

LEAK INVESTIGATION

FOIA RD 56806 (URTS 16302) DocId: 70104932 Page 1

Screened by NARA (RD-F) 07-25-2018
FOIA RD 56806 (URTS 16302) DOCID:
70104932

UNITED STATES DEPARTMENT OF JUSTICE
Federal Bureau of Investigation

Copy to: Office of the Independent Counsel

Report of: SA DANA M. GILLIS Office: WMFO
Date: July 11, 1994

Field Office File #: 29D-LR-35063 Bureau File #:

Title: MOZARK;
FAG - SBA;
FIF;
MAJOR CASE 106;
OO: LITTLE ROCK

Character: GOVERNMENTAL FRAUD

Synopsis: In regards to the dissemination of the United States Park Police (USPP) report, FBI, Department of Justice (DOJ) and USPP officials deny submitting the complete death investigation report regarding VINCENT W. FOSTER, JR., to White House officials. There is no evidence that The White House requested of these agencies, the complete report.

DOJ officials advised, and USPP concurred, that USPP in response to Freedom of Information Act (FOIA) requests, directed to Mr. BERNARD NUSSBAUM, White House Counsel's Office, two separate requests for opinion regarding disclosure of portions of the USPP investigative report. The first request was for records previously furnished to the USPP by The White House and the second included three pages from the USPP report and a U.S. Secret Service log of persons entering Mr. FOSTER's office on 7/21/93. This second request did contain results of USPP investigation, which were submitted to Mr. NUSSBAUM after consultation with the Freedom of Information and Privacy Act (FOIPA) Section, DOJ. Mr. NUSSBAUM denied release of USPP's initial request but failed to respond to USPP's second request. The USPP provided portions of it's report to the White House based on recommendations by FOIPA, DOJ.

USPP officials advised that in early April, 1994, they were instructed to furnish to the Solicitor's Office,

Department of the Interior, a copy of both the unredacted and redacted portions of the USPP investigative report dealing with interviews of White House staffers and assistants. USPP officials assume that this request by the Department of Interior was to insure that FOIA exceptions and exemptions were properly applied.

TABLE OF CONTENTS

1. ROBERT LANGSTON, Chief, U.S. Park Police (USPP)
2. ALBERT JEZ, Investigator, USPP
3. DAVID MARGOLIS, Associate Deputy Attorney General,
U.S. Department of Justice (DOJ)
4. RICHARD HUFF, DOJ
5. PATRICK FORAN, Inspector, Federal Bureau of Investigation
(FBI)
6. JANE ERICKSON, Supervisory Special Agent, FBI
7. STEVE IRONS, Supervisory Special Agent, FBI

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 4/6/94

On May 30, 1994, Special Agents William E. Colombell and Lawrence Monroe met with Robert Langston, Chief, U.S. Park Police (USPP), and Robert H. Hines, Major, USPP, at Park Police Headquarters, 1100 Ohio Drive, S.W., Washington, D.C. 20242. SA Colombell inquired if Chief Langston could provide a list of those individuals and/or agencies who were given a copy of the USPP investigative report regarding the death of White House counsel Vincent Foster. Chief Langston advised that the original report is maintained in the USPP criminal investigative file.

Three copies of the report are also maintained by his department. One with USPP FOIPA Section, one with Major Robert Hines, Commander Criminal Investigative Branch and a copy that Chief Langston maintains in his office.

In addition, USPP has provided copies of the report to the below-listed individuals and/or federal agencies:

- 1 - Dept. of Justice - Mr. Margolis
- 1 - Dept. of Justice FOIPA Section
- 1 - Dept. of Justice Office of Professional Responsibility
- 1 - FBI - Criminal Investigative Division (OPR Investigation)
- 1 - SA Jane Erickson, FBIHQ (subsequently given to Mr. Rod Lankler, Office of Independent Counsel)

Chief Langston advised that his department did not provide copies of the report to the White House or to the Secretary of the Interior.

Investigation on 3/30/94 at Washington, D.C. File # 29D-LR-35063

by SA William E. Colombell
SA Lawrence Monroe Date dictated 4/3/94

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/24/94
30175401.wec

Sergeant ALBERT JEZ, Investigator, U.S. Park Police (USPP), Internal Affairs Office, Annocostia Operations Facility, Washington, D.C. (telephone number 690-5050) was advised of the identity of Special Agent WILLIAM E. COLOMBELL of the FBI. Sergeant JEZ provided the following information regarding his handling of Freedom of Information Act (FOIA) requests received by the USPP concerning the death investigation of VINCENT FOSTER.

The only USPP records relating to the VINCENT FOSTER death investigation that he provided to Mr. BERNARD NUSSBAUM, White House Legal Counsel Office, related to a number of FOIA requests received by the USPP beginning in August of 1993.

By cover letter dated 9/3/93 (attachment #1), Mr. NUSSBAUM was provided with four pages of records previously provided to the USPP by the White House described as follows: FOSTER's personal calendar (two pages); FOSTER's phone log (one page), and a note left by FOSTER (one page). The USPP cover letter explained that the above documents were considered White House documents. The USPP requested White House recommendations as to the releasability under FOIA of these specific documents.

By letter dated 11/8/93 (attachment #2), Mr. NUSSBAUM responded, stating that in the opinion of The White House Legal Counsel Office, the above four pages of records should not be disclosed. Mr. NUSSBAUM's letter also included legal justifications under FOIA for withholding release of such documents.

The USPP sent a second letter to The White House Legal Counsel Office dated 12/13/93 (attachment #3), adding that this second letter also related to USPP efforts to respond to these pending FOIA requests. Sergeant JEZ stated that this letter was sent after consultation between Sergeant JEZ and Ms. PEGGY IRVING, FOIA Section, Department of Justice (DOJ). Additional USPP FOSTER death report documents were sent to The White House as enclosures to this second letter, including three pages from the USPP investigative report (marked as items 36, 50 and 52) and

Investigation on 6/24/94 at Washington, D.C. File # 29D-LR-35063
 by SSA WILLIAM E. COLOMBELL *WEC* Date dictated 6/24/94

29D-LR-35063

Continuation of FD-302 of ALBERT JEZ, On 6/24/94, Page 2

a U.S. Secret Service log of persons entering Mr. FOSTER's office on 7/21/93 (marked as item 87).

Items 36, 50 and 52 are not White House documents but rather the written result of USPP investigative efforts. Items 50 and 52 reflect the USPP follow-up investigation generated from a review of the FOSTER phone log. Item 36 reflects USPP investigation generated from a review of U.S. Secret Service log of persons entering FOSTER's office on 7/21/93. It was the USPP position, after consultation with the FOIA section of the DOJ, that these items, although not White House documents, related to the previously described White House documents and thus White House views and legal opinion were necessary prior to any release under FOIA.

To his knowledge, Mr. NUSSBAUM, White House Legal Counsel's office, never did send a response back to the USPP letter dated 12/13/93.

With the appointment of Mr. ROBERT FISKE as Independent Counsel in Whitewater related matters, all pending FOIA requests re the FOSTER death investigation were denied based on exemption 7A (pending investigation).

The decision to send the above portions of the USPP report to The White House was based on recommendations to his department made by Ms. PEGGY IRVING, FOIPA, DOJ.

Normally, if he has legal issues to resolve re handling of FOIA requests, he checks with the Solicitor's Office for the U.S. Department of Interior (Attorneys RICK ROBBINS or RANDY MYERS). In this case, he was told by his superior, Commander HINES, to work with Department of Justice, FOIA section re all FOIA requests received by USPP relating to FOSTER's death. It was his understanding that this decision was based on a letter, dated August 20, 1994 from Ms. PEGGY IRVING, Department of Justice, (attachment #4) citing the need for coordination and consultation between the various federal entities that had received FOIA requests re FOSTER's death.

He had also discussed with Ms. IRVING, those portions of the USPP FOSTER death report dealing with interviews of White House staff persons and assistants, specifically the issue of referring those parts of the report to The White House Legal Counsel Office for their input prior to any FOIA release. It was

FD-302a (Rev. 11-15-83)

29D-LR-35063

Continuation of FD-302 of ALBERT JEZ, On 6/24/94, Page 3

his understanding that the Department of Justice, FOIA section would handle this matter and that prior to any release, the Department of Justice would make those portions of the report (interviews of White House staff) available to The White House Legal Counsel's Office for its legal opinion regarding release of this material under FOIA. He has no knowledge whether the FOIA section, Department of Justice, subsequently provided these portions of the USPP report to The White House or not.

Sergeant JEZ concluded by stating that in early April, 1994, he was contacted by Mr. RICHARD ROBBINS, an attorney with the Solicitor's Office, Department of Interior, adding that ROBBINS instructed him to make a copy of both the unredacted and redacted portions of the USPP FOSTER investigation dealing with interview of White House staffers and assistants. Sergeant JEZ assumed that Mr. ROBBINS wanted to review those sections of the report to ensure that FOIA exemptions and exceptions were properly applied. On April 7, 1994, he provided Mr. ROBBINS with both clear and redacted copies of those portions of the report dealing with interviews of all White House staffers and assistants (attachment #5).

Sergeant JEZ stated that the above information represents the totality of his knowledge concerning who was provided portions of the USPP FOSTER death investigation by the FOIA unit of the USPP.

ATT #1



United States Department of the Interior

NATIONAL PARK SERVICE
Headquarters, United States Park Police
1100 Ohio Drive, S. W.
Washington, D. C. 20242
DRAFT

TAKE PRIDE IN AMERICA

PHines 9/3
WCC, H
9/3
OP 9/10/93

IN REPLY REFER TO:
P36(NCR-FOIA)

Mr. Bernard Nussbaum
Chief Counsel to the President
West Wing, 2nd Floor
White House
Washington, D.C. 20500

Dear Mr. Nussbaum:

While processing a Freedom of Information Act (FOIA) request from Mr. William Neuman, received on August 11, 1993, the United States Park Police located four documents containing information furnished by White House Staff. We request your review of the documents, making any deletions or recommendations regarding withholding a document in entirety. We ask that the documents be returned to us. Please cite the FOIA exemptions regarding deletions or withholding recommendations you have made. If there should be any other justification for withholding this information from public disclosure, please provide supporting documentation.

We have enclosed the following:

1. a copy of Mr. Neuman's FOIA request;
2. copies of the documents you provided us;

If you should have any questions concerning this referral, please contact Sergeant Albert Jez on 202-690-5103.

Sincerely,

Robert H. Hines, Major
Commander, Office of Inspectional Services

Enclosures
bcc:
USPP FOIA Surname
Cmdr., OIS
Cmdr., IAU

FOIA file 93-026

July 1993

Vincent W. Foster

SUNDAY

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

				1 9:00am Staff 1:15pm Askew, Anthony 4:00pm Belsey Wright ED 1317 F, Style 600	2 9:00am Staff 7:30pm Chevy Chase CC	3
4 7:30pm Ice Cream Social	5 Holiday	6 8:00am Sr. Staff 4:00pm Deputies	7 8:00am Sr. Staff 9:00am Staff	8 8:00am Sr. Staff 9:00am Staff 11:00am School Mtg 2:00-2:45pm Lisa Nevans-HOPE STAR	9 8:00am Sr. Staff 9:00am Staff 11:00am Gary Aldrich - Sloan 12:15pm Pincus-Hay Adams	10
11	12 8:00am Sr. Staff 9:00am Staff 4:00pm Deputies	13 9:00am Staff	14 9:00am Staff	15 9:00am Staff	16 9:00am Staff 4:00pm Deputies	17
18	19 NAFTA Brief Due Meinhold Brief Due 9:00am Staff 4:00pm Deputies	20 Ginsburg Hrg Begins 9:00am Staff	21 9:00am Staff	22 9:00am Staff 1:15pm Sharon lunch	23 9:00am Staff 4:00pm Deputies	24
25	26 9:00am Staff 4:00pm Deputies	27 9:00am Staff	28 9:00am Staff	29 9:00am Staff	30 9:00am Staff 4:00pm Deputies 7:30pm Edleman Party 3208 Newark 662-3506	31

June

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

August

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

July 1993

Vincent W. Foster

SUNDAY

MONDAY

TUESDAY

WEDNESDAY

THURSDAY

FRIDAY

SATURDAY

				1 9:00am Staff 1:15pm Askew, Anthony	2 9:00am Staff 7:30pm Chevy Chase CC	3
4	5 Holiday	6 8:00am Sr. Staff 4:00pm Deputies	7 8:00am Sr. Staff 9:00am Staff	8 8:00am Sr. Staff 9:00am Staff 11:00am School Mtg 2:00-2:45pm Lisa Nevens-HOPE STAR	9 8:00am Sr. Staff 9:00am Staff 11:00am Gary Aldrich 12:15pm Pincus 5:00pm Interns	10
11	12 8:00am Sr. Staff 9:00am Staff 10:45am Mtg w/ Watkins re staff 12:00pm Beth & Cliff 4:00pm Deputies	13 9:00am Staff	14 9:00am Staff	15 9:00am Staff	16 9:00am Staff 4:00pm Deputies	17
18	19 NAFTA Brief Due Meinhold Brief Due 9:00am Staff 4:00pm Deputies	20 Ginsburg Hearing 9:00am Staff	21 9:00am Staff	22 9:00am Staff 10:00am Judicial Selection 1:15pm Sharon lunch (4)	23 9:00am Staff 4:00pm Deputies	24
25	26 9:00am Staff 4:00pm Deputies	27 9:00am Staff 8:00pm Mrs. Simpsons & Hernreich BDAY	28 9:00am Staff	29 9:00am Staff	30 9:00am Staff 4:00pm Deputies 7:30pm Edleman Party 3208 Newark 662-3506	31

June

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

August

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

July 20, 1993

TIME IN	NOTES/RESOLUTION	NAME/AGENCY	PHONE NO.	MESSAGE
10:55 AM		Brant Buck	501 377 0310	
11:01 AM		Bill Kennedy		
11:11 AM		Maggie Williams	7194	
		Cheryl Mills	7112, 7900	
		Jim Lyons	303 623 9000	
		Brant Buck	501 377 0310	
1:40 PM		Bill Kennedy	2144	
1:40 PM		Steven Neuwirth	7903	
2:14 PM		Cheryl Mills	7122, 7900	needs to call Justice on a new matter; if she cannot reach you, she will go ahead and call
		Gordon Rather	501 371 0808	personal matter (secy did not know specifics)
3:35 PM		Maggie	7194	has an answer to one of our questions
5:10 PM		Mrs. Foster		

W.H. 7/30/93

W.H.

