

Union Calendar No. 461

104th Congress, 2nd Session - - - - - House Report 104-849

INVESTIGATION OF THE WHITE HOUSE  
TRAVEL OFFICE FIRINGS AND RELATED  
MATTERS

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FIFTEENTH REPORT

BY THE

COMMITTEE ON GOVERNMENT  
REFORM AND OVERSIGHT

together with

MINORITY AND ADDITIONAL VIEWS



SEPTEMBER 26, 1996.—Committed to the Committee of the Whole House  
on the State of the Union and ordered to be printed

WHITE HOUSE COUNSEL DOCUMENTS  
"TASK LIST," SCRIPTS FOR CONGRESS AND DEBRIEFINGS

- 1 December 13, 1994 "Task List" by Jane Sherburne describing 39 scandals in the Clinton Administration and how White House attorneys should work on them. (DF 780643-780654)
- 2 June 30, 1995 Memorandum to the File from Jane Sherburne re Debriefing of Roy Neel's Whitewater deposition (DF 781690-691)
- 3 July 7, 1995 Memorandum for the File from Miriam Nemetz re Debriefing of George Stephanopoulos' Whitewater deposition (DF 781726-728).
- 4 July 8, 1995 Memorandum to the File from David B. Fein re Debriefing of Cliff Sloan's Whitewater deposition, (DF 781708-715).
- 5 July 15, 1995 Memorandum for the File from Miriam Nemetz re Debriefing of Patsy Thomasson's Whitewater deposition, (DF 781731-734).
- 6 July 15, 1995 Memorandum to the File from Jane Sherburne re Debriefing of David Watkins' Whitewater deposition, (DF 781735-738).
- 7 July 18, 1995 Memorandum to the File from David B. Fein re Debriefing of Susan Thomases' Whitewater deposition, (DF 781729-730).
- 8 August 1, 1995 Memorandum to Jane Sherburne and Natalie Williams from David E. Kendall (personal attorney for the Clintons) re: Representative Clinger Document Request (DF 781932-933).
- 9 Undated "Questions for Podesta" prepared for Committee hearings by White House (DF 781539542).
- 10 Undated, Scripted Questions for Committee hearings prepared by the White House Counsel's office (DF 781785-817).
- 11 Undated handwritten notes on Counsel's office strategy on Travel Office investigation (DF 780920, 781893-900).

Task List  
December 13, 1994

## 1. Issues

- a. Foster document handling (Nemetz)
- b. Travel Office (Cerf)
- c. White House/Treasury contacts (revisited; report) (JCS)
- d. obstruction of justice (DOJ handling of criminal referrals; Jay Stephens; RTC whistleblower reprisals) (\*\*)
- e. use of White House resources for response efforts (Nolan)
- f. Foster suicide (Nemetz)
- g. Espy (ethics; expanded Smaltz inquiry re Tyson's, Hatch Act) (Mills/Nolan/\*\*)
- h. Cisneros (\*\*)
- i. Brown (\*\*)
- j. Hubbell (\*\*)
- k. Ickes/union representation (\*\*)
- l. Stephanopoulos/NationsBank (\*\*)
- m. State Department -- passport files (\*\*)
- n. Archives --- abuse of personnel system (\*\*)
- o. Legal Defense Fund (Mills)
- p. Health Care Task Force (Neuwirth)
- q. White House operations (drugs, passes, helicopters) (Mills/Nolan)
- r. residence renovations (Neuwirth)
- s. presidential immunity (Sloan)
- t. White House Arkansans (Thomasson, Nash, Rasco) (\*\*)
- u. PIC surplus (\*\*)
- v. improper electioneering (SBA) (\*\*)
- w. GSA (Roger Johnson) (\*\*)
- x. Value Partners (Neuwirth)
- y. presidential campaign (PEC audit) (\*\*)
- z. commodities (Kendall/\*\*)
- aa. gubernatorial campaigns (Lindsey, Wright) - record keeping (Kendall/\*\*)
- ab. gubernatorial campaigns - MGSL (Kendall/\*\*)
- ac. Whitewater/MGSL (Kendall/\*\*)
- ad. other MGSL/McDougal (Kendall/\*\*)
- ae. Rose Law Firm (HRC work for MGSL; Frost Case, FSLIC representation) (Kendall/\*\*)
- af. David Hale/Susan McDougal/SBA (Kendall/\*\*)
- ag. Tucker (\*\*)\*#


