

the course of conducting a background investigation on David Watkins?

A Yes, they did.

Q Did the FBI agent question you on sexual harassment charges lodged against David Watkins?

A Yes, he did.

Q Have you ever refused to give an FBI agent information on David Watkins?

A No.

Q Do you recall whether you were contacted by the interviewing agent's supervisor to obtain information on charges of sexual harassment against David Watkins?

A Not that I recall.

Q Do you recall whether the FBI was having a problem getting information on sexual harassment charges against David Watkins?

A Let me talk to my lawyer for a minute.

Actually, can we take a break?

Q Yes.

[Recess from 11:02 a.m. to 11:06 a.m.]

Ms. Remington. We can go back on the record.

The Witness. Okay.

What happened, when -- it was Gary, and I think Dennis came to see me about David, they asked me was I aware of a sexual harassment charge being lodged against David on the campaign? I said, yes, I was aware of it. He asked me, more or less, you know, did I know what had happened?

I said, yes.

He said, what happened?

I told him the matter had been satisfactorily resolved by the parties and was subject to a confidential settlement agreement.

They said, what's in the agreement?

I told him more or less at that time that as the lawyer for the campaign, I couldn't waive that confidentiality privilege; that if he needed to know what was in the settlement we needed to do a couple things. I would need to go back to my colleagues at Hogan & Hartson to ascertain whether or not we could waive the privilege without contacting the other party. We would need to get the permission of the client to waive the privilege, and I asked him whether he thought, you know, we needed to pursue these following steps. I also thought I should notify the White House Counsel if we were going to do that.

I believe he said, you know, let me talk -- let me think about it or I will get back to you. I mean, I just told him at that moment I couldn't waive the privilege without the client's consent as a minimum, and then there were problems and other steps we needed to take if he felt he had to have the information.

My recollection was that he was going to think about it and get back to me if they, in fact, felt they couldn't conclude the background investigation of David Watkins without getting access to further details on the complaint and the settlement of the complaint. He never got back to me, and I saw him pretty frequently after that because he did other background checks with me.

Q Did he ever bring that information?

A Not that I am aware of.

Q Are you aware of whether they obtained that information without your knowledge?

A I don't know if they ever obtained it without my knowledge.

Q Are you aware of whether they ever obtained that information?

A Not that I know of.

Q Okay. If you will just give me a minute to look over my questions to make sure I don't have anything else?

A Sure.

Ms. Remington. Do you have any questions?

Mr. Pinkus. No.

[Pause.]

BY MS. REMINGTON:

Q You left the White House in October of '94, is that correct?

A Yes.

Q Did you stay in contact with Craig Livingstone at all during that time period?

A After I left?

Q I am sorry, no. Between January '93 and October '94 while you were both at the White House?

A Oh, yeah, I would have seen him. It's not a big place. You bump into everybody going back and forth between the buildings or in the cafeteria or at any number of things I would have bumped into him.

Q Did you ever ask him about his job?

A Not that I recall, no.

Q You had mentioned earlier that -- I don't want to characterize your testimony, but you had mentioned earlier that the White House wanted someone in this position so that they could keep the salary low or in the mid-level, 30 to 40,000?

A I don't know that they wanted to keep the salary low, but it was described to me, as I recall it, 38-, 40-, somewhere in that range, thousand-dollar-a-year job to push the paper and

make sure people got their paperwork filled out.

Q Did anyone in the White House ever tell you that Mr. Livingstone was demanding raises?

A Not that I recall.

Ms. Remington. Okay.

That's all the questions I have.

The Witness. Okay.

Mr. Pinkus. Thank you.

Ms. Remington. Do you mind going back on the record for just one more thing?

I want to mark this real quick.

Earlier I had referred to David Craig's resume as CGE 046225 through 229. I would like to mark that as Deposition Exhibit No. 2.

[Varney Deposition Exhibit No. 2

was marked for identification.]

Ms. Remington. That's it.

[Whereupon, at 11:12 a.m., the deposition was concluded.]

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