I made mistakes from ignorance, inexperience and overwork

I did not knowingly violate any laws or standard of conduct

No one in the White House, to my knowledge, violated any law or standard of conduct, including any action in the travel office. There was no intent to benefit any individual or specific groups

The FBI lied in their report to the AG

The press is covering up the illegal benefits they received from the travel staff

The GOP has lied and misrepresented its knowledge and role and covered up a presidential investigation

The USIA office plotted to have excessive costs incurred, taking advantage of Kake and the

The public will never believe the innocence of the Clintons and their loyal staff

The WSJ editors lie without consequence

I was not meant for the job or the spotlight of public life in Washington. Here ruining people is considered sport.



THE WHITE HOUSE
WASHINGTON

11/11/93
Hines

November 8, 1993

Robert H. Hines, Major
Commander, Office of Inspectional Services
United States Department of the Interior
National Park Service
Headquarters, United States Park Police
1100 Ohio Drive, S.W.
Washington, D.C. 20242

Re: FOIA Request of William Neumann Dated August 11, 1993

Dear Major Hines:

You have asked for our opinion regarding the above-referenced request, under the Freedom of Information Act, for documents previously forwarded to the National Park Service by the White House Counsel's Office. We have reviewed these documents, and, for the reasons stated below, have concluded that such documents should not be disclosed.

First, the documents requested are not "agency records" subject to the FOIA. See 5 U.S.C. § 552(a)(4)(B). The Office of the President, including the President's immediate personal staff and units in the Executive Office whose sole function is to advise and assist the President, does not constitute an "agency" for the purposes of FOIA. See, e.g., Kissinger v. Reporters Committee, 445 U.S. 136, 156 (1980); National Security Archive v. Archivist of the United States, 909 F.2d 541, 545 (D.C. Cir. 1990) (Counsel's Office exempt from FOIA). Although the documents requested were forwarded to the Park Service, they remain White House documents not subject to the provisions of the FOIA. See, e.g., Goland v. CIA, 607 F.2d 339, 347 (D.C. Cir. 1978), vacated in part on other grounds, 607 F.2d 367 (D.C. Cir. 1979), cert. denied, 445 U.S. 927 (1980) (Congress' retention of control over documents turned over to agency).

Second, the requested documents do not qualify as "agency records" since they were primarily personal documents prepared for the convenience of an employee and were not distributed. See, e.g., Bureau of National Affairs v. U.S. Dep't of Justice, 742 F.2d 1484, 1485-96 (D.C. Cir. 1984) (personal diary, appointment calendars, phone logs not "agency records.")

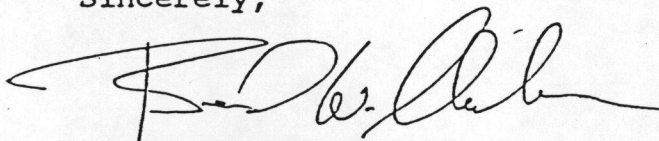
Third, even assuming arguendo that these White House documents are "agency records", they are exempt from disclosure both under FOIA's exemption 6 (the privacy exemption) and exemption 7(c) (the privacy exemption in the context of a law enforcement

investigation). See 5 U.S.C. § 552(b)(6) & (b)(7)(c). Disclosure of these documents would violate the privacy rights of a former White House employée and his family, and would not serve any significant public interest. As the D.C. Circuit has cautioned, "[T]he legitimate and substantial privacy interests of individuals . . . cannot be overridden by general public curiosity." Fund for Constitutional Government v. National Archives and Records Service, 656 F.2d 856, 866 (D.C. Cir. 1981).

The privacy provisions of FOIA exemptions 6 and 7(c) apply fully to Mr. Foster's handwritten note. As has been publicly stated, the Foster family has requested that the handwritten version of the note not be released. That the note is handwritten only confirms the significant privacy interest in that note. Moreover, any public interest in release of the handwritten note is minimized because the complete contents of the note have been previously released and widely reported. See, e.g., New York Times Co. v. NASA, 920 F.2d 1002, 1004 (D.C. Cir. 1990) (en banc) (finding, under exemption 6, personal information in tape recording of astronauts' last conversation where transcript already published).

As you have requested, enclosed please find the copies of the documents you provided for our consideration. We appreciate your cooperation with this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Bernard W. Nussbaum". The signature is fluid and cursive, with a long horizontal stroke at the end.

Bernard W. Nussbaum
Counsel to the President



United States Department of the Interior

NATIONAL PARK SERVICE
HEADQUARTERS, UNITED STATES PARK POLICE
1100 Ohio Drive, S.W.
Washington, D.C. 20242

IN REPLY REFER TO:
P36(NCR-PPIA)

DEC 13 1993

Mr. Bernard Nussbaum
Chief Counsel to the President
West Wing, 2nd Floor
White House
Washington, D.C. 20500

Dear Mr. Nussbaum:

We have determined that it is necessary we refer to you the enclosed documents marked #36, #50, #52 and #87. These documents were determined to be responsive to Mr. William Neuman's Freedom of Information Act (FOIA) request.

Document #87 titled, "Communication Record", was initially referred to the United States Secret Service (USSS). The USSS has determined that this document should be referred to the White House, Mr. Bernard Nussbaum, Counsel to the President, 1600 Pennsylvania ave., N.W., Washington, D.C. 20500 regarding a public disclosure determination.

Document #36 contains information, bracketed in red, directly related to document #87. Documents #50 and #52 contain information, bracketed in red, directly related to a document we previously referred to you on September 3, 1993.

We request you review the entire document #87 and the information on documents #36, #50 and #52 that is bracketed in red, making any deletions or recommendations regarding the public disclosure of these documents and information. We ask that the documents be returned to us. Please cite the FOIA exemptions regarding deletions or withholding recommendations you make. If there should be other justification for withholding this information from public disclosure, please provide documentation regarding this.

We have enclosed the following:

1. A copy of Vincent Foster's phone log that was previously referred to you on September 3, 1993;
2. A copy of your response regarding the September 3, 1993, referral;
3. A copy of Mr. Neuman's FOIA request;
4. A copy of documents #36, #50, #52 and #87 that we request you review;

If you should have any questions concerning this referral, please contact me on 202-619-7350 or Sergeant Albert Jez on 202-690-5103.

Sincerely,

Robert H. Hines, Major
Commander, Office of Inspectional Services

Enclosures

bcc:

USPP IAU FOIA Surname

USPP IAU FOIA File

AFJEZ:aj:12-10-93:WP51\FINUS.326

*Document Provided
Released to you*

July 20, 1993

TIME IN	NOTES/RESOLUTION	NAME/AGENCY	PHONE NO.	MESSAGE
10:55 AM		Brant Buck	501 377 0310	
11:01 AM		Bill Kennedy		
11:11 AM		Maggie Williams	7194	
		Cheryl Mills	7112, 7900	
		Jim Lyons	303 623 9000	
		Brant Buck	501 377 0310	
1:40 PM		Bill Kennedy	2144	
1:40 PM		Steven Neuwirth	7903	
2:14 PM		Cheryl Mills	7122, 7900	needs to call Justice on a new matter she cannot reach you, she will go ahead and call
		Gordon Rather	501 371 0808	personal matter (secy did not know specifics)
3:35 PM		Maggie	7194	
5:10 PM		Mrs. Foster		has an answer to one of our questions

#50

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE I

States Park Police

WHEN DID IT OCCUR	MO	DAY	YR	4 YEAR	CASE INCIDENT NUMBER
	07	20	1993	9303	305012

6 RECLASSIFICATION OF INCIDENT

INCIDENT
Investigation

RESULTS OF INVESTIGATION

On Friday, July 30th, Detective ~~David Rayfield~~ and I responded to the Executive Office Building (EOB) Room 128 to meet with ~~Clifford Sleen~~. The purpose of the meeting was to examine the telephone message log of Vincent Foster during the month of July and in particular to attempt to determine if he had gotten a call just prior to his departure on July 20, 1993. We learned that the phone logs were just a message log of calls he received when he was absent or unable to take the call. The administrative assistants would type time, person's name, phone number, and messages if one was left. The log was no assistance in determining if anyone had called him just prior to 1300 hours on July 20, 1993, if the call had been put through. There was one notation of interest on July 19, 1993. A ~~person~~ had called at 1047 hours and left his phone number ~~504-861-0710~~. There were no messages. Prior to 1300 hours on July 20, he had received several phone messages. Some of the messages were from his staff. There were two calls made from Arkansas from the same person and one call from Colorado. Attempts will be made to contact these people and see if either reached Vincent prior to 1300 hours.

~~Clifford Sleen~~ requested if any information about the phone logs is contemplated being released, ~~he~~ would like to have the counsel's office notified at the White House prior to any release. I told ~~him~~ that I would put his request in my report. This caused ~~him~~ some concern because ~~he~~ didn't want special or unusual attention drawn to his request.

9	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
RRANT(S) YES NO	<input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS		PAGE 1 OF 1 PAGES
STATUS: <input type="checkbox"/> OPEN	<input type="checkbox"/> SUSPENDED	CLOSED BY: <input type="checkbox"/> ARREST	<input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED

453

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE

States Park Police

WHEN DID IT OCCUR	NO.	DAY	HR	4 YEAR	CASE/INCIDENT NUMBER
	0	7	2	0	9:3:9:3 - 3 0 5 0 1

INCIDENT
Investigation

6 RECLASSIFICATION OF INCIDENT

RESULTS OF INVESTIGATION

July 20, 1993 [Phone Log]

The phone message log indicated ~~Brant Buck~~ called for Foster at 10:55 a.m. and left only his phone number 501-377-0310. The log indicated he called again at 11:11 a.m. and left the same phone number.

On August 2, I called ~~Buck's~~ office and spoke to his secretary, ~~Michelle Johnson~~. ~~Michelle~~ was on vacation. She said ~~Buck~~ did get a return call from Foster on July 19th, but ~~Buck~~ had stepped away from his desk. Foster returned the call to Buck at 11:17 a.m. central time (12:17 a.m. eastern time). ~~Michelle~~ had a brief conversation with Foster that was characterized as normal, nothing unusual. ~~Brant Buck is a partner in the Rose Law Firm in Little Rock, Arkansas.~~

The phone message log indicated a call from ~~Jim Lyons~~ at 11:11 a.m. with only a phone number left, ~~303 888 6600~~. Lyons is from the ~~law firm of Johnson, Lyons, Power and Johnson in Denver, Colorado.~~ I contacted ~~Lyons~~ by telephone on August 2nd. He had known Foster since the late 1980's. He met him through Hillary Rodham Clinton and the Rose Law Firm. They had worked together on the Campaign. ~~Lyons~~ was going to be in Washington on Wednesday, July 21st. He had called and spoken with Foster Sunday July 18th between 8:00-9:00 p.m. eastern time and they had agreed to meet for dinner Wednesday.

~~Lyons~~ had told Foster he would call him and let him know when he would leave Denver and arrive in Washington. This is the reason for the phone message on the morning of July 20, 1993.

