

Under Secretary Moose was interviewed by OIG investigators (Attachment 36) to assess the amount of oversight provided the White House Liaison office staff. Moose confirmed that his office was responsible to provide oversight to the White House Liaison Office. Moose indicated that the Under Secretary acted as the direct supervisor to the White House Liaison Office staff. Moose acknowledged that the White House Liaison staff should have received greater supervision. Because Moose was serving in a non-paid consultation position at the Department until his confirmation on July 30, 1993, and his extensive travel schedule, his contact with the White House Liaison staff was limited. From June to September 1, 1993, Moose estimated that he met with White House Liaison staff to discuss their work on four or five occasions.

Moose confirmed that he had no knowledge that the White House Liaison staff had requested the retrieval of Bush administration records until after Kamen's column was published and Department officials apprised him of the situation. Moose stated that the White House Liaison staff should have known to seek his advice prior to retrieving these records. Moose advised OIG investigators that in June 1993, he had learned from other Senior Department officials that Tarver had inappropriately spoken to representatives at the White House Presidential Personnel regarding certain political appointments. Following this incident, Moose met with Tarver and clearly told him that he wanted to be kept apprised of the activities of the White House Liaison Office staff. As a result of this incident, Moose felt Tarver would have known to apprise him of anything they were doing outside of their normal range of duties. Moose stated that until his interview with OIG investigators, he was unaware that the White House Liaison staff had received a number of security violations during July 1993. Moose stated that his office was responsible for reassigning both Tarver and Kahn to work at the Foreign Service Institute pending the outcome of this investigation.

#### Interviews with White House Personnel

OIG investigators conducted interviews with nine employees of the White House staff (Attachments 37 - 45). Six of the interviews were with current or former employees of Presidential Personnel who had regular contact with the White House Liaison Office. Additionally, Assistants to the President Rahm Emmanuel, Bruce Lindsey and Bernard Nussbaum were interviewed. With the exception of one former staff member of Presidential Personnel, [redacted], no White House employee indicated any knowledge that the State Department's White House Liaison Office had Bush WHLO records in its possession prior to the Kamen news item. Additionally, no White House employee interviewed admitted to directing or being in any way involved in

the retrieval of Bush administration WHLO records. Further, no White House employee, excepting [ ], admitted to knowledge of any of the contents of the Bush WHLO records until reading about them in the Kamen article. Finally, no White House employee interviewed admitted to having any knowledge of who was responsible for directing the retrieval and review of the WHLO records until they read about the matter in *The Washington Post*.

One former staff member of Presidential Personnel, [ ], related that [ ] had been advised by the White House Liaison staff that they had files in their possession concerning Bush administration Presidential Boards and Commissions. [ ] worked in the Boards and Commissions section of Presidential Personnel and had worked with the White House Liaison staff in filling the Board and Commission appointments in the Department. [ ] stated that [ ] came to the White House Liaison Office on August 3, 1993, to review files relating to Presidential Boards and Commissions.

[ ] stated that although [ ] realized the files [ ] reviewed were from previous administrations, [ ] was not aware that the files had been retired by the Bush administration staff and retrieved by the Clinton administration staff. [ ] stated that [ ] neither inquired as to where the White House Liaison staff obtained the files nor was told that information. [ ] related that [ ] did not look at any other files at the White House Liaison Office, and [ ] was unaware that the White House Liaison staff had Bush administration appointee personnel files in its possession. [ ] stated that [ ] job was solely dealing with Boards and Commissions and, therefore, any other information was not relevant to [ ] and was not discussed with [ ].

Lindsey stated that he contacted Donilon on the evening of September 1, 1993, to inquire about the information contained in Kamen's news item. Donilon told Lindsey that he would inquire about the situation and call him back. Lindsey stated that Donilon called him back later that evening while he was visiting at Nussbaum's residence. Donilon advised Lindsey that the Department's White House Liaison staff had retrieved the Bush administration WHLO records, which included files on political appointees. Donilon further advised that if there were a potential violation of the Privacy Act, they intended to refer the matter to the Inspector General. Lindsey stated that he agreed with Donilon's decision. Following the telephone conversation, Lindsey apprised Nussbaum that the Department intended to refer the matter to the Inspector General and Nussbaum also concurred with this decision. Lindsey believed that Donilon related that Tarver had spoken with Kamen, but that Tarver denied releasing any new information to Kamen. Lindsey stated that Donilon did not provide him any information regarding Schulhof's involvement in the situation.

