. And before you worked at NASD or it's</p> <p>14 commonly called NASDAQ, is that correct?</p> <p>15 A Well, NASD, which I work for, is the parent company</p> <p>16 of which NASDAQ is the stock market, which is part of our</p> <p>17 affiliation. Yes. So technically I work for NASD, but we</p> <p>18 are the parent of the NASDAQ stock market.</p> <p>19 Q I see. And prior to working at NASD, you were</p> <p>20 employed at the White House? Is that correct?</p> <p>21 A That's correct.</p> <p>22 Q And what was your position and what were the dates</p> <p>23 of your employment there?</p> <p>24 A My position was officially Assistant to the</p> <p>25 President and Director of Legislative Affairs.</p>
Page 6	Page 8
<p>1 appear here today as a subject and as a witness. Is that</p> <p>2 clear to you?</p> <p>3 A Yes, it is.</p> <p>4 Q All right. Now, the oath of secrecy. The</p> <p>5 attorneys that appear here for the United States,</p> <p>6 Mr. Wisenberg and I, any of my colleagues in the Office</p> <p>7 of the Independent Counsel to whom we may share any</p> <p>8 portion of the transcript of these proceedings are sworn to</p> <p>9 secrecy. Is that clear to you?</p> <p>10 A Sure, it is.</p> <p>11 Q The court reporter, the grand jurors are also sworn</p> <p>12 to secrecy. You, on the other hand, are not sworn to</p> <p>13 secrecy. Is that clear?</p> <p>14 A Yes, it is.</p> <p>15 Q And you understand that you are free to talk to</p> <p>16 any person about the proceedings here today, including the</p> <p>17 questions that we ask you, if you so choose.</p> <p>18 A I do.</p> <p>19 Q However, you are not required to.</p> <p>20 A Okay.</p> <p>21 Q All right. With those introductory remarks, I</p> <p>22 will start asking you some factual questions.</p> <p>23 Can you tell us where are you currently employed,</p> <p>24 sir?</p> <p>25 A Yes. I'm employed at the National Association of</p>	<p>1 Q All right. Can you tell us the dates that you</p> <p>2 worked there in that position?</p> <p>3 A I was employed at the White House for two years,</p> <p>4 from February of 1996 until February of this year, 1998.</p> <p>5 Q All right. And before that, did you hold any other</p> <p>6 position in the Clinton administration?</p> <p>7 A No, I did not.</p> <p>8 Q And where were you employed before you came to work</p> <p>9 at the White House in Legislative Affairs?</p> <p>10 A Well, immediately before as well as for a number of</p> <p>11 years, I worked in the United States Senate as a staff</p> <p>12 member.</p> <p>13 Q And did you work for a committee or for an</p> <p>14 individual?</p> <p>15 A Well, right before I came, I was working for the</p> <p>16 leader of the Senate Democrats, Senator Tom Daschle.</p> <p>17 Q All right. Now, what were your duties in</p> <p>18 Legislative Affairs?</p> <p>19 A I had overall responsibility for trying to effect</p> <p>20 working with Congress the legislative program of the federal</p> <p>21 government.</p> <p>22 Q And how many employees did you supervise?</p> <p>23 A I supervised -- it fluctuates a tiny bit, but</p> <p>24 approximately in this office around 24 people.</p> <p>25 Q Now, did Monica Lewinsky work for you in</p>

Page 9	Page 11
<p>1 Legislative Affairs?</p> <p>2 A Yes. When I began in February of 1996, she was an</p> <p>3 employee at the Office of Legislative Affairs and, in</p> <p>4 particular, the Office of Legislative Correspondence.</p> <p>5 Q And who was her immediate supervisor in the Office</p> <p>6 of Legislative Correspondence?</p> <p>7 A Her immediate supervisor was the Chief of Staff</p> <p>8 of the Office of Legislative Affairs, a man named Tim</p> <p>9 Keating.</p> <p>10 Q Who hired Monica Lewinsky?</p> <p>11 A I couldn't tell you. I assume it was my</p> <p>12 predecessor, but I don't know that for a fact myself.</p> <p>13 Q All right. And your predecessor was?</p> <p>14 A In my position, my predecessor was a man named Pat</p> <p>15 Griffin.</p> <p>16 Q So in February of 1996, when you came on the job,</p> <p>17 Ms. Lewinsky was already employed there?</p> <p>18 A That's correct.</p> <p>19 Q Together with some 20-odd other people?</p> <p>20 A That's correct.</p> <p>21 Q All right. Now, was Monica Lewinsky terminated?</p> <p>22 A Well, there was a personnel action. How much -- I</p> <p>23 mean, I can -- the direct answer is, yes, she was transferred</p> <p>24 out of the Office of Legislative Correspondence when I was</p> <p>25 there. That's correct.</p>	<p>1 All of -- well, I'll just let you go on. I think</p> <p>2 that was the report and the recommendation that came to me.</p> <p>3 Q All right. So would it be accurate to say they</p> <p>4 were fired?</p> <p>5 A Well, when -- yes. I mean, in the sense that they</p> <p>6 were no longer in his recommendation capable of serving in</p> <p>7 their present capacity.</p> <p>8 Q All right. And so both Monica Lewinsky and [REDACTED]</p> <p>9 [REDACTED] were fired.</p> <p>10 A Well, the recommendation he came to me with was the</p> <p>11 following which is he said -- as I said, there were two</p> <p>12 pieces to this, each a little bit different story, but they</p> <p>13 were doing the job insufficiently and both were not really at</p> <p>14 the office doing their work and his recommendation to me,</p> <p>15 which he conveyed to me in a meeting, was that they be</p> <p>16 transferred, I think is the word he used. And so I'm just</p> <p>17 trying to reflect that.</p> <p>18 Q All right. Where was [REDACTED] that she was not at</p> <p>19 her work station?</p> <p>20 A Well, let me just say one thing in general. I had</p> <p>21 virtually no contact with either woman and every action I</p> <p>22 took and every recollection I have here today is based on</p> <p>23 representations that were made to me.</p> <p>24 BY MR. WISENBERG:</p> <p>25 Q By Mr. Keating?</p>
<p>Page 10</p> <p>1 Q Why?</p> <p>2 A I had been there, like I say, since February.</p> <p>3 My first notion that this was coming about was, I think,</p> <p>4 about a month or month and a half after I had been there.</p> <p>5 Mr. Keating, the Chief of Staff, came to me with a</p> <p>6 recommendation, stating that the Office of Legislative</p> <p>7 Correspondence, which had two people assigned to it, one</p> <p>8 was Ms. Lewinsky and the other was a woman named [REDACTED]</p> <p>9 [REDACTED] the two of them were the Office of Legislative</p> <p>10 Correspondence.</p> <p>11 He came to me with a recommendation and a report</p> <p>12 that, as he represented it to me, the office was not</p> <p>13 functioning properly and that both women were doing an</p> <p>14 insufficient job.</p> <p>15 My memory is fuzzy on this, but he had cited</p> <p>16 something like the mail had gotten really messed up with</p> <p>17 regard to something to do with OMB, that the mail was being</p> <p>18 done in a tardy fashion. I'm just paraphrasing, I don't</p> <p>19 remember the exact conversation.</p> <p>20 And he also represented to me at that time</p> <p>21 that both women, although for each it was a different</p> <p>22 representation, were basically not at their office, they</p> <p>23 were otherwise engaged, were not only doing a bad job,</p> <p>24 but I guess related to that were not present much at their</p> <p>25 duty stations, I guess is the way I would put it.</p>	<p>Page 12</p> <p>1 A By Mr. Keating. Yes. And so on anything, I have</p> <p>2 no first, direct-hand knowledge of any of this, so what I'm</p> <p>3 recounting to you are representations that were made to me.</p> <p>4 But the representation that was made to me about [REDACTED]</p> <p>5 was that she had been phoning in sick for a period of time,</p> <p>6 but then there arrived a point where she was simply not there</p> <p>7 and not phoning in sick, was the gist of what was represented</p> <p>8 to me about [REDACTED].</p> <p>9 BY MR. CRANE:</p> <p>10 Q So would it be fair to call that unauthorized sick</p> <p>11 leave or unauthorized leave?</p> <p>12 A I don't remember anyone characterizing it that way.</p> <p>13 Again, the case was represented to me that she was simply not</p> <p>14 at her position doing the job. I don't know how you'd</p> <p>15 categorize that, but that was the representation.</p> <p>16 Q Okay. Well, was she within the White House or the</p> <p>17 Old Executive Office Building or was she simply at home?</p> <p>18 A Again, I don't know. When it was told me, she</p> <p>19 wasn't at her office. I don't remember being told where the</p> <p>20 speculation was that she was, if such was known.</p> <p>21 Q Okay. Did anyone ever tell you [REDACTED] is</p> <p>22 not at her office, but rather in the White House mess,</p> <p>23 something to that effect?</p> <p>24 A No. I don't remember any representation of such</p> <p>25 detail.</p>

1 Q All right. Did you ever hear anything that she was
2 loitering in some portion of the White House or the White
3 House complex?

4 A This is [REDACTED]?

5 Q Ms. [REDACTED]

6 A No. Again, the only representation that I recall
7 was about that she had been taking sick leave but then was
8 just -- I think not showing up at all and I don't know where
9 and it wasn't represented to me what she was doing and so
10 there was no representation that she was doing any particular
11 thing with her time.

12 Q All right. Now, with regard to Monica Lewinsky,
13 what was she doing? What were the reasons she was
14 terminated?

15 A Well, again, in the case of both women, the
16 representation was that they were doing an insufficient
17 job at actually making sure the mail got answered in a
18 timely fashion and it was furthermore represented to me
19 that Ms. Lewinsky, and this is why I said it was a
20 different representation than for [REDACTED], was wandering
21 around.

22 Q Okay. And how would you describe that? What do
23 you mean, wandering around?

24 A Well, it means to me not being there doing her job.
25 And, again, there wasn't any specific -- it included

1 wandering around the White House, is the one thing I
2 remember, but beyond that, I really don't remember any
3 destinations of her wandering, other than that she was
4 wandering around and wandering around the White House.

5 Q Where exactly was her office, the Office of
6 Legislative Correspondence?

7 A The Office of Legislative Correspondence is in the
8 East Wing of the White House. As you look at the Treasury
9 Building, down that hall in the East Wing, it's on the
10 left-hand side.

11 Q All right. What else? Did you find out that she
12 was doing anything else in particular?

13 A I'm sorry, who was that?

14 Q With reference to Monica Lewinsky, was there any
15 other reason for which she was terminated or transferred?

16 A None at all was represented to me. No. The two
17 representations with regard to her, that she was doing an
18 inadequate job at the mail position and that she was away
19 from her duty station or desk or office or whatever you want
20 to call it and was wandering around.

21 Q Did you ever meet Monica Lewinsky?

22 A I never recall actually -- I must have at some
23 point. I never recall an instance of that, but I know I must
24 have because she must have attended some staff meetings in
25 the month and a half or whatever at the beginning. And also

1 I did -- when this stuff broke in the press, after I had seen
2 her picture in the paper, I recognized her face. Yes. So
3 that could only happen if I had met her. I don't have a firm
4 recollection, but I suppose she attended some staff meetings.

5 Q And what about [REDACTED]? Did you ever meet
6 her?

7 A I must have also. And, again, I'd say very similar
8 circumstances. I'm sure she must have attended some staff
9 meetings very early on during that period. Yes.

10 Q And how long a period of time were you there, were
11 you [REDACTED] and Monica Lewinsky's supervisor? How
12 many weeks or months?

13 A Well, from when I came, which was in February,
14 until they left, which as I've read the press accounts now
15 lately, it said something -- my recollection is something in
16 April, I think, is when they left the office.

17 Now, I would have known when that was at the time,
18 so I'm sure it was reported to me when they did leave because
19 the person who took the place in the Office of Legislative
20 Correspondence was my personal administrative assistant who I
21 had inherited from the previous person holding my position.

22 BY MR. WISENBERG:

23 Q Who was that?

24 A That was -- the person?

25 Q Yes.

1 A That was a young man named Chris Walker.

2 MR. WISENBERG: Do you mind if I interrupt?

3 MR. CRANE: No, go ahead.

4 BY MR. WISENBERG:

5 Q You said that Mr. Keating came to you a month or a
6 month and a half after you came on the job.

7 A I think that's correct. I'm guessing.

8 Q In other words, you can't pinpoint it.

9 A No, I can't.

10 Q All right. It could have been a little longer, it
11 could have been a little before then?

12 A Yes, it could have been.

13 Q Okay. Would you have any writings or notes that
14 you took that would -- or a calendar that could pinpoint the
15 date he actually came by and told you about this?

16 A I don't. No. I remember the meeting, though, that
17 he came to my office. My office is in the West Wing of the
18 White House and so it's -- our office, like most, a few
19 people are in the West Wing and most people are other places.

20 But I do remember him coming and in about a
21 two-minute conversation making a verbal report to me of this
22 and I remember what I told him, which is I was new and I
23 said, based on his representation, I said, "Well, take th.
24 to the proper authority in the White House," since I didn't
25 know what that was, and he represented that that would have

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1 been the Deputy Chief of Staff, Ms. Evelyn Lieberman.
 2 BY MR. CRANE:
 3 Q And I believe that you were interviewed by an FBI
 4 agent, actually a retired FBI agent, and then --
 5 A By two.
 6 Q By two agents.
 7 A Yes.
 8 Q Okay. And I believe you may have used the term
 9 "run the traps"?
 10 A That's correct. Yes. And to see the proper
 11 authority because this is not a decision that I in my newness
 12 and not understanding the operations of the White House would
 13 have -- I wouldn't know how to effect it myself, to tell you
 14 the truth.
 15 Q All right. During your time as director -- your
 16 title was Director of Legislative Affairs?
 17 A That's correct.
 18 Q Did you have occasion to terminate or transfer
 19 under unhappy circumstances any other employees?
 20 A No, I don't remember any others that were
 21 transferred under unhappy circumstances -- is that the phrase
 22 you used, unhappy circumstances?
 23 Q Right.
 24 A No. There were a lot of transfers as people
 25 changed jobs but, no, nothing of this type.

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1 Q No other transfers for poor job performance?
 2 A Not that I recall at all.
 3 Q Only Monica Lewinsky and [REDACTED].
 4 A That is correct.
 5 MR. WISENBERG: Can I ask a question?
 6 MR. CRANE: Yes, jump in.
 7 BY MR. WISENBERG:
 8 Q Did you hear -- and this question goes to before,
 9 during and after the transfer of these two employees and if
 10 you need to break it down you can, and I'm not including --
 11 I'm not including press reports since this became a public
 12 issue.
 13 Before, during and after the transfer of Monica
 14 Lewinsky and [REDACTED], what, if any, rumors did you
 15 hear about any relationship between Monica and President
 16 Clinton?
 17 A Now, we're excluding anything that may have come
 18 out in the press since January, correct?
 19 Q Yes.
 20 A None.
 21 Q All right.
 22 A Again, the first I knew about the representation of
 23 inadequate performance was when Tim came to me and there was
 24 no part of that represented it was to do with a relationship
 25 and subsequently to that, there was not.