The phone message log indicated that a ~~Gordon R. Miller~~ called Foster at 2:14 p.m. and left his phone number, ~~501 271 0600~~ and a message was noted by the administrative assistant "personal matter (secy did not know specifics)"

ARRANT(S) YES NO	9 <input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
STATUS: <input type="checkbox"/> OPEN	<input type="checkbox"/> SUSPENDED	CLOSED BY: <input type="checkbox"/> ARREST	<input type="checkbox"/> EXCEPTION	<input type="checkbox"/> UNFOUNDED
REPORTING OFFICER	EDGE/ID	DATE	15 INVESTIGATOR	BADGE#

#36

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE

ITEM AREA	DATE WHEN DID IT OCCUR	MO	DAY	YR	4 YEAR	CASE-INCIDENT NUMBER
United States Park Police	0 7 2 0 9 3	0	7	2	0	9 3 - 3 0 5 0 1-
NATURE OF INCIDENT	RECLASSIFICATION OF INCIDENT					
Death Investigation						

ITEM	RESULTS OF INVESTIGATION
	<p>"Review of Documents from Vincent Foster's Office"</p> <p>On Thursday, July 22, 1993, in the afternoon the following persons met in the office of Vincent Foster to attempt to determine if he left a suicide note or if there were any other information that might have led him to take his own life. The very limited examination of the documents and notes were done by the Chief Counsel, Bernard Nussbaum. The following people were also present during this meeting: William Burton, Dept. Chief of Staff for the President, Clifford Sloan and Steven Newirth; Associate Legal Counselors, Michael J. Spafford; Attorney representing the Foster family, Captain Charles Hume and Detective Pete Markland; U.S. Park Police, Special Agents Scott Galter and Dennis Gordon; Federal Bureau of Investigation, David Margolis, Deputy Assistant Attorney General Criminal Division; and Roger Adams, Department of Justice Attorney, Paul Imbortino and Donald Flynn; U.S. Secret Service.</p> <p>Originally, we had responded to the White House on Wednesday morning, July 21, to examine his office. As soon as we arrived and met with Inspector Dennis Garcia of the U.S. Secret Service Uniform Division, we had requested a guard be posted at the door of the office to prevent anyone from removing anything from the office. As the day progressed we were not permitted to examine the room. We departed the White House sometime around 1830 - 1900 hours. [The U.S. Secret Service log of persons entering the office after 1100 hours on Wednesday, July 21, showed Bernard Nussbaum entering the office at 1110 hours to remove a small photo and Cliff Sloan entering at 1834 hours same day to replace a bag of trash previously removed from Mr. Foster's trash can.]</p> <p>At 1315 hours, Thursday, July 22, all 13 of us entered the office of Vincent Foster. Bernard Nussbaum took a seat at Foster's desk, he was surrounded by his two associates, Sloan and Newirth with Burton near his side and Spafford at the end of the desk.</p>

COMMUNICATION RECORD

#87

Log of Persons entering Mr. Foster's Office

Wednesday July 21st 1993

11:16A Mr Nussbaum Provided a small photo (off. Milcom)

11:34P Cliff Sloan, to replace a bag of trash previously taken from Mr. Foster's
Trash Can (off. Cheney)8:02P Kevin Robbins, Kenneth Blair, to place the lock on the door to
Foster's Office (SA Flynn)

10:32P Lock installed, Door Secured by Flynn

Thursday July 22nd 19931:15P Mr Nussbaum, Steve Delaney, Cliff Sloan, Bill Brown, Michael Spitzer,
David Margolis, Roger Adams, Capt Robert Hume, Pete Markland,
Sgt. Salter, Dennis Chasler, Paul Imboden, Dan Flynn.2:49P Discontinued Security on door, Key given to Mr Nussbaum by
Flynn.

All #4



U. S. Department of Justice

LETTERHEAD 8/23
HIG 9/23

Washington, D.C. 20530

August 20, 1993

HAND-DELIVERED

MEMORANDUM

TO: Major Robert Hines
U.S. Park Police
Department of Interior

FROM: *Peggy Irving*
Margaret Ann Irving
Associate Director
Office of Information and Privacy

SUBJECT: Freedom of Information Act Requests for
U.S. Park Police Report Regarding Death
of Deputy White House Counsel Vincent Foster

PHines 8/23/93

The Office of Information and Privacy, acting on behalf of the Deputy Attorney General, has received several requests for access to various records regarding the death of Vincent Foster. The enclosed report which was provided to the Deputy Attorney General by your agency is among the responsive documents. In an effort to provide a consistent response to all requesters, we are directing the report to you for consultation prior to making our final responses.

Accordingly, please provide us with any comments or recommendations you may have as to the sensitivity of this report. As you are aware, certain material in this report originated with the Bureau of Alcohol, Tobacco and Firearms; you may wish to consult with it regarding its information prior to making your response to this Office. Also contained in your report are documents that originated with the FBI. Such documents are duplicative of records which we are directing to the FBI for its review. We will apprise you of the FBI's disclosure recommendations as soon as such review is completed.

Please return the document, along with your comments, to me at the following address:

U.S. Department of Justice
Office of Information and Privacy
Room 7238
Washington, D.C. 20530
Attention: Ms. Irving

- 2 -

Lastly, I understand that your Office has also received FOIA requests directly. To ensure consistent responses, we ask that you consult and coordinate with this Office prior to any response to the requesters. If you have any questions regarding this matter, please call Charlene Wright or me at 514-4251.

Enclosure

Material delivered to
R. Myers in P. Robbins office
on 4/7 pursuant to
A. M. phone call from
K. Myers.

Clean copies of WH
employee interviews
29, 30, 31, 32, 33, 34
36, 37, 43, 45, 46

Redacted copies 4/7
of 29, 30, 31, 32, 33
34, 36, 37, 43, 45, 46

4/7

FXI
Bracketed material on
document # 36
was forwarded to WH.
I have provided # 50+52
which were forwarded to WH.
We have not received a return.

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE

States Park Police	WHEN DID IT OCCUR?	MO	DAY	YR.	4 YEAR	CASE/INCIDENT NUMBER					
		0	7	20	93	93	3	0	5	0	2
RECLASSIFICATION OF INCIDENT											
Investigation											
RESULTS OF INVESTIGATION											

7/21/93: Bernard Nussbaum

After negotiations between the White House Counsel's Office and the Department of Justice were completed at approximately 1700 hours on 7/21/93, S/A Condon, S/A Salter, Captain Hume, and Detective Markland responded to the West Wing and spoke with Mr. Nussbaum to make arrangements for interviews and a search of Mr. Foster's office on 7/22/93. Mr. Nussbaum is Chief Counsel to the President. S/A Salter and Det. Markland obtained the following information from Mr. Nussbaum as a result of that meeting:

-Mr. Nussbaum had determined that Mr. Foster had left his office after lunch at 1310 hours on 7/20/93. Mr. Foster had not exhibited any unusual behavior on that day. Mr. Nussbaum tried to page Mr. Foster at approximately 1830 hours. After waiting a brief period of time without receiving a response, Mr. Nussbaum left and proceeded to his domicile, arriving at approximately 1900 hours.

-On 7/20/93 after Vincent Foster's death became known to him, Mr. Nussbaum responded back to the White House where he went through Mr. Foster's office with Patsy Thomassen and Maggie Williams. Mr. Foster stated that they conducted a brief, quick search to see if Mr. Foster may have left a suicide note on his desk. This search lasted from 2200 to 2400 hours. Mr. Nussbaum stated that no documents were removed from the office.

-Mr. Nussbaum stated that he learned that from about 0700-0715 hours one of the secretaries had entered Mr. Foster's office and "piled papers" on his desk top "to make it neat".

-At approximately 0900 hours Mr. Nussbaum again entered the office to look around.

-It was determined that the cleaning lady had emptied Mr. Foster's trash. The trash was retrieved and returned to the office.

-Mr. Nussbaum requested that the U.S.S.S. secure the office and the room was posted at approximately 1015 hours.

Investigation continues.

29

REPORTING OFFICER	BADGE/ID	DATE	15 INVESTIGATOR	BADGE/ID	DATE	16 SUPERVISOR	BADGE/ID	DATE
STATUS: <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED			CLOSED BY: <input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED					
REPORTING OFFICER	BADGE/ID	DATE	15 INVESTIGATOR	BADGE/ID	DATE	16 SUPERVISOR	BADGE/ID	DATE

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE

National Park Police
Investigation
RESULTS OF INVESTIGATION

WHEN DID IT OCCUR?	MO.	DAY	YR.	YEAR	CASE/INCIDENT NUMBER
	07	20	93	93	-30502

6 RECLASSIFICATION OF INCIDENT

On Thursday, August 22, 1993, Detective Pete Markland and I responded to the White house to meet with Special Agents Scott Salter and Dennis Condon of the FBI to conduct interviews. The purpose of the interviews were to reconstruct the final hours of Vincent Foster's life.

Myself and Special Agent Condon interviewed Ms. Betsy L. Pond; Staff Assistant to Bernard Nussbaum, Chief Counsel for the White House. The interview took place in an office that was unoccupied for the day. Present in the room during the entire interview were Clifford Sloan; associate counsel to Nussbaum, and Paul Imbordino; assistant Special Agent in Charge, Office of Protective Operation, U.S. Secret Service. Clifford Sloan took notes throughout the interview. During the interview Bernard Nussbaum burst into the room and demanded "is everything all right?"

We started the interview at approximately 0900 hours. Ms. Pond got in to work at around 0900 hours on Tuesday, July 20th. Usually there is a staff meeting of the counsel's office from 0900 to 0945 hours each morning that Vincent Foster would attend. She assumed he was at the staff meeting as she didn't see him when she arrived at work. She first recalled seeing him outside in the Rose Garden. The President was nominating Judge Freeh at the ceremony as the new director of the FBI.

She doesn't recall Vincent Foster having any visitors on Tuesday. The first conversation she had with him was about lunch around 1200-1230 hours. He said he would eat at his desk. He ordered a medium rare cheeseburger, french fries and coke. She and Linda Tripp went to the cafeteria and ordered his lunch. She recalled there were M & M's on the tray with the food because Linda wanted them. He sat on his sofa and ate lunch in his office.

At around 1300 hours he came out of the office and stated "I'll be back, there are M & M's left in my office". Ms. Pond recalled that she and Linda were in the office when he left. She wasn't sure if Tom was in the office or not. Tom Castleton is a young college graduate working in the office. There was nothing unusual about his emotional state. In fact, over the last several weeks she did not notice any changes, either physically or emotionally. She noticed no weight lost. She was unaware of him taking any medication or seeing any doctors. I asked here would she be surprised if I found out he was seeing a psychiatrist. She said yes. She was not aware of any depression problems. She had no information whether he owned any weapons.

30

10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
<input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS	PAGE 1 OF 2 PAGES	
STATUS: <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED CLOSED BY: <input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED		
REPORTING OFFICER BADGE/ID DATE 15 INVESTIGATOR BADGE/ID DATE 16 SUPERVISOR BADGE/ID DATE		

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE 0

States Park Police	WHEN DID IT OCCUR?	MO.	DAY	YR.	4 YEAR	CASE INCIDENT NUMBER
Investigation		0	7	2	09	3
RESULTS OF INVESTIGATION	6 RECLASSIFICATION OF INCIDENT					
					93	-30502

Ms. Pond said she left work at approximately 1845-1850 hours on Tuesday; but, before she left at around 1820 or so, Maggie Williams (Mrs. Clinton's Chief of Staff) called for Vincent. She paged Vincent and left the White House number for him to call. She recalled no other phone messages for Vincent.

She learned about Vincent's death from messages on her home answering machine around 0500-0600 hours on Wednesday, July 21. She came into work at 0700 hours and was the first person in. The door to Vincent's office was closed when she arrived at work. She believed that Tom Castleton or Bernard Nussbaum were the last persons out of the complex on Tuesday and one of them would have closed the door to Vincent's office. She went into his office and "squashed" the papers together that were on his desk. She realized that she shouldn't have touched the papers as soon as she did it but probably did it out of habit.

When I questioned her if she had been told how to respond to our questions, she stated that Clifford Sloan (who was present during our interview) and Steve Neuwirth, both associate counselors, had called them all together on Wednesday evening and told them they would be questioned by the police and for them to tell the truth.

31

9	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
REPORTING OFFICER	BADGE/ID	DATE	PAGE 2 OF 2 PAGES
STATUS: <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED	CLOSED BY: <input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED	15 INVESTIGATOR	16 SUPERVISOR
Cpt. Charles Hume #852	8/4/93		

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE

3 WHEN DID IT OCCUR?	MO	DAY	YR.	4 YEAR	CASE/INCIDENT NUMBER			
	07	20	93		93	-	305012	

5 STATES PARK POLICE
6 RECLASSIFICATION OF INCIDENT

IDENT
Investigation

RESULTS OF INVESTIGATION

Interview: Deborah Gorham

Deborah Gorham is the Executive Assistant that was assigned to Vincent W. Foster. Her desk is located in the common area between the two offices in the West Wing of the White House occupied by Mr. Bernard Nussbaum and Mr. Foster, respectively. Other persons occupying this common office space are Betsy Pond (Executive Assistant to Mr. Nussbaum), Linda Tripp (Executive Assistant), Tom Castleton (Staff Assistant), and Marlene McDonald (Volunteer).

The interview took place in a West Wing office at approximately 0900 hours and was attended by Det. Markland (USPP), S/A Salter (FBI), and Assistant White House Counsel Steven Neuwirth.

