

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 2/24/98

On below date, investigating Agents identified themselves, stated the purpose for the interview, and interviewed ALEX "AL" G. NAGY at the Office of the Independent Counsel (OIC), 1001 Pennsylvania Avenue, N.W., Washington, D.C. NAGY provided the following:

NAGY, date of birth [REDACTED], place of birth [REDACTED], resides at [REDACTED], home telephone number [REDACTED]. NAGY is currently employed as the Director of Telephone Services at the White House, Old Executive Office Building, Room 012, telephone number [REDACTED].

NAGY has been employed at the White House from October of 1973 until the present. NAGY advised that from October of 1973 until November of 1978, he worked with the White House Communications Agency (WHCA) as a member of the United States Air Force (USAF). NAGY advised that he served in the USAF from 1959 through 1979. NAGY's area of expertise was communications. After NAGY retired from the USAF he stayed on at the White House as a civilian employee.

NAGY stated that as Director of Telephone Services he is in charge of 15 employees who run the White House telephone system. This includes a staff made up of predominately switch-board operators and technical staff. NAGY advised that WHCA also provides telephone service at the White House. This service is provided by the United States Military, and it functions for national security reasons. WHCA has different telephone lines than White House telephone service running from the same telephones.

NAGY advised that his current supervisors are VIRGINIA APAZZO, Assistant to the President for Management and Administration, and MIKE MALONE, Deputy Assistant to the President for Management and Administration.

NAGY stated that in 1993, individuals in the CLINTON White House decided to modernize the White House telephone system. DAVID WATKINS and PATSY THOMASSON were in charge of

Investigation on 2/19/98 at Washington, D.C. File # 29D-OIC-LR-35063
 by SA [REDACTED]
 SA [REDACTED] Date dictated 2/20/98

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implementing this new system. NAGY advised that the system is an AT&T Network that is maintained by LUCENT TECHNOLOGIES. The system has voice mail, conference call, and caller identification capabilities. There are four different electronic telephone types in use, and it is known as a "Definity" System. These four telephones are as follows: (1) 85-10 (10-button telephone); (2) 85-20 (20-button telephone); (3) T.S.G. (10-button), a higher security level telephone with no speaker capability, and (4) T.S.G. (20-button), same high security level telephone, with 20 buttons. T.S.G. telephones are used for offices in the National Security areas, and the White House Office of Legal Counsel. The decision as to the type of telephone an office uses is made by that office. The AT&T representative that presently handles the account is LINDA REMICK.

NAGY advised that President WILLIAM JEFFERSON CLINTON places most of his telephone calls through the White House switchboard, although the President may make outgoing calls directly without using the switchboard.

NAGY stated that White House switchboard operators handle incoming calls for the President. These operators have a list provided for them that names individuals to whom the President will talk. These operators are very good at voice recognition, and they also have other ways to determine the identity of the caller. (NAGY, for security reasons, would not comment more specifically.) This list of acceptable callers is typed up and provided by BETTY CURRIE and NANCY HERNREICH. This list is updated from time to time. NAGY stated he cannot recall MONICA LEWINSKY's name appearing on this list.

NAGY advised that the telephone service's midnight shift is responsible for typing up a list of callers who called the President that day, and also a list of calls the President made through the switchboard. These lists are forwarded to CURRIE and HERNREICH each day. CURRIE and HERNREICH retain this log for a short time, but ultimately send it to the White House diarist. NAGY stated that no records are kept by telephone services.

NAGY explained the caller identification function provided by this telephone system. With in-house telephone calls received, the caller identification function will note either the

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name of the caller or the position held by the caller. There is also the possibility that the caller has removed this function from his/her telephone, in which case the name or position identification appears as an asterisk. NAGY advised that an employee can fill out a telephone service request form, send it to AT&T, and then LUCENT will service the telephone so that name/position will not appear on the telephone the person is calling. NAGY stated that, at times, this service is provided without the proper form being filled out.

NAGY further explained that for calls coming in from outside the White House, the caller identification function will show what number the call is being placed from. Calls from beyond the local area will appear as "outside the area" on the caller identification function.

NAGY advised that he was interviewed by the OIC in 1996, concerning the Federal Bureau of Investigation Files Matter. Prior to being interviewed in 1996, NAGY was called by SALLY PAXTON and MICHELLE PETERSON of the White House Counsel's Office. Both PAXTON and PETERSON suggested NAGY get a lawyer for the upcoming OIC interview. NAGY refused, as he felt he did not need one. NAGY was interviewed without legal representation.

NAGY believes that he fell out of favor with his supervisors because he spoke to the OIC without an attorney. NAGY recalled an incident (unrelated to his interview) in which JODIE TORKELESON reprimanded him shortly after his interview. NAGY felt the reprimand was unfair, and told TORKELESON that. NAGY also told TORKELESON that he was being treated unfairly because of his interview with OIC.

Prior to today's interview, MICHELLE PETERSON spoke with NAGY. Once again PETERSON told NAGY that he may want to get a lawyer for the interview. PETERSON suggested she had a list of lawyers to choose from. NAGY told PETERSON he did not need a lawyer, and would not retain one.

NAGY advised interviewing Agents of a few people that should be interviewed by the OIC. NAGY mentioned CHERYL HALL, who is a contracting officer at the White House. HALL is a computer specialist who works closely with AT&T. NAGY advised that MIKE MALONE; JOHN DANKOWSKY, Director of Administration; KIM

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HOLMES, and ADDRIENNE RUTLEDGE would all be worthwhile interviews to conduct.

NAGY advised that there is no record of local telephone calls coming from the White House.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

----- X
In re: :
GRAND JURY PROCEEDINGS :
----- X

Grand Jury Room No. 3
United States District Court
for the District of Columbia
3rd & Constitution, N.W.
Washington, D.C. 20001

Tuesday, May 19, 1998

The testimony of ALEX GEORGE NAGY was taken in the presence of a full quorum of Grand Jury 97-2, impaneled on September 19, 1997, commencing at 10:14 a.m. before:

SOLOMON WISENBERG
Deputy Independent Counsel
MICHAEL EMMICK
MARY ANNE WIRTH
JULIE CORCORAN
JAMES CRANE
Associate Independent Counsel
Office of Independent Counsel
1001 Pennsylvania Avenue, Northwest
Suite 490 North
Washington, D.C. 20004

1 rights and responsibilities we read to every grand jury
2 witness.

3 It would be nice if -- every so often I'm going
4 tell you something and ask you if you understand and if you
5 could give us a yes or a no or maybe or restate your
6 question, rather than an uh-huh or an un-uh because the court
7 reporter can't pick up those. Okay?

8 A Okay.

9 Q Great. This is a federal grand jury impaneled by a
10 United States district judge for the District of Columbia and
11 the grand jury is investigating, among other things, possible
12 perjury, possible obstruction of justice by Monica Lewinsky
13 and others with respect to the Jones v. Clinton lawsuit. Is
14 that clear?

15 Q All right. As a grand jury witness, you have
16 certain rights. One right is the privilege, it's a privilege
17 against self-incrimination. Do you understand that?

18 A Yes, I do.

19 Q If a truthful answer to a question would tend to
20 incriminate you, you could say "I'm not going to answer,
21 I'm going to assert my privilege against self-incrimination."

22 If I ask you who robbed the Gotham City Bank on
23 April 3, 1995 and it turns out it was you, you could say,
24 "I refuse to answer on the grounds that it might incriminate
25 me." Do you understand that?

PROCEEDINGS

1 Whereupon,

2 ALEX GEORGE NAGY

3 was called as a witness and, after having been duly sworn by
4 the Foreperson of the Grand Jury, was examined and testified
5 as follows:

6 EXAMINATION

7 BY MR. WISENBERG:

8 Q Would you state your name for the record, please?

9 A Alex George Nagy.

10 Q And could you spell your last name for the record?

11 A N-a-g-y.

12 Q And let me tell you that my name is Sol Wisenberg.
13 we just met out in the hallway.

14 A Yes.

15 Q I'm an attorney with the Office of Independent
16 Counsel. We have quite a few attorneys from the Office
17 of Independent Counsel here today. Mary Anne Wirth is to
18 my left, Michael Emmick is to her left. Julie Corcoran
19 is to my right. Jim Crane is to her right. And we have the
20 grand jurors and the grand jury court reporter.

21 Let me tell you a little bit about how the grand
22 jury works, why we're here and what your rights and
23 responsibilities are as a grand jury witness. Let me tell
24 you that this is not anything to be alarmed about; these are

1 A Yes, I do.

2 Q Okay. You have a right not to have an attorney in
3 here with you, but you have a right to have an attorney
4 outside. I understand that you do not.

5 A I do not.

6 Q Okay. And I don't believe you had an attorney when
7 you interviewed with our people. Is that correct?

8 A No, I did not.

9 Q All right. We are bound by an oath of secrecy,
10 the grand jurors, the attorneys, the court reporter. With
11 certain exceptions that are recognized in law, we are not
12 allowed to go and blab about what transpires here today.
13 Do you understand that?

14 A Yes, I do.

15 Q You, however, are not bound by an oath of secrecy.
16 You can talk about what happened here today. You don't have
17 to, but you can if you want. Do you understand that?

18 A Yes, I do.

19 Q I'll give you an example of some of the exceptions.
20 We have FBI case agents and other case agents who work with
21 us, investigative agents. They get to know what happens in
22 front of the grand jury, but they're also bound by an oath of
23 secrecy. Do you understand that?

24 A Yes, I do.

25 Q If a trial ever resulted from this investigation

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1 and you or anybody else who had appeared before the grand
2 jury said something at trial different from what you said
3 here today, then we could say, "Hey, Mr. Nagy, you said
4 something different at the grand jury than you said here at
5 the stand." That would be a typical example. Do you
6 understand that?

7 A Yes, I do.

8 Q All right. Then, just for other reasons, if there
9 is a compelling reason, a court can issue an order saying you
10 can disclose certain things that happened before a grand
11 jury. Do you understand that?

12 A Yes, I do.

13 Q All right. You have to tell the truth. Do you
14 understand that?

15 A Yes.

16 Q Is there anything about your rights and
17 responsibilities as grand jury member that you don't
18 understand?

19 A I have no questions. I understand.

20 MR. WISENBERG: Pardon?

21 MS. WIRTH: As a witness.

22 MR. WISENBERG: Oh, what did I say?

23 A JUROR: As a grand jury member.

24 MR. WISENBERG: I said member? I meant witness.

25 You are not a grand jury member.

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1 THE WITNESS: Okay.

2 BY MR. WISENBERG:

3 Q You understand that?

4 A Yes, I do.

5 Q Apparently I don't, but you do, and that's all that
6 matters. But that reminds me of something, which is that
7 people who appear before the grand jury have different
8 statuses. Targets are people who the prosecutor more or less
9 believes there's a high probability that person is going to
10 be indicted. You are not a target. Do you understand that?

11 A Yes, I do.

12 Q And a subject is somebody who is not at target
13 status, this is an informal thing I'm telling you about,
14 an informal breakdown of witness/subject/target. In the
15 Department of Justice, basically anyone who has information
16 relevant to a grand jury is a subject, which is a huge
17 category. Do you understand that?

18 A Yes.

19 Q So we've got an informal system where we break it
20 down between target, subject and witness; a subject being
21 someone who is not a target but there are substantial
22 questions about some of their activity and the grand jury
23 wants to hear about it. Do you understand that?

24 A Yes.

25 Q You're not a subject either. Do you understand

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1 that?

2 A Yes, I do.

3 Q A witness is just someone who comes in and has
4 information relevant to the grand jury that they want to hear
5 about. You are a witness. Do you understand that?

6 A Yes.

7 Q Okay. Now, anything about our authority or your
8 rights and responsibilities as a grand jury witness that you
9 don't understand?

10 A No.

11 Q Okay. And if there is anything that you don't
12 understand, any of our questions that aren't very clear to
13 you, just ask us and we will rephrase them.

14 A Okay.

15 MR. WISENBERG: I'm going to hand over for
16 questioning, hand it over to my colleague, Ms. Wirth.

17 BY MS. WIRTH:

18 Q Good morning, Mr. Nagy. Where are you employed?

19 A I'm employed at the White House.

20 Q And how long have you been at the White House?

21 A Since October of 1973.

22 Q And what is your current job there?

23 A I'm the director of the White House telephone
24 service.

25 Q And how long have you had that job?

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1 A Since -- well, with title changes and stuff, since
2 November of 1978.

3 Q And are you in charge of White House telephone
4 services?

5 A Yes, I am.

6 Q And have you been in charge of it since November of
7 '78?

8 A Yes, I have, with different titles that have
9 changed during that time period.

10 Q And prior to 1978, what was your job in the White
11 House?

12 A I was with the White House Communications Agency.
13 I was in the military.

14 Q And what branch of the military were you in?

15 A United States Air Force.

16 Q And how long were you with the Air Force?

17 A Twenty years and 16 days, to be exact.

18 Q Now, when you worked for the White House
19 Communications Agency, that's known as WHCA, correct?

20 A Yes, it is.

21 Q When you worked for WHCA back in the '70s, was its
22 function similar to what WHCA's function is today or
23 different?

24 A Similar, but there's a lot of aspects that's
25 changed. A lot of the support they provided are now turned

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1 over to the staff side, the administrative side.
 2 Q Okay. Why don't you tell the grand jury what the
 3 White House telephone services is?
 4 A Basically, the White House telephone service, my
 5 responsibilities are I overall manage the White House
 6 telephone switchboard and I maintain and scrutinize records
 7 as far as processing for telephone requests to install
 8 telephones, telephone lines, et cetera, for the White House
 9 staff.
 10 Q Do you take care of telephone services in the
 11 residence as well as the White House business portion?
 12 A No, I do not.
 13 Q Who supervises or who controls the White House
 14 residence telephones?
 15 A The White House residence comes under the ushers
 16 office, which comes under Gary Walters as the head usher.
 17 They have their own account for telephones.
 18 Q So you have nothing to do with the residence
 19 phones?
 20 A Other than occasionally seeing some of the orders
 21 they put in to the telephone office, where AT&T maintains it.
 22 Q What is Gary's last name?
 23 A Walters.
 24 Q Walters?
 25 A W-a-l-t-e-r-s.

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1 Q Now, at the White House telephone services, how
 2 many employees do you supervise? About.
 3 A Indirectly, because I have other supervisors in a
 4 layer there, 13 for the telephone switchboard and
 5 contractors, there's Bell Atlantic which are approximately
 6 10 or 12 people, and then there's AT&T and Lucent, which is
 7 about another maybe 22 people. I supervise them indirectly
 8 because they're contractors.
 9 Q Okay. And where is the switchboard located?
 10 A The switchboard is located in the Old Executive
 11 Office Building, Room 02.
 12 Q And these 13 switchboard employees, they work
 13 different shifts?
 14 A Yes. They're 24 hours a day, seven days a week,
 15 365 days a year.
 16 Q Okay. And what is Bell Atlantic's function?
 17 A Bell Atlantic provides basically telephone lines to
 18 the White House. AT&T and Lucent provide the equipment,
 19 telephone instruments, et cetera.
 20 Q Okay. Now, tell the grand jury what WHCA is and
 21 how it's distinct from the White House telephone services.
 22 A Basically, WHCA is a military organization
 23 responsible for providing telecommunications support to the
 24 Commander-in-Chief, the President of the United States.
 25 These are all with relationship to DOD. They provide all his

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1 capabilities, wherever he's at in the world.
 2 Q So whenever the President travels, WHCA provides
 3 his telephone service?
 4 A WHCA does provide his telephone service. Correct.
 5 Q And who is in charge of WHCA now at the White
 6 House?
 7 A I believe it's Colonel Simmons, S-i-m-m-o-n-s.
 8 Q Do you know his first name?
 9 A I think it's John or Jake or something like that.
 10 Q Where does he work out of?
 11 A He works out of Anacostia Naval Station. They have
 12 their building there.
 13 Q Okay. You'll have to forgive my ignorance on this.
 14 Does WHCA have like separate telephones, telephone lines?
 15 A Yes, they do.
 16 Q Do you know whether there's a carrier for the WHCA
 17 lines and who it is? If you know.
 18 A They basically -- they deal with AT&T and Bell
 19 Atlantic also and some of their support they provide
 20 themselves when it gets into secure and classified matters.
 21 The non-classified areas are provided by contractors, the
 22 same as ours.
 23 Q Okay. I'm going to get into this a little bit more
 24 later, but are there separate telephones in the White House
 25 that are known as WHCA telephones and other telephones that

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1 are known as White House telephone services, or does it
 2 depend on the button you push on a particular telephone which
 3 line you get?
 4 A The only separate instrument, as far as with the
 5 White House staff, are secured telephones. The WHCA lines
 6 may appear on a staff phone, a separate button. It would be
 7 like a direct line going to the WHCA switchboard, et cetera.
 8 Q Where is the WHCA switchboard?
 9 A That's located at Anacostia in their building there
 10 also.
 11 Q Okay. Now, who are your supervisors? Who do you
 12 report to?
 13 A Well, I've had numerous ones.
 14 Q Right now.
 15 A Right now, it's Mr. John Dankowski, who then
 16 reports -- he's a special assistant to the President and
 17 Director of White House Operations. He just took the office
 18 over 1 January. He reports directly to the assistant to the
 19 President, Virginia Puzo. She's fairly new, too.
 20 Q Can you tell the grand jury whether something
 21 happened in 1993 with respect to the White House telephone
 22 system in terms of it being revamped?
 23 A Yes, it was revamped in 1993?
 24 Q And who was in charge of that?
 25 A At the time, it was Mr. David Watkins.

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1 Q And was Patsy Thomasson also involved?

2 A Patsy Thomasson came in later on. Yes. She was
3 involved, too.

4 Q And what happened to the White House telephone
5 system in 1993? What did they do to change it?

6 A They basically, to put it in blunt terms, they
7 changed everything. Put in a new telephone switch in, had
8 new instruments put in.

9 Q And what were the results of their modernization?
10 What changes were implemented?

11 A Some of the services were offered as far as
12 technology like call forwarding, Audix, new telephone
13 instruments that basically fed out of the telephone switch.
14 It was up-to-date technology.

15 Q And voice mail, things like that?

16 A Voice mail, which is the Audix.

17 Q Oh, is that what it is?

18 A Yes, that's what it is.

19 Q Okay. I didn't know that. What about caller ID?

20 A Caller ID, as far as caller ID per se in the
21 White House, on their instruments, you have a printout, a
22 display that shows the number that's calling you. That
23 is it.

24 Q And that was one of the changes as well?

25 A That was one of the changes. Correct.

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1 Q Anything else that comes to mind in terms of
2 changes?

3 A Certain sensitive areas which I can't go into, but
4 basically nothing -- no number from the White House will go
5 out where someone else could pick it up on caller ID display
6 and so on. Basically, their numbers are frozen in house.

7 Q So if someone from the White House called --

8 A Called you, for example, in one of your other
9 government agencies, you would not -- there would be no --
10 you wouldn't know who was calling you, basically.

11 Q So they wouldn't show up on my caller ID.

12 A No, they would not.

13 BY MR. WISENBERG:

14 Q But if you were calling within the White House,
15 they would?

16 A Certain offices, yes. That could be blocked out
17 also. There's some areas that it does not appear.

18 BY MS. WIRTH:

19 Q So even within the White House, there are certain
20 areas that have chosen to block their caller ID?

21 A Yes.

22 Q Is the President's caller ID blocked? Do you know?
23 If the President calls anyone within the White House, does
24 something appear on the screen? Do you know?

25 A It is blocked.

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1 Q It is blocked? Has it always been blocked?

2 A Well, prior to having these instruments, you never
3 had any indication of it. It's always been blocked sinc
4 this administration, this telephone system.

5 Q What is a TSG phone? What's that stand for, first
6 of all?

7 A I really don't know what it stands for. It comes
8 under the control of the Secret Service, their technical
9 security division. Basically, it's a telephone that has
10 been, say, modernized so that -- it gets into a security
11 area, basically, so that the phone can't be tapped.

12 You have two types of telephones. You have a TSG
13 phone which are used in sensitive areas and you have regular
14 telephones that are used in other areas and basically a TSG
15 phone, the speaker on it is not activated because that's a
16 possibility of getting into tapping.

17 Q Okay. And were there TSG phones in the White House
18 prior to this 1993 modernization?

19 A No, there were not.

20 Q And these TSG phones are used in what types of
21 offices in the White House, just generally speaking.

22 A The majority of them are in the West Wing of the
23 White House. There's a few in the Old Executive Office
24 Building in sensitive areas.

25 Q Are they in the White House Counsel's Office?

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1 A Yes, they are.

2 Q Was that one of the changes in 1993?

3 A Yes, it was. Well, all the West Wing was changed
4 in 1993.

5 Q Do you know who made the decision to put TSG phones
6 in the White House Counsel's Office?

7 A To speak firsthand, I don't know, but there was a
8 committee that worked on getting the new phone system which
9 Mr. Watkins was in charge and Pasty Thomasson was in charge
10 of it and in order to get something like that, it would have
11 to go through the technical security division. I think they
12 had big input into it for the security aspect.

13 Q And the technical security division is part of the
14 Secret Service?

15 A Yes, it is.

16 BY MR. WISENBERG:

17 Q When you say they had a big impact, you mean
18 Watkins and Thomasson?

19 A No. Well --

20 Q Or the technical security division?

21 A The technical security people probably gave the
22 guidelines of what had to be what, what kind of phones had
23 be in what area.

24 Q But it would have to go through Watkins and
25 Thomasson, you think, based on your knowledge of their

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<p>1 involvement?</p> <p>2 A Oh, yes. Yes, it would have to go through them.</p> <p>3 They would have to be involved in it.</p> <p>4 BY MS. WIRTH:</p> <p>5 Q Do you know who in the White House made the</p> <p>6 decision to revamp the phone system? Was it David Watkins or</p> <p>7 someone higher up?</p> <p>8 A Like I said, David Watkins was heading the team.</p> <p>9 I really can't remember -- I think there was a comment made</p> <p>10 that it came as high up as possible because there was some</p> <p>11 controversy about it.</p> <p>12 Q What do you mean?</p> <p>13 A Well, I'm not sure exactly when it happened, but</p> <p>14 there was a comment at one time in one of the meetings that</p> <p>15 the decision to have the phone system, a new phone system,</p> <p>16 came from as high up as far as it could come from, high up in</p> <p>17 the echelon.</p> <p>18 BY MR. WISENBERG:</p> <p>19 Q Do you remember who said that?</p> <p>20 A I believe it was Ms. Thomasson. There were so many</p> <p>21 meetings on this thing, going way back, this is back in 1993.</p> <p>22 Q Why was it considered controversial?</p> <p>23 A Well, if you remember, at that time, there was a</p> <p>24 lot of press about revamping the phone system and if there</p> <p>25 was really a need to do that.</p>	<p>1 A Yes, they are.</p> <p>2 Q Do they have WHCA capability as well?</p> <p>3 A Yes, they do.</p> <p>4 Q And we're excluding the pantry phone, though,</p> <p>5 talking just about the phones --</p> <p>6 A Yes, I understand.</p> <p>7 Q So on those phones, if the President wanted to use</p> <p>8 a WHCA line, would he just press another button the phone?</p> <p>9 A Yes, he would.</p> <p>10 Q That's how that works?</p> <p>11 A Yes.</p> <p>12 Q And then there are other buttons, obviously, on the</p> <p>13 phones that allow him to go through White House telephone</p> <p>14 services?</p> <p>15 A Yes.</p> <p>16 Q Do you know based on what the President would</p> <p>17 decide to use a White House telephone services line as</p> <p>18 opposed to WHCA? Do you know what the basis for that</p> <p>19 decision would be?</p> <p>20 A Basically, I think the WHCA line would be more in</p> <p>21 line with his capacity as Commander-in-Chief, to possibly</p> <p>22 make a call overseas to a head of state, to call maybe other</p> <p>23 cabinet members, et cetera. It wouldn't be in the daily</p> <p>24 routine of the administrative type. That would go on the</p> <p>25 other side. That would go on my side, through the White</p>
<p>1 BY MS. WIRTH:</p> <p>2 Q I wonder if you could talk for a moment about the</p> <p>3 phones in the Oval Office itself. And by the Oval Office, I</p> <p>4 include the President's Oval Office, the study, the dining</p> <p>5 room. I don't know if there are phones in there, but maybe</p> <p>6 you could tell us. Just the Oval Office complex, that area</p> <p>7 that belongs to the President. Are you familiar with the</p> <p>8 phones in there?</p> <p>9 A I'm familiar up to a certain point. Yes. There</p> <p>10 could have been some changes to it that I'm not aware of,</p> <p>11 but --</p> <p>12 Q First off, can you tell us where the phones are</p> <p>13 located in the Oval Office complex? Obviously there's one in</p> <p>14 the Oval Office itself, right?</p> <p>15 A There's two in the Oval Office, one on the desk and</p> <p>16 one by the couch.</p> <p>17 Q Okay.</p> <p>18 A There are -- there's one in the study, there's one</p> <p>19 in the dining room and one in the bathroom.</p> <p>20 Q Okay. And are you familiar with the pantry?</p> <p>21 A The pantry, yes.</p> <p>22 Q Is there a telephone in there?</p> <p>23 A Yes, but that's not the -- that's for the steward.</p> <p>24 Q Okay. Now, those phones, are they White House</p> <p>25 telephone services phones?</p>	<p>1 House operators.</p> <p>2 Q I'm going to ask a lot of questions about this, but</p> <p>3 just for the moment, on the WHCA line, could he call anybody,</p> <p>4 anywhere in the world on the WHCA line?</p> <p>5 A Yes, he could.</p> <p>6 Q And could he do that by dialing direct?</p> <p>7 A No on the WHCA line. It would go into a WHCA</p> <p>8 signal corps operator.</p> <p>9 Q So he's not capable of dialing direct himself on a</p> <p>10 WHCA line?</p> <p>11 A Not on a WHCA line.</p> <p>12 Q Okay. What about the White House telephone</p> <p>13 services line? Is he capable of dialing direct by himself</p> <p>14 without going through the switchboard?</p> <p>15 A Well, let's put it this way. There's a line that</p> <p>16 he has to the switchboard which the operator answers and they</p> <p>17 would dial calls. And there are also -- he has some other</p> <p>18 lines on that phone. I don't know what the numbers are and</p> <p>19 so on. Then he has the capability of probably dialing direct</p> <p>20 anywhere he wants to dial.</p> <p>21 Q Okay. Now, the President has two secretaries,</p> <p>22 correct? Betty Currie and Nancy Herreich?</p> <p>23 A No, they're not called secretaries, but he has two</p> <p>24 people.</p> <p>25 Q Sitting right outside his office.</p>

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1 A Yes.	1 A By the White House. Correct.
2 Q They probably have fancier titles.	2 Q Who at the White House is responsible for paying 3 the bills on the White House telephone services lines?
3 A Yes, they do.	4 A It goes to the administrative office, Room 1, and 5 there's a person there that handles all the billing, gets the
4 Q Okay. And they have their own separate telephone 5 lines, correct?	6 bills, but ultimately the responsibility for it comes under 7 Mr. Dankowski right now, the special assistant to the
6 A Yes, they do.	8 President and Director of White House Operations. But he has 9 a staff in there to be various functions and there is an
7 Q Okay. Does the President have numbers distinct 8 from those numbers on his own telephone line that area White 9 House telephone services numbers?	10 individual that handles all the bills coming into the White 11 House.
10 A I believe he has two numbers that are his own. 11 It shows line 1 and line 2. I don't know what the actual 12 numbers are.	12 Q You don't know who that is right at the moment?
13 Q Okay. And those presumably could be dialed direct 14 from anywhere if someone knew what those numbers were?	13 A I know who it is.
15 A Yes.	14 Q Who is it?
16 Q And if someone called those numbers direct, they 17 would not go through the White House switchboard, they would 18 ring directly in the Oval Office?	15 A Mrs. Betty Ubbens, U-b-b-e-n-s.
19 A Directly in the Oval Office. I'm not sure. They 20 may be picked up on Betty Currie's and Nancy's phone also.	16 Q U-b-b --
21 Q But you're not sure of that?	17 A e-n-s.
22 A I'm not. There's been so many changes, I'm not 23 really sure about that.	18 Q Okay. And where is she located?
24 Q Okay. Do you have any idea what percentage -- if 25 you know, what percentage of time the President uses the	19 A She's located in Room 1 of the Old Executive Office 20 Building.
Page 22	21 Q Okay. Does she get telephone bills that look like
1 White House telephone services lines as opposed to WHCA? Are 2 there any statistics on that that you know?	22 the telephone bills that the rest of us get in terms of like 23 toll calls and so on?
3 A No, I don't.	24 A No.
4 Q Are the WHCA lines generally viewed as more secure 5 than the White House telephone services lines?	25 Q How does it work?
6 A No. Not if they're using the regular 7 administrative type line. The only secure line is the secure 8 telephone line the President has. That's on a separate 9 phone. So the White House's lines are basically the same as	1 A There is basically two types of bills we get in: 2 bills for the equipment, and that's like telephone 3 instruments and any other equipment that's utilized which
10 our side, the administrative side. They're dial lines that 11 are connected to the operator.	4 come for the White House, come directly to me.
12 Q Are they billed differently?	5 Q Is the equipment rented?
13 A Billed differently?	6 A It's owned.
14 Q Yes.	7 Q It's owned?
15 A Oh, yes, they are. Our lines are billed to the 16 White House and, of course, WHCA's lines are billed to WHCA 17 by the contractors, Bell Atlantic and AT&T or whatever.	8 A Yes.
18 Q And does the military pay for those lines, the WHCA 19 lines? Do you know?	9 Q Okay. So whenever you get new equipment, there's a 10 bill that comes to you?
20 A Yes.	11 A Well, there's a monthly bill for it because of 12 maintenance charges, et cetera. Whenever new instruments are
21 Q So the bills for the WHCA lines are paid for by the 22 military?	13 put in or taken out, we're billed for that, so we have bills 14 generated every month.
23 A Yes.	15 Q And those bills go to you?
24 Q And the White House services telephone lines, the 25 bills are paid for by the White House?	16 A They go to me. And I verify them based upon the 17 work orders that we have submitted to make sure that they 18 are valid bills. I in turn take them up to Room 1 and give 19 them to Mrs. Ubbens, who in turn processes it after she gets 20 the signature of Mr. Dankowski and then they're forwarded 21 over to the financial management organization of office 22 administration to be paid.
	23 Q Okay. Now, what about for telephone calls? How do 24 those bills work?
	25 A Telephone calls are kind of unique. You pay for

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1 like local calls and local service, you pay for the line
 2 itself and that includes the cost in it. There's no charge
 3 basically for local calls.

4 Your long distance and international calls, your
 5 long distance within the United States, continental United
 6 States, go over the federal telecommunications system, FTS
 7 2000.

8 Your international calls go out directly to
 9 wherever they're calling, but they go out over certain
 10 trunks. I'm trying to maybe get in layman's terms.
 11 Certain lines that go out of the telephone switch that go
 12 to international.

13 Q I guess the question I have is that most of us when
 14 we get a telephone bill, we get a listing of toll calls that
 15 we've made that month. Does the White House get something
 16 like that as well when it gets billed for its telephones?

17 A Yes, it does for the international calls.

18 Q What about long distance within the U.S.?

19 A No, unless there's problems, the FTS system is
 20 down, then it would go over a commercial network. The FTS is
 21 a flat rate that's generated by FTS. GSA controls that
 22 contract with them and I believe Sprint provides that service
 23 to us.

24 Q Okay. So long distance, the long distance carrier
 25 on the White House telephones is who again?

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1 A Right now, it's AT&T, but, like I said, FTS has
 2 been contracted out to Sprint by GSA, so we have a mixture
 3 there.

4 Q Do you know if independent of the billing services
 5 whether there are records kept of long distance calls made on
 6 the White House telephone services telephones within the
 7 United States?

8 A Yes, there are records in some areas. There are
 9 some lines in some areas that do not go through our telephone
 10 switch. They are fed independently directly from a downtown
 11 office that Bell Atlantic may have.

12 And I think on our side, there's a few on the north
 13 grounds which are utilized basically for our media liaison
 14 when they have events out there coinciding with the press,
 15 there's a separate line.

16 Other lines, there are some lines that are in the
 17 residence which I don't know the numbers, but Mr. Walters, he
 18 would get a bill for that. Them lines would be like your
 19 home telephone bill.

20 Q And there are long distance records on those?

21 A Bell Atlantic would have that and AT&T.

22 Q What about in the Oval Office, those telephones?
 23 And then let's include also Betty Currie's lines and Nancy
 24 Hemreich's lines. Would there be long distance records kept
 25 on those?

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1 A No. There are no long distance records unless they
 2 keep them themselves of the calls they make.

3 Q Has there ever been -- well, let me ask the next
 4 question. Do you know if there are any records kept on local
 5 calls made from the telephones in the White House, including
 6 those in the Oval Office?

7 A No, I don't know, but it could be. I mean, the
 8 office themselves, someone in that office, a secretary, could
 9 keep track of calls that they made or received.

10 Q But aside from manually, I'm talking about an
 11 electronic type of record of every time a phone is dialed
 12 from the White House. Do you know if there were records kept
 13 of those calls?

14 A No.

15 Q You don't know or there aren't?

16 A There aren't any records of each time.
 17 Electronically.

18 Q Has there ever been any discussion of whether it
 19 would make sense for security reasons to have records of
 20 every time a White House is picked up and a number is dialed?

21 A No, I'm not aware of that there's ever been
 22 discussion of that. The contrary -- maybe the opposite, I'd
 23 think.

24 BY MR. WISENBERG:
 25 Q What about like a person somewhere in the White

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1 House, in the White House itself, somebody who works there,
 2 who is abusing the system in the sense of making too many
 3 long distance calls?

4 BY MS. WIRTH:
 5 Q Or what if there's a harassing phone call made from
 6 someone in the White House?

7 BY MR. WISENBERG:
 8 Q Well, let's do the first example first. Someone is
 9 abusing the long distance capability. There's basically no
 10 way of doing anything about that?

11 A No, because there's no way to know that. It
 12 doesn't identify where the call is coming from per phone.
 13 All it shows on the bill, long distance or whatever, is the
 14 trunk it went out on and there's no way to track that because
 15 you could have -- you know, one trunk could feed numerous
 16 lines.

17 Q So you might know that the long distance phone bill
 18 is going way up and people are abusing it, but you couldn't
 19 pinpoint it.

20 A You couldn't pinpoint it. And there's times, you
 21 know, you have a high bill, but it depends on what is going
 22 on, too, at the time. Business travel or whatever.

23 Q What about -- the other example would be somebody
 24 within the White House is making harassing phone calls to
 25 somebody else within the White House.

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1 Is that the example you were coming up with?
 2 MS. WIRTH: Yes.
 3 BY MR. WISENBERG:
 4 Q Again, unless you could detect -- would there be
 5 any way to detect that other than by --
 6 A Well, if someone in the White House is making
 7 harassing calls to another phone in the White House, it
 8 depends what phone they're using, where it's coming from.
 9 Like I said, there will be a visual display on the phone
 10 receiving the call.
 11 The policy on harassing calls, basically, or
 12 threatening calls, is they're referred to Secret Service and
 13 Secret Service, they do their thing, whatever they do to
 14 check out them calls.
 15 MS. WIRTH: Okay.
 16 A JUROR: I have a question.
 17 In my office, we have it sounds like the exact same
 18 system that you're talking about with Audix where you have
 19 the display window and if someone in one department in the
 20 White House calls, maybe somebody, say Betty Currie, their
 21 name will flash across the printout.
 22 THE WITNESS: Yes, ma'am.
 23 A JUROR: Now, the system in ours, our system, when
 24 we program the names into the extensions and what have you,
 25 we also have the capability of doing a printout daily, if

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1 necessary. And I know we do, to safeguard ourselves from
 2 employees calling Florida four or five times a day and
 3 sometimes we'll do a study from it. Do you not have that
 4 printout capability?
 5 And it's normally right where they have the --
 6 where you can program in the person's name to the extension.
 7 Do you not have that capability of pulling up that program
 8 that will give a detail of any time whoever you call picks
 9 up? Not within the complex, but outside of the complex.
 10 THE WITNESS: You're talking about the detailed
 11 calling.
 12 A JUROR: Yes.
 13 THE WITNESS: It is in the system, but it is not
 14 utilized. Basically, it is not turned on in our system.
 15 It's one of the things that was not required.
 16 As far as addressing about -- you're talking
 17 about names coming up, yes, it is programmed at a central
 18 point which Lucent or AT&T does that for us, we give them
 19 an order. Some people do not want their names or their
 20 numbers because of their private line, so they might have
 21 an asterisk.
 22 You have to put something there, so usually it's an
 23 asterisk they have. Some people just have -- it's an
 24 outgoing line which you can't call in to, so it depends where
 25 it is and who it is.

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1 BY MR. EMMICK:
 2 Q I wasn't quite sure what you meant when you said
 3 that the detailed calling is in the system but it's not
 4 turned on.
 5 A It is in our telephone switch that AT&T provides to
 6 us, but is not activated, it is not utilized, it is not
 7 required, it's not part of the contract to do it.
 8 Q What would change if you were to have it turned on?
 9 A Well, someone from administration would have to go
 10 back, probably our contracting officer or someone, and
 11 renegotiate with AT&T and Lucent to get that feature
 12 activated.
 13 Q And if it were activated, how would it change
 14 things?
 15 A If it were activated, you would be able to
 16 have -- just like the lady says, a printout, a detailed
 17 calling list of who's calling who and where and what
 18 time.
 19 A JUROR: And how long you spoke.
 20 THE WITNESS: And how long you spoke. Basically
 21 like your home record is when you make a long distance call.
 22 MR. EMMICK: I see.
 23 MS. WIRTH: But only on long distance calls?
 24 A JUROR: No.
 25 THE WITNESS: No. It could be on everything. Yes.

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1 BY MR. EMMICK:
 2 Q Has that aspect of the telephone system, has it
 3 been turned off forever or has it been turned off only since
 4 1993 or is that one of the changes?
 5 A No. It's not unique to the system. Even prior,
 6 the system we had prior to this one, it was there, but it
 7 was never utilized at the White House.
 8 Basically, I guess, the decision was from
 9 security reasons, Secret Service got involved in that
 10 aspect because I think there's a fallacy, if you have
 11 it on, it also means that your stuff could go outside,
 12 your numbers would out if you called outside the
 13 complex.
 14 Q When you say that it's in the system but it's
 15 not turned on, I'm not all that computer literate, but
 16 in some ways that makes me think that the information may
 17 be stored somewhere but it simply isn't easily accessible
 18 or isn't readily accessible. Another way of thinking about
 19 it would be that it isn't stored at all.
 20 So my question to you is is the information just
 21 completely not stored or is it stored but simply isn't
 22 available? If you understand what I mean.
 23 A Yes. Yes, I do. Really, to get into it, it's
 24 not -- I believe it's not stored. I'm really not into that
 25 function of the computer.

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1 BY MR. WISENBERG:
 2 Q In other words, if you were to renegotiate the
 3 contract and decide to put this feature in, you would not --
 4 you would not be able to go back six months prior and find
 5 out who called who.
 6 A No. It's just if you went -- they would reprogram
 7 the switch and do what they have to do and it would be from
 8 that day on that you institute that change.
 9 BY MR. EMMICK:
 10 Q If we wanted to verify with somebody who sort of
 11 knows how that switch going on and off might work, who would
 12 we talk to about that? To absolutely confirm that there is
 13 no way to reconstruct what calls were made.
 14 A You would have to talk to probably AT&T, Lucent,
 15 our contractors.
 16 Q When you said that the Secret Service was concerned
 17 about being able to have all these calls reported, what
 18 exactly did you mean? The security concerns that the Secret
 19 Service had. I'm trying to understand that.
 20 A I don't know exactly what their concerns were.
 21 It's probably the vulnerability of the system, like anything
 22 else right now where you could have hackers get into the
 23 system with computers. Because it is a computerized system,
 24 so, you know, to get into the security aspect, I can't -- I
 25 don't know, really. You would have to talk to Secret Service

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1 about that.
 2 Q But it was the security aspect that caused you to
 3 opt for the switch not being turned on.
 4 A To the best of my ability to remember, yes, that's
 5 what it was. I wasn't involved in them discussions.
 6 MR. WISENBERG: Mr. Emmick, Ms. Wirth, Mr. Nagy, it
 7 is break time.
 8 MS. WIRTH: It is break time. I thought so.
 9 MR. WISENBERG: And we're going to take --
 10 THE FOREPERSON: A 15-minute break.
 11 MR. WISENBERG: -- a 15-minute break and we will
 12 come and get you when we have a quorum again and we're ready
 13 to start.
 14 THE WITNESS: Okay. Thank you.
 15 MR. WISENBERG: Thanks very much. There's a little
 16 cafeteria in the basement.
 17 THE WITNESS: Okay. Thank you.
 18 MR. WISENBERG: Thank you.
 19 (Witness excused. Witness recalled.)
 20 THE FOREPERSON: Mr. Nagy, you are still under
 21 oath.
 22 THE WITNESS: Thank you.
 23 MR. WISENBERG: Let the record reflect the witness
 24 has reentered the grand jury room. There are no unauthorized
 25 persons and we have a quorum. Is that correct?

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1 THE FOREPERSON: That's correct.
 2 MR. WISENBERG: Thank you.
 3 THE WITNESS: I have a question. Things have
 4 happened way back and just out there, I was thinking, sitting
 5 out there, and I'd like to maybe clarify a few questions that
 6 were asked to me at the beginning.
 7 MR. EMMICK: Sure.
 8 THE WITNESS: About the installation of the
 9 telephone system, I did state it was -- involved heavily in
 10 it was Mr. Watkins and Ms. Thomasson.
 11 There was an individual at the beginning of the
 12 administration that was brought in to oversee basically
 13 getting this new telephone system in, was on the campaign,
 14 the presidential campaign, and was the one that established
 15 the meetings and as far as I know, which he told me on
 16 numerous occasions, he got his guidance from Mr. Watkins.
 17 And there was also another individual who worked
 18 the convention who was brought in that worked for AT&T that
 19 was requested to be in there and he also participated in
 20 establishing the new telephone system as far as getting the
 21 contracts and et cetera with what they wanted in the new
 22 system.
 23 BY MR. EMMICK:
 24 Q Who were those persons?
 25 A The first individual was Andy Aultz out of Arkansas

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1 and I think he took a leave of absence from Southwest Bell
 2 and worked on the campaign.
 3 BY MS. WIRTH:
 4 Q Is that A-l-t-s?
 5 A I think it was A-u-l-t-z.
 6 MS. WIRTH: Okay.
 7 THE WITNESS: And then the second individual who
 8 worked the convention for AT&T, establishing the telephone
 9 service for that, was Mr. Stan Gorsky. And he was brought in
 10 on the AT&T account also during this time period.
 11 BY MS. WIRTH:
 12 Q And he's an AT&T employee?
 13 A Yes, he is. As far as I know, he still is with
 14 them in New Jersey. Mr. Aultz was the one that was basically
 15 going around and sitting in on meetings and sometimes
 16 chairing meetings and dealing with the other phone companies,
 17 Bell Atlantic, AT&T, et cetera.
 18 BY MR. EMMICK:
 19 Q Who employed Mr. Aultz?
 20 A That's a good question because I don't think he was
 21 on the White House rolls. I can't say for sure that he was
 22 on the White House rolls. I think he was brought in like on
 23 a consultant type basis. Or I don't even know if he was
 24 being paid.
 25 Q Any idea how we could find him now if we wanted to?

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1 A Well, as far as I know, what I heard is that he's
2 back at Southwestern Bell. He got a promotion, he's at a
3 higher level there now, as a district manager or something
4 like that. He's in Arkansas. I don't know if it's in Little
5 Rock or where he's at. There would be records at the White
6 House, should be records.

7 Q Any other clarifications or expansions?

8 A Yes. Trying to clarify how the phone system is
9 broken out, like I stated, I'm responsible for the White
10 House side, the White House staff.

11 As an additional duty, I'm the manager of the TSO,
12 which is the telephone service office, which is AT&T, Lucent
13 and et cetera where we file the orders to and they handle it.
14 So I'm the overall manager of that. That is an additional
15 duty that was assigned to me by Patsy Thomasson at that time
16 and it hasn't been taken away.

17 On that side of the house, I wear the hat and I
18 report to an individual who is considered -- they call her
19 the COTR, it's contracting officer basically, Mrs. Cheryl
20 Hall, who is on the staff of the Office of Administration.

21 She is the one that receives the bills for
22 international and et cetera because it's her office that
23 breaks it down and breaks these bills down to the various
24 other Executive Office of the President offices that have
25 service out of our switch. So it's broken down.

1 higher or lower. Is it by the number of calls or the
2 duration of the calls or the percentage of the calls that are
3 long distance as opposed to toll? Which of those various
4 methods might be applied?

5 A Well, there could be numerous factors in it. Let's
6 say the total amount of lines you have that have capabilities
7 for long distance.

8 There could be -- which has happened, there are
9 some agencies that are in existence maybe for a year, two
10 years, and when they're deactivated all their lines are
11 pulled out, of course the ratio is going to be higher, higher
12 based upon the utilization of the lines for long distance
13 calls, et cetera.

14 Also, it could be based upon the time period. I
15 mean, it's not a set bill every month. You know, one month
16 there might be a lot of traffic, volume of traffic, for
17 international calls, et cetera. So there's various factors
18 involved in that bill.

19 Q So there is accounting taken of the number of long
20 distance calls.

21 A There is accounting as far as comes on the bill
22 that shows the long distance calls that go international, the
23 number that they call, the country they call and so on. And
24 that's broken down on a formula, again, based upon the amount
25 of lines that have international capability.

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1 They use some kind of a formula, on a pro rated
2 basis, I guess, based upon the amount of lines that have
3 access to long distance international. But she is the one
4 that gets the bill.

5 I was getting that bill, they had my name on all
6 bills for a while and then I had them removed, had my name
7 removed from it because I was getting everybody's bill and
8 they were all complaining, well, why am I getting their bill
9 and all I did was get the bill in and send it to the office,
10 you know.

11 Q So how do they figure out how much to bill the
12 various components of the White House for their phone
13 service?

14 A That is a confusing question for me to answer.
15 Mrs. Hall would be the one to really break that down. There
16 is a formula they utilize, breaking it down, based upon --
17 like I said, maybe for international -- presuming for
18 international, if you have international capabilities and
19 long distance, based upon how many lines you have, total
20 amount of lines and then each agency is broken down on their
21 share of it.

22 Q Part of the reason for my question relates to
23 another question that I had. You had mentioned at some point
24 that sometimes bills are higher and sometimes bills are lower
25 and I wasn't sure how you would be billed that would make it

1 Mrs. Hall could probably give you the full detail
2 as to how it is done because there's other factors. I'm not
3 familiar with all the factors involved in it, but I know some
4 of them.

5 Q I guess what I'm trying to figure out is in, for
6 example, the use of the FTS system, you pay a rate that's
7 sort of a blanket rate.

8 A A flat rate.

9 Q A flat rate.

10 A Right.

11 Q But is there nonetheless some accounting taken of
12 the number of calls or the duration of calls?

13 A Yes, I would say there is by the contractor.

14 Sprint would have that information. They'd have to have
15 something to base the volume of calls on. The usage of the
16 circuits, for example, going to an area, on FTS circuits.
17 Again, that in turn is broken down on a pro rated basis based
18 upon the amount of lines that are in the complex, the
19 Executive Office of the President, that have FTS
20 capabilities.

21 So, you know, in essence, since you don't have the
22 exact details of who's making what calls where, that's the
23 only fair way to do it. But in essence it could be that
24 someone doesn't make a lot of long distance -- some agency
25 doesn't make a lot of long distance calls but they have a lot

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1 of lines that have access, so they're paying their unfair
 2 share, per se.
 3 Q I guess what I'm trying to figure out is do they at
 4 least know the number of calls or do they know the duration
 5 of the calls or is that information completely unavailable,
 6 thereby forcing you to make a determination based only on the
 7 number of lines?
 8 A I don't think that information is provided. It can
 9 be provided by FTS. I think all FTS provides them is the
 10 cost on a fiscal year basis and that could change. You know,
 11 that could change the next fiscal year.
 12 They could overcharge one year and deduct it from
 13 the next fiscal year. The use it on the usage. So they have
 14 something to compile that information, but it's not provided
 15 per se to Mrs. Hall, the costs for fiscal year so and so.
 16 Q So they don't say, for example, you had 5000 calls
 17 this year and we're going to bill you based on 5000 calls.
 18 A No.
 19 Q Or you had 1000 calls but the average duration was
 20 30 minutes. Or anything like that.
 21 A No. But that information can be -- you know, they
 22 can provide it if it's asked for. I don't think they were
 23 asked for it.
 24 Q Right. Okay.
 25 A You would have to speak to that lady to find out

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1 that part.
 2 Q Well, I had another bunch of questions. The more
 3 general one is it sounds to me like you've got some White
 4 House telephone service lines that are not secure and then
 5 you have WHCA lines that are not secure and you have WHCA
 6 lines that are secure. Is that --
 7 A That's correct.
 8 Q All right. I guess what I'm not clear on is I
 9 can understand why you want to have secure lines, but I
 10 don't understand why you'd want to have two systems for
 11 non-secure lines. Why do you have two systems for
 12 non-secure lines?
 13 A Well, that is a good question. I can only
 14 speculate on it. I was in WHCA on the other side and I'm
 15 on this side right now. It is probably a lot cheaper to
 16 utilize the military to provide support on an administrative
 17 basis when the President is traveling than taking a staff
 18 member --like to say, for example, my operators.
 19 At one time the operators did travel, I believe,
 20 back in the Johnson administration, we'd have an operator
 21 travel with the President. But you still need that
 22 administrative type service, you still need that -- since
 23 WHCA goes out there and establishes their communications,
 24 they have a switchboard there, you still need administrative
 25 lines because not everything going over the lines are going

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1 to be secure or classified.
 2 The secure lines are for the classified information
 3 only and it's probably -- you know, I can't answer that
 4 question for WHCA. I mean, you know, they support the
 5 Commander-in-Chief and, of course, the Commander-in-Chief
 6 wears two hats, so he's not only dealing now through his
 7 role with the military, he's also dealing on the civilian
 8 side.
 9 So for feasibility cost-wise, it wouldn't make
 10 any sense to, you know, just send a bunch of civilian
 11 operators over there to handle calls and et cetera with
 12 him. And another switchboard with separate phones.
 13 You know, that would -- the cost would be totally out of
 14 line.
 15 Q And in the same way that I can understand why you
 16 would want secure lines, I can understand why you would want
 17 to have WHCA handle travel calls, but I'm just not sure why
 18 you would want to have WHCA handle just garden variety
 19 administrative calls. Why have two systems for that?
 20 A Well, WHCA doesn't only just take care of the
 21 President. It takes care of the cabinet members, you know,
 22 succession. They're also -- themselves, their own, their own
 23 military environment, their own command, you know, so they
 24 have to have lines for that administration. So not
 25 everybody's providing sure means.

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1 Q Maybe this is something I'm unclear on. Do all the
 2 phones in the White House, whether they're military-related
 3 or not, do they have WHCA administrative lines on them as
 4 well?
 5 A Not all of them.
 6 Q Not all of them?
 7 A There's only a select few and that's in
 8 relationship, maybe, to the succession of the President,
 9 relocation, you know, certain teams that might have to
 10 relocate with the President or whatever.
 11 Q I see. So only some White House phones have WHCA
 12 non-secure lines.
 13 A Staff side. I'll put it that way.
 14 Q Staff side.
 15 A Right. The military has WHCA lines.
 16 Q Sure.
 17 A And usually the military has WHCA lines and doesn't
 18 even have any of my lines, for example. And they do provide
 19 support to Secret Service, so there are, you know, lines to
 20 the various police posts that WHCA has and so on.
 21 MR. EMMICK: Any other questions on that score?
 22 MS. WIRTH: No.
 23 THE WITNESS: I know it's confusing, but that's the
 24 best answer I could give you.
 25 MR. EMMICK: All right. Fair enough.