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1 The first I heard of the relationship, and I
 2 told the agents this, the first I heard of the alleged
 3 relationship or the thought that there was one was at a
 4 going away party which was actually my going away party with
 5 other people this January and I learned of it, though, the
 6 night before, I read about it in the paper the following day.
 7 Q Who did you hear it from?
 8 A I heard that from Mr. Keating.
 9 Q What did he tell you?
 10 A Mr. Keating -- this was a party of our group, our
 11 Legislative Affairs group, like I said, during a going away
 12 party and he came up to me and he represented to me, told me,
 13 that he had been called by the press and then he recounted to
 14 me what he had told the press.
 15 And he told the press that -- well, they, of
 16 course, had told him that there's this allegation, that's the
 17 whole context of all this, but he told me that he told the
 18 press that both Ms. Lewinsky and [REDACTED] had left
 19 basically because of -- you know, the same representation
 20 that he made to me back in, you know, early 1996, and he said
 21 he had told that to the press and that's how I found out
 22 about it. And that was basically it.
 23 BY MR. CRANE:
 24 Q Did you ever have any discussions with Evelyn
 25 Lieberman about the reasons for Monica Lewinsky's

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1 termination?
 2 A Well, with regard to Ms. Lieberman, I knew that
 3 Tim -- that was the person he was going to talk to about this
 4 and he informed me of that and that was the right thing to
 5 do.
 6 I just have talked to -- you know, I imagine, I
 7 don't know think it's must, but I can imagine that I talked
 8 to Evelyn about this knowing Tim was handling it, but I
 9 didn't become involved. In other words, I knew we were both
 10 aware of it. And that was during the period between when Tim
 11 brought this to me and when they ultimately departed. And
 12 then --
 13 Q Okay. Let's focus on that a minute. You had
 14 a meeting with Evelyn Lieberman after Tim Keating came to
 15 you?
 16 A No, I don't recall a specific meeting, but it's
 17 possible. What I'm saying is that I could have talked to her
 18 about this, but this is in the period between Tim bringing it
 19 to me and them departing.
 20 I don't recall a meeting, but I don't want to say
 21 that I didn't because it would have been plausible and
 22 natural that we would have said something to each other in
 23 the hall about it.
 24 MR. WISENBERG: Can I go back for just a second?
 25 MR. CRANE: Yes.

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BY MR. WISENBERG:

1 Q I want to make something clear about this with a
2 global question I asked, which is what, if any, rumors did
3 you hear about any kind of improper relationship between
4 Monica Lewinsky and the President before, during and after
5 her transfer. I want to make it clear to you that I don't
6 mean relationship literally, like the allegations since this
7 has become public that there was a specific kind of
8 relationship.

9 I mean in the broadest sense that she was spending
10 too much time around him, that they were giving each other
11 eyes, that she was just simply near the Oval Office too much.
12 Do you understand I mean it in its broadest sense?

13 A Well, I think the only thing that could fit that is
14 what I've already said, which is the representation that she
15 was walking around the White House.

16 Now, that's how it was represented to me, but there
17 was no representation that that involved a contact with the
18 President.

19 Q Well, she worked in the White House, though.

20 A Sure.

21 Q What would be unusual about her walking around in
22 the White House if she worked there?

23 A She should have been at her desk doing her job, as
24 it was represented to me.

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1 Q It wasn't even as specific as she's in the West
2 Wing? She's in the West Wing too much?

3 A It could have been. I mean, I took it to mean the
4 whole White House. I mean, understand that because our
5 office is separated, one in the East Wing of the White House
6 and one in the West Wing, that there is -- you have to
7 basically pass through the White House, all aspects of the
8 White House, including the West Wing, to go between our
9 offices.

BY MR. CRANE:

10 Q And when you say "our offices," you mean the
11 offices of Legislative Affairs?

12 A Yes. In the West Wing. Yes.

13 Q Okay. So your office is in the West Wing?

14 A Yes, that's correct.

15 Q And Monica's and [REDACTED] is in the East
16 Wing?

17 A That's correct.

BY MR. WISENBERG:

18 Q When you say it could have been, I took it to mean
19 the whole White House, do you mean in other words you don't
20 know exactly what's in Keating's mind, but the way that you
21 interpreted it was she's simply spending too much time
22 wandering around the whole White House as opposed to being at
23 her desk?

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1 A But I would also -- that plus I also believe she
2 was wandering around the West Wing as well.

3 Q All right. You just kind of got that from the
4 representation.

5 A That's correct. Yes. I mean, I don't know how you
6 couldn't be -- a part of that couldn't be wandering around
7 the West Wing, given the logistics of the way the offices
8 were set up.

9 Q Okay. He didn't say to you "She's around the Oval
10 Office too much"?

11 A I do not remember that representation. No.

12 MR. WISENBERG: Okay. I'm sorry. Go ahead.

BY MR. CRANE:

13 Q All right. We were talking generally about your
14 conversations or meetings with Evelyn Lieberman?

15 A Yes.

16 Q About the issue of Monica Lewinsky's termination?

17 A Yes.

18 Q Can you tell us what meetings and what
19 conversations you had with her?

20 A Okay. Well, when I testified to the agents, I told
21 them, and I hope I'm repeating it very closely, I didn't take
22 notes, I have no notes of that conversation, so I'm doing
23 everything out of memory, there was one conversation with
24 Evelyn that -- I'm sorry, there was a meeting with Evelyn

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1 that I did not recall that --

2 Q What do you mean when you say you did not recall?

3 A Okay. When I testified -- I'm sorry, what's the
4 word?

5 Q Interviewed by or spoke --

6 A Okay. When I spoke with the agents, and you know
7 better than I, it's like -- I think it was a month and a half
8 or something ago *

9 MR. WISENBERG: February 11, 1998.

10 THE WITNESS: Okay. When I spoke with them -- so
11 it was longer than I -- okay. When I spoke with them, I told
12 them absolutely everything that I could recollect about that,
13 but in this intervening period, I have learned of the
14 existence of a document that connected in my mind, in my
15 recollection, the fact that -- this is quite a bit later -- I
16 had a meeting, well, not a meeting about this, but a meeting
17 with Evelyn that led to the production of this document.

BY MR. CRANE:

18 Q Okay. How did you learn in the last six weeks or
19 so of the existence of this certain document?

20 A Okay. I received an unsolicited call from the
21 White House Counsel's Office --

BY MR. WISENBERG:

22 Q Who?

23 A It was a woman, it's nobody I knew, and I don't

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Page 25

1 recall her name. The only woman I know there was Cheryl
2 Mills and it was not her.

3 Q If we gave you the name, do you think you might
4 remember it?

5 A If I had a list, I could try to pick it out.

6 Q Could it be Shelly Peterson or Michelle Peterson?

7 A That doesn't ring -- is there somebody with a V in
8 her name or something like that?

9 Q There's a Sally Paxton. Okay. We'll get all the
10 names.

11 A Okay. Yes. I don't know if I can -- I don't
12 recall what it is, but I know it wasn't Cheryl Mills. She's
13 the only person I actually ever -- well, that I know that I
14 met there who was a woman.

15 So this person actually left a message for me, I
16 think on my voice mail, to call me back. And so I -- we
17 traded calls a couple times and then when I finally reached
18 her, she said, "Are you aware of a memo concerning the Office
19 of Legislative Correspondence?" And I said, "No, I am not."

20 And then she read me a brief memo and then upon the
21 reading of it, because of the content, that it was addressed
22 to Evelyn Lieberman and it was signed by a John and given the
23 content, I knew that it was indeed a memo that I had written.

24 BY MR. CRANE:

25 Q Okay. As best you recall, the way it was read to

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1 you by this unnamed person from the White House Counsel's
2 Office, what did that memo state?

3 A All right. That memo said -- it was about the
4 Office of Legislative Correspondence and it said -- it was a
5 brief memo and it said that -- it talked about things that
6 had been done -- get my dates straight -- this memo was
7 written like in the fall of 1996 because this was the period
8 in which Leon Panetta was leaving as the Chief of Staff and a
9 new Chief of Staff was going to be coming in and Evelyn had
10 been asked to be the transition coordinator and so she had
11 met with the heads of all offices, as I understand it, at
12 least she met with me, and asked me to produce a memo about
13 events -- administrative events in the office that had
14 occurred that year and that was the genesis of this
15 memorandum.

16 I am now reconstructing because I could not
17 remember the memo at all and did not -- so, anyway, I'm
18 reconstructing this.

19 So I wrote a memo basically that said the
20 things that were the issues in the Office of Legislative
21 Correspondence, it spoke directly to the issue of [REDACTED]
22 and Ms. Lewinsky, it said basically -- using shorthand, it
23 represented -- I represented the facts of the situation as
24 they were represented to me about their departure; namely,
25 that they weren't doing a good job and that they were, you

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1 know, otherwise engaged, away from their duty station.

2 Q All right. Let me just interrupt a minute.

3 Did the attorney from White House Counsel's Office send you a
4 copy of the memo?

5 A No.

6 Q And have you --

7 A I didn't ask for it and they didn't offer it.

8 Q All right. And was your attorney ever able to get
9 a copy of it for you?

10 A Well, my attorney said that -- well, I'm trying to
11 say this -- I'm not a lawyer, so I'm just trying to say this
12 as precisely as I can, that with the exception of my lawyer,
13 in preparation for this statement to you all, I have not seen
14 it nor have I discussed it with anyone other than it having
15 been read to me by the White House Counsel.

16 BY MR. WISENBERG:

17 Q I think Mr. Crane had said something like --
18 referenced this phone call and said during the last six
19 weeks. I guess if it was between your interview and now, it
20 could actually more than six weeks, since your interview was
21 February 11th?

22 A Yes.

23 Q That's March, April, May.

24 A It could be.

25 Q It could be 14. But what we want to know, one of

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1 the things we want to know is when did you get this call?

2 A All right. The markers that I'm absolutely certain
3 are that because I was not aware of it at the time that I saw
4 the FBI agents and now, those are the only truly definitive
5 things. If I had to guess, I would say -- and this is a
6 guess -- I would put it at between four and six weeks ago,
7 something like that. It was -- I'm just guessing.

8 Q Clearly before you were subpoenaed.

9 A Before I was subpoenaed.

10 Q Okay. And is there anything --

11 A Oh, no. Wait a minute -- yes. I was just
12 subpoenaed, what, last week?

13 MR. WISENBERG: I think so.

14 MR. CRANE: Right. Within the past two weeks.

15 THE WITNESS: Yes. It was before I was subpoenaed.
16 Yes.

17 BY MR. WISENBERG:

18 Q Okay. So you think between four and six weeks.

19 A I think so. Definitely since the FBI thing.

20 MR. WISENBERG: That's all I have.

21 BY MR. CRANE:

22 Q Did you have an attorney -- did you already have
23 your own attorney at the time the White House Counsel's
24 Office called you?

25 A No. I only hired my attorney who I can't quite

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1 spell his name in the last few days, since I got my subpoena.
 2 BY MR. WISENBERG:
 3 Q And when you spoke to the agents, you didn't have a
 4 lawyer present.
 5 A That's correct. But I just in response, I think I
 6 tried to the best of my ability to tell -- I told them
 7 everything that I knew at that time and the only new piece of
 8 information that I did not recall was the existence of this
 9 memorandum. So I think they should parallel each other.
 10 BY MR. CRANE:
 11 Q Was Monica Lewinsky and [REDACTED]
 12 termination a significant event in Legislative Affairs?
 13 A Well, I'm sure it was significant for them. In
 14 this area, again, I mean, I didn't know the young women, I
 15 have no judgmental basis about what kind of people they are.
 16 All I was was acting on a representation that was made to me
 17 by the person in the office who was delegated with such
 18 responsibility. And so when Tim Keating came to me with a
 19 recommendation --
 20 Q Okay. My question is --
 21 A I mean, I don't want this to sound callous, but,
 22 you know, it was a personnel decision that the person in
 23 charge of them and should have known the facts of the case
 24 made to me and as someone several layers removed from their
 25 oversight, I simply made that and it was about a two-minute

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1 involvement. But I'm sure it was a significant thing for the
 2 young women concerned.
 3 MR. WISENBERG: Pardon me for interrupting. I want
 4 to ask a technical question. I think this qualifies as
 5 technical.
 6 BY MR. WISENBERG:
 7 Q Have you actually seen a physical copy of this memo
 8 that you had forgotten about?
 9 A Well, again, I mean, you might want to talk to my
 10 attorney, but I have not seen it or discussed it with anyone
 11 with the possible exception of my attorney. The memo to
 12 Evelyn.
 13 Q I'm not interested in your discussions with your
 14 attorney, but just whether or not you have seen it.
 15 A Well, I must have seen it when I wrote it.
 16 Q Right. Good point.
 17 A Yes. Although to this day I do not remember
 18 actually composing it, although I know it's mine by the
 19 nature of the contents.
 20 Q Have you seen it since you've been informed by the
 21 White House about it?
 22 A Not by the White House. And that would have only
 23 been possible with my attorney and maybe you -- I mean, I'm
 24 not a lawyer and he said this is -- you know --
 25 Q Attorney-client.

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1 A Yes.
 2 Q But I was just asking not what you discussed with
 3 him, but whether or not you personally have laid your eyes
 4 that memo since you composed it, and you don't even remember
 5 that.
 6 A You mean other than with my attorney?
 7 MR. CRANE: No. We may have an attorney-client
 8 issue here. If you have seen something, we are entitled to
 9 ask you have you seen this document, have you seen these red
 10 stickers.
 11 We are not asking you about the substance of your
 12 private conversations with your attorney, which are
 13 considered to be attorney-client.
 14 THE WITNESS: Okay.
 15 MR. CRANE: But what Mr. Wisenberg is asking you is
 16 have you seen this memo.
 17 THE WITNESS: Okay. I want to be completely
 18 cooperative and open with you, okay? And not being a lawyer,
 19 he has sort of told me one thing, you're telling me another
 20 and so --
 21 MR. WISENBERG: Would you like to go and speak with
 22 him?
 23 THE WITNESS: Why don't you all?
 24 MR. WISENBERG: We can do that. Why don't we take
 25 a very brief break.

