

added that nothing pertaining to the subpoena was mentioned even when Tamposi's file was pulled. Kahn recalled that Tarver had previously complied with a subpoena regarding the Tamposi investigation in late January 1993, but there was no mention of it during this review. To the best of Kahn's knowledge, compliance with a subpoena was never a motive in the decision to retrieve the Bush WHLO records.

Kahn stated that early in August 1993, Tarver advised him that he (Tarver) had spoken to Kamen. Tarver told him that Schulhof had referred Kamen to him to discuss the Bush administration WHLO records. Kahn stated that when Kamen's news item was published on September 1, 1993, he was not surprised because he had known that Tarver had spoken to Kamen. Kahn related that on the morning of September 1st he received a telephone call from Tarver asking whether he had seen the Kamen article. Kahn recalled that Tarver sounded concerned about the article. Kahn said that on that same day he was questioned by several Department officials regarding the Bush administration WHLO records.

Kahn stated that he withheld information from Department officials concerning his knowledge of Tarver's conversation with Kamen because he felt he should provide that information only to Assistant Secretary for Public Affairs Thomas Donilon or to Under Secretary Richard Moose. He stated that the judgment to withhold the information was his "independent decision" because Department officials requesting the information were not his superiors, and he was uncertain at that point as to what he should do. In a conversation later in the afternoon on September 1st, Tarver told Kahn that he simply had confirmed the information regarding the Fitzgerald file and denied giving any information to Kamen about the Tamposi file. Kahn stated that he and Tarver speculated during their conversation that Schulhof may have provided Kamen with some information.

In a third meeting on September 1, 1993 with Donilon, Kahn recalled that Donilon contacted Bruce Lindsey, Assistant to the President, and briefed him on the situation. Kahn stated that it was unnecessary to apprise Donilon of the Tarver/Kamen communications at this point, because Donilon said he had already learned from Tarver about those communications. Kahn advised that Department officials asked him to prepare a chronology of events regarding the retrieval of the Bush administration WHLO records and that he prepared this chronology with Tarver on the evening of September 1, 1993.

While preparing the requested chronology, Kahn and Tarver discussed the contents of Kamen's column. Kahn recalled that they also placed a telephone call to Bond at home at approximately 11:00 p.m. in order to confirm the information in the chronology. Kahn stated that Bond reminded them that

they had discarded a second set of appointee personnel files when they had conducted their records review. Tarver suggested to Kahn that they "forget about this second set of personnel files" and, because of that suggestion, information concerning the second set of files was not included in their final chronology of events to the Department.

Kahn provided OIG investigators with an affidavit (Attachment 17) which summarizes his knowledge of this situation.

Interview of Director Joseph Tarver

On September 15 and 16, 1993, Tarver was interviewed by OIG investigators (Attachment 18). Tarver stated that in March 1993 he became aware that Bush administration WHLO records had been sent to storage. He learned this as a result of a memorandum left by the Bush White House Liaison Office staff. Tarver said he directed the retrieval of these records in July 1993. Tarver related that the decision to retrieve the files was his and his alone. He further stated that neither White House nor Department officials directed or were in any way involved in that decision. Tarver stated that his primary purpose in retrieving the Bush administration WHLO records was to assist him in understanding the functions and duties of the White House Liaison Office. He stated that he had been tasked with creating a "road map" for the White House of all the political appointments in the Department. Tarver also related that he wanted to determine if any of the records contained information that might have related to the Clinton passport investigation. Tarver stated that he had complied with a subpoena for records pertaining to that investigation in January 1993 and he felt obligated to provide any relevant documents.

Tarver advised that the Bush administration WHLO records were stored in their office for a few weeks without any attempt to review them. As a result of the receipt of security violations for improper storage of the files, a review of the records was conducted by his staff on July 27, 1993. Tarver said this review was the first his staff performed of the individual appointee files, and that the review was conducted "file by file." Tarver stated that they were seeking to identify Bush Administration appointees who may have switched into non-political positions in the Department. Tarver believes that he found the file for Fitzgerald and discovered that it was empty. Tarver then found the file for Tamposi and reviewed its contents. Tarver stated that he found a typed memorandum addressing the various appointments the Department was considering for Tamposi. This memorandum questioned Tamposi's qualifications for a senior position. Tarver stated that he shared the information from the memorandum with his staff and that they all laughed. Tarver stated that because he did not find anything in Tamposi's file that

related to the Clinton passport investigation, he did not notify the Department's Legal Adviser's Office about his review.