### Interview of Awilda Marquez

During the course of the investigation, OIG investigators learned that the current Director of the White House Liaison Office, Awilda Marquez, discarded a phone log which covered the time period July 1993 through September 1993 (Interviews provided in Attachment 46). Marquez became director of the White House Liaison Office on September 7, 1993. She previously worked as an attorney in private practice where she specialized in trial litigation. When she came to the White House Liaison Office, she was made aware that an investigation was being conducted regarding a possible leak of information to the press from files maintained by that office. Nevertheless, Marquez told her secretary to throw away a highly relevant and important telephone log.

Marquez stated that she ordered destruction of this log only because she preferred a different system for taking telephone messages. She related that she did not like the carbon copy method utilized by the previous Director. Rather than storing the most recent log with ten other logs already stored in the White House Liaison Office file room, she directed her secretary to discard the log. The discarded log covered telephone messages during the critical time period being investigated by OIG. Marquez stated that she was not directed by anyone to destroy the log, nor did she realize that she was destroying evidence when she had the log discarded. Additionally, when the ten existing logs were requested by and provided to OIG investigators, Marquez neglected to advise them that she had discarded the most current log. Marquez provided OIG investigators with an affidavit summarizing her actions in the destruction of the telephone log.

Interviews conducted with White House personnel did not reveal that Marquez was directed to have the telephone log destroyed or that White House personnel were aware that Marquez had discarded a telephone log prior to OIG investigators inquiring about the matter while conducting interviews at the White House.

### Interviews with Bush Administration State Department Staff

OIG investigators conducted interviews with five former White House Liaison staff members from the Bush administration, including two former White House Liaison Office Directors, Matthew Smith and James Allison; one former Deputy Director, Elizabeth Harmen; and two former Staff Assistants, [ ]

[ ] (These interviews are provided in Attachment 47).

None of these individuals acknowledged being contacted by Kamen regarding the White House Liaison Office files. All of these individuals confirmed that

the Bush administration White House Liaison Office maintained two types of files on political appointees. One file to track the official paperwork and the other as a working personnel file.

Former WHLO Director Allison stated that he became aware that Fitzgerald's working file was empty sometime in 1991. Allison advised that many of the personnel files were empty at the White House Liaison Office. He stated that no documents were discarded from any of the appointee files when they were boxed and sent to the National Archives in January 1993. Allison stated that he had reviewed the contents of Tamposi's working file; however, he had no specific recollection of the [ ] memorandum, which questioned Tamposi's qualifications for appointment as Assistant Secretary for Consular Affairs. Allison was aware that some Department officials had concerns about Tamposi's qualifications. Allison stated that he had been contacted by Walter Pincus of the Post after Kamen's column appeared on September 1, 1993. Pincus was writing a follow-up story and asked him specific questions regarding the office filing system.

Former WHLO Director Smith had no recollection of Fitzgerald's working personnel file. He stated that it did not surprise him that her file was empty because she was appointed immediately upon the Bush transition and the White House Liaison Office might not have been set up at that time. Smith was the Director at the time of Tamposi's appointment and recalled specifically that [ ] objected to Tamposi's appointment as Assistant Secretary for Consular Affairs. Smith stated that he had reviewed the contents of Tamposi's working personnel file, but he did not have a specific recollection of the [ ] memorandum addressing Tamposi's qualifications. Smith stated that after the Kamen column appeared he was contacted by the International Republican Institute and asked if he would speak with representatives of Senator Dole's and/or Senator McConnell's offices. Smith agreed to speak with these individuals; however, he had not heard back from them since the initial request was made.

On November 4, 1993, [ ] was interviewed by OIG (Attachment 48). [ ] advised that [ ] recalled reading the September 1, 1993, Kamen news item which referred to the files maintained by the Department's White House Liaison Office. [ ] stated that [ ] had not been contacted by Kamen for any information related to this item either prior to or subsequent to September 1, 1993. [ ] did not recall writing the [ ] memorandum [ ] regarding Tamposi's appointment. [ ] concerns about Tamposi's qualifications. [ ] read Kamen's item [ ] did not make the connection that Kamen was referring to a memorandum [ ] written.

