

Schulhof stated that in late July 1993, he received a telephone call from Kamen. Schulhof admitted that during this conversation he told Kamen that the White House Liaison Office had Republican files in their possession, and that a personnel file for Fitzgerald was "missing." Schulhof denied discussing the Tamposi file with Kamen. Schulhof then referred Kamen to Tarver for more information about the files. Schulhof admitted that Kamen might have been "cultivating" him for information. Schulhof stated that he regularly received telephone calls from Kamen, and he also initiated calls to Kamen just to find out what Kamen was working on. Schulhof stated that he did not tell Donilon that he initiated calls to Kamen nor did he have Donilon's specific approval to have these contacts. Schulhof stated that he was not authorized to provide information to the press unless the information had been approved for release to the public. He gave as an example of information he could provide to the press, the location of a particular speech, or the date of an event. Upon advice of counsel, Schulhof declined OIG's request for an affidavit summarizing his actions.

Review of Department Telephone Records

The Department has an automated telephone system which lists each outgoing long distance and local call made from a Department extension. In the course of this investigation, OIG requested and obtained printouts from selected Department extensions. A review of Schulhof's direct telephone extension revealed that from April 26, 1993, until September 1, 1993, he contacted or attempted to contact Kamen's direct line at the Post on 45 occasions. This number equates to one phone call to Kamen every two working days. This number does not include calls that may have been placed by Schulhof to Kamen from other phone lines in the Public Affairs Office or elsewhere, nor does it include any incoming telephone calls from Kamen.

The records also revealed that on July 27, 1993, a 13-minute telephone call was placed at 1:44 p.m. to Kamen's direct line at the Post from one of Assistant Secretary Donilon's two private lines while Donilon was out of town (Attachment 22). As will be further described, during a second interview, Schulhof admitted that he "probably" made this telephone call to Kamen, and other records suggest with near certitude that he did. Indeed, a telephone call was placed to one of Schulhof's friends from this same Donilon line just seconds after the call to Kamen was concluded. This also was the same date that the Bush administration WHLO records were reviewed by the White House Liaison staff. Records of Schulhof's direct telephone extension revealed that he did not place any telephone calls from that line between the hours of 10:32 a.m. and 1:25 p.m. on July 27, 1993 (Kahn indicated that White House

Liaison staff were reviewing the records from approximately 1:00 p.m. to 4:00 p.m.). At 1:25 p.m., a 12-second call was placed from Schulhof's extension to Kamen's telephone number. Nineteen minutes later, the 13-minute Kamen call was made from Donilon's personal line. Lastly, Schulhof's telephone records reveal that no calls were placed from his extension during the time the call was placed to Kamen from Donilon's extension.

The telephone records from the White House Liaison Office disclose no calls to Kamen's direct line. As will be further described later, the relevant White House Liaison Office incoming telephone logs were inexplicably destroyed, during the course of this investigation, by the White House Liaison Office Director who replaced Tarver. Additionally, attempts were made to obtain the telephone records and logs from Tarver's office covering the period of time he was detailed to the USTR. According to the Assistant U.S. Trade Representative for Administration, however, USTR's telephone system does not permit the recovery of either local or long distance calls, and no known logs were kept by USTR employees of Tarver's telephone calls (Attachment 23).

Interviews with Public Affairs Office Employees

On September 17, and November 1, 1993, Assistant Secretary Donilon was interviewed by OIG investigators (Attachment 24). Donilon said that Schulhof had no authority to disseminate information to the press for him or on behalf of the Department. Donilon stated that Schulhof could only speak on his behalf when performing minor administrative tasks, such as reserving an automobile. Donilon related that he did not know that Schulhof had initiated calls to Kamen. Donilon stated that he had never instructed Schulhof to handle requests from Kamen. Donilon said that if he had known that Schulhof had been disseminating information to the press, he would have taken action to stop Schulhof. Donilon related that he was out of the country on July 27, 1993, when a 13-minute telephone call was placed on his direct line to Kamen. Donilon stated that Schulhof did answer his personal lines as part of his duties in the Public Affairs Office and that Schulhof may have placed the call to Kamen while he was monitoring those telephone lines.

On November 4, 1993, [] Executive Secretary to Donilon, was interviewed by OIG (Attachment 25). [] stated that Schulhof regularly assists [] in answering the telephones at the Public Affairs Office. [] said that Schulhof had used both of the telephones in the reception area, where [] is located, as well as the telephones in Donilon's office. [] stated that [] had previously heard Schulhof talking to Kamen on the telephone in the reception area, but [] did not have any information about the content of the conversation.