Ms. Gorham stated that she did not know Mr. Foster before she was hired on March 8, 1993 and had no social relationship with either Mr. Foster or any member of his family. On 7/20/93 she left the office at approximately 1130 hours, which is the last time she saw Mr. Foster alive. She stated that she did not note any unusual behavior by Mr. Foster on that day.

Ms. Gorham recalled a conversation with Mr. Foster on Thursday, 7/15/93 when he discussed the differences in working for a law firm and working for the government. She placed no significance on the conversation at the time and, in retrospect, it still seemed to be a normal comparison.

Ms. Gorham was asked if Mr. Foster would have any reason to deal with physicians directly on a professional basis due to his involvement with the Health Care Reform proposals under consideration. Ms. Gorham stated that there was no reason whatsoever for Mr. Foster to deal with physicians professionally.

The interview was about to be terminated when Mr. Neuwirth asked us to remain and took Ms. Gorham out of the room to speak to her. A very short time later they returned and Ms. Gorham stated that there was one thing she thought may be important that she recalled. On Thursday, 7/15/93, Mrs. Foster had called her and asked for Mr. Foster's pay schedule, explaining that she believed their checking account was overdrawn. The Credit Union was contacted and they stated that they would work with Mrs. Foster on a weekly, instead of a biweekly, basis. After that conversation Ms. Gorham was authorized by Mr. Foster to pick up a statement every Friday for Mrs. Foster. Ms. Gorham did not see this as a real problem or place any significance on it.

32

WARRANT(S) <input type="checkbox"/> YES <input type="checkbox"/> NO	9 <input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12 PAGE 1 OF 2 PAGES
3 STATUS: <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED	CLOSED BY: <input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED	15 INVESTIGATOR	16 SUPERVISOR	DATE
4 REPORTING OFFICER	BADGE/ID	DATE	BADGE/ID	DATE

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE

Ad States Park Police
 Incident
 Investigation
 RESULTS OF INVESTIGATION

3 WHEN DID IT OCCUR?	MO	DAY	YR.	4 YEAR	CASE INCIDENT NUMBER
	07	20	93	93	- 30502

6 RECLASSIFICATION OF INCIDENT

This initial interview was concluded at approximately 0930 hours.

At approximately 1450 hours, immediately after the inventory of Mr. Foster's Office by White House Counsel (reference report under this case file number by Capt. Hume), Det. Markland and S/A Salter were asked to remain and were ushered into Mr. Nussbaum's office by Mr. Neuwirth. Ms. Gorham was brought in and she stated that she had just remembered some conversations that she thought were important to our investigation. Within the last two weeks Ms. Gorham had received calls from Mr. Foster's eldest son and Mrs. Foster inquiring about Vincent Foster's mood. They specifically asked how "he" was doing, not how the work was going, and seemed genuinely concerned.

Investigation continues.

33

9 WARRANT(S) <input type="checkbox"/> YES <input type="checkbox"/> NO		10 ID TECH NOTIFIED <input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS		11 INVESTIGATOR NOTIFIED		12 PAGE 2 OF 2 PAGES	
STATUS: <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED		CLOSED BY: <input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED		15 INVESTIGATOR		16 SUPERVISOR	
REPORTING OFFICER	BADGE/ID	DATE	BADGE/ID	DATE	BADGE/ID	DATE	

States Park Police Investigation	WHEN DID IT OCCUR?	MO	DAY	YR	4 YEAR	CASE/INCIDENT NUMBER			
		07	20	93	93	-	30	5	02
6 RECLASSIFICATION OF INCIDENT									
RESULTS OF INVESTIGATION									

Office Personnel Interviews

The following two people were interviewed at the West Wing of the White House by Detective Markland and Special Agent Salter on 7/22/93. The information provided by these two individuals was brief.

Tom Castleton (Staff Assistant) @ 1000 hours:

Mr. Castleton stated that he worked on 7/20/93 and remembers that Mr. Foster ate lunch at the office, although he could not place the time. Mr. Castleton was present when Mr. Foster left the office after eating lunch and said "So Long". Mr. Foster did not respond and seemed to Mr. Castleton to be "In his own world", focused, disturbed.

Linda Tripp (Executive Assistant) @ 1150 hours:

Ms. Tripp stated that she began her workday on 7/20/93 at 0800 hours. Mr. Foster's demeanor seemed normal to her, however, she had no personal dealings with him on that day.

Ms. Tripp makes it a habit to notice what the staff members are taking with them when they leave the office in order to determine for herself how long she may expect them to be away from the office. Ms. Tripp was absolutely certain that Mr. Foster did not carry anything in the way of a briefcase, bag, umbrella, etc... out of the office.

Investigation continues.

34

WARRANT(S) <input type="checkbox"/> YES <input type="checkbox"/> NO	9 <input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12 PAGE 1 OF 1 PAGES
3 STATUS: <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED		CLOSED BY: <input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED		
4 REPORTING OFFICER	BADGE/ID	DATE	15 INVESTIGATOR	BADGE/ID
			DATE	16 SUPERVISOR
				BADGE/ID
				DATE

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE 0

States Park Police	3 WHEN DID IT OCCUR?	MO.	DAY	YR.	4 YEAR	CASE/INCIDENT NUMBER						
		0	7	2		0	9	3	-	3	0	5
INCIDENT Investigation	6 RECLASSIFICATION OF INCIDENT											
RESULTS OF INVESTIGATION												

"Review of Documents from Vincent Foster's Office"

On Thursday, July 22, 1993, in the afternoon the following persons met in the office of Vincent Foster to attempt to determine if he left a suicide note or if there were any other information that might have led him to take his own life. The very limited examination of the documents and notes were done by the Chief Counsel, Bernard Nussbaum. The following people were also present during this meeting: William Burton, Deputy Chief of Staff for the President, Clifford Sloan and Steven Neuwirth; Associate Legal Counselors; Michael L. Spafford; Attorney representing the Foster family, Captain Charles Hume and Detective Pete Markland; U.S. Park Police, Special Agents Scott Salter and Dennis Condon; Federal Bureau of Investigation, David Margolis, Deputy Assistant Attorney General Criminal Division; and Roger Adams; Department of Justice Attorney, Paul Imbordino and Donald Flynn; U.S. Secret Service.

Originally, we had responded to the White House on Wednesday morning, July 21, to examine his office. As soon as we arrived and met with Inspector Dennis Martin of the U.S. Secret Service Uniform Division, we had requested a guard be posted at the door of the office to prevent anyone from removing anything from the office. As the day progressed we were not permitted to examine the room. We departed the White House sometime around 1830 - 1900 hours. The U.S. Secret Service log of persons entering the office after 1100 hours on Wednesday, July 21, showed Bernard Nussbaum entering the office at 1110 hours to remove a small photo and Cliff Sloan entering at 1834 hours same day to replace a bag of trash previously removed from Mr. Foster's trash can.

At 1315 hours, Thursday, July 22, all 13 of us entered the office of Vincent Foster. Bernard Nussbaum took a seat at Foster's desk, He was surrounded by his two associates, Sloan and Neuwirth, with Burton near his side and Spafford at the end of the desk.

36

ARRANT(S) YES NO	9 <input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
PAGE 1 OF 2 PAGES				
STATUS: <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED		CLOSED BY: <input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED		
REPORTING OFFICER	BADGE/ID	DATE	15 INVESTIGATOR Charles Hume #852	BADGE/ID 01/1/93
16 SUPERVISOR		BADGE/ID	DATE	

ates Park Police
 IDENT
 Investigation
 ULTS OF INVESTIGATION

3 WHEN DID IT OCCUR?	MO	DAY	YR	4 YEAR	CASE/INCIDENT NUMBER							
	0	7	2	0	9	3	-	3	0	5	0	2

6 RECLASSIFICATION OF INCIDENT

The eight law enforcement officers were gathered on the opposite side of the desk and room in a position where we couldn't examine any documents. Eventually all law enforcement were seated, either on the sofa or in chairs provide by the U.S. Secret Service. During the process Bill Burton left the office on at least two occasions and returned. Bernard Nussbaum did the actual review of the documents in a very hurried and casual fashion. There was some conversation between Nussbaum and Margolis as what constituted privileged communication. Nussbaum carried his interpretation of what was considered privileged to the extreme; one example was when he picked up a xeroxed copy of a newspaper article and declared that it was privileged communication even though it had been in the newspapers. Nussbaum would move papers about declaring what might be of interest to the police and what was strictly White House business.

Also, he decided what was Foster's personal papers and put those in a separate pile for the family attorney. Occasionally, Detective Markland or Margolis would ask him to place a certain note or document in a pile for possible police examination. At one point, Nussbaum pulled some papers out of a leather valise/briefcase that was sitting on the floor behind the desk. He put them on the desk and went through them. He then looked in the valise/briefcase again, but did not take anything out of it. A little later he moved the valise/briefcase away from the desk and placed it on the floor adjacent to the exterior wall directly behind him and the desk. At no time during the approximate one hour and 35 minutes we were in Foster's office where we allowed to examine any documents. At one point Special Agent Scott Salter got up to stretch and Clifford Sloan challenged him and asked him if he was standing up in an attempt to get a look at the documents.

The documents that Nussbaum had separated out were left in the office with the exception of the pile containing what Mr. Nussbaum determined to be personal papers of Foster. It was agreed between Margolis and Nussbaum that the family lawyer could take those papers and after getting approval from Mrs. Foster the police could examine them. The telephone logs were not turned over to us. We cleared the office at approximately 1450 hours. Margolis cautioned Nussbaum and his staff not to remove anything from the office. Nussbaum stated he could not leave the office secured any longer. The lock remained on the door that had been installed by the U.S. Secret Service on Wednesday, and Nussbaum was given the key after we cleared the office on Thursday at 1449 hours.

37

WARRANT(S) <input type="checkbox"/> YES <input type="checkbox"/> NO		9 <input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12 PAGE 2 OF 2 PAGES
3 STATUS: <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED		CLOSED BY: <input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED			
4 REPORTING OFFICER	BADGE/ID	DATE	15 INVESTIGATOR Cpt. Charles Hume #852	DATE 8/4/93	16 SUPERVISOR BADGE/ID DATE

Ft. Marcy	WHEN DID IT OCCUR?	MO.	DAY	YR.	4 YEAR	CASE/INCIDENT NUMBER				
		07	20	93	93	03	05	02		
IDENT										
Path Investigation										
RESULTS OF INVESTIGATION										

On 7-27-93 at approx. 2115 hours I met with Mr. Bernard Nussbaum in the Chief of Staff's Office in the West Wing of the White House. Also present were a representative from Department of Justice, Mr. Phillip Heymann, as well as Asst. Chief of Staff Bill Burton, also Mr. Gergen and Mr. McLarty.

Mr. Nussbaum had before him on the table small pieces of yellow lined note paper which he was assembling into a whole page. The assembled pieces revealed a note, identified to be in the handwriting of the deceased Vincent Foster. Mr. Nussbaum read the contents of the notes to the undersigned of which I took notes. He then placed the pieces back into a white legal White House envelope and handed them over to me. The notes appeared to be on 3 hole yellow lined paper of approx. 2/3 page length.

According to Mr. Nussbaum, on Monday 7-26-93 he directed one of his assistants, Mr. Steven Neuwirth enter Mr. Foster's Office and take a detailed inventory of the files and material in there. In a brief case, known to be in the office and thought to be empty, he found the torn pieces of a hand written page. The scraps were dumped out and then taken to Mr. Nussbaum's Office where they were assembled and Mr. Nussbaum was notified. Mr. Nussbaum then went through notification procedure, to Bill Burton, to the Chief of Staff, and finally to the President today 7-27-93 at about 1700 hours when he returned to Washington, D.C. and at about 1800 hours today's date to the family of Mr. Foster when they returned to the city.

Also present outside the meeting, but who did speak to me about the notes was Mr. Jim Hamilton, the attorney for the Foster Family. They are very concerned about the confidential nature of the note and other news leaks attributed to the U.S. Park Police.

According to Mr. Bill Burton 202-456-6798 Mr. Steven Neuwirth will be available for an interview on 7-28-93. Also handwriting samples will be available.

Cleared at 2200.

43

9	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
ES IO	<input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS		PAGE OF PAGES
STATUS: <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED		CLOSED BY: <input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED	
REPORTING OFFICER	BADGE/ID	DATE	15 INVESTIGATOR
			BADGE/ID
			DATE
			16 SUPERVISOR
			BADGE/ID 823
			DATE 2/2/73
			U.S. GPO 1992-0-625-274-1193

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE

WHEN DID IT OCCUR?	MO	DAY	YR.	4 YEAR	CASE/INCIDENT NUMBER
	07	20	93	93	- 30502

United States Park Police
Incident
Death Investigation
RESULTS OF INVESTIGATION

6 RECLASSIFICATION OF INCIDENT

Interview: Steven Neuwirth

Steven Neuwirth is an Assistant White House Counsel and the person reported to have found the note presumably written by Vincent W. Foster that was turned over to Detective L. J. Megby on 7/27/93. The note had been discovered by Mr. Neuwirth during the packaging of Mr. Foster's personal effects on 7/26/93. On 7/29/93 at approximately 1130 hours, Steven Neuwirth was interviewed in Bernard Nussbaum's office by Detective Peter W. Markland and Captain Charles Hume. Mr. Nussbaum was also present and became a subject of the interview.