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1 THE FOREPERSON: Sure.
 2 THE WITNESS: Because I just don't know how to
 3 respond, given I've gotten sort of two different things and I
 4 have no clue.
 5 MR. WISENBERG: I've never heard of two lawyers
 6 disagreeing about anything.
 7 (Laughter.)
 8 MR. WISENBERG: May the witness be briefly excused?
 9 THE FOREPERSON: Absolutely.
 10 THE WITNESS: Thank you.
 11 THE FOREPERSON: You're welcome.
 12 (Witness excused. Witness recalled.)
 13 MR. WISENBERG: Let the record reflect that the
 14 witness has reentered the grand jury room.
 15 Madam Foreperson, we have a quorum, do we not?
 16 THE FOREPERSON: Yes, we do.
 17 MR. WISENBERG: Any unauthorized persons present in
 18 the grand jury room?
 19 THE FOREPERSON: No, sir. There are not.
 20 Mr. Hilley, you are still under oath.
 21 THE WITNESS: Thank you.
 22 BY MR. CRANE:
 23 Q Okay. Mr. Hilley, before we took a break,
 24 Mr. Wisenberg and I had asked you have you seen a copy of
 25 that memo that you wrote some time back in 1996 or

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<p>1 thereabouts.</p> <p>2 A Yes. My lawyer showed it to me. Other than</p> <p>3 writing it, that's the only time I saw it.</p> <p>4 Q All right. And that was in the last few weeks,</p> <p>5 I take it, or within the last few days?</p> <p>6 A Few days.</p> <p>7 Q Because you've only recently had an attorney?</p> <p>8 A Yes.</p> <p>9 MR. CRANE: Okay. Let me show you what I'm</p> <p>10 labelling as Grand Jury Exhibit JLH-1 and see if you can take</p> <p>11 a look at it.</p> <p>12 (Grand Jury Exhibit No. JLH-1 was</p> <p>13 marked for identification.)</p> <p>14 BY MR. CRANE:</p> <p>15 Q Have you had enough time?</p> <p>16 A Yes.</p> <p>17 Q Is that the memo that you wrote back in October --</p> <p>18 is it October of 1996?</p> <p>19 A It says October 16, 1996.</p> <p>20 Q Okay. And that is the memo that you in fact wrote?</p> <p>21 A Well, again, I just want to stress, obviously I</p> <p>22 would have told the agents about it if I had remembered at</p> <p>23 the time. I still to this day do not remember composing this</p> <p>24 memo, but judged by the content and it's to Evelyn and it's</p> <p>25 my signature and the way it's constructed, it is mine. Yes.</p>	<p>1 description of [REDACTED] and Monica Lewinsky's</p> <p>2 activities?</p> <p>3 A I cannot recall him using that term. I don't</p> <p>4 remember exactly what the terms were. I do remember the two</p> <p>5 substantive parts of that, which is, again, they were not</p> <p>6 doing the job and that they were -- I've paraphrased this</p> <p>7 many ways, were otherwise engaged or -- again, not</p> <p>8 remembering writing this exact phrase, I know what I would</p> <p>9 mean by it, given the representations from Mr. Keating, which</p> <p>10 is that they were away from their station and not doing their</p> <p>11 job. But I can't say that I remember him using that phrase</p> <p>12 with me.</p> <p>13 Q Do you remember any other person using that phrase?</p> <p>14 A No, I don't.</p> <p>15 Q Do you know of any other meaning for that phrase as</p> <p>16 it might commonly be used?</p> <p>17 A Well, all phrases have -- yes. I mean, I was a</p> <p>18 professor, it means -- it can have positive or negative</p> <p>19 connotations. In this case, it is a negative connotation</p> <p>20 because of being absent from their work station. But it</p> <p>21 could be positive or negative, but I clearly meant it here in</p> <p>22 the negative connotation. And, again, I'm using shorthand</p> <p>23 here because Evelyn, Ms. Lieberman, as I understood it,</p> <p>24 understood the facts as they were represented in this</p> <p>25 situation.</p>
<p>Page 34</p> <p>1 Q Okay. It is your signature there at the bottom?</p> <p>2 A Yes, it is.</p> <p>3 Q It says only John.</p> <p>4 A That's me.</p> <p>5 Q All right. And you wrote this memo to Evelyn</p> <p>6 Lieberman.</p> <p>7 A That's correct.</p> <p>8 Q All right. Now, directing your attention to the</p> <p>9 second full paragraph --</p> <p>10 A Right.</p> <p>11 Q What does that term "extracurricular activities"</p> <p>12 mean?</p> <p>13 A What that means is -- now, I don't -- again,</p> <p>14 because I don't recall composing this, I can't explain why I</p> <p>15 chose the particular phrasing, I don't remember choosing this</p> <p>16 particular phrasing, but what the content of this conveys is</p> <p>17 what I believed then and still believe to this day is an</p> <p>18 accurate depiction of the facts as they were represented to</p> <p>19 me by Mr. Keating about the reason for the transfer of both</p> <p>20 women, [REDACTED] and Ms. Lewinsky.</p> <p>21 Q All right. Let me just focus in on that.</p> <p>22 A Sure.</p> <p>23 Q Would it be consistent with your recollection,</p> <p>24 then, that Mr. Keating used the term "extracurricular</p> <p>25 activities" and that you repeated it as you had repeated his</p>	<p>Page 36</p> <p>1 Q All right. And looking at the top of your memo, it</p> <p>2 says "Thanks for meeting yesterday."</p> <p>3 A Right.</p> <p>4 Q And the memo, Grand Jury Exhibit No. 1 that I've</p> <p>5 handed you is dated October 15th.</p> <p>6 A Right.</p> <p>7 MR. WISENBERG: JLH-1.</p> <p>8 MR. CRANE: JLH-1.</p> <p>9 BY MR. CRANE:</p> <p>10 Q Would it be a fair assumption that you must have</p> <p>11 had a meeting with Evelyn Lieberman on or about October 15th.</p> <p>12 A That's correct.</p> <p>13 Q Okay. The previous day.</p> <p>14 A That's what this implies. Sure.</p> <p>15 Q All right. And so did she use on the meeting on</p> <p>16 October 15th, did Ms. Lieberman use the term "extracurricular</p> <p>17 activities"?</p> <p>18 A Again, I don't recall her doing that and, to tell</p> <p>19 you the truth, I don't recall us even discussing the issue of</p> <p>20 Ms. Lewinsky and [REDACTED]</p> <p>21 Q All right.</p> <p>22 A But what this also implies was she asked me to go</p> <p>23 do a brief memo about things related to the Office of</p> <p>24 Legislative Correspondence.</p> <p>25 Q Okay. And she in turn apparently was going to</p>

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1 write her own memo from what you say in here, and I'm
2 referring to the second sentence that says, "I wanted to
3 follow up on a few points as you put your memo together."

4 A Mm-hmm. Right.

5 Q Now, why was Evelyn Lieberman writing a memo in
6 which Monica Lewinsky's extracurricular activities were an
7 issue?

8 A Well, I don't know -- I never saw whatever memo she
9 may have composed, but, again, as I tried to indicate, let me
10 go back to it, this was the period at which Leon Panetta was
11 leaving and a new Chief of Staff was to be hired and Evelyn
12 had been appointed the transition director for that. And so
13 she had been tasked, I think, to sort of get ready and give
14 information to whoever the new Chief of Staff would be about
15 this.

16 And so I think that was the context, was her
17 transition part, but I don't remember discussing this
18 specifically in the meeting. And I don't know what she wrote
19 to who, to tell you the truth.

20 Q All right. Do you believe -- in particular,
21 referring to the second bullet that refers to the
22 extracurricular activities, do you believe you put that in
23 there simply on your own or you wrote that paragraph, bullet
24 number 2, in response to Evelyn Lieberman's request that you
25 need to summarize or memorialize Monica Lewinsky's

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1 termination for the potential incoming Chief of Staff?

2 A I don't remember her prompting me to do anything
3 specific in this memo. Like I say, I don't remember
4 composing the memo, so it's very hard for me to reconstruct
5 this. I don't have any recollection of her trying to guide
6 me about anything in this, but clearly what it's related to
7 is there are several aspects, actually, three major aspects
8 to the memo. There was another memo that was part of this,
9 you know --

10 Q That you refer to in the second bullet where it
11 says "I have also enclosed a brief memo on our correspondence
12 operation"?

13 A That's right. Well, as well as the division of
14 responsibility, and then it refers to that we also had
15 problems with the NSC, which is the National Security
16 Council, and White House Correspondence, which is a different
17 office than the legislative correspondence.

18 So, actually, I think there's four points in this
19 memo that were made about the Office of Legislative
20 Correspondence, one of which was about specifically
21 and Ms. Lewinsky.

22 Q Okay. Is this accurate, that Ms. Lieberman as the
23 transition coordinator for the new Chief of Staff who would
24 replace Leon Panetta was going to use your memo to brief or
25 to get the new Chief of Staff up to speed?

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1 A That was my assumption, but I -- that is just an
2 assumption. I don't think she ever told me who was going to
3 see it, in what form. None of it was ever shared with me.

4 This fell from my memory immediately and I don't know what
5 became of any of this.

6 Q All right. And you refer in the second bullet to
7 the NSC and White House Correspondence.

8 A Right.

9 Q NSC is --

10 A National Security Council.

11 Q All right.

12 A They have a correspondence operation, as does the
13 White House. There are several correspondence offices in the
14 White House.

15 Q And did you also supervise those?

16 A No, I did not. Although just to give you the
17 explanation, we handled congressional mail, principally, and
18 so if there were a letter, for instance, from a congressman
19 about a national security matter, that would be routed to the
20 NSC to formulate the letter and then be routed back through
21 us. So it was a coordinated effort, but I did not supervise
22 them.

23 Q Okay. At the end of your memo, it says,
24 "I appreciate your help. I will take the steps you
25 suggested and then follow up with both you and Leon."

Page

1 A Mm-hmm.

2 Q What were the steps that she suggested? She,
3 Evelyn Lieberman.

4 A This was about -- each of us as we came in were
5 being asked, okay, what kind of job have you been doing, what
6 did your office accomplish this year, what are your sort of
7 goals and how do you think your office could be more
8 efficient. So it was basically getting to know what our work
9 was and what we had done.

10 And then so I was seeking her guidance on how I
11 should proceed about my responsibilities and the performance
12 of my office as, you know, we went through this transition
13 phase and the new Chief of Staff was coming in. So it was
14 preparing -- getting her help in preparing for the transition
15 as I confronted a new boss.

16 Q All right. And my question to you is how is Monica
17 Lewinsky's termination relevant to the job the new Chief of
18 Staff was going to do?

19 A Well, again, I don't remember exactly what Evelyn
20 asked me to do, but by the content of this memorandum, she
21 must have asked me to write a memo about issues with regard
22 to the Office of Legislative Correspondence. And, like
23 said, I mean, there are about four parts to this, so I don't
24 recall -- you'd have to ask her, to be honest with you --

25 Q Let me just interrupt, if I can. It seems to me

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1 that the transfer or unhappy termination, termination or
2 unhappy transfer of Monica Lewinsky and [REDACTED] was
3 probably irrelevant to the Chief of Staff of the President of
4 the United States. Is that a fair assumption?

5 A I can't judge that. I know that when a person who
6 is my boss, the Deputy Chief of Staff, asks me just to write
7 a memo -- and, again, I'm reconstructing this because I don't
8 remember writing it, asks me to write a memo about the Office
9 of Legislative Affairs and the issues we face that year, I
10 don't say, "What are you going to use it for and who is this
11 relevant for?" Et cetera, like that. That is not something
12 I did at the time.

13 I simply responded to her request without being
14 judgmental about what she wanted it for. And I'm just
15 assuming that it had to do with the transition, but, again,
16 I'd urge you to ask her.

17 MR. CRANE: Okay. Mr. Wisenberg, do you have some
18 questions?

19 MR. WISENBERG: Oh, yes.

20 BY MR. WISENBERG:

21 Q "I have also enclosed a brief memo on our
22 correspondence section. It was in bad shape when I came in."
23 Let's stop there for a second. "It was in bad shape when I
24 came in." I don't mean to be rude, but it almost sounds like
25 a classic CYA, you know, it was already in bad shape, I

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1 inherited a bad situation. Had Ms. Lieberman expressed her
2 dissatisfaction to you with the correspondence section in
3 this meeting that you had the previous day?

4 A I don't recall her having done that, but what
5 this -- the bad shape, again, this is all reconstruction and
6 it's just guessing by the content of the memo, but I believe
7 what it must have referred to was that shortly after I came
8 in I did receive this representation from Mr. Keating that
9 the Office of Legislative Correspondence was in bad shape and
10 not performing appropriately and that was the basis upon
11 which he came to me with the representation and I told him to
12 run the traps and talk to Evelyn.

13 He represented he was going to do that and so I
14 think that is the context of how the office was --

15 Q I'm not disagreeing with you that it was in bad
16 shape, I'm just saying the fact that you would use the words
17 "it was in bad shape when I came in" is what led me to ask
18 you had she complained to you about the state of
19 correspondence.

20 A In this meeting?

21 Q Yes.

22 A Not that I recall. No.

23 Q All right.

24 A In fact, I don't remember us talking about in this
25 meeting the Office of Legislative Correspondence, but it must

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1 be the fact that she asked me for a letter about it, or I
2 wouldn't have produced it.

3 Q Let me ask you this. Your next line is, "We got
4 rid of Monica and Jocie, not only because of 'extracurricular
5 activities' but because they couldn't do the job."

6 A Right.

7 Q It almost seems like -- you know, your first reason
8 here is extracurricular activities. Not only did we get rid
9 of them because of extracurricular activities, but by the
10 way, they couldn't do the job. They couldn't do the job, it
11 seems like it's the secondary reason for getting rid of
12 Monica and Jocie. Is that accurate?

13 A Well, again, because I don't remember writing the
14 memo and the exact use of words, but to this day, it seems
15 to me that -- you know, that it talks about both women not
16 doing the job and both, they, engaged in extracurricular
17 activities.

18 And I believe that although this is a shorthand
19 way, it is consistent with and accurate to the representation
20 that Mr. Keating made to me about the situation there, namely
21 that there was an insufficient job being done in the mail and
22 each for a different reason neither was really at their
23 station and were otherwise engaged.

24 Q So based on what Mr. Keating told you and based on
25 the wording here and based on your memory, was the primary

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1 reason their extracurricular activities, whatever they might
2 be, was the primary reason they were kicked out their
3 "extracurricular activities" and the secondary reason that
4 they weren't doing the job to the optimum level?

5 A All I can say to you is that when Mr. Keating came
6 to me with his recommendation, he presented them as two facts
7 without -- I don't ever remember him saying one's important,
8 one's not. He brought it to me as a related package and even
9 now it seems to me they are related, namely, that they
10 weren't doing their job and they were away from their
11 station. That is what he represented to me and that's what
12 this conveys.

13 Q Were the extracurricular activities, whatever they
14 may be, whatever they were, were the extracurricular
15 activities well known within Office of Legislative Affairs?

16 A I don't know. I mean, I was the new guy who had
17 just come in, I had no firsthand experience with either of
18 these women. This was the representation that was made to me
19 and so I don't know what others' feelings were about it
20 because I was not close to the situation at all.

21 Q Because the reason I ask, one of the reasons that I
22 ask is you don't even define extracurricular activities. You
23 had a meeting with Evelyn Lieberman and you say we got rid of
24 them not only because of extracurricular activities, but they
25 couldn't do the job.