  
DF 780643

- ah. Lasater (bond deals; cocaine; Roger Clinton) (\*\*)
- ai. use of loans to achieve legislative initiatives (\*\*)
- aj. ADFA (political favors; Larry Nichols) (\*\*)
- ak. Mena Airport (\*\*)
- al. troopers (\*\*)
- am. women (Kendall/Bennett/\*\*)

2. Preliminaries

- a. identify key republican objectives and routes for achieving them -- e.g.
  - i. sustain shadow on WJC character
  - ii. hype HRC threat to white men, traditional women
- b. identify guiding principles for response -- e.g.
  - i. nothing to hide
  - ii. stick to the facts
  - iii. get it right the first time
  - iv. keep it simple
  - v. resist harassment
  - vi. govern America
- c. executive privilege research
  - i. OLC state of the play
  - ii. comments by republicans re assertion
  - iii. protocol
  - iv. strategy/principles for asserting
- d. research re entitlement of Congress to HRC/WJC transcripts of depositions given to Fiske
- e. research re congressional subpoena power
  - i. reach (HRC/WJC)
  - ii. precedents
  - iii. committee rules
  - iv. procedures
- f. research re limitations on legislative power to investigate
  - i. legislative purpose
  - ii. overreaching precedents

DF 788644

- g. learn new Hill committee jurisdiction, membership
- h. courtesy visits to Hill -- member and staff level (eg. Frank, Sarbanes, leadership; Harris, Meek, etc.)
- i. consultations
- \*j. offensive structures
  - i. FEC legal research
  - ii. W&C
  - iii. DNC/DCCC/DSCC
  - iv. surrogates
- k. representation of Administration officials by private counsel
  - i. compensation
- l. research re proper role of OWHC with respect to pre-inaugural issues with an aim toward articulating principles for determining who should be principal spokesperson on a particular issue and the extent to which each (private counsel/OWHC) should participate.

Foster Document Handling

- a. Independent counsel inquiry
  - ~~i. set meeting with Starr~~
    - (1) identify options with respect to issuance of report
      - (a) precedents
    - (2) inquire about status and timing
    - (3) HRC/WJC depositions
  - ii. status check with counsel for individuals
- b. congressional hearings
  - i. identify likely committees (Senate Banking, House Banking, Gov Ops, Judiciary)
    - (1) identify friends -- Key Members and staff

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- (2) identify leadership
- (3) identify key republicans
- ii. congressional visits
  - (1) Daschle
  - (2) Sarbanes & other Banking
  - (3) house
- iii. prepare background materials
  - (1) assemble public record
  - (2) talking points and fact memoranda
- iv. determine how to handle representation of individual White House staff
  - (1) outside counsel
  - (2) attorney fees
  - (3) assertion of privileges
- c. press strategy
- d. surrogate role
  - i. Hamilton
  - ii. identify others

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- e. offensive research
- f. issue specific tasks
  - i. security/Livingstone issues
    - (1) debrief Joel
    - (2) review Livingstone file
    - (3) consult with Randy Turk
    - (4) interview Livingstone
    - (5) fact memo
  - ii. inconclusiveness re Williams removal of documents
    - (1) confer with Ed Dennis
    - (2) debrief Joel re security officer
    - (3) assemble public reports of document removal on 7/20 and statements attributed to White House officials

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iii. chain of custody re transfer of Clinton personal files

