

FEDERAL BUREAU OF INVESTIGATION
FREEDOM OF INFORMATION/PRIVACY ACTS SECTION
COVER SHEET

SUBJECT: VINCENT FOSTER

Headquarters File
161B-HQ-1044727

1/26/93
(Date)

377

TO: FBI (ATTENTION: Spin Unit, Room 4371)
FROM: Bernard Nussbaum, Counsel to the President
SUBJECT: FBI INVESTIGATIONS

Candidate's Name Vincent Foster SSAN 429-80-1132
Date of Birth 1/15/45 Place of Birth Hope, AR
Present Address 5414 Stonewall Road Little Rock, AR

We request: _____ Copy of Previous Report
_____ Name Check
_____ Expanded Name Check
_____ Full-Field Investigation
Level I _____ Level II Level III _____
_____ Limited Update
_____ Other _____

The candidate named above is being considered for:

_____ Presidential Appointment
_____ Requiring Senate Confirmation
 _____ Not Requiring Senate Confirmation
_____ White House Staff Position
_____ White House Access Position

Attachments:

161B-HQ-1044727-1
 _____ SF-86
 _____ FD-258 (Fingerprint Card)
 _____ SF-86 Supplement
_____ Other _____

OPM sent 2/11/93 11:45 AM

ENCLOSURE

Remarks/Special Instructions:

6/09

Questionnaire for Sensitive Positions (For National Security)

Read this information carefully. Follow the instructions fully or we cannot process your form.

Why do we need the information you will give us and how will we use it?

The U.S. Government has conducted background investigations for over 50 years. It does this to establish that applicants for or incumbents in sensitive positions, either employed by the Government or working for the Government under contract, are eligible for a required security clearance or for performing sensitive duties. We use the information from this form primarily as the basis for an investigation that will be used to determine your eligibility for a national security position.

The information you give us is for Official Use Only; we will protect it from unauthorized disclosure. Authorized disclosures include the Privacy Act Routine Uses shown on this form. The information you provide in response to question 25a on use of illegal drugs will not be provided for use in any criminal proceeding against you.

Giving us the information we ask for is voluntary. However, we may not be able to complete your investigation, or complete it in a timely manner, if you don't give us each item of information we request. This may affect your placement or clearance prospects.

What authority do we have to ask you for the information requested on this form?

The U.S. Government is authorized to ask for this information under Executive Order 10450; section 2165 of title 42, U.S. Code; parts 5, 732, and 736 of Title 5, Code of Federal Regulations, and other statutes authorizing background investigations. We ask for your Social Security number to keep our records accurate, because other people may have the same name and birth data. Executive Order 9397 also asks Federal agencies to use this number to help identify individuals in agency records.

What is the investigative process?

Background investigations for national security are conducted to develop information to show whether or not a person is reliable, trustworthy, of good conduct and character, and loyal to the United States. The information you provide on this form, including any specific agency instructions of Question 14c., and any other special instructions, is confirmed by investigation. Your current employer must be contacted, even if you indicated on your SF 171, or other form, that you do not want the present employer contacted. In addition to the questions on this form, inquiry also is made about a person's adherence to security requirements, mental or health disorders, dishonest conduct, sexual misconduct, vulnerability to blackmail or coercion, falsification, misrepresentation and any other behavior, activities, or associations that tend to show the person is not reliable, trustworthy, or loyal.

An interview with you is a normal part of the investigative process. This Personal Subject Interview is generally the first step in the investigation, and is conducted under oath, affirmation, or unsworn declaration. It provides you the opportunity to update, clarify, and explain more completely information on your form, which often helps to complete your investigation faster.

If your investigation requires a Personal Subject Interview, you will be contacted in advance by telephone or mail to arrange a time and location for the interview. It is important that the interview be conducted as soon as possible after you are contacted. Postponements will delay the processing of your investigation. Declining an interview may result in your investigation being delayed or canceled.

You will be asked to bring identification with your picture on it, such as a valid State driver's license, to the interview. There are other documents you may be asked to bring to verify your identity as well. These include: documentation of any legal name change; Social Security card; and/or birth certificate.

Documents that verify any significant claims or activities may also be requested, for example: alien registration; naturalization certificate; originals or certified copies of college transcripts or degrees; high school diploma; professional license(s) or certificate(s); military discharge certificate(s) (DD Form 214); marriage certificate(s); passport; and/or business license(s). You also may be asked to bring documents that pertain to information provided in your answers to questions on the form or other matters requiring specific attention. These matters include: termination or discharge from employment; delinquent loans or taxes, bankruptcy, judgments, liens, or other financial obligations; and arrests, convictions, probation and/or parole.

Who makes a final determination?

Final determination on your eligibility for a national security position and your being granted a clearance is the responsibility of the OPM or the Federal agency that requested your investigation. You may be provided the opportunity to personally explain, refute, or clarify any information before a final decision is made.

How is this form organized?

This form has two parts. Part 1 asks for background information, including where you have lived, gone to school, and worked. Part 2 asks about your activities and such matters as firings from a job, criminal history record, use of illegal drugs and alcohol consumption. In answering Part 2, you should keep in mind that your answers to questions are considered together with the information obtained in the investigation to reach an appropriate adjudication for a sensitive position.

What are the penalties for inaccurate or false statements?

The U.S. Criminal Code provides that knowingly falsifying or concealing a material fact is a felony which may result in fines of up to \$10,000, or 5 years imprisonment, or both. In addition, Federal agencies generally fire, do not grant clearance, or disqualify individuals who have materially and deliberately falsified these forms, and this remains a part of our permanent record for future placements. Because the position for which you are being considered is a sensitive one, your trustworthiness is a very important consideration in deciding your eligibility for security clearance. Your prospects of placement or clearance are better if you answer all questions truthfully and completely. In the course of an interview with a Federal official you will have

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adequate opportunity to explain any information you give us on the form and make your comments on the record.

3. Type or legibly print your answers. We cannot accept your form if it is not legible.

How is the SF 171 used with this form?

4. You must use the State codes (abbreviations) listed in the box below when you fill out your form.

For competitive civil service positions, a copy of the Application for Federal Employment (SF 171), or a form provided to you, will be attached to the SF 86. For certain other and contractor positions, the SF 171 is not required. You will be advised by the office assisting you.

5. The 5-digit postal ZIP codes are needed to speed the processing of your investigation. The office that provided you with the form will assist you in completing the ZIP codes.

How is this form filled out?

6. Whenever "City (Country)" is shown in an address block, also provide in that block the name of the country when the address is outside the United States.

1. Follow the instructions of the person who gave you the form and any other supplementary information furnished by that person to assist you in completion of the form. Find out how many copies of the form you are to turn in. You must sign and date, in ink, the original and each copy you submit.

7. When providing dates, you may use numbers 1-12 to indicate months if you don't believe you have enough space to write the month; and for the same reason, for year you may show the last two numbers in the year. For example, June 8, 1967, could be shown as 6/8/67, or January 1984 could be shown as 1/84.

2. You will need a continuation sheet(s), SF 86A, if in the last 15 years you have lived in more than 6 residences, attended more than 3 schools, or had more than 7 employments/self-employments/unemployments.

If you have any questions, call the office that gave you the form. Be sure to sign and date the certification statement on page 9 and complete the release on page 10. Any forms that are not completed according to these instructions will be returned. This will delay the processing of your case.

If additional space is needed, use a blank piece of paper. Each blank piece of paper you use must contain your name and Social Security number at the top of the page.

Alabama	AL	Hawaii	HI	Massachusetts	MA	New Mexico	NM	South Dakota	SD
Alaska	AK	Idaho	ID	Michigan	MI	New York	NY	Tennessee	TN
Arizona	AZ	Illinois	IL	Minnesota	MN	North Carolina	NC	Texas	TX
Arkansas	AR	Indiana	IN	Mississippi	MS	North Dakota	ND	Utah	UT
California	CA	Iowa	IA	Missouri	MO	Ohio	OH	Vermont	VT
Colorado	CO	Kansas	KS	Montana	MT	Oklahoma	OK	Virginia	VA
Connecticut	CT	Kentucky	KY	Nebraska	NE	Oregon	OR	Washington	WA
Delaware	DE	Louisiana	LA	Nevada	NV	Pennsylvania	PA	Wisconsin	WI
Florida	FL	Maine	ME	New Hampshire	NH	Rhode Island	RI	West Virginia	WV
Georgia	GA	Maryland	MD	New Jersey	NJ	South Carolina	SC	Wyoming	WY
American Samoa	AS	Dist. of Columbia	DC	Guam	GU	Northern Marianas	CM	Puerto Rico	PR
Trust Territory	TT	Virgin Islands	VI						

PRIVACY ACT ROUTINE USES

This record and information in this record may be used in disclosing information:

- To designated officers and employees of agencies, offices, and other establishments in the executive, legislative, and judicial branches of the Federal Government, having a need to evaluate qualifications, suitability, and loyalty to the United States Government and/or a security clearance or access determination;
- To designated officers and employees of agencies, offices, and other establishments in the executive, legislative, and judicial branches of the Federal Government, and the District of Columbia Government, when such agency, office, or establishment conducts an investigation of the individual for purposes of granting a security clearance, or for the purpose of making a determination of qualifications, suitability, or loyalty to the United States Government, or access to classified information or restricted areas;
- To designated officers and employees of agencies, offices, and other establishments in the executive, judicial, or legislative branches of the Federal Government, having the responsibility to grant clearances, to make a determination regarding access to classified information or restricted areas, or to evaluate qualifications, suitability, or loyalty to the United States Government, in connection with performance of a service to the Federal Government under a contract or other agreement;
- To intelligence agencies for use in intelligence activities;
- To any source from which information is requested in the course of an investigation, to the extent necessary to identify the individual, inform the source of the nature and purpose of the investigation, and to identify the type of information requested;
- To the Federal, State, or local agency responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order where

there is an indication of a violation or potential violation of civil or criminal law or regulation;

- To an agency, office, or other establishment in the executive, legislative, or judicial branches of the Federal Government, or the District of Columbia Government, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the conducting of a security or suitability investigation of an individual, the classifying of jobs, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency;
- To Federal agencies as a data source for management information through the production of summary descriptive statistics and analytical studies in support of the functions for which the records are maintained or for related studies;
- To a congressional office in response to an inquiry made at the request of that individual;
- In litigation before a court or in an administrative proceeding being conducted by a Federal agency;
- To the National Archives and Records Administration for records management inspections;
- To the Office of Management and Budget in connection with private relief legislation;
- To respond to a request for discovery or for appearance of a witness; and
- To the Merit Systems Protection Board, the Office of Special Counsel, the Equal Employment Opportunity Commission, or the Federal Labor Relations Authority, in connection with functions vested in those agencies.

Public Burden Information

Public burden reporting for this collection of information is estimated to vary from 30 minutes to 180 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Reports and Forms Management Officer, U.S. Office of Personnel Management, 1900 E Street, N.W., Room 6440, Washington, D.C. 20415; and to the Office of Management and Budget, Paperwork Reduction Project (3206-0007), Washington, D.C. 20503. Do not send your completed form to the address in this box.

QUESTIONNAIRE FOR SENSITIVE POSITIONS (For National Security)

Part 1 Agency Use Only (Complete items A through P using instructions in FPM Supplement 296-33)

A Type of Investigation	B Extra Coverage	C Sensitivity Level	D Access	E Nature of Action Code	F Date of Action	Month	Day	Year
G Geographic Location	H Position Code	I Position Title						
J SON	K Location of Official Personnel Folder	None NPRC At SON	Other Address	ZIP Code				
L SOI	M Location of Security Folder	None At SOI NPI	Other Address	ZIP Code				
N OPAC-ALC Number	O Accounting Data and/or Agency Case Number							
P Requesting Official	Name and Title	Signature	Telephone Number	FTS ()	Date			

Persons completing this form should begin with the questions below. Please type or print your answers.

1 FULL NAME If you have only initials in your name, use them and State (IO). If you are a "Jr.," "Sr.," "II," etc., enter this in the box after your middle name. If you have no middle name, enter "NANL."

Left Name: Vince First Name: Vincent Middle Name: Walker Jr., II, etc. W Date of Birth: 01/11/45

3 PLACE OF BIRTH Use the two letter code for the State.

City: Hope County: Hempstead State: AR Country (if not in the United States): _____

5 OTHER NAMES USED Give other names you used and the period of time you used them (for example: your maiden name, name(s) by a former marriage, former name(s), alias(es), or nicknames(s)). If the other name is your maiden name, put "nee" in front of it.

Name: <u>Vince Foster</u>	Month/Year: <u>1945</u>	To: <u>1993</u>	Name: _____	Month/Year: _____	To: _____
Name: <u>Vincent Foster</u>	Month/Year: <u>1971</u>	To: <u>1993</u>	Name: _____	Month/Year: _____	To: _____

6 OTHER IDENTIFYING INFORMATION

Height (feet and inches): 5'4" Weight (pounds): 195 Hair Color: Brown Eye Color: Hazel Sex (mark one box): Female Male

7 TELEPHONE NUMBERS Work (include Area Code and extension): (501) 377-0305 Home (include Area Code): (501) 663-0141

8 CITIZENSHIP

a Mark the box at the right that applies to you and follow the instructions next to the box you marked.

<input type="checkbox"/> I am a U.S. citizen by birth in the U.S.	Answer items b and d
<input type="checkbox"/> I am a U.S. citizen, but I was NOT born in the U.S.	Answer items b, c, and d
<input type="checkbox"/> I am not a U.S. citizen.	Answer items b and e

b Your Mother's Maiden Name: Alice Mae Waddle

C UNITED STATES CITIZENSHIP If you are a U.S. Citizen, but were not born in the U.S., provide information about one or more of the following proofs of your citizenship.

Naturalization Certificate (Where were you naturalized?)
 Court: _____ City: _____ State: _____ Certificate Number: _____ Month/Day/Year Issued: _____

Citizenship Certificate (Where was the certificate issued?)
 City: _____ State: _____ Certificate Number: _____ Month/Day/Year Issued: _____

State Department Form 340 - Report of Birth Abroad of a Citizen of the United States
 Give the date the form was prepared and give an explanation if needed.
 U.S. Passport: _____

This may be either a current or previous U.S. Passport.
 Passport Number: _____ Month/Day/Year: _____

d DUAL CITIZENSHIP If you are (or were) a dual citizen of the United States and another country, provide the name of that country in the space to the right.
 Country: _____

e ALIEN If you are an alien, provide the following information:

Place You Entered the United States:	City:	State:	Date You Entered U.S. (Month Day Year):	Alien Registration Number:	Country of Citizenship:
					<u>Hong Kong</u>

9 WHERE YOU HAVE LIVED

Fill in your full address for every place you have lived beginning with the present (#1) and working backward 15 years.

- If you attended school away from your permanent residence, list the address you lived at while attending school.
- For any address in the past 3 years:
- List a person who knew you at that address, preferably someone who still lives in that area.
- If address listed is "General Delivery," a Rural Route, or Star Route, provide directions for locating the residence on an attached continuation sheet, and show the block #.

#1	Month/Year	Month/Year	Street Address	Apt. #	City (Country)	State	ZIP Code	Name of Person Who Knows You	Street Address	Apt. #	City (Country)	State	ZIP Code	Telephone Number
Present	2/79	To 1/93	5414 Stonewall Road		Little Rock	AR	712121017	[Redacted]	[Redacted]		Little Rock	AR	712121017	601 [Redacted]
#2	2/71	To 12/79	6 Normandy Road		Little Rock	AR	712121017	[Redacted]	[Redacted]		Little Rock	AR	712121017	501 [Redacted]
#3	2/71	To 2/71	4900 Stonewall Road		Little Rock	AR	722207	[Redacted]	[Redacted]		Little Rock	AR	722207	501 [Redacted]
#4	2/69	To 1/71	North Street		Fayetteville	AR	72701	[Redacted]	[Redacted]		Fayetteville	AR	72701	501 [Redacted]
#5	11/68	To 1/69	Foster Lake House		Saratoga	AR	71859	[Redacted]	[Redacted]		Saratoga	AR	71859	()
#6	7/68	To 11/68	U.S. Army		Fort Dix	NJ	0816410	[Redacted]	[Redacted]		Fort Dix	NJ	0816410	()

10 WHERE YOU WENT TO SCHOOL

Fill in information about schools you have attended, beyond Junior High School, beginning with the most recent (#1) and working backward 15 years. Also list College or University degrees received beyond 15 years.

- For schools you attended in the past 3 years, list a person who knew you at school (such as an instructor or a student).
- For correspondence schools and extension classes, list records location address.
- In the "Code" block, use one of these codes: 1 - High School 2 - College/University 3 - Vocational/Trade School

#1	Month/Year	Month/Year	Code	Name of School	Degree/Diploma/Other (show each degree and date received if Code 2)	Month/Year	Street Address and City (Country) of School	State	ZIP Code	Name of Person Who Knows You	Street Address and City (Country)	State	ZIP Code	Telephone Number
Present	2/69	To 1/71	2	University of Arkansas School of Law	J.D.	1/71	1125 West Maple, Fayetteville	AR	72702	[Redacted]	[Redacted] Fayetteville	AR	712121017	(501) [Redacted]
#2	9/67	To 6/68	2	Vanderbilt University School of Law			Vanderbilt Place, Nashville	TN	37235	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]
#3	9/63	To 5/67	2	Davidson College	A.B.	5/67	102 North Main Street, Davidson	NC	28026	[Redacted]	[Redacted]	[Redacted]	[Redacted]	[Redacted]

Enter your Social Security Number before going to the next page

→ 4129-181d-111512

11 YOUR EMPLOYMENT ACTIVITIES

Fill in your employment activities, beginning with the present (#1) and working backward 15 years. INCLUDE:

- all full-time work
- all part-time work
- all paid work
- active military duty
- self-employment
- all periods of unemployment

IN THE NUMBERED ACTIVITY SECTION USE ONE OF THESE CODES IN THE CODE BLOCK:

- 1 - Active military duty stations
- 2 - National Guard/Reserve
- 3 - U.S.P.H.S. Commissioned Corps
- 4 - Other Federal employment
- 5 - State Government (Non-Federal) employment
- 6 - Self-employment (Enter business name and/or name of person who can verify)
- 7 - Unemployment (Enter name of person who can verify)
- 8 - Federal Contractor (list Contractor, not Federal agency)
- 9 - Other

FOR EACH ACTIVITY SECTION, provide information requested. For example, if you had worked at XY Plumbing in Denver, CO, for 3 separate periods of time, you would enter dates and information concerning the most recent period of employment first, and provide dates, position titles, and supervisors for the two previous periods of employment in the appropriate blocks below that information. (For locations outside the U.S., show city and country.)

#1	Month/Year Present 1/71	Month/Year To 2/93	Code 6	Employer's Name/Military Service/Unemployment or Self-Employment Verifier Rose Law Firm/William Kennedy	Your Position Title Partner	
Employer's/Verifier's Street Address 120 East Fourth Street		City (Country) Little Rock		State A R	ZIP Code 72201	Telephone Number (501) 375-9131
Street Address of Job Location (if different than Employer's Address)		City (Country)		State	ZIP Code	Telephone Number
Supervisor's Name & Street Address (if different than Job Location)		City (Country)		State	ZIP Code	Telephone Number

PREVIOUS PERIODS OF THE SAME ACTIVITY AND LOCATION - IF CONTINUATION SHEET IS USED, SHOW BLOCK #

Month/Year To	Your Position Title & Supervisor's Name	Month/Year To	Your Position Title & Supervisor's Name
Month/Year To		Month/Year To	

#2	Month/Year 6/70	Month/Year To 8/70	Code 9	Employer's Name/Military Service/Unemployment or Self-Employment Verifier Couch, Blair and Waters	Your Position Title Law Clerk	
Employer's/Verifier's Street Address (Out of business)		City (Country)		State	ZIP Code	Telephone Number
Street Address of Job Location (if different than Employer's Address)		City (Country)		State	ZIP Code	Telephone Number
Supervisor's Name & Street Address (if different than Job Location)		City (Country)		State A R	ZIP Code	Telephone Number (501)

PREVIOUS PERIODS OF THE SAME ACTIVITY AND LOCATION - IF CONTINUATION SHEET IS USED, SHOW BLOCK #

Month/Year To	Your Position Title & Supervisor's Name	Month/Year To	Your Position Title & Supervisor's Name
Month/Year To		Month/Year To	

#3	Month/Year 6/67	Month/Year To 8/67	Code 9	Employer's Name/Military Service/Unemployment or Self-Employment Verifier Foster Realty Company	Your Position Title	
Employer's/Verifier's Street Address 512 E. Third Street		City (Country) Ilope		State A R	ZIP Code 71181	Telephone Number ()
Street Address of Job Location (if different than Employer's Address)		City (Country)		State	ZIP Code	Telephone Number
Supervisor's Name & Street Address (if different than Job Location) Deceased (Father)		City (Country)		State	ZIP Code	Telephone Number

PREVIOUS PERIODS OF THE SAME ACTIVITY AND LOCATION - IF CONTINUATION SHEET IS USED, SHOW BLOCK #

Month/Year To	Your Position Title & Supervisor's Name	Month/Year To	Your Position Title & Supervisor's Name
Month/Year To		Month/Year To	

YOUR EMPLOYMENT ACTIVITIES (Continued)

Month/Year 6/66 To 8/66	Code 9	Employer's Name/Military Service/Unemployment or Self-Employment Venier Arkansas State Mental Hospital	Your Position Title Summer Aide		
Employer's/Venier's Street Address 4815 West Markham		City (Country) Little Rock	State A R	ZIP Code 72201	Telephone Number (501) 661-2000
Street Address of Job Location (if different than Employer's Address)		City (Country)	State	ZIP Code	Telephone Number
Supervisor's Name & Street Address (if different than Job Location)		City (Country)	State	ZIP Code	Telephone Number

Do Not Remember
PREVIOUS PERIODS OF THE SAME ACTIVITY AND LOCATION - IF CONTINUATION SHEET IS USED, SHOW BLOCK #

Month/Year To	Month/Year To	Your Position Title & Supervisor's Name	Month/Year To	Month/Year To	Your Position Title & Supervisor's Name
To	To		To	To	

Month/Year 6/64 To 8/64	Code 9	Employer's Name/Military Service/Unemployment or Self-Employment Venier First National Bank of Little Rock	Your Position Title Summer employee		
Employer's/Venier's Street Address SINCE merged, now FIRST COMMERCIAL NATIONAL BANK		City (Country) Little Rock	State	ZIP Code	Telephone Number
Street Address of Job Location (if different than Employer's Address)		City (Country)	State	ZIP Code	Telephone Number
Supervisor's Name & Street Address (if different than Job Location)		City (Country)	State	ZIP Code	Telephone Number

PREVIOUS PERIODS OF THE SAME ACTIVITY AND LOCATION - IF CONTINUATION SHEET IS USED, SHOW BLOCK #

Month/Year To	Month/Year To	Your Position Title & Supervisor's Name	Month/Year To	Month/Year To	Your Position Title & Supervisor's Name
To	To		To	To	

Month/Year To	Code	Employer's Name/Military Service/Unemployment or Self-Employment Venier	Your Position Title		
Employer's/Venier's Street Address		City (Country)	State	ZIP Code	Telephone Number
Street Address of Job Location (if different than Employer's Address)		City (Country)	State	ZIP Code	Telephone Number
Supervisor's Name & Street Address (if different than Job Location)		City (Country)	State	ZIP Code	Telephone Number

PREVIOUS PERIODS OF THE SAME ACTIVITY AND LOCATION - IF CONTINUATION SHEET IS USED, SHOW BLOCK #

Month/Year To	Month/Year To	Your Position Title & Supervisor's Name	Month/Year To	Month/Year To	Your Position Title & Supervisor's Name
To	To		To	To	

Month/Year To	Code	Employer's Name/Military Service/Unemployment or Self-Employment Venier	Your Position Title		
Employer's/Venier's Street Address		City (Country)	State	ZIP Code	Telephone Number
Street Address of Job Location (if different than Employer's Address)		City (Country)	State	ZIP Code	Telephone Number
Supervisor's Name & Street Address (if different than Job Location)		City (Country)	State	ZIP Code	Telephone Number

PREVIOUS PERIODS OF THE SAME ACTIVITY AND LOCATION - IF CONTINUATION SHEET IS USED, SHOW BLOCK #

Month/Year To	Month/Year To	Your Position Title & Supervisor's Name	Month/Year To	Month/Year To	Your Position Title & Supervisor's Name
To	To		To	To	

Enter your Social Security Number before going to the next page → 4 1219-3101-1113

12 PEOPLE WHO KNOW YOU WELL

List two people who know you well and live in the United States.
 • Don't list spouse, other relatives, or former spouses.

• Try not to list anyone mentioned in item 9, 10, or 11.

#1	Name [Redacted] <i>bl 67c</i> <i>LR</i>	Number Years Known 22	Telephone Number (501) [Redacted] 67c
	Home Address [Redacted]	City (Country) Little Rock	State ZIP Code A R 71212017
#2	Name Webster Hubbell <i>LR</i>	Number Years Known 19	Telephone Number (501) 663-4878
	Home Address 5418 Sherwood	City (Country) Little Rock	State ZIP Code A R 71212017

13 YOUR OUTSIDE ACTIVITIES

List any activities which you may wish to have considered as reflecting favorably on your reputation for leadership, responsibility, honesty, and integrity in the last 15 years. (Response Optional)

Month/Year	Month/Year	Activity	Location of Activity
#1	'71 To Present	Arkansas Bar Association - Various Positions <i>LR</i>	Little Rock A R
#2	'88 To '90	Chairman of Board, Arkansas Repertory Theatre	Little Rock A R
#3	'79 To '87	Legal Services of Arkansas Board of Directors	Little Rock A R

14 YOUR FOREIGN ACTIVITIES

- Do you have any foreign property, business connections, or financial interests? Yes No
- Are you now or have you ever been employed by or acted as a consultant for a foreign government, firm, or agency? Yes No
- In the last 15 years, have you had continuing contact with a national of any foreign country designated by the agency instructing you to fill out this form? (NOTE: If the agency wants you to answer this question, it will provide you with a list of countries.) Yes No

If you answered "Yes" to a, b, or c, explain in the space below:

15 FOREIGN COUNTRIES YOU HAVE VISITED

List foreign countries you have visited, beginning with the most current (#1) and working backward 15 years.