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<p>1 BY MR. EMMICK: 2 Q I wanted to go back to one of the things that you 3 had said about caller ID and how caller ID works especially 4 with respect to the phones in the White House and in the Oval 5 Office. You made a comment that the President's ID is 6 ordinarily blocked. Is that correct? 7 A Correct. 8 Q What does that mean? 9 A That if the President would pick up his dial line, 10 which is one of our lines, per se, and he called -- for 11 example, he called another staff member, the printout would 12 not show as coming from the President on that staff member's 13 phone, on that display. It would show maybe an asterisk or 14 something else. 15 Q Does that apply to the non-secure WHCA line as 16 well? 17 A I don't know about the WHCA. If he picked up his 18 line that goes to the administrative switchboard, it does 19 show to my operator, the President, and we have an alarm that 20 goes off to give special recognition that it's him calling 21 because we get numerous calls, we wouldn't know who was 22 calling for one of the staff members. So from phone to 23 phone, dialing from phone to phone, it is blocked. 24 Q I see. 25 A From his direct line to my switchboard would</p>	<p>1 A No. That is the portion that's blocked. 2 Q I see. So it's blocked whether he uses the 3 switchboard or he calls another White House line directly. 4 A It is blocked -- 5 Q Do you understand what I'm asking? 6 A Yes. 7 Q Okay. 8 A If he uses the dial line capability he has in 9 there, which he has a couple of them, that is blocked. That 10 is a White House number, a 456 number. If he uses the line 11 that goes to the switchboard, that is more or less -- it's a 12 line, but it's a direct line that goes directly to my 13 operator. That's the one that has the indication and the 14 alarm goes off. 15 The dial one, if he picks up and dials it, like, 16 say, calling your phone, that's the one that's blocked, 17 there's nothing on that other than maybe an asterisk. 18 I know you're getting confused. There are 19 different lines, right? 20 Q Well, let me go back to the original reason why 21 I may be confused. We've heard some evidence that on some 22 phones a caller ID said POTUS. How did that happen? 23 A It could be. That could be true. Depends who it 24 is, who it's going to. 25 Q Okay. I don't know what you mean by that. Yo</p>
<p>Page 46</p> <p>1 indicate the President. And I would -- I'm not sure about 2 WHCA, I would say if it's coming to my board the same way, it 3 would be going the same to WHCA, identifying the President 4 and they would get an alarm, but I'm not sure of that. 5 Q I'm going to tell you how I understand what you're 6 saying and then you can tell me how I'm wrong. 7 A Okay. 8 Q It sounds to me like it's possible that if he made 9 a phone-to-phone direct dial using the WHCA non-secure line, 10 that might show some reference to the President, but you're 11 just not sure of that. 12 A The WHCA line to the WHCA switchboard. 13 Q I see. To the WHCA switchboard. 14 A He does not -- as far as I know, he does not have a 15 line that he can dial on that belongs to WHCA. 16 Q Okay. 17 A He has a direct line per se that goes to the 18 switchboard, a direct line that goes to my switchboard, to 19 the administrative switchboard. 20 Q All right. Now, you mentioned that if he uses his 21 line to call your switchboard that some kind of alarm goes 22 off that indicates POTUS or whatever it would indicate. 23 A Right. 24 Q Now, if they put in a call to someone else in the 25 White House, would that show through caller ID POTUS?</p>	<p>Page 47</p> <p>1 mean he can -- 2 A I mean it could be possible if he picks up -- if 3 it's going to the vice president, it could well be POTUS. 4 You know, I am not sure which ones are blocked. There are 5 some that are blocked. I'm just speculating if you use the 6 dial line, there would be no reason why it should -- why 7 there would be an indication that the call is coming from him 8 to any other staff member. 9 Q Well, wouldn't he want another staff member to know 10 that this is the President of the United States calling 11 because if I were the President of the United States, I'd 12 want people to answer that phone if I were calling. 13 A Well, I can't speculate on that. All I could tell 14 you is a lot of the calls that go through the switchboard, 15 the President calls and he wants to talk to staff members 16 and, you know, my operator gets the staff member on and say, 17 "The President's calling for you." 18 So, you know, I can't say exactly how them two dial 19 lines are used or how they're -- you know, someone in that 20 office probably could tell you. I have no idea how they use 21 them. 22 Q Let's go back to -- I'm a little unclear how it is 23 that POTUS could ever appear on a caller ID if, as you 24 originally said, the POTUS ID has been blocked. Is it 25 selectively blocked?</p>

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1 A It could be selectively blocked, the way that I
 2 understand.
 3 Q Okay. It can be selectively blocked. Is it
 4 selectively blocked?
 5 A I don't know. I'm not sure. I can't give an
 6 answer for sure on that.
 7 Q So when you said that the POTUS caller ID is
 8 blocked, you were saying that in general your impression
 9 is --
 10 A My impression is. Right.
 11 Q Do you know for a fact that it's blocked for some
 12 and unblocked for some?
 13 A No.
 14 Q Okay. Is there some way you could find that out?
 15 Or can you tell us who we would talk to to find that out?
 16 A Again, it would be under -- with AT&T.
 17 BY MS. WIRTH:
 18 Q Have you ever seen POTUS on a screen, on a caller
 19 ID screen?
 20 A He's never called me, so I've never seen it.
 21 BY MR. EMMICK:
 22 Q If someone wanted to block or unblock their own
 23 caller ID or if they wanted to block it selectively, how
 24 would they do that? Would they go to you or would they go to
 25 AT&T?

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1 A Well, supposedly, what is supposed to happen, that
 2 there are forms that are filled out. They're called
 3 telephone service request forms and all agencies and all
 4 offices are supposed to fill this out for any kind of
 5 telephone work, requesting lines, phones, et cetera,
 6 whatever.
 7 I get them for the White House. I in turn turn
 8 them over to the contractor, to AT&T, to the telephone
 9 service office which AT&T manages, and they would do the
 10 work.
 11 I'm saying supposedly. There have been occasions,
 12 depends who, some people -- I've been bypassed and it's
 13 called directly in to them and work is done.
 14 You know, getting back to the President's phones,
 15 I have not been over and had any work done on his phones for
 16 years. So whatever is in there, has been established from
 17 the very beginning, Mr. Aultz and all the other ones who were
 18 involved in it. During that time period, I wasn't even in
 19 the West Wing. I couldn't even go over there for a while.
 20 Q So would there be a different caller ID, if there
 21 were any caller ID, for the phone in the study or for the
 22 dining room or for the Oval Office?
 23 A No, I don't believe so because all of the phones in
 24 them areas have the same capabilities, the same lines on
 25 them, the same appearance, same buttons.

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1 Q So if the President --
 2 A They were that way.
 3 Q If the President were to call someone from the
 4 study as opposed to calling from the phone in the dining
 5 room, would a different caller ID show up in their phone?
 6 A I'm not sure of that. It could be. It might just
 7 have, you know, "President". It might just have "POTUS" or
 8 whatever. Probably more than likely it would be that way. I
 9 don't say it wouldn't -- it's not going to show the number
 10 because they don't want people to have that number that he's
 11 dialing on.
 12 So it would be more likely -- if it would be
 13 anything, it would just be POTUS, but I am not sure. It
 14 could be POTUS dining room, it could be POTUS study, POTUS
 15 oval. But I know coming in to, like, to the switchboard, it
 16 does show just the President.
 17 A JUROR: Do you have tie lines to other agencies?
 18 THE WITNESS: Yes, we do.
 19 A JUROR: Can you tell me which other agencies?
 20 Like to the Pentagon? Like to wherever they go.
 21 THE WITNESS: I'm trying to remember who we have
 22 them to. We have them to the Capitol and to the Treasury
 23 Department. To WHCA. That's all I can think of off the top
 24 of my head right now that we have.
 25 A JUROR: Do you have any to the Pentagon?

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1 THE WITNESS: No, we don't. We do have a line to
 2 the Secretary of Defense. The cabinet members we have lines
 3 to, a direct line. But to other switchboards -- I think we
 4 do have one down to Justice or the FBI, too. And the Secret
 5 Service, of course, we have tie lines.
 6 BY MR. EMMICK:
 7 Q I want to go back to something even more
 8 fundamental. Maybe I'm not clear on what the caller ID
 9 indicates. If Betty Currie calls someone and her line is not
 10 blocked, does it say Betty Currie?
 11 A Yes.
 12 Q Or does it say [REDACTED]
 13 A It could say whatever she wants. It could say
 14 Betty Currie, it could say Betty, it could say Currie. It
 15 could have the number on it. Don't have the number on it,
 16 just a name. Just have the number, not the name.
 17 Q And what do people usually have? What's the
 18 default unless you've changed it?
 19 A The majority will put -- the lower echelon, your
 20 working staff, have their name and their phone number. Your
 21 upper staff, just might have the name or might have the
 22 office, counsel.
 23 Q Because they might want to keep their own number
 24 secret.
 25 A Yes. Each one of the phones has to have a number

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1 assigned to it and they consider it their private number.
 2 They could have their private number on the phone as well as
 3 a general number for the office. A lot of your top staff may
 4 just have, you know, the office title and the general number
 5 in the telephone directory.
 6 Q So when you said that the President's phones were
 7 blocked, did you mean that the President's phones are blocked
 8 such that the number doesn't show because he might want to
 9 keep the number secret or did you mean that everything is
 10 blocked? Or do you know?
 11 A I don't think everything is blocked. If anything,
 12 the number will be blocked.
 13 Q I see.
 14 A The number definitely would be blocked because I
 15 don't think they want that number to be out.
 16 Q The number may be blocked, but the reference to
 17 POTUS or --
 18 A There's a possibility where it could be. Just like
 19 I said, POTUS shows up, it comes to the switchboard.
 20 Q Okay. I see. And ultimately the way we have to
 21 find out whether it says POTUS or whether it says Clinton or
 22 what it says, we'd have to talk to somebody from AT&T?
 23 A Yes. AT&T probably. I don't know if Secret
 24 Service gets involved in that domain. I don't know what can
 25 be divulged or what.

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1 Q I understand. But it sounds to me like you're not
 2 absolutely certain about what does appear if the President
 3 were to call someone in house.
 4 A That's true. I can just speak about what I know,
 5 calling the switchboard, which I know for a fact that it
 6 shows up because he's alarmed and stuff.
 7 A JUROR: That's sort of my question with regards
 8 to tie lines, because if there are tie lines and, say, you're
 9 going to the Secretary of Defense, I'm certain the Secretary
 10 of Defense would desperately need to know that it's the
 11 President calling him, you know, because I'm sure they have
 12 the same phone system.
 13 THE WITNESS: I don't know what kind of phone
 14 system they have over at DOD. I don't think they have the
 15 same type that we have.
 16 They might have -- you know, it does display, but
 17 I don't think they have the same -- the ISD, the ISDN
 18 telephone network that we have. But the majority of the
 19 calls like going to -- if the President called -- going
 20 over the tie line from Capitol Hill, he can go directly
 21 into it without going through my operator. My operator has
 22 access.
 23 You cannot dial that line. It's a trunk line.
 24 My operator has to go in and get it, same thing with the
 25 Secretary of Defense.

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1 Unless he went on another phone and dialed the
 2 office number over here, that's a different story but he's
 3 going to go through my operator to get the Secretary of
 4 Defense. And, of course, my operator is going to -- the
 5 President is going to hang up, I'm going to get that part on
 6 the line, announce who's calling, call the President back.
 7 A JUROR: Thank you.
 8 BY MR. EMMICK:
 9 Q I want to go back to one of the areas that you
 10 talked about, the revamping of the phone system in 1993. You
 11 had dictated that what you understood or what you had heard
 12 was that the instructions for the revamping came from the
 13 highest possible source. I think that's what you said.
 14 A Right.
 15 Q Or were from as high up as possible.
 16 A Right.
 17 Q I guess what I'm not clear on is what part of the
 18 revamping was directed from the highest possible source?
 19 Like presumably you would need to know what's essential and
 20 what's not essential, what's important, what's not important,
 21 if all you did was change the instrument that you speak into,
 22 the highest source would say that's not what I mean. What
 23 were the things that were being directed from the highest
 24 possible source?
 25 A The only thing I could address was the meetings

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1 that transpired. There was a committee of people that was
 2 addressed on these things that here's what we want. If
 3 there's a problem getting them or whatever, and, again,
 4 Mr. Aultz was doing all this stuff.
 5 Q And what seemed to be important versus not so
 6 important? What were the essential aspects of this
 7 revamping?
 8 A The technology and modernization. The voice mail,
 9 the Audix, the call forwarding. All the new stuff that's
 10 offered by technology that we didn't have before. That was
 11 portrayed as what had to be done. Comments were made, a
 12 comment was made -- I'm trying to remember it because I did
 13 have conversations with Mr. Aultz on a few things that I
 14 didn't agree on, but it seemed like input didn't matter on
 15 some things.
 16 One conversation was basically that it's a
 17 Republican telephone system and it's been Republican and it's
 18 outdated, so, you know, you've got -- a quote that was in the
 19 paper, you've got little old ladies sitting there plugging
 20 wires in holes on a switchboard. So things like that. I
 21 don't know. I just took a different attitude on some of the
 22 things.
 23 But there was -- basically, it was head on,
 24 modernization, the technology that was out there now that we
 25 didn't have before and then to find something that offered

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1 that technology and the best capabilities.
 2 Q Was there any change in the record keeping as a
 3 result of this revamping in 1993?
 4 A Record keeping on whose part, per se?
 5 Q Either on your part or on the part of the phone
 6 company. I guess what I'm trying to find out is now it looks
 7 like we can't get toll records for these administrative calls
 8 and I'm trying to find out if we could before and if that was
 9 changed as part of the 1993 revamping.
 10 A Prior to the new telephone system, there was some
 11 record keeping that was different as far as on bills,
 12 receiving bills. You always had the FTS, you always had
 13 that, and you had the capability of going commercial if they
 14 dialed 91 or whatever and then the area code. There was a
 15 record on that per se of long distance calls showing, you
 16 know, who called where and what, at what time.
 17 FTS, of course, there was no record on that. You
 18 had to dial 8 at that time. Your international, there were
 19 separate bills on that and it showed exactly what number is
 20 being called and what number called it.
 21 So basically your record keeping changed on the
 22 fact that the whole system changed, that alleviated a lot of
 23 things like your number going out. So the number does not
 24 appear on the phone bill. They called a long distance
 25 number, international, it shows that it just came from a

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1 trunk line.
 2 Q So the identity of the caller in the White House is
 3 something that was -- you could identify the caller before
 4 1993 and as a result --
 5 A In certain aspects you could.
 6 Q Right.
 7 A But if they went on FTS, if they dialed 8 on FTS,
 8 no. If they went commercial, you know he went commercial
 9 lines, then. But the first route now is FTS. Since that
 10 time, FTS, FTS 2000 has expanded, offered a lot more
 11 technology, a lot more reliability than the old FTS system.
 12 You couldn't rely on that. It would be down half the time.
 13 MR. EMMICK: Any other questions you had on that
 14 area?
 15 A JUROR: I have a question.
 16 MR. EMMICK: Sure.
 17 A JUROR: Is Sprint the carrier for the FTS?
 18 THE WITNESS: I believe it is now.
 19 A JUROR: Okay. Who was the FTS carrier before
 20 that?
 21 THE WITNESS: AT&T.
 22 A JUROR: So AT&T had both sections, but Sprint was
 23 brought in during the revamping?
 24 THE WITNESS: After the contract, the FTS 2000, was
 25 negotiated by GSA, it came out when they broke out the

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1 government they assigned who your carrier was, so they put us
 2 under Sprint and took us away from AT&T. I believe that the
 3 WHCA portion, the military portion, is under AT&T. I don't
 4 think they're under Sprint.
 5 BY MR. EMMICK:
 6 Q What was your reaction to the 1993 revamping? It
 7 sounds to me like you had some resistance.
 8 A Do I have to answer that question? Well, don't
 9 take me wrong, like I said, I've been there a long time, I've
 10 been through a lot of administrations. It's not necessary --
 11 I serve the Office of the President regardless of what party
 12 is in there, no one knows what party I belong to, I serve the
 13 office like any other career, devoted federal employee.
 14 So you have two sides, even way back. You have the
 15 political side and you have the career side, which we're
 16 considered career. And we do serve at the leisure of the
 17 President. If the President comes in and decides that he no
 18 longer wants our service under career, they can tell us
 19 goodbye and we understand that.
 20 I've been in the phone business a long time, even
 21 in the military, and I've seen a lot of changes at the White
 22 House. I've seen changes for the good and for the bad. I
 23 look after the interests of the taxpayer, which is my first
 24 concern. If you could provide something and it doesn't cost
 25 that much, that's what I would go for.

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1 A lot of my responsibilities at the beginning of
 2 the administration were -- I don't want to say taken away,
 3 were diminished and I did for a while put some resistance up
 4 to a few things and basically was told this is the way it's
 5 going to be, with you or without you. So then I went along
 6 with the program and did what I was told to do.
 7 My feeling on the system, it could have been
 8 enhanced, what we had, provide the same capabilities at a
 9 much lesser cost, but I wasn't involved of all of that. I
 10 wasn't involved in the contracting, I wasn't involved in
 11 procurement, et cetera.
 12 I tried to work -- like I said, Mr. Aultz was
 13 running the show at that time. I wasn't told I really worked
 14 for him, but I seen the handwriting on the wall. So I just
 15 did what I was told to do like anybody else.
 16 It could have been done better, cheaper, yes. But
 17 that was not my decision, my call.
 18 Q Are there policies about when you use a secure
 19 line?
 20 A I don't know if there's policies. I think the
 21 secure line, from my military background, a secure line is
 22 when you discuss classified information or very, very
 23 sensitive information.
 24 I don't think the secure line is meant to be used
 25 as a regular telephone line, administrative line, you know,

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1 to call Joe Blow here in another office. So --

2 Q Is there a policy about when you use a WHCA line as

3 opposed to a non-WHCA line?

4 A Per se, as a policy in writing, I don't believe

5 there is.

6 Q Is there an informal policy?

7 A I have no idea. A lot of it depends on what button

8 they push on the telephone, if it's on there. They get it --

9 they do get us confused between WHCA and the administrative

10 switchboard.

11 BY MR. WISENBERG:

12 Q Even if you're at the White House as opposed to --

13 the President's at the White House as opposed to Martha's

14 Vineyard or some place like that where the WHCA set up would

15 always be taken along, he can use WHCA if he wants to,

16 correct?

17 A Yes. I believe -- WHCA has the capability now --

18 it has changed a lot since when I was in there. Technology

19 has come a long way. And I'm just speculating on it.

20 I don't know really how they set the phones out on

21 a trip, but I do know that they have the capability of coming

22 back to my switchboard or to dialing a number back at the

23 White House and more likely that could go over a WHCA line,

24 not necessarily, say, it would be a White House line, it's a

25 WHCA line, so they have the capability to dial an office back

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1 at the White House over a WHCA line.

2 Q All right. You're talking about when they're out.

3 A When they're out. Right.

4 Q But I'm talking about when the President's in the

5 White House, he can go -- as I understand it, he can use a

6 WHCA line even when he's in the White House as opposed to the

7 regular switchboard line that would go to WHCA. Is that

8 correct?

9 A That's correct. It would go through the WHCA

10 switchboard.

11 Q Okay. And that gives him -- let's say he decided

12 to use the WHCA switchboard, not to make a national security

13 related call and let's say he didn't just push the wrong

14 button, what would be the reason for that?

15 And I know you can't get into his mind, but let me

16 just -- let me just ask it this way. Would it be more secure

17 than a regular switchboard line?

18 A In my technical profession, no. I think -- the

19 perception is there. The perception is it's a military

20 network, so it's going to be more secure than a regular type.

21 On an administrative line, it doesn't make any difference if

22 the military has it or whatever. The difference is a secure

23 telephone network, the red and the black. That's the

24 difference.

25 So in my perception of it, that WHCA administrative

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1 line is just like an administrative line that I have coming

2 out of my switchboard. Security is not enhanced any

3 different, I don't think.

4 BY MR. EMMICK:

5 Q If we have questions about what phone numbers are

6 for what staff members, are you a person who would be able to

7 help us get answers to that? For example, if we had phone

8 records that go to numbers and we don't know whose phone

9 that is, can we call you up and say "Who's phone is that?"

10 A Well, I don't think you'd call me directly. I

11 think you would have to go through the counsel's office at

12 the White House.

13 Q All right.

14 A I wouldn't -- you know. A lot of the numbers are

15 published in the telephone directory there at the White

16 House, the Executive Office of the President.

17 BY MR. WISENBERG:

18 Q How often does the telephone directory come out?

19 Do you know? The White House telephone directory.

20 A It's supposed to be twice a year. One just came

21 out -- one just came out just in May. We just had a new one

22 issued.

23 Q When is the other one issued? One's in May and

24 when is the other one?

25 A Towards the latter part of the year, around

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1 November, December. I don't think we had one last November.

2 I think we had one last April or something like that.

3 Q You're not aware of one since last April.

4 A No, I'm not aware of that. I don't know an exact

5 date on the last one. We just got a bunch of them in last

6 week and it had May on it. As far as verifying numbers, I

7 mean, I don't have -- you know, I don't have the capability

8 or the knowledge of verifying it.

9 Again, that is all controlled by our contractor.

10 We would have to ask them, you know, to provide us the

11 numbers of who it is. If they have it listed in there. Like

12 a lot of private numbers may not list the individual. It

13 might just be blank by it and even the contractors don't know

14 that.

15 When I get a request to put a phone in and it has a

16 private number on it, for top staff, I don't even get the

17 number back. All they do is put the phone in and the line is

18 put in.

19 BY MR. EMMICK:

20 Q So how would we find out whose phone number it is?

21 If we see someone making a call from Maryland, say, into the

22 White House and it shows a number that is the number call

23 but it turns out it's a personal number, how would we find

24 out whose personal number that is?

25 A Like I said, it should be -- well, all numbers are

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<p>1 in the system, in the computerized system. But it may not --</p> <p>2 again, it depends who it is. It may not show who it belongs</p> <p>3 to. It might just say counsel's office or First Lady's</p> <p>4 office. It won't say for some of the people the exact</p> <p>5 individual that it belongs to.</p> <p>6 Q So how do we find out?</p> <p>7 A That's a good question. You would have to talk to</p> <p>8 Mrs. Hall about this and I'm not a part of it. She's the</p> <p>9 expert in data communications.</p> <p>10 BY MR. WISENBERG:</p> <p>11 Q Mr. Nagy, I stepped out for a few minutes, so</p> <p>12 forgive me if somebody else has asked this directly. I know</p> <p>13 a lot of your answers seem to suggest this, but I take it</p> <p>14 then there's basically -- just to take an example, Nancy</p> <p>15 Hernreich's line, personal line there at the White House, the</p> <p>16 line right to her office, if we wanted a record of her local</p> <p>17 calls, there's just no way to get them under the current</p> <p>18 system. Is that a fair statement?</p> <p>19 A You wouldn't get -- right. You wouldn't get</p> <p>20 anything on local calls. You wouldn't get anything on local</p> <p>21 calls or internal calls. You're not going to get anything on</p> <p>22 international calls, like I said. It shows the trunk. It</p> <p>23 does not show the line.</p> <p>24 Q So in other words or even long distance.</p> <p>25 A Right.</p>	<p>1 A There's a mixture down there.</p> <p>2 Q Okay. And as far as you know, you can get long</p> <p>3 distance calls on those, but not local calls on residence</p> <p>4 lines. Records of those. Right?</p> <p>5 A On certain lines. Not on the White House lines.</p> <p>6 This is outside of our White House network. It's outside the</p> <p>7 [redacted] and the [redacted]. It's a line that might start with [redacted], I</p> <p>8 think, or [redacted] or something like that.</p> <p>9 Q So on certain White House residence lines, you can</p> <p>10 get long distance calls because they're outside the White</p> <p>11 House telephone service.</p> <p>12 A Yes. Yes.</p> <p>13 Q But the bottom line is that as far as you know, you</p> <p>14 would not be able to get local calls on the residence phones,</p> <p>15 whether they're your system or not.</p> <p>16 A As far as I know.</p> <p>17 Q Okay. As far as you know, that's correct.</p> <p>18 A That's correct. It's basically like your home</p> <p>19 phone, them lines, you don't get any records on local calls</p> <p>20 within the metropolitan area.</p> <p>21 Q Now, you told us earlier that the President can</p> <p>22 make a direct call from the Oval Office without going through</p> <p>23 the switchboard, he can actually pick up a line and make a</p> <p>24 direct call. Correct?</p> <p>25 A I'll say he has the capability to do that. Yes.</p>
<p>Page 66</p> <p>1 Q Whether it be local, long distance or long distance</p> <p>2 international, if it's on one of those personal lines -- I</p> <p>3 call them personal lines but at the White House --</p> <p>4 A Right.</p> <p>5 Q The lines assigned to a Nancy Hernreich, a Betty</p> <p>6 Currie, there's just no way of getting that.</p> <p>7 A That's correct. The only thing that you</p> <p>8 probably -- and I'm not sure of this, if someone long</p> <p>9 distance called her number direct, that might show up on a</p> <p>10 bill. For example, if I called you, it's going to show where</p> <p>11 the call came from, the duration of the time, and the number</p> <p>12 called and the cost.</p> <p>13 Q And as far as you know, is that also true of the</p> <p>14 White House residence lines? I know you're not --</p> <p>15 A Like I told you, there are different lines in the</p> <p>16 residence. Them lines in the residence are just like -- like</p> <p>17 anybody else's telephone. They call them major business</p> <p>18 lines, but they're like your home phone number.</p> <p>19 Q Okay.</p> <p>20 A So locally there wouldn't be no record of it, you</p> <p>21 know, long distance there probably would be a record or</p> <p>22 something like that.</p> <p>23 BY MS. WIRTH:</p> <p>24 Q So just so I'm clear, on the residence lines, are</p> <p>25 those White House telephone system lines or WHCA or what?</p>	<p>Page 68</p> <p>1 Q Do you know if that's also true for the residence?</p> <p>2 Can he pick up the phone and make a direct call from there</p> <p>3 without going through the switchboard?</p> <p>4 A I presume he can on them other lines.</p> <p>5 Q All right. The other lines being those that are</p> <p>6 not on the White House telephone system?</p> <p>7 A The ones that don't -- the ones that do not go</p> <p>8 directly to the switchboard. If he has any lines up there,</p> <p>9 they could dial anywhere they want to on them.</p> <p>10 BY MR. WISENBERG:</p> <p>11 Q You mentioned, Mr. Nagy, that he has the capability</p> <p>12 of just picking up -- the President just picking up a line in</p> <p>13 his office and making a call on his own. Do you know whether</p> <p>14 or not he often does that?</p> <p>15 A No.</p> <p>16 Q You're not in a position to know?</p> <p>17 A I'm not in a position to know. No.</p> <p>18 BY MR. EMMICK:</p> <p>19 Q And, also, when you said he has the capability, I</p> <p>20 thought you might have something else in mind when you said</p> <p>21 capability. I think the question was could he just make a</p> <p>22 direct call and you said he has the capability.</p> <p>23 A The capability is the line that he has. The line</p> <p>24 there. The line is not restricted, the dial line is not</p> <p>25 restricted to where he can't make an outgoing call, et</p>

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<p>1 cetera. The dial line.</p> <p>2 BY MS. WIRTH:</p> <p>3 Q And just so I'm clear, when the President does pick</p> <p>4 up the WHCA line in the Oval Office, he has to go through the</p> <p>5 WHCA switchboard. There's no way to make a direct call on</p> <p>6 the WHCA line, correct?</p> <p>7 A That's correct. The one that goes to the</p> <p>8 switchboard. That's correct.</p> <p>9 Q Now, with respect to administrative calls on the</p> <p>10 White House telephone system, if the President uses the</p> <p>11 switchboard, are records kept of the calls that he makes?</p> <p>12 A Yes. I'm quite sure you're all aware of it. The</p> <p>13 records that are kept by my operators are part of the --</p> <p>14 which go to the diarist and are part of the archives. There</p> <p>15 is a record kept of any call that he makes or receives</p> <p>16 through the White House switchboard.</p> <p>17 Q And those records are kept by the people who</p> <p>18 operate your switchboard?</p> <p>19 A Well, basically, we don't keep the records. We're</p> <p>20 not a record keeper. All we do is at the end of the day, my</p> <p>21 midnight shift types up all the President's calls, received</p> <p>22 or placed or whatever we have a record of.</p> <p>23 It is forwarded over by messenger early in the</p> <p>24 morning in a sealed envelope to Betty Currie's office, to</p> <p>25 Betty Currie. After that, we're done. We're out of it. We</p>	<p>1 on each page?</p> <p>2 A There would be -- oh, yes.</p> <p>3 Q Okay.</p> <p>4 A I mean, it could be pages of calls. I don't know</p> <p>5 how many exactly are on a page, 10 maybe, whatever.</p> <p>6 Q All right. So this is the list that your people</p> <p>7 type up.</p> <p>8 A Yes, it is. If it goes through our switchboard.</p> <p>9 Q Okay. And that's done at the end of every day.</p> <p>10 A That's done on our midnight shift.</p> <p>11 Q And the raw data, which I take it are handwritten</p> <p>12 notes as calls come in and as calls are going out, those are</p> <p>13 destroyed at the end of every day?</p> <p>14 A Yes, it is. Yes. We are not the record keeper.</p> <p>15 Q And that's always been the case.</p> <p>16 A Yes.</p> <p>17 Q In every administration that you've worked in or</p> <p>18 with.</p> <p>19 A Yes. Well, other administrations, some were kept</p> <p>20 for longer periods or whatever. You know, it got to be a</p> <p>21 burden on us, too many questions being asked, and we're not</p> <p>22 spokespeople for that. I mean, as far as staff calling and</p> <p>23 wanting to know if the President called so and so. So it was</p> <p>24 best determined that we get rid of it at the end of the day.</p> <p>25 Q Was that your determination?</p>
<p>Page 70</p> <p>1 destroy the handwritten copy. We type up -- you know, for</p> <p>2 official use, we destroy the handwritten copy, throw it in</p> <p>3 the burn bag.</p> <p>4 We're not a record keeper. They are the record</p> <p>5 keeper. We just do this per se as a service to them. It's</p> <p>6 been through history. It's been through every president</p> <p>7 since I've been there.</p> <p>8 Q That's been the procedure?</p> <p>9 A Yes. The procedure. And it's part of -- like I</p> <p>10 said, it goes to her -- once it goes over there, I have no</p> <p>11 idea, you know, if it's distributed or what they do with it.</p> <p>12 I presume it goes to the diarist and into the archives.</p> <p>13 Q I'm going to show you a copy of what is marked as</p> <p>14 Grand Jury Exhibit PF-3, which is entitled "Presidential Call</p> <p>15 Log" and the date on this particular one is December 15,</p> <p>16 1997.</p> <p>17 A Mm-hmm.</p> <p>18 Q Is this the document that your switchboard</p> <p>19 operators on the midnight shift type up?</p> <p>20 A Yes, it is.</p> <p>21 Q And they make one of these for each and every call?</p> <p>22 A Yes, it is. It is more spaces on here --</p> <p>23 Q So this has been redacted, this document?</p> <p>24 A Yes. There's more lines on here --</p> <p>25 Q In other words, there would be more than one call</p>	<p>Page 71</p> <p>1 A Yes, it was. Our procedures, our internal</p> <p>2 procedures. Our operators had a headache sometimes keeping</p> <p>3 these things.</p> <p>4 Q Okay. So PF-3 actually has a whole bunch of calls</p> <p>5 on it, not just the one that appears there.</p> <p>6 A Well, I can't say for this day, but, I mean, it</p> <p>7 looks like if this is the only call it would be up higher.</p> <p>8 You can see where it starts up here.</p> <p>9 Q Right.</p> <p>10 A So I presume there's calls up there, after could be</p> <p>11 calls, may not be calls.</p> <p>12 BY MR. WISENBERG:</p> <p>13 Q Typically, though, it will be a full page with</p> <p>14 several calls like the one on PF-3. Is that correct?</p> <p>15 A Yes. Yes. Or no calls.</p> <p>16 Q Now, what I want to make sure, absolutely clear for</p> <p>17 the record, you're looking at PF-3.</p> <p>18 A Mm-hmm.</p> <p>19 Q PF-3, this particular version is redacted, but PF-3</p> <p>20 is a document that is created by your people. Is that</p> <p>21 correct?</p> <p>22 A Yes. The information --</p> <p>23 Q In other words, this isn't something that Betty</p> <p>24 Currie creates or Ellen McCathran creates after you all have</p> <p>25 sent -- your people have sent them something else. This is</p>

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1 something, a document created by your people and then sent to
 2 Betty Currie and presumably ultimately to Ms. McCathran. Is
 3 that correct?
 4 A If this call came through my switchboard and my
 5 operator handled it, it would be logged. Like I'm saying --
 6 if I could make this comment, after it leaves and goes over
 7 there, I have no idea what happens to this log.
 8 Q Right.
 9 A But if this went through there and my operator
 10 did log this call and receive this call, you know, that's
 11 true.
 12 Q Right.
 13 A But if it went over there and there was a log, if
 14 it went over and this call was not on it, it could very well
 15 be added over there. I have no idea.
 16 Q I have a more narrow -- I think there's a more
 17 narrow question, which is just simply this letterhead, this
 18 says "The White House, Washington, Presidential Call Log."
 19 Is PF-3, looking at it, I realize it's redacted, does this
 20 appear to be typically the product of your people? You said
 21 they typed it up from raw data.
 22 A Right.
 23 Q Do they type it up on something that looks like
 24 PF-3?
 25 A Yes.

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1 Q Okay.
 2 A They fill it -- they fill the initial thing by
 3 handwritten pen on the same type of log and then at the end
 4 of the day, because there could be comments over here of not
 5 available or whatever, something like that, they just put the
 6 call transpired. And as far as I know, we're the only one
 7 that has these logs and I think maybe the signal board has
 8 them, too. They do maintain logs.
 9 BY MR. EMMICK:
 10 Q Why are they sent to Betty Currie and Nancy
 11 Hernreich? What's the purpose of that? Why don't you just
 12 send it to the diarist directly?
 13 A That's been the policy, not just because it's Nancy
 14 Hernreich or Betty Currie. That's been the policy in all
 15 presidential administrations. There's someone that's
 16 responsible for this call log. They are responsible to get
 17 it to the diarist.
 18 I guess -- I presume, again, when they get it over
 19 there, they check it for the accuracy or whatever, just like
 20 we try to check it and make sure that -- you know there's
 21 times we've made mistakes on it.
 22 We might put a wrong number down or spell the
 23 name wrong and so we've got to retype it or whatever. So
 24 I have no idea. All I know is that it's controlled by that
 25 office.

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1 Like I made a comment before that, you know,
 2 numerous times in all administrations that I deal with,
 3 you've had staff members saying, "Well, the President was
 4 supposed to call Joe Blow. Did he call him last night?"
 5 And so on.
 6 You know, my operators are in a position that
 7 they're operators, they handle calls. They're not
 8 spokespeople for the White House, so you have a central point
 9 that has the responsibility to control these logs and it's
 10 always been in the Oval Office, the secretary or executive
 11 assistant.
 12 Q Do they ever change the logs?
 13 A Who?
 14 Q Betty Currie or Nancy Hernreich.
 15 A I have no idea. Like I said, once it leaves our --
 16 it goes in a sealed envelope to them and it's delivered to
 17 them. I have no idea after it gets over there what is done
 18 with the log.
 19 BY MS. WIRTH:
 20 Q If there's a mistake, you mentioned earlier that
 21 sometimes there may be a mistake in the time of the call or
 22 the name, a misspelling of the person, if there is a
 23 correction called for, do they call your people and ask them
 24 to make it or do they make it? They being Betty Currie or
 25 Nancy Hernreich.

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1 A The majority of the time, we catch the mistake but
 2 it's already gone out. All my supervisors, when they come
 3 in, that's one of the logs that they check. There's numerous
 4 other logs and equipment that they check to make sure that
 5 they know what's transpired during the day, there's a
 6 possibility there could be a call outstanding that's going to
 7 be coming in to the President and so on. So we try to check
 8 for accuracy on everything.
 9 However, it does slip through sometimes and we may
 10 catch it after the log's already gone out on the day shift
 11 and we might call a supervisor -- my chief operator calls her
 12 and says, "Betty, we made a mistake on that, we'll retype it
 13 and send another one over" or whatever.
 14 I don't know -- I can't give you examples if they
 15 ever called over, if they probably did catch a mistake they
 16 might have. Or they just might have wrote on it. I don't
 17 know. But I know we have corrected things that we have
 18 caught and sent over to them.
 19 MS. WIRTH: I saw a hand.
 20 A JUROR: Didn't your office keep a copy of what
 21 you sent to Betty Currie?
 22 THE WITNESS: No. That's the one that's destroyed.
 23 A JUROR: So that only one copy was made, the
 24 original was sent to Betty Currie.
 25 THE WITNESS: The original is sent to Betty Currie.

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1 BY MR. EMMICK:

2 Q What information do you instruct your operators to
3 obtain from someone who calls in in order to get a hold of
4 the President? For example, I notice there that there is an
5 address, there's a name, there's a return phone number,
6 there's some other information. What's the standard
7 information that's requested?

8 A Exactly what you see right here. Their name, the
9 address and the phone number if there is one.

10 Q Do they ask "What does this call pertain to?"

11 A Of course, I don't want to get into the exact
12 procedure of how calls are handled or cleared to go in to the
13 President, but there is a procedure.

14 Of course you've got to verify this person is the
15 right person, you know. And we have a procedure and methods
16 to do that. And the operators, as you're aware, the White
17 House telephone system, they're very good at determining --
18 knowing who are the people that are calling the President.
19 Just the public calls in, we get numerous calls from the
20 public that want to talk to the President all day and so on,
21 but that does not go there. That does not get logged in
22 there. That's referred to the comments. Staff members or
23 dignitaries or so on, that is verified.

24 I mean, we just don't say, you know, put the call
25 over to the President saying we've got, you know, the king of

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1 Spain calling or something like that. There's a procedure
2 and I can't go into the detail exactly how we do this, but
3 once it's referred over there, it's referred -- if it's in
4 the daytime, it's referred over there and then it's not
5 necessarily rung in to the President, it's rung to Betty or
6 Nancy, saying that we have a call for the President.

7 Q Do your operators ask "What is this call
8 regarding?"

9 A No, they do not.

10 Q Okay. So there's no subject matter that's
11 described on the Presidential call log, it's just somebody
12 called and here's the number for the return call.

13 A That's correct.

14 BY MR. WISENBERG:

15 Q Have your operators ever been asked or have you
16 ever been asked or told if X person calls or if X people call
17 we don't want to see their names on one of these logs?

18 A I have never been told.

19 BY MR. EMMICK:

20 Q But?

21 A But that's a possibility, telling my operator, the
22 one that handles the call, that don't log the call.

23 BY MR. WISENBERG:

24 Q Have you ever heard similar to what I just
25 suggested?

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1 A The only thing I could say, what I've heard is
2 speculation. It could have been an operator saying they were
3 told not to do this and told their supervisor or whatever
4 made them aware of it.

5 BY MR. EMMICK:

6 Q Tell us what you heard.

7 BY MR. WISENBERG:

8 Q Yes, gives us an example of what you've heard.

9 A I'm trying to think. There was one and I don't
10 know who it was, but it was brought to my attention by my
11 chief operator, was told not to log it, then to log it. I
12 don't know exactly who it was, what call it was.

13 I mean, it's not necessary that has happened to --
14 it's happened in other administrations, you know, so it's not
15 just necessarily this administration, but there are some
16 calls that -- you can only speculate because then you see it
17 in the press the next day, that so and so was appointed as
18 the Secretary of Defense or whatever, so somehow they
19 wanted -- they may think it could be leaked out that the
20 President talked to so and so and the next day the man's name
21 is in the paper, he's the new Secretary of Defense or
22 whatever like that.

23 So there are some sensitive calls, probably, they
24 don't want logged. Or if he talked to someone in -- you
25 know, in Russia or something like that. I'm only speculating

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1 on some of that. I did hear, but it's -- I can't verify it
2 for sure.

3 Q I want to try to separate speculation from any
4 events, the underlying events. Are you saying that there's
5 only one time when you even heard about -- I want to talk
6 about the universe including you being told or you hearing
7 that your operators were told not to log -- even temporarily,
8 not to log a particular call in.

9 My question is was there only this one incident
10 that you told us about where, like you said, the chief
11 operator said that someone told him not to log this and then
12 there was a change. Are there any other incidents like this
13 at all in this administration?

14 A It's hard to remember back to the beginning of this
15 administration. I think there might have been a few other
16 incidents.

17 Q What can you tell us based on your memory what you
18 know about the -- what you know about what kinds of calls
19 these were that requests were made on?

20 In other words, you've given us an example of
21 somebody who called who maybe a few days later might have
22 been appointed to a cabinet position.

23 A Mm-hmm.

24 Q If you recall, what kind of people were being
25 told -- were the operators being told don't put their names

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1 on the log?

2 A That's a hard question to ask. I'm trying to

3 remember. What I would have heard would have been from, you

4 know, my chief operator or one of my supervisors and I can't

5 really give you a name, I can't give names on calls because,

6 you know, like I said, it could have been way back.

7 BY MR. EMMICK:

8 Q Well, who would give the direction not to log the

9 call? Would it be the President calling the operator and

10 saying "Get a hold of the Secretary of Defense, but don't log

11 this call"?

12 A It could be from the President. I've never heard,

13 you know, of the President saying that. More than likely it

14 would be one of the individuals in the office, either Betty

15 Currie or Nancy Herreich or in past administrations whoever

16 was in that position. The guidance more than likely would

17 come from there.

18 I'm not saying the President has never done it. I

19 mean, I can't speak -- you know, if an operator is there, is

20 working at midnight and the President places and a call and

21 says, "Hey, don't log this," I mean, the operator may not say

22 anything to anybody so we're not going to know.

23 So I can't -- you know, it's all speculation. I

24 did hear some occasions, but I didn't hear that the President

25 said it or whatever, it came out of the office, so that meant

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1 that it was during the daytime or when someone was in the

2 office there.

3 BY MR. WISENBERG:

4 Q What was the type of -- well, the first question is

5 do you recall on any of these occasions being told who the

6 person was who asked? Who asked that someone not be logged?

7 In other words, Betty Currie asked --

8 A Betty Currie was one of them.

9 Q Do you recall anyone other than Betty?

10 A No. Nancy could have been one, you know. I don't

11 remember, just a recent one, that's all and it was Betty.

12 And, again, if the operator says something to me or the chief

13 operator, that's the only way I would have known about it.

14 BY MR. EMMICK:

15 Q I didn't quite hear. You said something, a recent

16 one was Betty?

17 A Well, the one I was trying to talk to you about.

18 Q And when was that?

19 A Oh, a week or two ago or something. I don't even

20 know who it is or was. They didn't want the call logged,

21 then they wanted the call logged. Wait a minute. I'm

22 trying to think of what it was. I think it was from --

23 I think it was a call from overseas. From someone that

24 was going to be -- well, I don't know. That's just

25 speculation.

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1 That person requested to talk to the President,

2 I guess they were being considered for an appointment

3 somewhere or something like that. He was telling the

4 operator that.

5 Q And did that call --

6 A It was a very sensitive call or something like

7 that.

8 Q Did that caller request that it not be logged or

9 did Betty then call in and say "Let's not log that"?

10 A That caller requested -- I'm trying to recall the

11 conversation. I was told he requested that it was a very

12 personal, sensitive call, to let the President know that he

13 had to talk to him. And Betty was made aware of that and so

14 on. So then I think Betty is the one that requested it not

15 be logged. I'm not sure it was Betty. Someone requested it

16 not be logged. I don't think it was the President. It might

17 have been that individual calling.

18 BY MS. WIRTH:

19 Q And then that decision was overturned? Then it was

20 decided that it would be logged?

21 A Yes.

22

23 BY MR. WISENBERG:

24 Q Do you know who overturned it?

25 A I think it was Betty said to log it, the next

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1 morning or something like that.

2 Q Do you remember who it was that called? Who made

3 the call from overseas?

4 A Yes, I do.

5 Q Who was that?

6 A Do I have to say who it is?

7 MR. EMMICK: You do.

8 MR. WISENBERG: Yes, you do.

9 THE WITNESS: I think it was Mr. Holbrook.

10 BY MR. WISENBERG:

11 Q That's Richard Holbrook?

12 A Right.

13 Q Going back to -- if I'm characterizing your

14 testimony accurately, you said there were a few occasions to

15 your recollection during this administration where incidents

16 such as this were reported to you where somebody would ask an

17 operator not to log a particular call and my question to you

18 is given the example of Holbrook, for instance, it involved

19 foreign affairs, do you know -- were you told -- do you know,

20 can you tell us, what were these other occasions, who were

21 the types of people making the call?

22 That is to say, were they similar type calls to the

23 Holbrook call, you know, an official call from somewhere, or

24 were they -- did they appear to be more of a personal nature?

25 A I really don't know the answer to that one.

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1 Q You can't recall?

2 A I can't recall really. You know, I guess,

3 basically, again, it's not necessary that -- I think when

4 it's reported to the proper channels, my supervisor, et

5 cetera, when it gets to me, it's more or less that they're

6 reassured, too, that they're not doing anything wrong.

7 And like we always say, you know, you're there to serve

8 and you do what you're told to do, basically.

9 Q Nothing that made you -- none of these incidents

10 that made you raise your eyebrows and say "Why would they

11 want that deleted?"

12 A No. I didn't say that. No. I mean, it came to me

13 more or less like the fact of, you know, well, you know, so

14 and so was told not to log that call last night and just in

15 case something comes up about it, a question is asked, we

16 want to make sure you know about it, too, or whatever.

17 And my response would be, well, you know, if you

18 were told by the proper authority, you've got to just follow

19 what they tell you to do.

20 MR. WISENBERG: I'm stunned to report --

21 THE FOREPERSON: We're stunned to hear what you're

22 about to say.

23 MR. WISENBERG: -- that lunch is here.

24 THE FOREPERSON: I'm stunned.

25 MR. WISENBERG: I'm just noting that for the

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1 record.

2 MS. WIRTH: I just have a couple of questions.

3 BY MS. WIRTH:

4 Q Who is the supervisor that you were referring to

5 who is knowledgeable about these requests?

6 A Well, my chief operator is.

7 Q And who is that?

8 A Kathryn McKeown.

9 Q All right. And when you mentioned a moment ago

10 that you know that someone is being told not to log the call,

11 who has the authority to request or demand that a call not be

12 logged?

13 A Well, the President -- if it came from the

14 President of the United States, I don't think anybody

15 else has any more authority than he does. If it came from

16 the Vice President, no one has any more authority than he

17 does.

18 If you get into the staff area, the only ones,

19 like I said, that have anything to do with the President's

20 calls and so on would be in that office, that title that

21 Betty Currie or Nancy Hearnreich, someone responsible for

22 that office, the operations of the Oval Office area.

23 You know, the President of the United States told

24 my operator to do something, I mean, they're going to do it.

25 There's not going to be any questions asked.

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1 Q The question that the grand juror on the back row

2 asked before about these forms, PF-3, I take it there are raw

3 notes that people keep during the day as calls come in and

4 calls go out. Those are destroyed, correct? At the end of

5 the day?

6 A What happens is that on each shift, depends when

7 the call is, they'll write it in pen on there.

8 Q On this form?

9 A On this form.

10 Q I see. And then it's typed?

11 A At the end of the day, it's typed up.

12 Q And the handwritten versions are --

13 A The handwritten is destroyed, torn up, thrown in

14 the burn bag.

15 Q I think the question he was asking, though, is do

16 you keep a copy of this document that you send over to Betty

17 Currie. Do you keep a copy of the typed version for your own

18 records?

19 A No. We do not keep -- well, I'm trying to think.

20 They may have a typed version, but that's also destroyed.

21 The handwritten one is attached to it and that will be

22 destroyed.

23 Q When?

24 A In the morning. So my chief operator or whatever

25 can verify it, make sure everything's correct on it.

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1 Q So you have no copy in the records kept by your

2 office of the type document that's sent over to Betty Currie

3 and Nancy Hearnreich.

4 A We have -- we have a typed version of it. What we

5 do is type up the original and I think they Xerox it and

6 attach this to the handwritten one.

7 Q Why do you do that if you throw it away?

8 A So they could verify that everything is accurate on

9 it, so my chief operator in the morning verifies it.

10 Because, like I said, there's errors and we were getting kind

11 of sticky on errors that were being made on it.

12 Q And then that -- both the handwritten and the typed

13 copy are thrown away.

14 A Yes.

15 Q And you have absolutely nothing in terms of copies

16 of what's been sent over to Nancy Hearnreich and Betty Currie

17 in the morning.

18 A No. I have nothing.

19 MS. WIRTH: Okay. That's all I have.

20 A JUROR: In your experience with keeping the phone

21 logs, 25 years worth, is it an unusual thing to have certain

22 calls be requested to be taken off the records?

23 THE WITNESS: You have to remember I've been there

24 since the Nixon era. And not precluding that -- I mean,

25 there was a lot of things went on on foreign affairs during

<p style="text-align: right;">Page 89</p> <p>1 the Nixon era, you know, with China opening up and Russia and 2 so on. And I was on a different side of the house and there 3 were probably the same thing, some very sensitive calls 4 during that period that they probably didn't want on call 5 logs that the President spoke on. 6 So I don't think it's unusual for certain things. 7 I mean, I wouldn't take it that it's something entirely 8 different, that's never been done with this administration. 9 All administrations have done it. I can't tell you 10 exactly with what call or whatever because I don't know, 11 but I know per se that it's been done. Just common sense, 12 you know. 13 MR. WISENBERG: I'll tell you what. I'm going 14 to ask you, Mr. Nagy, if you would just step outside 15 for about a couple of minutes while we discuss scheduling 16 issues. 17 THE WITNESS: You mean I'm not finished? 18 (Witness excused. Witness recalled.) 19 MR. WISENBERG: Let the record reflect that the 20 witness has reentered the grand jury room. 21 Madam Foreperson, do we have a quorum? 22 THE FOREPERSON: We most certainly do. 23 MR. WISENBERG: Are there any unauthorized persons 24 in this grand jury room? 25 THE FOREPERSON: No, there are not.</p>	<p style="text-align: right;">Page 91</p> <p>1 not good, we can work you in another time. 2 THE WITNESS: Okay. I'll have to check my 3 schedule. That's the 26th, right? 4 MR. WISENBERG: Yes, it is. And we can have 5 whatever agent you've been dealing with from our office can 6 call you on that and work it out. We appreciate it very 7 much. 8 Any other questions of the witness? Since we're 9 going to have him back for about an hour -- 10 THE WITNESS: Only an hour? 11 THE FOREPERSON: That's right. Get it on the 12 record. 13 THE WITNESS: Put it on the record. 14 MR. WISENBERG: About an hour. 15 THE WITNESS: Okay. 16 MR. WISENBERG: And I'll remind you that while 17 you're perfectly free to talk about what you discussed here 18 today, you are absolutely not required to talk about what 19 went on here today. You understand that, right? 20 THE WITNESS: Yes. 21 MR. WISENBERG: Okay. 22 THE WITNESS: My own free will. 23 MR. WISENBERG: All right. Thanks very much. We 24 appreciate it. 25 THE WITNESS: Thank you.</p>
<p style="text-align: right;">Page 90</p> <p>1 Mr. Nagy, you are still under oath. 2 BY MR. WISENBERG: 3 Q Mr. Nagy, one of the grand jurors wanted this 4 question asked. You had referenced some meetings 5 that took place when there were discussions in '93 about 6 revamping the phone system in the White House. Do you 7 recall that? 8 A Yes. 9 Q Do you know whether or not anybody took notes 10 during any of those meetings? Can you recall that? 11 A I think -- as a matter of fact, I'm pretty sure 12 there were minutes of it. I don't know who took them, but 13 there were minutes because I had seen them afterwards. 14 Someone did take minutes. 15 MR. WISENBERG: Okay. I know that we have 16 inconvenienced you, not only today, but in the past when we 17 have interviewed you. I thought we were going to be able to 18 finish, but we have some people today who came from out of 19 town. I think we have about an hour left with you and if we 20 continue, I don't think we'd be able to get done with those 21 people. 22 So I apologize profusely for that and we are going 23 to ask you, if it's consistent with your schedule, to come 24 back next Tuesday for about another hour. And if you'd like, 25 we could talk to you about that over the phone. If Tuesday's</p>	<p style="text-align: right;">Page 92</p> <p>1 THE FOREPERSON: Thank you. 2 (The witness was excused.) 3 (Whereupon, at 12:33 p.m., the taking of testimony 4 in the presence of a full quorum of the Grand Jury was 5 concluded.) 6 * * * * *</p>

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

----- X
In re: :
GRAND JURY PROCEEDINGS :
----- X

Grand Jury Room No. 3
United States District Court
For the District of Columbia
3rd & Constitution, N.W.
Washington, D.C. 20001

Tuesday, May 26, 1998

The testimony of ALEX GEORGE NAGY was taken in the presence of a full quorum of Grand Jury 97-2, impaneled on September 19, 1997, commencing at 1:47 p.m., before:

SOLOMON WISENBERG
Deputy Independent Counsel
MARY ANNE WIRTH
JAMES CRANE
Associate Independent Counsel
Office of Independent Counsel
1001 Pennsylvania Avenue, Northwest
Suite 490-North
Washington, D.C. 20004

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1 since the last time you testified that certain things have
2 recurred to you in addition to things you testified about
3 previously. Is that correct?
4 A Yes, that is.
5 Q Okay. And one of those matters involves lists of
6 telephone numbers of people employed at the White House. Is
7 that right?
8 A That's correct.
9 Q What additional information do you have for the
10 grand jury?
11 A The telephone system has numbers that are
12 associated with individuals in each office throughout the
13 Executive Office of the President. There is a record or
14 list that is provided on a monthly basis to each
15 organization, like the White House, OMB, et cetera, and it
16 goes to one of their people responsible to have that
17 information.
18 Q Now, the last time you testified, I believe you
19 said that a White House telephone list is generated
20 approximately twice a year. Is that correct?
21 A A list of telephone numbers is generated on a
22 monthly basis.
23 Q Okay. And how is this distinct from the telephone
24 book that comes out twice a year approximately?
25 A The telephone directory is a telephone directory.