### Analysis of Facts

The Kamen column disclosed information that could only have originated from White House Liaison Office files. Kamen was aware that a relatively obscure office in the Department had requested the retrieval of files relating to the Bush administration appointees. Kamen implies that the reason for this retrieval was to locate Bush administration holdovers at the Department. Kamen closely approximated the number of political appointee personnel files that were reviewed and accurately described a dual system of files. Kamen was aware that Fitzgerald's "working file" was empty. Kamen noted that unlike Fitzgerald's file, the file for "virtually every other ranking official" was not empty. Kamen had knowledge that the Tamposi file was "hefty" and that it recorded concerns from "very senior Department" officials that she was not qualified for her position.

With respect to Kamen's knowledge of the White House Liaison Office's retrieval of the Bush administration WHLO records, Schulhof admitted that he told Kamen that the White House Liaison staff was in possession of "Republican files" and admitted that he referred Kamen to Tarver for additional information. Schulhof admitted that Kamen might have been attempting to cultivate him as a source. For several months Schulhof developed a relationship with Kamen and he provided information to Kamen on various matters. Schulhof was provided with the knowledge that the White House Liaison Office staff had retrieved records from the Bush administration. He knew the types of files contained in those records; more specifically, he knew that those records contained former appointee personnel files. The day Schulhof learned this information (July 27, 1993), a 13-minute call was placed to Kamen from Donilon's extension at the Public Affairs Office. Schulhof stated it was "more than likely" that he placed this call to Kamen.

In an interview with [ ] a friend of Schulhof, [ ] indicated that Schulhof was the type of person who liked to be "in the loop." [ ] stated that Schulhof confided in [ ] that when he saw the boxes of files in the White House Liaison Office he thought that there might be a news story in there somewhere.

Tarver readily admitted that the information with which he worked at the White House Liaison Office was personnel sensitive and, on occasion, classified. Tarver admitted that information regarding political appointees could only be released on a need-to-know basis to authorized personnel. Tarver also admitted that press calls received by the White House Liaison Office were always referred to the Bureau of Public Affairs. Despite all these

factors, however, Tarver spoke with Kamen about Bush administration WHLO records; more specifically about Bush administration appointee personnel files. Tarver admitted explaining to Kamen that he was responsible for the retrieval of the Bush administration WHLO records. When Tarver spoke to Kamen, he was no longer the Director of the White House Liaison Office and had already been detailed into his new position with the NAFTA Working Group. Tarver admitted that when he spoke to Kamen he told Kamen that their conversation was "off-the-record," because he did not want to be cited as a source of the information.

With respect to the reason implied in Kamen's article for the retrieval of WHLO records, to aid in locating Bush administration holdovers, Tarver admitted to OIG investigators that the White House Liaison staff reviewed the appointee files to identify potential holdovers. Kahn confirmed that the general purpose for requesting the files was to assist in identifying current employees who had been Schedule C appointees during the Bush administration.

With respect to the number of political appointee files cited by Kamen (160), Kahn stated that subsequent to the Kamen news item that he and Tarver had agreed that the actual number of political appointee files was closer to 180 files. Tarver, however, told OIG investigators that the number of appointee files was incorrect in Kamen's item and were estimated by him to be approximately 350 to 425. Excluding Ambassadorial files, the total number of political appointee files presently in the possession of OIG investigators is 197. Ambassadorial files were excluded from this count, because they were identified by Liaison staff as separate from the other appointee files. Indeed, a substantial number of the Ambassadorial files were not even available to the Liaison staff on the date of their file review, as they had been sent to another Department office for temporary storage. Additionally, the Liaison staff, at that time, was attempting to locate and fill Schedule C and SES political appointee positions, not Ambassadorial ones. Unlike the other political appointee files, the Ambassadorial files were not duplicated. Therefore, the number of files cited by Kamen appears to be a reasonably close approximation. The actual number of political appointee files may never be known because the precise definition of "political appointee" can be defined many ways and White House Liaison staff destroyed several boxes of records prior to this investigation.

With respect to the dual system of files referred to in Kamen's column, all former Bush administration White House Liaison staff interviewed by OIG confirmed that their office maintained a dual system of files on the political appointees. Bond confirmed this information and she stated that Tarver was aware of the dual system of files. Kahn also confirmed that Tarver was aware of the dual system of files and that one set of files had been destroyed. Tarver,