• Do not include countries covered in items 9, 10, and 11.

• In the "Code" block, use one of these codes: 1 - Business; 2 - Pleasure; 3 - Education; 4 - Other

Month/Year	Month/Year	Code	Country	Month/Year	Month/Year	Code	Country
#1	5/89 To 5/89	2	France <i>air/HQ</i>	#3	/86 To /86	2	Canada
#2	4/89 To 5/89	2	Italy	#4	6/81 To 6/81	2	Germany

16 YOUR MILITARY HISTORY

- Have you served in the United States military? Yes No
 Have you served in the United States Merchant Marine? Yes No
 • If your answer to both questions is "No," GO TO QUESTION 17.
 • If your answer to either question is "Yes," GO TO b.

b. Starting with the most current (#1) and working backward, enter information for all periods of active service into the table below.

• Mark "O" block for Officer or "E" block for Enlisted.

• In the "Code" block, use one of these codes:

1 - Air Force 2 - Army 3 - Navy 4 - Marine Corps 5 - Coast Guard 6 - Merchant Marine 7 - National Guard

Month/Year	Month/Year	Code	Service/Certificate #	O	E	Status (Mark "X" in appropriate blocks - see State Code for National Guard)				
						None	Active Duty	Active Reserved	National Guard (show State)	Inactive Reserve
#1	6/68 To 6/86	2	<i>5</i>		X			X	A R	
#2	6/68 To 11/68	2			X		X			
#3	11/68 To 6/74	2			X				A R	
#4	To									

Enter your Social Security Number before going to the next page

→ 4 | 21 | 9 | 81 | 0 | 11 | 4 | 3 | 2

17 YOUR RELATIVES

Give full names and enter the correct code for all relatives, living or dead; specified below

- 1 - Mother (first) 4 - Stepfather 7 - Stepchild 10 - Stepbrother 13 - Half-sister 16 - Guardian
- 2 - Father (second) 5 - Foster parent 8 - Brother 11 - Stepsister 14 - Father-in-law
- 3 - Stepmother 6 - Child (adopted also) 9 - Sister 12 - Half-brother 15 - Mother-in-law

Full Name (if deceased, check box on the left before entering name)	Code	Date of Birth Month/Day/Year	Country of Birth	Country of Citizenship	Current Street / -dress and City (country) of Living Relatives	State
<input type="checkbox"/> Alice Mae Foster	1	[REDACTED]	USA	USA LR	[REDACTED]	AR
<input checked="" type="checkbox"/> Vincent W. Foster	2	2/05/11	USA	USA X	Hope	AR
<input type="checkbox"/> Vincent W. Foster III	6	[REDACTED]	USA	USA LR	5414 Stonewall Rd. Little Rock	AR
<input type="checkbox"/> Laura B. Foster	6	[REDACTED]	USA	USA LR	"	AR
<input type="checkbox"/> John B. Foster	6	[REDACTED]	USA	USA LR	"	AR
<input type="checkbox"/> Sheila F. Anthony	9	[REDACTED]	USA	USA W/MFO	3900 Macomb N.W. Washington	DC
<input type="checkbox"/> Sharon F. Bowman	9	[REDACTED]	USA	USA LR	[REDACTED]	AR
<input checked="" type="checkbox"/> Richard A. Braden	14	6/16/08	USA	USA X	Little Rock	AR
<input type="checkbox"/> Mary B. Thomas	15	[REDACTED]	USA	USA X	[REDACTED]	TN
<i>Check indices only</i>						

18 YOUR MARITAL STATUS

Mark one of the following boxes to show your current marital status:

- 1 - Never married (go to question 19)
- 2 - Married
- 3 - Separated
- 4 - Legally Separated
- 5 - Divorced
- 6 - Widowed

Current Spouse Complete the following about your current spouse.

Full Name: Elizabeth Braden Foster Date of Birth: [REDACTED] Place of Birth (include country if outside the U.S.): Nashville, Tennessee Social Security Number: [REDACTED]

Other Names Used (Specify maiden name, names by other marriages, etc., and show dates used for each name):
 Lisa Foster (68 to present) Lisa Braden (1945 to 1968)

Country of Citizenship: USA Date Married: 4/20/68 Place Married (include country if outside the U.S.): Nashville State: TN

If Separated, Date of Separation (Mo./Day/Yr.): If Legally Separated, Where is the Record Located? City (Country): [REDACTED] State: [REDACTED]

Address of Current Spouse (Street, city, and country if outside the U.S.): 5414 Stonewall Road, Little Rock State - ZIP Code: AR 72207

Former Spouse(s) Complete the following about your former spouse(s), use blank sheets if needed.

Full Name: Date of Birth: Place of Birth (include country if outside the U.S.): State: [REDACTED]

Country of Citizenship: Date Married: Place Married (include country if outside the U.S.): State: [REDACTED]

Check One, Then Give Date Month/Day/Year If Divorced, Where is the Record Located? City (Country) State

Divorced Widowed

Address of Former Spouse (Street, city, and country if outside the U.S.): State - ZIP Code: [REDACTED]

19 PERSONS LIVING WITH YOU

Does the citizen of another country, or a United States citizen by other than birth, live at your residence? If "Yes," provide the information required below. If a United States citizen by other than birth lives with you, show both "United States" and prior country of citizenship below. Don't list your spouse or other relatives you provided in question 17.

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Name of Person	Country of Citizenship	Relationship
[REDACTED] b6 b7C	Switzerland	Foreign Exchange Student

This concludes Part 1 of this form. If you have used Page 9, continuation sheets, or blank sheets to complete any of the questions in Part 1, give the number for those questions in the space to the right:

→ 9
15

Enter your Social Security Number before going to the next page → 41 29 - 3 0 - 1 13 7

**CONTINUATION SHEET FOR QUESTIONNAIRES
 SF 86, SF 85P, AND SF 85**

For use with the SF 86, Questionnaire for Sensitive Positions (for National Security);
 SF 85P, Questionnaire for Public Trust Positions;
 and SF 85, Questionnaire for Non-Sensitive Positions

INSTRUCTIONS: Use this form to continue your answers to "Where You Have Lived" and/or "Your Employment Activities." Follow the instructions on the form for the particular questions you are answering and give information in the same sequence. Use as many continuation sheets as you need to furnish all the requested information.

Your Name Vincent Walker Foster, Jr.	Your Social Security Number 4 2 9 - 8 0 - 1 1 3 2
--	---

WHERE YOU HAVE LIVED (Continued)

Month/Year To	Month/Year To	Street Address	Apt. #	City (Country)	State	ZIP Code	Telephone Number
9/67	7/68	AMERICANA APARTMENTS 1906 Chet Atkins Place		Nashville	TN	3 1 7 1 3 1 5	
Name of Person Who Knew You		Street Address	Apt. #	City (Country)	State	ZIP Code	Telephone Number
b7c							
9/68	6/87	102 North Main Davidson College		Davidson	NC	2 1 8 0 3 1 6	
Name of Person Who Knew You		Street Address	Apt. #	City (Country)	State	ZIP Code	Telephone Number
b7c				Little Rock	AR	7 1 2 2 0 1 1	(501) [redacted]
Name of Person Who Knew You		Street Address	Apt. #	City (Country)	State	ZIP Code	Telephone Number
Name of Person Who Knew You		Street Address	Apt. #	City (Country)	State	ZIP Code	Telephone Number
Name of Person Who Knew You		Street Address	Apt. #	City (Country)	State	ZIP Code	Telephone Number
Name of Person Who Knew You		Street Address	Apt. #	City (Country)	State	ZIP Code	Telephone Number

YOUR EMPLOYMENT ACTIVITIES (Continued)

Month/Year To	Month/Year To	Code	Employer's Name/Military Service/Unemployment or Self-Employment Verifier	Your Position Title
Employer's/Verifier's Street Address			City (Country)	State ZIP Code Telephone Number ()
Street Address of Job Location (if different than Employer's Address)			City (Country)	State ZIP Code Telephone Number ()
Supervisor's Name & Street Address (if different than Job Location)			City (Country)	State ZIP Code Telephone Number ()

PREVIOUS PERIODS OF THE SAME ACTIVITY AND LOCATION - IF CONTINUATION SHEET IS USED, SHOW BLOCK #

Month/Year To	Month/Year To	Your Position Title & Supervisor's Name	Month/Year To	Month/Year To	Your Position Title & Supervisor's Name

Month/Year To	Month/Year To	Code	Employer's Name/Military Service/Unemployment or Self-Employment Verifier	Your Position Title
Employer's/Verifier's Street Address			City (Country)	State ZIP Code Telephone Number ()
Street Address of Job Location (if different than Employer's Address)			City (Country)	State ZIP Code Telephone Number ()
Supervisor's Name & Street Address (if different than Job Location)			City (Country)	State ZIP Code Telephone Number ()

PREVIOUS PERIODS OF THE SAME ACTIVITY AND LOCATION - IF CONTINUATION SHEET IS USED, SHOW BLOCK #

Month/Year To	Month/Year To	Your Position Title & Supervisor's Name	Month/Year To	Month/Year To	Your Position Title & Supervisor's Name

YOUR EMPLOYMENT ACTIVITIES (Continued)

Month/Year To	Month/Year	Code	Employer's Name/Military Service/Unemployment or Self-Employment Verifier	Your Position Title		
Employer's/Verifier's Street Address			City (Country)	State	ZIP Code	Telephone Number ()
Street Address of Job Location (if different than Employer's Address)			City (Country)	State	ZIP Code	Telephone Number ()
Supervisor's Name & Street Address (if different than Job Location)			City (Country)	State	ZIP Code	Telephone Number ()

PREVIOUS PERIODS OF THE SAME ACTIVITY AND LOCATION - IF CONTINUATION SHEET IS USED, SHOW BLOCK #

Month/Year To	Month/Year	Your Position Title & Supervisor's Name	Month/Year To	Month/Year	Your Position Title & Supervisor's Name
Month/Year To	Month/Year		Month/Year To	Month/Year	

Month/Year To	Month/Year	Code	Employer's Name/Military Service/Unemployment or Self-Employment Verifier	Your Position Title		
Employer's/Verifier's Street Address			City (Country)	State	ZIP Code	Telephone Number ()
Street Address of Job Location (if different than Employer's Address)			City (Country)	State	ZIP Code	Telephone Number ()
Supervisor's Name & Street Address (if different than Job Location)			City (Country)	State	ZIP Code	Telephone Number ()

PREVIOUS PERIODS OF THE SAME ACTIVITY AND LOCATION - IF CONTINUATION SHEET IS USED, SHOW BLOCK #

Month/Year To	Month/Year	Your Position Title & Supervisor's Name	Month/Year To	Month/Year	Your Position Title & Supervisor's Name
Month/Year To	Month/Year		Month/Year To	Month/Year	

Month/Year To	Month/Year	Code	Employer's Name/Military Service/Unemployment or Self-Employment Verifier	Your Position Title		
Employer's/Verifier's Street Address			City (Country)	State	ZIP Code	Telephone Number ()
Street Address of Job Location (if different than Employer's Address)			City (Country)	State	ZIP Code	Telephone Number ()
Supervisor's Name & Street Address (if different than Job Location)			City (Country)	State	ZIP Code	Telephone Number ()

PREVIOUS PERIODS OF THE SAME ACTIVITY AND LOCATION - IF CONTINUATION SHEET IS USED, SHOW BLOCK #

Month/Year To	Month/Year	Your Position Title & Supervisor's Name	Month/Year To	Month/Year	Your Position Title & Supervisor's Name
Month/Year To	Month/Year		Month/Year To	Month/Year	

Month/Year To	Month/Year	Code	Employer's Name/Military Service/Unemployment or Self-Employment Verifier	Your Position Title		
Employer's/Verifier's Street Address			City (Country)	State	ZIP Code	Telephone Number ()
Street Address of Job Location (if different than Employer's Address)			City (Country)	State	ZIP Code	Telephone Number ()
Supervisor's Name & Street Address (if different than Job Location)			City (Country)	State	ZIP Code	Telephone Number ()

PREVIOUS PERIODS OF THE SAME ACTIVITY AND LOCATION - IF CONTINUATION SHEET IS USED, SHOW BLOCK #

Month/Year To	Month/Year	Your Position Title & Supervisor's Name	Month/Year To	Month/Year	Your Position Title & Supervisor's Name
Month/Year To	Month/Year		Month/Year To	Month/Year	

Enter your Social Security Number

→ 4 | 2 | 9 - 8 | 1 | 1 - 1 | 1 | 4 | 3 | 2

15. (Continuation)

6/81 2 Switzerland

6/76 2 Ireland

6/76 2 Scotland

6/76 2 England

6/76 2 France

CA/HQ

QUESTIONNAIRE FOR SENSITIVE POSITIONS (For National Security)

Part 2

20 YOUR SELECTIVE SERVICE RECORD

- a. Are you a male born after December 31, 1959? If "No," go to 21. If "Yes," go to b.
- b. Have you registered with the Selective Service System? If "Yes," provide your registration number. If "No," show the reason for your legal exemption below.

Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

Registration Number: **DK**
 Legal Exemption Explanation:

21 YOUR MILITARY RECORD

- a. Have you ever received other than an honorable discharge from the military? If "Yes," provide:
 Date of Discharge (Month and Year): _____ Type of Discharge: _____
- b. Have you ever been subject to court-martial or other disciplinary proceedings under the Uniform Code of Military Justice? If "Yes," list any disciplinary proceedings in the last 15 years and all courts-martial. (Include non-judicial and Captain's mast, etc.)

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Month/Year	Charge or Specification / Action Taken	Place (City and county/country if outside the United States)	State

22 YOUR EMPLOYMENT RECORD

Has any of the following happened to you in the last 15 years? If "Yes," begin with the most recent occurrence and go backward, providing date fired, quit, or left, and other information requested.

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>

Use the following codes and explain the reason your employment was ended:

- 1 - Fired from a job 3 - Left a job by mutual agreement following allegations of misconduct 5 - Left a job for other reasons under unfavorable circumstances
 2 - Quit a job after being told you'd be fired 4 - Left a job by mutual agreement following allegations of unsatisfactory performance

Month/Year	Code	Specify Reason	Employer's Name and Address	State	ZIP Code

23 YOUR POLICE RECORD (Do not include anything that happened before your 16th birthday.)

- a. Have you ever been charged with or convicted of any felony offense?
- b. Have you ever been charged with or convicted of a firearms or explosives offense?
- c. Are there currently any charges pending against you for any criminal offense?
- d. Have you ever been charged with or convicted of any offense(s) related to alcohol or drugs?
- e. In the last 5 years, have you been arrested for, charged with, or convicted for any offense(s) not listed in response to a, b, c, or d above? (Leave out traffic fines of less than \$100.)

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

If you answered "Yes" to a, b, c, d, or e above, explain your answer(s) in the space provided.

Month/Year	Offense	Action Taken	Law Enforcement Authority or Court (City and county/country if outside the U.S.)	State	ZIP Code
prox. 12/66	Public Intox.	Fine	Charlotte	NC	28202
prox. 4/64	Excess Possession	Dismissed	Mechlenburg County	NC	28202

Handwritten notes: CE: Verby, LR, during interview

24 YOUR MEDICAL RECORD

- a. Have you experienced problems on or off the job because of any emotional or mental condition?
- b. Have you ever seen a health care professional for any of the types of problems mentioned above?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>

If you answered "Yes" to questions a or b, explain below.

Month/Year	Month/Year	Explanation
To		
To		

Enter your Social Security Number before going to the next page

→ 4 12 9 | 8 10 | 1 11 3

25 ILLEGAL DRUGS AND ALCOHOL

Yes	No
	X
	X

- a. In the last 5 years, have you used, possessed, supplied, or manufactured any illegal drug? When used without a prescription, illegal drugs include marijuana, cocaine, hashish, narcotics (opium, morphine, codeine, heroin, etc.), stimulants (cocaine, amphetamines, etc.), depressants (barbiturates, methaqualone, tranquilizers, etc.), hallucinogenics (LSD, PCP, etc.). (NOTE: The information you provide in response to this question will not be provided for use in any criminal proceedings against you.)
- b. Have you experienced problems (disciplinary actions, evictions, formal complaints, etc.) on or off a job from your use of illegal drugs or alcohol?

If you answered "Yes" to question a or b above, provide information relating to the types of substance(s), the nature of the activity, and any other details relating to your involvement with illegal drugs or alcohol. Include any treatment or counseling received.

Month/Year	Month/Year	Type of Substance	Explanation
To			
To			
To			

26 YOUR INVESTIGATIONS RECORD

Yes	No
	X

- a. Has the United States Government ever investigated your background? If "Yes," use the codes that follow to provide the requested information below. If "Yes," but you can't recall the investigating agency and/or the security clearance received, enter "Other" agency code or clearance code, as appropriate, and "Don't know" or "Don't recall" under the "Other Agency" heading, below. If your response is "No," or you don't know or can't recall if you were investigated and cleared, check the "No" box.

Codes for Investigating Agency			Codes for Security Clearance Received			
1 - Defense Department	4 - FBI		0 - Not Required	3 - Top Secret	6 - Q-Nonsensitive	
2 - State Department	5 - Treasury Department		1 - Confidential	4 - Sensitive Compartmented Information	7 - L	
3 - Office of Personnel Management	6 - Other (Specify)		2 - Secret	5 - Q-Sensitive	8 - Other	

Month/Year	Agency Code	Other Agency	Clearance Code	Month/Year	Agency Code	Other Agency	Clearance Code

- b. To your knowledge, have you ever had a clearance or access authorization denied, suspended, or revoked, or have you ever been debarred from government employment? If "Yes," give date of action and agency.

Yes	No
	X

Month/Year	Department or Agency Taking Action	Month/Year	Department or Agency Taking Action

27 YOUR FINANCIAL RECORD

Yes	No
	X

- a. In the last 5 years, have you, or a company over which you exercised some control, filed for bankruptcy, been declared bankrupt, been subject to a tax lien, or had legal judgment rendered against you for a debt? If you answered "Yes," provide date of initial action and other information requested below.

Month/Year	Type of Action	Name Action Occurred Under	Name/Address of Court or Agency Handling Case	State	ZIP Code
		(Law School loan satisfied)			

- b. Are you now over 180 days delinquent on any loan or financial obligation? Include loans or obligations funded or guaranteed by the Federal Government. (If an SF 171, Application for Federal Employment, will be attached, you do not need to repeat Federal Government delinquencies. See the instructions headed, "How is the SF 171 used with this form?")

Yes	No
	X

If you answered "Yes," provide the information requested below:

Month/Year	Type of Loan or Obligation and Account #	Name/Address of Creditor or Obligor	State	ZIP Code

Enter your Social Security Number before going to the next page

→ 4391 - 8 0 - 114 3 2

28 YOUR ASSOCIATION RECORD

Yes	No
	X
	X

- a. In the last 15 years, have you been an officer or a member or made a contribution to an organization dedicated to the violent overthrow of the United States Government and which engages in illegal activities to that end, knowing that the organization engages in such activities with the specific intent to further such activities?
- b. In the last 15 years, have you knowingly engaged in any acts or activities designed to overthrow the United States Government by force? If you answered "Yes" to a or b, explain in the space below:

Continuation Space

Use the continuation sheet(s) (SF 86A) for additional answers to questions 9, 10, and 11. Use the space below to continue answers to all other questions and any information you would like to add. If more space is needed than what is provided below, use a blank sheet(s) of paper. Start each sheet with your name and Social Security Number. Before each answer, identify the number of the question.

After completing Parts 1 and 2 of this form and any attachments, you should review your answers to all questions to make sure the form is complete and accurate, and then sign and date the following certification and sign and date the release on page 10. If you attach an SF 171, Application for Federal Employment, make sure that it is updated and that any information added to the SF 171 is initialed and dated.

Certification That My Answers Are True

I read each question asked of me and understood each question. My statements on this form, and any attachments to this form, are true, complete, and correct to the best of my knowledge and belief and are made in good faith. I understand that a knowing and willful false statement on this form can be punished by fine or imprisonment or both.

Signature (Sign in ink)

Vernon W. Fortney

Date

1/27/93

Enter your Social Security Number before going to the next page

→ | | | | | | | | | |

UNITED STATES OF AMERICA

AUTHORIZATION FOR RELEASE OF INFORMATION

Carefully read this authorization to release information about you, then sign and date it in ink.

I Authorize any investigator, special agent, or other duly accredited representative of the U.S. Office of Personnel Management, the Federal Bureau of Investigation, the Department of Defense, and any authorized Federal agency, to obtain any information relating to my activities from schools, residential management agents, employers, criminal justice agencies, retail business establishments, or other sources of information. This information may include, but is not limited to, my academic, residential, achievement, performance, attendance, disciplinary, employment history, and criminal history record information.

I Understand that, for financial or lending institutions, medical institutions, hospitals, health care professionals, and other sources of information, a separate specific release will or may be needed, and I may be contacted for such a release at a later date.

I Further Authorize the U.S. Office of Personnel Management, the Federal Bureau of Investigation, the Department of Defense, and any other authorized agency, to request criminal record information about me from criminal justice agencies for the purpose of determining my eligibility for, assignment to, or retention in, a sensitive position, in accordance with 5 U.S.C. 9101.

I Authorize custodians of records and sources of information pertaining to me to release such information upon request of the investigator, special agent, or other duly accredited representative of any Federal agency authorized above regardless of any previous agreement to the contrary.

I Understand that the information released by records custodians and sources of information is for official use by the Federal Government only for the purposes provided in this Standard Form 86, and may be redisclosed by the Government only as authorized by law.

Copies of this authorization that show my signature are as valid as the original release signed by me. This authorization is valid for two (2) years from the date signed.

Signature (Sign in Ink) <i>Vincent W. Foster, Jr.</i>	Full Name (Type or Print Legibly) Vincent Walker Foster, Jr.	Date Signed 1/15/93
Other Names Used Vince Foster; Vincent Foster		Social Security Number 4 2 9 8 0 1 1 3 7
Current Address (Street, City) 5414 Stonewall Road, Little Rock	State AR	ZIP Code 7 2 2 0 7
		Home Telephone Number (Include Area Code) (501) 663-0141

SUPPLEMENT TO STANDARD FORM 6 (SF-86)

(Attach additional pages if necessary)

1S. Please list name of all corporations, firms, partnerships or other business enterprises, and all nonprofit organizations and other institutions with which you are now, or during the past five years have been, affiliated as an officer, owner, director, trustee, partner, advisor, attorney or consultant. In addition, please provide the names of any other organizations with which you were affiliated prior to the past five years that might present a potential conflict or appearance of conflict of interest with your prospective appointment. (Please note that in the case of an attorney's client listing, it is only necessary to provide the names of major clients and those that might present a potential conflict or appearance of conflict of interest with the prospective appointment).

TRUSTEESHIPS - see attached

I have been an officer of the following nonprofit organizations;

- Arkansas Bar Association
- Arkansas Repertory Theatre
- Arkansas Bar Foundation
- Arkansas IOLTA Foundation

I have been an officer of the Rose Law Firm, P.A. I am a partner in Midlife Investments, an investment club. I am a limited partner in Louisiana Investors, L.P., and Rose Building Limited Partnership. Major clients of my former law firm are listed on the attached. As a trial lawyer I have sometimes represented those identified with an asterick

2S. Please list all your interests in real property, other than a personal residence, setting forth the nature of your interest, the type of property and the address. One-third interest in unimproved acreage in Hope, Arkansas. Louisiana Investors, L.P., of which I am a limited partner, owns an apartment complex at, 1300 Ridgefield Avenue, Thibodaux, Louisiana. Rose Building Limited Partnership, of which I am a limited partner, owns a law firm building and equipment leased by my former law firm.

3S. Have you or any firm, company or other entity with which you have been associated ever been convicted of a violation of any Federal, state, county or municipal law, regulation or ordinance? If so, please provide full details. No. I have paid traffic tickets (two, I believe) and forfeited a fine for public intoxication while in college. (see item 23)

4S. Have you or any firm, company or other entity with which you have been associated ever been the subject of Federal, state or local investigation for possible violation of a criminal statute? If so, please give full details.

I have not. I do not believe my former law firm has been. If it has been, I am unaware of it

5S. Have you ever been involved in civil or criminal litigation, or in administrative or legislative proceedings of any kind, either as a plaintiff, defendant, respondent, witness or party in interest? If so, please give full details identifying dates, issues litigated and the location where the civil action is recorded.

When I was chair of the board of directors of Legal Services of Arkansas, Inc., a pro bono non-profit legal services corporation headquartered in Little Rock, Arkansas, the executive director terminated a staff attorney and the board ratified the termination. The former employee filed a Complaint in U.S. District Court for the Eastern District of Arkansas, Pine Bluff Division, No. PB-C-84-413.

(continued on attached)

6S. Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by, or been the subject of a complaint by a court, administrative agency, professional association, disciplinary committee, or other professional group? If so, please give full details. A Rule 11 Motion was filed by my former law firm in a suit over which I was supervising attorney: In Re TCBY Securities Litigation. The Motion was denied and the Court awarded sanctions against the attorney who filed the Motion. Other Rule 11 Motions may have been filed against the firm on cases in which I was the sole or supervising attorney; if so, I do not recall any of them being ruled on. I have never been determined to have violated Rule 11.

