

Gary Byrne, 3/13/98

OIC Deposition

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CONDENSED TRANSCRIPT AND CONCORDANCE
PREPARED BY:

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[1] OFFICE OF THE INDEPENDENT COUNSEL
 [2]-----X
 [3]
 [4] DEPOSITION OF : Friday, March 13, 1998
 [5]
 [6] GARY J. BYRNE : Washington, D. C.
 [7]
 [8]-----X
 [9] Deposition of
 [10] : GARY J. BYRNE
 [11] before the Independent Counsel, held in the Conference Room
 [12] of the Office of the Independent Counsel, in Suite 400-North,
 [13] 1001 Pennsylvania Avenue, N. W., Washington, D. C. 20004,
 [14] beginning at 3:27 p.m., when were present:
 [15] For the Independent Counsel:
 [16]
 [17] ROBERT J. BITTMAN, ESQUIRE
 [18] Deputy Independent Counsel
 [19] Court Reporter: Elizabeth A. Eastman
 [20]
 [21]
 [22]
 [23]
 [24]
 [25]

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[1] A I wrote down the significant dates of my postings.
 [2] When I first got to the White House, I was assigned
 [3] to what we call the rotation, which is, all of the rookie
 [4] officers, you rotate around the different posts outside the
 [5] White House. When I say outside, I mean along the fence
 [6] line, and some posts that go on and near the mansion area
 [7] Then probably in like 1993 I requested training to
 [8] be trained to work in the West Wing, and I was trained to
 [9] work at post E6 and I was assigned there approximately June
 [10] of 1994. I don't have a hard date on that.
 [11] Then I stayed assigned to the E6 post, or Oval
 [12] Office post, for approximately a year and a half. Then in
 [13] January or February of 1996 I was assigned to the Special
 [14] Operations Section, which is the tour section. We do the
 [15] tours for the First Family and everybody that comes to the
 [16] White House. We also have some other functions.
 [17] Then as of February of 1997, I've been assigned to
 [18] the Rowley Training Center in Beltsville, Maryland, the
 [19] Secret Service Training Center.
 [20] Q How do you spell that?
 [21] A Well, it's called the JJRTC. It's James J. Rowley
 [22] Training Center.
 [23] Q Do you know how you spell Rowley?
 [24] A I believe R-O, R-O-L-W-E-S, I think it is.
 [25] Q Really?

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[1] PROCEEDINGS
 [2] WHEREUPON
 [3] GARY J. BYRNE
 [4] having been called for examination by the Office of the
 [5] Independent Counsel, and having been first duly sworn by the
 [6] notary, was examined and testified as follows:
 [7] EXAMINATION BY COUNSEL FOR THE INDEPENDENT COUNSEL
 [8] BY MR. BITTMAN:
 [9] Q Would you state your name for the record, please?
 [10] A I am Gary James Byrne.
 [11] Q By whom are you employed, Mr. Byrne?
 [12] A I am employed by the United States Secret Service
 [13] Uniformed Division.
 [14] Q How long have you been so employed?
 [15] A Approximately seven years. I was sworn in on March
 [16] 25th, 1991.
 [17] Q Let me first advise you of certain things as we
 [18] proceed here. We are deposing you in lieu of a grand jury
 [19] appearance. Yet, this proceeding will be made available to
 [20] the grand jury. So, it is being conducted under the Federal
 [21] Rules of Criminal Procedure.
 [22] Do you understand that?
 [23] A Yes.
 [24] Q You have a right to have attorneys present with you
 [25] outside of this room, and I understand that you do. I

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[1] A Yeah.
 [2] Q At a break, if you could write that down, see if
 [3] you could get the spelling for us, because we want to be as
 [4] correct as possible.
 [5] A Okay.
 [6] Q Let me go back to 1993. Were you finished?
 [7] A Yeah, that's it.
 [8] Q So, you train people now?
 [9] A No. Actually, I'm on the security detail at the
 [10] Training Center, actually the physical security of the
 [11] Training Center itself.
 [12] Q You said in 1993 you requested training to be an
 [13] officer in the West Wing?
 [14] A Right.
 [15] Q Is there a special training that goes on for the
 [16] officers who are going to be in the West Wing?
 [17] A Specialized as far as, basically what they do is
 [18] there are certain guidelines they give you to read up on. I
 [19] believe there's like a small amount of printed information.
 [20] Then basically for at least a week, and it might have been
 [21] more than a week, I don't recall the time, it was at least a
 [22] week where you did an OJT type of thing, where you trained
 [23] with each post, an officer at each post in the West Wing and
 [24] learned how to do all their jobs, what it was that they did.
 [25] Q OJT, what does that stand for?

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[1] counted four? Or at least four?
 [2] A Three or four, yeah.
 [3] Q Three or four attorneys. At any time you wish,
 [4] Officer Byrne, to consult with those attorneys, please let us
 [5] know and we will adjourn the proceedings temporarily and you
 [6] can go speak to them.
 [7] A Thank you.
 [8] Q You're welcome. You also understand that you have
 [9] an obligation to tell the truth here today?
 [10] A Yes, sir.
 [11] Q And that if you do not tell the truth, if you lie,
 [12] or if you mislead me, or if you answer a question such as "I
 [13] don't remember", or "I don't recall", when you actually do
 [14] recall, that you may be prosecuted for perjury?
 [15] A Yes. I understand that.
 [16] Q Okay. So, you joined the Secret Service Uniformed
 [17] Division in 1991.
 [18] A Yes, sir.
 [19] Q Can you go through your career and tell me where
 [20] you've been assigned since 1991?
 [21] A Yes, sir. I left training and was assigned to the
 [22] White House Division. I was at the White House my whole
 [23] career up until February. If you will allow me, I have a
 [24] piece of paper?
 [25] Q Please, go right ahead.

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[1] A On-the-job training. I'm sorry.
 [2] Q That's okay.
 [3] A Or, kind of learn by fire, so to speak.
 [4] Q Right. And you said you were on [redacted] What is it
 [5] called?
 [6] A The Oval Office post, [redacted]
 [7] Q The [redacted] post, which is the one right off of the Oval
 [8] Office?
 [9] A It is right outside the Oval Office at a large door
 [10] that opens into the hallway. That's the post itself.
 [11] Q Did you have a normal schedule?
 [12] A Yes, a rotating schedule. I was assigned to B
 [13] shift. Actually, it would be easier if I explained to you
 [14] how it worked.
 [15] Q Please.
 [16] A Okay. There's three shifts. "A" shift is
 [17] permanently nights.
 [18] Q And night means?
 [19] A It would be 10:30 at night to 6:00 the next
 [20] morning, or 6:30 the next morning.
 [21] Q Okay.
 [22] A And then B and C shifts rotated days and
 [23] afternoons. And the day shift would be 6:30 to 2:30, and the
 [24] afternoon shift would be 2:30 to 10:30. So, you would work a
 [25] week of day work, take your two days off, and then a week of

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afternoon shift, then your two days off, and then back to day work.

Q What is the difference between B and C? They just interchange each other?

A That's all. It just gives you a chance to rotate days and afternoon. And apparently it gives the Uniformed Division flexibility with the manpower.

Q And you were on B shift?

A I believe I was, yes.

Q For a year and a half?

A Yes.

Q Approximately a year and half?

A Yeah, almost just about a year and a half, probably a little bit more, but not quite.

Q And Special Operations for a little over a year?

A Right.

Q January of '96 through --

A To February.

Q To February '97?

A Uh-huh.

Q So, for about a year you've been in the training facility?

A Correct.

Q Do you know Monica Lewinsky?

A Yes, I do.

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Q How do you know her?

A She was an intern at the White House.

Q Were you friends with her?

A No, I was not.

Q Did you know that at some point after her internship, that she became a full-time paid employee at the White House?

A Would it be possible if I could consult with counsel before I answer that one?

Q Yes. If you wish, Officer Byrne, if you want to take notes as to the questions, I encourage you to do that. You don't have to.

A I'll tell you what. If you could just repeat the question to me, I'll be fine with the first one.

Q I think the last question was if you knew that she changed from being an intern to a full-time paid employee.

A Okay.

Q Let's take a break. It's 3:46.

A Okay. I'll be right back.

(Whereupon, the deposition was recessed from 3:46 p.m. until 3:50 p.m.)

MR. BITTMAN: We are back on the record. It's 3:50.

BY MR. BITTMAN:

Q The question, Officer Byrne, was whether you knew

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that Ms. Lewinsky had moved from being an intern to being a full-time paid White House employee.

A The answer is yes, sir, I did know.

Q How did you know that?

A In two ways. The first way was, I believe, another White House employee told me. And it could have been a number of young women that worked in the West Wing. I don't remember exactly who told me, to be honest with you. It could have been one of two people.

And I also found out because just after she, you know, became a hard pass employee, I saw her, you know, in the hallway and I challenged her. You know, I asked her, you know, could I help her, what was she doing. And she had, you know, a hard blue pass on, which, you know, is a definite sign that somebody is an employee or at least, you know, supposed to be there.

Q So, you noticed the change in her credentials, so to speak?

A Exactly. Exactly.

Q The credentials that she held as an intern, would that have allowed her access to the Oval Office area?

A Only if she was working in that area. Only if she was working in that area.

Q Was she working in that area as an intern?

A Yes. I believe she was assigned to the Chief of

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Staff's office. Mr. Panetta's office.

Q And you were there then? You were on E6 at that time?

A Yes, sir.

Q Okay. The pass that she got after that, did that allow her unfettered access to the Oval Office area?

A Unfettered as far as -- well, unfettered is probably the wrong word. She had access, but it's still kind of you have to have a need to be there.

Q Explain that to me.

A Okay. For instance, I don't remember when I found this out, it could have been when I found out she was a permanent employee that she worked in the East Wing. Well, if she works in the East Wing, she generally would not have -- you know, her business, her office is in the East Wing. I mean, she would have access obviously. But she's not -- her office isn't over there.

Q You said she would obviously have access, meaning she had a pass that would allow her lawfully to go into the West Wing. Is that what you mean?

A Correct.

Q But then you said that she wouldn't have unfettered access, right?

A Unfettered as far as, I mean, there's certain places she still can't go. For instance, a White House pass

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does not give you authorization to go up on the private living quarters of the mansion, that type of thing.

Q What about to the area of the Oval Office?

A Yeah. Generally speaking, she would have access.

Q Does the Secret Service screen the people, even though they have quote/unquote lawful access and they have a pass that will get you to the Oval Office area, do they sort of ask people questions, you know, I know you are allowed to be here, but why are you here?

A Uh-huh. Yes, we do. There are certain people that you know belong there. And you will see people that have a pass that you don't recognize. My job, one of my jobs there, and any officer assigned there, is just to kind of make sure that people that are over there are supposed to be over there.

Q Other than the people I see on television, I know that they work there, such as George Stephanopoulos --

A Right.

Q -- worked there.

A Right.

Q He gets in.

A You would stop and ask them.

Q You would?

A Yeah. And after awhile, there are certain people would pass by a couple times an hour because they are

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delivering stuff, and you would know them on sight. And if there was somebody you didn't recognize, sure, you would challenge them.

Q Do you know exactly when you went into the Special Operations Section?

A May I look at this?

Q Please.

A I went into the Special Operations Section or tour section in January or February of 1996, somewhere in there. It was definitely the winter.

Q Where were you posted when you were in the Special Operations Section?

A All over. Can I explain a little bit what we do?

Q Please.

A Okay. The Special Operations Section does the tours. I could be assigned at the gate on any given day, or I could be inside actually being a talker, which in the morning we have Congressional tours for two hours, and we actually take groups of 70 people through the White House and talk to them, you know, tell them the history of the White House.

I could be assigned to any of those places, anywhere in the mansion, on the ground floor or the State floor, as far as the mansion goes.

Q It sounds like a fun job, just being a talker?

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A It was. Yes, it was. It was a good job. And, of course, you know, our job is always security. But, you know, your job was to give the tours and to help secure the mansion while these basically strangers are in there.

Q What type of relationship did you have with Ms. Lewinsky?

A I think I need to consult my counsel before I answer that.

Q Okay. For the record, it's 3:55.

A Thank you.

Q Go ahead, Officer.

(Whereupon, the deposition was recessed from 3:55 p.m. until 4:07 p.m.)

MR. BITTMAN: We are back on the record at 4:07.

BY MR. BITTMAN:

Q Officer Byrne, the last question I asked was for you to describe your relationship with Ms. Lewinsky.

A On the advice of my counsel, and without revealing any privileged information, basically my relationship with her was professional. I knew her just from my duties in the West Wing and in the Uniformed Division. In other words, I never socialized with her.

Q Did you ever see her outside the White House?

A Yes. I believe I had seen her like, for instance, if I exited the White House complex to go eat, to go get some

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Q In early 1996, Ms. Lewinsky was removed from the White House and she went to the Pentagon. Tell us what you know about her being removed from the employment of the White House.

A That will be another question I will need to consult with counsel on.

Q Have you ever told anyone why you believed Ms. Lewinsky was removed from the White House employment?

A I'm sorry. That will be another question I will need to consult with my attorney on before I answer. Could you repeat it to me again, please?

Q Absolutely.

A Thank you.

Q Have you ever told anyone why you think Ms. Lewinsky was removed from the White House?

A Okay.

Q Why don't we take a break there.

A Okay.

(Whereupon, the deposition was recessed from 4:12 p.m. until 4:37 p.m.)

MR. BITTMAN: It is 4:37 and we are back on the record.

BY MR. BITTMAN:

Q I had three questions for you, Officer. The first one had three parts. I will go over them separately now.

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lunch, I do remember seeing her at least once, like coming out of a coffee shop or something, from a distance. Not even close enough to, you know, acknowledge that I saw her. But, yes, I had physically seen her, you know.

Q Did you ever talk to her outside the White House?

A No. Not -- no, not that I can remember. I'm sorry, with the exception -- well, no. No, that was inside the White House. No, I've never talked to her outside the White House.

Q Have you ever observed Ms. Lewinsky in the area of the Oval Office?

A Yes, sir, I have.

Q How many times?

A There would really be no way to count that. I worked there for like a year and a half. Numerous times. Just to give you an example, I mean, how many times do you see the person that, you know, refills the copier, you know what I mean? Like I'm posted there. She's either working in that area or has, comes over to that area for business or whatever reason. Quite often.

Q Would it be fair to say then, in terms of using the copier example, that you may have seen Ms. Lewinsky almost on a daily basis?

A It's, for certain periods of times, I mean, when I was assigned to the Oval Office, the E6 post, yes, especially

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Have you ever seen Monica Lewinsky enter the Oval Office?

A On the advice of my counsel, and without revealing any privileged information, I do have some information for you as far as that goes. And once again, this is not privileged information.

Yes, there was an instance that I can tell you about. Just give me a minute.

When I was working at the Oval Office post, post E6, there was a time when Ms. Lewinsky, Monica, came down the hallway from the Chief of Staff's end of the hallway, which would have been from the west. She came towards my post. She was with somebody else, and I don't remember who that was. But she was with another person who, when they saw me and I started towards them to kind of challenge them, you know, what can I do for you, what are you doing here, Monica, that type of thing, the person said, that's okay, we are going to see Nancy Herrreich, who works for the President. I believe her title is like Oval Office Manager and Personal Scheduler to the President. I'm sure you've heard her name before.

As we were standing there, you know, and I was -- or basically I think I told them to go ahead and pass, you know, go ahead. Nancy Herrreich came out of her office, said it was all right, you know, said something to me, and they

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when she was -- I shouldn't say especially. When she was an intern during the government shutdown, I saw her quite often. She was one of those employees that they brought in to work in Mr. Panetta's office.

I don't know if it really matters to you, but just for the record, I believe it was Mr. Panetta, his assistant, Jennifer, and Monica in there, is the best of my recollection. And, of course, I saw her a lot. Yes.

Q Jennifer Palmieri?

A That sounds like her. I don't remember exactly what her last name was, but I think that was it. She was, I believe she worked for Mr. Panetta when he was a Congressman.

Q Have you ever seen Ms. Lewinsky in the Oval Office, or enter the Oval Office?

A Sir, before I answer that, I'll have to consult with my counsel.

Q Why don't you hold off on that for right now.

A Okay.

Q Write down the question.

A Okay.

Q The question will be whether you have seen Ms. Lewinsky enter the Oval Office, in the Oval Office, or exit the Oval Office. We are just going to sort of consolidate the questions, so that you can go out and ask a bunch.

A Right.

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went into the office. They were in there a short period of time.

And this, I'm sorry, you said the Oval Office. And the reason I'm telling you this is because their office is right next to the Oval Office. So, I'm just considering that that's what you meant also. I'm sorry. I kind of assumed.

Q That's okay.

A I'm not talking about the physical Oval Office. I'm talking about the secretary and assistant's office, right next to it. Have you seen a diagram? Okay.

So, they go into Nancy and Betty Currie's office. A short period of time later they come out, Monica and this person, I don't remember who it was, Nancy Herrreich, and also Betty Currie. And as they are walking off, Monica turns to them, to Nancy and Betty, and says something to the effect, I'm sorry that it happened, it won't happen again. Something to that effect.

Q Do you know whether this was when she was an intern, or was this when she was a hard pass holder?

A You know, I don't remember. But if you give me a minute, let me try and put it together, like the time of the year, or something.

Yeah, I don't remember.

Q Do you know if the other person was Jocelyn Jolley?

A Let me describe to you who I think that is. Is she

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... a black woman, heavysset? I mean, have you seen her physically?
 Q Yes.
 A Yeah, no. That wasn't her. This woman I remember being a white woman, you know, probably around 30. I mean, I can think of five or six people who it could have been. I don't know the names, but I can think of, you know, a couple people that it could have been. I don't remember if it was them, maybe people that fit that blind description.
 Q Is that the only time, Officer, that you saw Ms. Lewinsky enter the Oval Office area?
 A I'm sorry. Just give me a minute to clarify a couple of things. Let's see.
 Q Are you -- can I clarify something? Are you talking about the actual Oval Office and the secretary's office, or just anywhere in that hallway area?
 Q Well, let's make it easy for you first. Have you ever seen her enter the Oval Office itself?
 A On the advice of my counsel, I'll have to assert the privilege, the protective function privilege. I won't be able to go any further with that.
 Q With the exception that the next time I leave the room, I'm going to check on something and I may have, I may actually have something else I can add to that.
 Q Okay.

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A Okay?
 Q Go ahead and write it down.
 A Okay.
 Q Have you ever seen Monica Lewinsky in the Oval Office? This is a little different, because I asked you about whether you saw her enter.
 A Uh-huh.
 Q This question goes to whether you've ever seen her in the Oval Office.
 A I'll have to assert the protective function privilege to that question, and I apologize.
 Q I understand. Thank you, Officer. Have you ever told anyone about any observations that you made, Officer, while you were on the E6 post about Monica Lewinsky and the President?
 A Could you repeat that, please?
 Q Yes.
 A Thanks.
 Q Have you ever told anyone about observations, things that you saw or heard while you were on the E6 post, about Monica Lewinsky?
 A On the advice of my counsel, and without revealing any privileged information, I can talk about that a little bit.
 Q Yes. There were -- for instance, if I'm posted at

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the Oval Office, and when I get pushed, there's certain information that you need to pass on to the employee that is, you know, taking your post. And there were times when -- and with my partner who I worked with. I'm sorry. Did I mention that when I worked this post you work in two-man teams?
 Q No.
 A I apologize. You worked in two-man teams, an hour on and an hour off. So, I'd stand for an hour. I'd be pushed off by the other officer and then, you know, I'd come back in an hour.
 Q Did you have the same partner?
 A Ninety-nine percent of the time, yes.
 Q Who was that?
 A His name was Officer Dan Ordakowski.
 Q Ordakowski. O-R-D-A-K-O-W-S-K-I?
 A I believe so. I'm a bad speller. That's not a compliment to my English teacher.
 Q Okay. So, you were telling me about observations that you made while you were on duty that you may have told other people?
 A Correct. Things to the effect that, you know, I actually saw, you know, had a run-in with Monica. In other words, her trying to come into that area when she wasn't supposed to.
 Q Let me give you an example. And, of course, this

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s without revealing any privileged information. There were times when she was an intern that, you know, she wasn't -- she would try to come into this hallway when she wasn't supposed to. And I would pass that on to the other officer.
 Q What would you do?
 A Just remind her and, you know, tell her to go to the other, you know, go through the Roosevelt Room, or go back the other way.
 Q When you say she was trying to get in the Oval Office area -- I'm sorry?
 A Well, just that hallway. Do you have a diagram?
 Q I do, actually.
 A Would it be all right if I --
 Q Sure.
 A It would probably make it easier.
 Q I have written on this one, but that's okay. I have only written three things on it. We will mark it.
 A Is it all right if I stand?
 Q Yes. Let me get it marked first.
 A Okay.
 (Deposition Exhibit Byrne No. 1 was marked for identification.)
 BY MR. BITTMAN:
 Q This has three original blue writings. This exhibit is marked as Byrne No. 1 dated 3-13-98.

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A Okay.
 Q Use this red pen if you are going to write on it.
 A That would be great.
 Q As you've noticed, I've already handwritten in E8 and Walkway #1. That's the E8 post, right?
 A Right. That's correct.
 Q E6 post is Walkway #2?
 A Uh-huh.
 Q Then we have E10 up here at Desk #1?
 A Right.
 Q Why don't you tell me what you were talking about.
 A Okay.
 Q Using the identifications that are already handwritten in there.
 A Okay. Coming down Walkway #1 --
 Q From the Chief of Staff's Office?
 A From the Chief of Staff's Office, which would be coming from the west direction heading east, I would be posted at the E6 post. One thing you need to understand is, you know, you are posted at E6, but you can move around a little bit. You are responsible for all that area.
 Q But, anyway, she would -- you know, if I would see her coming, I'd come down and say, you know, what are you coming this way for, you know, that type of thing. And, you know, tell her to go back the other way. Or, you know, it's

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possible that she actually had a legitimate reason to go there, you know, I'm going to deliver this to Betty or Nancy.
 Q Okay.
 A But if she said she was going over to the, you know, east side or to the mansion, there's no reason for her to go this way. She can go out and come around. That's what they are supposed to do. You only use this hallway when it's absolutely necessary.
 Q Okay.
 A And then I would pass this information on, you know, to the other officer. It could have been Monica. It could have been, you know, anybody that wasn't supposed to be there.
 Q But they weren't there, right?
 A I'm sorry. I missed the point.
 Q You said you would pass along the information. What type of information would you pass on?
 A I'd say, hey, you know, Monica came by, tried to come down the hallway, you know, try to make it a point to keep Monica and the other people that are just hall surfers or, you know, out of the way.
 Q Let's talk about other observations. Without telling me what they were, I'm going to ask you about your observations, other things that you have observed while you were on this post.

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[1] A Uh-huh.
 [2] Q Have you told other people about the other things
 [3] that you've seen?
 [4] A What other things in particular?
 [5] Q That relate to Monica Lewinsky, about what she did,
 [6] where she was, or why she was there?
 [7] A It's entirely possible. Why she was -- yeah, it's
 [8] entirely possible. I'm sorry. Are you saying other than
 [9] Secret Service people? Or other than post information?
 [10] Q Well, the first question was to anyone. We can
 [11] break it down, if you want.
 [12] A Yeah.
 [13] Q Let's talk about that. Let's talk about the
 [14] division. I'm talking about observations that you made about
 [15] why Monica Lewinsky may have been there, when she was there,
 [16] why she was there, and what she was doing.
 [17] A Okay.
 [18] Q Have you talked to other Secret Service officers
 [19] about that?
 [20] A It's possible. You know, people that were not
 [21] permanently assigned to the post, the next shift coming on,
 [22] yes, that type of thing. And it's possible that I had
 [23] mentioned it to an agent from time to time. But not in any
 [24] kind of, you know, gossip sense. Just, you know, information
 [25] as far as controlling traffic in this area.

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[1] Q Okay. What about people not in the Secret Service?
 [2] A Without revealing any privileged information, yes,
 [3] I had a conversation with Evelyn Lieberman, who was, I
 [4] believe she was already appointed Deputy Chief of Staff. If
 [5] not, she was in her previous position.
 [6] And she made a comment, Evelyn Lieberman made a
 [7] comment to me one time complaining about the amount of
 [8] interns, interns and/or lower-level people, employees, in the
 [9] hallway. There was a term that we used called "hall
 [10] surfing", where these people might, you know, kind of stand
 [11] around in the hallway to wait and see the President come by,
 [12] you know, that kind of thing. I mean, they generally had to
 [13] -- you know, they were working in that area, but, you know.
 [14] So, anyway, Evelyn Lieberman came to me one time
 [15] while I was posted at E6 and said, you know, you're not doing
 [16] your job; all these interns -- I'll use the term "intern". I
 [17] believe that's, you know, what we said -- are in the hallway
 [18] and, you know, I had known Evelyn. So, I knew that, you
 [19] know, if she barked at me, I would usually bark back at her.
 [20] I knew her well enough.
 [21] And I said, well, who the, who the -- pardon me --
 [22] who the hell do you think is giving the authorization to be
 [23] here. You're letting them in. You know, you are the ones
 [24] that make them interns, not me. You don't want them here,
 [25] then get them out. I can only do so much. And she turned

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[1] around and she said, well, when you're right, you're right.
 [2] And, you know, I believe she went down and
 [3] reprimanded a couple of these interns. A couple of them, I
 [4] don't know if they actually, you know, disappeared, as far as
 [5] I don't know if they were moved. Or they probably went back
 [6] to doing what they really were supposed to be doing.
 [7] And I believe something was said to Monica. And I
 [8] say that because, I believe that because the next time I saw
 [9] her she acted like a little gunshy from me, intimidated,
 [10] which is okay.
 [11] Q Did Ms. Lieberman say she would say something to
 [12] the interns, or you just believe she did?
 [13] A No, she walked down the hallway. You can hear her.
 [14] She's got a booming voice. She was reprimanding somebody. I
 [15] just assumed that it was over that.
 [16] Q Now, you said you think Monica Lewinsky may have
 [17] been reprimanded, but you don't know?
 [18] A No, that's correct. That's correct.
 [19] Q Did you ever know anyone else to talk to Monica
 [20] Lewinsky about going down the hall, other than you, because
 [21] you said you did?
 [22] A Yes. I don't know for a fact, but I would assume
 [23] the other officers, you know, in that post may have said
 [24] something to her.
 [25] Q All right. Other questions we had for you were

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[1] about why Ms. Lewinsky was being removed from the White
 [2] House. Tell me everything you know about why Ms. Lewinsky
 [3] was removed from the White House.
 [4] A Okay. Just give me a minute to get my thoughts
 [5] together, please.
 [6] And, of course, without revealing any privileged
 [7] information, I don't know -- I was never told by any of her
 [8] supervisors why she was transferred. You know, I never heard
 [9] from anybody exactly why she was transferred.
 [10] I do know that she was abruptly transferred.
 [11] Okay. I have something else to add that I think is
 [12] relevant. Like I said, I don't know why she was transferred.
 [13] I do know that she was abruptly transferred. I had two
 [14] conversations with two White House employees at different
 [15] times and I think I should relay these to you, and I think
 [16] they are -- well, I think I should relay them to you. And,
 [17] of course, this is without revealing any privileged
 [18] information.
 [19] Mr. Stephanopoulos had an assistant, Laura Capps.
 [20] Did I already mention her? Did we talk about her?
 [21] Q No.
 [22] A Laura Capps.
 [23] Q Capps is C-A-P-P-S?
 [24] A Yes, correct. A couple days, I believe it was a
 [25] couple days after Monica was transferred, I stopped by George

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[1] Stephanopoulos' office to say hi to Laura. This is a person
 [2] that I had done, you know, become friends with when I worked
 [3] over there, you know, as far as work goes. And there was
 [4] certain things that she did -- we had a pretty good working
 [5] rapport. There were certain things that she did to help me
 [6] do my job, as far as -- and excuse me for getting off the
 [7] track here, but I just wanted to kind of box what our
 [8] relationship is. Is that all right?
 [9] Q Absolutely.
 [10] A Okay. There was a door that led from -- this door
 [11] that led from George Stephanopoulos' office.
 [12] Q It's identified as?
 [13] A As, thank you, C. I believe that is?
 [14] Q Well, G5 is the room.
 [15] A Thank you.
 [16] Q And C actually indicates that it is normally
 [17] closed. That is, the door between --
 [18] A That's correct.
 [19] Q -- E5 and the dining room.
 [20] A Correct. I agree with that. So, from time to
 [21] time, George Stephanopoulos would be giving an interview with
 [22] reporters in his office. So, I had a little deal with Laura
 [23] where she would let me know, because, you know, George's
 [24] schedule is different from the President's. She would let me
 [25] know that there was a reporter in there.

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[1] I would, in turn, pick up the phone out here
 [2] somewhere, or go in person and walk into Nancy Hemreich and
 [3] Betty Currie's office and tell them, you know, whether the
 [4] President was in the area or not. You know, just so you
 [5] know, George is doing an interview with somebody, just so the
 [6] President didn't walk in there when he was with a reporter
 [7] and, you know, be surprised.
 [8] You know, maybe he is going to walk in and say
 [9] something to George and he doesn't realize -- because the
 [10] offices are small, but they're angled. And he would actually
 [11] be able to walk in and not see the reporter where he would be
 [12] sitting. Okay.
 [13] Once I've explained that, now tell me what I was
 [14] supposed to be telling you.
 [15] Q You are supposed to be telling me about this
 [16] conversation that you had with --
 [17] A Laura. Thank you.
 [18] Q -- Laura Capps a couple days after Monica was
 [19] transferred.
 [20] A Right. Thank you. I walked up to, standing in her
 [21] doorway. She was sitting at her desk, Laura was. I said,
 [22] hey, how are you. And she said, did you hear that Monica got
 [23] transferred. And I said, well, yeah, and she started to
 [24] relay something, tell me something, and I cut her off, and
 [25] then said, you know, it was nice seeing you, and I walked out

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[1] of the room, you know, walked out of the doorway and left.
 [2] Q What did she start to say?
 [3] A I don't know. Anything else -- I don't know what
 [4] she was going to say. But any other information, I'll have
 [5] to assert the privilege on that. I'm sorry.
 [6] Q Let me just get this straight. She asked you, did
 [7] you hear that Monica got transferred.
 [8] A Right. I think she actually might have said like
 [9] to the Department of Defense, or something to that effect.
 [10] Q And then you responded, yes.
 [11] A Yeah. I said, I heard that she was transferred.
 [12] And she started to say something else and, you know, I just
 [13] said, well, you know, I'll talk to you later. I kind of cut
 [14] her off and I left the hallway.
 [15] Q Why did you cut her off?
 [16] A I won't be able to answer any more. I'll have to
 [17] assert the privilege on that.
 [18] Q Okay. There was another conversation that you
 [19] wanted to tell us about?
 [20] A Yes, sir. It was sometime after -- oh, wait a
 [21] minute. Okay. Just for point of reference, this
 [22] conversation with Laura Capps, I was on the tour section at
 [23] the time. Okay?
 [24] So, now, it's sometime after that. I'm still on
 [25] the tour section, but I believe I was just about to be

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[1] transferred, you know, to get transferred out to the Training
 [2] Center.
 [3] Q Okay. So, going by your chronology, this is in
 [4] early '97 or late 1996?
 [5] A Late 1996 sounds about right. I remember being
 [6] cold and, you know, having a big overcoat, long johns on, and
 [7] that kind of thing.
 [8] Q Okay.
 [9] A I'm in the East Wing. I'm in the area of a post
 [10] called [REDACTED]. It's right by the [REDACTED]. I
 [11] believe tours are coming in and I run into a White House
 [12] employee. His name is Tim Keating.
 [13] Now, one thing I want to make clear is at this
 [14] time, when this incident took place, I didn't realize that
 [15] Tim was somehow involved in Monica Lewinsky's chain of
 [16] command, as far as her employment in the East Wing. I found
 [17] this out, I realized this later on reading an article, I
 [18] believe once this story, you know, became daily reading.
 [19] But, anyway. So, I see Tim Keating and he says --
 [20] I don't know how we got on the conversation of Monica. I
 [21] don't really remember, to be honest with you. Excuse me. Of
 [22] course, I'm being honest with you, but I don't really
 [23] remember. But it got on the subject of Monica.
 [24] And he turned to me and said, you knew, you knew,
 [25] why didn't you come to me, you knew something, or something

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[1] to that effect. And I said, I don't know what you're talking
 [2] about, Tim, and it was good seeing you. You know, we joked
 [3] around about -- we used to play the lottery. I think we
 [4] joked around about playing the lottery. We used to play a
 [5] lottery pool together. And then I walked on.
 [6] And then later on, I learned that, that this woman
 [7] that you mentioned earlier, that I described as a heavysset
 [8] black woman?
 [9] Q Jocelyn Jolley.
 [10] A Was, I guess, Monica's immediate supervisor and
 [11] then she worked for Tim. I think that's the way it was.
 [12] That's the way I thought it was. That's the way I think it
 [13] is now, I should say.
 [14] And that was the two conversations that I can relay
 [15] to you without revealing any privileged information.
 [16] Q What was Mr. Keating referring to, when he said you
 [17] knew something? What was it that he believed you knew?
 [18] A I don't know what he was assuming. Anything
 [19] further than that, I'll have to assert the protective
 [20] privilege.
 [21] Q Well, do you think you know what he was referring
 [22] to?
 [23] A I'm sorry. I'll have to assert the privilege on
 [24] that.
 [25] At this time, I would like to go out and consult

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[1] with my counsel. And could we reiterate what the question
 [2] was? I had written down Monica Lewinsky and the Oval Office.
 [3] I believe the question was, had I ever seen her standing in
 [4] the Oval Office?
 [5] Q Yes, that was one of them.
 [6] A Okay.
 [7] Q Then one of the questions that I still haven't
 [8] asked you about was did you tell anyone about your
 [9] observations of Monica and the West Wing. You've already
 [10] discussed some of those today so far.
 [11] Ask them if you can answer what you thought Mr.
 [12] Keating was referring to.
 [13] Also, while you are there, I am going to ask you
 [14] about Glen Maes and Bayani Nelvis, what you know about that.
 [15] A I'm sorry. The other one, not about the stewards,
 [16] but the other one was?
 [17] Q Well, I asked you a question, why did you cut Laura
 [18] Capps off.
 [19] A Right.
 [20] Q And you asserted privilege on that.
 [21] A Right. And I'm sure I'll have to keep doing that,
 [22] but I will bring it back up to them.
 [23] And what's the question about Nelvis and Glen?
 [24] Q I'm just going to ask you some general questions
 [25] about them. Do you want to cover that now?

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[1] A No. You know, only because I think I've written
 [2] too much information.
 [3] Q Okay.
 [4] (Whereupon, the deposition was recessed from 5:06 p.m.
 [5] until 5:27 p.m.)
 [6] BY MR. BITTMAN:
 [7] Q Officer Byrne, we have questions pending.
 [8] A If you could just ask me?
 [9] Q Why don't you go over your list?
 [10] A What do you mean?
 [11] Q You had a list of questions.
 [12] A Right. Yeah, I was just hoping that you would ask
 [13] me the questions that I had the answers for.
 [14] Q What was Tim Keating referring to when he said, why
 [15] didn't you come to me, you knew something?
 [16] A Bear with me.
 [17] I'm sorry. To any more information about that, I'm
 [18] going to have to assert the privilege, the protective
 [19] function privilege.
 [20] Q In your conversation with Laura Capps a few days
 [21] after Ms. Lewinsky's transfer, why did you cut her off?
 [22] A Without revealing any privileged information,
 [23] basically I cut her off because I was uncomfortable with
 [24] discussing, standing in the hallway discussing anything,
 [25] having that discussion with her.

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[1] Q Why?
 [2] A I'm sorry. For any further information, I'll have
 [3] to assert the privilege, protective function privilege.
 [4] Q Tell us about your relationship with Bayani Nelvis.
 [5] A Nelvis is the Navy steward who was assigned to the
 [6] pantry at the Oval Office. Our relationship was a real good
 [7] working, you know, friendship, or friendship as far as work.
 [8] We never met outside of work. But, great man. Great Navy
 [9] man.
 [10] When I say a working relationship, I mean, as far
 [11] as -- have you ever met Mr. Nelvis? He was a pretty short
 [12] man. A lot of the dishes and stuff that he needs to support
 [13] the President are really high up on shelves. You know, I'm a
 [14] tall guy. You know, as long as it didn't take away from what
 [15] I was doing, or I was standing right there, posted right
 [16] there, I would help him get dishes down.
 [17] In the same sort of reciprocation that was familiar
 [18] with myself and a lot of employees there, if I ever had
 [19] family come in, to give them a tour of the Oval Office in the
 [20] evenings when they allowed passholders to have tours, he
 [21] would give me these Presidential M&Ms. I'm sure you are
 [22] familiar with them, a little box with the Presidential seal
 [23] on them. And we had a great working relationship. He's a
 [24] great man.
 [25] (Off the record.)

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[1] BY MR. BITTMAN:
 [2] Q Did you ever talk to Mr. Nelvis about Monica
 [3] Lewinsky?
 [4] A On the advice of counsel, and without revealing any
 [5] privileged information, yes, we did discuss her. One time I
 [6] think of that I can tell you when we did, you know, we did
 [7] discuss her.
 [8] She, I believe, after awhile kind of befriended him
 [9] a little bit, which then kind of added to the nuisance of her
 [10] coming into my working area around the Oval Office. But,
 [11] yeah, I think we discussed her from time to time.
 [12] Q What did you discuss with Mr. Nelvis?
 [13] A I don't remember everything we discussed, but there
 [14] is something I think that is significant, if you just give me
 [15] a minute to make sure I've got my facts straight.
 [16] I don't remember the timeframe, other than I was
 [17] working at the Oval Office. I believe it was the day work
 [18] shift. I believe Monica Lewinsky was a permanent employee in
 [19] the East Wing because she came from that direction and I
 [20] remember her having a pass.
 [21] She came into the, you know, towards the Oval
 [22] Office, past the secretary, Betty Currie and Nancy
 [23] Hemreich's office, which I believe you have marked as Area
 [24] #1.
 [25] Q Okay.

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[1] A Okay? She walked past that and towards the E6
 [2] door. Then you have the hallway marked Hallway 2 there. And
 [3] I saw her and I challenged her. And, just for the sake of
 [4] clarification, challenge is the word we used. Basically I
 [5] said, you know, what are you doing, can I help you, that kind
 [6] of thing.
 [7] And she said, I want to talk to Nelvis. So, under
 [8] those -- you know, I said, okay, and Nelvis had stepped out
 [9] of the pantry. I believe he might have been actually
 [10] standing in the hallway by his pantry. I was kind of angled,
 [11] so I didn't see directly.
 [12] Anyway, you know, he walked over to her. They
 [13] started talking. And I stood there for a couple of minutes
 [14] and then, you know, looking down this end of the hallway and
 [15] then I walked back to the other side of my post.
 [16] So, as I walked back over, Nelvis made a joke.
 [17] They were talking about something and as I walked up, Nelvis
 [18] said, if you're not -- something to the effect, if you're not
 [19] careful, you'll end up like Paula Jones. And she laughed.
 [20] And I remember I don't think I laughed. I think I felt a
 [21] little uncomfortable. And she said, I'm smarter than that,
 [22] something to that effect.
 [23] And that's -- in that incident, that's the most I
 [24] can remember. I mean, that's the way I remember it.
 [25] Q Did you ask Mr. Nelvis about that afterwards?

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[1] A No. Didn't discuss it with him. At least to the
 [2] best of my recollection, I didn't. You know, I think I
 [3] walked, you know, away from him. She walked away. And that
 [4] was that.
 [5] Q What else do you remember about your discussions
 [6] with Mr. Nelvis about Ms. Lewinsky?
 [7] A I don't remember anything that stands out, sir. I
 [8] mean, I don't remember anything that really stands out. It's
 [9] not like we discussed her a lot that I can recall. Nothing
 [10] really comes to mind, anything that's significant, I mean,
 [11] that I can even think of. Just give me a minute to get my
 [12] thoughts together here.
 [13] It's entirely possible that we discussed when she
 [14] was transferred, abruptly transferred, or transferred to the
 [15] Department of Defense, we may have discussed that. I don't
 [16] remember doing it, but it sounds like something, you know, to
 [17] be honest with you, it sounds like something, you know, he
 [18] would have said, hey, did you hear, or vice versa. I would
 [19] have said, hey, you know, I hear, you know, Monica now works
 [20] for the Department of Defense.
 [21] Q This comment that Mr. Nelvis made, if you're not
 [22] careful you'll end up like Paula Jones?
 [23] A Yes. That was the statement.
 [24] Q Was that to Ms. Lewinsky or was it to you?
 [25] A I believe it was to Ms. Lewinsky.

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[1] Q She was in close proximity to Nelvis?
 [2] A We were standing probably within three feet of each
 [3] other.
 [4] Q The three of you?
 [5] A Yes, maybe even closer. It's a very small narrow
 [6] hallway. I believe I recall, you know, the best of my
 [7] recollection, he was standing in the doorway of the pantry.
 [8] She was standing in the hallway. And I was standing, it
 [9] would be like east of them, just a couple feet. Very close.
 [10] You know, within normal talking, you know, when you are
 [11] standing in front of somebody.
 [12] Q And he said, you'll end up like Paula Jones? Or he
 [13] said, you'll end up like Jennifer Flowers?
 [14] A No. He said, you'll -- I'm sorry to be laughing,
 [15] but I keep picturing his accent, hearing his accent. Yeah,
 [16] he said Paula Jones, you could end up like Paula Jones, or
 [17] you'll end up like Paula Jones. Something to that effect.
 [18] Q And Monica Lewinsky's response?
 [19] Excuse me. Let's go off the record.
 [20] (Off the record.)
 [21] MR. BITTMAN: Pardon me. We are back on the
 [22] record.
 [23] BY MR. BITTMAN:
 [24] Q Did Mr. Nelvis ever indicate to you whether he had
 [25] seen Ms. Lewinsky in the area of the Oval Office?

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[1] A Well, I answered the -- but your question about
 [2] where we were standing is what I would say was in the area of
 [3] the Oval Office, outside in the hallway.
 [4] Q Other than this incident?
 [5] A I believe I'll have to assert the privilege at this
 [6] time, the protective function privilege. But I will break
 [7] the question down and go out and consult counsel the next
 [8] time I go out to consult counsel. Could you just tell me the
 [9] question again?
 [10] Q Yes. Other than the incident you just described,
 [11] has Mr. Nelvis ever communicated to you that Monica Lewinsky
 [12] was in the Oval Office area?
 [13] A And just to clarify, once again, are we talking
 [14] about inside the Oval Office itself, or just in the area?
 [15] Q I've asked you both questions.
 [16] A Okay. So, do both.
 [17] Q Yes.
 [18] A Thank you.
 [19] Q Another followup question, did Mr. Nelvis ever
 [20] communicate to you whether he had knowledge of any
 [21] relationship between the President and Ms. Lewinsky?
 [22] A I'm sorry. I have to use the privilege, the
 [23] protective function privilege, but I will write that question
 [24] down. And it was, did Nelvis have any knowledge, or ever
 [25] tell me of any knowledge of a relationship between the

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[1] President and Monica? Is that correct?
 [2] Q Yes. Tell me about Glen Maes and whether you hav
 [3] ever talked to Mr. Maes about Monica Lewinsky.
 [4] A Glen Maes, as you probably already know, is a Navy
 [5] steward, one of the few that's actually not a Filipino. Glen
 [6] is mostly Indian. Great guy. I have a great rapport with
 [7] him, similar to Nelvis.
 [8] And to the best of my recollection, I don't know if
 [9] I've ever discussed Monica with Glen. I'm sure I probably
 [10] did. You know, like about maybe her being -- in case I
 [11] haven't made it clear, I considered her a nuisance, to be
 [12] honest with you.
 [13] I actually referred to, used to refer to her as
 [14] "the stalker", you know, as a joke between people I worked
 [15] with and myself. I thought she was a nuisance.
 [16] I don't really ever remember discussing her with
 [17] Glen Maes. If I do before this interview is over, I
 [18] certainly will come back to it.
 [19] Q Okay. You used the term "the stalker".
 [20] A Yeah. Could I clarify that a little bit?
 [21] Q Yes.
 [22] A I realize that's a strong term. I don't say it
 [23] means stalker as in the way of, you know, any kind of
 [24] violence towards anybody at the White House or the President
 [25] himself. But as far as, I kind of, I kind of classified

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Monica as a cross between stalker and a 15-year-old chasing a rock star. You know, I always thought she was where she shouldn't be, and always thought she went out of her way to put herself in the area where the President might walk by or something.