- (1) complete interviews
  - (a) Carolyn Huber
  - (b) Linda Tripp
  - (c) Deborah Gorham
  - (d) Bob Barnett
  - (e) Sylvia Mathews
- (2) fact memo
- (3) assemble public record
- (4) determine strategy re release of WDC file

iv. search of Foster office

- (1) assemble public record
  - (a) including any relevant testimony at Senate hearing on Foster suicide in July 1994
- (2) fact memo
- (3) legal research
  - (a) obligation to seal the office immediately
  - (b) obligation to cooperate with law enforcement authorities vs. protection of privileged material
  - (c) basis for protecting disclosure to Congress of privileged material in VF office
    - (i) basis for resisting identification/production of all documents in VF office and Bernie's safe

v. delay in surfacing suicide note

- (1) complete interviews
  - (a) Gergen
  - (b) Burton

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- (2) assemble material in public record
- (3) fact memo
- (4) legal research
  - (a) obligations to disclose a note to law enforcement authorities
    - (i) if not obviously a suicide note
    - (ii) timeliness requirements

## 4. Foster suicide

- a. Chris Ruddy/Center for Western Journalism
- b. causes for suicide
- c. monitor Senate report; coordinate with Hamilton
- d. develop press response

## 5. Obstruction of Justice

- a. delay in addressing criminal referrals; DOJ role (D.C. and Paula Casey)
  - i. determine usual process
  - ii. develop chronology/fact memo with key documents
    - (1) Charles Banks
    - (2) Paula Casey
    - (3) track Lewis correspondence released by Leach
  - iii. identify Committee interest (D'Amato; House)
  - iv. assemble public record
- b. RTC/Kansas City investigation (suspension of Jean Lewis, Richard Iorio etc.; April Breslaw; pre-1993 activity)
  - i. develop chronology of known facts and key documents
  - ii. interview Breslaw
  - iii. identify Committee interest (Leach; Senate)
  - iv. examine last day of House hearings for offensive help
- c. Jay Stephens retention

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- i. track public record
  - ii. identify efforts to give IC civil jurisdiction
  - iii. identify Committee interest (D'Amato; House)
6. White House/Treasury contacts
- a. Senate Report
    - i. review/comment on Report
    - ii. keep in touch with Minority Report developments
    - iii. prepare press strategy
    - iv. identify surrogates
  - b. White House investigation of White House/Treasury contacts (receipt of information about RTC investigation; work product; redactions)
    - i. prepare file memorandum describing use of unredacted transcripts
    - ii. determine continuing Bond interest
  - c. Truthfulness of White House and other Administration witnesses (referral of testimony to Starr -- Ickes, Stephanopoulos)
    - i. consult with lawyers
    - ii. identify areas of vulnerability
    - iii. research re perjury
    - iv. press response
  - d. Heads-up policy
    - i. surrogates
    - ii. uniform application
    - iii. Treasury status
    - iv. press strategy for release of Committee report
    - v. work up background paper on precedents
  - e. Recusal policies/OGE/Executive Orders
    - i. press strategy for release of Committee report
    - ii. background paper
    - iii. consult with OGE
    - iv. consider Executive Order or other response to Committee's

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- f. Contacts policy (Executive Order)
  - i. press strategy for release of Committee report
  - ii. background paper
  - iii. consult with OCE
  - iv. consider Executive Order or other response to Committee
- g. Rikki Tigert
  - i. determine her first likely congressional appearance in the new congress
  - ii. assemble public record
  - iii. interview Gargan, Tigert and Klein re communications on the subject of recusal
    - (1) determine response to allegations of "pressure"
    - (2) determine response to allegation that Klein misled the committee
  - iv. determine press strategy/talking points

## 7. Smaltz Investigation

- a. Espy -- ethics (Mills)
- b. beyond Espy ethics (Hatch Act, Tyson's)
  - i. determine charter, scope of inquiry
  - ii. determine press strategy
  - iii. identify congressional interest
  - iv. assemble public record
  - v. fact gathering

## 8. White House Whitewater response effort

- a. legal research
  - i. the appropriate role of White House staff with respect to issues arising pre-inauguration (see above)
- b. fact development (scope of effort, etc.)
- c. determine press strategy/develop talking points
- d. assemble public record
  - i. Lindsey involvement pre-1994-95

INTERNAL SECURITY AND OTHER INFORMATION  
 DF 780650

Morgan  
 Counsel to  
 AG Comm.