Tarver stated that Schulhof visited the White House Liaison Office on July 27, 1993, and was told that they were reviewing Bush administration WHLO files. Tarver stated that Schulhof was provided with a general description of the types of files that were contained in the boxes and "the chances are greater than not" that Schulhof was told that the Fitzgerald file was empty. However, Tarver denied that Schulhof was told about the contents of the Tamposi file.

Tarver believed that there was insufficient space for storing all of the Bush administration WHLO records and he felt that many of them could be discarded. Tarver stated that he made the determination as to which records would be retained and which records would be discarded. Tarver stated that he spoke with three Department employees associated with records management to determine if he could discard some of the records (these interviews were previously discussed and are provided in Attachments 7 - 9). Tarver stated that as a result of those discussions he believed it permissible to discard approximately four burn bags of records. Tarver denied knowing about the existence of two sets of appointee personnel files and stated that it was not possible that a member of his staff discarded a second set of appointee files without his knowledge. (Inexplicably, Tarver was the only member of that office who denied any knowledge of destruction of the second set of files.)

Tarver stated that he was detailed to the NAFTA Working Group at the end of July 1993, just a day or two following his office's review of the Bush administration WHLO records. Tarver advised that while at a NAFTA meeting at the Department, during the first week of August, he was approached by Schulhof and told that Kamen wanted to talk with him about the empty Fitzgerald file. Tarver told Schulhof to have Kamen call him. Tarver told OIG investigators that the reason he spoke to Kamen was to explain to Kamen that he did not have a story just because the Fitzgerald file was empty, because a number of other appointee files were similarly empty. Tarver advised that Kamen contacted him by telephone approximately two days later in his office at the USTR.

At the beginning of their conversation, Tarver told Kamen it was "off-the-record." Tarver stated he did this so that Kamen would not use his name as a source in the article. Tarver stated that he explained to Kamen that his office maintained a separate filing system from the Department's official personnel files (OPFs). Tarver advised Kamen that he had retrieved the Bush administration WHLO files and he confirmed that Fitzgerald's appointee file was empty. Tarver stated that he raised with Kamen and discussed the subpoena he had received regarding the Clinton passport investigation, and

Kamen asked him if he had a personnel file for Tamposi. Tarver told Kamen that he had a file for Tamposi and that it contained typical government forms. Tarver denied releasing any information about the content of Tamposi's file to Kamen, specifically the memorandum which questioned Tamposi's qualifications for her proposed position. Tarver stated that he related to Kamen that in his experience at the Department, many people had commented to him that Tamposi had not been qualified for her position as Assistant Secretary for Consular Affairs. He denied tying that observation to any document in the Tamposi file.

When Kamen's item appeared in *The Washington Post* on September 1, 1993, Tarver stated that he consciously decided not to tell Bond or Kahn about his conversations with Kamen until after he had apprised senior Department officials (Bond and Kahn suggest otherwise). Tarver stated that on the evening of September 1, 1993, he was contacted by Department officials and asked to provide information concerning the retrieval and review of WHLO records. Tarver stated that during a telephone conversation that evening, he told Donilon that he had spoken with Kamen, but had only confirmed information that Kamen already knew. Tarver and Kahn were directed by the Assistant Secretary for Administration to prepare a chronology of events.

Tarver stated that while preparing the requested chronology he began to question who would have access to it. Tarver therefore contacted Donilon at home at approximately 11:30 p.m. and asked him who would have access to the chronology. Donilon reportedly stated that he did not know, and Tarver advised that because he did not know the audience he would not include any information regarding his conversation with Kamen. Tarver also related to Donilon that he did not want to use individual names in the chronology, but preferred to use office acronyms. Tarver stated that Donilon agreed that he should leave out the information regarding his conversation with Kamen and that he should not use individual names in the chronology (Donilon denies giving this advice). Tarver denied that he spoke to Bond on the telephone that evening. He stated that Kahn called Bond and spoke with her regarding the accuracy of the chronology.

Tarver advised that Kamen's column was incorrect in many respects. Specifically, Tarver stated that the number of personnel files cited was incorrect as the correct number was between 350 to 425 files. Tarver stated the concept of there being two sets of personnel files was incorrect as there was only one set. Further, Tarver stated that Kamen could have received the information regarding Tamposi from a number of sources.

