Q I think the testimony in the Senate was you never provided a list from E-PASS because of the security --

A I have been told, and since -- I am not sure whether I learned it exactly before or exactly after the Senate hearings, on March 31 of 1993 we provided them with a listing from E-PASS. Since then I have reproduced that list.

Q Is it consistent with your findings?

A Yes, it is. There are small variations in that the way the systems are set up, when a pass -- all the information is inputted into the E-PASS system, so when somebody is made active and when somebody is made inactive, it is entered into the E-PASS system.

The E-PASS system, typically we will wait until midnight that night to transmit it to the WAVES system, and during the day it immediately transmits that system to the access control system, which allows somebody in and out of the White House. So oftentimes you will see a delay of a day because it waits until midnight at low traffic times. If we had a busy day, I am saying that beginning in 1993 the load on the system increased by 100 percent and then dropped down to 50 percent above what it had been used to load on the system.

Sometimes it would take 3, 4 and 5 days for the information to migrate from E-PASS over to WAVES. So to stay consistent with the printout, these charts and graphs are consistent with the WAVES printouts, and the status date is the date that information arrived in the WAVES system.

Q I guess my question was consistent with the March 31, 1993 E-PASS you say was provided to OPS?

A Yes, it is. That list was a -- the parameters for the search on that list were all passes that were issued prior to January 20, 1993 but were still active as of March 31, 1993.

Q Have you reviewed that list recently; do you know how many names were on that list?

A I believe there is about 6,000 names on that list.

Q Do you know, was it specifically requested from OPS?

A I don't know.

Q Do you know who it was provided to in OPS?

A Again, I don't know. But I do know that the list was requested. I do know that one of our programmers wrote a special program for it. The reason I know it was written and run on March 31st is because looking at the executable file that generated the report, the compiled data stored in

the coded form in that -- in the executable program.

Q Does that E-PASS list distinguish between active and inactive, or is it only the active in that time frame?

A It only listed active pass holders.

Q Let me go back to the WAVES list. Does that distinguish between active and inactive?

A There are several types of WAVES lists. This is an active only list, attachment number -- the WAVES list dated 7-8-93 and also the WAVES printout dated May 12 of '93 only show active passholders. The lists dated for May and June of '93 show people that became inactive in the month of June, and the very first list I spoke of shows only inactive people. We do produce a list of active and inactive people. Today it is roughly 24,000 people.

Q That would go back some 8 years?

A Yes it does.

We can produce a list in any form you want. All we have to do is -- if you tell me your search parameters, we will code a report, a report generated to produce a list.

Q Are you aware of any parameters that Ms. Gemmell requested --

A No. I wasn't there when Nancy Gemmell was there.

Q -- in your review?

A No.

Ms. Comstock. Where it says "active" and "inactive," where would that be located?

The Witness. Neither of these are from A and I lists, but there will be a -- A and I -- there would be a column that would say "status," and it would say "A" or"I," or it could spell out "active" or "inactive," whatever -- a lot of these are ad hoc inquiries, ad hoc reports. Typically, though, they would say "A" or "I".

BY MR. GOLDBERG:

Q Let me just get through this quickly, because I know you have testified ad nauseam on this. Just to clarify, but you have no idea of what list Ms. Gemmell requested and what form it would have been, and there is no way to recreate that to your knowledge?

A From WAVES, no. The only list I know was given to the pass office, and it was March 31, 1993. As to who in that office it was given to, I can't

speak to that. It was generated by the E-PASS system, and that can be recreated.

Q You were going to explain the AGIN versus space AGIN?

A It is a very easy one, and it is an operator error. If you look at that printout, you will see that first name on the list is "space, A-G-I-N". The characters on the printout are "space, A-G-I-N." That tells me that when his name, this name and this record, was created, rather than striking the H, because obviously the first name is Joseph, the middle name is White House, obviously the operator struck the space bar instead of the H. The space bar has a lower numeric value associated with it than does any other character. That is why it pops up as the first one on the list.

That was an anomaly that ran around the system. If you are doing searches for Hagin, type in H-A-G-I-N, you will not find it, and if you do a search for A-G-I-N you are not going to find that either. You have to be familiar with how things work.

