

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:

GRAND JURY PROCEEDINGS

Grand Jury Room No. 2
United States District Court
for the District of Columbia
3rd & Constitution, N.W.
Washington, D.C. 20001

vs
Friday, July 17, 1998

The testimony of ROBERT C. FERGUSON was taken in
the presence of a full quorum of Grand Jury 97-4, impaneled
on December 5, 1997, commencing at 2:43 p.m., before:

ROBERT J. BITTMAN
SOLOMON MISENBERG
JACKIE M. BENNETT, JR.
Deputy Associate Independent Counsel
TIMOTHY SUSANIN
MARY ANNE WIRTH
EDWARD J. PAGE
Associate Independent Counsel
Office of Independent Counsel
1001 Pennsylvania Avenue, N.W.
Suite 490 North
Washington, D.C. 20004

PROCEEDINGS

1
2 Whereupon,
3 ROBERT C. FERGUSON
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

7
8 MR. PAGE: All right. Mr. Foreperson, may I begin?
9 THE FOREPERSON: Actually, it's Madam.
10 MR. PAGE: I'm sorry. Madam Foreperson, may I
11 begin?

12 THE FOREPERSON: Yes, you may. Thank you.
13 MR. PAGE: Thank you.

14 I'd like the record to reflect that we have a
15 quorum and, is it true, Madam Foreperson, that there are no
16 unauthorized individuals in the grand jury room?

17 THE FOREPERSON: Yes.

18 MR. PAGE: Thank you.

19 BY MR. PAGE:

20 Q Mr. Ferguson, my name is Edward J. Page. I have
21 the honor and privilege of working for Mr. Starr, who is the
22 Independent Counsel in regard to certain matters. Do you
23 understand that?

24 A Yes, sir. I do.

25 Q Thank you. This is what's called a grand jury and

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Robert C. Ferguson	3
GRAND JURY EXHIBITS:	
No. RF-1 Schematic of West Wing	22

1 you are in front of a group of citizens here to answer some
2 questions that I will be asking you. All right?

3 There is a court reporter present. He's seated to
4 your right. That's not a microphone. He is recording what
5 you're saying and what I'm saying and what questions the
6 grand jurors might have of you, should they have any.

7 A Yes, sir.

8 Q Do you understand?

9 A Yes, sir.

10 Q All right. Before I ask you the questions that we
11 have for you, I need to explain some things for you. If at
12 any time you have a question about those, please interrupt
13 because it's easier to deal with questions when they arise
14 rather than if you save them.

15 First of all, any things that would prevent you
16 from testifying here today? For example, you don't have any
17 hearing problems?

18 A No, sir. I have no reason.

19 Q All right. Do you understand what we're talking
20 about today? You've been following so far?

21 A Yes, sir.

22 Q All right. Do you understand, number one, that
23 what goes on today in front of the grand jury, the questions
24 and the answers, are secret under law and that none of the
25 people here except one can tell other people what happens in

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<p>1 the grand jury? 2 A Yes, sir. I understand. 3 Q The one person I left out is you and that is you 4 have a right after you leave here to share with people what 5 happened here today, should you choose. Do you understand 6 that? 7 A I do. 8 Q Do you understand by my visiting with you about 9 this law that I'm not suggesting in any manner what you 10 should do later on with regard to that right? 11 A Yes, sir. I understand. 12 Q Do you understand that you can speak of your own 13 free will to whomever you choose? 14 A Yes, sir. I do. 15 Q Under the law, you have certain rights before your 16 testimony is given in front of a grand jury. Do you 17 understand that? 18 A I do. 19 Q All right. I want to read to you now some of those 20 rights, making sure that you understand them before we go 21 forward. Okay? 22 A Yes, sir. 23 Q The first right that I want to tell you about is 24 more of a general nature, to tell you what this is about, 25 and that is that the grand jury here is conducting an</p>	<p>1 A I understand. 2 Q Do you have a lawyer? 3 A No, sir. 4 Q All right. You seemed to hesitate when I asked 5 that. 6 A Well, the reason being is there were some issues 7 earlier regarding some of the security information that may 8 be asked and, in that regard, Justice has picked up that 9 proceeding for us, so if in fact that were to become an 10 issue, I would like the opportunity to confer with them. 11 Q All right. That's the Department of Justice. 12 A That's correct. 13 Q Is there an individual with whom you've been 14 dealing? 15 A Ann Weisman. 16 Q Do you understand that besides the items that 17 you've mentioned, the only rule that you can invoke here to 18 avoid testifying is a rule that governs privileged 19 information? For example, the marital privilege, the 20 attorney-client privilege, the psychologist or psychiatric 21 privilege? 22 A Yes, sir. I understand. 23 Q All right. There is no, as you're probably well 24 aware by now, a protective function privilege. 25 A I understand that. Yes, sir.</p>
<p>Page 6</p> <p>1 investigation of possible violations of federal criminal 2 laws involving whether Monica Lewinsky or others suborned 3 perjury, obstructed justice, intimidated witnesses or 4 otherwise violated federal law, other than a class B or C 5 misdemeanor or infraction, in dealing with witnesses, 6 potential witnesses, attorneys or others concerning the civil 7 case Jones v. Clinton. All right? The grand jury is also 8 investing other related matters. Do you understand that? 9 A I do, sir. 10 Q Do you understand that you may refuse, 11 Mr. Ferguson, to answer any question if a truthful answer 12 to it would tend to incriminate you? 13 A Yes, sir. I understand that. 14 Q That's commonly called your Fifth Amendment right. 15 A Yes, sir. 16 Q Do you understand that? 17 A I do, sir. 18 Q Anything further that you do say may be used 19 against you by the grand jury or in a subsequent legal 20 proceeding. Do you understand that? 21 A I do understand that. 22 Q If you have a lawyer, the grand jury will permit 23 you a reasonable opportunity to step outside the grand jury 24 room to consult with that lawyer if you so desire. Do you 25 understand that?</p>	<p>Page 6</p> <p>1 Q Do you understand that? 2 A I do. 3 Q And, in fact, that's why you're now here, correct? 4 A Yes, sir. 5 Q Do you understand that the law makes a distinction 6 between being a target of a grand jury investigation and a 7 subject? 8 A Yes, sir. I do. 9 Q All right. I represent to you now at this time 10 that you are a subject of this grand jury investigation 11 because that is defined as someone whose conduct, meaning 12 whose actions in the past, are within the scope of the grand 13 jury's investigation and, in your situation, I represent to 14 you that it's in a broad sense in the sense that you may be a 15 fact witness to some things the grand jury is looking at 16 under that mandate that I read earlier. Do you understand 17 that? 18 A Yes, sir. I do. 19 Q All right. Do you understand that you have to tell 20 the truth here today and that you've taken an oath to do 21 that? 22 A I do. 23 Q All right. Do you understand that I'm going to be 24 asking questions and you will answer and then the grand jury 25 will have an opportunity as well as my colleagues to ask</p>

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1 you questions and to answer? Sort of like playing tennis:
 2 I serve you a question and you volley back with an answer.
 3 Do you understand that?
 4 A I do.
 5 Q Have you ever testified before?
 6 A Before a grand jury?
 7 Q Or in any situation.
 8 A Oh. Yes, sir.
 9 Q Under oath.
 10 A Yes, sir.
 11 Q So you know what this process is.
 12 A Yes, sir.
 13 Q All right. Do you have an understanding right now
 14 as you sit there about whether you should volunteer
 15 information or just answer the questions as they're put?
 16 A I will answer you as truthfully and fully as I can.
 17 Q All right. In other words, I'm telling you that I
 18 will probably need your help along the way in bringing out
 19 all of the information and I would ask you to volunteer where
 20 you think it's appropriate.
 21 A I can assure you, sir, that I will answer you fully
 22 and to all of the information, the extent that I have.
 23 Q As a part of your obligation to tell the truth here
 24 because you're under oath, do you understand that you can't
 25 without basis say you forget or you can't remember when in

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1 fact you can?
 2 A Oh, I understand. Yes, sir.
 3 Q All right. Do you understand, finally, that the
 4 oath that you took earlier makes your statements here if they
 5 are false subject to the penalties of perjury and obstruction
 6 of justice in some cases? Do you understand that?
 7 A Yes, sir. I do.
 8 Q Do you understand that those two crimes are
 9 felonies punishable by up to five years in jail and a fine?
 10 A Yes, sir.
 11 Q All right. All right. I would ask you to speak
 12 loudly so that the woman in the far left of this room can
 13 hear you as well as my colleagues and the court reporter and
 14 the foreperson. Do you have any problem with that?
 15 A No, sir.
 16 MR. WISENBERG: Ed, pardon me just a minute. Can I
 17 clarify one thing?
 18 MR. PAGE: Yes.
 19 MR. WISENBERG: My name is Sol Wisenberg. I'm also
 20 with the Office of Independent Counsel.
 21 BY MR. WISENBERG:
 22 Q Mr. Page mentioned to you the categories of target
 23 and subject and said that you were a subject. Do you recall
 24 that?
 25 A I do.

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1 Q Those are the only two official categories that
 2 the Department of Justice recognizes, but there is an
 3 unofficial -- and a subject is basically anybody who has
 4 information relevant to the grand jury. Do you understand
 5 that?
 6 A I do.
 7 Q There is an informal designation that has grown up
 8 among prosecutors and defense attorneys of target, subject
 9 and witness. Within that category, you would be considered a
 10 witness. Do you understand that?
 11 A I do.
 12 MR. WISENBERG: All right.
 13 Pardon me for the interruption.
 14 BY MR. PAGE:
 15 Q Okay. Before we get started, do you have any
 16 questions about the topics that we've discussed?
 17 A No, sir.
 18 Q All right. Where do you live?
 19 A I live in Davison, North Carolina.
 20 Q And how long have you worked there? I'm sorry,
 21 lived there.
 22 A Lived there? I've lived there approximately two
 23 and a half months, sir.
 24 Q Were you previously employed or do you now work?
 25 A Yes, I was previously -- I do now work, but I was

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1 previously employed by the United States Secret Service.
 2 Q For how long?
 3 A Approximately 14 years.
 4 Q Your last assignment was where?
 5 A With the Special Services Division of the Secret
 6 Service and prior to that the Presidential Protective
 7 Division.
 8 Q All right. Can you tell the grand jury
 9 approximately the timeframe that you worked or that spanned
 10 your service with the protective detail?
 11 A With the protective detail? Approximately, and
 12 these are approximations, sir, late 1994 through January of
 13 '97.
 14 MR. WISENBERG: Pardon me just a minute.
 15 BY MR. WISENBERG:
 16 Q Could you state your name for the record, please?
 17 A Certainly. It's Robert C. Ferguson.
 18 MR. WISENBERG: I'm sorry.
 19 BY MR. PAGE:
 20 Q All right. Go ahead with your dates again.
 21 A Approximately late 1994 until early 1997.
 22 Q And those dates are the dates that you were
 23 assigned to the presidential protective detail?
 24 A Yes, sir. That's correct.
 25 Q Tell the grand jury what that is.

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1 A The Presidential Protection Division is men and
 2 women who have had former assignments throughout the United
 3 States Secret Service, generally on duty between seven and
 4 ten years, and you are chosen or are assigned to a detail
 5 that would guard, in this case, the President of the United
 6 States for a 24-hour basis. You're generally there
 7 between -- depending on your promotional considerations,
 8 you're generally on that detail approximately four years.
 9 Your responsibilities would be the obvious
 10 protection of the President of the United States, which
 11 has many facets. You're going to have a working shift
 12 of individuals which are the four to five to six men and
 13 women that you see around the President at any one time.
 14 We have various functions which is our intelligence
 15 community and also what we call our advance function, which
 16 are those that go out in advance of the President and the
 17 First Lady and obviously Chelsea in regards to the United
 18 States and prepare for their coming to a particular location.
 19 Very elementary, that's what your assignment would
 20 be for that period of time.
 21 Q All right. During the course of your assignment
 22 from late '94 to early 1997, did you meet a person by the
 23 name of Monica Lewinsky?
 24 A I know who Monica Lewinsky is. I don't know her
 25 personally, no.