7S. Have you ever run for political office, served on a political committee or been identified in a public way with a particular organization, candidate or issue? Have any complaints been lodged against you or your political committee with the Federal Election Commission or state or local election authorities? If so, please describe.

Yes; I have represented the Arkansas Democratic Party in one lawsuit, English v. Tucker, et al, Circuit Court of Pulaski County, Arkansas No. 92-5685, and served as Chair of its Platform Committee at the State Convention in 1982. I have been identified with various Clinton Campaigns. No complaints have been lodged against or concerning me. I have been on Finance Committees for various local candidates

8S. Are you currently, or have you ever been, a member or office holder in any club or organization that restricts or restricted membership on the basis of sex, race, color, religion, national origin, age or handicap? If so, provide the name, address and dates of membership for each.

Since approximately 1976 I am a member of the Country Club of Little Rock which, until recently, I believe had no Afro-American members although its rules, as I understand them, have not restricted membership on the basis of race or color.

9S. Please identify any adults (18 years or older) currently living with you who are not members of your immediate family. Provide the names of those individuals, dates and places of birth, and whether or not they are United States citizens.

N/A

10S. Is there anything in your personal life that could be used by someone to coerce or blackmail you? Is there anything in your life that could cause an embarrassment to you or to the President if publicly known? If so, please provide full details.

No

I understand that the information being provided on this supplement to the SF-86 is to be considered part of the original SF-86 dated January 15, 1993 and a false statement on this form is punishable by law.

W. Fortney
Signature

LR Interview
w representative
sampling clients

Representative Clients*

*Axiom Corporation
Aluminum Company of America
Arkansas Association of Bank
Holding Companies
Arkansas Freightways Corp.
Arkansas-Oklahoma Gas Corp.
*Arkansas Realtors Association
Aromatique, Inc.
*Beverly Enterprises
Cannon Express, Inc.
Chrysler Corp.
*Environmental Systems Company
The Equitable Life Assurance
Society of The United States
*Fairfield Communities, Inc.
*The Firestone Tire and Rubber
Co.
General American Transportation
Co.
General Electric Co.
*General Motors Corp.
John Hancock Mutual Life
Insurance Co.
Harp's Food Stores, Inc.
*Harvest Foods, Inc.
*International Paper Co.

The Kemper Insurance Group
Massachusetts Mutual Life
Insurance Co.
MCI Telecommunications Corp.
Minnesota Mining and
Manufacturing Co.
*National Food Processors Assn.
*New York Life Insurance Co.
Panhandle Eastern Corp.
The Prudential Insurance
Company of America
*Resolution Trust Corporation
J.A. Riggs Tractor Co.
The Winthrop Rockefeller
Foundation
*Stephens Inc.
Systematics, Inc.
*TCBY Enterprises, Inc.
Tramell Crow Companies
*Twin City Bank
*Tyson Foods, Inc.
USX Corp.
Wal-Mart Stores, Inc.
*WEHCO Media, Inc.
*Worthen Banking Corporation

Trusteeships:

1. Vincent Foster (Sr.) Insurance Trust
2. Alice Mae Foster Trust
3. Grandchildren's Trust (of Alice Mae and Vincent Foster)
4. Jerome Atchley Family Trust
5. Stephanie Simonton Atchley Family Trust

*Source: Martindale-Hubbell
listing

1S. (Continuation)

The only client I can think of which might present an appearance problem was Faysound, Ltd. which was alleged to be owned or controlled by Eduardo Cojuangco. Faysound Limited v. Walter Fuller Aircraft Sales, Inc. and Falcon Jet Corporation U.S.D.C. Eastern District of Arkansas, Western Division, No. LR-C-89-834

5S; Walter Fuller Aircraft Sales, Inc. v. Faysound Ltd., U.S. Court of Appeals for the Eighth Circuit, No. 90-2896EA; Faysound Limited, Appellee v. Walter Fuller Aircraft Sales, Inc., U.S. Court of Appeals Eighth Circuit, No. 91-3216. (Continuation)

5S. (Continuation)

against the organization, the executive director and individual members of the board, including me, alleging racial and handicap discrimination. After a two-day trial the District Court Judge found in favor of all defendants and dismissed the Complaint. On appeal the Eighth Circuit Court of Appeals reversed as to the finding concerning the defendant executive director and remanded for reconsideration. The executive director subsequently settled the claim, I believe, for approximately \$5,000. The release (attached) acknowledged the Plaintiff's claims against the individual directors (which included me) had been adjudicated against the plaintiff with prejudice. This is the only lawsuit in which I have been named as a party.

My former law firm, a professional corporation, has been sued for securities violations and for malpractice but not for any activity by me. I do not have the details of these lawsuits but I estimate there were four or five during my 20 years as a member and

I believe each was settled. My former fellow-member, Webster Hubbell, was in charge of monitoring professional claims and lawsuits and could provide greater detail.

12
I have testified as a state witness in the trial against former Attorney General Steve Clark in Pulaski County Circuit Court, (Arkansas) approximately 1990 and at least twice for attorneys in Pulaski County Chancery Court, e.g. on reasonable attorneys fees and on secretarial conflict of interest.

SEP 1987

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

CARL R. BRUNTS, CLERK

By: [Signature]
DEP. CLERK

BEN JOHNSON, III

PLAINTIFF

NO. PB-C-84-413

LEGAL SERVICES OF ARKANSAS, INC., ET AL.

DEFENDANTS

ORDER

The plaintiff has advised the Court that this matter has been settled and compromised. Upon his motion, the case is hereby dismissed with prejudice.

IT IS SO ORDERED

[Signature]
U.S. DISTRICT JUDGE

Date: September 22, 1987

APPROVED:

[Signature]
Richard Quiggle
Attorney for plaintiff

[Signature]
Darrell F. Brown
Attorney for defendants

SEP 22 1987

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

CARL R. BRENTS, CLERK

BEN JOHNSON, III

By: _____
PLAINTIFF DEPT. CLERK

NO. PB-C-84-413

LEGAL SERVICES OF ARKANSAS, INC., ET AL.

DEFENDANTS

ORDER

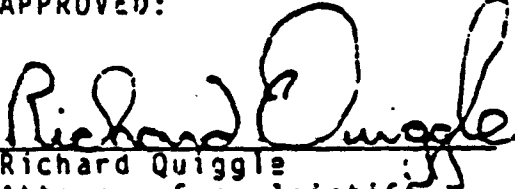
The plaintiff has advised the Court that this matter has been settled and compromised. Upon his motion, the case is hereby dismissed with prejudice.

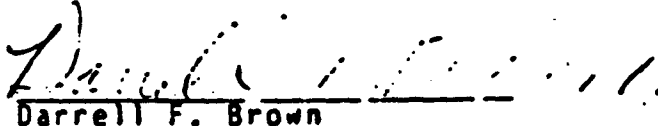
IT IS SO ORDERED

(s) GARNETT THOMAS EISELH
U.S. DISTRICT JUDGE

Date: 9/22/87

APPROVED:


Richard Quiggle
Attorney for plaintiff


Darrell F. Brown
Attorney for defendants

FILED

U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

NOV 4 1985

BEN JOHNSON III

CARL R. BRENTS, CLERK

VS.

NO. PB C 84 413

By: _____
PLAINTIFF
DEP. CLERK

LEGAL SERVICES OF ARKANSAS, INC., ET AL.

DEFENDANTS

ORDER

Plaintiff has filed a complaint under various civil rights statutes alleging that Legal Services of Arkansas, Inc. (LSA), its Executive Director, Gil Glover, and its Board of Directors have discriminated against him on the basis of race and physical handicap. Plaintiff also contends that defendants have retaliated against him for his having filed discrimination charges with the Equal Employment Opportunity Commission (EEOC) and that defendants' actions constitute the intentional infliction of mental distress. Plaintiff seeks injunctive, declaratory, and monetary relief for the alleged wrongdoings of defendants. A court trial was conducted in this matter on September 10 and 11, 1985, in Pine Bluff, Arkansas. Based on the evidence presented at trial and on the submissions of the parties, the court makes the following findings of fact and conclusions of law.

Plaintiff is a blind, black male and a licensed attorney who has been engaged in the practice of law in the State of Arkansas since 1979. Defendant LSA is a private, nonprofit corporation engaged in providing civil legal representation to indigent

clients residing within its 24 county service area in Arkansas. Defendant Gil Glover was, at times pertinent to this complaint, and is currently the Executive Director of LSA and responsible for overseeing the day-to-day operations of the corporation. The remaining defendants are the individual members of the Board of Directors of LSA.

On July 1, 1983, plaintiff was hired by LSA to begin working on July 18, 1983, as directing attorney of the LSA branch located in Monticello, Arkansas. Prior to this time, plaintiff had been engaged in private law practice in the Pine Bluff area handling primarily civil rights litigation. In accepting employment with LSA, plaintiff was allowed three months in which to close out his private caseload in accordance with the employment agreement, Board policy, and LSA regulations. As of July 18, 1983, plaintiff had approximately 46 cases in which he was involved as attorney of record.

On March 19, 1984, plaintiff received three reprimands from the Executive Director for allegedly engaging in discriminatory treatment of some female members of the LSA staff, insubordination, and inadequate performance of management duties and responsibilities. Two days later, plaintiff filed a charge of discrimination based on race and handicap (blindness) with the EEOC against LSA. These events were the culmination of weeks of discord, disharmony, and disagreement which existed between plaintiff and the Executive Director over the handling of clients, cases, personnel, and their relationship. Plaintiff

took no action in accordance with the grievance policy and procedures of LSA to challenge the reprimands.

On April 27, 1984, the Executive Director notified plaintiff that a meeting had been scheduled for May 1, 1984, to investigate plaintiff's involvement in a trial on behalf of a non-LSA client which took place on April 23 and 24, and the possibility that such conduct was in violation of LSA policies and regulations. The May 1 meeting did not take place because of a disagreement between plaintiff and the Executive Director as to the manner in which the meeting was to be conducted. On that date, plaintiff filed separate charges of retaliation with the EEOC alleging that he had been harassed in various ways as a result of having earlier filed charges of discrimination.

On May 8, 1984, the Executive Director informed plaintiff that his employment with LSA was being immediately terminated for failing to rid himself of his private caseload and for failing to cooperate in the investigation of his involvement in the non-client trial. Plaintiff made known his intention to appeal his termination to the Personnel Committee. Pursuant to plaintiff's appeal, the Chairman of the Personnel Committee informed plaintiff that a hearing would be conducted by the committee on May 12, 1984, at LSA's Little Rock office. Following the hearing, the decision to terminate plaintiff was reversed and he was reinstated conditioned upon his relieving himself of all private cases within sixty days, beginning May 23, 1984. On December 12, 1984, the Personnel Committee notified plaintiff that it would

conduct a second hearing on January 5, 1985, to determine whether or not plaintiff had complied with the conditions of his reinstatement. The hearing was actually held on January 12, 1985, and, as a result, plaintiff was terminated for failure to comply with the terms of his reinstatement. Subsequently plaintiff filed a second charge of retaliation with the EEOC against defendant.

The pattern of proof for complaints alleging discrimination in employment is well established. Plaintiff has the initial burden of establishing a prima facie case by presenting a set of facts sufficient to give rise to an inference of discrimination. Once a prima facie case has been demonstrated, a rebuttable presumption is created and defendant has the burden of articulating a legitimate nondiscriminatory basis for the employment decision. If these initial burdens have been met, the presumption disappears and plaintiff assumes the ultimate burden of showing that the articulated reason is but a pretext for the defendants' discriminatory actions. McDonnell Douglas Corp. v. Green, 411 U.S. 792 (1973); Patterson v. Masem, No. 84-2348, Slip Op. (8th Cir. September 27, 1985). Where direct evidence of unlawful discrimination is lacking, the nature of the employers' true motive is a question of credibility and the district court must decide which party's explanation of the motivation it believes. United States Postal Service Board of Governors v. Aikens, 460 U.S. 711 (1983); Burrows v. Chemed Corp., 743 F.2d 612 (8th Cir. 1984). The same analysis applies to suits brought

under 42 U.S.C. § 1981. Kenyatta v. Bookey Packing Co., 640 F.2d 552 (8th Cir. 1981).

In applying these standards to the facts of this case, the court is convinced that plaintiff has failed to demonstrate that defendant's actions give rise to an inference of discrimination. Other than plaintiff's own assertions that actions taken against him by the Executive Director, and later partially ratified by the Board of Directors, were based on his race, on his handicap, and in retaliation for having filed EEOC charges, there is nothing in the record to establish that these employment decisions were discriminatorily premised. That plaintiff was hired to manage one of defendant's branch offices, special monies were appropriated to provide plaintiff with a reader, and the majority of defendant's clients, particularly in the Monticello service area, were black, are but some facts that undermine any possible inference of discrimination. Plaintiff is black and is blind, but the fact that certain negative employment actions were taken against him does not indicate, absent other evidence tending to support the allegations, that they were based on his race, his handicap, or in retaliation for filing EEOC charges, as plaintiff assumes.

In a further effort to establish a prima facie case of discrimination, plaintiff relies on the theory of disparate treatment. In order to prevail on such a theory, plaintiff must prove a difference in treatment and a discriminatory motive on the part of his employer. International Brotherhood of Teamsters v.

United States, 431 U.S. 324 (1977); McDonnell Douglas Corp. v. Green, supra; Meyer v. Missouri State Highway Commission, 567 F.2d 804 (8th Cir. 1977). If the net evidence adduced by both parties leaves the fact finder convinced that there has been disparate treatment, then a prima facie case has been made. Underwood v. Jefferson Memorial Hospital, 639 F.2d 455 (8th Cir. 1981); Henry v. Ford Motor Co., 553 F.2d 46 (8th Cir. 1977). Plaintiff presented evidence concerning the manner in which two other attorneys hired by LSA were permitted to retain and handle cases held over from their private practices. In neither instance does the court find sufficient grounds upon which to base a finding of disparate treatment.

Obviously, in any case involving a claim of disparate treatment, it is implicit that a threshold showing of similarity of situation and circumstance be made before it can be properly determined that a plaintiff was differentially treated. That very element is missing in the comparisons presented by plaintiff. It does not appear that, with respect to the handling and disposal of the carryover private caseload, plaintiff's situation was similar to that of Sam Pope (he requested permission to make a court appearance for a non-LSA client 15 days after he was hired), or Jan Scussel (retention of two cases in which her only involvement was the receipt of fees pursuant to a payment schedule). Regarding plaintiff's other allegations of differing treatment between himself and white staff attorneys, and their handling of LSA cases, he has failed to adequately demonstrate any similarity of circumstance.

Even if plaintiff had been successful in establishing that different treatment had occurred, there is no credible evidence to show that any discriminatory motive existed. The net evidence adduced by both parties in this regard leads to the conclusion that no disparate treatment took place.

Even assuming that a prima facie case has been made by plaintiff, the court is satisfied that defendants have articulated legitimate nondiscriminatory reasons for the employment decisions involving plaintiff. Moreover, plaintiff has failed to show that the reasons set forth by defendants were pretextual and meant to conceal illegitimate purposes and motives. A review of plaintiff's employment history with LSA reveals the existence of a serious personality conflict between plaintiff and the Executive Director. This conflict came to a head with the issuance of the March 19, 1984, reprimands. Plaintiff viewed the reprimands as totally unfounded, unfair, and the product of a pattern of interference in his affairs and of judging his actions based on the word of others without having approached plaintiff for an explanation. The Executive Director, on the other hand, viewed the reprimands as an unpleasant last resort for dealing with a critical problem involving insubordination, failure to follow LSA procedures and policies, and a lack of cooperation between plaintiff and the staff and clients of LSA. Regardless of the reasons for the existence of this conflict, there is no evidence that any of it was based on plaintiff's race, his handicap, or his exercise of the right to file charges with EEOC.

With respect to the termination notice of May 8, 1984, and the ultimate termination decision of January 12, 1985, the court is convinced that those determinations were properly based upon legitimate nondiscriminatory considerations. When plaintiff was initially hired, he was informed that, in accordance with his employment contract, LSA regulations, and the policies of the Board of Directors, he would be required to dispose of his private caseload within three months of the date he began working for LSA. Plaintiff received a three week extension near the end of the three month period, but by May of 1984, some ten months after he was employed, he still had not rid himself of his private caseload. The May 8 termination was based, in large part, on plaintiff's having participated in the trial of a non-LSA client two weeks earlier. In reviewing the termination on appeal, the Personnel Committee, acting in behalf of the Board of Directors, determined that plaintiff should be reinstated conditioned upon his disposing of all of his remaining private cases within sixty days. Seven months later, and nearly one and one half years after he was hired, plaintiff still had some private cases pending. His final termination was based on his failure to comply with the terms of his reinstatement.

Plaintiff attempted to explain why he maintained his private caseload and was unable to rid himself of those cases. However plausible those explanations might be, the fact remains that plaintiff did not dispose of his private caseload as required. Additionally, the court does not find those explanations

sufficient to undermine the propriety or the termination decisions, or to establish that the decisions were pretextual. Plaintiff was given ample time to divest himself of his private cases and failed to do so. Defendant did not act improperly in terminating plaintiff on that basis.

Having determined that there is no basis to plaintiff's claims of discrimination, there is nothing in the record to support his claim that he suffered the intentional infliction of emotional distress.

The complaint is dismissed and the relief sought is denied in all respects.

Dated this November 4, 1985.


United States District Judge

XXXXXX
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FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

4 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

Section 552

Section 552a

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- Information pertained only to a third party with no reference to the subject of your request or the subject of your request is listed in the title only.
- Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

_____ Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

_____ Page(s) withheld inasmuch as a final release determination has not been made. You will be advised as to the disposition at a later date.

_____ Pages were not considered for release as they are duplicative of _____

_____ Page(s) withheld for the following reason(s): _____

The following number is to be used for reference regarding these pages:
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United States Court of Appeals

FOR THE EIGHTH CIRCUIT

No. 85-2440-EA

Ben Johnson, III,
Appellant,

vs.

Legal Services of Arkansas,
Inc., et al.,

Appellees.

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*

Appeal from the United States
District Court for the
Eastern District of Arkansas

Appellant's petition for rehearing has been considered
by the Court and is hereby denied.

April 27, 1987

Order Entered at the Direction of the Court:

Robert D. St. Vrain

Clerk, United States Court of Appeals, Eighth Circuit

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION

BEN JOHNSON, III

PLAINTIFF

VS

NO. PB-C-84-413

LEGAL SERVICES OF ARKANSAS, INC.

DEFENDANTS

GIL CLOVER, Individually and in his capacity as Executive Director of Legal Services of Arkansas, VINCE FOSTER, Individually and in his capacity as a member of the Board of Directors of Legal Services of Arkansas, WILLIAM H. HODGE, Individually and in his capacity as a member of the Board of Directors of Legal Services of Arkansas, EVANGELINE BROWN, individually and in her capacity as a member of the Board of Directors of Legal Services of Arkansas, EDDIE WALKER, JR., Individually and in his capacity as a member of the Board of Directors of Legal Services of Arkansas, BILL D. ETTER, Individually, and in his capacity as a member of the Board of Directors of Legal Services of Arkansas, G. ALAN WOOTEN, Individually and in his capacity as a member of the Board of Directors of Legal Services of Arkansas, GREGORY T. KARBER, Individually and in his capacity as a member of the Board of Directors of Legal Services of Arkansas, FLOYD THOMAS, Individually and in his capacity as a member of the Board of Directors of Legal Services of Arkansas, RUTHIE WILLIAMS, individually and in her capacity as a member of the Board of Directors of Legal Services of Arkansas, SAM WHITFIELD, Individually and in his capacity as a member of the Board of Directors of Legal Services of Arkansas, VIRGINIA HOLT, Individually and in her capacity as a member of the Board of Directors of Legal Services of Arkansas, PATTI GOFF, Individually and in her capacity as a member of the Board of Directors of Legal Services of Arkansas, CHARLES CLIFFORD GIBSON, III, Individually and in his capacity as a member of the Board of Directors of Legal Services of Arkansas, DEMARIS HART EDWARDS, Individually and in his capacity as a member of the Board of Directors of Legal Services of Arkansas.

COMPLAINT

I.

JURISDICTION

This is a suit in equity brought pursuant to 42 U.S.C. 1981 and 42 U.S.C. sec. 1983. Plaintiff seeks a declaratory judgement pursuant to 28 U.S.C. sections 2201 and 2202. Plaintiff also seeks preliminary and permanent injunction to restrain and redress discrimination based upon race and color and to redress the deprivation of civil rights under color of law. This court has

II

NATURE OF CLAIM

This is a proceeding for preliminary and permanent injunctive relief restraining and enjoining the Defendants from maintaining patterns and practices, policies and customs and usages that deprive equal employment opportunities to individuals based on race of color. This action is also for award of monetary damages due Plaintiff as a result of discrimination. Further, this is an action to redress the deprivation of due process of law by Defendants under color of law.

This is a proceeding for declaratory judgement as to Plaintiff's rights and for a preliminary injunction restraining any policy, patterns, practices, custom and usage of:

1. discrimination against Plaintiff and other black persons because of race or color with respect to disciplinary actions and all terms and conditions of employment.
2. limiting, segregating, and or classifying black persons in ways which deprive and tend to deprive Plaintiff and others similiarly situated of equal employment opportunity based on race and color.
3. depriving Plaintiff and others similiarly situated of the due process of laws under color of law.

III

PARTIES

Plaintiff, Ben Johnson, III, is a black citizen of the United States, and a resident of Drew County, Arkansas. Plaintiff is a male. Plaintiff has worked for approximately one (1) year as managing attorney for Legal Services of Arkansas in its Monticello Branch office.

During his tenure with Defendants, Plaintiff was discriminated against on the basis of his race with respect to disciplinary actions. On March 19, 1984 Defendant, Gil Glover issued Plaintiff three (3) disciplinary reprimands which were wholly without basis in fact.

These disciplinary reprimands were issued in response to March 1, 1984 memorandum in which Plaintiff advised Defendant, Glover that Plaintiff was of the opinion that Defendant, Glover was engaging in a practice of harrassing Plaintiff and otherwise treating Plaintiff in a discriminatory fashion.

DEFENDANTS

Defendants, Legal Services of Arkansas, Inc. (herein after referred to as LSA) is a private non profit corporation organized pursuant to the laws of the State of Arkansas. Defendants, LSA is engaged in the primary activity of providing civil legal representation to indigent persons residing within twenty four (24) counties within the state of Arkansas and is primarily funded by the Federal Legal Services Corporation. Defendant, Gil Glover is the chief administrative officier of LSA and is responsible for LSA's day to day activities.

Defendant's, Vince Foster, William H. Hodge, Evangeline Brown, Eddie Walker, Jr., Bill D. Etter, G. Alan Wooten, Gregory T. Karber, Floyd Thomas, Ruthie Williams, Sam Whitfield, Virginia Holt, Patti Goff, Charles Clifford Gibson, III, and Demaris Hart Edwards are members of the Board of Directors of LSA and are ultimately responsible for LSA's actions.

IV

FIRST CAUSE OF ACTION

Defendant LSA issued to Plaintiff three (3) disciplinary reprimands on March 19, 1984 because of his race and color.

Defendant has maintained and continues to maintain racially discriminatory policies, practices, customs and usages in discharging, hiring and promotion which deny Plaintiff the same right to contract as is accorded white persons by Defendant and which are contrary to 42 U.S.C. Section 1981.

Plaintiff was hired by Defendant on July 18, 1984 as the directing attorney of Defendant's, LSA Monticello Branch office.

Plaintiff is a licensed attorney authorized to practice law in the state of Arkansas and has been since April, 1979. That in his capacity as directing attorney of the LSA, Monticello Branch office, Plaintiff was primarily responsible for the supervision of support staff which included one (1) legal secretary and two (2) paralegals, the representation of indigent persons in civil legal matters within the service area of the Monticello Branch office, and the administration and management of the Monticello Branch office. Plaintiff is directly accountable to Defendant, Gil Glover, Executive Director of LSA. Plaintiff is the first black person hired in an upper management position by Defendant LSA. Shortly after Plaintiff began work with LSA, Defendant, Gil Glover began a systematic practice of harrasing Plaintiff and interfering with Plaintiff's representation of clients with whose cases Defendant, Gil Glover was totally unfamiliar or to whose causes of action he was antagonistic.

Specifically, Plaintiff undertook the representation of certain indigent persons against the Board of Directors of the McGehee School District number seventeen when the rights of certain Black patrons of the McGehee School District number seventeen were violated. Defendant, Gil Glover was openly hostile to the processing of that action and intensified his harrassment of Plaintiff throughout the pendency of that action. On March 1, 1984, Plaintiff wrote a memorandum to Defendant, Glover requesting an end to the harrassment by Mr. Glover. On March 19, 1984, Defendant, Glover responded to this request by issuing Plaintiff three (3) disciplinary reprimands which were wholly without basis in fact. Specifically, Defendant, Glover reprimanded Plaintiff for alleged sexual harrassment of the staff supervised by Plaintiff in the Monticello Branch office. Defendant, Glover alleged that staff from the Monticello office had complained to him of sexual harrassment of them by Plaintiff, Ben Johnson, III. Each of the female staff members in the Monticello Branch office has testified under oath that no such complaints were ever made to Defendant, Glover.

In fact, Defendant Glover stated in an administrative log that he never received any such complaints, but refuses to remove this defamatory reprimand from the personnel file of Plaintiff.

Further, Defendant, Glover issued Plaintiff reprimands for alleged "shoddy management" and insubordination. However, each of Plaintiff's employment evaluations has resulted in a finding that he was competent in the administration of the Monticello Branch office and there has been no documentation of any instance where Plaintiff refused to follow an instruction by Defendant, Glover in a timely and professional manner. Each of the above described reprimands was an intentional act of racial discrimination.