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<p>1 A Yes. Well, again, it refers to both women and, 2 again, I have no recollection of why I would use a particular 3 phrase, but as I testified to the FBI agents, you know, and 4 to you today, I spoke to them, or whatever the right word is, 5 that it is -- what I meant was to recount for a situation 6 that Evelyn was already aware of exactly the representation 7 as I remembered it that Mr. Keating had made to me. 8 BY MR. CRANE: 9 Q So is it possible that that term, extracurricular 10 activities, came from either Evelyn Lieberman or Mr. Tim 11 Keating? 12 A I don't recall them ever using that term, no. I 13 don't. I don't recall me choosing that term either. 14 Q Any reason why you would have put it in quotation 15 marks? 16 A Well, it was a shorthand way of indicating 17 something that Evelyn was already aware of. She and Tim had 18 dealt with this situation and, like I said, I had about a 19 two-minute encounter with this situation, namely, approving 20 his recommendation to go further upstairs. 21 Q All right. So is it fair to say that Evelyn 22 Lieberman knows what you mean when you say "extracurricular 23 activities"? 24 A I can't read her mind, but I know that she -- at 25 least it was represented to me and I believe it to be the</p>	<p>1 BY MR. CRANE: 2 Q Mr. Hilley, have you ever heard the term 3 extracurricular activities to be used in reference to maybe 4 some sexual activity? 5 A As a generic proposition or as relating to this? 6 Q My question is just have you ever heard that. I 7 won't say generically or -- 8 A I don't remember -- I mean, I can imagine it being 9 used that way, yes. I don't have a recollection of a person 10 using it that way specifically. 11 Q With reference to Monica Lewinsky. 12 A Oh, no. Not at all. 13 Q But does it make sense to you when a man, for 14 example, says that a young lady is engaged in 15 "extracurricular activities" that that may have some sort of 16 sexual innuendo in there? 17 A Extramarital -- 18 Q I didn't mean to say extramarital, I meant sexual. 19 A No, I know. No. I'm just saying -- I'm just going 20 through words that would convey the concept that you have. I 21 don't know, since I don't remember writing this, why I used a 22 particular term. 23 Q Okay. Let me just ask my question again. 24 A Sure. 25 Q When a man uses the term, a man says to you that a</p>
<p>1 case, that she knew the facts of this as it was represented 2 to me, so I think that she would know what they are. 3 MR. WISENBERG: It's break time. 4 MR. CRANE: Break time? 5 MR. WISENBERG: It's break time. 6 How long? 7 THE FOREPERSON: Fifteen minutes. 8 MR. WISENBERG: Okay. 9 MR. CRANE: All right. 10 MR. WISENBERG: We're going to take a 15-minute 11 break and I will come and get you when we have a quorum at 12 about 3:00. 13 THE WITNESS: Okay. 14 MR. WISENBERG: May the witness be excused? 15 THE FOREPERSON: Yes, he may. 16 (Witness excused. Witness recalled.) 17 MR. WISENBERG: Let the record reflect the witness 18 has reentered the grand jury room. 19 Madam Foreperson, do we have a quorum? 20 THE FOREPERSON: Yes, we do. 21 MR. WISENBERG: Are there any unauthorized persons 22 present? 23 THE FOREPERSON: No, there aren't. 24 Mr. Hilley, you are still under oath. 25 THE WITNESS: Thank you.</p>	<p>1 young lady is involved in "extracurricular activities" does 2 that suggest to you any sexual connotation? 3 A No. Not really. 4 BY MR. WISENBERG: 5 Q Did you intend for it to have -- 6 A JUROR: What does it suggest? 7 THE WITNESS: In regard to this memorandum, I think 8 it's very clear, again, I don't remember writing this so I 9 can't say -- but what I probably meant, I certainly meant, it 10 seems to me, was to convey that what had been represented to 11 me, that they -- I mean, this says they, Monica and Jocie, 12 it's they, they couldn't do the job. Monica and Jocie both 13 had extracurricular activities. 14 And so clearly there in this context what I'm 15 referring to is what I believe the representation was made to 16 me by Mr. Keating, which is that they were away from their 17 duty stations, they were otherwise engaged, it was about 18 they, the both of them. 19 And so, no, I would not single out this to mean 20 anything other than that because it's about both of them and 21 that's the report that was given to me by Mr. Keating. 22 BY MR. CRANE: 23 Q Okay. Let me just ask you a question. If the 24 allegation was that they were simply away from their duty 25 station, why didn't you just say Monica Lewinsky and [REDACTED]</p>

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1 [REDACTED] are away from their duty stations period?
 2 A Again, I don't remember why I used the particular
 3 term, but this is a shorthand for a matter that Evelyn
 4 already, I believed and do believe, knew the facts of --

5 BY MR. WISENBERG:

6 Q Indubitably, you say?

7 A I do believe.

8 Q You do believe --

9 A I do believe knew the facts of. And so,
 10 again, this is something that was based purely on a
 11 representation -- and let me just try to go to the
 12 bottom line, which is I never observed -- as I testified
 13 to the FBI agent, I never observed and it was never
 14 represented to me by anyone, Mr. Keating or anyone, that
 15 either young lady was involved in any relationship of the
 16 type that has since been reported in the press.

17 So I did not use this term in any other way than
 18 the representation that Mr. Keating has made to me, which I
 19 have tried to be clear about.

20 Q You did not intend it to have any sexual context.

21 A I did not intend it to have sexual context. I was
 22 completely unaware, as I have stated to the FBI and you, the
 23 first hint that I had that there was an allegation of
 24 sexuality to do with anything was the night before it became
 25 public in that conversation with Mr. Keating, reporting on a

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1 conversation he had had with the press. I was as surprised
 2 as anyone on this earth.

3 BY MR. CRANE:

4 Q All right. Did you tell the FBI agents that Monica
 5 Lewinsky and [REDACTED] were involved in loitering or
 6 extracurricular activities or being away from their duty
 7 stations?

8 A I probably used, as I have here today, a variety of
 9 characterizations to convey the same content as it was
 10 represented to me, two components: they were doing an
 11 insufficient job and they were not at their offices doing the
 12 job and they were away otherwise engaged. And the most
 13 detail I have for you on that, as I've tried to say, but I'll
 14 say it again, is in the case of Ms. Lewinsky, it was
 15 represented to me that she was wandering around and in the
 16 case of [REDACTED] it was represented to me that she had been
 17 phoning in sick but now was completely missing without
 18 phoning in sick.

19 Q Okay. Are you confident that you relayed that
 20 information to the FBI when they interviewed you back in
 21 February?

22 A I don't know. Again, I didn't take notes or
 23 anything, but I tried to, both then and now, to completely
 24 convey the full extent of my knowledge about this. Maybe I'm
 25 not clear about your question, what it means.

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1 BY MR. WISENBERG:

2 Q Did you tell the FBI about the second part of what
 3 Mr. Keating told you, not just that they weren't doing a good
 4 job, not just that Monica Lewinsky wasn't doing a good job,
 5 but that Monica Lewinsky was wandering around the White
 6 House?

7 A I think I did. Yes.

8 Q So when you heard about the memo four to six weeks
 9 ago from the White House Counsel's Office, I think you
 10 testified earlier that it triggered a memory of your meeting
 11 with Evelyn Lieberman.

12 A Right.

13 Q But it didn't trigger a newer or better memory of
 14 what Mr. Keating told you.

15 A No.

16 Q Okay. No, it did not trigger --

17 A No. No. I tried to convey the content, the
 18 completely identical content to both you here today and the
 19 FBI people that I spoke to.

20 Q In other words, it's not -- I want to just make it
 21 clear for the record because we have a double negative here.
 22 You are saying that, no, the memo did not convey an extra
 23 memory or a new memory with respect to Mr. Keating because
 24 you had previously remembered that and reported it to the
 25 FBI.

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1 A The best of my recollection is that Mr. Keating,
 2 and I represented to the FBI, that he had come to me with
 3 this report and that it had been both aspects of that with
 4 regard to both women, with slightly different circumstances
 5 as I explained.

6 Q When the memo was read to you by somebody at the
 7 White House Counsel's Office, you didn't all of a sudden hit
 8 your head and say --

9 A No, I didn't.

10 Q "Oh, that's right, Mr. Keating also had told me
 11 this business about her being away from the West Wing."

12 A No. No. When I -- well, I was very surprised,
 13 you know, obviously, by this because I didn't recollect it.
 14 And, in fact, when I got my first voice mail from this
 15 person, I returned a voice mail that said if I've made a
 16 mistake on my exit form, please leave a message so that I
 17 can correct that.

18 That's what I thought the content of what was --
 19 you know, that's what I thought the call was about and I
 20 left a voice mail to that. And then I got a call that asked
 21 me, as I've already said, did I remember this memo and I did
 22 not.

23 BY MR. CRANE:

24 Q How many times did you trade phone calls with the
 25 person from White House Counsel?

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1 A I can't recall. Maybe two -- two times. I left a
2 voice mail.

3 Q Did you save any of them?

4 A I don't know. I don't save my voice mails, but, I
5 mean, that could be checked.

6 Q Did you save any documents that would have the name
7 of the person who called you?

8 A No.

9 Q An e-mail, a phone slip?

10 A No. No.

11 Q Nothing like that?

12 A Not that I know of. No.

13 Q You have no way of knowing what that person's name
14 was?

15 A I don't recall it. I mean, I'd be glad to check
16 and try to find out.

17 MR. WISENBERG: If you have any kind of document or
18 information that could pinpoint either the name of this
19 person or when you got the call, please don't do anything to
20 erase that, because I think we're going to -- we'll give you
21 a subpoena on that because we'd like to pinpoint as clearly
22 as we can when you got the call.

23 THE WITNESS: Okay. And you can't ask them that?

24 MR. WISENBERG: Pardon?

25 THE WITNESS: You can't ask them that?

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1 MR. WISENBERG: Yes, actually, I can, but we'd also
2 like to know if we can get it from you.

3 THE WITNESS: Okay.

4 BY MR. CRANE:

5 Q To follow up on this, do you know why this person
6 from the White House Counsel would call and tell you this,
7 just out of the blue, someone you had never talked to?

8 A I have absolutely no clue. It was completely
9 unsolicited and, like I said, when I got the message to call
10 back, I left a message that said tell me if I made a mistake
11 on my exit forms.

12 BY MR. WISENBERG:

13 Q Did they say they had just found this document?

14 A No, I don't remember that at all. They just said
15 are you aware of a document and I said no. And then they
16 read it to me and by the content I realized that it was a
17 document that I had written but had not recalled and to this
18 day don't recall writing.

19 Q Did they ask you anything beyond that? I mean, did
20 they offer -- you said you didn't get it from them. Did they
21 offer any advice?

22 A Not at all. I have not talked to the White House
23 Counsel about anything to do with this stuff and have sought
24 nor received their advice.

25 A JUROR: We do have some questions which we would

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1 like to ask in regards to the number of days [REDACTED]
2 was absent.

3 BY MR. WISENBERG:

4 Q Actually, I had a question about -- My first
5 question is do you know whether or not your department or
6 the Office of Legislative Affairs would have the backup
7 documentation as to the number of days she was absent?
8 [REDACTED]

9 A I don't know, but someone in administration
10 probably should know.

11 Q Do you know why Monica Lewinsky when she got
12 transferred out basically got a promotion, number one --
13 let's ask that question first. She's being transferred out
14 because she screwed up, if you'll pardon the vernacular, and
15 yet she gets what's clearly a promotion, a nice posh job at
16 the Pentagon. Do you know why?

17 A Well, I was not involved in that process and,
18 again, to my recollection, I don't think I knew where either
19 young woman had ended up before this became public. I think
20 that's the case.

21 Again, I was involved with approximately a
22 two-minute conversation with Mr. Keating where he made the
23 representations as I've recalled them here to you today.
24 And, on that basis, I told him to take it to a person of
25 higher authority in the White House.

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1 After that point, it was out of my hands in terms
2 of the disposition of what became of the two young women in
3 terms of where they ended up.

4 A JUROR: May I ask, as you look back on all of
5 this now, would you say that there is a possibility that
6 you've been used in preparing this kind of a document so that
7 your superiors could act?

8 THE WITNESS: Well, this document was prepared in
9 October of 1996 and the decision that was ultimately made was
10 in April of 1996, so this was written after that action had
11 been taken. Maybe I'm misunderstanding you.

12 No representation was ever made to me of that, sir,
13 that this had any purpose other than -- it must have been for
14 me as part of the transition to have responded to a directive
15 from Ms. Lieberman to write a memo about any changes that had
16 occurred in the Office of Legislative Correspondence.

17 A JUROR: Were you and your superiors perhaps
18 documenting your actions, to prove your actions, to be able
19 to prove your actions so --

20 THE WITNESS: When she was -- you mean transferred
21 out of the White House?

22 A JUROR: That's right.

23 THE WITNESS: Yes, I imagine that's the case.

24 A JUROR: Not just her, but also [REDACTED]
25 being transferred?

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1 THE WITNESS: Sure. I bet that's the case. But I
2 handled none of the oversight or the responsibility or the
3 paperwork for anything to do with that. That was completely
4 delegated.

5 A JUROR: Are you the person who is next in command
6 after Mr. Keating?

7 THE WITNESS: No, there are several levels of
8 hierarchy.

9 A JUROR: Why did you assume the responsibility
10 since there were several layers in between you?

11 THE WITNESS: For which?

12 A JUROR: For writing up Monica Lewinsky and
13 [REDACTED]? Why did you take that responsibility --

14 THE WITNESS: Because my chief of staff --

15 A JUROR: -- when it should have gone to the
16 supervisor of Mr. Keating?

17 THE WITNESS: Well, because, again, I don't
18 remember the meeting or the exact instructions, but it must
19 be that I was told to do it by Ms. Lieberman.

20 A JUROR: Sir, what do you mean, you were told to
21 do it? It would seem to me as though you realized that you
22 had inadequate information to proceed on, that you would have
23 said to Ms. Lieberman, well, I don't have exact information
24 about [REDACTED] and I don't have exact information about
25 Monica Lewinsky, so let me go back to the people who have the

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1 real responsibility --

2 THE WITNESS: But she was the one who had the
3 information. She had worked with Mr. Keating on it and not
4 myself.

5 BY MR. WISENBERG:

6 Q I think we're talking about two different things.
7 I think the question from the gentleman, from the grand
8 juror, was not about -- this last question was not about the
9 memo in October, but at the time of the transfer, when Mr.
10 Keating, who is your inferior, correct?

11 A Yes.

12 Q Comes to you and says this, why don't you check it
13 out to make sure it's valid?

14 A JUROR: Yes.

15 THE WITNESS: Well, I have to say it was his
16 responsibility, personnel and administration were completely
17 delegated to him. And then I really felt I was doing the
18 right thing which was when he came to me with this report and
19 me having been there just new and not understanding how it
20 worked, I said go take this to a person of higher authority
21 who is in the operations side to do this, which he
22 represented would be Ms. Lieberman.

23 So I felt that I was accepting a recommendation
24 from a person who worked for me who knew the facts -- well,
25 at least as he represented them to me -- of the situation and

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1 then I told him that I -- I did not make a decision myself,
2 other than to make sure that it was considered by a person in
3 higher authority.