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1 Q You never said hi to her or met her where you were
 2 introduced?
 3 A No, sir. Not introduced. I may have spoken to her
 4 on an occasion I'll be happy to discuss, but I do not know
 5 her personally.
 6 Q So your testimony is you never met her, but you
 7 know her.
 8 A That's correct. Yes. That's correct.
 9 Q How did you first know her?
 10 A The dates in the testimony I'm about to give you is
 11 the absolute best of my recollection. My first encounter
 12 with Monica Lewinsky was, to the best of my recollection, the
 13 winter, I believe it to be in December, of 1996. I recall it
 14 being during the week.
 15 I recall it being on an average -- I don't know
 16 what day of the week, but I would expect it was Monday
 17 through Friday, one of those days. It was not a weekend and
 18 there are reasons that I recall that, but it was during the
 19 normal course of business and I was working a protective
 20 shift which are the men and women that are around the
 21 President for that period of time.
 22 I was on a post [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 [REDACTED]

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1 [REDACTED] The President of the United States was in the
 2 Oval Office at that time.
 3 Most of the people who work in the West Wing of the
 4 White House are commonly known to all of the agents. We
 5 work with them on a daily basis, those comings and goings.
 6 There are those presidential appointments who we do not know
 7 that we pay more direct attention to because they are not
 8 immediately recognizable to us and we would know them.
 9 Obviously to get into those locations, they've had
 10 to go through many security checkpoints and they are issued a
 11 pass that they would wear obviously to be into those
 12 particular areas.
 13 The reason I did not know who she was, she came
 14 from the hallway past the Oval Office which would be --
 15 the offices housed would have been down the hall,
 16 Mr. Stephanaopoulos' office, the vice presidential office.
 17 The reason being there is a stairwell that comes up into that
 18 level and I did not know Mrs. Lewinsky at that time and the
 19 only reason I recall that, and I can recount this for you, is
 20 that I did not recognize her face and I immediately looked
 21 down for her pass and found it to be proper.
 22 I know that Mrs. Lewinsky -- I may have said hello
 23 or I may have said excuse me, which would have been something
 24 that we commonly would have done to stop that person for
 25 recognition purposes, just for a moment, just to make sure

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1 that everything is fine before you're actually going into
 2 what we considered to be the West Wing suite, which would
 3 house Mrs. Currie, the President's personal secretary, and
 4 Mrs. Nancy Herreich, who is the President's appointments
 5 secretary.
 6 Now, this is not into the oval itself, but just
 7 into that suite of offices outside of the oval but are
 8 adjacent to.
 9 I do believe that I would have said something to
 10 her, to pause for a moment. We would see the pass and there
 11 was -- under a reasonable course, we would have allowed them
 12 to go into that suite of offices.
 13 I know that Mrs. Lewinsky went into those offices
 14 and, further than that, I had no other dealings or viewed
 15 Mrs. Lewinsky in any way.
 16 We have a rotational shift that would -- you're not
 17 going to stand in one location for hours and hours at a time.
 18 We rotate those assignments so you have some down time, so
 19 you can get off your feet, hopefully, particularly if the
 20 President's in the Oval Office for a long period of time.
 21 So I viewed Mrs. Lewinsky go into the office at
 22 that time, don't know where she went inside the office and
 23 I was subsequently pushed -- I mean left that post, was
 24 replaced by another agent, and I went to another post, so
 25 that's my first encounter with Mrs. Lewinsky at all.

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<p>1 Q What time of day was this, approximately?</p> <p>2 A It was during daylight hours, during a normal</p> <p>3 working day, which is generally nine to five at the White</p> <p>4 House, but, other than that, I have no specific recollection</p> <p>5 of what time of day it would have been.</p> <p>6 Q Do you remember the agent that replaced you?</p> <p>7 A I don't, sir.</p> <p>8 Q So where does Ms. Lewinsky come from again this</p> <p>9 day?</p> <p>10 A Well, she came from -- which would be west to east,</p> <p>11 but she came from a hallway -- she would have come up, I</p> <p>12 assume, depending if she in fact had come from wherever she</p> <p>13 was coming from, which is not unusual, but she came from a</p> <p>14 hallway which would have been from like the vice presidential</p> <p>15 offices, which are located at one end of the hall, past the</p> <p>16 Oval Office, to where Mrs. Currie and Mrs. Herreich's office</p> <p>17 would be.</p> <p>18 And so I was -- if in fact the door here is an</p> <p>19 example, this room would have been into the suite, I would</p> <p>20 have been posted approximately where we are currently,</p> <p>21 Mrs. Lewinsky would have come down the hall, we would have</p> <p>22 said something to her to stop, just to make sure it was</p> <p>23 appropriate, and then she proceeded into the suite, and that</p> <p>24 was my last encounter with her during that period of time.</p> <p>25 Q And you believe that this was in December of 1996?</p>	<p>1 come directly to us. And most people acknowledge us and we</p> <p>2 acknowledge them, that everything is proper. And she did</p> <p>3 that similarly and then she proceeded into that suite and I</p> <p>4 have no recollection of anything occurring after that.</p> <p>5 Q And tell us again who is in the suite of offices</p> <p>6 that Ms. Lewinsky went into.</p> <p>7 A Well, Betty Currie, who is the President's</p> <p>8 secretary, personal secretary, and Nancy Herreich, who is</p> <p>9 the President's appointments secretary.</p> <p>10 Now, there are -- oftentimes, there are many people</p> <p>11 in these offices. They're not a very large suite of offices,</p> <p>12 but there's also a television set that's located directly</p> <p>13 through the door, so oftentimes there will be other</p> <p>14 presidential staff or workers of one nature or another that</p> <p>15 are there routinely. But as to who was in there that</p> <p>16 particular day, I couldn't venture a guess.</p> <p>17 MR. WISENBERG: Ed, do you mind if I interrupt for</p> <p>18 just a second?</p> <p>19 MR. PAGE: No.</p> <p>20 BY MR. WISENBERG:</p> <p>21 Q Let me ask you a quick question. Assume the Oval</p> <p>22 Office is a clock and there is an 11:00 door to the Oval</p> <p>23 Office. Is that correct?</p> <p>24 A From --</p> <p>25 Q Well, what I'm trying to get at is exactly where in</p>
<p>Page 18</p> <p>1 A I have thought about this at length and it's the</p> <p>2 best of my recollection. I'm sorry I can't provide you any</p> <p>3 more -- because that was not an unusual occurrence for us.</p> <p>4 That's a daily occurrence, not with just Mrs. Lewinsky, but</p> <p>5 many, many people throughout the mansion. So I have no</p> <p>6 specific recollection of the exact time that that would have</p> <p>7 taken place.</p> <p>8 Q Is it fair to say that you've thought about this</p> <p>9 since the publicity surrounding the Monica Lewinsky matter?</p> <p>10 A Yes, sir. There's no question.</p> <p>11 Q And thought about this more?</p> <p>12 A Certainly.</p> <p>13 Q And is that how you've come to date this</p> <p>14 approximately?</p> <p>15 A Until this story became public, I did not even know</p> <p>16 who Monica Lewinsky was personally. I mean, I've come to</p> <p>17 know her and quite honestly through seeing her on television</p> <p>18 and the breaking of this possibility of a story that I was</p> <p>19 able to connect that person with the two encounters that I</p> <p>20 had with Monica Lewinsky.</p> <p>21 Q Where was she headed when she and you saw each</p> <p>22 other and she passed by you?</p> <p>23 A Well, actually, she would have approached me to</p> <p>24 have made a right turn, into a small hallway, by the way,</p> <p>25 into that suite where they are located, so she would have</p>	<p>Page 20</p> <p>1 relation to -- let's say you've got Betty Currie's desk right</p> <p>2 outside of the Oval Office. You're aware of that?</p> <p>3 A Oh, I am. What position is that for you and I can</p> <p>4 go from there.</p> <p>5 Q That's outside of the 1:00 door.</p> <p>6 A That's a 1:00 door?</p> <p>7 MR. WISENBERG: Yes.</p> <p>8 Let me just show you a scheme of the White House</p> <p>9 which we've marked as Grand Jury Exhibit 1.</p> <p>10 (Grand Jury Exhibit No. 1</p> <p>11 was marked for identification.)</p> <p>12 THE WITNESS: All right, sir.</p> <p>13 MR. WISENBERG: And what I mean by 11:00, this</p> <p>14 would be 1:00, this would 11:00 --</p> <p>15 THE WITNESS: Oh, I see. You're looking at it this</p> <p>16 way.</p> <p>17 MR. WISENBERG: Okay.</p> <p>18 THE WITNESS: All right, sir.</p> <p>19 BY MR. WISENBERG:</p> <p>20 Q And I want to know just simply, you said you were</p> <p>21 outside the post. Could you mark where you were on this</p> <p>22 map?</p> <p>23 A Yes, sir.</p> <p>24 Q You can use this green pen.</p> <p>25 A This is the colonnade of the White House. This is</p>

1 the standard colonnade. These are the doors. This is the
 2 door that would typically go into the suite. If you draw
 3 this, this is Nancy's office, this is where Betty sits right
 4 here.
 5 [REDACTED]
 6 [REDACTED]. So
 7 she would have come down the hallway, she would had to have
 8 approached us to go into this area.
 9 Q Okay. You are where in relationship to Nancy
 10 Herreich?
 11 A Well, actually, that's not inside her office. What
 12 you're going to find is the cabinet room. This is actually a
 13 hallway.
 14 So this comes down -- here's the oval. They're
 15 going to come down this hallway, they're going to take --
 16 here's the Oval Office door.
 17 She's going to come to here, where the [REDACTED] post is,
 18 and then into this suite of offices.
 19 Q Okay. So I just want to -- the 11:00 door that
 20 I've pointed out, assuming the Oval Office is a clock, this
 21 would be [REDACTED] my question to you is [REDACTED]
 22 [REDACTED]?
 23 A I can't.
 24 Q You can (sic).
 25 A Yes, sir.

1 Q Right. And I guess what I'm asking you is you've
 2 got -- you have an end down here?
 3 A Well, Betty's office is actually here.
 4 Q Okay.
 5 A Nancy and Betty, they're in here together often.
 6 Betty alone is primarily here. But it's almost
 7 interchangeable. It's almost interchangeable for the two.
 8 But Nancy Herreich primarily sits in this office, the
 9 appointments secretary. Betty's desk, which is right outside
 10 the Oval Office door, is primarily here, sir.
 11 MR. WISENBERG: Okay. Thank very much.
 12 THE WITNESS: You're welcome.
 13 MR. WISENBERG: Pardon the interruption.
 14 BY MR. PAGE:
 15 Q I think during your past answer you said that this
 16 was one of two occasions where you had some interaction with
 17 Monica Lewinsky?
 18 A Yes, sir.
 19 Q Let's talk about the next one.
 20 A All right, sir.
 21 Q Tell us that one.
 22 A Approximately two weeks, it could have been three
 23 weeks because we don't -- there was nothing unusual about
 24 this at the moment, I know that my next encounter with her
 25 was on a Saturday. This will take some explaining, but I

1 Q Okay. And by the way, this is called -- it's
 2 Robert Ferguson, correct?
 3 A That's correct.
 4 MR. PAGE: We're going to relabel this RF-1, Grand
 5 Jury Exhibit RF-1.
 6 (Grand Jury Exhibit No. RF-1
 7 was marked for identification.)
 8 BY MR. WISENBERG:
 9 Q And would you agree that I have changed that to be
 10 RF-1?
 11 A I would.
 12 MR. WISENBERG: Okay. Thank you.
 13 Let me just say one other thing.
 14 BY MR. WISENBERG:
 15 Q This is the -- our information is that this is
 16 actually a door out of the Oval Office which I've called 1:00
 17 and that Betty Currie's desk would be out here and assuming
 18 that that's correct, I just want to make sure that we get --
 19 A Absolutely. When you come through this, down this
 20 hall, what happens is you can come right through there and it
 21 goes right into the oval.
 22 Q Okay.
 23 A The doorway into the oval. This hallway, if you
 24 will, is what I'm telling you that she has to come past us to
 25 come into this area.

1 think you'll get the gist of it.
 2 We were in the mansion of the White House, and
 3 although these two buildings, there is the West Wing -- are
 4 you familiar with the layout, sir?
 5 Q Somewhat.
 6 A All right. This is the West Wing of the White
 7 House. You go down what's called a colonnade area into
 8 what is commonly referred to as the White House, which is
 9 the mansion is what the terminology is called, the mansion.
 10 The President and the First Family live on the second floor.
 11 On this particular Saturday, the President was on
 12 the second floor and as a shift, the Secret Service moves
 13 with the President even within the confines of the White
 14 House grounds from one location to another.
 15 The presidential shift at that time, while the
 16 President is in the mansion, on the second floor, takes up
 17 posts so that we can defend his positions while on that floor
 18 to the best of our ability.
 19 When he moves down either a staircase or an
 20 elevator and proceeds over into the West Wing, we will
 21 precede the President, we will follow the President in
 22 reasonable proximity until he arrives wherever he is going,
 23 be that the West Wing, be that the Oval Office, be that the
 24 Old Executive Office building, wherever within the compound
 25 structure.

1 That particular morning, the President moved --
 2 came down the elevators, I do recall that, unannounced which
 3 is not untypical for anybody on a Saturday morning, and we
 4 proceeded over to the Oval Office, which, again, is not
 5 unusual for him to do.

6 That particular morning, as opposed to taking a
 7 left down the colonnade, which is the typical route the
 8 President chooses to enter the oval, which would have been
 9 the 3:00 door that you've indicated, he came down inside.
 10 Normally he does that only on the weekends, the reason being
 11 is there's no one else in that wing during that period of
 12 time. The common staff of the White House generally are
 13 greatly diminished on the weekends and so he runs into no
 14 one.

15 So he came in a different door, which would be the
 16 11:00 door that particular day. And we within that
 17 particular shift obviously know the President very well and
 18 he knows us and I had driven the President, I had been the
 19 limousine driver with our transportation section for two
 20 years, so the President, he may not know everything there is
 21 to know about you, but he certainly knows you enough to speak
 22 to you and to say something to you.