The constant and continuing harassment of Plaintiff by Defendant, Glover, has created a very stressful working environment which has resulted in Plaintiff's seeking medical treatment. Plaintiff is blind and underwent open heart surgery in 1980. The intentional acts of discrimination by Defendant Glover are causing an aggravation of the serious health problems under which Plaintiff operates.

V

SECOND CAUSE OF ACTION

Defendant, LSA, is primarily funded by the Legal Services Corporation and is subject to statutes and regulations governing Legal Services programs funded by the Legal Services Corporation. At no point, has Defendant, LSA given Plaintiff a due process hearing for the purpose of clearing his personnel record of the defamatory allegations placed therein by Defendant, Glover. The governmental funding and regulation of Defendant, LSA is sufficient governmental control to mandate a due process hearing for the purpose of allowing Plaintiff an opportunity to refute the defamatory allegations made by Defendant, Glover.

WHEREFORE, Plaintiff respectfully prays that this Court advance this case on the docket, order a speedy hearing at the earliest practicable date, cause this action to be in every way expedited and upon such hearing to: (a) enter a declaratory judgement pursuant to 28 U.S.C. Sections 2201 and 2202, declaring that Defendants unlawfully discriminated against Plaintiff on the grounds of race in the terms and conditions of Plaintiff's employment; (b) issue preliminary and permanent injunctions restraining Defendant, LSA, from discriminating on the grounds of race in the terms and conditions of Plaintiff's employment; (c) Direct Defendant's to provide Plaintiff a due process hearing for the purpose of allowing Plaintiff an opportunity to clear the defamatory reprimands issued Plaintiff by Defendant, Glover from Plaintiff's personnel record; (d) Grant Plaintiff a judgement against Defendants for compensatory and punitive damages due Plaintiff as a result of Defendants intentional acts of discrimination against Plaintiff; (e) Grant Plaintiff his cost incurred as a result of this action and reasonable attorneys fees pursuant to 42 U.S.C. Section 1988.

Respectfully submitted,

By Ben Johnson III
BEN JOHNSON, III
Attorney at Law
Route 1, Box 616-A
Monticello, Arkansas 71655
(501) 367-6957

SUMMONS IN A CIVIL ACTION

United States District Court	DISTRICT <i>Eastern</i>
<i>Ben Johnson III</i> <i>v.</i> <i>Nince Foster</i>	DOCKET NO. <i>PB-C-84-413</i>
	TO: (NAME AND ADDRESS OF DEFENDANT) <i>Nince Foster</i> <i>120 East Fourth St.</i> <i>Little Rock, AR 72201</i>

YOU ARE HEREBY SUMMONED and required to serve upon

PLAINTIFF'S ATTORNEY (NAME AND ADDRESS)

Ben Johnson III
Route 1, Box 616-A
Monticello, AR 71655
(501) 367-6957

an answer to the complaint which is herewith served upon you, within *20* days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. *20 days*

CLERK

CARL R. BRENTS

DATE

8-27-84

(BY) DEPUTY CLERK

Elaine Silman

MEMORANDUM FOR PROSPECTIVE APPOINTEES

FROM: James Hamilton, Counsel, Office of the President-elect

This memorandum confirms in writing your express consent for the Federal Bureau of Investigation to investigate your background or conduct appropriate file reviews in connection with the consideration of your application for employment.

The FBI investigation will include the collection and use of relevant information concerning your personal history, and it is necessary that you authorize the disclosure of such information to the FBI. Information may be disseminated outside the FBI when necessary to fulfill obligations imposed by law.

By volunteering information concerning activities protected by the First Amendment, it will be assumed that you are expressly authorizing the maintenance of this information in the records of any Federal agency.

If you consent to such inquiries, please sign your name below and return this original memorandum of consent to me.

Thank you.

Name (please print or type) Vincent W. Foster, Jr.

Signature Vincent W Foster Jr Date 1/12/93

NOIC CHECK ROOM 1328 53, ATTN: [REDACTED] 67C, 66 WANTED & CCH F

FROM: SPECIAL INQUIRY UNIT, DIV 6, RM 4371, TL# 114
EXT: 4747 ATTN: PSS [REDACTED] 67C

SUBJECT: VINCENT WALKER FOSTER
AKA(S): FOSTER, VINCE
FOSTER, VINCENT

BUDED: 02/03/93

THE BUREAU HAS BEEN REQUESTED TO CONDUCT AN EXPEDITE BACKGROUND INVESTIGATION OF THE ABOVE-CAPTIONED SUBJECT, WHO IS BEING CONSIDERED FOR PRESIDENTIAL APPOINTMENT. YOU ARE REQUESTED TO CHECK APPROPRIATE INDICES BASED UPON AVAILABLE INFORMATION CONCERNING SUBJECT, EMPLOYMENT, AND ALL CLOSE RELATIVES. IT IS REQUESTED THAT THE RESULTS OF YOUR CHECK, WHETHER POSITIVE OR NEGATIVE, BE INDICATED IN THE SPACES PROVIDED BELOW, AND RELAYED TO THE SPECIAL INQUIRY UNIT, RM 4371, VIA ROUTING SLIP MARKED 'URGENT'.

SUBJECT IS DESCRIBED AS FOLLOWS:

RESULT NAME: VINCENT WALKER FOSTER
DOB: 01/15/45
POB: HOPE, AR
SSAN: 429-80-1132
CURRENT ADDRESS: 5414 STONEWALL RD
LITTLE ROCK, AR 72207
EMPLOYMENT: ROSE LAW FIRM/WILLIAM KENNEDY
120 EAST FOURTH ST LITTLE ROCK, AR 72201

neg

CLOSE RELATIVES

RESULT	NAME	DOB	RESIDENCE
<i>neg</i>	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]
	[REDACTED]	[REDACTED]	[REDACTED]

67C
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OCIS, IIS, & IS destroyed. w

6/10/93

2 CHECK (CONT.)

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FEB 01 1993

CHECK CONDUCTED BY

CN

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NO NCIC WANT SOC/429801132

NO NCIC WANT DOB/011545 NAM/FOSTER, VINCENT WALKER

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NO NCIC WANT DOB/ NAME

QW.DCFBIWAA6.NAM/

.DOB

DCFBIWAA6

NO NCIC WANT DOB/ NAME

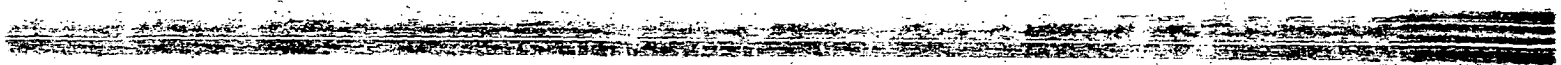
QW.DCFBIWAA6.NAM/

.DOB

DCFBIWAAS
NQ NGIC WANT DOB



66
67C



ROUTE IN ENVELOPE

TO: INFORMATION MANAGEMENT DIVISION, ELSUR INDEX
ROOM 5331, TL 114

DATE: 02/01/93

FROM: X CID LCC INTD RMS OTHER

PRIORITY: EXPEDITE. WILL PICK UP;
 ROUTINE
 DATE NEEDED: 02/03/93

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/29/97 BY SSA/CW/PSW/KAC
(424,736) (CA 97-2107)

REQUEST FOR SEARCH OF ELSUR INDEX FOR THE PURPOSE OF:

- TITLE III APPLICATION FBI DEA
- FISC APPLICATION
- LEGAL MOTION (DOJ)
- FOIPA
- SPIN/DAPLI
- SPU
- INVESTIGATIVE LEAD
- OTHER

(ONE OF THE ABOVE MUST BE CHECKED BEFORE SEARCH WILL BE CONDUCTED.)

REQUESTING/AUTHORIZING AGENT COMPLETE AND RETURN TO:

J. A. BOURKE

[REDACTED] b7c
b6

4747 4371 114

NAME

NAME

EXT. ROOM TL#

NAME; TELEPHONE #; VIN; OR
ADDRESS TO BE SEARCHED

KNOWN ALIASES

SEARCH RESULTS

VINCENT WALKER FOSTER

VINCE FOSTER
VINCENT FOSTER

SA
SA

CLOSE RELATIVES

RESULT NAME

DOB

RESIDENCE

NR [REDACTED] b7c
b6

[REDACTED] b6
[REDACTED] b7c

6/01/93

CLOSE RELATIVES

RESULT NAME

DOB

RESIDENCE

RESULT NAME	DOB	RESIDENCE
NR [REDACTED]	[REDACTED]	[REDACTED]
NR [REDACTED]	[REDACTED]	[REDACTED]
NR [REDACTED]	[REDACTED]	[REDACTED]
NR [REDACTED]	[REDACTED]	[REDACTED]
NR [REDACTED]	[REDACTED]	[REDACTED]

b7c

b6, b7c

[REDACTED]

2/3/93

BUFILE: 161P-1044727

SEARCHED BY

DATE

EARS21B

I N T E R C E P T

02/03/93

~~* S E C R E T *~~

BATCH: Q18

[REDACTED] (S)
b1

NAME FOSTER, VINCENT

LAW [REDACTED] (S)

TECH [REDACTED] (S) b1

BUFILE [REDACTED] (S)

FOFILE [REDACTED] (S)

~~CLASSIFIED BY: G3~~
~~DECLASSIFY ON: OADR~~

DATES PAGE/TIME

TOTAL INTERCEPTS

1 [REDACTED] (S) b1

1

12-29-97
CLASSIFIED BY: SSA 5668 SLA/JAC
REASON: 1.5 (c)(d)
DECLASSIFY ON: X1; X6
424,736/CA 99-2107

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

~~* S E C R E T *~~

(A)

ENTER--F1--F2--F3--F4--F5--F6--F7--F8--F9--F10--F11--F12--
MENU MORE -DATE +DATE SUBSQ DEL MOD NEXT D-DAT QUIT
4A9 NUM 8 31

EARS21B

I N T E R C E P T

02/03/93

~~* S E C R E T *~~

BATCH: Q18

[REDACTED] (S)
b1

NAME FOSTER, WALKER

LAW [REDACTED] (S)

TECH [REDACTED] (S) b1

BUFILE [REDACTED] (S)

FOFILE [REDACTED] (S)

~~CLASSIFIED BY: 220~~
~~DECLASSIFY ON: 2002~~

DATES b1 PAGE/TIME

TOTAL INTERCEPTS

1 [REDACTED] (S)

1

12-29-97
CLASSIFIED BY: SSA 5668 SLA/JAC
REASON: 1.5 (c)(d)
DECLASSIFY ON: X1; X6
424,736/CA 99-2107

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

~~* S E C R E T *~~

(B)

ENTER--F1--F2--F3--F4--F5--F6--F7--F8--F9--F10--F11--F12--
MENU BACK -DATE +DATE SUBSQ DEL MOD NEXT D-DAT QUIT
4A9 NUM 8 31

EARS21B

I N T E R C E P T

02/03/92

NAME FOSTER, VINCE
LAW
SOURCE [REDACTED] b2 b7D

BATCH: Q18 10/01/66

TECH
FOFILE MM

	DATES	PAGE/TIME	TOTAL INTERCEPTS
1	041064		1

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/29/92 BY SSA 5668 SD/JAC
(424,736) (CA*97-207)

(C)

ENTER--F1---F2---F3---F4---F5---F6---F7---F8---F9---F10---F11---F12---
 MENU MORE -DATE +DATE SUBSQ DEL MOD NEXT D-DAT QUIT
 Ay NUM 8 31

IDENT CHECK PDM 112 TUBE J1, ATTN: [REDACTED] b6, b7c
FROM: SPECIAL INQUIRY UNIT, DIV 5, RM 4371, TL# 114
EXT: 4747 ATTN: PSS [REDACTED] b6, b7c

SUBJECT: VINCENT WALKER FOSTER

BUDED: 02/03/93

THE BUREAU HAS BEEN REQUESTED TO CONDUCT AN EXPEDITE BACKGROUND INVESTIGATION OF THE ABOVE-CAPTIONED SUBJECT, WHO IS BEING CONSIDERED FOR PRESIDENTIAL APPOINTMENT. YOU ARE REQUESTED TO CHECK APPROPRIATE INDICES BASED UPON AVAILABLE INFORMATION CONCERNING SUBJECT, EMPLOYMENT, AND ALL CLOSE RELATIVES. IT IS REQUESTED THAT THE RESULTS OF YOUR CHECK, WHETHER POSITIVE OR NEGATIVE, BE INDICATED IN THE SPACES PROVIDED BELOW, AND RELAYED TO THE SPECIAL INQUIRY UNIT, RM 4371, VIA ROUTING SLIP MARKED 'URGENT'.

SUBJECT IS DESCRIBED AS FOLLOWS:

RESULT NAME: VINCENT WALKER FOSTER
AKA: VINCE FOSTER
AKA: VINCENT FOSTER
DOB: 01/15/45
POB: HOPE, AR
SSAN: 429-80-1132
CURRENT ADDRESS: 5414 STONEWALL RD
LITTLE ROCK, AR 72207
EMPLOYMENT: ROSE LAW FIRM/WILLIAM KENNEDY
120 EAST FOURTH ST LITTLE ROCK, AR 72201

CLOSE RELATIVES

RESULT	NAME	DOB	RESIDENCE
X	[REDACTED]	[REDACTED]	[REDACTED]
X	[REDACTED]	[REDACTED]	[REDACTED]
X	[REDACTED]	[REDACTED]	[REDACTED]
X	[REDACTED]	[REDACTED]	[REDACTED]
X	[REDACTED]	[REDACTED]	[REDACTED]
X	[REDACTED]	[REDACTED]	[REDACTED]

Handwritten notes: 00, 2-2, 1147, b6, b7c

* UNABLE TO IDENTIFY WITH ARREST RECORD ON BASIS OF INFORMATION FURNISHED. FBI IDENTIFICATION DIVISION. FEB 3 1993

CHECK CONDUCTED BY: [REDACTED] DN

Handwritten signature: g/cog

PCN 930345469003

FOSTER, VINCENT, WALKER JR

UCA

W 604 01/15/45

MNU

SDC 429 SC 1132 SEX M

DCSS16000 USSS TECH DIV

PRT REC

WASHINGTON DC

02/03/93

A SEARCH OF THE FINGERPRINTS ON THE ABOVE
INDIVIDUAL HAS FAILED TO DISCLOSE PRIOR ARREST
DATA.

IDENTIFICATION DIVISION

02/23/93

FEDERAL BUREAU OF INVESTIGATION

DCSS16000
TECHNICAL SEC DIV
US SECRET SERVICE

EXECUTIVE OFFICE OF THE PRESIDENT
WASHINGTON, DC 20500-0001

5555 2222 3333 4444 5555
6666 7777 8888 9999
0000 1111 2222 3333 4444 5555 6666 7777 8888 9999
0000 1111 2222 3333 4444 5555 6666 7777 8888 9999

FEB 02 1993

SPECIAL INQUIRY UNIT
FEDERAL BUREAU OF INVESTIGATION
RECORDS/OPERATIONS SECTIONS

255 SPIN

DATE: 02/03/93

BUDED: 02/03/93

X NEWINGTON ANNEX, RM. 6912
X FORWARD TO FILE REYTEX, 5447, TLE 143
X RETURN TO: [REDACTED] ROOM 4271, TLE 143, EXT. 4247

SCOPE OF SEARCH: UNRESTRICTED (A08)

TYPE OF SEARCH REQUESTED: ALL REFERENCES (SECURITY & CRIMINAL)

SPECIAL INSTRUCTIONS:
EXACT NAME ONLY (ON THE NOSE)
& VARIATIONS

FEB 02 1993

SUBJECT: * FOSTER, VINCENT, WALKER *
AKA(S): * FOSTER, VINCE, *
* FOSTER, VINCENT, *
BIRTHDATE & PLACE: * 02/19/49; MOPE, AR *
SSAN: * 429-20-1132 *
CURRENT ADDRESS: 5416 STONEWALL RD
LITTLE ROCK, AR 72207

PR: [Signature] DATE 2/1 SEARCHER INITIALS 475

FILE NUMBER	SERIAL	IDENT	ADD	INACT	DATE
166B HQ-1044727		✓			
Foster, Vince					
SI					
Foster, Vincent					
SI					

FEB 05 1993

1/14

6/crg

SPECIAL INQUIRY UNIT
FEDERAL BUREAU OF INVESTIGATION
RECORDS/OPERATIONS SECTION

FEB 02 1993

DATE: 02/01/93

BUDED: 02/03/93

X NAME SEARCHING UNIT, 4959, TM # 122
X FORWARD TO FILE REVIEW, 5447, TM # 149
X RETURN TO: [redacted] b6 b7C
ROOM 4371, FLR 114, EXT. 4747

SCOPE OF SEARCH: UNRESTRICTED (ADD & INACTIVE INDEX)

TYPE OF SEARCH REQUESTED: ALL REFERENCES (SECURITY & CRIMINAL)

SPECIAL INSTRUCTIONS:
- EXACT NAME ONLY (ON THE NUMBER)
- VARIATIONS

AGENCY: [redacted] b6 b7C

BIRTHDATE & PLACE: [redacted] b6 b7C

SSAN: [redacted]

ADDRESS: [redacted]

SP: *SP* DATE: *2/1* SEARCHER INITIALS: *475*

FILE NUMBER SERIAL IDENT ADD INACT DATE

FILE NUMBER	SERIAL	IDENT	ADD	INACT	DATE
[redacted]					
[redacted]					
[redacted]					
[redacted]					
[redacted]					
[redacted]					
[redacted]					
[redacted]					
[redacted]					
[redacted]					

b6 b7C

FEDERAL BUREAU OF INVESTIGATION
RECORDS/OPERATIONS SECTION

DATE: 02/02/93

BUDED: 02/03/93

FEB 02 1993

NAME SEARCHING UNIT, 4000, TLR 121
FORWARD TO FILE REVIEW, 5047, TLR 142
RETURN TO: [REDACTED]

ROOM 4371, TLR 114, EXT. 4747

SCOPE OF SEARCH: UNRESTRICTED (ADB)

TYPE OF SEARCH REQUESTED: ALL REFERENCES (SECURITY & CRIMINAL)

SPECIAL INSTRUCTIONS:
X EXACT NAME ONLY (ON THE NOSE)
VARIATIONS

RELATIVES:

DOB:

ADDRESS:

[REDACTED]

RY DATE 2/1 SEARCHER INITIALS 475

PROB. FILE NUMBER SERIAL IDENT ADB INACT DATE

[REDACTED] NR

[REDACTED] NR

[REDACTED] NR

b6
b7c

[REDACTED]

RY DATE 2/1 SEARCHER INITIALS 475

PROB. FILE NUMBER SERIAL IDENT ADB INACT DATE

[REDACTED] NR

[REDACTED] NR

[REDACTED] NR

b6
b7c

66
b7c
FEB 02 1993

[REDACTED] [REDACTED] [REDACTED]

RE DATE 2/1 SEARCHER INITIALS 475

FILE NUMBER	SERIAL	IDENT	ADD	INACT	DATE
NR					

[REDACTED] [REDACTED] [REDACTED]

RE DATE 2/1 SEARCHER INITIALS 475

FILE NUMBER	SERIAL	IDENT	ADD	INACT	DATE
NR					

b6
b7c

100-0-44940
NR

[REDACTED] [REDACTED] [REDACTED]

RE DATE 2/1 SEARCHER INITIALS 475

FILE NUMBER	SERIAL	IDENT	ADD	INACT	DATE
NR					

b6
b7c

29-0-15770x14, 15724 Print
86-2852

FEB 05 1993

475



FBI FACSIMILE COVERSHEET

CLASSIFICATION

PRECEDENCE

- Immediate
- Priority
- Routine

- Top Secret
- Secret
- Confidential
- Sensitive
- Unclassified

Time Transmitted: _____

Sender's Initials: _____

Number of Pages: CE + SL = 4
LR + WMFO = 45

To: SACs, ~~CE~~, ~~SL~~, ~~LR~~, WMFO
(Name of Office)

Date: 2-1-93

Facsimile number: _____

Attn: 161 Squad Supervisors
(Name Room Telephone No.)

From: SPIN Unit - FBIHQ
(Name of Office)

Subject: Vincent Walker Foster, Jr.
SPIN (B)
Buded: 2/22/93

Special Handling Instructions: Hand carry to 161 Squad supervisor.

Originator's Name: [Redacted] ^{b6}
^{b7c} Telephone: X 4747

Originator's Facsimile Number: (202) 324-2574

Approved: *UJ*

FAX

Date: 2/1/93

FROM: Director, FBI (161B - HQ - 1044727)

TO: SACs, Charlotte (No Enc.)
Little Rock (Enc.)
St. Louis (No Enc.)
WMFO (Enc.)

VINCENT WALKER FOSTER, JR.

SPIN;

OO: FBIHQ

BUDED: 2/22/93

Enclosed for Little Rock and WMFO is a copy of Foster's SF-86 (including release of information form) dated 1/27/93.

Bureau has been requested by the White House to conduct a Level II background investigation (BI) of appointee in connection with a Presidential appointment. Appointee was born 1/15/45, at Hope, Arkansas, resides at 5414 Stonewall Road, Little Rock, Arkansas, and has SSAN 429-80-1132.

Field Offices are reminded that the investigative status of a BI, all deadlines and the position for which the appointee is being considered shall not be disclosed to any interviewees. If during the course of the investigation, interviewees provide the nature of the position, that information is not to be further divulged outside the FBI. Inquiries by interviewees concerning the nature of the position are to be handled as set forth in MIOG, Part II, Section 17-5 (5). Appointees making inquiries regarding the status of their BI are to be referred to the client agency.

Direct results/questions to PSS [REDACTED] SPIN Unit, FBIHQ, Room 4371, Ext. 4747. If BUDED will not be met, ^{b6}b7c, 66 telephonically advise PSS [REDACTED] and set forth reason(s) in Administrative section of investigative report. SPIN Unit facsimile numbers are: (202) 324-2574 and (202) 324-1373.

Advise FBIHQ (PSS [REDACTED] ^{b6}b7c) and appropriate field offices of any derogatory information in accordance with MIOG, Part II, Section 17-5.1(1).

LEADS:

EACH RECEIVING OFFICE:

In addition to investigation to be conducted in those areas marked for coverage in appointee's SF-86, receiving offices are to conduct specific investigation set forth below.

Fax to SACs, Charlotte, et al dated 2/1/93
Re: VINCENT WALKER FOSTER, JR.

CHARLOTTE DIVISION:

Appointee indicates that he was arrested on two occasions. In 4/64, he was arrested for "excess possession" in Mecklenburg County (no further details); and in 12/66, he was arrested for public intoxication in Charlotte, North Carolina. Attempt to review arrest records for these two arrests.

LITTLE ROCK DIVISION:

1. Interview appointee in accordance with MIOG, Part II, Section 17-5.6. During interview, obtain and date and place of birth of the exchange student who resides with appointee, and conduct appropriate indices checks. Immediately provide to FBIHQ so that appropriate headquarters indices checks can be conducted.

Also during interview, discuss appointee's arrests as indicated on SF-86; his involvement in court cases as indicated on SF-86; determine which organizations he holds a policy-making or decision making position (Item 13 on SF-86 and Item 1S of Supplement to SF-86) and verify. Also discuss his membership in the Country Club of Little Rock (See Item 8S of supplement). Determine his current position at the club (only a member, or does he hold some type of office in the club); what is his position with regard to the restrictive practice of the club and if he is against it, why did he maintain his membership in the club; and did he ever take any action to try to change the practices of the club.

2. Verify date and place of birth through Bureau of Vital Statistics.

3. Check Arkansas State Bar for membership and grievances.

4. Attempt to verify appointee's service in the Arkansas National Guard (clarify his service during interview).

5. Interview a representative sampling of his clients as provided on Supplement to SF-86.

6. Review appropriate court or other records concerning matters in Items 5S and 6S of supplement.

7. Check State Election Board or appropriate for any complaints or grievances against appointee.

Fax to SACs, Charlotte, et al dated 2/1/93
Re: VINCENT WALKER FOSTER, JR.

8. Review the covenants of the Country Club of Little Rock to determine the membership practices of that club. Attempt to determine if the club has "defacto" discriminatory practices, especially concerning blacks. If so, contact a representative of the NAACP (or other appropriate civil rights group) to determine that organization's perception of the Country Club of Little Rock.

9. Interview Webster Hubbell concerning appointee's involvement in the court cases mentioned on SF-86 and any other court cases.

10. Check appropriate United States Attorney's Offices.

11. Interview at least 25 persons familiar with appointee.

ST. LOUIS DIVISION:

Check FRC-M. Appointee indicates having served in the U.S. Army from 6/68 to 6/74.

WMFO DIVISION:

1. Check Federal Election Commission for any complaints or grievances concerning appointee.

2. Check Public Integrity Section, Department of Justice.

3. Check White House and U.S. Secret Service.

FAX

February 3, 1993

FROM: SAC, LITTLE ROCK (161B-HQ-1044727) (SQ 4) (P)

TO: DIRECTOR, FBI (161B-HQ-1044727)
ATTN: PSS ██████████ SPIN Unit, Room 4371
b6 b7c
SAC, WMFO (161B-HQ-1044727)
ATTN: SPIN Squad Supervisor

SUBJECT: VINCENT WALKER FOSTER, JR.
SPIN
OO: FBIHQ
BUDED: 2/22/93

Re Bureau FAX to Charlott and other offices (including WMFO) dated 2/1/93.

Investigation at Little Rock, Arkansas, has determined that the appointee is now in Washington, D.C., and can be contacted at the White House Counsel's Office, telephone number (202) 456-6611.

WMFO, at Washington, D.C., will interview appointee in accordance with MIOG, Part II, Section 17-5.6, paying particular attention to Bureau instruction 1 for Little Rock set forth on page 2 of referenced FAX.

