

Statement of Rep. Henry A. Waxman  
March 30, 2000

I want to welcome Beth Nolan and Robert Raben to today's hearing, and I'm looking forward to listening to your testimony.

Last week's hearing was instructive. We learned that no one in the White House had any role in developing the message retrieval system, that no one in the White House asked that any e-mail messages be excluded from the system, and that before June 1998 no senior officials in the White House even knew that some e-mail messages were being excluded from the retrieval system.

By June 1998, however, senior White House officials were informed that a computer glitch existed. It is important for Ms. Nolan to provide information on how senior officials reacted to this information. Did anyone at the White House try to keep any information from investigators or was there simply a misunderstanding between computer technicians and White House lawyers? Deliberate concealment would seem to be a case of obstruction of justice. Honest confusion, on the other hand, would be regrettable but understandable. And until we know the facts, we should be careful about making unsubstantiated accusations.

There is, unfortunately, already a need to clarify several important points.

During last week's hearing, a significant amount of time was focused on the question of whether Northrup-Grumman employees were threatened with jail. Mrs. Callahan denied ever making the threat, but let's put that denial aside for the moment. Let's just look at the testimony of the five employees.

Mr. Haas, who seemed credible to me, clearly believed he had been threatened with jail by Mrs. Callahan. He told us that in a meeting with Mrs. Callahan and his four co-workers, he flippantly asked what would happen if he discussed the computer glitch with others. He remembers Mrs. Callahan warning him that "there would be a jail cell with his name on it."

Betty Lambuth agreed with Mr. Haas's recollection, and added that in a second meeting she had with Mark Lindsay and Paulette Cichon, a second threat by Mr. Lindsay was made.

Sandra Golas initially testified that while she remembered the word "jail" being used in the meeting, she couldn't remember who said it. But she later said she did feel threatened and thought jail was a real possibility.

Yiman Salim and John Spriggs, both of whom were in the meeting and both of whom seemed credible, have no memory of jail ever being discussed. Ms. Salim testified that she "never felt threatened" and both said they believed Mrs. Callahan acted reasonably given the circumstances.

As I said, I'm putting aside Mrs. Callahan's denial regarding the threat. And in reviewing last week's testimony of just the five Northrup-Grumman employees, I'm not comfortable in reaching any conclusion on whether a threat was made. There is a very real conflict between credible witnesses—Mr. Haas, Ms. Salim, and Mr. Spriggs—that I think makes it irresponsible to issue final judgments on what happened.

Ms. Lambuth also testified that in a second meeting with Mark Lindsay and Paulette Cichon, Mr. Lindsay told her that if she discussed the e-mail problem with anyone she would lose her job and be arrested. But I have a signed statement from Ms. Cichon, who was in that meeting, and Ms. Cichon says that never happened. In fact, Ms. Cichon says that "At no time during this meeting did I perceive Mark threatening Betty or myself. At no time was a threat of jail mentioned or any other threat. If any threat were made I would have certainly remembered it and would have taken the appropriate action in response."

I should point out that Ms. Cichon has spent almost all of her career in the private sector and no longer works at the White House.

Also in last week's hearing, Ms. Lambuth testified that the missing e-mails contained information relating to the FBI files, Monica Lewinsky, and the campaign file investigation. She said she was told this by Bob Haas. But Mr. Haas was asked whether he said that, and he said he didn't.

And yesterday there was a front page news story that claimed that the White House withheld the Monica Lewinsky e-mails that were discovered in 1998. I believe that story likely is wrong. When Mr. Haas discovered the missing e-mails in 1998, they were compared to the e-mails that had already been given to the Independent Counsel. It is my understanding that the comparison indicated that the Haas discoveries had previously been provided to Mr. Starr.

Good investigators find the facts first and reach conclusions later. That should be our standard, and it should be our objective today.

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