23 And what was unusual that particular day is that
 24 the President was in a good mood and he was coming into the
 25 oval and I happened to have been asked to go to the post

1 A time later, being it could have been 10 minutes,
 2 it could have been 15, within that length of time, the
 3 door as you show it, which we call it the door to the
 4 Oval Office, the post, the President opened the door and
 5 he says, "I'm expecting some staffers." I believe that is
 6 close to correct. And he says, "Let me know when they
 7 arrive."

8 I said, "Yes, sir." And the door closed.

9 For me, maybe not other agents, but this is
 10 unusual, that he would ask us directly, but you have to
 11 realize that as far as we were concerned that this was
 12 an unannounced movement, that his staff, being Mrs. Currie,
 13 his secretary, and Nancy Herrreich were not there, they were
 14 off, I would assume. It was a Saturday.

15 And I guess he was expecting -- you know, we don't
 16 know he's expecting, quite honestly, but it was a short
 17 time later and obviously my posting,

18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]

22 When a lady who I did not know came to the Oval
 23 Office door and made the comment, "The President needs me."
 24 And I knocked on the Oval Office door, I told the President
 25 that his appointment was there and he -- I think he nodded or

1 which is known as [REDACTED]
 2 Now, [REDACTED] is the post that you may or may not have
 3 heard of before. That is a post that is held by the agents
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]

7 So I took up that post. I was in a down position,
 8 which means I was in a Secret Service room, which is below
 9 the Oval Office. Its approximate size, it's similar to the
 10 size of this room here which has a lot of other security
 11 measures inside it, but it actually has some couches and
 12 things of that nature where we can actually take some down
 13 time, you know, without standing all the time.

14 So when we heard the traffic, I moved, being a
 15 shift member, I moved to the Oval Office door. And the
 16 President in fact instead of going down the colonnade did
 17 come in that door.

18 And he made the comment to me, he says, he says,
 19 "Ferg," he says, "Did you get a haircut?"

20 And I says, "No, sir. Mr. President."

21 And he goes, "Oh." And what he meant was is
 22 that obviously the bald spot on the top of my head is
 23 getting larger and that was his way of kidding with me.
 24 So he went on into the oval at that time and he closed
 25 the door.

1 he made some affirmative gesture to me to realize that that
 2 was proper. I let the lady into the Oval Office. I then
 3 closed the door.

4 And that was the last -- while on that post,
 5 that had any indication or -- there was nothing awry, in
 6 other words. I mean, there was no reason for us to feel
 7 that there was anything strange that had occurred.

8 I mean, staffers on Saturdays or any other times
 9 when he has meetings, certainly we're not privy to all of the
 10 interworkings of what occurs in a presidency, so there are
 11 other times that the President in fact has other staffers or
 12 people that we don't know in fact he would be meeting with
 13 for one reason or another. This one was not out of the
 14 ordinary as far as I was concerned.

15 A short time after that, I recall it -- I want
 16 to think it was December because it was cold outside, not
 17 frigid but cold, and I recall when the next agent came to
 18 replace me our next post which would have normally been a
 19 post for us called [REDACTED]

20 [REDACTED]
 21 [REDACTED]

22 For our shift for that particular day, that post
 23 was not held and there are -- we change them occasionally for
 24 one reason or another so that post was not being utilized at
 25 that period of time.

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1 My next post would have been what's called E-5 and
 2 the [REDACTED]
 3 [REDACTED] by
 4 [REDACTED]
 5 [REDACTED]
 6 When I left my [REDACTED] post, I hurriedly went down to
 7 what's called [REDACTED]. I'm giving you a lot of acronyms, but
 8 [REDACTED] the
 9 [REDACTED]
 10 [REDACTED]. I picked up an overcoat hurriedly, back up some
 11 stairs and proceeded outside to the [REDACTED]. Because I was
 12 gone for -- because I was gone for a couple of minutes, the
 13 agent who I was replacing hurriedly left to go to his next
 14 assignment, because it was very cold, and I took up the [REDACTED]
 15 position.
 16 I had heard no radio traffic in regard to
 17 presidential movements, [REDACTED]
 18 [REDACTED]. I did look into the Oval Office to see where
 19 the President -- in fact if he was still in the oval and to
 20 see his proximity there.
 21 I did see the President and I did see Mrs.
 22 Lewinsky. What I saw was the President and Mrs. Lewinsky
 23 proceeding into an area commonly referred to by the agents as
 24 the study. The door was then closed.
 25 For the remainder of that period of time that I was

1 BY MR. PAGE:
 2 Q Can you tell us, from the time that you saw
 3 Ms. Lewinsky enter the room until approximately the time you
 4 went off shift how much time had gone by?
 5 A I can give you a general approximation.
 6 Q All right.
 7 A Depending on the time the President came to the
 8 oval originally, and our shifting, so you understand, is that
 9 if he got there 15 minutes before the half hour itself, we
 10 would have been there 15 minutes and an agent would have
 11 taken you on the half hour so that we don't get the rotations
 12 askew.
 13 So my best recollection is that I was on [REDACTED] the
 14 first post, maybe 20 minutes, but I don't have an exact
 15 recollection of that. That's an approximation.
 16 Then it would have occurred on the half hour or the
 17 hour, whichever it would have been, and then it's very clear,
 18 because I would have -- it was less than a minute and a half
 19 to have actually gone down the stairway to grab a jacket to
 20 come back up and then to take the post and then to look into
 21 the oval.
 22 So I would have been on that post no more than 25
 23 minutes at max, so you're looking at my total time being 45
 24 minutes total. With those approximations.
 25 Q So to summarize, approximately 45 minutes, the

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1 on that particular post, I did not see the President nor did
 2 I see Mrs. Lewinsky.
 3 I was subsequently pushed off that post in
 4 approximately 30 -- within the 30-minute time period and I
 5 don't recall this exactly, but I do recall -- I mean, what I
 6 do recall is being pushed from the post.
 7 Our next reasonable post would have been down into
 8 the [REDACTED] area where it's very warm because it's very cold out
 9 there and I am assuming at that stage that I went back down
 10 to [REDACTED], I was off my post, and I had never seen Monica
 11 Lewinsky again except when the television story came out.
 12 Q Before the last segment of your testimony you
 13 seemed to delay or hesitate for a little bit. What was that
 14 about?
 15 A I wanted to make sure that I give you the absolute
 16 accurate testimony that I can recall because I think this is
 17 tremendously important and I want there to be no doubt in my
 18 mind that I've told you everything that I know.
 19 MR. SUSANIN: Can I interrupt with a question?
 20 BY MR. SUSANIN:
 21 Q Sir, you've testified with regard to this last
 22 incident that the President -- or that you let a woman into
 23 the Oval Office on this morning before you went to the
 24 outside post. Was that woman indeed Ms. Lewinsky?
 25 A Yes, sir.

1 President was with Ms. Lewinsky, in your estimation.
 2 A Well, sir, I'm not aware of any other people that
 3 were in the oval. Is there a possibility --
 4 Q Excuse me. Oval Office, correct?
 5 A Yes. I only -- well, once they entered the study
 6 area, which is private -- when I say study, there is also in
 7 that area there's a dining facility in there, there's
 8 different rooms within a separate very small suite, but the
 9 agents are -- anybody you talk to in this grand jury
 10 typically are going to say the study because that's how it's
 11 denoted to us, but in fact there are other rooms in there.
 12 So I do not know that the President actually went
 13 into his private study. He went through the door into that
 14 small suite. The door was closed and from there I do not
 15 know anything further than that.
 16 MR. PAGE: Can you mark on this diagram, RF-1, your
 17 position at [REDACTED] when you saw the President and Ms. Lewinsky
 18 together?
 19 MS. WIRTH: And, for the record, you're using a
 20 blue pen now.
 21 THE WITNESS: Yes.
 22 BY MR. PAGE:
 23 Q You're holding a blue pen, you're marking in blue,
 24 correct?
 25 A That's correct.

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1 Q And you've just underlined the position E-5,
2 correct?
3 A That's correct.
4 Q And you're putting a dot --
5 A That represents me. That would have been my view
6 into the oval through the window and the doorway.
7 Q And would you draw a line from the dot and just
8 then initial at the end of the line RF?
9 Now, this is your viewpoint from E-5 into the
10 Oval Office on this day we've been discussing where you see
11 Ms. Lewinsky and the President, correct?
12 A Correct.
13 Q How near, approximately, to them are you when you
14 see them together?
15 A Twenty feet, twenty-five feet.
16 Q Twenty to twenty-five feet?
17 A Approximately from here to that doorway, sir.
18 Q From your seat in this grand jury room to the door,
19 the exit, correct?
20 A Yes, sir. That's correct.
21 Q How long do you see them together before they leave
22 the Oval Office or the oval, in your words, and depart the
23 Oval Office?
24 A As I looked into the oval to find the presence of
25 the President, to make sure where the actual body is located,

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1 it was at that same time that I saw them proceeding into that
2 study area, so the same time. As I looked, I saw them
3 proceeding into that area.
4 Q Can you describe what they were doing?
5 A I don't recall any physical contact at all.
6 Q Well, I mean, were they walking together?
7 A Yes. Together being in close proximity, yes, sir.
8 As to who closed the door, I don't know.
9 Q Did they appear to be talking to each other?
10 A Not that I recall specifically.
11 Q Before you saw the President and Ms. Lewinsky
12 together in the Oval Office, was the President in the Oval
13 Office alone?
14 A To the best of my knowledge, the President was in
15 the oval alone.
16 Q Can there be any reason in fact that would suggest
17 that he was with anybody else other than Ms. Lewinsky?
18 In other words, did you hear any radio traffic, did
19 you have any personal observations yourself?
20 Did anybody else tell you he's in there with
21 someone or is expecting someone else?
22 A I was the first person to that post prior to the
23 arrival of the President and in doing so, every agent will
24 open the Oval Office door.
25 It's unusual to come through that door to begin

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1 with, which is a solid door, so we would open it, we would
2 look inside, and then we would normally leave that door open
3 so that when he comes in that he can either leave it open or
4 close it behind him.
5 Q Did you do that?
6 A I did.
7 Q When you looked in the Oval Office on this day
8 we've been talking about, was it empty?
9 A Yes.
10 Q No other person was in the Oval Office on this day
11 that we've been talking about when you looked in to see.
12 A Yes, that's correct.
13 Q And no one entered before the President entered,
14 correct?
15 A That's correct.
16 Q And no one other than Ms. Lewinsky entered after
17 she entered, correct?
18 A Not while I was on that post, sir.
19 BY MR. BITTMAN:
20 Q When you noticed her pass the first time --
21 A Yes, sir.
22 Q Was that an intern pass or a full-time pass?
23 A I've thought and thought about that, trying to
24 recall, and I do not recall. But it's not -- in our normal
25 course of business, it would not be reasonable for us to have

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1 ever allowed her into that area without one of the two, but I
2 do not recall specifically which pass she had on.
3 Q The second occasion that you're now describing, was
4 there a uniformed division officer also in your proximity
5 when Ms. Lewinsky entered?
6 A Proximity, sir? The normal course is that the
7 uniformed division officer will hold the agent post [REDACTED]
8 outside the oval only during those times that the President
9 is not in proximity. In other words, in that area. They are
10 delegated to different postings and move from that area.
11 That agent or officer generally moves to a post called [REDACTED]
12 [REDACTED] is a post which is down a hallway between the
13 oval and the Vice President's office, well down a hallway
14 from the oval.
15 Q That specific incident.
16 A Right.
17 Q The President came outside and told you he was
18 expecting someone or some people.
19 A Yes, sir.
20 Q Was there a uniformed division person there as far
21 as you can recall?
22 A Not that I recall.
23 Q Do you know Officer Lou Fox?
24 A Yes, sir.
25 Q Was he there?

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1 A Not that I recall.

2 Q And so no one was there that you recall.

3 A No, sir. The reasonable course would be there

4 would have been an officer there. Oftentimes, they will move

5 ahead of his arrival which is the appropriate thing to do.

6 Some stand there as long as they can and as he arrives, but

7 quite honestly, because he was not at the [REDACTED] my reasonable

8 expectation would have been that he would have been at the

9 [REDACTED] But do I recall specifically a person, no, sir. I

10 don't.

11 Q The President told you he was expecting someone or

12 some people. When Ms. Lewinsky arrived, did she appear to be

13 the person that he was expecting?

14 A Yes. No one else during my period on that post

15 arrived. She was the first. His acknowledgment of her to me

16 would have suggested to me reasonably that that was who he

17 was expecting.

18 Q And when you say she was in the Oval Office with

19 the President for 45 minutes, it was at least 45 minutes in

20 that she entered, you were there outside the Oval Office and

21 then you switched posts to outside, saw them in the Oval

22 Office and then saw them move to the study area or into the

23 study, actually, I guess, right?

24 A Well, not to mince words, but my positive testimony

25 is, sir, that I did let her into the Oval Office when I came

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1 to the [REDACTED] post.