FAX

February 10, 1993

FROM: SAC, LITTLE ROCK (161B-HQ-1044727) (SQ 4) (P)

TO: DIRECTOR, FBI (161B-HQ-1044727)
ATTN: PSS [REDACTED] SPIN Unit, Room 4371
b6 b7C

SAC, WMFO (161B-HQ-1044727)
ATTN: SPIN Squad Supervisor

SUBJECT: VINCENT WALKER FOSTER, JR.
SPIN
OO: FBIHQ
BUDED: 2/22/93

Re Bureau FAX to Charlotte and other offices (including WMFO), 2/1/93.

Page 5 of appointee's SF-86 lists WEBSTER HUBBELL as a reference in Little Rock, Arkansas. HUBBELL is now with the Justice Department, Washington, D.C.

WMFO, at Washington, D.C., is requested to contact HUBBELL at his office, Room 511, Department of Justice, telephone number (202) 514-3892, and interview him re the appointee.

DCII CHECK REQUEST FORM

**** SUBJECT IDENTIFICATION ****

Please return to PSS ^{b6, b7c} [REDACTED] Room 4371
Unit Special Inquiry Unit

SUBJECT: Foster, Vincent Walker JR
(Last, First, Middle)

DOB: 1-15-45
(YY/MM/DD)

SSAN: 429-80-1132

OTHER NAMES USED: (ALL AKAS AND NEE NAMES)

Vince Foster

Vincent Foster

^{b6, b7c}
CHECK CONDUCTED BY: [REDACTED] ON: 2/1/93

01 FOSTER, V
*** ?NO RECORD FOUND

DB=450115 SS: 29801132 PB=

↓

?SEL-NEXT
48

RNTR/PF-4

EXT/PF-5

CMD = --

NUM

-

33

REQUEST FOR CREDIT CHECK

FEB 2 10 41 AM '93 DATE 02/01/93

TO: CONTRACTOR
FROM: SPECIAL INQUIRY UNIT (SPIN), CID

ATTENTION: [REDACTED] ⁶⁶ b7c ROOM 4371 EXT. 4747

RESPONSE CRITERIA

TYPE OF REQUEST

5 WORK DAYS

SUITABILITY

SUBJECT'S NAME: FOSTER, VINCENT WALKER JR

MAIDEN:

OTHER NAMES USED: FOSTER, VINCE
FOSTER, VINCENT

DATE OF BIRTH (DOB): 01/13/45 PLACE OF BIRTH (POB): HOPE, AR

SEX: M SOCIAL SECURITY ACCOUNT NUMBER (SSAN): 429-90-1132

SPOUSE'S NAME: FOSTER, ELIZABETH BRADEN
AKA: BRADEN, LISA

MAIDEN: FOSTER

SUBJECT'S CURRENT
ADDRESS:

5414 STONEWALL RD, LITTLE ROCK, AR 72207

SUBJECT'S
ADDRESS(ES)

5414 STONEWALL RD, LITTLE ROCK, AR 72207

FOP LAST
SEVEN (7) YEARS:

ENCLOSURE - RELEASE FORM TO BE ATTACHED

6/arg

UNITED STATES OF AMERICA

AUTHORIZATION FOR RELEASE OF INFORMATION

Carefully read this authorization to release information about you, then sign and date it in ink.

I Authorize any investigator, special agent, or other duly accredited representative of the U.S. Office of Personnel Management, the Federal Bureau of Investigation, the Department of Defense, and any authorized Federal agency, to obtain any information relating to my activities from schools, residential management agents, employers, criminal justice agencies, retail business establishments, or other sources of information. This information may include, but is not limited to, my academic, residential, achievement, performance, attendance, disciplinary, employment history, and criminal history record information.

I Understand that, for financial or lending institutions, medical institutions, hospitals, health care professionals, and other sources of information, a separate specific release will or may be needed, and I may be contacted for such a release at a later date.

I Further Authorize the U.S. Office of Personnel Management, the Federal Bureau of Investigation, the Department of Defense, and any other authorized agency, to request criminal record information about me from criminal justice agencies for the purpose of determining my eligibility for, assignment to, or retention in, a sensitive position, in accordance with 5 U.S.C. 9101.

I Authorize custodians of records and sources of information pertaining to me to release such information upon request of the investigator, special agent, or other duly accredited representative of any Federal agency authorized above regardless of any previous agreement to the contrary.

I Understand that the information released by records custodians and sources of information is for official use by the Federal Government only for the purposes provided in this Standard Form 86, and may be redisclosed by the Government only as authorized by law.

Copies of this authorization that show my signature are as valid as the original release signed by me. This authorization is valid for two (2) years from the date signed.

Signature (Sign in Ink) <i>Vincent W Foster, Jr.</i>		Full Name (Type or Print Legibly) Vincent Walker Foster, Jr.		Date Signed 1/15/93	
Other Names Used Vince Foster; Vincent Foster				Social Security Number 4 2 9 - 8 0 1 1 3 7	
Current Address (Street, City) 5414 Stonewall Road, Little Rock			State AR	ZIP Code 7 2 2 0 7	Home Telephone Number (Include Area Code) (501) 663-0141

SPIN 5 DAYS E
00000049 930202 151721 18

STONEWALL RD
OCCCCC
CC CC

BBBBBBB RRRRRRR
BB BB RR RR
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RR RR

FOSTER, VINCENT WALKER
5414 STONEWALL RD
LITTLE ROCK, AR 72207

SSN: 429801132

E A S Y R E A D
CREDIT BUREAU REPORTS, INC.
BOX 36403 HOUSTON, TX 77236

IDENTIFICATION

MULTIPLE 1

NAME: FOSTER, VIN W J SSN: 429801132 DOB: Y-1945

EMPLOYER: VINCENT W FOSTER JR 5414 STONEWALL AR 72207 REPORTED: 02-92

FORMER EMPLOY: ROSE LAW FIRM & ASSOC LITTLE ROCK AR REPORTED: 05-92

CREDITOR NAME CREDITOR #	DLR	ECO A TYPE		ACCOUNT NUMBER HIGH	TRADE		MOP HIST BAL PAST	PAYMENT PATTERN	REMARKS 30 60 90
		DO	DLA		TERM				

[REDACTED]				[REDACTED]			[REDACTED]		
[REDACTED]				[REDACTED]			[REDACTED]		
[REDACTED]				[REDACTED]			[REDACTED]		
[REDACTED]				[REDACTED]			[REDACTED]		
[REDACTED]				[REDACTED]			[REDACTED]		
[REDACTED]				[REDACTED]			[REDACTED]		
[REDACTED]				[REDACTED]			[REDACTED]		
[REDACTED]				[REDACTED]			[REDACTED]		
[REDACTED]				[REDACTED]			[REDACTED]		
[REDACTED]				[REDACTED]			[REDACTED]		
[REDACTED]				[REDACTED]			[REDACTED]		
[REDACTED]				[REDACTED]			[REDACTED]		
[REDACTED]				[REDACTED]			[REDACTED]		
[REDACTED]				[REDACTED]			[REDACTED]		

b6, b7c

XXXXXX
XXXXXX
XXXXXX

FEDERAL BUREAU OF INVESTIGATION
FOIPA
DELETED PAGE INFORMATION SHEET

3 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

Deletions were made pursuant to the exemptions indicated below with no segregable material available for release to you.

Section 552

Section 552a

(b)(1)

(b)(7)(A)

(d)(5)

(b)(2)

(b)(7)(B)

(j)(2)

(b)(3)

(b)(7)(C)

(k)(1)

(b)(7)(D)

(k)(2)

(b)(7)(E)

(k)(3)

(b)(7)(F)

(k)(4)

(b)(4)

(b)(8)

(k)(5)

(b)(5)

(b)(9)

(k)(6)

(b)(6)

(k)(7)

Information pertained only to a third party with no reference to the subject of your request or the subject of your request is listed in the title only.

Documents originated with another Government agency(ies). These documents were referred to that agency(ies) for review and direct response to you.

Pages contain information furnished by another Government agency(ies). You will be advised by the FBI as to the releasability of this information following our consultation with the other agency(ies).

Page(s) withheld inasmuch as a final release determination has not been made. You will be advised as to the disposition at a later date.

Pages were not considered for release as they are duplicative of _____

Page(s) withheld for the following reason(s): _____

The following number is to be used for reference regarding these pages:

161B-AQ-1044727 Credit Report

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X Deleted Page(s) X
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X for this page X
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February 1, 1993

TO: INVESTIGATION BACKGROUND BRANCH (IBB)

OPM
ATTN: [REDACTED] b6
b7C

FROM: SPECIAL INQUIRY UNIT
FBI HEADQUARTERS

PLEASE SEARCH THE FOLLOWING NAMES THORUGH OPM RECORDS:

NAME	DOB	SSAN
[REDACTED]	[REDACTED]	A Unacceptable report by NACT by MHS 10/18/86 [REDACTED]
[REDACTED]	[REDACTED]	NO RECORD by SSAN or NAME [REDACTED]
[REDACTED]	[REDACTED]	NO RECORD by SSAN or NAME [REDACTED]
[REDACTED]	[REDACTED]	NO RECORD by SSAN or NAME [REDACTED]
[REDACTED]	[REDACTED]	NO RECORD by SSAN or NAME [REDACTED]
VINCENT, FOSTER	01/15/49	NO RECORD by SSAN or NAME [REDACTED] 80-1137
[REDACTED]	[REDACTED]	NO RECORD by SSAN or NAME [REDACTED]
[REDACTED]	[REDACTED]	NO RECORD by SSAN or NAME [REDACTED]
[REDACTED]	[REDACTED]	NO RECORD by SSAN or NAME [REDACTED]
[REDACTED]	[REDACTED]	NACT 10/19/86 AGRI NO FILE AT OPM [REDACTED] *
[REDACTED]	[REDACTED]	NO RECORD by SSAN or NAME [REDACTED]

* OFI 79 3/7/86 Dept of State

6/08

BUREAU DEADLINE: 02/03/93

VA

BY COURIER

RETURN TO ROOM 4371 TL 114

EXT. 4747

DATE: 02/01/93

b6
b7c

TO: DIRECTOR, CENTRAL INTELLIGENCE AGENCY
① ATTENTION: DEPUTY DIRECTOR FOR OPERATIONS
1 ATTENTION: DIRECTOR OF SECURITY

FROM: DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

SUBJECT: VINCENT WALKER FOSTER JR NEE:
AKA: VINCE FOSTER
VINCENT FOSTER

PRESIDENTIAL

NAME CHECK REQUEST

IT IS REQUESTED THIS BUREAU BE FURNISHED ALL INFORMATION AVAILABLE IN THE FILES OF YOUR DIVISION, CONCERNING CAPTIONED SUBJECT. POSITIVE INFORMATION SHOULD BE ATTACHED TO A COPY OF THIS FORM CLASSIFIED WHERE APPROPRIATE AND RETURNED TO THIS BUREAU. IF THE REQUESTED CHECK IS NEGATIVE, A STAMPED NOTATION TO THIS EFFECT AND RETURN OF A COPY OF THIS FORM IS REQUESTED.

DATE/PLACE OF BIRTH	SSN	SEX	MARITAL STATUS	SPOUSE NAME
HOPE, AR 01/15/45	429-80-1132	M	MARRIED	ELIZABETH FOSTER

RESIDENCE ADDRESS	OCCUPATION
5414 STONEWALL RD LITTLE ROCK, AR 72207	PARTNER

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/29/97 BY SSA/SG/BS/BJE
(424736) (CA#97-2407)

CURRENT EMPLOYER	FORMER EMPLOYMENTS
ROSE LAW FIRM/WILLIAM KENNEDY 120 EAST FOURTH ST LITTLE ROCK, AR 72201	NOT AVAILABLE

ADDITIONAL REMARKS:
COUNTRIES VISITED: FRANCE
ITALY
CANADA
GERMANY, FEDERAL REPUBLIC OF

② - DEPUTY DIRECTOR FOR OPERATIONS
1 - DIRECTOR OF SECURITY

SPECIAL INQUIRY

nk

FEB 2

Wkg

FEB 02 '93 16:01

(MO) 02. 01. '93

NO. 140008008 P. 4/8

BUREAU DEADLINE: 02/03/93

YTT

BY COUR

RETURN TO ROOM 4371 TL 114

DATE: 02/01/93

[REDACTED] b6 b7c

EXT. 4747

TO: DIRECTOR, CENTRAL INTELLIGENCE AGENCY
ATTENTION: DEPUTY DIRECTOR FOR OPERATIONS
ATTENTION: DIRECTOR OF SECURITY

FROM: DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

NO RECORD
27 Feb 93 mg

SUBJECT: **[REDACTED]** NR NEE:

AKA: VINCE FOSTER NR
VINCENT FOSTER NR

PRESIDENTIAL

NAME CHECK REQUEST

IT IS REQUESTED THIS BUREAU BE FURNISHED ALL INFORMATION AVAILABLE IN THE FILES OF YOUR DIVISION, CONCERNING CAPTIONED SUBJECT. POSITIVE INFORMATION SHOULD BE ATTACHED TO A COPY OF THIS FORM CLASSIFIED WHERE APPROPRIATE AND RETURNED TO THIS BUREAU. IF THE REQUESTED CHECK IS NEGATIVE, A STAMPED NOTATION TO THIS EFFECT AND RETURN OF A COPY OF THIS FORM IS REQUESTED.

DATE/PLACE OF BIRTH	SSN	SEX	MARITAL STATUS	SPOUSE NAME
MOORE, AR 01/25/45	429-80-1132	M	MARRIED	ELIZABETH FOSTER
RESIDENCE ADDRESS	OCCUPATION	CURRENT EMPLOYER	FORMER EMPLOYMENTS	
5414 STONEWALL RD LITTLE ROCK, AR 72207	PARTNER	ROSE LAW FIRM/WILLIAM KENNEDY 120 EAST FOURTH ST LITTLE ROCK, AR 72201	NOT AVAILABLE	
ADDITIONAL REMARKS:				
COUNTRIES VISITED: FRANCE ITALY CANADA GERMANY, FEDERAL REPUBLIC OF				

MOORE, AR
01/25/45

429-80-1132

M MARRIED

ELIZABETH
FOSTER

RESIDENCE ADDRESS

OCCUPATION

5414 STONEWALL RD
LITTLE ROCK, AR 72207

PARTNER

CURRENT EMPLOYER

FORMER EMPLOYMENTS

ROSE LAW FIRM/WILLIAM KENNEDY
120 EAST FOURTH ST
LITTLE ROCK, AR 72201

NOT AVAILABLE

ADDITIONAL REMARKS:

COUNTRIES VISITED: FRANCE
ITALY
CANADA
GERMANY, FEDERAL REPUBLIC OF

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/29/97 BY SSA 5608 SW/JAC
(424,736) (CA# 97-2107)

DEPUTY DIRECTOR FOR OPERATIONS
DIRECTOR OF SECURITY

SPECIAL INQUIRY

BUREAU DEADLINE: 02/03/93

VTT

BY COMPUTER
RETURNED ROOM 4371 TL 114
EXT. 4747

DATE: 02/01/93

86, b7c

TO: DIRECTOR, CENTRAL INTELLIGENCE AGENCY
ATTENTION: DEPUTY DIRECTOR FOR OPERATIONS
ATTENTION: DIRECTOR OF SECURITY

FROM: DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

SUBJECT: VINCENT WALKER FOSTER JR NEE:
AKA: VINCE FOSTER
VINCENT FOSTER

NAME CHECK REQUEST

IT IS REQUESTED THIS BUREAU BE FURNISHED ALL INFORMATION AVAILABLE IN THE FILES OF YOUR DIVISION, CONCERNING CAPTIONED SUBJECT. POSITIVE INFORMATION SHOULD BE ATTACHED TO A COPY OF THIS FORM CLASSIFIED WHERE APPROPRIATE AND RETURNED TO THIS BUREAU. IF THE REQUESTED CHECK IS NEGATIVE, A STAMPED NOTATION TO THIS EFFECT AND RETURN OF A COPY OF THIS FORM IS REQUESTED.

DATE/PLACE OF BIRTH	SSN	SEX	MARITAL STATUS	SPOUSE NAME
HOPE, AR 01/15/45	429-80-1132	M	MARRIED	ELIZABETH FOSTER
RESIDENCE ADDRESS		OCCUPATION		
5414 STONEWALL RD LITTLE ROCK, AR 72207		PARTNER		
CURRENT EMPLOYER		FORMER EMPLOYMENTS		
ROSE LAW FIRM/WILLIAM KENNEDY 120 EAST FOURTH ST LITTLE ROCK, AR 72201		NOT AVAILABLE		
ADDITIONAL REMARKS:				
COUNTRIES VISITED: FRANCE ITALY CANADA GERMANY, FEDERAL REPUBLIC OF				

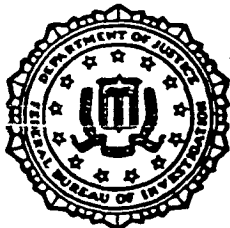
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/29/97 BY SSA 6008 sub/ATC
(424,736)(CA 97-2107)

- 2 - DEPUTY DIRECTOR FOR OPERATIONS
- 1 - DIRECTOR OF SECURITY

SPECIAL INQUIRY

86
b7c
nk
[Redacted]
called 12/2
10/60

6 long



FBI FACSIMILE COVERSHEET

CLASSIFICATION

PRECEDENCE

- Immediate
- Priority
- Routine

- Top Secret
- Secret
- Confidential
- Sensitive
- Unclassified

Time Transmitted: _____

Sender's Initials: _____

Number of Pages: 2

To: SIC Charlotte
(Name of Office)

Date: 2/1/93

Facsimile number: _____

Attn: [Redacted] 66
(Name Room Telephone No.) 67C

From: SPIN Unit - FBIHQ
(Name of Office)

Subject: Vincent Walker Foster, Jr.
SPIN (B)
Buded 2/92/93

Special Handling Instructions: Hand carry to [Redacted] 66
Release form attached (smiley) 67C

Originator's Name: [Redacted] 66 Telephone: X4747
67C

Originator's Facsimile Number: (202) 324-2574

Approved: [Signature]

1990

Office of Personnel Management
FPM Chapter 732

UNITED STATES OF AMERICA

AUTHORIZATION FOR RELEASE OF INFORMATION

Carefully read this authorization to release information about you, then sign and date it in ink.

I Authorize any investigator, special agent, or other duly accredited representative of the U.S. Office of Personnel Management, the Federal Bureau of Investigation, the Department of Defense, and any authorized Federal agency, to obtain any information relating to my activities from schools, residential management agents, employers, criminal justice agencies, retail business establishments, or other sources of information. This information may include, but is not limited to, my academic, residential, achievement, performance, attendance, disciplinary, employment history, and criminal history record information.

I Understand that, for financial or lending institutions, medical institutions, hospitals, health care professionals, and other sources of information, a separate specific release will or may be needed, and I may be contacted for such a release at a later date.

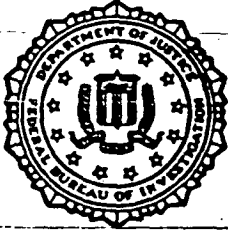
I Further Authorize the U.S. Office of Personnel Management, the Federal Bureau of Investigation, the Department of Defense, and any other authorized agency, to request criminal record information about me from criminal justice agencies for the purpose of determining my eligibility for, assignment to, or retention in, a sensitive position, in accordance with 5 U.S.C. 9101.

I Authorize custodians of records and sources of information pertaining to me to release such information upon request of the investigator, special agent, or other duly accredited representative of any Federal agency authorized above regardless of any previous agreement to the contrary.

I Understand that the information released by records custodians and sources of information is for official use by the Federal Government only for the purposes provided in this Standard Form 86, and may be redisclosed by the Government only as authorized by law.

Copies of this authorization that show my signature are as valid as the original release signed by me. This authorization is valid for two (2) years from the date signed.

Signature (Sign in Ink) Vincent W. Foster, Jr.		Full Name (Type or Print Legibly) Vincent Walker Foster, Jr.		Date Signed 1/15/93
Other Names Used Vince Foster; Vincent Foster			Social Security Number 4 2 9 - 8 0 1 1 3 7	
Current Address (Street, City) 5414 Stonewall Road, Little Rock		State AR	ZIP Code 7 2 2 0 1 7	Home Telephone Number (Include Area Code) (501) 663-0141



FBI FACSIMILE COVERSHEET

CLASSIFICATION

PRECEDENCE

- Immediate
- Priority
- Routine

- Top Secret
- Secret
- Confidential
- Sensitive
- Unclassified

Time Transmitted: _____

Sender's Initials: _____

Number of Pages: 2

To: SAC, Little Rock
(Name of Office)

Date: 2/4/93

Facsimile number: _____ ^{b6}

Attn: [Redacted] ^{b7c}
(Name Room Telephone No.)

From: SPIN Unit - FBIHQ
(Name of Office)

Subject: Vincent Walker Foster, JR.

Special Handling Instructions: Hand carry to [Redacted] ^{b6 b7c}

Originator's Name: [Redacted] ^{b6 b7c} Telephone: X 4747

Originator's Facsimile Number: (202) 324-2574

Approved: [Signature]

Review records
LR

6S. Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, please give full details. A Rule 11 Motion was filed by former law firm in a suit over which I was supervising attorney: In Re TCBY Securities Litigation. The Motion was denied and the Court awarded sanctions against the attorney who filed the Motion. Other Rule 11 Motions may have been filed against the firm on cases in which I was the sole or supervising attorney; if so, I do not recall any of them being ruled on. I have never been determined to have violated Rule 11.

LR
WMFO

7S. Have you ever run for political office, served on a political committee or been identified in a public way with a particular organization, candidate or issue? Have any complaints been lodged against you or your political committee with the Federal Election Commission or state or local election authorities? If so, please describe. Yes; I have represented the Arkansas Democratic Party in one lawsuit, English v. Tucker, et al, Circuit Court of Pulaski County, Arkansas No. 92-5685, and served as Chair of its Platform Committee at the State Convention in 1982. I have been identified with various Clinton Campaigns. No complaints have been lodged against or concerning me. I have been on Finance Committees for various local candidates

LR

8S. Are you currently, or have you ever been, a member or office holder in any club or organization that restricts or restricted membership on the basis of sex, race, color, religion, national origin, age or handicap? If so, provide the name, address and dates of membership for each. Since approximately 1976 I am a member of the Country Club of Little Rock which, until recently, I believe had no Afro-American members although its rules, as I understand them, have not restricted membership on the basis of race or color.

9S. Please identify any adults (18 years or older) currently living with you who are not members of your immediate family. Provide the names of those individuals, dates and places of birth, and whether or not they are United States citizens. N/A

10S. Is there anything in your personal life that could be used by someone to coerce or blackmail you? Is there anything in your life that could cause an embarrassment to you or to the President if publicly known? If so, please provide full details. No

I understand that the information being provided on this supplement to the SF-86 is to be considered part of the original SF-86 dated January 15, 1993 and a false statement on this form is punishable by law.

Wesley W. Fortney
Signature

DATE TIME = FEB-04 08:46
JOURNAL NO. = 30
COMM. RESULT = OK
PAGES = 02
FILE NO. =
DURATION = 00:01'02
MODE = NIT
STATION NAME = LITTLE ROCK
TELEPHONE NO. = 8 501 328 8545
RECEIVED ID = 501 328 8545
RESOLUTION = STANDARD

-SPIN UNIT

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE CHARLOTTE	OFFICE OF ORIGIN BUREAU	DATE 2/10/93	INVESTIGATIVE PERIOD 2/9/93
TITLE OF CASE VINCENT WALKER FOSTER, JR.		REPORT MADE BY IA [REDACTED] b6 b7c	TYPED BY: MW
		CHARACTER OF CASE SPECIAL INQUIRY	

REFERENCE

Director facsimile to Charlotte on 2/1/93.

- RUC -

ADMINISTRATIVE

Individuals contacted were apprised of the provisions of the Privacy Act and none requested confidentiality.

Charlotte general indices and FOIMS checks were all negative for the appointee.

APPROVED <i>JPS [Signature]</i> SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW
COPIES MADE: ② - Bureau (161B-HQ-1044727) b6 b7c idet. ATTN: [REDACTED] ROOM 4371 2 - Charlotte (161B-HQ-1044727)	

DISSEMINATION RECORD OF ATTACHED REPORT				
Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By				

Notations

6/10/93

UNITED STATES DEPARTMENT OF JUSTICE
Federal Bureau of Investigation

Copy to:

b6 b7c

Report of: IA [REDACTED] Office: CHARLOTTE
Date: February 10, 1993
Field Office File #: 161B-HQ-1044727 Bureau File #: 161B-HQ-1044727
Title: VINCENT WALKER FOSTER, JR.

Character: SPECIAL INQUIRY

Synopsis: Arrest checks conducted at Charlotte, North Carolina, were negative in regards to any arrests for appointee in April 1964, or December 1966. Records did disclose three traffic related violations given to one VINCENT WALKER FOSTER, JR. and one WALKER FOSTER, JR. on January 28, 1965; March 18, 1965 and September 29, 1966.

- RUC -

DETAILS:

The following investigation was conducted by
IA [REDACTED] b6 b7C

IDENTIFICATION

On February 9, 1993, [REDACTED] b6 b7C RECORDS BUREAU,
CHARLOTTE-MECKLENBURG COUNTY POLICE DEPARTMENT, Charlotte, North
Carolina, after a search of police records, advised she could
locate no record of arrest in the name VINCENT WALKER FOSTER, JR.

On February 9, 1993, [REDACTED] b6 b7C CLERKS OFFICE,
MECKLENBURG COUNTY SUPERIOR COURT, Charlotte, North Carolina,
after a search of court records, advised he could locate no
record of arrest for VINCENT WALKER FOSTER, JR.

[REDACTED] b6 b7C further conducted a search of card indices for
the years 1963-1969, and provided the following entries from
these indices cards:

One VINCENT WALKER FOSTER entered a guilty plea on
January 28, 1965, for Speeding. No disposition noted.