4 A JUROR: Wouldn't you think of yourself, then, as
5 being a puppet in this affair?

6 THE WITNESS: I think I was passing it along in the
7 chain of command appropriately, sir.

8 BY MR. CRANE:

9 Q Okay. Sir, you didn't take it upon yourself to
10 interview Monica Lewinsky?

11 A I did not.

12 Q And you didn't check in to see is there some way we
13 can improve Monica Lewinsky's performance.

14 A I did not. And I have to say that I -- except when
15 it would be my personal assistant, I would not become
16 involved in any of the interviewing or with the people at the
17 sort of non-professional, more clerical level.

18 I was not involved in their selection, interviewing
19 or any of that kind of process, so I was not involved in
20 personnel at that level, sir. The only people that I would
21 be personally --

22 A JUROR: I'm talking about an immediate superior
23 or person reviewing all of these people who are below you --

24 THE WITNESS: I didn't review them. That's right.
25 And I never did.

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1 A JUROR: You participated in a process, you
2 assumed a first-line responsibility, did you not?

3 THE WITNESS: In regard to?

4 A JUROR: You assumed a first-line level of
5 supervision in writing this kind of a memo.

6 THE WITNESS: No. What I would say that memo is is
7 that was my recounting to the person who had participated in
8 it directly on the operations side a brief recounting of the
9 situation. And so in my job, all junior personnel decisions
10 were completely delegated. It wasn't just Ms. Lewinsky and
11 [REDACTED] that I did not participate in.

12 I would not -- you know, when someone like a deputy
13 assistant to the President hires their secretary, that's
14 something that is up to them.

15 A JUROR: But if you delegated it, sir, why did you
16 write this?

17 THE WITNESS: Because I must have been told by
18 Ms. Lieberman to summarize the actions that were taken in the
19 Office of Legislative Correspondence for that year and,
20 again, I used a shorthand way of summarizing something that
21 Ms. Lieberman herself was personally involved in and I was
22 not.

23 MR. CRANE: All right. Let me follow up on another
24 area.

25 A JUROR: Could I ask one more question?

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1 MR. CRANE: Okay. Go ahead.
 2 A JUROR: Do you have any sisters?
 3 THE WITNESS: A sister? Yes, I have a sister.
 4 A JUROR: A sister. If someone wrote about your
 5 sister that she engaged in extracurricular activities, what
 6 would you think it meant?
 7 THE WITNESS: I would think that it would depend on
 8 the context. And, again, sir --
 9 A JUROR: Let's just say it's about your sister.
 10 THE WITNESS: And extracurricular activities?
 11 Well, if she were at high school, you know, that would be a
 12 good thing.
 13 A JUROR: No, no, no.
 14 THE WITNESS: Let me just say again that in
 15 light -- in terms of this document, this was written not
 16 about Ms. Lewinsky, it was written about both Ms. Lewinsky
 17 and ██████ the term extracurricular activities referred
 18 to, and I don't know why I used that term, but I can assure
 19 you that the content of that was a shorthand representation
 20 of what Mr. Keating had told me.
 21 And, again, it may sound strange that I was
 22 not involved in the day-to-day management of all the
 23 junior staff, but that was not my responsibility and I
 24 think I did discharge my proper responsibilities about
 25 taking the recommendation of Mr. Keating, who did have the

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1 responsibility, and making sure it did go to higher authority
 2 and was not done in a capricious way.
 3 BY MR. CRANE:
 4 Q All right. The grand juror's question, though, was
 5 if someone says about your sister who is not in high school
 6 that she is engaged in extracurricular activities, what does
 7 that mean to you, plain and simple?
 8 A It means -- what it means to me is, again, I would
 9 have to know what the context was.
 10 Q Would it not raise in your mind that someone might
 11 think that that woman, your sister, might be engaged in some
 12 sort of sexual conduct?
 13 A Well, like any term, it's possible to be
 14 interpreted and misinterpreted, out of the context in which
 15 it was intended. Obviously. Almost any word in the language
 16 is.
 17 Q All right. So if someone says that to you, you're
 18 unable to form any opinion.
 19 A Without the context, I could not understand what
 20 it's usage was without the context. But, again, the context
 21 here was as I've stated.
 22 Q We don't need to go back into the context here.
 23 Let me just have you look at the date on JLH-1.
 24 A Sure.
 25 Q And it's October 16, 1996. Now, if I have my date

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1 correct, Monica Lewinsky was terminated about April of 1996.
 2 Is that correct, to the best of your recollection?
 3 A Yes, that recollection being refreshed by reading
 4 the newspaper accounts.
 5 Q All right. And yet in October, some six months
 6 later, Evelyn Lieberman, Director of Operations, and you, the
 7 Director of Legislative Affairs, are still dealing with the
 8 circumstances of her termination six months later. Is that
 9 correct?
 10 A Well, I don't think so. I think that her
 11 termination had occurred in April. I was simply reporting on
 12 something that had happened prior that year, as I assume that
 13 I was requested to do.
 14 Q Right. But you said just a minute ago that the
 15 termination of Ms. Lewinsky and ██████ was a junior
 16 personnel decision that you basically didn't get involved in.
 17 A Let me be very clear about that. I am not -- I was
 18 not involved in the day-to-day management of the junior
 19 personnel. However, when a recommendation came to me from
 20 the person who was in charge of it, I, after hearing the
 21 recommendation, indicated that that must be taken to a person
 22 of higher authority, so I became involved to assure that it
 23 got the proper scrutiny at a high level.
 24 Q Right. This is at the time they were terminated.
 25 A Yes.

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1 Q Why then, if it's a junior personnel decision, why,
 2 sir, six months later are you still involved writing memos
 3 justifying why they were fired, if it was such a junior
 4 personnel decision?
 5 A Again, Ms. Lieberman was -- well --
 6 Q She put you up to it, is that a fair
 7 characterization?
 8 A Again, this is how words work. Put you up to it --
 9 I don't know the context.
 10 Q She asked you to do it.
 11 A She asked me to do it. She asked me to do it.
 12 BY MR. WISENBERG:
 13 Q You mentioned that this -- earlier, we talked about
 14 triggering -- that the memo when it was read to you triggered
 15 a memory of the meeting with Evelyn Lieberman. Have you told
 16 us everything that happened in that meeting with Evelyn
 17 Lieberman?
 18 A Well, I tried to imply that because the meeting --
 19 I'll repeat it -- was principally about -- and I don't
 20 remember actually discussing anything to do with legislative
 21 correspondence and perhaps that's why, I'm just guessing, she
 22 told me to write the memo, but it was about -- as I
 23 understood it, all heads of offices were being called in and
 24 said what did you do this year, how did you do it, what are
 25 your prospects for next year, operations in transition.

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1 And so I'm sure there was a discussion about that,
2 I'm guessing now, I don't remember the conversation, but I'm
3 guessing we would have talked about the legislative
4 highlights of the year, the challenges ahead. I don't
5 recall, but I'm sure it was a broader conversation because it
6 was part of a broad transition effort.

7 Q And you've told us everything that you can remember
8 about that in any way, shape or form that would relate to
9 Monica Lewinsky.

10 A Absolutely.

11 Q Why would the White House essentially
12 terminate/transfer somebody who was sick, because she's a
13 diabetic and because her mother is ill? And that is the
14 situation. Why would the White House do that?

15 A Well, that is the first time I've heard the
16 assertion of those facts, if they are. Again, as I tried to
17 state from the beginning, every action I took and every
18 recollection I have was based on a representation that was
19 made to me --

20 Q You've made that clear.

21 A And that was not part of the representation. That
22 is the first time I've heard those assertions.

23 BY MR. CRANE:

24 Q Does your office lay people off because they're
25 diabetic as a matter of policy?

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1 A I can't imagine --

2 BY MR. WISENBERG:

3 Q Your old office, Office of Legislative Affairs.

4 A I understand. I can't -- no. I mean, this is the
5 first I've heard of this assertion and the first I've heard
6 that hypothesis, but I can't imagine that that would be a
7 thing anyone would want to do.

8 BY MR. CRANE:

9 Q Would you do that? Would you yourself fire someone
10 because they were diabetic and missing work days, missing a
11 lot of work?

12 A No.

13 Q Okay. Would you fire someone because they were
14 taking time off to care for their mother?

15 A Again, this is the very first time I've heard an
16 assertion that this was --

17 MR. CRANE: Yes, we've discussed that.

18 MR. WISENBERG: We understand that.

19 BY MR. CRANE:

20 Q I'm asking you what you would do or what you would
21 have done as Director of Legislative Affairs. Would you fire
22 a person who is taking a lot of time off to care for an ill
23 mother?

24 A I would have -- not outright, because I would have
25 obviously wanted to see what the circumstance, what the

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1 situation was and see what the situation was. But this is
2 complete news to me.

3 BY MR. WISENBERG:

4 Q If you had known that Monica Lewinsky was
5 transferred to essentially a promotion, was promoted to the
6 Pentagon and [REDACTED] -- if you had known that the
7 reason she was sick was because she was diabetic or caring
8 for her mother and that she not only did not get a promotion
9 but got essentially approximately a 120-day job assignment at
10 GSA that was extended one time and then she was out, would
11 that have caused you some concern, if you had known that
12 those were some of the more full facts behind the
13 transferring?

14 A It's the first time I've heard that [REDACTED]
15 was at the GSA where she got transferred. Like I say, other
16 than a two-minute listening to Tim represent this to me and
17 passing it on to higher authority, that is the extent of my
18 knowledge of this. So this is all hypothetical.

19 Q Right. It is a hypothetical.

20 A Right.

21 Q But we're allowed to ask that and you were the head
22 of the office.

23 A Right.

24 Q You were an important person at the White House and
25 you were at a very high tier at the White House and I'm

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1 asking you as a supervisor, if you had known -- assume these
2 facts are true and if you had known that, that Monica who
3 basically was terminated because she couldn't do the job and
4 because she was a clutch, hanging around the Oval Office too
5 much or the West Wing too much, gets a promotion and [REDACTED]
6 [REDACTED] who is out too much because she's diabetic and her mom
7 is sick goes to basically a nowhere job at the GSA, would
8 this have concerned you, would this have caused you to do a
9 little investigating?

10 A I'm here to deal with the facts as they were
11 represented to me and as I know them to be, which is any of
12 these assertions you've just made about [REDACTED]
13 never heard them before. I acted on the representation
14 exactly as described by Mr. Keating and I don't know why I'm
15 being asked to delve into a hypothetical, one of which the
16 characterization of Ms. Lewinsky was also something that was
17 not in my consciousness until January of this year.

18 Q The clutch part?

19 A Yes.

20 Q The hanging around the Oval Office too much part?

21 A Yes. Exactly.

22 Q Because I want to know, we want to know what you
23 would have done if you had known these facts. These are
24 factors that you say you didn't know at the time, that even
25 now you only know because I'm presenting them to you.

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1 A Well, I'll just give you -- as I've tried to do in
2 all my life, I've tried to treat people honorably and
3 decently and do what's right by them. And so I would have
4 taken any circumstance and tried to, if I felt that was
5 something unfair being done or I had reason to believe
6 that there was an unfairness being dealt to someone, of
7 course I would have looked at it. That was not at all the
8 representation that was made to me in this case.

9 Q And Mr. Keating in no way, shape or form indicated
10 to you that Monica was a clutch or that she was hanging
11 around the Oval Office too much.

12 A That's correct, although I will say it for many
13 times that it was represented that she was away from her duty
14 station and wandering around the White House, but there was
15 not a representation about hanging around the Oval Office.
16 And, as I told the FBI agents, I never observed her near the
17 Oval Office in the times that I was near there and it was
18 never represented to me that she was in the entire period I
19 was there.

20 Q Right. And that's why I want to be so clear on
21 this, because you told us earlier when you were told she's
22 wandering about the White House --

23 A It would be the West Wing.

24 Q -- you interpreted that to include the West Wing.

25 A That's correct.

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1 Q But he did not tell you that she was a clutch or
2 hanging around the Oval Office.

3 A I'm not sure what clutch means.

4 Q Somebody -- a clutch, somebody who tries to be
5 around the President all the time.

6 A That was not part of the representation he made to
7 me.

8 Q Or that she was hanging around the Oval Office too
9 much.

10 A He did not represent that to me.

11 Q Okay.

12 A I've told you completely the representation that he
13 made to me.

14 BY MR. CRANE:

15 Q All right. Now, at one point, Mr. Podesta came
16 to you and wanted to get a recommendation letter for Monica
17 Lewinsky after she had left Legislative Affairs?

18 A That's correct. As I told the FBI, as I
19 volunteered to them, there was -- I don't know when it
20 is, but I recall this was in 1997, I think the fall of 1997,
21 to the best of my recollection. Mr. Podesta, I remember that
22 it was outside the Chief of Staff's office, near the
23 elevator, this was approximately a 10 to 15-second
24 conversation where he asked me could our office produce a
25 recommendation for Monica Lewinsky.

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1 And my response was our office will produce, as we
2 do on a continual basis, a recommendation for anybody who has
3 worked at the White House. That was the one and only
4 conversation that I had with him and he never came back to me
5 on that.

6 Q Okay. But did you say something further, that the
7 letter of recommendation would have to be generic? Do you
8 remember telling the FBI that, that you related that to
9 Mr. Podesta?

10 A That it would have to be generic?

11 Q Right. Kind of like a flat boilerplate, confirming
12 her employment and the dates that she worked there?

13 A That I would have told Mr. Podesta this?

14 Q Yes.

15 A In a 10-second conversation, I don't imagine that
16 I would have gone through that detail, but it is the case
17 that if we -- the process when they get a request for a
18 letter of recommendation, the direct supervisors of that
19 person draft it and deal with it, whether it's good, bad or
20 indifferent.

21 MR. CRANE: Okay. Let me read to you a portion of
22 the FBI report after the interviewed you back in February of
23 this year.

24 MR. WISENBERG: And this is their report. As
25 you said, it wasn't recorded by a tape recorder, this is

Page

1 their report. You're under no requirement to agree with it.

2 THE WITNESS: Right.

3 MR. CRANE: It says, "Hilley also recalled a
4 conversation with John Podesta which occurred some time
5 between one and three months ago."

6 BY MR. CRANE:

7 Q Do you agree with that?

8 A If that places it -- yes. That was, as you've
9 reminded me, February when I was with the FBI agents, is that
10 right?

11 MR. CRANE: Right.

12 MR. WISENBERG: February 11th.

13 MR. CRANE: One to three months prior to that.

14 THE WITNESS: That would have been accurate. Fall
15 of '97. Yes.

16 MR. CRANE: Right. You would have had a
17 conversation with John Podesta in the fall of '97 when you
18 were still at the White House.