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PROCEEDINGS

1 Whereupon,
2
3 ALEX GEORGE NAGY
4 was called as a witness and, after having been duly sworn by
5 the Foreperson of the Grand Jury, was examined and testified
6 as follows:
7
8 EXAMINATION
9 MS. WIRTH: And, for the record, we have a quorum?
10 THE FOREPERSON: Yes, we do.
11 MS. WIRTH: And there are no unauthorized persons
12 in the grand jury?
13 THE FOREPERSON: There are not.
14 BY MS. WIRTH:
15 Q Mr. Nagy, you appeared last before this grand jury
16 on May 19, 1998, which was last Tuesday. Is that right?
17 A That's correct.
18 Q And do you recall your rights as a federal
19 grand jury witness as they were given to you last time by
20 Mr. Wisenberg?
21 A Yes, I do.
22 Q And you don't need those to be given to you again,
23 do you?
24 A No, I do not.
25 Q Okay. Just a moment ago, we had a brief
conversation outside the grand jury where you advised me that

Page 4

1 Q And what is this that you're talking about?
2 A It's just a list of phone numbers and individuals
3 and organizations. It's a general list of just their office
4 telephone number.
5 Q Okay.
6 A The other list, to distinguish, to clarify, is a
7 list of every telephone number that is in the Executive
8 Office of the President. Every ~~one~~ or ~~two~~ number. And
9 whatever office that that coincides or pertains to goes to
10 that office on a monthly basis for them to verify the
11 accuracy of it.
12 Q Okay. Just so that I can understand this better
13 and the grand jury can, too, the monthly list that you're
14 talking about, does it contain a list of employees in
15 alphabetical order like most phone lists? Or is it something
16 different?
17 A It is something different. It's a list that's
18 broken down by the individual offices per se within
19 the White House, what numbers that they have, like it
20 will say the First Lady's office or the press office,
21 et cetera.
22 Q Okay. So, for example, for the First Lady's
23 office, the example that you gave, would this monthly list
24 give a list of the employees in the First Lady's office or
25 just the telephone numbers associated with that office?

Page 5

1 A It gives the number and I believe it shows the
2 office, like the First Lady, and in the comments it may
3 designate who it belongs to. It may say the person.
4 Q Who generates this monthly list?
5 A It's by the contractor, AT&T, which is given to
6 the -- which I explained before, there's a contracting
7 officer for the Executive Office of the President.
8 Q And who would that be?
9 A That's Mrs. Cheryl Hall. The one that's presently.
10 Q Okay. So Cheryl Hall would have custody of these
11 monthly lists?
12 A Yes. She's the one that has it distributed.
13 Q And is it distributed, this monthly list, to
14 everyone in the White House?
15 A No. It's distributed to certain individuals like,
16 for example, the White House one goes to the Special
17 Assistant to the President, to the President for White House
18 Operations, the administrative office.
19 Q Do you get one in the course of your work?
20 A No. I didn't get one. On occasion, I did get one
21 to provide to -- I was asked for it by the Special Assistant
22 to the President for White House Administration and that was
23 back in 1997. I forget what month it was.
24 Q So this monthly list is not widely distributed in
25 the White House.

Page 6

1 A No, it is not. Not that I know of.
2 Q Okay. Now, do you recall the last time you
3 appeared you saw or you were shown a document which was Grand
4 Jury Exhibit -- a copy, excuse me, of Grand Jury Exhibit
5 PF-3. Do you remember this document?
6 A Yes, I do.
7 Q And what information, if any do you have for the
8 grand jury about this document?
9 A I believe I made a statement that there's more that
10 goes on this log, possibly I think it was ten spaces, I think
11 I said. To be exact, there's eleven individual spaces where
12 you can make entries on it.
13 Q Okay. So the last time you testified that this
14 document, which is Grand Jury Exhibit PF-3, appeared to have
15 been redacted. Correct?
16 A Yes, it was.
17 Q Okay. Because in fact only one line, an entry for
18 one line, appears on this document. Is that right?
19 A That's correct.
20 Q And what's you're saying is that last time you
21 thought that there were approximately ten entries on each
22 page.
23 A Right.
24 Q And now in fact you've counted and there are in
25 fact eleven.

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1 A Eleven.
2 Q Okay. Now, another matter on which you would like
3 to provide further information relates to the revamping of
4 the phone system in 1993. Is that correct?
5 A Yes.
6 Q What new information do you have about that or
7 additional information?
8 A Thinking about that, back in 1993, prior to
9 the phone system being actually activated and implemented,
10 I believe I mentioned there was a committee that was
11 formed.
12 This committee was composed of different
13 individuals from different agencies, as well as a project
14 manager from the contractor, AT&T; a project officer or a
15 contracting officer from the government, which was out of
16 the Office of Administration at that time; and an outside
17 contractor that was contracted, who was Mr. John Anderson
18 of The Anderson Group, I believe his title is. He was CEO
19 of that group.
20 Q Okay. And do you have any additional information
21 for the grand jury regarding each telephone in the White
22 House and whether each telephone is associated with a number?
23 A Each telephone -- excuse me. Going back also to
24 the last question --
25 Q Sure. I'm sorry.

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1 A I was asked also if there was any kind of records
2 or minutes that were taken.
3 Q Yes.
4 A There were minutes taken of that and I believe it
5 was the project manager from AT&T that did that or the one
6 from the government.
7 Q And do you know who those people would be?
8 A Yes, I do.
9 Q Who are they?
10 A It was Mr. Paul McQuillan.
11 Q Who is he?
12 A He was the project manager for AT&T.
13 Q How does he spell his last name?
14 A Capital M, small c, capital Q, u-i-l-l-a-n.
15 Q And you feel fairly certain that he took minutes?
16 A I'm fairly certain he took it or the representative
17 from the government, from OA.
18 Q From where?
19 A From the Office of Administration, the rep that was
20 part of that committee.
21 Q Okay. And who was that?
22 A That was Mr. Larry Jurich.
23 Q How do you spell that?
24 A J-u-r-i-c-h.
25 Q And where does he work?

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Page 11

1 A He's presently employed with ATM under the Treasury
2 Department. When he was at the White House, he was at the
3 Office of Administration. He was in the security department
4 there, the data work.

5 Q Okay. Do you have anything additional that you
6 want to tell us about that you can think of?

7 A No. Going on to your other question, you asked
8 about the number, the phones, the individual number?

9 Q Yes.

10 A I'm sorry, I interrupted you to go back.

11 Q That's all right.

12 A Each telephone under the present system has an
13 individual number that's assigned to account for the phone.
14 That number is utilized by the staff as a primary private
15 number. Each phone has one of these numbers. They can also
16 pick up additional numbers, but this is the main number
17 that's assigned to that phone.

18 Q Okay. All right. What I'd like to do is just
19 recap a little bit of the information that you gave us the
20 last time and ask you a few questions with respect to each
21 area.

22 Once again, with respect to the White House
23 telephones that are used in the offices, not in the
24 residence, but in the offices of the White House, with
25 respect to White House telephone services telephones, your

1 have there, but there are some that they have in the
2 residence.

3 Q And that's because they're commercial records that
4 are kept?

5 A They're commercial. Yes.

6 Q Okay. And do you know if there are numbers in
7 the residence?

8 A Yes, there are some.

9 Q Okay. Do you know what any of those numbers are?

10 A No, I don't know. They would come under -- again,
11 that would come under the ushers office. There's a
12 number that goes to the switchboard, but that's like a direct
13 line.

14 Q Okay. And do you know whether the numbers in
15 the residence, whether the person who picks up that line has
16 the option of going through the switchboard and making a
17 direct call themselves?

18 A They have the option of going through the
19 switchboard or they have the option of dialing direct.

20 Q And with the other numbers where the prefix is
21 different from 456, with those numbers, the person is dialing
22 direct who picks up the phone. Is that correct?

23 A Yes.

24 Q Okay. By the way, who pays the bills on the White
25 House residence phones where the prefix is not 456?

Page 10

Page 12

1 testimony was that long distance records on those telephones
2 cannot be obtained. Is that correct?

3 A That's correct.

4 Q Okay. And you've also testified that local --
5 information on local calls on those telephones cannot be
6 obtained. Is that correct?

7 A That's correct.

8 Q And with respect to international calls, did you
9 say that those also cannot be obtained or that they can?

10 A They can be obtained, but they're not identified
11 with any telephone number for any of the phones. They're
12 identified with the trunking that it goes out over out of the
13 main system.

14 Q And what does that mean?

15 A Basically, on your telephone system you have a
16 telephone, what we call a trunk, that accommodates numerous
17 lines. If you dial out on it, we just go out on this trunk.
18 It's separate and it doesn't identify the telephone, it
19 identifies the trunk. It doesn't identify the telephone
20 number.

21 Q Okay. Now, again, to review on the White House
22 residence telephones, you testified that you can get long
23 distance records, but only on numbers that begin with a
24 prefix that's different from 456. Is that correct?

25 A I believe. And I don't know how many numbers they

1 A It comes under the ushers office. I think it comes
2 under the residence billing, I believe.

3 Q And, once again, with respect to the White House
4 residence phones, as far as you know, there are no records
5 kept of local calls out of those phones, whether the prefix
6 is 456 or something else. Is that right?

7 A Yes.

8 Q Okay. Now, you also told us that the President can
9 make a direct call from the Oval Office without going through
10 the switchboard. Is that right?

11 A Yes.

12 Q Okay. And you also told us that the President can
13 make a direct call from the residence without going through
14 the switchboard. Is that right?

15 A Yes.

16 A JUROR: Can I ask a question real quick?

17 MS. WIRTH: Sure.

18 A JUROR: With the style telephone system that you
19 have, it's electronic and, say, for instance, I'm in Betty
20 Currie's office and I pick up the line and I want to call
21 overseas. Is it not true that if all of the lines in one
22 particular trunk are busy because it is electronic it will
23 search all the trunks until it finds an open line and then go
24 out?

25 THE WITNESS: Yes. I believe you are correct.

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1 A JUROR: Thank you.
 2 BY MS. WIRTH:
 3 Q You testified last time about WHCA secure lines,
 4 right?
 5 A Yes. Whatever knowledge I had of it.
 6 Q Pardon me?
 7 A The limited knowledge I have of it.
 8 Q You said that it was your understanding that in the
 9 Oval Office there are both WHCA secure lines and WHCA regular
 10 lines, right?
 11 A Yes.
 12 Q Okay. Are the secure lines on a separate
 13 telephone? Do you know?
 14 A The secure line is on a separate telephone.
 15 Q Okay. And do you know whether to use the WHCA
 16 secure line to make a call you have to be calling someone who
 17 is also on a WHCA secure line?
 18 A Yes, you do. Not necessarily a WHCA secure line,
 19 another secure line.
 20 Q But another secure line.
 21 A A government secure line.
 22 BY MR. WISENBERG:
 23 Q Is there any way you can tell --
 24 Do you mind if I interrupt, Mary Anne?
 25 MS. WIRTH: No, go ahead.

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1 BY MR. WISENBERG:
 2 Q Is there any way you can tell from a printout,
 3 we've got some printouts, I think we showed you examples of
 4 them last week that were partially redacted, we've got some
 5 from the regular switchboard and some from the WHCA
 6 switchboard. Is there any way that you're aware of from
 7 looking at the WHCA printout that you can tell which of the
 8 two lines it was on, the secure or the non?
 9 A The only thing you showed me was one of the White
 10 House with a Betty Currie call on it.
 11 MS. WIRTH: Okay. I'm going to put before you
 12 Grand Jury Exhibit PF-6, which is a one-page document.
 13 BY MS. WIRTH:
 14 Q Can you look at that and tell us whether that's
 15 something you recognize?
 16 A Just by reading the stuff, it's the signal
 17 switchboard presidential call log.
 18 Q Have you ever seen this before, this type of
 19 document?
 20 A I seen it when I was in WHCA.
 21 Q Do you know if this is a record kept by the WHCA
 22 switchboard people?
 23 A Yes, it would be.
 24 Q I guess the question was whether on this
 25 document --

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1 BY MR. WISENBERG:
 2 Q Can you look at a document like that and tell
 3 whether the person was using the more secure line
 4 less secure line or what they thought was a more secure
 5 line?
 6 A No, you can't. I don't know -- I can't. I don't
 7 know what these numbers are, if they are a secure number or a
 8 regular administrative number. They have -- like it says
 9 White House signal, reading this here, it looks like it is a
 10 direct line to the signal switchboard.
 11 Q All right. You referred to numbers and that would
 12 be, for instance, on the 5:12 p.m. entry on PF-6 it says
 13 [REDACTED]
 14 A Yes.
 15 Q Whereas the one right above that says [REDACTED] Is
 16 that correct?
 17 A That's correct.
 18 Q Is it conceivable that those would be two different
 19 extensions, one of them would be the more secure line? Or
 20 would you just be guessing at that?
 21 A I would be guessing at that because I don't know
 22 what these numbers are.
 23 Q All right. But as far as you looking at this
 24 particular document, based on what you remember about your
 25 time in WHCA, there's nothing without further research

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1 would tell you which of the two WHCA lines this is. Is that
 2 a fair statement?
 3 A That's a fair statement. Correct.
 4 MR. WISENBERG: Thanks.
 5 BY MS. WIRTH:
 6 Q Now, can you tell me if my understanding of the
 7 phone usage in the Oval Office is correct in the following
 8 sense, is it true that the only way that the President could
 9 make a call from the Oval Office without going through the
 10 switchboard would be on a non-WHCA line, on a White House
 11 telephone services line, in other words? Is that true?
 12 A I'm not sure about the capabilities on that WHCA
 13 line they have. I do know on our line.
 14 Q He can make a direct call on your line.
 15 A Yes.
 16 Q Which is the White House telephone services line.
 17 A The [REDACTED] number.
 18 Q Okay. I thought you testified the last time that
 19 if he makes a telephone call on the WHCA line he has to go
 20 through the switchboard. Is that true?
 21 A As far as I know, to the best of my recollect
 22 Q Okay. So as far as you know, he's not capable
 23 making a direct call on a WHCA line.
 24 A That's correct.
 25 Q Okay. I want to go back for a moment to the lists,

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1 PF-3 and so on, the lists that you testified were made by
 2 your midnight shift.
 3 A It was typed up by them. Right.
 4 Q The typed -- Grand Jury PF-3 is an example of that,
 5 right?
 6 A Yes.
 7 Q And you testified a few minutes ago that in fact
 8 you've counted since the last time you were here and there
 9 are eleven entries normally kept on each of these documents,
 10 right?
 11 A That's correct.
 12 Q Now, who are the people by name who type up this
 13 list and have typed it up for the past three years? If you
 14 know.
 15 A The possibility -- it could be every one of the
 16 staff in the White House switchboard, the operators or the
 17 supervisors. And there's 13 of them.
 18 Q Okay. Do people rotate through the midnight shift?
 19 A They do, occasionally. We try to keep a permanent
 20 shift, but we don't have the personnel, so we do rotate them
 21 for leaves, they call out sick, et cetera.
 22 Q Okay. Could you give us as many names as you can
 23 remember of the people who are on your switchboard?
 24 A Yes, I could.
 25 Q Could you do that?

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1 A Okay. There's -- the present supervisor is Brenda
 2 Daniels.
 3 Q And how long has she been the supervisor?
 4 A She's been there, I think, about 15 years.
 5 Probably out of that time she's been supervisor maybe 10
 6 years.
 7 Q Okay. And she supervises on a rotating basis
 8 through the day and the midnight shift?
 9 A She's majority on the midnight shift, but to give
 10 her a break, we have other people that have to fill in.
 11 Q Does she review these lists after they're done?
 12 A Yes, she does. As a matter of fact, the policy, I
 13 believe now, on the switchboard is at the end of each shift,
 14 the supervisor in charge would review it for the accuracy and
 15 Brenda is the final one that reviews it before she types it
 16 up.
 17 Q Who are the other supervisors who might rotate
 18 through the midnight shift?
 19 A There's Joan Nichols.
 20 Q How do you spell that?
 21 A N-i-c-h-o-l-s.
 22 Q Okay.
 23 A Mary Rouse.
 24 Q How do you spell that?
 25 A R-o-u-s-e. Let me see. Virginia Southerland.

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1 Very seldom she's down there, but there's a possibility she
 2 could -- all these supervisors do review this log, like I
 3 stated. And Eileen Bean, B-e-a-n.
 4 Q Okay. And can you give us as many of the names of
 5 the switchboard operators as you can remember? If you can.
 6 A I'll have to go shift by shift so I can remember
 7 them. Yvonne Bailey. Let me see. On the day shift is
 8 Carmella Williams, Kimberly Byrd, B-y-r-d, Donna
 9 Tate-Allison.
 10 Q How do you spell that last name?
 11 A Tate, T-a-t-e, dash Allison, A-l-l-i-s-o-n.
 12 Janet Gordon, G-o-r-d-o-n. Lottie Graham.
 13 Q G-r-a-h-a-m?
 14 A Correct. And we have one male and I'm going to
 15 mess his last name up. The first name is Linus.
 16 Q L --
 17 A L-i-n-u-s. And the last name is, I believe,
 18 spelled A-m-o-i-s-h or something similar to that.
 19 Q A-m-o-i-s-h?
 20 A Right. And presently the chief operator is Kathryn
 21 McKeown, which I so stated before.
 22 Q You did.
 23 A She's been there 30 years, so she's --
 24 Q And what is her job?
 25 A She's the chief operator now presently. At one

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1 time, way back in her history, she had been an operator and
 2 she's been supervisor, et cetera.
 3 Q And how does she spell her last name?
 4 A Capital M, small c, capital K, e-o-w-n.
 5 Q Okay. Now, these lists of which PF-3 is an
 6 example, do you know if they're typed on a typewriter or on a
 7 computer?
 8 A They are typed on a typewriter.
 9 Q Okay. Do you personally review those lists at any
 10 time or have you in the past three years?
 11 A I've looked at them once in a while when I get on
 12 the switchboard or I get briefed on them.
 13 Q Okay. Have you ever seen Monica Lewinsky's name on
 14 any of those lists?
 15 A I don't recall I ever did see her name on it.
 16 No, I did not.
 17 Q Has anybody you work with on the switchboard,
 18 either supervisor or employee, mentioned to you that they've
 19 seen her name on the list?
 20 A I believe Kathryn McKeown mentioned something about
 21 Monica Lewinsky, not necessarily on a list. Something about
 22 a call or something, she mentioned.
 23 Q Did she tell you anything about the call?
 24 A No. Maybe she might have called, was going to call
 25 or there was going to be a call to her or whatever. I don't

Page 21	Page 23
<p>1 recall. All I remember is her name, she mentioned something 2 about it.</p> <p>3 Q Did you have this conversation with Ms. McKeown 4 before this story became public in January of '98 or after?</p> <p>5 A I believe it was after. It might have been before.</p> <p>6 Q Was the name Monica Lewinsky familiar to you in 7 January of '98 when this story became public?</p> <p>8 A No. I didn't even know the lady before then. 9 Other than what I read in the paper afterwards.</p> <p>10 Q But you've had a conversation with Kathryn McKeown 11 about her.</p> <p>12 A She mentioned to me something about a call.</p> <p>13 Q Anybody else in the switchboard, either supervisor 14 or non-supervisor, who's brought Monica Lewinsky's name up to 15 you or who you have heard having information about her?</p> <p>16 A No. I don't recall.</p> <p>17 Q Okay. Now, I'd like to talk for a moment about 18 calls coming into the White House, okay? Is there a list of 19 acceptable callers who are permitted to speak to the 20 President?</p> <p>21 A Yes.</p> <p>22 Q Okay. And is that list kept at the switchboard?</p> <p>23 A Yes.</p> <p>24 Q Who composes that list?</p> <p>25 A It's originated in the office of Betty Currie and</p>	<p>1 the list who call to speak to the President? What happens to 2 their call?</p> <p>3 A They are referred or cleared through Betty C. ... 4 office or Nancy Herrreich.</p> <p>5 Q Okay. So if any person on the street, any American 6 or anybody else, called and said "I want to speak to 7 President Clinton," would that call as a matter of course be 8 referred to Betty Currie or Nancy Herrreich if the person 9 wasn't on the list?</p> <p>10 A Not necessarily. No. Them calls go to the comment 11 office.</p> <p>12 Q To the comment office?</p> <p>13 A The comment office.</p> <p>14 Q Okay.</p> <p>15 A The general public calls. If we're talking the 16 realm of possibly a congressman or senator or other high 17 government official, then that would refer to that office.</p> <p>18 Q Okay. Okay. Do you know if the comment office 19 keeps records of those calls?</p> <p>20 A I have no idea. I don't think they probably do.</p> <p>21 The keep records of the amount of people calling, 22 number-wise, not individuals by name.</p> <p>23 Q Who's in charge of the comment office?</p> <p>24 A Right now, it's Mr. Patrick Briggs.</p> <p>25 Q If someone calls the switchboard and asks for B</p>
<p>Page 22</p> <p>1 Nancy Herrreich.</p> <p>2 Q Okay. And -- I'm sorry?</p> <p>3 A I don't actually know who -- it comes out of that 4 office.</p> <p>5 Q Okay. And how often does it come out?</p> <p>6 A Whenever there's changes to it, I imagine.</p> <p>7 Q Whenever a name is added or subtracted, do they 8 send a whole new list out or do they just call someone up and 9 say "Add this name, subtract that name"?</p> <p>10 A I believe that they call down and add it or 11 subtract it.</p> <p>12 Q And so there's an actual physical document that 13 exists somewhere in the switchboard area that's a list of 14 acceptable callers to the President. Is that right?</p> <p>15 A That's correct.</p> <p>16 Q Okay. And, to your knowledge, has Monica Lewinsky 17 ever been on that list?</p> <p>18 A Not to my knowledge.</p> <p>19 Q To your knowledge, has anyone ever given any 20 instructions that her name should not be on the list?</p> <p>21 A Not that I'm aware of.</p> <p>22 Q To your knowledge, has her name ever been removed 23 from the list?</p> <p>24 A Not that I'm aware of.</p> <p>25 Q Now, what happens to callers whose names are not on</p>	<p>Page 24</p> <p>1 Currie as distinct from the President, are they asked to 2 identify themselves or is the call put right through?</p> <p>3 A I believe they're asked to identify themselves.</p> <p>4 Q And is there a list for acceptable Betty Currie 5 calls or not?</p> <p>6 A No, not that I know of.</p> <p>7 Q What is the practice with respect to putting a call 8 through the Betty Currie?</p> <p>9 A I believe that the operator would find out who was 10 calling and would contact Betty and see if she would accept 11 the call, take the call.</p> <p>12 Q So if Monica Lewinsky were to call the switchboard 13 and ask to speak to Betty Currie, what would be the 14 procedure?</p> <p>15 A This, as I so stated, probably she would be put on 16 hold and call Betty Currie and notify Betty Currie we have 17 her calling, would she take the call.</p> <p>18 Q Okay.</p> <p>19 A I'm only presuming this, I really -- knowing from 20 other calls, Betty Currie, her number is not published and so 21 on, so they've got to go through the switchboard, f ... 22 would be notified who's calling for her.</p> <p>23 Q Do you have any knowledge whatsoever as to whether 24 Monica Lewinsky ever called the switchboard and asked for 25 Betty Currie?</p>

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1 A No, I don't have any firsthand knowledge of that.
 2 Q Have you heard of any of the switchboard operators
 3 or their supervisors discussing the fact that Monica would
 4 call the switchboard asking for Betty Currie?
 5 A No, I don't recall ever hearing that from them.
 6 BY MR. WISENBERG:
 7 Q But nothing would prevent Monica Lewinsky from
 8 calling Betty Currie's direct number if she knew it, correct?
 9 A If she knew it. And also it's not necessarily --
 10 you know, an operator may not say anything if someone called,
 11 too. You know, wouldn't say it to anybody else, any other
 12 staff members or other operators.
 13 BY MS. WIRTH:
 14 Q Now, referring to the caller ID system for a
 15 moment, if, for example, Monica Lewinsky were to call the
 16 switchboard and ask for Betty Currie and if for some reason
 17 she was put right through without a call to Betty Currie,
 18 what number would show up on Betty Currie's screen, caller ID
 19 screen?
 20 A If she went direct to Betty Currie?
 21 Q No.
 22 A If she went through the switchboard?
 23 Q Right.
 24 A It's going to be the White House switchboard
 25 number.

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1 Q Okay. And if Monica Lewinsky were to call Betty
 2 Currie directly, what number would appear on the screen?
 3 A That all depends where she's calling from. There's
 4 a possibility if she's calling local that it would show the
 5 number she's calling from. If she's calling out of state or
 6 long distance, just like in your caller ID it says -- I
 7 believe it says out of area, out of state or private or
 8 something like that.
 9 Q Is that always the case, that you can't get caller
 10 ID from out of state on your screen, an out of state call?
 11 A There's some that you may get the number on, but
 12 there's ways of people blocking that out, too. So usually
 13 you -- I would say if the person is blocking that out, they
 14 dial that *69 or whatever, you wouldn't receive that
 15 information.
 16 Q Okay. Now, you told us that the ushers office is
 17 responsible for the White House residence telephones,
 18 correct?
 19 A That's correct.
 20 Q Do you have any information, though, as to where
 21 the telephones are located in the residence, what rooms
 22 they're in?
 23 A It's been a long time since I've been over there.
 24 I could attest to past memory on where some of the
 25 numbers are. I can't say where the other numbers are at.

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1 Q Okay. If a call is made directly to the residence,
 2 for example, on one of the numbers, do you know who would
 3 pick up that call? If you know.
 4 A It depends what number it went to in the residence.
 5 Q If it was a number. Do you know?
 6 A Well, there are numbers in different areas
 7 over there. Whoever is in that area would pick that phone
 8 up if it rang there, I believe. Most of the phone calls,
 9 I know the ones from our operation, from the switchboard,
 10 we go through the ushers office first. We alert them that
 11 we're ringing a call in and they would tell us where to ring
 12 it, basically. Where the individual is at, where we're
 13 calling.
 14 Q Do you know if there are people over there who pick
 15 up the phones for the President and the First Family? Or is
 16 it just like any other place where people just pick up the
 17 phone if they happen to be there?
 18 A If it goes to one of their direct phones, the
 19 direct phone numbers of the President or First Lady, they're
 20 going to pick it up, I would say.
 21 Q Okay. Do you know if there are WHCA lines in the
 22 residence?
 23 A I believe there are a few.
 24 Q I want to talk for a moment about what happens when
 25 the President travels and how he uses the phone. If the

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1 President is making, for example, a business-related trip,
 2 how does the phone system work? How does he use the phone
 3 when he travels? If you know.
 4 A I don't really know. That's under WHCA's realm
 5 because it would be using their services mostly.
 6 MR. WISENBERG: Pardon us just a moment.
 7 (Pause.)
 8 BY MS. WIRTH:
 9 Q Mr. Nagy, you were interviewed by FBI agents for
 10 the Office of the Independent Counsel in February of '98, is
 11 that right? Earlier this year?
 12 A I believe so. I was over there twice. I believe
 13 it was -- also there was a time in September of '97 I might
 14 have been there, the latter part of '97, around there.
 15 Q But in connection with the Monica Lewinsky matter,
 16 you were interviewed some time in the winter of '98, is that
 17 correct?
 18 A That's correct.
 19 Q After this story became public, is that right?
 20 A That's correct.
 21 MR. WISENBERG: Pardon us just a second.
 22 (Pause.)
 23 BY MS. WIRTH:
 24 Q And you said that you've been previously
 25 interviewed by the Office of the Independent Counsel, you

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<p>1 think it was in 1997, is that right?</p> <p>2 A That's correct.</p> <p>3 Q And that was also by FBI agents?</p> <p>4 A That's correct. I believe there was also a counsel</p> <p>5 from -- a lawyer from the Independent Counsel's office also</p> <p>6 there.</p> <p>7 Q Okay. And that's in the earlier interview.</p> <p>8 A That's the earlier interview.</p> <p>9 Q Okay. And that was in connection with another</p> <p>10 investigation other than the Monica Lewinsky matter.</p> <p>11 A That's correct.</p> <p>12 Q Okay. Can you tell the grand jury what, if</p> <p>13 anything, happened on that occasion with respect to</p> <p>14 any interaction you had with the White House Counsel's</p> <p>15 Office? Before that earlier interview. Were you given</p> <p>16 any advice?</p> <p>17 Did you speak to anybody at the White House</p> <p>18 Counsel's Office before you had the first interview with the</p> <p>19 Office of the Independent Counsel?</p> <p>20 A Yes, I did.</p> <p>21 Q And who did you speak with?</p> <p>22 A I forget what her name was. If you have the name,</p> <p>23 I could remember because there was a couple of them that</p> <p>24 talked to me.</p> <p>25 Q Does the name Sally Paxton --</p>	<p>1 you were advised to get a lawyer?</p> <p>2 A I says, "I don't think I need anything. I'll ju</p> <p>3 answer the questions that are asked me."</p> <p>4 Q And in fact did you get a lawyer for your first</p> <p>5 interview with the Office of the Independent Counsel?</p> <p>6 A I have not had a lawyer yet.</p> <p>7 Q And you don't have one today or the last time you</p> <p>8 testified?</p> <p>9 A No, I do not.</p> <p>10 Q Okay. Did anything happen after you made your</p> <p>11 decision -- or after your interview, your first interview</p> <p>12 with the Office of the Independent Counsel? Anything</p> <p>13 unusual?</p> <p>14 A After my first interview?</p> <p>15 Q Mm-hmm.</p> <p>16 A Yes, there was an incident which I might have took</p> <p>17 it out of context, but it just seemed coincidental that after</p> <p>18 I had my interview the first time with the Independent</p> <p>19 Counsel, which I believe was September, I believe the first</p> <p>20 week in October, I was on leave a few days and I called back</p> <p>21 as I usually do to check on how things are going with my</p> <p>22 assistant at the time, and I was informed that I had received</p> <p>23 some mail through the interoffice, that there was a letter in</p> <p>24 it going to me basically reprimanding me for a procedure that</p> <p>25 I tried to enlighten a little bit.</p>
<p>Page 30</p> <p>1 A Yes. Yes. That's who it was.</p> <p>2 Q Has she left?</p> <p>3 A I believe she's gone now. Yes.</p> <p>4 Q Okay. And what about Michelle or Shelly Peterson?</p> <p>5 A Yes.</p> <p>6 Q Did you speak to both of them prior to your first</p> <p>7 interview with the Office of the Independent Counsel?</p> <p>8 A I believe I did. Yes.</p> <p>9 Q And did they make any suggestions to you during</p> <p>10 that interview? During that meeting?</p> <p>11 A About getting counsel, having counsel represent me.</p> <p>12 Q Who suggested that?</p> <p>13 A I believe both of them did.</p> <p>14 Q And -- go ahead.</p> <p>15 A I'm trying to remember now. I'm trying to remember</p> <p>16 exactly -- yes, I believe both of them did, not necessarily</p> <p>17 at the same time. At different times.</p> <p>18 Q And this conversation was held with you prior to</p> <p>19 your interview?</p> <p>20 A Yes, because when I got notified, they called me</p> <p>21 directly from the Independent Counsel's office and, of</p> <p>22 course, I let my supervisor -- notified them that I'd been</p> <p>23 contacted and so on and then I was contacted by the counsel's</p> <p>24 office.</p> <p>25 Q Okay. And what response, if any, did you give when</p>	<p>Page 31</p> <p>1 And that caught me -- I got angry over the thing</p> <p>2 and I told my assistant, "Well, don't worry about it, I'll</p> <p>3 take care of it when I get back."</p> <p>4 Q Okay. And who was the source of the reprimand?</p> <p>5 A It was from Mr. Franklin Rieter who is now retired,</p> <p>6 who was the Director of Office of Administration.</p> <p>7 Q And he was the person that issued the reprimand?</p> <p>8 A Yes.</p> <p>9 Q Was anybody else involved in it?</p> <p>10 A On it, it had cc -- I believe it was Jodie</p> <p>11 Torkelson, Kim Holmes and Mike Malone.</p> <p>12 Q And had you ever received a reprimand before that?</p> <p>13 A Not in my 30-some years.</p> <p>14 Q Okay. And how soon after your first interview with</p> <p>15 the Office of the Independent Counsel did that take place?</p> <p>16 A I believe it was about a week or so after that</p> <p>17 because when I got back from leave I went and seen Mr.</p> <p>18 Rieter.</p> <p>19 Q Okay. What was the resolution of that reprimand?</p> <p>20 A I was basically told that I was out of line for</p> <p>21 putting out a procedure that was jeopardizing people's!</p> <p>22 that they had put out, that they had put out. It was an</p> <p>23 emergency action type thing. And all I was trying to do was</p> <p>24 put it in for our section, to embellish it a little bit, to</p> <p>25 tell our people exactly what to do and what not to do.</p>

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1 And so when I went to meet with Mr. Rieter, first
2 of all, I was kind of upset and he seen I was upset. And I
3 asked him, I says, "Well, what is this? You know, is this a
4 letter of reprimand?" He said, "Yes, it is, but it's not
5 really going in your records. We just have a file and
6 Ms. Torkelson has it."

7 And I says, "Well, you know, this was improper, the
8 way you handled it, because I was never called and counselled
9 on it, I wasn't counselled on this by anybody, you sent it
10 through an interoffice where it was an embarrassment to me
11 where people could have seen this, and you waited until I was
12 on leave to do all this."

13 And I says, "Also, I don't think it's worth the
14 paper it's written on because you're the director of the
15 Office of Administration and I'm White House and I work on
16 White House rolls and I'm paid by the White House, I don't
17 have anything to do with you."

18 He said, "Well, I'm the deputy to Jodie Torkelson."
19 So I says, "Well, evidently we're not going to get this
20 resolved," so I said, "I'll talk to Ms. Torkelson about it
21 myself."

22 Q And did you do that?

23 A Yes, I did.

24 Q And what happened?

25 A Well, she basically told me that I was out of line

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1 for doing that and brought up a few other things. And I
2 says, "Well, you know, this is just coincidental. I just
3 went about a week ago to the Independent Counsel and I got
4 this letter of reprimand."

5 She said, "It has nothing to do with it." She
6 says, "A lot of other people have gone to see the Independent
7 Counsel, too."

8 So I seen I was getting nowhere with her, I wasn't
9 going to argue with her and I says, "Okay. Thank you."

10 Q Has anything like that ever happened since?

11 A No.

12 Q Do you know whether that letter of reprimand is in
13 your personnel file?

14 A I do not because I think it was just -- you know,
15 the way I explained it, it's not worth the paper it's written
16 on, if I wanted to take action on it, so it doesn't worry me
17 about that.

18 Q Okay. And prior to your grand jury -- or actually,
19 prior to your second interview with the Office of the
20 Independent Counsel this past winter in connection with the
21 Monica Lewinsky matter, did you have any discussions with
22 White House Counsel's Office?

23 A Yes.

24 Q And what were they?

25 A It was with Ms. Peterson and basically she told me

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1 that I'm entitled to take counsel, I could take one of the
2 White House counsels and they'd come in here, but she
3 explained they can't come in the grand jury room, they have
4 to wait outside and so on. Or I could be provided counsel
5 for a list of counsel's that they have that would be paid for
6 by the government if I wanted to have one. And I chose not
7 to have it. And she says, "Well, you know, think it over."
8 She said, "I'll be glad to come up and sit outside and
9 represent you."

10 BY MR. WISENBERG:

11 Q She said she'd be glad to?

12 A Yes, she'd be glad to.

13 Q She was offering either someone from the counsel's
14 office or private, from a list they had?

15 A Yes.

16 Q And she said the government would pay?

17 A Yes. I believe she said the government would pay
18 because there's other people who have had counsel.

19 Q Did they --

20 I'm sorry, I interrupted you.

21 MS. WIRTH: No, I'm done.

22 BY MR. WISENBERG:

23 Q The first time when you declined the offer before
24 the first OIC interview, when you declined the offer, did
25 they seem -- I think you mentioned it was Sally Paxton and

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1 Shelly Peterson, did they seem perturbed, upset?

2 A I can't really recall. I don't think they were
3 really upset. I think it was more probably shock because
4 basically I answered, I said, "Well, I don't think I need
5 anything. Whatever they ask me, I'm going to tell the
6 truth."

7 Q How about this time, about the same reaction?

8 A That's only speculation on my part, trying to feel
9 people out. They didn't really come out and say anything,
10 but I just -- you know, I think the comment was made, well,
11 it's going to be the first -- you know, somebody going before
12 without a counsel. I'm not sure to that, but --

13 Q I take it you feel that the Rieter-Torkelson
14 reprimand or Rieter reprimand cc to Torkelson was connected
15 to your talking to OIC the first time without counsel?

16 A Again, I'm speculating. That's what I felt. What
17 perturbed me the most is, like I said, the way it was
18 handled. I mean, you know, I've been a supervisor for over
19 20 years. If I have a problem with a person, I'm going to
20 counsel that person, I'm going to talk to them. I'm not
21 going to be sending things through the general mail where
22 other people could see it. I want to have them face-to-face,
23 bring the parties in.

24 That's what perturbed me the most and I wanted to
25 see what was going on and why. And while I'm on leave I get

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1 this thing and other people have seen it.
 2 Q And you had never received in your whole previous
 3 time at the White House any written reprimand?
 4 A No. As a matter of fact, I got -- you know, I've
 5 got numerous presidential citations and et cetera from all
 6 administrations.
 7 MR. WISENBERG: I'm going to ask -- if there are no
 8 more questions from the attorneys if the witness can step
 9 outside for a minute or two and then we'll call you back in.
 10 MR. CRANE: If I can jump in, Mr. Wisenberg.
 11 BY MR. CRANE:
 12 Q Mr. Nagy, my name is Jim Crane, I'm an attorney.
 13 I don't think I've asked you any questions in these
 14 proceedings before. Has White House counsel after any of
 15 your interviews with OIC or after any of your grand jury
 16 appearances asked you questions about what questions we or
 17 the agents have asked you?
 18 A No. After I testified and went to see the
 19 Independent Counsel, I have had no contact with them.
 20 I haven't got a call from them, no one has questioned me
 21 about anything.
 22 Q And after this correspondence containing a
 23 reprimand was circulated in your office, do you have any
 24 idea, my question is, about how many people might have seen
 25 that?

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1 A I know of one that seen it, but what I'm basically
 2 stating is the fact that it came through what they call in
 3 the government a holey-joe envelope, went through the mail
 4 room and was delivered to my office.
 5 So, like I said, how it came about -- anybody could
 6 have probably seen that, opened it up. It wasn't under a
 7 sealed envelope or anything, it was one of them ones that are
 8 tied down. So I don't know who seen it but I do know one
 9 person seen it.
 10 Q I didn't quite understand even what was the nature
 11 of what you were alleged to have done improperly by the
 12 supervisor.
 13 A I was alleged -- they put out a document which I
 14 can't go into details about it, emergency evacuation. I in
 15 turn for the section, the switchboard section, with the
 16 cooperation of the operations manager, had to embellish a
 17 little bit to give specific instructions to my people in the
 18 switchboard what to do in an emergency situation, in an
 19 evacuation.
 20 You just don't haul -- pardon the expression, you
 21 just don't get up and leave everything. I mean, it's a
 22 switchboard you're running, there's documents that you've got
 23 to protect and so on.
 24 It was alleged that I contradicted the instructions
 25 that were put out, the general instructions, and that I

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1 jeopardized lives. I'm no fool, I'm not jeopardizing
 2 anybody's life. That's what it so stated.
 3 They was upset that I contradicted the gener-
 4 document, which I know other agencies and offices
 5 did embellish it for their operation and tell them what
 6 to do.
 7 MR. CRANE: All right. I have nothing further.
 8 MR. WISENBERG: Well, I do.
 9 MR. CRANE: Okay.
 10 BY MR. WISENBERG:
 11 Q Was Mr. Rieter a colleague of yours, someone you
 12 had worked with for years?
 13 A No. Mr. Rieter was put in the position as the
 14 Director of Office Administration. Prior to that, he
 15 worked in the OMB, Office of Management and Budget, when
 16 Ms. Torkelson was over there, I believe.
 17 Q Okay. So he was Torkelson's assistant.
 18 A He said he was her deputy, but there was nothing
 19 officially out, everything out on him, even including
 20 the telephone directory he was the Director of Office
 21 Administration, nothing relating to the White House.
 22 Q Did he indicate to you in any way that
 23 Ms. Torkelson had been the person behind the reprimand?
 24 A No. He admitted to me that she was aware of it.
 25 Of course, I seen it was cc on there. He didn't ad

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1 anything to me, really, he was just -- I think he was
 2 dumbfounded that anybody was questioning him, that had the
 3 nerve to go up there and question him. I caught him by
 4 shock, I think. That's my own personal opinion. Because I
 5 was pretty perturbed.
 6 MR. WISENBERG: Okay. We're going to ask you to
 7 step outside for just a couple of minutes and then we should
 8 be near the very end.
 9 THE WITNESS: Okay. Thank you.
 10 MR. WISENBERG: Thank you.
 11 (Witness excused. Witness recalled.)
 12 MR. WISENBERG: Let the record reflect the witness
 13 has reentered the grand jury room.
 14 Madam Foreperson, do we have a quorum?
 15 THE FOREPERSON: Yes, we do.
 16 MR. WISENBERG: Are there any unauthorized persons
 17 in the grand jury room?
 18 THE FOREPERSON: No, there are not.
 19 MR. WISENBERG: All right. Mr. Nagy, we just have
 20 a few more questions.
 21 THE FOREPERSON: And you're still under or
 22 THE WITNESS: Thank you.
 23 MR. WISENBERG: And you're the same Mr. Nagy who's
 24 been in here all afternoon, is that correct?
 25 THE WITNESS: Yes, I am.

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1 A JUROR: Mr. Nagy, on the two occasions, the
2 two different matters that you were interviewed by the FBI
3 on, did the FBI contact you or did you go voluntarily to
4 the FBI?

5 THE WITNESS: I believe they contacted me. The
6 Independent Counsel's office called me.

7 A JUROR: Both times?

8 THE WITNESS: Both times. Yes.

9 A JUROR: Thank you.

10 BY MR. WISENBERG:

11 Q One of the grand jurors wanted to know what you
12 think was behind the reprimand of you.

13 A I really don't know what was behind it. I just
14 thought, you know, it was just a coincidence, a week, you
15 know, after I went before the Independent Counsel that I get
16 this because there -- you know, I forget exactly when I took
17 the action, but it seemed like there was a time lapse of more
18 than a week's time period over this before they gave me the
19 reprimand. I'm thinking somewhere a month or two that I put
20 out that enhancement of their procedures to the switchboard
21 section.

22 So, you know, basically, it just struck my mind as
23 I got this reprimand a week after that I went before and
24 testified the Independent Counsel's office. That's the first
25 thing that stuck in my mind.

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1 I mean, it might be coincidental. I might have
2 been overboard on the thing, but it was handled entirely
3 wrong. You know, from a person that's been in a management
4 position that issued that to me should have known better. I
5 mean, he's been in government for over 30 years. You know,
6 that's what struck me, just the way it was handled.

7 Q He, you mean --

8 A Mr. Rieter.

9 Q You said Rieter's been in government over 30 years?

10 A Yes. He retired recently.

11 Q And I think that's why the question was framed in
12 terms of what do you think because we know you can't know,
13 they're not going to come and say something like that to you.
14 That's why I think the juror just said what do you think. I
15 take it your gut feeling about it --

16 A My gut feeling is that, hey, be careful.

17 A JUROR: Mr. Nagy, if I could clarify?

18 THE WITNESS: Yes.

19 A JUROR: Are you saying that in your mind you felt
20 that you were reprimanded because you cooperated with the
21 Office of Independent Counsel or because you did not obtain
22 counsel as you were advised to do?

23 THE WITNESS: I think I was reprimanded because I
24 had to go before the Independent Counsel. Again, I'm
25 speculating, now. That's the only thing that stuck in my

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1 mind right off the bat because everything was handled wrong,
2 entirely wrong, from the very beginning of that.

3 BY MR. WISENBERG:

4 Q And we understand it's your speculation based on
5 your gut feeling.

6 A Yes.

7 Q Do you think if you had taken an attorney
8 recommended by them you would have been reprimanded?

9 A I don't know. I can't answer that. You know, I
10 don't think -- possibly.

11 Q Can you tell us who your contacts are, if you have
12 any, at Sprint?

13 A Sprint? I have none. I deal with -- like I said,
14 I deal presently with the COTR, the contracting officer,
15 which is Mrs. Cheryl Hall. She deals with the Sprint,
16 et cetera. She has responsibility for the contract for the
17 telephone switches.

18 Q She would know who those people are?

19 A Yes, she would, as well as the AT&T people that
20 deal with them.

21 Q Do you even know any of the names of the Sprint
22 people?

23 A When I dealt way back -- no. I can't remember
24 their names.

25 Q You might have -- I know you've been asked about

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1 this before, but I want to make sure I understand. When
2 you -- to the best that you can tell us, this business about
3 whether or not POTUS would show up, if the President called
4 somebody within the White House, within the complex there,
5 within the White House itself, and they've got their
6 little -- that person would have their little readout, caller
7 ID to tell them who's calling, would they see -- if you can
8 tell us, would the number be blocked out, the number of the
9 President, or would it be POTUS that's blocked out or neither
10 or some combination of the two?

11 A It would be -- the POTUS would be blocked out and
12 the number would be blocked out. There wouldn't be any -- it
13 would be probably like an asterisk or something that they
14 would see.

15 Q Would there be something else that might tell the
16 person that it was the President?

17 A No. No.

18 BY MS. WIRTH:

19 Q Is it possible that the phone number would be
20 blocked out but the word POTUS would appear? I think you
21 testified the last time that the concern you believed would
22 be revealing the President's direct number.

23 A I don't know for a fact what it would be. I'm
24 pretty sure going from his phone, if he dialed directly to
25 another office phone there would not be any number showing or

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1 the POTUS.
 2 Q Excuse me, there would be what?
 3 A Not be any number nor the designation of the POTUS
 4 on it. Going to the White House switchboard, I believe it
 5 does show the POTUS.
 6 Q But if he were calling within the White House,
 7 wouldn't it make sense that he would want others in the White
 8 House to know that he was calling?
 9 A No, not necessarily.
 10 BY MR. WISENBERG:
 11 Q If our investigators have heard that -- this is one
 12 of the reasons I'm asking this -- that a particular person
 13 was having POTUS show up on the caller ID and mentioned
 14 something to have it stopped when the President called that
 15 person, does that -- I take it basically what you told us,
 16 that doesn't make any sense to you because as long as this
 17 administration has been there, maybe even longer, POTUS will
 18 not show up on caller ID?
 19 A I'm trying to think. And, like I said, it's been a
 20 long time since I got involved with the President's phone
 21 precisely.
 22 It could be a possibility of showing up because
 23 there are some areas, I believe, he has certain people he has
 24 where it's considered like a direct telephone line instead of
 25 going through the switchboard, might be going to the Vice

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1 President or the Chief of Staff or something like that. If
 2 that is the case, there's a good possibility that it would
 3 show up on that.
 4 Dialing the number to another office, no, I do not
 5 think it would be on that. I'm just trying to -- you know --
 6 Q Think of all possibilities.
 7 A Think of all possibilities. It's not saying it
 8 couldn't be, okay?
 9 BY MS. WIRTH:
 10 Q Do you know if it's possible for just the
 11 word POTUS to appear but the number to be blocked on
 12 caller ID?
 13 A Oh, yes. That's possible. Like I said, there's
 14 different options. You could have both the number and
 15 the title POTUS blocked, you could have just POTUS show,
 16 you could just have the number show. It's a possibility.
 17 Q I'm just trying to think of any reason why he would
 18 even his identification blocked in terms of just the name
 19 POTUS. Do you know of any reason that's ever been
 20 articulated why that should be blocked?
 21 A Well, I think I testified before and explained the
 22 fact is the majority of the calls, if the President is going
 23 to call a staff member, the majority of them calls are going
 24 to go through the White House switchboard and they're going
 25 to announce that, for the reason is that if the line is buys

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1 or the person's not there or whatever, I don't think the
 2 President has the time, is going to take the time to
 3 dialing them telephone numbers all day or whatever.
 4 BY MR. WISENBERG:
 5 Q You've probably answered this before, I'm sorry to
 6 go over this again, but let me make sure I understand. Is
 7 the President calls the switchboard -- I know that if the
 8 President calls the switchboard and says "I want to call Joe
 9 Blow in Vienna, Virginia," there will be a record of that on
 10 the sheets that your people make up at midnight every night,
 11 type up at midnight.
 12 A That's correct.
 13 Q Is that correct?
 14 A That's correct.
 15 Q Would that also be true if the President says
 16 "I want to talk to Joe Blow who's in the White House"?
 17 Calls to the switchboard and says "Connect me with so and
 18 so in the White House"?
 19 A That's correct. Any presidential call that goes
 20 through that switchboard will be logged.
 21 Q Okay. And are those calls, would it be possible
 22 that when the switchboard calls that person for the President
 23 that POTUS could flash up?
 24 A No. Because --
 25 Q It's the switchboard.