2 After that, if somebody came in between the time

3 that I was gone, did not come there between the time I was

4 gone, I have no recollection or knowledge of. I can only

5 testify that I did let her in at that time and that when I

6 did look through the window and a door that I did see

7 Mrs. Lewinsky and the President proceed into what we commonly

8 refer to as the private study area which is adjacent to or --

9 we call it behind the oval, but, in fact, off to the side of

10 the oval, which is his private study area and there is also a

11 private dining room when the President is in there and other

12 rooms, but the fact of the matter is it was very brief.

13 I saw them enter the doorway, the door closed and

14 that's the last I saw them. So as far as how much time, was

15 there anybody else in there during that period of time,

16 there's no way I can answer. I don't know.

17 Q Did you note to anyone that the President had moved

18 from the oval to the study?

19 A No, sir. We would not typically -- that is not --

20 we would not typically do that. He is within the confines of

21 the oval. The only time that we would mention that is during

22 a normal day when he would have guests in, say, for a private

23 luncheon of one nature or another or the Vice President and

24 he had lunch in his particular private dining room, we would

25 denote that because postings during those activities would

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1 change. But for this circumstance, we did not find there to

2 be a protective problem with where he was located.

3 Q And they were in behind that closed door for the 30

4 minutes that you were on that post.

5 A To the best of my knowledge, that's correct.

6 Q Had they left that area, you would likely have been

7 notified. Isn't that correct?

8 A Would I have been notified if -- if the President

9 had left the confines of that oval suite, yes, we would know.

10 Q And you were not so notified. Is that correct?

11 A That's correct.

12 MR. BITTMAN: I'm sorry, Ed.

13 BY MR. PAGE:

14 Q With this pen, Mr. Ferguson, can you mark the

15 study, the area where you saw the President and Monica

16 Lewinsky go to when they left the Oval Office?

17 A Yes, sir.

18 Q Mark it with a dot and then draw a line off of it,

19 please, and initial it.

20 So they entered this area here, correct?

21 A That's correct.

22 Q And that's known as the study?

23 A Agents commonly refer to that, and all of the

24 uniformed division personnel that you will speak with, that

25 will be commonly referred to as the presidential study.

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1 Q Now, under your initials there, can you put in

2 parentheses study?

3 And under the first location on RF-1 I asked you to

4 mark your position when you looked in the Oval Office?

5 A Yes, sir.

6 Q Can you put under RF in parens position outside of

7 Oval Office? That's accurate, correct?

8 A It is.

9 BY MS. WIRTH:

10 Q Could I ask you a couple of questions when you're

11 done with that?

12 I'm going to switch topics just for a moment.

13 Are you aware of any other Secret Service employees who have

14 seen Monica Lewinsky in the area of the Oval Office?

15 A None.

16 Q The day that you're referring to the second time

17 that you saw Monica Lewinsky?

18 A Yes, ma'am.

19 Q Do you know whether the President's stewards were

20 working that day?

21 A They were not there. If they were working or not,

22 I do not know.

23 Q Do you know who replaced you at the [REDACTED] post that

24 day?

25 A No, ma'am. I don't.

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1 BY MR. PAGE:
 2 Q From your vantage point and knowledge that day that
 3 we've been discussing, was the door at the 1:00 position
 4 closed or was it open?
 5 A Closed, sir.
 6 Q Closed?
 7 A Yes, sir. It was closed.
 8 Q Did you ever see Betty Currie or Nancy Hearnreich
 9 that day?
 10 A No, sir.
 11 Q In your time on the PPD, either before the event
 12 we've been talking about or after, did you ever hear from any
 13 source, any person, any rumors about Ms. Lewinsky and/or the
 14 President?
 15 A No, sir.
 16 Q None from fellow PPD member or uniformed division?
 17 A I have a longer answer, if I may. The answer is --
 18 MR. PAGE: Hang on a second.
 19 MR. WISENBERG: Go ahead.
 20 THE WITNESS: The presidential protective detail
 21 understands the importance of confidentiality in regards to
 22 what the President does or does not do.
 23 I can tell you without a doubt in my mind that any
 24 conversations in regard to that First Family that will
 25 jeopardize how close a proximity we can work jeopardizes the

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1 way that the Secret Service will do their job.
 2 Obviously a court has ruled otherwise, but I can
 3 tell you forthrightly and having been there that this will
 4 affect -- and every agent knows that this will affect the way
 5 that we can protect the President of the United States.
 6 We have sworn an oath to do that. We have done the
 7 best that we can and we realize after hearing things such as
 8 the Gennifer Flowers situation, after hearing about the Paula
 9 Jones information, that we are counselled what occurs there
 10 stays there.
 11 We know that to protect them in their private lives
 12 it is of great value. The reason being is that if we lose
 13 the confidence of the presidency, we lose the proximity and
 14 when we lose that proximity, we feel that his life is in
 15 greater jeopardy and those of the agents who protect him.
 16 So that's the long answer and I appreciate you
 17 hearing me. But the short answer is, sir, that we will not
 18 speak among ourselves, to the best of my knowledge, about
 19 anything like that.
 20 If there is something irregular or something we
 21 feel that is of a protective nature -- and that's not only
 22 physical, that's from what we call protective intelligence,
 23 if we hear or we have any information at all based on --
 24 we call it gut, but that's on your experience, that we
 25 will do something to let others in that detail know. A

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1 strange person, a strange event, something out of the
 2 ordinary. We would. But in regards to Mrs. Lewinsky, there
 3 was nothing as far as I was concerned that was out of the
 4 ordinary.
 5 I didn't even recall her specifically until I
 6 realized that the person that I saw on television was in fact
 7 the lady that I'd had those two encounters with.
 8 BY MR. PAGE:
 9 Q Speaking about television, are there monitors that
 10 would have picked this up that day? Meaning video monitors,
 11 closed circuit T.V., things like that?
 12 A I would respectfully like to take a moment in
 13 regards to -- I mean, certainly I have to answer you, sir,
 14 and I want you to know that I will do that forthrightly,
 15 but I would like the opportunity to talk to my legal counsel
 16 for just a moment in regards to that issue.
 17 Q All right. Before we go there, let me temporarily
 18 pass the question and ask you, without doing the math in your
 19 head, you're saying at a minimum the President was with
 20 Ms. Lewinsky for approximately 45 minutes during your -- from
 21 the first time you saw her until you made a shift change off
 22 of E-5.
 23 A Yes, sir. Again, it was approximately between 10
 24 and 15 minutes while on [redacted] and certainly 30 minutes during
 25 the [redacted] posting.

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1 MR. PAGE: I think we're going to, Mr. Ferguson,
 2 excuse you right now and leave that question about cameras,
 3 video, for another day.
 4 THE WITNESS: May I do this? May I provide that
 5 question to our counsel so that I can give you an accurate --
 6 MR. WISENBERG: You're free to talk, of course, to
 7 your counsel about anything that you want. We very well
 8 might have to see you again at a future time, but for today,
 9 this is all the time that we have.
 10 THE WITNESS: Understandable.
 11 MR. WISENBERG: Thank you very much.
 12 May the witness be excused?
 13 THE FOREPERSON: Yes. You are excused,
 14 Mr. Ferguson, subject to recall at a later date.
 15 MR. WISENBERG: Thank you.
 16 THE WITNESS: Thank you.
 17 (The witness was excused.)
 18 (Whereupon, at 3:40 p.m., the taking of testimony
 19 in the presence of a full quorum of the Grand Jury was
 20 concluded.)
 21 * * * * *

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

----- x
IN RE: :
GRAND JURY PROCEEDINGS :
----- x

Grand Jury Room No. 2
United States District Court
for the District of Columbia
3rd & Constitution, N.W.
Washington, D.C.

Thursday, July 23, 1998

The testimony of ROBERT CHARLES FERGUSON was taken
in the presence of a full quorum of Grand Jury 97-5,
impaneled on December 5, 1997 commencing at 1:53 p.m. before:

EDWARD PAGE
Associate Independent Counsel
TIMOTHY SUSANIN
Associate Independent Counsel
JACKIE M. BENNETT, JR.
Deputy Associate Independent Counsel
Office of Independent Counsel
1001 Pennsylvania Avenue, N.W.
Suite 490 North
Washington, D.C. 20004

Page 3

1 PROCEEDINGS
2 Whereupon,
3 ROBERT CHARLES FERGUSON
4 was recalled as a witness and, having been previously duly
5 sworn by the Foreperson of the Grand Jury, was examined
6 further and testified as follows:
7 THE FOREPERSON: Before you sit down, sir, you were
8 sworn in to a grand jury?
9 THE WITNESS: Yes, ma'am.
10 THE FOREPERSON: About this particular matter that
11 we're hearing today?
12 THE WITNESS: Yes, ma'am, I have been.
13 THE FOREPERSON: Okay. So you understand that you
14 are still under oath?
15 THE WITNESS: I do.
16 THE FOREPERSON: Okay. Please be seated.
17 MR. PAGE: And again, let the record reflect that
18 we have a quorum and that there are no unauthorized
19 individuals in this grand jury room.
20 THE FOREPERSON: That is correct.
21 MR. PAGE: Thank you.
22 EXAMINATION
23 BY MR. PAGE:
24 Q Would you tell us your full name, please?
25 A Yes. Robert Charles Ferguson.

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CONTENTS

WITNESS:	PAGE
Robert Charles Ferguson	3
GRAND JURY EXHIBITS:	
No. RF-1 - Diagram	5
* * *	

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1 Q Mr. Ferguson, I spent a good amount of time last
2 Friday in this very room before a different grand jury
3 advising you of your rights and responsibilities, correct?
4 A Yes, sir, you did.
5 Q Do you have any questions about those in today's
6 session?
7 A No, sir, Mr. Page, I don't.
8 Q I'm not going to go over them with you, with your
9 permission, because you understood them at the time, you have
10 no questions today, and you have served in the Federal
11 service for a number of years, correct?
12 A I have, yes, sir.
13 Q So you understand your obligations and
14 responsibilities?
15 A Yes, sir. Yes, sir.
16 Q Would you please speak up --
17 A Certainly.
18 Q -- so that the woman in the far left of this room
19 could hear you, and have the benefit of your testimony.
20 Last Friday, we visited -- I should say I asked you
21 about -- several topics, correct?
22 A Yes, sir, you did.
23 Q I want to first show you what I have marked today
24 as Grand Jury Exhibit RF-1.
25 A Yes.

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1 (Grand Jury Exhibit No. RF-1
 2 was marked for identification.)
 3 BY MR. PAGE:
 4 Q And I would ask you to study that, please, for a
 5 moment, so that I can ask you some questions about it.
 6 A (Examining) I'm quite familiar with it, sir.
 7 Q You've worked in there, correct?
 8 A Yes, sir. I have.
 9 Q And that is "there," meaning the White House?
 10 A Yes, sir, the West Wing of the White House; yes,
 11 sir.
 12 Q I'm sorry. That's the West Wing of the White
 13 House?
 14 A Yes, sir.
 15 Q Would you hold that up for a moment, just to let
 16 the members of the grand jury know what we're talking about?
 17 Now, which way is north on RF-1?
 18 A North, through what would be close to where the
 19 destination, your grand jury exhibit would be. That would be
 20 north, from my recollections.
 21 Q Where the red sticker is?
 22 A Yes, sir.
 23 Q When did you work, approximately, at the White
 24 House?
 25 A For the Presidential Detail?

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1 Q Correct.
 2 A Late -- approximately late '94 through '96. Well,
 3 actually, it was '97, part of '97.
 4 Q Part of '97?
 5 A Yes, sir.
 6 Q Late '96, part of '97?
 7 A Late '95, actually, part of -- '95 through '97,
 8 just about that entire period of time. That was also with a
 9 stint through the transportation section, but which would
 10 have taken me from the White House, but we varied daily.
 11 Q And you said this was as a member of the
 12 Presidential Detail?
 13 A That's correct, yes, sir.
 14 Q Tell the members of the grand jury what the
 15 Presidential Detail is.
 16 A The Presidential Protective Division is a detail
 17 that -- within the Secret Service -- of generally very senior
 18 agents who are selected for the President's Detail.
 19 When we say President's Detail, that is the group
 20 of agents of approximately 100 men and women, who provide a
 21 protective function for the President. Now, this is just
 22 agents.
 23 Now, there are other Secret Service personnel
 24 involved in that, which would be our Uniformed Division,
 25 others that I'm sure that counsel will get into.