The following questions were posed to the two gentlemen regarding the note in question:

How could this note have avoided detection during the search of Mr. Foster's office by Mr. Nussbaum and other members of the White House Counsel's office in our presence on 7/22/93?

If the note was found on 7/26/93 why were the police not notified of it's existence until approximately 8:00 P.M. on 7/27/93?

Mr. Nussbaum stated it was his recollection that he removed materials from the briefcase, which remained on the floor, and placed them on the desk in front of him. He then went through the materials. He inferred that because of this he had missed the small scraps of yellow paper that obviously remained in the bottom of the briefcase. I informed Mr. Nussbaum that I was seated on the small couch directly across from and facing him and that I had a clear view of the briefcase when he removed it's contents, also that after the contents were removed I could see that he spread open the briefcase and visually inspected it as if to confirm that it was, indeed, empty. Mr. Nussbaum did not recall doing what I described. Captain Hume stated that he observed that Mr. Nussbaum handled the briefcase a third time when he slid it back towards the wall behind him in order to access the desk's file drawer. Mr. Nussbaum agreed with Captain Hume's recollection of sliding the case to the rear.

Mr. Nussbaum then related that the following people were contacted to view the document before a determination could be made to disclose it to the U. S. Park Police:

- Bill Burton (Deputy Chief of Staff)
- Thomas F. McLarty (Chief of Staff)
- Lisa Foster (wife of Vincent Foster)
- Phillip Heymann (Deputy Attorney General)
- Janet Reno (Attorney General)

45

8 WARRANT(S) <input type="checkbox"/> YES <input type="checkbox"/> NO	9 <input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12 PAGE 1 OF 2 PAGES
13 STATUS: <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED	CLOSED BY: <input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED			
14 REPORTING OFFICER	BADGE/ID	DATE	15 INVESTIGATOR	BADGE/ID
				DATE

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

1 JUVENILE CASE

United States Park Police	DATE	MO	DAY	YR.	4 YEAR	CASE/INCIDENT NUMBER				
	07	20	93	9	3	-	3	0	5	0
INCIDENT Death Investigation	6 FEELASSIFICATION OF INCIDENT									

RESULTS OF INVESTIGATION

President Clinton was made aware of the existence of the document. Only Mr. Neuwirth and Mr. Nussbaum handled the document.

Mr. Neuwirth then related his recollection of the discovery of the document. He stated that he was in the process of gathering and packaging Mr. Foster's personal affects for delivery to the family when he turned the briefcase sideways in order to fit it into a box without causing damage to a photograph of the President with Mr. Foster's daughter, Laura. When he did this some torn yellow paper scraps fell out of the briefcase and he noticed handwriting on them. He then retrieved a number of other similar scraps from the bottom of the case and took them to the table in Mr. Nussbaum's office where he assembled the document which was, ultimately, turned over to Detective Megby.

Mr. Nussbaum was asked if he could clarify two entries on the handwritten note. "HRC" refers to the first lady; "KAKI" refers to an interior decorator employed by Mrs. Clinton.

Mr. Nussbaum stated that there were only "three or four" work related documents on Mr. Foster's computer.

Inquiries were made regarding the phone logs kept at the office. Mr. Neuwirth stated that they had been assembled and that they will review them and contact us.

The interview concluded at approximately 1230 hours.

46

WARRANT(S) <input type="checkbox"/> YES <input type="checkbox"/> NO	9 <input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12 PAGE 2 OF 2 PAGES
3 STATUS: <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED	CLOSED BY: <input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED			
4 REPORTING OFFICER	BADGE/ID	DATE	15 INVESTIGATOR	BADGE/ID, DATE
		16 SUPERVISOR		BADGE/ID DATE

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE 0

States Park Police

WHEN DID IT OCCUR?	MO.	DAY	YR.	4 YEAR	CASE/INCIDENT NUMBER
	07	20	1993		1310502

6 RECLASSIFICATION OF INCIDENT

Investigation
REASONS OF INVESTIGATION

7/21/93: ~~_____~~

After negotiations between the White House Counsel's Office and the Department of Justice were completed at approximately 1700 hours on 7/21/93, S/A ~~_____~~ S/A ~~_____~~ Captain ~~_____~~ and Detective ~~_____~~ responded to the West Wing and spoke with ~~_____~~ to make arrangements for interviews and a search of Mr. Foster's office on 7/22/93. ~~_____~~ S/A ~~_____~~ and Det. ~~_____~~ obtained the following information from ~~_____~~ as a result of that meeting:

~~_____~~ had determined that Mr. Foster had left office after lunch at 1310 hours on 7/20/93. Mr. Foster had not exhibited any unusual behavior on that day. ~~_____~~ tried to page Mr. Foster at approximately 1830 hours. After waiting a brief period of time without receiving a response, ~~_____~~ left and proceeded to ~~_____~~ domicile, arriving at approximately 1900 hours.

-On 7/20/93 after Vincent Foster's death became known to ~~_____~~ responded back to the White House where ~~_____~~ went through Mr. Foster's office with ~~_____~~ and ~~_____~~. Mr. Foster stated that they conducted a brief, quick search to see if Mr. Foster may have left a suicide note on ~~_____~~ desk. This search lasted from 2200 to 2400 hours. ~~_____~~ stated that no documents were removed from the office.

~~_____~~ stated that ~~_____~~ learned that from about 0700-0715 hours one of the secretaries had entered Mr. Foster's office and "piled papers" on ~~_____~~ desk top "to make it neat".

-At approximately 0900 hours ~~_____~~ again entered the office to look around.

-It was determined that the cleaning lady had emptied Mr. Foster's trash. The trash was retrieved and returned to the office.

~~_____~~ requested that the U.S.S.S. secure the office and the room was posted at approximately 1015 hours.

Investigation continues.

29
29

9 <input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12 PAGE: 1 OF 1 PAGES
<input type="checkbox"/> OPEN	<input type="checkbox"/> SUSPENDED	CLOSED BY: <input type="checkbox"/> ARREST	<input type="checkbox"/> EXCEPTION
<input type="checkbox"/> UNFOUNDED			

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE

Park Police

DATE DID IT OCCUR?	MO.	DAY	HR.	MIN.	SEC.	CASE/INCIDENT NUMBER
	07	20	09	31	19	301

RECLASSIFICATION OF INCIDENT

Investigation

OF INVESTIGATION

On Thursday, August 22, 1993, Detective [redacted] and I responded to the White house to meet with Special Agents [redacted] and [redacted] of the FBI to conduct interviews. The purpose of the interviews were to reconstruct the final hours of Vincent Foster's life.

Myself and Special Agent [redacted] interviewed [redacted] Staff Assistant to [redacted] [redacted]. The interview took place in an office that was unoccupied for the day. Present in the room during the entire interview were [redacted]; [redacted] associate counsel to [redacted]; and [redacted]; assistant Special Agent in Charge, Office of Protective Operation, U.S. Secret Service. [redacted] took notes throughout the interview. During the interview [redacted] burst into the room and demanded "is everything all right?"

We started the interview at approximately 0900 hours. [redacted] got in to work at around 0900 hours on Tuesday, July 20th. Usually there is a staff meeting of the counsel's office from 0900 to 0945 hours each morning that Vincent Foster would attend. [redacted] assumed he was at the staff meeting as [redacted] didn't see him when [redacted] arrived at work. [redacted] first recalled seeing him outside in the Rose Garden. The President was nominating Judge Freeh at the ceremony as the new director of the FBI.

[redacted] doesn't recall Vincent Foster having any visitors on Tuesday. The first conversation [redacted] had with him was about lunch around 1200-1230 hours. He said he would eat at his desk. He ordered a medium rare cheeseburger, french fries and coke. [redacted] and [redacted] went to the cafeteria and ordered his lunch. [redacted] recalled there were M & M's on the tray with the food because [redacted] wanted them. He sat on his sofa and ate lunch in his office.

At around 1300 hours he came out of the office and stated "I'll be back, there are M & M's left in my office". [redacted] recalled that [redacted] and [redacted] were in the office when he left. [redacted] wasn't sure if [redacted] was in the office or not. [redacted] is a [redacted] working in the office. There was nothing unusual about his emotional state. In fact, over the last several weeks [redacted] did not notice any changes, either physically or emotionally. [redacted] noticed no weight lost. [redacted] was unaware of him taking any medication or seeing any doctors. I asked [redacted] would [redacted] be surprised if I found out he was seeing a psychiatrist. [redacted] said yes. [redacted] was not aware of any depression problems. [redacted] had no information whether he owned any weapons.

3030

10) <input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS		1010 TECH NOTIFIED		11 INVESTIGATOR NOTIFIED		12	
FACE 1 OF 2 PAGE							
13) <input type="checkbox"/> OPEN		<input type="checkbox"/> SUSPENDED		<input type="checkbox"/> CLOSED BY:		<input type="checkbox"/> ARREST	
				<input type="checkbox"/> EXCEPTION		<input type="checkbox"/> UNFOUNDED	
14) INQUIRY OFFICER	15) LOGGED	16) DATE	17) INVESTIGATOR	18) SIGNED	19) DATE	20) SUPERVISOR	21) LOGGED
			[redacted]	[redacted]	[redacted]		

NATIONAL PARK SERVICE
SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE

Park Police

INVESTIGATOR	NO	DAY	HR	MIN	YEAR	CASE INCIDENT NUMBER
	0	7	2	0	9	3 9 3 0 5 0

RECLASSIFICATION OF INCIDENT

Investigation

INVESTIGATION

~~She~~ said ~~she~~ left work at approximately 1845-1850 hours on Tuesday; but, before ~~she~~ left at around 1820 or so, ~~she~~ (~~was~~ ~~Chief~~ ~~of~~ ~~Staff~~) called for Vincent. ~~She~~ paged Vincent and left the White House number for him to call. ~~She~~ recalled no other phone messages for Vincent.

~~She~~ learned about Vincent's death from messages on ~~her~~ home answering machine around 0500-0600 hours on Wednesday, July 21. ~~She~~ came into work at 0700 hours and was the first person in. The door to Vincent's office was closed when ~~she~~ arrived at work. ~~She~~ believed that ~~Tom~~ ~~Scott~~ or ~~Bernard~~ ~~Wasserman~~ were the last persons out of the complex on Tuesday and one of them would have closed the door to Vincent's office. ~~She~~ went into his office and "squashed" the papers together that were on his desk. ~~She~~ realized that ~~she~~ shouldn't have touched the papers as soon as ~~she~~ did it but probably did it out of habit.

When I questioned ~~her~~ if ~~she~~ had been told how to respond to our questions, ~~she~~ stated that ~~Cliff~~ ~~Scott~~ (who was present during our interview) and ~~Steve~~ ~~Wasserman~~, both ~~associates~~ ~~of~~ ~~the~~ ~~company~~, had called them all together on Wednesday evening and told them they would be questioned by the police and for them to tell the truth.

3/31

10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
<input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS		PAGE 2 OF 2 PAGE
<input type="checkbox"/> OPEN	<input type="checkbox"/> SUSPENDED	CLOSED BY: <input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED
OFFICER	BADGE/ID	DATE
INVESTIGATOR		DATE
SUPERVISOR		DATE

NATIONAL PARK SERVICE

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE

States Park Police

Investigation

RESULTS OF INVESTIGATION

WHEN DID IT OCCUR	MO.	DAY	HR.	YEAR	CASE/INCIDENT NUMBER
	07	20	9.3	1993	- 305101

6 RECLASSIFICATION OF INCIDENT

Interview: ~~_____~~

~~Deborah Corban is the _____ in the _____ area between the two offices in the West Wing of the White House occupied by Mr. Bernard Nussbaum and Mr. Foster, respectively. Other persons occupying this office are _____ (Executive Assistant to Mr. Nussbaum), _____ (Executive Assistant), _____ (Staff Assistant), and _____.~~

The interview took place in a West Wing office at approximately 0900 hours and was attended by Det. ~~_____~~ (USPP), S/A ~~_____~~ (FBI), and ~~Assistant White House Counsel _____~~

~~_____~~ stated that ~~she~~ did not know Mr. Foster before ~~she~~ was hired on ~~March 3, 1993~~ and had no social relationship with either Mr. Foster or any member of his family. On 7/20/93 ~~she~~ left the office at approximately 1130 hours, which is the last time ~~she~~ saw Mr. Foster alive. ~~She~~ stated that ~~she~~ did not note any unusual behavior by Mr. Foster on that day.

~~_____~~ recalled a conversation with Mr. Foster on Thursday, 7/15/93 when he discussed the differences in working for a law firm and working for the government. ~~She~~ placed no significance on the conversation at the time and, in retrospect, it still seemed to be a normal comparison.