As a result of the analysis of Department telephone records, Schulhof was reinterviewed on November 5, 1993 (Attachment 26). Schulhof stated that he regularly used other phones in the Public Affairs Office in addition to his personal extension. Schulhof stated that he also used Donilon's private office when Donilon was out of town. Schulhof initially stated only that it was possible he placed the 13-minute call to Kamen from Donilon's extension on July 27, 1993. After reviewing the telephone logs, Schulhof admitted that it was likely he placed the call. Schulhof made this admission after being confronted with the fact that the logs reflected a call to Schulhof's friend from the same extension placed within seconds after the Kamen conversation. Schulhof could provide no additional information regarding the content of this conversation with Kamen.

Involvement of Department of State Personnel

In order to determine if anyone within the Department, other than White House Liaison staff, had directed retrieval of Bush administration WHLO records, OIG investigators conducted interviews with representatives of the following offices: Public Affairs, Legislative Affairs, Administration, Management, Director General, Legal Adviser, Personnel, and Diplomatic Security. These interviews disclosed no information indicating that any Department employee, other than White House Liaison staff, directed the retrieval of the Bush administration WHLO records. Additionally, the interviews disclosed no information indicating that any Department employee, other than the White House Liaison staff and Schulhof, were provided with any information contained in those files or were involved in the dissemination of any information from these files. Finally, these Department interviews disclosed no information to suggest that White House personnel were involved in the retrieval or dissemination of information from the Bush administration WHLO records.

Upon reading Kamen's column on September 1, 1993, several Departmental offices began making inquiries to determine what "personnel files" the item referenced. Deputy Legal Adviser James Thessin tasked Attorney Adviser Mary Beth West to look into the situation. West contacted the Bureau of Personnel to determine if the article was referring to Departmental OPFs. Upon learning that the OPFs had not been released to the White House Liaison Office staff, West contacted the Department's Records Officer, [redacted] [redacted], who advised her that the records referred to in the article were most likely records previously retired by the Bush administration White House Liaison Office staff. West then called the White House Liaison Office and spoke to Kahn who confirmed that their office had retrieved the Bush

administration WHLO records. West advised Principal Deputy Legal Adviser Michael Matheson, who was acting for Legal Adviser Conrad Harper, about the situation and he directed her to draft an information memorandum to Director General Genta Hawkins Holmes who was then acting for Under Secretary for Management Richard Moose. West drafted this memorandum and provided copies to [] and Kahn. West asked [] and Kahn to complete the memorandum with the facts surrounding the record retrieval.

On September 1, 1993, the Department's Bureau of Legislative Affairs also had received Congressional inquiries about the situation. As a result, Deputy Assistant Secretary Margaret Donovan of Legislative Affairs contacted Kahn and asked him about the Bush administration WHLO records. At approximately 5:30 p.m., Donovan called West and Kahn to a meeting in her office to discuss the situation. Barbara Larkin, a Deputy Assistant Secretary in Legislative Affairs, was also in attendance. During this meeting, Kahn was asked to explain about the records retrieval and how Kamen received information about the Bush administration WHLO records. Despite Kahn's knowledge that Tarver had spoken to Kamen, he told these individuals that he did not know how Kamen received the information. Kahn also explicitly stated that none of the White House Liaison Office staff released the information to Kamen.

Donovan decided that this matter should be brought to the attention of Assistant Secretary for Administration Patrick Kennedy. Therefore at 6:00 p.m., the following Departmental employees participated in a meeting at Kennedy's office: Kennedy; West; Donovan; Kahn; Schulhof; Deputy Assistant Secretary for Information Management John Clark; Attorney Adviser [] [] to the Under Secretary for Management [] []; and Deputy Assistant Secretary to the Director General Ruth Whiteside. Donovan stated that she invited Schulhof to attend this meeting because she happened to see him in a hallway prior to going to Kennedy's office. Donovan stated that she did not know that Schulhof was involved in the situation and only had invited him to the meeting to be a representative for the Public Affairs office.

At this 6:00 p.m. meeting, Kahn again explained about the retrieval of the Bush administration WHLO records, the subsequent security violations, and the review and destruction of files. Kahn again explicitly denied having any knowledge of how the release of information occurred. Schulhof did not provide any information to the participants concerning his involvement in the release of information to Kamen. The participants discussed whether these records should be transferred to the Office of Information Services; whether an Inspector General referral should be made; what press guidance should be developed; and what information should be provided to Congressional staff.