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1 But for that purpose, the Presidential Detail
 2 protects the President, the First Lady, Chelsea, on a full-
 3 time, 24-hour basis.
 4 Q Even with the White House complex?
 5 A Yes, sir, that's correct.
 6 Q And even within the West Wing of the White House
 7 complex?
 8 A Yes, sir, that's correct.
 9 Q And so RF-1, would that help you explain the
 10 positions that you may have taken in serving on this
 11 protective detail?
 12 A I think this would illustrate very well some of
 13 those functions, yes, sir.
 14 Q That's what I'd like to start with.
 15 A Okay.
 16 Q Last week, you testified, I believe -- and correct
 17 me at any time if I inaccurately summarize your testimony
 18 -- that on one day you were stationed at ~~_____~~?
 19 A ~~_____~~ yes, sir.
 20 Q Okay. Speak up, if you can, please.
 21 A Yes.
 22 Q When you were at ~~_____~~ -- can you tell the members of
 23 the grand jury where that is located, first of all?
 24 A Yes, sir. ~~_____~~
 25 ~~_____~~

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1 ~~_____~~ and leads up to what we call
 2 ~~_____~~
 3 ~~_____~~
 4 He would not normally go into the West Wing complex
 5 and through the hallways to the Oval, he would go down the
 6 outside, on the colonnade, as most Presidents have done for
 7 generations, and proceed into the Oval that way.
 8 Q Can you write with the pen I'm handing you --
 9 A I have one.
 10 Q You have one?
 11 A Yes, sir.
 12 Q Okay. -- the position ~~_____~~
 13 A Mr. Page, these were approximate locations. They
 14 don't give you a static location. So ~~_____~~, for us, normally
 15 is this. "B.C.," I would assume, stands for Betty Currie --
 16 Q Correct.
 17 A -- which would be her desk, approximately. So
 18 within that, we try our best not to stand in front of Mrs.
 19 Currie's window all the time.
 20 So generally, ~~_____~~
 21 ~~_____~~
 22 ~~_____~~
 23 ~~_____~~
 24 ~~_____~~
 25 ~~_____~~

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Page 11

1 the [redacted] approach the Oval [redacted] [redacted]
 2 [redacted].
 3 (Interruption to the proceedings.)
 4 BY MR. PAGE:
 5 Q We'll go back for a few moments. Let me ask you,
 6 on RF-1, the diagram that's in front of you now, that's of
 7 the West End, correct?
 8 A Yes, sir.
 9 Q White House complex?
 10 A Yes, sir, the West Wing of the White House, yes,
 11 sir.
 12 Q You've just marked two "Ws" on the outside of the
 13 Oval Office, correct?
 14 A Yes, sir.
 15 Q And they indicate the two windows that separate the
 16 interior of the Oval Office from the colonnade on the
 17 outside?
 18 A Yes, sir.
 19 Q You also marked "D" for door; correct?
 20 A Yes, sir.
 21 Q And there's one door from the Oval Office outside
 22 to the colonnade, on that side?
 23 A That's correct.
 24 Q Now, earlier, we were talking about the position
 25 that you took when you personally guarded the President from

1 Q All right, now, you've marked three additional
 2 positions, correct?
 3 A Yes. Yes, sir.
 4 Q [redacted], and [redacted].
 5 A [redacted] that's correct.
 6 Q And these positions that you've indicated with your
 7 pen on RF-1 are approximate, correct?
 8 A They're approximate, yes, sir. The only other
 9 position that is not located on this mapping would be one we
 10 refer to as [redacted], or [redacted], which is a post from this
 11 mapping, sir, being in the same coordinates, would be a
 12 [redacted] [redacted] [redacted] [redacted]
 13 [redacted] [redacted] [redacted] [redacted]
 14 [redacted] [redacted] [redacted] [redacted] proximity [redacted] in
 15 the [redacted]. And then, generally, an agent will take
 16 that posting.
 17 In other words, when we bring the President over to
 18 the Oval, one of the Presidential Protective Detail agents
 19 will assume that post from our Uniformed Division, who will
 20 then leave that post for another assignment.
 21 Q Can you give us the general area where [redacted] is?
 22 A Yes, sir. From the Oval, it's -- there's a walkway
 23 down to the south roadway, so it [redacted]
 24 [redacted] [redacted] [redacted] Oval [redacted]
 25 The Rose Garden, obviously, coming off, they'll go

Page 10

Page 12

1 that area, correct?
 2 A Yes, sir, that's correct.
 3 Q And you marked [redacted]?
 4 A [redacted], yes, sir.
 5 Q I want to ask you if there are other positions from
 6 which you guard the President, or guarded the President when
 7 you served, that are near [redacted]
 8 A Yes, sir.
 9 Q And I don't mean as you flex back and forth. I'm
 10 talking about specific positions, like [redacted]. I'm sorry, [redacted]
 11 A [redacted]
 12 Q [redacted]
 13 A [redacted]. Yes, sir. Those are the primary ones,
 14 [redacted] and [redacted]
 15 Those indicate locations throughout the West Wing
 16 that the agents would take up those positions [redacted] to
 17 [redacted] [redacted] around the President, so that
 18 we can monitor all of the comings and goings of people within
 19 the West Wing for that period of time while the President is
 20 within the West Wing, particularly within the Oval Office.
 21 Q All right. Would you go ahead and mark them,
 22 please?
 23 A Yes, sir.
 24 Q And then I'll ask you questions about them?
 25 A Okay.

1 down. There's a -- may I draw on it?
 2 Q You may.
 3 A On the [redacted] [redacted] [redacted] [redacted] hallway
 4 which [redacted] [redacted] [redacted] [redacted] that
 5 [redacted] [redacted] [redacted] [redacted] [redacted] circle
 6 [redacted] [redacted] [redacted] [redacted] [redacted] [redacted] and that's
 7 [redacted] [redacted] [redacted] [redacted]
 8 Q Are there any other positions, besides those that
 9 you've now indicated, on RF-1?
 10 A No, sir. I'll just mark [redacted] over in here. No,
 11 sir, that's all.
 12 Q So how many, total, do we have?
 13 A Four. [redacted], [redacted], and [redacted] Five.
 14 Q Well, five. But five is --
 15 A Four that you can see here clearly.
 16 Q Four in close proximity --
 17 A Yes, sir.
 18 Q -- to [redacted] [redacted] [redacted] [redacted] [redacted]
 19 [redacted] [redacted] [redacted] [redacted] [redacted]
 20 A [redacted] [redacted] [redacted] [redacted]
 21 Q What about above or below, on different floors?
 22 Any duty stations there?
 23 A Not normal protective functions for the detail.
 24 There could be agents on -- well, obviously, below the Oval,
 25 just down from that.

1 It's called [REDACTED] which stands for [REDACTED]
 2 [REDACTED] which is the Secret Service command post.
 3 which also doubles as many functions for us. But that's
 4 where we have a ready supply of other personnel that are
 5 rotating through, and also in response mode, of whatever we
 6 need to do.
 7 Above that, in the West Wing, there are other
 8 offices, to include the First Lady's office which, obviously,
 9 if she is in there as well, there would be agents on those
 10 postings, as well.
 11 Q Now, last week, when you were here testifying, you
 12 mentioned two incidents that you recall, where you saw Monica
 13 Lewinsky, correct?
 14 A Yes, sir, I did.
 15 Q I want to visit with you briefly about those two,
 16 again, to give the members of the grand jury here an overview
 17 of what you saw and testified about.
 18 A Yes, sir.
 19 Q Let's talk about the first one. Can you summarize
 20 what you saw on that occasion?
 21 A Yes, sir. The information that I can provide for
 22 you is -- is the best of my recollection. I have no hard
 23 facts, nor do I have any notations or anything other than the
 24 general memory of a person in that situation.
 25 So I can tell you this. My first -- first

1 encounter with a woman, later that I believed to be Monica
 2 Lewinsky, was in the winter, I want -- the winter of '96.
 3 And it was a normal business day.
 4 And the reason that I know it was a normal, it was
 5 Monday through Friday -- which day of the week, I don't
 6 recall -- I was on [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 That suite of offices does have a door that leads
 11 directly into the Oval Office. Therefore, the Secret Service
 12 would hold a post just outside that door, for the comings and
 13 goings.
 14 In the West Wing of the White House, after the
 15 years that we have been there, most of the staff know us and
 16 we know, at least by face, if for no other reason, most of
 17 their staff.
 18 The reason that was of note to me is because the
 19 woman I believe to Mrs. Lewinsky approached that. And I
 20 don't know specifically that I stopped her, but we would
 21 routinely stop, say "Hello," something, in order to slow
 22 them, to look at a pass that they would be wearing.
 23 I do recall allowing her to continue into Betty
 24 Currier's office, which would indicate to me that the pass was
 25 appropriate and that she proceeded into that suite of

1 offices. And, once inside there, I have no idea who she saw
 2 or what she did.
 3 Q I want to ask you some questions about the time
 4 frame.
 5 A Yes, sir.
 6 Q You earlier characterized this with, I believe,
 7 some hesitation -- correct me if I'm accurate, or inaccurate
 8 -- that this, you believed, was in the winter of 1996?
 9 A It is purely speculation on my part. I do recall
 10 it being the winter. Obviously, by the testimony I'll
 11 probably provide you later, I recall it being cold. I recall
 12 it being a regular workday.
 13 Because of that period of time, sir, it's very
 14 -- I'm giving you my best guess, in regards to the time
 15 frame.
 16 Q I'm more interested in the accuracy of the year --
 17 -- and hear me out -- rather than, I should say, the time of
 18 year.
 19 A Okay.
 20 Q I represent to you that Monica Lewinsky was working
 21 from in or about July of 1995 through in or about April of
 22 1996, at the White House.
 23 She first began, I represent to you, as an intern,
 24 in an unpaid status. And then, in or about November,
 25 December changed from a paid employee -- I'm sorry -- changed

1 to a paid employee in another office within the East Wing.
 2 If those representations are accurate, and I don't
 3 say that they are -- I don't say that they're not -- I want
 4 you to think about whether this was the winter of '95, right
 5 after the Government shutdown that you may recollect or, as
 6 you've testified, the winter of '96.
 7 Because I'll further represent to you that, in
 8 April of 1996, Monica Lewinsky was transferred to the
 9 Department of Defense and began working at the Pentagon in
 10 Virginia.
 11 Knowing that, and knowing those representations,
 12 can you tell us if that helps with you, in accurately telling
 13 us about the year you think you saw these things?
 14 A Yes, sir. I wasn't aware of any of that
 15 information at all, Mr. Page. But, quite honestly, I'm
 16 saying '96 as my best guess. Could it have been '95? The
 17 answer is also yes.
 18 Q Well, are you at the White House at the time?
 19 A At the winter of -- yes, sir, at the winter of '95,
 20 yes, sir.
 21 Q The winter of '95. So that is important,
 22 correct --
 23 A I was there. Yes, sir.
 24 [REDACTED]
 25 A Yes, sir

1 Q And, if she is at the Pentagon from April of 1996
 2 onward, she wouldn't have a White House pass.
 3 A Well, sir, let me say this, Mr. Page. I don't
 4 recall a White House pass, being a permanent pass. She may
 5 have, in fact, had an intern pass.
 6 But as I indicated to you, I think, my testimony
 7 last week is that I don't recall the pass. But I know that,
 8 for me to have allowed her into that area, would have been an
 9 appropriate pass, be that an intern or bet a permanent staff.
 10 But I don't recall, Mr. Page, right offhand, which pass that
 11 would have been.
 12 I appreciate the information you provided but,
 13 quite honestly, it wouldn't change my best guesstimate. But
 14 I really don't recall exactly. I know it was winter, and I
 15 can recall those kind of factual information, but as far as
 16 the period of time, I cannot, sir.
 17 Q All right. Thank you. You don't have much other
 18 information about that day we've been talking about, whether
 19 it's the winter of '95 or '96, other than what you've told
 20 the grand jury today?
 21 A That's correct, I don't. From what you and I -- I
 22 mean, we talked about in the previous one, the information
 23 was that I don't recall who would have taken my post or any
 24 of that. I have no other recollection of who I believe to be
 25 Monica Lewinsky after she went into that suite.

1 and the grand jury previously, I recall it only being a few
 2 short weeks between the two, because I had never seen Mrs.
 3 Lewinsky before.
 4 And a few -- it wasn't -- I would say within a few
 5 weeks, it was on a Saturday, and we came -- being, "we" being
 6 the President and the shift of agents working that day
 7 -- came from the mansion, down the colonnade, and into the
 8 West Wing, through the door we normally don't go through.
 9 And my assumption would be that we went that way
 10 because there's nobody working. I mean, the President very
 11 rarely comes inside the West Wing to enter the Oval from that
 12 direction.
 13 That particular day, I was leading the President
 14 well up the colonnade, and I actually go through a couple of
 15 sets of doors, and make sure that the Oval is prepared and
 16 the doors are open, before the President, to check it, to
 17 make sure that everything looks appropriate, and we step to
 18 the side, and the President enters.
 19 Well, as the President enters -- I have driven the
 20 President, through our transportation section, for almost two
 21 years, so the President knows some of the agents very well.
 22 And the comment he made to me was -- and I don't know if it's
 23 appropriate -- he made a comment to me.
 24 He says something like, "Bob," or "Ferg," did you
 25 get a haircut?" And I says, "No, sir." And the President

1 Q So, to summarize, you're on duty; you see Lewinsky;
 2 she goes into that outer office; you don't see her come out?
 3 A That's correct.
 4 Q Now, you had another day that you saw Ms. Lewinsky,
 5 correct?
 6 A Yes, sir.
 7 Q And I want to ask you some questions about that day
 8 now.
 9 A Yes, sir.
 10 Q Are you at [redacted] on this day?
 11 A Yes, sir.
 12 Q And [redacted] is a position in the PPD that you have
 13 indicated on RF-1, that is right outside the Oval Office;
 14 correct?
 15 A On the -- well, to begin that process, sir, when I
 16 first, obviously, observed her -- oh, well, to answer your
 17 question, yes, sir. That's much later. But, yes, sir,
 18 that's correct.
 19 Q So let's back up. Because before that, you were
 20 actually at [redacted].
 21 A I was. Yes, sir.
 22 Q Let's start there, and summarize, for the members
 23 of the grand jury, what took place at [redacted].
 24 A At that particular day, I know it was Saturday, I
 25 can tell you, and it was only -- I believe I told Mr. Page

1 goes. "Oh," meaning -- I think he's talking about the spot
 2 getting larger all the time.
 3 But, at any rate, he made the comment. And he went
 4 into the Oval, and he must have closed the door. I didn't.
 5 A short time thereafter, the President opens the
 6 door and says, "I'm expecting" -- to the best of my
 7 recollection -- "I'm expecting staffers" -- "some staffers."
 8 "Yes, sir." And "Let me" -- something to the effect of, "Let
 9 me know when they're here," which is unusual for me.
 10 Now, this may not be unusual for others. It was
 11 unusual for me. And I said, "Yes, sir." I found nothing out
 12 of the ordinary. It just -- I hadn't had that occur with
 13 this President.
 14 So I was there for, I don't think it was a long
 15 period, a short period of time. I would have only been on
 16 that post, at the maximum, 30 minutes.
 17 And that's when a woman I believe to be Monica
 18 Lewinsky, who I recall, having never seen before, from a
 19 couple of weeks, or maybe even three weeks earlier, going
 20 into the west lobby. She came to the door and said, "The
 21 President needs me."
 22 So I knocked on the Oval Office door, at [redacted]
 23 opened the door. The President acknowledged -- I don't
 24 recall him saying anything, but I recall some acknowledgement
 25 that would have made me understand that that was the person

Page 21

1 he was there to see.