~~Ms. Corban~~ was asked if Mr. Foster would have any reason to deal with physicians directly on a professional basis due to his involvement with the Health Care Reform proposals under consideration. ~~Ms. Corban~~ stated that there was no reason whatsoever for Mr. Foster to deal with physicians professionally.

The interview was about to be terminated when ~~_____~~ asked us to remain and took ~~_____~~ out of the room to speak to ~~_____~~. A very short time later they returned and ~~_____~~ stated that there was one thing ~~_____~~ thought may be important that ~~she~~ recalled. On Thursday, 7/15/93, ~~_____~~ had called ~~_____~~ and asked for Mr. Foster's pay schedule, explaining that ~~she~~ believed their checking account was overdrawn. The Credit Union was contacted and they stated that they would work with ~~_____~~ on a weekly, instead of a biweekly, basis. After that conversation ~~_____~~ was authorized by Mr. Foster to pick up a statement every Friday for ~~_____~~. ~~_____~~ did not see this as a real problem or place any significance on it.

32
32

REPORT(S) YES NO	9 LATENTS EMOTOS	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12 PAGE 1 OF 2 PAGE
STATUS: <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED	CLOSED BY: <input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED	LEADEND	DATE	DATE

WHEN DID IT OCCUR?	MO.	DAY	YR.	YEAR	CASE/INCIDENT NUMBER		
	01	12	09	31	-	13	05
RECLASSIFICATION OF INCIDENT							

Park Police
Investigation

This initial interview was concluded at approximately 0930 hours.

At approximately 1450 hours, immediately after the inventory of Mr. Foster's Office by White House Counsel (reference report under this case file number by Capt.), Det. and S/A were asked to remain and were ushered into Mr. Nussbaum's office by . was brought in and stated that had just remembered some conversations that thought were important to our investigation. Within the last two weeks had received calls from and inquiring about Vincent Foster's mood. They specifically asked how "he" was doing, not how the work was going, and seemed genuinely concerned.

Investigation continues.

3337

NT(S)	<input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12 PAGE 2 OF 2 PAGES
TUS: <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED <input type="checkbox"/> CLOSED BY: <input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED				
REPORTING OFFICER	ESGEND	DATE	16 INVESTIGATOR <i>[Signature]</i>	18 SUPERVISOR <i>[Signature]</i>

DATE DID IT OCCUR	MO	DAY	YR	4-LEAF	CASE NO./INCIDENT NUMBER
	0	7	20	9	3 19 3 30 5101

RECLASSIFICATION OF INCIDENT

West Park Police

Investigation

INVESTIGATION

Office Personnel Interviews

The following two people were interviewed at the West Wing of the White House by Detective ~~_____~~ and Special Agent ~~_____~~ on 7/22/93. The information provided by these two individuals was brief.

~~_____~~ (Staff Assistant) @ 1000 hours:

~~_____~~ stated that ~~_____~~ worked on 7/20/93 and remembers that Mr. Foster ate lunch at the office, although ~~_____~~ could not place the time. ~~_____~~ was present when Mr. Foster left the office after eating lunch and said "So Long". Mr. Foster did not respond and seemed to ~~_____~~ to be "In his own world", focused, disturbed.

~~_____~~ (Executive Assistant) @ 1150 hours:

~~_____~~ stated that ~~_____~~ began ~~_____~~ workday on 7/20/93 at 0800 hours. Mr. Foster's demeanor seemed normal to ~~_____~~, however, ~~_____~~ had no personal dealings with him on that day.

~~_____~~ makes it a habit to notice what the staff members are taking with them when they leave the office in order to determine for ~~_____~~ how long ~~_____~~ may expect them to be away from the office. ~~_____~~ was absolutely certain that Mr. Foster did not carry anything in the way of a briefcase, bag, umbrella, etc... out of the office.

Investigation continues.

3434

9	10	11	12
<input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12 PAGE 1 OF 1 PAGES
13: <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED CLOSING OFFICER EADGE/ID DATE	CLOSED BY: <input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED 15 INVESTIGATOR EADGE/ID DATE	16 SUPERVISOR EADGE/ID DATE	

Det. ~~_____~~ P. R. 92

SUPI

Referred Red Bracketed to WH.

ORD

1 JUVENILE CASE

YR	2 YEAR	CASE	INCIDENT NUMBER
93	93	-	3050

States Park Police

INCIDENT Investigation

7 RESULTS OF INVESTIGATION

On Thursday, July 2, the following persons met in the office of [redacted] to determine if he left a suicide note. [redacted] provided information that might have led him to take his own life. The very limited examination of the documents and notes were done by the [redacted] [redacted] Bernara Nussbaum. The following people were also present during this meeting: [redacted] William Burton, [redacted] Chief of Staff of the President, Clifford Sloan and Steven Newman; [redacted] Counselor, [redacted] Spafford; Attorney representing the Foster family, Captain Charles [redacted] and Detective Pete [redacted]; U.S. Park Police, Special Agents Scott [redacted] and Dennis [redacted]; Federal Bureau of Investigation, David [redacted] Vengolis, Deputy Assistant Attorney General Criminal Division; and Roger [redacted] Adams; Department of Justice Attorney, Paul [redacted] Imbortino and [redacted] [redacted]; U.S. Secret Service.

Originally, we had responded to the White House on Wednesday morning, July 21, to examine his office. As soon as we arrived and met with Inspector Dennis [redacted] Martin of the U.S. Secret Service Uniform Division, we had requested a guard be posted at the door of the office to prevent anyone from removing anything from the office. As the day progressed we were not permitted to examine the room. We departed the White House sometime around 1830 - 1900 hours. [The U.S. Secret Service log of persons entering the office after 1100 hours on Wednesday, July 21, showed Bernard Nussbaum entering the office at 1110 hours to remove a small photo and Cliff Sloan entering at 1834 hours same day to replace a bag of trash previously removed from Mr. Foster's trash can.]

2, all 13 of us entered the office [redacted] took a seat at Foster's desk, [redacted] [redacted] Sloan and [redacted] [redacted] with [redacted] the end of the desk.

Red Material referred to WH

36

ARRANT(S)
 YES
 NO

STATUS: OPEN SUSPENDED

CLOSED BY: ARREST EXCEPTION UNFOUNDED

11 INVESTIGATOR NOTIFIED

12

PAGE 1 OF 2 PAGES

NATIONAL PARK SERVICE
SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE

ates Park Police
 INCIDENT
 Investigation

WHEN DID IT OCCUR?	MO	DAY	HR	4 YEAR	CASE/INCIDENT NUMBER
0 7 2 0 1 9 3 1 9 3	0	7	2	0	1 9 3 1 9 3

6 RECLASSIFICATION OF INCIDENT

RESULTS OF INVESTIGATION

The eight law enforcement officers were gathered on the opposite side of the desk and room in a position where we couldn't examine any documents. Eventually all law enforcement were seated, either on the sofa or in chairs provide by the U.S. Secret Service. During the process ~~Bill~~ left the office on at least two occasions and returned. ~~Bill~~ did the actual review of the documents in a very hurried and casual fashion. There was some conversation between ~~Bill~~ and ~~Margolis~~ as what constituted privileged communication. ~~Bill~~ carried his interpretation of what was considered privileged to the extreme; one example was when ~~Bill~~ picked up a xeroxed copy of a newspaper article and declared that it was privileged communication even though it had been in the newspapers. ~~Bill~~ would move papers about declaring what might be of interest to the police and what was strictly White House business.

Also, ~~Bill~~ decided what was Foster's personal papers and put those in a separate pile for the family attorney. Occasionally, Detective ~~Bill~~ or ~~Margolis~~ would ask ~~Bill~~ to place a certain note or document in a pile for possible police examination. At one point, ~~Bill~~ pulled some papers out of a leather valise/briefcase that was sitting on the floor behind the desk. ~~Bill~~ put them on the desk and went through them. ~~Bill~~ then looked in the valise/briefcase again, but did not take anything out of it. A little later ~~Bill~~ moved the valise/briefcase away from the desk and placed it on the floor adjacent to the exterior wall directly behind ~~Bill~~ and the desk. At no time during the approximate one hour and 35 minutes we were in Foster's office where we allowed to examine any documents. At one point Special Agent ~~Bill~~ got up to stretch and ~~Bill~~ challenged him and asked him if he was standing up in an attempt to get a look at the documents.

The documents that ~~Bill~~ had separated but were left in the office with the exception of the pile containing what ~~Bill~~ determined to be personal papers of Foster. It was agreed between ~~Bill~~ and ~~Margolis~~ that the family lawyer could take those papers and after getting approval from ~~Bill~~ the police could examine them. The telephone logs were not turned over to us. We cleared the office at approximately 1450 hours. ~~Bill~~ cautioned ~~Bill~~ and ~~Bill~~ staff not to remove anything from the office. ~~Bill~~ stated ~~Bill~~ could not leave the office secured any longer. The lock remained on the door that had been installed by the U.S. Secret Service on Wednesday, and ~~Bill~~ was given the key after we cleared the office on Thursday at 1449 hours.

3737

9	10	11	12
<input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
PAGE 2 OF 2 PAGES			
<input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED	<input type="checkbox"/> CLOSED BY:	<input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED	
REPORTING OFFICER	BADGE/ID	DATE	15 INVESTIGATOR
			BADGE/ID
			DATE
			116 SUPERVISOR

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

NAME: Marcy	MO: 07	DAY: 20	YR: 1993	4 YEAR: 93	CASE/INCIDENT NUMBER: 013 0151 9
-------------	--------	---------	----------	------------	----------------------------------

RECLASSIFICATION OF INCIDENT

Investigation

DESCRIPTION OF INVESTIGATION

On 7-27-93 at approx. 2115 hours I met with ~~Mr. Edward Nussbaum~~ in the Chief of Staff's Office in the West Wing of the White House. Also present were a representative from Department of Justice, ~~Mr. Phillip Heymann~~, as well as ~~Asst. Chief of Staff Bill Burton~~, also ~~Mr. Gergen~~ and ~~Mr. Veilley~~.

~~Mr. Nussbaum~~ had before him on the table small pieces of yellow lined note paper which he was assembling into a whole page. The assembled pieces revealed a note, identified to be in the handwriting of the deceased Vincent Foster. ~~Mr. Nussbaum~~ read the contents of the notes to the undersigned of which I took notes. He then placed the pieces back into a white legal White House envelope and handed them over to me. The notes appeared to be on 3 hole yellow lined paper of approx. 2/3 page length.

According to ~~Mr. Nussbaum~~, on Monday 7-26-93 he directed one of his assistants, ~~Mr. Steven Newirth~~ enter Mr. Foster's Office and take a detailed inventory of the files and material in there. In a brief case, known to be in the office and thought to be empty, he found the torn pieces of a hand written page. The scraps were dumped out and then taken to Mr. Nussbaum's Office where they were assembled and ~~Mr. Nussbaum~~ was notified. ~~Mr. Nussbaum~~ then went through notification procedure, to ~~Bill Burton~~, to the Chief of Staff, and finally to the President today 7-27-93 at about 1700 hours when he returned to Washington, D.C. and at about 1800 hours today's date to the family of Mr. Foster when they returned to the city.

Also present outside the meeting, but who did speak to me about the notes was ~~Mr. Jim Hamilton~~, the attorney for the Foster Family. They are very concerned about the confidential nature of the note and other news leaks attributed to the U.S. Park Police.

According to ~~Mr. Bill Burton~~ 202 456 6783 ~~Mr. Steven Newirth~~ will be available for an interview on 7-28-93. Also handwriting samples will be available.

Cleared at 2200.

4343

101	<input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12	
<input type="checkbox"/> OPEN	<input type="checkbox"/> SUSPENDED	CLOSED BY:	<input type="checkbox"/> ARREST	<input type="checkbox"/> EXCEPTION	<input type="checkbox"/> UNFOUNDED
13 OFFICER	14 OFFICER	15 INVESTIGATOR	16 SUPERVISOR	DATE	DATE
					7/21

SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE :

States Park Police

WHEN DID IT OCCUR: 07:20:93 19 13:1 - 1310:51012

Investigation

RECLASSIFICATION OF INCIDENT

IS OF INVESTIGATION

Interview: [redacted]

[redacted] is an [redacted] White House Counsel and the person reported to have found the note presumably written by Vincent W. Foster that was turned over to Detective [redacted] on 7/27/93. The note had been discovered by [redacted] during the packaging of Mr. Foster's personal effects on 7/26/93. On 7/29/93 at approximately 1130 hours, [redacted] was interviewed in Bernard Nussbaum's office by Detective [redacted] and Captain [redacted]. [redacted] was also present and became a subject of the interview.

The following questions were posed to the two [redacted] regarding the note in question:

How could this note have avoided detection during the search of Mr. Foster's office by Mr. Nussbaum and other members of the White House Counsel's office in our presence on 7/22/93?

If the note was found on 7/26/93 why were the police not notified of it's existence until approximately 8:00 P.M. on 7/27/93?