Kennedy asked West and [redacted] to determine whether the Bush administration WHLO records were protected by the Privacy Act, and directed Kahn to complete the information memorandum started by the Office of the Legal Adviser in order to develop a chronology of events. The participants agreed to meet again on the morning of September 2, 1993.

Following this meeting, a smaller group of participants went to Assistant Secretary Donilon's office to apprise him of the situation. Kahn suggested that he contact Tarver to attend the meeting with Donilon and Kennedy agreed. This meeting occurred at approximately 7:15 p.m. and the following Departmental employees attended: Donilon; Kennedy; Donovan; Kahn; Schulhof; and Tarver, who arrived late.

In Donilon's interview, he stated that at approximately 6:00 p.m. on September 1, 1993, he had received a telephone call from Assistant to the President Bruce Lindsey who asked about Kamen's column. Donilon told Lindsey that he did not know about the situation, but he would make some inquiries. Donilon then contacted Tarver at his residence and asked him about the Bush administration WHLO records. Tarver told Donilon that he had spoken to Kamen about the files at Schulhof's request. Tarver told Donilon that he only confirmed information that Kamen already knew about the Fitzgerald file being empty, and Tarver stated that he did not provide Kamen with any information concerning Tamposi.

At the start of the 7:15 p.m. meeting in Donilon's office, Donilon told the participants that he had spoken to Tarver. Donilon stated that Tarver had admitted to speaking to Kamen at Schulhof's request, however, Kamen already knew the information prior to speaking with Tarver. No further questions were asked of Kahn or Schulhof regarding Kamen at the meeting. The participants discussed the history of the Bush administration WHLO records; the referral of the matter to the Inspector General; the need for press guidance; and the need for Kahn and Tarver to complete the chronology of events. At the end of this meeting, Donilon placed a call to Lindsey to provide him with the information he had obtained concerning the records. Donilon told Lindsey that the White House Liaison Office staff had retrieved the Bush administration WHLO records; that the White House Liaison Office staff did not know who was responsible for the unauthorized release of information; that he was conferring with the Legal Adviser's Office; and that the matter would be referred to the Inspector General if there was a potential violation of the Privacy Act. The participants agreed to meet the following morning at 8:45 a.m. Donilon directed Kennedy to confer with Under Secretary for Management Richard Moose and Legal Adviser Conrad Harper that evening.

On the evening of September 1, 1993, a cable was sent to Under Secretary Moose who was on a temporary assignment in Moscow. The cable summarized Kamen's column and the events that had taken place that day. Legal Adviser Harper was contacted by telephone in Bermuda where he was vacationing. Harper was contacted in a conference call by Kennedy, Thessin, and West. Harper agreed that the matter should be referred to the Inspector General.

Donilon stated that he was contacted at home late in the evening (approximately 10:30 p.m.) of September 1, 1993, by Tarver. Tarver asked him whether he should include the part about his conversation with Kamen in the chronology of events he was preparing. Donilon stated that he told Tarver that he could not answer this question and he referred Tarver to the Legal Adviser's Office who had asked him to prepare the statement. Donilon denied giving Tarver any advice on what he should or should not include in the chronology. Donilon stated that he told Tarver that he did not know what audience would receive the statement. Donilon told Tarver that there was a difference in preparing a statement for press guidance or for some other purpose.

At 8:45 a.m. on September 2, 1993, the following Departmental employees met in Donilon's office: Donilon, Kennedy, Thessin, and Donovan. Kahn was present and provided the participants with a copy of the chronology of events he and Tarver had prepared; however, Kahn was not asked to and did not attend the meeting. During the meeting, Donilon received a telephone call from Under Secretary Moose (from Moscow). Moose suggested that they fire the employees involved in the leak. Moose was advised that a referral would be made to the Inspector General and, until the facts were known, the Department should not take any action. Following this meeting, Kennedy met with the Inspector General and apprised him of the situation and Donilon briefed Secretary Christopher. According to Donilon, the Secretary agreed with the actions taken.

Departmental employees from the Bureau of Administration met throughout the morning of September 2, 1993, to prepare press guidance and, at the noon press briefing, the Department announced that the matter had been referred to the Inspector General for an investigation. Kennedy directed [] to secure the name retrievable files still in the possession of the White House Liaison Office. The chronology of events prepared by Tarver and Kahn was never sent as an "information memorandum" to the Director General.

The Department employees involved in these meeting have been interviewed and fully cooperated with this investigation (interviews not previously discussed are provided in Attachments 27 - 35).