2 She went into the Oval Office, and then I closed

3 the door. And that's the last that I had seen her during

4 that period of time.

5 Q Now, that was from the vantage point of [REDACTED]

6 correct?

7 A Yes, sir. That's an interior post at the Oval

8 Office, on the inside of the West Wing.

9 Q At the, some would call 11 O'clock position?

10 A Yes, sir.

11 Q If the Oval Office is a clock?

12 A Yes, sir. North being, obviously 12:00, that would

13 have been that position, yes, sir.

14 Q Did you maintain that position?

15 A Yes, sir. I maintained that until, we call it a

16 push but, in fact, it's when you're relieved by another agent

17 in your working shift of, generally, five to seven men and

18 women. So I was relieved from that position to go to my next

19 position.

20 Again, the reason I recall it being a Saturday is

21 that normally we would go from the [REDACTED]

22 [REDACTED] to [REDACTED], which is just from here to the doorway, 20

23 feet, 30 feet, as another observation post that would watch

24 the comings and goings from -- into, excuse me -- into Mrs.

25 Currie's office, which would be another entrance into the

Page 22

1 Oval, which we would want to have view of.

2 Well, we were not holding [REDACTED] post, and the reason

3 we did not is because Mrs. Currie's office and all the others

4 were closed that day, and would have been locked. So that

5 -- and from the [REDACTED] is a very good vantage point to see all

6 the way down the hallway. So there was no reason for us to

7 hold [REDACTED]

8 Our next post normally, in a normal course of

9 business, if I would have left, would have been to go outside

10 the complex to the Rose Garden, and go to what is called [REDACTED],

11 or [REDACTED].

12 That particular day, we did not hold the [REDACTED] post.

13 And postings change, depending on what's happening. We

14 -- that particular day, we did not, on that particular shift,

15 we did not hold the [REDACTED] post. There could be a myriad of

16 reasons we didn't, but we did not.

17 So I went right from our [REDACTED] position to what is

18 commonly referred to as [REDACTED] or [REDACTED], which is the post just

19 outside the Oval.

20 I recall it being a winter day because, when I left

21 the [REDACTED] post, which was hurriedly coming over from the

22 mansion, I did not bring my overcoat from down in -- which

23 was located in [REDACTED], which is our operations center.

24 As I left [REDACTED] I proceeded toward the [REDACTED] post,

25 stopping, going down the stairs for a moment to grab an

Page 23

1 overcoat, and then hurriedly going back up the stairs and

2 outside to the colonnade, where I relieved another agent who

3 was already standing out there, and then he went to, would

4 have been [REDACTED], would have been to go back down to [REDACTED].

5 So that's -- so that states, sir, my movements.

6 Q All right. Thank you. Now, you're at [REDACTED]. And

7 tell the members of the grand jury what you see from that

8 vantage point.

9 A Because I had gone to [REDACTED], that's probably another

10 45 seconds longer than I would have normally anticipated, I

11 didn't -- and the agent on post is cold, and wants to come

12 off. So there was no communication, to the best of my

13 recollection.

14 So I stepped further toward the Oval on the

15 colonnade, and looked through the window door, which are

16 glass, glass framings, into the -- yes, sir?

17 Q Excuse me. Both windows that you've marked with a

18 "W" are glass?

19 A Yes, sir.

20 Q Correct? Not tinted?

21 A They are not tinted, to the best of my knowledge.

22 Q You can see through, into the Oval Office?

23 A Yes, sir.

24 Q Correct?

25 A Yes, sir.

Page 24

1 Q And the door, is that a solid door or a glass door?

2 A It's glass paned.

3 Q Glass paned?

4 A Yes, sir.

5 Q And you can see through that, as well, correct?

6 A Yes, sir, that's correct.

7 Q No curtains blocking your line of vision?

8 A No, sir, not to obstruct your view. There are

9 curtains, but they don't obstruct the views. They're -- I've

10 never seen them closed.

11 Q Go ahead. Thank you.

12 A I stepped closer to the Oval, to look through the

13 window quickly, to make sure that the President, in fact, was

14 in the Oval, that there hadn't been a movement, or I didn't

15 miss a signal on the radio of a movement of the President.

16 As I was -- as I looked through there to find the

17 President, I saw the President and, again, who I believe to

18 be Monica Lewinsky going through, into what most of us refer

19 to as the study, in fact, into a private quarters belonging

20 to the President, which -- which houses his private dining

21 room, there's a study, and other small rooms, into that area.

22 As they -- as I saw them, I saw them proceed into

23 the room, and the door closed.

24 Q All right. I want to ask you some additional

25 questions about what you've just testified about.

Page 25	Page 27
<p>1 A Yes, sir.</p> <p>2 Q When you say "study," I want you to look at RF-</p> <p>3 1 --</p> <p>4 A Yes, sir.</p> <p>5 Q -- and tell us what you mean by study. Because,</p> <p>6 to that side of the Oval Office, is it not true that there</p> <p>7 are a number of rooms?</p> <p>8 A Yes, sir. The Oval Office complex, we're talking</p> <p>9 about the study, there's his dining room, that's the -- and</p> <p>10 only one doorway into that area.</p> <p>11 So what I observed are the two of them actually go</p> <p>12 through that door and then, in fact, the door closed. But</p> <p>13 most of the agents and officers that will testify will say</p> <p>14 that he went into the study. If, in fact, he went into the</p> <p>15 study or not, we don't know. It's just that that's what we</p> <p>16 call the area.</p> <p>17 But he proceeded in -- the President and, I</p> <p>18 believe, Monica Lewinsky, went through that door, and then</p> <p>19 the door closed.</p> <p>20 Q All right. Now, with your pen, can you mark where,</p> <p>21 when you looked through the window and door from #-5, into</p> <p>22 the Oval Office, where you saw the President and Monica</p> <p>23 Lewinsky first, before they started on into the study?</p> <p>24 A Well, actually, they were approaching it as I</p> <p>25 looked through the window.</p>	<p>1 I had seen her picture on television, and then</p> <p>2 that's when, for me, the two clicked, if you will. That's</p> <p>3 when I recognized her as the woman I believed to have been</p> <p>4 with the President during that period of time.</p> <p>5 Q And the same woman who had been -- that you had</p> <p>6 seen earlier, approximately three weeks, you believe?</p> <p>7 A Roughly, yes, sir.</p> <p>8 Q Correct.</p> <p>9 A Yes, sir, that's correct.</p> <p>10 Q So you see picture on the television?</p> <p>11 A Yes, sir.</p> <p>12 Q "Monica Lewinsky" is either underneath it on the</p> <p>13 TV, or somebody is describing that picture as Monica</p> <p>14 Lewinsky, and you put two and two together?</p> <p>15 A Exactly. That's the woman I believed I had seen,</p> <p>16 and then three weeks later, in fact, seen her go into the</p> <p>17 -- was in the Oval.</p> <p>18 I know for a fact that that's, first of all, the</p> <p>19 woman I let into the Oval the second time. And, obviously,</p> <p>20 the one I saw going into the study area when I took the E-5</p> <p>21 post, I believe that to have -- based on the TV, I believe</p> <p>22 that to have been Monica Lewinsky.</p> <p>23 Q Now, can you give the members of the grand jury an</p> <p>24 estimate about how far they were from the door into the study</p> <p>25 when you first saw them together?</p>
<p>1 Q That's fine.</p> <p>2 A So they --</p> <p>3 Q Indicate that area.</p> <p>4 A Yeah. They were approximately in this area here,</p> <p>5 proceeding to the doorway, which is just a few feet away.</p> <p>6 Q All right. You've just indicated with two "Xs."</p> <p>7 correct?</p> <p>8 A Yes, sir.</p> <p>9 Q And that's the position that you saw the President</p> <p>10 and Monica Lewinsky at when you first looked through the door</p> <p>11 and/or the window, from E-5?</p> <p>12 A That's correct.</p> <p>13 Q And their backs were to you?</p> <p>14 A Yes, sir.</p> <p>15 Q And was this the same woman who had approached you</p> <p>16 before you had changed positions this day?</p> <p>17 A Yes, sir, it is.</p> <p>18 Q And you testified that you believed it to be Monica</p> <p>19 Lewinsky?</p> <p>20 A I believe it to be here, yes, sir.</p> <p>21 Q Because you had seen her, a few weeks before, come</p> <p>22 to the Oval Office?</p> <p>23 A Yes, sir. I didn't -- that was not when I came to</p> <p>24 know who she was. I still didn't know who she was until this</p> <p>25 news came out, in regard to this investigation.</p>	<p>1 A Five feet maybe less.</p> <p>2 Q Five feet?</p> <p>3 A Yes, sir. They were proceeding to the door, as I</p> <p>4 looked through the the Oval windows and door. They were</p> <p>5 proceeding. It's a direct line of sight.</p> <p>6 Q Is the door into the study -- I should say into the</p> <p>7 Oval Office complex; is that more accurate?</p> <p>8 A That's fine. I understand what you're talking</p> <p>9 about, sir.</p> <p>10 Q Is that door a single door?</p> <p>11 A Yes, sir, it is.</p> <p>12 Q And you know that because you've been in there</p> <p>13 before?</p> <p>14 A Many, many times.</p> <p>15 Q So you see the President and Monica Lewinsky</p> <p>16 situated as you've described, and indicated on RF-1 with the</p> <p>17 two "Xs," they both walk into the Oval Office complex?</p> <p>18 A Complex, yes, sir.</p> <p>19 Q And the door closes?</p> <p>20 A Yes, sir.</p> <p>21 Q You have a radio on at the time, correct?</p> <p>22 A Yes, sir.</p> <p>23 Q And what is the purpose of that radio?</p> <p>24 A To provide communication information in regards to</p> <p>25 protective movements throughout the complex, regarding the</p>

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1 President and the First Family.

2 Q Is it routine practice for you to hear on the radio
3 a change in the President's location within the West Wing?

4 A Within the West Wing, yes, sir, it would be.

5 Q Give us a representative exchange that you might
6 hear on the radio.

7 A If, in fact, he moved from the Oval to the
8 Roosevelt Room, you would hear the verbiage, "Horsepower
9 Eagle Roosevelt Room," which would indicate to us,
10 "Horsepower" be the Secret Service command structure;
11 "Eagle," which is the Presidential code name, is moving to
12 the Roosevelt room.

13 And then we would change our positioning more
14 adequately for that area.

15 Q What about a change from the two "Xs" on RF-1 into
16 the Oval Office complex on that diagram?

17 A Not -- sometimes you do, sometimes you do not. The
18 reason being is that I personally feel that that is, in fact,
19 part of the Oval.

20 Q Did you make a radio transmission after seeing the
21 President and Monica Lewinsky go into that Oval Office
22 complex?

23 A I did not.

24 Q Was it appropriate to do so?

25 A I don't believe so.

1 A That's correct.

2 Q So, but to your recollection, you heard no
3 transmission, and you would have heard had there been one,
4 indicating that the President moved in, for example, to the
5 Roosevelt Room?

6 A Oh, no question.

7 Q Or any other room outside the Oval Office complex?

8 A Yes, sir. Normally, I would.

9 Q Is that accurate?

10 A Yes, sir, we would have heard the transmission.

11 And I do not recall, while I was on that post, any
12 transmission of that nature.

13 Q What about the President, now, with a guest? Does
14 the Secret Service track the movements of guests that the
15 President may be with?