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1 A The switchboard is originating that call. They're
 2 going to announce it.
 3 MR. WISENBERG: Okay.
 4 Do I hear any questions?
 5 (No response.)
 6 MR. WISENBERG: Going once, going twice?
 7 (No response.)
 8 MR. WISENBERG: You're home free. Thank you very
 9 much.
 10 THE WITNESS: Thank you for your time.
 11 MR. WISENBERG: We appreciate your time and your
 12 patience and we're sorry you had to come twice and thanks a
 13 lot.
 14 THE WITNESS: Thank you.
 15 THE FOREPERSON: Thank you.
 16 (The witness was excused.)
 17 (Whereupon, at 3:18 p.m., the taking of testimony
 18 in the presence of a full quorum of the Grand Jury was
 19 concluded.)
 20 * * * * *

Bayani Nelvis, 1/27/98

Grand Jury

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CONDENSED TRANSCRIPT AND CONCORDANCE
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Page 1

[1] UNITED STATES DISTRICT COURT
 [2] FOR THE DISTRICT OF COLUMBIA
 [3] ----- X
 [4] In re:
 [5] GRAND JURY PROCEEDINGS
 [6] ----- X
 [7] Grand Jury Room No. 4
 [8] United States District Court
 [9] for the District of Columbia
 [10] 3rd & Constitution, N.W.
 [11] Washington, D.C. 20001
 [12] Tuesday, January 27, 1998
 [13] The testimony of BAYANI BRAZA NELVIS was taken in
 [14] the presence of a full quorum of Grand Jury 97-2, impaneled
 [15] on September 19, 1997, commencing at 1:48 p.m., before:
 [16] BRUCE UDOLF
 [17] MARY ANNE WIRTH
 [18] SOLOMON WISENBERG
 [19] STEPHEN BINHAK
 [20] Associate Independent Counsel
 [21] Office of Independent Counsel
 [22] 1001 Pennsylvania Avenue, Northwest
 [23] Suite 490 North
 [24] Washington, D.C. 20004
 [25]

Page 2

[1] Whereupon,
 [2] BAYANI BRAZA NELVIS
 [3] was called as a witness and, after being first duly sworn by
 [4] the Foreperson of the Grand Jury, was examined and testified
 [5] as follows:
 [6] EXAMINATION
 [7] BY MR. WISENBERG:
 [8] Q Would you state your name and spell it, please, for
 [9] the court reporter and for the grand jurors.
 [10] A My name is Bayani Braza Nelvis, B-a-y-a-n-i; middle
 [11] name, B-r-a-z-a; Nelvis, N-e-l-v-i-s - N-as-in-Nancy.
 [12] Q And it's Nelvis - you pronounce it Nelvis?
 [13] A Nelvis.
 [14] Q Mr. Nelvis. Okay. Mr. Nelvis, my name is
 [15] Sol Wisenberg, and these are my colleagues, Mary Anne Wirth
 [16] and Steve Binhak.
 [17] And this is a federal Grand Jury. These
 [18] are federal grand jurors with us here, as well as a
 [19] court reporter.
 [20] And we're conducting an investigation of possible
 [21] violations of federal criminal laws involving possible
 [22] perjury, obstruction of justice, and what's known as
 [23] subornation of perjury.
 [24] And I'm going to read a portion of this to you:
 [25]

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[1] "The Independent Counsel shall have jurisdiction
 [2] and authority to investigate to the maximum extent authorized
 [3] by the Independent Counsel Reauthorization Act of 1994
 [4] whether Monica Lewinsky or others suborned perjury,
 [5] obstructed justice, intimidated witness, or otherwise
 [6] violated federal law other than a Class B or C misdemeanor
 [7] or infraction in dealing with witnesses, potential
 [8] witnesses, attorneys, or others concerning the
 [9] civil case Jones v. Clinton."
 [10] So those are the general subject matters we're
 [11] investigating today. Do you understand?
 [12] A Yes.
 [13] Q Now, I'm going to read to you your rights and
 [14] responsibilities as a Grand Jury witness. And occasionally,
 [15] I'll stop and ask you to affirm whether or not you understand
 [16] what I've said.
 [17] A (Nodding.)
 [18] Q Is that all right?
 [19] A Yes, sir.
 [20] Q First of all, you have a privilege against
 [21] self-incrimination, which means you can refuse to answer any
 [22] question, if a truthful answer to the question would tend to
 [23] incriminate you. Do you understand that?
 [24] A Yes, sir.
 [25] Q And anything that you do say may be used against

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[1] you by the Grand Jury or in another legal proceeding. Do you
 [2] understand that?
 [3] A Yes, sir.
 [4] MR. WISENBERG: And I'm going to ask you if you
 [5] could try to speak up a little bit, because I don't -- are
 [6] you all able to hear the witness?
 [7] JURORS: Uh-uh.
 [8] BY MR. WISENBERG:
 [9] Q Okay. If you could try to speak up a little, both
 [10] for the record and so the grand jurors can hear.
 [11] I understand that you have retained counsel; is
 [12] that correct?
 [13] A Yes, sir.
 [14] Q And that is Mr. William Small of the law firm of
 [15] Fulbright and Jaworski?
 [16] A No, Joe Small.
 [17] Q Joe Small? And a Mr. Steve McNab?
 [18] A McNab.
 [19] Q Okay. And of course, you do not have the right
 [20] to have your lawyer in the Grand Jury with you, but the
 [21] Grand Jury will permit you a reasonable opportunity to step
 [22] outside the Grand Jury room to consult with your counsel, if
 [23] you desire. Do you understand that?
 [24] A Yes, sir.
 [25] Q The grand jurors and myself and the court reporter

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[1] and my colleagues - we are bound by an oath of secrecy.
 [2] That means we can't go out and blab to the world about
 [3] what you said here today. Do you understand that?
 [4] A Yes, sir.
 [5] Q There are certain exceptions to that that are
 [6] recognized by a court. I won't get into those exceptions
 [7] today, except I'll give you one or two examples.
 [8] We could tell - if there's an FBI agent assigned
 [9] to this case, we could tell him about your testimony, and
 [10] he also would be bound by an oath of secrecy. Do you
 [11] understand that?
 [12] A Understand.
 [13] Q If there was to later be a trial, and you were to
 [14] testify at that trial and say something different than you
 [15] said here today, that would be an example of where we could
 [16] breach the secrecy. Do you understand that?
 [17] A Yes.
 [18] Q But as a general matter, we are bound by that oath
 [19] of secrecy. Do you understand?
 [20] A Yes.
 [21] Q You are not bound by that oath of secrecy. You can
 [22] tell as many or as few people about your Grand Jury testimony
 [23] as want you to. Do you understand that?
 [24] A Yes.
 [25] Q You cannot be forced to talk about it without

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[1] a court order, but if you want to, you can. Do you
 [2] understand that?
 [3] A Yes.
 [4] MR. WISENBERG: Is the court reporter able to pick
 [5] up the responses?
 [6] COURT REPORTER: I'm having trouble hearing him.
 [7] BY MR. WISENBERG:
 [8] Q Yeah. And we're going to have to ask you, because
 [9] the court reporter cannot pick up a shake of the head or
 [10] "Uh-uh," so if you could try your best to be a little bit
 [11] louder for us.
 [12] A Yes, sir.
 [13] Q Thank you. Witnesses before the Grand Jury are
 [14] sometime put into categories of witness and subject and
 [15] target. Are you aware of that?
 [16] A Yes, sir.
 [17] Q Okay. For instance, the definition of a target is
 [18] a person as to whom the prosecutor or the Grand Jury has
 [19] substantial evidence linking him or her to the commission
 [20] of a crime and who, in the judgment of the prosecutor, is a
 [21] possible defendant. Do you understand?
 [22] A I understand, sir.
 [23] Q Okay. You are not a target. Do you understand.
 [24] that?
 [25] A I understand.

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[1] Q And the way we're defining it today, you have
 [2] witness, subject, and a target. A subject would be somebody
 [3] as -- I would describe to you today as somebody who we have
 [4] -- is not a target, but could be a possible target in the
 [5] future. Do you understand that?
 [6] A I understand.
 [7] Q And you are not a subject. Do you understand that?
 [8] A I understand.
 [9] Q Then there is a witness -- somebody that there are
 [10] really not suspicions about that the Grand Jury just wants to
 [11] get information about. Do you understand that?
 [12] A I understand, sir.
 [13] Q Now, nobody can be promised that they'll never be a
 [14] target. Do you understand that?
 [15] A I understand.
 [16] Q Even a person who's a witness today can be a
 [17] target, if the Grand Jury learns something else about them.
 [18] Do you understand that?
 [19] A I understand.
 [20] Q So it's possible that even a witness or a subject
 [21] and can be a target some day. Do you understand that?
 [22] A I understand.
 [23] Q Okay. Do you understand, then, that you are a
 [24] witness within the witness-subject-target grouping?
 [25] A I understand.

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[1] have held over the 30-year period -- without getting, you
 [2] know, into too much detail, but generally, what kinds of
 [3] assignments have you had?
 [4] A I start 1980 in the White House with
 [5] President Jimmy Carter as a food service associate; a
 [6] personal chef with President Reagan, President Bush, and
 [7] now with President Clinton.
 [8] Q Okay. So you've been in the White House
 [9] since 1980?
 [10] A Yes. Yes, ma'am.
 [11] Q And you did other things, other duties, with the
 [12] Navy prior to that?
 [13] A Yes, ma'am.
 [14] Q Okay. Now, in the White House, do you hold a
 [15] specific title? Are you called something?
 [16] A We call it sometimes presidential server, sometimes
 [17] presidential food service. And my title in the card is
 [18] presidential food service.
 [19] Q Okay. Are you also known as a steward?
 [20] A Yes, yes. Yes, ma'am.
 [21] Q Okay. Can you explain what you do in the
 [22] White House. What does a steward do? What's your job?
 [23] A The steward do -- we have so many stewards in the
 [24] White House.
 [25] Q Well, what do you do?

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[1] Q You understand that you have taken an oath and that
 [2] you have to tell the truth?
 [3] A I understand.
 [4] Q All right. You know that if you were to not tell
 [5] the truth, to intentionally tell a lie about an important
 [6] matter before the Grand Jury, that that could be perjury.
 [7] Do you understand that?
 [8] A I understand.
 [9] Q And you understand what perjury is?
 [10] A I understand.
 [11] Q Okay. You came here pursuant to subpoena today; is
 [12] that correct?
 [13] A Yes, sir.
 [14] Q And did you bring certain items with you pursuant
 [15] to that subpoena?
 [16] A I did.
 [17] Q Okay. Do you have those there in front of you?
 [18] A Yes, sir.
 [19] Q Okay. We will get into those items a little bit
 [20] later in your testimony. At this time, let me ask you
 [21] whether or not you understand your rights and
 [22] responsibilities as a Grand Jury witness.
 [23] A (Nodding.) Could you repeat again?
 [24] Q Yeah. Do you understand your rights, as
 [25] I've read them to you, and your responsibilities as a

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[1] A My duty is like a personal aide to the President at
 [2] this moment -- at the present.
 [3] Q Okay. And how long have you been a personal aide
 [4] to the President?
 [5] A Are you talking the present President?
 [6] Q President Clinton, right.
 [7] A I started July of 1993.
 [8] Q Okay. And you have been his personal aide from
 [9] then until the present?
 [10] A We're two of us.
 [11] Q Pardon me?
 [12] A Two of us -- me and my other guy.
 [13] Q There's another person who also performs
 [14] that service?
 [15] A Yes, yes.
 [16] Q And what does that person --
 [17] A Yes, yes. In the same category.
 [18] Q Okay. What is that person's name?
 [19] A Glen Maes.
 [20] Q Is that spelled M-a-y-s?
 [21] A M-a-e-s.
 [22] Q M-a-e-s? Okay. And can you tell us what you do as
 [23] a personal aide to the President.
 [24] A I'm responsible for -- my colleague is
 [25] responsible also, the same level -- well, the President

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[1] Grand Jury witness?
 [2] A Yes, sir.
 [3] Q Do you have any questions about anything I've
 [4] asked you?
 [5] A None so far.
 [6] MR. WISENBERG: Okay. With that, I'm going to hand
 [7] you over to my colleague, Ms. Wirth, for questioning.
 [8] (Brief interruption to proceedings.)
 [9]
 [10] BY MS. WIRTH:
 [11] Q Mr. Nelvis, can you tell us how old you
 [12] are, please.
 [13] A I'm 50 years old.
 [14] Q And what is your occupation?
 [15] A I'm U.S. Navy.
 [16] Q And specifically, what is your title?
 [17] A In the Navy, my title call it mess specialist --
 [18] mess management specialist in the Navy, and I am a master
 [19] chief petty officer, is my rating.
 [20] Q Okay. And how long have you been with the
 [21] United States Navy?
 [22] A Thirty years.
 [23] Q And that is your career?
 [24] A It's my career.
 [25] Q And can you tell us generally what assignments you

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[1] arrive in the White House on the schedule of 8 o'clock
 [2] or 9 o'clock. We should be there if he would like to
 [3] ask breakfast. Responsible for lunch, responsibility for
 [4] meetings inside Oval Office, cabinet rooms. And that's all
 [5] about it. Just exactly for the food service.
 [6] Q Okay. So you have no dealings with the President
 [7] in the living quarters; is that correct?
 [8] A No, ma'am.
 [9] Q Okay. So can you tell us generally what area of
 [10] the White House you do work in. If you could just, you know,
 [11] tell us how it's laid out and generally the rooms that you
 [12] deal with.
 [13] A Yes. I have -- in the Oval Office, besides the
 [14] Oval Office, across the Roosevelt Room -- I don't know if
 [15] you came from -- been to the White House -- I have a small
 [16] pantry; a small pantry which only a couple guys can fit. I
 [17] have a small refrigerator, a microwave, and a coffee maker,
 [18] and the shelves for cups and cereals in support for the
 [19] President.
 [20] Q Okay. So you actually make the President breakfast
 [21] sometimes?
 [22] A We have a staff dining facility downstairs. They
 [23] call it the White House staff mess, which military people
 [24] handle it, too. We -- I have to order food downstairs.
 [25] My responsibility is to serve -- to heat it up in the

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[1] microwave or something like that.
 [2] Q I see.
 [3] A But I make coffee, and I have to order, so and so.
 [4] Q So you serve the President?
 [5] A I serve the President.
 [6] Q Okay. What meals to you generally cover with the
 [7] President? Breakfast, you said -- and what else?
 [8] A Breakfast, lunch, and all the meetings, from head
 [9] of state any coming -- like Netanyahu came, and I be
 [10] responsible for serving them beverage.
 [11] Any meetings that the President want me to serve, I
 [12] will do that.
 [13] Q All right. And Mr. Maes also does the same work?
 [14] A Yes, ma'am, we are both together.
 [15] Q And you said you start about 8 o'clock in the
 [16] morning: is that right?
 [17] A I come in around 8:00 -- between 7:30, sometimes
 [18] 7:00, depend on the traffic, I came from my house going
 [19] to that.
 [20] Q Okay. And generally, how late do you work?
 [21] A We kind of split between Glen Maes and myself.
 [22] Sometime I come in in the morning at 7:00, and if we are
 [23] not busy, I leave around 3 o'clock or 4 o'clock. And then
 [24] Glen Maes will come in around 10:30 until the President
 [25] departs.

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[1] Sometimes I come in late, he come in early, so
 [2] vice versa. It depends on how we talk. We just deal
 [3] our time.
 [4] Q So sometimes you do the later shift, and sometimes
 [5] you do the earlier shift.
 [6] A Yes, ma'am.
 [7] Q What days of the week do you work?
 [8] A From Monday to Saturday -- if Saturday, the
 [9] President have schedule.
 [10] Q Monday through Saturday?
 [11] A Yes, ma'am.
 [12] Q Okay. So you're off on Sundays?
 [13] A We kind of turn. Like sometimes, I'll do the
 [14] Saturday, Glen Maes will do the -- the other weekend. We
 [15] kind of -- we kind of --
 [16] Q Okay. And the later shift -- you said that
 [17] sometimes, Glen will come in at 10:30 or so, or sometimes
 [18] you will.
 [19] A Yes, ma'am.
 [20] Q And then you will work later until the President
 [21] leaves.
 [22] A Yes, ma'am.
 [23] Q Generally, what time does that later shift go
 [24] until, if you can say?
 [25] A On the latest shift?

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[1] Q Mm-hmm.
 [2] A It depends, ma'am, on the schedule -- itinerary of
 [3] the President -- how long he's going to stay there.
 [4] If he say stay there for 6:30, and he depart at
 [5] 7:00, we still got to be there at 7:00. If he depart
 [6] 5 o'clock, then we're finished. It depends.
 [7] Q Is it sometimes later than 7:30 or 6:30?
 [8] A Yes, ma'am, it is. Sometimes it's 8 o'clock. It
 [9] depends on the meetings. They will have meetings there, and
 [10] we have to serve the meeting. And we will not leave until
 [11] all the meetings have been finished.
 [12] Q Are there some days when only one of you is working
 [13] -- you and Glen? Like on a Saturday, would it just be one
 [14] of you?
 [15] A Yes, ma'am.
 [16] Q Okay. Now, when you're not serving the President,
 [17] do you generally remain in that pantry area that you told us
 [18] about? Is that where your station is?
 [19] A If you are not -- could you repeat the question?
 [20] Q Sure. If you're not, you know, serving the
 [21] President coffee, lunch, breakfast, whatever, where do you
 [22] normally stay? Where is your work station? Where do you
 [23] wait for your calls?
 [24] A Downstairs in the White House staff mess. They
 [25] call it White House staff mess down in the basement. We

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[1] have a -- like a restaurant over there. We have an office
 [2] over there.
 [3] Q Okay. And the Oval Office is on what floor?
 [4] A The next floor. Excuse me. They call it the
 [5] second floor.
 [6] Q Okay. Is that the ground floor?
 [7] A I think it's the ground floor, because the basement
 [8] is the pantry, and then the ground. No, ma'am, it's the
 [9] first floor.
 [10] Q First floor?
 [11] A First floor.
 [12] Q And that's the ground floor, right?
 [13] A And we are in the ground floor. It's the kitchen.
 [14] Q Okay.
 [15] A Because if I ride in the elevator, I push 1. So we
 [16] go up to 1.
 [17] Q Okay. So is the Oval Office level with the lawn.
 [18] or is it one floor up?
 [19] A One floor up.
 [20] Q Okay. So you stay downstairs when you're not
 [21] actively --
 [22] A Sometimes I just stick around. And they have a
 [23] chair there. I stick around sometimes. I have a small chair
 [24] in the pantry. I sit down and read newspaper.
 [25] And I know -- it depend on the schedule. I

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[1] have to wait if the President will buzz me because there's a
 [2] meeting going on, and I cannot leave. But if he's not doing
 [3] anything, I could just hang around. Because I have a pager
 [4] for the President.
 [5] Q Okay. And when you're in the pantry, is the door
 [6] generally shut or open?
 [7] A It's shut.
 [8] Q Okay. Where is the pantry in relation to the
 [9] Oval Office?
 [10] A The --
 [11] Q Where is the pantry in relation to the Oval
 [12] Office? Why don't you just tell us what kinds of rooms
 [13] are around the Oval Office and where your pantry is.
 [14] A Okay. The Oval Office, my pantry, across the
 [15] pantry is the oval dining, and in between the oval dining and
 [16] the oval suite is the oval study (indicating).
 [17] Q Okay.
 [18] A So I'm on the side of -- if I open the door -- I
 [19] have a double door -- my door to the pantry and my door to go
 [20] to the oval dining. So I could leave my oval pantry -- the
 [21] pantry and the door to the oval dining is closed.
 [22] Q If you were to leave the pantry to go into the
 [23] dining room, how many doors to the dining room are there?
 [24] A If I leave --
 [25] Q If you're going out of the pantry --

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[1] A Mmm-hmm.
 [2] Q -- and you're going to go into the dining room --
 [3] is there more than one door to the dining room, or just one?
 [4] A Just only -- oh, two doors: the pantry and the
 [5] front door. And there's another door going to the oval
 [6] dining. So it's -- actually, they have two doors.
 [7] Q So you go through the pantry door --
 [8] A Uh-huh.
 [9] Q -- and then you go through the dining room door.
 [10] A Yes, ma'am.
 [11] Q Is there only one dining room door?
 [12] A Two. Two. They have another one in the side.
 [13] Q Okay. And the study that you mentioned --
 [14] (Nodding.)
 [15] Q -- how many entrances are there to this study?
 [16] A You have to entrance to the Oval Office first, or
 [17] to the secretary's office to go to the dining -- or either to
 [18] my pantry, or either to the other door besides my pantry to
 [19] go to the oval study.
 [20] Q Can you enter the study through the hallway?
 [21] A No, ma'am.
 [22] Q You have to go through the Oval Office to get to
 [23] the study?
 [24] A Yes, ma'am.
 [25] Q And how do you enter the Oval Office? How many

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entrances are there to the Oval Office from the hallway?
 A If he call me, I -- that they need me inside the Oval Office, then I have to go to the oval dining and then go through the passageway, pass by the oval study, and there's another door going to the Oval Office.
 Q Okay. And if you were in the Oval Office, can you walk from the Oval Office into the study?
 A Yes, ma'am.
 Q Okay. Now, you told us that you have held this position for President Clinton since 1993; is that right?
 A Yes, ma'am.
 Q Can you tell the Grand Jury how well you know the President?
 A What kind of -- well, you know, I mean, talking about --
 Q Well, do you speak to him?
 A No. We -- being working with the President is like when -- even from the President before -- I just do strictly personal business with the President as a food service. He come in in the morning, and he -- I will not come into the Oval Office unless he call me. And if he call me, if he want tea or coffee, I give him tea, and he will say, "Thank you," and I will say, "You're welcome." I will say, "Good morning," he will say, "Good morning." That's the daily routine ever since. And I

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she's a young lady -- I have a lot of M&M candies with Clinton's, you know, and she like those. Any time, she like -- she like candies.
 And she like me. I don't know why she like me.
 And I said she -- I was surprised. I was 48 years old at that time. And she was very friendly, you know. She -- that's the way we -- we know each other.
 Q Okay. Now, you said that she would deliver things from the chief of staff. To where would she deliver these things?
 A To Nancy Herrreich's office -- the secretary of the President. That's what's beside the Oval Office. It's not inside the Oval Office, but that's besides -- the side.
 Q How many secretaries does the President have?
 A They have three over -- three -- three secretary over there.
 Q And who are they?
 A At that time, Betty Currie, Nancy Herrreich, and I think it's Andrew Friendly or Stephen Gudin (phonetic) at that time, because they switch.
 Q Okay. And --
 A I think it's Stephen Gudin around then.
 Q Do those three people have desks?
 A Yes, ma'am, they have desks.
 Q And where are those desks located in relation to

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experience this from Jimmy Carter, Reagan, and that's the way we do it. Being in the military, it's just professional job when it's in the Oval Office.
 Q Okay. Do you ever have a personal conversation with the President?
 A Not in any President at all.
 Q Okay. Okay. Getting back to your schedule for a moment --
 A Yes, ma'am.
 Q -- can you tell the Grand Jury, when you're working the later shift -- okay, when is the latest you have ever worked?
 A The latest that I ever worked is only when they have a budget crisis during the Clinton time. I believe it's 1994 -- '95. And we all come in there until 10 o'clock, something like that.
 Q And would that be fairly unusual, then, to work that late?
 A No, no, because everybody work there. Everybody is there.
 Q Okay. At that time everyone worked very late.
 A At that time, yes. That's the only time that I work late.
 Q Okay. And can you tell us, roughly, in the years that you've been working for President Clinton as a steward,

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the Oval Office?
 A It's a square office, and there's a door going into the Oval Office.
 Q Are those three desks outside of the Oval Office?
 A Yes, ma'am.
 Q All right. And you said that Ms. Lewinsky would talk to you at times?
 A Yes. She love -- just like to talk. She just like --
 Q You mentioned the M&Ms. Can you explain to the Grand Jury what you're talking about.
 A There's a presidential seal -- with the seal of the President, with Bill Clinton. It's an M&M with different --
 Q Is it on the bag of M&Ms?
 A It's in a box like -- it's a regular candy M&M with peanuts or plain M&M.
 Q Okay. And she liked that?
 A Oh, she likes that, yeah.
 Q And you would give those to her sometimes?
 A Yeah, and just -- yeah.
 Q Okay. And that's like, I guess, a kind of item that's --
 A That's a free item.
 Q A free item in the pantry.
 A It's a free item. It's free.

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how often have you worked after 8 o'clock at night -- if you can tell us?
 A Oh, okay.
 Q And whatever is easier for you -- how many times a month, how many times a year --
 A Maybe three times a year, something like that.
 Q Okay. And have you ever worked after 10 p.m.?
 A No, ma'am.
 Q Okay. Do you know --
 A I would say your question about getting late after 8 o'clock, that's during the budget time.
 Q Okay.
 A I can remember after 10 p.m.
 Q Okay. Do you know Monica Lewinsky?
 A Yes, ma'am.
 Q And can you tell the Grand Jury who she is, or who she was when you knew her.
 A When I first met her, she was an intern in chief of staff office -- at that time, Mr. Leon Panetta. Young lady, and I think her job is just like passing by to the hallway and passing by my pantry to the oval door, going to the office of the President's secretary and delivering, like, paperwork or any kind of message between chief of staff. And she always stop by with me there and say hello, and she like to talk a lot, talk a lot. And being --

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Q Okay. Do you remember roughly when she came to work in the White House?
 A The only thing I remember is around November, when they had a budget crisis at that time.
 Q So that would be November of '95, you think?
 A Yeah, I believe, ma'am, yes.
 Q Okay. Getting back for a moment to the delivery of messages that you mentioned a moment ago -- that she would deliver whatever -- packages, messages, and so on -- from the chief of staff's office.
 A Mm-hmm.
 Q Would she always deliver those to Ms. Herrreich, or to other persons, as well?
 A There's three persons there, ma'am. I really -- I'm not -- that office not visible to me, but I know that she came in there. I don't know who -- I believe that message should be for either the three of them, or whatever -- to Nancy. Nancy is the number one secretary.
 Q Okay.
 A So I couldn't -- I didn't see her --
 Q Did you ever notice her delivering anything to Ms. Currie -- to Betty Currie?
 A Nothing at all that -- sometimes, really, I don't really focus on what she carry.
 Q I'm sorry?

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[1] A I really never focus too much of what she carry. I
 [2] know it's papers, you know, something like that.
 [3] Q Did you ever see her give anything to
 [4] Betty Currie?
 [5] A No. I mean, just like I say, I don't know. She
 [6] come in there with papers. She got to go to Betty or Nancy
 [7] or Stephen Gudin.
 [8] Q Okay. And can you tell us where Mr. Panetta's
 [9] office is in relation to the Oval Office. It is on the
 [10] same floor?
 [11] A Yes, it's the same floor. After oval dining, and
 [12] then Stephanopoulos' office, and then chief of staff office.
 [13] That's a kind of long ways. From my pantry, I can view the
 [14] door of the chief of staff -- the people in and out of there.
 [15] Q Okay. And Ms. Lewinsky would chat with you, as you
 [16] mentioned, would she come into the pantry to talk to you?
 [17] A Not in the pantry, ma'am. Just --
 [18] Q Where?
 [19] A In the passageway.
 [20] Q Okay. And do you remember what kinds of things you
 [21] talked to her about?
 [22] A Oh, she was very pleased about what I'm doing.
 [23] Say, "Oh, you work in the President of United States.
 [24] Imagine that. How did you get picked up?" You know,
 [25] things like that when I first knew her.

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[1] It's just -- you know, it's just -- just say,
 [2] "Oh, this is nothing for me. This is -- this is my fourth
 [3] President. I don't care about it. I just work. I'm in
 [4] military. This is my assignment." That's all.
 [5] Q Okay. Do you remember any other conversations you
 [6] had with her while she was working in the White House?
 [7] A Conversation with Lewinsky?
 [8] Q Mm-hmm.
 [9] A Sometimes my family, her family. She told me --
 [10] of course, I asked, "How is your father and mother?" "Oh,
 [11] they're separated. My mother is a writer. My father is
 [12] a doctor."
 [13] And you know, we're -- sometimes -- "Oh, you do the
 [14] intern. Where did you finish your college? What did you
 [15] finish?" "I finish biology," or something. I -- I --
 [16] because it's a lot of interns there, and that's the way
 [17] we just talk about, you know.
 [18] Q Now, during the time that Ms. Lewinsky was working
 [19] in the White House, was she always an intern, or did she have
 [20] another job at some point?
 [21] A Then after -- I don't know what month -- she
 [22] stopped by and she say, "You know, I'm trying to get a
 [23] job -- a permanent job in the White House." I say,
 [24] "Good for you." "Because," she say, "I'm not getting paid
 [25] for this intern." I say, "Well, you're going to get a job?"

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[1] She say, "Yes, I'm getting a job from --" I think it's
 [2] in legislative affair, on the other side. I said, "Good,"
 [3] you know."
 [4] And she said, "Finally, I'm getting money because
 [5] I'm getting broke. I don't have money," things like that, so
 [6] -- and then, one thing I know, she was there.
 [7] Q And when you say "legislative affairs" -- was that
 [8] also within the White House?
 [9] A Yes, ma'am. It's in the East Wing side.
 [10] Q Now, do you remember roughly when her job changed
 [11] from intern to legislative affairs?
 [12] A I cannot give you a specific month.
 [13] Q When her job changed to legislative affairs, did
 [14] she continue to come and chat with you?
 [15] A Yes. Not so much this time. I think the reason
 [16] why I could see her a lot because she allowed to have -- we
 [17] have a carryout in the pantry downstairs, in the mess.
 [18] And she go the carryout. And when I hang around
 [19] there, and then we chat that, "Oh, you're getting some
 [20] breakfast?" "Yeah, I'm getting some breakfast." She carry
 [21] out a lot, so we kind of see almost every day, people, you
 [22] know. So maybe three, two days a week, you know. But I
 [23] always see her around.
 [24] Q So are you saying that a few times a week, she
 [25] would come and chat with you, even after she was working with

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legislative affairs?
 A She don't come around now that -- to come to the
 kitchen and chat with me. But it happens that I always
 either see her in the west lobby or see her down in the
 mess where I -- I always see her in the mess eating
 something.
 Q After she went to work in legislative affairs, did
 you ever see her in the area of the Oval Office?
 A One time. One time. I think she want to borrow a
 -- asking me a candle. I don't know, for a -- she said
 somebody have a birthday. She just want to have a candle.
 It happen I have a candle. So we talk in the
 passageway. I give her the candle. And that's -- that's
 the only thing that I remember, because once you left the
 place in there, you cannot -- you're not supposed to hang
 around there.
 I mean, the only people hang around -- who could
 use the passageway in front of the Oval Office is the people
 from the chief of staff to Stephanopoulos or to the deputy
 chief of staff people, and the Vice President people.
 Q Okay. Do you know whose birthday it was?
 A Yes, ma'am.
 Q Who?
 A I don't know whose birthday is that.
 Q Oh, okay.

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A I'm sorry. I thought his birthday -- her birthday.
 Q That's okay. During the time that Monica Lewinsky
 worked as an intern at the White House, did you ever see her
 with the President?
 A Yes.
 Q And can you tell us where they were when you
 saw them?
 A In three occasions. Number one, when she was an
 intern, when the President went out the passageway. I
 believe it's around 6 o'clock. It was during the budget
 meetings. It's kind of late. And everybody still hang
 around. All the offices still full.
 He went out there and shook hands to the people,
 and I know he shook hand with Monica with the presence of
 four or five people in the chief of staff. And I could --
 I could see it there from the passageway.
 And that second occasion is after he was -- she was
 assigned in the Pentagon, she went to -- I see her in the
 Roosevelt Room, which across my pantry, with her father and
 sister and stepmother. That -- I think she attend -- she
 attend a radio address for the President. That was Friday.
 And the third one is the same thing -- in the radio
 address, with Mr. Bacon, the -- her boss in Pentagon -- with
 the family of Bacon. She introduced me because I -- and then
 after -- after -- after all the put off, everybody, with 60

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people -- 50 or 60 people -- they all go inside the Oval
 Office and had a pictures taking.
 Q When you say "they" went inside the oval --
 who did?
 A Everyone in that radio address -- the people at
 the thing.
 Q Okay. You mentioned when Monica was at the
 Pentagon. Did there come a time when she left the
 White House?
 A Say again?
 Q You mentioned a moment ago that Monica was at the
 Pentagon at some point. Did she leave the White House at
 some point? She no longer worked there?
 A She was not longer worked there when it happened,
 the radio address, when she --
 Q And she went to work at the Pentagon?
 A Yes.
 Q After she worked at the White House?
 A After she left the White House, yeah.
 Q Do you remember, roughly, when she left the
 White House to go to the Pentagon?
 A I think -- I just read in newspaper it's
 May 1996, so --
 Q Do you know of your own personal knowledge?
 I believe in that time. I think it's kind of -- it

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(1) was almost summertime. yes.
 (2) Q Okay. Now, you mentioned there were three times
 (3) that you saw Monica with the President. On any of those
 (4) occasions, did you ever overhear any discussions between
 (5) her and the President?
 (6) A No, ma'am. Because once -- once they go inside, I
 (7) never go inside with the family.
 (8) Q And other than those three occasions, did you ever
 (9) see Monica with the President?
 (10) A No.
 (11) Q Did you ever see her alone with the President?
 (12) A No.
 (13) Q Did you ever see Ms. Lewinsky enter the
 (14) Oval Office?
 (15) A No.
 (16) Q Did you ever see her leave the Oval Office?
 (17) A No.
 (18) Q Did you ever see her enter the study?
 (19) A No, ma'am.
 (20) Q Did you ever see her leave the study?
 (21) A No, ma'am.
 (22) Q Did you ever see her enter the dining room?
 (23) A No, ma'am.
 (24) Q Did you ever see her leave the President's
 (25) dining room?

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(1) A No, ma'am.
 (2) Q Do you have any knowledge -- any personal knowledge
 (3) -- as to whether Ms. Lewinsky was ever alone with the
 (4) President?
 (5) A No, ma'am.
 (6) Q Have you ever heard from anyone else that she was
 (7) alone with the President?
 (8) A No, ma'am. It's all right if I step out and --
 (9) Q Would you like to step out and --
 (10) A Yes.
 (11) MS. WIRTH: That's fine. Sure.
 (12) MR. WISENBERG: Absolutely. Let the record reflect
 (13) the witness is being allowed to leave speak with his counsel.
 (14) (Witness excused to consult with counsel.)
 (15) ***
 (16) FOREPERSON: Mr. Nelvis, I'd like to remind you
 (17) that you're still under oath.
 (18) THE WITNESS: Yes, ma'am.
 (19) BY MS. WIRTH:
 (20) Q Okay, Mr. Nelvis, now you've had an opportunity to
 (21) consult your counsel, have you?
 (22) A Yes, ma'am.
 (23) Q Is there anything that you'd like to add to
 (24) anything that you've said?
 (25) A For what?

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(1) Q Is there anything you'd like to add to anything
 (2) that you've previously testified to here today?
 (3) A Nothing. No, no.
 (4) Q Okay. I'm going to return to one of my prior
 (5) questions for a moment. Did you ever see Monica Lewinsky
 (6) leave the Oval Office by herself?
 (7) A No, ma'am.
 (8) Q The dining room by herself -- did you ever see her
 (9) leave by herself?
 (10) A No, ma'am.
 (11) Q Did you ever see her leave the study by herself?
 (12) A No, ma'am.
 (13) BY MR. WISENBERG:
 (14) Q And for those three rooms, did you ever see her
 (15) enter by herself, on either of those?
 (16) A No, ma'am -- no, sir, I mean.
 (17) Q That's quite all right.
 (18) A I have too much "ma'am" in there, so --
 (19) BY MS. WIRTH:
 (20) Q All right. Did you have any relationship with
 (21) Ms. Lewinsky outside the White House? Did you ever meet her
 (22) outside the White House?
 (23) A Yes.
 (24) Q Can you tell us, first, whether that was during the
 (25) time that she worked in the White House, or after?

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(1) A After she work in the White House.
 (2) Q And was that when she worked at the Pentagon?
 (3) A Yes, ma'am.
 (4) Q Okay. And about how many times did you meet her
 (5) outside the White House after she left?
 (6) A I would say four times.
 (7) Q And where would you meet?
 (8) A She asked for M&M. She call M&M -- see if I
 (9) could drop her off M&M. So first I say, "Were you work?"
 (10) "Pentagon." "I could drop it off there." Said okay.
 (11) Then I meet her to the waiting -- right outside the
 (12) entrance of the Pentagon and handed up the M&M, which I put
 (13) in package.
 (14) Q Did she ever tell you what she wanted them for?
 (15) A She said she want to give it away to coworkers.
 (16) Q Did you ever give her anything else?
 (17) A Yes, ma'am.
 (18) Q What else did you give her?
 (19) A Well, it happened when she was -- 1995. I was
 (20) surprised she give me a tie, you know. She was telling me
 (21) that she used to work in a tie store back in California.
 (22) She's good in tie. And I was surprised Christmas, she
 (23) went to get me a tie. It was 1995.
 (24) Q Is this when she was still working in the
 (25) White House?

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(1) A Yes, uh-huh. And then I went by -- in our
 (2) office, we have like a benefit fund we create aprons with
 (3) presidential -- so I bought -- it's \$10, so I bought it and
 (4) give it to her, and say, "Here is a souvenir from our
 (5) department," as a Christmas gift.
 (6) So it's starting, like, to exchange gifts. You
 (7) know, I mean, she gave me something, then I feel like giving
 (8) her something.
 (9) And on and off from -- from -- the 1995, my
 (10) birthday -- I didn't tell her it's my birthday. But 1996,
 (11) my birthday, she asked -- she keep on asking me already
 (12) when -- during when she was working there -- when is my
 (13) birthday. I said January 17. And I was surprised she gave
 (14) me another tie.
 (15) Then I was committed to get another gift and give
 (16) it to her, you know. And then Christmas come 1996, she say,
 (17) "I'll give you a present again for Christmas." Then I say,
 (18) well, I got to give present again. So keep on just exchange
 (19) like that.
 (20) Q What present was that then?
 (21) A A tie.
 (22) Q How many ties have you received from her?
 (23) A I have four ties. I have it with me.
 (24) Q And you brought them with you?
 (25) A Yes.

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(1) Q I believe, actually, the question that I had asked
 (2) you is whether you gave her anything other than the M&Ms.
 (3) A Yes.
 (4) Q And you mentioned the apron.
 (5) A Yes.
 (6) Q What other things did you give her?
 (7) A You know, she remind me here birthday. 1996, she
 (8) remind me her birthday. But I was in L.A. I didn't give
 (9) her any.
 (10) But 1997 -- this last year -- she called and say,
 (11) "Don't forget my birthday." Just like, "I don't forget." I
 (12) say, "Okay. I don't forget." I buy her a kind of lotion. I
 (13) think it's about -- about 18 bucks or something. I don't
 (14) know what brand.
 (15) And I say, "Hey, can I -- where can I see you? I
 (16) have a Christmas present for you." Say, "Okay. Why don't I
 (17) treat you for a snack something." "Oh, fine. After work."
 (18) So we went to Washington, D.C. in downtown --
 (19) M Street, I believe, with a bar and grill things, with
 (20) Italian food. So I give her the birthday, and we eat kind of
 (21) pasta. I order a pasta, and I don't know what -- what she
 (22) ordered. So and then after that, I say -- she pick -- she
 (23) treat me, but I give her a birthday -- a birthday gift.
 (24) Q Which was the lotion?
 (25) A Yeah. Then I left. We just separate and left.

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[1] Q Okay. Did you ever give her any glasses --
 [2] drinking glasses?
 [3] A Yes, yes. I give her drinking glasses, yeah.
 [4] Q And can you describe those.
 [5] A Those are glasses with the seal of the President --
 [6] those President.
 [7] Q And did she ask to you for those, or did you just
 [8] give them to her?
 [9] A No. She told me that she's going to New York
 [10] for good. So I said -- I said, "Why are you going to
 [11] New York?" "Well, I'm just going to ahead and find a job
 [12] and live there, because my -- I'm -- my mom's going
 [13] to New York, and I don't think I can afford to pay the
 [14] Watergate Hotel."
 [15] So I say, "Well, tell you what -- if you're
 [16] leaving the place, I would like to give you a good
 [17] souvenir." So I have a lot of them glasses there, so I said
 [18] give her one -- give her a couple of them. I say, "This
 [19] is good souvenir anything with the seal." But anything with
 [20] the seal is a good souvenir, anyway. I give it away
 [21] to anybody that leaving town.
 [22] Q Okay. Did Monica ever discuss the President
 [23] with you?
 [24] A No, ma'am.
 [25] Q Did she ever tell you anything about her

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[1] relationship with the President?
 [2] A No, ma'am.
 [3] Q Did she ever ask you anything about his schedule?
 [4] A The President's schedule?
 [5] Q (Nodding.)
 [6] A Yes.
 [7] Q What did she ask you?
 [8] A In the telephone, she said, "How you been doing?"
 [9] "Fine." "How is the President doing?" "Oh, it's good. He's
 [10] has a very busy -- he has a very busy schedule." You know,
 [11] things like that. Some things -- I think she ask, "Is he
 [12] busy today?"
 [13] Q Is who?
 [14] A She would say, "Is he busy today?" Say, "Yeah,
 [15] he got a lot of meetings going on, and he's got to got to
 [16] Capitol and got to a dinner, he got to go to restaurant,"
 [17] something like that. So things like that, and I answer
 [18] specifically to her.
 [19] Q About how many times did she ask you questions
 [20] about his schedule?
 [21] A Not -- sometimes she -- on the schedule, I remember
 [22] one. But she could ask me sometime, "How is the President
 [23] doing?" "How's your boss doing?" Not "the President." Say,
 [24] "How's your boss doing?" "Oh, he's doing fine," you know.
 [25] Q About how many times did you have those

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[1] conversations?
 [2] A It's not all the time she ask me that, but I would
 [3] say she called me once a month, maybe twice a month
 [4] sometimes. Depends, you know, my schedule, because I travel,
 [5] too. I travel. I could be gone for 10 days sometimes. Do
 [6] the pre-advance, go overseas -- Japan, Argentina, anywhere
 [7] else.
 [8] And if I leave, Glen Maes was there. Sometimes
 [9] Glen Maes received a phone call, and he chat with Monica.
 [10] Q And this during the period that she was working at
 [11] the Pentagon?
 [12] A Yes, ma'am.
 [13] Q And these are calls that you received at work?
 [14] A Say again?
 [15] Q You received these calls at work?
 [16] A Yes, uh-huh.
 [17] Q Did she ever ask you any questions about the
 [18] President's travel plans?
 [19] A Yes.
 [20] Q What did she ask you?
 [21] A She ask -- one time said, "Oh, I heard on the news
 [22] that he's going to so many place. Are you going in there?"
 [23] "Yes." You know, ask me like that.
 [24] Sometime said, "I'm not going to this trip. I will
 [25] lag behind. Glen Maes is going." That's specifically that

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[1] she asked me.
 [2] Q About how many times did she ask you about his
 [3] travel plans?
 [4] A Not -- not -- not more than two times, I believe --
 [5] I can recall.
 [6] Q Did you ever discuss a specific trip with her?
 [7] A I tell her that a specific trip that where's he
 [8] going. Like, he's going to L.A., things like that.
 [9] Q Do you remember which --
 [10] A Because of he -- he (sic) will ask me, "Are you
 [11] going to be going to the trip?" Sometimes, the trip of the
 [12] President is in the news already before -- before I know it.
 [13] Q Do you remember which trips you discussed with her
 [14] A The last time is when I went -- I just came
 [15] back from Virgin Island. That's all I discussed with her
 [16] is -- sometimes she ask me, "How you doing?" -- because I
 [17] receive a -- this was January 6th when she call me. I -- I
 [18] arrive in January 4th. "How you been? How is your trip?"
 [19] "Oh, it's great. Now it's hot out there" -- things like
 [20] that.
 [21] Q Did she ask you anything else about that trip?
 [22] A No, ma'am.
 [23] BY MR. WISENBERG:
 [24] Q Pardon me, did you say January 5?
 [25] A January 6.

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[1] Q Of this year?
 [2] A Yeah.
 [3] BY MS. WIRTH:
 [4] Q Which specific trips do you remember Monica
 [5] discussing with you before the trips took place? And these
 [6] are the President's trips?
 [7] A Are you asking about a specific trip --
 [8] Q If you remember,
 [9] A -- she asked me?
 [10] Q Yes.
 [11] (Brief interruption to proceedings.)
 [12] MR. BINHAK: Just for the record, the door opened
 [13] and Bruce Udolf, another associate independent counsel, has
 [14] entered the room. And the door is closed.
 [15] THE WITNESS: It's okay?
 [16] BY MS. WIRTH:
 [17] Q Sure, it's okay.
 [18] A I believe it's in the middle month of -- middle
 [19] part of 1997, something like that.
 [20] Q Okay. Do you remember which specific place the
 [21] President was going to? You mentioned Los Angeles a minute
 [22] ago. Do you have a memory of her discussing with you a trip
 [23] that the President was going to take to Los Angeles?
 [24] A I don't know -- I don't know where we going. I
 [25] forgot where. I got so many trips that I cannot recall. I

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[1] can't give you a place, when I say, "Well, we're going to
 [2] this place," something like that.
 [3] Q Do you recall any specific place that you discussed
 [4] with her that the President was going to?
 [5] A I'm sorry. I cannot recall anything. I cannot
 [6] give you example of that.
 [7] Q Okay. Did she ever ask you any questions about
 [8] whether she would be able get in to see the President on one
 [9] of his trips?
 [10] A No.
 [11] Q Do you know whether Ms. Lewinsky ever sent anythi
 [12] to the President in the line of a letter, a note, a package,
 [13] an envelope?
 [14] A No, ma'am.
 [15] Q Did she ever ask for your assistance in getting
 [16] anything to the President -- in delivering anything to him?
 [17] A No, ma'am.
 [18] Q Do you know whether Monica ever gave any present
 [19] to the President?
 [20] A No, ma'am.
 [21] Q Did she ever discuss that with you?
 [22] A No, ma'am.
 [23] Q Do you know whether the President ever gave any
 [24] gifts to Monica?
 [25] A No, ma'am.

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Q We were talking a moment ago about times that you saw Monica after she left the White House and was working at the Pentagon, and I believe you mentioned a time that you went to deliver M&Ms to her at the Pentagon, and another time when you went out for with her for drinks -- was it drinks?

A Mm-hmm.

Q Okay.

A Mm-hmm. Eat, yeah.

Q And to eat?

A Yeah, we eat.

Q And you said that you had seen her approximately four times since she left the White House. Do you remember what the other visits were -- where they were and what they were about?

A Visit to the White House?

Q No, you said that after Monica left the White House, you saw her about four times outside of the White House, and you told us at least about two of those incidents -- one, when you went to the Pentagon to deliver M&Ms, and another time when you went out with her for dinner and drinks.

A Yeah.

Q Do you remember anything about the other times that you saw her outside of the White House?

A Back in '96 I see her before Christmas. I give --

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we exchange gifts.

Q And where did that take place?

A It take place -- I think in the Starbucks right in Pentagon City, right here, drink coffee.

Q And the other one is 1997. We -- I give the -- you know, exchange gifts, you know, so --

Q Is this Christmas or birthday?

A Birthday. And the last time I see her is on December of 1997.

Q All right. We'll get to that in a moment. The time when you exchanged birthday present with her in 1997, where did that take place?

A 1997, 1997?

Q You just testified that in 1997, you met with her and exchanged --

A Yes. We went to the bar and grill, as I said, when I give her -- I --

Q Is that the lotion?

A The lotion, yeah.

Q Okay. All right. When is your birthday, by the way?

A January 17th.

Q And when is her birthday?

A July 23, if I'm not mistaken.

Q And did you meet and exchange birthday presents at

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the same time, or did you meet when it was your birthday --

A No.

Q -- and when it was her birthday?

A Not exactly the birthday. Not exactly the day of her birthday.

Q But did you exchange birthday presents at the same time, or at separate times?

A Separate time.

Q Did you ever go to her home?

A No, ma'am.

Q Has she ever been to yours?

A No, ma'am.

Q Did Monica ever discuss with you the reason why she left the White House, when she left working there?

A First, I think three days prior she left the White House, she call me from her office to my pantry, and she say that, "Nel, I'm leaving the White House."

Q I say, "Why?" "My boss is -- lost the job in that position."

Q That's what she explain to me. And, "You know, I work with her, so two of us will be gone."

Q Did she tell you her boss' name, or did you know her boss's name?

A No, ma'am. I don't think I -- maybe I met her, but --

Q Do you know that name Jocelyn Jolley?

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A That's the name of the lady. That's the name. But I really doesn't know her personally.

Q Okay. And that Monica's boss, to the best of your knowledge?

A Yes.

Q And Ms. Jolley was leaving, as well?

A Yes. That's what she told me.

Q Did Ms. Lewinsky tell you anything about why Ms. Jolley was leaving?

A No, she did not explain to me, and I did not ask her.

Q Did she ever explain to you at any time after that conversation why she left the White House -- "she" being Monica?

A After she left, she got hired -- she said somebody's working out that she could transfer to Pentagon.

Q She said, "I got a line-up already to the Pentagon after I will leave the White House."

Q At any time after she told you she was leaving, did she ever explain to you why she left the White House? Did she ever give you a reason for why she left that job?

A The reason that she gave is she say -- is she like -- she sound like confused. She said, "Why did they take me out? My boss is the one who was -- " look like fired, or lost the job. "Why did they take me out?"

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I say, "Why, yeah, you could -- you probably can I find another -- " I said -- I advised, "Maybe you could find another job somewhere around here in the White House, you know."

Q Did you ever hear anything from any other source -- other than Monica -- as to why she left the White House -- why she no longer worked there?

A No, No.

Q Did you ever hear from any source why Ms. Jolley no longer worked at the White House?

A No, ma'am.

Q Do you know whether Monica was happy working at the Pentagon?

A Well, the first two weeks she call me, and she said she is not very happy. She said, "I love the White House. I like to go back to the White House." That's what she was telling me. And I said, "Well, maybe some day. Why don't you apply again. Maybe they have some opening." I just say it like that.

Q Did she ever discuss with you whether she talked to the President about coming back to the White House to work?

A No, ma'am.

Q Did the President ever discuss with you Ms. Lewinsky coming back to work at the White House?

A No, ma'am.

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Q Do you know whether anybody at all assisted her in any way in her effort to get back to the White House?

A No, ma'am.

Q I believe I mentioned a little while ago that she -- that Ms. Lewinsky told you that she was interested in moving to New York, is that right?

A Yes.

Q Do you know anything about any efforts on her part to obtain a job in New York?

A When she told me that -- she told me that, you know, "My last day in my work is -- my resignation is the end of this month, January -- December. And I'm moving to New York." And she did not tell me where she going to work, and she said she have interview -- line up duty -- I mean, line up work to go to New York.

BY MR. WISENBERG:

Q You said "December" -- you meant December of '97 -- of 1997?

A Yes, before that. I think one -- one month maybe prior to December, she call me that she is looking at job to New York. And then when we met December -- I believe December 17, we met -- that -- because she told me she going to give me a gift. That's why I have to meet her.

BY MS. WIRTH:

Q Okay. And that is the last time you saw her?

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[1] A Yes. December 17.
 [2] Q And where did that meeting take place?
 [3] A In California Pizza in Pentagon also. Was to
 [4] Pentagon.
 [5] Q Okay. And what did you talk about at that meeting?
 [6] A She talk about -- about getting a job. She said --
 [7] we talk go mostly job.
 [8] Q About what?
 [9] A Mostly about her job. And I advise her. "Why do
 [10] you have --" I always just say. "Why do you have to leave?
 [11] You got a good job in Pentagon and --" "Oh, the only reason
 [12] is I don't think I can afford the payment here. And also, my
 [13] mother will be there. And I probably happy."
 [14] And I said, "Well, I probably won't see you
 [15] anymore." "Maybe -- it's only about an hour. Maybe if I
 [16] come back to here some day, then I give you a call." I said,
 [17] "Fine." But I said that. "What about my gift to you for
 [18] Christmas gift? I mean, I have to give you something, and
 [19] you know --" I (sic) said, "I will call if I can ever
 [20] come back."
 [21] Q She said that to you?
 [22] A Yes.
 [23] Q And so you did not exchange presents at that time?
 [24] A No.
 [25] Q All right. Did she ever tell you anything about

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[1] THE WITNESS: Thank you.
 [2] MS. WIRTH: Thank you.
 [3] THE WITNESS: Can I step out?
 [4] MS. WIRTH: Yeah, sure.
 [5] MR. WISENBERG: We'll come and get you.
 [6] (A break was taken from 2:45 until 3:14 p.m.)
 [7] FOREPERSON: Mr. Nelvis, I'd like to remind you
 [8] that you're still under oath.
 [9] THE WITNESS: Yes, ma'am.
 [10] Q Mr. Nelvis, do you know whether the President has
 [11] a valet?
 [12] A Yes, ma'am.
 [13] Q Does he have more than one, or just one?
 [14] A We have two valet.
 [15] Q Do you know the names of those persons?
 [16] A One is Manolito Bautista.
 [17] Q Bautista?
 [18] A Bautista is that last name, B-a-u-t-i-s-t-a.
 [19] Q And what's the first name?
 [20] A Manolito.
 [21] Q Manolito?
 [22] A M-a-n-o-l-i-t-o.
 [23] Q And the second one?
 [24] A Godofredo Sanchez. First name is Godofredo.

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[1] any specific places she was interviewing in New York
 [2] for jobs?
 [3] A No, ma'am.
 [4] Q Did she ever discuss with you whether the President
 [5] was assisting her in any way in getting a job in New York?
 [6] A No, ma'am.
 [7] Q Did Ms. Lewinsky ever -- in any discussion that you
 [8] had with her -- express any concern to you about testifying
 [9] in the Paula Jones case?
 [10] A No, ma'am.
 [11] Q Did the subject ever come up of the Paula Jones
 [12] case?
 [13] A No.
 [14] Q Did Ms. Lewinsky ever discuss Vernon Jordan
 [15] with you?
 [16] A No, ma'am.
 [17] Q Who is Steve Goodman (sic)? You mentioned him a
 [18] little while ago. What is his job?
 [19] A I think his title is assistant to the President
 [20] also. He's kind of the guy that always remind the President
 [21] about scheduling. Wherever the President go -- he's been in
 [22] the Oval Office, "Mr. President --"
 [23] Q Speak up, please.
 [24] A "Mr. President, you have the Senator outside. It's
 [25] about time to see you." Something like that.

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[1] That's G-o-d-o-f-r-e-d-o; Sanchez, S-a-n-c-h-e-z.
 [2] Q Did you ever have occasion to tell anyone that
 [3] Monica Lewinsky was a cabinet secretary's daughter or a
 [4] cabinet member's daughter when that individual saw Monica
 [5] with the President?
 [6] A No.
 [7] Q Have you ever told anyone at any time that
 [8] Monica Lewinsky was a cabinet secretary's daughter?
 [9] A No.
 [10] Q Have you ever at any time identified her as
 [11] something other than what she was -- either an intern or a
 [12] person in the legislative office?
 [13] A No.
 [14] Q I'm going to turn back for a moment to the subject
 [15] of Ms. Lewinsky's efforts to obtain a job in New York, to the
 [16] extent that you know anything about that.
 [17] During any of the conversations you had with her --
 [18] whether they were on the telephone or in person -- did she
 [19] ever discuss with you whether anybody at the White House was
 [20] helping her to get a job?
 [21] A No.
 [22] Q Did she ever mention the name Bill Richardson
 [23] to you?
 [24] A No.
 [25] Q Did she ever mention the name John Podesta to you

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[1] Q And he's one of the three people that sits outside
 [2] the Oval Office?
 [3] A Yes, ma'am.
 [4] Q Now, do you know by the name of Deborah Schiff?
 [5] Deborah Schiff?
 [6] Q Yes.
 [7] A Yes.
 [8] Q Who is she?
 [9] A She work in the west lobby as, like, a
 [10] receptionist.
 [11] Q In the West Wing?
 [12] A In the West Wing.
 [13] Q Did you ever discuss her with Monica Lewinsky?
 [14] A No, ma'am.
 [15] Q Are you familiar with the term "graduate"?
 [16] A "Graduate"?
 [17] Q Yes.
 [18] A No.
 [19] MS. WIRTH: Okay. Can we take a break for a
 [20] minute?
 [21] FOREPERSON: Of course.
 [22] MS. WIRTH: Thank you.
 [23] FOREPERSON: Let's take 10 minutes.
 [24] MR. WISENBERG: A 10-minute break.
 [25] MS. WIRTH: That's good. Thank you.