These were my observations.

Q Would it be fair to say that you did not consider Ms. Lewinsky a threat to the President?

A Absolutely not. No physical threat. No. If I did, I would have gone right to the SAC of PPD.

Q Who?

A The Special Agent in Charge of the Presidential Protection Division, or, you know, if I thought there was something, I would have gone up the chain of command.

Q What were the other terms you heard Monica Lewinsky referred to?

A I can't ever say that I ever heard her referred to as anything else. But I can say that people that -- I mentioned earlier that sometimes other people were in the hallways and we referred to them as hall surfers, rug rats. I mean, these are people that are generally younger than I am, you know, quite a bit younger. I'm 35. You know, some of these are teenagers and maybe a little bit older. So, I referred to them as rug rats, hall surfers.

I never, I don't recall anybody calling Monica

A I don't, I don't remember actually complaining to her, but I believe I made a comment about it one way, about Monica, to Evelyn, her passing in the hallway. Maybe as a joke, like something about the -- I think Evelyn might have said to me one day something about the hallway being clear, you know, making like a jest. And then I said, yeah, something to the effect that your girl Monica is not here, something to that effect.

I remember joking with Evelyn about something like that, and I believe that's it.

Q Specifically, did you go to Evelyn Lieberman shortly before Ms. Lewinsky was transferred to the Pentagon in an attempt to complain about Ms. Lewinsky being in the area of the Oval Office?

A Yes, I did. I'm sorry. I did. I believe I did. I don't remember the timeframe. Like I can't guarantee you that it was just before she was transferred. But I did go into Evelyn's office. And I'm not sure why the reason I went in there, if it was something else, but I do remember talking to her about Monica being in the hallway.

And I don't remember if there was another incident that triggered that. In other words, like I had another confrontation with her, where she wasn't supposed to be. I don't remember what triggered it, but I do remember having a conversation with Evelyn Lieberman in her -- maybe not in her

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anything other than Monica. You know, I think I'm kind of the one who used to call her the stalker. So.

Q And you referred to her as the stalker to other people, I guess?

A A little bit. You know, I was careful who I said it to. I mean, she's still a White House employee. I said it to probably the people I worked with. I don't recall saying it to like anybody on the staff, to be honest with you. It's possible, but I doubt it.

Q Did you ever talk to Ms. Betty Currie about Monica Lewinsky?

A I'm sure I did, yes. But nothing like of significance. Could you just give me a minute to think about that?

That's a question I'd like to consult with counsel before I answer, but I'm sure I'll be able to answer it. I feel like I am, but I think there's something I need to clarify first.

Q Why don't we hold off on that one, too.

A Okay.

Q Evelyn Lieberman. Have you talked to Evelyn Lieberman about Monica Lewinsky?

A Other than what I've already testified to?

Q I don't know that you testified much about Evelyn Lieberman.

exact office, but in her little office area.

Q Which office is that on the map?

A Okay, sir. Excuse me. That would be in the area of -- you have R-E-C. What does that stand for? Reception Area #4 I think that is. Reception Area #4 which is right next to the Deputy Chief of Staff's Office.

Q Right.

A It would have been in that area, standing right probably right in Area #4.

Q I think actually the office to the right of that, Deputy Chief of Staff --

A That was Evelyn's office at one time.

Q That was Evelyn Lieberman's office?

A Right, exactly.

Q So, you went into that office?

A You had to go through Area #4 to get into Evelyn's office. This door was -- although Mr. Lindsey had it put in, right after he did, he put like a table in front of it and it was useless. It was locked.

Q Okay. Let me see if I can specifically refresh your recollection.

A Sure.

Q You went in to complain to Ms. Lieberman about Ms. Lewinsky. She was not in. She called you at home and asked you to come in.

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A Yeah. I mentioned earlier --

Q It's been a long afternoon. I know that.

A Oh, yeah. I'm sure it has been. It's been a long couple of weeks for you, or months.

Q Yes, pardon me. You did refer to one conversation, a general conversation.

A Right.

Q About hall surfers in general.

A Right.

Q And you did not indicate that Monica Lewinsky's name ever came up.

A Uh-huh.

Q Is that correct?

A That's correct. But any conversations that I ever had with Evelyn about Monica probably would have been that. If I didn't make that clear, I'm sorry. But I believe I did mention her by name, or one of us did. I get the, I get, I remember getting the feeling that that's who I was talking about, you know. I mean, she might have been complaining about other people in the hallway, but I was complaining about Monica Lewinsky.

Q Did you complain to her about Monica Lewinsky by name?

A Evelyn?

Q Yes.

A Okay.

Q You came in the next day, talked to Ms. Lieberman about it. Shortly thereafter Ms. Lewinsky was fired.

A I was never called by Evelyn Lieberman at home.

Q But I do think I can shed a little light on that information that you just relayed to me.

I don't remember who it was that I said it to.

Q What did you say, first of all? I'm sorry.

A I'm thinking, as we are going along here. That's okay. I did say to somebody that I went to Evelyn about Monica. I'm not sure about the timeframe. And I forget who the person was. I'm not sure if it's the person where you got this information. I really, I don't know. I could think of a couple people.

But, anyway, I may have told -- no. See, I'm trying to think of the conversation. I remember standing outside on West Executive Avenue.

Sir, before I finish answering that question, I think I should probably consult with counsel, but I think I can clear that up a little bit for you.

Q Okay. So, we want to talk about that conversation with Evelyn Lieberman.

A Uh-huh.

Q We want to talk about your conversation or conversations with Mrs. Currie. We also want to talk about

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1 your conversations with Nel, over Nel seeing Ms. Lewinsky in
 2 the area of the Oval Office, in the Oval Office, or actually
 3 in the study or the other areas. Then whether Nel ever
 4 talked to you about his knowledge of a relationship between
 5 the President and Ms. Lewinsky.
 6 Do you have plans for tonight or tomorrow night?
 7 I'm just kidding.
 8 A Hey, look. I'll tell you like I told my counsel.
 9 I'm at your disposal.
 10 Q Thank you. I know that you have a job to do
 11 A What Nel may have told me about Monica. Is that
 12 correct?
 13 Q Yes. In particular, about any relationship that
 14 she had with the President.
 15 A Okay.
 16 Q His knowledge of any relationship. What Monica may
 17 have told him, et cetera.
 18 A Uh-huh. And also we want to talk about did I talk
 19 to Betty Currie about Monica Lewinsky.
 20 Q Right.
 21 A And I said that I probably could tell you that, and
 22 because -- okay. Right. And about Evelyn Lieberman, and did
 23 I ever tell Evelyn -- did I ever have a conversation with
 24 Evelyn shortly before Monica was transferred, and did Evelyn
 25 call me at home. Okay.

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1 (Whereupon, the deposition was recessed from 6:05 p.m.
 2 until 6:32 p.m.)
 3 BY MR. BITTMAN:
 4 Q What were the questions?
 5 A Okay.
 6 Q And, more importantly, what are the answers?
 7 A Okay. Can we start with the last thing you asked
 8 me?
 9 Q Yes. Go ahead.
 10 A I believe you asked me about a supposed
 11 conversation with Evelyn Lieberman, did she call me at home.
 12 Q Yes.
 13 A Okay. This is what happened. At some time after I
 14 was, while I was in the tour section, I was crossing West
 15 Executive Avenue from the Old Executive Office Building
 16 towards the White House, towards the West Wing. Somebody
 17 came up to me, and I can't recall if it was -- I believed at
 18 first it was an officer, I'm not really sure.
 19 But somebody came up to me and was badgering me
 20 about Monica Lewinsky, and was badgering me about privileged
 21 information that I've already asserted the privilege on.
 22 I turned to them and basically I turned to them and
 23 I said, and I believe the discussion was about, I'm assuming
 24 with your question, that it was about her being transferred.
 25 And I said, well -- they said, well, why was she transferred,

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1 or something to that effect. And I said, well, I talked to
 2 Evelyn. She called me at home and I had her transferred,
 3 something to that effect.
 4 I told them that. That is true, something to that
 5 effect. But that is not -- that never happened. I never, I
 6 never -- Evelyn Lieberman never called me at home. And I
 7 never went to Evelyn Lieberman about getting Monica
 8 transferred. I did go to Evelyn Lieberman about Monica being
 9 a nuisance in the hallway when I was assigned to E6.
 10 I blew the -- I said that to that person to blow
 11 them off because, like I said, I was in the tour section and
 12 I was probably in the middle of some function and I was in a
 13 hurry, and I was uncomfortable about discussing those things,
 14 you know, my workings when I worked at the Oval Office.
 15 I apologize for that. That did happen, but, I
 16 mean, the person -- I did say that to somebody. But I'm not
 17 -- excuse me. Evelyn Lieberman never called me at home and I
 18 never discussed Monica with Evelyn as far as, you know,
 19 asking her to be transferred. I mean, I'm just an officer.
 20 You understand that obviously.
 21 But I did say to that person that I talked to
 22 Evelyn Lieberman. It wasn't true. I just said it to blow
 23 them off.
 24 Q Who was this person that you talked to?
 25 A For the life of me, I can't remember. You know,

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1 when you -- I didn't remember this incident until you asked
 2 me that question. From the time I left here until the time I
 3 was discussing it with counsel, I believed it was a Uniformed
 4 Division officer, but I'm not really sure now.
 5 Q Why would you not tell that person the truth?
 6 A Well, probably it was none of their business what
 7 happened there anyway. I'm sure it wasn't because they
 8 didn't work there, and because I wanted to just finish the
 9 conversation and get over with it, you know, get on with
 10 whatever I was doing that day. To the best of my
 11 recollection, that's the way I remember it, you know. Like I
 12 said, I did say it. It wasn't true.
 13 Q Do you remember telling this person that you
 14 believed Monica was transferred out of her job because of
 15 what you told Evelyn Lieberman?
 16 A No. No, I don't remember ever saying that.
 17 Q Does that sound familiar to you, that that is
 18 something you would have said?
 19 A It's possible but, like I said, I didn't remember
 20 the whole incident, and probably because -- well, I don't
 21 know why I didn't remember it. But I didn't remember the
 22 whole incident until you asked me the question. So, I don't
 23 really know how to answer that, other than I don't remember
 24 saying it.
 25 Q If you remember more of any of these conversations,

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1 I'm going to ask you to contact me.
 2 A I certainly will, obviously. Please let me
 3 apologize for -- I mean, I realize telling that person that
 4 and it not being true, you know, isn't breaking the law. But
 5 in this situation, I feel very bad about it and I apologize
 6 for the confusion.
 7 Q Do you know Sandy Verna?
 8 A Oh, sure.
 9 Q Do you think it was Sandy Verna who you told this
 10 to?
 11 A It's possible.
 12 Q What about Bob Almsy?
 13 A Bob Almsy? Possible.
 14 Q What about Lew Fox?
 15 A You know, I don't -- Lew Fox was a very senior
 16 officer. I don't recall -- you know, we were friendly, but
 17 we weren't -- I don't think I would have had that kind of
 18 conversation with Lew. Like I don't think -- I remember this
 19 person kind of following me across West Executive. That's
 20 not Lew Fox. I would say that no, it probably wasn't Lew
 21 Fox. It could have been Sandy Verna. I'm not really sure.
 22 Q Okay. Tell us now about the conversation that you
 23 did have with Evelyn Lieberman in her office.
 24 A Yes.
 25 Q When was this approximately?

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1 A It would have been when I was still working the
 2 station at the Oval Office.
 3 Q Okay.
 4 A And I don't -- I believe I've discussed this a
 5 little bit. But I don't recall what brought me down to
 6 Evelyn's office, you know, what the incident was. Obviously
 7 it must have been something with Monica Lewinsky.
 8 I walked down to the office. And, as I said
 9 before, I believe either Evelyn was standing in the Area #4
 10 right outside her actual office, or when she heard me walk in
 11 and say something, you know, hello to somebody, she came out.
 12 But the conversation took place in Area #4 and I complained
 13 about Monica coming over and being a nuisance in the -- you
 14 know, to me, on my post. That's all. That's all I remember
 15 about the conversation. It was a very short one.
 16 Q How short?
 17 A Probably a couple of words, you know, hey, you
 18 know, I'm having a problem with Monica again, something to
 19 that effect. She's over here again, or she did this, or
 20 whatever. And then she probably acknowledged me somehow and
 21 then I turned around and walked out.
 22 Q Now tell me about your conversation with Betty
 23 Currie about Monica.
 24 A Thank you for reminding me. On the advice of
 25 counsel, and without revealing any privileged information,

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[1] while I was working at the Oval Office post, Monica came over
[2] to deliver something, actually had a reason to be there, was
[3] delivering something to Betty Currie, which is probably why I
[4] remember this.

[5] She walked into the office and I was still standing
[6] outside the post. And after a couple of minutes, and I don't
[7] remember if I assumed that Monica had already left, but
[8] anyway I walked into Betty's office. So, I walked into
[9] Betty's office. And then Monica was still standing there.
[10] She was leaving and she walked out.

[11] And I remember saying something to Betty. I'm not
[12] sure exactly what I said, but it was probably something, it
[13] was a joke, like along the lines, well, it's about time she
[14] came over here with actually something to do or, you know,
[15] she dropped something off, or something to that effect.

[16] But it was no in-depth conversation. It was very
[17] short. And, you know, I needed to get back out to my post.
[18] So.

[19] Q Do you remember what, if anything, Ms. Currie said?

[20] A No. I remember she was smiling and laughing.
[21] That's about it.

[22] Q We also asked you about Nel and your conversation
[23] with Nel about Ms. Lewinsky coming over to the Oval Office
[24] area.

[25] A Right. Of course, I've already discussed her, as

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[1] because she was going to give it out. The President didn't
[2] want it, or wanted one or two bottles. And I opened it up
[3] with, you know, a pair of pliers or something. And she said
[4] that for me to take two bottles. And I said, well, I don't
[5] think that's appropriate. And she said, you know, the
[6] President said to make sure that you got two bottles or you
[7] got your choice or something like that. And I took them and
[8] I believe I gave one to somebody else in the Uniformed
[9] Division. I don't remember what happened to the other one.

[10] But, anyway, I just thought I would mention that.
[11] Q You were noticeably empty-handed today. I didn't
[12] see you bring any gifts for us.

[13] A Yeah. You know, I used to have a connection to get
[14] you M&Ms, but I think that's kind of dried up these days.
[15] Okay.

[16] Q Well, let me clarify that and sort of divide the
[17] question up.

[18] A Sure.

[19] Q Did Mr. Nelvis ever tell you that he was aware of
[20] any gifts that the President had given Ms. Lewinsky?

[21] A I don't see a difference in the questions. Could
[22] you ask that again?

[23] Q I'm splitting it up.

[24] A Okay. Go ahead.

[25] Q Rather than an exchange of gifts, I am specifically

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[1] far as Monica coming over the Oval Office when Nel was there,
[2] and I told you about the joke about Paula Jones.

[3] And, to answer your question, on the advice of
[4] counsel, and without revealing any privileged information,
[5] the answer to that is no. Other than that, no other
[6] conversation that I recall.

[7] Q Has Nel ever talked to you, communicated to you
[8] that he was aware of any relationship between the President
[9] and Monica, other than the one Paula Jones incident that
[10] you've described?

[11] A Sir, I'll have to assert the protective privilege.
[12] I can't respond to that question.

[13] Q Did Mr. Nelvis ever communicate to you whether he
[14] had any knowledge of Ms. Lewinsky being in the study area of
[15] the Oval Office?

[16] A I'm sorry. I'll have to assert the protective
[17] privilege. I can't respond to that.

[18] Q Did Mr. Nelvis ever indicate to you whether he was
[19] aware of any gifts that were exchanged between the President
[20] and Ms. Lewinsky?

[21] A Would you ask that again?

[22] Q Yes. Did Mr. Nelvis ever communicate to you in any
[23] way that he, Mr. Nelvis, was aware of any gifts that may have
[24] been exchanged between the President and Ms. Lewinsky?

[25] A My response is, on the advice of counsel, and

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[1] saying if the President gave gifts to Ms. Lewinsky, and then
[2] whether he was aware of any gifts from Ms. Lewinsky to the
[3] President.

[4] A On the advice of my counsel, and without revealing
[5] any privileged information, the answer to that is no. I
[6] don't know anything about it.

[7] Q So, as far as you know, Mr. Nelvis never said
[8] anything about Monica gave a gift to the President, or the
[9] President gave something to Monica, or anything like that?

[10] A No. To the best of my recollection, no.

[11] Q Okay. Were you ever in a position to see whether
[12] Ms. Lewinsky was in the Oval Office alone with the President?

[13] A I'll have to invoke the protective privilege with
[14] that question.

[15] Q Did you know whether Ms. Lewinsky was ever alone
[16] with the President in the study?

[17] A I'm sorry. Could you repeat that? Did I see him
[18] where?

[19] Q Were you ever aware that the President and Ms.
[20] Lewinsky were alone in the study?

[21] A I'm sorry. I'll have to assert the protective
[22] privilege, protective function privilege.

[23] Q Were you ever aware whether the President and Ms.
[24] Lewinsky were alone in the Oval Office?

[25] A I'm sorry. I'll have to assert the protective

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[1] without revealing any privileged information, no. I recall
[2] no conversation like that.

[3] Could I ask a question?

[4] Q Sure.

[5] A You mean like a gift that the President would
[6] actually give to her?

[7] Q Yes.

[8] A Like hand to her?

[9] Q Yes.

[10] A Okay. I'll have to go with my answer, which I'll
[11] repeat, on the advice of my counsel, and without revealing
[12] any privileged information, the answer to that is no. I know
[13] -- I never had any conversations that I can remember with
[14] Nelvis about that.

[15] The reason I asked that is, you know, when I worked
[16] there, I mean, I got gifts. I was given like a hat and a
[17] T-shirt and stuff by the -- that were given to the President,
[18] but the secretary gave them to me. He didn't want them.

[19] I just though I'd like to point out that, you know,
[20] gift-giving in that area is not too unusual. You know, I got
[21] given a T-shirt, a hat. Some guy from California one time, a
[22] supporter of the President's, gave him two cases of wine.
[23] Betty asked me to come in and open the wine.

[24] I think I had been relieved and before I walked out
[25] she asked me to come in and, you know, open this case of wine

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[1] privilege again.

[2] Q Do you have any other questions there that you wish
[3] to answer that you did not answer earlier?

[4] A If you could give me a minute, I believe there was
[5] something I wanted to expand on.

[6] Do you have any notes on something I was going to
[7] answer and I didn't yet, that I was going to come back to?

[8] Q I do not.

[9] A Okay. If you just give me a second to read over
[10] this, my chicken scratch.

[11] Oh, when I came back in I answered a question about
[12] did Nelvis ever tell me about Monica Lewinsky in or around
[13] the Oval Office. Can you tell me how I answered that?

[14] Q Yes. You asserted privilege over that.

[15] A Didn't I say on the advice of counsel, and without
[16] revealing any privileged information, the answer was no?

[17] Q I don't believe so. I'll ask the question again
[18] though, so we can clarify it.

[19] A Uh-huh.

[20] Q Did Mr. Nelvis ever communicate to you that Ms.
[21] Lewinsky was in the area of the Oval Office other than the
[22] one incident that you already described about Paula Jones?

[23] A Okay. I think I do remember now. I did say that.

[24] I did say that other than the Paula Jones incident, on the
[25] advice of my counsel, and without revealing any privileged

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[1] information, the answer to that is no, I don't recall any
 [2] actual conversation.
 [3] But to sit here and to tell you that he never
 [4] mentioned her, that Nelvis never mentioned Monica while I was
 [5] working at any other time, I mean, it's probably not
 [6] possible. I mean, I'm sure he commented about her. That's
 [7] what I wanted to expand on.
 [8] I'm sure he commented about her and maybe vice-
 [9] versa. Nothing in particular I remember, that I can, you
 [10] know, recall, other than probably, you know, a joke about her
 [11] being a nuisance or something like that.
 [12] I can tell you I don't remember ever bringing up
 [13] that incident with the joke about Paula Jones. But I don't,
 [14] you know, to say that I've never discussed Monica with
 [15] Nelvis, or Nelvis has never discussed Monica or ever -- you
 [16] know, about walking by that area, you know, I say I don't
 [17] really recall it, but I can't say it never happened.
 [18] Q Do you still then wish to assert privilege over --
 [19] A See, I don't remember -- could you ask the question
 [20] again? Obviously I'm a little confused here.
 [21] Q Okay. I asked you a question about whether Mr.
 [22] Nelvis ever communicated to you that he was aware of a
 [23] relationship between the President and Ms. Lewinsky.
 [24] A Oh. Well, no. For that question I will assert the
 [25] privilege, and that is the correct answer to that. And I

[1] other questions for me?
 [2] A Not at this time.
 [3] MR. BITTMAN: We are off the record.
 [4] (Discussion off the record.)
 [5] BY MR. BITTMAN:
 [6] Q Officer Byrne?
 [7] A A minute ago I made a joke about being taped. You
 [8] hadn't asked this question, but I feel like I need to say
 [9] this.
 [10] I don't know why you never brought it up, but I'd
 [11] like to bring up the subject of -- I can't remember her name
 [12] right now. The person who supposedly taped Ms. Lewinsky.
 [13] Her name is?
 [14] Q Linda Tripp.
 [15] A Linda Tripp. I knew who she was at the White
 [16] House, but I didn't know her name at the time. I had seen
 [17] her around. She did have access to the West Wing.
 [18] I had at that point never knew that they were even
 [19] acquaintances, Monica and Linda Tripp.
 [20] I realize you never asked me that, but I just felt
 [21] like it was something that should be on the record. I was
 [22] shocked when I saw the -- not shocked, but I think a little
 [23] surprised, when I saw the fact that they were close enough
 [24] where they talked so much allegedly about these things and
 [25] that she taped it. I knew she was an employee.

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[1] apologize for the confusion.
 [2] Q A related question is, did Mr. Nelvis ever
 [3] communicate to you that he was aware that Ms. Lewinsky had
 [4] been in the study area of the Oval Office?
 [5] A I'm sorry, I'll have to assert the protective
 [6] privilege again with that question.
 [7] Q Anything else, Officer Byrne, that you want to
 [8] clarify?
 [9] A No. I think I've done enough damage. No, I'm just
 [10] kidding. No, I believe I'm squared away.
 [11] But, as you said before, and just to acknowledge
 [12] that again, if anything comes to mind I'll contact my
 [13] counsel.
 [14] Q I would appreciate that.
 [15] A Certainly.
 [16] Q I think that would be helpful to us.
 [17] A Well, it's the right thing to do. I'd also like to
 [18] point out I realize that, you know, this is a little
 [19] uncomfortable with all these privileges and rules and
 [20] regulations. But, you know, I am a sworn police officer and
 [21] I'm being as honest as I possibly can.
 [22] Q Well, I appreciate your saying that, because you
 [23] are a law enforcement officer. And we appreciate your
 [24] honesty here today.
 [25] A Thank you. And, once again, I'd like to apologize

[1] I remember Linda Tripp just because I remember her
 [2] being a smoker and she used to hang outside the West Wing,
 [3] the basin area, smoking outside. I just wanted that on the
 [4] record.
 [5] Q Okay. Anything else?
 [6] A No, I promise.
 [7] Q That's okay.
 [8] (Whereupon, at 6:58 p.m., the deposition was concluded.)
 [9] *****
 [10] CERTIFICATE OF COURT REPORTER - NOTARY PUBL
 [11] I, Elizabeth A. Eastman, the officer before whom
 [12] the foregoing deposition was taken, do hereby certify that
 [13] the witness whose testimony appears in the foregoing
 [14] deposition was duly sworn by me; that the testimony of said
 [15] witness was taken by me electronically and thereafter reduced
 [16] to typewriting by me; that said deposition is a true record
 [17] of the testimony given by said witness; that I am neither
 [18] counsel for, related to, nor employed by any of the parties
 [19] to the action in which this deposition was taken; and,
 [20] further, that I am not a relative or employee of any attorney
 [21] or counsel employed by the parties hereto, nor financially or
 [22] otherwise interested in the outcome of the action.
 [23]
 [24] **NOTARY PUBLIC FOR THE**
 [25] **DISTRICT OF COLUMBIA**
 My Commission Expires:

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[1] for the confusion about the last question and the story with
 [2] Evelyn Lieberman.
 [3] Q No problem. I'm glad you clarified it. By the
 [4] way, can you comment about the map and its accuracy?
 [5] A Yeah. Just give me a minute to look over that.
 [6] Everything, of course, without revealing any
 [7] privileged information, that looks right. I mentioned
 [8] earlier that some of the maps I'd seen in the newspaper
 [9] articles and stuff left doors out and that kind of stuff.
 [10] That looks correct to me as far as without revealing any
 [11] privileged information.
 [12] Vice President. Did you ever wonder why the Vice
 [13] President's office is smaller than the National Security
 [14] Advisor?
 [15] Q Room 113 is the Vice President's Office?
 [16] A I believe it is, yeah. Yeah, it is.
 [17] Q It's pretty darned small.
 [18] A Yeah.
 [19] Q Smaller than the Chief of Staff's office.
 [20] A There was an add-on. I mean, it was like an
 [21] afterthought. The place wasn't originally designed like that
 [22] when they did the final construction. I forget what
 [23] Administration they started like really bringing the Vice
 [24] President into the loop, so to speak.
 [25] Q Well, thank you, Officer Byrne. Do you have any

OFFICE OF THE INDEPENDENT COUNSEL

Date of transcription _____

05/11/98

GARY J. BYRNE, Officer, United States Secret Service (USSS), Uniformed Division (UD), date of birth [REDACTED], was interviewed at the Office of the Independent Counsel (OIC), 1001 Pennsylvania Avenue, NW, Washington, D.C. 20004. Present for the interview were Associate Independent Counsel (AIC) MICHAEL TRAVERS and AIC MARY ANNE WIRTH and Department of Justice (DOJ) attorneys GARY GRINDLER and JONATHAN SCHWARTZ. BYRNE was interviewed under the terms of an agreement reached between the OIC and the DOJ. BYRNE had previously been deposed by the OIC on March 13, 1998. After being apprised of the identities of the interviewers, BYRNE provided the following:

From June of 1994 through February of 1996, BYRNE was assigned to the E-6 post of the West Wing of the White House. The E-6 post is located in the corridor adjacent to the Oval Office.

About two years ago, while at his post, BYRNE noticed MONICA LEWINSKY walking down the [REDACTED]. BYRNE stopped LEWINSKY and asked her what she was doing. At this time, BAYANI NELVIS, White House steward, came out of the Oval Office pantry. LEWINSKY and NELVIS spoke. NELVIS made a joke comparing LEWINSKY to PAULA JONES. LEWINSKY replied that she was smarter than PAULA JONES. Both NELVIS and LEWINSKY laughed. BYRNE had moved away, as the reference to PAULA JONES had made him feel uncomfortable. BYRNE advised that he felt that LEWINSKY was a nuisance, conniving, and did not like or trust her. LEWINSKY was often around the Oval Office without a purpose. LEWINSKY tried to portray herself as being a friend of the President. LEWINSKY did this by befriending BETTY CURRIE, NANCY HERNREICH and NELVIS.

BYRNE stated that LEWINSKY befriended NELVIS during the government shutdown in November of 1995. LEWINSKY would stop by to say hello to NELVIS, and BYRNE would try make LEWINSKY feel uncomfortable. On one occasion, LEWINSKY came down the E-6 corridor from the Chief of Staff's Office and walked into the pantry to see NELVIS. NELVIS had stepped into the adjacent dining room and LEWINSKY followed him in there. BYRNE approached

Investigation on 05/06/98 at WASHINGTON D.C. File # 29D-OIC-LR-35063
 by SA [REDACTED] Date dictated 05/11/98

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Continuation of OIC-302 of GARY J. BYRNE, On 05/06/98, Page 2

LEWINSKY at that time and asked her to leave the dining room as she did not belong there. BYRNE may have grabbed her by the elbow. BYRNE told LEWINSKY not to come back, and LEWINSKY either agreed or did not say anything. BYRNE recalled that at some point, with NELVIS present, BYRNE told LEWINSKY that she could not hang around the Oval Office. NELVIS either agreed or said nothing.

BYRNE advised that he saw NELVIS give LEWINSKY some Presidential M&Ms and perhaps some other trinkets. BYRNE cannot recall LEWINSKY giving NELVIS any gifts.

BYRNE stated that NELVIS never told him that NELVIS had seen LEWINSKY alone with the President. NELVIS never told BYRNE anything concerning the President and LEWINSKY exchanging gifts. BYRNE advised that NELVIS never told BYRNE anything concerning finding lipstick or stained tissues in the Oval Office study.

BYRNE stated that at some point, around the time when LEWINSKY was an intern, Deputy Chief of Staff EVELYN LIEBERMAN complained to BYRNE about interns hanging around the Oval Office area. BYRNE told LIEBERMAN that he was not letting the interns into that area. BYRNE also complained to LIEBERMAN specifically about LEWINSKY being a problem, and that she was often around the Oval Office without a purpose. BYRNE told LIEBERMAN this because she was the "den mother type" who would discipline people. BYRNE did not know of any after hour access that LEWINSKY may have had to the Oval Office. However, BYRNE did hear other uniformed officers mention LEWINSKY visiting the Oval Office after hours.

BYRNE recalled an incident in which LEWINSKY, while she was still an intern, passed BYRNE at the [REDACTED] post. BYRNE asked her what she was doing there. LEWINSKY replied that she was going to see NANCY HERNREICH. HERNREICH came out of her office at that time. HERNREICH and LEWINSKY went into HERNREICH's office. BYRNE overheard LEWINSKY saying, "I'm sorry that happened, and it won't happen again."

BYRNE advised that, while at the [REDACTED] post at about 8:00 a.m. to 9:00 a.m., BYRNE heard LEWINSKY's voice. BYRNE saw LEWINSKY talking to the uniformed officer at the [REDACTED] post. BYRNE believed that the officer may have been LEROY SYNDER. LEWINSKY then walked in the opposite direction of the [REDACTED] post. BYRNE believed that LEWINSKY was a paid White House employee at the time, although he could not recall the date.

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Continuation of OIC-302 of GARY J. BYRNE . On 05/06/98 , Page 3

Shortly after LEWINSKY transferred to the Pentagon, BYRNE had a conversation with LAURA CAPPS. CAPPS asked BYRNE if he had heard about LEWINSKY. BYRNE replied, "yes" and walked away, as he did not want to carry on the conversation.

Around this same time frame, BYRNE was approached by TIM KEATING, while BYRNE was working in the East Wing of the White House at the [REDACTED] post. KEATING was "pretty upset," and grabbed BYRNE by the elbow. KEATING said, "You knew what was going on over there with LEWINSKY, and you didn't tell me? Now my butt's in a ringer." BYRNE told KEATING that it was, "none of your business, don't touch me," and "Should we be talking about this in the hallway?" BYRNE and KEATING had been fairly friendly previous to this encounter.

After LEWINSKY left the White House, BYRNE stated that while he was on duty he saw LEWINSKY standing in line at the East Gate to enter the White House. The occasion was a White House Christmas reception. BYRNE approached LEWINSKY and told her that she was not supposed to be there. LEWINSKY told BYRNE that she was on the guest list. BYRNE replied, "Oh ya?" in a cynical manner. BYRNE checked the guest list and LEWINSKY was on the list as a guest. BYRNE did not recall who she was with. BYRNE checked both names off and allowed them to enter. BYRNE advised that a short time later KIM WIDDESS came up to BYRNE in a "huff." WIDDESS told BYRNE that he had "screwed up" and let LEWINSKY into the reception. BYRNE replied that LEWINSKY had been on the guest list and WIDDESS had approved the list. BYRNE advised that WIDDESS was clearly upset that LEWINSKY had gained entrance. BYRNE could not remember the date of the reception. BYRNE stated that it was after LEWINSKY left the White House, and that it was probably 1996, as BYRNE did not work the Christmas functions in 1997. BYRNE believed that the reception was for the Department of Defense or the Department of Defense Press Corps.

BYRNE stated that after LEWINSKY left the employ of the White House, BYRNE saw her at a function on the South Lawn of the White House. BYRNE saw LEWINSKY being escorted by USSS Officer BRYANT WITHROW. Another uniformed officer (perhaps BOB MARSHALL) told BYRNE that he could not believe that WITHROW would let LEWINSKY in. BYRNE advised that LEWINSKY moved up to the gold rope area, which is near the speaker's podium.

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Continuation of OIC-302 of GARY J. BYRNE . On 05/06/98 , Page 4

BYRNE advised that he had heard a rumor that the President had been seen by a staff employee in the West Wing movie theater, with a woman other than the First Lady in a compromising position. BYRNE believed that the woman mentioned was ELEANOR MONDALE. BYRNE heard this rumor in a group of USSS officers late at night.

BYRNE heard a rumor that LEWINSKY showed up at the Northwest gate of the White House one night. LEWINSKY told the guard on duty that she had an appointment to see either the President or BETTY CURRIE. According to the story, the President then called Sergeant TOM OWENS and told him that he wanted LEWINSKY allowed in. LEWINSKY was then allowed in. BYRNE did not recall the gate officer's name, but the officer was a rookie.

BYRNE advised that on several occasions he and USSS Officer JOHN MUSKETT have mentioned LEWINSKY. At some point, MUSKETT asked BYRNE advice about the [REDACTED] post that MUSKETT was new to. BYRNE told MUSKETT that the access list to the Oval Office included NANCY HERNREICH, BETTY CURRIE, the First Family, and others. BYRNE believes he may have used LEWINSKY as someone who was not on the list. BYRNE was not sure if MUSKETT asked him if LEWINSKY was on the list. BYRNE stated that he and MUSKETT discussed this in a White House break room, and that it was not long before LEWINSKY was transferred to the Pentagon.

BYRNE stated that about one week prior to this interview MUSKETT called him at home. MUSKETT told BYRNE that he was to be interviewed by the OIC and that his father would represent him. a v H

Gary Byrne, 6/25/98

Deposition

Page 2 to Page 2

CONDENSED TRANSCRIPT AND CONCORDANCE
PREPARED BY:

OFFICE OF THE INDEPENDENT COUNSEL
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Page 2

[1] OFFICE OF THE INDEPENDENT COUNSEL
 [2] -----X
 [3] DEPOSITION OF : Thursday, June 25, 1998
 [4] :
 [5] GARY J. BYRNE : Washington, D. C.
 [6] :
 [7] -----X
 [8] Videotaped deposition of
 [9] GARY J. BYRNE
 [10] before the Independent Counsel, held in the Conference Room
 [11] of the Office of the Independent Counsel, Suite 490, 1001
 [12] Pennsylvania Avenue, N.W., Washington, D. C. 20004,
 [13] beginning at 2:37 p.m., when were present:
 [14] For the Independent Counsel:
 [15] :
 [16] MARY ANNE WIRTH, ESQUIRE
 [17] Associate Independent Counsel
 [18] MICHAEL EMMICK, ESQUIRE
 [19] Associate Independent Counsel
 [20] EDWARD J. PAGE, ESQUIRE
 [21] Associate Independent Counsel
 [22] Videographer: Craig W. Murphy
 [23] Court Reporter: Elizabeth A. Eastman
 [24]
 [25]

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[1] A I do.
 [2] Q You do have an obligation to tell the truth. You
 [3] may be prosecuted for perjury if you lie, if you are
 [4] misleading, or if you answer "I don't know" or "I don't
 [5] remember", if, in fact, you do know or you do remember. Do
 [6] you understand that?
 [7] A I do.
 [8] Q Do you understand all these rights that I've
 [9] explained to you?
 [10] A I do.
 [11] Q In addition, we've agreed with the Department of
 [12] Justice that we will not pose any questions to you that seek
 [13] information regarding protective techniques or procedures of
 [14] the Secret Service, including security technologies,
 [15] armaments or devices within or around the White House
 [16] complex. Do you understand that?
 [17] A I do.
 [18] Q If any questions that we ask you today call for any
 [19] of that information, please let us know.
 [20] A I will.
 [21] Q In addition, we understand that there are certain
 [22] privileged matters and privileged information to which you
 [23] will not be testifying today, and we will attempt to frame
 [24] our questions in such a way as to obtain nonprivileged
 [25] information.

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[1] PROCEEDINGS
 [2] VIDEOGRAPHER: My name is Craig W. Murphy and I am
 [3] employed by Deposition Services, Incorporated.
 [4] The date today is June 25, 1998 and the time is
 [5] approximately 2:37 p.m. This deposition is being held at
 [6] 1001 Pennsylvania Avenue, N.W., Suite 490, Washington, D. C.
 [7] The name of the witness is Gary Byrne. This
 [8] deposition of Mr. Byrne is being taken In Re Grand Jury
 [9] Investigation conducted by the Office of the Independent
 [10] Counsel.
 [11] At this time, the attorneys will identify
 [12] themselves, please.
 [13] MS. WIRTH: Mary Anne Wirth, Associate Independent
 [14] Counsel.
 [15] MR. EMMICK: My name is Mike Emmick, E-M-M-I-C-K.
 [16] I am an Associate Independent Counsel as well.
 [17] VIDEOGRAPHER: At this time, the court reporter,
 [18] will identify herself and swear in the witness, please.
 [19] COURT REPORTER: My name is Elizabeth Eastman.
 [20] WHEREUPON,
 [21] GARY J. BYRNE
 [22] having been called for examination by the Office of the
 [23] Independent Counsel, and having been first duly sworn, was
 [24] examined and testified as follows:
 [25]

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[1] However, I or Mr. Emmick may ask you questions that
 [2] call for privileged information. If that happens, you can
 [3] either assert the privilege or step outside the room and
 [4] consult with your lawyers about that.
 [5] A Okay.
 [6] Q Okay?
 [7] A Yes, ma'am.
 [8] Q Now, you've been deposed before in this matter, is
 [9] that correct?
 [10] A Yes, I have.
 [11] Q Just some general questions for this record. How
 [12] long have you been employed with the Secret Service?
 [13] A A little over seven years. I was sworn in on March
 [14] 25th, 1991.
 [15] Q You are a uniformed officer, is that correct?
 [16] A Yes, ma'am, that's correct.
 [17] Q What have been your duties with the Secret Service
 [18] during the Clinton Administration?
 [19] A During the Clinton Administration I was assigned --
 [20] my first post was assigned in the West Wing outside the Oval
 [21] Office. The Secret Service calls this post [REDACTED]
 [22] Q Can you explain what your job is at that location?
 [23] A My job outside the Oval Office was basically to
 [24] control access to the President's office when he was there,
 [25] when he was not there. My job was also to make sure that

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[1] EXAMINATION BY COUNSEL FOR THE INDEPENDENT COUNSEL
 [2] BY MS. WIRTH:
 [3] Q Can you tell us your name and spell your last name,
 [4] please?
 [5] A I am Gary James Byrne, B-Y-R-N-E.
 [6] Q I am going to first advise you of some of your
 [7] rights. You are being deposed today in lieu of a grand jury
 [8] appearance. Do you understand that?
 [9] A Yes, I do.
 [10] Q This proceeding will be made available to the grand
 [11] jury, and it is being conducted under the Federal Rules of
 [12] Criminal Procedure. You have the right to have your
 [13] attorneys present outside the room. And, in fact, you have
 [14] two attorneys present outside the room, is that right?
 [15] A That is correct.
 [16] Q And they are Anne Weismann and Dave Anderson from
 [17] the Department of Justice, is that right?
 [18] A Correct.
 [19] Q If you wish to meet with any of them or confer with
 [20] them at any time during the questions today, you can ask to
 [21] have a break to do so. Do you understand that?
 [22] A I do.
 [23] Q You have the right not to answer any questions the
 [24] truthful answer to which would incriminate you. Do you
 [25] understand that?

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[1] everybody that came by was either a passholder, an authorized
 [2] appointment or guest.
 [3] Q When the President is not in the Oval Office, where
 [4] do you stand on your post at [REDACTED]
 [5] A Directly in front of the [REDACTED] door, which is in the
 [6] hallway. I've described this before and actually used a
 [7] diagram, and I'll be glad to do it again.
 [8] Q Okay.
 [9] (Discussion off the record.)
 [10] (Deposition Exhibit Byrne #1
 [11] was marked for identification.)
 [12] THE WITNESS: The best way to describe where this
 [13] door is it is directly across from the Roosevelt Room.
 [14] BY MS. WIRTH:
 [15] Q We will mark this with an exhibit sticker. It will
 [16] be Exhibit Byrne #1. I'll give you this green pen. First,
 [17] of all, could you put your initials down there on the bottom
 [18] and today's date, which is June 25, 1998.
 [19] Do you recognize this as a diagram --
 [20] A Yes, I do.
 [21] Q -- of the West Wing of the White House?
 [22] A This is the West Wing, correct.
 [23] Q Could you indicate with the letter and number [REDACTED]
 [24] where you stand when the President is not in the Oval Office?
 [25] A Okay. This is the [REDACTED] door. The post, just for

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[1] record purposes, the officer here, his post responsibilities
 [2] are from the back of the Cabinet Room to the back of the
 [3] dining room, which is right here.
 [4] Q Can you write DR where the dining room is?
 [5] A Certainly.
 [6] Q Now, when the President is in the Oval Office,
 [7] where is the [redacted] post?
 [8] A The [redacted] post still ranges from the [redacted]
 [9] -- I'm sorry. I think I have made a mistake. This is the
 [10] dining room right here, and this is now Rahm Emanuel's
 [11] office.
 [12] Q Why don't you cross that out.
 [13] A I'll scratch that out and I'll initial it, if
 [14] that's okay.
 [15] Q That's good. Can you mark an S for study, by the
 [16] way?
 [17] A Certainly.
 [18] Q And that is the President's study off the Oval
 [19] Office?
 [20] A Correct. And the bathroom.
 [21] Q BR for bathroom?
 [22] A Right.
 [23] Q If the Oval Office is a clock, if you leave through
 [24] the 9 o'clock door, you've indicated a room to the right of
 [25] the door as you enter that passageway out of that door,

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[1] Q Okay.
 [2] (Discussion off the record.)
 [3] BY MR. EMMICK:
 [4] Q Can I ask a followup question? With respect to the
 [5] doors on either side of the pantry, are they usually locked
 [6] or unlocked?
 [7] A They [redacted]
 [8] [redacted]
 [9] [redacted]
 [10] [redacted]
 [11] [redacted]
 [12] [redacted]
 [13] Q [redacted]
 [14] A [redacted]
 [15] Q [redacted]
 [16] A [redacted]
 [17] Q [redacted]
 [18] A [redacted]
 [19] BY MS. WIRTH:
 [20] Q And when you say the outer one, you mean the door
 [21] that leads into the hallway?
 [22] A Correct. Yes, ma'am.
 [23] BY MR. EMMICK:
 [24] Q If I could ask a followup on that again?
 [25]

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[1] correct?
 [2] A Correct.
 [3] Q I think the question was, where is the [redacted] post
 [4] when the President is in the office?
 [5] A Generally, what will happen is the officer will
 [6] [redacted]
 [7] May I mark this again?
 [8] Q Yes.
 [9] A Let me get this right. [redacted] is approximately right
 [10] here. And right across from the [redacted]
 [11] [redacted]. And the officer's basic job is to
 [12] [redacted]
 [13] [redacted]
 [14] Q [redacted]
 [15] [redacted]
 [16] A Correct.
 [17] Q Okay. On this diagram, while you are there, can
 [18] you take a look and see whether you can point out where the
 [19] pantry is?
 [20] A Certainly. This is the pantry right here.
 [21] Q Can you draw an arrow and mark it P where the
 [22] pantry is?
 [23] A Uh-huh.
 [24] Q Is there a doorway leading from that hallway marked
 [25] [redacted] into the pantry?

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[1] A Sure.
 [2] Q What about the other door? Is it generally closed?
 [3] A [redacted]
 [4] [redacted]
 [5] [redacted] they back up to each
 [6] [redacted] So, that door, the door that leads from the dining
 [7] room into the hallway near the President's study, there's a
 [8] door here. [redacted]
 [9] [redacted]
 [10] On the bottom of the pantry door, the inner pantry
 [11] door -- is it okay to identify it like that?
 [12] Q Sure.
 [13] A The inner pantry, I believe we had a couple
 [14] [redacted] made up and, you know, [redacted]
 [15] [redacted] The
 [16] steward will close it because he'll be in there preparing
 [17] food for the President, so that there's not any noise or
 [18] anything.
 [19] Q I see.
 [20] A It is opened and closed daily, to answer your
 [21] question.
 [22] Q How long have those [redacted] been around?
 [23] A You know, I'm not really sure. I know that Nelvis
 [24] had them, a couple of them made up by the White House
 [25] [redacted] and they put, you know, Presidential seals on them.