- ii. Ickes' Ward Room undertaking (1/94)
- iii. Podesta damage control effort

9. Cisneros
  - a. gather facts
  - b. establish contact with counsel
  - c. determine press strategy/develop talking points
  - d. identify source of congressional interest
  - e. assemble binder with summary and key documents
10. Brown
  - a. establish contact with counsel
  - b. determine press strategy/develop talking points
  - c. identify source of congressional interest
  - d. assemble binder with summary and key documents
11. Hubbell
  - a. monitor cooperation
  - b. determine press strategy/develop talking points
12. Ickes (union representation)
  - a. monitor
  - b. assemble binder with summary and key documents

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13. Stephanopoulos (Nation'sbank)
  - a. monitor
  - b. assemble binder with summary and key documents
14. State Department (passport files)
  - a. identify issue
  - b. determine congressional interest
  - c. assemble binder with summary and key documents
15. Archives (abuse of personnel system)
  - a. identify issue
  - b. determine congressional interest
  - c. assemble binder with summary and key documents
16. SBA (improper electioneering)
  - a. identify issue
  - b. determine congressional interest
  - c. assemble binder with summary and key documents

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- 17. GSA (Roger Johnson)
  - a. identify issue
  - b. determine congressional interest
  - c. assemble binder with summary and key documents
- 18. FEC Audit
  - a. determine congressional interest
  - b. assemble binder with summary and key documents
- 19. PIC surplus
  - a. identify issue
  - b. determine congressional interest
  - c. assemble binder with summary and key documents
- 20. MGSL-related
  - a. Whitewater Investment
    - i. assemble public record
    - ii. review documents, including work of accountants and tax returns; Lyons reports
    - iii. develop fact memo and chronology
    - iv. press strategy
  - b. MGSL
    - i. assemble public record
    - ii. review W&C documents
    - iii. develop fact memo and chronology
    - iv. fact memo
      - (1) why MGSL failed; relationship of campaign contributions to failure
      - (2) Rose Law Firm work (HRC 1985)
        - (a) conflicts
        - (b) enabled MGSL to stay open longer than it should have
    - v. surrogate strategy
  - c. Rose Law Firm
    - i. fact memo
      - (1) status of conflicts inquiry
      - (2) Frost case



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- (3) Rose services to FSLIC related to Lasater brokerage firm (HRC 2 hours in 1987, signed pleadings for VF)
  - (4) billing practices
  - ii. assemble public record
  - iii. determine press strategy
  - d. David Hale
21. Other Pre-Inaugural
- a. Gubernatorial Campaigns
    - i. identify issues
      - (1) whether expenditures and loans were properly reported under state law
        - (a) Lindsey role
        - (b) Batsy Wright
      - (2) role of the Bank of Cherry Valley
      - (3) Starr looking at 1984, 1986, 1990
    - ii. interview Kendall; review Kendall documents
    - iii. interview Snyder/Lindsey
    - iv. fact memo
    - v. press strategy
  - b. Negative Associations
    - i. Jim Guy Tucker
    - ii. David Hale (SBA)
    - iii. Jim McDougal
    - iv. Dan Lasater (bond deals, cocaine, Roger Clinton)
  - c. Mena Airport
    - i. identify issue
    - ii. determine congressional interest
    - iii. assemble binder with summary and key documents
  - d. ADFA
    - i. identify issue (political favors)
    - ii. determine congressional interest

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- iii. assemble binder with summary and key documents
- e. Use by Governor Clinton of loans to further legislative initiatives
  - i. identify issue
  - ii. determine congressional interest
  - iii. assemble binder with summary and key documents
- f. Commodities
  - i. determine congressional interest
  - ii. assemble binder with summary and key documents
- g. Paula Jones
  - i. assemble binder with summary and key documents
- h. Troopers
  - i. identify issue (job for silence, other)
  - ii. determine congressional interest
  - iii. assemble binder with summary and key documents

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