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[1] A No.
 [2] Q Did she ever mention the name Bill Nash to you?
 [3] A No.
 [4] BY MR. WISENBERG:
 [5] Q How about Bob Nash?
 [6] A No, I don't know. I don't know him.
 [7] Q How about the ambassador to the United Nations?
 [8] A No.
 [9] MR. WISENBERG: Pardon me.
 [10] BY MS. WIRTH:
 [11] Q And you told us that the last time you saw Monica
 [12] was December 17, 1997?
 [13] A Yes, ma'am.
 [14] Q Was that the last time you also spoke to her?
 [15] A The last time I spoke to her is January 8, in the
 [16] telephone.
 [17] Q Did she call you, or did you call her?
 [18] A She called me January 6, and she said, "I'm back
 [19] in town." I said -- first, I said, "Where are you calling?"
 [20] And say, "Yeah, I'm here in my house residence." And she
 [21] say, "I'll be here until the 24th of January. And then I'm
 [22] moving to New York."
 [23] I say, "Good. You know, I have a Christmas present
 [24] that I have to give. When can I give it to you?" And she
 [25] said "Maybe --"

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[1] Q You said to her you had a Christmas present
 [2] for her?
 [3] A Yes. Because I have to -- I want to return
 [4] the favor -- the gift, you know. And she said, "Maybe
 [5] Thursday," which is January 8th -- I believe it's January
 [6] 8th, Thursday. I said, "Where can I drop this off?"
 [7] And she said, "Do you know where the Watergate
 [8] Hotel?" I said, "Yes." "Do you know where the Kennedy
 [9] Center?" "Yes, I'm familiar with that." Said, "Why don't you
 [10] stop by there maybe around 1 o'clock. And then I probably
 [11] could -- you see me there and -- well, I'll be waiting for
 [12] you, and you could drop it off. Maybe we could have lunch."
 [13] I said, "Well, we'll see." That's what I asked -- I
 [14] told her.
 [15] But on that day -- Thursday -- I'm coming from -- I
 [16] went to work early, then I go home because the President went
 [17] to New York. Then I went home, and then I get the gift from
 [18] my house.
 [19] And going to Watergate, I call in my cell phone her
 [20] -- first, I don't know her number, except that she -- on
 [21] January 6, she -- she said, "Do you know my number?" She
 [22] (sic) say, "I want to call you first before I go over there."
 [23] She say, "Yeah, this is my number, because --
 [24] and she never give me house number, anyway. All I know is
 [25] the Pentagon number. Even the caller I.D. card says out

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[1] of the area. She's not registered. She call at home when
 [2] she call me.
 [3] So she give me the number, and I call her on the
 [4] way. As soon as I leave, I call a cell and -- answering
 [5] machine. So I leave a message, say, "Monica, this is Nel.
 [6] Could you page me at this number." My -- I give my number
 [7] and pager number. "I'm on my way" -- I say that.
 [8] Then later on they (sic) page me -- another 5, 10
 [9] minutes, she page me. She said, "Nel, I can't see you today,
 [10] and I cannot talk to you in the phone. I'm in trouble."
 [11] That's what she told me.
 [12] And then I don't -- I don't think of anything
 [13] else. I just go to -- I just go home, because the weather is
 [14] raining and, you know.
 [15] Q When she said to you that she was in trouble, did
 [16] you ask her what kind of trouble she was in?
 [17] A No, she did not talk anything. She just said I
 [18] cannot talk to you on the phone. And I even said, "Can you
 [19] -- I'll be at work tomorrow, Friday. Could you give me a
 [20] call when can I see you and give you the gift."
 [21] So she just hang up. She didn't give me any
 [22] answer.
 [23] Q And this was January 8th?
 [24] A That's January 8th, uh-huh.
 [25] Q And have you had any conversations with her

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[1] since then?
 [2] A No, ma'am.
 [3] Q Have you ever met any of her lawyers?
 [4] A No, ma'am.
 [5] Q Have you ever talked to any of her lawyers?
 [6] A No, ma'am.
 [7] Q Now, you're appearing here today pursuant to a
 [8] subpoena; is that correct?
 [9] A Yes, ma'am.
 [10] Q When you received the first subpoena that you got,
 [11] did you tell anyone other than a lawyer that you received
 [12] a subpoena?
 [13] A Yes, ma'am.
 [14] Q Who did you tell?
 [15] A I talked to my immediate supervisor. Name
 [16] is Lieutenant McCain. He's a Navy supply officer --
 [17] lieutenant. I call her -- call Pers -- there's
 [18] an FBI that's looking for me.
 [19] Q Pardon me?
 [20] A They said -- my wife said there's an FBI looking
 [21] for me.
 [22] Q Oh.
 [23] A But I wasn't home yet. So I called my lieutenant.
 [24] And then --
 [25] Q Is this someone looking for you at home?

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[1] A Yes.
 [2] Q And your wife called you, you said?
 [3] A No. When I got home, my wife told me that somebody
 [4] knock on the door. "But we told you (sic) that you wasn't
 [5] here." So I call my lieutenant, say somebody is looking for
 [6] me, but -- after I go home, I, you know, "Somebody is looking
 [7] for me." "Well, maybe if they're really FBI, then you can
 [8] make sure you get a badge number and name." "Okay. Fine."
 [9] Then they called the following morning at 9:30 --
 [10] 8 o'clock they call at home. And FBI -- Eric Randall called
 [11] me from, I think, from Baltimore, and she (sic) said, "We
 [12] have to drop you off a subpoena." I said, "Fine. I'll
 [13] be home."
 [14] And I received that on the morning -- the morning
 [15] 24 -- in the morning.
 [16] Q Okay.
 [17] A Then I talked to Lieutenant McCain. As I told
 [18] you, it's my boss. And I think he call the director of
 [19] White House military office, which my immediate boss.
 [20] Q Okay. And did you talk to anyone at the
 [21] White House about the fact that you received a subpoena?
 [22] A Yes, ma'am.
 [23] Q Who did you talk to?
 [24] A The military office called Cheryl Mills --
 [25] Cheryl Mills, one of the lawyer in the counsel office. Then

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[1] I see her.
 [2] Q Did you speak to her?
 [3] A I speak to her.
 [4] Q Did you speak to her about Monica Lewinsky?
 [5] A No, I -- I don't want to -- I don't want to
 [6] answer that question. That's -- you know, that's my
 [7] privilege that --
 [8] MR. WISENBERG: Do you want to talk to your lawyer
 [9] about it?
 [10] THE WITNESS: Yes.
 [11] MS. WIRTH: Fine. You can step out again.
 [12] (Witness excused to consult with counsel.)
 [13] ***
 [14] FOREPERSON: Mr. Nelvis, I'd like to remind you
 [15] once again that you're still under oath.
 [16] THE WITNESS: Yes, ma'am.
 [17] BY MS. WIRTH:
 [18] Q Mr. Nelvis, other than Cheryl Mills, did you speak
 [19] to anybody else in the White House counsel's office? And
 [20] just give us the name, if that's the case.
 [21] A No.
 [22] Q Okay. Now, other than Cheryl Mills, did you speak
 [23] to anybody else at the White House about the fact that you
 [24] had been subpoenaed to testify here today?
 [25] A No, ma'am.

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[1] Q Has anyone other than your lawyer -- and we'll
 [2] leave out for the moment any conversations you may have had
 [3] with Cheryl Mills; let's put those aside for the moment. Did
 [4] anybody other than your lawyer -- and once again, leaving
 [5] aside anything Cheryl Mills may have said to you -- give you
 [6] advice on how to testify here today?
 [7] A No. Simply counsel.
 [8] Q Okay. Did anybody other than your lawyer -- once
 [9] again leaving aside Cheryl Mills -- talk to you about your
 [10] testimony today?
 [11] A No, ma'am.
 [12] Q Okay. In the last two weeks, have you discussed
 [13] Monica Lewinsky with anyone else other than your lawyer --
 [14] and again we'll leave out Cheryl Mills?
 [15] A No, ma'am.
 [16] Q Okay. Did you discuss your appearance today with
 [17] the President?
 [18] A No, ma'am.
 [19] Q Did you discuss your presence here today with
 [20] Mrs. Clinton?
 [21] A No, ma'am.
 [22] Q And I'm going to just give you a list of names and
 [23] ask you to answer "Yes" or "No" to the same question. Did
 [24] you discuss your appearance today with Erskine Bowles?
 [25] A No, ma'am.

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Q With Harold Ickes?
 A No, ma'am.
 Q Mickey Kantor?
 A No, ma'am.
 Q Any employee of the White House?
 A No, ma'am.
 Q Vernon Jordan?
 A No, ma'am.
 Q Robert Bennett?
 A No, ma'am.
 Q David Kendall?
 A No, ma'am.
 Q The lieutenant you mentioned a moment ago -- what is his name?
 A Lieutenant McCain.
 Q And what is his first name?
 A Allan McCain.
 Q Is it McCain, like M-c --
 A M-c-C-a-i-n.
 Q Okay. And his first name is Allan?
 A Correct.
 Q Okay. A-l-a-n, or A-l-l-e-n?
 A A-l-l -- I believe -- a-n.
 Q -- a-n? Okay. In the last two weeks, have you had any personal conversations with the President?

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boyfriend," you know. And she said, "Yeah, my mom set me up two blind date," and something like that it didn't work out. One time she said -- in a conversation, we were eating, "They send me to New York. I have to fly Friday. I have to meet a guy. We go out for dinner and didn't work out. In Pentagon, some guy a little older than me proposed something, but it didn't work out. I don't like him." So and so. It's like that.
 A JUROR: Thank you.
 BY MS. WIRTH:
 Q Okay. Mr. Nelvis, you have present outside the Grand Jury today two attorneys; is that correct?
 A Yes, ma'am.
 Q And they are your attorneys?
 A Yes, ma'am.
 Q And did you hire them?
 A I -- can I step out and talk to my counsel?
 MS. WIRTH: Yes.
 MR. WISENBERG: Sure.
 (Witness excused to consult with counsel.)

 FOREPERSON: Mr. Nelvis you're still under oath.
 THE WITNESS: Yes, ma'am.
 Yes, I hired -- I hired him.

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A No, ma'am.
 Q Either in person, or on the telephone?
 A No, ma'am.
 Q Have you discussed Monica Lewinsky with the President in the past two weeks?
 A No, ma'am.
 Q Okay. Have you had occasion to discuss the President's deposition in the Paula Jones case with anyone in the last two weeks?
 A No, ma'am.
 MS. WIRTH: I believe a grand juror has a question for you.
 A JUROR: Well, actually, I have a two-part question for you. First of all, when you had gone out to have -- say, on M Street to the bar and grill to have dinner, or the California Pizza Kitchen -- about how long, on average, would you say those social meetings would be with Monica Lewinsky?
 THE WITNESS: Forty-five minutes to an hour.
 A JUROR: Okay. And I'm a little unclear as to the things that you did discuss, or the things that you talked about when you were at the social meetings with Ms. Lewinsky. Can you describe to me some of the things that you talked about.
 THE WITNESS: She talk about my -- she talk about

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BY MS. WIRTH:
 Q Okay. And how did you come to hire him? How you did you hear -- how did you find this lawyer? How did you go about doing that?
 A I'm think I have to step out again --
 MS. WIRTH: Okay.
 THE WITNESS: -- talk to my -- talk to my counsel.
 MS. WIRTH: I'm going to have one other question, as well, that you can consider, and that is, who is paying your legal fees, if any?
 BY MR. WISENBERG:
 Q When you go talk to your lawyer -- so there are two questions: Who's paying your legal fees, and how did you come to hire?
 A Right now, I will answer you that I will pay my fee.
 Q Okay. Do you want to go talk to your lawyer about the other should you?
 A Okay. About the -- what's the question again?
 BY MS. WIRTH:
 Q The question is: How did you come to hire this lawyer? Did anyone recommend him? How did you find out about him?
 A Okay.
 (Witness excused to consult with counsel.)

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-- she talk about my family and her family and brother and her brother going to college.
 I'd say, "How is he doing? How is the accident?"
 She told me that her brother got in accident. And, "How is your kids?" I explained that -- I just send my -- lately, on December 17 -- my kid is doing okay in the Philippines. He went to college there. And what course is he taking, so and so -- like family matters that we talk.
 "How's your mom doing in New York? How's the book?" I told her what -- she's a publisher. Like, I wish I could have a book, but she said, "After my mom could finish a book, then I will give you a book," something like that.
 About career, and she say that, "I been looking forward to go to New York. And I wish I could stay here, but things difficult to pay my Watergate Hotel. So I'd rather be with my mom." Mostly family.
 A JUROR: With the difference in your ages -- I know sometimes when I have meals with young people, especially if they're single -- did you ever ask her about her plans as far as maybe marriage or a relationship --
 THE WITNESS: Yes, uh-huh.
 A JUROR: -- or kids in the future?
 THE WITNESS: Yes. I told --
 A JUROR: Did she -- go ahead.
 THE WITNESS: I told her, "Why don't you go find a

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 FOREPERSON: I'd like to remind you, Mr. Nelvis, that you're still under oath.
 THE WITNESS: Yes, ma'am.
 MR. WISENBERG: Let the record reflect that the witness has reentered the Grand Jury room and been advised by the Forelady that he is still under oath.
 And let me just say that the, apparently, these questions involving attorneys are going to be determined at a later date. So what I'd like to do now is, I think, ask you -- do you mind if I do the document stuff?
 MS. WIRTH: No, do it. Do it.
 BY MR. WISENBERG:
 Q You already testified you came here pursuant to a subpoena; is that correct?
 A Yes, sir.
 Q The subpoena asked for certain documents; is that correct?
 A Yes, sir.
 Q And you've brought those documents with you; is that correct -- or items with you; is that correct?
 A Yes, sir.
 Q Items as well as documents, correct?
 A Yes, sir.
 Q Could you please take a look at the first one there

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[1] and tell us what that is. That's in a Manila envelope of
 [2] some kind
 [3] A This is a -- this is a happy birthday with the tie,
 [4] 1996.
 [5] Q Okay.
 [6] A And this a '95 thank-you card that --
 [7] Q Here what's we're going to do: I'm going to put an
 [8] exhibit sticker on the envelope. And would you agree with me
 [9] that I've put a Grand Jury exhibit sticker and labeled it
 [10] BN-1 -- would you agree with me that I have labeled it BN-1?
 [11] A Okay. Yes.
 [12] Q Okay. And then within that envelope were two cards
 [13] to you from Ms. Lewinsky; is that correct?
 [14] A Yes, sir.
 [15] Q All right. And I'm going to mark those with an
 [16] exhibit sticker. I'm going to mark one of them BN-2. Have I
 [17] marked one of them BN-2?
 [18] A (Nodding.)
 [19] Q Is that correct?
 [20] A Yes, sir.
 [21] Q You have to say "Yes" or "No." And that's the one
 [22] that's dated December 29; is that correct?
 [23] A Yes, sir.
 [24] Q All right. And then I'm taking the other one --
 [25] it's dated January 17, 1996; is that correct?

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[1] A Yes, sir.
 [2] Q All right. I'm going to mark that on the back with
 [3] BN-3. I want you to confirm for the record that I've marked
 [4] that as Exhibit BN-3; is that correct?
 [5] A Yes, sir.
 [6] Q All right. And I'm now going to take those -- and
 [7] let the record reflect I'm taking BN-2 and 3 and putting them
 [8] back in the envelope, which is BN-1; is that correct?
 [9] A Yes, sir.
 [10] Q All right. And what do you have next there? You
 [11] have a white envelope; is that correct?
 [12] A I have the ties that she give it to me.
 [13] Q Okay. All right. You have a white envelope with
 [14] four ties inside; is that correct?
 [15] A Yes, sir.
 [16] Q All right. I'm just going to mark the envelope,
 [17] and I'm going to mark that as BN-4.
 [18] A JUROR: Can we see the ties?
 [19] BY MR. WISENBERG:
 [20] Q Okay. Could you hold the ties up for the
 [21] grand jurors, please.
 [22] A (Witness complies.)
 [23] MR. WISENBERG: The witness is going to be coming
 [24] back another day, by the way. Is that a good enough look?
 [25] A JUROR: Yes.

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[1] A JUROR: Thank you.
 [2] BY MR. WISENBERG:
 [3] Q All right. I'm going to mark the envelope flap
 [4] Grand Jury Exhibit BN-4. BN-4. Would you agree with me that
 [5] I've marked it BN-4?
 [6] A Yes, sir.
 [7] Q All right. And then you've got one more envelope;
 [8] is that correct?
 [9] A Yes.
 [10] Q All right. I'm going to mark that envelope BN-5.
 [11] Would you agree that I have marked that envelope BN-5?
 [12] A Yes, sir.
 [13] Q And what is in this envelope?
 [14] A This is the gift that I supposed to give it to her
 [15] on day that I called her that she wasn't home, and she -- I
 [16] received the call that -- as we discussed.
 [17] Q Okay. This is a gift you were going to give
 [18] to Ms. Lewinsky.
 [19] A Yes.
 [20] Q You haven't given it to her yet. And I notice it
 [21] in an envelope. Was that in an envelope before you were
 [22] subpoenaed to the Grand Jury?
 [23] A No, this is -- it's wrapped up (indicating).
 [24] Q All right. Let's take the gift out, and it's
 [25] gift-wrapped. What is the gift?

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[1] A It's a package of, you know, that Clinique with the
 [2] lotion in there.
 [3] Q Okay. I'm going to mark the actual -- would you
 [4] agree with me that I'm marking the gift itself -- there's
 [5] card --
 [6] A Yes.
 [7] Q -- an envelope on the gift, correct -- a little
 [8] gift envelope, correct?
 [9] A Yes.
 [10] Q All right. Would you agree with me that I'm
 [11] marking the gift as Grand Jury Exhibit BN-6. The actual
 [12] wrapped gift is BN-6; is that correct?
 [13] A Yes, sir.
 [14] Q All right. Now, I'm going to mark the card "From
 [15] Nel to Monica" on the front. Would you agree with me that I
 [16] have marked that BN-7?
 [17] A Yes, sir.
 [18] Q Is that correct?
 [19] A Yes, sir.
 [20] Q All right. Is there a card inside?
 [21] A There's a card inside, yes.
 [22] Q All right. Let's take the card out. It says,
 [23] "Merry Christmas"; is that correct?
 [24] A Yes, sir.
 [25] Q And it's "To Monica from Nel," correct?

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[1] A Yes, sir.
 [2] Q All right. What's our number -- 7. I'm going to
 [3] mark the back of that card BN-8. Have I marked that BN-8?
 [4] A Yes, sir.
 [5] Q I'm going to put BN-8 back in BN-7. Do you see me
 [6] doing that?
 [7] A Yes, sir.
 [8] Q I'm going to take BN-6, 7, and 8 and put them back
 [9] into the white envelope, which is BN-5.
 [10] A Yes, sir.
 [11] Q By the way, there seem to be some other numbers on
 [12] some of these exhibits; is that correct -- that apparently
 [13] your attorneys might have put there?
 [14] A Take a look at BN-6. Isn't there a number down
 [15] here, too -- a Bates number?
 [16] A BN-3. This is -- I believe it's a record, BN-4. I
 [17] think they --
 [18] Q Okay. And these are also "BN" but they're not
 [19] Grand Jury exhibit stickers; they're little white Bates
 [20] stamps; is that correct?
 [21] A Yes, sir.
 [22] Q Let the record so reflect. All right. Mr. Nelvis,
 [23] thank you. Since we have these issues to resolve with your
 [24] attorneys, let me tell you that we're going to have to have
 [25] you back; that you're still bound by your subpoena; and we're

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[1] going to ask you for now to come back on Thursday at 9:30.
 [2] Now, I'll have discussions with your attorney about
 [3] that time and whether or not that time is going to change.
 [4] Do you understand?
 [5] A Yes, sir.
 [6] MR. WISENBERG: All right. If there aren't any
 [7] more questions, may the witness be excused?
 [8] FOREPERSON: Yes. Thank you, Mr. Nelvis.
 [9] MR. WISENBERG: Thank you very much.
 [10] THE WITNESS: Thank you, sir.
 [11] (The witness was excused.)
 [12] (Whereupon, at 4:04 p.m., the taking of the
 [13] testimony in the presence of a full quorum of the Grand Jury
 [14] was concluded.)
 [15] *****
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 [17]
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 [19]
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 [21]
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 [23]
 [24]
 [25]

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CERTIFICATE OF REPORTER

[1] I, Elizabeth J. Walker, the reporter for the
 [2] United States Attorney's Office, do hereby certify that the
 [3] witness(es) whose testimony appears in the foregoing pages
 [4] was first duly sworn by the foreperson or the deputy
 [5] foreperson of the Grand Jury when there was a full quorum of
 [6] the Grand Jury present; that the testimony of said
 [7] witness(es) was taken by me by stenotype and, thereafter,
 [8] reduced to typewritten form; and that the transcript is a
 [9] true record of the testimony given by said witness(es).
 [10]

[11] _____
 [12] Elizabeth J. Walker
 [13] Official Reporter
 [14]
 [15]
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 [25]

Bayani Nelvis, 2/4/98

Grand Jury

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CONDENSED TRANSCRIPT AND CONCORDANCE
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Page 1

(1) UNITED STATES DISTRICT COURT
(2) FOR THE DISTRICT OF COLUMBIA

(3) ----- X

(4) In re:

(5) GRAND JURY PROCEEDINGS

(6) ----- X

(7) Grand Jury Room No. 4
(8) United States District Court
(9) for the District of Columbia
(10) 3rd & Constitution, N.W.
(11) Washington, D.C. 20001
(12) Wednesday, February 4, 1998

(13) The testimony of BAYANI BRAZA NELVIS was taken in
(14) the presence of a full quorum of Grand Jury 97-2, impaneled
(15) on September 19, 1997, commencing at 2:07 p.m., before:

(16) SOLOMON WISENBERG
(17) DAVID BARGER
(18) BRUCE UDOLF
(19) STEPHEN BINHAK
(20) Associate Independent Counsel
(21) Office of Independent Counsel
(22) 1001 Pennsylvania Avenue, Northwest
(23) Suite 490 North
(24) Washington, D.C. 20004
(25)

Page 2

(1) Whereupon,
(2) BAYANI BRAZA NELVIS

(3) was called as a witness and, after being first duly sworn by
(4) the Foreperson of the Grand Jury, was examined and testified
(5) as follows:

(6) EXAMINATION

(7) BY MR. WISENBERG:

(8) Q Would you state your name for the record, please.

(9) A My name is Bayani Braza Nelvis.

(10) Q And are you the same Mr. Bayani Nelvis who has

(11) testified previously in front of this Grand Jury?

(12) A Yes, sir.

(13) Q And that would have been on January 27, 1998?

(14) A Yes, sir.

(15) Q Do you remember, when you testified here before, I

(16) introduced myself. My name is Sol Wisenberg, and I'm with
(17) the Office of Independent Counsel.

(18) This is my colleague, David Barger, also from the

(19) Office of Independent Counsel. This is Stephen Binhak from

(20) the Office of Independent Counsel. And over in the back

(21) there is Bruce Udolf from the Office of Independent Counsel.

(22) And also the grand jurors and the court reporter

(23) are here today.

(24) Do you remember when I read you about the authority

(25)

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(1) of the Grand Jury and what the Grand Jury is investigating?

(2) A Yes, sir.

(3) Q All right. Do you remember when I advised you

(4) about your rights and responsibilities as a Grand Jury

(5) witness?

(6) A Yes, sir.

(7) Q Do you desire for me to reread those to you today?

(8) A No, sir. I think that enough.

(9) Q You remember those, and you understand them?

(10) A I understand them.

(11) Q Now, we marked, but we didn't have a chance a look

(12) over some exhibits that you brought last time.

(13) A Yes, sir.

(14) Q And I'm going to ask you to speak up when you

(15) answer, so that the court reporter can take it down and

(16) so the grand jurors in the back can hear you. Is that

(17) all right?

(18) A Yes, sir.

(19) Q Now, we marked BN-1, which is an envelope; is that

(20) correct?

(21) A Yes, sir.

(22) Q And within BN-1 is a card, BN-2; is that correct?

(23) A Yes, sir.

(24) Q All right. Please read the whole thing, including

(25) the date, to the Grand Jury.

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(1) A "29 December 1995.

(2) "Dear Nel:

(3) "Thank you so much for the great Christmas gift and

(4) official apron. Maybe now that I have this apron, I will

(5) cook better tasting meals. It was very sweet of you to think

(6) of me at this time of the year.

(7) "Thanks again.

(8) "Love, Monica."

(9) Q And that's 29 December 1995?

(10) A Yes, sir.

(11) Q And is that around the time that Ms. Lewinsky was

(12) working as an intern at the White House?

(13) A Yes, sir.

(14) Q Was that around the time of the budget crisis?

(15) A Yes, sir.

(16) Q All right. Let me show you what is BN-3. This

(17) looks like another card from Ms. Lewinsky; is that correct?

(18) A Yes, sir.

(19) Q Can you read that to us.

(20) A "17 January 1996.

(21) "Dear Nel:

(22) "Happy birthday. Thanks for being such a good

(23) friend. I hope all of your wishes are granted. All the

(24) best, Monica."

(25) Q All right. Are there any questions about these

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(1) exhibits before we go on to the next?

(2) (No response.)

(3) BY MR. WISENBERG:

(4) Q And this is consistent with what you told

(5) us last time, that you exchanged -- after you got to know

(6) Ms. Lewinsky, you started exchanging birthday gifts and

(7) birthday greetings; is that correct?

(8) A Yes, sir.

(9) Q And sometimes Christmas greetings.

(10) A Yes, sir.

(11) Q And Christmas gifts?

(12) A Yes, sir.

(13) Q All right. Now, we've got BN-4, and within BN-4,

(14) we have four ties; is that correct?

(15) A Yes, sir.

(16) Q And I think you held them up. I want you take

(17) a look and tell me whether or not those same ties are still

(18) in there.

(19) A Yes, sir, it's the same tie.

(20) Q All right. And those were ties that Ms. Lewinsky

(21) gave you at different periods of time?

(22) A Yes, sir, different.

(23) Q Okay. Was it always, to your knowledge, your

(24) recollection, for a particular event -- like a birthday or

(25) for Christmas -- or did she sometimes just send you a tie

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(1) just to send you a tie?

(2) A She started first. I really don't want to start

(3) it, but since she started, I feel like paying back. That's

(4) the one -- that's the way it --

(5) Q I understand that, but was a tie always as a

(6) birthday or Christmas gift, or did she just sometimes give

(7) you a tie just to be giving it to you?

(8) A Maybe the reason why is when she come around to s

(9) me -- I always like ties myself. And she mentioned that she

(10) work in the tie back in California. She said, "I know how to

(11) pick out the ties."

(12) And when she first give me the tie in 1995 for

(13) Christmas, she said, "I hope you like this because I picked

(14) this out and I know this color. I will tell you exactly

(15) where this tie goes to what kind of clothing, you know."

(16) And I'm interested of knowing those thing.

(17) Q So she was kind of giving you fashion advice?

(18) A Yes.

(19) Q But was it always for a Christmas or birthday

(20) present? That's what I'm asking. Did she sometimes just

(21) give you a tie when it wasn't your birthday or it wasn't

(22) Christmas, just to be nice to you?

(23) A I never -- I don't think -- I think the only ties

(24) that I received is for that occasion.

(25) Q For a particular occasion?

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[1] A For a particular occasion.
 [2] Q Okay. Now, take a look at BN-5, which is a white
 [3] envelope; is that correct?
 [4] A Yes, sir.
 [5] Q All right. And inside that is a gift; is
 [6] that correct?
 [7] A Yes, sir.
 [8] Q And the last time we looked at this, it was in a
 [9] little better shape, I believe.
 [10] A Mm-hmm.
 [11] Q But the gift itself -- the wrapping of the gift --
 [12] is marked BN-6; is that correct?
 [13] A Yes, sir.
 [14] Q And then you've got the envelope, BN-7, which is
 [15] "To Monica," correct?
 [16] A Yes, sir.
 [17] Q "From Nel," correct?
 [18] A Yes, sir.
 [19] Q But you never gave this gift to her, correct?
 [20] A No, sir.
 [21] Q And please read the card to the grand jurors.
 [22] A "Merry Christmas, Christmas '97, to Monica, and a
 [23] Happy New Year. Nel."
 [24] Q Okay. You didn't write any special message on
 [25] it, correct?

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[1] A I never do anything like that to anybody.
 [2] Q And that's BN-8 that's you read, correct?
 [3] A Yes, sir.
 [4] Q And what did you say you gave her as the gift --
 [5] well, you actually never got to give it to her, but what had
 [6] you prepared to give her?
 [7] A This is a Clinique package which I spent \$26.
 [8] Q Okay. \$26?
 [9] A Yes.
 [10] Q For Clinique. I'm going to ask you, when you
 [11] brought this here last time, the wrapping was all on; is
 [12] that correct?
 [13] A Yes, it was wrapped good.
 [14] Q Okay. And now, some of it has fallen off; is
 [15] that correct?
 [16] A Yes, sir.
 [17] Q And there's still tape right on the one edge; is
 [18] that correct?
 [19] A (Nodding.)
 [20] Q I'm going to ask you to open the gift, B-6 (sic).
 [21] A (Witness complies.)
 [22] Q And I'm going to ask you: Does this appear to be
 [23] in the same condition it was --
 [24] A Yes, sir.
 [25] Q -- before you wrapped it?

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[1] A Yes, sir.
 [2] Q It doesn't look like anybody has come and altered
 [3] it or anything like that?
 [4] A No, sir.
 [5] Q All right. Just one moment. And this is -- B-6
 [6] has actually been put on the wrapping paper; is that correct?
 [7] A Yes, sir.
 [8] Q All right. And this is a body wash, a body
 [9] smoother, and something else; is that correct?
 [10] A Yes, sir.
 [11] Q In the middle, aromatics elixir, is that correct?
 [12] A Yes, sir.
 [13] Q All right. From Clinique; is that correct?
 [14] A Yes, sir.
 [15] Q What I'm going to do, since the wrapping has come
 [16] off, is I'm going to mark another exhibit. I think we were
 [17] up to 8, so I'm going to mark this as BN-9, and I'm going to
 [18] put it right on the bottom of this box.
 [19] A Yes, sir.
 [20] Q I'm going to put it here (indicating). And would
 [21] you agree with me that I am marking this BN-9?
 [22] A Yes, sir.
 [23] Q Have I done that?
 [24] A Yes, sir.
 [25] Q All right. Was this typical of the presents you

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[1] would get Ms. Lewinsky when you would exchange presents
 [2] with her?
 [3] A I bought about three of them and I give it to -- I
 [4] gave one to Betty Currie, and I give some -- I give one to
 [5] one of the secretary over there, too. I just give to the --
 [6] and my wife -- I mention to my wife that I bought it, she
 [7] wrap it up -- wrap this, and I give this to -- exchange gift
 [8] to those people that giving me a gift.
 [9] Q Okay. I might have not been clear in my question,
 [10] though. What you're saying, as I understand you is, you
 [11] gave this gift or a similar gift to other people, as well;
 [12] is that correct?
 [13] A Yes, sir.
 [14] Q But is this the kind of gift -- this Clinique
 [15] lotion -- that you would typically give to Ms. Lewinsky on
 [16] her birthday or on Christmas?
 [17] A That is the first time I give it to her.
 [18] Q Okay. All right. Have you ever talked about --
 [19] with anybody -- the idea of writing a book about your
 [20] experiences at the White House?
 [21] A I did. I did that. I did.
 [22] Q Okay. Now, tell us about that. Who did you talk
 [23] to, and when did you talk to them, and what was your idea?
 [24] A I told -- I have a friend of mine from the
 [25] Philippines, and when he visited me here, he's very proud of

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[1] me. He said, "Oh, you work in the White House, and maybe you
 [2] can write a book."
 [3] I said yes, but if I write a book, I would like to
 [4] publish in the Philippines about being -- experience of
 [5] working four years -- four years -- four presidents, I mean,
 [6] and working in the White House, you know.
 [7] And I say that maybe we could do that, you know,
 [8] but nothing specifically right now what I'm going to write.
 [9] Q Right.
 [10] A I just say about that.
 [11] Q All right. When did you first talk to this person
 [12] -- your friend from the Philippines -- about the idea of
 [13] doing a book?
 [14] A Oh, it was summertime of 1997.
 [15] Q All right. And what action have you taken -- or
 [16] your friend or anybody at your direction -- to make this book
 [17] become a reality?
 [18] A No, I don't -- after that, I never think of that
 [19] anymore, I never talked to anybody, and I just kind of hang
 [20] on. I mean, that's what I say before is maybe after I
 [21] retired. That was -- but right now, I wasn't thinking of
 [22] anything for writing or what I'm going to write right now.
 [23] Q All right. So you had a conversation with a friend
 [24] of yours in the summer 1997 and, correct me if I'm wrong, he
 [25] brought up the idea first to you about writing a book.

Page 13

[1] A Yes. He's the one who brought it up -- give me
 [2] an idea.
 [3] Q He gave you that idea?
 [4] A Yes, sir.
 [5] Q You agreed with him that it might be a good idea,
 [6] after you left the White House?
 [7] A I -- I -- I kind of hesitate. I don't have any
 [8] idea about books. I've been in the White House for 18 years,
 [9] and a lot of people always say, "Oh, you have to write a
 [10] book. You could write a book." I never think about that.
 [11] Q Okay. Well, I want to make it clear. I'm
 [12] not suggesting by the way I'm questioning that there
 [13] would be anything wrong with you writing a book -- do you
 [14] understand that?
 [15] A Yes, sir.
 [16] Q I just want to know about this conversation or
 [17] other conversations you might have had about the idea of
 [18] writing a book. Do you understand?
 [19] A Yes, sir.
 [20] Q So when your friend suggested it to you, what did
 [21] you say to him?
 [22] A I said to him that maybe after I retire, I go back
 [23] to the Philippines, and maybe retired here, been working 30
 [24] years, I said I done enough working a lot. I mean, so much
 [25] already. I think I may need some rest, I may need some

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[1] business, and go back to my home place. That's all.
 [2] Q All right. Now, were any steps taken whatsoever by
 [3] you or by anybody else --
 [4] A No, sir.
 [5] Q -- to -- you've got to let me finish the question.
 [6] Were any steps taken by you or anybody else with a
 [7] view toward this book project, beyond what you've testified
 [8] to -- just this conversation with a friend?
 [9] A That's all. Just conversation with a friend.
 [10] Q Okay. You didn't tell him to go contact anybody
 [11] and to get started on the project?
 [12] A No, sir.
 [13] Q You didn't talk to anybody else about
 [14] writing a book?
 [15] A Maybe some -- I still have a lot of friends. I
 [16] have a lot of friends outside, you know. And as I told you --
 [17] before, always people always saying, "in your experience
 [18] working in the White House, you can write a book." I say,
 [19] "Oh, I cannot think about it." I could care -- right now, I
 [20] say I never think about that right now, being in active duty.
 [21] Q Okay. So other people have talked to you
 [22] about it.
 [23] A Yes, sir.
 [24] Q But have you ever talked to anybody about the idea
 [25] -- other than what you've said, your friend -- and I think

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[1] you've told us that your friend brought it up, and you said
 [2] you had a conversation with him and nothing happened beyond
 [3] that conversation, correct?
 [4] A Nothing happened, sir.
 [5] Q Then you've told us that over the years, or over
 [6] a period of time, people have said to you, "You could write
 [7] a book."
 [8] A Mm-hmm.
 [9] Q And you have said back something like, "Well, maybe
 [10] when I retire."
 [11] A Mm-hmm.
 [12] Q Is that correct?
 [13] A Yes, sir.
 [14] Q And aside from those things that you've just told
 [15] us, have you talked to anybody about doing a book -- anybody?
 [16] A Not lately. After my friend -- after he left to
 [17] the Philippines there, no one.
 [18] Q What about before your friend?
 [19] A Nothing. I never think about those.
 [20] Q Okay. But the question is: Have you talked --
 [21] have you talked to anybody, other than what you've told us,
 [22] about the idea of writing a book about your experiences in
 [23] the White House?
 [24] A No, sir.
 [25] Q Is there anything about my questions you

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[1] don't understand?
 [2] A I understand your question, but just like I said, I
 [3] think -- did I talk to anybody, and it's like I said, they
 [4] have some people asking me that, "You could write a book."
 [5] But I never take it very seriously about those
 [6] thing, you know. I never say anything about project, what
 [7] I'm going to do about the book. Of course, I talk to my
 [8] friend that maybe the book will be my experience, being a
 [9] Filipino in the White House, working with four President.
 [10] That's the main thing that we just talk about -- with
 [11] my friend.
 [12] Q Did you tell him that he could go start talking to
 [13] agents or publishers and see if they're just interested in
 [14] the idea of a book?
 [15] A No, sir.
 [16] Q Did he tell you he was going to do that?
 [17] A No, sir.
 [18] Q These other people who you've talked about who have
 [19] said to you it would be good idea to write a book -- did any
 [20] of those people work in the book industry?
 [21] A No, sir.
 [22] Q Do you remember who any of these people were?
 [23] A Well, most of them came from the Philippines, which
 [24] sometimes -- every time they have a -- I have a lot of --
 [25] some classmate came from the Philippines, and I have to bring

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[1] it for tours, they're the ones always tell me, "Why, you
 [2] could write a book."
 [3] But not people around in the States. No friends --
 [4] no friends or close friend that advise me or any coworker or
 [5] anybody in the White House telling me that, "Hey, you could
 [6] write a book." Nothing.
 [7] Those are the people only like my cousin from
 [8] California, like I have to tour them. "Oh, Nel, maybe you
 [9] could write book." Something like that. But I say, "Oh,
 [10] yeah, maybe," just like that.
 [11] Q And your cousin from California -- is he in the
 [12] book industry?
 [13] A No.
 [14] Q Is he in the press?
 [15] A (Shaking head.)
 [16] Q You have to answer "Yes" or "No."
 [17] A No, sir.
 [18] Q Is he in the entertainment industry at all?
 [19] A No, sir.
 [20] Q And you've never talked to anybody about the idea
 [21] of doing a tell-all book about the White House?
 [22] A No, sir.
 [23] Q And when you were talking about with your cousin
 [24] who came over from the Philippines -- not the one in
 [25] California, but -- was it a cousin or a friend?

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[1] A Friend.
 [2] Q Your friend from the Philippines, when you
 [3] were talking with him about a book, did you mention
 [4] Monica Lewinsky at all?
 [5] A No, sir.
 [6] Q All right. Have you ever gone on a trip to Russia
 [7] with the President?
 [8] A Yes, sir.
 [9] Q When you went on that trip, was Catherine Cornelius
 [10] on that trip also?
 [11] A Yes, sir.
 [12] Q Tell us who Catherine Cornelius is.
 [13] A Catherine Cornelius, as I know, worked in
 [14] advance office.
 [15] Q The advance office?
 [16] A Yes.
 [17] Q And is that in the Old Executive Office Building,
 [18] if you know?
 [19] A Yes, sir.
 [20] Q On that trip to Russia, did you ever escort
 [21] Catherine Cornelius somewhere because you thought it
 [22] wouldn't be safe for her to go out alone?
 [23] A No, sir.
 [24] Q Okay. Was there ever a time on the trip to
 [25] Russia -- and I'm not at all suggesting there's anything

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[1] wrong with this or anything improper -- but was there ever
 [2] an occasion, ever a time in this Russian trip where you took
 [3] Catherine Cornelius anywhere?
 [4] A No, sir.
 [5] Q All right. Was there ever a time when you were
 [6] with Catherine Cornelius with others?
 [7] A Yes, sir.
 [8] Q Tell us about all the times you were with Catherine
 [9] Cornelius on the Russian trip.
 [10] A When -- I was with her with a group of pre-advance
 [11] people. Before the President visit one place, we have to do
 [12] the pre-advance, and we all a group people that do all the
 [13] site where the President is going to stay and site where the
 [14] President is going to have functions -- dinner, speech,
 [15] something like that. We all -- we all together.
 [16] Q You just go and scout it out ahead of time?
 [17] A Yes, sir.
 [18] Q And you did that with her and some others?
 [19] A Yes, sir.
 [20] Q And were some of those sites where you had to go
 [21] outside and some where you had to go inside?
 [22] A Yes, sir.
 [23] Q All right. So you went out on some of these trips
 [24] with her, but with some others also?
 [25] A Yes, sir.

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[1] Q And how many people were in this group?
 [2] A I would say 8 to 10 people.
 [3] Q All right. Men and women?
 [4] A Men and women.
 [5] Q All right. Did the men go along with the women, in
 [6] addition to doing the scouting work, to help protect them in
 [7] any way?
 [8] A Would you repeat it again?
 [9] Q Did the men on this trip go with the women - was
 [10] one of the reasons they went with the women on the trip to
 [11] protect the women in any way, just because they were going
 [12] in a bad part of town or an unusual place?
 [13] A I never noticed that, sir. We all just - always
 [14] in group.
 [15] Q Okay. There was no safety-related reason?
 [16] A No, sir.
 [17] Q Is that correct?
 [18] A Yes, sir, that's correct.
 [19] Q Okay. So you're telling us that President Clinton
 [20] never thanked you for making sure that Catherine Cornelius
 [21] was safe?
 [22] A No, sir.
 [23] Q All right. And if somebody said at that on the
 [24] trip to Russia - I'm not saying it's happened, but if
 [25] somebody has said on that on this trip to Russia, you

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[1] escorted Catherine Cornelius someplace so that nothing
 [2] would happen to her, they would be wrong?
 [3] A Could you repeat that again?
 [4] Q If somebody has told us - I'm not saying that they
 [5] have - but if somebody has told investigators or has made a
 [6] statement that says that Mr. Nelvis, on the trip to Russia,
 [7] on one occasion went out Catherine Cornelius because she had
 [8] to go someplace and it wasn't safe, and he wanted to escort
 [9] her - if somebody has made their statement, they are
 [10] incorrect?
 [11] A I believe it's incorrect, sir. Incorrect, yeah.
 [12] No, not in my knowledge, sir. I never recall those things.
 [13] Q Okay. All right. Do you think that's something
 [14] that you would remember?
 [15] A No, sir, I never have - never have get encounter
 [16] with those kind of things, like escorting because it's
 [17] not safe.
 [18] Q Okay. That's not your usual job?
 [19] A No, sir. It's not my -
 [20] Q All right. And you don't believe you remember
 [21] doing it with Ms. Cornelius?
 [22] A I don't remember doing it to Ms. Cornelius.
 [23] Q Is it possible that you did it?
 [24] A Yes, sir, because I remember all the time that
 [25] I'm always with everybody, with a group. That's all I can

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[1] remember is I'm always with a group. I've never been alone.
 [2] Q Okay. All right. I want to show you a map - what
 [3] looks like a map of a floor plan of the first floor of the
 [4] West Wing. Is that what that looks like?
 [5] A I'm sorry, I forgot my reading glass, but I try
 [6] my best.
 [7] Q The witness has remarked - you've said that you've
 [8] forgotten your reading glasses?
 [9] A Yes, sir. I should have carried them until -
 [10] Q Do you have them outside with your attorney?
 [11] A No, I left it in the - my bag in White House.
 [12] Q Okay. All right.
 [13] A Now, I could - I could see this, but -
 [14] Q All right. Can you see that it says "Oval Office"
 [15] right where I'm pointing?
 [16] A Yes.
 [17] A JUROR: (Handing glasses.)
 [18] BY MR. WISENBERG:
 [19] Q Okay. Would you like to try these and see if
 [20] you can -
 [21] A Yeah, I'll try. Okay. This will help.
 [22] Q Okay.
 [23] A Thanks.
 [24] Q I'm going to put an exhibit sticker on this, and
 [25] this is - I think we're on 10 now. I'm going to mark this

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[1] as Grand Jury Exhibit BN-10, okay?
 [2] Q And you can see that over on the left is the
 [3] Oval Office and some other rooms on the first floor level of
 [4] the West Wing; is that correct?
 [5] A Yes, sir.
 [6] Q And over here - it's not printed very well, but
 [7] this actually says "West Terrace Upper Level," and this says
 [8] "West Terrace Lower Level"; is that correct?
 [9] A Yes, sir.
 [10] Q Okay. I'm not interested in these right now. I'm
 [11] just interested the part on the left, okay?
 [12] A Mm-hmm.
 [13] Q You have to say "Yes" or "No."
 [14] A Yes, sir.
 [15] Q Okay. Now, you talked to us last time about a
 [16] pantry where you and the other steward, Mr. Maes, locate
 [17] yourselves when the President is in the Oval Office; is
 [18] that correct?
 [19] A Yes, sir.
 [20] Q Now, on the map, you see where it says "Oval
 [21] Office," correct?
 [22] A Yes, sir.
 [23] Q There's a door - if this was a clock, there's a
 [24] door at about 9 o'clock here leading out of the Oval Office;
 [25] is that correct?

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[1] A Yes, sir.
 [2] Q And that goes into a hallway; is that correct?
 [3] A Yes, sir.
 [4] Q And down here to the south of the hallway is the
 [5] study; is that correct?
 [6] A Yes, sir.
 [7] Q Now, there's a little room up north of the hallway,
 [8] over to right here. Is that the bathroom?
 [9] A Yes, sir.
 [10] Q Okay. To the left of there is something else. I
 [11] don't know whether it's a room or what, but there's a little
 [12] space marked off; is that correct - at least on this map.
 [13] There's a little space marked off to the left of the
 [14] bathroom; is that correct?
 [15] A Only the bathroom that I could - that I could
 [16] tell you is there.
 [17] Q Okay. That's my first question to you.
 [18] A What?
 [19] Q Over to the left of the bathroom, there's no
 [20] other room?
 [21] A No more. It's hallway.
 [22] Q Okay. There's no door from this hallway, this
 [23] little hallway off the Oval Office - and for purposes of the
 [24] record, I'm referring to, for purposes of the record, to what
 [25] we call Hallway No. 1.

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[1] There's no door from this hallway here -
 [2] Hallway 1, what I'm going to call - up to anywhere but the
 [3] bathroom, correct?
 [4] A Yes, sir.
 [5] Q There's a door up to a bathroom and down to the
 [6] study, correct?
 [7] A Yes, sir.
 [8] Q And then you have the door in the Oval Office,
 [9] correct?
 [10] A Yes, sir.
 [11] Q And then you have a door into the dining
 [12] room, correct?
 [13] A Yes, sir.
 [14] Q All right. In this area to the left of the
 [15] bathroom, is there perhaps a wall of some kind?
 [16] A Yeah, it's a wall.
 [17] Q Okay. What's kept on that wall - do you know?
 [18] Does the -
 [19] A It's just a wall. It's just a wall.
 [20] Q Okay. Do you know whether or not the President has
 [21] a button collection on that wall?
 [22] A Yes, he has a button collection.
 [23] Q Okay. But there is no other room to the left of
 [24] the bathroom - right to the left of the bathroom?
 [25] A No, sir.

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[1] Q Okay. I'm going to ask you to put a "B" there -- a
 [2] "B" right here for where the bathroom is. Can you just do
 [3] that with this pen?
 [4] A Sure. (Witness complies.)
 [5] Q And I'm going to ask you to put "H-1" for this
 [6] hallway -- just H-1?
 [7] A What's that mean "H-1" -- hallway -- this hallway?
 [8] Q Somewhere in this hallway that leads to the
 [9] dining room, if you could just put "H-1" in there.
 [10] A Okay. "H-1." Okay. (Witness complies.)
 [11] Q And have you done so?
 [12] A Yes, sir.
 [13] Q And if you could put an "S" down where the
 [14] study is.
 [15] A Study. (Witness complies.)
 [16] Q Okay. Now, "Oval Office Complex" on this map -- is
 [17] that the same thing as a dining room?
 [18] A It's a dining room.
 [19] Q Okay. You would call that the dining room,
 [20] correct?
 [21] A The dining.
 [22] Q Okay. I'll just ask you to put a "D," for "Dining
 [23] Room" right up there.
 [24] A (Witness complies.)
 [25] Q All right. Tell us where the pantry is, where you

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[1] and the other steward, Mr. Maes, are.
 [2] A It's right here (indicating).
 [3] Q Okay. Over here?
 [4] A Yes, sir, this one here (indicating). Right there
 [5] on the side of this oval dining.
 [6] Q Okay. The upper right-hand side; is that correct?
 [7] A Mm-hmm.
 [8] Q And in the center north of the dining room is a
 [9] fireplace, correct?
 [10] A Yes, sir.
 [11] Q Okay. And you're telling us that to right of the
 [12] fireplace is your pantry.
 [13] A Yes, sir.
 [14] Q Okay. Is that called the galley sometimes?
 [15] A Oh, just pantry.
 [16] Q The pantry?
 [17] A It's pantry.
 [18] Q Okay. Now, you've done some testifying about this
 [19] before, but since we've got a map here and we didn't have a
 [20] map before, let me ask you:
 [21] Is there a door that leads from the pantry -- I'm
 [22] going to ask you to mark this hallway that runs to the north
 [23] of Room 108 and north of the dining room -- I'd like you to
 [24] put "W-1" there -- "W-1."
 [25] A What you mean by "W-1"?

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[1] Q "W" for "Walkway."
 [2] A Walkway.
 [3] Q Put W-1.
 [4] A (Witness complies.) Okay.
 [5] Q Okay. And I want to know: Is there a door that
 [6] leads from the pantry into W-1?
 [7] A Yes, sir.
 [8] Q Okay. And when you go in the doorway from W-1, you
 [9] go right into the pantry?
 [10] A When you go -- could you repeat the question?
 [11] Q Sure. If you're in the pantry area -- let me
 [12] change it around. You're in your pantry area --
 [13] Uh-huh.
 [14] Q -- and you go out the doorway leading into
 [15] Walkway 1. You go right out into this walkway, correct?
 [16] A Yes, sir.
 [17] Q Okay. There's no other room between the pantry and
 [18] the walkway. You go right into the walkway, correct?
 [19] A Yes, sir.
 [20] Q All right. There's got to be another door between
 [21] the pantry and dining room, correct?
 [22] A Yes, sir.
 [23] Q And it's the same thing: You walk straight from
 [24] the pantry into the dining room, correct?
 [25] A Yes, sir.

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[1] Q All right. I want to ask you a couple of
 [2] more questions that Ms. Wirth asked you last time
 [3] that you were here. And I want to make sure that you
 [4] understand them.
 [5] Was there ever an occasion where anybody -- anybody
 [6] -- saw Ms. Lewinsky in the White House, and you had to
 [7] explain to them who she was?
 [8] A No.
 [9] Q Was there ever an occasion when anybody saw
 [10] Ms. Lewinsky in the White House, and you had to explain to
 [11] them what she was doing?
 [12] A No.
 [13] Q Okay. Now, that we have these areas marked, did
 [14] you ever see Ms. Lewinsky in the dining room -- ever?
 [15] A No, sir.
 [16] Q All right. Did you ever see her in the study?
 [17] A No, sir.
 [18] Q Did you ever see her in the Hallway 1?
 [19] A No, sir.
 [20] Q Was she ever in your pantry area?
 [21] A When she was a intern, she could only go here in
 [22] the hallway.
 [23] In W-1 -- Walkway 1.
 [24] Q Yes. She cannot -- she cannot enter. Nobody is
 [25] supposed to enter on my pantry.

