

1 I've asked these of almost every witness, just so it's clear
2 on the record.

3 Did you ever witness anybody, any individual
4 reviewing an FBI background file that had no official reason
5 to be reviewing that file?

6 MS. ANDERSON: No.

7 MR. SCHANZER: Did you ever provide an FBI file to
8 anyone that did not have an official reason to be reviewing
9 that file?

10 MS. ANDERSON: No.

11 MR. SCHANZER: Do you know if anyone, including
12 Mr. Marceca or Mr. Livingstone or Ms. Wetzl did that?

13 MS. ANDERSON: No.

14 MR. SCHANZER: Do you know if a log was kept
15 similar to this one, kept during the Bush administration?

16 MS. ANDERSON: I have no idea.

17 MR. SCHANZER: Did you ever have any discussions
18 with Nancy Gemmell about that?

19 MS. ANDERSON: My understanding, the previous
20 administration used the pink cards. I don't know if they
21 kept a log or not.

22 MR. SCHANZER: Okay. That's all I have.

23 MR. HIRSHLAND: I have just a couple follow-up
24 questions.

25 BY MR. HIRSHLAND:

1 Q While we are on the log subject--and as we've
2 discussed, there appeared to be a gap in the version we have
3 of the log--do you recall specifically signing out some BIs
4 during that period? You may have testified to this earlier.
5 I just want to clarify this. Do you recall any of the
6 individuals you would have checked out during that period?

7 MR. SRERE: You've asked that question. She
8 answered it. Ask another question, please. You asked that
9 question; it's on the record.

10 BY MR. HIRSHLAND:

11 Q Do you have any basis for knowing--my assumption
12 is you don't have a basis for knowing the totality of the
13 files that would have been checked out during that period
14 because other people presumably were checking out files in
15 addition to you; is that correct?

16 A I did not keep a running number of how many files
17 had been checked out.

18 Q So you can't tell us for certain which files would
19 or would not have been taken out during the period for which
20 we have no record?

21 MR. SRERE: And we're talking about background
22 investigations.

23 BY MR. HIRSHLAND:

24 Q Is that correct?

25 A That would be correct.

1 Q Okay. When you personally made entries into the
2 log, did you physically look at the name of the individual
3 whose BI was being checked out and enter it?

4 A I had to, because there was--the way that the
5 logs--or, I'm sorry, the way that the BIs would be given to
6 George was in a stack. Craig would give George a stack, and
7 so I would have to physically look at the name, write it
8 down, put it aside, look at the name, write it down, and put
9 it aside.

10 Q Before you actually gave it to George?

11 A Before I gave it to George.

12 Q What if it was Bill Kennedy or Beth Nolan or
13 Clarissa Cerda? Would they ever come in, take a file, and
14 say, Mari, I'm taking John Doe's file, mark it in the log?

15 A The way that the files were given to counsel's
16 office was generally that a call would be placed saying we
17 need the files on these persons, these persons, these
18 persons, or we need the investigations on these persons,
19 these persons, these persons. We would then pull the file,
20 write it down, and then take it up.

21 Q Okay. And you're not aware of any exceptions to
22 that general practice?

23 A Not to my recollection, no.

24 Q Earlier we spoke about the circumstances
25 surrounding your departure from the office, and you had

1 indicat that you were no longer interested in politics and
2 wanted to move on.

3 Were there any other factors that you would say
4 were relevant to your decision to leave the Office of
5 Personnel Security? Were there any other events,
6 considerations, anything else--

7 A Other than the fact that I no longer wanted to be
8 involved in politics; no; other than the fact that I didn't
9 know what I wanted to do, no.

10 Q Okay.

11 A I mean, I'm not real sure what you're asking, but
12 the answer was no.

13 Q I understand it's an open-ended question, but it's
14 designed to be, in case there's anything that you didn't
15 think of that we don't know of in particular.

16 MR. SRERE: Well, she's answered it several times
17 now, so let's go on.

18 BY MR. HIRSHLAND:

19 Q We just discussed at some length what happened
20 when you--when the office, including yourself, discovered
21 that certain BIs had been ordered of prior administration
22 officials who, in fact, did not have current passes. Did
23 you ever--

24 MR. SRERE: Once again, I want to make sure the
25 record reflects this clearly. When the background

1 investig. ion or the FBI file was ordered by the people in
2 that office, their knowledge was that those people had
3 current active passes, and indeed that's what the Secret
4 Service told them. Okay? The basis of your assumption--

5 MR. HIRSHLAND: You've made that abundantly clear.

6 MR. SRERE: Okay. I want to make sure again--

7 MR. HIRSHLAND: I do not challenge--

8 MR. SRERE: --that you understand that.

9 MR. HIRSHLAND: Certainly.

10 MR. SRERE: Because the way you phrased the
11 question was that they made a realization, oh, we're
12 ordering things for people who don't have passes. Well,
13 they were ordering things for people who had passes, and
14 they found out later that they shouldn't have passes. Okay?
15 And there's a big distinction there, and it's an important
16 distinction.

17 You may ask a question.

18 BY MR. HIRSHLAND:

19 Q Were you ever aware that Mr. Marceca was ordering
20 BIs from the FBI, and at the time he was making these
21 orders, you understood that the individuals whose files he
22 was requesting in fact did not have active passes?

23 A At no time did I know that.

24 Q Just a couple more questions.

25 We've been talking all about this process when

1 your office, the Office of Personnel Security, would make a
2 request to the FBI. With respect to National Security
3 Council employees, would you make requests for background
4 information to someone other than the FBI?

5 A No. The FBI is the only government agency that
6 did our background investigations. There would be instances
7 where I know in the military office that the DDS, the
8 Department of Defense Security, had done investigations. I
9 don't remember requesting those investigations for those
10 military personnel. I know that any military personnel that
11 was in the White House was reviewed by Craig. Sergeant--I'm
12 sorry, Sergeant Jones or Major Croce--I can't remember how
13 to pronounce his last name--would bring the files over. He
14 would review it and it would be sent back. Other than that,
15 I don't remember requesting them.

16 Q We've discussed at length--

17 MR. HIRSHLAND: Counsel, I am adopting for the
18 record your qualification that you've made on several
19 occasions with respect to files that at some point had been
20 ordered by Office of Personnel Security and at some point it
21 had been discovered that, in fact, the individuals whose
22 files had been ordered were not active passholders.

23 BY MR. HIRSHLAND:

24 Q Are you aware of anyone outside of your office, be
25 it White House Counsel's Office, someone else in the White