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[1] A I'm sorry. I don't understand.
 [2] Q Is there a doorway, in reality, that leads from
 [3] this hallway marked [redacted] into the pantry?
 [4] A Yes. There's two doors. I was just going to say
 [5] that.
 [6] Q And one of those --
 [7] A There's a door here and then there's a door that
 [8] goes from the pantry into the President's dining room.
 [9] Q And the doorway that leads from that hallway [redacted]
 [10] not marked on this diagram, correct?
 [11] A No, it's not. It's just a black line.
 [12] Q But in reality there is a door there?
 [13] A Yes, ma'am, there is.
 [14] Q Okay. So, there are two doors, one leading into
 [15] the pantry --
 [16] A Yes.
 [17] Q -- from the [redacted] hallway and one leading out of the
 [18] pantry --
 [19] A Probably less than four feet apart.
 [20] Q Okay. And leading from the pantry into the dining
 [21] room?
 [22] A Correct.
 [23] Q So the pantry, in fact, could be used as a
 [24] passageway from the dining room into the [redacted] hallway?
 [25] A Certainly.

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[1] They're probably 10 years old or so.
 [2] Q And, again, the purpose is to make sure that the
 [3] [redacted] so --
 [4] A Right.
 [5] Q [redacted]
 [6] [redacted]
 [7] [redacted]
 [8] [redacted]
 [9] [redacted]
 [10] Q Just a final followup then.
 [11] A Sure.
 [12] Q [redacted]
 [13] [redacted]
 [14] [redacted]
 [15] [redacted]
 [16] A Certainly.
 [17] Q So it's like a small hallway?
 [18] A Well, it's not a hallway. It's just walking from
 [19] the pantry into the dining room. And then you could turn
 [20] left and you'd be -- I mean, as soon as you turn left, you'd
 [21] be standing in the hallway right in front of the President's
 [22] door to his study.
 [23] Q I see. All right.
 [24] BY MS. WIRTH:
 [25] Q So, it could be used as a passageway?

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[1] A Oh, certainly. I mean, it is by the stewards and
 [2] by us. Sure.
 [3] Q Now, you said earlier that during the Clinton
 [4] Administration you've been posted at [REDACTED]
 [5] A That was my first position with the Clinton
 [6] Administration, with the exception of when they first got
 [7] there I worked the rotation, the outer security posts, and I
 [8] worked at the Oval Office part-time. And then after I left
 [9] the Oval Office, I was assigned to the tour section, also
 [10] known as Special Operations Section. And I worked there for
 [11] a year until I left for the Training Center.
 [12] Q When did you go to the tour section?
 [13] A I believe it would have been -- I don't have those
 [14] dates with me. I know I've given testimony on this before.
 [15] So, I'm not --
 [16] Q Generally?
 [17] A It would have been, I think it would have been in
 [18] the winter of '96.
 [19] Q How long have you been at training?
 [20] A It was a year this past February.
 [21] Q So, from the winter of '96, going back, for how
 [22] long did you have the [REDACTED] post?
 [23] A Approximately a year and six months.
 [24] Q So, through all of '95.
 [25] A Correct.

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[1] Q Some of '94?
 [2] A I haven't looked at the date in so long.
 [3] Q But all of '95?
 [4] A Yes, I believe that's correct.
 [5] Q And part of '96?
 [6] A Yes.
 [7] Q When did you leave in '96? When you say the winter
 [8] of '96, do you have a rough idea when?
 [9] A It would have been around January.
 [10] Q When you worked the [REDACTED] post, what shift did you
 [11] work?
 [12] A I rotated. We call it two tricks. The daywork
 [13] shift is 6:30 to 2:30. I work a week of daywork shift and
 [14] then take my two days, which for me were Saturday and Sunday.
 [15] Then I come back to work on the afternoon shift, five days of
 [16] that, and then the two days off.
 [17] Q Just for the record, I did -- I mean, there's a lot
 [18] of times I worked straight through. You know, there's a lot
 [19] of overtime involved in this job. So.
 [20] Q And the day shift is from when to when?
 [21] A The day shift is 6:30 to 2:30; afternoon shift is
 [22] 2:30 to 10:30. And midnight shift, which is a permanent
 [23] fixed shift, they do not rotate, is 10:30 to 6:30.
 [24] Q When you worked in the tour section, where is that
 [25] located?

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[1] A The office for Special Operations, or tour section,
 [2] is in the basement of the East Wing.
 [3] Q And that was your point of operation from there?
 [4] A Yes, ma'am, when in the tour section.
 [5] Q Now, you testified previously that you knew Monica
 [6] Lewinsky, correct?
 [7] A That's correct.
 [8] Q And you knew that she was an intern in the White
 [9] House, you told us previously?
 [10] A That is correct.
 [11] Q And you knew, you told us previously, that at some
 [12] point she moved from being an intern to being a full-time
 [13] paid employee at the White House, is that correct?
 [14] A I'm sorry. Ask that one more time?
 [15] Q Sure. You testified previously that she moved from
 [16] being an intern to a paid employee at some point in the White
 [17] House?
 [18] A Okay. Yeah. I don't know, I can't testify
 [19] honestly, you know, if she was actually being paid or what.
 [20] But I know her position was an intern, and then she had the
 [21] blue pass, a permanent. I'm assuming, yes, she was being
 [22] paid.
 [23] Q Okay. So, based on the pass that she wore, you
 [24] knew that she was a full-time employee?
 [25] A Correct.

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[1] Q At the White House at some point?
 [2] A Yes, ma'am.
 [3] Q Okay. And you've also testified that you had seen
 [4] Monica Lewinsky in the area of the Oval Office at some time.
 [5] correct?
 [6] A First, without revealing any privileged information
 [7] and on the advice of my counsel, the answer is yes, I have
 [8] seen her in the area.
 [9] Q Okay. Now, I'm going to call your attention to the
 [10] period of time of the government shutdown. Do you remember
 [11] that?
 [12] A Certainly.
 [13] Q And do you remember roughly when that was?
 [14] A No, because there was actually two, if I'm not
 [15] mistaken.
 [16] Q Okay.
 [17] A I remember it was cold. That's all I can remember.
 [18] It was the winter.
 [19] Q Okay.
 [20] A The reason I remember that is because there were
 [21] pictures of House Speaker Gingrich with the Santa Claus hat
 [22] on, and they called him The Grinch Who Stole Christmas.
 [23] That's the only reason I remember it was during the Christmas
 [24] shutdown.
 [25] Q Okay.

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[1] A He's not going to hear this, right?
 [2] Q Do you recall any encounters with Monica Lewinsky
 [3] during that shutdown?
 [4] A Before I answer that question, I wonder if I could
 [5] step out and speak with my counsel?
 [6] Q Yes.
 [7] (Whereupon, the deposition was recessed from
 [8] 2:52:49 p.m. until 2:54:59 p.m.)
 [9] THE WITNESS: If you ask me that one more time, I
 [10] will fulfil your wishes.
 [11] BY MS. WIRTH:
 [12] Q The question was, do you recall any encounters with
 [13] Monica Lewinsky during the shutdown?
 [14] A Yes, I do. Of course, without revealing any
 [15] privileged information, during the shutdown -- let me see the
 [16] best way to describe this. You have to excuse me for kind of
 [17] lengthening this.
 [18] It was during the shutdown and the staff, Mr.
 [19] Panetta, the Chief of Staff, was allowed to bring in
 [20] Jennifer, his assistant, and one intern, and they chose
 [21] Monica.
 [22] Q Jennifer Palmieri was his assistant?
 [23] A I believe that was her last name. Yes, that's her.
 [24] And Monica had had -- as I mentioned before, I had had
 [25] encounters with her before trying to gain access to the area

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[1] around the President's office.
 [2] So, I saw her coming down the hallway and she had
 [3] some kind of papers in her hand. And I stopped her in the
 [4] area of the [REDACTED] post. And I said, Monica, you know, where
 [5] are you going. And she said, well, I have to go deliver
 [6] these papers, and I don't remember where she said, because
 [7] the truth was, I didn't care. I knew she was doing something
 [8] she, in my opinion, she wasn't supposed to, and I'll explain
 [9] how I know that. She's supposed to use the outer hallway.
 [10] And so then she said, well, I have to go to the bathroom too.
 [11] And I said, well, then, you need to go the other way also, or
 [12] anyway.
 [13] And so basically what I let her do is go through
 [14] the side Roosevelt Room door, cut across to where the
 [15] bathroom was, and that's the last I saw of her, I mean,
 [16] through that incident.
 [17] Q When you said you saw her coming down the hallway
 [18] where was she coming from and what direction going to?
 [19] A I believe she was coming out of the Chief of
 [20] Staff's office, that area, which would be the same area as
 [21] the Vice President's Office, and she would be traveling
 [22] towards me in an easterly direction from the west.
 [23] Q So, she's coming from the direction of room 111-on
 [24] this diagram?
 [25] A Correct.

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[1] Q And did she have papers with her?
 [2] A I believe she had something in her hand, yeah. I
 [3] couldn't tell you what it was.
 [4] Q Do you remember what time of day it was?
 [5] A No, I don't. I can give you an educated guess and
 [6] say it was daywork, but to be honest with you I'm not sure.
 [7] You are talking about quite a long time ago.
 [8] Q And daywork is the 6:30 a.m. shift?
 [9] A Right. Correct. I'm sorry. I think it was the
 [10] afternoon shift. It was the afternoon shift. As a matter of
 [11] fact, it could have been actually dark when this took place.
 [12] So, it was probably after five or 6 o'clock.
 [13] Q Why do you think that?
 [14] A I just remember it being dark in the hallways.
 [15] There's no sunlight anywhere. I know that sounds silly
 [16] because there are not many windows, but I think I went on
 [17] break right after that. I'm, I'm almost certain it was dark.
 [18] Q Do you remember what Monica was wearing?
 [19] A No, I don't.
 [20] Q When you first asked her, where are you going, what
 [21] was the first response she gave you?
 [22] A She said, I believe she said, I have to deliver
 [23] this to somebody. And basically I just put my hand up and
 [24] said, Monica, you know, something to the effect, it doesn't
 [25] make any difference, go around the other way. And she did.

Page 21

[1] Q And when did she say she had to go to the bathroom,
 [2] too?
 [3] A Right about the same time. It was a very quick
 [4] conversation.
 [5] Q So, you directed her through the Roosevelt Room?
 [6] A Right.
 [7] Q Which leads towards the bathroom, does it?
 [8] A Well, it will go -- she went all the way across the
 [9] Roosevelt Room to this hallway that leads from the lobby. If
 [10] you walk from the lobby all the way down it would lead to the
 [11] Cabinet Room, right here. And the bathroom, the mens' and
 [12] ladies' room are in that hallway.
 [13] Q Okay.
 [14] A This is the press lobby area, press lobby staff,
 [15] like Mike McCurry's office.
 [16] Q And did she go in that direction?
 [17] A She did. As a matter of fact, I watched her go
 [18] through the other door just to make sure she didn't
 [19] doubleback. I mean, and, you know, not just because it was
 [20] Monica; just because that's the way I do things. I just made
 [21] sure that, you know, she was out of there, and that was that.
 [22] Q Without revealing any privileged information, do
 [23] you know where the President was at that time?
 [24] A I believe if I answered that question I would be
 [25] revealing privileged information. Yes, I do know where he

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[1] was. I believe if I tell you, though, I would be revealing
 [2] privileged information.
 [3] Q All right. Did you ever say anything to her like,
 [4] which story is it, or which story are you telling me? Did
 [5] you have a view that she was telling you different stories
 [6] just to get somewhere?
 [7] A Certainly.
 [8] Q What do you remember about that?
 [9] A I just, I always felt like Monica was kind of a
 [10] manipulator and I've said this before and I'll say it again.
 [11] I believe she was a manipulator and that she would say what
 [12] she had to get what she wanted, as far as into this
 [13] hallway where she wanted to go. I thought she felt -- I
 [14] always thought she felt like even though she was an intern,
 [15] or regardless of her job at the time, you know, anytime she
 [16] worked there, that she thought she should have a status of
 [17] like the Secretary of State.
 [18] She's just one of those people who was really
 [19] overwhelmed by where it was she worked and thought she was
 [20] somebody special, and she wasn't. Not to me.
 [21] Q Prior to this day when this incident happened, did
 [22] you have some course of dealing with her that led you to
 [23] believe that she was trying to go somewhere where she
 [24] shouldn't?
 [25] A Certainly.

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[1] Q And what was that course of dealing, if you can
 [2] tell us without revealing privileged information?
 [3] A Certainly, I can, without revealing any privileged
 [4] information. There were numerous times, and I can't remember
 [5] each one individually. But there were numerous times where I
 [6] had stopped her before.
 [7] And I had discussed this with the other officers
 [8] that worked these posts. I had told them that I felt that we
 [9] should keep an eye on her and watch her, because she, in my
 [10] opinion, she kept going to places that she wasn't supposed to
 [11] be and she always had some kind of story, one way or the
 [12] other.
 [13] Q And you say you had stopped her before. Was it
 [14] always or usually in this particular hallway where the
 [15] post is, or other places as well?
 [16] A Well, it could have been coming from the other
 [17] direction, too.
 [18] Q When you say the other direction, what do you mean?
 [19] A Which would have been in this area, and her coming
 [20] from the area of the press lobby, Cabinet Room area.
 [21] Q Why don't you just write in --
 [22] A Certainly.
 [23] Q -- Press Lobby, or PL maybe up there, whatever you
 [24] think works.
 [25] A Okay. This is actually --

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[1] Q Why don't you write Press?
 [2] A Yeah. P-R-E -- I'm sorry.
 [3] Q That's all right.
 [4] A I'm a little nervous here. Okay. Now, this would
 [5] be --
 [6] Q Just for the record, you've written Press, and
 [7] you've crossed out a previous writing which is not spelled
 [8] correctly?
 [9] A Right, incorrect.
 [10] Q Do you want to initial that?
 [11] A Certainly.
 [12] Q Where you've marked Press, that's the press room?
 [13] A Press lobby.
 [14] Q Press Lobby.
 [15] A And, yes, she could certainly have been coming from
 [16] that area on her way back from an errand. And the interns
 [17] were taught that when they came this way, as soon as they got
 [18] to this hallway, they were supposed to go up this hallway
 [19] toward the lobby. This was not where they were supposed to
 [20] be unless they were actually delivering stuff to the Oval
 [21] Office secretary or assistants.
 [22] Q And the direction you just indicated was a hallway
 [23] to the top of the Roosevelt Room on this diagram, leading
 [24] into the Lobby to the left of the Roosevelt Room on this
 [25] diagram, correct?

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[1] A Correct. The hallway leads from the area of the
 [2] mens' and ladies' room all the way back to the west lobby.
 [3] BY MR. EMMICK:
 [4] Q I do have a couple questions. One was, when Ms.
 [5] Wirth asked you whether or not you made any comment along the
 [6] lines of, you are giving me two stories, you started talking
 [7] about your impressions of Monica as being manipulative. But
 [8] I wasn't sure I understood what you had said to Monica about
 [9] the two stories.
 [10] A Basically -- I don't remember exactly what I said,
 [11] but it was either, it was something to the effect of, I don't
 [12] want to hear it. You know, I mean, not rudely, but, you
 [13] know, it doesn't make any difference to me; you know, there's
 [14] no reason for you to come this way.
 [15] Q I see.
 [16] A That's basically -- I don't know exactly what it
 [17] was I said to her. You know, it could have been something a
 [18] little more smart-alecky. You know, we kind of had a -- you
 [19] know, I can't speak for her side of our working relationship,
 [20] but, you know, from my side, it was basically an irritant.
 [21] And it wasn't just because she was Monica. It was quite a
 [22] few of the interns. But she stuck out.
 [23] She was the one who just never seemed to understand
 [24] and just thought that -- I just got the impression she didn't
 [25] respect what the Secret Service did and, and wasn't concerned

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[1] with our concerns of, you know, of course, the President's
 [2] security and his privacy, which is one and the same
 [3] sometimes.
 [4] Q When she told you that she had some papers that she
 [5] needed to have signed -- am I stating that right?
 [6] A She did not say signed. She just said, I believe
 [7] she said something to deliver.
 [8] Q Something to deliver?
 [9] A Correct.
 [10] Q Where did you understand her to mean, deliver to?
 [11] A I don't know, and it didn't make any difference,
 [12] because even if it was the President's secretary's office,
 [13] she still should have gone around.
 [14] Q Okay.
 [15] A There was nothing in between where I was, other
 [16] than the President at the time.
 [17] Q Where do you think she wanted to go?
 [18] A I don't know.
 [19] Q Do you have any impression at all about where she
 [20] wanted to go?
 [21] A I certainly don't.
 [22] Q Based on these other conversations that you had
 [23] with her where she seemed to be wanting to go somewhere where
 [24] you thought she shouldn't be, can you tell where she wanted
 [25] to go?

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[1] A I felt like what she was trying to do, when she was
 [2] trying to gain access to this area -- and I hope I'm
 [3] answering this the way you want it -- was that she was trying
 [4] to, I felt like she was trying to ensure a, maybe a
 [5] happenstance or chance meeting with the President when he
 [6] would be moving. That was my impression.
 [7] Q When you indicated that she felt, or she expressed
 [8] sort of a feeling that she was entitled to be there -- am I
 [9] stating that correctly?
 [10] A She tried -- yes. And I felt like she tried to
 [11] project the, the, the air that, that she was always doing
 [12] something important, you know, which, you know, grated me the
 [13] wrong way.
 [14] Q Did she ever say anything along the lines that
 [15] she's entitled to be there?
 [16] A Yes. She did, I'm sure. I don't remember an exact
 [17] incident but I do remember kind of reading her the Riot Act,
 [18] so to speak, what her responsibilities were and what mine
 [19] were, and how they clashed, and who was going to win.
 [20] Q Did she ever say that she had been asked to bring
 [21] things there, either by the President or by Betty or by
 [22] someone else?
 [23] A Could you restate that?
 [24] Q Sure. Did she ever say that she had been asked to
 [25] bring papers there, or had been asked to go to the Oval

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[1] Office area, by the President, by Betty, by Nancy Hemreich,
 [2] someone in authority?
 [3] A I don't feel I can comment on anything about the
 [4] President without revealing any privileged information. But,
 [5] yes, I do remember one time when she was, another incident
 [6] where she -- that I have discussed before -- where she was
 [7] coming down the hallway and she wasn't actually delivering
 [8] anything, but she was going to meet with Nancy Hemreich in
 [9] Nancy's office.
 [10] Q I was trying not to ask of things about the
 [11] President that you had seen. I was trying to ask --
 [12] A Correct.
 [13] Q -- what she had said to you --
 [14] A Right.
 [15] Q -- about whether the President had invited her or
 [16] suggested she could be there.
 [17] A Okay.
 [18] Q Do you understand what I mean?
 [19] A Yes, I do now. I do understand what you are
 [20] saying.
 [21] I think it's best that I err on the side of the
 [22] privilege and you are welcome, you know, I won't answer that
 [23] any more, but you are welcome to re-ask it in any other way.
 [24] I mean, I'll be glad to try to keep answering these
 [25] questions. I just don't think I can comment on her possibly

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[1] delivering anything to, for the President.
 [2] Q I'm not actually asking anything about actual
 [3] deliveries. I'm asking whether she said that she felt she
 [4] had authority, if you will, to walk in that direction based
 [5] on something that the President or someone else had told her.
 [6] A Right. To the best of my recollection, no. I have
 [7] never had that conversation with her. And, of course, that
 [8] is without revealing any privileged information.
 [9] Q Yes. I understand. One final thing. You
 [10] mentioned that you had told others about your concerns about
 [11] Monica.
 [12] A Uh-huh.
 [13] Q What I'd like to try to get a little clearer on is
 [14] why you felt it was necessary to tell others, what others you
 [15] would have told.
 [16] A Sure. Certainly.
 [17] Q And how you would have characterized it.
 [18] A It was one of our jobs, as an officer working
 [19] there, to pass this information, significant information on
 [20] to the officers that relieve you, and even to the agents that
 [21] work the posts, the area, when the President's there.
 [22] If you are having a problem with somebody, you want
 [23] everybody to know about it, so they can kind of fight the
 [24] same battle you are. You don't want, you don't particularly
 [25] want them, you know, allowing her to do something when you

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[1] are telling her not to.
 [2] And I don't know how much you've interviewed the
 [3] other people that I worked with, but, you know, the truth is
 [4] that I kind of had a joking reputation that, you know, that I
 [5] was a little stern on everybody, and I was. But I used to go
 [6] out of my way to remind everybody, you know, not just Monica
 [7] -- Monica in particular at times -- but also everybody, the
 [8] interns, you know.
 [9] It's no big deal to ask these people -- there were
 [10] other staff people who used to walk around without their
 [11] passes on. And there was only one level of people that were
 [12] allowed to walk around without their passes on, and that was
 [13] at a request by Mr. Panetta, and it was at Mr. Panetta's
 [14] level, and obviously the Vice President, the President and
 [15] the Presidential family.
 [16] And there were people who tried to, you know, kind
 [17] of convey that privilege to themselves. People, for, let's
 [18] say, at George Stephanopoulos' level, or even below that.
 [19] And, you know, it was like a status thing, I don't need to
 [20] wear my pass. Well, you know, I used to go out of my way and
 [21] I'd try to get everybody else to go out of their way to, you
 [22] know, crack down on that.
 [23] Q So, those would be among the reasons you would
 [24] convey your concerns to others. Other than the officers who
 [25] may have followed you and took over your post --

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[1] A Certainly.
 [2] Q -- or agents, what other people would you have
 [3] mentioned your concerns to?
 [4] A That would be about it. I mean, I had, I believe
 [5] I've discussed this before, but I had mentioned my concerns
 [6] about interns in general and Monica to Evelyn Lieberman, who
 [7] at that time was the Deputy Chief of Staff.
 [8] Q Did you mention it to your supervisor, for example?
 [9] A Yes. I, I -- you know, I may have, but it's
 [10] possible that I didn't because there's quite a few things
 [11] that we -- it's not that we left them out of the loop. But
 [12] if it was anything of significance, we went to them about it.
 [13] But stuff like that, this is stuff that happens every single
 [14] day, every hour.
 [15] You're not going to beat your supervisors to death
 [16] over this. If you do, they're going to wonder why you're
 [17] there in the first place. You know, I mean, you're there to
 [18] do a job and to take at least some of the headaches and
 [19] responsibility.
 [20] Q In the same way that you have described letting
 [21] your successor officer or agents know about concerns that you
 [22] had, did others convey to you --
 [23] A Certainly.
 [24] Q -- concerns that they had about Monica?
 [25] A Certainly.

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[1] Q What were the nature of those concerns?
 [2] A Basically the same type of things. I discussed it,
 [3] I can remember discussing it with Officer Sandy Verna; my
 [4] partner, who was Dan Ordakowski. We discussed it from time
 [5] to time. And, you know, we discussed other employees,
 [6] believe me, that, you know, different things. And some of
 [7] them not so much security concerns. We discuss a lot of
 [8] things. I mean, we're no different than anybody else. You
 [9] know, we probably made little jokes about people from time to
 [10] time.
 [11] Q Having in mind that it sounds like several people,
 [12] either at the uniform or the PPD level, had this concern in
 [13] mind, was it anything that the supervisors ever discussed
 [14] with you as a group?
 [15] A Not to my recollection, nothing formal. I do know
 [16] there was never any paperwork generated, you know,
 [17] complaining about her or anybody else. We did things
 [18] verbally pretty much.
 [19] Q Why are you so sure that there wasn't paperwork
 [20] generated?
 [21] A Because I'm lazy and that means that I would have
 [22] had to generate --
 [23] Q Oh, you mean by you?
 [24] A Yeah, by me, right, by me.
 [25] Q Sure.

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[1] A I prefer the voice.
 [2] MR. EMMICK: That's all I had.
 [3] BY MS. WIRTH:
 [4] Q Did Monica have any reaction when you redirected
 [5] her to that different path?
 [6] A Yes. She was, acted a little intimidated, you
 [7] know, a little befuddled -- I can't think of the right word.
 [8] But, you know, yes, she was a little intimidated and she
 [9] turned and did as I asked. I mean, I physically blocked her.
 [10] So.
 [11] Q Okay. When you say physically blocked her, you
 [12] mean blocked the hallway?
 [13] A I stood in her way, yes.
 [14] Q I'm going to change the subject for a moment. Do
 [15] you know Bayani Nelvis?
 [16] A Yes, I do.
 [17] Q What is his job?
 [18] A Just for the record, I call him Nelvis. Is it all
 [19] right if I continue?
 [20] Q You can call him that, fine, sure.
 [21] A Nelvis was a Chief, is a Chief Master Sergeant in
 [22] the U.S. Navy. He's assigned to the Navy Mess at the White
 [23] House and his job is to be the steward for the President.
 [24] And basically it's to take care of all the President's whims,
 [25] as far as food, service, and some of the President's senior

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[1] guests, like Heads of State and stuff.
 [2] Q How long did you know him?
 [3] A I guess I've known Nelvis approximately four, five
 [4] years. I don't know how well I knew him before I started
 [5] working there, probably not very well. But from the time I
 [6] started working at the Oval Office, I got to know him very
 [7] well. We worked hand-in-hand, night-and-day, you know. Very
 [8] nice man.
 [9] Q And is part of the reason for that the fact that
 [10] the [redacted] post is very near his pantry?
 [11] A The [redacted] and [redacted], yes.
 [12] Q And [redacted]?
 [13] A Yes. And we had a good, you know, the Secret
 [14] Service and the people, the military people, we have a good
 [15] working relationship, and we seem to go out of each other's,
 [16] out of our ways to take care of each other, and they did that
 [17] also for us.
 [18] Q Okay.
 [19] A It wasn't -- I'm sorry. Go ahead.
 [20] Q No, go ahead.
 [21] A It wasn't uncommon for the steward, if they realize
 [22] that you were working over or hadn't got a chance to eat,
 [23] that they would do something for you. So. As far as food
 [24] went.
 [25] Q And Nelvis has done that for you?

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[1] A Oh, absolutely.
 [2] Q Okay.
 [3] A I gained 15 pounds. Sorry. Go ahead.
 [4] Q Can you describe the nature of your relationship
 [5] with him, in terms of how friendly -- now close? Did you ever
 [6] socialize with him, that sort of thing?
 [7] A Never socialized off the job, but then again I
 [8] rarely socialize with anybody from the job, even people on
 [9] the Secret Service, very rarely. The one, the few people
 [10] that I did socialize with, one of them has actually
 [11] transferred to Nashville.
 [12] We were very good friends at work. We had, you
 [13] know, we talked to each other about different things, the
 [14] same things that you talk about with your friends at work I
 [15] would say, you know, to kind of generalize it. Great working
 [16] relationship, you know. He called me by my last name, Byrne,
 [17] and I just called him, like everybody usually called him,
 [18] Nel.
 [19] We had worked together, you know, it seems like in
 [20] my mind almost every day, you know, night and day. So.
 [21] Q Do you know Glen Maes?
 [22] A Certainly.
 [23] Q And he's also another one of the President's
 [24] stewards?
 [25] A Right. Senior Master Chief, the last I heard,

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[1] trying to get promoted to Master Chief. Or, excuse me,
 [2] Senior Chief trying to get promoted to Master Chief. Same
 [3] type of relationship.
 [4] Although I'd have to say that Glen and I probably
 [5] weren't as close as Nel and I, just probably because a lot of
 [6] the down time that Nelvis had, when he wasn't actually doing
 [7] anything, we would actually, you know, talk from time to
 [8] time, where Glen had hobbies and stuff. He drew while he was
 [9] there. And if he wasn't serving the President he did other
 [10] things way -- I shouldn't say way out of the scope of his
 [11] job. He did whatever was asked of him.
 [12] I remember him wrapping gifts for the President
 [13] would be giving to people on holidays and stuff, because his
 [14] staff didn't have time to do it, or they asked Glen to do it
 [15] and he would do it. You know, they had -- so, I was probably
 [16] closer with Nelvis.
 [17] Q When you say Glen wants to get a promotion, is this
 [18] something recent, or --
 [19] A Oh, no. This is just his career. It's just, you
 [20] know, time for him to try to get promoted.
 [21] Q All right. Now, do you know whether Monica
 [22] Lewinsky had a relationship with Nelvis?
 [23] A Yes, I believe they were friends. I know they were
 [24] friends.
 [25] Q How do you know that?

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[1] A Of course, without revealing any privileged
 [2] information, I have seen them talking to each other. And I
 [3] have to say I felt like that she -- this is another instance
 [4] where I felt like she tried to make a friendship with Nelvis
 [5] because of where it was he worked, and his proximity, the
 [6] pantry to the Oval Office.
 [7] Q When did you notice that she began a friendship
 [8] with him?
 [9] A You know, I really can't answer that question
 [10] exactly. I would say probably about the time she became a
 [11] full-time employee in the East Wing. I think that's pretty
 [12] accurate, actually.
 [13] Q By the way, let me go back for a moment.
 [14] A Yes, ma'am.
 [15] Q That incident that you just discussed a few moments
 [16] ago about running into her in the [redacted] hallway and asking her
 [17] questions and redirecting her, was she an intern at that
 [18] point or a full-time employee?
 [19] A Yes, she was. That would have been during the
 [20] shutdown because that's -- when you asked me that, that was
 [21] the question.
 [22] Q But you noticed, you said, her relationship with
 [23] Nel when she was already a full-time employee?
 [24] A Yeah. I mean, to me, it's like when she started
 [25] becoming more friendly with him.

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[1] Q Did you ever see Monica with Nel in his company,
 [2] together with him?
 [3] A At work. I mean, yeah, in that area, certainly.
 [4] Q Do you recall specific instances when you did see
 [5] them together?
 [6] A Yes. Just give me a minute to make sure I'm on the
 [7] right track here, as far as the privilege goes.
 [8] I believe I've already talked about this incident
 [9] and I'll reiterate it.
 [10] Q Okay. Before you get started, is this the incident
 [11] where Nelvis says something to Monica about the --
 [12] A About the joke?
 [13] Q -- Paula Jones case?
 [14] A Correct. Yes, that's the only thing I --
 [15] Q And you've testified at your deposition about that
 [16] previously?
 [17] A I'm not sure if it was the deposition or the
 [18] interview, but I have testified, yes, ma'am.
 [19] Q Other than that time when you saw Monica and Nel
 [20] together and you heard the comment about Paula Jones, have
 [21] you ever seen Monica and Nel together?
 [22] A Yes, I have. You know, I'm sure I've seen them
 [23] together again in the hallway. I mean, nothing monumental
 [24] other than, you know, her passing by on business that she
 [25] should have been there for, and her stopping and saying hi to

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[1] him and then proceeding on, that type of thing. Nothing --
 [2] Q Do you have any memory of ever seeing Monica go
 [3] into the pantry?
 [4] A Without revealing any privileged information, yes,
 [5] I do. As a matter of fact, I actually verbally asked her to
 [6] step out and she did. And I told her, I remember saying to
 [7] her, you know, you're not even supposed to be in there. And
 [8] she tried to make it look like Nel had invited her in there.
 [9] Q Start from the beginning on that incident. What
 [10] did you first see?
 [11] A She was already, she must have come from -- I'm
 [12] assuming she came from the area of the Chief of Staff's
 [13] office.
 [14] Q When you first saw her, was she in the hallway or
 [15] in the pantry?
 [16] A She was standing in between, she was standing in
 [17] the doorway of the outer pantry door. And then she started
 [18] to proceed -- as I walked towards her, she started to proceed
 [19] into the pantry towards the dining room, and I verbally
 [20] called her back and she came out. And then that was that, as
 [21] far as I remember.
 [22] Q Did she make it through the inner pantry door by
 [23] the time you caught her, if you remember?
 [24] A I don't recall. I mean, no, she didn't. It's
 [25] possible that maybe one of her feet -- you know, this is a

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[1] small room.
 [2] Q Okay.
 [3] A It's possible that one of her feet -- but I can say
 [4] that I don't feel she got as far as -- I know she didn't get
 [5] as far as like the table, you know. No, I don't believe she
 [6] entered the room.
 [7] Q The room, being the dining room?
 [8] A The dining room, correct.
 [9] Q Where was Nel when she did this?
 [10] A In the dining room. He was doing something like
 [11] folding towels, putting candy away, something to that effect.
 [12] Q So, she was standing at the outer doorway to the
 [13] pantry and looking in. Could she see Nel in the dining room?
 [14] A Certainly. Yes, ma'am.
 [15] Q Do you know if she was speaking to him at that
 [16] time?
 [17] A Do I know she was? Yes, I do. I feel that she
 [18] was. I don't know what they were saying, but I feel that he
 [19] was speaking out to her or, you know, vice versa.
 [20] Q Do you remember anything about what they were
 [21] saying?
 [22] A No, ma'am, I don't.
 [23] Q When she walked into the pantry, do you know
 [24] whether she had already seen you?
 [25] A I don't believe -- I believe she probably did and

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[1] was -- I didn't see her when she first came down the hallway.
 [2] So, if she saw me, she probably tried to, you know, say hi as
 [3] quick as she could. I'm just --
 [4] Q But you don't know?
 [5] A No, I don't know.
 [6] Q Okay. But at some point she moved into the pantry?
 [7] A Yes, the pantry.
 [8] Q And you followed her?
 [9] A Yeah. Walked up to the door, said, Monica, you
 [10] know you're not supposed to be in here, come on out. I may
 [11] have grabbed her by the elbow. I say grabbed, you know,
 [12] guided her by the elbow. I don't remember if I did. But
 [13] that was something I was, had done to many people, you know.
 [14] Q Do you know whether Nel saw that, saw you do that?
 [15] A You know, I don't know. It's possible his back was
 [16] to us.
 [17] Q Did he ever discuss this incident with you?
 [18] A You know, I'm recalling something that I hadn't
 [19] remembered previously. Just give me a minute here to make
 [20] sure that we're not in a privileged area.
 [21] Yes, I believe I actually said something to Nelvis
 [22] about it making me nervous when people did that, and he
 [23] agreeing with me. And then that was that.
 [24] Q When did you have that conversation with him?
 [25] A I believe after she walked away. I said, Nel, I'm

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[1] a little -- something to the effect that, Nel, I'm a little
 [2] uneasy when people are in the pantry, you know, how do you
 [3] feel about that. Basically, I was trying to get across my
 [4] point that I didn't like it, but I didn't want to step on
 [5] Nel's feet either. He's a very senior Navy person. I
 [6] respect his judgment. If it had been anybody else but
 [7] Monica, I probably wouldn't have brought it up this way.
 [8] But, anyway, he, basically I remember him agreeing
 [9] with me and something to -- I think he might have actually
 [10] said -- no, I'm certain he said something to the effect of,
 [11] you know, she knows she's not supposed to be in here, or
 [12] something like that. And I said, okay, you know. It's over.
 [13] Q Did Monica have any response to you when you took
 [14] her by the elbow and guided her out or --
 [15] A No.
 [16] Q -- asked her to leave?
 [17] A No, no.
 [18] Q Do you remember what time of day this was that that
 [19] happened?
 [20] A No, ma'am, I don't.
 [21] Q Do you know whether she was an intern or an
 [22] employee at that time?
 [23] A She would have had to have been an employee.
 [24] Q Why do you say that?
 [25] A Because I think I would have probably freaked out a

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[1] little bit more if she was an intern in there.
 [2] Q Okay. So, this was after the incident that you
 [3] discussed previously in the hallway?
 [4] A Right, during the shutdown. Right. It would have
 [5] had to have been after that.
 [6] Can I add something?
 [7] Q Sure.
 [8] A Another reason I think that it was after she was a
 [9] permanent employee was because for her to do, that would have
 [10] been like furthering their friendship or whatever, their
 [11] contact with each other, you know, to be that brave, even for
 [12] her to be that brave to step into the pantry. So, it would
 [13] have been after when she, you know, became an East Wing
 [14] employee.
 [15] Q Do you have any knowledge as to whether Nel knew
 [16] that she was in the pantry?
 [17] A No. Like I can't remember if his back was turned
 [18] or not.
 [19] Q So you don't know if he was looking at her when she
 [20] was standing in the pantry?
 [21] A No, I don't.
 [22] Q And when you went in to get her out of there, did
 [23] you look at Nel at all, yourself?
 [24] A I believe I remember seeing his backside or his
 [25] side, you know. And I didn't actually have to -- you know,

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1 like I said, we're talking about a small room. Alls I had to
 2 do was reach and use my voice, you know, verbally bring her
 3 out, and that was it.
 4 Q And to the best of your memory, she never made it
 5 into the dining room?
 6 A To the best of my recollection, no.
 7 BY MR. EMMICK:
 8 Q I have a few questions that are on subjects that
 9 were covered over the last five or 10 minutes.
 10 A Could I go back for a second?
 11 Q Yes, absolutely.
 12 A To the best of my recollection, she didn't get any
 13 further than possibly one leg into the dining room. She did
 14 not, she did not step into the room.
 15 Q Just rather than saving them up until the very end,
 16 I'll just ask a couple of followup questions here. You had
 17 mentioned that you thought that the friendship between Monica
 18 and Nel might have been intentional or manipulative, in a
 19 manner of speaking, that she was trying to curry his
 20 friendship in order to --
 21 A Yes, I did feel that way and I still do.
 22 Q Did you ever express that to Nel?
 23 A I don't think so. I don't recall it. I mean, I
 24 had a job to do there, but I also tried to mind my own
 25 business, too, I mean, a little bit.

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1 Q Did you ever express it to anyone else?
 2 A I don't recall, but this is something that I, I
 3 could have possibly talked to Sandy Verna about, Officer
 4 Sandy Verna. I don't recall any incident actually, but it's
 5 possible this is something I would discuss with Sandy.
 6 Q Right. Did you ever think that Nel was interested
 7 in Monica in any way other than just as a passing friend or a
 8 good friend?
 9 A Certainly not. I mean, may I stretch that out a
 10 little bit, talk about that?
 11 Q Sure, absolutely.
 12 A Are you talking about any kind of physical
 13 relationship?
 14 A Physical or romantic?
 15 A No, no. None to my knowledge. No.
 16 Q We had started talking about Nel and conversations
 17 between you and Nel about Monica, or possibly when Monica was
 18 there.
 19 MR. EMMICK: We haven't talked at all about Glen
 20 Maes, or at least while I've been here. Do you want to talk
 21 about Glen Maes afterwards, or can I just pop in a question
 22 here?
 23 MS. WIRTH: You can do it now. That's fine.
 24 BY MR. EMMICK:
 25 Q What about conversations with Glen Maes, even

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1 though you were perhaps less good friends with Mr. Maes than
 2 with Bayani?
 3 A I, I don't recall ever discussing her with Glen.
 4 We just talked about other things. I don't ever remember
 5 discussing her, Monica, with Glen. To the best of my
 6 recollection, I don't.
 7 Q You had mentioned that you saw and overheard Monica
 8 and Nel having a discussion and there was a Paula Jones-
 9 related comment that was made.
 10 A Yes.
 11 Q I'm sure this is something that has been gone over
 12 before, and I apologize if I'm --
 13 A No, no, that's fine.
 14 Q -- going over the same area. But, as I try to
 15 envision this in my mind, I'm unclear about sort of the tone
 16 of the voice. Were they trying to be restrained about what
 17 they were saying, because I'm not sure that's a topic --
 18 BY MS. WIRTH:
 19 Q Why don't you tell the story?
 20 A Yeah, I think it would probably define it better.
 21 BY MR. EMMICK:
 22 Q Yes, please.
 23 A I was stationed outside the Oval Office at post
 24 I believe it was day work. Monica came down the hallway.
 25 She said, I'm -- I saw her and she said, I just want to, I'm

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1 on my way to the Chief of Staff's Office to pick something
 2 up, I just wanted to say hi to Nel, something to that effect.
 3 And I said, okay.
 4 And the way she said it made me feel like I had
 5 just bullied her to death, which I had, I'm sure. And I
 6 said, all right, you know, he's standing right there in the
 7 hallway, what's the harm.
 8 So, they started talking standing in the hallway.
 9 And he said, I don't know, I wasn't really listening too much
 10 to what they were saying. I was closer to the door. And
 11 then like a certain period of time went by, maybe it was a
 12 minute, maybe it was two minutes. But then I felt, well,
 13 okay, it's time for her to push on. So, I started kind of
 14 walking towards them knowing that she would, you know, leave
 15 So, I started walking towards her and Nel said, if
 16 you're not, something to the effect, if you're not careful,
 17 you're going to end up like Paula Jones. And her reply was
 18 something to the effect, I don't remember the actual words,
 19 but it was something to the effect that she was smarter than
 20 that, or -- and they laughed. Nelvis laughed. And I felt
 21 very uncomfortable about it and I just said, well, see you
 22 later, something to that effect, and she walked down the
 23 hallway. And that was the end of the incident.
 24 Q How loudly were they speaking?
 25 A We always kept hushed tones in the hallway, just

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1 because even though it's the office of the President and
 2 everything, it's an old building. It's not, you know -- I
 3 mean, you could raise your voice and people could hear you.
 4 I have been scolded by the staff about my laughing. So, just
 5 to give you an idea, you know.
 6 Q And could you tell whether they realized you were
 7 within earshot?
 8 A Oh, certainly. Certainly. I had walked up to
 9 them. I was closer to them than --
 10 THE WITNESS: I'm sorry. I don't remember your
 11 name.
 12 MS. WIRTH: Mary Anne.
 13 THE WITNESS: Mary Anne. I was probably as close
 14 to them as I am to Mary Anne, maybe even closer.
 15 BY MR. EMMICK:
 16 Q Three, four, five feet, something like that?
 17 A Within four feet certainly.
 18 Q And did they look at you as that conversation took
 19 place?
 20 A Well, she was standing kind of sideways and Nelvis
 21 was standing kind of sideways. They were kind of facing each
 22 other and their sides were to me. But I'm certain that they
 23 knew I was there. I mean, I know I'm certain Nelvis did.
 24 They knew I was there.
 25 Q What did you think they were talking about?