[redacted] stated it was his recollection that he removed materials from the briefcase, which remained on the floor, and placed them on the desk in front of [redacted] then went through the materials. [redacted] inferred that because of this [redacted] had missed the small scraps of yellow paper that obviously remained in the bottom of the briefcase. I informed [redacted] that I was seated on the small couch directly across from and facing [redacted] and that I had a clear view of the briefcase when [redacted] removed it's contents, also that after the contents were removed I could see that [redacted] spread open the briefcase and visually inspected it as if to confirm that it was, indeed, empty. [redacted] stated that [redacted] observed that Mr. [redacted] handled the briefcase a third time when [redacted] slid it back towards the wall behind [redacted] in order to access the desk's file drawer. [redacted] agreed with Captain [redacted] recollection of sliding the case to the rear.

Mr. [redacted] then related that the following people were contacted to view the document before a determination could be made to disclose it to the U. S. Park Police:

- [redacted] (Deputy Chief of Staff)
- Thomas J. McLarty (Chief of Staff)
- Lisa Foster (wife of Vincent Foster)
- Phillip Hannon (Deputy Attorney General)
- Janet Reno (Attorney General)

45 46

10 1010 TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
<input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED <input type="checkbox"/> CLOSED BY:	<input type="checkbox"/> ARREST <input type="checkbox"/> EXCEPTION <input type="checkbox"/> UNFOUNDED	PAGE 1 OF 2 PAGES
<input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS	<input type="checkbox"/> 18 INVESTIGATOR	

NATIONAL PARK SERVICE
SUPPLEMENTAL CRIMINAL INCIDENT RECORD

JUVENILE CASE

Red States Park Police
INCIDENT
Death Investigation

JAMES DID IT OCCUR?	MO	DAY	YR	4 YEAR	CASE INCIDENT NUMBER
	0	7	20	9	3050

6 RECLASSIFICATION OF INCIDENT

RESULTS OF INVESTIGATION

President Clinton was made aware of the existence of the document. Only [redacted] and [redacted] handled the document.

[redacted] then related his recollection of the discovery of the document. [redacted] stated that [redacted] was in the process of gathering and packaging Mr. Foster's personal affects for delivery to the family when [redacted] turned the briefcase sideways in order to fit it into a box without causing damage to a photograph of the President with [redacted]. When he did this some torn yellow paper scraps fell out of the briefcase and he noticed handwriting on them. [redacted] then retrieved a number of other similar scraps from the bottom of the case and took them to the table in Mr. Nussbaum's office where [redacted] assembled the document which was, ultimately, turned over to Detective [redacted].

[redacted] was asked if [redacted] could clarify two entries on the handwritten note. "HRC" refers to the first lady; "KAKI" refers to an interior decorator employed by Mrs. Clinton.

[redacted] stated that there were only "three or four" work related documents on Mr. Foster's computer.

Inquiries were made regarding the phone logs kept at the office. [redacted] stated that they had been assembled and that they will review them and contact us.

The interview concluded at approximately 1230 hours.

7646

11 LATENTS 12 PHOTOS	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
13 COPIES	14 SUSPENDED	PAGE 2 OF 2 PAGES	

UNITED STATES

SUPPLEMENTAL

*Referred Red bracketed,
to WH.*

JUVENILE CASE I

CASE INCIDENT NUMBER

3-0, 51012

d States Park Police

OF INCIDENT

ch Investigation

7 RESULTS OF INVESTIGATION

On Friday, July 30th, Detective ~~Paul D. Bayfield~~ and I responded to the Executive Office Building (EOB) Room 128 to meet with ~~Clifford S. [redacted]~~. The purpose of the meeting was to examine the telephone message log of Vincent Foster during the month of July and in particular to attempt to determine if he had gotten a call just prior to his departure on July 20, 1993. We learned that the phone logs were just a message log of calls he received when he was absent or unable to take the call. The administrative assistants would type time, person's name, phone number, and messages if one was left. The log was no assistance in determining if anyone had called him just prior to 1300 hours on July 20, 1993, if the call had been put through. [There was one notation of interest on July 19, 1993. A ~~Dr. [redacted]~~ had called at 1047 hours and left his phone number ~~45011 661 0740~~. There were no messages. Prior to 1300 hours on July 20, he had received several phone messages. Some of the messages were from his staff. There were two calls made from Arkansas from the same person and one call from Colorado. Attempts will be made to contact these people and see if either reached Vincent prior to 1300 hours.]

~~Clifford S. [redacted]~~ requested if any information about the phone logs is contemplated being released, ~~he~~ would like to have the counsel's office notified at the White House prior to any release. I told ~~him~~ that I would put his request in my report. This caused ~~him~~ some concern because ~~he~~ didn't want special or unusual attention drawn to his request.

50

WARRANT(S) <input type="checkbox"/> YES <input type="checkbox"/> NO	9 <input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
STATUS: <input type="checkbox"/> OPEN <input type="checkbox"/> SUSPENDED			PAGE 1 OF 1 PAGES	

SUPPLEMENT

JUVENILE CASE

YEAR CASE/INCIDENT NUMBER
1993 - 3 0 5 0 1

tes Park Police

Investigation

RESULTS OF INVESTIGATION

Referred to Buck
to White House

July 20, 1993 [Phone Log]

The phone message log indicated ~~_____~~ called for Foster at 10:55 a.m. and left only his phone number ~~504-877-6010~~. The log indicated he called again at 11:11 a.m. and left the same phone number.

On August 2, I called ~~_____~~'s office and spoke to his secretary, ~~_____~~. ~~_____~~ was on vacation. She said ~~_____~~ did get a return call from Foster on July 19th, but ~~_____~~ had stepped away from his desk. Foster returned the call to Buck at 11:17 a.m. central time (12:17 a.m. eastern time). ~~_____~~ had a brief conversation with Foster that was characterized as normal, nothing unusual. ~~_____~~ ~~_____~~ in the Rose Law Firm in Little Rock, Arkansas.

The phone message log indicated a call from ~~_____~~ at 11:11 a.m. with only a phone number left, ~~503-696-2660~~. ~~_____~~ is from the ~~_____~~ in Denver, Colorado. I contacted ~~_____~~ by telephone on August 2nd. He had known Foster since the late 1980's. He met him through Hillary Rodham Clinton and the Rose Law Firm. They had worked together on the Campaign. ~~_____~~ was going to be in Washington on Wednesday, July 21st. He had called and spoken with Foster Sunday July 18th between 8:00-9:00 p.m. eastern time and they had agreed to meet for dinner Wednesday.

~~_____~~ had told Foster he would call him and let him know when he would leave Denver and arrive in Washington. This is the reason for the phone message on the morning of July 20, 1993.

The phone message log indicated that a ~~_____~~ called Foster at 2:14 p.m. and left his phone number, ~~503-671-3398~~, and a message was noted by the administrative assistant "personal matter (secy did not know specifics)"

9	10 ID TECH NOTIFIED	11 INVESTIGATOR NOTIFIED	12
<input type="checkbox"/> LATENTS <input type="checkbox"/> PHOTOS			
US: <input type="checkbox"/> OPEN	<input type="checkbox"/> SUSPENDED	CLOSED BY: <input type="checkbox"/> ARREST	<input type="checkbox"/> EXCEPTION
REPORTING OFFICER	ADJUDGE/ID	DATE	<input type="checkbox"/> UNFOUNDED
18 INVESTIGATOR	EA00240	DATE	19 SUPERVISOR

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/9/94

DAVID MARGOLIS, Associate Deputy Attorney General, U.S. Department of Justice (DOJ), telephone (202) 514-4945 (work), (703) 264-0483 (home), was interviewed at the Office of the Independent Counsel, Washington, D.C. MARGOLIS was advised of the identity of the interviewing agent and of the purpose of the interview, which was a follow-up to his original interview with the Office of the Independent Counsel on April 11, 1994. CARL STICH, Assistant to Independent Counsel, ROBERT B. FISKE, JR., assisted in this interview. MARGOLIS provided the following information:

In connection with the search of VINCENT FOSTER's office on July 22, 1993, following FOSTER's death, MARGOLIS and ROGER ADAMS represented the DOJ during the U.S. Park Police (USPP) investigation. When asked what understanding the Park Police may have had concerning the procedure for the search of FOSTER's office, MARGOLIS answered that the original plan was that he and ROGER ADAMS would look at the first page of any documents located in FOSTER's office. It was MARGOLIS' sense that BERNARD NUSSBAUM, Chief Counsel at the White House, and PHIL HEYMAN of the DOJ, had discussed this procedure. When MARGOLIS met with NUSSBAUM, there was an "unequivocal" agreement that this procedure would be followed. MARGOLIS could not recall if Captain CHARLES HUME, USPP, was in on this original meeting with NUSSBAUM or not. MARGOLIS said that the room where they met was small and there were people in the hallway. MARGOLIS was not sure if HUME was one of these individuals or not.

MARGOLIS understood his function at the White House to be two roles: (a) solidify the agreement with NUSSBAUM for the search and thereafter he and ROGER ADAMS look at documents located in FOSTER's office for privilege concerns, and (b) speaking on behalf of the Attorney General of the United States.

MARGOLIS felt there was a clear understanding with Captain HUME and the USPP that the Park Police would defer to the DOJ. MARGOLIS said that the Captain was glad that DOJ was there and wanted DOJ involvement. It was MARGOLIS' understanding that

Investigation on 6/8/94 at Washington, D.C. File # 29D-LR-35063

by SA William T. Guyton WTG:deg Date dictated 6/9/94

29D-LR-35063

Continuation of FD-302 of DAVID MARGOLIS, On 6/8/94, Page 2

HUME had talked with PHIL HEYMAN regarding the DOJ participation. NUSSBAUM may also have been making this request.

The USPP looked to MARGOLIS for guidance. MARGOLIS described the first meeting on July 21, 1993 with NUSSBAUM as going as "smooth as glass." The next day, the USPP were caught by surprise. NUSSBAUM announced new rules for the search of FOSTER's office too late for anyone to object. It was a fait accompli.

The original procedure agreed to was that the USPP would spend the morning of July 22, 1993 conducting interviews of White House personnel and, at the same time, ADAMS and MARGOLIS would review FOSTER documents with NUSSBAUM. MARGOLIS believed this "pre-review" was okay with law enforcement. MARGOLIS said that he himself tossed and turned the night before the search regarding his involvement with making "calls" of privilege. The ground rules agreed to were that he would look at the "first page or so" of documents to determine privilege and relevance. MARGOLIS was concerned with the problem of "buried" relevant information within those documents.

MARGOLIS said it was not much of an oversimplification to say that during the search of VINCE FOSTER's office, they were looking for a "smoking gun." He elaborated by saying they were looking for pictures or a suicide note or anything else that would help explain FOSTER's death.

One of NUSSBAUM's errors in judgment concerning the search was that NUSSBAUM considered the investigators "gumshoes" who would be trampling through every detail of First Family records found in FOSTER's office. MARGOLIS said that this was not the case. They were not there for a full analysis of documents in FOSTER's office. They were "evidence casting" for the reason for FOSTER's death, like a note regarding a planned meeting he had for Fort Marcy Park on July 20, 1993, or something of this nature.

The USPP reaction to the change in procedure for the search of July 22, 1993 was one of puzzlement and an attitude of let's get it done.

29D-LR-35063

Continuation of FD-302 of DAVID MARGOLIS, On 6/8/94, Page 3

MARGOLIS speculated there may have been someone else calling the shots for NUSSBAUM. He made this comment in explaining NUSSBAUM's change of plans for the search.

At either 1:30 p.m. or 2:00 p.m. on July 22, 1993, MARGOLIS could not remember the exact time, he was advised by NUSSBAUM that we have a "slight change" in ground rules for the search. At that point, the search was to begin at 2:00 p.m. MARGOLIS was not sure if the Park Police had been kept advised with a current status report of this change or not.

At the start of the search, NUSSBAUM announced that "I (NUSSBAUM) will look at the documents and decide if privilege exists, either Presidential or lawyer/client, in connection with personal documents or other stuff you can look at." Concerning the latter category, NUSSBAUM did locate such items. As an example, MARGOLIS cited a calendar. As an example of an overreaction to the privilege issue, MARGOLIS again mentioned NUSSBAUM locating a newspaper article and placing it in a privilege pile, saying that from looking at this article, investigators could tell an "executive agenda" and, therefore, this article should be placed in the privilege pile. The privilege issue was given a "very stringent test" by NUSSBAUM. Essentially, four piles of documents resulted: (a) Presidential material; (b) CLINTON family documents; (c) HAMILTON stuff (FOSTER personal documentation); and (d) total innocuous documents or a "you can see this" pile.

MARGOLIS was asked if there was an occasion where investigators would express an interest in documents after NUSSBAUM described the papers. MARGOLIS answered that this worked both ways. Sometimes the Park Police would express an interest and sometimes NUSSBAUM would say that an item located was something that may be relevant. MARGOLIS recalled telling NUSSBAUM "a couple of times" to read more of the document. MARGOLIS explained his concern as being one where he thought NUSSBAUM would miss some information because he was being too careless or too much in a hurry. MARGOLIS described this as "being BERNIE." MARGOLIS said "cops being cops" were suspicious of NUSSBAUM's motives from the "get go." MARGOLIS said they did not articulate these concerns, other than through their body language and groans at some of NUSSBAUM's jokes.