One WALKER FOSTER, JR., paid a \$50.00 fine plus costs
on March 18, 1965, for Reckless Driving and Operating Auto
Intoxicated.

One VINCENT WALKER FOSTER, JR., was found not guilty on
September 29, 1966, to Allowing Unlicensed Person to Drive.

No entries were noted regarding any arrests in
April 1964, or December 1966.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE ST. LOUIS	OFFICE OF ORIGIN BUREAU	DATE 2/11/93	INVESTIGATIVE PERIOD 2/3/93 - 2/10/93
TITLE OF CASE VINCENT WALKER FOSTER, JR.		REPORT MADE BY IA [REDACTED] ^{bb} ^{b7c}	TYPED BY: snd
		CHARACTER OF CASE SPIN	

REFERENCE: Bureau fax to Charlotte, 2/1/93.

- RUC -

(X)

ADMINISTRATIVE:

All persons interviewed were furnished the appropriate provisions of the Privacy Act. Express promises of confidentiality have not been granted.

St. Louis Division General indices were negative regarding FOSTER.

APPROVED <i>James W. Nelson / j</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW		
COPIES MADE: 2 - Bureau (161B-HQ-1044727) ^{bb} ^{b7c} ATTN: SPIN Unit, Room 4371, [REDACTED] 1 - St. Louis (161B-HQ-R1044727)				

DISSEMINATION RECORD OF ATTACHED REPORT					Notations
Agency					
Request Recd.					
Date Fwd.					
How Fwd.					
By					

6/10/93

UNITED STATES DEPARTMENT OF JUSTICE
Federal Bureau of Investigation

Copy to:

Report of:
Date:

IA [REDACTED] b6 b7C
February 11, 1993

Office: ST. LOUIS

Field Office File #: 161B-HQ-R1044727

Bureau File #: 161B-HQ-1044727

Title: VINCENT WALKER FOSTER, JR.

Character: SPECIAL INQUIRY

Synopsis: FOSTER served honorably in ARMY NATIONAL GUARD. Awards and military occupation reported.

- RUC -

DETAILS: AT ST. LOUIS, MISSOURI

Military Service

On February 10, 1993, a review of the records on file at the FEDERAL RECORDS CENTER, Military Branch, 9700 Page Boulevard, disclosed VINCENT WALKER FOSTER, JR., service number 25 414 690, enlisted in the Army National Guard of the State of Arkansas and as a Reserve of the ARMY with membership in the Army National Guard of the United States on May 20, 1968, at Hope, Arkansas. He entered on active duty for training in the ARMY on July 8, 1968, at Hope, Arkansas. He was honorably released from active duty on November 5, 1968, as a private (E-2), at Fort Dix, New Jersey by reason of completion of required training and reverted to the State control of the Army National Guard of Arkansas. He then served in a reserve status under the control of the Army National Guard of the State of Arkansas and honorably discharged from Army National Guard and as a Reserve of the ARMY on May 19, 1974, as a staff sergeant, by reason of expiration of term of service.

161B-HQ-R1044727

He had no foreign service. He was awarded the Sharpshooter Badge with Rifle Bar and the Expert Badge with Rifle Bar. There was no record of courts-martial or unauthorized absence and records failed to contain performance ratings.

His military occupation was listed as light weapons infantryman and platoon sergeant. A security clearance was not indicated.

His date and place of birth were shown as January 15, 1945, at Hope, Arkansas.

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE LITTLE ROCK	OFFICE OF ORIGIN BUREAU	DATE 2/22/93	INVESTIGATIVE PERIOD 2/2/93-2/17/93
TITLE OF CASE VINCENT WALKER FOSTER, JR.		REPORT MADE BY SA [REDACTED] b7c b6	TYPED BY: hjd
		CHARACTER OF CASE SPIN	

BUDED: 2/22/93

REFERENCES: Bureau FAX to Charlotte and other offices, 2/1/93.

- RUC -

ADMINISTRATIVE:

Search of Little Rock general and automated indices re appointee, appointee's [REDACTED] appointee's [REDACTED] and [REDACTED] appointee's [REDACTED] and [REDACTED] appointee's [REDACTED] negative. Appointee's [REDACTED] and [REDACTED] The Bureau should note that appointee's brother-in-law, **BERYL FRANKLIN ANTHONY, JR.**, is the former U.S. Representative of the 4th Congressional District of Arkansas.

Where appropriate, Privacy Act (e)(3) data was furnished to persons interviewed. Express promises of confidentiality, both limited and unlimited, have been noted.

APPROVED Rms/dhk SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW																									
COPIES MADE: ② - Bureau (161B-HQ-1044727) b6 b7c ATTN: PSS [REDACTED] SPIN Unit, Room 4371 1 - Little Rock (161B-HQ-1044727)																										
DISSEMINATION RECORD OF ATTACHED REPORT																										
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**UNITED STATES DEPARTMENT OF JUSTICE
Federal Bureau of Investigation**

Copy to:

Report of:
Date:SA [REDACTED] ^{b7c} _{b6}
February 22, 1993

Office: LITTLE ROCK

Field Office File #:

161B-HQ-1044727

Bureau File #: 161B-HQ-1044727

Title:

VINCENT WALKER FOSTER, JR.

Character:

SPECIAL INQUIRY

Synopsis:

Birth verified. Education verified. Law school professor comments favorably and recommends. Arkansas National Guard service verified. Past employment verified and favorable. Six former coworkers comment favorably and recommend. Former residence verified. Two former neighbors comment favorably and recommend. Reference comments favorably and recommends. Bar membership verified. Two Bar associates comment favorably and recommend. Chairman, Democratic Party of Arkansas, comments favorably and recommends. Eight legal clients of appointee contacted and favorable. Opposing attorney of appointee comments favorably and recommends. Appointee's country club not restrictive. Records, U.S. Attorney's Offices, Eastern and Western Districts of Arkansas, negative re appointee. Records, Arkansas Attorney General and Pulaski County Elections Commission, negative re appointee. Real estate records reviewed. Court records reviewed. Local law enforcement agency checks Fayetteville and Little Rock areas negative re appointee.

- RUC -

DETAILS:

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1. BIRTH

161B-HQ-1044727
GEB/meh

1

The following investigation was conducted by
Investigative Assistant (IA) [REDACTED] at Little Rock,
Arkansas, on February 4, 1993: b6 b7c

Review of Bureau of Vital Statistics records, Arkansas
Department of Health, Little Rock, reveals the appointee,
VINCENT WALKER FOSTER, JR., was born January 15, 1945, at Hope,
Arkansas. Parents are listed as VINCENT WALKER FOSTER, father,
and ALICE MAE WADDLE, mother.

2. EDUCATION

The following investigation was conducted by Special Agent (SA) [REDACTED] at Fayetteville, Arkansas, on February 5, 1993: b6, b7c

UNIVERSITY OF ARKANSAS
SCHOOL OF LAW
FAYETTEVILLE, ARKANSAS
FEBRUARY 1969 - JANUARY 1971 b6 b7c

[REDACTED] University of Arkansas School of Law at Fayetteville, Arkansas, advised that, after a review of her institution's files, the following information could be revealed concerning the appointee:

Date of Birth	January 15, 1945
Place of Birth	Hope, Arkansas
Academic Record Number	53665
Graduated	January 30, 1970, with high honors
Grade Point Average	3.79 out of 4.0
Class Rank	1 out of 46
Dean's List	Spring semester 1969 Fall semester 1969 Spring semester 1970 Fall semester 1970

The appointee attended the University of Arkansas School of Law at Fayetteville, Arkansas, for the following semesters:

Spring semester of 1969
Fall semester of 1969
Spring semester of 1970
Fall semester of 1970.

[REDACTED] University of Arkansas School of Law at Fayetteville, Arkansas, advised he was familiar with the appointee and advised he was "tops." [REDACTED] stated that he had met the appointee during the appointee's attendance at the University of Arkansas School of Law. [REDACTED] characterized the appointee as reliable, dependable, and trustworthy. The appointee was both emotionally and financially stable. [REDACTED] advised that the appointee had an excellent reputation throughout the law school. [REDACTED] knew of no work- or family-related problems that the appointee may have experienced. He was physically and mentally healthy.

b6
b7c
[REDACTED] advised the appointee was a loyal American citizen. The appointee had no contact with any foreign nationals. The appointee was not a member of any adverse or radical group or association. The appointee had the ability to handle sensitive information. [REDACTED] further advised that he knew of no aspect of the appointee's past which would make him susceptible to blackmail or coercion.

[REDACTED] advised he knew some of the associates of the appointee while the appointee was attending the law school, and they were good individuals with good moral character. The appointee did not abuse alcohol or prescription drugs or use illegal drugs in any manner.

The appearance of the appointee was always neat and professional. The appointee never displayed any evidence of any bias or prejudice towards any group or individual. The appointee appeared to be financially responsible.

[REDACTED] advised that the appointee was one of his very best students for as long as he had been teaching law, and he gives the appointee his highest recommendation and very highly recommends the appointee for a position of trust and confidence with the United States Government.

3. MILITARY SERVICE

The following investigation was conducted by Special Agent (SA) [REDACTED] at Little Rock, Arkansas, on February 16, 1993: b6 b7c

ARKANSAS NATIONAL GUARD
CAMP ROBINSON
NORTH LITTLE ROCK, ARKANSAS

[REDACTED] furnished the appointee's records which indicate that he enlisted in the Arkansas National Guard May 20, 1968, at Hope, Arkansas, and was honorably discharged on May 19, 1974, fulfilling his six-year enlistment term. The appointee's file disclosed no derogatory information. [REDACTED] advised that any information concerning the appointee's participation in the active reserve after his service in the National Guard would have to be verified with the Army Record Center in St. Louis, Missouri.

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4. EMPLOYMENT

161B-HQ-1044727
SD/sst

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The following investigation was conducted by Special Agent (SA) [REDACTED] on February 2, 1993, at Little Rock, Arkansas:

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ROSE LAW FIRM
120 EAST FOURTH STREET
LITTLE ROCK, ARKANSAS
JANUARY 1971 - FEBRUARY 1993

[REDACTED] ROSE LAW FIRM, 120 East Fourth Street, Little Rock, Arkansas, telephone (501) 375-9131, advised that the ROSE LAW FIRM does not have or maintain personnel records on members or partners. [REDACTED] advised that the ROSE LAW FIRM recruits and reviews resumes of potential attorneys being considered for employment. [REDACTED] advised that the ROSE LAW FIRM has now started keeping records on new attorneys who join the firm. [REDACTED] made available the appointee's Union Mutual Group enrollment card, a computerized payroll listing, and W-2 forms.

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A review of the Union Mutual Group enrollment card indicated that the appointee, date of birth January 15, 1945, Social Security Account Number (SSAN) 429-80-1132, was employed on February 8, 1971, full-time as an attorney. The enrollment card also listed the appointee's initial annual salary. A review of the computerized payroll listing and W-2 forms indicated that the appointee was on the ROSE LAW FIRM's payroll during all four quarters of 1992.

[REDACTED] advised that the appointee resigned in January 1993 and was a senior member at the time of his resignation. [REDACTED] advised that the ROSE LAW FIRM is a professional association and, therefore, uses the term "member" instead of "partner," but advised the terms are interchangeable. [REDACTED] advised that the appointee would be eligible for rehire at the ROSE LAW FIRM.

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WILLIAM HOLDER KENNEDY III, chief operating officer and managing member, ROSE LAW FIRM, 120 East Fourth Street, Little Rock, Arkansas, telephone (501) 377-0313, who resides at 33 Edgehill, Little Rock, Arkansas, home telephone (501) 663-9341, advised he first met the appointee in 1976. KENNEDY advised that he and the appointee have been professional and personal friends since 1979. KENNEDY advised that the appointee joined the ROSE LAW FIRM in January or February 1971 as an

[REDACTED] has never questioned the appointee's loyalty to the United States Government or his integrity, character, associates, or reputation. The appointee appears to be financially responsible and has never demonstrated any biases or prejudices towards any group or individual. [REDACTED] has seen no evidence to suggest the appointee abuses alcohol or prescription drugs or engages in illegal drug use. [REDACTED] advised that the appointee takes good care of himself and is in good physical health. The appointee is never depressed or upset and is in excellent mental health.

[REDACTED] advised that the appointee would be an asset to the United States Government and the American people. [REDACTED] recommended the appointee for a position of trust and confidence with the United States Government.

[REDACTED] ROSE LAW FIRM, 120 East Fourth Street, Little Rock, Arkansas, telephone (501) [REDACTED] who resides at [REDACTED] Little Rock, Arkansas, home telephone (501) [REDACTED] advised he has known the appointee professionally and personally since 1978. [REDACTED] advised that the appointee hired him in [REDACTED] [REDACTED] advised that the appointee was a litigator and a trial lawyer. The appointee had been with the ROSE LAW FIRM since 1971 and was a senior member. [REDACTED] advised the appointee resigned in January 1993. [REDACTED] advised that the appointee is the past president of the PULASKI COUNTY BAR ASSOCIATION and is still actively involved with the Bar Association. The appointee was chairman of the executive council and is involved with the American Board of Trial Advocates. [REDACTED] advised that the appointee specializes in commercial, securities, and professional liability litigations.

[REDACTED] described the appointee as the most respected lawyer in the state of Arkansas. The appointee's integrity is unquestionable. The appointee is meticulous, thorough, and always professional. [REDACTED] advised that the appointee's character is unshakable and that the appointee has been the guidepost for the whole firm. The appointee is well-liked around the firm, and young associates aspire to be like the appointee. [REDACTED] advised he has never questioned the appointee's loyalty to the United States Government or his associates, abilities, or reputation. [REDACTED] advised that the appointee is financially prudent and has never demonstrated any biases or prejudices towards any group or individual. [REDACTED] has seen no evidence to suggest the appointee abuses alcohol or prescription drugs or engages in illegal drug use. [REDACTED] advised that the appointee

is in good physical health and works out on a regular basis. The appointee is extremely well-balanced and is in good mental health. [REDACTED] advised that the appointee strives on pressure, activity, and responsibility.

[REDACTED] recommended the appointee for a position of trust and confidence with the United States Government.

[REDACTED] ROSE LAW FIRM, 120 East Fourth Street, Little Rock, Arkansas, telephone (501) [REDACTED] who resides at [REDACTED] Little Rock, Arkansas, home telephone (501) [REDACTED] advised she has known the appointee personally and professionally since September 1986 when she became the [REDACTED] advised that the appointee joined the ROSE LAW FIRM in 1971 after completing law school. The appointee resigned from the ROSE LAW FIRM in January 1993. [REDACTED] advised that the appointee was a senior member of the firm and handled litigation matters.

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[REDACTED] described the appointee as a brilliant and ethical attorney. The appointee is a fine man who is quiet and caring. [REDACTED] advised that the appointee puts his family first and his profession second. [REDACTED] advised that the appointee is well-liked and respected in the community and business sector. The appointee is a community leader who is active in the Bar Association and the Repertory Theater. [REDACTED] advised she has never questioned the appointee's loyalty to the United States Government or his integrity, character, reputation, or abilities. The appointee is a hard worker who is extremely reliable. [REDACTED] advised that the appointee is a perfectionist who revises paperwork until it is perfect. [REDACTED] advised that the appointee is very wise in handling and investing his money and preparing for his children's education. The appointee has never had any financial difficulty and has no biases or prejudices towards any group or individual. [REDACTED] advised that she has seen no evidence to suggest the appointee abuses alcohol or prescription drugs or engages in illegal drug use. The appointee exercises every morning and is in good physical and mental health.

[REDACTED] advised that she would definitely recommend the appointee for a position of trust and confidence with the United States Government.

[REDACTED] ROSE LAW FIRM, 120 East Fourth Street, Little Rock, Arkansas, telephone (501) [REDACTED] who resides at [REDACTED] Little Rock, Arkansas, home telephone (501) [REDACTED] advised he has known the appointee professionally since 1983. [REDACTED] advised [REDACTED] the

appointee handled litigation matters at the ROSE LAW FIRM. [REDACTED] and the litigation department did the trial work and prepared cases for trial. [REDACTED] advised that the appointee was a senior member until he resigned on January 19, 1993.

[REDACTED] advised that the appointee is one of the smartest lawyers he has ever known. [REDACTED] described the appointee as an outstanding lawyer and loyal friend. The appointee is trustworthy and extremely reliable. [REDACTED] advised that everyone in the firm went to the appointee for assistance or advice. The appointee has an outstanding mind and handled the most difficult cases. [REDACTED] advised the appointee demanded excellent work from all the associates. [REDACTED] advised he has never questioned the appointee's loyalty to the United States or his integrity, associates, character, or reputation. The appointee was financially responsible and lived within his means. [REDACTED] advised that the appointee treated everyone fairly and never displayed any biases or prejudices towards any group or individual. [REDACTED] has seen no evidence to suggest the appointee abuses alcohol or prescription drugs or engages in illegal drug use. The appointee is in excellent health and exercises on a daily basis. [REDACTED] advised that the appointee thrives on pressure and responsibility and is in excellent mental health.

[REDACTED] advised that he would recommend the appointee for a position of trust and confidence with the United States Government.

[REDACTED] ROSE LAW FIRM, 120 East Fourth Street, Little Rock, Arkansas, telephone (501) [REDACTED] who resides on [REDACTED] Little Rock, Arkansas, home telephone (501) [REDACTED] advised she has known the appointee professionally since 1988. [REDACTED] advised that the appointee interviewed her when she was seeking employment with the ROSE LAW FIRM. [REDACTED] advised that she has worked closely with the appointee while handling litigation matters for the ROSE LAW FIRM. [REDACTED] advised that the appointee has been at the ROSE LAW FIRM since 1971. [REDACTED] advised that the appointee was a senior member prior to resigning in January 1993.

[REDACTED] described the appointee as a phenomenal trial lawyer with enormous integrity. [REDACTED] advised that the appointee is a paragon who has the trust and confidence of the whole firm. [REDACTED] has never questioned the appointee's loyalty to the United States Government or his character, associates, reputation, or abilities. [REDACTED] advised that the appointee has the ability to figure out complex problems and their ramifications. The appointee is brilliant and works very hard.

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The appointee is great in the courtroom and is always prepared. [REDACTED] advised that the appointee appears to be financially responsible and has never demonstrated any biases or prejudices towards any group or individual. The appointee is very liberal and open-minded. [REDACTED] has seen no evidence to suggest the appointee abuses alcohol or prescription drugs or engages in illegal drug use. [REDACTED] advised that the appointee is in excellent physical health and exercises every morning. The appointee is calm and works well under pressure and appears to be in excellent mental health.

[REDACTED] advised she would not hesitate to recommend the appointee for a position of trust and confidence with the United States Government.

5. NEIGHBORHOOD

The following investigation was conducted by Special Agent [REDACTED] on February 12, 1993, at Little Rock, Arkansas: b6 b7C

5414 Stonewall Road
Little Rock, Arkansas
February, 1979 - Present

[REDACTED] Little Rock, Arkansas, telephone number (501) [REDACTED] advised she has lived at her current residence for the [REDACTED] [REDACTED] stated that she does not know the appointee personally; however, she is aware that the appointee has a good reputation and is well-thought-of in the community. [REDACTED] stated she could not comment concerning the appointee's character, associates, or reputation.

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b7C [REDACTED] advised she could not comment regarding the appointee's financial responsibility. She advised she has never seen anything to indicate the appointee abuses alcohol or prescription drugs or uses illegal drugs. [REDACTED] stated the appointee appears to be mentally and physically fit. She stated she has not seen anything which would indicate the appointee is anything but loyal to the United States. She has neither seen nor heard anything which would indicate the appointee is biased or prejudiced against anyone based on his/her race, religion, or ethnic group.

[REDACTED] advised she could not make a recommendation regarding the appointee because she does not know him that well.

The following investigation was conducted by Special Agent (SA) [REDACTED] on February 12, 1993, at Little Rock, Arkansas: b6 b7C

Investigation determined that 5409 Stonewall Road, which is located directly across the street from the appointee's residence, is vacant. In addition, 5420 Stonewall Road, which is the residence directly next door to the appointee is a new home under construction.

[REDACTED] Little Rock, Arkansas, telephone number (501) [REDACTED] advised that he has lived at his current residence for the [REDACTED]. He described his relationship with the appointee as casual neighbors. [REDACTED] stated he says hello and goodbye to the appointee when he sees him, but does not maintain a social relationship with the appointee. [REDACTED] described the appointee as outgoing, friendly, and family-oriented. [REDACTED] commented positively concerning the appointee's character and associates. He stated the appointee has an impeccable reputation and is well-thought-of as an attorney in the community. [REDACTED] stated he has never had any reason to doubt the loyalty of the appointee toward the United States and stated the appointee appears to live within his means financially. [REDACTED] advised he has never seen the appointee abuse alcohol or use or sell illegal or prescription drugs. In addition, [REDACTED] stated he has never known the appointee to display any bias or prejudice towards any racial, social, or ethnic group and advised the appointee appears to be in excellent mental and physical health. [REDACTED] stated the appointee is an avid jogger. [REDACTED] advised he would highly recommend the appointee for a position of trust and confidence within the United States Government.

[REDACTED] Little Rock, Arkansas, telephone number (501) [REDACTED] advised she has lived at her current residence for the [REDACTED]. She stated she only knows the appointee well enough to say hello or goodbye. [REDACTED] stated she cannot comment concerning the appointee's character, associates, or reputation. [REDACTED] stated, by all outward appearances, the appointee lives a normal life and seems to be a friendly person.

[REDACTED] advised that she could not comment regarding the appointee's loyalty to the United States, his financial status, or his mental and physical health. She advised she

has never seen any indication the appointee abuses alcohol or prescription drugs or uses illegal drugs. [REDACTED] stated she is not aware of any bias or prejudice on the part of the appointee against anyone based on his/her race, sex, national origin, or ethnic group.

[REDACTED] advised she could not give a recommendation regarding the appointee because she is not that well acquainted with him.

[REDACTED] Little Rock, Arkansas, telephone number (501) [REDACTED] advised she has lived at her current residence for the [REDACTED] stated she does not know the appointee; however, she stated she has never seen any unusual activity at the appointee's residence.

[REDACTED] advised she could not comment regarding the appointee's mental or physical health, his financial situation, or his loyalty to the United States. She stated she has not seen anything to indicate the appointee abuses alcohol or prescription drugs or uses illegal drugs. She is unaware of any biases or prejudices the appointee may have against individuals based on their race, sex, religion, or ethnic group. [REDACTED] advised she could not comment regarding the appointee's character, associates, or reputation.

[REDACTED] stated she could not give a recommendation because she does not know the appointee.

The following investigation was conducted by Special Agent [REDACTED] on February 16, 1993, at Little Rock, Arkansas: **b6 b7C**

5414 Stonewall Road
Little Rock, Arkansas
February 1979 to Present

[REDACTED] Little Rock, Arkansas, telephone (501) [REDACTED] advised he has been acquainted with the appointee since 1972. [REDACTED] advised that, since 1985, he has become close friends, as well as neighbors, with the appointee, and he stated he and his wife see the appointee and the appointee's spouse socially on a regular basis.

[REDACTED] described the appointee as a person of fine character with integrity and honesty. He stated the appointee had a spotless reputation and was well-respected as a lawyer. [REDACTED] stated the appointee has a wide circle of friends and only associates with people of good character.

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b7C** [REDACTED] advised he has never had any reason to doubt the appointee's loyalty to the United States and stated the appointee has distinguished himself as a capable and reliable attorney. [REDACTED] advised the appointee is a managing partner in the ROSE LAW FIRM of Little Rock, Arkansas. [REDACTED] stated the appointee is a person who lives within his means financially, and he knows the appointee as a social drinker and not someone who would ever abuse alcohol or prescription drugs or use illegal drugs. In addition, [REDACTED] advised the appointee is very knowledgeable of wine. [REDACTED] advised the appointee holds no biases or prejudices toward any racial, social, or ethnic groups. [REDACTED] advised the appointee appears to be in good mental and physical health, and he further described the appointee as a good family man who cares deeply for his children. [REDACTED] advised he would highly recommend the appointee for a position of trust and confidence within the U.S. Government.

[REDACTED] Little Rock, Arkansas, telephone (501) [REDACTED] advised she has lived at her current residence since [REDACTED] stated she knows the appointee by sight, and he resides [REDACTED] from her residence. [REDACTED] advised, however, she is not acquainted with the appointee, but she has never witnessed any unusual or out of the ordinary behavior or activity at the appointee's residence.

[REDACTED] stated she could not comment regarding the appointee's reputation, character, or associates. She stated she has not seen anything which would indicate the appointee abuses alcohol or prescription drugs or uses illegal drugs. The appointee appears to be in good mental and physical health.

[REDACTED] advised she has no knowledge regarding the appointee's financial situation, nor could she comment regarding his loyalty to the United States. [REDACTED] stated she has not seen anything to indicate the appointee is biased or prejudiced against anyone based on his/her sex, race, religion, or ethnic group.

[REDACTED] advised she did not feel she could give a recommendation regarding the appointee because of her limited knowledge of him.

[REDACTED] Little Rock, Arkansas, telephone (501) [REDACTED] advised he has lived at his current residence for [REDACTED]. He stated he is not acquainted with the appointee, but he lives [REDACTED] from the appointee's residence and has never witnessed any unusual activity. He advised he could not comment concerning the appointee's character, associates, reputation, or loyalty as he does not personally know the appointee.

[REDACTED] advised he has not observed anything which would indicate the appointee abuses alcohol or prescription drugs or uses illegal drugs. He stated he has no knowledge of the appointee's financial status. [REDACTED] advised the appointee appears to be mentally and physically fit. To the best of [REDACTED] knowledge, the appointee is not biased or prejudiced against any individual based on his/her race, sex, religion, or national origin.