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1 A I have no idea. I mean, hold up. Let me stop
 2 there for a second.
 3 I don't know what they were talking about. I know
 4 what the, I know what the insinuation was.
 5 Q What was the insinuation?
 6 A Well, the insinuation was, was the joke about Paula
 7 Jones who had accused former Governor Clinton of making a
 8 pass at her, I guess, would be the nicest way to put it, when
 9 he was Governor. And other than that, I don't -- I mean, I
 10 know what the innuendo was. Anything other than that I can't
 11 comment on for reasons of privilege.
 12 Q Because if you were to explain what your impression
 13 was, that would reveal privileged materials? Is that --
 14 A I believe --
 15 Q I'm not trying to --
 16 A No, no.
 17 Q -- penetrate the privilege. I'm trying to --
 18 A No, I believe that is true. I believe if I do
 19 expand on that any more, I believe I will be revealing
 20 privileged information.
 21 Q Okay. I'm not trying to trick you or anything.
 22 A No, no, I understand.
 23 Q But I'm trying in my mind, it sounds to me like
 24 what you are saying is you have an impression. It's
 25 partially based on that comment and partially based on some

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1 other things that may be privileged. Is that --
 2 A You know what? I may be going down the wrong road
 3 here.
 4 Q Okay.
 5 A If I could go ahead and exit for a minute and
 6 clarify this?
 7 Q Sure, sure.
 8 A Because I could be asserting this incorrectly, the
 9 privilege, and I want to make sure that I'm not.
 10 Q Exactly right.
 11 (Whereupon, the deposition was recessed from
 12 3:30:40 p.m. until 3:41:55 p.m.)
 13 BY MR. EMMICK:
 14 Q I believe the question that I had asked, or at
 15 least the area that I was getting into was an area of what
 16 did you understand Monica and Nel to be talking about when
 17 they had this discussion, and what was your reaction to it.
 18 I thought you said something along the lines of what you
 19 thought their insinuation was. And it was at about that
 20 point that you asked to speak with your attorneys.
 21 Can you now answer that question?
 22 A Okay. Without revealing any privileged
 23 information, and on the advice of my attorneys, I believe, as
 24 I have stated before, that I thought they were drawing a
 25 parallel between -- I feel that they were drawing a parallel

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1 A No, not that I -- no. I don't really know how to
 2 answer that. I can't think of anything other than, you know,
 3 they were both acquainted with me. And that was my post. I
 4 mean, if they didn't want me to hear something, they either,
 5 one, shouldn't say it; or, two, they should walk away from
 6 where I am.
 7 Q Is it possible that they were acquainted with you
 8 in a way that would be consistent with that sort of Paula
 9 Jones joking?
 10 A I'm sorry. Ask me that again.
 11 Q Yes. Is it possible that they were acquainted with
 12 you in a way that would be consistent with that sort of Paula
 13 Jones joking? That is, it wouldn't be revealing anything
 14 extra to you because they knew that you had seen some things
 15 and you wouldn't be shocked by what they were talking about
 16 as a result?
 17 A No. I really can't answer that. I don't know what
 18 they knew or what they thought I knew, or what they thought
 19 -- you know, I don't know exactly what they thought. I don't
 20 know what they assumed.
 21 BY MS. WIRTH:
 22 Q I may have asked this already and if I have I
 23 apologize. But have you ever seen Nel and Monica together in
 24 the pantry?
 25 A Other than that incident that I described to you, I

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1 between what had happened with, what had allegedly happened
 2 between then-Governor Clinton and Paula Jones, and were
 3 implying something to the order that -- something similar
 4 between Monica and President Clinton.
 5 Q Did that cause you some additional concern?
 6 A Uncomfortableness, yeah, sure. Whether they were
 7 joking or not, it made me uncomfortable in that, you know, I
 8 didn't think it was appropriate.
 9 Q Did you express that concern to anyone like your
 10 superiors or --
 11 A No, no. No, it wasn't anything, no. I just, you
 12 know, it made me uncomfortable and that was the end of it.
 13 BY MS. WIRTH:
 14 Q Did you ever talk to Nel about it?
 15 A No, I believe I didn't.
 16 Q Did you ever hear Nel and Monica discuss the Paula
 17 Jones case?
 18 A No. That is the only time where I heard them
 19 mention it at all, was that incident.
 20 Q Did you ever hear Nel discuss the Paula Jones case
 21 with anybody, including you?
 22 A Was it even out then? No, I don't recall it,
 23 recall discussing it with him. If it was the topic of the
 24 day, it's possible but I don't recall it. I mean, I did a
 25 lot of reading and so did Nelvis.

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1 don't recall anything.
 2 Q Okay. Have you ever seen Nel and Monica together
 3 in the dining room?
 4 A To the best of my recollection, no. I don't recall
 5 her being in the dining room.
 6 Q Okay. Other than the incidents that you've just
 7 described, you know, with her trying to pass through the
 8 pantry to the dining room and Nel and Monica joking about
 9 Paula Jones, have you ever seen them together on any other
 10 occasion in the vicinity of the Oval Office, including the
 11 whole complex, the study, the dining room, et cetera?
 12 A Nothing that stands out. I mean, you know, she
 13 worked there so much and spent so much of her time walking
 14 around there, whether she was supposed to be or not, and he
 15 was always there and I was there a lot. I mean, I'm sure
 16 there were many times, you know, that they were either
 17 passing, hi or goodbye, or whatever. I mean, how many times
 18 do you walk by the young lady at the desk? You know, I mean,
 19 I really don't know how to answer that. It's possible, sure.
 20 Q But you don't have any positive recollection of
 21 anytime seeing them together in any of those places?
 22 A No, other than what I've talked about.
 23 Q Okay. The time when she tried to pass through the
 24 pantry to the dining room, do you remember saying anything to
 25 her like not to come back, don't come back here?

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1 Q And this conversation between Nel and Monica, where
 2 the name Paula Jones came up, where were they standing when
 3 that took place?
 4 A They were standing between the door and --
 5 well, they were standing outside the pantry door.
 6 Q The outer pantry door?
 7 A Right, the outer pantry door in the hallway,
 8 approximately two feet closer to the door.
 9 BY MR. EMMICK:
 10 Q I'm trying to think about why they wouldn't be more
 11 restrained broaching that subject with each other if you're
 12 so close to them.
 13 A Probably for the same reason nobody else seemed to
 14 ever stop what they're saying. I mean, we're the Secret
 15 Service. We're there all the time. I mean, we have, we're
 16 sort of like the doorknobs. I mean, I know that's kind of a
 17 little hard to fathom, but I mean people have had incredible
 18 personal conversations in front of me. I mean, other than
 19 the President obviously I'm speaking of, like staff people,
 20 people that are, appointments that are -- I don't know. It
 21 cracks me up some of the things they say sometimes. People
 22 just don't seem to really watch what they say.
 23 Q All right. Now, that's a more general explanation.
 24 A Okay.
 25 Q Is there anything specific to you?

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1 A I don't recall it. I don't recall it, but it would
 2 not have been out of character, for me anyway.
 3 Q Do you ever remember --
 4 A I'm sorry. Can I stop you?
 5 Q Yes.
 6 A I'm assuming that -- you know, obviously you don't
 7 have to answer this or, you know, do anything you want. I'm
 8 assuming that somebody else has told you something or there's
 9 another story. And I'm thinking I did say that to her. And
 10 so give me a minute to try to recall my thoughts there.
 11 There's two instances. The one I told you about in
 12 the pantry where she started to step in and I stopped her.
 13 And then I believe there was -- I believe you are correct. I
 14 believe there was an incident where she made it all the way
 15 into the pantry, and I don't remember the circumstances.
 16 The best I can remember is I may have been coming
 17 back, like from break. And as I walked by -- no, I was on
 18 post. And I walked up to look in there because the door was
 19 open and she was standing, I believe, in the dining room.
 20 And I did, I was very cross with her. She came out and she
 21 turned, she turned back towards the Chief of Staff's office.
 22 And, of course, what I've told you doesn't reveal
 23 any privileged information. And I apologize. Like I'm
 24 trying to cooperate as best I can, but, you know, it's just
 25 so hard. This is so long ago and there's so many incidents.

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[1] You know, I worked there for awhile and it was a long time
 [2] ago.
 [3] But I do remember that now.
 [4] Q Just for the record, I don't want to mislead you in
 [5] any way.
 [6] A No, and I don't believe you are.
 [7] Q Okay. And I haven't made any representations that
 [8] anybody else has said anything and --
 [9] A No.
 [10] Q -- I wouldn't do that.
 [11] A No. It's just that, you know, as I've discussed
 [12] before with other people, you know, with the people involved
 [13] in this and the attorneys, there are going to be things that
 [14] you remind me of. I mean, you know, we're talking about a
 [15] lot of stuff from quite awhile ago.
 [16] And, yes, I believe -- I know for a fact that that
 [17] did happen.
 [18] Q All right. Start from the beginning. What do you
 [19] remember you saw?
 [20] A So, I remember walking down the hallway right
 [21] outside the pantry. I looked in there and she was standing
 [22] in there.
 [23] Q In there, being where?
 [24] A In the dining room.
 [25] Q And this is a separate occasion from when you saw

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[1] her try to pass --
 [2] A Yes, ma'am.
 [3] Q -- through the pantry?
 [4] A Yes, ma'am, I believe it is a separate occasion.
 [5] Q All right. And was Nelvis around?
 [6] A Yeah. He was in there and I'm certain he was in
 [7] there, but I don't remember actually seeing him. You know,
 [8] he could have been further in the room, like to the right.
 [9] And I just, I remember snapping. I don't remember if I
 [10] actually touched her. But I snapped verbally at her and she
 [11] came out of there. And I said something to the effect that
 [12] you know you're not supposed to be in there, and I kind of --
 [13] I'm sure I read her the Riot Act. I don't remember exactly
 [14] what I said, but I remember being very cross.
 [15] Q Why do you think Nelvis was in there?
 [16] A Doing his job.
 [17] Q But if you didn't see him, why do you think he was
 [18] there?
 [19] A Oh.
 [20] Q Or did you see him?
 [21] A No, I don't remember seeing him.
 [22] Q Did you walk into the dining room?
 [23] A No.
 [24] Q You said you snapped verbally at her. Was that
 [25] from the pantry?

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[1] A No. I walked into the pantry and was standing in
 [2] the pantry/dining room doorway. I guess physically I was
 [3] standing in the dining room, but like right inside the
 [4] doorway, so to speak.
 [5] Q Could you see the whole dining room from there?
 [6] A Yeah, you could. But like I don't recall seeing
 [7] Nelvis. I'm sure he was in there.
 [8] Q What was she doing in there, if you remember?
 [9] A Just standing there. They were discussing
 [10] something and he was standing in front of the large kind of
 [11] the chest of drawers. I forget what the word is, but it's a
 [12] piece of furniture that's between the door and the window on
 [13] the outer side. And once again he was probably stacking
 [14] either towels or candy, M&Ms.
 [15] If you'll allow me to make an assumption, I just
 [16] assume that he was in there; she walked by and saw him and
 [17] walked in.
 [18] Q But you don't know?
 [19] A No, I don't know. That's true. I don't know.
 [20] Q Were they speaking? Do you have a memory of that?
 [21] A Yeah, I don't know what. I mean, I'm sure as she
 [22] realized I was coming in there, you know, the conversation
 [23] was over.
 [24] Q Do you remember what you said to her?
 [25] A You know you're not supposed to be in here. Get

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[1] out.
 [2] Q And what did she say?
 [3] A I don't remember what she said. It didn't make any
 [4] difference. She was on her way out.
 [5] Q Did Nelvis say anything?
 [6] A I can't say that he apologized, but I think he kind
 [7] of explained to me what happened, you know. And that was
 [8] that, and I didn't make a big deal about it. I mean, you
 [9] know, just for -- if I can clarify? You know, he, that is
 [10] this area. She shouldn't have been in there, but there's no
 [11] doubt in my mind that, you know, he was watching her. There
 [12] was nothing -- I don't even know how long she was in there.
 [13] She couldn't have been -- it probably wasn't too long. It
 [14] couldn't have been too long because, you know, I was only
 [15] probably away from that door long enough to walk another four
 [16] feet and turn around and start to walk back.
 [17] Q Do you have any idea where she came from?
 [18] A She would have had to come from the Chief of Staff
 [19] side of it, because she would have had to come by me
 [20] otherwise, because I was closer to the secretary's office
 [21] side. So, she either came through the Roosevelt Room, or she
 [22] came down from the area of the Chief of Staff's office.
 [23] Q Without revealing any privileged information, do
 [24] you have any knowledge as to where the President was that
 [25] day?

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[1] A Without revealing any privileged information, I
 [2] can't tell you because I don't know where he was. But I can
 [3] tell you that he was not there. He was not in the Oval
 [4] Office area. If he had been in there, I just -- because I
 [5] remember there were certain things that happened when he's
 [6] there and when he's not there that I can't, should not go
 [7] into. But I'm certain that he was not there.
 [8] Q Was she an intern or an employee at that time?
 [9] A She would have had to -- in my opinion, I believe
 [10] she was an employee, yes. I do believe she was an employee.
 [11] Q And why do you think that?
 [12] A Because she had, I think I remember seeing her blue
 [13] pass. She would have had to have been a blue passholder. If
 [14] she was an intern and was in there, I'd have yanked the pass
 [15] off her and drove her out to the gate. As God is my witness,
 [16] I would have. You know, I mean, not physically, I mean, I'd
 [17] have walked her out the gate, and I'd have made whoever was
 [18] responsible for her to come get her.
 [19] Q Okay. Do you remember what time of day this was?
 [20] A Day work. Probably -- I don't know what time of
 [21] day it was, but I believe it was day work.
 [22] Q You said that Nelvis explained to you what
 [23] happened. Do you have any memory of that conversation?
 [24] A No, I don't.
 [25] Q Go ahead. I'm sorry.

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[1] A It wasn't important to me what he said. I knew
 [2] that she had walked in there when he was in there. I mean, I
 [3] felt that that's what happened. I mean, this is a guy that
 [4] doesn't -- I mean, he knows what he's doing. He knows who's
 [5] supposed to be where.
 [6] Q Do you have a memory that Nelvis did give you some
 [7] explanation for it?
 [8] A Yes, I do. Yes. I mean, he was a little hard to
 [9] understand from time to time, so I didn't -- you know. Have
 [10] you talked to him before? You know he has a pretty strong
 [11] accent.
 [12] Q Did she have any reaction when you sent her out?
 [13] A Yeah.
 [14] Q What did she do?
 [15] A She, you know, was upset, mad, upset, and she left.
 [16] And that was the last I heard of it, and that was the last
 [17] that I remember anything about it.
 [18] BY MR. EMMICK:
 [19] Q You say she was mad, upset. Did she say anything?
 [20] Did she offer an explanation?
 [21] A I don't remember her saying anything. And, you
 [22] know, and, you know, regardless of what she had to say, I
 [23] really didn't care. It didn't make any difference. She's
 [24] not, she's not supposed to be there.
 [25] Q Did she have anything in her hands?

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[1] A Not that I recall. No, sir.
 [2] Q Can you place this incident in time, either by
 [3] reference to the other incidents or --
 [4] A After the first incident.
 [5] BY MS. WIRTH:
 [6] Q After the incident when she tried to go through the
 [7] pantry to the dining room?
 [8] A Correct.
 [9] Q So, she made it this time?
 [10] A Yeah.
 [11] Q At any time when you discussed her with Nel, did
 [12] Nel ever like defend her actions or say, you know --
 [13] A (Witness shook his head indicating a negative
 [14] response.)
 [15] Q No?
 [16] A Not to my knowledge.
 [17] Q Now, aside from the three incidents that you told
 [18] us about: the time when the Paula Jones remark was made, the
 [19] time when she was trying to pass through the pantry to the
 [20] dining room, and the third time you actually saw her in the
 [21] dining room --
 [22] A Correct.
 [23] Q -- aside from those three instances, have you ever
 [24] seen her in the area of the Oval complex, without revealing
 [25] privileged information?

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[1] A Without revealing any privileged information, I
 [2] can't answer that any better than that.
 [3] Q Okay. Have you ever seen her together with Nel
 [4] anywhere else, other than the three instances you've given
 [5] us?
 [6] A To the best of my recollection, no. No.
 [7] Q Did you ever see Nel give anything to Monica,
 [8] gifts?
 [9] A Certainly.
 [10] Q What have you seen?
 [11] A M&Ms, candy.
 [12] Q Those are Presidential M&Ms?
 [13] A Right. Right. They're made by M&M. They have the
 [14] little Presidential seal on them. People would like gouge
 [15] your eyes out for them. It's hilarious. They taste just
 [16] like the other M&Ms. It was very common for the stewards to
 [17] give them to people.
 [18] Q All right.
 [19] A They gave them to us, the Secret Service people.
 [20] He gave them to Monica. I've seen him give them to a lot of
 [21] people.
 [22] Q Okay.
 [23] A Very generous people.
 [24] Q Have you actually seen him hand her these things,
 [25] or how do you know that he gave her these things? Or did he

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[1] tell you?
 [2] A I believe -- I think I saw him give her -- yes.
 [3] She stopped by one time. She had some friends or family
 [4] coming in. She was going to do a West Wing tour one evening.
 [5] It could have been that evening that she stopped by, and he
 [6] gave her, you know, like a, some M&Ms. It could have been as
 [7] many as 10 boxes. I think he normally handed me 10. You
 [8] know, if I said I needed four, he gave me 10.
 [9] Q Was this after she left the White House or was she
 [10] still in the White House?
 [11] A No, no. This would have been when she was a blue
 [12] card passholder.
 [13] Q So, this was another time that you did see them
 [14] together then?
 [15] A Yeah. You're right. It is. Yeah.
 [16] Q That was an evening tour, you said?
 [17] A Well, right. She would have been -- right. West
 [18] Wing tours were at night between eight and 10, unless it was
 [19] a --
 [20] Q So, this incident happened in the evening?
 [21] A No. I believe this incident happened in the
 [22] daytime, and she was preparing --
 [23] Q She came by during the day?
 [24] A Right.
 [25] Q Do you remember anything that was said between them

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[1] on that occasion?
 [2] A No.
 [3] Q Do you have any knowledge of Nelvis giving her
 [4] anything on any other occasion other than that incident with
 [5] the M&Ms?
 [6] A No, not that I can recall.
 [7] Q Did Nelvis ever tell you that he had given her
 [8] anything?
 [9] A I'm a little confused with that because I've read
 [10] stuff in the paper and I don't know -- I think maybe he gave
 [11] her something for Christmas. I'm sorry, she gave him
 [12] something for one of the Christmases I was there. But, you
 [13] know, I've read a lot of stuff and seen a lot of stuff. I'm
 [14] not sure if I'm confusing anything. But there could have
 [15] been an exchange of a tie. But I don't know for certain.
 [16] Q The question was, and we'll get to that in a
 [17] moment, but the --
 [18] A I'm sorry.
 [19] Q -- question was whether he gave her anything else
 [20] besides the M&Ms that you know about?
 [21] A Not to my knowledge, no.
 [22] Q Are there glasses with a Presidential seal on them?
 [23] A There's Presidential china and glasses, crystal
 [24] that's assigned to that -- I mean, they're not gifts.
 [25] Q Do you have any knowledge as to whether he ever

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[1] gave any of the glasses with the Presidential seal on them?
 [2] A No, I -- no, I don't have any knowledge, and I
 [3] highly doubt it, just because there's such an accountable,
 [4] expensive item. But, anyway, no, I don't.
 [5] Q Now, those are like Presidential trinkets that
 [6] we're talking about, those M&Ms?
 [7] A The M&Ms are.
 [8] Q Yes.
 [9] A Correct.
 [10] Q Do you know of any personal gifts exchanged between
 [11] Monica and Nel, you know, where she would go out and buy him
 [12] something or he would go out and buy her something? Of your
 [13] own personal knowledge, not anything that you've read in the
 [14] press?
 [15] A No, not of my own personal knowledge. I can't
 [16] recall. But it was not uncommon for people to exchange gifts
 [17] around Christmas. I, you know, received a hat from Betty
 [18] Curme one Christmas. I gave cards to the people, you know.
 [19] So. But other than that, no, I don't have any knowledge.
 [20] Q Do you know whether Monica ever gave any gifts to
 [21] the President?
 [22] A Personal knowledge? I'd have to say I don't recall
 [23] anything, no, not to my knowledge.
 [24] Q Have you heard anything from others, aside from the
 [25] press?

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[1] A From others? Oh. No. Aside from the press, no.
 [2] Q Okay. Go ahead.
 [3] A You guys are killing me. It's possible. I think I
 [4] remember a conversation with Sandy Verna, and I think she
 [5] might have -- she told me something about Monica either
 [6] trying to or giving a gift to the President. I don't know
 [7] how she, I don't know how she gave it to him, like it was
 [8] through Betty, or whatever.
 [9] Q Did she tell you what it was?
 [10] A No. I don't believe she did.
 [11] BY MR. EMMICK:
 [12] Q I wanted to ask --
 [13] A But I keep -- excuse me -- I keep going back to
 [14] ties. I'm sorry. Go ahead.
 [15] Q Did you ever have any conversations with Nel where
 [16] Nel described Monica asking for information about President
 [17] Clinton or President Clinton's whereabouts?
 [18] A With Nelvis? Monica asking Nelvis about the
 [19] President's whereabouts?
 [20] Q Yes.
 [21] A I don't, I don't recall any actual incident. No.
 [22] But it was not uncommon for people to ask those questions.
 [23] Q To Nel?
 [24] A To Nel, to me, to anybody. His schedule is
 [25] considered public, much to the Secret Service's unhappiness.

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Something else we're outruled on. People ask those questions. As long as it was something was on the schedule, I'd tell them where he was if they were, if I recognize them, who they were. I mean, they could just go get his schedule and look. But if it was somebody important, I would tell them. If she asked me, I probably would tell her just because she probably had a schedule sitting on her desk. So.

Q Did he ever comment on the --

A Nelvis? Is that Nelvis?

Q Yes. Did Nel ever comment on the frequency of calls from Monica?

A Oh, I don't know anything about phone calls. I was just assuming -- I'm sorry. I assumed you meant personal, like walk up and say, hey.

Q No, I meant phone calls.

A Oh, I'm sorry. No, I don't know anything about him ever calling her.

BY MS. WIRTH:

Q Do you know of any phone calls that Monica made to Nelvis?

A To Nelvis? No. I mean, I saw him taking many phone calls, but I never once remember him saying that was Monica.

Q Is there a phone in the pantry?

A Certainly. I've actually answered it myself. If

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they're not there, I'll answer it, you know, Steward, Officer Byrne. And it's usually somebody downstairs in the main kitchen, or maybe like a wife or a child of Glen's or something.

Q And you never heard Monica on that phone?

A No, I have not.

Q Did Nelvis ever tell you that Monica called him anywhere, at home or at work?

A I don't recall any conversation like that.

BY MR. EMMICK:

Q There's one area that I'd like to get into a bit. You made an allusion to Nel and the accent that he has.

A Yeah. He's Filipino.

Q He's Filipino. Can you tell us whether you can communicate with him?

A Yeah.

Q Easily?

A Yeah. It took a little getting used to, just because -- I mean, I don't really think I have a hearing loss or anything, but it seems like it's hard. He's a smaller person. Compared to me, I think I'm like a foot taller. And sometimes I had to ask him to repeat himself.

But, I mean, I just got to the point where I generally knew what he wanted. You know, if he came out and I knew he was getting stuff ready and he looked panicked, I

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knew he wanted me to open the top shelf and get the stuff he can't reach, you know, glasses and stuff. And I would do it if it didn't, it didn't keep me from doing my security things.

Q Did he appear to understand you, but have difficulty on occasion communicating back to you?

A Sometimes.

Q I see.

A Minor things. Yeah, I would say that that's true.

Q So, perhaps your impression is he had a better ability to understand what others were saying, and perhaps --

A Than to communicate.

Q -- a little trouble communicating?

A Right. But I think part of the problem was that the other Filipinos there, they used to talk Filipino all the time. So, you know, I think he had, he spoke probably as much Filipino as he did English.

BY MS. WIRTH:

Q Do you have any recollection of any occasion on which Nelvis didn't understand what you said to him because of the language difficulty?

A No. No, I don't recall any like, you know, miscommunications or anything like that.

Q Do you recall any occasions -- go ahead.

A Can I go back to that, about the miscommunications?

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Q Yes.

A I asked him what kind of car he drove one time and he was trying to tell me he drove a Volvo. It took me five minutes to figure what it was. I couldn't, I never heard of a car name of Bobbo [phonetically]. So, I mean, it took me awhile. You know, that's the common type of things that I would mistake.

Q But that was an example where you had difficulty understanding his speech pattern?

A Right, his speech.

Q But he understood you?

A He appeared to, unless he was just trying to be polite.

Q And you can't think of any occasions when he couldn't understand what you said to him?

A No. I don't recall anything like that.

Q Do you ever recall any occasions when Nel ever asked you if Monica had been around the Oval Office?

A Yeah, the incident where she came to pick up the M&Ms. I think he left. He probably went down to get them or go do something, came back, and I remember him asking me, has she been by to pick them up.

Now, I could be confusing this with something Glen asked me to do or something. But one of two things happened. Either, one, she came up and he went into the area where he

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kept them and got them; or, two, he put them on the counter and then when she came up, he happened to still be there. He put them on the counter and she came --

Q In the pantry?

A Right.

Q Dining room?

A No, in the hallway. There's a shelf right across from the pantry. He put them, he could have put them there which him and Glen did commonly. And then if the person came up, they'd say, hey, Gary, you know, I have to go downstairs; would you give that to so-and-so.

But she did come up. He was there. And then he gave her the M&Ms. That's one time that I can recall, you know, very vividly him saying, if she shows up, or did she show up while I was gone, and she hadn't. And then soon after that, I guess she came up and he gave her the M&Ms.

Q Do you remember any other occasions when he asked about, you know, whether she had been around, around the West Wing, around the Oval Office, if she'd been there?

A I don't -- I'm sorry.

Q No, go ahead.

A I don't recall anything.

Q All right. Did Nelvis ever talk to you at all about any relationship between Monica and the President?

A I believe I really can't even acknowledge that

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without revealing any privileged information.

MS. WIRTH: Can we take a break and we'll step outside for a minute.

(Whereupon, the deposition was recessed from 4:08:24 p.m. until 4:15:40 p.m.)

BY MS. WIRTH:

Q I think the question was, did Bayani Nelvis ever tell you anything about a relationship between Monica Lewinsky and the President.

A Of course, without revealing any privileged information, and on the advice of my counsel, I will, you know, answer that question. And I don't have any firsthand recollection of any -- I mean, I don't have any recollection of any defined conversation.

But to be totally honest, I'd have to say that I had the impression, I have the impression and had then, that there was some kind of friendship mentoring, whatever, between Monica and the President.

Q Did you have this impression from Nelvis or from other sources?

A From, from, partially from Nelvis, I'd say. I mean, like I say, we're talking about three years ago, you know, at least two years ago. Two, three. Three years ago. It's hard to remember all, you know, those defining details.

But, yes, I had the impression that there was some

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1 kind of, you know, between her constant badgering of us, you
 2 know, or her constant trying to get to, you know, the area of
 3 the President, and other things that I've discussed before in
 4 this format with the Independent Counsel's office -- I'd say
 5 that either, like I said before, I believe she was either
 6 trying to give the impression they had some kind of
 7 friendship or mentoring or whatever, or they did. And I
 8 believe I got part of that impression from Nelvis.
 9 Q Do you remember anything that Nelvis said that led
 10 you to believe that, that there was some kind of relationship
 11 between the President and Monica of a mentoring nature? I
 12 think that's how you've described it, right?
 13 A Yeah, I mean, to the best of my knowledge. I mean,
 14 I have no knowledge of anything else.
 15 BY MR. EMMICK:
 16 Q You mean anything else that Nel said, or any
 17 information from another source?
 18 A I have no --
 19 Q Or about a different sort of a relationship?
 20 A Yeah, let me make sure I get this correct.
 21 Without revealing any privileged information, and
 22 on the advice of my counsel, I have no firsthand knowledge of
 23 any kind of relationship or contact between Monica and the
 24 President other than what I've just discussed, a mentoring or
 25 whatever.

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1 Office. And then there was --
 2 BY MS. WIRTH:
 3 Q Can I interrupt you for a moment?
 4 A Yes.
 5 Q What about a person trying to get in to see the
 6 President would lead you to believe that there was any kind
 7 of a relationship --
 8 A Because she was --
 9 -- between them?
 10 A Well, she, in my impression, she was trying to gain
 11 access to the President. Why, I don't know.
 12 Q Yes, but why does that make you think there was a
 13 relationship?
 14 A Well, just knowing somebody is a relationship. I
 15 mean, you and I have a, you know, a working relationship as
 16 far as this goes.
 17 Q But just because she's trying to go in to see him,
 18 how does that lead you to believe that she even knew him?
 19 A She was, in my opinion, she was trying to get to
 20 know him.
 21 Q Okay.
 22 A She was trying to make contact for one reason or
 23 another with the President.
 24 Q But people can be pests and hangers-on, clutches --
 25 you've heard the word "clutch"?

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1 BY MS. WIRTH:
 2 Q Let's take it a few steps back. Do you ever
 3 remember Nelvis talking to you about Monica and the President
 4 and any connection between them, any kind of attraction or
 5 relationship? Did Nelvis ever say anything to you like
 6 Monica's friends with the President, or I saw Monica and the
 7 President together, or anything like that?
 8 A Without revealing any privileged information, no, I
 9 don't recall anything like that. I mean, other than what
 10 I've discussed before about, you know, when she would come to
 11 talk to Nelvis. I don't know what it was they were
 12 discussing. I mean, you know, they could have been
 13 discussing the President. I don't know that.
 14 Q Going back a moment to what you said before about
 15 the mentoring relationship, you said that you based your
 16 conclusion on the fact that Monica would pester you, I think
 17 was your word, you know, for information about --
 18 A Well, she --
 19 Q Let me finish -- about where the President was,
 20 right?
 21 A Right.
 22 Q And that was part of what you based your conclusion
 23 on, correct?
 24 A Correct.
 25 Q And you said you also based your conclusion on a

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1 A Sure. Sure. But I still consider that some type
 2 of relationship, some type of knowing of the other person.
 3 Q But what about that behavior would lead you to even
 4 conclude that it was a mentoring relationship?
 5 A Just for the lack of -- I mean, that's just the
 6 term. I mean, what else? I don't know. He's a, he's an
 7 older man, older than she is and she's, was in her early
 8 twenties. That's just what I would consider that type of,
 9 you know.
 10 Q But the term "mentor" generally includes concepts
 11 like advisor, counselor --
 12 A Yeah.
 13 Q -- an older person giving guidance --
 14 A Yeah.
 15 Q -- to a younger person. Do you --
 16 A Just a term that I used.
 17 Q Do you have any reason to believe that any of those
 18 things happened between the President and Monica?
 19 A No, I have no knowledge of it.
 20 BY MR. EMMICK:
 21 Q It almost sounds like what you're saying is that
 22 you were under the impression that there was a relationship,
 23 and perhaps that she was pursuing a relationship in the broad
 24 sense, and you couldn't -- and you don't have any basis for
 25 thinking it was anything else. So, as a fallback, you are

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1 sense that you got from Nelvis that that was what he thought
 2 the relationship was?
 3 A Right.
 4 Q That it was a mentoring relationship?
 5 A Correct.
 6 Q Can you remember anything that Nelvis said to you
 7 that led you to conclude that the relationship between the
 8 President and Monica was a mentoring relationship?
 9 A No, nothing defining. Nothing -- I don't recall
 10 anything.
 11 BY MR. EMMICK:
 12 Q I know this is a hard area to get into, because
 13 we're talking about some impression that you have that seem
 14 to have contributing factors, some of which may be
 15 privileged. So, don't get me wrong about this. But I'm not
 16 clear what even you meant when you said that you are unaware
 17 of anything except a friendship mentoring relationship. I'm
 18 just not even sure what you mean by that. I mean, let me go
 19 back.
 20 What makes you think there was a friendship
 21 mentoring relationship?
 22 A Well, I can't tell you -- I mean, I really can't
 23 recall -- well, okay. Back then, just because they, she, you
 24 know, tried so hard, you know, to be in that area. And then
 25 there was the incident where -- in the area of the Oval

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1 thinking friendship or mentoring?
 2 A Right. I -- yeah, I don't, I don't have any -- you
 3 know, of course, without revealing any privileged
 4 information, as I stated before, I just felt like she was
 5 trying to make contact with him and continued to, to foster
 6 some type of a relationship.
 7 Q If there were a relationship, wouldn't you think
 8 that you would hear something from the President? And maybe
 9 I'm not --
 10 A He doesn't check his schedule with me. I mean, I'm
 11 not trying to be funny, but, you know, no. Certainly not.
 12 Q Okay.
 13 A -- I mean, I didn't -- you know, he had people come
 14 and visit him from Arkansas that he's known for 30 years and,
 15 you know, if it's not on the schedule, they just come up and,
 16 you know, so-and-so's coming in, and that's that.
 17 Q When you said a friendship mentoring relationship,
 18 did you mean to exclude a romantic or physical relationship?
 19 A Correct. I have no firsthand knowledge of anything
 20 like that.
 21 Q It sounds like you also have no firsthand knowledge
 22 of any sort of a relationship, including a friendship
 23 mentoring relationship.
 24 A I'd have to say that's correct. But I felt that
 25 she pursued him like she did to try to pursue some type of

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[1] friendship with him. That's my opinion. I have -- I don't
 [2] have anything to tell you that she ever did.
 [3] Q Let me follow up on that with the fact that if you
 [4] are under the impression that she's pursuing a friendship-
 [5] type relationship with him --
 [6] A Uh-huh.
 [7] Q -- and you had no reason to think that there was
 [8] anything more, like a romantic relationship or --
 [9] A Right.
 [10] Q -- a physical relationship --
 [11] A Right.
 [12] Q -- in my mind. I think back to the Paula Jones
 [13] comment. And that makes me think, gosh, that might be
 [14] something --
 [15] A Right.
 [16] Q -- that might suggest a bit more --
 [17] A I agree.
 [18] Q -- than a friendship mentoring relationship. How
 [19] do you square that --
 [20] A I agree.
 [21] Q -- within --
 [22] A I can't square it other than, I mean, you know,
 [23] other than -- I don't know how to square it. I mean, I see
 [24] what you're saying.
 [25] Q Yes.

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[1] A And, and when that incident happened with her and
 [2] Nelvis and myself, and they made the joke about the Paula
 [3] Jones thing, I have to admit that I, you know, I drew a
 [4] conclusion similar to what everybody else would, why, why he
 [5] made that joke to her or about her. But, that was, that was
 [6] that. I mean, I don't know anything other than that.
 [7] Q All right.
 [8] A Let me clarify that. You know, making that
 [9] statement, without revealing any privileged information, I
 [10] don't have any firsthand knowledge. And as far as privileged
 [11] information goes, I don't believe I can answer it any more
 [12] than that.
 [13] Q Fair enough.
 [14] BY MS. WIRTH:
 [15] Q I want you to think about times that you've talked
 [16] to Bayani Nelvis about Monica. You've already told us some
 [17] things, you know, where you would have a conversation with
 [18] him about the fact that she shouldn't be in there, meaning
 [19] the dining room or the pantry or whatever. Aside from those
 [20] conversations and the time that Nel says, has she been by,
 [21] you know, asking about did she come by to pick up her M&Ms,
 [22] do you remember any other conversations that you had with Nel
 [23] about Monica? Did he ever talk to you about her? Did he
 [24] ever say, she's my friend?
 [25] A No.

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[1] Q You already told us that Nelvis never told you that
 [2] she --
 [3] A Right.
 [4] Q -- that Monica called him, correct?
 [5] A Yeah. I have no knowledge of him ever, of her ever
 [6] calling him.
 [7] Q Did Nelvis ever tell you that he socialized with
 [8] Monica outside the White House? Did he ever tell you that he
 [9] met her for dinner or drinks, or anything like that?
 [10] A I think -- it's possible he discussed with me that
 [11] he was going to try, that they were going to try to get
 [12] together at Christmas. She wanted -- for some reason, I
 [13] don't remember any details about it, but that rings a bell,
 [14] Monica and Nelvis, the holidays.
 [15] But I don't remember him telling me that it had
 [16] happened, or whatever. I don't recall anything about a
 [17] dinner. But.
 [18] Q What Christmas would that be, if that was
 [19] Christmas? Would it be '96? In '97 you weren't working
 [20] there any longer.
 [21] A Right. I'd have to say my best guess would have
 [22] been '96, because, you know, you figure it's further on when
 [23] we're there and the relationship is further. So, I would say
 [24] that's correct.
 [25] Q Do you remember any other times when he discussed

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[1] Monica with you, Nelvis?
 [2] A No. Something -- I have kind of a statement I want
 [3] to make and, and it's going to kind of contradict something
 [4] I've already said, but it is the truth. It's something that
 [5] I felt then and I feel now. And I can't -- well, let me tell
 [6] you what it is first.
 [7] I got the impression from Nelvis that he thought
 [8] there was some kind of possible physical relationship between
 [9] Monica and the President. I don't, he, I don't, can't define
 [10] that better than that. But I felt at that time, and I do
 [11] now, that he felt there was -- maybe it wasn't even a
 [12] physical relationship, but there was something that he was
 [13] unhappy about. He didn't discuss it with me in any kind of
 [14] depth. But I got the impression he was unhappy about
 [15] something and it had to do with her, with Monica and with the
 [16] President.
 [17] And then, you know, when I went out of the room, I
 [18] discussed this with my counsel because I wanted to make sure
 [19] that I, I wasn't stepping on the privilege. But I did have
 [20] that feeling and I do now.
 [21] Q Okay. And that would be --
 [22] A I apologize for the confusion, but it's just so
 [23] hard to define these things.
 [24] Q And that would be an impression that you got from
 [25] Nelvis, that it would be something beyond the mentoring

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[1] relationship that you discussed awhile ago?
 [2] A I guess it would have had to have been, I mean.
 [3] Q And do you remember anything that Nelvis did or
 [4] said or anything about his demeanor that led you to think
 [5] that he thought that Monica and the President had something
 [6] more than a mentoring relationship?
 [7] A Yeah. There's -- I need to step out and make sure
 [8] I can talk about this incident.
 [9] Q Okay.
 [10] A I actually think I've discussed it before, but I'm
 [11] not sure. So, just give me a quick second.
 [12] (Whereupon, the deposition was recessed from
 [13] 4:28:53 p.m. until 4:29:57 p.m.)
 [14] THE WITNESS: Okay. Please ask me the question
 [15] again.
 [16] BY MS. WIRTH:
 [17] Q I think you said that Nelvis left you with the
 [18] impression that he thought that there was something maybe
 [19] physical between Monica and the President, but certainly
 [20] something more than a mentoring relationship. Correct?
 [21] A Right.
 [22] Q Okay.
 [23] A And I thought I had discussed this before either in
 [24] my first deposition or in my interview, but I'll go ahead and
 [25] relay the incident to you.

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[1] Nelvis was in the dining room/study area, cleaning
 [2] up. The President had just left the area. And, of course,
 [3] I'm not revealing any privileged information. When I say
 [4] just left the area, you know, within the last 10-15 minutes.
 [5] This is --
 [6] Q When you say the area, you mean the Oval Office
 [7] area?
 [8] A Right. And this is Nelvis -- if I'm not mistaken,
 [9] I'm sure I'm not mistaken, it was Nelvis' first chance to
 [10] clean up. And --
 [11] Q Where was he?
 [12] A Nelvis?
 [13] Q Yes.
 [14] A He had walked into the study and he was picking up
 [15] a couple glasses. And he had either picked up, he either
 [16] had tissues or a towel, I don't remember which. And he said
 [17] something that he was tired of cleaning up this crap and this
 [18] wasn't right, or something to that effect. And I don't
 [19] remember if he said it to me -- he must have said it to me
 [20] because I don't remember seeing it, but I got the impression
 [21] that there was lipstick on these towels.
 [22] And I believe they were towels because he said
 [23] something about putting them in the wash. And I said, well,
 [24] Nel, who's going to see that. And he said, yeah, you're
 [25] right. And I said, maybe it's just best that, you know, you

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[1] get rid of it or whatever.
 [2] He had a plastic bag in his hand and I think it was
 [3] like out of the trash can. And then once again this is one
 [4] of these uncomfortable things. I mean now, of course, and at
 [5] the time. I, you know, basically we left it at that and I
 [6] turned around and walked out.
 [7] I remember seeing the towels, but I don't remember
 [8] seeing what was -- you know, if there was actually lipstick
 [9] on them. And -- but that was the impression that I got.
 [10] And, of course, you know, I'm not sure who -- it
 [11] could have been the First Lady's. I have no idea. So
 [12] Q Do you have any knowledge or information as to
 [13] whether Monica had been around that day?
 [14] A No, I do not.
 [15] Q You said that Nel went into the study and was
 [16] picking up glasses. And then you said something about --
 [17] A I believe a couple of soda cans, maybe, like a Coke
 [18] can or something.
 [19] Q Were you watching him do that?
 [20] A Not watching him, but I think we --
 [21] Q Where were you?
 [22] A Standing in the pantry, in the doorway. The pantry
 [23] door was open to the hallway and I think I was, we were
 [24] actually like talking, you know, like --
 [25] Q And the study door was open then?

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[1] A Sure.
 [2] Q Could you see Nel?
 [3] A From the back, you know. On an angle you can see a
 [4] little bit in there.
 [5] Q Okay. And you could hear him cleaning up?
 [6] A Yeah. I had -- yes. Correct.
 [7] Q How do you know that he was picking up glasses and
 [8] soda cans and things like that?
 [9] A Well, because I saw him come in the pantry carrying
 [10] them. I'm -- he was in the study. I saw him come into the
 [11] pantry with glasses.
 [12] Q Okay. And soda cans?
 [13] A Yeah, I believe at least one, Coke can.
 [14] Q All right.
 [15] A Diet Coke.
 [16] Q Okay. And did he do that and then go back into the
 [17] study for more things?
 [18] A No. I believe that the thing of him having those
 [19] towels and complaining was first.
 [20] Q Okay. That happened before the glasses?
 [21] A Yeah, I believe he did that first and then went
 [22] back to the glasses.
 [23] Q So, the first time that you saw him come out of the
 [24] study, what did he have in his hands?
 [25] A A plastic bag, and it looks like a towel or two,

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[1] small hand towels, white, terry-cloth.
 [2] Q When you say a plastic bag --
 [3] A Like a trash bag out of a can, the kind that they
 [4] put in the cans in the Oval Office, in the dining room, in
 [5] the study.
 [6] Q Is there a wastepaper basket in the study like
 [7] that, or a trash can?
 [8] A Certainly.
 [9] Q And the practice is to put a plastic bag into the
 [10] can and then --
 [11] A Right.
 [12] Q -- remove it with whatever garbage is in it?
 [13] A Right. Just for the record, the changing of the
 [14] trash, you know, when it needed to be done during the day Nel
 [15] did it. But the GSA cleaning crew came in at night. And
 [16] they would take five or six bags, fold it, unused, and dump
 [17] them in the bottom of the can. So, if we needed to dump it
 [18] during the day, there was another one in there.
 [19] Q Okay. So, you saw him come out of the study. He
 [20] had a plastic bag in one hand. How big are those bags, by
 [21] the way?
 [22] A They're small. They're, you know, maybe this high,
 [23] like for the small bathroom-type trash can.
 [24] BY MR. EMMICK:
 [25] Q Eighteen inches high, a foot high, something like

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[1] that?
 [2] A They are -- 18 inches is a good guess.
 [3] BY MS. WIRTH:
 [4] Q And are they clear or opaque?
 [5] A They're semi-clear.
 [6] Q Could you see what was inside the bag?
 [7] A Really, I'm not sure anything was in the bag, you
 [8] know. No, I couldn't. I couldn't see what was in the bag.
 [9] It was -- he had it small in his hand.
 [10] Q Did he have it crumpled up in his hand like from
 [11] the top?
 [12] A Yeah. It's possible that the bag was actually the
 [13] replacement bag. But he had the towels in his hands also.
 [14] Q Why would he be coming out with a replacement bag
 [15] A Maybe to yell at me. I don't know. I don't know.
 [16] I'm just --
 [17] Q You know, when you take a garbage bag out, it may
 [18] be folded or something.
 [19] A Right.
 [20] Q Was this thing opened up?
 [21] A It was, it was, he was holding it in his hand more
 [22] like this, elongated, if I remember correctly. And he had
 [23] the towels in his hand.
 [24] Q Could you tell whether there was anything in the
 [25] plastic bag?

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[1] A No, I could not. Not -- I don't recall.
 [2] Q All right. And he had, you said, towels in his
 [3] hand. Were they tissues or towels, or you --
 [4] A No. Terry-cloth.
 [5] Q Was there more than one?
 [6] A It's hard for me to remember. I know there was
 [7] one.
 [8] Q Are they white?
 [9] A Yes.
 [10] Q Could you tell whether there was any stains on
 [11] them?
 [12] A No, I couldn't. I don't recall.
 [13] Q What did he say?
 [14] A He said I'm tired of cleaning up this -- either
 [15] this crap or this ~~stuff~~, something to that effect.
 [16] Q Did anything --
 [17] A I'm sorry.
 [18] Q Yes.
 [19] A I'm tired of having to clean up this crap, or this
 [20] something, you know, to that effect.
 [21] Q Is there anything that led you to believe what he
 [22] meant by that? Or did you ever -- go ahead.
 [23] A Well, of course, without revealing any privileged
 [24] information, my own conclusion is that he felt that whoever
 [25] was there, there was -- I got the impression that there was

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[1] some kind of possible physical contact between them and the
 [2] President, and he was tired of kind of cleaning up after
 [3] that. He, he didn't feel that it was, it was right.
 [4] A And I'm not -- he never voiced to me why he didn't
 [5] think it was right.
 [6] Q Did he say that that's not right?
 [7] A I don't recall him using those words, but that's
 [8] the impression I got.
 [9] Q Did he tell you that those towels were stained?
 [10] A No. He just said something about lipstick.
 [11] Q Okay. Do you remember what he said?
 [12] A Something about lipstick. He was mumbling
 [13] something and the clear, the thing I could hear clearly was
 [14] lipstick.
 [15] Q Okay. And --
 [16] A And I just assumed that, that it was on these
 [17] towels.
 [18] Q But you didn't see it?
 [19] A No, I did not.
 [20] Q And you don't know if it was more than one towel?
 [21] A No, I don't.
 [22] Q It may have been just one?
 [23] A Correct.
 [24] Q You said it was a terry-cloth towel?
 [25] A Yes.