Q Does the White House list that you did your audit on have "space, A-G-I-N"?

A No. Somebody typed "A-G-I-N" on this list. But this is not a Secret Service-generated list.

Q But if that is a list of names that were -- requests were made, it has been represented to us, if they couldn't have typed in from a Secret Service list "A-G-I-N" and "H-A-G-I-N," does it follow that they must just have been copying it off of a list like this?

A It is very apparent that somebody copied this mistake.

Q How can you account for the mistakes on the White House list that has the deactivation dates that you said were inaccurate? Have you gone back to find out was it operator input error?

A On these, no. These are not mistakes in our system. These are mistakes from the people that were probably up at midnight with lists and lists of printouts going through writing them down in pencil. These are all -- these kinds of errors would be typos and somebody else taking the list and trying to read handwriting and type them on here.

Mr. Goldberg. That is all I have. Thank you.

BY MS. COMSTOCK:

Q We are just about finished here. This is CGE 47837. It is a memo to Craig Livingstone from Claude Taylor of May '94 regarding security violations. Is Claude Taylor someone who is at the Secret Service?

A No. Claude Taylor used to be in charge of the volunteer office, and he was charged with taking care of all the volunteers.

Q Security violations by volunteers that were brought to your attention in your office?

A No. I am at a loss to speak to this.

RPTS BRYAN

DCMN HERZFELD

[12:15 p.m.]

BY MS. COMSTOCK:

Q This isn't something you have ever seen before, this document?

A No.

Ms. Comstock. I did want to make a document we had previously discussed, which was CGE 470239, which was the extension of passes memo of December 13, 1993 -- we discussed that as an example of the lists of extensions you had received. I wanted to make that Exhibit 5.

[Undercoffer Deposition Exhibit No. 5

was marked for identification.]

BY MS. COMSTOCK:

Q Then I did want to just briefly return to, in the backgrounds that you reviewed, were there ever arrests, arrest records in any of those backgrounds that had been forwarded to you?

A Yes, there were.

Q And did any of the arrests involve drugs?

A I honestly don't recall.

Q Do you know if the arrests involved any tax violations?

A I don't believe so.

Q Or any violent -- any kind of assaults or violent arrests that were forwarded to you?

A I would say typically no on violence. Violence are things -- you know, any -- like I said, we reviewed the background investigations looking for, you know, tendencies towards violent behavior, and I am answering it in a negative because it is not jogging my memory.

Q Okay. So that would include, you know, any kind of assaults or rape or

anything like that would be in sort of the violent category?

A I really don't recall.

Q Okay. This is a May 5th, 1993 memo for James P. Farrell, security officer at the National Security Council, from William Kennedy, and the subject was compartmented clearances. It specifically refers to allowing Craig Livingstone to have such a clearance and notes his full field background investigations having been conducted.

Do you have any knowledge of whether Mr. Livingstone's background had been done in May of 1993? I know you previously stated you weren't there in 1993, but just to the extent that you may know.

A I don't know.

Q Do you know what compartmented clearances were?

A Yes, I know what that is.

Q Can you describe what that is?

A It is a special access clearance.

Q And what does that mean?

A Well, what it means is because somebody -- what it means is because somebody might have a secret or a top secret clearance, it doesn't give them access to a whole spectrum of information. There are some things that are compartmentalized.

Like within our agency, a good example would be within our agency there may be things that Mr. Clancy would -- he and I would have the same level of clearance, but there are some things that are special access that he has -- he is allowed to know and I'm not, because I don't have a need to know. But we don't -- the Secret Service at the White House, we have nothing to do with security clearances for the administration.

Q Okay. That is entirely separate from anything that you are working with?

A Yes. Again, we issue passes for access to the complex.

Ms. Comstock. I believe that is all we have for today. Thank you. If we could get some of those charts in the smaller version to include in the report, that would be great. Can we get copies of those also?

The Witness. You will get copies of these also.

[Whereupon, at 12:18 p.m., the deposition concluded.]

EXHIBITS

PAGE

Committee on Government Reform
2157 Rayburn House Office Building
Washington, DC 20515 · (202) 225-5074