19 THE WITNESS: Right.

20 MR. CRANE: "Podesta stopped Hilley in the hallway
21 outside the Chief of Staff's office."

22 THE WITNESS: Correct.

23 MR. CRANE: Okay. "And asked Hilley if Lewinsky
24 had worked for Hilley."

25 THE WITNESS: Correct.

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1 BY MR. CRANE:
 2 Q Is that correct? And you related all that to the
 3 FBI? As best you recall?
 4 A Yes. As best I recall. Yes.
 5 Q Okay. It continues on, the FBI report, "When
 6 Hilley responded in the affirmative, Podesta asked Hilley if
 7 Hilley would be willing to write a letter of recommendation
 8 for Lewinsky."
 9 A My office. I wouldn't have written it personally
 10 because I did not know Monica Lewinsky.
 11 Q All right. But your office would be willing to
 12 write a letter of recommendation.
 13 A Sure. We'd write one for anyone, whether good, bad
 14 or indifferent. That's right. Their supervisor would have.
 15 Q And you related that to Podesta.
 16 A Yes. I imagine so.
 17 Q Okay. It goes on, "Hilley agreed," and we can say
 18 Hilley/your office agreed, "to write a recommendation letter
 19 for Lewinsky --"
 20 A Oh, no. That's -- no. I did not -- he asked if we
 21 would and I said we could for anybody who worked for us, but
 22 he never came back to me and actually requested it.
 23 MR. CRANE: Okay.
 24 MR. WISENBERG: Okay. Let him finish the sentence
 25 because it will put it in context.

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1 MR. CRANE: I think we're just getting ahead of
 2 ourselves. Let me read the whole sentence and then you
 3 explain.
 4 "Hilley agreed to write a recommendation letter for
 5 Lewinsky, since it was office practice to write letters for
 6 all former employees of Legislative Affairs.
 7 "Hilley explained to Podesta that due to the less
 8 than favorable circumstances of Lewinsky's leaving
 9 Legislative Affairs, the letter would have to be 'generic,'
 10 confirming Lewinsky's employment and dates. Podesta
 11 indicated that Podesta would get back to Hilley on the
 12 matter, but to date has not done so."
 13 THE WITNESS: I don't recall using the generic
 14 thing. That's not a thing -- a phrase I use. But
 15 substantially it is correct, that he asked me could our
 16 office write a letter, I said yes. I don't recall if I --
 17 you know, alerted him or recalled for him -- and I don't know
 18 what he knew or whatever, about the situation, that she in
 19 fact had been transferred out in 1996. And so that's
 20 basically it.
 21 BY MR. CRANE:
 22 Q I think you described a minute ago that your office
 23 has a policy that you will write a letter to prospective
 24 employers.
 25 A Right.

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1 Q A recommendation letter, but it may be good, bad,
 2 indifferent.
 3 A Right. Depending on what the supervisor of that
 4 person, the opinion is, who actually supervised them.
 5 Q All right. So in your terminology, an indifferent
 6 letter of recommendation or a generic letter of
 7 recommendation that just confirms the person's dates that
 8 they worked there, that's what your office would have done
 9 for Monica Lewinsky? Is that correct?
 10 A Well, I don't know -- no. I mean, I don't recall
 11 this whole generic and dates of anything conversation.
 12 Q Okay. Cut out the generic and just --
 13 A And the dates -- but what I can tell you is that if
 14 Mr. Podesta would have actually made that request of our
 15 office, I would have delegated that to her supervisors or
 16 those who had familiarity with her to draft such a letter.
 17 BY MR. WISENBERG:
 18 Q Well, you said you volunteered this information to
 19 the Bureau, correct?
 20 A Yes.
 21 Q And it says "Hilley explained to Podesta that due
 22 to the less than favorable circumstances of Lewinsky's
 23 leaving Legislative Affairs," then it goes on. Do you recall
 24 telling that to the FBI, that you explained to Podesta that
 25 she left under less than favorable circumstances?

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1 A At this time, I don't recall that piece of the
 2 conversation with John Podesta.
 3 MR. WISENBERG: We have to take a quick break.
 4 MR. CRANE: Okay.
 5 MR. WISENBERG: I'm going to ask you if you could
 6 step outside for just a minute or two.
 7 May the witness be excused?
 8 THE FOREPERSON: Yes, he may.
 9 (The witness was excused.)
 10 (Whereupon, at 3:58 p.m., the taking of testimony
 11 in the presence of a full quorum of the Grand Jury was
 12 concluded.)
 13 * * * * *

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

----- x
In re: :
GRAND JURY PROCEEDINGS :
----- x

Grand Jury Room No. 3
United States District Court
for the District of Columbia
3rd & Constitution, N.W.
Washington, D.C. 20001

Tuesday, May 26, 1998

The testimony of JOHN LEE HILLEY was taken in the presence of a full quorum of Grand Jury 97-2, impaneled on September 19, 1997, commencing at 10:47 a.m. before:

SOLOMON WISENBERG
Deputy Independent Counsel
JAMES CRANE
Associate Independent Counsel
Office of Independent Counsel
1001 Pennsylvania Avenue, Northwest
Suite 490 North
Washington, D.C. 20004

1 A That's fine.
2 Q The litany of rights, the Fifth Amendment right,
3 the secrecy proceedings, unless you ask me to.
4 A That's fine. Thank you.
5 Q But I think they were fairly explanatory and we can
6 get right to it.
7 A Mm-hmm.
8 Q Okay. Let's go right into the factual questions,
9 then. Do you know how long it was, sir, after the decision
10 was made to terminate Monica Lewinsky's employment in
11 Legislative Affairs that she actually left?
12 A Say that again for me? The decision?
13 Q How long from the time the decision was made by you
14 together with Mr. Keating.
15 A Well, that's what I want to be careful about
16 because, again, my only involvement in this was when
17 Mr. Keating came to me in my office --
18 Q All right.
19 A -- and I did what I considered appropriate, which
20 was, not knowing the facts of the case, but based on his
21 representation, I told him -- at his suggestion, agreed to
22 take it to a person of higher authority and then I had no
23 direct involvement in it. So I don't know when that decision
24 to actually terminate was made.
25 Q Okay. But from the time you had the discussion

PROCEEDINGS

1 Whereupon,
2 JOHN LEE HILLEY
3 was called as a witness and, after having been duly sworn by
4 the Foreperson of the Grand Jury, was examined and testified
5 as follows:

EXAMINATION

BY MR. CRANE:

7 Q Good morning, Mr. Hilley.
8 A Good morning.
9 Q My name is Jim Crane.
10 A Hi, Mr. Crane.
11 Q And, of course, we met last week while you were in
12 here for some time. And I apologize for the delay.
13 A That's okay. I understand.
14 Q We had some difficulty getting some jurors here
15 because of some family crises that were going on.
16 Let's see. State your full name again just for the
17 record.
18 A John Lee Hilley, H-i-l-l-e-y.
19 Q All right. And you previously appeared before this
20 Gibraltar on May 19, 1998. Is that correct?
21 A A week ago, I believe. Yes.
22 Q Right. Okay. At this point, I will not go through
23 all of your rights and privileges.

1 with Mr. Keating until Monica actually left, do you recall
2 that length of time?
3 A Well, I think I do, but I think also it's because
4 of having read in the paper subsequently that I think she
5 left in an April timeframe. I think, that's my recollection
6 from the paper. And I think Mr. Keating -- like I say, I was
7 new -- must have come to me, I think, I'm guessing, about a
8 month -- between a month and two months after I arrived and I
9 arrived in February.
10 Q All right. And you arrived in February, a month or
11 two months later, Mr. Keating comes to you, so we are going
12 to be into March or April?
13 A I imagine. I can't help you exactly, but that
14 makes sense. Yes.
15 Q All right. Is this a fair characterization, sir,
16 that it was a fairly short period of time before Ms. Lewinsky
17 actually left Legislative Affairs? It didn't take long to
18 get her out, to put it bluntly.
19 A Again, the only way I know that it actually
20 occurred was because the person who was moved to be the new
21 person in legislative correspondence was a young man named
22 Chris Walker and that occurred, I think, some time in the
23 spring as well. But my best guess would be something in a
24 month or two range, again, between the time he came to see me
25 and, I believe, the time she left. I'm guessing.

Page 5

1 Q Okay. Let me show you what we've earlier labelled
 2 as Grand Jury Exhibit JLH-1, your initials.
 3 A Sure.
 4 Q This is this memo that uses the phrase
 5 "extracurricular activities" that we talked about at some
 6 length.
 7 A That's correct.
 8 Q Now, in recent months, other than your appearance
 9 here at the grand jury last week, May 19th, when was the
 10 previous occasion that you saw this memo?
 11 A Well, could I just go back a second?
 12 Q Sure.
 13 A Well, I must have written the memo, so I must have
 14 seen it then.
 15 Q Right.
 16 A Which would have been either October 15th, 16th,
 17 somewhere around there, of 1996. And then like I
 18 testified, the fact that I wrote this memo had fallen from
 19 my memory.
 20 Q Right.
 21 A And then I was given a reminder of that fact here
 22 in the last -- fairly recently -- month or two. And, like I
 23 testified, with an unsolicited phone call from the White
 24 House Counsel's Office -- I don't need to go through all that
 25 detail?

Page 6

1 Q No. My question to you was before you came to the
 2 grand jury, when had you last seen this memo?
 3 A Well, I know you had a conversation with my lawyer
 4 about this.
 5 Q Right.
 6 A And so I want to be strictly in line with that, but
 7 I did say that I did see it and I think --
 8 Q What timeframe?
 9 A Oh, it was just right before I came in to testify.
 10 Within a week of the time or a few days of the time when I
 11 came in to testify last Tuesday. Just a few days.
 12 Q And how did you get it?
 13 A Through counsel.
 14 Q Okay.
 15 A My counsel.
 16 Q Right.
 17 A Right.
 18 Q Now, we also talked when you were here last time
 19 about your conversations with a Mr. Podesta.
 20 A That's correct.
 21 Q And I'm referring to in particular after Monica
 22 Lewinsky had left Legislative Affairs. Now, tell us again,
 23 who is Mr. Podesta?
 24 A Mr. Podesta is the Deputy Chief of Staff at the
 25 White House.

Page 6

1 Q All right. And what was the nature of his
 2 conversation there with you in the hallway?
 3 A All right. This was, again, some months ago and to
 4 the best of my recollection, I would guess it was in the late
 5 fall of 1997, but I am not sure of the date, when it was.
 6 But I recall that I was outside the Chief of Staff's office
 7 on the first floor of the West Wing of the White House and
 8 Mr. Podesta came up to me.
 9 I recall it was sort of right in front of the
 10 elevators and people were passing to and fro. And in a very
 11 brief conversation asked me if our office would produce or
 12 could produce a recommendation on behalf of Ms. Lewinsky.
 13 Q Okay. And Podesta is the Deputy Chief of Staff?
 14 Is that correct? Or was?
 15 A That's correct. Well, he currently is.
 16 Q Currently is?
 17 A He was at that time and currently is.
 18 Q And so his immediate boss is the Chief of Staff.
 19 A That's correct.
 20 Q And at that time, it was still Leon Panetta or it
 21 was Erskine Bowles?
 22 A No, this was Erskine Bowles. Mr. Podesta was
 23 brought in by Mr. Bowles as one of his deputies.
 24 Q All right. So is this fair to say that Erskine
 25 Bowles, apart from the President, is the number one m.

Page 6

1 the White House?
 2 A In terms of staff responsibility -- well, in terms
 3 of staff responsibilities, yes. He's the most senior staff
 4 person.
 5 Q All right. And then number two would be the Deputy
 6 Chief of Staff, Podesta in this case?
 7 A In terms of operational hierarchy, there's actually
 8 two of them. Two Deputy Chiefs of Staffs.
 9 Q All right. So is this a fair characterization,
 10 sir, that this request for a letter of recommendation for
 11 Ms. Lewinsky was coming from fairly high up in the White
 12 House hierarchy?
 13 A Yes. It was coming from the Deputy Chief of Staff.
 14 Q And did it strike you as unusual that a woman who
 15 had been terminated some months ago was now having the Deputy
 16 Chief of Staff or was the recipient of a request for a
 17 recommendation on the part of the Deputy Chief of Staff?
 18 Do you see what I'm getting at?
 19 A Yes, I do. At the time, I didn't think much about
 20 it. I get requests for hundreds of things a day. But given
 21 in light of what's become public since then, and perhaps
 22 why I recalled this event, that it did stick in memory, that
 23 he had approached me about this.
 24 Q All right. So is this a fair characterization,
 25 that at one moment your line deputy, Mr. Keating, together

Page 9

1 with Evelyn Lieberman are working to terminate Monica
2 Lewinsky?
3 A That was the result of what they came out with.
4 Yes.
5 Q Right. And then --
6 A As well as -- I would like to establish the
7 context, please, that it was brought to me as nothing about
8 Monica Lewinsky was brought to me separately with regard to
9 Mr. Keating.

10 When he originally came to me after I had just
11 begun at the White House, he came with a recommendation about
12 wanting to deal with the entire, which was two people,
13 legislative correspondence shop, so it wasn't about Monica
14 Lewinsky solely, it was about the performance of the office
15 itself.

16 Q Okay. But I'm talking about right now just Monica
17 Lewinsky.

18 A Okay.

19 Q True, [REDACTED] was also terminated or
20 transferred.

21 A Right.

22 Q But at one point in time, Mr. Keating together
23 with Evelyn Lieberman, to basically get her fired. True?

24 A Well, that's your characterization of the word.
25 I always took it -- he came to me, that they wanted to move

Page 10

1 them out or transfer the two of them, but that's your
2 characterization, yes. And they were terminated from
3 employment at the White House. That's correct. Yes.

4 Q Okay. I think the terms that you use in the memo
5 are to get rid of?

6 A Right. Sure. That's an accurate -- yes.

7 Q Okay. So the most accurate phrasing would be, as
8 you say in your memo, "we got rid of Monica and Jocelyn"?

9 A That's correct.

10 Q Okay. Whether they're technically fired or
11 transferred under very unhappy circumstances --

12 A Right. It was an involuntary separation for sure.

13 Q All right. And a few months later, Mr. Podesta,
14 the number two man in the staff of the White House is
15 wondering whether she can get --

16 A I'm sorry, maybe I didn't hear you. Did you say a
17 few months later?

18 Q Yes.

19 A Well, [REDACTED] and Ms. Lewinsky left the White
20 House in sort of the spring of 1996. As I recall, it was
21 not until the following year, '97, late '97, if that, that
22 Mr. Podesta came to me, so it was a year and a half later.

23 Q A year and a half later.

24 A Yes. A year and a half.

25 Q Okay. I stand corrected on that timeframe. But

Page 11

1 a year and a half later, Mr. Podesta is wanting to know
2 whether she can get a letter of recommendation.

3 A That's correct.

4 Q That's our timeframe?

5 A That's correct. Yes, it is.

6 Q At any point, did you say to Mr. Podesta, "Wait a
7 minute. This is the intern that Evelyn Lieberman and Tim
8 Keating canned or got rid of?"

9 A Well, again, it was a brief conversation. I know
10 these are all very important events in people's lives, but at
11 that time, not knowing the events that have unfolded
12 subsequently, it was a very peripheral issue to me and I
13 didn't think much of it.

14 But I could have said, because I did remember the
15 names of the people who had been terminated, so it would have
16 been consistent as things were represented to me to have
17 said, you know, this could probably only be a standard or, I
18 think the words that the FBI used last time, generic letter
19 that could be written on Ms. Lewinsky's behalf.