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[1] Q Could you tell how big it was?
 [2] A Well, we had, he had a drawer full of these, and
 [3] they were like --
 [4] Q Where?
 [5] A In the, in the, in the dining room there was a
 [6] drawer that had hand towels and face towels. And this was a
 [7] face towel, you know.
 [8] Q Are you talking about bigger than a wash cloth, or
 [9] the size of a wash cloth?
 [10] A Bigger than a wash cloth. A face towel, you'd dry
 [11] your face off with, you know.
 [12] Q And they are kept in the dining room?
 [13] A Correct.
 [14] Q And are they also kept in the President's bathroom?
 [15] A Yeah, there's two on the rack, right, with wash
 [16] clothes.
 [17] Q And are any kept in the study?
 [18] A Not to my knowledge.
 [19] Q Could you tell whether this towel was of the type
 [20] that was kept in the dining room or in the bathroom?
 [21] A Yes, I believe it was. Absolutely. I mean, I
 [22] don't have any other reason, any reason to believe anything
 [23] other than that. That's where the towels that Nelvis and the
 [24] Navy stock for the President.
 [25] Q So, he had a trash bag and he had the towel or

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[1] towels.
 [2] A Right.
 [3] Q And he said something to you, like you said, about
 [4] being tired of cleaning up this --
 [5] A Stuff, crap. Right.
 [6] Q -- stuff, or whatever word he used. And then he
 [7] mentioned lipstick?
 [8] A Right.
 [9] Q Did he mention lipstick in a way that led you to
 [10] believe that the towel had a lipstick stain on it?
 [11] A Yes. I did assume that.
 [12] Q But you don't remember the direct words?
 [13] A No.
 [14] Q And did he ask you for any advice as to what he
 [15] should do with the stuff?
 [16] A No. I think I volunteered.
 [17] Q What did you say?
 [18] A I think I -- I know I told him to, to get rid of
 [19] it; in other words, to throw it out. And just for the record
 [20] I would like to state that I had no idea that, you know, I
 [21] never considered this to even be possibly remotely considered
 [22] any kind of evidence. So. That was just trash, as far as I
 [23] was concerned.
 [24] But my fear was that regardless of whose -- if
 [25] there was lipstick on there, regardless of whose it was, that

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[1] when the people that did the laundry saw it, you know, I just
 [2] didn't want to give anybody any more fuel for any more rumors
 [3] about the President.
 [4] Q So, when --
 [5] A Or about anybody.
 [6] Q When you suggested to Nelvis that he throw the
 [7] towel away, what did Nelvis say?
 [8] A I don't remember. I just remember him kind of
 [9] walking away, and that was it. I don't know what he did with
 [10] them. That was the end of the thing. It was, once again,
 [11] something that, you know, unpleasant and we just didn't
 [12] really discuss it.
 [13] BY MR. EMMICK:
 [14] Q Did he indicate agreement or assent or --
 [15] A No, just an acknowledgement that he heard what I
 [16] heard -- heard what I said.
 [17] Q Right.
 [18] BY MS. WIRTH:
 [19] Q When he said, I'm tired of cleaning up this, I
 [20] think the word you used was -- correct?
 [21] A He either said -- or crap, yeah.
 [22] Q Crap, whatever.
 [23] A Yeah.
 [24] Q Did you have the impression that this sort of thing
 [25] had happened before?

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[1] A From the way he said it, yes. Yes, I did.
 [2] Q Had he ever discussed it with you before?
 [3] A Not that I recall.
 [4] Q Did he ever discuss it with you again?
 [5] A Not that I recall. No, certainly not.
 [6] Q Have you ever discussed that incident where --
 [7] walked out of the room with the towels since that day, or
 [8] after that moment when he walked out with the towels?
 [9] A I believe this is -- not with Nelvis. I believe
 [10] this is something I discussed with Sandy Verna.
 [11] Q Do you remember when?
 [12] A After the incident, you know, a couple days, a day,
 [13] whenever I saw her next and we had a chance to pass on
 [14] significant things that happened.
 [15] Q What did you tell her?
 [16] A Just the incident that -- I believe I went into it
 [17] even more vaguely than I remember now. I mean, I said that
 [18] you know, Nel found some towels in there, I think they had
 [19] lipstick on them and, you know, that -- and she said, I don't
 [20] remember exactly what she said, but I think I told her that
 [21] -- I think I told her that I told him to get rid of them, to
 [22] throw them out.
 [23] Q Do you know whether Betty Currie was around at that
 [24] time?
 [25] A No, I don't know. I mean, I assume she was if you

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[1] know, she was working there. It seemed like a regular day in
 [2] my mind.
 [3] Q That was the next question I had. Do you remember
 [4] what time of day this was or what --
 [5] A I believe it was during day work.
 [6] Q Do you know what day of the week it was?
 [7] A No, I have no idea.
 [8] Q Do you remember what time of year?
 [9] A No, I don't.
 [10] Q Did anything further happen when Nelvis -- he took
 [11] the towel. Where did he take it, into the pantry or
 [12] somewhere else?
 [13] A I don't know. He kind of walked away, you know.
 [14] walked back out, walked up and down the hallway a couple of
 [15] times.
 [16] Q Did he ever talk to you about this again? Did he
 [17] ever tell you, I threw it away, or --
 [18] A No.
 [19] Q No?
 [20] A No, I don't have any confirmation that -- you know,
 [21] he never confirmed it.
 [22] Q What was his demeanor like when he walked out of
 [23] the room, out of the study?
 [24] A I'd have to say he was a little irritated.
 [25] Q Do you know whether he ever told any other Secret

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[1] Service employees about this?
 [2] A No, I don't know.
 [3] Q Do you know whether he's ever told any Secret
 [4] Service employees about any other occasion on which he
 [5] recovered such material?
 [6] A It's possible that he discussed it with Sandy, but
 [7] I don't know.
 [8] Q When you say it's possible, is that because --
 [9] A Because we -- I kind of feel like we kind of had
 [10] similar relationships.
 [11] Q But you don't know?
 [12] A No, I don't know.
 [13] Q She's never told you?
 [14] A She, she discussed something with me, and I'm not
 [15] sure if it is that incident or another one, where there was
 [16] something with lipstick on it. You know, just in passing.
 [17] In other words, like she's pushing me off post and she said
 [18] something about it, and I just blew it off, and said, yeah,
 [19] whatever, and left.
 [20] I don't remember the exact incident, but I remember
 [21] -- I know that we, I know that we both -- I feel that we both
 [22] knew something about this.
 [23] Q Did Sandy ever say anything to you about Monica in
 [24] connection with that incident -- excuse me, in connection
 [25] with lipstick-stained anything, or anything else? Did she

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ever talk to you about Monica?
 A Yeah, we did talk about Monica, but I can't remember connecting those two, discussing those two things together. But we did discuss Monica.
 Q Do you remember anything that Sandy said about Monica?
 A Other than that she thought she was friendly, you know. She kind of liked her, you know, as far as working on the job went. She thought, Sandy thought I was too hard on her. Everybody did.
 BY MR. EMMICK.
 Q I actually wanted to go back to what started our discussion here about this.
 A Yeah, what was that?
 Q About the lipstick incident, for lack of a better word. What started that was a question about Monica. So, in [REDACTED] answered in response to a Monica-related question with the lipstick incident.
 A Right.
 Q [REDACTED] mind?
 A It didn't at that time. I did not connect the lipstick with Monica.

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Q At all?
 A No.
 Q Did you connect it with anyone?
 A Without revealing any privileged information, on the advice of my counsel, yes, I did.
 Q You connected it with someone, but you didn't connect it with Monica?
 A Correct.
 Q Did you connect it with a woman?
 A Yes.
 Q Can you tell me whether it's a White House employee?
 A It is.
 Q Well, I'll just ask the straightforward question. Who was it you connected it with?
 A I connected it with the West Wing receptionist at that time. Her name is [REDACTED].
 Q What made you connect it with [REDACTED]?
 A Anything further than that, I'd be revealing, possibly revealing privileged information, and I'll have to assert the privilege there.
 Q Had you seen [REDACTED] in the vicinity at about that time?
 A Without revealing any privileged information, no, I don't recall that.

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Q Is there anything that Nel said that led you to think it was Debbi Schiff who had been in there?
 A Without revealing any privileged information, no, sir, not to the best of my recollection.
 BY MS. WIRTH:
 Q And Nel never mentioned the name of any woman when he came out of the room with this stuff?
 A No, not to the best of my recollection.
 Q Did you ever pass this along to the person who relieved you, or your partner at that time?
 A I don't recall doing it, but I'm sure I did. I mean, that was the standard thing.
 Q Do you remember who your partner --
 A I'm sorry. If not right then, then certainly within a day.
 Q Do you remember who your partner was that day?
 A No, I don't. But more than likely it would have been Dan Ordakowski. That was my partner. And I do feel like this was during a weekday. So, it would have probably been Dan. That's a possibility.
 Q At the time that this happened, do you know whether Monica was still working at the White House or not?
 A Oh, yes. I, I believe she was a -- I'm sorry. At what time?
 Q When this incident happened with the stained towel,

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do you know if Monica was still an employee at --
 A Yes.
 Q -- the White House?
 A She would have been a blue passholder, to the best of my recollection, working in the East Wing.
 Q Other than Sandy Verna, have you discussed this with anybody else at the Secret Service at any time, except for lawyers?
 A I don't recall. But, you know, there are people that work -- like for instance, if I was sick or Dan was sick or somebody was sick you have a fill-in. It's possible I could have passed that on to them. Any of these things. You know, just so they kind of knew what was going on.
 Q But you don't remember?
 A No, I don't. I mean, I can't tell you. I couldn't even tell you when I -- no.
 Q Do you know if Monica Lewinsky had any relationship with Betty Currie, to your knowledge?
 A A friendship. And, once again, I felt like -- I really sound critical of this woman, but I really felt like that was another friendship that she cultivated for her access towards the President.
 Q Did you ever see the two of them together, Betty and Monica?
 A Yes, in Betty's office.

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Q Did you ever overhear any conversations between the two of them?
 A Nothing of any significance. Usually when I walked in the room, it was like the last laugh and she left, you know.
 Q Did Betty ever talk to you about Monica?
 A Yeah. Like, for instance, Monica goes into Betty's office. You know, she's in there for a couple of minutes and I'll walk in and get a piece of candy, and Monica will leave. And I can remember like I think I used to refer to her to Betty as your buddy, you know. In making light -- although I don't ever recall discussing this with Betty, but making light of the fact, to myself, that I felt that Monica was trying to befriend her because, to make access with the President, you know, get access with the President.
 Q Now, there came a time when Monica left her employment at the White House, correct?
 A Right.
 Q Do you know whether after that time that she left the White House whether she maintained a relationship with Betty Currie?
 A Yes, I do know that she did.
 Q How do you know that?
 A Well, mostly from the press accounts.
 Q Aside from press accounts? Only your own personal

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knowledge.
 A Okay. Okay. Give me a minute here.
 I do know from my own personal accounts. I mean, in other words, from officers, when I was in Tours, officers working the entry control posts, talking about Monica having an appointment, having an appointment with Betty. I don't remember when, who, why, where. But I do know being told at one point or another.
 And I could have, it's possible there are actually -- you know, more than once been told that, you know, your friend Monica, or that girl Monica, was in. You know, and they would say that, your friend, you know, to kind of jokingly bust my -- pull my chain, you know, because they knew I had had, you know, conflict with her.
 Q Do you remember the names of any of those people who said that?
 A No, I mean.
 Q Do you know if Monica maintained a relationship with Nel after she left the White House?
 A No, I don't. No, I don't because basically, you know, when I stopped working there I rarely saw Nel. I stopped by once in a while, you know.
 Q Did you personally ever see Monica in the White House after she left employment there?
 A Yes, and I've discussed this before, but I'll be

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[1] glad to do it again.
 [2] Q Okay. Before we do that, are you familiar with the
 [3] Secret Service post [redacted]
 [4] A Certainly. Yes, ma'am.
 [5] Q Do you want to mark that on the map, where [redacted] is?
 [6] A Yes, ma'am.
 [7] Q Okay.
 [8] A Just for the record, if these lines here and here
 [9] are saying that there's doors or passages, you know, like a
 [10] door, they are not. It's clean all the way down to these
 [11] doors.
 [12] Q And you've marked a point on the map that is [redacted]
 [13] [redacted]?
 [14] A Right. It would be the [redacted]
 [15] [redacted] and these are outer doors to go outside.
 [16] Q Okay.
 [17] A And this is the front of the [redacted] Okay?
 [18] Q Yes. Now, did you ever see Monica Lewinsky in the
 [19] vicinity of the [redacted] post?
 [20] A Yes.
 [21] Q Where were you standing at the time?
 [22] A In the area of [redacted]
 [23] Q Do you --
 [24] A Do you want me to go into the story, or?
 [25] Q Yes, but I want you to show us first where you were

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[1] This is the west colonnade. And if this map
 [2] continued, right here would be where the Palm Room is and
 [3] then after that you would be entering into the White House.
 [4] Q Do you want to write West Colonnade and Palm Room
 [5] for us?
 [6] A Okay. And do you want me to draw the parameter
 [7] or --
 [8] Q Yes, you could.
 [9] A Okay. And let's see. There would have been a door
 [10] here. And the door into the Mansion is up at this end, and
 [11] there's another set of doors here.
 [12] Q Just write Palm Room in there.
 [13] A Right.
 [14] Q And maybe an arrow with Residence over here?
 [15] A Okay.
 [16] Q You put WH?
 [17] A White House.
 [18] Q White House?
 [19] A Yeah. What do you want? Do you want Residence?
 [20] Q Perhaps.
 [21] A Well, let's see. To be accurate, it would be like
 [22] ground floor. How about --
 [23] Q Mansion?
 [24] A -- if I put Ground Floor of the White House?
 [25] Q Okay. Sure.

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[1] standing.
 [2] A Sure. Right here at [redacted]
 [3] Q Okay. And for the record, you are noting the post
 [4] that is --
 [5] A The Oval Office door --
 [6] Q -- at the [redacted] to the Oval Office, if
 [7] the Oval Office would be a clock, right?
 [8] A Right. Directly across from the [redacted]
 [9] Q And from that perspective, you can see [redacted]
 [10] A Straight on through, as long as this door is open,
 [11] which obviously it was.
 [12] Q Okay. And "this door" is the door east of the
 [13] stairway?
 [14] A East door, right. We would close this because the
 [15] press corps could walk, was allowed to walk from their press
 [16] lobby into Mike McCurry's office. And if this door was
 [17] closed, you know, it cut them off from visual access or
 [18] actual access to the President.
 [19] Q Okay. Now, tell us about the incident.
 [20] A So, I'm standing at my post at [redacted] It's early in
 [21] the morning before the President comes over.
 [22] Q Is Monica employed at the White House at this time?
 [23] A She is. She's working in the East Wing and, of
 [24] course, this is without revealing any privileged information
 [25] and I've already discussed this story with my counsel.

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[1] A White House.
 [2] Q So, anyway, you hear her first and then you see
 [3] Monica?
 [4] A Correct.
 [5] Q Up at [redacted] post?
 [6] A Uh-huh.
 [7] Q Do you remember who was on duty at the [redacted] post?
 [8] A You know, I don't. I do remember, I've thought
 [9] about this a lot recently. I do remember the officer that
 [10] was normally assigned there, his name is Officer Leroy Snyder
 [11] and he's a black officer. I do remember, I think the officer
 [12] that was standing there was black, but I didn't look long
 [13] enough to really tell who it was. It could have been Leroy,
 [14] I don't know. It could have been one of his reliefs.
 [15] Q Do you remember what time of day this was?
 [16] A It was in the morning. It would have had to have
 [17] been, you know, probably before 9 o'clock. He came over
 [18] between eight and nine.
 [19] Q So, the President, when you say coming over, he is
 [20] going to work?
 [21] A Correct.
 [22] Q Okay.
 [23] A Yes. So, I hear a radio transmission that the
 [24] President is in route, so which means the elevator has been
 [25] called up to the Residence.

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[1] Q All right.
 [2] A And I believe I've actually talked about part of it
 [3] before. So, anyway, I'm standing here. I hear her voice
 [4] over here. Now, it's not as far as it looks.
 [5] Q When you say you hear her voice "over here", for
 [6] the record you are pointing to [redacted]
 [7] A She's at [redacted], talking to the officer. I'm at [redacted]
 [8] Q Do you see her or just hear her?
 [9] A I hear her first.
 [10] Q And you recognize her voice?
 [11] A Right. And I step out into the hallway, you know,
 [12] a little bit more here, and I walk down towards this door,
 [13] and I see her standing there. And, you know, I probably at
 [14] least waved or something, made some kind of acknowledgement.
 [15] And just not too long after that I heard -- let me make sure
 [16] I've got this right. Okay. None of this privileged.
 [17] I heard the radio transmission that the President
 [18] was leaving the private living quarters in the White House
 [19] and coming down. Now, this is a procedure done the same way
 [20] every day.
 [21] Q Okay. And for the record, on the map, where would
 [22] the private living quarters be?
 [23] A It would be off this map. This is the west
 [24] colonnade. And -- why does this look backwards? Hmm. No,
 [25] that's correct.

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[1] Q And the officer at the [redacted] post would also have a
 [2] radio?
 [3] A Right.
 [4] Q All the uniformed officers have --
 [5] A Now, his radio is open. In other words, when that
 [6] transmission was made, she heard it. My radio was on an ear
 [7] piece, the surveillance kit you see the, you know, Secret
 [8] Service Agents --
 [9] Q Is that because you are more proximate to the Oval
 [10] Office and --
 [11] A Exactly.
 [12] Q -- it's supposed to be quiet?
 [13] A Exactly. It's a --
 [14] Q Okay. But the person posted at the [redacted] post has a
 [15] radio open so that others can hear it?
 [16] A Well, no. No, not so others can hear it. But
 [17] because he's not so close to the President, he can get away
 [18] without wearing it. These things create a lot of ear
 [19] infections. We take them out whenever we can, and he had his
 [20] out.
 [21] Q Okay. But others are able to hear? That's what I
 [22] meant to say.
 [23] A Yeah. It's the officer's job to keep the volume
 [24] down when you keep it in your ear, sure. But it is possible
 [25] for other people to hear the transmission.

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Q Okay.
 A So, the -- I hear the transmission that the President is in route. So, it's time for me to go to work. So, I start walking back this way. I have to come through this door. And just before I walk away, like he says to her, this officer says something to the effect, you know, he's on his way over, or something.
 And the transmission was repeated again because the first time the transmission came from the officer at the post outside the elevators. It's called -- it's on the ground floor. It's called [REDACTED]. And he gave it the first time. And then when the President came off the elevator and headed down the colonnade, he gave a second, President en route, West Colonnade.
 So, the second transmission, you know, Leroy said -- I keep saying Leroy. I'm not sure that it was him.
 Q The officer at the [REDACTED] post?
 A The officer at [REDACTED] said something to the effect that she, that the President was on his way over.
 Q That's after the second transmission?
 A Right. I believe so. It was either just after the first one or before the second one. And then Monica made a beeline down the colonnade. As I walked away, I saw her walking down, you know, like leaving his -- which I'm only looking at a space as wide as, you know, a double doorway.

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And she started down that way.
 Q "Down that way", being towards the West Colonnade?
 A Towards the direction that the President was coming from, right. And then I came back in, went into the Oval, took down the rope that was here.
 Q "Here" being the [REDACTED] door?
 A At the [REDACTED] door, jumped across the Presidential Seal, walked over to this outer door, unlatched the door.
 Q That's the door at --
 A That is the --
 Q [REDACTED]?
 A Right. We call it the [REDACTED].
 Q And that's where the President enters when he enters the Oval Office?
 A Correct.
 Q Okay. Now, when you saw Monica head in this direction away from the [REDACTED] post towards the West Colonnade, where were you standing?
 (Whereupon, the deposition was recessed from 4:59:15 p.m. until 5:00:49 p.m. for a videotape change.)
 BY MS. WIRTH:
 Q I think what I was about to ask you was that when you saw Monica move towards the West Colonnade from the [REDACTED] post, where were you standing?
 A Right about this door. That would be --

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Q And this door is --
 A That would be the door that is parallel to Betty Currie's office door.
 Q Okay. And you could see from there?
 A Yeah.
 Q And had she been standing -- is there a desk at [REDACTED]?
 A I'm sorry.
 Q No?
 A I'm sorry. I made a mistake. I must have walked a little bit further down, and I must have been standing right at this door, because I couldn't have seen -- yeah, I must have been standing by this door.
 Q And that's the door to the east of the staircase?
 A Yeah, because I was probably walking over to close it because I knew he'd be getting ready to come over. And the fact that I knew she was there was another reason to close it.
 Q Is that door normally kept closed when the President comes to work?
 A When he's -- that's right. That's the procedure.
 Q Okay. So, you walked over to that door to shut it, and at that time, you --
 A Yeah.
 Q -- saw her move away from the desk toward the

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colonnade?
 A Right. Right. And then I dashed back over here to do my other stuff.
 Q And do you have any idea whether she ever encountered the President that day?
 A I have no idea. That was the last time I saw her.
 Q Do you have any idea of how long it took the President to get to the Oval Office that day?
 A No. You know, a matter of minutes. I mean, you know, less -- I mean, you're not walking a great distance. No, I don't know, but it's not talking about a long period of time.
 Q And she was employed at the White House at that time?
 A Yes, in the East Wing. I think it was, what, legal counsel or something, legal legislation, something, yeah.
 Q Did you ever hear anything that she said to the person at the [REDACTED] post?
 A No. They were just kind of happy and joking.
 Q Did you ever talk to the [REDACTED] post person about it?
 A No, not that I recall. No.
 Q All right. Now, I'm going to turn to the time period after Monica left the White House.
 A Okay.
 Q After she no longer worked there.

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A Yes, ma'am.
 Q I asked you earlier if you had ever seen her back at the White House after she left.
 A Uh-huh.
 Q And I'm going to call your attention to Christmas time --
 A Right.
 Q -- in 1996, if that's correct. Do you remember any time when you saw Monica at --
 A Right. It was --
 Q -- a social event?
 A And as far as the time goes, that was the best of my recollection, and I've checked. I've tried to recall as best I could, but I believe that was the correct time, around that time, and it was around Christmas, and I was in the tour section. And it was an evening function, a holiday function. And this was either a function for the Department of Defense, or the Department of Defense press corps.
 And it was the Christmas reception, to the best of my recollection, which is basically kind of a little get-together for different groups of people, you know; the Secret Service has one, the Uniformed Division has one. And it doesn't necessarily mean that anybody from the First Family will be there, but, you know, these people are allowed in the White House to take pictures of the Christmas decorations.

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Anyway, I was working the entry control point at the East Visitor's Gate, which is right outside the metal detector security room. We had people lined up in rows. They would walk up. They would show us an ID, a driver's license, a government ID. We would check their name off on the list.
 I saw Monica in line. And as soon as I saw her, I made some comment about, you know, what are you doing here, you know you're not supposed to be here, or something to that effect.
 Q Is this the first time you had ever seen her since she left the White House?
 A I honestly don't recall, but it's the one that sticks out in my mind.
 Q All right.
 A So, I said to her, you know, you're not supposed to be here. She --
 Q Why did you say she wasn't supposed to be here?
 A Because she had been transferred away from the White House for some reason, and I just had the feeling that, you know, she wasn't -- the fact that she wasn't a passholder any more, and the fact that -- I guess the reason I said, another reason I said it was because of, you know, just our relationship, adverse relationship.
 Q Did you feel that she had left under unfavorable

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circumstances, left the White House?
 A Without revealing any privileged information, yes, I do believe that she did, and I can't comment any further than that. But, yes. The way she was transferred, from what I heard was it was like almost overnight. So.
 So, she or the guest, the person she was with, it was a man. I don't remember who it was. I remember he was about five-foot-five, dark hair in, you know, an evening suit type.
 Q Do you remember what she was wearing?
 A No, I don't. Dark, for some reason I think. I think she wore a lot of dark clothes. But, anyway, he handed me both their IDs. And as he was handing me the IDs, I realized that I had probably been a little harsh with what I said to her, especially -- I was a little embarrassed. I probably embarrassed her in front of this guy. You know, as far as I know, this could have been her boyfriend or something.
 So, as I was looking for his name and her name, you know, I, I didn't actually apologize, but I made light of the situation, and I felt like I had put them both at ease, and I felt like I was probably going to get through the night without having to write myself up, you know, write something.
 So.
 And, the truth is I really didn't care because it

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was her, and I'm sure nobody that I worked with, knowing, you know, our history, would even care. But, anyway, she still was a guest of the President's. She was on the guest list. She was a guest of the function of the President's, and I was a little bit out of line. So, anyway, I let them in. And they were both on the list. I checked them off. They go into the security room.
 You know, five to 15 minutes later roughly, somewhere in that neighborhood, a White House employee, her name was [REDACTED] and I believe she worked for the Social Office at the time. I don't believe she's employed there any more, although I still think she works at the White House. She came walking down, her and this assistant, and I don't remember the assistant's name, but she was a short girl with dark hair.
 And she said, you guys screwed up, you let Monica in. And I started laughing. And I walked away from the gate what I was doing. Somebody covered me. There was quite a few of us out there. And I walked in. And I believe the person standing there with me was Uniformed Division Sergeant Henry Sargent. I'm not certain, but I'm pretty sure it was him. And she starts, you guys -- she wasn't even -- Kim might have pointed at me and said, you let her in, or something to that effect.
 And I said, I didn't let her in, you let her in.

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She goes, what do you mean by that? And I flipped through the thing. I found Monica's name on it with her escort, and then I flipped back to the front page where Kim had signed off on it. And I said, you okayed it, you let them in, not me.
 BY MR. EMMICK:
 Q Was she serious, or --
 A Yes, yes. She was aggravated.
 Q She wasn't joking?
 A [REDACTED]
 BY MS. WIRTH:
 Q What was her position?
 A She was --
 Q Was she with the Social Office?
 A Social Office or Visitor's Office. Social Office, social functions. I don't know if she was the head of it, but was pretty high up.
 Q Had you ever had any kind of conversation with her about Monica in the past?
 A With Monica? No.
 Q About Monica?

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A Oh, about Monica? No.
 Q Do you have any idea why she said what she said about Monica?
 A Well, my, my -- the conclusion I draw at that time and now is that she either knew that Monica had been transferred or knew why, or thought she knew why or something, and thought that she was not supposed to be there. Well, somebody put her on that list and that was that.
 BY MR. EMMICK:
 Q It sounds like she also thought that you should know why.
 A It's possible she thought that I should know why. I don't know.
 Q And that would be an inference to draw from, you screwed up?
 A Oh, yeah. Well, she would always blame us, no matter what it was, to be honest with you.
 BY MS. WIRTH:
 Q Was the President at this event?
 A I don't know. I honestly -- I, I -- without revealing any privileged information, I couldn't tell you.
 You know, I'm out at the gate. I have no idea.
 Q And this took place at what gate?
 A This was at the East Visitor's Gate. It's the same gate that we bring the tours in. It's on the east side,

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between the Treasury and the White House.
 Q Do you remember any other functions that Monica came to after she left the White House? Is there anything at the South Lawn?
 A Yeah. Yeah, there's an incident -- and, you know, I don't know which came first, this one that I just talked about or the one I'm about to talk about.
 Q The South Lawn incident was at a different time of the year?
 A No, it was still cool. It was in the daytime, early morning. It was during the Congressional tours, which are generally from approximately 7:30 to 9 o'clock. And there was a function going on on the south grounds, some kind of arrival.
 Q Seven-thirty in the morning?
 A Yeah. Yeah. So, when you volunteer for one of those, don't -- you know, go to the public tours later.
 So, anyway, the thing was that this function was taking place at the same time. And, once again, the White House staff insisted that we could not cancel Congressional tours. Basically we wanted to cancel Congressional tours because it just strains our manpower too much to do two things at one time. But, once again, we lost.
 And so I'm working in the East Wing. You don't have a copy of the East Wing. But, anyway, I'm working in

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the East Wing. I'm inside near the doors that lead out into the First Lady's Rose Garden, also known as Jacqueline Kennedy Garden.
 We have stopped the tour line outside the gate. We're bringing the guests in from the other direction at the same gate. And the end of the Congressional tour line is right on the colonnade, and I'm standing here making sure these people don't intermingle, and that the guests get out on the south grounds.
 And somebody walks up, I don't remember who the officer was, but he says something to the effect of, I can't believe he let her in, or whatever. And I look up and here comes Lieutenant Brian Withrow with Monica. And they walked up. And he either said -- Lieutenant Withrow either said to another officer, and I'm not sure exactly who it was, take her out to -- escort her out to the gold rope area, or I'll take her out to the gold rope area, something to that effect.
 Q Who said this?
 A Lieutenant Withrow. And then, and then they started heading towards the door to go out to the south grounds towards the gold rope area, and that was the last I remember.
 Q Did you notice whether Lieutenant Withrow was talking to Monica? Were they being friendly?
 A They were standing like elbow to elbow.

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[1] Q Were they standing or walking?
 [2] A They were standing elbow to elbow. Well, walking,
 [3] you know, elbow to elbow. I don't remember, you know.
 [4] Q Do you know of any relationship between Monica and
 [5] Lieutenant Withrow, any friendship or anything like that?
 [6] A Friendship. I'm, I'm, I'm assuming they knew each
 [7] other.
 [8] Q Do you know of any though, any relationship between
 [9] them?
 [10] A No. I mean, other than he probably knew her like
 [11] anybody else that worked there. I mean, he was the tour
 [12] lieutenant. He knew everybody. He tried to know everybody.
 [13] It was his job basically to, you know, between the officers
 [14] that worked in the tour section and the staff, keep us from
 [15] going to blows as usually is -- I mean, he was like the
 [16] peacemaker.
 [17] Q He was personally escorting her that day, didn't
 [18] he?
 [19] A Yes, that's what it was, it looked like to me.
 [20] Q Why would he do that?
 [21] A Because they were friends, I guess. I mean --
 [22] Q Did his demeanor seem like he was happy to see her
 [23] or glad to be with her, or --
 [24] A Seemed normal to me.
 [25] Q -- anything else? Just normal?

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[1] A Yeah.
 [2] Q And did you overhear any conversation between them
 [3] at all?
 [4] A No, I don't recall him saying anything to her.
 [5] Just him speaking to the officer and/or me, you know. We
 [6] were standing in the same area.
 [7] Q And he said something about taking her to the gold
 [8] rope area?
 [9] A Right.
 [10] Q And just for the record, that's an area that is
 [11] close to where the President is going to be?
 [12] A It would be the closest proximity to the President.
 [13] This would be an area that he, if he wanted to mingle with
 [14] the crowd he could.
 [15] Q Okay.
 [16] A Generally. There's exceptions to that, like if the
 [17] podium's higher. But that's generally what it is.
 [18] Q And this was an event the President was to be at?
 [19] A Yes.
 [20] Q And he took her, went with her to the direction of
 [21] the gold rope area?
 [22] A He took her out those doors to the south grounds.
 [23] That's the last I saw of them.
 [24] Q And you don't know what happened after that?
 [25] A No, ma'am.

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[1] Q Do you know what the event was that day?
 [2] A No, I don't.
 [3] Q Other than those two incidents, did you ever see
 [4] Monica again at the White House after she left her employment
 [5] there? Other than the South Lawn and the Christmas party?
 [6] A To the best of my recollection, no.
 [7] Q Did you ever hear from anybody else at the White
 [8] House, Secret Service or not Secret Service, that Monica came
 [9] back to the White House after --
 [10] A Sure.
 [11] Q -- she left her employment there?
 [12] A From time to time I did hear.
 [13] Q What did you hear?
 [14] A Just that, you know, that somebody had seen her.
 [15] You know, she had an appointment or something. And, you
 [16] know, knowing what I, knowing what I've heard in the press,
 [17] you know, I'm not confusing those things. I know that people
 [18] had said to me, you know -- because people who knew me and
 [19] knew my conflict with her, got great joy out of, you know,
 [20] pulling my chain about it. So, whenever they saw or heard
 [21] that she was there, they would say, hey, you know, your buddy
 [22] was there, or something to that effect, you know. So.
 [23] Q Do you remember an incident that happened at the
 [24] Northwest Gate involving Monica?
 [25] A I do know of an incident at the Northwest Gate. I

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[1] do not -- I was not there. This is hearsay. I was told by
 [2] another officer.
 [3] Q Is this an incident that involved Sergeant Owens?
 [4] A That's -- that would be two instances.
 [5] Q Let's talk about the one involving Sergeant Owens
 [6] first.
 [7] A Right. I heard, I had heard. I knew --
 [8] Q This is Tom Owens?
 [9] A Right, Sergeant Tom Owens. The rumor I heard, you
 [10] know, version, story, whatever you want to call it, was that
 [11] he was working in the Control Center in the Old EOB one
 [12] night, and that there was a phone call that he took, that it
 [13] was from the President, and that it was the President
 [14] requesting that we expedite or we ensure the access of Monica
 [15] coming into the -- you know, she didn't have an appointment
 [16] or whatever, and the officers were holding her up at one of
 [17] the gates. I don't know which gate. You know, it's possible
 [18] it was the Northwest Gate. It's very possible, but I don't
 [19] know.
 [20] But, anyway, that the President asked Tom to
 [21] expedite, you know, or to get it done.
 [22] Q To get Monica in?
 [23] A Right.
 [24] Q Who did you hear this from?
 [25] A You know, I don't remember. I do remember that it

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[1] was, I was out at the Training Center when I first got there,
 [2] but, I mean, it could have been in the gym. I don't recall,
 [3] to be honest with you.
 [4] Q Do you know who the guard on duty was at the gate,
 [5] who --
 [6] A No. No.
 [7] Q -- encountered her?
 [8] A Right. No, I don't know because, you know, I had
 [9] been separated from the officers, the rotation for awhile,
 [10] being on tours and, you know, usually it's the junior
 [11] officers. I don't know, you know.
 [12] Q Where would Sergeant Owens be stationed in relatio
 [13] to --
 [14] A It would have been -- oh.
 [15] Q I'm sorry -- in relation to the gate?
 [16] A It would have been in the Control Center, in the
 [17] Old Executive Office Building is the way I remember hearing
 [18] the story. And that would have been like at least two, I
 [19] think it's approximately two floors below ground.
 [20] BY MR. EMMICK:
 [21] Q What does expedite mean?
 [22] A For us, it's to get it done now.
 [23] Q Does that mean that -- let me go back. Wouldn't
 [24] the ordinary procedure be to have one of the White House
 [25] employees send an e-mail that would virtually instantaneously

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[1] go to you?
 [2] A You're not talking about a White House employee.
 [3] You're talking about the President. He doesn't -- he just
 [4] picks up the phone if he wants something done.
 [5] Q Well, I guess what I'm trying to get at is --
 [6] A Had somebody --
 [7] Q Yes. Had somebody called earlier? Had somebody --
 [8] A Apparently not, because she would have been in the
 [9] computer.
 [10] Q I see. Was there a computer entry made, as far as
 [11] you know --
 [12] A No, I have no idea.
 [13] Q -- from this story?
 [14] A I have no idea of knowing it.
 [15] Q Does expedite mean to you, do it and don't worry
 [16] about the usual procedures?
 [17] A As far as -- as long as you're not risking -- you
 [18] know, for instance, they knew who she was.
 [19] Q Right.
 [20] A She went through a metal detector. Her bag was
 [21] searched. And then she was -- you know, after that, I don't
 [22] know what happened, to be honest with you. But I know that
 [23] you don't -- no, you don't throw the protection of the
 [24] President out the window because, you know, he calls on the
 [25] phone, regardless of what it is he says. You don't do that.

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[1] Q You would interpret it more as minimal procedures,
 [2] safety-oriented procedures, but other --
 [3] A Basically they let her in.
 [4] Q -- bureaucratic procedures, no?
 [5] A They let her in without the computer telling them
 [6] to.
 [7] Q When do you think this was?
 [8] A I don't know. I have no idea. You know, I paid so
 [9] little attention to it. You know, at this point, whenever I
 [10] heard any of these stories or rumors, I tried to get the hell
 [11] out of the room. I was just so fed up with the, the, the
 [12] things that -- the White House had aggravated me. I was
 [13] tired and I needed to get away from it. And I still do.
 [14] Q Did the President often call in order to ask that
 [15] someone would be let in on an expedited basis?
 [16] A Not to my knowledge.
 [17] Q Did he ever call and let someone in, or ask that
 [18] someone be let in on an --
 [19] A That's the only --
 [20] Q -- expedited basis?
 [21] A That's the only time I know him using the phone,
 [22] calling us for, to gain access. I mean, I know he's used the
 [23] phone to call us for other things, the whereabouts of
 [24] somebody in the First Family, that kind of thing.
 [25] Q All right.

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[1] BY MS. WIRTH:
 [2] Q While we're talking about things that you've heard
 [3] from other people, have you heard any talk or rumors about
 [4] the movie theater incident, a movie theater incident, an
 [5] incident that happened in the movie theater?
 [6] A Just give me a minute to make sure I get my facts
 [7] straight here.
 [8] Okay. Yes. Without revealing any privileged
 [9] information, and on the advice of my counsel, I do know two
 [10] versions of a supposed incident at the movie theater, and
 [11] I'll be glad -- you know, I will tell you both.
 [12] Q Okay.
 [13] A One version is that the President's in the movie
 [14] theater, and supposedly the allegation was that he was caught
 [15] in a compromising position with a, with somebody other than
 [16] the First Lady. Now --
 [17] Q In that rumor, was the person named that he was
 [18] caught in a compromising position with?
 [19] A No. I've been through this before in my own mind
 [20] and with my counsel trying to clarify this. I don't remember
 [21] that. But I do remember drawing a conclusion in my mind
 [22] that, that it was -- who I thought this person was.
 [23] Q Was it based on anything, or just a guess?
 [24] A It was based on other, other innuendoes and
 [25] accusations and, you know, little tidbit rumors, that kind of

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[1] stuff.
 [2] Q And who was that person?
 [3] A The person's name, it was a woman named Eleanor
 [4] Mondale. I believe I've actually talked about part, at least
 [5] part of this before, because at one time part of this was
 [6] considered privileged. So. Okay. Anyway.
 [7] Q So, when you heard this rumor, was the name Eleanor
 [8] Mondale used, or did you just --
 [9] A I don't remember if it was used, but I remember
 [10] drawing the conclusion that's who we were talking about. I
 [11] don't remember them saying that was her, but I remember, I
 [12] remember thinking it was her.
 [13] Q Did you hear this from more than one person, or
 [14] just the one, if you know?
 [15] A It was a group of people standing around and it was
 [16] two different times that I heard it. And the one group was a
 [17] group, I know it was, it was at least partial, part of the
 [18] group was from the ERT group.
 [19] BY MR. EMMICK:
 [20] Q The what?
 [21] A The Uniformed Division Emergency Response Team, it
 [22] stands for, the ERT. I don't remember who was standing
 [23] there. It was dark in the hallway. You know, we had the
 [24] lights turned down. You know, I don't mean dark-dark, but, I
 [25] mean, you know, dim. And, like I said, this is one of those

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[1] things where I, you know -- but I don't recall exactly who
 [2] was there. But I know some of them were ERT.
 [3] BY MS. WIRTH:
 [4] Q Some of them were what?
 [5] A Were ERT, because of their uniforms.
 [6] Q Do you remember the names of the ERT --
 [7] A No, I don't.
 [8] Q What kind of uniforms do they wear?
 [9] A They're black fatigues. We call them BDUs. They
 [10] wear external kind of a gun belt, web belt, similar -- it
 [11] looks like black combat gear. And they also carry a
 [12] different weapon, an additional weapon.
 [13] Q What is the second version?
 [14] A The second version is that -- I'm sorry. I haven't
 [15] really finished with the first version.
 [16] Q Go ahead.
 [17] A The first version was that either somebody from ERT
 [18] or a Secret Service Agent walked in in the movie theater,
 [19] and then the other version is basically the same
 [20] thing, but it was a White House staff person, like the
 [21] electrician or the plumber.
 [22] Q I see.
 [23] A They came through one of the doors.
 [24] Q And was Eleanor Mondale's name associated with that
 [25] rumor?

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[1] A I don't recall that name being associated with both
 [2] of the rumors. But I do remember associating it with at
 [3] least one of the stories.
 [4] Q Was any name associated with the second rumor?
 [5] A No.
 [6] Q Why would -- go ahead.
 [7] A To be honest with you, I just assumed they were the
 [8] same stories. I don't -- I can't confirm that, but.
 [9] Q You said that under one version an ERT person --
 [10] A Correct.
 [11] Q -- was where?
 [12] A In the West Wing -- in the East Wing near the
 [13] eastern-most side of the movie theater, which is almost
 [14] directly across from the doors that lead out into the First
 [15] Lady's Garden. The reason they're there is because that's
 [16] their access at night to the south grounds in case of a -- in
 [17] case they have to go out there. They sit by those doors.
 [18] Q ERT people do?
 [19] A Correct. And it's right at the edge of that side
 [20] of the movie theater.
 [21] Q And the rumor was that an ERT person had seen this,
 [22] or was on duty at the time, or what?
 [23] A Apparently had, you know, the ERT person had either
 [24] walked in himself or the Agent walked in and they were both
 [25] standing there, something in that, you know.

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[1] Q But the ERT person on duty there, would that be
 [2] part of his or her duty to check the theater out, or no?
 [3] A It can be. Sure, I mean, he can go anywhere. I
 [4] mean, any Uniformed Division Officer can go anywhere he sees
 [5] fit for security reasons.
 [6] BY MR. EMMICK:
 [7] Q You said either the ERT person or an Agent. It
 [8] sounds to me like they go together, you mean?
 [9] A No, no. I mean, I don't remember it being
 [10] clarified as either one or the other, but I remember it could
 [11] have been either of them.
 [12] Q I see. So, it wasn't like it was two people. It
 [13] was one person.
 [14] A Right.
 [15] Q But you don't know if it was an ERT or --
 [16] A Right.
 [17] Q -- an Agent?
 [18] A Right. But that's not to say that what you just
 [19] said is impossible. They could have both walked in there at
 [20] the same time.
 [21] Q I see.
 [22] A We work very closely together.
 [23] Q In connection with that story, was the story that --
 [24] the President and whoever he was with realized it or didn't
 [25] realize it?

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[1] A Don't have any idea.
 [2] MR. EMMICK: Let's just take a short break.
 [3] (Whereupon, the deposition was recessed from
 [4] 5:23:43 p.m. until 5:32:19 p.m.)
 [5] BY MR. EMMICK:
 [6] Q I wanted to ask a couple followup questions.
 [7] A Yes, sir.
 [8] Q First, as to the lipstick incident, or the occasion
 [9] that you were talking to Nel and he was making some
 [10] references to lipstick, were you the only one there from the
 [11] Secret Service?
 [12] A Yeah.
 [13] Q So, it's not the case that an agent by the name of
 [14] Chinery was there?
 [15] A Well, he's an officer.
 [16] Q Okay. An officer by the name of Chinery was there?
 [17] A No. But it's possible that he heard the story from
 [18] me or somebody else.
 [19] Q Right. But he wasn't there to make personal
 [20] observations of --
 [21] A Not to -- no.
 [22] Q -- that same kind?
 [23] A Not at that time.
 [24] Q All right. It was just you?
 [25] A Yeah.

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[1] So, apparently the officer at the post said this
 [2] loud enough where she could hear it. And apparently Monica
 [3] got kind of irate about it and she picked up a phone, either
 [4] the phone in there or the phone outside the post, which is an
 [5] indoor, you know, a house phone, and called, they presumed,
 [6] the President.
 [7] Which, in itself, is kind of significant because --
 [8] I'm speculating now, but I speculate that she did not have
 [9] phone privileges. In other words, she was not on the list to
 [10] make a phone call connected by the operator. So, the only
 [11] way she could have made contact with him was through the drop
 [12] line, which was --
 [13] BY MR. EMMICK:
 [14] Q What do you mean, the drop line?
 [15] A The drop line is a phone in the Oval Office behind
 [16] his desk. It's just a black phone. It's the only phone --
 [17] Q It's a what phone?
 [18] A Just a black phone, you know, black?
 [19] Q Okay.
 [20] A Color, like the old-time phone. I think it was
 [21] actually rotary dial. Anyway. And it was the only phone
 [22] that actually rang in the Oval Office. None of the other
 [23] phones rang.
 [24] BY MS. WIRTH:
 [25] Q And where would she make this call from?