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[1] Q Okay. And did she ever enter your pantry?
 [2] A No, sir.
 [3] Q All right. Well, when you would talk to her, would
 [4] you be, like, standing at the open door of the pantry?
 [5] A Yes, sir.
 [6] Q And you all would strike up a conversation there?
 [7] A Mm-hmm.
 [8] Q All right. And if she was walking down W-1 -- let
 [9] me ask you to mark this "W-2." This is a different walkway;
 [10] is that correct?
 [11] A Yes, sir.
 [12] Q All right. Could you mark that W-2 for me.
 [13] (Witness complies.)
 [14] Q When you would see her, where would you see her?
 [15] A I'd see her from here, walkway here, all the way
 [16] going that way (indicating).
 [17] Q Okay. And when you say "here," that's Room 111; is
 [18] that correct?
 [19] A Mm-hmm. Yes, sir.
 [20] Q That's where the chief of staff is.
 [21] A Yes, sir.
 [22] Q All right. You would see her going from the
 [23] chief of staff's office -- literally from that office, or
 [24] just from that area?
 [25] A From area here when she was here, I could --

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[1] Q Okay. From Room 111 --
 [2] Yes, sir.
 [3] Q That's a "Yes"?
 [4] A (Nodding.) Yes, sir.
 [5] Q Okay. And then she'd go walk down the hallway,
 [6] Walkway 1.
 [7] A Mm-hmm.
 [8] Q You would see her there. You'd see her go through
 [9] Walkway 2; is that correct?
 [10] A Yes, sir.
 [11] Q Did you ever see her go through this door to the
 [12] Oval Office at 11 o'clock coming off of Walkway 2?
 [13] A No, sir.
 [14] Q And when I say 11 o'clock, I mean, pretend the Oval
 [15] Office was a clock, and this doorway is like at 11 o'clock.
 [16] Do you understand what I'm saying?
 [17] A Yes, sir.
 [18] Q All right. When would you lose sight of her? How
 [19] far could you see her go down?
 [20] A When she entered the door here --
 [21] Q Okay.
 [22] A -- going the secretary's office.
 [23] Q Okay. That's about when you would lose sight
 [24] of her?
 [25] A Yes, sir.

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[1] Q And this -- you said the secretary's office
 [2] -- you're talking about the room just to the north
 [3] of W-2, correct?
 [4] A Yes, sir.
 [5] Q All right. And you're saying there were some
 [6] secretaries here, or is this a waiting area?
 [7] A Secretaries' office besides the Oval Office
 [8] here (indicating).
 [9] Q All right. But that doesn't open right off of
 [10] Walkway 2; is that correct?
 [11] A No, sir. This is kind of -- this is Walkway 2.
 [12] There's another door here, but once -- there's another
 [13] door here --
 [14] Q Right.
 [15] A -- and once she goes -- she go out to the door, I
 [16] won't ever see her.
 [17] Q Okay. So when she walks out of Walkway 2 out the
 [18] other door, you don't see her anymore?
 [19] A No more.
 [20] Q Is this door between Walkway 2 and this room to the
 [21] north usually closed, or open?
 [22] A It's always open.
 [23] Q It's always open. Okay.
 [24] Did Ms. Lewinsky ever ask you whether or not she
 [25] could get access to the President on a particular trip?

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[1] A No, sir.
 [2] Q And just so I'm perfectly clear on this, she never
 [3] called you about a trip the President was going to take and
 [4] asked you, "Do you think I'd be able to get in to see him on
 [5] this trip?" She never asked you anything like that?
 [6] A No, sir.
 [7] Q Did you ever have a discussion with Ms. Lewinsky
 [8] about Debi Schiff?
 [9] A No, sir.
 [10] Q And if someone --
 [11] A I think she mention Debi Schiff when I see her
 [12] during the radio address.
 [13] Q You saw Ms. Lewinsky?
 [14] A I saw -- I saw them in the first -- I believe it is
 [15] first occasion when her family is in the Roosevelt Room, and
 [16] she mention to me that that must be Debi, because Debi was
 [17] walking in the hallway. And she said, "That must be Debi."
 [18] I said, "Yeah, that's Debi."
 [19] Q All right. Monica said to you, "That must be
 [20] Debi."
 [21] A Yeah.
 [22] Q -- and you said, "Yes, it is."
 [23] A Mm-hmm. That's -- I remember that I -- she
 [24] mentioned it to me.
 [25] Q Okay. And what was her response?

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[1] A Nothing. I don't see any.
 [2] Q What was her attitude to Debi?
 [3] A Nothing. I didn't see anything that --
 [4] particular reaction.
 [5] Q Okay. She didn't indicate that she did
 [6] not like Debi?
 [7] A No, I didn't -- I don't think I noticed
 [8] that or something.
 [9] Q Did you have ever any other conversation with her
 [10] about Debi Schiff?
 [11] A No, no.
 [12] Q Did you ever discuss any relationship of any kind
 [13] between Debi Schiff and the President with Monica Lewinsky?
 [14] A No, sir.
 [15] Q And if somebody had said that you did, they
 [16] are wrong?
 [17] A They're wrong.
 [18] Q Okay. What did Monica Lewinsky say to you -- I
 [19] want to you listen to me carefully, and if I'm unclear in
 [20] any way, I want you to tell me, and I'll rephrase it. What
 [21] did Monica Lewinsky ever say to you about any relationship
 [22] she had of any kind with President Clinton?
 [23] A She never tell me anything, sir.
 [24] (Pause.)
 [25] MR. WISENBERG: Pardon me for that pause. I'm

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[1] going to ask you to step outside for just a few moments, and
 [2] then we will call you back in. May the witness be excused?
 [3] FOREPERSON: Yes, he may.
 [4] (The witness was excused and recalled.)
 [5] ***
 [6] FOREPERSON: Mr. Nelvis, I'd like to remind you
 [7] you're still under oath.
 [8] THE WITNESS: Yes, ma'am.
 [9] FOREPERSON: Thank you.
 [10] MR. WISENBERG: Let the record reflect the that
 [11] witness, Mr. Bayani Nelvis, has reentered the Grand Jury room
 [12] and that we have a quorum; is that correct?
 [13] FOREPERSON: We have a quorum.
 [14] MR. WISENBERG: And Madame Foreperson, do you see
 [15] any unauthorized persons in the Grand Jury room?
 [16] FOREPERSON: No, sir, I don't.
 [17] BY MR. WISENBERG:
 [18] Q Mr. Nelvis, if somebody has stated on tape the
 [19] following: "I don't think Nel would lie to me about that,
 [20] and I know that when they went to Russia, okay, she was doing
 [21] advance for this Russia trip.
 [22] "They had gone on this trip. It was last year
 [23] -- actually, it was right after I got fired that he went
 [24] somewhere. I forgot where he went -- he went to Japan, and
 [25] he went to Russia, and Catherine advanced the Russia part of

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[1] their trip.
 [2] "And she had asked Nel to go out with her somewhere
 [3] because she didn't want to go alone because it's unsafe.
 [4] Catherine asked Nel."
 [5] If somebody has said that on tape, they're wrong?
 [6] A I believe it's wrong, but mean that -- I mean that
 [7] I go with them. We always -- I never recall about asking me
 [8] that, "Can you go with me?" things like that.
 [9] I think when we go out, we all go together. I
 [10] mean, every one of us. I never remember about just by myself
 [11] to her.
 [12] Q With Catherine Cornelius?
 [13] A With Catherine Cornelius. I think we go shopping,
 [14] we have about five or six people, because everybody is in a
 [15] van. We cannot go by just using a driver for two person or
 [16] one person. Everybody have to be, like, carpooling.
 [17] Q But nothing like that ever happened?
 [18] A It never happened like that, sir. I don't -- I
 [19] never remember anything like that. But I mean that I go with
 [20] her, but with a group.
 [21] Q You went with Catherine Cornelius with a group --
 [22] A Yes, sir.
 [23] Q -- is what you're saying?
 [24] A Yes, sir.
 [25] Q But it didn't have anything to do with a place that

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[1] she didn't want to go alone?
 [2] A No.
 [3] Q And if somebody has said on tape -- if somebody
 [4] has said on tape that they -- if Ms. Lewinsky has said
 [5] on a tape recording, that she called you and asked if she
 [6] could get access to the President on a trip, that didn't
 [7] happen either?
 [8] A Never happen.
 [9] Q Pardon me just a moment. (Examining document.)
 [10] And let me just ask -- I'm almost certain I
 [11] asked this, but let me ask it again, in case I didn't:
 [12] Monica Lewinsky never told you anything about her
 [13] relationship with the President?
 [14] A No, sir.
 [15] Q No, she did not tell you?
 [16] A She never tell me.
 [17] Q Okay. Is there anything you haven't told us
 [18] that is relevant to our inquiry? You remember that I read
 [19] to you what our area is we're investigating when you first
 [20] came here?
 [21] A Yes, sir.
 [22] Q Is there anything you haven't told us that is
 [23] relevant to our inquiry?
 [24] A Nothing I know, no, sir.
 [25] Q Has the President talked to you at all about

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testifying here?
 A No, sir.
 Q Has Hugh Rodham spoken to you at all about
 4 testifying here?
 A No, sir.
 Q Has anybody outside of your attorney and the
 counsel's office talked to you about your testimony here?
 A You mean before?
 Q Either before you testified or between the last
 time you've testified and today?
 A I would say when I talk to my boss -- remember that
 Lieutenant McCain --
 Q Right.
 A -- that I have subpoena. Then he talk to military
 office -- the main boss.
 Q All right.
 A And then he called me to see Cheryl Mills.
 That's all.
 Q Okay. But aside from that -- your immediate
 superior and Cheryl Mills and your attorney -- you've
 spoken to no one and no one has spoken to you at the
 White House, correct?
 A No, sir, not in the White House.
 Q All right. And how long did you speak to
 Cheryl Mills? For how long a period of time?

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A I would say two, three minutes.
 Q Okay. Mr. Nelvis, sometimes when people testify
 at the Grand Jury -- I think I might have told you this last
 time -- after they leave, they remember something that they
 didn't think of when they were at the Grand Jury. Do you
 understand what I'm saying?
 A Mm-hmm.
 Q You might remember something that's not quite
 consistent with what you said here today. And if you do,
 please have your lawyer get the touch with me.
 A (Nodding.)
 Q Do you understand?
 A Yes, sir.
 Q Because we wouldn't want the record to remain
 incorrect. Do you understand?
 A Yes, sir.
 MR. WISENBERG: All right. Are there any other
 questions from any attorney or grand juror?
 (No response.)
 MR. WISENBERG: May the witness be excused?
 FOREPERSON: Yes, he may.
 MR. WISENBERG: Thank you very much.
 THE WITNESS: I'm finished now, sir?
 MR. WISENBERG: You are finished.
 THE WITNESS: When I going to get my tie back?

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MR. WISENBERG: We'll be in touch with your lawyer.
 THE WITNESS: Thank you.
 FOREPERSON: Great tie today.
 THE WITNESS: I like tie.
 (The witness was excused.)
 (Whereupon, at 2:58 p.m., the taking of the
 testimony in the presence of a full quorum of the Grand Jury
 was concluded.)

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CERTIFICATE OF REPORTER
 I, Elizabeth J. Walker, the reporter for the
 United States Attorney's Office, do hereby certify that the
 witness(es) whose testimony appears in the foregoing pages
 was first duly sworn by the foreperson or the deputy
 foreperson of the Grand Jury when there was a full quorum of
 the Grand Jury present; that the testimony of said
 witness(es) was taken by me by stenotype and, thereafter,
 reduced to typewritten form; and that the transcript is a
 true record of the testimony given by said witness(es).
 Elizabeth J. Walker
 Official Reporter

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

----- x
In re: :
GRAND JURY PROCEEDINGS :
----- x

Grand Jury Room No. 4
United States District Court
for the District of Columbia
3rd & Constitution, N.W.
Washington, D.C. 20001

Thursday, March 12, 1998

The testimony of BAYANI BRAZA NELVIS was taken in
the presence of a full quorum of Grand Jury 97-2, impaneled
on September 19, 1997, commencing at 10:57 a.m., before:

SOLOMON WISENBERG
MARY ANNE WIRTH
MICHAEL EDWICK
Associate Independent Counsel
Office of Independent Counsel
1001 Pennsylvania Avenue, Northwest
Suite 490 North
Washington, D.C. 20004

PROCEEDINGS

1
2 Whereupon,
3 BAYANI BRAZA NELVIS
4 was called as a witness and, after having been duly sworn by
5 the Foreperson of the Grand Jury, was examined and testified
6 as follows:

EXAMINATION

7
8 BY MR. WISENBERG:
9 Q Would you state your name for the record?
10 A My name is Bayani Braza Nelvis.
11 Q And have you testified -- you're the same
12 Mr. Nelvis who has testified before in front of this grand
13 jury, is that correct?
14 A Yes, sir.
15 Q And you are a steward at the White House, is that
16 correct?
17 A Yes, sir.
18 Q You remember the rights and responsibilities that I
19 read to you before when you've come to the grand jury, do you
20 not?
21 A Yes, sir.
22 Q Do you have any need for us to repeat them?
23 A No, thank you.
24 Q Okay. I remind you to make your answers as loud as
25 possible so that everybody can hear them in the grand jury

CONTENTS

WITNESS:	Page
Bayani Braza Nelvis	3
GRAND JURY EXHIBITS:	
No. BN-11 Diagram of West Wing of White House	6

1 room. Is that okay?
2 A Yes, sir.
3 Q And to give us not an "uh-huh" or an "un-uh" but
4 a "yes" or "no" if a question calls for that. Do you
5 understand?
6 A Yes, sir.
7 Q If there's any question that you don't understand,
8 ask us to rephrase it, okay?
9 A Yes, sir.
10 Q And you have the right to go talk to your attorney
11 if you need to about anything. Do you understand that?
12 A Yes, sir.
13 Q And you understand you have to tell us the truth,
14 you're under oath, correct?
15 A Yes, sir.
16 MR. WISENBERG: Okay. Ms. Wirth is going to ask
17 you some questions today.
18 BY MS. WIRTH:
19 Q Mr. Nelvis, when you testified previously before
20 the grand jury, I believe it was the first time you
21 testified, you were asked to tell the grand jury roughly when
22 Monica Lewinsky came to work in the White House and you said,
23 and I'm quoting from your grand jury testimony at page 25,
24 "The only thing I remember is around November when they had a
25 budget crisis at that time."

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1 Can you tell the grand jury why you remember that
 2 Monica Lewinsky was working in the White House in November
 3 1995 at the time of the budget crisis? What about the budget
 4 crisis makes you remember her?
 5 A She started working with the Chief of Staff office.
 6 That's all I remember. That's where I start knowing her.
 7 Q And I believe you also testified at that first
 8 session that you remember the President shaking hands with
 9 Monica in Mr. Panetta's office at the time of the budget
 10 crisis. Is that accurate?
 11 A Yes. Yes, ma'am.
 12 Q Okay. Can you tell the grand jury exactly what you
 13 saw at that time when you saw her shaking hands with the
 14 President? Where were you, where was the President and where
 15 was she?
 16 A I was in the hallway. The office of the Chief of
 17 Staff, you could see it from where I work in the pantry and
 18 there's a few people out there in the passageway also. When
 19 the President walks around and when he starts shaking
 20 people's hands, I see when he shake Monica Lewinsky's hand in
 21 the presence of four or five people.
 22 Q Okay. Do you know whether the President spoke to
 23 her at that point?
 24 A I don't remember.
 25 Q Did you ever hear from anyone that Monica Lewinsky

Page 6

1 delivered pizza to the President during the budget crisis?
 2 A I don't remember, ma'am.
 3 Q Did Monica Lewinsky ever tell you that she
 4 delivered pizza to the President during the budget crisis?
 5 A No.
 6 Q Did anyone else ever tell you that?
 7 A No, ma'am.
 8 Q Did you ever see Monica Lewinsky deliver pizza to
 9 the President during the budget crisis?
 10 A No, ma'am.
 11 Q At that time when you saw the President shaking
 12 hands with people in the Chief of Staff's office, were they
 13 eating pizza at that time?
 14 A I see they are eating something, but I was not part
 15 of that department and being in the military, I was secluded
 16 in that area. I mean I wasn't there.
 17 MS. WIRTH: I'm going to mark as BN No. 11 this
 18 diagram of the West Wing of the White House which I think
 19 you've seen in another form, the same diagram, a previous
 20 exhibit. This is a new one, okay?
 21 (Grand Jury Exhibit No. BN-11 was
 22 marked for identification.)
 23 MS. WIRTH: I'm just going to ask you to take this
 24 green pen and mark with your initials the spot where you were
 25 standing when you saw the President shake Monica's hand.

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1 THE WITNESS: May I know what room Room 111 is?
 2 MS. WIRTH: Room 111? Do you know whose office was
 3 located in Room 111?
 4 THE WITNESS: Because the door is this way.
 5 MS. WIRTH: Whose office is Room 111? At that
 6 time. Do you know?
 7 THE WITNESS: I know this side is supposed to be
 8 Chief of Staff, but it's just the diagram of the door is
 9 straight that way, it's not supposed to be straight that way,
 10 it's supposed to be this way. So --
 11 MS. WIRTH: Okay.
 12 THE WITNESS: But anyway, I was standing on this
 13 side here.
 14 MS. WIRTH: Just put BN for your initials. You
 15 marked a B. Put an N as well. Okay.
 16 BY MS. WIRTH:
 17 Q And what is located in Room 108? No, 108. You
 18 said you were standing near the pantry.
 19 A Yes. I believe this is -- this diagram is not so
 20 good, but this is probably Stephanopoulos' office.
 21 Q Were you standing outside Mr. Stephanopoulos'
 22 office?
 23 A Yes. Around the corner there, ma'am.
 24 Q Okay. So you were not near the pantry, you were
 25 near Mr. Stephanopoulos' office?

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1 A No, I was not inside the pantry.
 2 Q Okay. And mark with a P, please, where the
 3 President was and with M where Monica was when the President
 4 shook her hand.
 5 A Right here. Just initial?
 6 Q Yes. P for President and M for Monica.
 7 A Okay.
 8 Q Okay. All right. And you've marked a spot which
 9 is the entrance to Room 111, which you told us is the Chief
 10 of Staff's office?
 11 A Yes.
 12 Q Okay. So they were out in the hallway when he
 13 shook her hand?
 14 A Yes. Right outside -- right in the door. You
 15 could see it from where I was standing.
 16 Q Okay. After he shook her hand, where did the
 17 President go?
 18 A He went back to the Oval Office.
 19 Q Okay. And where --
 20 A I'm not sure, but he probably went and talked -- he
 21 went inside and talked to the Chief of Staff and then he went
 22 back after that.
 23 Q Okay. Where did Monica go?
 24 A She stay in her desk.
 25 Q And where was her desk?

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1 A Yes.
 2 Q Which is at about 9:00, if this were a clock.
 3 A Yes.
 4 BY MR. WISENBERG:
 5 Q If the Oval Office were a clock, this would be at
 6 9:00.
 7 A Yes. Okay. Yes. I don't get the 9:00 right away.
 8 I'm not too good.
 9 BY MS. WIRTH:
 10 Q Did you ever see Monica Lewinsky coming out of that
 11 bathroom that you've marked BR on that diagram?
 12 A No, ma'am.
 13 Q Did you ever see her going into that bathroom?
 14 A No, ma'am.
 15 Q Do you have any knowledge whatsoever that she ever
 16 was in that bathroom?
 17 A No, ma'am.
 18 Q At any time, did you ever see the President go into
 19 a room where you knew that Monica Lewinsky already was
 20 present?
 21 A No, ma'am.
 22 BY MR. WISENBERG:
 23 Q Did you ever see the President go into a room, any
 24 room, in the White House where you thought Monica Lewinsky
 25 was already present?

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1 A No, ma'am.
 2 Q Did you ever see the President go into a room where
 3 you later found out Monica Lewinsky was already present?
 4 A No, sir.
 5 BY MS. WIRTH:
 6 Q Now, previously you told us that you have a pantry,
 7 correct?
 8 A Yes.
 9 Q And using this pen again, can you mark with --
 10 we've already used P, mark with PA where the pantry is?
 11 Okay. And just draw a little arrow and mark PA up here and
 12 we'll know that PA is pantry.
 13 Okay. And, again, you've marked a small area to
 14 the left of the bathroom. Okay. On the diagram, it's to the
 15 left of the bathroom?
 16 A Yes, ma'am.
 17 Q Okay. Now, did you ever see Monica Lewinsky come
 18 out of that pantry?
 19 A No, ma'am.
 20 Q Was she ever in that pantry, to your knowledge?
 21 A No, ma'am.
 22 Q Do you know Mike McGrath?
 23 A Yes, ma'am.
 24 Q And is he a friend of yours?
 25 A Just a co-worker friend. He's not a family friend.

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1 Q And was he your supervisor at the White House?
 2 A No.
 3 Q What was his job at the White House?
 4 A He's just a worker downstairs in staff mess and
 5 entertained the staff people as a receptionist, he was a
 6 receptionist at that time, to go inside and have a seat, give
 7 a menu.
 8 Q Okay. Was he over you in terms of his rank in the
 9 Navy?
 10 A No, ma'am.
 11 Q Was he in the Navy?
 12 A I was senior than him, in time of service and in
 13 service and rank.
 14 Q What rank did he hold?
 15 A He was promoted also to E-9. That's what I am
 16 right now. And after one year he retired.
 17 Q Okay. And when he was promoted to an E-9, were you
 18 also an E-9?
 19 A I was E-9 ahead of him already.
 20 Q Okay. But at some point, you had the same rank.
 21 A Yes.
 22 Q All right. When you worked at the White House with
 23 Mr. McGrath, did you have occasion to speak to him at times?
 24 A Once in a while, yes. I come down and have a cup
 25 of coffee and talk to everybody there. We have about ?

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1 people there, 30, something like that.
 2 Q You were friendly with him?
 3 A Just a friend, yes. Just a co-worker friend. Just
 4 totally business and just work.
 5 Q Okay. Now, did you ever see Monica Lewinsky come
 6 out of any room in the White House and appear either nervous,
 7 upset, shaky, in shock?
 8 A No.
 9 Q Did you ever see Monica Lewinsky come out of any
 10 room in the White House with her hair mussed, her lipstick
 11 smeared, her clothes askew, any of those things?
 12 A No, ma'am.
 13 Q Did you ever find lipstick-stained towels or
 14 tissues anywhere in the area of the Oval Office?
 15 A No, ma'am.
 16 Q Did you ever find lipstick-stained towels or
 17 tissues in the President's bathroom?
 18 A No, ma'am.
 19 Q Are towels kept in the President's bathroom?
 20 A Towels?
 21 Q Yes.
 22 A They have just a small bath towel only.
 23 Q A hand towel?
 24 A Yes, a hand towel.
 25 Q Okay. More than one or just one?

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1 A A couple hand towels.
 2 Q Are there tissues in the President's bathroom?
 3 A Tissues? Like Kleenex that we use?
 4 Q Yes.
 5 A Yes, ma'am.
 6 Q Okay. Are towels kept anywhere else in the Oval
 7 complex besides the bathroom? Are there towels in the dining
 8 room?
 9 A In the drawer. We get stocks of towels in the
 10 drawer.
 11 Q Are there tissues kept in the study?
 12 A They have also some -- like Kleenex you say?
 13 Q Yes.
 14 A In the table, yes.
 15 Q In the study?
 16 A In the study.
 17 Q Did you ever find lipstick-stained towels in the
 18 study?
 19 A No, ma'am.
 20 Q Did you ever find lipstick-stained towels in the
 21 dining room?
 22 A No, ma'am.
 23 BY MR. WISENBERG:
 24 Q Did you ever find lipstick-stained anything in the
 25 Oval Office, in the White House?

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1 A No, sir.
 2 Q Or anything that was stained red? Not just a towel
 3 or a tissue, anything stained red in the Oval Office, in the
 4 dining room, in your pantry, in the bathroom, in the study?
 5 A No, sir.
 6 BY MS. WIRTH:
 7 Q Are you familiar with a story that came out in a
 8 tabloid publication recently about Mr. McGrath?
 9 A Yes.
 10 Q All right. And I'm going to read a portion to you
 11 of this and I'll stop from time to time and ask you some
 12 questions, okay? Yes?
 13 A Yes.
 14 Q All right. "McGrath also talked about how another
 15 White House steward, Bayani Nelvis, told him about seeing
 16 Monica Lewinsky emerge from a private session with Clinton in
 17 the Oval Office study and then had to clean up the mess they
 18 left behind. Nelvis tells his boss that the young ex-intern,
 19 then just 22, was 'shaky,' and seemed to be 'in shock' when
 20 she emerged from the study with her hair mussed, her lipstick
 21 smeared and her clothes askew."
 22 If Mr. McGrath told that to this tabloid, was that
 23 true?
 24 A No, it's not. It's untrue.
 25 Q McGrath told the publication, "It was a weekday

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1 evening in, I think, November or December 1995, not long
 2 after Monica had been promoted from intern to the Legislative
 3 Affairs Office inside the White House. It was about 6:30
 4 after most of the staff had gone home. Nelvis' regular post
 5 was the pantry. If the President was in the Oval, Nelvis was
 6 in the pantry. Suddenly he came running up to me downstairs
 7 in the mess, it's just underneath the Oval Office, and he was
 8 clearly in some kind of shock. He took me aside and told me
 9 that Monica had just come out of the study with her hair all
 10 messed up, her lipstick smeared and she was all shaky and in
 11 shock."
 12 If Mr. McGrath told that to this publication, is
 13 that true?
 14 A That's not true.
 15 BY MR. WISENBERG:
 16 Q Is any of it true?
 17 A There's nothing true in that magazine.
 18 BY MS. WIRTH:
 19 Q And continuing, "They were pretty good friends,
 20 Nelvis and Monica, but I don't think she even said anything
 21 to him. She just left. And when she left, he went into the
 22 study and found towels smeared with lipstick on the floor. I
 23 know the reports now are that they were tissues and that they
 24 were stained with something else, but he told me 'towels'
 25 that day and he didn't mention anything other than lipstick."

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1 Is that true?
 2 A That's not true.
 3 Q "He just told me he cleaned them all up. It was
 4 obvious that he knew what went on there. He didn't have to
 5 spell it out for me. He was clearly upset by it and he made
 6 it clear that Monica seemed like she was shocked and really
 7 upset, too."
 8 Did you ever have any conversation whatsoever with
 9 Mr. McGrath about Monica Lewinsky?
 10 A Never.
 11 Q You never discussed her with Mr. McGrath?
 12 A No.
 13 BY MR. WISENBERG:
 14 Q When you say it's not true, you mean the various
 15 things from the article Ms. Wirth has read to you, do you
 16 mean, number one, you never told Mr. McGrath that and, number
 17 two, those things that he's saying never happened?
 18 A I never talked to McGrath about anything about
 19 that.
 20 Q And these things that he's saying happened never
 21 happened to your knowledge?
 22 A Never happened to my knowledge.
 23 Q And nobody told you that they happened?
 24 A What do you mean?
 25 Q Well, you said to your knowledge they never

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1 happened. Did anybody tell you that anything like that
2 happened?
3 A Nothing happened. I mean, it never -- I mean --
4 Q That isn't the question. The first question is
5 you've told us you never saw anything like that, correct?
6 A I never saw anything like that.
7 Q Like the magazine stuff that Ms. Wirth just read to
8 you. You never saw anything like that, correct?
9 A No.
10 Q You never told Mr. McGrath about it, correct?
11 A I never talked to McGrath anything about that.
12 Q Now my question is did anybody tell you anything
13 like what Ms. Wirth read about what they had seen?
14 A No.
15 Q As an example, as just one example, Glen Mays, your
16 colleague who is a fellow steward upstairs in the pantry with
17 you, correct?
18 A Yes.
19 Q He never told you anything anywhere like what's in
20 that article?
21 A No.
22 MR. WISENBERG: Sorry. Pardon me.
23 MS. WIRTH: That's okay.
24 BY MS. WIRTH:
25 Q I'm going to continue to read. "'Nelvis kind of

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1 took me in confidence. We'd known each other for years.
2 I think he needed to get it off his chest. He liked her
3 and he was worried about her. Of course, none of us knew
4 that it was going to turn into this. We didn't know what to
5 do. It's not like there's someone to report the President
6 to. I think Nelvis may have told some Secret Service guys.
7 I never told anyone."
8 Mr. Nelvis, did you ever discuss with anyone from
9 the Secret Service Monica Lewinsky?
10 A No.
11 Q Did you ever tell anybody from the Secret Service
12 about an incident involving lipstick-stained towels, tissues
13 or any kind of stained item recovered from the Oval Office
14 area?
15 A No, ma'am.
16 BY MR. WISENBERG:
17 Q You never talked with anybody from the Secret
18 Service about Monica Lewinsky at all?
19 A No.
20 BY MS. WIRTH:
21 Q Okay. "'The point is that Monica really didn't
22 have any business up in that area. Even if she's working
23 Legislative Affairs, she didn't belong there. That and the
24 residence are the most private parts of the White House. Not
25 even the Secret Service go in there. Soon after, Nelvis took

Page 23

1 Monica out to dinner, but he never told his colleagues
2 whether the two discussed that night in the study."
3 Did you ever take Monica out to dinner and discuss
4 the recovery of lipstick-stained towels or tissues from the
5 Oval Office area?
6 A The last time that I -- my testimony about when I
7 took -- we ate dinner is her birthday of 1997.
8 Q That wasn't the question. The question was did you
9 ever take Monica Lewinsky out to dinner and discuss with
10 her --
11 A No.
12 Q -- the fact that you recovered stained towels or
13 tissues or stained anything from an area in the Oval Office
14 complex --
15 A No, ma'am.
16 Q -- whether it's the dining room, the study or the
17 bathroom.
18 A No, ma'am.
19 Q "'And then a few months," I'm reading again, "'And
20 then a few months later, he came and told us she was being
21 moved out of the White House and over to the Pentagon. You
22 got to wonder why,' McGrath says."
23 Did you ever tell Mr. McGrath that Monica Lewinsky
24 had left the White House and was no longer working there and
25 was working in the Pentagon?

Page 24

1 A No, ma'am.
2 Q You never told him that?
3 A Never told him.
4 Q Did you ever tell Mr. McGrath that she was fired
5 from the White House and she was no longer there?
6 A No, ma'am.
7 Q Do you know Lewis Fox?
8 A Yes.
9 Q Who is he?
10 A Uniform division Secret Service.
11 Q Okay. And he worked in the White House as well?
12 A Yes. Yes, ma'am.
13 Q And you were friendly with him?
14 A Just talking friend only, if he's in the post.
15 Q Okay. So you chatted with him in the White House.
16 A Yes.
17 Q When he was on his post.
18 A Uh-huh.
19 Q And do you recall when Mr. Fox, roughly when
20 Mr. Fox worked in the White House? Roughly what period of
21 time?
22 A He's like temporarily assigned in front of the Ov
23 Office, only like a part-time. He have to fill in only, so
24 I'd only see him once in a while.
25 Q What years did he work in the White House?

Page 25

1 A I remember he left early part of 1997.
 2 Q All right. But prior to that, he worked in the
 3 White House?
 4 A I believe it's the whole 20 years.
 5 Q Okay. So 20 years prior to 1997.
 6 A Mm-hmm.
 7 Q Yes?
 8 A Yes.
 9 Q Okay. Did you ever ask Lewis Fox if Monica
 10 Lewinsky had been in the White House on a particular weekend?
 11 A No, ma'am.
 12 Q Did you ever discuss Monica Lewinsky with Mr. Fox?
 13 A No, ma'am.
 14 Q Did you ever ask Mr. Fox if he had worked a
 15 particular weekend and was Monica Lewinsky in the White House
 16 that weekend?
 17 A No, ma'am.
 18 Q Did Mr. Fox ever tell you that he didn't see her
 19 but that he had heard that she had been there over the
 20 weekend?
 21 A No, ma'am.
 22 Q Did you ever respond "I thought so" when Mr. Fox
 23 advised you that Monica Lewinsky had been in the White House
 24 over the weekend or that he had heard so?
 25 A No, ma'am.

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1 BY MR. WISENBERG:
 2 Q There was never a time when you were concerned
 3 about something that you saw either in the pantry, the dining
 4 room, the Oval Office, the study, the bathroom, the hallway
 5 between the study and the bathroom, there was never a time
 6 when you came on duty and you were concerned about something
 7 you saw in one of those rooms and said to Lewis Fox at some
 8 point in time after you saw something in those rooms, said,
 9 "Do you know if Monica," something to this effect, "Do you
 10 know if Monica was here this past weekend?" Nothing like
 11 that ever happened?
 12 A No.
 13 Q Meaning no, nothing like that ever happened?
 14 A Nothing like that ever happened.
 15 Q All right. Did you say anything like that to any
 16 other Secret Service agent, uniformed or plainclothes?
 17 A No, sir.
 18 Q And you know that when we ask our questions when we
 19 say Secret Service, we mean plainclothes and uniformed, you
 20 understand that?
 21 A That is right.
 22 MR. WISENBERG: Fine.
 23 BY MS. WIRTH:
 24 Q There's a telephone in the pantry, is that correct?
 25 A Yes, ma'am.

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1 Q The pantry where you worked? And did Monica
 2 Lewinsky ever call you on that phone in the pantry?
 3 A Yes, ma'am.
 4 Q And did you ever tell Mr. Fox that she called you
 5 on the phone in the pantry?
 6 A No.
 7 Q Did you ever tell him that she was in the habit of
 8 telephoning you in the pantry?
 9 A No.
 10 Q Did Monica Lewinsky ever call you while you were
 11 working in the White House to ask you if the President was in
 12 the White House?
 13 A Yes.
 14 Q Can you tell us about that?
 15 A She called said, hi, talked to me first, "How you
 16 been doing? How's your boss? Is your boss there?" I say,
 17 "Yes." She'll be leaving, probably go to Marriott later on,
 18 things like that.
 19 Q Where was she calling from, if you know?
 20 A Pentagon.
 21 BY MR. WISENBERG:
 22 Q When she would call and get that information from
 23 you, you would tell her if the President was there, let's
 24 say, would she ever appear to be angry at that news?
 25 A Say again?

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1 Q Well, when she would call and ask where the
 2 President was or if he was there and you would tell her --
 3 on the occasions that you told her he was there, would she
 4 ever get upset or angry about that information?
 5 A No, I never noticed anything like that.
 6 Q Did she ever say to you "Betty Currie just told me
 7 he's not there"?" Did she ever say that to you?
 8 A No, sir.
 9 BY MS. WIRTH:
 10 Q About how many times did she call and ask whether
 11 the President was -- where he was or whether he was in the
 12 White House?
 13 A I would say she would give me a call three times a
 14 month.
 15 Q And ask that question?
 16 A Maybe once -- not that question, just to say "Hi,
 17 how are you?" We just talk friendly talk.
 18 Q But the question was approximately how many times
 19 did Monica Lewinsky call you on the telephone while you
 20 were working at the White House and ask you whether the
 21 President was in the White House or ask you where the
 22 President was?
 23 A I would say four or five times. I don't remember,
 24 but just conversation, talking, asking me "How's your boss?"
 25 You know, doing like that.

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1 Q So four or five times, Monica Lewinsky would call
2 you from outside the White House, she would call you while
3 you were working in the White House and ask you whether the
4 President was there? Is that correct?

5 A Yes.

6 BY MR. WISENBERG:

7 Q Four or five times total or a month?

8 A I cannot recall. Sometimes -- we talk, but we
9 never mention about the President, we just talk about -- just
10 friendly talk.

11 BY MS. WIRTH:

12 Q But you remember four -- excuse me. Did you want
13 to finish your answer?

14 A No, go ahead.

15 Q But you remember four or five times when Monica
16 Lewinsky called you from outside the White House inquiring
17 about whether the President was there. Is that correct?

18 A No. No.

19 Q Well, you just testified --

20 A Yes. I mean, it's talking about -- specifically,
21 she don't ask me about "Is the President there?" Not like
22 that. I mean, first we have to say "Hi, how are you? How's
23 your boss?" She always just say "Is your boss around?"
24 "Yes." "You going to the trip?" "Yes, I'm going to go to
25 the trip for about a week. I'm going to New York,

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1 California." Things like that. Sometimes she will say, "Oh,
2 I heard in the news he's going to Ohio." Something like
3 that. That sort of thing.

4 Q Are you telling us that she would routinely ask you
5 "Is your boss around?" Is that right?

6 A Sometimes. Not all the time when we talk.

7 Q Well, about how many times, if you can tell us, did
8 she ask you that question? Or how often, if you can tell us?

9 A Maybe once every two weeks or maybe if she call me
10 about five times a month, maybe she could ask me a couple
11 times from that. I cannot really -- I don't know.

12 Q Now, during any conversations that you had with
13 Monica Lewinsky, did you ever tell her that the President
14 kept gifts under the desk in his study?

15 A No, ma'am.

16 Q Does the President keep gifts under his desk in the
17 study?

18 A No, ma'am.

19 Q He does not keep gifts under the desk in his study?

20 A I don't see any of them. No, ma'am. Usually I
21 don't have a business to go around and look for any personal
22 thing of the President. My job is just to be there only if
23 he call me.

24 Q Does the President keep a bag of gifts or a
25 container with gifts anywhere in the Oval Office area that

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1 you know of?

2 A No, ma'am.

3 MR. WISENBERG: What do you mean by Oval Office
4 area? Do you mean Oval Office, study, dining room?

5 MS. WIRTH: Yes.

6 BY MR. WISENBERG:

7 Q Do you understand the question?

8 A Yes.

9 Q And your answer is the same?

10 A Yes. No.

11 Q Your answer is you haven't seen such a thing?

12 A I haven't seen anything. Yes. And I don't -- I
13 never -- anything there is never concentrate anything about
14 whatever is in there. My job is absolutely just go inside,
15 serve and go out.

16 Q I didn't hear what you said. You said you never
17 what, concentrate?

18 A I mean I never do any -- like those rooms are very
19 private rooms. I am not allowed to hang around unless only
20 with service. If he call me and need some drink, then I go
21 inside.

22 Q When you say "those rooms are very private rooms,"
23 you mean the study?

24 A The study.

25 Q The dining room?

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1 A The dining. And the Oval Office.

2 Q And the Oval Office.

3 A Yes.

4 Q And obviously the bathroom.

5 A Yes.

6 MR. WISENBERG: Okay.

7 BY MS. WIRTH:

8 Q Did Monica Lewinsky ever tell you that she gave the
9 President a figure of a frog for a gift?

10 A No, ma'am.

11 Q Does the President in fact collect frogs?

12 A I never notice anything like that.

13 Q You've never noticed that the President collects
14 figures of frogs?

15 A No.

16 Q Did you ever tell Monica Lewinsky that the
17 President kept the frog that she gave him on his desk?

18 A No, ma'am.

19 Q I'm going to show you an item marked as Grand Jury
20 Exhibit ER-BN-1 and ask you -- it's a mug. Have you ever
21 seen it before?

22 A No, ma'am.

23 Q The mug is marked Santa Monica and Starbucks.
24 You've never seen this mug anywhere in the President's
25 office, whether it's the study, the pantry, the dining room

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<p>1 or the Oval Office itself?</p> <p>2 A No, ma'am.</p> <p>3 Q Did Monica Lewinsky ever tell you that she gave the</p> <p>4 President a mug with the words Santa Monica on it?</p> <p>5 A No, ma'am.</p> <p>6 Q Did you ever tell Monica Lewinsky that you had seen</p> <p>7 a mug with the words Santa Monica among the President's</p> <p>8 things in the Oval Office area?</p> <p>9 A No, ma'am.</p> <p>10 Q Did you ever tell Monica that you had seen this mug</p> <p>11 and that you thought that it had been a gift from her?</p> <p>12 A No, ma'am.</p> <p>13 Q You've testified that you often stayed in the</p> <p>14 pantry when you were waiting on the President if he needed</p> <p>15 anything from you. Is that correct?</p> <p>16 A Yes, ma'am.</p> <p>17 Q That was the place where you hung out, right?</p> <p>18 A Yes, ma'am.</p> <p>19 Q Okay. Did the President ever come to the pantry</p> <p>20 and ask you to leave the pantry?</p> <p>21 A No, ma'am.</p> <p>22 Q Did the President ever come into the dining room</p> <p>23 and ask you to leave the dining room?</p> <p>24 A No, ma'am.</p> <p>25 Q Did the President ever come to the study and ask</p>	<p>1 Q Did he ever ask you to remain in the pantry?</p> <p>2 A No.</p> <p>3 Q did anybody else who worked at the White House ever</p> <p>4 tell you to stay in the pantry?</p> <p>5 A No.</p> <p>6 Q Did the President ever tell you not to enter a</p> <p>7 particular area like the pantry or the study or the dining</p> <p>8 room or the Oval Office itself?</p> <p>9 A No.</p> <p>10 BY MR. WISENBERG:</p> <p>11 Q Did anybody other than the President come into your</p> <p>12 area and tell you to leave?</p> <p>13 A No, sir.</p> <p>14 BY MS. WIRTH:</p> <p>15 Q Did you ever see Betty Currie and the President go</p> <p>16 into the Oval Office or the dining room or the study or that</p> <p>17 hallway leading to the study when they were in the company of</p> <p>18 another woman? Betty, the President and another woman. Did</p> <p>19 you ever see that happen?</p> <p>20 A No, ma'am.</p> <p>21 Q Okay. I believe you testified previously that you</p> <p>22 sometimes travel with the President? Is that correct?</p> <p>23 A Yes, ma'am.</p> <p>24 Q About how often does that happen in the average</p> <p>25 year?</p>
<p>1 you to leave the study?</p> <p>2 A No, ma'am.</p> <p>3 Q Did the President ever ask you to leave the Oval</p> <p>4 Office when you were in there?</p> <p>5 A No, ma'am.</p> <p>6 BY MR. WISENBERG:</p> <p>7 Q Did he ever ask you to leave the area of your post,</p> <p>8 the area you were usually in up there, the pantry area, where</p> <p>9 you've testified you stayed when the President was in the</p> <p>10 Oval Office, are there any circumstances he told or asked you</p> <p>11 to leave?</p> <p>12 A No, ma'am. No, sir.</p> <p>13 Q You never recall an occasion of any kind when he</p> <p>14 did that?</p> <p>15 A No, sir.</p> <p>16 Q You never recall an occasion where he came into the</p> <p>17 pantry and had a lady with him or in his presence or around</p> <p>18 him and asked you to leave?</p> <p>19 A No, sir.</p> <p>20 BY MS. WIRTH:</p> <p>21 Q Do you know Kathleen Willey?</p> <p>22 A No, ma'am. I don't know her.</p> <p>23 Q Did the President ever ask you to stay in the</p> <p>24 pantry for a period of time with the door closed?</p> <p>25 A No, ma'am.</p>	<p>1 A A year, maybe six, seven times, eight times, you</p> <p>2 know. I never really log in my traveling, but I travel.</p> <p>3 Travel a lot.</p> <p>4 Q Well, for example, in 1997, last year, can you tell</p> <p>5 us approximately how many times you traveled with the</p> <p>6 President?</p> <p>7 A I would say maybe ten times.</p> <p>8 Q Okay. Can you tell the grand jury what trips you</p> <p>9 remember that you took with the President in 1997?</p> <p>10 A I travel in New York. I travel in Argentina. I</p> <p>11 travel in Florida. It's a lot of places. I just want to</p> <p>12 make sure I don't make a mistake about the places. It's a</p> <p>13 lot of places.</p> <p>14 Q Do you ever go on vacation with the President?</p> <p>15 A Yes, ma'am. Yes. I was in Martha's Vineyard also</p> <p>16 last year. Month of August.</p> <p>17 Q How long were you in Martha's Vineyard?</p> <p>18 A I was there for ten days.</p> <p>19 Q And how long was the President there?</p> <p>20 A I believe the President was there for three weeks.</p> <p>21 Q Okay. And were you there for the first part of the</p> <p>22 trip or the last part of the President's trip?</p> <p>23 A I was there in the first part of the trip.</p> <p>24 Q And who covered the last part?</p> <p>25 A Glen Mays covered the last part.</p>

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1 Q And where did the President stay when he went to 2 Martha's Vineyard?	1 A Yes.
3 A My memory is not so good. He stayed in one of -- a 4 family that volunteered to use their house, but I don't 5 remember what's the name.	2 Q Where he stayed. And you served there?
6 Q Did you ever go to that house?	3 A No, ma'am.
7 A Yes, ma'am.	4 Q Did you work there?
8 Q And you don't remember whose house it was?	5 A We worked only on the weekdays, if they stayed 6 there, we never go there. The only time we go there is when 7 they go out for dinner, to which there always go out for 8 dinner, and then we go inside the house, we touch up and 9 clean up and then we leave.
9 A No, I don't remember the name of it.	10 Q And what did you do during the week when they were 11 in the house that they were staying in? This is the 12 President and First Lady. What did you do?
10 Q Had you ever been there previously in a prior trip?	13 A What I do is I -- when he played golf, we have to 14 go and go with the President for golf. Assist the President.
11 A No, ma'am.	15 Q How do you assist the President?
12 Q Where did you stay?	16 A Oh, we just make sure we have a cooler of water and 17 sodas, things like that. We stay in the club house.
13 A I stayed in -- we rent a house. It's about a mile 14 and a half away from the residence.	18 Q Who served meals in the house where the President 19 stayed when he stayed there?
15 Q Do you remember what town you were in?	20 A Themselves.
16 A No, ma'am. I forget about the town.	21 Q You never assisted?
17 Q Okay. When you say "we" rented a house, who else 18 stayed there?	22 A No.
19 A Are you talking the house that the President stayed 20 in?	23 Q Were you ever in the house where the President 24 stayed when the President was there?
21 Q No, you said "we" rented a house about a mile and a 22 half away from the President's house. Who else stayed with 23 you?	25 A On that part of trip, like vacation, usually the
24 A I have the valet guy, Bautista, and -- the name is 25 Ader, the last name is Ader, Daniel Ader.	
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1 Q how do you spell the last name?	1 Mrs. and Chelsea was there, too, so they want to be left 2 alone and they don't want to be disturbed.
2 A A-d-e-r. And one is Hutchinson, I think it's Scott 3 Hutchinson.	3 Q Well, the question was were you ever in the house 4 where the President stayed when the President was there?
4 Q Who are they?	5 A No.
5 A Those are second class petty officer in the Navy 6 that work in the staff mess, we use it and we bring to the 7 trip.	6 Q Never?
8 Q Now, the house that you rented, was it on the same 9 property as the house where the President stayed?	7 A Never.
10 A No, it's about a mile and a half away from the 11 residence.	8 Q The house that you stayed in, did it have a 9 telephone?
12 Q Do you remember -- you said you don't remember what 13 town you were in, do you remember what part of the island you 14 were in?	10 A Yes. 11 Q Okay. And did you use that telephone to make phone 12 calls?
15 A I know it's Martha's Vineyard island, but --	13 A Yes.
16 Q Do you remember whether you were in the north, the 17 south, the east, the west?	14 Q And did you call home on that phone? You have a 15 family here, right?
18 A No, ma'am. I can't.	16 A Yes.
19 Q Do you know whose house it was?	17 Q Did you call home on that phone?
20 A No, ma'am.	18 A Yes.
21 Q Was it like a vacation home?	19 Q Did you ever call Monica Lewinsky while you were on 20 Martha's Vineyard?
22 A It's owned by -- I think our office is the one who 23 rented it from the real estate agent, it's just for rent.	21 A I don't know, ma'am. I cannot recall if I called 22 her. All I know is I called my family. I never recall 23 calling her.
24 Q You said that you also went up to the house where 25 the President was, correct?	24 Q You don't know whether you called Monica Lewinsky 25 from Martha's Vineyard?