In a reinterview with OIG investigators on November 3, 1993 (Attachment 19), Tarver again denied any knowledge of the existence of a second set of

appointee files. He also denied that he discussed the existence of a second set of appointee files with Bond and Kahn or that he told Kahn to "forget about" the second set of files the night he and Kahn were preparing the chronology of events. In the reinterview, Tarver retreated from his initial statement that his staff could not have discarded a second set of appointee files without his knowledge. He stated that he gave his staff broad guidelines as to the types of records to retain and the types of records to discard. Tarver stated that he was not present when Bond was actually discarding materials from the files.

Tarver was also asked to clarify the date he spoke to Kamen. Tarver stated that he spoke with Kamen in early August 1993. Tarver was asked if he had more than one conversation with Kamen and he stated that he had a second conversation with Kamen near the end of August 1993. In this second conversation, Kamen told Tarver that he intended to "go with the article" and asked whether Tarver had anything else he wanted to add. Tarver stated that he did not discuss in this second conversation with Kamen the specific information that the article would contain. Tarver related that Kamen might have mentioned the Fitzgerald file, but did not mention the Tamposi file. Investigators questioned Tarver as to how he could comment on whether he had any information to add to a story if he did not know the contents of the story. Tarver again denied knowing the contents of the article until he read it on September 1, 1993. Tarver stated that he had no specific reason for neglecting to disclose in his first interview with investigators the fact that he had a second conversation with Kamen about this matter. Tarver stated that it simply did not come to mind at the time. Upon advice of counsel, Tarver declined OIG's request for an affidavit summarizing his actions.

Synopsis of White House Liaison Office Staff Interviews

All members of the White House Liaison staff indicated that a reason for the retrieval of the Bush administration WHLO records was to better understand the scope of the White House Liaison Office duties. Each stated that appointments had tapered off and they were attempting to better define the future role of their office. Tarver's statement that he reviewed the contents of Tamposi's file due to the Clinton Passport investigation is not supported by his co-workers, although Bond recalled Tarver giving this as one of the original reasons for requesting the files. Tarver's statement that he had no knowledge regarding two sets of appointee files is not supported by his co-workers as both Bond and Kahn acknowledged the review and destruction of the second set of files (tracking files).

All staff members recalled Schulhof's presence at the White House Liaison Office on July 27, 1993, the date the Bush administration WHLO records were

reviewed. Bond is the only staff member who stated that Schulhof learned about the contents of both the Fitzgerald and the Tamposi files on that date. Tarver stated that "chances are greater than not" that Schulhof learned about the Fitzgerald file on that date, but that Schulhof did not learn about the contents of the Tamposi file. Kahn stated that Schulhof learned a general description of the types of records in the boxes on that date, but he could not recall Schulhof specifically being told about the contents of the files for Fitzgerald or Tamposi. Bond was surprised by the accuracy of Kamen's column when she initially read it. Kahn was not because he had already learned from Tarver that he had spoken to Kamen. Tarver, however, contends that Kamen's column was inaccurate on many points. OIG's review has disclosed a very close similarity between information disclosed in the Kamen article and information in possession of the White House Liaison staff. OIG has concluded that the information was so similar that it is highly unlikely that it came from any other source.

Interview of Public Affairs Staff Assistant Mark Schulhof

On September 20, 1993, Schulhof was interviewed by OIG investigators (Attachment 20). Schulhof is a political appointee in the Bureau of Public Affairs. He works as an assistant to Thomas Donilon, Assistant Secretary for Public Affairs. (A review of his Official Personnel files is provided in Attachment 21.)

Schulhof stated that he was acquainted with the staff of the White House Liaison Office and often visited there. Schulhof said he was aware that the White House Liaison staff had received several security violations during July 1993. Schulhof stated that he could not specifically recall visiting the White House Liaison Office on July 27, 1993, or being present in their office when they were reviewing the Bush administration WHLO records. Schulhof stated, however, that he could not rule out that he may have visited the White House Liaison Office on July 27, 1993.

Schulhof believed that he had learned from Bond that the White House Liaison Office had "Republican files"; however, he could not recall specifically when he learned this information. Schulhof stated that sometime in July 1993, while at the White House Liaison Office, he noticed boxes on the floor. After Bond identified them as Republican files, he asked her if they contained anything interesting. Bond told Schulhof that the Fitzgerald file was "missing." Schulhof stated that Tarver and Kahn were not present during this conversation. Schulhof denied discussing the Tamposi file with Bond or learning anything about the content of the Tamposi file from the White House Liaison staff.