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[1] Q And Nel?
 [2] A Correct.
 [3] Q [REDACTED]
 [4] [REDACTED]
 [5] [REDACTED]
 [6] [REDACTED]
 [7] A [REDACTED]
 [8] Q [REDACTED]
 [9] [REDACTED]
 [10] [REDACTED]
 [11] A [REDACTED]
 [12] Q [REDACTED]
 [13] [REDACTED]
 [14] [REDACTED]
 [15] [REDACTED]
 [16] [REDACTED]
 [17] [REDACTED]
 [18] [REDACTED]
 [19] [REDACTED]
 [20] Q [REDACTED]
 [21] [REDACTED]
 [22] A [REDACTED]
 [23] [REDACTED]
 [24] [REDACTED]
 [25] Q [REDACTED]

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[1] A From the Northwest Gate.
 [2] BY MR. EMMICK:
 [3] Q What's the number for the drop line?
 [4] A I can't tell you that. I don't actually remember
 [5] it. But it's -- I can't. I won't discuss that, because it's
 [6] the President's private line. I'm not sure what it is now
 [7] any more, but I did know it at one time.
 [8] BY MS. WIRTH:
 [9] Q Can I ask you something?
 [10] A Sure.
 [11] Q Do you have any knowledge as to whether someone
 [12] dialed that number for her or whether she dialed it herself?
 [13] A No, nobody would know that. I mean, no, I don't
 [14] know. But your run of the mill officer does not know it.
 [15] The only reason --
 [16] Q Excuse me?
 [17] A Your run of the mill officer, your run of the mill
 [18] agent doesn't know it. The only reason I knew it was because
 [19] when I worked at the Oval Office there was a time when the
 [20] White House operator was trying to get ahold of the
 [21] President. She couldn't. She called me at my post. You
 [22] know, I verified it was her.
 [23] I went in to pass the message on to the President.
 [24] He was on another line. That black phone rung. I picked it
 [25] up to answer it for the President while he was on the other

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[1] BY MS. WIRTH:
 [2] Q You mentioned that there was another Northwest Gate
 [3] incident aside from the one that we talked about with respect
 [4] to Sergeant Owens.
 [5] A Correct.
 [6] Q That you had some information on?
 [7] A Yeah.
 [8] Q What do you know about that?
 [9] A It was an incident with -- it had to do with
 [10] Officer Brent Chinery and whoever worked at the Northwest
 [11] Gate. And I don't know the whole story because when he was
 [12] telling me, I realized we were making a mistake discussing it
 [13] and I had him cut, you know, we stopped. And that was that.
 [14] But basically I know that there was an incident
 [15] where Monica came to the Northwest Gate, and I believe this
 [16] was around this past Christmas. Supposedly she had an
 [17] appointment with Betty Currie. The officers at the gate
 [18] called Betty, why I don't know -- oh, to make sure, I guess
 [19] to make sure that, you know, they were ready for her to come
 [20] in or whatever. And Betty told them to wait because the
 [21] President was in the Oval Office with somebody else.
 [22] I believe, I don't know how they knew -- or I
 [23] believe Betty told them that -- either Betty told them or it
 [24] was on the schedule, but for whatever reason they knew, and
 [25] it was related to me that it was Eleanor Mondale.

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[1] line and I saw the phone number and it just occurred to me to
 [2] remember. It was a five-digit number and I wrote it down in
 [3] my little book which I don't even have that any more, a
 [4] little book I kept notes in. I threw it out when I cleaned
 [5] out my locker to move to Beltsville, to transfer to
 [6] Beltsville.
 [7] It was just a five-digit. You know, it was a
 [8] regular phone number, but you only had to dial the last five
 [9] digits inside the White House.
 [10] BY MR. EMMICK:
 [11] Q Was it generally known as the drop line?
 [12] A We in the Secret Service, in the military, any line
 [13] like that we call a drop line.
 [14] Q Like what?
 [15] A Like, for instance, if you pick it up, if they
 [16] contact, it would keep ringing. It keeps ringing until you
 [17] pick it up.
 [18] Q I see.
 [19] BY MS. WIRTH:
 [20] Q Do you still know the number?
 [21] A No, I don't. No. There was a seven in it in the
 [22] beginning. That was it.
 [23] Q And you said the average officer would not know
 [24] that number?
 [25] A No. Certainly not.

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[1] Q So, the inference that you are drawing is that she
[2] must have known that?
[3] A Yes. As inflammatory as that sounds. I mean,
[4] that's my conclusion. I mean, unless she called Betty and,
[5] you know, or, you know, somehow somebody else put her
[6] through, I don't -- knowing what I know, how the system
[7] works, I, I find it doubtful.
[8] Q But you heard she used the drop phone?
[9] A Yes, I believe, yeah.
[10] Q Okay.
[11] A Well, let me put it this way. They believe that
[12] that's how this call went through.
[13] Q They, who?
[14] A They, the officers there and the people who
[15] personally who told me the story.
[16] Q Did anyone overhear her conversation?
[17] A That, I don't know.
[18] Q Okay.
[19] BY MR. EMMICK:
[20] Q I want to go back to this concept of phone
[21] privileges. How do you know who has phone privileges? How
[22] do you get phone privileges?
[23] A Well, to be honest with you, I don't know. But I
[24] can tell you a little bit what I do know.
[25] Q Okay.

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[1] A And, of course, this is without revealing any
[2] privileged information. For instance, the people that could
[3] pick up the phone and have the operator connect them to the
[4] President would be like the Chief of Staff, the Vice
[5] President, the First Family, Nancy. And now -- I'm pretty
[6] sure that Nancy Herreich controls this access, through the
[7] President, of course. But she's the West Wing Oval Office
[8] Manager. So
[9] BY MS. WIRTH:
[10] Q Returning to that incident, the rumor that you
[11] heard was that Monica made a phone call and spoke directly to
[12] the President?
[13] A That's, that's the impression that they had.
[14] Q Did you hear anything further after that?
[15] A He was highly irate that -- he was upset. The
[16] President was upset that she knew, that Monica knew that he
[17] was supposedly with another guest or person. And he --
[18] Q I'm going to ask you to stop at this point and
[19] maybe ask you to step outside. Have you discussed this
[20] incident with your attorneys?
[21] A Yes.
[22] Q You have?
[23] A Yes.
[24] Q Have they discussed privileges with you on this
[25] one?

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[1] A Yes. That's probably about as far as I could go.
[2] But, yeah, I don't -- we did discuss this this morning.
[3] Q Okay.
[4] A And that was what I could, they decided I could
[5] talk about.
[6] Q All right.
[7] A The reason being is it's secondhand. And I'm, and
[8] I'm not sure where, we are not sure where it originated from.
[9] Q Okay.
[10] A That was the thing.
[11] Q Aside from any privileged information, do you know
[12] anything else about this incident, about what happened after
[13] this?
[14] A I, I, I do know that it probably -- like they had
[15] to contact the sergeant who was in charge of the West Wing
[16] and he was involved in it. And I believe that he involved
[17] the watch commander, and that's about all I know. At that
[18] point we realized that we probably should stop talking about
[19] it, and we did.
[20] BY MR. EMMICK:
[21] Q I don't understand that: we realized that we should
[22] stop talking about it.
[23] A Because this took place not too long ago, in the
[24] last couple months. And this person and I were walking back
[25] from the Justice Department and we were overworked,

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[1] overstressed, and we started babbling. And we weren't
[2] discussing testimony. We were discussing that incident. I
[3] mean, this was, he was, we were not discussing testimony. We
[4] were discussing, you know, what involved us in this.
[5] BY MS. WIRTH:
[6] Q And that's when you heard about it?
[7] A Right. That is when I heard about it.
[8] BY MR. EMMICK:
[9] Q I see. And that relates to when you started
[10] talking about this incident and you made a reference to, I
[11] may have made a mistake in discussing it?
[12] A Yeah, we shouldn't --
[13] Q I was just going to go back to what you meant by
[14] that.
[15] A I mean, we shouldn't have discussed it. We should
[16] have caught ourselves, but we were tired and wound up and,
[17] you know, we made a mistake.
[18] Q I see. Who was this?
[19] A Is it important that I -- I hate to disclose his
[20] name in -- I mean, is it that important to you?
[21] Q Yes.
[22] A I mean, I mean, I know for a fact that you've
[23] already talked to him about it. I mean, is it that important
[24] to drag this in? I mean, you know, we made a mistake and I
[25] prompted it on to him. I don't want to -- you know, but we

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[1] do know it's -- I do realize it's clear that you do need to
[2] know this.
[3] Q Yes. It would be irresponsible not to ask that
[4] question.
[5] A Okay. It was Officer Brent Chinery.
[6] Q Chinery, okay.
[7] A And, you know, I'd just like to clarify that, you
[8] know, I kind of -- I won't say I badgered it out of him but,
[9] you know, I was the one that asked him and, you know, before
[10] I really, you know, before we caught ourselves, you know, he
[11] told me that. So.
[12] BY MS. WIRTH:
[13] Q Have you ever discussed Monica Lewinsky with
[14] Officer Muskett, John Muskett?
[15] A I think I need to step outside before I answer
[16] that.
[17] (Whereupon, the deposition was recessed from
[18] 5:43:29 p.m. until 5:47:02 p.m.)
[19] BY MS. WIRTH:
[20] Q I think the question was whether you've ever
[21] discussed Monica Lewinsky with John Muskett, Officer John
[22] Muskett?
[23] A Without revealing any privileged information, on
[24] the advice of my counsel, the answer to that is yes.
[25] Q What can you tell us about those conversations?

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[1] A Really not much. The stuff that is being
[2] considered privileged -- the stuff that is not considered
[3] being privileged would just be the fact that I think he, when
[4] I first started working in the tour section, he had asked me
[5] about her. I know I discussed her with him, but I don't
[6] remember the substance of it.
[7] Q Did you ever discuss her with him in connection
[8] with the access list?
[9] A I'll have to assert the privilege there.
[10] MS. WIRTH: Can we take a break?
[11] (Whereupon, the deposition was recessed from
[12] 5:48:00 p.m. until 5:49:52 p.m.)
[13] BY MS. WIRTH:
[14] Q The question that I had on the table was whether
[15] you had ever discussed Monica Lewinsky with John Muskett in
[16] connection with the access list, and you stepped outside to
[17] consult with your lawyer. Have you done so?
[18] A Without revealing any privileged information, yes,
[19] I have discussed. When I was working tours, Officer Muskett
[20] came to me. I believe it was on a Saturday afternoon, just
[21] about as we were getting ready to go home, because he was
[22] working -- our days off were Sunday/Monday. He was working
[23] Sunday and his post was going to be the Oval Office. He had
[24] never worked there before. He knew that I was stationed
[25] there and he asked me to kind of brief him on the procedures.

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1 And I discussed the access list.
 2 Q What is the access list?
 3 A It's a list generated by the staff, by Nancy
 4 Herreich. And it's, it's kind of twofold. It tells the
 5 officer there who has access to the Oval Office when the
 6 President is in there. For instance, during some kind of
 7 national security thing, the President's in the Oval Office
 8 and the Vice President wants to go in there. And I know to
 9 most people this sounds crazy. You would think you would
 10 just let him in, but that's not necessarily true.
 11 But to tell you how serious the list is, the First
 12 Lady and the First Family's on the list. are the first names,
 13 and the Vice President. Then the Chief of Staff. I might
 14 not have the order exact, other than the First Family is
 15 first on the list. Chief of Staff.
 16 Now, the National Security Advisor at that time was
 17 Tony Lake. He wasn't on the list initially.
 18 BY MR. EMMICK:
 19 Q Is it a physical list, a typed-out list?
 20 A It's a piece of paper from the Office of the
 21 President, something to that effect. It has Nancy
 22 Herreich's name on it. She generates the names. She signs
 23 it. She puts her name on the bottom and she signs it. And
 24 then she makes copies of it. She sends a copy to the Deputy
 25 Chief of the White House Branch, and then we make multiple

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1 copies and put them on the post.
 2 BY MS. WIRTH:
 3 Q And are those basically people who can walk in
 4 unstopped into the Oval Office?
 5 A Under the right circumstances. Normal day-to-day
 6 stuff, they go through Betty Currie's office and Nancy's
 7 office. Saturdays, Sundays, when the staff isn't there but
 8 the President is, these are the people you can use as a
 9 guideline. This list you can use as a guideline to let
 10 people in.
 11 (At 5:54 p.m., Mr. Page entered
 12 the deposition room.)
 13 (Discussion of the record.)
 14 BY MS. WIRTH:
 15 Q So, on days when Betty Currie and Nancy Herreich
 16 aren't there --
 17 A Right, or any other --
 18 Q -- these people can walk in without being stopped?
 19 A Well, the procedure would be that you, you know,
 20 they would come up and they would say, you know, I'm going, I
 21 need to see the President. And so just wait a second, you
 22 know. For instance, if I knew he was on the phone, I'd tell
 23 him to wait.
 24 You knock on the door, open the door, Mr.
 25 President, you know, X, W and Z are here. Fine, let them in.

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1 You know, you give him the opportunity to say no. He could
 2 be on the phone, you know. He could be wiping his nose, that
 3 kind of thing. Try to give him as much privacy as possible.
 4 That's what the list was for.
 5 Also, they kind -- the staff started using this
 6 list as to let people, which was new for us -- it was tough
 7 for us, for the Secret Service, especially the Uniformed
 8 Division to get used to, was they allowed certain people to
 9 do tours inside the Oval Office, like when they weren't
 10 there.
 11 For instance, the Chief of Staff could come and
 12 take people in the Oval Office, in the immediate Oval Office
 13 itself and do a tour of guests that he wanted. You know, we
 14 kind of escorted it, so to speak, but that's what this list
 15 was also used for.
 16 Q Did Monica's name come up in connection with your
 17 discussion of the access list with Muskett?
 18 A Yeah. I believe I used her as an example, that she
 19 was, she, she frequented the office like to see Betty Currie
 20 but she was not on the access list, that type of thing. I
 21 probably also used Anthony Lake as an example.
 22 BY MR. EMMICK:
 23 Q Was that to imply that the access that Anthony Lake
 24 would have would be somewhat comparable to the access that
 25 Monica Lewinsky would have?

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A Oh, she wishes
 Q Right.
 A She wished. No. It would have been that just
 because, just because you hear people say, you know -- my
 point I guess was, you know, just because you hear that she's
 over there a lot doesn't mean that she has access.
 Q Right.
 A It just means that she's a damned busybody, or
 whatever. And I was just trying to impress upon him, you
 know, how important it was to use this list as a guide. It
 wasn't carved in stone. I mean, you could flex on it, you
 know.
 For instance, I have let people that weren't on the
 list in without even telling the President they were coming
 in, because it was like during some kind of national security
 thing and a general showed up late for a meeting. I knew he
 was supposed to be there. I just opened the door and let the
 man in. And it was, you know, I knew it was fine.
 Q Are there different levels of access? Are there
 like three people that would have top access?
 A There wasn't originally. There wasn't originally,
 but then there was a time when that was kind of like that, I
 believe. Like Debbi Schiff was on the list at first and then
 Nancy took her off. And then she was kind of on there for
 tours, but for no other reason.

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1 Q So, Debbi Schiff was on the access list?
 2 A Right. Well, see, when they first got there, you
 3 know, in the first administration, she did a lot -- and she
 4 still did. You know, I do know she's been, she's moved to
 5 the State Department. But, you know, she did a lot of work,
 6 backup work for Betty and Nancy. I mean, she helped them out
 7 a lot and, you know, she was on that list.
 8 BY MS. WIRTH:
 9 Q Was Betty Currie on the list?
 10 A Oh, certainly. She's one of the --
 11 Q And Nancy Herreich?
 12 A Right. They were on there also. And the reason
 13 they are being -- I think I remember actually discussing them
 14 with Nancy, her saying that she didn't need to be on there,
 15 and I reminding her that everybody that worked that post
 16 wasn't me, that they didn't know her as well as I do and that
 17 she could be challenged. And, you know, she's not the one
 18 that you want to have to challenge. So.
 19 BY MR. EMMICK:
 20 Q Who?
 21 A Nancy. She's a nice person, don't get me wrong.
 22 But, you know, if she didn't know you and you challenged her
 23 access to her office, you know, it made her -- she didn't
 24 like it. So. You know, she was a busy person. She didn't
 25 want to be held up about Mickey Mouse stuff, which she

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1 considered Mickey Mouse.
 2 Q I have a question whether, in addition to there
 3 being an access list, was there a no-access list? People who
 4 in particular should not be permitted into the area?
 5 A Not written down. Oh, in the area? Well, anybody
 6 that wasn't -- I mean, there were -- anybody that wasn't a
 7 permanent passholder, anybody that wasn't -- just because you
 8 had a White House -- and this was a little problem with the
 9 Secret Service and especially the Uniformed Division. We
 10 wanted the people that worked in the West Wing to have a
 11 special pass, other than the regular blue White House. We
 12 wanted them to put something on their pass, but we could
 13 never get them to do it, you know, just to make it easier for
 14 us to identify who was supposed to be in the West Wing or
 15 not.
 16 You could be assigned to the East Wing with the
 17 same pass that I have, working outside the Oval, you know,
 18 working as a secretary.
 19 Q When I initially asked the question, you started to
 20 say not that's written down.
 21 A Right.
 22 Q What did you have in mind? What were you about to
 23 say?
 24 A In other words, there were, there were -- you know,
 25 I mean, there were groups of people. Not groups, but, I

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mean, I could think of people offhand that you would try to steer out of there when you saw them because you just -- first of all, for me personally, I'm saying, you know, I recognized, you know, I knew this person has a White House pass but really works over in the Old EOB, or is a hall-surfer, you know, so to speak. You know, works in the press lobby but they've got no business being over here.

Q Would Monica have been such a person?

A Certainly. Top of the list.

BY MS. WIRTH:

Q Do you know --

A For me.

Q -- when you had this conversation with Muskett, was Monica employed at the White House at that time?

A Yes, I believe she was.

Q I want to ask you some questions going back to the towels that we talked about earlier, the lipstick-stained towel or towels.

A Uh-huh.

Q You said that hand towels are kept in the President's bathroom and also in the dining room. Is that right?

A You're correct, in a like chest of drawers in the dining room.

Q Are they kept in the study as well, or --

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A No.

Q -- you would have to bring them in there from somewhere else?

A No. Actually you did ask me that before. And, to the best of my recollection, no. I mean, if they were in there, they were laying on top of the desk or something.

Q Now, where in the Oval complex are tissues kept?

A There was a box of tissues in the dining room. There was a box of tissues in the study and there was one in the Oval Office, at least I know there was one in Betty's office and one in Nancy's.

Q What about the bathroom, the President's bathroom?

A Yes, also, along --

Q And the pantry?

A -- with toilet paper. I think we just used paper towels in the pantry. I don't remember seeing one in there.

Q And you did say in the study as well?

A Yes.

Q And in the Oval Office itself?

A Yes, I believe there was. I'm trying to -- if you just give me a minute. Yeah. It was on, it would have been on the back table behind the President's desk.

Q Is there a trash can in the pantry that you know of?

A No. It's outside the pantry. It's built into a

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cabinet. It looks like a, it looks like a cabinet and you just flip it up and it's trash. And it was just down from the pantry, just before the door, the side door that led into the Roosevelt Room. It was right here, the trash can.

Q So, it's in the E-8 hallway?

A Right. Exactly.

Q Do you know what kind of tissues are kept in the Oval complex, by brand name? Do you happen to know?

A I believe they're Scott tissues.

Q They're Scott?

A Yeah, Scotty, Scott. The -- I don't remember exactly in which room, but I do know in some of the rooms they were the small, more square boxes and not the long ones. You know, the tall ones.

Q You mean, the tall --

A Right.

Q -- small, square boxes?

A Exactly.

Q Like the kind that you would see in a bedroom or something?

A Exactly.

Q And those are kept where?

A Well, I think there was one like that in the dining room. And I'm not sure about the study. It's possible. I mean, the only room I can remember --

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Q Do you know for sure there are tissues in the study?

A Yes. There are tissues in the study.

Q And when you say you are not sure, you are not sure about the type?

A I'm not sure about the type, yes. That's correct.

Q What about the color of the tissues?

A Generally I believe they're all white.

BY MR. PAGE:

Q When a box of tissues is empty and discarded, where do I go to get more tissues?

A You don't. Nelvis does.

Q Where did Nelvis get them?

A Nelvis kept them -- he may have actually had a small supply, like an extra box somewhere. They were so limited for space. If he kept one or two boxes, he might have kept them in the hallway on a shelf in this area, in the drawer, I mean in a drawer. Or he would just have somebody bring them up from the supply, from the stewards' supply. You know, that's about as -- I really can't give you a defined answer on that. But I think I remember seeing a drawer open one time and there being an extra box in there. It's also possible he actually stored extra boxes in a drawer in the dining, in the dining room, like he did towels.

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BY MS. WIRTH:

Q Now, with respect to garbage, waste, and so on, things that are thrown away from the Oval complex, if Nelvis had followed your suggestion and thrown away that towel, what happens to the garbage? Do you know?

A Well, as long as it's just garbage and not classified material, it just goes into the trash can. It's picked up by the GSA cleaning staff. The woman that used to -- well, in the daytime -- I don't know who cleaned it up at night, the staff that came in, but in the daytime, when the woman named Mary would come through and pick up at least once during the day, usually in the morning and in the afternoon. She was very good about emptying the trash can in the hallway, trash can and stuff in offices, that kind of stuff.

Q And when Nelvis --

A But not the -- excuse me. As far as the Oval Office went, that was Nelvis' job during the day if it needed to be emptied.

Q And where would he put the trash after he cleaned it up, if you know?

A Yeah, I do know. I mean, I remember seeing a lot of trash, not just trash but also, you know, garbage, as far as orange peels, food stuff. It would go in that trash can that I mentioned right here by E-8.

Q That's where it's stored until GSA comes to pick it

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up?

A Well, yeah, but sometimes it would be so stinky that he would have it emptied.

Q Okay. And where would it go then?

A The stewards, if they were emptying it, would take it down and put it in the dumpster somewhere. I think the dumpster is over in the Old EOB, north moat.

Q And then GSA disposes of it?

A Right.

Q Do you know what they do with it? Is it --

A It's picked up.

Q -- burned?

A Oh, you know, I don't know. The only thing I know that's burned is classified, the burn bag.

BY MR. EMMICK:

Q I did want to try to clarify one area, and I'll tell you what the actually two areas are, and then you can help clarify. I'll even tell you what I think I recall your saying and then you can tell me if I'm right or not.

A Uh-huh.

Q I wanted to ask you to clarify the occasions when you actually saw Monica in the dining room and the occasions when you saw Monica in the pantry.

A Uh-huh.

Q And I'll tell you what my impression is, but you'll

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[1] understand I was a little confused because it sounded like
 [2] one time she was there and partway in the dining, and one
 [3] time she was in the dining room, but --
 [4] A That's correct.
 [5] Q -- you couldn't tell whether she had gone through
 [6] the pantry because you weren't sure how she got there. But,
 [7] let me tell you, I had the impression that she was in the
 [8] pantry when she made, when the Paula Jones discussion
 [9] occurred with Nel. Is that right?
 [10] A No. She was in, they were in the hallway outside
 [11] the pantry.
 [12] Q They were in the hallway? Okay.
 [13] A Right.
 [14] Q Was she in the pantry the time that you grabbed her
 [15] elbow?
 [16] A That I think I grabbed her elbow.
 [17] Q That you think you --
 [18] A I used a verbal command and I possibly grabbed her
 [19] elbow. Yes, she was standing in the pantry, close to the
 [20] other side of the pantry near the dining room.
 [21] Q Okay. And that's the occasion that I had in my
 [22] mind as possibly her being actually in the dining room.
 [23] A I had mentioned that it's possible she could have
 [24] had one foot in the dining room, but that was as far as she
 [25] went.

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[1] Q And on that occasion, where was Nel?
 [2] A In the dining room. On what occasion?
 [3] Q When the elbow occasion, the halfway in, halfway
 [4] out --
 [5] A In the dining room.
 [6] Q Could you see him there in the dining room?
 [7] A Yeah. Yeah. He was, like I said, I believe he was
 [8] working putting supplies away or something, across the room
 [9] on that day, in that chest of drawer type thing -- credenza.
 [10] That's the name.
 [11] BY MS. WIRTH:
 [12] Q Did you make eye contact with Nelvis at all?
 [13] A I don't recall, you know.
 [14] Q You said earlier that you thought you saw the back
 [15] of his head at that point?
 [16] A Yeah. I mean, he was probably like storing stuff,
 [17] turned around, that type of thing.
 [18] Q Did you ever see his face at that point?
 [19] A Not until the end when she was walking out, because
 [20] he was walking towards me, her and me, you know, crossing the
 [21] room coming towards --
 [22] Q And is that an occasion on which you spoke to
 [23] Nelvis about her presence there, or was that --
 [24] A No, that would have been the next time that I said
 [25] something to him.

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[1] Q The other time, okay.
 [2] A Right.
 [3] Q Do you have any idea whether Nelvis knew that
 [4] Monica was in the pantry on that occasion when you went in
 [5] and may --
 [6] A I have no --
 [7] Q -- have taken her out by the elbow?
 [8] A I have no idea of knowing, but I would think he
 [9] would know that she was standing there because they were
 [10] talking, I would assume they were talking to each other.
 [11] Q Did you hear talking?
 [12] A Yeah, I heard her saying something to him.
 [13] BY MR. EMMICK:
 [14] Q And there wasn't anybody else in there that she
 [15] would have been talking to?
 [16] A No. There was nobody else in there.
 [17] Q Did you have any impression how long she had been
 [18] there?
 [19] A Yeah, like a real short period of time, because I
 [20] had only turned my back, you know, as long as it took to walk
 [21] down to just past the E-6 door and turn around and walk back,
 [22] and she had come up that quick.
 [23] Q And that would have been somewhere in the
 [24] neighborhood of, what, 30 to 60 seconds?
 [25] A Less than a minute.

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[1] Q Less than a minute?
 [2] A A minute to less than a minute, yeah.
 [3] Q And then the other occasion that I thought I had
 [4] recalled was that you looked through the pantry outside and
 [5] inside doors and saw her there in the dining room?
 [6] A Heard her voice as I was walking up, saw her in
 [7] there, got upset, you know, mad, you know, what are you doing
 [8] in there, get out of there. And as I was saying, like I
 [9] recall thinking, well, I don't, you know, want to embarrass
 [10] Nel.
 [11] Q Right.
 [12] A Because I'm sure that she kind of walked in there
 [13] without -- you know, I'm sure she didn't ask to walk in there
 [14] because he never would have said yes. She just kind of -- it
 [15] was open, she saw him in there and, once again, you know, I
 [16] could have been on either end of the hallway, you know.
 [17] Well, yeah, because I'm not sure, I don't remember where I
 [18] was at the time this happened, like if I was on the west or
 [19] east side of the E-6 door, you know what I mean, or the E-8
 [20] door. Or, I'm sorry, the pantry door.
 [21] So, I'm not sure what direction she came from.
 [22] But, you know, as I walked up towards the open door, I could
 [23] see the outer, the inner door was open and then I heard her
 [24] voice and, you know, first thought in my mind was what in the
 [25] heck is she doing in there.

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[1] Q Do you remember what she was saying, or --
 [2] A No, no. It seemed, you know, jovial. I mean, I
 [3] don't remember anything.
 [4] Q Just talking to Nel about something?
 [5] A Yeah. Yeah. I don't remember what. It's not that
 [6] I don't remember. I don't think I really could hear because
 [7] I was, you know, trying to control my temper. And, you know,
 [8] I said, what are you doing here, get out, you know you're not
 [9] supposed to be in here.
 [10] And as I was saying that, I recall thinking, you
 [11] know, I don't want to be too harsh because I don't want to
 [12] make it any worse on Nel, because I realized that he knew
 [13] she's not supposed to be in there. He don't want her in
 [14] there but he doesn't want, then again, want to be, you know,
 [15] the bully, so to speak.
 [16] Q As you spoke to her, did she turn her head to face
 [17] you rather than to face Nel?
 [18] A I really don't recall. I think she was kind of
 [19] standing sideways.
 [20] Q When you said that, did Nel say anything?
 [21] A No, not that I recall.
 [22] Q And was it after you spirited her out that you had
 [23] the conversation with Nel?
 [24] A Yeah. Yes. I said something to the fact that
 [25] she's not supposed to be in here or whatever, and he

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[1] acknowledged it, and that was that. Like, you know, I didn't
 [2] want to -- like I said, he's a nice guy, very senior guy in
 [3] the Navy, and I don't want to embarrass him.
 [4] Q Was there any discussion about whether this
 [5] incident might be written up in some way?
 [6] A No.
 [7] Q And it wasn't discussed because it was obvious that
 [8] it wouldn't be written up?
 [9] A Well, it wasn't a security breach. I mean, she was
 [10] a passholder, you know. We knew who she was. She could have
 [11] been any other intern. She could have been, you know, any
 [12] employee. They're not supposed to be in there.
 [13] Q Did Nel exhibit some embarrassment or --
 [14] A A little uncomfortableness, I feel, yeah.
 [15] MR. EMMICK: That's all.
 [16] BY MR. PAGE:
 [17] Q I have a hypothetical for you.
 [18] A Okay.
 [19] Q If Nelvis is still working at the White House, are
 [20] there any Secret Service policies or directives that would
 [21] discourage him from sharing with people outside the White
 [22] House the whereabouts of the President?
 [23] A Hypothetically? Certainly. It's just common
 [24] sense. It's -- in the Navy, in the military they call it
 [25] operational and communications security. He would, he would

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[1] -- yeah. Hypothetically. Yeah, there are guidelines in the
 [2] military and I assume that the Navy people there apply those
 [3] to the -- I'm assuming they apply those to their job there.
 [4] And it's a general common knowledge in the Secret
 [5] Service, and if we're doing it I'm sure the military is, that
 [6] you don't discuss those things.
 [7] Can I give you an example?
 [8] Q Yes.
 [9] A You're on a, you're on a detail. You're in Ohio
 [10] somewhere. And somebody calls you on a cell phone and wants
 [11] to know he's left. You don't acknowledge, you don't tell
 [12] them on a cell phone. Anybody can monitor a cell phone. If
 [13] it's not a secured transmission, you don't tell them where
 [14] the President's location is.
 [15] BY MR. EMMICK:
 [16] Q Just as a matter of clarification, you earlier had
 [17] mentioned the fact that the President's schedule was widely
 [18] disseminated.
 [19] A That's right.
 [20] Q That might be something dealt with differently?
 [21] A That's right. But the fact that schedule is
 [22] disseminated does not -- you know, let's say it says he's
 [23] going to leave this function at 1600. Well, he might be
 [24] leaving a little bit earlier, a little bit late. We don't --
 [25] you know, if you're on a cell phone, you're giving a defining

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[1] time and you're giving somebody the ideal -- if somebody's --
 [2] the theory is -- well, I don't know how much of this I can
 [3] talk about.
 [4] Well, the theory is that you're just giving too
 [5] much of a defined time line.
 [6] Q But you would feel comfortable telling someone
 [7] about the President's schedule because everybody has access
 [8] to the schedule, but you wouldn't feel comfortable --
 [9] A Within reason.
 [10] Q But you wouldn't feel comfortable giving more
 [11] detail about --
 [12] A Exactly.
 [13] Q -- his actual whereabouts, or --
 [14] A Exactly.
 [15] Q -- actual times when he comes --
 [16] A Exactly, unless they were Secret Service personnel,
 [17] or military personnel that I knew needed to know, you know,
 [18] which happens on details.
 [19] Q Okay.
 [20] BY MR. PAGE:
 [21] Q Does the Secret Service take steps to educate
 [22] workers in the White House, whether military, their own
 [23] personnel, or White House staff, to educate them about this?
 [24] A That's a question I can't really answer, because
 [25] I'm not sure. That would be a question for somebody higher

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[1] than me, the Deputy Chief of the White House, or the Chief.
 [2] I'm not really sure, to be honest with you.
 [3] (Discussion off the record.)
 [4] MR. EMMICK: This concludes the deposition.
 [5] (Whereupon, at 6:14:11 p.m., the proceedings were
 [6] concluded.)
 [7] *****
 [8] CERTIFICATE OF COURT REPORTER - NOTARY PUBLIC
 [9] I, Elizabeth A. Eastman, the officer before whom
 [10] the foregoing deposition was taken, do hereby certify that
 [11] the witness whose testimony appears in the foregoing
 [12] deposition was duly sworn by me; that the testimony of said
 [13] witness was taken by me electronically and thereafter reduced
 [14] to typewriting by me; that said deposition is a true record
 [15] of the testimony given by said witness; that I am neither
 [16] counsel for, related to, nor employed by any of the parties
 [17] to the action in which this deposition was taken; and,
 [18] further, that I am not a relative or employee of any attorney
 [19] or counsel employed by the parties hereto, nor financially or
 [20] otherwise interested in the outcome of the action.
 [21]
 [22] NOTARY PUBLIC FOR THE
 [23] DISTRICT OF COLUMBIA
 [24] My Commission Expires:
 [25] July 31, 2000

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

----- X
IN RE: :
GRAND JURY PROCEEDINGS :
----- X

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

Thursday, July 16, 1998

The testimony of GARY BYRNE was taken in the presence of a full quorum of Grand Jury 97-2, impaneled on September 19, 1997, commencing at 10:07 a.m., before:

JACKIE M. BENNETT, JR.
SOLOMON WISENBERG
Deputy Associate Independent Counsel
TIMOTHY SUSANIN
MARY ANNE WIRTH
EDWARD PAGE
Associate Independent Counsel
RONALD MANN
Attorney for OIC
Office of Independent Counsel
1001 Pennsylvania Avenue, N.W.
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Diversified Reporting Services, Inc.
1025 VERMONT AVENUE, N.W. SUITE 1250
WASHINGTON, D.C. 20005
(202) 296-2929

P R O C E E D I N G S

1
2 Whereupon,

3 GARY BYRNE

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:

7 EXAMINATION

8 BY MS. WIRTH:

9 Q Good morning, Officer Byrne.

10 A Good morning.

11 Q Do you understand that you are under oath and you
12 have an obligation to tell the truth?

13 A I do.

14 Q And you are a member of the uniformed division of
15 the Secret Service. Is that correct?

16 A Yes, ma'am.

17 Q And you have worked in the White House from
18 approximately June of '94 to February of '96. Is that
19 correct?

20 A That's correct.

21 Q In the West Wing. Is that correct?

22 A Not the whole time.

23 Q Okay. In the corridor?

24 A I'm sorry, did you say '94 to '96?

25 Q That's right.

1 A That is correct.

2 Q Can you tell the grand jury whether you've ever
3 seen Monica Lewinsky together with the President?

4 (Interruption to the proceedings.)

5 MR. BENNETT: You need to stop.

6 (Pause while counsel confer.)

7 MS. WIRTH: We have to cease at this point.

8 THE WITNESS: May I exit?

9 MS. WIRTH: Yes.

10 THE WITNESS: Thank you.

11 (The witness was excused.)


12 (Whereupon, at 10:11 a.m., the taking of testimony
13 in the presence of a full quorum of the Grand Jury was
14 concluded.)

15

* * * * *

CERTIFICATE OF REPORTER

I, Stacey B. Griffin, the reporter for the United States Attorney's Office, do hereby certify that the witness whose testimony appears in the foregoing pages was first duly sworn by the foreperson or the deputy foreperson of the grand jury when there was a full quorum of the grand jury present; that the testimony of said witness was taken by me and, thereafter, reduced to typewritten form; and that the transcript is a true record of the testimony given by said witness.



Stacey B. Griffin
Official Reporter



Emily Townsend
Transcriber

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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

Friday, July 17, 1998

The testimony of GARY JAMES BYRNE was taken in the presence of a full quorum of Grand Jury 97-4, impaneled on December 5, 1997, commencing at 3:41 p.m., before:

- ROBERT J. BITTMAN SOLOMON WISENBERG 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

1 MS. WIRTH: Sure. Sure. I'm sorry. Excuse me. 2 BY MS. WIRTH: 3 Q Your name is? 4 A I am Gary James Byrne. 5 A JUROR: Byrne? 6 THE WITNESS: Byrne, B-y-r-n-e. 7 A JUROR: Protective division? 8 THE WITNESS: United States Secret Service 9 uniformed division, uniformed officer. 10 BY MS. WIRTH: 11 Q Okay. And, for the record, you've been with the 12 Secret Service since March of '91? Is that right? 13 A Yes, ma'am. 14 Q And you are a uniformed officer? 15 A Correct. 16 Q With the uniformed division? 17 A Correct. 18 Q And you were stationed in the West Wing of the 19 White House from approximately June of '94 until February of 20 '96. Is that right? 21 A Approximately. Yes, ma'am. 22 Q And for that period of time, you've generally held 23 the [redacted] post which is the corridor [redacted] 24 [redacted] Is that right? 25 A Yes, ma'am. That was my assigned post.

PROCEEDINGS

1 Whereupon, 2 GARY JAMES BYRNE 3 was called as a witness and, after having been first duly 4 sworn by the Foreperson of the Grand Jury, was examined and 5 testified as follows: 6 EXAMINATION 7 BY MS. WIRTH: 8 Q Good afternoon, Officer Byrne. I'm Mary Anne 9 Wirth. We've met before. Is that right? 10 A Yes, ma'am. 11 Q And, in fact, you've been deposed on two occasions 12 at the Office of the Independent Counsel in connection with 13 our investigation. Is that right? 14 A Yes, ma'am. 15 Q And on both of those occasions, you were asked 16 certain questions and in response to certain questions 17 you asserted a protective function privilege. Is that 18 correct? 19 A Yes, ma'am. 20 Q Okay. I am going to ask you some questions today 21 directed towards the information with regard to which you 22 asserted the privilege. 23 MR. SUSANIN: Excuse me, Ms. Wirth, for 24 interrupting. Could we get a name for the grand jurors? 25

1 Q Okay. During the time that you worked in the 2 White House, did you ever see Monica Lewinsky with the 3 President? 4 A Yes, I did. 5 Q Can you tell the grand jury about that? 6 A Yes. This would have been something that I 7 previously invoked the privilege on. 8 It was a weekend, I believe it was a Saturday, and 9 I believe I was working the day work shift and the President 10 was in the Oval Office. The secretarial staff was not there. 11 He was basically by himself in the office. He was by himself 12 in the office. 13 And I was posted outside in the hallway, along with 14 a couple of the President's detail agents. And I'm not sure 15 of the time of the day it was, but it was on a day work 16 shift. 17 And this person that I knew as Monica came up and 18 she had a stack of papers and she walked up the hallway and 19 this is somebody I've had many occasions to run into and wh 20 had kind of an adverse relationship. 21 And as soon as she saw me, she got a little 22 flustered. I asked her why she was here. She's generally 23 not supposed to be in this area of the West Wing. 24 Is it all right to speak to you or should I speak 25 this way?

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1 MR. BITTMAN: Whatever you feel comfortable with.
 2 THE WITNESS: Okay. Okay. I'm sorry.
 3 A JUROR: Just be loud enough.
 4 THE WITNESS: Okay. And this is somebody I had
 5 run-ins with being in places that I felt that she wasn't
 6 supposed to be.
 7 So she came up with a stack of papers and she said
 8 she had to deliver it to the President, which is unusual.
 9 It's very unusual. Anything delivered to the President, when
 10 the staff is not there, is usually delivered by the military
 11 aide.
 12 So I said to her, "Monica, you know that you're not
 13 supposed to deliver stuff to the President." And she just
 14 turned around and pretty much walked away. She walked back
 15 towards one of the hallways and then disappeared. And she
 16 couldn't have been gone, you know, more than 10 minutes,
 17 maybe 15, but not very long.
 18 She came back into my sight and she sat down in
 19 the Roosevelt Room, which is across from the Oval Office,
 20 and just about then the Oval Office door opened and the
 21 President said, "Have you seen an intern?"
 22 He turned to me and said, "Have you seen an intern
 23 looking for me?"
 24 And I said, "No." And it hadn't occurred to me,
 25 you know, what was about to transpire. And I said, "No,

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1 sir." And then I said, "Well, wait a minute. Yeah. There
 2 was one."
 3 And he said, "When she comes back, let me know."
 4 So he went back in and closed the door. I looked
 5 in the Roosevelt Room, she was still sitting there, so I
 6 said, "Monica," you know, "the President said he was looking
 7 for you." Something to that effect.
 8 And I walked back over to the door and knocked on
 9 the door, I opened it up, I said, "Mr. President, that person
 10 is here, the intern." And he actually referred to her as an
 11 intern. I believe at the time she was actually a passholder.
 12 I'm not sure, but I believe that's true.
 13 She entered the room. He, you know, said "Thank
 14 you" or whatever. I closed the door. I had to like kind of
 15 step into the room, pulled the door closed. And they were in
 16 there for at least an hour.
 17 We push off -- excuse me. At least 15 to -- I'll
 18 say 15 to 25 minutes. We push off every hour. We work --
 19 two people work the post and then get pushed off.
 20 Now, I don't remember if I was pushed off by my
 21 relief guy or it was the end of the shift and I went home,
 22 but I know that they were in there by themselves for
 23 approximately 15 to 25 minutes.
 24 BY MS. WIRTH:
 25 Q When you say "in there," what room were they in?

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1 A They were in the Oval Office.
 2 Q Okay. And you were stationed where at that time?
 3 A Post [REDACTED]
 4 Q Okay. And that's the [REDACTED]
 5 [REDACTED]?
 6 A Right. Right. [REDACTED] [REDACTED]
 7 [REDACTED] I was walking back and forth, posted between
 8 [REDACTED] there.
 9 there.
 10 Q Okay. Do you remember the names of the agents who
 11 were on duty that day?
 12 A No, I don't. The only person that I thought that
 13 I remembered was -- that I thought could have been there,
 14 I'm not certain, but I think Bob Ferguson could have been
 15 there.
 16 Q Okay. Do you remember who replaced you when you
 17 left?
 18 A No, I don't. It was a Saturday. It probably
 19 wasn't the regular person I worked with. He didn't work a
 20 lot of overtime.
 21 Q And do you remember when this was?
 22 A No, ma'am. I don't. I believe it was probably
 23 during the warm weather. I think I remember being in a
 24 short-sleeved shirt.
 25 Q And you think that Monica Lewinsky was an employe

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1 of the White House at that time?
 2 A I'm certain she was. Yeah. Because if she hadn't
 3 had the blue White House pass, I would have been a little
 4 more upset or concerned than what I was. She was unescorted.
 5 She had to have a blue White House pass, so she was an
 6 employee.
 7 Q Did you hear the President say anything to Monica?
 8 A Other than -- I'm sure he said hello, but I don't
 9 recall.
 10 Q Did you hear any conversation between them or any
 11 sounds at all?
 12 A No.
 13 Q Did you ever hear from anybody else what transpired
 14 after you left?
 15 A No.
 16 BY MR. BITTMAN:
 17 Q But they were still in the Oval Office when you
 18 left.
 19 A They were in that suite.
 20 Q They were in the suite.
 21 A Right. They could have --
 22 Q Do you know whether they -- could they have been in
 23 the study?
 24 A Certainly.
 25 Q Would you know it if they were in the study?

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Page 11

1 A I could have known. Like I could have went back
2 just to check to see if he was on the phone or something,
3 but I didn't know. I don't remember knowing. I just -- to
4 be honest with you, I just assumed they were in the Oval
5 Office.

6 Q So you know that they entered the Oval Office suite
7 and then they were in there alone for at least 15 to 25
8 minutes.

9 A Yes.

10 Q And then you went off duty --

11 A Or got rotated off. Yes.

12 Q You got rotated, but they were there when you left,
13 so they could have been in there a lot longer, you don't
14 know.

15 A Certainly.

16 Q You were not there.

17 A That's correct, sir.

18 BY MR. WISENBERG:

19 Q How do you know they were alone?

20 A It's my job to know who's in there. It's my job to
21 know that the President's in there and that he's in there by
22 himself.

23 I can't go into all the details for security
24 reasons, but I'm telling you, in my best judgment, just as
25 you could tell everybody that's in this room and you know

1 A Other than asking me had I seen an intern, no.

2 He's never used her name, as far as I can remember.

3 Q Do you know of any other Secret Service employees
4 who have ever seen the President with Monica Lewinsky besides
5 yourself?