[REDACTED] advised he could not give a recommendation regarding the appointee because he does not know him.

[REDACTED] Little Rock, Arkansas, telephone (501) [REDACTED] advised she has lived at her current residence for approximately [REDACTED]. [REDACTED] advised she is not acquainted with the appointee and knows him only by sight. [REDACTED] advised she could not comment concerning the appointee's character, associates, reputation, or loyalty. However, she advised she has never witnessed any unusual activity that would lead her to believe the appointee leads anything other than a normal lifestyle.

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b7c [[REDACTED] stated she has not seen anything which would indicate the appointee abuses alcohol or prescription drugs or uses illegal drugs. She advised she has no information regarding the appointee's financial situation. [REDACTED] stated the appointee appears to be physically and mentally healthy. She advised she is not aware of any bias or prejudice on the part of the appointee against any individuals based on their race, religion, social, or ethnic group.

[[REDACTED] advised she could not make a recommendation regarding the appointee because of her lack of knowledge concerning him.

6. REFERENCES

The following investigation was conducted by Special Agent [REDACTED] on February 3, 1993, at Little Rock, Arkansas: b6 b7C

[REDACTED] employed as [REDACTED] of the ROSE LAW FIRM, 120 East Fourth Street, Little Rock, Arkansas, business telephone (501) [REDACTED] who resides at [REDACTED] Street, Little Rock, Arkansas, home telephone (501) [REDACTED] advised he has been with the ROSE LAW FIRM for [REDACTED] and has known the appointee since 1977 when the appointee first joined the firm. [REDACTED] advised that professionally he has worked closely with the appointee. [REDACTED] advised that personally he and the appointee are close friends. [REDACTED] advised that one of the appointee's [REDACTED] advised he was greatly saddened by the appointee's resignation from the ROSE LAW FIRM on January 15, 1993.

[REDACTED] advised the appointee was the best litigator at the ROSE LAW FIRM and also the top money earner for the firm. The appointee was extremely competent, honest, reliable, and hard-working. [REDACTED] advised the appointee graduated at the top of his law school class and made one of the highest grades on the bar exam. [REDACTED] advised that the appointee was the president of the PULASKI COUNTY BAR ASSOCIATION and had announced to run for the presidency of the ARKANSAS BAR ASSOCIATION. [REDACTED] advised the appointee's contemporaries and associates have the highest regard and respect for the appointee. The appointee's reputation is impeccable. [REDACTED] advised the appointee was also chairman of the JURISPRUDENCE LAW REFORM COMMITTEE and did an outstanding job introducing laws for legislation.

[REDACTED] advised the appointee was raised in Hope, Arkansas. [REDACTED] advised the appointee came from an influential family and developed sound values. [REDACTED] advised the appointee has three children and has provided a good life for his family. [REDACTED] advised that he and the appointee live [REDACTED] and will always enjoy a great friendship.

[REDACTED] has never questioned the appointee's loyalty to the United States Government or his integrity, character, or associates. The appointee is financially responsible. [REDACTED] advised the appointee lists people of all races among his friends and has never displayed any biases or prejudices toward any groups or individuals. [REDACTED] has seen no evidence to suggest the appointee abuses alcohol or prescription drugs or engages in

illegal drug use. The appointee is in excellent physical health and jogs and exercises each morning. [REDACTED] advised the appointee is also in excellent mental health.

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[REDACTED] advised he would recommend the appointee for a position of trust and confidence with the United States Government.

7. BAR ASSOCIATION

161B-HQ-1044727
HLT/sst

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The following investigation was conducted by Special Agent (SA) [REDACTED] on February 8, 1993, at Little Rock, Arkansas:

[REDACTED] b7c b6 of the ARKANSAS BAR COMMITTEE ON PROFESSIONAL CONDUCT, advised that no grievances have been filed against the appointee, VINCENT WALKER FOSTER, JR., with his committee.

On February 9, 1993, Deputy Clerk [REDACTED] b6 b7c Arkansas Supreme Court Clerk's Office, advised that the appointee has been a member of the Arkansas Bar since March 31, 1971, and is a member in good standing and always has been.

b6 b7c On February 10, 1993, [REDACTED] of the ARKANSAS BAR ASSOCIATION, Little Rock, Arkansas, advised that his records revealed that the appointee has Supreme Court Identification Number 71031, Member Identification Number 3455, and was admitted to the ARKANSAS BAR ASSOCIATION in 1971. He has been a member of the following committees on dates indicated:

Civil Procedures Committee - 1972 - 1974, reappointed in 1979 - 1980; Constitutional Reform Reporter in 1973 - 1974, and Member of House of Delegates; 1974-1981, Legal Aid Committee; 1979 - 1988, Judicial Counsel Liaison; 1982 - 1989, Juris Prudence and Law Reform Committee, which he chaired from 1985 - 1987; 1985 - 1988, Legislative Oversight Committee; 1987 - 1988, House of Delegates Executive Council Chairman, Annual Meeting Committee; Bicentennial Committee 1987 - 1988. He was a member of the House of Delegates from 1990 - 1992 and was appointed to the Executive Counsel in 1992. He has received the following awards: Carpenter Award; Outstanding Member of the House of Delegates Award; received an award in 1986, 1987, 1988, and 1990 as the outstanding chairman of a committee. He has been a member of the Arkansas Bar Foundation Board since 1991.

b6 b7c [REDACTED] advised he has known the appointee for approximately [REDACTED] since he has been [REDACTED] and would describe the appointee as his most active member. He advised the appointee is so involved it is hard to believe that he has time for a law practice. Last year, he was the chairman of the annual meeting and is chairman of the Executive Council of the ARKANSAS BAR ASSOCIATION. It was anticipated that he would be elected this next meeting as president-elect of the ARKANSAS BAR ASSOCIATION,

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meaning he would become the president in 1994. [REDACTED] described the appointee as being extremely capable, very likeable, and incredibly organized. He has a tremendous knowledge of the law, gets along with everyone, and has the most outstanding reputation as a person and as a lawyer. [REDACTED] described the appointee as being very easy to work with, flexible, congenial, and considerate, and he stated, "The appointee has made my job easy." [REDACTED] described the appointee as being of outstanding character and unquestionably loyal to his friends and associates as well as to this country. [REDACTED] advised he has seen the appointee at numerous social events and has never seen him drunk or in any way intoxicated. He is unaware of any drug or drinking problem that the appointee may have, and he has never heard the appointee in any way indicate disregard or insensitivity to any minority. [REDACTED] advised the appointee would never be involved with illegal drugs in any way. The appointee is mentally and physically fit, and he is financially responsible. He advised that he would, without hesitation, recommend the appointee for a position of trust with the United States Government.

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On February 11, 1993, [REDACTED] of the ARKANSAS BAR ASSOCIATION, advised that she has known the appointee since he became a member of the ARKANSAS BAR ASSOCIATION in 1971. She described him as being "incredible." By that, she meant he is the most capable, intelligent, likeable, sensitive, and intuitive person she has ever worked with. She advised she has worked hand-in-hand with him on the Juris Prudence and Law Reform Committees and other committees and assumes him to be not only an able member of these committees but a more-than-able chairman of the committees he has chaired. This is reflected by the many awards he has received for his chairmanship. She stated that the appointee has been chair of the Executive Council and a member of the House of Delegates for many years and has received the Golden Gavel Award numerous times for his outstanding work as a committee chairman. She stated, as a person, he is very introverted, compassionate, sensitive, caring, warm, feeling, and very straight-arrowed. She described him as being very loyal to people and associates and very confidential in his relationship with people. She stated that you just naturally trusted him because you know anything you say will not go beyond him. She stated, as an example of his leaning in civil rights, he is one of the few white members of the HAROLD FLOWERS LAW SOCIETY, which is a black lawyers society. She advised she knows nothing derogatory concerning his character, loyalty, or associates. She could not imagine how he could have a drug or drinking problem because he is so involved and so

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b7c capable, and she is totally unaware of any possibility of that. The appointee would never be involved with illegal drugs in any way. The appointee is financially responsible and pays his bills in a timely manner. [REDACTED] advised the appointee is mentally and physically fit. She has never seen or heard anything to indicate the appointee would be biased against any person based on his/her race, sex, national origin, or ethnic group. She advised that she would, without hesitation, recommend the appointee for a position of trust with the United States Government.

8. DEMOCRATIC PARTY OF ARKANSAS

161B-HQ-1044727
HLT/sst

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The following investigation was conducted by Special Agent (SA) [REDACTED] on February 10, 1993, at Little Rock, Arkansas: b6 b7c

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[REDACTED] of the Democratic Party for the State of Arkansas, advised that he, on numerous occasions, had worked with the appointee in connection with litigation for the Democratic Party. He advised that the appointee and WEBB HUBBLE had been their mainstays in dealing with legal problems that confronted the Democratic Party. He advised that the appointee did an outstanding job in that capacity in his legal representation. He described the appointee as being an outstanding gentleman, above reproach, extremely and highly regarded by all people of Arkansas who have had contact with him or are aware of his activities. He knew nothing derogatory concerning the appointee's character, loyalty, or associates, and he has never heard anything in any way derogatory concerning him, much less in regard to drugs, character, or the misuse of alcohol. [REDACTED] advised the appointee would never be involved in the use or sale of illegal drugs. He advised the appointee is financially responsible, and he is mentally and physically healthy. He advised the appointee gets along with everyone, and [REDACTED] could not imagine any situation where the appointee would be anything but compassionate toward all minorities. He advised that he would, without hesitation, recommend the appointee for a position of trust with the United States Government.

9. LEGAL CLIENTS OF APPOINTEE

The following investigation was conducted by Special Agent (SA) [REDACTED] at Bentonville, Arkansas, on February 8, 1993: b6 b7C

WAL-MART CORPORATE HEADQUARTERS
BENTONVILLE, ARKANSAS

[REDACTED] chief legal counsel, WAL-MART CORPORATE HEADQUARTERS, Bentonville, Arkansas, advised that he, representing WAL-MART, could not give a recommendation for the appointee and his association with the ROSE LAW FIRM in Little Rock, Arkansas, because the majority of legal work done by the ROSE LAW FIRM on behalf of WAL-MART was done by [REDACTED] and [REDACTED] and, therefore, WAL-MART does not have a basis to give a recommendation or opinion of the appointee.

TYSON FOODS
SPRINGDALE, ARKANSAS

[REDACTED] TYSON FOODS, Springdale, Arkansas, advised he was familiar with the appointee, and, while he cannot give an in-depth interview concerning the appointee's personal life, [REDACTED] could supply information concerning the appointee's legal attributes:

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b7C [REDACTED] advised the appointee acted very professionally in his legal practices and enjoyed a fine reputation in the legal community. [REDACTED] advised the appointee had excellent legal ability and handled various types of cases for TYSON FOODS, including multi-million dollar insurance litigation and environmental litigation. Additionally, the appointee engaged in complex corporate issues involving TYSON FOODS and other corporations. [REDACTED] stated that the appointee had a solid and dignified demeanor in the courtroom and an excellent temperament. The appointee had excellent trial experience through his contact with him at TYSON FOODS, and he had an excellent reputation for fairness. [REDACTED] knew of no bias or prejudice held by the appointee against any group or individual, and [REDACTED] believed that the appointee had the ability to waive conflicting testimony and make factual determinations. BLAIR highly recommends the appointee for a position of trust and confidence with the United States Government.

[REDACTED] advised he could not comment specifically about the appointee's loyalty to the United States, his physical or mental health, or his financial stability. [REDACTED] further advised he could not comment concerning alcohol or prescription drug abuse or illegal drug use on the part of the appointee.

The following investigation was conducted on
February 8, 1993, at Little Rock, Arkansas, by Special Agent (SA)
[REDACTED]

HARVEST FOODS
8109 INTERSTATE 30
LITTLE ROCK, ARKANSAS 72209

[REDACTED] advised that he is familiar with the appointee and has known the appointee for approximately one and one-half years. The appointee handled a lawsuit wherein HARVEST FOODS was the defendant. This particular lawsuit was settled the day prior to the trial beginning; however, extensive work was done in order to prepare the case for trial. In addition to this, [REDACTED] had sought out the appointee's advice on other legal matters on several occasions. It is his observation that the appointee's professional reputation is very strong. The appointee was selected to represent HARVEST FOODS on this lawsuit by an individual whom the appointee holds in very high regard. He advised he was also very impressed with the appointee's legal abilities. It was his observation that HARVEST FOODS also deals extensively with a large New York law firm and that the appointee holds his own very well with lawyers from major New York City law firms. [REDACTED] made the observation that, when the lawsuit they had been involved in was settled, the settlement was for less money than HARVEST FOODS offered the plaintiff the year previously. He felt this was substantially the results of the efforts and the legal ability of the appointee.

Since the lawsuit mentioned did not go to trial, [REDACTED] advised that he has not had the opportunity to observe the appointee in trial or to observe his courtroom demeanor. However, he did observe the appointee during the course of taking depositions. It was his observation during the course of these depositions that the appointee is a quick thinker, is very astute, and presents himself very well. Within the context of that, he observed that the lawsuit in question involved several complex issues, and he thought the appointee did a good job of waiving the conflicting testimony which came out during the depositions, and he further made excellent effort of explaining the gray areas within this lawsuit to the board of directors of HARVEST FOODS.

[REDACTED] advised that the appointee's character is excellent, and that, in his dealings with the appointee, he always did what he said he would do. One of the things which

impressed [redacted] about the appointee was that, in addition to his dedication to his job, he appeared to be a very caring individual towards his family.

[redacted] stated that the general reputation of the appointee in the community is very good, and he has no reason to question the appointee's choice of associates. He further had no reason to believe the appointee would be anything other than loyal to the United States Government. He further has never heard the appointee express any particular bias towards any race or group of people. Throughout the year and one-half that he has known the appointee, he has never observed or heard of the appointee's abusing alcohol or prescription drugs or using illegal drugs.

[redacted] advised that, through his observations, the appointee appeared to be both mentally and physically healthy, and he certainly appears to be an individual who is responsible in regard to his financial matters. [redacted] advised that he would definitely recommend the appointee for a position of trust and responsibility with the United States Government.

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The following investigation was conducted on February 9, 1993, by Special Agent (SA) [REDACTED] at Little Rock, Arkansas:

b6 b7c

WORTHEN NATIONAL BANK
200 WEST CAPITOL AVENUE
LITTLE ROCK, ARKANSAS

[REDACTED] WORTHEN NATIONAL BANK, advised that he has met the appointee within a business context; however, he has never dealt with him on business matters. He advised that he is aware that the appointee's professional reputation is very good. His opinion of the appointee's legal abilities is that he is a very good attorney, and he is aware that the appointee's advice has been valuable to various members of WORTHEN NATIONAL BANK management on several occasions. [REDACTED] advised that he has not had the opportunity to observe the appointee in a trial setting or in the taking of depositions, and, thus, he feels he could not adequately address any areas which would encompass these things.

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b7c [REDACTED] stated that the appointee's reputation within the Little Rock community is very good, and it is also his assessment that the appointee is a person of good strong character. He had no reason to question the appointee's choice of associates, and he had no reason to question the appointee's loyalty to the United States Government.

[REDACTED] advised that he has never observed nor has he ever heard of the appointee's abusing alcohol or prescription drugs or using illegal drugs. Neither has he ever heard anything which would indicate the appointee has ever expressed a bias towards any race or particular group of people.

[REDACTED] advised that, as far as he is aware, the appointee is a financially responsible individual who is of good physical and mental health. However, [REDACTED] advised that, since he has a very limited knowledge of the appointee, he did not feel qualified to comment in regard to a recommendation of the appointee for a position within the United States Government.

The following investigation was conducted on February 9, 1993, by Special Agent (SA) [REDACTED] at Little Rock, Arkansas:

b6 b7c

STEPHENS, INC.
111 CENTER STREET
LITTLE ROCK, ARKANSAS 72201

[REDACTED] STEPHENS, INC. advised that he knows the appointee very well.

[REDACTED] at the ROSE LAW FIRM, [REDACTED] worked primarily in the area of corporate and securities law. The appointee was a professional litigator, and he worked on matters with the appointee on four or five occasions. He further recalled that, in addition to working on these cases with the appointee, they also worked closely together developing policy for the law firm in regard to the handling of confidential information and for setting policy in regards to the handling of additional internal items.

[REDACTED] advised that he has also socialized with the appointee on many occasions [REDACTED]. Because of this, he believes that he knows the appointee very well.

[REDACTED] advised that the professional reputation of the appointee is that he is an excellent litigator. Also, his legal abilities are valued because he has a good business sense and is a very practical individual. He has the ability to sum things up very well, and he is excellent at the questioning of witnesses. The appointee handles a lot of trial work, although [REDACTED] had not actually seen the appointee in action during a trial. However, because of his intimate knowledge of the appointee as a professional, [REDACTED] hired him to handle a transaction for STEPHENS, INC., which involved an affiliated company of STEPHENS and an investment which they had made. STEPHENS, INC., thought they had been defrauded within this investment, and several lawsuits and counter lawsuits took place. The appointee handled the situation, both for STEPHENS as the plaintiff and for STEPHENS, INC., as the defendant. This matter was settled during the deposition stage of things, and [REDACTED] recalled being present during the time which the appointee took numerous depositions.

He recalled the appointee as being excellent during his questioning of witnesses during the depositions and that he provided valuable insight and guidance in regard to the handling of these lawsuits.

[REDACTED] stated that the appointee's reputation for fairness is excellent and that this is one of his really strong suits. He further described the appointee as being a very ethical and kind person. He is very even tempered and has good negotiation skills, and [REDACTED] emphasized that the appointee has a lot of integrity.

[REDACTED] further advised that the appointee associates with some of the finest and most upstanding people in the Little Rock community and that he enjoys an excellent reputation in this community. He further had no reason to question the appointee's loyalty to the United States Government.

[REDACTED] advised that he has been with the appointee on numerous times, which would be characterized as social engagements, and he has never witnessed the appointee display any bias towards any particular race or group of people, nor has he ever witnessed the appointee abuse either alcohol or prescription drugs, or use illegal drugs.

[REDACTED] stated that, [REDACTED] on many occasions over a period of years, he would assess the appointee's health as being excellent and firmly believes him to be a mentally healthy individual also. He has no reason to believe that the appointee is anything other than an financially responsible person. Finally, [REDACTED] stated that he would absolutely recommend the appointee for a position of trust and responsibility with the United States Government and advised that it is his impression that the Government is lucky to get this kind of person.

161B-HQ-1044727
GAA/cds

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The following investigation was conducted on
February 9, 1993, by Special Agent (SA) [REDACTED] at
Little Rock, Arkansas: b6 b7c

TWIN CITY BANK
ONE RIVERFRONT PLAZA
NORTH LITTLE ROCK, ARKANSAS 72119

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[REDACTED] TWIN CITY BANK, advised that he is familiar with the appointee. He advised that his knowledge of the appointee is not extensive; however, he has known him slightly for approximately ten years. He stated that the ROSE LAW FIRM has done work for TWIN CITY BANK on occasion. However, he would not characterize it as being their principal law firm. [REDACTED] was aware that the appointee had provided some advice on a couple of occasions to people at TWIN CITY BANK; however, he was not personally involved in those situations and, thus, feels he is not in a position to provide information in regard to the appointee's professional abilities.

[REDACTED] advised that he does not recall having any social contact with the appointee, and he was, thus, reluctant to provide opinions in regard to things, such as the appointee's character or his choice of associates or his use of alcohol or drugs. [REDACTED] did state that he thought the appointee's reputation in the community was excellent. These were the only comments which [REDACTED] felt he could make in regard to the appointee.

The following investigation was conducted on February 10, 1993, at Little Rock, Arkansas, by Special Agent (SA) [REDACTED]

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TCBY ENTERPRISES, INC.
1100 TCBY TOWER
425 WEST CAPITOL
LITTLE ROCK, ARKANSAS 72201

[REDACTED] TCBY ENTERPRISES, advised that he has known the appointee for approximately [REDACTED]. The appointee represented TCBY in a very complicated securities litigation matter. He was the lead counsel with five attorneys in what amounted to numerous class action lawsuits with TCBY as the defendant. In seeking counsel to handle their representation for this matter, they solicited numerous opinions of people across the country. The ROSE LAW FIRM, and, particularly, the appointee, were the names which repeatedly were recommended to them. [REDACTED] advised that TCBY was very well pleased with the representation which they received from the appointee. This matter was settled prior to trial, and, thus, [REDACTED] did not have an opportunity to witness the appointee's abilities in a courtroom; however, he thought the appointee did an exceptional job in handling this case. [REDACTED] further advised that this was the biggest single thing that TCBY had ever been confronted with. The appointee did an excellent job of simplifying what were very complex issues within this case. He always seemed to be well-informed of the various aspects of the case, and, in fact, he seemed to have a good feel for the various nuances of the diverse situations which came up.

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[REDACTED] advised that he was present during the taking of depositions within this case and thought the appointee did a very thorough job and handled both the attorneys and the witnesses very well. It was his observation that the appointee appears to be a very low-key, even-tempered individual, and that things do not seem to shake him up. It is further his impression that the appointee is a very polished litigator.

In regard to the appointee's general reputation within the community, [REDACTED] advised that he has heard nothing but good information about the appointee. He stated that the appointee's character is excellent, and he is an extremely pleasant person to be around. The appointee appears to associate with fine people and always conducts himself in an exemplary manner. [REDACTED] had no reason to question the appointee's loyalty to the United States Government.

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[REDACTED] advised that, although he has a good feel for the appointee's legal abilities, he has never been around the appointee on social occasions. However, he has never heard anything derogatory which would indicate bias on the part of the appointee towards particular groups of people, nor has he ever heard anything derogatory which would indicate the appointee abuses alcohol or prescription drugs or uses illegal drugs.

[REDACTED] advised that it is his observation the appointee is a very healthy individual, both physically and mentally, and he described the appointee as being extremely bright. [REDACTED] advised the appointee is financially responsible, to the best of his knowledge. [REDACTED] further advised that he would gladly recommend the appointee for almost any position of trust and responsibility within the United States Government.

161B-HQ-1044727
GAA/sst

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The following investigation was conducted on
February 10, 1993, at Little Rock, Arkansas, by Special Agent
(SA) [REDACTED] b7C
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SYSTEMATICS INFORMATION SERVICES, INC.
4001 NORTH RODNEY PARHAM ROAD
LITTLE ROCK, ARKANSAS 72212

[REDACTED] SYSTEMATICS
INFORMATION SERVICES, advised he is familiar with the appointee
through his practice of law. He has been familiar with the
appointee for almost 19 years; however, he has never actually
worked with the appointee in any manner. Although the
appointee's law firm does a considerable amount of work with
SYSTEMATICS, most of that work had been performed by HILLARY
CLINTON.

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b7C [REDACTED] advised he is aware that the appointee has a
good professional reputation, and his legal abilities are well
regarded. He is also familiar with the fact that the appointee
has a reputation for fairness in all his dealings. However,
[REDACTED] advised that he really did not have sufficient
information to comment on any other legal questions in regard to
the appointee. [REDACTED] advised that the appointee's general
reputation in the community is good, and he has no derogatory
information to offer in regard to the appointee's character or
choice of associates. He further has no reason to question the
appointee's loyalty to the United States Government.

Although [REDACTED] has no recollection of being around
the appointee on a personal basis, he advised he has never heard
anything derogatory about the appointee's displaying bias towards
any particular race or group of people, nor has he ever heard of
the appointee's abusing alcohol or prescription drugs or using
illegal drugs.

He further advised that he is not in a position to
comment on the appointee's health or financial responsibilities,
and he did not feel he knew him well enough to recommend him for
a position of trust and responsibility within the United States
Government.

10. OPPOSING COUNSEL

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On February 17, 1993, [REDACTED] FRIDAY LAW FIRM, First Commercial Bank Building, Little Rock, Arkansas, advised that he has known VINCE FOSTER since they both have been working as attorneys in Little Rock, Arkansas. He advised that he has had several cases wherein he and VINCE FOSTER have either been opposing parties or on the same side, mainly involving bank transactions, and related type situations. He advised that FOSTER is considered one of the most outstanding attorneys in Little Rock, Arkansas, and highly respected, not only in the legal profession but by the community. He advised that FOSTER is also very well known for his involvement with the ARKANSAS BAR ASSOCIATION and that he has chaired many committees, ran one annual conference, and received numerous awards for his involvement. He advised that he not only knows FOSTER professionally but also socially and has never seen any indication that FOSTER has a drinking problem or a drug problem or any moral problem whatsoever. He advised that he is not aware of FOSTER's civil rights leans but would assume from his contacts and the way he relates to people that he treats all people equally. He advised he knows absolutely nothing derogatory concerning his character, loyalty, or associates and would, without hesitation, recommend him for a position of trust with the United State Government.

11. COUNTRY CLUB

The following investigation was conducted by Special Agent (SA) [REDACTED] on February 5, 1993, at Little Rock, Arkansas: [REDACTED] b6 b7c

COUNTRY CLUB OF LITTLE ROCK
LITTLE ROCK, ARKANSAS

[REDACTED] COUNTRY CLUB OF LITTLE ROCK (CCLR), 4200 Country Club Boulevard, Little Rock, Arkansas, telephone number (501) 664-1531, advised that he has been [REDACTED] at CCLR.

[REDACTED] made available the bylaws of the CCLR which stated that, for admission to the club, a person must be of good moral character, 21 years of age, and reside within a 50-mile radius of Little Rock. In addition, the bylaws state that the membership of the club shall not exceed 500 members. [REDACTED] these rules for membership have been in place since the club began in 1902.

[REDACTED] advised that the application process for the CCLR begins when a person applies for membership after being sponsored by two current active members who recommend that person for membership. He stated a membership committee conducts an informal background investigation to determine if the information provided by the applicant is true and correct. [REDACTED] stated the applicant's name is placed on a list entitled "Applicant for Consideration." [REDACTED] this list, in effect, is a waiting list due to the full membership of the club. He stated the waiting period can be for a period of up to five years or more. [REDACTED] stated that the initiation fee of the club is \$25,000.