20 I want to be clear, I could not have myself written
21 the letter nor would have agreed to, since I did not know her
22 or her work product personally.

23 Q All right. And do you have any insight as to why
24 in light of your experience in the White House why at one
25 moment basically people are ganging up on Monica to get rid

Page 12

1 of her and then the next moment the Deputy Chief of Staff
2 wants to get her a letter of recommendation?

3 A Well, again, I'm just trying to be fair to people
4 on all sides and tell the court everything I know about these
5 incidents.

6 And so the characterizations of ganging up, et
7 cetera, again, I do not know the facts of what was going on.
8 Everything I did was based on representations made to me, and
9 so to -- you know, the characterizations would not be mine
10 because I just tried to represent this factually.

11 But it is the case that Mr. Podesta came to me and
12 asked that question and, like I said, that was the one and
13 only time he approached on me on it, about this.

14 Q All right.

15 A But he did ask me about that and, of course, that's
16 what I volunteered to the FBI.

17 Q Now, there was some question about whether
18 Ms. Lewinsky and [REDACTED] had allowed correspondence to
19 back up in the Office of Legislative Affairs correspondence
20 division. What do you understand about that and how much of
21 a back log there might have been?

22 A When Mr. Keating came to me, again, being new, I
23 inherited the entire staff and at that time I did not know
24 the quality or the work product of any of my employees that I
25 had inherited.

1 He did represent that there was a problem of the
2 mail being backlogged, as you say, or getting out slowly.
3 And the only recollection I have that's specific is there was
4 some reference to the mail about OMB mail or some location of
5 mail to do with OMB was a problem.

6 Q And do you know how long this backlog was? Did he
7 ever tell you how long?

8 A No. Again, because of the nature of my
9 responsibilities, being responsible for all of Congress as
10 well as every branch of the administration as regards federal
11 legislation, I did not direct the Office of Legislative
12 Correspondence. I had no direct knowledge of its
13 functioning.

14 Q All right. Now, was Mr. Keating able in his
15 position to terminate or transfer a low level staffer, or
16 low level staffers plural, like Ms. Lewinsky and [REDACTED]
17 on his own?

18 A Well, as indicated by what I asked him to do and
19 based on the fact that I did not know the work of the two
20 women, I would have not, I think, allowed that and so I don't
21 think it would have been in his authority. And, again,
22 that's why I requested that he go to a person of higher
23 authority, who was Ms. Evelyn Lieberman, the Deputy Chief of
24 Staff, at that time.

25 Q Okay. But my question is could he.

1 A I don't know. I don't know. I mean, again, as we
2 talked about last week, this was the only unhappy personnel
3 situation that came up during my tenure, so there was no
4 other case and, in this one case, neither he nor I, you know,
5 saw fit to exercise that on our own. And I didn't know if I
6 even had the authority, to be honest. I had just walked in
7 the door.

8 Q Nobody ever told you whether you had hiring or
9 firing authority?

10 A No. That's why I said take it upstairs.

11 Q Did you ever find out later whether you had hiring
12 or firing authority?

13 A No one ever discussed that with me. No. I mean,
14 our office hires people. We interview people and such but
15 it's always -- I imagine there's some bureaucracy that has
16 to approve in the Office of Administration ultimately all
17 decisions that are made, so I don't think I have sole ability
18 to do that. It has to be cleared, again, through the system.

19 Q Okay.* But could Mr. Keating have just gone to
20 Evelyn Lieberman and cleared it through the system that way?

21 A Of course. I imagine because Ms. Lieberman's
22 responsibility was for the operational side of the White
23 House, so I take it that she would be the person situated to
24 effect that. Yes.

25 Q All right. So is this a fair characterization,

1 Mr. Hilley, that Mr. Keating did not need to come to you to
2 get a low level staffer like Ms. Lewinsky or [REDACTED]
3 transferred, he could have gone directly to Ms. Lieberman.

4 A He could have but even as his new boss who had
5 never worked with him, I think that would have been a bit of
6 an insult to me not to even inform me that he was going to
7 take it up to another person, so I think he did the right
8 thing in bringing it to me and I think it was the right thing
9 to kick it upstairs.

10 Q But these were extremely low level people, as I
11 think you may have --

12 A They were junior staff. Yes.

13 Q All right. And it wouldn't have been appropriate
14 for him to see to the transfer of low level junior staff?

15 A By himself?

16 Q Together with Ms. Lieberman?

17 A Oh, I do believe that together with
18 Ms. Lieberman -- I'm sort of assuming this, but because
19 of her position as the Deputy Chief of Staff, I think the
20 two of them together and Ms. Lieberman knowing how the
21 bureaucracy worked of course would have been able to do
22 that.

23 Q All right.

24 A That's my supposition.

25 Q Do you know whether Ms. Lieberman even need

1 input to transfer or terminate Ms. Lewinsky and [REDACTED] or
2 could she have done that on her own?

3 A I really don't know her authority.

4 Q Now, in your memo here, JLH-1, you refer to, I
5 believe, in the first sentence, Ms. Lieberman preparing her
6 own memo.

7 A Yes.

8 Q Did you ever see a copy of that memo that came back
9 to you?

10 A No. As I understood it, the memo was not being --
11 if you meant prepared for me, I never saw it and my
12 understanding was, as I said a week ago, that I believe that
13 because all of the department heads were being called in to
14 ask how their operation was running, that this was a memo
15 being prepared in line with the transition because the
16 current Chief of Staff was leaving, Leon Panetta, and she had
17 been made sort of the head of transition.

18 Q All right. So the basic answer is you weren't cc'd
19 on whatever memo --

20 A No, I wasn't. No, I wasn't.

21 Q Okay. Were there any other personnel form
22 you had to sign off on like a notice of transfer or any
23 standard OMB forms, notice of separation or notice of
24 transfer, in order to get Ms. Lewinsky and [REDACTED]
25 transferred out?

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1 A I do not recall seeing any such forms. I know
2 that -- the only forms in my two years there that I recall
3 signing was when there was a person getting a raise or a new
4 person being hired or a change of job title, that paperwork
5 would be put in front of me. I do not have a recollection,
6 although it's possible, since I signed other papers.

7 In my two years there, again, I remember signing
8 basically raises, change of job title and the hiring of
9 folks, but I don't recall being asked to sign any paperwork
10 with regard to either [REDACTED] or Ms. Lewinsky, although I
11 can't rule it out because I can't remember.

12 Q All right. And I believe I've already asked you
13 how long it was from Tim Keating's visit until Ms. Lewinsky
14 and [REDACTED] were actually terminated.

15 A And I would guess, again, I have trouble with
16 specifics, but I would guess a month to two months, would be
17 my guess.

18 Q Did one individual or two individuals take their
19 place?

20 A I do not know. The only one I know, as I've told
21 you, was Chris Walker because it directly impacted me in that
22 he was the in effect administrative assistant that I had
23 inherited from my predecessor. I don't know what they did
24 with the office, if it was one or two. I just know that
25 Mr. Walker went over there to, I believe, head it up.

Page 18

1 Q All right. Now, was Mr. Walker already working
2 within your office?

3 A Yes.

4 Q Okay. In a different position?

5 A That's correct. He was my personal assistant,
6 which I had inherited from my predecessor.

7 Q All right. So you were more familiar with him.

8 A Yes, I was.

9 Q And do you know what he was told about why he was
10 taking over Ms. Lewinsky's and [REDACTED] job?

11 A I don't at all. I think -- I mean, this is all
12 very hazy, but I believe that Mr. Walker, to me, indicated a
13 willingness to want to go over there because I think he
14 probably didn't want make me feel bad that he was leaving me
15 for something else, but I do recall that he indicated to me
16 that this was something he wanted to do. But how he was
17 approached or it was described to him, I don't know.

18 Q All right. Let's see. There were no warning
19 letters or no probation period for either Ms. Lewinsky or
20 [REDACTED] prior to their firing. Is that correct?

21 A Not that I'm aware of. No.

22 Q Okay. Neither that you would have issued or
23 Mr. Tim Keating?

24 A Certainly that I'm aware of. That's correct.
25 You'd have to ask him if he had done something before.

Page 19

1 Again, they had been in the office for -- I'm not sure how
2 long before I came onto the scene and what had gone on before,
3 that, I don't know, but he never -- it's not my recollection
4 that that was a part of it, that there had been warnings or
5 whatever. But, again, I didn't deal with it directly and he
6 would be the person to ask.

7 Q All right. And, as far as you know, Evelyn
8 Lieberman never gave Ms. Lewinsky in particular any sort of a
9 written warning or reprimand.

10 A As far as I know. But, again, I probably wasn't in
11 a position to know and she would be the one who would know
12 that.

13 Q Okay. Now, did Mr. Erskine Bowles ever have any
14 conversations with you about Monica Lewinsky?

15 A Never. Just as I've had a chance to reflect on
16 this, these events intersected my life three times in my two
17 years at the White House: when Mr. Keating came to me, when
18 Ms. Lieberman requested this memo, and when Mr. Podesta
19 approached me in the hallway, are the ones that I recall when
20 this intersected my life. And I have no recollection of
21 Mr. Bowles ever mentioning Monica Lewinsky to me.

22 Q All right. Did Mr. Podesta ever ask you for
23 letters of recommendation for anyone else within your office
24 at the time you were at the White House?

25 A I don't recall him ever doing that. No.

Page 20

1 Q All right. In the week since we have met, have you
2 had any phone calls from the Office of White House Counsel?

3 A No, I have not.

4 Q Has any other person, investigator, anyone other
5 than your attorney asked you, or a close family member, asked
6 you about your testimony?

7 A No. No, sir.

8 MR. CRANE: Are there any questions from the
9 members of the grand jury?

10 A JUROR: Mr. Hilley, you indicated that you were
11 not cc'd on any memoranda prepared by Mrs. Lieberman. Is
12 that correct?

13 THE WITNESS: I don't believe I was. No.

14 A JUROR: Do you have any reason to know whether
15 such a memorandum actually was prepared?

16 THE WITNESS: I have to guess. I don't know, but
17 I'm guessing that it was because, as I recall, I think I
18 was asked to do this because she was preparing something as
19 part of the transition.

20 I mean, I don't know why I would have been asked
21 to write this unless there was something else in the works,
22 but I don't know the nature of it.

23 A JUROR: So whatever was produced by
24 Mrs. Lieberman probably still exists somewhere, wouldn't
25 it?

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1 THE WITNESS: It was produced, it probably would.

2 If this still exists, I would think that would exist, too.

3 A JUROR: Thank you.

4 MR. CRANE: All right. If there are no further
5 questions from any of the members of the grand jury, we will
6 excuse Mr. Hilley.

7 THE WITNESS: Do you want this back?

8 MR. CRANE: Yes. Thank you, sir.

9 THE WITNESS: Okay.

10 MR. CRANE: And, again, sorry about the delay.

11 THE WITNESS: No, I understand.

12 MR. CRANE: Thank you for coming on two occasions.

13 THE WITNESS: That's fine. Thank you.

14 THE FOREPERSON: Thank you.

15 MR. CRANE: Thank you, sir.

16 (The witness was excused.)

17 (Whereupon, at 11:15 a.m., the taking of testimony
18 in the presence of a full quorum of the Grand Jury was
19 concluded.)

20 * * * * *

OCT 17 1996

October 16, 1996

Dear Evelyn,

Thanks for the meeting yesterday. I wanted to follow up on a few points as you put your memo together.

o I've enclosed our staff division of responsibilities that we use throughout the year. I don't distribute it because I want White House and agency staff to funnel their issues and requests through our West Wing operation. That way I can keep track, exercise quality control, and make the judgements about the use of our staff resources.

o I've also enclosed a brief memo on our correspondence operation. It was in bad shape when I came in. We got rid of Monica and [redacted] not only because of "extracurricular activities" but because they couldn't do the job. We also had problems with NSC and White House correspondence that have been corrected. I believe the operation is in quite good shape now.

Thank you for being so good to me this year. I greatly appreciate your help and counsel. I will take the steps you suggested and then follow up with both you and Leon.

[Handwritten signature]

file personnel depts

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GOVERNMENT EXHIBIT
JH-1
5/19/98

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

----- X
IN RE: :
GRAND JURY PROCEEDINGS :
----- X

Grand Jury Room No. 3
United States District Court
for the District of Columbia
3rd & Constitution, N.W.
Washington, D.C. 20001

Thursday, August 13, 1998

The testimony of LARRY HOUSEHOLDER was taken in the presence of a full quorum of Grand Jury 97-2, impaneled on September 19, 1997, commencing at 1:47 p.m., before:

EDWARD J. PAGE
MARY ANNE WIRTH
Associate Independent Counsel
Office of Independent Counsel
1001 Pennsylvania Avenue, N.W.
Suite 490 North
Washington, D.C. 20004

1 A Okay.
2 Q The person immediately in front of you and to your
3 left is the court reporter. She is taking down everything
4 that's said here today and there will be a record, a
5 transcript, made of the questions and answers, whether I ask
6 them or members of the grand jury ask them of you. Do you
7 understand that?

8 A Yes, sir.

9 Q I want to tell you that federal rules of criminal
10 procedure prohibit the disclosure of matters occurring before
11 the grand jury which would include your testimony or other
12 things that happened during your appearance here today.

13 That rule, however, only controls members of the
14 grand jury, myself or another attorney for the Office of
15 Independent Counsel and the court reporter. It does not tell
16 you what you can say or can't say after you make your
17 appearance here today. In other words, you can leave this
18 room and have a press conference if you so choose about what
19 happened here today.

20 There are some exceptions, however, and I want to
21 advise you of them. One of them is if the court orders that
22 this testimony be disclosed, for example, in a trial or in
23 another proceeding, then the secrecy surrounding what happens
24 today would go away by virtue of that court order. Do you
25 understand that?

PROCEEDINGS

2 Whereupon,
3 LARRY HOUSEHOLDER
4 was called as a witness and, after having been first duly
5 sworn by the Foreperson of the Grand Jury, was examined and
6 testified as follows:

EXAMINATION

8 BY MR. PAGE:

9 Q Sir, would you tell us your full name, please?

10 A Larry Householder.

11 Q Is it officer or agent?

12 A Yes, sir. Officer.

13 Q Officer. Where do you work?

14 A Right now, I work at the Foreign Missions Branch up
15 on International Drive.

16 A JUROR: Would you spell your last name?

17 THE WITNESS: H-o-u-s-e-h-o-l-d-e-r.

18 BY MR. PAGE:

19 Q All right. Before we get started with your
20 questions, I want to explain some things to you. The first
21 is that this is a federal grand jury and this federal grand
22 jury is investigating certain matters involving Monica
23 Lewinsky and others and whether there was an effort to suborn
24 perjury, solicit perjury on behalf of others, obstruct
25 justice in the civil case Jones v. Clinton. All right?