6 A I am not sure. I am not sure. I know that one of
7 my co-workers was involved in an incident involving Monica
8 and the President, but I'm not sure what he saw.

9 Q Who was that?

10 A That would be Officer John Muskett.

11 Q Okay. When you testified during, I believe, your
12 first deposition, you were asked some questions about whether
13 Bayani Nelvis, who for the record is one of the President's
14 stewards, correct?

15 A Mm-hmm.

16 Q Whether he had ever said anything to you that led
17 you to believe that there was a relationship between the
18 President and Monica Lewinsky.

19 A Yes.

20 Q And you asserted a privilege at one time on that.

21 A Right.

22 Q Is there any information beyond what you have
23 already testified to in your deposition --

24 A Yes, I believe there is, if you'd just give me a
25 minute --

Page 10

Page 12

1 nobody's behind that blackboard, I'm telling you nobody else
2 was in that room. That's my job to know.

3 BY MS. WIRTH:

4 Q The door that the President opened when he spoke to
5 you, was that the door that leads into the little hallway
6 outside the study?

7 A Right. It would be the door directly across from
8 the Roosevelt Room. It's actually a very large door, larger
9 than the one he's standing in front of, wide.

10 Q Other than this occasion, were there any other
11 occasions on which you saw the President with Monica
12 Lewinsky?

13 A No. Other than that videotape on T.V., I don't
14 recall ever seeing them together. It's possible that she'd
15 kind of surf the hallway. That's a term that we use for
16 interns and people when they try to, you know, get in the
17 area where the President is, we call them hall surfers.

18 She may have walked by when he was coming back in
19 the hallway or something. I don't recall any major incident,
20 but it's possible. I just don't recall any actual time.

21 Q Other than any personal attorneys of the President,
22 have you overheard the President speak about Monica Lewinsky
23 to anyone?

24 A No, I have not.

25 Q Has he ever spoken to about Monica Lewinsky?

1 Q Sure.

2 A You don't happen to have what I said, do you?

3 Q I have copies of your depositions, yes. What are
4 you referring to specifically?

5 A Well, just kind of jog my memory. I mean, this is
6 a lot of information, it's been a couple of years, so -- any
7 conversation with Nelvis?

8 Q Well, you testified, I believe, about an incident
9 involving stained tissues, correct?

10 A Correct.

11 A JUROR: Could you speak up? I can't hear you.

12 JURORS: We can't hear.

13 MS. WIRTH: I'm sorry.

14 BY MS. WIRTH:

15 Q You testified, I'm sorry, about an incident
16 involving stained tissues. Is that correct?

17 A Correct. Correct.

18 Q And you testified about a few incidents where
19 Monica went into the pantry or Monica went into the dining
20 room.

21 A Right.

22 Q And you talked to Nelvis about that.

23 A Right.

24 Q Were there any other conversations you had with
25 Bayani Nelvis about Monica Lewinsky that led you to

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1 believe that there was a relationship between her and the
 2 President?
 3 A Yes. Not so much a conversation, but he made some
 4 statements that led me to believe that he was -- he had high
 5 anxiety, he was upset about the fact that apparently they had
 6 some kind of relationship. He made a comment to me one time,
 7 not so much to me, but in general. Well, I guess I was the
 8 only one there, so it was to me. That he was tired of
 9 cleaning up his mess or their mess, I believe it bothered him
 10 highly, that he felt that there was some kind of relationship
 11 and it bothered him very much.
 12 Q And that conversation that you had with Mr. Nelvis,
 13 was it clear to you that that referred to Monica Lewinsky?
 14 A At that time, I do believe he was referring to
 15 Monica Lewinsky. Yes.
 16 Q Okay. At your second deposition, you made a
 17 statement that you thought the stained tissue incident may
 18 have referred to [REDACTED]
 19 A Correct.
 20 Q Could you explain that?
 21 A Yes. There had been rumors from the very beginning
 22 when President Clinton was first elected president in 1992
 23 that he had had some kind of relationship with [REDACTED]
 24 [REDACTED] and she had later -- he employed her at the White
 25 House. She worked in the West Wing reception. Her name was

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1 [REDACTED] And rumors kind of went around from time to
 2 time about her. And I also saw a couple of things that led
 3 me to believe that they could be true.
 4 Just keep going here?
 5 Q Well, the question that I have is when you
 6 testified about the stained tissue incident.
 7 A Right. I said I thought it was --
 8 Q And the discussions that you had with Bayani Nelvis
 9 about that.
 10 A Right.
 11 Q At the time that you had that discussion, did
 12 Bayani Nelvis mention Monica Lewinsky? And I believe you
 13 just told us yes.
 14 A Yes.
 15 Q So why did you testify that you thought that that
 16 incident related to [REDACTED]
 17 A Because I felt that the rumors about them having
 18 some kind of physical relationship were true and I just
 19 associated the tissues with [REDACTED]
 20 Q But Nelvis told you that the incident related to
 21 Monica Lewinsky?
 22 A I'm not sure we're talking about the same incident.
 23 Q Did he talk to you about stained tissues on more
 24 than one occasion?
 25 A It's possible. Yes.

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1 A JUROR: Excuse me.
 2 A JUROR: I can't bear.
 3 A JUROR: Could we get both of you to speak up?
 4 Speak up because the jurors are having a problem hearing.
 5 THE WITNESS: Sure.
 6 MS. WIRTH: I'm sorry.
 7 A JUROR: But I think mostly the attorney.
 8 A JUROR: It sounded like she said Elvis, so I'm
 9 saying where did Elvis come from.
 10 THE WITNESS: I swear I never saw Elvis.
 11 BY MS. WIRTH:
 12 Q Did Bayani Nelvis speak to you about stained
 13 tissues on more than one occasion?
 14 A I don't remember separate occasions, but it's
 15 possible because the incident where he had -- where I said he
 16 had those tissues and he had a plastic bag in his hand, that
 17 was -- that was the time that I associated it with [REDACTED]
 18 [REDACTED]
 19 There was another time when he was cleaning up and
 20 picking stuff up, you know, dishes and stuff, that he made a
 21 comment about he was tired of cleaning up after them and then
 22 I just assumed it was Monica.
 23 Q Okay. And on that occasion, what kinds of things
 24 was he cleaning up?
 25 A When I thought he was talking about Monica?

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1 Q Monica.
 2 A I don't remember seeing any tissues or anything
 3 like that but, you know, glasses, like drink glasses.
 4 BY MR. BITTMAN:
 5 Q You testified one time about a conversation you had
 6 with Laura Capps?
 7 A Correct.
 8 Q Tell us about that. Tell the grand jurors about
 9 that conversation.
 10 A I stopped over to the West Wing. I transferred
 11 from the West Wing to the tour section. I walked over to the
 12 West Wing one day to see some of my old friends that worked
 13 there and I stopped in to see Laura Capps. She worked -- she
 14 was the assistant to George Stephanopoulos at the time. His
 15 office was right next to the President's suite. It would
 16 have been right next to the dining room.
 17 And I stopped in to say hi to her and the first
 18 thing she said was, "Hey, did you hear about Monica?"
 19 And I said, "Yes."
 20 And she started to describe something and I stopped
 21 her. I knew -- I had an idea what it was she was going to
 22 say, I didn't want to discuss it, and I just said, "It was
 23 nice seeing you," and I walked down the hallway. Is this
 24 what we're talking about?
 25 Q Yes. What did you think she was going to discuss?

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1 A She was going to discuss the reason Monica had been
2 abruptly transferred that previous weekend.
3 Q Why was Monica abruptly transferred?
4 A Why I believe she was? I don't know why exactly,
5 but this is -- can I start from the beginning of this with
6 John Muskett?
7 Q Sure.
8 A Okay. Then that's the best way chronologically.
9 I believe it was Easter weekend, somewhere a time around
10 there. It was on a Saturday. Officer John Muskett came to
11 me and said, "Look, I'm working overtime this weekend, I'm
12 working your old post. Give me some pointers how you worked
13 it, tell me about this access list." You know. So I talked
14 to him the best I could.
15 To try to make a long story short, I came back to
16 work on Tuesday, I'm off Sunday, Monday, Tuesday. When I saw
17 John he was very upset. He was very hostile towards me. He
18 asked me why I didn't warn him, why I didn't tell him what
19 was going on and I really didn't understand what he meant,
20 but then he explained to me an incident that had happened
21 involving the President and Monica and the President's Deputy
22 Chief of Staff was involved and his name was Harold Ickes.
23 Apparently what happened was Monica was in the Oval
24 Office suite with the President. The phone on John's post
25 outside rang and it was the White House operator and it was

1 Ickes went in there and found Monica face down in the
2 President's lap. That's what I remember him telling me.
3 At that point, I was -- you know, highly energized
4 myself. I didn't want to discuss it any more. We were
5 standing in a place where I was afraid people would overhear
6 us.
7 I said, "John, I don't want to hear any more. You
8 know, we'll have to talk some other time." And I walked.
9 BY MS. WIRTH:
10 Q And Monica was still employed at the White House at
11 that time?
12 A When the incident happened, yes. And then the --
13 by that Monday, she was an employee of the Department of
14 Defense.
15 A JUROR: Could we get some dates?
16 THE WITNESS: I don't have them.
17 BY MS. WIRTH:
18 Q Said Easter. Do you remember what year?
19 A Do you remember --
20 BY MR. BITTMAN:
21 Q Was this the year she was transferred?
22 A Correct.
23 Q Does April '96 sound right?
24 A Yes, it does. Now, as far as the actual date,
25 I'm saying it's around Easter. I'm sure Mr. Muskett would be

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1 common when the staff wasn't there the White House operator,
2 if she could not get a hold of the President, she would call
3 us on the post and ask us to make contact with him.
4 So John got a call from the White House operator.
5 He did not feel comfortable going into the Oval Office like
6 I would have, thank God I wasn't there, he went down the
7 hallway. He knew Harold Ickes was in his office.
8 Now, this is -- I'm relaying to you what John told
9 me and I don't remember a lot of it, but this is the thrust
10 of it.
11 He went down the hallway, he made contact with
12 Harold Ickes. Harold Ickes came back down the hallway to
13 pass the message to the President that there was a phone
14 call. They apparently go into the dining room -- I mean
15 into the suite either through the dining room door or the
16 pantry door towards the study.
17 I don't remember what John told me he saw, but the
18 thrust of this whole story is that apparently they caught --
19 Harold Ickes or John or both of them caught the President and
20 Monica in some kind of compromising position.
21 Q What did Mr. Muskett tell you?
22 A The basic thrust is -- and I apologize --
23 Q I want it as best as you can recall.
24 A Yes. I'm going to -- it's just a little crude to
25 say it this way and I apologize, but basically he said that

1 able to give you a better date. I would think so, anyway.
2 BY MR. WISENBERG:
3 Q One of the things -- I believe one of the things
4 that you took a privilege on was whether or not Bayani
5 Nelvis, the steward, had said anything to you about the
6 President and Monica in the study. Do you recall anything
7 along those lines? Other than what you've testified about.
8 A No. I don't recall anything -- oh, wait a minute.
9 That's not true. Please give me a minute to -- I've been
10 trying to invoke this privilege for so long -- Nelvis --
11 Nelvis and Monica -- no, I don't believe I have any further
12 information.
13 MR. BITTMAN: Officer Byrne, we're going to excuse
14 you for right now.
15 THE WITNESS: Sure.
16 MR. WISENBERG: Just for a moment.
17 THE WITNESS: Okay.
18 (The witness was excused.)
19 (Whereupon, at 4:02 p.m., the taking of testimony
20 in the presence of a full quorum of the Grand Jury was
21 concluded.)

* * * * *

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

IN RE:

GRAND JURY PROCEEDINGS

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

Thursday, July 30, 1998

The testimony of GARY JAMES BYRNE was taken in the
presence of a full quorum of Grand Jury 97-2, impaneled on
September 19, 1997, commencing at 3:39 p.m., before:

EDWARD J. PAGE
MARY ANNE WIRTH
Associate Independent Counsel
Office of Independent Counsel
1001 Pennsylvania Avenue, N.W.
Suite 490 North
Washington, D.C. 20004

PROCEEDINGS

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

EXAMINATION

BY MS. WIRTH:

9 Q Officer Byrne, you testified before another grand
10 jury on July 17, 1998, which was a Friday. Do you remember
11 that?

12 A Yes, ma'am.

13 Q And do you remember -- excuse me one minute.

14 (Pause.)

15 MS. WIRTH: At this time, Mr. Page, who is with me
16 and a member of our office, will advise you of your rights.

BY MR. PAGE:

18 Q From your earlier appearance, you understand that
19 you are currently in front of a federal grand jury, correct?

20 A Yes, sir. I do.

21 Q And you understand further that the court reporter
22 immediately to your left is taking down everything that I say
23 and you say and the questions and answers, correct?

24 A Yes, sir.

25 Q I want to tell you a couple of things before we get

C O N T E N T S

WITNESS: Page

Gary James Byrne 3

GRAND JURY EXHIBITS:

No. GB-1A Map of West Wing 12

1 into specifically what your rights are here today.
2 First of all, I represent to you that the grand
3 jury is conducting an investigation of possible violations
4 of federal criminal laws involving whether Monica Lewinsky
5 or others suborned perjury, obstructed justice, intimidated
6 witnesses or otherwise violated federal law, other than a
7 Class B or C misdemeanor or infraction, in dealing with
8 witnesses, potential witnesses, attorneys or others
9 concerning the civil case Jones v. Clinton. Do you
10 understand what this grand jury is investigating?

11 A Yes, I do.

12 Q Do you understand that you have certain rights and
13 one of them is that you have the Fifth Amendment right which
14 is the right to refuse to answer one or more of any questions
15 that are put to you if a truthful answer to the question
16 would tend to incriminate you?

17 A I do understand that.

18 Q All right. Do you understand further that anything
19 you do say may be used against you by the grand jury or in a
20 subsequent legal proceeding?

21 A I do understand that.

22 Q Do you understand that if you have a lawyer, the
23 grand jury will permit you a reasonable opportunity to step
24 outside the grand jury room and to consult with that lawyer
25 or lawyers if you should so desire?

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<p>1 A Yes.</p> <p>2 Q Do you have a lawyer?</p> <p>3 A No.</p> <p>4 Q Is anybody outside representing you in any</p> <p>5 capacity?</p> <p>6 A Yes.</p> <p>7 Q And who is that?</p> <p>8 A Yes. That would be Mark Halbun is his name. He's</p> <p>9 a friend of mine. I've been consulting with his law firm.</p> <p>10 Q Mark Halpern?</p> <p>11 A Halbun.</p> <p>12 Q Would you spell that for the court reporter?</p> <p>13 A I believe it's spelled H-a-l-b-u-n.</p> <p>14 Q H-a-l-b-u-n, Halbun?</p> <p>15 A Correct.</p> <p>16 Q All right.</p> <p>17 A I've been consulting with him since the very</p> <p>18 beginning. And, just for the record, nobody's ever asked me</p> <p>19 that before and I've never actually divulged that to the</p> <p>20 Secret Service or anybody, I've just consulted with him as</p> <p>21 far as procedure and that type of stuff.</p> <p>22 BY MS. WIRTH:</p> <p>23 Q But he's not here today?</p> <p>24 A No. And never has been. Just basically consulting</p> <p>25 on procedure and, you know, basically he's watching out to</p>	<p>1 Q All right. Do you know Mary Anne Wirth?</p> <p>2 A I do.</p> <p>3 MR. PAGE: She's going to ask your questions.</p> <p>4 THE WITNESS: All right.</p> <p>5 BY MS. WIRTH:</p> <p>6 Q Officer Byrne, as I stated a moment ago or asked</p> <p>7 you a moment ago, you did testify before the grand jury,</p> <p>8 another grand jury on July 17th, 1998, which is a week ago</p> <p>9 last Friday.</p> <p>10 A Yes, ma'am.</p> <p>11 Q And you also appeared very briefly before this</p> <p>12 grand jury prior to that when you were asked a question --</p> <p>13 A Right. Yes. Right out of a John Grisham book.</p> <p>14 Q All right. So anyway, we are going to first go</p> <p>15 over with you some of the things that you told the other</p> <p>16 grand jury.</p> <p>17 A Certainly.</p> <p>18 Q And then explore a few other areas. Okay.</p> <p>19 First question is during the time that you worked at the</p> <p>20 White House, did you ever see Monica Lewinsky with the</p> <p>21 President?</p> <p>22 A Yes.</p> <p>23 Q Can you tell this grand jury about that?</p> <p>24 A Yes. This incident took place on a weekend. I</p> <p>25 believe it was a Saturday. The significant thing about that</p>
Page 6	Page 8
<p>1 make sure that I'm kind of protected and still go along with</p> <p>2 the program that the Secret Service and Justice Department</p> <p>3 had set up before.</p> <p>4 BY MR. PAGE:</p> <p>5 Q Do you understand that within the definition of the</p> <p>6 United States Attorney's manual there are two kinds of</p> <p>7 witnesses that appear before the grand jury? One is a target</p> <p>8 and one is a subject and I represent to you today that you</p> <p>9 are a subject in the broadest sense in that you are a fact</p> <p>10 witness, someone with relevant information or who may have</p> <p>11 relevant information, not in the sense that the grand jury is</p> <p>12 specifically looking at your conduct and whether or not it</p> <p>13 violated any laws. Do you understand that?</p> <p>14 A I do. And thank you.</p> <p>15 Q Do you understand that you have an obligation to</p> <p>16 tell the truth here today and that if your testimony is false</p> <p>17 and then it's proven to be such that you could be prosecuted</p> <p>18 for perjury and/or obstruction of justice?</p> <p>19 A I do understand that.</p> <p>20 Q And do you understand further that by taking the</p> <p>21 oath that the foreperson administered that you may not</p> <p>22 mislead the grand jury with your answers and that, further,</p> <p>23 that you cannot claim that you don't remember something if</p> <p>24 that's not accurate?</p> <p>25 A I do understand that.</p>	<p>1 is on this Saturday, normally, like most Saturdays, the staff</p> <p>2 is not generally there. The President's secretaries, that</p> <p>3 type of stuff, those type of people.</p> <p>4 Posted at my post outside the Oval Office,</p> <p>5 sometimes when the staff's not there, I kind of assume</p> <p>6 certain things to do for the President. For instance, if</p> <p>7 somebody showed up with information for the President, I</p> <p>8 would -- you know, they'd say, "Well, this needs to go to</p> <p>9 the President," I would ask them to wait outside, I would</p> <p>10 knock on the door, enter the Oval Office and tell the</p> <p>11 President what was going on and if he wanted the information</p> <p>12 or wanted to talk to this person, he would then usually tell</p> <p>13 me to let them in. Or sometimes he would walk out and talk</p> <p>14 to them.</p> <p>15 On this day that we're talking about with Monica</p> <p>16 Lewinsky, on this Saturday, I was standing post. There were</p> <p>17 a couple of agents from the President's detail there, of</p> <p>18 course, as there always is. And I saw her come down the</p> <p>19 hallway.</p> <p>20 Now, I don't know how clear I made this before, but</p> <p>21 Monica Lewinsky is somebody that I had quite a few run-in'</p> <p>22 with. She was always, in my opinion, where she wasn't</p> <p>23 supposed to be and she was always trying to do something to</p> <p>24 help her gain access to the area of the Oval Office when she</p> <p>25 shouldn't have been.</p>

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1 So she showed up and she said she had to deliver a
2 stack of papers to the President. And I immediately thought
3 this was ridiculous because stuff delivered to the President
4 on the weekends would generally go to the military aide, who
5 would then bring it to the Oval Office. Or, in this
6 instance, if she actually had something, in my opinion, to
7 deliver to the President, I would have had the military aide
8 come up and take it from her.

9 Well, when I challenged her, she said, "Okay," or
10 something to that effect, and she just left the area and she
11 walked away from the Oval Office in the direction of east and
12 then turned left and went up towards the West Wing reception
13 area.

14 A short time later, the Oval Office door opened up
15 and the President came out and said to me and the agent
16 standing there, but I felt like he was talking to me, you
17 know, he said, "Have you seen an intern looking for me?" And
18 I was kind of caught back. I thought, "Oh, great. I just
19 sent her away." And he said she was supposed to deliver some
20 information to him.

21 Honestly, I thought it was kind of odd. I mean,
22 why would somebody of this level be delivering information to
23 the President? It's not normal. But, you know, it's not my
24 job to run the West Wing for the staff. So I said that I --
25 I think I either said, "I haven't seen her," or "If I see

1 the agent and I made some kind of acknowledgment that it was
2 kind of odd that -- just thought it was odd that she was
3 there like that.

4 Q You said she was there from 15 to 25 minutes.
5 At that point, did she emerge or did you leave or what
6 happened?

7 A I believe I left. I don't recall the fine details
8 of the end. I could have, one, been pushed off the post to
9 go home or, two, been pushed off the post for a break. I
10 don't recall exactly what happened, but I do recall being
11 there from approximately 15 to 25 minutes. I believe what
12 happened was that, to the best of my recollection, that it
13 was the end of my shift.

14 Q What is your best memory of when this happened?

15 A I'd have to say -- I remember it being sunny, I was
16 in a short-sleeved shirt. It could have been spring or
17 summer. I really have no recollection of time, you know.
18 Standing in those hallways and trying to remember back, it's
19 hard to remember the time of the year.

20 Q Do you know whether she was an employee at the
21 White House at that time?

22 A She was a hard blue passholder assigned to the East
23 Wing. The reason I remember this is if she had come up and
24 had an intern pass, I would have freaked out because she
25 wasn't escorted. And I can't tell you that I actually

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1 her, I'll let you know."

2 And as soon as he closed the door, I looked in, you
3 know, into the Roosevelt Room to try to find her, thinking,
4 "Oh, boy, you know, I sent her away."

5 So she showed up like right away. She was either
6 sitting in the Roosevelt Room or standing outside the office
7 at the end of the Roosevelt Room by the lobby. So I said,
8 "Monica, the President said he wanted to see you," or
9 something to that effect. I acknowledged the fact that he
10 wanted to see her.

11 So I told her to have a seat and I knew he had been
12 on the phone so I went back and knocked on the door, I opened
13 the door and I said to him, "Sir, your intern is here," or
14 something to that effect.

15 And he walked to the Oval Office door, in other
16 words, from inside the Oval Office to the door, the hallway
17 where I'm standing, and she came from the Roosevelt Room and
18 walked up and they, you know, said, "Hi, how are you?"

19 And he kind of nodded and they walked in and I
20 stepped in and grabbed the doorknob of the door and pulled it
21 closed. And to the best of my recollection, they were in
22 there from approximately 15 to 25 minutes.

23 Q And what happened then with respect to you?

24 A I stood post there and, you know, kept doing what I
25 was supposed to be doing. I'm sure I made some kind of --

1 remember her having her pass on, but I'm sure she was a
2 passholder. I'm sure she was working for Legislative Affairs
3 at that time.

4 Q Okay. Do you remember what time of day this was?

5 A Between eleven and one. That's my best guess.

6 Q a.m. to one p.m.?

7 A Yes. Right. I was working the day work shift
8 which for us is called B section and it's from 6:30 in the
9 morning to 2:30 in the afternoon.

10 MS. WIRTH: Okay. I've already marked as
11 Grand Jury Exhibit GB-1A this map which I'm about to approach
12 you with and I marked it that way because I'm not sure if we
13 have a previous exhibit with you, so we've marked this one
14 GB-1A for Gary Byrne.

15 (Grand Jury Exhibit No. GB-1A was
16 marked for identification.)

17 BY MS. WIRTH:

18 Q This is what purports to be a map of the West Wing?

19 A Correct.

20 Q Okay. What was your post called that day?

21 A It's called post [REDACTED] and also [REDACTED]

22 Q Okay. So can you mark on the diagram where [REDACTED] is
23 and where [REDACTED] is, if there's a difference?

24 A Certainly. Certainly.

25 Q Okay. [REDACTED] you've marked [REDACTED]

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1 [REDACTED]
 2 [REDACTED]
 3 A Correct. It would be directly [REDACTED]
 4 [REDACTED]
 5 Q And exactly across the way from [REDACTED]
 6 [REDACTED]
 7 A Correct.
 8 Q And, for the record, you're marking the [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 A Correct.
 12 Q Okay.
 13 A And that would be across from [REDACTED]
 14 [REDACTED]
 15 Q Okay. And when the President is in the Oval
 16 Office, you are posted at the [REDACTED] post, correct?
 17 A Right. And patrol from the [REDACTED]
 18 [REDACTED]. That's all our
 19 responsibility, actually, to the back [REDACTED]
 20 Q Do you have any recollection of the agent who was
 21 present that day?
 22 A No. I thought -- I believe -- the only
 23 recollection I have is Agent Bob Ferguson who I know had been
 24 here. That's the only person I can recall that could have
 25 possibly been there. I don't remember exactly, but that

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1 rings a bell, to be honest with you. So that's the best I
 2 could recall.
 3 Q Okay.
 4 A Could I make a comment, though?
 5 Q Yes.
 6 A Discussing these posts, the reason I didn't ask to
 7 go outside to consult with the Secret Service lawyers is
 8 because we've already talked about this and I'm just assuming
 9 I can do it again.
 10 Q You're talking about the map?
 11 A Yes. Putting the posts down on the map. We've
 12 already done that.
 13 Q You're always free to leave if you want to talk
 14 about that. If you've already discussed it with them --
 15 A Yes.
 16 Q -- then I assume that you're okay with that?
 17 A Yes. Yes.
 18 Q But if at any time you wish to leave and consult
 19 with them, that would be fine.
 20 A Yes. We've discussed this before another time, so
 21 I just wanted to mention that that's --
 22 Q All right.
 23 A Okay.
 24 Q Now, when you first saw Monica that day -- you
 25 don't have to make any marks on the diagram but you can keep

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1 the pen for the moment.
 2 A Okay.
 3 Q Where was she when you first saw her coming?
 4 A She walked down this hallway. This would be from
 5 the area of the press lobby. And what I'm about to say isn't
 6 really an assumption. She would have had to come down this
 7 colonnade, these doors are locked, and then turned here,
 8 walked past this set of steps, and I saw her when she just
 9 about came right through this doorway.
 10 Q Okay. Why don't you mark that with a little line
 11 with your blue pen.
 12 A Certainly.
 13 Q As much as you can say you saw yourself. Okay.
 14 You saw all that yourself?
 15 A Oh, no. No. I'm sorry.
 16 Q What part did you see for yourself?
 17 A From right about here.
 18 Q Okay. And you're marking a point with line at what
 19 appears to be that staircase?
 20 A Staircase. Correct.
 21 Q Okay. So that's the moment from which you first
 22 noticed her. And perhaps if you could mark with an arrow the
 23 direction in which she was going. Okay. And you're drawing
 24 a line here that's approaching -- is in between the cabinet
 25 room and --

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1 A The hallway.
 2 Q -- the hallway and getting near the Roosevelt Room.
 3 A Correct.
 4 Q All right. And did she have anything with her that
 5 day?
 6 A She did. She had a stack of papers with her.
 7 And when she said that she was delivering these to the
 8 President, I kind of scoffed at her and I just flipped
 9 through the papers.
 10 I didn't really look at them because as I was
 11 doing it, I was thinking, "If this really is for him, I
 12 shouldn't be looking at them anyway," but I just flipped
 13 through them and part of it was the daily schedule that's
 14 published for the President and it's actually kind of a
 15 public schedule. And, you know, so I just kind of rolled my
 16 eyes.
 17 Q So this looked like fake stuff to you, then?
 18 A Well, I couldn't say it was fake and I don't know
 19 if he really wanted it, but to be honest with you, I had my
 20 doubts because it was just her -- because it was her
 21 delivering it and I had had my problems with her before.
 22 Q Okay.
 23 A And, you know, I had problems with her telling the
 24 truth to me before.
 25 Q So what did you say to her when she said, "I have

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<p>1 to deliver these to the President?"</p> <p>2 A I said something to the effect of, "Monica, you</p> <p>3 know, you don't deliver stuff directly to the President.</p> <p>4 That's ridiculous. That's up to the mil aide to do it on the</p> <p>5 weekends."</p> <p>6 Q The military aide?</p> <p>7 A Yes. The military aide. And at that point, I</p> <p>8 don't remember exactly what was said, but basically she</p> <p>9 pretty much turned around and left.</p> <p>10 Q Which way did she go when she left?</p> <p>11 A She went back down the hallway and then turned in</p> <p>12 this direction up towards the West Wing lobby.</p> <p>13 Q Okay. I'm going to give you another color pen.</p> <p>14 A Okay.</p> <p>15 Q Okay. This time we're going to use a red pen. You</p> <p>16 had used a blue one, correct?</p> <p>17 A Correct.</p> <p>18 Q Now we're going to use a red one.</p> <p>19 A All right.</p> <p>20 Q To mark her path when she leaves you after you tell</p> <p>21 her she cannot go in.</p> <p>22 A Correct. We were standing about here.</p> <p>23 Q You can begin there. And you're marking a point</p> <p>24 with an X at the E-6 post, that's where she turned and walked</p> <p>25 away.</p>	<p>1 Q Were you still standing at the E-6 post when you</p> <p>2 saw that?</p> <p>3 A Right. Standing right here through this open door.</p> <p>4 Q Okay. So you could see through the open door into</p> <p>5 the Roosevelt Room and through the opposite open door that</p> <p>6 she had passed towards the west lobby.</p> <p>7 A Correct.</p> <p>8 Q Did she ever return to the Roosevelt Room?</p> <p>9 A Yes, she did, just before she entered into the oval</p> <p>10 later on.</p> <p>11 Q Okay. Did she return to the Roosevelt Room before</p> <p>12 you saw the President or after?</p> <p>13 A It would have been after because when she came</p> <p>14 back, she kind of wandered back towards my area, and I told</p> <p>15 her to sit in the Roosevelt Room, you know, that the</p> <p>16 President did want to see her, and asked her to sit in the</p> <p>17 Roosevelt Room until I could contact him. I thought he was</p> <p>18 on the telephone.</p> <p>19 Q Okay. I'm going to read you your testimony from</p> <p>20 July 17th, okay?</p> <p>21 A Mm-hmm.</p> <p>22 MS. WIRTH: I'll begin at the beginning. You said,</p> <p>23 "Okay. And this is somebody I had run-ins with being in</p> <p>24 places that I felt that she wasn't supposed to be.</p> <p>25 "So she came up with a stack of papers and she</p>
<p>1 A Correct.</p> <p>2 Q And you're drawing a line that goes -- makes a left</p> <p>3 going above the Roosevelt Room, right?</p> <p>4 A Right. And goes down the hallway towards the west</p> <p>5 lobby.</p> <p>6 Q Okay.</p> <p>7 A And, of course, I would have lost sight of her</p> <p>8 there, but if I'm not mistaken, I saw her when she walked</p> <p>9 past this door also, you know what I'm saying? This door was</p> <p>10 open.</p> <p>11 Q Okay. And you've marked a door --</p> <p>12 A Another door to the Roosevelt Room.</p> <p>13 Q Right. The door to the Roosevelt Room leading into</p> <p>14 a lobby.</p> <p>15 A Correct.</p> <p>16 Q Is that the west lobby?</p> <p>17 A Right.</p> <p>18 Q Perhaps you could put west above lobby.</p> <p>19 A Sure.</p> <p>20 Q All right. Now, do you know if she proceeded into</p> <p>21 the west lobby?</p> <p>22 A Yes. She would have had to, because, like I said,</p> <p>23 I saw her walk past this door. These doors are right next to</p> <p>24 each other. But once she passed through that door, I had no</p> <p>25 idea what she --</p>	<p>1 said she had to deliver it to the President, which is</p> <p>2 unusual. It's very unusual. Anything delivered to the</p> <p>3 President, when the staff is not there, is usually delivered</p> <p>4 by the military aide.</p> <p>5 "So I said to her, 'Monica, you know that you're</p> <p>6 not supposed to deliver stuff to the President.' And she</p> <p>7 just turned around and pretty much walked away. She walked</p> <p>8 back towards one of the hallways and then disappeared. And</p> <p>9 then she couldn't have been gone, you know, more than 10,</p> <p>10 maybe 15, but not very long.</p> <p>11 "She came back into my sight and she sat down in</p> <p>12 the Roosevelt Room, which is across from the Oval Office,</p> <p>13 and just about then the Oval Office door opened and the</p> <p>14 President said, 'Have you seen an intern?'"</p> <p>15 THE WITNESS: Right.</p> <p>16 BY MS. WIRTH:</p> <p>17 Q Now, you just testified that you saw the President</p> <p>18 first and then she returned to the Roosevelt Room, but am I</p> <p>19 correct that on July 17th you testified that she came and sat</p> <p>20 in the Roosevelt Room first and then you saw the President?</p> <p>21 Which is it?</p> <p>22 A Actually, the way I recall it is I asked her to sit</p> <p>23 there after he had come out and said he was looking for her.</p> <p>24 Q Okay. Give us your best recollection today.</p> <p>25 A Okay. The way it happened, and I see the conflict,</p>

Page 21	Page 23
<p>1 the way it happened is she showed up first, said she had to 2 deliver something to the President. And I scoffed at her and 3 told her she couldn't deliver stuff, she wasn't supposed to. 4 and she disappeared. 5 Then the President comes out and says he was 6 looking for an intern delivering stuff. He went back into 7 the office, she showed up not too long afterwards and I was 8 actually kind of looking for her. I kind of looked in the 9 Roosevelt Room and I walked down as far as my post would 10 allow me, and she showed up and I asked her just to sit in 11 the Roosevelt Room. 12 I don't remember if she actually walked in the 13 Roosevelt Room first and I just told her have a seat or if 14 she was in the hallway and I told her to go into the 15 Roosevelt Room. But I told her to take a seat in the 16 Roosevelt Room. 17 Q Why did you do that? 18 A Because -- just so she would sit still and I knew 19 where she was and I was going to walk back over and knock on 20 the Oval Office door and tell the President that she was 21 here. 22 Q And you did that. 23 A And that's exactly what I did. Yes, ma'am. 24 Q What did the -- 25 A JUROR: Question.</p>	<p>1 hallway that leads from E-6, the post -- basically -- 2 A Right outside Betty Currie's office. 3 Q Right. But you said that she walked past that 4 area, she did not stop to use those phones, did she? When 5 she walked away from you? 6 A No, I didn't see -- no, she did not. 7 Q Where is the third phone that you mentioned? 8 A There are telephones in the west lobby. They're 9 all in the west lobby, just about every corner. 10 Q And that is the direction in which she walked. 11 A Correct. 12 Q Okay. Why don't you -- 13 A Certainly. I put them right around -- 14 Q As many Ps as you can remember. We'll start with 15 P-3. 16 A Okay. 17 A JUROR: Is that where the E-4 station is? 18 THE WITNESS: Yes, ma'am. It is. 19 A JUROR: Okay. 20 THE WITNESS: And then, of course, there's one on 21 the desk. 22 BY MS. WIRTH: 23 Q Okay. So basically what you're saying is that when 24 she walked away from you, she walked past where you've marked 25 P-1 and P-2.</p>
<p>Page 22</p> <p>1 MS. WIRTH: I'm sorry. 2 THE WITNESS: Yes, ma'am? 3 A JUROR: Excuse me. I have a question. Where 4 is the closest internal house phone where you can call 5 inter-department or interoffice? 6 THE WITNESS: Right on my post. For me? 7 A JUROR: For -- no. 8 THE WITNESS: For her? 9 A JUROR: From the hallway in front of the cabinet 10 room into the lobby of E-4. 11 THE WITNESS: Okay. Right here, ma'am, there's a 12 small couch and there's a phone right here, a house phone. 13 There's a house phone -- when I say "house phone," that's a 14 phone that she could use. 15 A JUROR: Right. 16 THE WITNESS: And there's also a phone across from 17 that that she can use and then out in the lobby there's a 18 phone that she can use. 19 BY MS. WIRTH: 20 Q Now, the first two phones that you mentioned, and 21 you why don't you put a P for each phone that you mentioned. 22 A Certainly. 23 Q P-1, P-2, P-3, et cetera, okay? 24 A Mm-hmm. 25 Q You're marking one phone P-1 -- okay -- in this</p>	<p>Page 24</p> <p>1 A Mm-hmm. 2 Q And you did not see her use those phones. 3 A No, she didn't. 4 Q But then she walked in a direction above the 5 Roosevelt Room, through a door leading to the west lobby and 6 there were four available phones in there for her to use. 7 A Yes. At least three or four phones. Correct. 8 Q And, as far as you know, did she use one? 9 A I don't know. 10 MS. WIRTH: Okay. I'm just going to show this to 11 the grand jury. 12 (Pause.) 13 MS. WIRTH: Okay. Officer -- 14 THE WITNESS: Ma'am, could I add something to that? 15 MS. WIRTH: Yes. Yes, you can. 16 THE WITNESS: I do recall that after this incident 17 took place some time while I was standing out there, it did 18 occur to me that she must have used the phone. Like I said, 19 I didn't see her use one, but I just felt it was so 20 coincidental that all of a sudden the President pops out and 21 says he's looking for somebody after I just say -- somehow I 22 assumed that there was some kind of contact made. I did then 23 and I believe it today. 24 BY MS. WIRTH: 25 Q Now, how long after you lost sight of Monica did</p>

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<p>1 the President come out of the Oval Office?</p> <p>2 A You know, I really don't recall but it was a short</p> <p>3 period of time, five to ten minutes, you know. I don't</p> <p>4 recall exactly what I've said before, but it was not a long</p> <p>5 period of time.</p> <p>6 Q And when he came out, what did he say?</p> <p>7 A He came out and said, "Have you all seen an intern</p> <p>8 looking for me to deliver some stuff?" Something to that</p> <p>9 effect. And I said, "Oops."</p> <p>10 Q Okay. And what did you say to him?</p> <p>11 A I said -- I either said, "Yes, sir, I have," or</p> <p>12 I said -- I can't remember if I said, "No, I haven't, but</p> <p>13 I'll let you know," or "Yes, I have." I don't recall.</p> <p>14 Because I was a little flustered that I had just turned away</p> <p>15 somebody that he was looking for.</p> <p>16 Q Did you realize right away that it was Monica that</p> <p>17 he meant?</p> <p>18 A I just assumed it was. Sure. I mean, nobody else</p> <p>19 had been down there that day, there was no staff members on</p> <p>20 duty that I knew of.</p> <p>21 MS. WIRTH: Okay. I'm going to read to you from</p> <p>22 your testimony from July 17th.</p> <p>23 THE WITNESS: Yes, ma'am.</p> <p>24 MS. WIRTH: And ask you a couple of questions about</p> <p>25 this.</p>	<p>1 delivery person. But the point was that I felt that that's</p> <p>2 who he was looking for and I expedited trying to, you know,</p> <p>3 get a hold of her and she showed up.</p> <p>4 Q Okay. So you don't recall whether you told him yes</p> <p>5 or no, that she had been there.</p> <p>6 A If I had said that before, I probably did at that</p> <p>7 time, but I don't really recall right now to be honest with</p> <p>8 you.</p> <p>9 Q All right. Well, this is just a little over a week</p> <p>10 ago.</p> <p>11 A Oh, was it?</p> <p>12 Q Well, this is your testimony from July 17th.</p> <p>13 A Oh, I'm sorry. I really don't know how to rectify</p> <p>14 that. To the best of my recollection --</p> <p>15 Q Well, why don't we take it nice and slow?</p> <p>16 A Sure.</p> <p>17 Q Just tell me today, what your best memory is of</p> <p>18 what happened.</p> <p>19 A Okay. The best of my recollection is that when he</p> <p>20 came out and he asked me, the President asked me had I seen</p> <p>21 an intern that was supposed to be delivering some stuff to</p> <p>22 him, the best of my recollection now, I'd have to say I said,</p> <p>23 "No, I haven't, but as soon as she shows up, I'll let you</p> <p>24 know." Something to that effect.</p> <p>25 Q Okay. And then as soon as he closed the door, I</p>
<p>Page 26</p> <p>1 THE WITNESS: Sure.</p> <p>2 MS. WIRTH: Okay. You said, "She came back into my</p> <p>3 sight and she sat down in the Roosevelt Room, which is across</p> <p>4 from the Oval Office, and just about then the Oval Office</p> <p>5 door opened and the President said, 'Have you seen an</p> <p>6 intern?'"</p> <p>7 BY MS. WIRTH:</p> <p>8 Q Now, you just told us a moment ago that that was</p> <p>9 not correct, that the President came out and then she came</p> <p>10 back to the Roosevelt Room.</p> <p>11 A Correct.</p> <p>12 Q Then you said, "He turned to me and said, 'Have you</p> <p>13 seen an intern looking for me?'"</p> <p>14 "And I said, 'No.' And it hadn't occurred to me,</p> <p>15 you know, what was about to transpire. And I said, 'No,</p> <p>16 sir.' And then I said, 'Well, wait a minute. Yeah. There</p> <p>17 was one.'</p> <p>18 "And he said, 'When she comes back, let me know.'</p> <p>19 "So he went back in and closed the door." And then</p> <p>20 you continued.</p> <p>21 That's a little different than what you said today?</p> <p>22 A Yes, it is a little different. It is a little</p> <p>23 different. I'm not sure if I actually told him there was</p> <p>24 looking for him, that Monica had been there, or that I was a</p> <p>25 little worried about telling him I just sent away his</p>	<p>Page 28</p> <p>1 take it --</p> <p>2 A Right. I looked at the agent and I go, "Well, I</p> <p>3 guess that --" Well, I remember thinking to myself, "Well,</p> <p>4 I guess that's who we're talking about."</p> <p>5 And then, you know, like I walked down the hallway</p> <p>6 a little bit, I looked around for her, I walked back. I</p> <p>7 don't remember if I saw her in this hallway or the Roosevelt</p> <p>8 Room area, but then I said, "Monica, please come in and have</p> <p>9 a seat."</p> <p>10 Q Okay. So did you ever -- okay. So you did see her</p> <p>11 and then you told her to sit down in the Roosevelt Room.</p> <p>12 A Correct.</p> <p>13 Q Okay.</p> <p>14 A What I don't remember exactly is was she standing</p> <p>15 in the Roosevelt Room, was she standing in this hallway.</p> <p>16 Q And when you say "this hallway," you're talking</p> <p>17 about the hallway on top of the Roosevelt Room?</p> <p>18 A Correct.</p> <p>19 Q Which is where her path was that leads to the</p> <p>20 lobby.</p> <p>21 A Correct.</p> <p>22 Q Okay. All right. So you did ask her to sit down</p> <p>23 in the Roosevelt Room and then you went back to the door of</p> <p>24 the Oval Office. And, by the way, we've been talking about</p> <p>25 the 11:00 door?</p>