[REDACTED] advised that it has never been the policy of CCLR, either written or unwritten, to discriminate against any person on the bases of race, sex, color, religion, national origin, age, or handicap. He stated the membership of CCLR includes female, African, American, and Jewish members.

12. AGENCY CHECKS

161B-HQ-1044727
JGB/meh

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The following investigation was conducted by Special Agent (SA) [REDACTED] at Little Rock, Arkansas, on February 3, 1993: b6 b7C

U.S. ATTORNEY
Eastern District of Arkansas
Little Rock, Arkansas

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b7C [REDACTED] docket clerk, U.S. Attorney's Office, Eastern District of Arkansas, Little Rock, Arkansas, advised her office's files are negative regarding any past or current, civil or criminal, action concerning the appointee, VINCENT WALKER FOSTER, JR.

161B-HQ-1044727
NHS/hjd

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The following investigation was conducted by Special Agent [REDACTED] at Fort Smith, Arkansas, on February 17, 1993: b6 b7C

U.S. ATTORNEY'S OFFICE
WESTERN DISTRICT OF ARKANSAS (WDA)
FORT SMITH, ARKANSAS

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b7C [REDACTED] administrative officer, U.S. Attorney's Office, WDA, stated there is not record in the pending or closed, civil or criminal, files for the appointee.

161B-HQ-1044727
HJD/hjd

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The following investigation was conducted by Special Agent [REDACTED] at Little Rock, Arkansas, on February 17, 1993: b7c

ARKANSAS STATE ATTORNEY GENERAL'S OFFICE
200 Tower Building
323 Center Street
Little Rock, Arkansas

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b7c [REDACTED] telephone number (501) 682-2007, advised that a review of the records of the State Attorney General failed to disclose any past or present, civil or criminal, action identifiable with the appointee.

161B-HQ-1044727
HJD/hjd

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The following investigation was conducted by Special Agent [REDACTED] at Little Rock, Arkansas, on February 17, 1993: b7c b6

PULASKI COUNTY ELECTIONS COMMISSION
Suite 360
201 South Broadway
Little Rock, Arkansas

b6 b7c [REDACTED] of elections, telephone number (501) 372-8383, advised that a review of the files of her office failed to disclose any records identifiable with the appointee.

13. REAL ESTATE

The following investigation was conducted by Special Agent (SA) [REDACTED] at Hope, Arkansas, on February 12, 1993: b6 b7C

A review of the Mortgages and Deeds for Hempstead County, Arkansas, (Book Volume Number 420, Page 165) at the Hempstead County, Arkansas, Circuit Clerk's Office revealed the following:

On December 17, 1976, VINCENT W. FOSTER, JR., received one-third undivided ownership as did his sisters, SHEILA F. ANTHONY and SHARON F. BOWMAN, from their parents, VINCENT W. FOSTER and ALICE MAE FOSTER, in the following lands lying in Hempstead County, Arkansas:

From in the Booster Addition to the city of Hope, Arkansas: Lots 1, 2, 3, 4, 7, 8, 11, and 12 in Block C; Lots 2 and 7 in Block D; Lots 1, 2, 5, 6, and 7 in Block E; All of Block F.

In the Senter-Arnold Addition to the city of Hope, Arkansas: The south 67 feet of Lots 1, 2, 3, 4, and 5 and all of Lots 7, 8, 9, 10, 11, 12, and 13 in Block 1; All of Block 2; All of Block 3; Lots 4, 5, 6, 7, 8, 9, 11, and 12 in Block 4; Lots 1, 2, 3, 10, 11, and 12 in Block 5; Lots 4, 5, 6, 7, 8, 9, 10, 11, and 12 in Block 6; All of Block 8; Lots 1, 2, 6, 7, 8, 9, 10, 11, 12, and 13 in Block 9; Lots 4, 5, 6, 7, 8, 9, 11, and 12 in Block 10; Lots 9, 10, 11, 12, and 13 in Block 11; All that part of the Senter-Arnold Addition not platted situated south of the San Francisco-St. Louis Railway right-of-way.

In Township 12 South, range 24 west: All that part of the northeast quarter of Section 29 lying and being situated south and west of Arkansas State Highway Number 4 right-of-way and north and west of the St. Louis-San Francisco right-of-way except parcels previously sold and now of record in the Books of Record, Recorder's Office, of Hempstead County, Arkansas, consisting of 15.12 acres.

A review of these records failed to develop any restrictive covenants regarding race, color, religion, or national origin, nor were any tax liens or delinquent taxes noted in this review of these records.

14. COURT RECORDS

161B-HQ-1044727
HLT/sst

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The following investigation was conducted by Special Agent (SA) [REDACTED] at Little Rock, Arkansas, on February 8, 1993: **b6 b7C**

The United States District Clerk Court's Office, Eastern District of Arkansas, Little Rock, Arkansas, provided their records concerning matters styled "FAYSOUND LIMITED v. WALTER FULLER AIRCRAFT SALES, INC., and FALCON JET CORPORATION, U. S. District Court, Eastern District of Arkansas, Western Division, Docket Number LR-C-89-834," including all records of appeal to the 8th Circuit Court of Appeals and its decision. A review of these records revealed that the appointee represented FALCON JET wherein a Falcon Jet was purchased by FAYSOUND LIMITED who leased it to UNITED COCONUT CHEMICAL COMPANY (UNICHEM), which, through its owner, was directly connected with FERNINAND MARCOS, former president of the Philippines. Upon the election of CORAZONO AQUINO as president of the Philippines, the Philippines Presidential Commission on Good Government seized the Falcon Jet along with other property belonging to UNITED COCONUT CHEMICAL COMPANY. The Falcon Jet was later sold to the defendant, FULLER AIRCRAFT SALES, INC., who flew it to Little Rock to FALCON JET CORPORATION to have repairs made. The plaintiff, FAYSOUND LIMITED, was attempting to obtain an injunction and/or possession of this aircraft, alleging that the transfer by the Philippines Presidential Commission on Good Government to the defendant was not a valid transfer, and FAYSOUND LIMITED, as the original owner and lessor, should obtain possession of this aircraft.

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b7c The following investigation was conducted by Special Agent (SA) [REDACTED] at Little Rock, Arkansas, on February 8, 1993.

U. S. District Court Clerk's Office, Eastern District of Arkansas, Little Rock, Arkansas, provided their records concerning matter styled, "BEN JOHNSON III v. LEGAL SERVICES OF ARKANSAS, INC., ET AL, Pine Bluff Division, Docket Number PB-C-84-413." This matter concerned a complaint of BEN JOHNSON III, a blind, black lawyer who was employed by the LEGAL SERVICES OF ARKANSAS, INC. (LSA), against the board of directors of LEGAL SERVICES OF ARKANSAS, INC., and its executive director, GIL GLOVER. The appointee was listed as a defendant and one of the members of this board. The suit alleged that the plaintiff, BEN JOHNSON, was retaliated against for having filed discrimination charges with the EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, and he was asking for injunctive, declaratory, and monetary relief for the wrongdoings of the defendants. The LEGAL SERVICES OF ARKANSAS is a private, non-profit corporation engaged in providing civil/legal free representation to indigent clients residing in a 24-county service area in Arkansas. The plaintiff's, BEN JOHNSON's, complaint centered around the fact that he was reprimanded three times in 1984 by executive director GIL GLOVER for discriminatory treatment of some female members of the LEGAL SERVICES ASSOCIATION staff, insubordination, and inadequate performance of management duties and responsibilities.

In April of 1984, the executive director notified the plaintiff that he was setting up a meeting in May to investigate the plaintiff's involvement in a trial on behalf of a non-LEGAL SERVICES OF ARKANSAS client. The allegation was that he was acting against policy in continuing to represent clients outside his work responsibility. As a result of the plaintiff's failure to appear, the executive director informed the plaintiff that his employment was terminated. Following appeal procedures, the plaintiff filed an appeal with the chairman of the personnel committee of the LSA who had a hearing which the appointee attended and which resulted in the plaintiff's being reinstated, conditioned upon his relieving himself of all private cases within 60 days. After a review in December of 1984, the personnel committee notified the plaintiff of another hearing in January of 1985 to determine if he complied with the conditions of reinstatement. The hearing was held and, as a result of that hearing, the plaintiff was terminated for failure to comply with the terms of his reinstatement. Records did not reveal any

specific conduct on the part of the appointee other than his appearance at the personnel committee hearing and voting for termination of plaintiff. All allegations of discrimination and retaliation are against all board members for the board's conduct in regard to the plaintiff. Records revealed that this matter was settled and compromised, no specifics given, on September 22, 1987.

15. LAW ENFORCEMENT AGENCY CHECKS

161B-HQ-1044727
GEB/meh

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The following investigation was conducted by
Investigative Assistant (IA) [REDACTED] at Little Rock and
North Little Rock, Arkansas, on February 4, 1993:

The below-listed individuals advised, after a review of
their respective agency files, that their records are negative
regarding the appointee, VINCENT WALKER FOSTER, JR.:

[REDACTED] identification division, Arkansas
State Police, Little Rock, Arkansas

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[REDACTED] Pulaski County Sheriff's Office,
Little Rock, Arkansas

[REDACTED] Little Rock Police Department,
Little Rock, Arkansas

[REDACTED] North Little Rock Police Department,
North Little Rock, Arkansas

161B-HQ-1044727
MJP/sst

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b7C The following investigation was conducted by Special Agent (SA) [REDACTED] at Fayetteville, Arkansas, on February 8, 1993, and February 9, 1993:

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b7C [REDACTED] Washington County Sheriff's Department, Fayetteville, Arkansas, advised, after a review of his agency files, all information was negative regarding the appointee, VINCENT WALKER FOSTER, JR.

[REDACTED] Fayetteville Police Department, Fayetteville, Arkansas, advised, after a review of her agency files, all information was negative regarding the appointee, VINCENT WALKER FOSTER, JR.

16. MISCELLANEOUS

161B-HQ-1044727
HJD/hjd

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The following investigation was conducted by Special Agent [REDACTED] at Little Rock, Arkansas, on February 18, 1993:

The Honorable Judge CHRISTOPHER CHARLES PIAZZA, Circuit Judge, Sixth Judicial District, Pulaski County Courthouse, Markham and Spring Streets, Room 100, Little Rock, Arkansas, telephone number (501) 372-8424, advised that previous to his present position, he was the county prosecutor in Little Rock. He advised that he has known the appointee professionally for many years.

Judge PIAZZA advised that he called the candidate as a witness when he prosecuted a case against the attorney general of Arkansas. He advised that the attorney general was charged with misuse of state funds and that he called 159 witnesses. Judge PIAZZA advised that the attorney general tried to cover up this misuse of funds by using the names of prominent Arkansans to justify expenditures for meals claimed. The attorney general used the candidate's name to justify a meal expenditure claimed. Judge PIAZZA advised that he called the candidate to testify that he (appointee) was not present at the meal that was claimed by the attorney general.

46007

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE WMFO	OFFICE OF ORIGIN BUREAU	DATE 2/23/93	INVESTIGATIVE PERIOD 2/2/93 - 2/22/93
TITLE OF CASE VINCENT WALKER FOSTER, JR.		REPORT MADE BY PSS [REDACTED] ^{b6} _{b7c}	TYPED BY: sef
		CHARACTER OF CASE SPIN (B)	

sef

REFERENCE: Bureau airtel, dated 2/1/93; Little Rock facsimilies, dated 2/3/93 and 2/10/93.

-RUC-

ADMINISTRATIVE:

All individuals were furnished appropriate provisions of the Privacy Act. Express promises of confidentiality, both limited and unlimited, have not been granted.

WMFO electronic and general indices failed to reveal any derogatory or pertinent information regarding the appointee and listed relatives.

APPROVED <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW		
COPIES MADE: 2 - Bureau (161B-HQ-1044727) ^{b6} (ATTN: PSS [REDACTED]) _{b7c} 2 - WMFO (161B-HQ-1044727)				

DISSEMINATION RECORD OF ATTACHED REPORT				
Agency				
Request Recd.				
Date Fwd.				
How Fwd.				
By				

Notations
6/1/93

UNITED STATES DEPARTMENT OF JUSTICE
Federal Bureau of Investigation

Copy to:

Report of:
Date:

PSS [REDACTED] ^{b6}
February 22, 1993 ^{b7c}

Office: WMFO

Field Office File #:

161B-HQ-1044727

Bureau File #:

161B-HQ-1044727

Title:

VINCENT WALKER FOSTER, JR.

Character:

SPECIAL INQUIRY (B)

Synopsis:

Appointee interviewed and commented regarding his drug use, arrests, organization memberships, and current residence. White House Office checked. Current employment verified and favorable. Reference interviewed and commented favorably. DOJ, PIS checked, no record. FEC checked, no record. U.S.S.S. checked.

-RUC-

FEDERAL BUREAU OF INVESTIGATION


Date of transcription 2/12/93

VINCENT WALKER FOSTER, JR., Deputy Counsel to the President, the White House, was advised of the official identity of the interviewing Agent and the purpose of the interview, that being to ensure that complete, current and accurate information is available and obtained concerning the appointee to assist the FBI in conducting a thorough background investigation of appointee for the position with the Federal government for which he is being considered. Appointee provided the following information:

Appointee was shown a copy of a Standard Form (SF)-86 and any supplements thereto, which he previously completed, signed and dated. Each of appointee's answers to the questions therein were reviewed with appointee to ensure their accuracy and completeness. Appointee advised that his written responses to each of the questions in the SF-86 (and supplement) were accurate and correct to the best of his knowledge and recollection.

Appointee advised that he has never sold or purchased any illegal drugs, including marijuana. Appointee also advised that he has never abused prescription drugs or alcohol. He has experimented with marijuana on no more than one occasion, in 1982. This incident took place at a social function, and the lit marijuana was handed to him by a friend named [REDACTED] who ^{b7C} has since married. He does not know her married name. She was a ^{b6} resident of Little Rock at the time. He could not think of anyone else who could verify this use. He has not used any illegal drug since that time.

Appointee advised that he has never had any financial problems which resulted in, but not limited to, property being repossessed, debts placed for collection, made him the subject of a tax lien or legal judgement rendered concerning a debt, or filed for bankruptcy, or had any delinquent student loans.

Investigation on 2/12/93 at Washington, D.C. File # 161B1044727
 by SA [REDACTED] ^{b6 b7C} /gwa  Date dictated 2/12/93

Continuation of FD-302 of VINCENT WALKER FOSTER, JR.

Appointee advised he has never been involved in any type of civil matter as a plaintiff or defendant, other than in his official capacity.

Appointee advised he has never been denied employment, dismissed from any employment or left any employment under unfavorable circumstance, or denied a security clearance by any agency within the Federal government.

Appointee advised he has never had any personal or continuing contact with representatives of any foreign government.

Appointee advised his oral responses to the above questions are true and correct to the best of his knowledge and recollection. Appointee advised that he is unaware of anything that could, would, or should prevent him from receiving a position with the United States Government or be used to coerce or compromise him if he were to receive such a position.

Appointee advised he has never received any type of psychological or psychiatric treatment or counseling, or any counseling related to substance use, or abuse.

Appointee advised that he was arrested, and did spend the night in jail in April of 1964, when he was stopped for a traffic violation, and was found to have more than an allowed amount of alcohol in the trunk of his car. In North Carolina it was against the law to possess a certain amount of alcohol in 1964. In 1966 he advised he received a "ticket" for being intoxicated at a college party.

Appointee advised that the exchange student that he had staying with he and his family has departed, and no longer lives with him.

Appointee advised that while he does belong to several organizations, he was a member and not an officer or director. He was a member of a country club that did not have any minority members at the time, but did have an application pending for one man who was a minority. He believes the club now has a minority member. He advised that the reason why the club did not have a minority member was "economic" in that the dues were beyond most persons ability. He does not believe the club had any policy of exclusion. He advised that he is not bias or prejudiced toward any individual or group, or any reason, and has always tried to be objective and fair in his decision making.

Appointee advised he is currently staying with his sister, at 3900 Macomb St. NW, WDC, and has phone number 202-686-6768. He has been there since 1/15/93.

WMFO 161B1044727

GWA:gwa

1

THE WHITE HOUSE
Office of Administration
Personnel Records

The following investigation was conducted by Special Agent [REDACTED] from 2/1 to 2/22/93:

Numerous attempts were made between the above dates to locate an official personnel folder for VINCENT WALKER FOSTER, JR.

[REDACTED] Personnel Assistant, has advised that when an OPF cannot be located in the file system, there are a number of possibilities. She advised that if the appointee has recently been hired by The White House, an OPF may not have been assembled as yet, and in other cases, the file may be out of jacket for review, or for consolidation. In the case of a long term employee, the file may be out for review, promotion, test of compliance, or for other administrative reasons. It is also possible that the file is misplaced, or misfiled.

She advised that the OPF generally consists of payroll and insurance documents, and would reveal the official title, and date employment began.

With respect to derogatory information, an interview of the supervisor should turn up any information of that type.

Through a review of computer payroll records available to the FBI, it was determined that the appointee is a White House employee, and began his/her employment on 1/20/93, as Deputy Counsel to the President.

161B1044727

GWA/gwa

1

THE WHITE HOUSE
WASHINGTON, D.C.

b7C b6

The following investigation was conducted by SA [REDACTED]
[REDACTED] on 2/5 to 2/19/93:

BERNARD NUSSBAUM, Counsel to the President, advised he has recently met VINCENT FOSTER in Little Rock, in 1993, and has been working with him since 1/20/93. He came highly recommended, and seems highly qualified in every way. He is working out well, and is easy to get along with. He knows of nothing of a negative or derogatory nature. He worked in HILLARY RODMAN CLINTON's law offices.

WILLIAM DAVID WATKINS, Director of Administration and Management, advised he has known the appointee for more than 40 years, and considers him a good friend. He has known his family, and knows him on a professional level as well. He is a good friendly, professional and well respected individual, who is honest and loyal. He is a quiet and sensible person, who is sensitive and very stable.

CHERYL MILLS, Associate Counsel, advised she knows the appointee well, and thinks highly of him. He is honest, loyal, highly qualified and sensitive.

THOMAS F. MCLARTY, White House Chief of Staff, advised he has known the appointee for 40 years, and knows nothing at all about him that would suggest he is not the best selection for his position. He is well respected, and a fine man. He is close to the CLINTON family, and highly trusted.

The above individuals additionally commented favorably concerning their brief impressions of the appointee's character, associates, reputation and loyalty to the United States Government. They have not seen, or heard of behavior consistent with illegal drug use, or abuse of alcohol, or prescription drug abuse on the part of the appointee. They stated the appointee appears to be a responsible person, both personally and financially. The appointee appears to be the type who can be trusted with classified and sensitive materials.

All recommended the appointee as a suitable candidate for association or employment with the federal government, and as a person who can be trusted as a White House pass holder.

Persons interviewed have known the appointee for a very brief time, and in a professional setting only, except as otherwise indicated.

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WMFO 161B-HQ-1044727
SEM: sem

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REFERENCE

The following investigation was conducted on 2/12/93 by Special Agent (SA) [REDACTED] regarding the appointee, VINCENT WALKER FOSTER, JR.: b6 b7C

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WEBSTER HUBBELL, Assistant to the Attorney General, U.S. DEPARTMENT OF JUSTICE, 10th & Constitution Avenue, Northwest, Washington, D.C., telephone (202) 514-3892, advised SA [REDACTED] that he has known the appointee for approximately 20 years on both a professional and social basis. HUBBELL stated that he originally met the appointee when both were employed at ROSE LAW FIRM, Little Rock, Arkansas. HUBBELL characterized the appointee as "beyond reproach" both professionally and socially, adding that he considers the appointee to be "ethical, fine, and intelligent".

HUBBELL knows nothing derogatory concerning the appointee's character, associates, reputation, or loyalty to the United States. HUBBELL has never seen or heard any evidence of alcohol or prescription drug abuse or the possession, use, purchase, sale, or distribution of illegal drugs on the part of the appointee. HUBBELL has no knowledge of any physical, emotional, or financial problems which would affect the appointee's ability to perform any job, and HUBBELL has never observed any indication of bias or prejudice by the appointee either for or against any individual or group based on such characteristics as race, sex, religion, or national origin.

HUBBELL considers the appointee suitable for access to classified materials. HUBBELL advised that he would recommend the appointee for a position of trust and confidence with the United States government.

6

161B-HQ-1044727
DFS

U.S. DEPARTMENT OF JUSTICE

PUBLIC INTEGRITY SECTION
Criminal Division
1400 New York Avenue, N.W.
Washington, D.C.

b6
b7c On February 2, 1993, Investigative Assistant (IA) [REDACTED] caused a search to be made of the files of the U.S. DEPARTMENT OF JUSTICE (DOJ), Criminal Division, Public Integrity Section, Washington, D.C., concerning VINCENT WALKER FOSTER, Jr., and was advised of the following:

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b7c [REDACTED] Case Management Technician, Public Integrity Section, DOJ, advised IA [REDACTED] that a search of the files concerning the appointee was met with negative results.

WMFO 161B-HQ-1044727
AD

FEDERAL ELECTION COMMISSION (FEC)

999 E Street, N.W.,
Washington, D.C.

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On February 3, 1993, Investigative Assistant (IA) [REDACTED] conducted the following investigation at the above captioned agency concerning the candidate, VINCENT WALKER FOSTER, JR. [REDACTED] Liaison, Office of the General Counsel advised that the candidate has not appeared as a respondent in any enforcement action conducted by FEC, nor has he/she been named as a defendant in any court case pursued by FEC. There are numerous reports pertaining to mandatory financial reporting requirements for the campaign committee(s) with which the candidate was associated. No civil or criminal actions were taken against the candidate pursuant to these financial reporting requirements by FEC.

WMFO 161B-HQ-1044727
RLW:rlw

AGENCY CHECK

UNITED STATES SECRET SERVICE (USSS)
1800 G Street, Northwest
Washington, D.C.

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On February 5, 1993, Investigative Assistant (IA) [REDACTED] caused a search to be made of the files of the United States Secret Service (USSS), Department of the Treasury, Washington, D.C., and was advised that no derogatory information was found regarding the appointee VINCENT WALKER FOSTER, JR.

WHITE HOUSE PASS HOLDER

WMFO 161B-HQ-1044727

SEF:sef

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LAW ENFORCEMENT AGENCIES

On February 22, 1993, a query was made of the Washington Area Law Enforcement System (WALES) computer and it was determined that no record was located at the Metropolitan Police Department concerning the appointee.

It is noted that at all times an indefinite number of unidentified records may not be in the computer and not available for review.

10X

PLD 3-1-93

FEB 25 1993

BY COURIER

2/26/93
JA

Honorable Bernard Nussbaum
Counsel to the President
The White House
Washington, D.C.

Dear Mr. Nussbaum:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/29/97 BY SSA SLD/SJD/J
(424,736) (CA#97-2107)

#446

In accordance with a request received from your office dated January 26, 1993, a Level II background investigation has been conducted concerning Mr. Vincent Walker Foster, Jr. Transmitted herewith is a summary memorandum containing the results of this investigation, along with a copy of an interview providing details of information contained in this summary memorandum.

This completes our investigation.

Sincerely yours,

Larry A. Potts
Assistant Director
Criminal Investigative Division

Enclosures (2)

CRG: ~~JA~~ (3)

CLOSED

NOTE: This case was opened on 2/1/93. Mr. Foster is currently employed by the White House, Washington, D.C., as Deputy Counsel to the President. He is being investigated for his current position. During a routine interview, Mr. Foster commented concerning past drug use, arrests, and organization memberships. Investigation is complete.

A copy of an interview of Mr. Foster from WMFO report dated 2/23/93 is being sent to the White House.

- Dep. Dir. _____
- ADD Adm. _____
- ADD Inv. _____
- Asst. Dir.:
- Adm. Servs. _____
- Crim. Inv. _____
- Ident. _____
- Insp. _____
- Intell. _____
- Lab. _____
- Legal Coun. _____
- Rec. Mgnt. _____
- Tech. Servs. _____
- Training _____
- Comp. Affs. Off. _____
- Off. of EEO _____
- Off. Liaison & Int. Affs. _____
- Off. of Public Affs. _____
- Telephone Rm. _____
- Director's Sec'y _____

MAIL ROOM

161B-HQ-10447

66 b7c
RETURN TO [REDACTED] ROOM 4371

Wlog

FEB 25 1993

VINCENT WALKER FOSTER, JR.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/29/97 BY SSA 5668 SLD/STC
(424,736) (CA#97-2107)

THE INVESTIGATION OF MR. FOSTER COVERED INQUIRIES IN
THE UNITED STATES AS TO HIS CHARACTER, LOYALTY, AND GENERAL
STANDING, BUT NO INQUIRIES WERE MADE AS TO THE SOURCES OF HIS
INCOME.

This summary memorandum contains the results of a Level
II background investigation concerning Mr. Foster.

Birth

Mr. Foster was born on January 15, 1945, in Hope,
Arkansas.

Education

Mr. Foster attended the University of Arkansas School
of Law, Fayetteville, Arkansas, from February, 1969, to January,
1970, receiving a J.D. degree.

Military Service

Mr. Foster enlisted in the United States Army National
Guard of the State of Arkansas, with membership in the Army
National Guard of the United States, on May 20, 1968. On July 8,
1968, he entered on active duty for training in the U.S. Army and
served until November 5, 1968, at which time he was honorably
released as a private and was transferred back to the Army
National Guard of Arkansas. He served in a reserve status until
he was honorably discharged on May 19, 1974, as a staff sergeant.
His service record is clear.

Employment

From February, 1978, to January, 1993, Mr. Foster
continued to be employed by the Rose Law Firm, