

however, repeatedly denied the existence of a second set of appointee files. Tarver denied providing this information to Kamen.

With respect to Kamen's knowledge that Fitzgerald's "working file" was empty, both Schulhof and Tarver admitted to OIG investigators that they provided Kamen with information that the Fitzgerald file was empty:

With respect to Kamen's awareness that the appointee files for virtually every other high ranking official were not empty, the review of the Bush WHLO political appointee files in possession of OIG reveals that only four of the 37 empty files were those of high ranking officials (two Ambassadors at Large, one Deputy Assistant Secretary, and the Inspector General).

With respect to Kamen's statement that Tamposi's file was "hefty," the Tamposi file contained [ ]. The majority of political appointee files contained far fewer documents.

With respect to Kamen's understanding that Tamposi's file recorded concerns that very senior department officials stated that she was not ready for an Assistant Secretary position, Tamposi's file does contain a memorandum [ ] [ ] raising these precise concerns. Bond stated that she provided Schulhof with this information; however, Schulhof denied any such knowledge. Tarver and Kahn said that they have no recollection of providing this information to Schulhof. Tarver admitted that he confirmed for Kamen that the Bush administration WHLO records included a Tamposi file. Although Tarver acknowledged that he reviewed Tamposi's file (page by page) and was aware of the [ ] memorandum, he denied disclosing this information to Kamen. Tarver admitted to discussing generally with Kamen concerns he had heard expressed by Department officials that Tamposi was not qualified for her position as an Assistant Secretary. He denied that he disclosed to Kamen that there was a document in Tamposi's file written by a high-level official which confirmed those concerns.

Bond, Kahn, and Tarver have stated that Schulhof visited the White House Liaison Office on July 27, 1993, the day the Bush records were reviewed. Schulhof claims that he cannot recall being at the White House Liaison Office when the staff reviewed the boxes, but he does not rule out the possibility that he was there. Schulhof states, however, that he believes he learned the information about the boxes and about the Fitzgerald file during a different visit when he spoke to Bond alone. Schulhof's sequence of events does not appear to be possible. Schulhof has stated that during that visit with Bond there were boxes on the floor about which he inquired. Prior to July 27, 1993, however, Bond did not know about the Fitzgerald file, and after July 27, 1993, the Bush records were no longer stored in boxes on the floor.

In an interview with [ ] friend of Schulhof, [ ] indicated that Schulhof had told [ ] about the empty Fitzgerald file prior to Kamen's item being published. [ ] stated that after the OIG investigation commenced, Schulhof spoke to [ ] about the situation in order to reconstruct the events. Schulhof told [ ] Schulhof initially told [ ] that he never knew anything about Tamposi's appointee file. Later, he began to question whether or not he had actually learned about the content of Tamposi's file from the members of the White House Liaison Office prior to reading Kamen's item on September 1, 1993.

Schulhof indicated in his interview with OIG investigators that he believed that there was a difference between releasing actual information contained in an individual's personnel file as opposed to releasing the fact that an individual's personnel file contained no information. Schulhof also spoke to [ ] about this perceived distinction.

### Conclusions

Based upon the specificity of information contained in the Kamen column, it is clear that Kamen's sources must have had access to the Bush administration White House Liaison records. This investigation concludes that only four Department employees, Bond, Kahn, Tarver, and Schulhof, had current access to the information contained in those records. Two of these employees, Tarver and Schulhof, admitted to discussing the content of at least some of these records in some detail with Al Kamen of *The Washington Post*. OIG concludes that as a result of Schulhof's initial contact with Kamen, in which he disclosed privacy protected information, Schulhof set in motion a series of events which resulted in publication of Kamen's column. Tarver aided and abetted this effort by accepting Schulhof's referral, by speaking to Kamen, and by confirming as well as probably releasing additional information which also was privacy protected. The evidence reflects that Schulhof and Tarver, in concert, were responsible for this unauthorized release of information.

OIG concludes that White House Liaison Office Director Tarver, was the sole Department employee responsible for directing the retrieval of the files relevant to this inquiry, and that Tarver and Schulhof were the sole Department employees responsible for the unauthorized dissemination of privacy-protected information from these files outside of the Department. No evidence was developed which indicated that White House personnel directed or knew in advance of the records retrieval, that they knew of the contents of

the files before Kamen's disclosures, or that they were involved in the unauthorized dissemination of Department privacy-protected information.

The OIG investigation further concludes that Department employees other than Messrs. Tarver and Schulhof may be responsible for acts of omission or commission in the conduct of their official duties. However, the investigation found no evidence to suggest that they had been involved in criminal misconduct. Therefore, the Inspector General submits this report of administrative findings to the Secretary, to the Under Secretary for Management, and to the Director General, and recommends that they take whatever management, administrative, and/or disciplinary action they deem appropriate based upon the facts presented.

REPORT ANNEX

OIG RESPONSES TO CONGRESSIONAL QUESTIONS

1. Who requested the Bush Administration personnel files from the State Department's storage center?

The Department's White House Liaison Office staff requested that the records retired by their predecessors be permanently retrieved from the storage center on July 9, 1993. Specifically, White House Liaison Office Staff Assistant Hannah Bond requested the record retrieval at the direction of White House Liaison Office Director Joseph Tarver.

