people in political positions departed with the outgoing administration and were replaced by new people in the incoming administration, it was difficult to maintain an accurate Secret Service list of active passholders. Many people from the past administration would continue to be identified on the Secret Service list as active passholders for long periods into the new administration because the Secret Service was not informed that they had left.

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- 23. With the passage of time in each new administration, the Secret Service active passholder list tended to become more accurate as departed employees remaining on the list were identified and removed. Also, at some point late in the first year of each new administration after the new staff was mostly in place and political turnover had largely stabilized, the Secret Service would issue new permanent White House passes in a different color from the prior administration. That process, commonly referred to as the "color change," required all active passholders to turn in their old passes to the Secret Service and obtain new passes. Those persons who did not comply within a designated period were removed from the Secret Service active passholder list, which ensured that the active passholder list was far more accurate after the color change.
- 24. When I worked on update projects in prior administrations, the procedure followed by OPS was to wait until after the color change to obtain a Secret Service list of active passholders to commence the project. However, during the Bush to Clinton transition in 1993, OPS could not delay until the color change to commence the project because my pending retirement would soon leave the office without anyone with the needed knowledge and understanding of the project. Also, Mr. Livingstone desired to have the office fully functioning before I left.
  - 25. To minimize the inaccuracy problem with the Secret Service active passholder list

prior to the color change, my plan was to commence the Update Project with the non-political offices before I retired, and I expected that the OPS staff would later obtain a new active passholder list from the Secret Service after the color change before proceeding to request prior reports from the FBI on employees of the political offices within the White House.

- 26. I fully explained the proper procedures for conducting the Update Project to Ms.

  Anderson and my expectation that the OPS staff would obtain a new Secret Service passholder list after the color change to complete the project.
- 27. Shortly before I retired, I learned that Anthony Marceca would be detailed to OPS from the Defense Department to assist with office functions, and I met with him at the OPS office for several hours before he commenced work at OPS. I discussed generally the many functions and procedures of the office during the meeting.
- 28. In my discussion with Mr. Marceca, I mentioned the Update Project, and it is likely that I pointed out to him the Secret Service list that I was using at the time to conduct the project, which I kept at my work station in the OPS vault. However, I had no knowledge at the time that Mr. Marceca would be assigned primary responsibility for completing the Update Project after my retirement, and I did not explain the procedures for the project in detail or my plan for completing the project. In particular, I did not directly explain to Mr. Marceca the color change process for White House passes or the need to obtain a new Secret Service list after the color change, but I had advised other OPS staff of the procedure.
- 29. I retired from OPS the week before Mr. Marceca was scheduled to begin his detail in the office.
  - 30. When I departed the office, I left the Secret Service list I was using to conduct the

Update Project in plain view at my work station in the OPS vault, and I expected that list would be used by the OPS staff in continuing the project in my absence.

31. Throughout my work on the Update Project in 1993, I never heard or observed anything that suggested to me that anyone had any improper desire or intention to request previous reports from the FBI on individuals from prior administrations who no longer required routine access to the White House complex. The fact that Mr. Livingstone assigned the Update Project to my supervision and requested that I delay my retirement to continue working on the project and other matters within the office, indicated to me that he intended the Update Project to be conducted properly and in a manner as consistent as reasonably possible under the circumstances with the procedures followed in prior administrations.

32. I attempted throughout my work on the Update Project in the Clinton administration to properly conduct the project to recreate the security files for holdovers from the Bush administration who required continuing, routine access to the White House complex. I never knowingly requested previous reports on anyone who I believed no longer required routine access to the White House complex, nor was I ever instructed or encouraged in any fashion to do so.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March <u>\$\infty\$ b</u>, 1998, in Annandale, Virginia.

Nancy A. Gemmell

## EXHIBIT A

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