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<p>1 A Yes. No.</p> <p>2 Q You don't know? That's your testimony?</p> <p>3 A No, I don't think I called her.</p> <p>4 Q Did you ever call Monica Lewinsky on the telephone</p> <p>5 from Martha's Vineyard and tell her that the President and</p> <p>6 the First Lady were fighting, not getting along?</p> <p>7 A Oh, no.</p> <p>8 Q Did you ever call Monica Lewinsky from Martha's</p> <p>9 Vineyard and tell her that the First Lady was going to</p> <p>10 Princess Diana's funeral in London?</p> <p>11 A No.</p> <p>12 Q Did you ever tell Monica Lewinsky on the telephone</p> <p>13 from Martha's Vineyard that she should come up to Martha's</p> <p>14 Vineyard because the First Lady was leaving?</p> <p>15 A No. When the First Lady died, I am already home.</p> <p>16 I wasn't there any more.</p> <p>17 Q Princess Diana?</p> <p>18 A Princess Diana.</p> <p>19 Q You had already left?</p> <p>20 A I already left.</p> <p>21 Q Did you ever call Monica Lewinsky and tell her that</p> <p>22 she should come up to Martha's Vineyard and stay with you?</p> <p>23 A No.</p> <p>24 Q If Monica Lewinsky told anyone that you called her</p> <p>25 from Martha's Vineyard and told her that the President and</p>	<p>1 the last time that you spoke to Monica Lewinsky and you</p> <p>2 testified that that was on January 8th. Is that correct?</p> <p>3 A Yes.</p> <p>4 Q Okay. This answering machine tape that you just</p> <p>5 listened to, do you know whether those messages were left</p> <p>6 before or after January 8th?</p> <p>7 A When the last time I testimony about -- the last</p> <p>8 time I talked to her is when I leave a message in the</p> <p>9 answering machine and then she called me back.</p> <p>10 MR. WISENBERG: So this is not --</p> <p>11 Do you mind if I ask a few questions?</p> <p>12 MS. WIRTH: No, go ahead.</p> <p>13 BY MR. WISENBERG:</p> <p>14 Q These things we've heard here today, I want to talk</p> <p>15 about these because in these she's not talking to you, it's</p> <p>16 just you leaving a message, correct?</p> <p>17 A Yes.</p> <p>18 Q And did she ever return these messages?</p> <p>19 A Yes. Yes, sir.</p> <p>20 Q Okay. Does that mean that these messages -- does</p> <p>21 that mean that these messages that you left would have been</p> <p>22 before your last conversation with her?</p> <p>23 A Yes.</p> <p>24 Q And why do you say that?</p> <p>25 A As I told you before, when I first appeared here,</p>
<p>Page 42</p> <p>1 the First Lady were fighting, that the First Lady was leaving</p> <p>2 to go to London to the funeral and that she should come and</p> <p>3 stay with you, that wouldn't be true?</p> <p>4 A No, it's not true at all.</p> <p>5 MS. WIRTH: I have Grand Jury Exhibit ER-ML-1 which</p> <p>6 is a tape. I'm just going to ask you to listen to this tape.</p> <p>7 It's a tape of an answering machine.</p> <p>8 (The audiotape was played.)</p> <p>9 MR. WISENBERG: Pardon me a minute. We had a</p> <p>10 knock.</p> <p>11 (Interruption to proceedings.)</p> <p>12 MR. WISENBERG: Let the record reflect that</p> <p>13 Mr. Mike Emmick of our office has entered the grand jury</p> <p>14 room.</p> <p>15 BY MS. WIRTH:</p> <p>16 Q Mr. Nelvis, you just listened to a tape of what</p> <p>17 appears to be two answering machine messages left by you, is</p> <p>18 that correct?</p> <p>19 A Yes.</p> <p>20 Q You recognize your voice?</p> <p>21 A Yes, ma'am.</p> <p>22 Q And are those messages that you left for Monica</p> <p>23 Lewinsky?</p> <p>24 A I left, yes.</p> <p>25 Q The first time you testified, I asked you when was</p>	<p>Page 44</p> <p>1 that I was on the way, I want to give the gift to her and</p> <p>2 stop by to see her right in front of her apartment.</p> <p>3 Q Right. You've told us about that.</p> <p>4 A Yes.</p> <p>5 Q I don't want you to repeat that unless you --</p> <p>6 A And then she returned my call and that's the last</p> <p>7 time I talked to her, on that day.</p> <p>8 Q Okay. But you didn't try at a later date to try to</p> <p>9 reach her unsuccessfully at a later date?</p> <p>10 A No, sir.</p> <p>11 Q Okay. Could you be off a little bit on your dates?</p> <p>12 Could it maybe not have been January 8th, the last time you</p> <p>13 talked to her? Could it have been maybe a week or ten days</p> <p>14 later?</p> <p>15 A No, sir. The only time -- I probably made a</p> <p>16 mistake when I said maybe the 8th, but that's the date when I</p> <p>17 called her. The last time that I talked to her.</p> <p>18 Q Okay. You said you probably made a mistake when</p> <p>19 you said the 8th. What do you mean? What makes you think</p> <p>20 you made a mistake?</p> <p>21 A I don't know. What date is this when I make the</p> <p>22 messages?</p> <p>23 MR. WISENBERG: Let me play the previous message</p> <p>24 from this tape.</p> <p>25 MS. WIRTH: This is the message prior to your</p>

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<p>1 message.</p> <p>2 THE WITNESS: I called twice and those are the same</p> <p>3 date.</p> <p>4 MS. WIRTH: Okay. He's going to play the message</p> <p>5 before yours.</p> <p>6 MR. WISENBERG: This is before your message on the</p> <p>7 tape. It might be a couple of messages before.</p> <p>8 (The audiotape was played.)</p> <p>9 MR. WISENBERG: I'll rewind it just a little so</p> <p>10 we'll get -- we're going to hear both the tape, what the</p> <p>11 answering machine says, the time it is, and then you're going</p> <p>12 to hear what the caller says.</p> <p>13 THE WITNESS: Did they say the date in that?</p> <p>14 (The audiotape was played.)</p> <p>15 BY MR. WISENBERG:</p> <p>16 Q Okay. You heard that tape that we just played,</p> <p>17 correct?</p> <p>18 A Yes.</p> <p>19 Q So assuming that nobody has messed with that tape,</p> <p>20 that tape came straight off the answering machine, number</p> <p>21 one, did you hear that the times listed by the answering</p> <p>22 machine aren't always the times the people were calling? Did</p> <p>23 you figure that out from listening?</p> <p>24 A I figured out that.</p> <p>25 Q Okay. As an example, I think one of your calls it</p>	<p>1 try to call her after the 9th.</p> <p>2 A No, sir. No.</p> <p>3 Q No, you didn't try to call her after the 9th?</p> <p>4 A I did not. I did not call her.</p> <p>5 Q After the 9th, correct?</p> <p>6 A Yes, sir.</p> <p>7 Q Did not even try to call her, correct?</p> <p>8 A No, sir.</p> <p>9 Q You'll notice that on the tape and according to the</p> <p>10 answering machine time it's only a few minutes after your</p> <p>11 last call, you notice that there was a call from somebody who</p> <p>12 identified herself as Betty. Did you hear that?</p> <p>13 A Yes.</p> <p>14 Q Is that person's voice familiar to you?</p> <p>15 A I cannot recognize so much on the tape.</p> <p>16 Q Okay. Do you know who Betty Currie is?</p> <p>17 A I know her.</p> <p>18 Q Do you think that could have been Betty Currie?</p> <p>19 A I cannot give you any good answer for that.</p> <p>20 Q You just don't know her voice well enough?</p> <p>21 A Not on the tape. I never --</p> <p>22 Q Okay. Was your call to Monica Lewinsky related in</p> <p>23 any way to Betty Currie?</p> <p>24 A No, sir. It's just strictly just to give the gift</p> <p>25 to her.</p>
<p>Page 46</p> <p>1 said was 12:08 a.m. I take it you didn't call her at eight</p> <p>2 minutes after midnight?</p> <p>3 A No, it was -- that was noontime.</p> <p>4 Q The person who was the caller just before you on</p> <p>5 the tape says "It's Thursday, January 15th, 12 noon." Did</p> <p>6 you hear that?</p> <p>7 A Yes.</p> <p>8 Q Okay. So assuming again that no one has fooled</p> <p>9 with the tape, that this tape came right off the answering</p> <p>10 machine or was taped from the answering machine tape, this</p> <p>11 would indicate that your call came after -- would seem to</p> <p>12 indicate that your call would have to be after noon on the</p> <p>13 15th, is that correct?</p> <p>14 A Not on the 15th.</p> <p>15 Q Okay. Not on the 15th necessarily, but it would</p> <p>16 have been after in time.</p> <p>17 A I know it's going to be on that -- I remember</p> <p>18 it's going to be on the week -- the 7th and 8th because the</p> <p>19 last -- remember I told you that I talked to her when I</p> <p>20 arrived from Virgin Islands the 5th and then she said, "Well,</p> <p>21 I'll see you Thursday" and I believe it's Thursday or either</p> <p>22 Wednesday but on that week, from the 5th to that week I'm</p> <p>23 going to see her in a couple of days just to give that gift.</p> <p>24 Not after the 9th or the 15th.</p> <p>25 Q All right. So your testimony is you didn't even</p>	<p>Page 48</p> <p>1 Q Okay. Betty Currie didn't ask you to call, to try</p> <p>2 to get in touch with Monica Lewinsky?</p> <p>3 A No, sir.</p> <p>4 Q No one asked you to try to get in touch with Monica</p> <p>5 Lewinsky?</p> <p>6 A No, sir.</p> <p>7 Q This strictly had to do with you giving Monica</p> <p>8 Lewinsky her present that you owed her, is that right?</p> <p>9 A Yes, sir.</p> <p>10 BY MS. WIRTH:</p> <p>11 Q I have a couple of questions. There are two phone</p> <p>12 messages, correct?</p> <p>13 A Yes, sir. Yes, ma'am.</p> <p>14 Q And where were you when you made the first call?</p> <p>15 A Both I was on a cellular phone.</p> <p>16 Q For both calls?</p> <p>17 A Yes.</p> <p>18 Q Did you notice when you listened to the calls that</p> <p>19 the second one sounds like there's a lot of background noise?</p> <p>20 A I was driving.</p> <p>21 Q You were driving?</p> <p>22 A Yes.</p> <p>23 Q And where were you when you made the first call?</p> <p>24 A I was right on Indian Head Highway and I'm planning</p> <p>25 to stop by to Bolling Air Force Base exchange.</p>

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1 Q So when you made both calls you were in the car?
 2 A Yes.
 3 Q Is this a car phone or a cellular phone?
 4 A No, it's a cellular phone.
 5 Q Is it your personal cellular phone?
 6 A Yes.
 7 BY MR. WISENBERG:
 8 Q What's that number?
 9 A It's [REDACTED].
 10 BY MS. WIRTH:
 11 Q [REDACTED]?
 12 A [REDACTED].
 13 Q [REDACTED]?
 14 A Yes.
 15 Q And that's your own personal cell phone?
 16 A Yes.
 17 Q What company do you have it with?
 18 A Sprint.
 19 BY MR. WISENBERG:
 20 Q Do you have an extension at the White House if
 21 somebody wants to call you?
 22 A No, sir.
 23 BY MS. WIRTH:
 24 Q Does the pantry have an extension?
 25 A The pantry?

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1 Q Yes.
 2 A Yes.
 3 Q What is it?
 4 A The number?
 5 Q Yes.
 6 A I don't think I have to give it to you, do I?
 7 MR. WISENBERG: Yes. But if you need to talk to
 8 your attorney, you can.
 9 THE WITNESS: I will talk to my attorney.
 10 (The witness was excused to confer with counsel.)
 11 MR. WISENBERG: Let the record reflect that the
 12 witness, Mr. Nelvis, has reentered the grand jury room.
 13 THE FOREPERSON: Mr. Nelvis, you are still under
 14 oath.
 15 MR. WISENBERG: We continue to have a quorum, do we
 16 not, Madam Foreperson?
 17 THE FOREPERSON: Yes, we do.
 18 MR. WISENBERG: There continue to be no
 19 unauthorized persons in the grand jury room, correct?
 20 THE FOREPERSON: No, sir. There are no
 21 unauthorized persons.
 22 BY MS. WIRTH:
 23 Q So there was a question pending, Mr. Nelvis. What
 24 is your extension in the pantry?
 25 A [REDACTED].

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1 Q That's a direct line to call you in the pantry?
 2 A Yes.
 3 BY MR. WISENBERG:
 4 Q Is there a line in the mess that you can be reached
 5 at? When you take calls, you're not in the pantry area,
 6 you're down in the White House mess in the basement, is there
 7 a line if somebody wanted to call you that they would call
 8 you down there?
 9 A Yes.
 10 Q All right. What is that?
 11 A It's [REDACTED].
 12 BY MS. WIRTH:
 13 Q And what is your home phone number, please?
 14 A It's [REDACTED].
 15 Q And other than your home phone, your cell phone and
 16 the phone in the pantry or the phone in the mess, are there
 17 any other telephones that you use?
 18 A Our main office, just in case. It's [REDACTED].
 19 Q And where is that located, that phone?
 20 A It's in Room 404 in the Old Executive Building.
 21 Q Okay. All right. And on the tape when you said
 22 "Page me as soon as you can, as soon as you get back home, at
 23 [REDACTED]." And then you gave, I guess, a pager number of
 24 [REDACTED]. Is that your personal pager?
 25 A No, ma'am. This is a government White House issue.

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1 BY MR. WISENBERG:
 2 Q So the [REDACTED] is like a pager number, you call
 3 that and then you're asked to put in a PIN?
 4 A Yes.
 5 Q And that's yours issued by the White House.
 6 A Yes.
 7 Q Okay. Do you have any others issued by the White
 8 House? No, was the answer?
 9 A No, sir.
 10 Q Do you have any personal pagers or beepers?
 11 A No, sir.
 12 BY MS. WIRTH:
 13 Q Do you have any calling cards?
 14 A I do have.
 15 Q With what companies?
 16 A Just White House, Food Service. Calling cards, you
 17 say?
 18 Q An AT&T or Sprint. You know, to make a credit card
 19 call from a telephone booth or a pay phone.
 20 A Oh. No, I don't.
 21 Q No?
 22 A I used to have, but I don't have any more. You're
 23 talking about like a credit card?
 24 Q Mm-hmm.
 25 A Okay. No.

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<p>1 BY MR. WISENBERG:</p> <p>2 Q The grand jurors have some questions for you that</p> <p>3 we will ask. Who is responsible for tidying up these areas</p> <p>4 we've been talking about? The Oval Office, the dining room,</p> <p>5 the study, the bathroom, the hallway between the study and</p> <p>6 the bathroom. Who is responsible for keeping those tidy?</p> <p>7 A After the working hours, at 10:00, the GSA people</p> <p>8 is the one that goes in there and clean up the places.</p> <p>9 Q And what about before 10?</p> <p>10 A Before 10, Glen Mays and myself was there, but we</p> <p>11 only do tidy up if there's a coffee cup that was used by the</p> <p>12 President in the Oval Office, that's all. We just look at</p> <p>13 the Oval Office to make sure that the chairs are in order.</p> <p>14 Q All right. No general tidying up by you all during</p> <p>15 the day unless you see something out of order.</p> <p>16 A Yes.</p> <p>17 Q Is there anybody else prior to 10 p.m. other than</p> <p>18 you and Mr. Mays who has that duty?</p> <p>19 A No, sir.</p> <p>20 Q Okay. Do you ever use the bathroom across from the</p> <p>21 study?</p> <p>22 A No, sir.</p> <p>23 Q What facilities do you use when you're up in the</p> <p>24 pantry area?</p> <p>25 A Like if I want to go to the bathroom?</p>	<p>1 example, you've got a meeting where everybody needs to be</p> <p>2 served?</p> <p>3 A I will do that between Glen Mays and myself as</p> <p>4 a part of the training. Like can we get one guy here</p> <p>5 for training to serve the bilateral meeting with the head</p> <p>6 of state. Which is only for five to ten minutes. That's</p> <p>7 all.</p> <p>8 Q All right. So except for having a person who you</p> <p>9 want to train to help you when you have these events that you</p> <p>10 all can't handle by yourself, you don't just ask for people</p> <p>11 from the mess.</p> <p>12 A No.</p> <p>13 Q Okay. Now, did you understand my question?</p> <p>14 A Could you repeat it again to make sure?</p> <p>15 Q Sure. I think you've said that when you've got --</p> <p>16 that on occasions where you need more than just you and Glen</p> <p>17 Mays to serve a group of people, you will ask sometimes for a</p> <p>18 third person as like a trainee, is that correct?</p> <p>19 A Yes.</p> <p>20 Q Okay. Did you ever have any occasion where you</p> <p>21 needed to use a third or a fourth person to help you and Glen</p> <p>22 but it wasn't a trainee, it was just someone who works down</p> <p>23 in the mess?</p> <p>24 A Yes.</p> <p>25 Q Okay. And how many times would you say that</p>
<p>1 Q Right.</p> <p>2 A Downstairs.</p> <p>3 Q You go down to the White House mess area?</p> <p>4 A The basement.</p> <p>5 Q Okay. That's somewhere close to the White House</p> <p>6 mess?</p> <p>7 A Yes, sir.</p> <p>8 Q Who fills in for you when you can't work, when</p> <p>9 you're sick or on vacation?</p> <p>10 A Just me and Glen Mays are the one that are</p> <p>11 rotating.</p> <p>12 Q Okay. He will typically fill in for you?</p> <p>13 A Yes.</p> <p>14 Q He'll take your shift?</p> <p>15 A Yes.</p> <p>16 Q Okay. What happens when he can't fill in for you?</p> <p>17 Who would be assigned to do that?</p> <p>18 A So far it's never been happened, we always been</p> <p>19 there, the two of us. That's about it. Yes.</p> <p>20 Q For instance, this Mr. McGrath that we talked</p> <p>21 about, he's never filled in for you?</p> <p>22 A Never.</p> <p>23 Q Have you ever asked him -- are there ever occasions</p> <p>24 where you've asked people from the mess in the basement to</p> <p>25 help you all out because you've got a particular -- as an</p>	<p>1 happened?</p> <p>2 A It happened maybe once every two months.</p> <p>3 Q All right. Was Mr. McGrath ever one of those</p> <p>4 persons who helped you?</p> <p>5 A I think we used him once or twice.</p> <p>6 Q Okay. Since your first appearance here before the</p> <p>7 grand jury, has anything changed about your employment</p> <p>8 status?</p> <p>9 A No, sir.</p> <p>10 Q Not only what your duties are but your salary?</p> <p>11 A No, sir.</p> <p>12 Q Nothing's changed?</p> <p>13 A Nothing changed.</p> <p>14 Q Nothing about your rank has changed?</p> <p>15 A No, sir.</p> <p>16 Q Have you talked to anybody in the White House since</p> <p>17 your last visit to the grand jury, have you talked to anybody</p> <p>18 in the White House about anything in any way connected to</p> <p>19 your grand jury visit or Monica Lewinsky?</p> <p>20 A No, sir.</p> <p>21 Q Is there any Navy code, military code of any kind</p> <p>22 that you feel is more important than the oath you took</p> <p>23 tell the truth in front of the grand jury? Let me rephrase</p> <p>24 that.</p> <p>25 Is there any Navy code or military code that you</p>

<p style="text-align: right;">Page 57</p> <p>1 feel might require you to not tell the truth in front of this 2 grand jury? 3 A You're talking about the Navy code -- you mentioned 4 about the Navy code? 5 Q Right. 6 A If it's better? 7 Q Well, let me rephrase it. You took an oath here, 8 both times that you came previously and today, you took an 9 oath to tell the truth, correct? 10 A Yes. 11 Q Okay. Is there anything such as a Navy code or a 12 military code or rules of service at the White House that you 13 feel or you have been told allows you to not tell the truth 14 here? 15 A No, sir. 16 Q You understand my question? 17 A I understand. 18 Q You understand that you have to tell the truth when 19 you testify in front of the grand jury. 20 A Yes, sir. 21 Q And you understand that there's nothing that trumps 22 that oath in front of the grand jury, nothing that allows you 23 to say "I don't have to do that because of some military 24 reason or some Navy reason or because I work at the White 25 House."</p>	<p style="text-align: right;">Page 59</p> <p>1 Q Have you received any bills yet from your attorney? 2 A Not yet, sir. 3 Q Okay. Has he told you how much this is going to 4 cost, his representation of you? 5 A He kind of mentioned about the lawyer is so 6 expensive, some were \$300 an hour, something like that. 7 Q Okay. So you think that's what your fee is going 8 to be, \$300 an hour? 9 A It might be, sir. Yes. 10 Q You're not sure what his fee is going to? 11 A Well, he says \$300, so I'm sure it's going to be 12 \$300. 13 Q Okay. All right. Other than the fact that you 14 think the fee is going to be \$300 an hour, has your lawyer 15 told you -- I don't want to hear about communication, I don't 16 want to hear about attorney-client confidences, but other 17 than \$300 an hour, do you know what your fee is other than 18 that, that hourly fee? 19 A No, sir. 20 Q What your lawyer's fee is? 21 A I don't know. 22 Q Okay. Did Monica Lewinsky ever tell you, ever say 23 to you that she was in love with the President? 24 A No. 25 Q Did she say anything like that?</p>
<p style="text-align: right;">Page 58</p> <p>1 A Yes, sir. I understand. 2 Q You understand that? 3 A Yes. 4 Q Normally in a situation like yours, when you 5 get involved in a legal problem related to your work, 6 normally you would be represented by a Navy lawyer, isn't 7 that true? 8 A Yes, sir. 9 Q Can you tell us, then, why -- can you enlighten 10 us as to why on this occasion you're not using a Navy 11 lawyer? 12 A This is the first time I've been to this kind of 13 situation and the things have happened so quick, so I never 14 think of anything else except that I have to consult my 15 supervisor, which is Lieutenant McCain at that time, which 16 has been there for about three or four months. 17 Q Did McCain suggest that you get a Navy lawyer? 18 A Nobody suggest to me to get a Navy lawyer. 19 Q Did you think about getting a Navy lawyer? 20 A No, I never think anything like that. 21 Q Did anybody tell you not to get a Navy lawyer? 22 A Nobody. 23 Q Your testimony is it all just happened so quickly 24 that you've arranged it the way you've arranged it. 25 A Yes.</p>	<p style="text-align: right;">Page 60</p> <p>1 A No, sir. 2 Q Did she ever act like she was in love with the 3 President? 4 A No, sir. 5 Q Did she ever act in any way differently -- did you 6 ever see her act toward to the President, I don't mean 7 necessarily just physically when he was there, but I mean in 8 terms of the way she talked about him even if he wasn't 9 there, did she ever talk about or act with respect to the 10 President any differently than you saw any other intern or 11 low level staffer act? 12 A No, sir. 13 Q Do you understand my question? 14 A I understand. I never noticed so much. I just 15 never paid attention to the way she acted. She just appeared 16 friendly to me and things like that. 17 Q Were you aware of any other intern or ex-intern who 18 would call you and ask about how your boss is and what he was 19 doing? 20 A Yes. A few. A few interns that stopped by and 21 said, "Hi, how are you doing?" Just say "Good morning, how 22 are you? How's the President doing today?" 23 Q Okay. 24 A Yes. Things like that. 25 Q So her testimony -- so her activity in that regard,</p>

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<p>1 both in stopping by where you were and in calling you, was 2 not unusual in any way to you. 3 A Yes. 4 Q Yes, it was not unusual? 5 A It's not unusual. 6 MR. WISENBERG: That's all I have. 7 MS. WIRTH: I just have one clarification question, 8 actually, for the court reporter. 9 BY MS. WIRTH: 10 Q You mentioned, we believe, a bar that Monica was at 11 named Mario's or something like that? Do you remember any 12 testimony about that? We just needed to know the spelling of 13 the bar, the restaurant or bar where she was. 14 A Who? 15 Q Monica. In a telephone conversation you had with 16 her, did she mention to you where she was? 17 A I don't recall that. 18 MS. WIRTH: Okay. Thank you. 19 MR. WISENBERG: Any questions? 20 A JUROR: I just had a question for Mr. Nelvis. 21 Have your attorneys talked to anyone at the White 22 House or do they plan to talk to anyone at the White House 23 regarding your testimony here? 24 THE WITNESS: No. 25 A JUROR: To both questions?</p>	<p>1 BY MR. WISENBERG: 2 Q Did you ever authorize your attorney to talk to the 3 President's lawyers, any of the President's lawyers, not just 4 people at the White House, but any of the President's 5 lawyers, about your grand jury testimony? 6 A No. 7 Q All right. Now, do you intend to talk to anybody 8 other than your attorney about your grand jury testimony here 9 today? 10 A No. 11 Q You can do that if you want to. There's nothing 12 that says you can't. I'm just asking you if you plan to do 13 that. If you currently plan to talk to anybody other than 14 your attorney about your testimony here today. 15 A No, I will not do that. 16 Q Pardon? 17 A I don't think I'll do that. 18 Q Okay. Now, do you -- you understand that's up to 19 you, whether or not you do that? 20 A Yes. You're telling me. Yes. 21 Q Now, is it your understanding that your 22 attorneys -- we've talked about your past grand jury 23 testimony. Is it your understanding that your attorneys are 24 going to talk to anybody at the White House or any of the 25 President's lawyers about your grand jury testimony today?</p>
<p>Page 62</p> <p>1 THE WITNESS: Could you repeat the question? 2 BY MR. WISENBERG: 3 Q Two questions. First, have they talked to anybody 4 at the White House about your prior testimony to the grand 5 jury, your attorneys? 6 A No. He never mentioned to me anything like that 7 and I never talked to him. 8 Q Did you ever authorize your attorney to talk to 9 anybody at the White House about your prior grand jury 10 testimony? 11 A I never talked to him about things like that. 12 Q Okay. So the answer is no, you did not -- 13 A No, I did not. 14 Q You did not tell your attorney it was okay for him 15 to talk to the White House about your testimony. 16 A Yes, sir. 17 Q Yes, sir, you did not tell him it was okay. 18 A I did not tell him. Yes. 19 Q All right. 20 A I never talked to him things like that. 21 A JUROR: I don't think that's -- I'm sorry. 22 MR. WISENBERG: Go ahead. I wasn't finished, but 23 go ahead. 24 A JUROR: I'm sorry. 25 MR. WISENBERG: I'll probably still miss it.</p>	<p>Page 64</p> <p>1 A Would you repeat it again? 2 Q Sure. Is it your understanding that your attorneys 3 are going to talk to anyone at the White House about today's 4 grand jury testimony? 5 A No. 6 Q Okay. And you have not told them they can do that, 7 correct? 8 A Never. Never discussed that. 9 Q And do you know if they plan to talk to the 10 President's lawyers about your grand jury testimony today? 11 A I don't know, sir. 12 Q And you haven't told them if they can do that. 13 A No, sir. 14 MR. WISENBERG: Okay. Now -- 15 Do we still need to ask? 16 A JUROR: Thank you. 17 A JUROR: I just have a question for you because I 18 don't know very much about the military, so I have to ask 19 this so I can get a more clear picture. 20 Is one of your top priorities being in the Navy to 21 follow your supervisor's instructions? Or like do what they 22 tell you, follow their orders? Follow whatever orders they 23 give you? 24 THE WITNESS: What do you mean, orders, ma'am? 25 A JUROR: Like you're in the military and you have</p>

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1 like a colonel or whomever it is to give you orders or
2 instructions with regards to how you should handle your
3 duties.

4 THE WITNESS: Yes.

5 A JUROR: Is that correct?

6 THE WITNESS: Yes.

7 A JUROR: Would it be -- is the highest ranking
8 officer who could give you an order the President of the
9 United States?

10 THE WITNESS: What do you mean? Orders from --

11 A JUROR: Well, is he not -- is the President over
12 the military, the Navy?

13 THE WITNESS: Could you repeat it again?

14 A JUROR: Okay. Is the President the
15 commander-in-chief of the Navy?

16 THE WITNESS: Mm-hmm. Yes.

17 A JUROR: Therefore, if an order was given by the
18 commander-in-chief to you, Mr. Nelvis, would you have to
19 follow that order?

20 THE WITNESS: Well, it don't work that way, that
21 the President will directly tell you. The President knows
22 that I was in the military and I have my own boss. If I made
23 a mistake there, I will never hear from the President, but I
24 could be turn in my pass and leave the White House and the
25 President never give orders.

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1 I have my own military supervisor that will give me
2 orders and communicate with him every day what I do and what
3 we do support for the President. If we go to the trip, also,
4 to support the President, that came from our military
5 supervisor, not from the President.

6 MR. WISENBERG: Can I ask a question?

7 THE FOREPERSON: Sure.

8 BY MR. WISENBERG:

9 Q Have any of your superiors, either civilian or
10 military, told you that you can't or you shouldn't tell the
11 whole truth in front of this grand jury?

12 A No, sir.

13 MR. WISENBERG: Any further questions?

14 (No response.)

15 MR. WISENBERG: All right. May the witness be
16 allowed to leave? May the witness be dismissed?

17 THE FOREPERSON: Yes, he may.

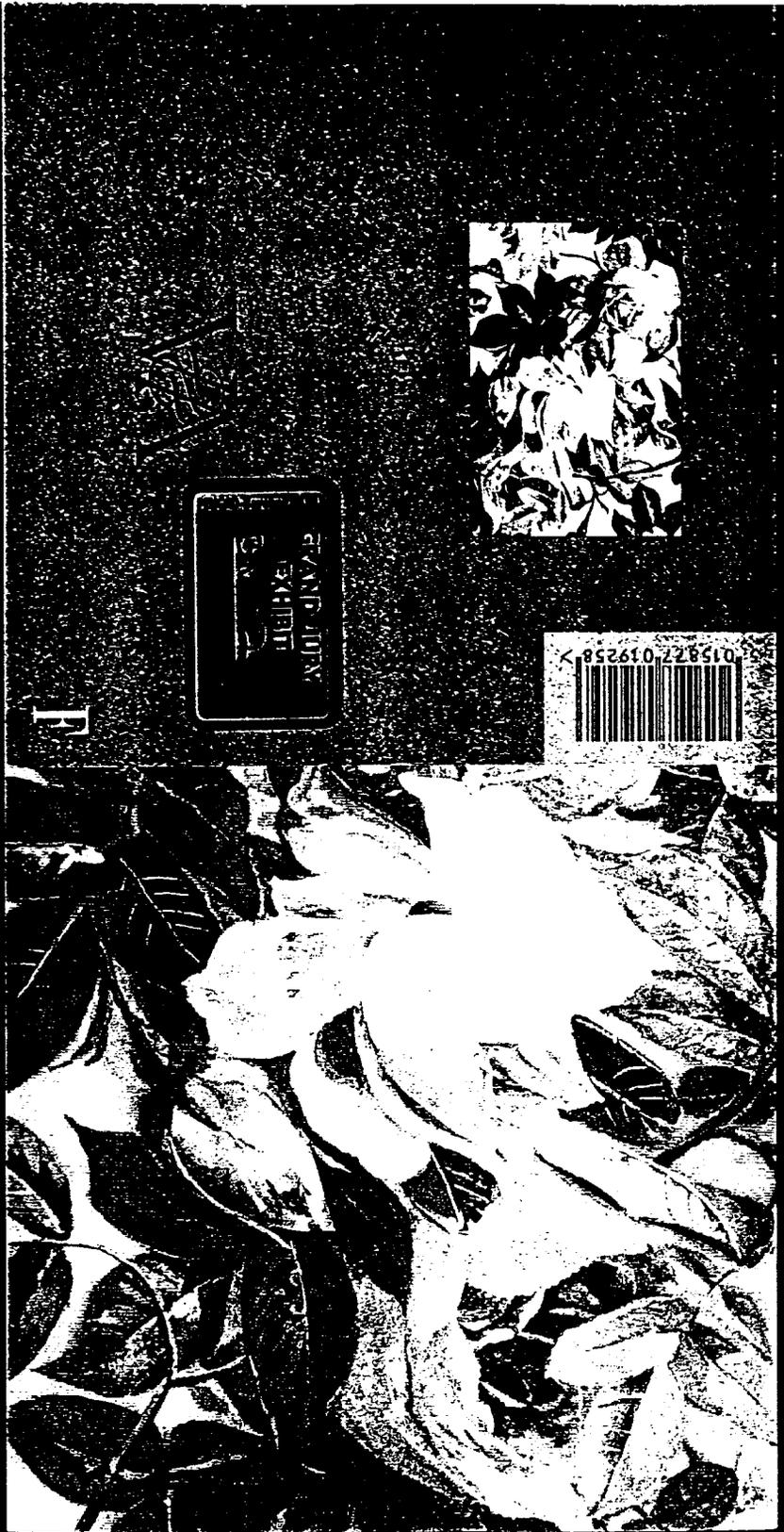
18 MR. WISENBERG: All right.

19 (The witness was excused.)

20 (Whereupon, at 12:29 p.m., the taking of testimony
21 in the presence of a full quorum of the Grand Jury was
22 concluded.)

23 * * * * *





29 December 1988

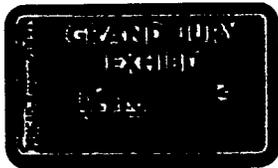
Dear Nel,

Thank you so much for
the great Christmas gift...
an official apron! Maybe
now that I have this apron
I will cook better tasting
meals! It was very sweet
of you to think of me at
this time of year. Thanks again!
Love, Monica

V010-DC-000000002

BN 00002

3094



3095

V010-DC-00000001

17 January 1996

Dear Nel,

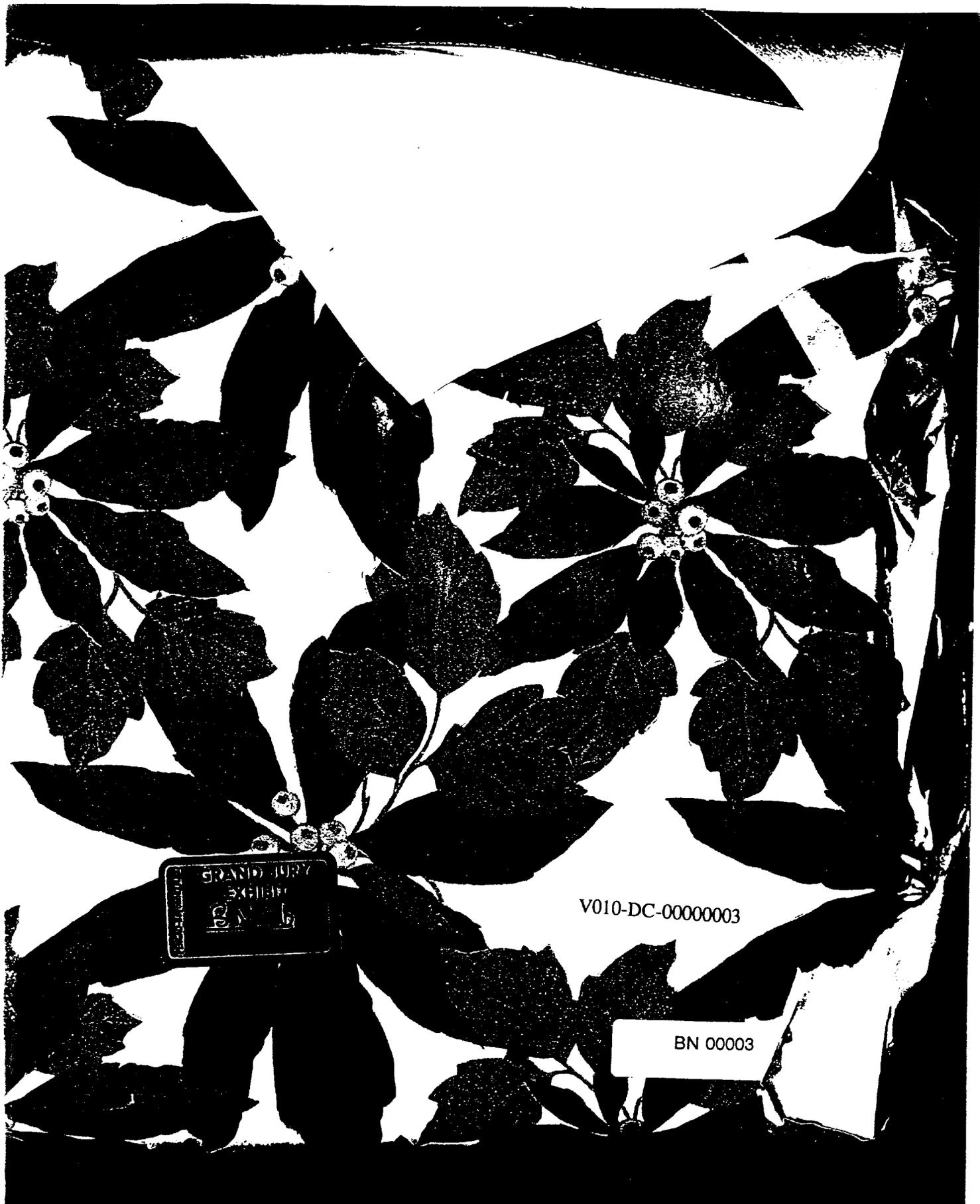
Happy Birthday! Thanks
for being such a good friend.
I hope all of your wishes are
granted!

All the best -
Monica

BN 00001

3096





GRAND JURY
EXHIBIT
3/1/10

V010-DC-00000003

BN 00003

3098

V010-DC-00000004

BN 00004

To Monica

From Alice



3099



AMERICAN GREETINGS



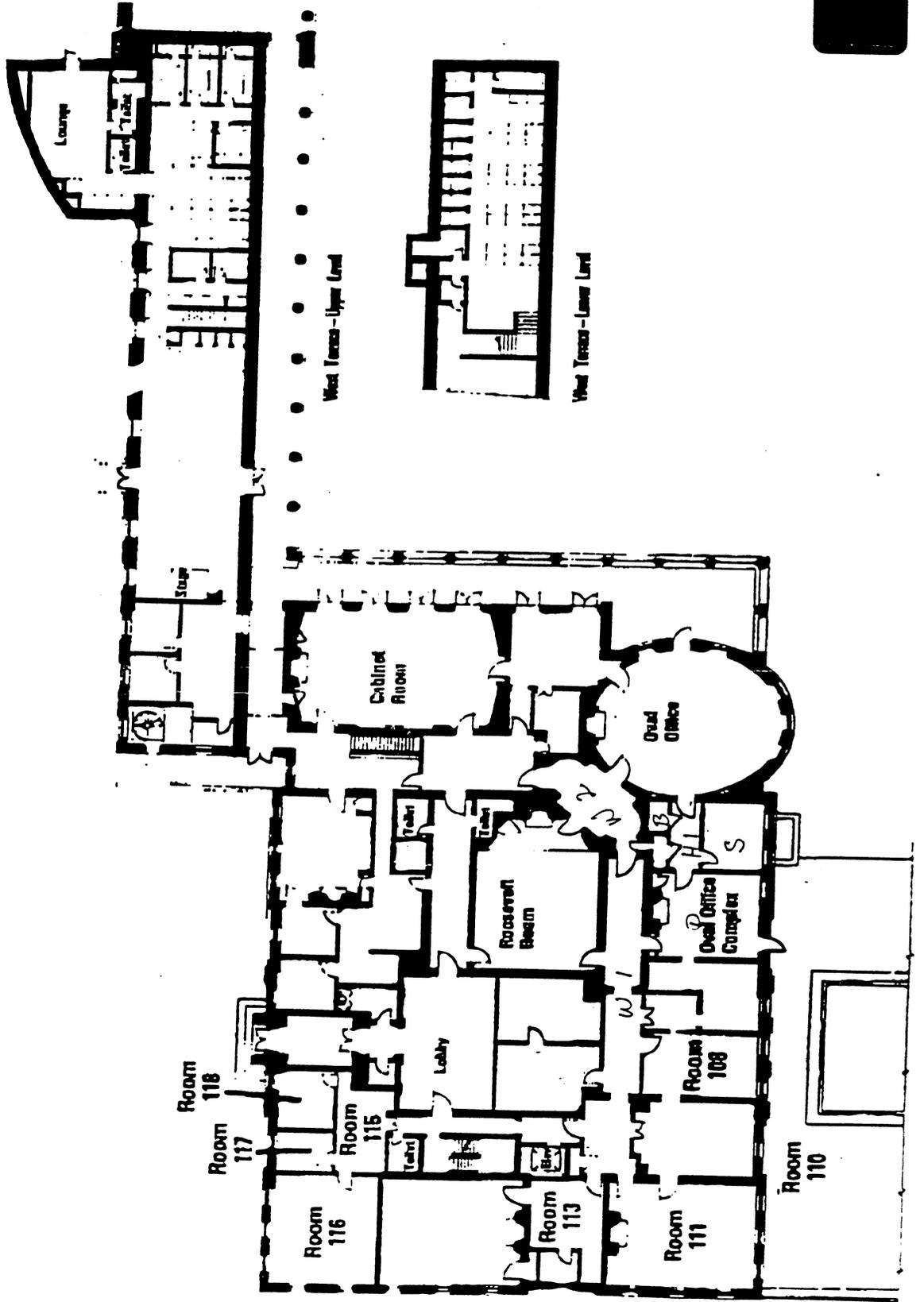
0202

Merry Christmas

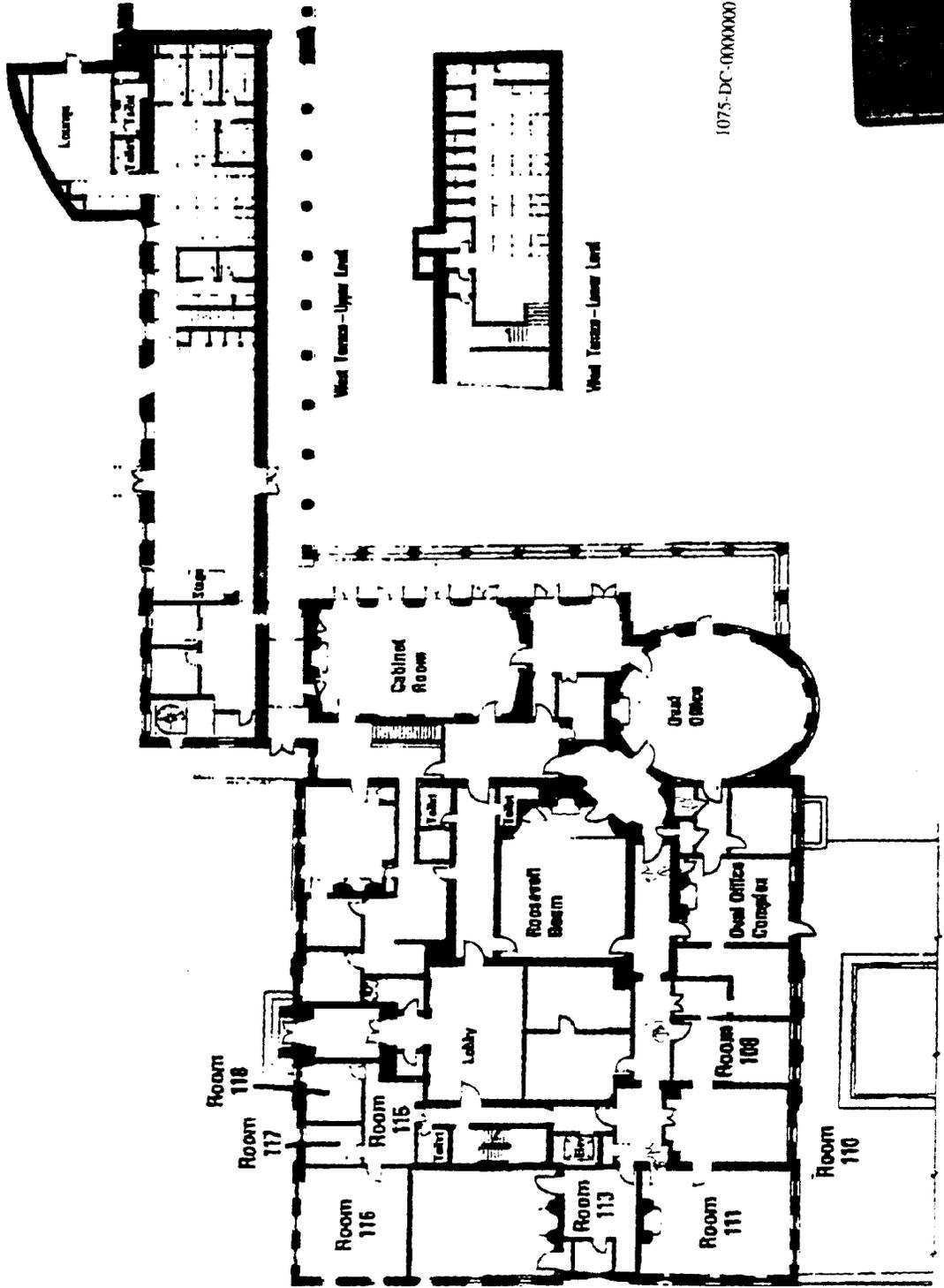


West Wing-White House

First Floor



First Floor



1075-DC-00000001



OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription 6/1/98

GARY S. NIEDZWIECKI, Officer, United States Secret Service, (USSS) Uniformed Division (UD), date of birth, [REDACTED], [REDACTED] was interviewed at the Office of the Independent Counsel (OIC), 1001 Pennsylvania Avenue, NW, Washington, DC, 20004. Present for the interview were Associate Independent Counsels (AIC) MICHAEL TRAVERS and MARY ANNE WIRTH; Department of Justice (DOJ) attorneys, JANIS KASTENBAUM and ANNE WEISMANN. NIEDZWIECKI was interviewed under the terms of an agreement reached between the OIC and the DOJ. After being apprised of the official and personal identities of the interviewers and the nature of the interview, NIEDZWIECKI provided the following information:

NIEDZWIECKI entered on duty with the USSS on January 23, 1978 and was initially assigned to the Communications Center for his first three years. NIEDZWIECKI said he was then assigned to the Special Operations Division (SOD) for thirteen years. Also during this time NIEDZWIECKI was a member of the Secret Service competitive pistol team. In August 1996, NIEDZWIECKI was assigned to the White House but was not given an assigned post. This assignment lasted until August 1997 when he was reassigned to the Deputy Chief's Office under the supervision of Captain BILL HEALY.

NIEDZWIECKI advised that prior to December 6, 1997 he had never seen or spoken to MONICA LEWINSKY to the best of his knowledge.

On Saturday, December 6, 1997 NIEDZWIECKI was assigned to Post [REDACTED] but was also expected to relieve other officers for their break time. Following his break, NIEDZWIECKI went to the Northwest Gate to relieve one of the officers there. When he arrived at the Northwest Gate, he found LEWINSKY already at the gate and apparently trying to complete the entry process without much success. LEWINSKY seemed to be frustrated and Officer BRYAN HALL was explaining to her that she could not come in without an appointment. LEWINSKY had a large bag which appeared to contain several Christmas wrapped packages. Officer HALL had told her to call BETTY CURRIE for entry clearance. LEWINSKY apparently had tried this but had been unable reach CURRIE. One of the officers at the gate called Officer TYLER who was stationed at the post

Investigation on 05/29/98 at Washington, D. C. File # 29D-OIC-LR-35063

by CI [REDACTED] Date dictated 6/1/98

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Continuation of OIC-302 of GARY S. NIEDZWIECKI . On 05/29/98 . Page 2

nearest to CURRIE's office and asked if TYLER could locate CURRIE. NIEDZWIECKI remembered that LEWINSKY waited inside the post, (because it was cold) for eight or ten minutes until she apparently heard HALL mention that ELEANOR MONDALE was visiting the President and following that comment, LEWINSKY abruptly left. NIEDZWIECKI said he cautioned HALL about telling outsiders about the identity of anyone visiting in the West Wing of the White House.

NIEDZWIECKI said that at some point after MONDALE had left the area, someone, possibly TYLER called the Gate and NIEDZWIECKI heard HALL's response "she's already left," apparently referring to LEWINSKY.

NIEDZWIECKI said that apparently MONDALE had entered the White House during NIEDZWIECKI's 20 minute break just before his return to the Northwest Gate where he found LEWINSKY trying to be cleared for entry.

NIEDZWIECKI said that within five minutes after his conversation with HALL, MONDALE left the White House in an obvious hurry through the Northwest Gate.

NIEDZWIECKI left the Northwest Gate post a short time later to assume his duties at the [REDACTED] post which is located outside the West Wing inside a small building. While alone at this post, Captain PURDIE and Sergeant WILLIAMS came to the post and advised NIEDZWIECKI what had happened at the Northwest Gate with regard to LEWINSKY and asked what he knew about the incident. Captain PURDIE completed the discussions and then asked NIEDZWIECKI to accompany them back to the Northwest Gate. NIEDZWIECKI, Captain PURDIE and Sergeant WILLIAMS went to the Northwest Gate as soon as NIEDZWIECKI's partner returned to the [REDACTED] post. (Protective Function Privilege invoked as to the substance of these conversations)

NIEDZWIECKI recalls that HALL was at the gate when Captain PURDIE and Sergeant WILLIAMS began asking questions about what was said to LEWINSKY. NIEDZWIECKI remembers that HALL in recounting the incident, thought that LEWINSKY and MONDALE were friends and also that LEWINSKY must have overheard him talking to someone on the phone about MONDALE. NIEDZWIECKI said that Officer STACY PORTER returned to the Northwest Gate during the time Captain PURDIE was questioning HALL and was likewise questioned.

At the conclusion of the questioning, Captain PURDIE

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Continuation of OIC-302 of GARY S. NIEDZWIECKI . On 05/29/98 . Page 3

and Sergeant WILLIAMS both said to the Officers at the Northwest Gate that "this never happened, don't talk about anything." NIEDZWIECKI left the Northwest Gate area and returned to his post and did not hear any more about the incident.

NIEDZWIECKI remembers hearing rumors that LEWINSKY would sometimes come into the White House complex by entering through posts ■ or ■. These posts are located at the Old Executive Office Building (EOOB), ■ being on the north side of the building at the top of the steps on Pennsylvania Avenue and ■ being mid way of the block on 17th Street. NIEDZWIECKI also remembers hearing another rumor that LEWINSKY sometimes entered the White House Complex through the Southwest Gate.

NIEDZWIECKI advised that he also has heard a rumor among UD personnel that the President and ■ had an affair during the campaign of 1996.

3106

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:

GRAND JURY PROCEEDINGS

Grand Jury Room No. 3
United States District Court
for the District of Columbia
3rd & Constitution, N.W.
Washington, D.C. 20001

Thursday, July 30, 1998

The testimony of GARY NIEDZWIECKI was taken in the
presence of a full quorum of Grand Jury 97-2, impaneled on
September 19, 1997, commencing at 2:13 p.m., before:

EDWARD J. PAGE
MARY ANNE WIRTH
Associate Independent Counsel
Office of Independent Counsel
1001 Pennsylvania Avenue, N.W.
Suite 490 North
Washington, D.C. 20004

PROCEEDINGS

1
2 Whereupon,
3 GARY NIEDZWIECKI
4 was called as a witness and, after having been first duly
5 sworn by the Foreperson of the Grand Jury, was examined and
6 testified as follows:

EXAMINATION

BY MR. PAGE:

Q All right. Sir, would you tell us your full name?

A My name is Gary Niedzwiecki.

Q And where do you work?

A I work for the Secret Service uniformed division.

I'm currently at the White House.

Q All right. I want to explain some things to you
before we get started with your questions, okay?

First of all, you are now in front of a federal
grand jury and the court reporter immediately to your left
is taking down everything that's said here, both questions
and answers. Do you understand that?

A Yes.

Q Have you ever given a statement or deposition
before where that's been done?

A Yes.

Q So you understand what that's about.

A Yes, sir.

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WITNESS:		Page
Gary Niedzwiecki		3
GRAND JURY EXHIBITS:		
No. GN-1	Sector roster	11
No. GN-2	Notes taken by Gary Niedzwiecki re: 12/6/97 northwest gate incident	11

Q Do you understand that in appearing before a
federal grand jury you have certain rights and
responsibilities?
A Yes, sir.
Q I'd like to review them with you now and make sure
that you understand each of them.

Before I do that, I want to represent to you
that this federal grand jury is conducting an investigation
of possible violations of federal criminal laws involving
whether Monica Lewinsky or others suborned perjury,
obstructed justice, intimidated witnesses or otherwise
violated federal law, other than a Class B or C misdemeanor
or infraction, in dealing with witnesses, potential
witnesses, attorneys or others concerning the civil case
Jones v. Clinton.

Do you understand what this grand jury is
investigating?

A Yes.

Q Do you understand that you have certain rights,
constitutional rights, and one of them is that you may refuse
to answer one of the questions or any of the questions put to
you by either myself, my colleague or a member of the grand
jury if a truthful answer to that question would tend to
incriminate you? Do you understand that?

A Yes, sir.

Page 5

Page 7

1 Q Do you understand further that anything you do or
 2 say here today during your appearance could be used against
 3 you by this grand jury or in a subsequent legal proceeding?
 4 A Yes.
 5 Q Do you understand further that if you have a
 6 lawyer, the grand jury will permit you a reasonable
 7 opportunity to step outside the grand jury room and to
 8 consult with that lawyer or lawyers if you want to?
 9 A Yes, sir.
 10 Q Do you have a lawyer or lawyers present?
 11 A Yes. Yes, I do.
 12 Q And would you tell us who their names are, please?
 13 A Michael Leibig.
 14 Q Anyone else that's representing you?
 15 A No, sir. That's it.
 16 Q No one from Secret Service, no one from the
 17 Department of Justice.
 18 A No.
 19 Q That you're aware of.
 20 A No. No.
 21 Q Do you understand that in the grand jury as well as
 22 in the investigation stage there are two broad categories of
 23 witnesses? One is a target and one is a subject.
 24 A Yes.
 25 Q A target means that the grand jury has substantial

1 whomever you want about what happened here today because the
 2 rule of secrecy applies to everybody here but you. Do you
 3 understand that?
 4 A Yes, sir.
 5 Q In other words, in the future, after you conclude
 6 your appearance here today, we cannot say anything, but you
 7 can. Are you with me?
 8 A Yes.
 9 Q There are some exceptions to that, though: a
 10 court order, if a criminal case is made or filed against
 11 somebody, and there are other exceptions that would permit
 12 what happened here today to be disclosed to others. Do you
 13 understand that, that there are some exceptions to that
 14 secrecy requirement?
 15 A Yes. Yes. I understand.
 16 Q All right. Do you have any other questions of us
 17 before we get started?
 18 A No, sir.
 19 Q All right. Do you know Mary Anne Wirth?
 20 A Yes. I believe we've met before.
 21 Q She's going to ask you your questions today, okay?
 22 A Okay.
 23 BY MS. WIRTH:
 24 Q Officer Niedzwiecki, you have been employed by the
 25 Secret Service since 1978. Is that right?

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Page 8

1 evidence linking them to the commission of a crime and that
 2 that is someone that they're looking at or thinking about
 3 returning an indictment against.
 4 A Mm-hmm.
 5 Q On the other hand, another term or definition of a
 6 witness in the grand jury investigation stage is called a
 7 subject and that's a person whose conduct may be within the
 8 scope of the grand jury's investigation in two different ways
 9 One of them in the sense that that person, that witness, may
 10 have done something that was illegal or improper, and so the
 11 grand jury is looking at it from that perspective.
 12 In another sense, however, from simply a fact
 13 witness perspective, the grand jury may be just interested
 14 in hearing from a subject but only because that subject is
 15 really a fact witness. Do you understand the distinction?
 16 A Yes.
 17 Q I represent to you now today that you are in that
 18 latter category of subject, meaning a fact witness. Do you
 19 understand that?
 20 A Yes.
 21 Q Finally, do you understand that what goes on here
 22 today before the grand jury is secret under the Federal Rules
 23 of Criminal Procedure? Do you understand that?
 24 A Yes, sir.
 25 Q You can, however, after your appearance today, tell

1 A That's correct.
 2 Q And in August 1996, you were assigned to the White
 3 House?
 4 A That's correct.
 5 Q And you were unassigned until August of 1997 when
 6 you were assigned to the White House?
 7 A From when I started --
 8 Q Right. In August of 1996, you were assigned to the
 9 White House.
 10 A Right.
 11 Q What was your assignment when you got there?
 12 A I was unassigned, basically, doing various other
 13 duties.
 14 Q So you'd float from post to post?
 15 A Right.
 16 Q And that was your status for about how long?
 17 A Probably about eight months.
 18 Q Okay. And what happened at the end of eight
 19 months?
 20 A I put in for a slot.
 21 Q You have to speak up, please.
 22 A I put in for a deputy chief's position up in the --
 23 working with all the emergency gear, working with vehicles
 24 blocking around the White House, maintenance. Basically
 25 helping with all the emergency gear around the complex.