16 A If they're with him.

17 Q All right. So, in other words, really, it's radio
18 transmission because of the President --

19 A Yes, sir.

20 Q -- not because of that he has a guest?

21 A Absolutely.

22 Q It happens as a result of the fact that he's with
23 somebody?

24 A Yes, sir.

25 Q So, in other words, if the President would have

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1 Q And that's because that general quadrant of the
2 West Wing was still guarded?

3 A Oh, yes, sir.

4 Q Is that why you didn't, or was it a discretionary
5 thing for you?

6 A To the best of my understanding in how we do the
7 protective function there, I did not feel that it was
8 necessary to provide radio traffic. There is no further
9 protective interest, if you will, when he moves from this
10 area to that area. It's covered the same.

11 Q Did you hear any transmission that day, from your
12 vantage point at [REDACTED], indicating that the President had left
13 the Oval Office complex, after you saw Monica Lewinsky and
14 the President enter?

15 A Not during my period on shift. And, once I left
16 that position, I would have gone down to [REDACTED]. And I don't
17 recall any traffic indicating that she was there or not.

18 What often happens, Mr. Page, is that the President
19 will go from the Oval into the Oval Office complex many
20 times. So --

21 Q In and out?

22 A In and out, yes, sir. So we would be constantly on
23 the radio calling movements that are, in my judgment,
24 unnecessary.

25 Q Unnecessary?

1 moved, you would have heard a radio transmission, correct,
2 out of that area?

3 A I would have assumed, within that period of time.

4 There could have been traffic, sir, but I don't recall any
5 radio traffic in that regard.

6 Q Did you make any other observations of Monica
7 Lewinsky or the President that day, that we haven't discussed
8 today?

9 A No, sir. That's the last time I've ever seen her.

10 Q Except for a likeness of her on television?

11 A Yes, sir.

12 Q All right. Now, I represent to you that the
13 publicity surrounding Monica Lewinsky and President Clinton
14 began in or about January 18th or 19th of 1998.

15 And specifically, I represent to you that, on
16 January 21, 1998, a Wednesday, the Washington Post, among
17 others, published stories about this alleged relationship
18 between the two.

19 Since then, I take it that you have read stories or
20 seen press coverage, whether it's TV, radio, or otherwise,
21 about this matter?

22 A Yes, sir. I have.

23 Q And, as you've done so, you've testified earlier
24 that it came to you, your understanding, I should say, that
25 the woman you saw in there that day, as well as three weeks

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1 approximately before this, was Monica Lewinsky?
 2 A I believe it to be, sir, yes.
 3 Q Did anything else besides that come to you, that
 4 helps you recollect what you may have seen or heard during
 5 your tour of service at the White House?
 6 A Mr. Page, I have no other information or
 7 recollection about that lady I believe to be Monica Lewinsky,
 8 at all.
 9 There are, as you know, sir, many, many, many
 10 interns and staff that come through those areas. Nothing
 11 significantly ever stuck out in my mind, in regards to her,
 12 other than the two events that I've mentioned to you, sir.
 13 Q Do you have any recollection as we talk here now,
 14 without looking at records, of about who was positioned at E-
 15 8 and [redacted] after the shift change we've discussed?
 16 A [redacted] normally would be, that would have been the
 17 Uniformed Division officer that would have been moved from
 18 the Oval door a considerable way down a hallway, the reason
 19 being is that there is another exit out from this complex
 20 area, through what we commonly refer to as "the pantry."
 21 And they would position themselves for this
 22 hallway, which -- and down to the Vice President, chief of
 23 staff's office, down in this area. But they would have
 24 positioned themselves further down.
 25 I do not recall who the Uniformed Division officer

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1 was. I don't even recall that he was there. Routinely, they
 2 would be, and I have no reason to believe that he wasn't
 3 there. But I don't recall who it would have been that
 4 particular day.
 5 Q Are they on the same radio frequency as --
 6 A No. No --
 7 Q -- PPD?
 8 A No, they're not.
 9 Q They're not?
 10 A No, sir.
 11 Q They have their own?
 12 A Well, within the -- yes, they have their own. They
 13 have several. The White House complex has many different
 14 radio frequencies.
 15 The Secret Service operate -- the Presidential
 16 Detail operate off one primary frequency. The First Lady
 17 detail would operate off their frequency. The Chelsea Detail
 18 would operate off their frequency.
 19 But, obviously, in the command structure, we have
 20 everybody's, and we can, from our command structure, we can
 21 make calls to anybody, and everybody.
 22 Q Have you told anybody at any time, since making
 23 these observations, besides this grand jury, the grand jury
 24 that you spoke with Friday --
 25 A Yes, sir.

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1 Q -- and a couple of agents that came and visited
 2 with you and spoke to you about some of these events
 3 approximately a month ago?
 4 A Yes. I -- the agency came down, were as
 5 professional as they could be, but I gave them absolutely no
 6 information, because I didn't feel it proper.
 7 I think, philosophically, from the Secret Service
 8 standpoint, I understand the job to do here. On the other
 9 hand, philosophically, this is tremendously detrimental, in
 10 my opinion, on how the Secret Service is going to do their
 11 job from here on. And I know -- with that being said, I gave
 12 them absolutely no information.
 13 The only other person I've ever provided this
 14 specific information about was the Department of Justice
 15 attorney, on the night prior to my previous testimony, and
 16 the reason being is that there were some issues in regard to
 17 privileged information. But on one outside that I've ever
 18 told anything like this to.
 19 Q No friends?
 20 A No, sir.
 21 Q No buddies? Nobody knows this --
 22 A No, sir.
 23 Q -- but the people I've described?
 24 A Yes, sir.
 25 Q Is it accurate to say that part of your

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1 responsibility as a Secret Service agent is to keep secure
 2 the information that you gather from being stationed at posts
 3 like E-8, E-6, and E-5?
 4 A Yes, sir. Absolutely. We do our best to provide
 5 as much privacy, as well as security, for that family.
 6 Q While you were working at the White House, as a
 7 member of the PPD, or in any other capacity, did you ever
 8 hear any rumors about the President and Monica Lewinsky?
 9 A Only from the -- no, sir. I was from -- I was gone
 10 from those areas to the Special Services Division, or even
 11 retired by most of this, by the time I heard this. But no,
 12 not in regard to Monica Lewinsky. The only other rumors were
 13 with other litigants in other cases that I've heard from
 14 television. But no recollection of ever a conversation.
 15 As a matter of fact, I think you're going to find
 16 that the service doesn't want you to have those kind of
 17 conversations, because we understand the impact, what that
 18 causes. So information that you have in that regard, they
 19 expect you to keep to yourself.
 20 Q So other than what you've heard on TV, since 1-21-
 21 98, when the story broke --
 22 A Yes, sir.
 23 Q -- if that's accurate, and I say it is, no rumors
 24 that you heard about while you were working in any capacity
 25 at the White House?

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1 A No, sir.
 2 Q Does President Clinton, in your view, based upon
 3 the time that you served in the PPD at the White House, did
 4 he have favorites in the Secret Service -- in other words,
 5 people that he was more fond of than others -- such as,
 6 perhaps, yourself?
 7 A I think the President knows some of the agents who
 8 have been with him longer. Therefore, he would have greater
 9 familiarity with them than he would others.
 10 The average agent doesn't necessarily, on -- when I
 11 say "average agent," being on the Presidential Detail -- they
 12 don't normally carry on long conversations with the
 13 President. Quite honestly, if you're conversing with the
 14 President, you're not doing your job.
 15 And we have a special agent in charge of that
 16 detail, who that's his job, is to interact with the
 17 President.
 18 We've all talked to the President on many, many
 19 occasions, generally not long, in-depth conversations. It'll
 20 be about one thing or another, or about an activity, or a
 21 golf game, or whatever it would be.
 22 In my case, not only was I on his shift, but I was
 23 also in the transportation section, so I had occasion to
 24 drive him personally in the limousine for two years, at
 25 different stages. So -- so that's probably why he has more

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1 familiarity with me than maybe some of the others.
 2 People do rotate off of that. We stay, on average,
 3 on the Presidential Detail, four years so, after four years,
 4 people will rotate into other assignments, and so there will
 5 be new faces.
 6 So he generally talks to those that he knows. But
 7 as far as favorites, sir, I don't -- am not a favorite that
 8 I'm aware of. And I think he goes through what our chain of
 9 command would be a majority of the time, which would be the
 10 special agent in charge and those directly under him.
 11 Q When you were there, who were the special agents in
 12 charge?
 13 A Lou Merletti, who is now our director; Dave
 14 Carpenter, who is, I think, over at Treasury now, I think.
 15 These are all gone. Excuse me. Not Treasury, State
 16 Department. I'm sorry. Those are the two. And then,
 17 obviously, Brian Stafford, just before that; and now, Mr.
 18 Cockell. Now, I didn't -- I did not work for Mr. Cockell in
 19 that capacity.
 20 Q So those people that you've just named were the
 21 head of the PPD during the time that you served at the White
 22 House?
 23 A Yes, sir. The agents will commonly refer to that
 24 as the special agent in charge, or SAC, or the detail.
 25 Q I want to talk to you now about recordkeeping that

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1 the Secret Service engages in as a result of the protective
 2 service they provide the President.
 3 Are there such things called movement logs?
 4 A Yes.
 5 Q And are there Uniformed Division itineraries that
 6 you're aware of?
 7 A Not to my knowledge, but that doesn't mean they
 8 don't exist, sir. Not to my knowledge.
 9 Let me say this in regard to presidential
 10 movements. Anytime he moves from the mansion, off the second
 11 floor, which is their residence, within that mansion, to
 12 another location -- be it anything from the state floor, a
 13 floor down, on -- we normally keep records that would appear
 14 on that shift log, it's called a shift log, of that shift,
 15 that was actually working the President for that day.
 16 Q And give the members of the grand jury a
 17 representative entry, say for the day you walked the
 18 President down from the mansion, doing the advance for the
 19 entry into the Oval Office.
 20 A Okay. It would reflect something like, "Depart
 21 mansion at 9:05, arrive Oval at 9:08." And there would be no
 22 other entry until he departed the Oval Office, as an example,
 23 at a particular period.
 24 Now, movements outside the complex become much more
 25 detailed, the reason being is we have a greater security

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1 factor involved and, therefore, we keep a lot, in my
 2 estimation, much more accurate records.
 3 But movements within, from the mansion to the Oval,
 4 I mean, they're pretty routine times, for the most part.
 5 Now, would we have a record of a movement from the
 6 Oval into the Roosevelt Room, which is directly adjacent? To
 7 the best of my recollection, I don't think that we would
 8 necessarily keep an exact record of his movement into the
 9 Roosevelt Room. We would consider that to be West Wing. His
 10 movements within the West Wing, I don't think we would
 11 denote, particularly, rooms.
 12 Q Is there a report that's made that's called a PPD
 13 shift report?
 14 A The shift report, yes, sir.
 15 Q Are there reports or logs made called F-1 movement
 16 logs?
 17 A F-1, F-1 is -- yes, that's common, but the agents
 18 do not keep those logs. The Uniformed Division would keep
 19 that log, and that would indicate an elevator movement that
 20 would go from the diplomatic -- from the ground floor up.
 21 Q Are there records entitled First Family locator
 22 command post logs, that you're aware of?
 23 A We keep a log -- not specifically. I think, to the
 24 best of my recollection of what they're looking for here is,
 25 is we have what is called a locator board in our command

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1 structure and, on that, in digital form, is the exact
 2 whereabouts of the President, First Lady, and Chelsea at all
 3 times.
 4 And, as an example, if it were the President into
 5 the West Wing, it would say, "POTUS" or "Eagle, West Wing."
 6 It wouldn't necessarily denote Oval Office. It may. But it
 7 all depends on who puts it in.
 8 Q That's a digital entry?
 9 A It's a digital entry. I'm not familiar with
 10 another log outside that, sir.
 11 Q And then, finally, there are E-pass records,
 12 correct?
 13 A Yes, sir.
 14 Q Are there any other records that detail the
 15 movement of the President or the First Family, that we've not
 16 talked about?
 17 A No, sir. I think you've covered it. There are
 18 logs, obviously, for each protectee, being the President, the
 19 First Lady, and Chelsea, independent of one another. So each
 20 of those people would have an independent movement log.
 21 As an example, a shift report, if it's a First Lady
 22 shift, that shift report would, in fact, be -- contained on
 23 the shift report is a movement log.
 24 Q Are you aware of any other Secret Service agent,
 25 whether a protective detail or Uniformed Division, or any

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1 other person that you are aware of that has any information
 2 relevant to the matters that we've been asking you about?
 3 A No, sir, I -- I do not. I've never discussed
 4 -- first of all, this wasn't of interest to me personally,
 5 until this story broke, and I had those recollections, so I
 6 would have had no reason to have had a conversation about
 7 them.
 8 MR. PAGE: If you give me just a minute, I may have
 9 another question.
 10 THE WITNESS: Yes, sir.
 11 MR. PAGE: Thank you.
 12 Mr. Ferguson, could you step outside for just a
 13 moment?
 14 THE WITNESS: Certainly.
 15 MR. PAGE: Thank you.
 16 (Witness excused. Witness recalled.)
 17 MR. PAGE: Mr. Ferguson, you're back in front of
 18 the grand jury. And is it correct that --
 19 THE FOREPERSON: And you understand you are still
 20 under oath, sir?
 21 THE WITNESS: I do, yes.
 22 THE FOREPERSON: Okay.
 23 MR. PAGE: And is it correct that we have a quorum?
 24 THE FOREPERSON: We have a quorum present.
 25 MR. PAGE: And no unauthorized persons are present