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<p>1 A Correct.</p> <p>2 Q And that's the door the President came out of and</p> <p>3 spoke to you?</p> <p>4 A Yes, ma'am.</p> <p>5 Q And that's the door you returned to when you</p> <p>6 knocked on it?</p> <p>7 A That's correct.</p> <p>8 Q And did he respond?</p> <p>9 A Yes.</p> <p>10 Q What did he say?</p> <p>11 A Well, I opened -- the way it works is you knock</p> <p>12 twice really hard, you wait for a minute, you open the door.</p> <p>13 And I said, "Mr. President," I don't know if I said "Monica"</p> <p>14 or "your intern". I probably said, "Your intern is here,"</p> <p>15 something to that effect.</p> <p>16 Q And where was the President when you said that?</p> <p>17 A I believe he was standing in the room. It looked</p> <p>18 like he had been sitting on the desk on the telephone.</p> <p>19 Sitting on the front of his desk on the telephone. Because</p> <p>20 he was kind of -- when I opened the door, he was kind of</p> <p>21 making his way towards me and it looked like to me -- I just</p> <p>22 heard him hang up the phone.</p> <p>23 Q Okay. And did he respond when you said that?</p> <p>24 A Yes. He said, "Okay. Thank you." And he came</p> <p>25 towards the door. She came out of the Roosevelt Room. You</p>	<p>1 Q Was Betty Currie working that day?</p> <p>2 A No, she was not.</p> <p>3 Q Was Nancy Hemreich working that day?</p> <p>4 A She was not. That office was secured.</p> <p>5 Q Were either of the President's naval stewards,</p> <p>6 Bayani Nelvis or Glen Maes working that day?</p> <p>7 A I don't recall. Normally the way that worked is if</p> <p>8 he came in like that on the spur of the moment, we would call</p> <p>9 the stewards or the steward would check in periodically,</p> <p>10 calling us at the post, and I don't recall if they were there</p> <p>11 or if they had called.</p> <p>12 Q Now, when you say when he comes in on the spur of</p> <p>13 the moment, you're referring to the President?</p> <p>14 A Yes. I'm referring to the President, spur of the</p> <p>15 moment being late at night, normally, or on the weekends when</p> <p>16 there's no schedule.</p> <p>17 Q And this was a spur of the moment --</p> <p>18 A This was on a Saturday when he wasn't scheduled to</p> <p>19 be there, so his support staff was not there.</p> <p>20 Q Do you remember how long he was in the Oval Office</p> <p>21 before you first saw Monica?</p> <p>22 A I don't remember exactly, but I can tell you</p> <p>23 safely, I'd say at least an hour. You know.</p> <p>24 Q All right. And you said that it was --</p> <p>25 approximately how long were you on this post after you shut</p>
<p style="text-align: right;">Page 30</p> <p>1 know, they said hello, whatever, something to each other,</p> <p>2 some kind of acknowledgment. She had this paper she was</p> <p>3 holding like this --</p> <p>4 Q And you've got your hands folded across your chest,</p> <p>5 for the record?</p> <p>6 A Yes. Yes. She was holding similar to this. And I</p> <p>7 stepped -- I think behind the President, pushed the door all</p> <p>8 the way open, allowed them both access and then closed the</p> <p>9 door.</p> <p>10 Q Did the President step out of the Oval Office to</p> <p>11 greet her?</p> <p>12 A If he did, it wasn't more than a foot. They stayed</p> <p>13 right in the threshold area.</p> <p>14 Q And who shut the door?</p> <p>15 A I did.</p> <p>16 Q And that was the 11:00 door?</p> <p>17 A Correct.</p> <p>18 Q When you looked inside the Oval Office and you saw</p> <p>19 the President, did you see anybody else in there?</p> <p>20 A No. There was not anybody else in there.</p> <p>21 Q To your knowledge that day, was anybody else in the</p> <p>22 Oval Office besides the President?</p> <p>23 A Not while I was there and not at that time. I</p> <p>24 don't recall anybody else -- I'm sorry. I don't recall</p> <p>25 anybody else being in there that day.</p>	<p style="text-align: right;">Page 32</p> <p>1 the door and the President and Monica were inside the Oval</p> <p>2 Office?</p> <p>3 A Approximately 15 to 25 minutes, to the best of my</p> <p>4 recollection.</p> <p>5 Q And during that time, did you ever see anybody</p> <p>6 enter or exit the Oval Office?</p> <p>7 A No.</p> <p>8 Q And what is the best of your memory of what</p> <p>9 happened 15 to 25 minutes later with respect to you?</p> <p>10 A The best of my recollection is that I got pushed</p> <p>11 off post, either on break or to go home.</p> <p>12 Q Did you ever see Monica Lewinsky again that day?</p> <p>13 A Not that I recall.</p> <p>14 Q Did you ever see the President again that day?</p> <p>15 A Not that I recall. No, ma'am.</p> <p>16 MS. WIRTH: Okay.</p> <p>17 A JUROR: I have a question. If the President does</p> <p>18 come, you said he was unscheduled to be there? So if he</p> <p>19 comes in unscheduled and he wants something to eat or drink,</p> <p>20 does he get it himself or --</p> <p>21 THE WITNESS: Sometimes he would or he would ar'</p> <p>22 for the steward. For instance, there were times when he</p> <p>23 said something about tea or coffee and I would actually turn</p> <p>24 the pot on or turn the coffee maker on for him. The stewards</p> <p>25 set it up so all you have to do is turn a switch on. But</p>

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1 generally if he wanted something to eat and they weren't
 2 there right away, I would pick up the phone and call the
 3 ushers office in the mansion and have them come take care of
 4 his needs until the steward showed up.
 5 A JUROR: Okay. So are you saying a steward is on
 6 call? Is that what you're saying?
 7 THE WITNESS: Yes. Yes. The stewards are on call.
 8 Anybody that works around the President is kind of on call 24
 9 hours a day, to be honest with you. But, yes, the stewards
 10 are. And generally speaking, if they weren't there on a
 11 Saturday or Sunday and they knew he was there, they were on
 12 their way in. One of them -- either Glen or Nelvis were on
 13 their way in or waiting to be called.
 14 A JUROR: Those house phones, anyone who is in
 15 there can just pick it up and talk directly to the President?
 16 THE WITNESS: No.
 17 A JUROR: They have to go through the operator?
 18 THE WITNESS: No, ma'am. Very few people have
 19 direct phone access to the President. That list is -- that
 20 permission is granted by Nancy Herreich, to the best of my
 21 knowledge. If you were to pick up a house phone and request
 22 to talk to the President, we'd probably be walking you out
 23 the door.
 24 A JUROR: But if you know the extension?
 25 THE WITNESS: There's only one phone that you can

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1 dial directly into the office that rings into the office. To
 2 call the President, it rings into the secretary's office or
 3 Nancy Herreich -- Betty Currie's office or Nancy Herreich's
 4 office. It does not ring directly -- the normal phones don't
 5 ring directly to the President. They'll flash, but they
 6 don't ring.
 7 There's one phone that rings and it's called a drop
 8 line and it sits behind his desk. That number is not
 9 published to anybody and very few people have it. It's a
 10 military phone.
 11 A JUROR: So how would she have contacted him?
 12 THE WITNESS: I don't know if I've actually
 13 commented on this before. The best of my knowledge would be
 14 that she had this five-digit number to call that drop line.
 15 Unless she had -- unless she was on the phone list to be able
 16 to call the White House operator and ask for phone access to
 17 the President. If she did call him, it would have been one
 18 of those two ways, because I don't know of any other way.
 19 I mean, I'm not going to sit here and tell you I
 20 know everything about that, but I know that place pretty
 21 well, I've worked there for a long time, and it was my job to
 22 know these things and I feel like I know enough about it to
 23 say that.
 24 A JUROR: So you do agree that she did contact him
 25 because there was no --

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1 THE WITNESS: I feel that she did. I mean, I don't
 2 know that she did, but it was so coincidental that he comes
 3 out like that.
 4 A JUROR: Is that line that you're talking about a
 5 WHCA line?
 6 THE WITNESS: Well, they're all -- the drop line?
 7 A JUROR: Yes.
 8 THE WITNESS: Yes. When you pick it up, as soon as
 9 you pick this line up, this drop line, the voice on the other
 10 side says, "Yes, Mr. President?" And then -- you know --
 11 so -- When you pick up the other phone, you just get the
 12 White House operator, depending on which line that you push.
 13 Yes, ma'am?
 14 A JUROR: You said you had problem with Monica
 15 Lewinsky not telling the truth.
 16 THE WITNESS: Yes.
 17 A JUROR: And doing things she shouldn't do. Could
 18 you give some examples?
 19 THE WITNESS: Absolutely. From the time that she
 20 was an intern, from the time that Monica Lewinsky was an
 21 intern, I felt like she was trying to gain access to either
 22 the President himself or that area.
 23 I often referred to her as the stalker, not in a
 24 vicious way to harm the President, but I kind of -- I always
 25 thought she was like a cross between a 15-year-old chasing a

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1 rock star and a stalker, you know?
 2 If she was not a White House employee, as many
 3 places as she showed up, she'd have been on our watch list.
 4 I mean, that's -- I've been on this job seven years and I can
 5 promise you, if she showed up at that many places and she was
 6 not an employee, that we'd be looking out for her.
 7 Just like when the President first came in, he used
 8 to jog outside the complex just arbitrarily and the same
 9 couple of people started showing up, as soon as they came up
 10 the second time, they got interviewed. You know. That's the
 11 way it kind of works.
 12 I had run-ins with her when she was an intern being
 13 in places she wasn't -- trying to come down this hallway that
 14 I work in which didn't -- not everybody had access to. They
 15 wanted us to limit the access to the President and his senior
 16 staff. If you were an intern or junior employee or even
 17 somebody that was a senior government employee but if you had
 18 no business there, you shouldn't be coming down the hallway.
 19 There was plenty of other ways to get around to the other
 20 side. And I had problems with her coming and doing those
 21 kind of things.
 22 I also had problems with her -- I'd say, for
 23 instance, there was an incident during the government
 24 shutdown. She was working as an intern for the Chief of
 25 Staff, Leon Panetta. And she came down the hallway and the

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1 President was in the Oval Office at the time and I stopped
 2 her and I said, "Go around the other way."
 3 And she said, "I have to deliver these papers."
 4 And I said, "Well, go around the other way."
 5 And then she said, "I have to go to the bathroom.
 6 too."
 7 And I said, "Go around the other way."
 8 And before she could say the third thing, I just
 9 kind of physically pushed her through the doorway, the side
 10 doorway, into the Roosevelt Room.
 11 I mean, I didn't -- you know, I didn't grab her
 12 and jack her up, but I said, you know, "Just go this way,
 13 Monica." And she walked away and that was it. So that's
 14 the kind of stuff I'm talking about.
 15 A JUROR: Officer, would you say that you probably
 16 gave Monica the hardest time because you played by the rules?
 17 THE WITNESS: Yes. I don't want to sound like I'm
 18 wearing like a badge of honor, but, yes. I never tried to
 19 befriend her. I know some people did because some of the
 20 officers did and that's fine. I'm not saying that's wrong and
 21 it's not wrong, but, yes, I did. I always felt like she
 22 wasn't telling me the truth and I can't tell you why. I just
 23 felt like that.
 24 Yes, sir?
 25 A JUROR: Do you know Evelyn Lieberman?

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1 THE WITNESS: I certainly do.
 2 A JUROR: Could you tell me anything about --
 3 THE WITNESS: Yes. I should probably talk about
 4 Evelyn from when I first met her.
 5 MS. WIRTH: Go ahead.
 6 THE WITNESS: She was hired -- I don't know why she
 7 was hired, but I first met her, she was working in the upper
 8 press office. And the rumor was that she was brought in
 9 there to clean up some of the mess in there. They had all
 10 these young people and young employees in there and basically
 11 it was a mess. They were too busy trying to do other things
 12 beside the President's and the government's work. And this
 13 is my opinion.
 14 And she came in there and she straightened it out.
 15 She got rid of some of the interns in there and she kind of
 16 lowered the boom on them, which was what Evelyn's specialty
 17 was, in my opinion. I liked her a lot. I thought she was --
 18 you know, no messing around. A dog was a dog and that was
 19 that.
 20 And so eventually she was promoted to the Deputy
 21 Chief of Staff. She was the first woman Deputy Chief of
 22 Staff and it was kind of neat to see that happen. Anyway,
 23 she as Deputy Chief of Staff one day came out when I was
 24 standing my post and kind of berated me about all these
 25 interns in the hallway.

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1 And I said, "Well, you know, no kidding. Who gives
 2 them the authorization? You do. You get rid of them. I'm
 3 tired of fighting with it. You know, I do the best I can."
 4 So she did. And there was, you know, a lot less interns the
 5 next day or shortly after that.
 6 And then when -- it kind of became clear to me
 7 that I felt Monica was becoming a problem, a problem other
 8 than me, I can't tell you that -- I have to tell you that
 9 at first, I did not think there was any kind of real
 10 relationship between her and the President, I just thought it
 11 was Monica trying to portray that to gain access.
 12 And then I have to admit that after this incident
 13 where the President came out looking for her, I pretty much
 14 stopped giving her a hard time because I just felt like she
 15 was a wanted guest.
 16 And then Evelyn Lieberman -- some point while I was
 17 still working at the Oval Office, I went to her and
 18 complained directly about Monica.
 19 Now, there's been all kinds of stories about this
 20 in the press and they're generally on the right track, but
 21 the truth is I never went in to her and asked for a meeting,
 22 I never generated any paperwork, I never wrote a memo on
 23 this. I'm a very lazy person. If I can walk down the
 24 hallway, I'll do it. And that's what I did.
 25 I went in and I complained about her. It wasn't a

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1 long meeting and it wasn't a big deal, but I did go in there
 2 and say, "Look. This person's a problem."
 3 Now, there was a point not too long after that when
 4 I was thinking to myself that I would go back and I would
 5 tell her a little bit more why I was concerned, but then I
 6 got to the point where I was conflicted, is this any of my
 7 business, am I stepping on -- you know, I have to admit to
 8 you that where I worked was a cushy post.
 9 I had weekends off, I had three years on the job.
 10 My wife liked it, it was good for all of us, I didn't want to
 11 get fired because I stuck my nose where it didn't belong. So
 12 I contemplated going to her again and I thought it was best
 13 that I didn't.
 14 And then -- I don't know how long it was, you know,
 15 after that that I eventually was transferred, I transferred
 16 to the tour section, and it wasn't my problem any more. So I
 17 thought.
 18 A JUROR: You made a statement just now, you said
 19 other things, you know, the young people were doing other
 20 things. Like what?
 21 THE WITNESS: For instance, you have to understand
 22 that the White House is kind of a working museum. I mean,
 23 this building is, you know, over 200 years old, part of it.
 24 They were walking around with Cokes, spilling them on the
 25 carpet.

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1 I mean, they pay a fortune for this stuff in there,
 2 these pieces of furniture that they would put their feet up
 3 on sometimes.
 4 I mean, this is something that's 180 years old, you
 5 know? It's been there since -- some of it, the Pembroke
 6 chairs in the Oval Office were brought in by President
 7 Truman. Some of the other furniture there has been -- you
 8 know, they just didn't treat the place with a lot of respect.
 9 And it used to grate us a lot.
 10 It made us unhappy and we used to complain about
 11 it, you know. That's one of the things I was talking about.
 12 A JUROR: So then also it's safe to say that you
 13 didn't like Monica?
 14 THE WITNESS: Yeah. You know, I didn't know her
 15 outside of work, but, yeah, as an employee I thought she was
 16 a waste of time, to be honest with you. I don't know what
 17 she did when she was working, but I didn't see her and a lot
 18 of other people, I didn't see why they were there.
 19 A JUROR: More importantly, when Monica saw you on
 20 her way to the Oval Office, do you think her alarm system
 21 went off?
 22 THE WITNESS: Oh, yeah. She saw me -- she saw me
 23 and she was intimidated.
 24 A JUROR: Okay.
 25 THE WITNESS: But, you know, that's my job, to

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1 intimidate people like that. I'll be as nice as I can, but
 2 let them know that -- you know -- yeah, I think she knew that
 3 she was -- that there was a problem. Sure.
 4 A JUROR: Did you get any problems from giving
 5 Monica a hard time in your job?
 6 THE WITNESS: No. Not that I recall. No. And
 7 even if I had, I mean, it's kind of like -- we kind of wear
 8 that as a little, you know, a little badge, you know, that
 9 you got in trouble -- or you got reprimanded for, you know,
 10 stopping somebody or doing your job. No, I don't recall ever
 11 being said anything.
 12 MS. WIRTH: There's some questions over there.
 13 THE WITNESS: Yes?
 14 A JUROR: Mr. Byrne, do you recall how long after
 15 you talked to Ms. Lieberman that Monica left to go to the
 16 Pentagon?
 17 THE WITNESS: To?
 18 A JUROR: Was transferred from the White House to
 19 the Pentagon.
 20 THE WITNESS: To the Department of Defense?
 21 A JUROR: To the Pentagon.
 22 THE WITNESS: It was a good period of time because
 23 I actually had transferred from the West Wing to the tour
 24 section and then there was -- Monica was transferred right
 25 after there was an incident involving -- that I talked about

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1 before with Mr. Muskett. So -- the timeframe I don't recall
 2 exactly. No.
 3 A JUROR: I had the same question.
 4 MS. WIRTH: Oh, you did? Okay. All right. Okay.
 5 BY MS. WIRTH:
 6 Q Why don't you tell the grand jury about what you
 7 know about the incident with Officer Muskett?
 8 A Certainly. Could you just give me a minute?
 9 There's something I wanted to mention and I've lost my train
 10 of thought. Hopefully it will come back to me.
 11 The incident with John Muskett, I believe it took
 12 place the weekend of Easter Sunday. I'm not certain of that,
 13 but I believe it was. I was working tours that day.
 14 John Muskett and I worked tours together, and I was
 15 working tours that day and towards the end of the day, John
 16 came up to me and said, "Hey, I'm working your old post this
 17 weekend." He was working overtime and he was working my old
 18 post and he wanted me to tell him some of the procedures.
 19 Q And your old post would be [REDACTED]
 20 A Correct. The West Wing [REDACTED]
 21 [REDACTED]
 22 Q Are you friends with John Muskett?
 23 A Yes, I was then. I wasn't always, but I was by
 24 that time and I am now. Sure. We're co-workers. We didn't
 25 get along at first but, you know, we worked that out

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1 eventually. But, anyway, so he said that he was working that
 2 post and would I talk to him about this access list and the
 3 way the procedures worked there.
 4 So I said of course, you know, and I talked to him
 5 about it and I told him how the access list works and
 6 basically his job was to make sure that unwanted people
 7 didn't -- you know, weren't hanging around, that weren't
 8 supposed to be there and, you know, like people that -- we
 9 called them hall surfers or whatever or cling-ons, and I
 10 explained to him how the procedures worked.
 11 And I also explained to him, which was kind of
 12 important because it happened, from time to time, and it
 13 seemed to happen quite often to me, was if the President was
 14 in the Oval Office and there was no staff there, then the
 15 White House operator, as I said before, his phones don't ring
 16 directly. So when the staff's not there and they try to ring
 17 him, it rings to the secretary's voice mail. You understand?
 18 So if she had to get in contact with him and he
 19 wouldn't pick up the phone, she would call the officer at the
 20 post and ask them to pass a message on to the President.
 21 And I explained this to him and the procedure was
 22 that if the phone rang and the operator said "This is the
 23 White House operator," then you would get the operator's
 24 number, for instance, if the operator was 26, you would hang
 25 the phone up, you would call back the White House switchboard

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1 number, the same operator would pick the phone up -- and the
2 reason you did that was to make sure nobody was playing a
3 joke on you, which we've been known to do.

4 So then you would say, you know, "What is the
5 message for the President?" And then they would tell you,
6 you know, whatever the message was. You would knock on the
7 door and let the President know there was a phone call or
8 whatever the message was.

9 So I explained this to John, how it works, and I
10 also talked to him about the list. And he asked me a couple
11 of other questions. I don't recall exactly what they were,
12 but they had to do with procedures and stuff.

13 I don't recall if he ever asked me about Monica. I
14 don't know if I've ever talked about that before. I don't
15 recall if we ever discussed her or not. But, anyway, my days
16 off were Sunday and Monday. I came back to work on Tuesday.
17 John Muskett comes back to work on Tuesday and he was very
18 upset.

19 He was upset at me, he was upset about something
20 that happened. And he was cussing and, you know, accusing me
21 of doing something wrong.

22 And so anyway, we went to a little kind of private
23 area -- well, we were standing in the hallway and he started
24 telling me what had happened and what had happened was he
25 said that there had been a phone call for the President and

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1 that the White House operator called him on this phone and
2 the best of my recollection, he took the message and he did
3 not want to go into the office himself because apparently he
4 knew the President was not in there by himself. He was
5 apparently in there with Monica Lewinsky.

6 Mr. Muskett walked down the hallway in the westerly
7 direction to Harold Ickes' office. He was then Deputy Chief
8 of Staff also. There are two positions there, Deputy Chief
9 of Staff. He knew that Harold Ickes was in his office. He
10 went and told Mr. Ickes that the President had a phone call
11 and would he pass the message on.

12 Now, I don't know exactly how it happened. I don't
13 remember if John told me any details, but they both made
14 their way -- Mr. Ickes and John Muskett made their way back
15 down the hallway.

16 They entered the Oval Office suite either through
17 the dining room door or the pantry door, I'm not sure which
18 one, and apparently when they got in there, I don't know what
19 John saw, I don't know what they actually saw, but what he
20 told -- what I remember him telling me was that basically,
21 and the ladies will have to excuse me for this, this is
22 kind of rude, but basically what they -- what he told me
23 was that apparently they found or somebody found Monica
24 face down in the President's lap. That's the way it was
25 described to me.

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1 Whether John saw this, whether Ickes saw this and
2 yelled it, I don't know. I don't know exactly what he saw
3 and I don't know who saw it, between Ickes and Muskett. I
4 don't know if John followed him in the office or not, but
5 that was the thrust of the thing. And I was so freaked out
6 about it.

7 And, you know, I guess he had the impression that
8 maybe this had happened before, happened to me, and that I
9 hadn't warned him. And to my knowledge, that had never -- it
10 never happened to me.

11 Q When did you have this conversation with Officer
12 Muskett in relation to that Easter Sunday, if you remember?

13 A It would have been Tuesday, to the best of my
14 recollection.

15 Q The following Tuesday?

16 A Because it would have been the first day I would
17 have come back to work. With the exception if I was
18 scheduled to work overtime on Monday. I don't remember.

19 Q Okay. And so, for the record, we're talking about
20 a conversation that happened about two and a half years ago,
21 correct?

22 A Correct.

23 Q Okay.

24 A Yes. It was a while ago.

25 Q All right. And have you had more than one

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1 conversation with Officer Muskett about that Easter Sunday?

2 A We might have talked about it after that, but I
3 don't recall because it wasn't as significant as that, you
4 know, where he was so upset.

5 I do know that as people started to hear about it,
6 and I don't know if they heard about it, you know, from the
7 agent side or the uniformed division side or whatever, but
8 people all of a sudden thought it was me because somebody
9 came up to me and asked me, "I heard you found Monica,"
10 you know, and they kind of described it and I just ignored
11 it and walked away from it and said I didn't know anything
12 about it.

13 So that was my biggest fear at the time, was that
14 this was attributed to me, that I was the one there. I mean,
15 not that it made any difference because, you know, in my
16 wildest dreams I never thought I'd be here. So --

17 Q How certain are you that Officer Muskett told you
18 that following Tuesday or whatever day it was right after
19 Easter Sunday that someone had seen Monica in the position
20 that you mentioned?

21 A That's how I remember him telling me. I'm certain
22 of it.

23 Q Have you ever asked John Muskett whether that's
24 what he said to you?

25 A No, I have not. I have not.

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1 Q And the way you just recounted it, you said that
 2 you don't recall whether it was John Muskett or Harold Ickes
 3 or someone else who had seen what you just described Monica's
 4 position to be, correct?
 5 A Right. The best of my recollection, it would have
 6 had to have been either Muskett or Ickes.
 7 Q And your only source on this is this conversation
 8 from two and a half years ago with John Muskett?
 9 A That's correct.
 10 Q Have you heard gossip about this incident since
 11 then from any people in the Secret Service? You said a
 12 moment ago you've heard some gossip --
 13 A Yes. Yes, I'm sure I have.
 14 Q Can I finish?
 15 A Oh, yeah.
 16 Q I'm sorry --
 17 A That's all right.
 18 Q It's just that I want to get this question out.
 19 That you've heard some gossip that this whole incident was
 20 somehow attributed to you, that you were the one who saw
 21 this, correct?
 22 A Correct. Correct.
 23 Q So it's been the subject of some gossip?
 24 A Certainly.
 25 Q Is it possible that some of this gossip has been

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1 incorporated by you into the original story that you heard
 2 from John Muskett?
 3 A I would say it's possible, but, like I said, I
 4 don't really recall it that way. I guess it is possible.
 5 Sure. You're talking, like you said, two and a half, almost
 6 three years. But to the best of my recollection, that's the
 7 way I remember it.
 8 Q Okay.
 9 A And it's not something I ever thought that I needed
 10 to go back and talk to him about. I didn't want to -- you
 11 know, I didn't even want to know what I knew about it, to be
 12 honest with you.
 13 MS. WIRTH: Does anyone have questions right now
 14 that they'd like to ask about any of this?
 15 (No response.)
 16 MS. WIRTH: Could you step out?
 17 THE WITNESS: Certainly. I'm going to grab a drink
 18 of water, if that's all right.
 19 MS. WIRTH: Sure.
 20 (Witness excused. Witness recalled.)
 21 THE FOREPERSON: Officer Byrne, I'd like to let you
 22 know that you're excused for today.
 23 THE WITNESS: Okay.
 24 THE FOREPERSON: But we still haven't finished with
 25 everything that we need to do.

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1 THE WITNESS: I understand. Could I just make a
 2 real quick statement?
 3 THE FOREPERSON: Sure.
 4 THE WITNESS: There's other things that we could
 5 claim privilege on that I'm not sure if we discussed and I
 6 just want it on the record that I think, you know, there is
 7 other things, information that I have, that I guess, you
 8 know, to be completely honest and divulge all of it, but you
 9 should know, I just wanted that said.
 10 MS. WIRTH: Okay. We'll bring you back, Officer.
 11 THE WITNESS: Okay.
 12 MS. WIRTH: Thank you.
 13 THE WITNESS: Thank you.
 14 THE FOREPERSON: Thank you.
 15 (The witness was excused.)
 16 (Whereupon, at 4:34 p.m., the taking of testimony
 17 in the presence of a full quorum of the Grand Jury was
 18 concluded.)
 19 * * * * *

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

----- X
IN RE: :
: :
GRAND JURY PROCEEDINGS :
: :
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GRAND JURY PROCEEDINGS

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

Thursday, August 13, 1998

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

MARY ANN WIRTH
EDWARD PAGE
Associate Independent Counsel
Office of Independent Counsel
1001 Pennsylvania Avenue, N.W.
Suite 490 North
Washington, D.C. 20004

1 What were you referring to when you said that?
2 A I was referring to an incident that we were
3 claiming privilege on that involved a White House employee,
4 [REDACTED]
5 Q Oh, okay.
6 A I'm not sure if I talked about it under oath with
7 you all or not.
8 Q And does that incident have anything to do with
9 Monica Lewinsky at all?
10 A No, it does not. So -- but it was something that
11 we're claiming privilege on because it involved the
12 President.
13 Q Okay. What I'm going to do now is ask you some
14 questions about matters on which you took the privilege
15 previously --
16 A Certainly.
17 Q -- during one of your earlier depositions just to
18 make sure that we have covered all the matters that you've
19 taken a privilege on. So just bear with me for a moment.
20 A Yes, ma'am.
21 Q You were deposed on June 25, 1998. That was a
22 videotape deposition. Do you remember that?
23 A I certainly do, three hours, 37 minutes, 15
24 seconds.
25 Q Seriously?

PROCEEDINGS

1 Whereupon,
2
3 GARY BYRNE
4 was recalled as a witness and, having been first duly sworn
5 by the Foreperson of the Grand Jury, was examined and
6 testified further as follows:
7 EXAMINATION
8 BY MS. WIRTH:
9 Q Now, Officer Byrne, do you remember your rights and
10 responsibilities as a grand jury witness that have been
11 explained to you on your prior visits here?
12 A Yes, ma'am.
13 Q Okay. And you understand that you've taken an oath
14 to tell the truth today?
15 A Yes, ma'am.
16 Q Okay. The last time you were here, which was on
17 Thursday, July 30, 1998 -- this is the last time you were in
18 the grand jury room -- you said as you were leaving that,
19 "There are other things that we could claim privilege on that
20 I'm not sure if we discussed, and I just want it on the
21 record that I think you know there is other things,
22 information that I have that I guess you know to be
23 completely honest and divulge all of it. But you should know
24 I just wanted that said."
25 And I said, "Okay. We'll bring you back, Officer."

1 A I timed it.
2 Q Okay. You were asked a question by me. This is
3 the question and the answer that you gave.
4 The question was, "Do you recall any encounters
5 with Monica Lewinsky during the shutdown?"
6 And the answer was, "Yes, I do. Of course, without
7 revealing any privileged information during the shutdown, let
8 me see the best way to describe this. You have to excuse me
9 for kind of lengthening this.
10 "It was during the shutdown, and the staff, Mr.
11 Panetta, the chief of staff, was allowed to bring in
12 Jennifer, her assistant, and one intern, and they chose
13 Monica," et cetera.
14 Can you tell the grand jury what was privileged
15 about that encounter?
16 A The encounter was that Monica came down the
17 hallway, and what made it privileged was that the President
18 was in the Oval Office at the time, or what we were claiming
19 privilege was the President was in the Oval Office at the
20 time.
21 Monica came down the hallway from the chief of
22 staff's office, and I confronted her outside P [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 I stopped her there, I asked her where she was

Page 5	Page 7
<p>1 going, I told her she needed to use the other hallway. She 2 said that she was going to deliver some papers to somewhere, 3 and then I said, "Well, you can go around the other way." 4 Then she said she needed to use the restroom, and I told her 5 she still should go around the other way. 6 The point was that she was trying, in my mind, to 7 get access to walk past the hallway where -- the Oval Office 8 where the President was. I made her go through the Roosevelt 9 Room. 10 Originally, when the Service started this 11 privilege, they were calling that privileged because he was 12 in the Oval Office. I just wanted to make sure that it was - 13 - 14 Q Okay. All right. Now, I'm going to call your 15 attention to a conversation you had with Tim Keating after 16 Monica Lewinsky was transferred out of the White House. 17 A Yes. 18 Q And you asserted a protective function privilege 19 with respect to that -- 20 A Correct. 21 Q -- in your first deposition in March of '98. And I 22 wondered if you could tell us -- actually, first, I'm going 23 to read to you what your testimony was back then. Okay. 24 This is your testimony. 25 "I'm in the East Wing. I'm in the area of a post</p>	<p>1 "Answer: Yes. Excuse me. The answer was I guess 2 Monica's immediate supervisor, and then she worked for Tim. 3 I think that's the way it was. That's the way I thought it 4 was. That's the way I think it is now, I should say. 5 "And that was the two conversations I can relate to 6 you without revealing any privileged information. 7 "Question: What was Mr. Keating referring to when 8 he said you knew something? What was it that he believed you 9 knew? 10 "Answer: I don't know what he was assuming. 11 Anything further than that I'll have to assert the protective 12 function -- the protective privilege. 13 "Question: Well, do you think you know what he was 14 referring to? 15 "Answer: I'm sorry. I'll have to assert the 16 privilege on that." 17 And then you ask to go outside and consult with 18 your lawyer. 19 What were you referring to there? 20 A Tim Keating seemed upset. He believed that 21 whatever the incident was that got Monica transferred, he 22 believed I knew about it. And I took this to assume that 23 this was the incident that I had been told about from John 24 Muskett. 25 And he -- at that time I'm not sure Tim Keating</p>
<p>Page 6</p> <p>1 called G-4. It's right by the East Wing entrance door as I 2 believe tours were coming in, and I'd run into a White House 3 employee. His name is Tim Keating. 4 "Now, one thing I want to make clear is at this 5 time, when this incident took place, I didn't realize that 6 Tim was somehow involved in Monica Lewinsky's chain of 7 command as far as her employment in the East Wing. I found 8 this out. I realized this later on reading an article, I 9 believe, once the story, you know, became daily reading. 10 "But, anyway, so I see Tim Keating, and he says -- 11 I don't know how we got on the conversation of Monica. I 12 don't really remember, to be honest with you. Excuse me, of 13 course, I'm being honest with you, but I don't really 14 remember. But it got on the subject of Monica. 15 "And he turned to me and he said, 'You knew, you 16 knew. Why didn't you come to me? You knew something,' or 17 something to that effect. And I said, 'I don't know what 18 you're talking about, Tim. And it was good seeing you.' You 19 know we joked around about -- we used to play the lottery. I 20 think we joked around about playing the lottery. We used to 21 play a lottery pool together. And then I walked on. 22 "And then later on I learned that this woman that 23 you mentioned earlier, that I described as a heavyset black 24 woman -- 25 "Question: Jocelyn Jolley?</p>	<p>Page 8</p> <p>1 thought that I was the officer on duty or the fact that I 2 knew that he -- somehow he thought I knew that Monica 3 Lewinsky and the President had been found, you know, by 4 themselves in a room. And that's what he was -- I got the 5 impression he was kind of accusing me of it, like I should 6 have come to him because apparently he thought I knew that he 7 was Monica's supervisor, that I should have given him some 8 kind of warning. 9 Q Okay. When he said you knew something, did you 10 ever ask him what it was he thought you knew? 11 A No. I just assumed that that's what he was talking 12 about. I felt that that's what he was -- you know, he was 13 kind of agitated, and I felt that's what he was talking 14 about. 15 Q Do you have any reason to believe, other than what 16 he said there, that Mr. Keating knew about the John Muskett 17 incident? 18 A I'm sorry, I don't -- I'm not really sure what you 19 mean. 20 Q Okay. Do you have any reason to believe, outside 21 of what Mr. Keating was saying to you here when he said you 22 knew something, you knew something -- 23 A Mm-hmm. 24 Q -- do you have any reason to believe, other than 25 that remark, that Mr. Keating knew something about what</p>

1 happened between John Muskett and Monica Lewinsky?
 2 A No, I don't have any reason to believe that.
 3 Q Okay. Just bear with me for a moment.
 4 You've testified previously about, I believe, a
 5 couple of incidents involving Nelvis. One -- and correct me
 6 if I'm getting any of this wrong -- one involved an incident
 7 involving stained tissues --
 8 A Mm-hmm.
 9 Q -- where Nelvis made some remark to you. And I'm
 10 going to ask you about that in a minute.
 11 And another I believe you testified previously
 12 involved an incident where Nelvis was cleaning up other
 13 matters, like glasses or soda cans or whatever, things like
 14 that, and he made another remark to you.
 15 Were those two separate incidents?
 16 A To the best of my recollection, yes.
 17 Q Okay. And which occurred first?
 18 A I believe the incident where the towels or tissues
 19 had lipstick on them was first.
 20 Q Okay. And I believe you previously testified that
 21 you associated that incident with Debi Schiff.
 22 A I did.
 23 Q Okay. Was there any particular reason why you did?
 24 A Well, yes. One of the incidents we were claiming
 25 privilege on before was a time where I was standing post, and

1 regarding the stained tissue, when did that occur, if you
 2 know, in relation to the incident you've just described with
 3 Debi Schiff?
 4 A That would have been first. The incident where I
 5 saw Debi in the study with the President would have been
 6 first.
 7 Q I understand that. But do you know how long after
 8 the stained tissue incident?
 9 A No, I really don't.
 10 Q You don't have any memory of that?
 11 A No.
 12 Q And that's the sole reason why you associated with
 13 stain incident with Debi Schiff in your mind.
 14 A In my mind.
 15 Q But Nelvis never made any remark about Debi Schiff
 16 at all, did he?
 17 A Not that I recall, no.
 18 Q And then I believe you also testified that there
 19 was another incident where Nelvis was cleaning up glasses, et
 20 cetera. Tell us -- that happened after the stained tissue
 21 incident?
 22 A Yes.
 23 Q And what types of things was Nelvis cleaning up
 24 that day?
 25 A He was -- I was sitting in the pantry, actually in

1 Debi Schiff came into the hallway from the cabinet room near
 2 post [redacted]. She looked at me, I looked at her, she went like
 3 this (indicating), you know, put her hands over her lips,
 4 like "Ssh," and she entered the President's dining area
 5 through the pantry. The door was open. She entered it
 6 through there.
 7 As far as security concerns, there wasn't really
 8 any. She was a passholder, you know, she kind of had
 9 unfettered access. And she went in to -- you know, to the --
 10 into the pantry, into the dining room area.
 11 A short period of time went by, and as I walked by,
 12 walking my post area, I could see that the -- obviously, the
 13 outer door of the pantry was open, the inner door of the
 14 pantry was open. So I stepped in to pull the inner door
 15 closed, and as I stepped in to pull the inner pantry door
 16 closed, the door that led to the hallway from the dining room
 17 to the study area was open, and I could see Debi was standing
 18 in the study. The President was sitting in a chair, and Debi
 19 was standing behind him, like -- like she was massaging his
 20 shoulders.
 21 I closed the door and turned around, you know, and
 22 walked out.
 23 Q All right.
 24 A This is why I put those two -- that occurred to me.
 25 Q And the incident that happened with Nelvis

1 the dining room, and he was walking around the dining room
 2 picking up things. He walked into the study and picked up
 3 two glasses. I believe it was just two glasses. I don't
 4 believe there were any soda cans with them, the best of my
 5 recollection.
 6 Anyway, he picked these glasses up, and he made
 7 some comment about, "I'm tired of cleaning up after them," or
 8 "after him." And I don't remember exactly what it was that
 9 he said, that Nelvis said, but it was something to lead me to
 10 believe that he wasn't talking about the glasses. It was
 11 like whatever was on them. Like there was lipstick on the
 12 glasses, that type of thing.
 13 I don't remember exactly what was said, but it was
 14 something that was going to lead me to believe that he was
 15 tired of cleaning up, you know, after these supposed times he
 16 was with women or whatever.
 17 Q Okay. Where was Nelvis cleaning up these things,
 18 what room?
 19 A The two glasses I remember him bringing out of the
 20 study.
 21 Q Okay. And did you see lipstick on them?
 22 A No.
 23 Q Did Nelvis make any remark that indicated there was
 24 lipstick on them?
 25 A He said something to that effect. I don't remember

1 exactly what it was. Something -- I know -- he said
 2 something to the effect that he -- that there was something
 3 on the glasses, or that he was tired of cleaning up stuff
 4 with lipstick on.
 5 Q Was Monica's name ever mentioned in connection with
 6 this?
 7 A No. No, ma'am, not -- no, ma'am.
 8 Q Did you associate it with Monica in your mind?
 9 A No, I didn't. I didn't really associate it with
 10 anybody. I just felt like he was having a bad day.
 11 Q Okay. I'm going to read to you from your testimony
 12 of Friday, July 17, 1997, before the grand jury. This was
 13 the first time you testified fully before the grand jury, and
 14 I think it was the other grand jury down the hall. Do you
 15 remember that?
 16 A Yes, I do. I was testifying without the privilege.
 17 Q Right. And this is the question that I asked you
 18 and the answer that you gave.
 19 "Did Bayani Nelvis speak to you about stained
 20 tissues on more than one occasion?
 21 "Answer: I don't remember separate occasions, but
 22 it's possible, because the incident where he had -- where I
 23 said he had those tissues and he had a plastic bag in his
 24 hand, that was -- that was the time that I associated it with
 25 Debi Schiff.

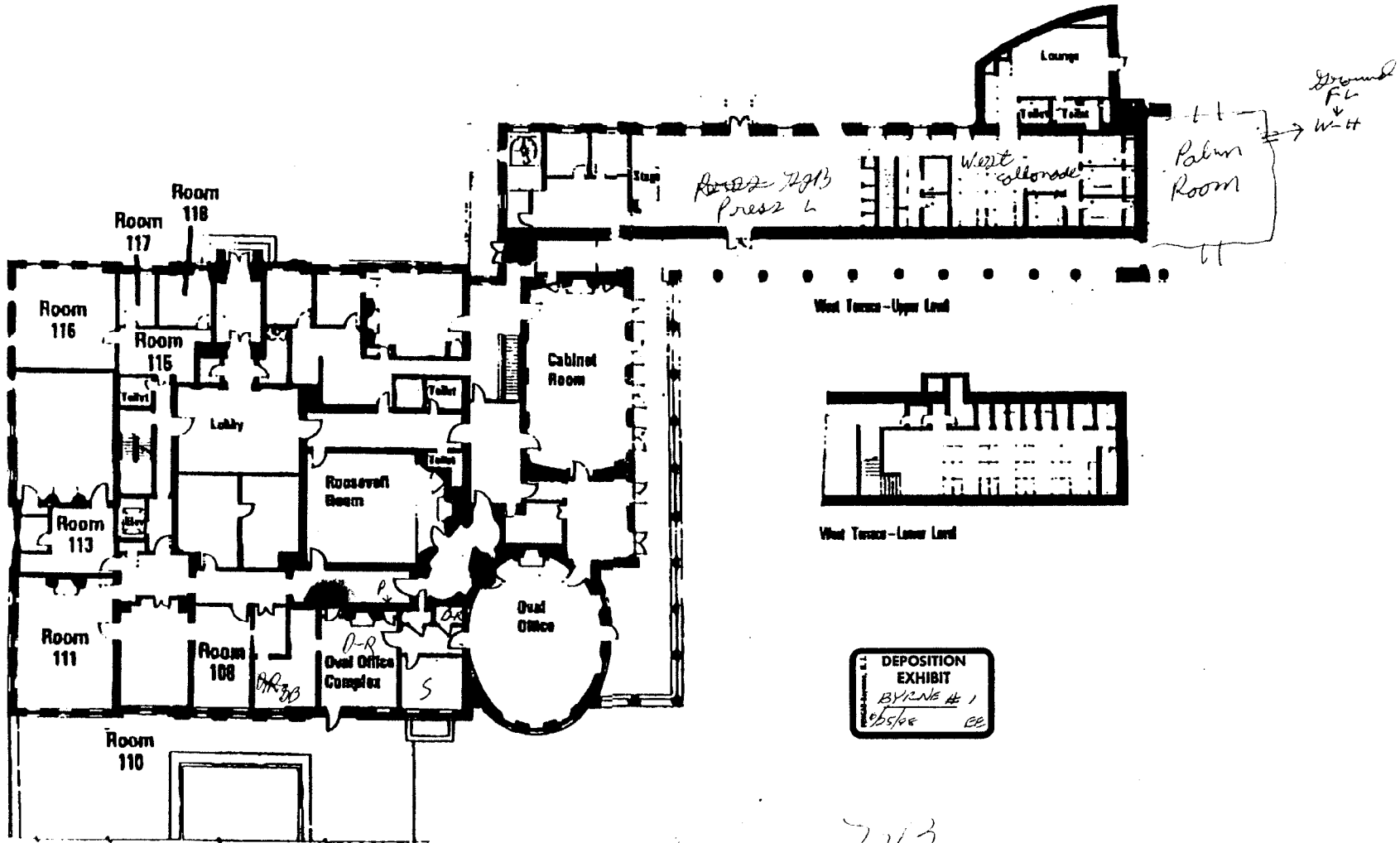
1 with Monica.
 2 A No, I don't.
 3 Q And, in fact, you testified today that you did not
 4 associate it with Monica; is that right?
 5 A Right.
 6 Q We're going to ask you to step out for a minute,
 7 okay?
 8 A Sure.
 9 (Witness excused. Witness recalled.)
 10 THE FOREPERSON: Officer Byrne, I'd like to remind
 11 you that you're still under oath.
 12 THE WITNESS: Thank you, ma'am.
 13 BY MS. WIRTH:
 14 Q Officer, one grand juror has a question for you,
 15 and that is, is there anything that you haven't told us that
 16 you would like to tell us, meaning the grand jury?
 17 A (No response.)
 18 Q You don't have to answer yes. The question is, is
 19 there anything I think that you haven't covered in all the
 20 times you've testified?
 21 A I'm trying to think of --
 22 Q Fine, fine, okay.
 23 A I feel like I have covered everything possible, but
 24 it never fails that once I leave here, I think of something.
 25 I think I -- I think I've covered everything I

1 "There was another time where he was cleaning up
 2 and picking stuff up, you know, dishes and stuff, and he made
 3 a comment about he was tired of cleaning up after them. And
 4 then I just assumed it was Monica."
 5 Now, you just testified today that you thought it
 6 was not -- that you did not make any assumption that it was
 7 Monica.
 8 A Right.
 9 Q Do you have an explanation for that?
 10 A Bad memory. I have to go on record and say that my
 11 first statement that you just read to me is correct.
 12 Q So now you're testifying that you did associate the
 13 glasses and dishes incident with Monica.
 14 A Yes.
 15 Q Can you tell us why?
 16 A Why I made the mistake now?
 17 Q No. Why you associated it with Monica.
 18 A I don't recall at this time why did I associate it
 19 with her, but I did say that, and I do remember thinking it
 20 at that time. But, yes, I did associate it with her.
 21 I don't know if I saw her that day. I don't know -
 22 - I know I didn't see her that day there, but I don't know
 23 what led me to believe that, but I did believe that at that
 24 time, yes.
 25 Q Okay. So you have no idea why you associated it

1 could --
 2 Q Okay.
 3 A I hope, anyway.
 4 Q All right, thank you. With the forelady's
 5 permission, you are excused.
 6 THE FOREPERSON: You are excused.
 7 THE WITNESS: Okay. Thank you.
 8 MS. WIRTH: Thank you.
 9 THE WITNESS: Good luck, everybody.
 10 (The witness was excused.)
 11 (Whereupon, at 10:34 a.m., the taking of the
 12 testimony in the presence of a full quorum of the Grand Jury
 13 was concluded.)

First Floor

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DEPOSITION
EXHIBIT
BYLINE # 1
6/25/83 EE

7/13
6-25-83