29D-LR-35063

Continuation of FD-302 of DAVID MARGOLIS, On 6/8/94, Page 4

Following the search of FOSTER's office, MARGOLIS was worried that NUSSBAUM had "played him for a fool" as part of a "coverup." MARGOLIS spoke with HEYMAN regarding this and HEYMAN called NUSSBAUM. NUSSBAUM answered this charge with something like, "PHIL, how could you ask that?"

MARGOLIS could not remember an instance where the Park Police asked for an item during the search that they didn't get. There may have been some items that could have gone to JIM HAMILTON for a decision which they had expressed in, but MARGOLIS understood investigators later reviewed documents in HAMILTON's possession.

MARGOLIS recalled NUSSBAUM searching FOSTER's briefcase on July 22, 1993. He said NUSSBAUM was in a position to see if it was empty. MARGOLIS was satisfied through NUSSBAUM's "motions" and "eyes" and his (NUSSBAUM's) decision to discard it, that the briefcase was empty. He said to miss a torn up note in the briefcase, at best, was humiliating. MARGOLIS recalled NUSSBAUM looking into the briefcase and holding it up for the group as empty "in BERNIE style."

MARGOLIS said that at the time of the search, he "would like to think" that the mention of Whitewater or Madison would have "triggered me." MARGOLIS doesn't recall seeing or hearing any statements regarding Whitewater or Madison during the search on July 22, 1993. He explained his familiarity with Madison as being his involvement with a previous USA declination concerning Madison.

MARGOLIS was asked how many copies of the USPP report of the FOSTER death investigation were received by the DOJ. MARGOLIS answered that the DOJ received one, maybe two, copies of the report. There would have been one for MARGOLIS and one for the Deputy, PHIL HEYMAN. He said copies could have been reproduced at his or HEYMAN's direction. He believes he authorized copies for the FBI and DOJ Office of Professional Responsibility. MARGOLIS believed he gave a copy to the FBI, although the FBI may have also received a copy directly from the Park Police. MARGOLIS said that ADAMS or special assistants at DOJ would have used existing copies of the report. MARGOLIS said the Department does not have a system to sign for such items or numbered copies. MARGOLIS also recalled that prior to the press conference on the FOSTER investigation, that CARL STERN had

29D-LR-35063

Continuation of FD-302 of DAVID MARGOLIS, On 6/8/94, Page 5

wanted to give out copies of this report at the press conference.
MARGOLIS was able to prevail upon him to not do so.

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/20/94

RICHARD HUFF, of the U.S. Department of Justice (DOJ), Office of Information and Privacy, telephone number 202-514-4233, was interviewed regarding his knowledge related to the dissemination of the United States Park Police (USPP) report concerning the death investigation related to VINCENT W. FOSTER, JR. After being advised of the identity of the interviewing agent and the purpose of the interview, HUFF thereafter provided the following information:

HUFF advised that the DOJ Office of Information and Privacy did not disclose the Park Police report to The White House nor did other divisions within DOJ disclose the USPP report to The White House.

HUFF was aware that the DOJ Office of Information and Privacy was in the process of responding to Freedom of Information Act requests related to the USPP report regarding FOSTER's death, circa September - November, 1993. HUFF believes that the USPP may have shared part of the report with The White House in order to determine what could be disseminated pursuant to FOIA requests at DOJ. HUFF recalls the USPP informing DOJ of disclosing to The White House, information from the FOSTER report in order to comply with incoming FOIA requests.

No further information of investigative value was provided.

(telephonically)

Investigation on 6/20/94 at Washington, D.C. File # 29D-LR-35063

by SA DANA M. GILLIS Date dictated 6/20/94

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/8/94

Inspector PATRICK J. FORAN Federal Bureau of Investigation, was interviewed regarding his recollection of the number of United States Park Police (USPP) investigative reports received by the FBI regarding the investigation into the death of VINCENT W. FOSTER, JR. After being advised of the identity of the interviewing agent and the nature of the interview, FORAN thereafter provided the following information:

FORAN recalls reviewing one copy of the USPP report related to the investigation of the death of FOSTER. FORAN did not make any copies of the Park Police report. He was not aware of whether or not anyone else within the FBI made a copy of the Park Police report. After FORAN reviewed the Park Police report, it was then sent to FBI Headquarters investigative files.

FORAN thought that DAVID MARGOLIS, of the United States Department of Justice (DOJ), might be a point of contact regarding the number of copies of the USPP report that was provided to DOJ. Another individual who may be able to provide information regarding the number of USPP reports provided to DOJ might be ROGER ADAMS. ADAMS serves as an assistant to MARGOLIS.

No further information of investigative value was provided.

Investigation on 6/6/94 at Washington, D.C. File # 29D-LR-35063
(telephonically)

by SA DANA M. GILLIS:DMG/sla Date dictated 6/6/94

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 6/9/94

Supervisory Special Agent (SSA) JANE ERICKSON, Federal Bureau of Investigation (FBI), was interviewed regarding her recollection of the number of United States Park Police (USPP) investigative reports received by the FBI, related to the investigation into the death of VINCENT W. FOSTER, Jr. After being advised of the identity of the interviewing agent and the nature of the interview, ERICKSON thereafter provided the following information:

ERICKSON received a copy of the USPP report from Captain CHARLES HUME, USPP, on February 3, 1994. ERICKSON provided a copy of that report to Special Prosecutor ROBERT FISKE, Deputy Special Prosecutor RODERICK LANKLER, FBI Special Agent DANA M. GILLIS, and FBI SSA STEVE IRONS. ERICKSON still has custody of one copy of the USPP report. Her report is maintained in a locked file cabinet with limited access.

No further information of investigative value was provided.

(telephonically)

Investigation on 6/8/93 at Washington, D.C. File # 29D-LR-35063

by SA DANA M. GILLIS/DMG:sla Date dictated 6/9/94

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/12/94

Supervisory Special Agent (SSA) STEVE IRONS, Federal Bureau of Investigation (FBI), was interviewed regarding his receipt of a copy of the United States Park Police (USPP) investigative report related to the death of VINCENT W. FOSTER, Jr. After being advised of the identity of the interviewing Agent and the purpose of the interview, IRONS thereafter provided the following information:

IRONS received one copy of the USPP report from SSA JANE ERICKSON, FBI Headquarters, on February 8, 1994. Upon receipt of the report, IRONS placed it in a safe located in his office within the Little Rock Division of the FBI. No copies of the report were made by IRONS or any other Little Rock Division personnel. The report continues to be maintained in the aforementioned safe in IRONS' office.

No further information of investigative value was provided.

(telephonically)

Investigation on 7/12/94 at Washington, D.C. File # 29D-LR-35063

by SA DANA M. GILLIS DMG:dg Date dictated 7/12/94

- 1 -

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 7/20/94

PHILIP HEYMAN, former Deputy Attorney General, currently teaching at Harvard Law School, telephone 617-495-3137 was interviewed telephonically by writer on July 20, 1994. Being acquainted with the interviewing agent and the nature and purpose of the interview, HEYMAN provided the following information:

HEYMAN said that he recalls receiving a copy of the U.S. Park Police report on the death of VINCENT FOSTER, JR. in August, 1993. He said that he got his copy from DAVID MARGOLIS who had received it the Friday or Saturday before the press conference, which was held with the Park Police and ROBERT "BEAR" BRYANT of the Washington Metropolitan Field Office of the FBI on Tuesday, August 10, 1993. HEYMAN explained that at that stage there was only one copy in The Department of Justice and that was the one that he and DAVID MARGOLIS shared. HEYMAN said he wanted to read the report over the weekend before the press conference.

HEYMAN advised that the report was not released to the public at the time of the press conference. At the conference they said that any inquiries would have to go through the Department of Justice and they had to have time for their Freedom of Information Act experts to redact from the report that material which was inappropriate for public dissemination. HEYMAN said that that process could take as long as six weeks but he actually has no idea whether the report was ever released.

HEYMAN believes that four copies existed in the Department in all. One was the original that he shared with MARGOLIS, a second was given to the FOIA office at DOJ, a third one was given to DOJ's criminal division with instructions from HEYMAN to follow-up on one of the items found in FOSTER's note found on July 26, 1993 in which he listed things that were bothering him, and the fourth was given to DOJ's OPR office in order to follow-up on another item listed in the same note by FOSTER.

HEYMAN advised that at the time he received the Park Police report, no photographs accompanied the report. Moreover,

(telephonically)

Investigation on 7/20/94 at Washington, D.C. File # 29D-LR-35063by SSA H. ALEXIS SUGGS Date dictated 7/20/94

29D-LR-35063

Continuation of FD-302 of PHILIP HEYMAN, On 7/20/94, Page 2

there were no xeroxes of photographs contained in the report or accompanying it.

During a previous interview PHILIP HEYMAN had provided the following personal information:

Date of Birth: October 30, 1932
Place of Birth: Pittsburgh, Pennsylvania
Social Security Number: [REDACTED] ----- [FOIA(b)(6)]

HEYMAN is currently on the faculty of Harvard Law School where he can be reached at 617-495-3137, fax number 617-495-1110.

JOHN CONYERS, JR. MICHIGAN, CHAIRMAN

BARBARA COLLINS, ILLINOIS
GLENN ENGLISH, OKLAHOMA
NINNY A. WAHMAN, CALIFORNIA
MEE SYLAR, OKLAHOMA
STEPHEN L. REAL, NORTH CAROLINA
TOM LANTOS, CALIFORNIA
MELCH R. OWENS, NEW YORK
DOLPHUS TOWNS, NEW YORK
JOHN M. SPRATT, JR., SOUTH CAROLINA
BART A. GONDT, CALIFORNIA
GOLIN C. PETERSON, MINNESOTA
KAREN L. THURMAN, FLORIDA
BOBBY L. RUSH, ILLINOIS
CAROLYN B. MALONEY, NEW YORK
THOMAS M. BARNETT, WISCONSIN
DONALD M. PATHE, NEW JERSEY
FLOYD H. PLAKE, NEW YORK
JAMES A. HAYES, LOUISIANA
GREG A. WASHINGTON, TEXAS
BARBARA ROSE COLLINS, MICHIGAN
DORRINE BROWN, FLORIDA
MARJORIE MARSHALL MCDONALD, PENNSYLVANIA
LYNN C. WOOLLEY, CALIFORNIA
OSWE GILLEN, TEXAS
BART STUPAK, MICHIGAN

ONE HUNDRED THIRD CONGRESS

Congress of the United States

House of Representatives

MAR 24 A9:57

COMMITTEE ON GOVERNMENT OPERATIONS

EXECUTIVE SECRETARIAT

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

March 23, 1994

WILLIAM F. CLINGER, JR., PENNSYLVANIA
RANKING MEMBER
AL MACANDRESS, CALIFORNIA
J. DENNIS HASTERT, ILLINOIS
JOHN L. KYL, ARIZONA
CHRISTOPHER SHAYS, CONNECTICUT
STEVEN SOTER, NEW MEXICO
C CHRISTOPHER COX, CALIFORNIA
CRAG THOMAS, WYOMING
LEAHY ROBERTSON, FLORIDA
DICK DURBIN, NEW JERSEY
WILLIAM H. BRUFF, JR., NEW HAMPSHIRE
JOHN M. MCCAIN, NEW YORK
STEPHEN HORN, CALIFORNIA
DEBORAH FYFFE, OHIO
JOHN L. MCCA, FLORIDA
BOB PORTMAN, OHIO

BERNARD SANDERS, VERMONT
DISAPPROVED

MAJORITY - (202) 225-4011
MINORITY - (202) 225-4014

Honorable Janet Reno
Attorney General
U.S. Department of Justice
Tenth Street and Constitution Avenue, N.W.
Washington, D.C. 20530

Dear Attorney General Reno:

In a hearing in federal district court in New York earlier this month, Justice Department attorneys opposed Dow Jones' motion requesting release of the various reports regarding the death of White House aide Vincent Foster. (See Dow Jones & Co., et al. v. DOJ, 94 Civ. 0527 (SS)). Only days later, ABC's "World News Tonight" reported it had reviewed the same documents and even aired a photograph purportedly of Mr. Foster's hand gripping a handgun.

It troubles me that at a time when Special Counsel Robert B. Fiske, Jr. is arguing that public release of the Foster files would impede his investigation, and when your Department is spending taxpayer dollars to prevent the release of the same report, it would appear that the Administration is handing copies of this report to friendly news organizations. Such actions suggest that the Administration is seeking to influence public opinion through the press on this important matter and calls into question your willingness to support the efforts of Mr. Fiske.

I ask that you conduct a thorough review of this matter to determine who released the Foster investigative reports. As part of that review, I ask that you provide to my office the names of every individual and their organization with possession of or access to the U.S. Park Police and autopsy reports and photographs.

Thank you for your immediate attention to this matter.

Sincerely,

William F. Clinger, Jr.
William F. Clinger, Jr.
Ranking Republican

Committee on Government Operations