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1 in the grand jury room?
 2 THE FOREPERSON: That is correct.
 3 MR. PAGE: Thank you.
 4 BY MR. PAGE:
 5 Q Mr. Ferguson, several followup questions, if you
 6 bear with me.
 7 A Yes, sir.
 8 Q First, we talked about a presidential movement log.
 9 A Yes, sir.
 10 Q In those records, if the President is with someone
 11 at the time when he is making, or moving within the Oval
 12 Office or the White House complex, is the name of the person
 13 who he may be with recorded in the movement log as well?
 14 A No, sir. It's strictly his movement.
 15 Q Now, we asked several questions of you regarding
 16 RF-1, the exhibit, correct?
 17 A Yes, sir.
 18 Q And specifically, the Oval Office. The door inside
 19 the Oval Office into what is marked on this diagram as the
 20 Oval Office complex, that door I'm pointing to here --
 21 A Yes, sir.
 22 Q -- which I'm now going to mark with a "D," all
 23 right? Do you see that "D" there?
 24 A Yes, sir.
 25 Q Is that a solid door that you can't see through, or

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1 can you see through it because it's glass or something else?
 2 A It is a solid door, yes, sir. You cannot see
 3 through the door.
 4 Q Does the door close automatically, or do you have
 5 to pull it shut?
 6 A No, sir, you would have to manually close or open
 7 that door.
 8 Q Can you tell us approximately the distance between
 9 the surveillance position, [REDACTED] or where you were when you
 10 saw the President and Monica Lewinsky approach that door into
 11 the Oval Office complex?
 12 A Yes, sir. I was just a few feet from the window.
 13 I had actually moved past the corner, because I didn't see
 14 him initially, so I moved a few feet, and that's when I
 15 observed them going into that door area.
 16 Because I -- he may have been approaching it, but
 17 my first reaction was, I expect to view him immediately at
 18 the desk, and he wasn't there, and then I moved a few more
 19 feet, as I was looking, and then I saw him and who I believe
 20 to be Ms. Lewinsky moving, how many feet? It was like -- 45
 21 feet. That's to include the Oval Office.
 22 Q Approximately 45 feet?
 23 A Approximately, yes, sir.
 24 Q You didn't measure by tape?
 25 A No, sir.

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<p>1 Q It's an estimation?</p> <p>2 A That's correct.</p> <p>3 Q And you haven't been there in a while?</p> <p>4 A Well, I don't think it's changed. But I've never</p> <p>5 measured it across. I'm assuming. That's an approximation,</p> <p>6 sir.</p> <p>7 Q Can you tell us what time of day it was? Morning,</p> <p>8 noon?</p> <p>9 A I can give you my best guesstimate, which I believe</p> <p>10 to be late morning. The reason I say that, I do recall it</p> <p>11 being daylight. I do recall it -- yes, sir, I -- before 2</p> <p>12 O'clock. I would say late morning, my best guesstimate, for</p> <p>13 that period of time.</p> <p>14 Q I want to ask you some questions about this</p> <p>15 interior door separating the Oval Office from the Oval Office</p> <p>16 complex.</p> <p>17 Is it routine for that door to be open while the</p> <p>18 President is inside the Oval Office, or closed?</p> <p>19 A Routine. I have seen it closed more often than I</p> <p>20 have seen it open. In other words, I have seen it both ways,</p> <p>21 but the most routine way would be closed.</p> <p>22 Q You testified that you had been in that Oval Office</p> <p>23 complex, and I believe including the study, several times?</p> <p>24 A Many, many times.</p> <p>25 Q Is that pursuant to your job --</p>	<p>1 understand?</p> <p>2 Q Yes. I guess we're really asking about habit.</p> <p>3 A Normally, that door would be closed.</p> <p>4 Q With personal friends?</p> <p>5 A Yes, sir. And the reason I say that is that,</p> <p>6 unless he has gone, normally gone back into that for a</p> <p>7 reason, and had left it open, it would not normally be open.</p> <p>8 As an example, when we would bring the President</p> <p>9 over in any situation, that door would normally be closed.</p> <p>10 Q Going back to the two dates that we've been talking</p> <p>11 about, on either occasion, did Monica Lewinsky have anything</p> <p>12 with her?</p> <p>13 A Not that I recall.</p> <p>14 Q Senior agents are assigned to the PPD, correct?</p> <p>15 A That's correct.</p> <p>16 Q And where does the Secret Service get new agents</p> <p>17 from?</p> <p>18 A For that detail?</p> <p>19 Q Correct.</p> <p>20 A They would come from -- we maintained 50 what we</p> <p>21 called field offices, and within that field office, and</p> <p>22 different divisions, once they're in service seven to 10</p> <p>23 years, they would become available for a protective</p> <p>24 assignment -- Vice Presidents, former Presidents, dignitary</p> <p>25 protective divisions, a majority.</p>
<p>Page 46</p> <p>1 A Yes, sir.</p> <p>2 Q -- to check out the area in advance?</p> <p>3 A Not normally during advance. but I would be in</p> <p>4 there for one reason or another. But I've been in that area</p> <p>5 many, many times.</p> <p>6 Q All right. Give us a reason that you would be in</p> <p>7 that area.</p> <p>8 A Other security operational procedures would warrant</p> <p>9 me to be into that area occasionally. Let me say this, not</p> <p>10 when the President was in the Oval. This would be when he is</p> <p>11 removed from the Oval, not during the period of time he would</p> <p>12 be there.</p> <p>13 Q Well, first, do you know whether it is more likely</p> <p>14 that that door that we've been talking about, between the</p> <p>15 Oval Office and the Oval Office complex on this diagram, is</p> <p>16 more likely to be closed when the President has guests, or is</p> <p>17 it --</p> <p>18 A It is more likely that the door would be closed.</p> <p>19 Q When he has a guest?</p> <p>20 A I have to think. I don't -- when we say "guest,"</p> <p>21 sir, are you talking in an official capacity, friends of his?</p> <p>22 Q Let's separate them, if the answer is different.</p> <p>23 A I have had occasion, when he had personal friends,</p> <p>24 and have had an observation over the years -- now, this is</p> <p>25 not -- you mean specifically to this particular President, I</p>	<p>Page 47</p> <p>1 The Presidential Detail is generally more of a</p> <p>2 hand-picked group from within the Secret Service. It's not a</p> <p>3 position that you apply for. You're selected for that</p> <p>4 assignment.</p> <p>5 Q The Oval Office has a number of windows that look</p> <p>6 out to the grounds of the White House complex, correct?</p> <p>7 A Yes, sir.</p> <p>8 Q The study and the pantry area located within the</p> <p>9 Oval Office complex in RF-1 is more private, correct?</p> <p>10 A Yeah, that's correct.</p> <p>11 Q Than the Oval Office?</p> <p>12 A More -- yes, sir. As a matter of fact, we consider</p> <p>13 that to be the President's private study, is how we refer to</p> <p>14 it normally.</p> <p>15 Q Are there any windows from the southern wall here</p> <p>16 on the bottom of RF-1, by the study and the Oval Office</p> <p>17 complex, that look outside?</p> <p>18 A There are. You have them denoted here, 1, 2, and</p> <p>19 obviously 3, and with the doorway.</p> <p>20 Q I wanted to go back to one last issue. And that is</p> <p>21 when you believe, to the best of your recollection, this</p> <p>22 occurred, not with regard to the month, season, but with</p> <p>23 regard to the year.</p> <p>24 Is it your testimony that you're still uncertain,</p> <p>25 '95 or '96?</p>

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1 A It is, sir. The -- I tried to give you my best
2 judgment, and I just don't have a specific recollection of
3 that.

4 Q But you do have a recollection of Monica Lewinsky
5 having a pass?

6 A She would have had. She couldn't have come to that
7 area without out. Do I specifically recall that? No. But
8 routinely, in everything that we've ever been trained to do,
9 particularly into those areas, we would never have allowed
10 anyone into those areas that were not properly identified.

11 I can never remember a situation, in the history of
12 the service, where proper identification -- particularly into
13 the most secure area in the world, the way we see it, most
14 sensitive -- would be anything other than that.

15 So one of those two passes would have been the
16 norm. To the best of my recollection, there was nothing
17 outside of that norm, which would indicate to me that she
18 would have had the appropriate pass.

19 Q And, if she lost her pass, in April of 1996 --

20 A Okay.

21 Q -- because she transferred from the White House to
22 the Pentagon --

23 A Yes, sir.

24 Q -- it makes it almost impossible, does it not,
25 that these observations that you've testified about occurred

1 different date because of that situation? I wouldn't have
2 know that until you told me. It certainly could have been
3 the occurrence. But I couldn't give you a more specific
4 recollection.

5 MR. PAGE: All right.

6 A JUROR: I have one more question, if I might.
7 Previous Presidents have had means of automatically recording
8 conversations in the Oval Office. Does President Clinton
9 have any means that you know of, for recording automatically
10 or manually, conversations that occur in the Oval Office, or
11 in that area?

12 THE WITNESS: I'll be more than happy to address
13 that issue, if you can -- if I could beg your -- give me two
14 minutes. I'd like to speak to counsel in regards to that.

15 Let me ask you this sir. When you say does the
16 President personally have a way to record conversations -- is
17 that correct, sir?

18 A JUROR: I guess my question is, are there
19 recordings of conversations that occur in the Oval Office,
20 whoever makes them?

21 THE WITNESS: I'll be more than happen to answer
22 that question, but I would like your indulgence for just one
23 minute, so that I could clear an issue with our legal
24 counsel.

25 Certainly, I'll answer that, but I would like a

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1 eight months later, in December of 1996?

2 A She could come in on what is called an appointment
3 pass. But an appointment would have had to have been made.
4 She would have had to show proper identification at the
5 gates, be screened like anyone else coming into the Oval
6 Office complex.

7 That appointment would have had to have been
8 acknowledged, and would be in what is called our WAVE center,
9 with that appointment, because that would have -- that goes
10 to -- now you're talking about things within the Secret
11 Service that would have occurred.

12 So that appointment would have been noted, and she
13 would have been issued a red pass, or whatever color we used
14 at the time, with an "A," which stands for appointment. Even
15 that would have been proper credentialing. We had a specific
16 color for the West Wing, for that period of time.

17 So I would have been more suspect of an appointment
18 pass, which is not a permanent pass, if you will. An intern
19 certainly is. We have a permanent passholder, which is.

20 We even have a "T," which stands for temporary,
21 which is a permanent passholder who, for one reason or
22 another, didn't bring their pass that day, left it, you know,
23 for whatever reason. But those are people that, in fact, we
24 know work there, that are issued by the Secret Service.

25 Now, with that in mind, could it have been a

1 moment to do that, if you don't mind -- 30 seconds.

2 MR. PAGE: All right.

3 THE WITNESS: Excuse me.
(Witness excused. Witness recalled.)

4 THE FOREPERSON: We're back on record again.

5 MR. PAGE: And with a quorum and no unauthorized
6 people, correct?

7 THE FOREPERSON: That is correct.

8 MR. PAGE: Thank you.

9 THE WITNESS: Thank you. I apologize for the time.

10 THE DEPUTY FOREPERSON: And you are still under
11 oath, sir.

12 THE WITNESS: Yes, sir. To make sure I understand
13 it correctly, your question is, does the President of the
14 United States have the ability to manually or automatically
15 tape conversations within the Oval Office; is that correct,
16 sir?

17 THE WITNESS: Yes.

18 THE WITNESS: To the best of my knowledge, he does
19 not.

20 MR. PAGE: All right, Mr. Ferguson. Barring any
21 other questions, thank you for --

22 A JUROR: I have one. How was she dressed that
23 day, from what you saw?

24 THE WITNESS: I was asked that in the last grand

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1 jury, ma'am. I don't recall. I would --

2 A JUROR: Jeans, dress, what? It was an off day.
3 right?

4 THE WITNESS: Yes, ma'am. I know for a fact it was
5 a Saturday. I do recall that. But how she was -- most
6 staffers, on a weekend, do not dress as they would during the
7 business week, to include the President. He will oftentimes
8 go to the Oval, on a weekend, for hours at a time, in jeans
9 or, you know, down clothing, as we would describe it.

10 But I -- I really don't have a recollection how she
11 was dressed that day.

12 THE FOREPERSON: Does anyone else have any
13 questions?

14 (No response.)

15 MR. BENNETT: We ask that he be excused.

16 THE FOREPERSON: You're excused.

17 (The witness was excused.)

18 (Whereupon, at 3:21 p.m., the taking of the
19 testimony in the presence of a full quorum of the Grand Jury
20 was concluded.)

21 * * * * *