Page 9	Page 11
<p>1 Q And did you get that slot?</p> <p>2 A Yes.</p> <p>3 Q Is your title deputy chief? Or you work for the</p> <p>4 deputy chief.</p> <p>5 A I work for the deputy chief property officer.</p> <p>6 Q And you're still in that position?</p> <p>7 A Yes.</p> <p>8 Q Okay. Now, have you ever seen Monica Lewinsky?</p> <p>9 A Yes. I did.</p> <p>10 Q When was the first time?</p> <p>11 A On December 6, 1997.</p> <p>12 Q Did you ever see her in October of 1997?</p> <p>13 A No.</p> <p>14 Q Did you ever see her at the Old EOB?</p> <p>15 A No, I heard that she was going in and out of the</p> <p>16 Old EOB.</p> <p>17 Q Okay. How many times have you seen her?</p> <p>18 A Just the one time at the gate.</p> <p>19 Q Okay.</p> <p>20 A The northwest gate.</p> <p>21 Q So the very first time you ever saw Monica Lewinsky</p> <p>22 was December 6, 1997?</p> <p>23 A Right.</p> <p>24 Q Okay. And where were you working that day?</p> <p>25 A I was working at the northwest gate of the complex.</p>	<p>1 A That's correct.</p> <p>2 MS. WIRTH: And I've marked both of them, one with</p> <p>3 Grand Jury Exhibit No. GN-1 and the other with GN-2. And I'm</p> <p>4 going to show those to you, okay?</p> <p>5 (Grand Jury Exhibits No. GN-1</p> <p>6 and GN-2 were marked for</p> <p>7 identification.)</p> <p>8 BY MS. WIRTH:</p> <p>9 Q Can you tell the grand jury what they are? First</p> <p>10 start with GN-1. What is that? The top document.</p> <p>11 A GN-1 is a sector roster. Basically on the</p> <p>12 northwest gate grounds of the White House, different posts</p> <p>13 are assigned to each individual officer and there is a reason</p> <p>14 why I also produced this is because of the times and also on</p> <p>15 GN-2, which are a set of my notes, and I'll tell you why I</p> <p>16 took them during this whole testimony, that you'll find out</p> <p>17 where they come into play and where I started writing them.</p> <p>18 And I just kept them.</p> <p>19 Q Okay. So GN-2 are your notes?</p> <p>20 A Okay. Yes.</p> <p>21 Q Okay. So they're in front of you and if you need</p> <p>22 to refer to them, you can. At some point later, we'll have</p> <p>23 you read them into the record, okay?</p> <p>24 A Thank you.</p> <p>25 Q All right. So the question was did there come a</p>
<p>Page 10</p> <p>1 Q And were you filling in for somebody else or was</p> <p>2 that your assignment for the day?</p> <p>3 A That was my assignment.</p> <p>4 Q And what was your shift that day?</p> <p>5 A It was the 6:30 to 2:30 shift, 6:30 to 3:00.</p> <p>6 The 6:30 to 3:00 shift, a.m.</p> <p>7 Q a.m.? Okay. Until 2:30 in the afternoon?</p> <p>8 To 3:00?</p> <p>9 A Mm-hmm.</p> <p>10 Q All right. Can you tell us whether there came a</p> <p>11 time that day when something happened?</p> <p>12 A Yes, there was.</p> <p>13 Q About what time did it begin? To the best of your</p> <p>14 memory.</p> <p>15 A Can I refer to my notes?</p> <p>16 Q Yes, you may. Did you bring notes with you?</p> <p>17 A Yes, I did.</p> <p>18 Q And you've provided them to us?</p> <p>19 A Yes.</p> <p>20 MS. WIRTH: I'm just going to step out for just one</p> <p>21 second.</p> <p>22 (Pause.)</p> <p>23 BY MS. WIRTH:</p> <p>24 Q Okay. This morning through your lawyer you</p> <p>25 produced two pieces of paper to us. Is that correct?</p>	<p>Page 12</p> <p>1 time that something happened that day? And I believe you</p> <p>2 testified yes. And then I asked you about what time did it</p> <p>3 occur or did it begin to your knowledge.</p> <p>4 A Roughly about a quarter of ten.</p> <p>5 Q In the morning?</p> <p>6 A Yes.</p> <p>7 Q Okay. What happened?</p> <p>8 A Monica Lewinsky showed up at the northwest gate.</p> <p>9 At that time, I didn't know her last name.</p> <p>10 Q Did you know her first name?</p> <p>11 A It was -- I didn't know who she was personally</p> <p>12 until later. I was assigned to the northwest gate at this</p> <p>13 instant, at this occurrence, with Brian Hall. He was also</p> <p>14 there with me. And he was to my left and we both had</p> <p>15 computers for appointments that come into the gate at the</p> <p>16 White House and you run names to see if they're signed in and</p> <p>17 cleared in.</p> <p>18 Q Prior to that date, had you ever heard anything</p> <p>19 about someone named Monica?</p> <p>20 A Yes. I heard -- I heard this girl Monica used to</p> <p>21 be an intern in the East Wing and she was let go for some</p> <p>22 reason I didn't know, but she used to be an intern at the</p> <p>23 White House. And she showed up this day with Christmas</p> <p>24 presents -- gifts for the President. I don't know if they</p> <p>25 were Christmas gifts, they were gifts for the President.</p>

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<p>1 Q Did you bear her say that that's what they were?</p> <p>2 A Yes.</p> <p>3 Q Who did she say that to?</p> <p>4 A Brian Hall.</p> <p>5 Q Who was also working at that time?</p> <p>6 A Yes.</p> <p>7 Q Who was primarily dealing with her?</p> <p>8 A Brian Hall. At the northwest gate, right now it's</p> <p>9 a trailer under construction. It's an entry gate and it's</p> <p>10 also used for press people coming in. I was helping clear</p> <p>11 some press people in at the same time. Appointments show up</p> <p>12 at the gate.</p> <p>13 Monica showed up at the gate, the northwest gate,</p> <p>14 and Brian Hall told her to use the outside phone. She stated</p> <p>15 she was here to see Betty Currie, so Brian told her to use</p> <p>16 the outside phone. At that time, she tried calling the</p> <p>17 operator and she couldn't get a hold of her.</p> <p>18 Q Could you bear her when she was speaking on the</p> <p>19 outside phone?</p> <p>20 A No, I couldn't hear her on the outside.</p> <p>21 Q How do you know that she couldn't get a hold of</p> <p>22 Betty Currie?</p> <p>23 A Because she knocked on the door and Brian let her</p> <p>24 in, since she had an appointment with Betty Currie. We both</p> <p>25 tried to locate her.</p>	<p>1 Q So what happened next?</p> <p>2 A We couldn't locate Betty Currie. We couldn't</p> <p>3 locate her and she waited around a couple of minutes. It wa</p> <p>4 cold outside, so we let her stay in the trailer there.</p> <p>5 Q Referring to Monica?</p> <p>6 A Right. Let Monica stay with us inside the warm</p> <p>7 area there. She was rather disturbed because she couldn't</p> <p>8 get a hold of her and drop her gifts off, I guess. I guess</p> <p>9 Brian had a conversation with her. I didn't really focus on</p> <p>10 it, I was helping clear some press people in also.</p> <p>11 If I could read something here I wrote?</p> <p>12 MS. WIRTH: Okay. So reading from your notes.</p> <p>13 Go ahead.</p> <p>14 MR. PAGE: What exhibit number is that?</p> <p>15 MS. WIRTH: I'm sorry?</p> <p>16 THE WITNESS: This is Exhibit GN-2.</p> <p>17 "Monica Lewinsky showed up at the northwest gate.</p> <p>18 Officer Hall had asked her if she had an appointment.</p> <p>19 He told her to use the outside telephone to contact Betty</p> <p>20 Currie. She said she wasn't available. Brian let her in.</p> <p>21 I tried calling myself to see if we could locate Betty.</p> <p>22 While inside the post, Brian Hall told Monica he couldn't get</p> <p>23 a hold of Betty Currie, said she must be busy."</p> <p>24 BY MS. WIRTH:</p> <p>25 Q Okay. We're going to stop now. So you've finished</p>
<p>Page 14</p> <p>1 Q Locate Betty Currie?</p> <p>2 A Right.</p> <p>3 Q What did you do?</p> <p>4 A He called the [REDACTED] at that time, it was Officer</p> <p>5 Chinery, and asked if Betty Currie was around the West Wing.</p> <p>6 Q And [REDACTED] is the West Wing lobby?</p> <p>7 A Right. And I called at the same time. I helped</p> <p>8 him in a couple of instances. I helped him call the E-6</p> <p>9 officer around the Oval Office.</p> <p>10 Q And who was that that day?</p> <p>11 A It was Officer Tyler at that time. And I asked</p> <p>12 him, I said, "Mike, do you see Betty around? Is she</p> <p>13 available?" And he said, "No, I don't."</p> <p>14 Q He said what?</p> <p>15 A He said, "No, I couldn't locate her."</p> <p>16 Q Okay. So Mike Tyler told you he didn't see Betty</p> <p>17 Currie at that time.</p> <p>18 A Right.</p> <p>19 Q Do you know if Officer Hall ever called Officer</p> <p>20 Tyler?</p> <p>21 A I believe he also tried to -- different -- it was</p> <p>22 like maybe three or four minutes intervals. Yes. We kept</p> <p>23 trying. It was -- you know, we're here to help a guest come</p> <p>24 in and this was somebody's guest and we're trying to help</p> <p>25 locate her.</p>	<p>Page 16</p> <p>1 reading from your notes?</p> <p>2 A Right.</p> <p>3 Q Do you remember everything that you just read as</p> <p>4 things that happened that day?</p> <p>5 A Yes.</p> <p>6 Q Is there anything there that you don't remember</p> <p>7 that you just read?</p> <p>8 A No.</p> <p>9 Q Okay. All right. So now you're telling the grand</p> <p>10 jury in your own words what you remember. Go ahead.</p> <p>11 A Basically, she waited around a couple of minutes</p> <p>12 and we kept trying to get a hold of Betty. And I guess Brian</p> <p>13 had mentioned that Eleanor Mondale was in -- Eleanor Mondale</p> <p>14 had come in a short time ago and she was probably with Betty</p> <p>15 Currie.</p> <p>16 Q Okay. And did you hear Officer Hall say that?</p> <p>17 A Yes.</p> <p>18 Q And did Officer Hall say that Eleanor Mondale was</p> <p>19 visiting Betty Currie or visiting the President?</p> <p>20 A I wrote it as Betty Currie.</p> <p>21 Q That's what's in your notes?</p> <p>22 A That's what's in my notes.</p> <p>23 Q And is that your memory? Your best memory?</p> <p>24 A Yes.</p> <p>25 Q Okay. Now, just for the record, you were</p>

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<p>1 interviewed previously by an FBI agent who works with 2 our office and I was also present, correct? And others. 3 Do you remember that interview? 4 A Yes. 5 Q And reading from the 302 that is a record of that 6 interview, it says that "Niedzwiecki remembered that Lewinsky 7 waited inside the post because it was cold for eight or ten 8 minutes, until she apparently heard Hall mention that Eleanor 9 Mondale was visiting the President." And then it continues. 10 A No, that's -- okay. 11 Q Before I ask any question about that, on the day 12 that you had this interview, did you have your notes? 13 A No. 14 Q Okay. And since then, you've had an opportunity to 15 read those notes? 16 A Right. 17 Q And they've refreshed your memory? 18 A Yes. 19 Q Can you just tell the grand jury which version is 20 in your mind more correct, what is in your notes or what I've 21 just read to you from the 302? 22 A I believe my notes. 23 Q Okay. And your notes tell you that Officer Hall 24 said that Eleanor Mondale was visiting Betty Currie? 25 A Yes.</p>	<p>1 A I have a time when he was moved to -- when he moved 2 to the Oval Office because there was a question this day that 3 this occurrence happened. 4 We had an ambulance show up at the visitors gate 5 and they had to direct them through the gates of the White 6 House and down by the press lobby so we could get a stroke 7 victim in the ambulance and I wrote down a time. 8 Shortly after that, the President was en route to 9 the Oval Office and I have that time in my notes, just in 10 case something happened. 11 There's a reason we do this, in case something 12 stemmed from the ambulance or any of these people going 13 through a different location, if something happened. 14 Q And what time do you have in your notes for when 15 the President moved to the Oval Office? 16 A 9:27 a.m. 17 Q And you just told us that Monica Lewinsky came to 18 the northwest gate at 8:45, approximately? 19 A This was like -- no. 20 Q I'm sorry, I missed the time. 21 A No, this was -- 22 Q 9:45? 23 A 9:40. 24 Q Okay. So the President moved to the Oval Office 25 before Monica Lewinsky showed up at the northwest gate,</p>
<p>Page 18</p> <p>1 Q And to your knowledge, Monica Lewinsky heard -- did 2 he say that to Monica Lewinsky? 3 A Maybe -- yes. And maybe she took it out of 4 context, meaning that she was in there seeing the President. 5 I have no idea, but that's what -- 6 Q All right. Did you ever hear Monica Lewinsky ask 7 Officer Hall whether the President was in the Oval Office? 8 A No. 9 Q Okay. Do you know whether there was ever any radio 10 transmission at that time to the effect that the President 11 was in the Oval Office? To your knowledge. 12 A I knew where he was, but I didn't -- you don't 13 disclose to people where the President is at any time. 14 Q Were there radios turned on in the trailer? 15 A Just the officers' radios, maybe. Maybe she -- 16 I don't believe she would have heard it. 17 Q Okay. But it was turned on, the radio was? 18 A We each have a radio. Yes. 19 Q But is it something that you can hear out in the 20 open or is it something that's plugged into your ear? 21 A It's turned on in the open, but it's not that loud 22 for others. 23 Q Do you know whether while Monica was there there 24 was any radio transmission that the President had moved to 25 the Oval Office or was in the Oval Office? If you know.</p>	<p>Page 20</p> <p>1 correct? 2 A Yes. 3 Q Okay. All right. Now, did you hear any further 4 conversation between Officer Hall and Monica Lewinsky? 5 A No, I really didn't pay attention. I did remember 6 he said, "Where are you from?" I really didn't pay attention 7 to the conversation. 8 Q And you were clearing in press people at the time, 9 you said, right? 10 A Right. Yes. 11 Q And you had actual press people there who you were 12 working to get cleared through? 13 A Yes, we did. 14 Q How far away did you sit from Officer Hall? 15 A It was -- probably from here -- 16 Q To this gentleman sitting next to me? 17 A To this gentleman here. Right. 18 Q So about five feet, maybe? Approximately six feet? 19 A A little closer. Maybe even a little closer. 20 Q Okay. All right. And you said that Monica 21 Lewinsky had gifts with her? 22 A Yes, she did. 23 Q Were they in anything? 24 A They were in a shopping bag, a paper shopping bag, 25 I remember.</p>

Page 21	Page 23
<p>1 Q Were they wrapped?</p> <p>2 A I believe they were wrapped.</p> <p>3 Q Like gift wrapped?</p> <p>4 A Yes. Gift wrapped.</p> <p>5 Q And she said they were Christmas presents for the</p> <p>6 President? Or presents for the President?</p> <p>7 A She just said they were presents for the President.</p> <p>8 Q Okay. Do you remember whether they were wrapped</p> <p>9 with Christmas paper? Do you have any recollection of that?</p> <p>10 A No. Just that they were wrapped in gift wrap. I</p> <p>11 didn't take any note of anything else.</p> <p>12 Q Had you seen Eleanor Mondale that day?</p> <p>13 A Yes, I did. Shortly after we couldn't get a hold</p> <p>14 of Betty Currie and she couldn't get entry into the</p> <p>15 complex --</p> <p>16 Q "She" being Monica?</p> <p>17 A Monica. She was a little bit perturbed and she</p> <p>18 left.</p> <p>19 Q At what point did she become perturbed?</p> <p>20 A When we couldn't gain her access into the complex.</p> <p>21 We couldn't get a hold of Betty Currie.</p> <p>22 Q Did she say anything, Monica?</p> <p>23 A No.</p> <p>24 Q She just seemed -- perturbed is your word?</p> <p>25 A Yes. She was.</p>	<p>1 arrive, but you did see her leave.</p> <p>2 A Correct.</p> <p>3 Q And that was about four or five minutes after</p> <p>4 Monica left.</p> <p>5 A Correct.</p> <p>6 Q Okay. What happened next? Did you stay at that</p> <p>7 post or did you go somewhere else?</p> <p>8 A I was the relief man for another post outside the</p> <p>9 West Wing.</p> <p>10 Q What's that post called?</p> <p>11 A The post is designed as [REDACTED]</p> <p>12 Q And that's a small building outside [REDACTED]</p> <p>13 A Correct.</p> <p>14 Q And while you were there, were you alone?</p> <p>15 A Yes.</p> <p>16 Q Did there come a time when someone came to the post</p> <p>17 to talk to you?</p> <p>18 A Yes.</p> <p>19 Q Who was that?</p> <p>20 A Let me interject something here. During all this</p> <p>21 time going on, there was a call at the northwest gate for</p> <p>22 Sergeant Williams to respond to the West Wing to meet with</p> <p>23 Betty Currie. Betty Currie wanted to meet with one of the</p> <p>24 supervisors.</p> <p>25 Q And that happened while you were still at the</p>
<p style="text-align: right;">Page 22</p> <p>1 Q Did she leave?</p> <p>2 A Yes. she did.</p> <p>3 Q Did she say anything when she left?</p> <p>4 A I don't remember.</p> <p>5 Q All right. And I had asked you if you ever saw</p> <p>6 Eleanor Mondale that day and you were about to tell me when.</p> <p>7 A Probably within about four minutes later --</p> <p>8 Q After Monica left?</p> <p>9 A After Monica left. Eleanor briskly walked out the</p> <p>10 northwest gate handing me her pass, almost throwing it to me.</p> <p>11 and I grabbed it out of her hand.</p> <p>12 Q Did she seem to be in a hurry?</p> <p>13 A Yes.</p> <p>14 Q Did she seem upset?</p> <p>15 A Yes. She looked a little bit upset.</p> <p>16 Q Did she say anything?</p> <p>17 A No.</p> <p>18 Q Had you seen her before?</p> <p>19 A Yes.</p> <p>20 Q Did you see her when she came in that day?</p> <p>21 A No.</p> <p>22 Q Were you at that post at the time she came in, if</p> <p>23 you know?</p> <p>24 A No. I was on -- I believe I was on a break.</p> <p>25 Q Okay. So in other words, you didn't see her</p>	<p style="text-align: right;">Page 24</p> <p>1 northwest gate?</p> <p>2 A Shortly after Monica left.</p> <p>3 Q Okay. Was Sergeant Williams there while Monica was</p> <p>4 there?</p> <p>5 A No.</p> <p>6 Q Did he arrive after that?</p> <p>7 A Yes.</p> <p>8 Q And he arrived at the northwest gate after Monica</p> <p>9 left.</p> <p>10 A Yes.</p> <p>11 Q And at some point, he received a call to go see</p> <p>12 Betty Currie.</p> <p>13 A Yes.</p> <p>14 Q And you were still there at that time.</p> <p>15 A Yes.</p> <p>16 Q Okay. And did you hear anything about why Sergeant</p> <p>17 Williams was told to go to Betty Currie's office at that</p> <p>18 time? Was anything said?</p> <p>19 A No. Brian Hall and myself didn't know.</p> <p>20 Q Did Sergeant Williams leave?</p> <p>21 A He was -- he was located, he responded to the West</p> <p>22 Wing.</p> <p>23 Q He left from the trailer to go to the West Wing?</p> <p>24 A I don't know if he was on a break or what, but he</p> <p>25 was called to the West Wing over the air, I believe.</p>

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1 Q Okay. But at some point, he was in the trailer
 2 after Monica left.
 3 A Yes.
 4 Q Okay. And at some point, he received a call to
 5 respond to the West Wing.
 6 A Yes.
 7 Q But you're not sure whether he was in the trailer
 8 at that time or somewhere else.
 9 A I don't know. I don't believe he was in the
 10 trailer.
 11 Q All right. Now, did you ever see Sergeant Williams
 12 again before you went to the relief work at [REDACTED]? Did
 13 Sergeant Williams return from his visit to Betty Currie
 14 before you left the trailer at the northwest gate?
 15 A I believe he did. He came back out and he
 16 approached Brian Hall and myself and he wanted to know who
 17 talked to Monica.
 18 Q Did he talk to you together?
 19 A Not at this time.
 20 Q Did he speak to you separately?
 21 A At first, it was both of us, but then when I went
 22 to Charlie-6 -- let me think here. Sergeant Williams called
 23 for Captain Purdie to respond to the West Wing also and meet
 24 with him there.
 25 Q Now, when Sergeant Williams spoke to you and to

1 says, "I didn't mean anything by it."
 2 I kind of mentored him and explained, I says,
 3 "I don't know why you -- why did you -- you don't tell
 4 anybody whose business or who comes in and out this gate,
 5 you don't tell anybody where the President is at any time.
 6 You don't do that."
 7 Q And for the record -- I'm sorry, go ahead.
 8 A And I just advised him that we just clear people in
 9 and out of here and it's just all professional, you don't
 10 tell anybody who came in or where somebody else went.
 11 Period.
 12 Q And did Officer Hall tell that to Sergeant Williams
 13 while you were at the northwest gate when Sergeant Williams
 14 came by to ask about it?
 15 A I don't think so. I'm not sure.
 16 Q Well, you said Sergeant Williams wanted to know who
 17 had told Monica that the President was with Eleanor Mondale.
 18 A Brian later on, after all this thing was over, they
 19 called the other person at [REDACTED] Stacey Porter, myself, Purdie
 20 and Williams were there and he asked who talked to Monica and
 21 Brian admitted it, he said, "I did."
 22 Q Okay. But at the first round, this is, I take it,
 23 before Captain Purdie had even got involved, when Sergeant
 24 Williams came back from his visit with Betty Currie, you were
 25 still at the northwest gate, so was Brian Hall, and I take it

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1 Officer Hall about what happened, what did you say?
 2 A He wanted to know who talked to Monica at the gate.
 3 Throughout the course of the morning, this was -- I mean,
 4 this was ongoing. It was like -- it took a while. I guess
 5 there was some words exchanged in the West Wing. I was at
 6 [REDACTED] and Captain Purdie and Williams came out to me.
 7 Q Okay. Before we get there, did Sergeant Williams
 8 speak to you while you were still at the northwest gate?
 9 Initially.
 10 A Yes, he did. He mentioned he had spoken to Betty
 11 Currie.
 12 Q Did he say whether he had spoken to the President?
 13 A Yes, he did.
 14 Q What did he say?
 15 A He stated that the President wanted somebody fired
 16 out here. So it's like we were looking at each other like,
 17 you know, like, what? It's like we didn't have any idea what
 18 was going on. He said, "Who told Monica that the President
 19 was with Eleanor?"
 20 Q And was there any response?
 21 A Later on, there was -- yes. Brian spoke up and --
 22 well, he told me during the interim before all of this, he
 23 said -- when all the stuff started happening in the West
 24 Wing, Brian told me, he said, "Ski, I thought they were
 25 friends. I thought Monica and Eleanor were friends." He

1 Captain Purdie wasn't there at that time?
 2 A No. No.
 3 Q And Sergeant Williams asked who told Monica that
 4 Eleanor Mondale was with the President and at that point, did
 5 Officer Hall tell Sergeant Williams what had happened? At
 6 that point.
 7 A I believe so. Yes.
 8 Q To your memory.
 9 A Yes.
 10 Q Did you tell Sergeant Williams what you heard?
 11 A Yes. We --
 12 Q Did you tell Sergeant Williams?
 13 A No.
 14 Q No?
 15 A No.
 16 Q Did Sergeant Williams ask you whether you had
 17 overheard Officer Hall having any conversation with Monica?
 18 A No.
 19 Q Okay. Did he talk to you at all, Sergeant
 20 Williams? Other than asking who talked to Monica?
 21 A No, Captain Purdie did most of the talking.
 22 Q And that was later.
 23 A Yes. Later.
 24 Q Okay. We'll get to that in a moment. But getting
 25 back to Sergeant Williams for a moment, you said that -- now,

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1 we're confining our discussion to this first visit by
 2 Sergeant Williams. This is after he speaks to Betty Currie.
 3 apparently. He comes back. You're there. Hall's there. And
 4 at that time, I believe you testified that Sergeant Williams
 5 said that the President wanted someone fired. correct?
 6 A Right.
 7 Q And did Sergeant Williams say that he himself had
 8 spoken to the President or that this is a message that was
 9 given to him by someone else or was there some other way that
 10 he learned that the President wanted someone fired?
 11 A He stated that he was in Betty Currie's office and
 12 he spoke to the President and we kind of looked at each other
 13 like -- Brian Hall and I looked at each other like -- you
 14 know, there's no way. It's like -- we thought he's got to be
 15 kidding. I mean, it's like -- he was serious.
 16 Q Hard to believe?
 17 A It was hard to believe.
 18 Q Okay. Did he tell you anything else, Sergeant
 19 Williams? He said that he'd spoken to the President and he
 20 said the President wanted someone fired?
 21 A Right.
 22 Q Yes?
 23 A The President wants somebody's job out here.
 24 Q Okay. So what happened then? Where did you go?
 25 A I went to [REDACTED] outside the West Wing.

1 ago that Captain Purdie would say that the President would
 2 want someone's job or [REDACTED] or whatever it was. Is that
 3 because you couldn't see any reason for why anybody would get
 4 fired over what had happened?
 5 A That's correct.
 6 Q Too extreme?
 7 A He also -- he also stated that nothing ever
 8 happened. He says, "As far as you're concerned," he says,
 9 "This never happened."
 10 And I turned it around on him. I says, "What
 11 do you mean? You're acting like today never existed."
 12 And he said, "That's right."
 13 And I just shook my head. That's when I started
 14 making a set of my own notes on this whole little incident
 15 here.
 16 MS. WIRTH: Do you want to take a little break now?
 17 THE FOREPERSON: Yes.
 18 MS. WIRTH: Okay.
 19 THE FOREPERSON: We'll take a ten-minute break,
 20 returning at 3:00.
 21 Officer Niedzwiecki, you can be excused for ten
 22 minutes.
 23 THE WITNESS: Can I just -- can I say something?
 24 THE FOREPERSON: Sure.
 25 THE WITNESS: I just want to say this is -- I guess

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1 Q Okay. And that's another post and we already
 2 established you were there by yourself. And at some point
 3 you got a visit from someone. Who was that?
 4 A That was Captain Purdie. He happened to be the
 5 watch commander on the whole complex that day. The watch
 6 commander is in charge of overseeing incidents and all
 7 reports happening on the grounds everywhere.
 8 THE FOREPERSON: We're going to take a break in a
 9 few minutes.
 10 MS. WIRTH: Do you want to take a break?
 11 THE FOREPERSON: When you find a logical time.
 12 MS. WIRTH: Okay.
 13 BY MS. WIRTH:
 14 Q So when Captain Purdie came to your [REDACTED] post, what
 15 did he say to you?
 16 A He came out to me and he said, "I was just in the
 17 Oval Office with the President and he wants somebody's [REDACTED]
 18 out here." And I couldn't -- I couldn't understand why.
 19 He said, "Who talked to Monica?" And I told him
 20 Brian had talked to her briefly. I didn't really focus on
 21 the conversation.
 22 Q Did Captain Purdie tell you that he himself had
 23 spoken to the President?
 24 A Yes.
 25 Q And when you say -- you expressed surprise a moment

1 I'm a little nervous. I mean, I've spent my life in this
 2 job. I mean, I'm a little apprehensive of, you know,
 3 testifying and all this. It's a big thing.
 4 I guess a lot of us in this, maybe a couple of us,
 5 are in fear of what could happen from the job to what we're
 6 saying here. I don't know, but -- you know, we all put our
 7 life in this job. That's all.
 8 MS. WIRTH: Thank you.
 9 THE FOREPERSON: Thank you.
 10 MS. WIRTH: Thank you very much.
 11 (Witness excused. Witness recalled.)
 12 THE FOREPERSON: Officer Niedzwiecki, I'd just like
 13 to remind you that you're still under oath. Please have a
 14 seat.
 15 THE WITNESS: Yes, ma'am.
 16 BY MS. WIRTH:
 17 Q Officer, you were talking about a conversation that
 18 you had with Captain Purdie at the [REDACTED] post and you told us
 19 that Captain Purdie said to you something to the effect of
 20 "As far as you're concerned, this never happened," and then
 21 you said something to the effect of "You're acting as if
 22 today never existed" and that Captain Purdie said something
 23 to the effect of "That's right," correct?
 24 A Right. He also mentioned that nothing would ever
 25 become of this, so -- I mean, nobody will ever -- I guess

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1 through the discussion or whatever, he had talked with Betty
 2 Currie or the President, nothing would ever happen to us.
 3 Q Okay. In other words, no one would be fired.
 4 A Correct.
 5 Q Or disciplined.
 6 A Correct.
 7 Q And, in fact, no one ever was, to your knowledge,
 8 correct?
 9 A Correct.
 10 Q Now, you said that when Captain Purdie said to
 11 you, you know, "As far as you're concerned, this never
 12 happened," and you said, "I said to him, 'You're acting as
 13 if today never existed,'" and he said, "That's right," you
 14 said, "It was then that I started keeping my notes."
 15 A That's right.
 16 Q Was it that very day that you wrote down what
 17 happened or at some other point?
 18 A Right after he left my position, I started making
 19 some notes for myself.
 20 Q Okay. So that very day.
 21 A Yes.
 22 Q So those notes were made on the day that this
 23 incident occurred.
 24 A Yes.
 25 Q When your memory was very fresh.

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1 A Yes, ma'am.
 2 Q Okay. Now, did Captain Purdie ever say to you who,
 3 if anyone, told him to say that nothing happened? If anyone
 4 did.
 5 Did he ever say that -- you know, when he said to
 6 you, "As far as you're concerned, this never happened," did
 7 he ever say that he was giving you that message on someone's
 8 instructions or was that just coming from him or did he even
 9 say at all?
 10 A That was just coming from him.
 11 Q Okay. All right. Now, did you have any further
 12 contact with Captain Purdie that day or Sergeant Williams?
 13 A Yes.
 14 Q Did there come a time when you were called away
 15 from the [redacted] post? Or what happened? Tell us what happened.
 16 A I had to go back to the northwest gate to finish up
 17 another hour or so and --
 18 Q Because you had relieved somebody at [redacted] and now
 19 the relief was over?
 20 A Correct. Now the relief was back. So we were
 21 putting the story together down there. Captain Purdie -- we
 22 were all asking -- everybody was asking questions, who talked
 23 and what was said and all this and we just kept it amongst
 24 those people there at the northwest gate and whoever was in
 25 the West Wing there.

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1 Q All right. So you went back to the northwest gate
 2 and did anything happen when you returned in relation to this
 3 incident? Did you have any further discussions with Captain
 4 Purdie or Sergeant Williams?
 5 A No. No. I don't believe -- no.
 6 Q Okay. So that was the end of the incident for that
 7 day, as far as you were concerned, or did you speak to
 8 anybody else about it that day?
 9 A That's it. The [redacted] officer, we talked to Brent
 10 Chinery. He was in there.
 11 Q Who's "we"?
 12 A Brian Hall and myself.
 13 Q And when did that conversation take place?
 14 A Probably during the interim, during all this, at
 15 one time.
 16 Q That day?
 17 A Yes.
 18 Q On the phone or in person?
 19 A On the telephone.
 20 Q Okay. Do you remember what that conversation was
 21 about?
 22 A Just -- just that the -- just what had taken place.
 23 Brent said that somebody wanted one of the supervisors in
 24 here quick. He was at the [redacted] lobby entrance. He was asking
 25 me, you know, Betty wanted to see somebody and then just --

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1 just about the whole incident going on. He said Purdie had
 2 talked to him also.
 3 Q Did Brent Chinery say that Captain Purdie had also
 4 told him words to the effect that you had been told, that
 5 this never happened?
 6 A Repeat that, please?
 7 Q Did Officer Chinery tell you that Captain Purdie
 8 had said to him words similar to what Captain Purdie had said
 9 to you, to the effect this never happened?
 10 A I don't remember that.
 11 Q Did Officer Chinery ever tell you if he had had any
 12 conversations with Sergeant Williams about the event?
 13 A I don't believe so.
 14 Q Did Officer Chinery ever tell you whether Sergeant
 15 Williams had spoken directly to the President?
 16 A No.
 17 Q Have you heard from anyone whether Sergeant
 18 Williams has spoken directly to the President?
 19 A I have no knowledge of that.
 20 Q Except that you told us that when Sergeant Williams
 21 spoke to you earlier --
 22 A Based on what he had said, yes.
 23 Q Did he --
 24 A I have no knowledge of what happened inside because
 25 I was not near those areas.

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<p>1 Q But you testified earlier that Sergeant Williams 2 told you that he spoke to the President himself. 3 A Yes. Yes. That's correct. That's correct. 4 Q Okay. You mentioned Stacey Porter. He's another 5 officer, uniformed officer? 6 A He was also there. 7 Q Was he present when Monica came to the northwest 8 gate? Do you know? 9 A I'm not sure if he was there for a couple of 10 minutes or what. 11 Q Do you know if he knows anything about this? 12 A Yes, he does. 13 Q What does he know? 14 A He was asked when we were all there at the gate, 15 Sergeant Williams was asking us questions who talked to 16 Monica. 17 Q And did Stacey Porter say that he had? 18 A I don't remember. 19 Q When you said Stacey Porter knows something about 20 this, what does he know? If you know. 21 A Just that all of us people involved in this -- who 22 was working that day and basically that's it. 23 Q Okay. Do you know if Sergeant Williams spoke to 24 Stacey Porter? 25 A Yes, he asked him at the same time he asked Hall</p>	<p>1 said it? 2 A Just one person. 3 Q Who is that? 4 A John Connolly. 5 Q John Connolly? 6 A Yes. 7 Q Is that a uniformed division person? 8 A Yes. 9 Q Is he an officer like yourself? 10 A Yes. 11 Q Did he say how he knew this? 12 A He had just -- he mentioned he just heard it from 13 somebody. 14 Q Did you hear this from anybody else? 15 A Brent Chinery. 16 Q He also said that he heard that Captain Purdie was 17 invited to a dinner in the residence? 18 A He had mentioned something. 19 Q Have you heard it from anybody else? 20 A No. 21 Q From either Officer Connolly or Officer Chinery, 22 did either one of them tell you when this dinner took place? 23 A They had no knowledge. 24 BY MR. PAGE: 25 Q Do you know if any uniformed officer has ever been</p>
<p>1 and myself. 2 Q And do you remember what Stacey Porter said in 3 response to Sergeant Williams? 4 A No, I don't remember. 5 Q Okay. All right. After that day, have you had any 6 conversations with anybody about this? Except for your 7 lawyers. 8 A Just a couple of people who were involved with it, 9 Brent Chinery, and just amongst ourselves. 10 Q And did you learn anything further in any of these 11 conversations? 12 A No. There is a rumor -- there is talk going around 13 the area about what Captain Purdie may have been invited to a 14 dinner in the residence, but I'm not sure. 15 Q And when was that dinner supposed to have taken 16 place? 17 A I have no idea. 18 Q Who did you hear that from? 19 A Other officers. Nobody specifically, it's just 20 talk that's going around the complex. 21 Q This is old talk or relatively recent talk? 22 A Kind of just surfaced last week. 23 Q Do you know anybody who said that? 24 A Just -- it's like locker room talk. 25 Q I know, but do you remember anybody specific who</p>	<p>1 invited to the residence for a dinner? 2 A No, I don't know that. 3 Q You're unaware of that? 4 A I'm unaware of that. Yes. 5 Q The notes that you identified earlier as GN-2? 6 A Yes. 7 Q Are those the actual notes that you started writing 8 12/6/97 or are they a second version or a copy? 9 A It's a copy, sir. 10 Q They're a copy. 11 A Yes. 12 Q But those are a copy of the actual notes -- 13 A Yes, sir. 14 Q -- that you started penning after Purdie left. 15 A Yes, sir. 16 Q Who else knows about the existence of the notes 17 besides your lawyers? 18 A Nobody. 19 Q Nobody? 20 A And legal counsel of the Secret Service. Because I 21 had to ask them questions about the sector sheet, whether it 22 was -- it has nothing to do the -- 23 BY MS. WIRTH: 24 Q Whether it was something you could turn over? 25 A Right. Security.</p>

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<p>1 A JUROR: Officer Niedzwiecki, did Betty Currie at 2 any time call you or Officer Hall while you were at the 3 trailer that day? 4 THE WITNESS: May have when I wasn't there. I 5 don't remember when I was there. 6 A JUROR: But to your knowledge, during the time 7 you were there, she did not call? 8 THE WITNESS: I have no -- you're right. You're 9 correct. 10 A JUROR: Thank you. 11 A JUROR: Officer Niedzwiecki, did I understand you 12 to say Monica had an appointment on the 6th with Betty 13 Currie? 14 THE WITNESS: She had showed up at the gate and 15 mentioned that she had an appointment to see Betty Currie and 16 we didn't find any appointment in the computer list or on the 17 screens. 18 A JUROR: Thank you. 19 A JUROR: I just wondered what motivated you to 20 start taking notes. 21 THE WITNESS: After Captain Purdie had told me that 22 nothing ever happened and this is all, you know -- it will be 23 gone tomorrow, it will be just another day, I just shook my 24 head and just started writing a couple of notes. 25 A JUROR: Because?</p>	<p>1 BY MS. WIRTH: 2 Q Did Officer Chinery tell you who he heard it from? 3 A No, ma'am. 4 A JUROR: Excuse me. What implication did you draw 5 from the fact if he had been invited to the residence? What 6 possible results would occur from that? 7 THE WITNESS: What would happen? 8 A JUROR: Well, I almost get the feeling -- 9 THE WITNESS: What prompted him to be asked for 10 dinner? 11 A JUROR: No, no. I get the feeling that being 12 that that's being talked about that people are viewing it 13 with some sort of trepidation or as some sort of sign that 14 something's happening. 15 What possible implications could you take from the 16 fact, if there is a fact, that Captain Purdie had dinner at 17 the residence? Do you think it means something -- 18 THE WITNESS: Personally? 19 A JUROR: Yes. 20 THE WITNESS: It's my belief that maybe if he had 21 some kind of conversation with the President, maybe he was 22 invited upstairs, I don't know, maybe to smooth this thing 23 over. I don't know. I have no idea. 24 A JUROR: To smooth it over rather than to escalate 25 it.</p>
<p>1 THE WITNESS: I couldn't believe it. 2 A JUROR: Did you say when Sergeant Williams met 3 with yourself and Brian, did you also say he met with another 4 officer as well? 5 THE WITNESS: Yes. Later on. Stacey Porter. Yes. 6 A JUROR: Later on or did he meet with just the two 7 of you first and then the three of you? 8 THE WITNESS: He initially met with both of us and 9 then all three of us later at the end. Because Stacey was on 10 break later and he came up and we all talked. 11 A JUROR: And did you again maybe talk to Sergeant 12 Williams by yourself and Brian by himself or did that ever 13 happen? 14 THE WITNESS: No. We were together. 15 BY MR. PAGE: 16 Q What did you make of this comment from Connolly 17 about Purdie's invitation to dinner at the residence? 18 A I asked him how did he hear about this. 19 Q You asked Connolly that? 20 A Yes. I said, "Is this just a rumor?" And I said, 21 "Do you know for sure? Is this a fact or is this a rumor?" 22 And he says, "No." He says, "I just heard it." And I says, 23 "Well." That was it. 24 Q Did Connolly say from whom he heard the rumor? 25 A No, sir.</p>	<p>1 THE WITNESS: Right. 2 A JUROR: I see. 3 THE WITNESS: I have no idea if there was in 4 fact -- I have no proof of this. It's just what I heard. 5 A JUROR: I was just wondering why did you feel 6 that need to document it? Why exactly did it need to be 7 documented? 8 THE WITNESS: Why did I -- 9 A JUROR: You felt the incident wasn't finished, 10 but -- 11 THE WITNESS: We document a lot of notes. I 12 have -- like the ambulance numbers and stuff. I mean, for 13 records, just show it. I was in a very elite group, 14 traveling around for the President, we take -- I mean, a lot 15 of notes and details. To me, this is a major event. I 16 mean -- 17 A JUROR: Could you correct me if I'm wrong, but do 18 you normally keep logs of all activities, especially if 19 they're of a unique nature? Normally keep a log of all those 20 incidents that may -- 21 THE WITNESS: The Secret Service? 22 A JUROR: Yes. Do you not keep a log of any 23 incidents? Especially being out at the gate. 24 THE WITNESS: Oh, there usually is, if there are 25 incidents to report. Yes.</p>

1 A JUROR: But this one would be one that would be
2 omitted, based on your supervisors coming to tell you that it
3 didn't happen.
4 THE WITNESS: Right.
5 A JUROR: Thank you.
6 BY MR. PAGE:
7 Q Had he not come and said that, would you have
8 generated an unusual incident report or would Williams or
9 another person in the chain of command?
10 A It was in the chain. It would be somebody from the
11 chain of command, sir. It should -- you know, it should have
12 been Captain Purdie to initial some type further report on
13 the whole incident, I believe.
14 Q And what would the report have been called? What
15 available labels do we have for reports that you officers
16 generate?
17 A It's an incident report.
18 Q Is that a form, a government form, that's
19 available?
20 A No, sir. No special form, but I believe that any
21 contact with the President is supposed to be given to another
22 supervisor and above to the type levels. If the President
23 had spoken to me, I would have advised my supervisor what had
24 happened. Captain Purdie is a watch commander and he should
25 have, I believe, advised somebody else.

1 Q Is this why when Purdie tells you "This didn't
2 happen" and I see you here today when you repeat that, you're
3 shaking your head and you did that day, apparently? You
4 disagree?
5 A Personally, that's correct.
6 Q And is that because you felt that there was an
7 obligation in some person to generate a report about this
8 because of the presidential contact with a uniformed officer?
9 A He was a supervisor and he should have.
10 Q Are there Secret Service rules, regs or guidelines
11 that tell you and Purdie and others when to write an incident
12 report?
13 A There are guidelines. Any unusual incident, sure.
14 Somebody comes up to the gate and files a report or wants to
15 speak to a supervisor because somebody stated something
16 against that person, there's ways of handling every
17 situation.
18 BY MS. WIRTH:
19 Q Where have you kept your notes since the day that
20 you took them?
21 A Yes.
22 Q Where have you kept them?
23 A In a jacket.
24 Q No, since the day that you made the notes, where
25 have they been?

1 A In a pocket.
2 Q In a pocket of your jacket?
3 A Yes.
4 Q Okay. Steadily since December 6th?
5 A Mm-hmm.
6 Q Okay. And is it a work jacket?
7 A Yes.
8 MS. WIRTH: Okay. We're going to ask --
9 A JUROR: I just have one question.
10 MS. WIRTH: Sure.
11 A JUROR: Officer, did you feel -- I mean, just
12 listening to you, it seems that this was an
13 extraordinarily -- it was not a real infraction that you saw
14 but a real extraordinary amount of higher up involvement in
15 this. Did you make anything of this? Was there something
16 else that you felt had been done wrong?
17 THE WITNESS: Say that again?
18 A JUROR: Okay. From what you mentioned, a lot of
19 people got in trouble, if you want to use that, because of
20 some incident that happened. I believe initially you said
21 that you did not feel it was something that was so egregious
22 that somebody would lose their job over this.
23 THE WITNESS: No, I just -- at first -- it was a
24 shock to me that somebody had spoken to the President.
25 That's all.

1 A JUROR: It just seemed to me from what you were
2 saying there was a lot of activity by higher up people --
3 THE WITNESS: Oh, yes, there was.
4 A JUROR: Was that unusual, given the incident?
5 THE WITNESS: Yes, there was a lot of activity.
6 A JUROR: But was the activity out of proportion to
7 the incident? Just in your opinion.
8 THE WITNESS: I don't believe it was out of
9 proportion.
10 BY MS. WIRTH:
11 Q Let me try to ask the question, if I understand the
12 question. What happened at the gate between Officer Hall and
13 Monica Lewinsky, whatever was said there, do you think that
14 all of the things that flowed from that event, including
15 Sergeant Williams and Captain Purdie getting called up to the
16 Oval Office, according to what you've been told, you know,
17 Sergeant Williams speaking to the President, Captain Purdie
18 speaking to the President, I think the grand juror's question
19 is all those things that flowed from what happened between
20 Hall and Monica, did all of that seem out of proportion to
21 what was said between Hall and Monica?
22 A I think it was a misunderstanding.
23 Q Do you think much too much was made out of whatever
24 Officer Hall said to Monica?
25 A I believe so, yes.

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1 Q Do you think that when you heard, you know, that
2 someone might be fired over this that that was something that
3 was too much for whatever happened here between Hall and
4 Monica?

5 A Yes.

6 A JUROR: Thank you.

7 A JUROR: Excuse me. That sort of raises another
8 question. Was the tone in the talk between Officer Hall and
9 Ms. Lewinsky, was there anything in the tone he used that
10 would make her feel that she was being insulted or that she
11 was being mocked? Or was it just a straight exchange of
12 information?

13 THE WITNESS: It was nothing that she was being
14 mocked. It was a casual conversation.

15 A JUROR: Okay. Just casual. It wasn't "Get in
16 line, you're next," or something like that?

17 THE WITNESS: No. No. It was never like that. As
18 a matter of fact, there wasn't anybody else waiting and we
19 tried to really help -- usually when somebody comes to see
20 Betty Currie we -- you know, we extend courtesy and everybody
21 is very polite and it's how they're treated. We didn't make
22 her stay out in the cold, we let her stand inside there.

23 A JUROR: So it was just the content of the
24 information that was passed.

25 THE WITNESS: Yes, sir.

1 complaint that was made to a supervisor, what if any remedy
2 or what if any action would be taken against the person who
3 told the visitor either what the President's location was
4 or --

5 A That officer would probably be counselled or spoken
6 to by another supervisor.

7 MS. WIRTH: Okay. WE're going to ask you to step
8 out for a few minutes and we'll call you back in in just a
9 few minutes.

10 THE WITNESS: Sure.

11 MS. WIRTH: Thank you, Officer.

12 (Witness excused. Witness recalled.)

13 THE FOREPERSON: I just wanted to let you know you
14 are excused. Thank you very much for your testimony.

15 MS. WIRTH: Thank you.

16 (The witness was excused.)

17 (Whereupon, at 3:28 p.m., the taking of testimony
18 in the presence of a full quorum of the Grand Jury was
19 concluded.)

20 * * * * *

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1 A JUROR: Rather than the way it was passed.

2 THE WITNESS: Yes.

3 A JUROR: Thank you.

4 A JUROR: During your time at the White House, has
5 there ever occurred another incident similar, maybe just
6 among you, maybe it didn't get to Betty Currie or the Oval
7 Office, but someone came in and someone was there and
8 mentioned the President's location?

9 What would the consequences have been just then if
10 that happened and you -- because I heard you say you're not
11 supposed to say where the President is. Is there some kind
12 of repercussion for that or reprimand for that?

13 THE WITNESS: No, it's just the standard training.
14 I mean, nobody -- if you were, for instance, going to see
15 somebody in the West Wing I wouldn't tell somebody else
16 coming behind you where -- if some press reporter came up and
17 asked where you went, that's nobody's business.

18 BY MS. WIRTH:

19 Q I think the question was, though, if on an ordinary
20 day a person came up to the northwest gate, a visitor, any
21 visitor, and the visitor was told by a uniformed officer what
22 the President's location was or who he was with, and a
23 complaint perhaps was made to somebody on Sergeant Williams'
24 level or on Captain Purdie's level, but it never reached
25 Betty Currie or the President, it was just something -- a

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

----- X
IN RE: :
GRAND JURY PROCEEDINGS :
----- X

Grand Jury Room No. 3
United States District Court
for the District of Columbia
3rd & Constitution, N.W.
Washington, D.C.

Wednesday, August 5, 1998

The testimony of GARY NIEDZWIECKI was taken in the presence of a full quorum of Grand Jury 97-2, impaneled on September 19, 1997 commencing at 4:29 p.m. before:

EDWARD PAGE
Associate Independent Counsel
MARY ANNE WIRTH
Office of Independent Counsel
1001 Pennsylvania Avenue, N.W.
Suite 490 North
Washington, D.C. 20004

C O N T E N T S

WITNESS:	PAGE
Gary Niedzwiecki	3

GRAND JURY EXHIBITS:	
No. GN-2 - Mr. Niedzwiecki's notes	3

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P R O C E E D I N G S

Whereupon,

GARY NIEDZWIECKI

was called as a witness and, having been first duly sworn by the Foreperson of the Grand Jury, was examined and testified as follows:

EXAMINATION

BY MS. WIRTH:

Q Officer Niedzwiecki, do you remember the rights as they were given to you last time you appeared, your rights as a witness?

A Yes.

Q You understood them, and you understand them today?

A Yes.

Q Okay. I'm just going to show you Grand Jury Exhibit GN-2, which is a copy of the notes that you produced, or is the copy of the notes that you produced the last time you came.

A Yes. Yes.

(Grand Jury Exhibit No. GN-2
was marked for identification.)

BY MS. WIRTH:

Q I'm just going to ask you to read them into the record. Starting at the beginning, read all of your notes into the record.

1 A From the beginning, it starts at Saturday, 12-6-97.
2 And it was my day off. I was assigned at Alpha-4, Northwest
3 Gate.

4 The watch commander for that day was Captain
5 Purdie. I was assigned with Brian Hall, Stacy Porter. I was
6 assigned specifically for [REDACTED] magnetometer.

7 That's helping clear -- clear people through a
8 magnetometer, and checking -- that's including checking press
9 people with all their gear and going through, making sure
10 there's no weapons and, on the individual person himself,
11 also making sure there's no weapons on him or her, coming in.

12 Q Okay. Officer, I'm going to ask you just to read
13 the notes.

14 A Oh, okay.

15 Q What you just gave us was an explanation of what it
16 means to be on the magnetometer, right?

17 A Okay. Yes.

18 Q But, from now on, let's just read the notes, and
19 then, at the end, if you have any explanations you want to
20 give, you can do that.

21 A I'm sorry.

22 Q That's okay.

23 A This is [REDACTED] mag. at 11:30. I was to give Post
24 [REDACTED] a relief at 11:30, and then again at 9:00 a.m.

25 Q Is [REDACTED] the Northwest gate?

1 A [REDACTED] was the outside.

2 Q A little hut outside?

3 A Positioned outside the West Wing.

4 Q Mm-hmm.

5 A I was talking 100 yard zeroes with Louis, other
6 person, earlier that morning. At 9:12, a woman apparently
7 had a stroke. Dr. Moreno responded. An ambulance responded
8 at the press area.

9 At 9:27, the President was en route to the Oval
10 Office. Also, at that time, Ambulance Number 9432 D.C. Fire
11 showed up, at 9:40 a.m. in the morning.

12 The second page, the second side of this note
13 states that Monica Lewinsky --

14 Q I'm just going to interrupt you here. These are
15 the notes that pertain to the incident that occurred on the
16 Northwest Gate; is that correct?

17 A Correct.

18 Q And these are the notes that you took after you had
19 your conversation with Captain Purdie that you told us about
20 last week?

21 A That's correct.

22 Q All right. Continue. Just read those.

23 A Monica Lewinsky -- I had a question mark, because
24 of the spelling -- said she had presents for the POTUS. She
25 showed up at [REDACTED], Northwest Gate. Officer Hall had asked her

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1 if she had an appointment. And I didn't -- I didn't write
2 the response.

3 But it says, he told her to use the outside
4 telephone to contact Betty Currie. Betty Currie was not
5 available, and she let -- she stated that to Brian Hall.

6 Brian Hall let her in, because it was cold that
7 night -- that morning, I mean. Tried calling [REDACTED], Tyler, to
8 see if -- to see if he could locate Betty Currie for an
9 appointment.

10 Brent Chinery was on Post [REDACTED], which is the --

11 Q Just read. Just read.

12 A Okay.

13 Q Okay.

14 A I'm sorry.

15 Q That's all right.

16 A While inside [REDACTED], [REDACTED] post, Brian Hall told Monica
17 he could not get a hold of Betty Currie, said she must be
18 busy. He mentioned Mondale was visiting with Betty Currie,
19 or with Currie. And I wrote "and."

20 Watch Commander Purdie and Sergeant Williams called
21 in -- were called into the Oval Office, told me at [REDACTED]
22 nothing ever happened. And Captain Purdie stated that
23 nothing ever happened. It wasn't Sergeant Williams. I just
24 want to make sure of that, for the record.

25 Q Okay.

1 A Any -- any clarification or anything else you need
2 with the note here, I'll be glad to explain.

3 Q Okay. And you were about to tell us in the middle,
4 that E-4 post is the West Wing lobby; is that right?

5 A Yes, ma'am. [REDACTED] is the West Wing, directly in
6 front of the entrance, where the -- usually, the -- it's in
7 the West Wing lobby entrance, where people respond and where
8 the President's secretary, or West Wing secretary is.

9 Q Okay. And that's where Officer Chinery was posted
10 that day?

11 A Yes, ma'am.

12 MS. WIRTH: Okay. Any questions?

13 (No response.)

14 MS. WIRTH: Seeing none, the Forelady's permission?

15 THE FOREPERSON: You may be excused.

16 MS. WIRTH: Thank you, sir. Thank you, Officer
17 Niedzwiecki for coming back.

18 (The witness was excused.)

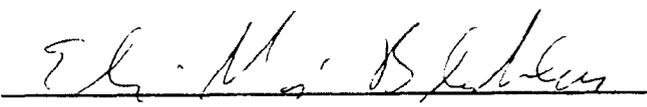
19 (Whereupon, at 4:35 p.m., the taking of the
20 testimony in the presence of a full quorum of the Grand Jury
21 was concluded.)

22 * * * * *

CERTIFICATE OF REPORTER

I, Elizabeth J. Walker, the reporter for the United States Attorney's Office, do hereby certify that the witness whose testimony appears in the foregoing pages was first duly sworn by the foreperson or the deputy foreperson of the grand jury when there was a full quorum of the grand jury present; that the testimony of said witness was taken by me by stenotype and, thereafter, reduced to typewritten form; and that the transcript is a true record of the testimony given by said witness.


Elizabeth J. Walker
Official Reporter


Transcriber