1 A Yes, sir.

2 Q All right. So in other words, the basic rule of
3 secrecy and then some exceptions to it. Do you understand
4 that?

5 A Yes, sir.

6 Q You are appearing here pursuant to a subpoena,
7 correct?

8 A Yes, sir.

9 Q And do you understand that the oath that you were
10 administered requires you to speak the whole truth and
11 nothing but the truth during your testimony today?

12 A Yes, sir.

13 Q Do you understand that you can't say you forget
14 when you really don't forget?

15 A Yes.

16 Q And that you don't remember when you really do
17 remember?

18 A Right.

19 Q It also prohibits you from giving misleading
20 testimony as well as false testimony. Do you understand
21 that?

22 A Yes, sir.

23 Q Do you understand that you have certain rights here
24 today and one of them is your Fifth Amendment right to not
25 incriminate yourself? Do you understand that?

Page 5	Page 7
<p>1 A Yes, sir.</p> <p>2 Q How that works is this. If your answer to any of</p> <p>3 the questions that you are asked today, if a truthful answer</p> <p>4 would tend to incriminate you, you have the right to remain</p> <p>5 silent or say "I refuse to answer that." Do you understand</p> <p>6 that?</p> <p>7 A Yes, sir.</p> <p>8 Q Do you understand that in making an appearance</p> <p>9 before the grand jury most witnesses fall into either two</p> <p>10 categories? One is a target, meaning that the grand jury has</p> <p>11 substantial evidence linking that witness, that target, to</p> <p>12 the commission of a crime and that in the grand jury's view</p> <p>13 that is someone that they intend to indict. The second</p> <p>14 category of witnesses is quite broad and that is grand jury</p> <p>15 witnesses are often called subjects of the grand jury</p> <p>16 investigation and all that means is that conduct is within</p> <p>17 the scope of the grand jury's investigation.</p> <p>18 I represent to you that you're not a target and</p> <p>19 that you're not a subject in the sense that your conduct is</p> <p>20 within the scope of the grand jury's literal investigation,</p> <p>21 but you're more like a fact witness. For example, a bank</p> <p>22 teller whose bank was robbed and who happened to see the bank</p> <p>23 getting robbed. Do you understand that?</p> <p>24 A Yes, sir.</p> <p>25 Q All right. Do you understand further that you have</p>	<p>1 A From -- I believe it was around June of '92 through</p> <p>2 November of 1997.</p> <p>3 Q So since approximately November of '97, you've been</p> <p>4 assigned to the Foreign Missions Branch?</p> <p>5 A Yes, sir.</p> <p>6 Q Is that a promotion for you?</p> <p>7 A No, sir.</p> <p>8 Q From June of '92 through November of '97 --</p> <p>9 A I'm sorry, it was June of '82.</p> <p>10 Q I'm sorry?</p> <p>11 A June 1982.</p> <p>12 Q June of '82. Excuse me. From June of '82 through</p> <p>13 November of '97 when you were at the White House, did you</p> <p>14 hold a number of assignments during that period?</p> <p>15 A Yes, sir.</p> <p>16 Q What was the last one just before your transfer in</p> <p>17 November of '97?</p> <p>18 A I was just an unassigned officer.</p> <p>19 Q And for how long before November of '97 did you</p> <p>20 hold unassigned officer?</p> <p>21 A For approximately a year and a half.</p> <p>22 Q So would that be approximately May of '96 or</p> <p>23 thereabouts?</p> <p>24 A May, June of '97.</p> <p>25 Q And before that? Your next to the last assignment?</p>
<p>Page 6</p> <p>1 a right and the grand jury would permit you a reasonable</p> <p>2 opportunity to step outside and to consult with Matt Dates,</p> <p>3 the lawyer that's present for the Secret Service, and any</p> <p>4 other lawyer that you chose to have present today?</p> <p>5 A Yes, sir.</p> <p>6 Q Is Matt Dates outside?</p> <p>7 A Yes, sir.</p> <p>8 Q And available?</p> <p>9 A Yes, sir.</p> <p>10 Q All right. Do you have any questions of me before</p> <p>11 we get started?</p> <p>12 A No, sir.</p> <p>13 Q How long have you been with the Secret Service?</p> <p>14 A Over 26 years.</p> <p>15 Q And you said at the outset your current assignment</p> <p>16 was what?</p> <p>17 A I'm at Foreign Missions Branch.</p> <p>18 Q You'll have to --</p> <p>19 A Foreign Missions Branch.</p> <p>20 Q Foreign Missions Branch?</p> <p>21 A It's on International Drive.</p> <p>22 Q All right. Before that, what was your assignment?</p> <p>23 A I was at the White House.</p> <p>24 Q And what were the approximate dates of the period</p> <p>25 of time that you were assigned to the White House?</p>	<p>Page 8</p> <p>1 A It was with the special operations section as a</p> <p>2 tour officer.</p> <p>3 Q And that would have been from what time,</p> <p>4 approximately?</p> <p>5 A It was a three-year period.</p> <p>6 Q So May or June of '93, approximately?</p> <p>7 A Yes, sir.</p> <p>8 Q Through May or June of --</p> <p>9 A '96.</p> <p>10 Q -- '96. Do you know a person by the name of Monica</p> <p>11 Lewinsky?</p> <p>12 A Yes, sir. I do now.</p> <p>13 Q All right. And how is it that you know her now?</p> <p>14 A From the TV reports and I had seen her on occasion</p> <p>15 at the White House.</p> <p>16 Q All right. So you had seen her on occasion. I</p> <p>17 take it from your answer that you didn't connect things in</p> <p>18 your own mind until you saw the publicity surrounding the</p> <p>19 Monica Lewinsky and President Clinton matter?</p> <p>20 A That's correct.</p> <p>21 Q I represent to you that that publicity started on</p> <p>22 or about Wednesday, January 21, 1998, all right? Several</p> <p>23 months ago, in this year that we're now in. When do you</p> <p>24 think that you first saw Monica Lewinsky while you were</p> <p>25 stationed at the White House? And I understand that this is</p>

Page 9

1 an approximation.
 2 A I would say it would probably be the end of '96 or
 3 beginning of '97. I'm not really even sure.
 4 Q All right. Let me represent to you some other
 5 facts and that is that Monica Lewinsky worked first as an
 6 intern at the White House from early July of 1995 through
 7 approximately the middle of April of 1996, okay? When she
 8 was then transferred to the Pentagon, the Department of
 9 Defense, in Virginia, all right?
 10 A Okay.
 11 Q Using that timeframe as a gauge, can you help us
 12 with dating approximately the first time you saw her?
 13 A I'm sure it would be somewhere in the middle of
 14 that timeframe that you gave me, then. Just in passing in
 15 the hallway in the East Wing.
 16 MR. PAGE: All right. By the way, my colleague is
 17 now with me to my right, Mary Anne Wirth.
 18 MS. WIRTH: Hi.
 19 THE WITNESS: Hi.
 20 BY MR. PAGE:
 21 Q So were you working in the East Wing when you first
 22 met or saw Monica Lewinsky?
 23 A Yes, sir.
 24 Q Tell us about that. Where were you positioned?
 25 What was your job back then?

Page 10

1 A My position was the special operations section. It
 2 was what they call a tour whip which basically means you're
 3 the supervisor's right hand man. We make sure that tours are
 4 operated in a normal, timely manner. Officers are where
 5 they're supposed to be when they're supposed to be. And the
 6 only time I could remember seeing her was just in passing in
 7 the hallway. I never talked to her that I recall.
 8 Q Did she appear to you to be an employee at the
 9 time?
 10 A She had a pass that -- I know someone said that she
 11 was a new intern, her and how many hundred others.
 12 Q All right. So you never talked to her?
 13 A No, sir.
 14 Q And on how many times did you see her,
 15 approximately? Including this one we've just discussed.
 16 A Well, those two and then just one other time.
 17 Two or three, I'd say, together.
 18 Q So two or three total.
 19 A Right.
 20 Q Were they always in the East Wing?
 21 A No, sir. The one other time that I saw her it was
 22 apparently after she had left the White House. It was a
 23 Saturday or Sunday afternoon and I was working in the
 24 mansion. Another officer phoned me and I don't recall what
 25 it was. It wasn't relevant at that time. Said that there

Page 11

1 was a young lady on the way towards me, had a pass.
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 Q [REDACTED]
 9 A [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 Q [REDACTED]
 17 [REDACTED]
 18 A [REDACTED]
 19 Q All right. And where was she entering that day?
 20 A I believe she entered through the east appointment
 21 gate.
 22 Q And you said a Saturday or a Sunday you believed,
 23 correct?
 24 A Yes, sir.
 25 Q Why do you have that belief?

Page 12

1 A Well, because -- I recall that the tours had
 2 finished and I was on another assignment and I just know it
 3 was a Saturday or Sunday and I just can't recall for sure
 4 which day it was.
 5 Q What time of year and what year, in your
 6 estimation, was this particular visit?
 7 A The only thing I knew, it was after she had been
 8 dismissed from the White House. I couldn't give you an exact
 9 date or time.
 10 Q All right. Which I've represented to you was April
 11 of '96.
 12 A I believe it was either in the spring or the
 13 summer, you know, it was nice out, from what I can recall.
 14 Q So you're saying it could have been summer of '96?
 15 A Yes, sir.
 16 Q Or it could have been spring or summer of '97,
 17 correct?
 18 A No, I don't believe it was that late. I believe it
 19 was right after -- in '96.
 20 Q All right. So you're doing a post-to-post
 21 observation of her. You're the first person to --
 22 A No, I was actually the second.
 23 Q You're the second?
 24 A Once she entered the gate, she went past another
 25 officer, who then called me.

Page 13

1 Q Okay.

2 A And then I called another officer.

3 Q Do you recall who called you or who you called?

4 A I have no idea.

5 Q No idea?

6 A No, sir.

7 Q In any event, you learned from the officer at the

8 east appointment gate that apparently this is someone who is

9 coming in for an appointment and did I hear you say that this

10 was to bring some papers?

11 A I don't recall exactly what the reasoning was. To

12 the best of my recollection, it was to pick up some papers or

13 drop some papers off or -- somewhere over in the West Wing.

14 That's the best that I can recall that.

15 Q So tell us --

16 A And it wasn't until after I actually saw her face

17 on TV that I made the connection with the name and the face.

18 Q When you saw her, do you recollect whether or not

19 she had any papers with her?

20 A No, I don't believe so.

21 Q All right. Do you recall how she was dressed or if

22 she was with anybody?

23 A No, she was alone. I couldn't tell you how she was

24 dressed.

25 Q Where did she go?

Page 14

1 A I watched her from my post in the mansion going

2 across the colonnade outside the Rose Garden to the next post

3 and that's as far as I saw her.

4 Q And in which direction was she going? Was she

5 heading from east to west?

6 A Yes, sir.

7 Q Was she going in the general direction of the Oval

8 Office?

9 A Well, the Oval Office is in the West Wing. I don't

10 know if that's where she ended up or she went to somebody

11 else's office.

12 Q Did you see her again that day?

13 A No, sir.

14 Q What time -- do you know if you went off shift that

15 day?

16 A Yes, sir. I did.

17 Q Do you know what hours you routinely worked on the

18 weekends during that time period?

19 A [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 Q What time do you think that you saw Monica Lewinsky

23 on this day?

24 A I think it was early afternoon, 1:00, 1:30.

25 Q Before the end of your shift at 2:30 p.m.?

Page 15

1 A Yes, sir. Yes, sir.

2 Q Do you remember anything about her that day in

3 particular?

4 A No, sir.

5 Q How she was dressed, anything like that?

6 A No.

7 Q And it's your recollection she didn't appear to

8 have any file or papers with her?

9 A Not that I recall.

10 Q Is it fair to say, though, that you can't exclude

11 that? In other words, that she may have had papers?

12 A Excuse me. I wouldn't swear one way or the other

13 where she had papers or not. I couldn't even remember if she

14 was carrying a coat at that point.

15 Q All right. You didn't see her after that until the

16 publicity?

17 A Yes, sir. That's right.

18 Q So how many times total do you think you saw her?

19 A Two or three at the most.

20 Q And but for this occasion that we've been talking

21 about, the other two were in the East Wing?

22 A Yes, sir.

23 Q [REDACTED]

24 [REDACTED]

25 [REDACTED]

Page 16

1 A [REDACTED]

2 Q [REDACTED]

3 [REDACTED]

4 A [REDACTED]

5 A JUROR: [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 THE WITNESS: [REDACTED]

9 A JUROR: [REDACTED]

10 THE WITNESS: [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 A JUROR: [REDACTED]

15 [REDACTED]

16 THE WITNESS: [REDACTED]

17 A JUROR: [REDACTED]

18 [REDACTED]

19 THE WITNESS: [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 A JUROR: Does that take to high level approval or

24 do you do that on your own?

25 THE WITNESS: No, normally we can do that on our

1 own.
2 A JUROR: I see. Thank you.
3 MR. PAGE: Would you please excuse him?
4 THE FOREPERSON: Mr. Householder, you are excused.
5 Thank you.
6 MR. PAGE: Thank you.
7 (The witness was excused.)
8 (Whereupon, at 2:07 p.m., the taking of testimony
9 in the presence of a full quorum of the Grand Jury was
10 concluded.)
11 * * * * *

- 1 -

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 3/3/98

MARK HUFFMAN, Office Manager, Office of Public Affairs, U.S. Department of Defense, was interviewed in the offices of the Pentagon General Counsel. BRADLEY WIEGMANN, Pentagon Deputy General Counsel, was also present during the interview. HUFFMAN was advised as to the identity of the interviewing Agents and the nature of the interview. He provided the following information:

HUFFMAN advised that he had no involvement in the hiring of MONICA LEWINSKY as the Confidential Assistant to KENNETH BACON, Assistant Secretary of Defense for Public Affairs. HUFFMAN was supervised by BACON's deputy, CLIFF BERNATH. HUFFMAN advised that LEWINSKY did what she had to do to get her job done. HUFFMAN had no conversations with LEWINSKY about any alleged relationship she may have had with President CLINTON. LEWINSKY did mention that she had given President CLINTON a tie. President CLINTON may have worn the tie in a television appearance. HUFFMAN saw LINDA TRIPP on a number of occasions talking to LEWINSKY. LEWINSKY frequently talked on the telephone to her friends at the White House. HUFFMAN advised that he does not recall LEWINSKY leaving work early on December 19, 1997. HUFFMAN did not have any conversations with LEWINSKY about seeking employment in New York. HUFFMAN recalled that some time in early-December 1997, LEWINSKY left the office crying and stated that she had to take care of something personal. HUFFMAN advised that the last day he saw LEWINSKY was on December 23, 1997. HUFFMAN was on leave during the holidays.

HUFFMAN provided the following background information:

Home address: [REDACTED]
 Home telephone: [REDACTED]
 Date of birth: [REDACTED]
 Employment History: Active Duty Military
 August [REDACTED] - [REDACTED]
 Retired: [REDACTED]
 Rehired one month later
 in the Public Affairs Office
 at the Pentagon

Investigation on 2/27/98 at Washington, D.C. File # 29D-OIC-LR-35063

by SA [REDACTED]
 SA [REDACTED] Date dictated 3/3/98