The investigation developed no information to suggest that any member of the White House staff or any senior Department of State official was involved in directing the retrieval of the Bush Administration White House Liaison Office records.

2. Who searched the files?

The Bush Administration White House Liaison records were reviewed by three staff members of the Department's White House Liaison Office.

1. Staff Assistant Hannah Bond
2. Deputy Director Simon Kahn
3. Director Joseph Tarver

A portion of the Bush Administration White House Liaison records regarding Presidential Boards and Commissions were reviewed by  a member of the White House Office of Presidential Personnel, Presidential Boards and Commissions Section.  did not review any of the Bush Administration personnel files.

3. Who authorized or directed the search?

The retrieval and review of Bush Administration White House Liaison records was directed by Director Joseph Tarver. Mr. Tarver was a Schedule C employee under the General Management pay scale, grade 15. The record retrieval did not require the authorization of anyone above Mr. Tarver's level. The investigation did not reveal that anyone above Mr. Tarver, specifically including the Department's Under Secretary for Management, authorized the record retrieval, or had any knowledge of the retrieval, until after the publication of Al Kamen's column in *The Washington Post*.

## 4. Where did the search take place?

The Bush Administration White House Liaison Office records were reviewed in the White House Liaison Office, located in room 7417 of the main Department building, 2201 C Street, N.W., Washington, D.C. [ ] formerly with White House Office of Presidential Personnel, also reviewed the records related to Presidential Boards and Commissions in that room.

## 5. What was the ostensible purpose of the search?

The members of the White House Liaison Office staff provided various explanations regarding the purpose for the retrieval and review of the Bush Administration White House Liaison Office records. Mr. Tarver stated that he directed the retrieval and subsequent review for the following reasons:

1. To understand the scope and duties of the Department's White House Liaison Office.
2. To identify the political positions throughout the Department.
3. To identify specific employees who may have transferred to non-political positions at the Department.

With respect to the personnel file of former Assistant Secretary for Consular Affairs Elizabeth Tamposi, Mr. Tarver stated that he reviewed Ms. Tamposi's file to assess whether the file contained documents pertinent to the Clinton Passport investigation. Mr. Tarver explained that in January 1993, he had complied with a subpoena requesting all documents in the possession of the White House Liaison Office relating to Ms. Tamposi and the Clinton Passport investigation. Mr. Tarver stated that in order to assure that he had complied with this subpoena request, he reviewed Ms. Tamposi's file page by page. Mr. Tarver stated that because he did not find anything in Ms. Tamposi's file that related to the Clinton Passport investigation, he did not notify the Department's Legal Adviser's Office about the review. Both Ms. Bond and Mr. Kahn, however, state that Ms. Tamposi's file was reviewed due to curiosity rather than in an attempt to comply with a subpoena request.

## 6. Who were the 160 [sic] political appointees whose files were searched? What positions did they hold?

OIG investigators identified 197 political appointee files which were in the possession of the Clinton White House Liaison Office. The appointee names and positions are provided in Attachment 10.

7. How many of the 160 [sic] political appointees were held over from the Bush Administration to the Clinton Administration?

The current Director of the White House Liaison Office has provided OIG with a list of political appointees (both Presidential appointees and Schedule Cs) who were held over from the Bush Administration. OIG has identified six (6) individuals from the holdover list who also were among the 197 political appointee files reviewed by Mr. Tarver and his staff.

8. What files pertaining to those 160 [sic] political appointees were included within the search, and what was contained in those files (e.g., FBI investigation reports, evaluations by supervisors, etc.)?

The White House Liaison Office under the Bush Administration maintained two types of files concerning political appointees: the first was the White House Liaison Office working file (WHL working file) which contained résumés or standard government application forms (SF-171), notes of interviews, letters of recommendation, an occasional sensitive questionnaire for background investigations, and employment clearance forms; the second was the White House Liaison Office tracking file (WHL tracking file) which contained clearance memoranda from the Director General, clearance memoranda from the respective executive office, clearance memoranda from the White House Liaison Office, an Office of Personnel Management exemption form and often résumés or SF-171s. The working files contained the information necessary to hire the applicant. The tracking files were created after selection to ensure that the paperwork was not lost as it was processed by various offices at the Department and the White House.

It is important to distinguish the files maintained by the White House Liaison Office from the Official Personnel Files (OPF) maintained by the Department's Bureau of Personnel under the authority of the Director General. The Bureau of Personnel's system of records is vastly larger and more complex than that of the White House Liaison Office. The Department's Bureau of Personnel maintains an OPF on all civil service and foreign service employees as well as on all political appointees. All official personnel actions regarding individual employees are placed in the OPFs and assignments, awards, and promotions are based in part upon records contained in these files.

Although there is evidence that White House Liaison Office employees attempted to gain access to OPFs maintained by the Bureau of Personnel, such access was denied by Bureau of Personnel officials.

The Clinton White House Liaison Office staff had access to the two types of appointee files maintained in the White House Liaison Office under the Bush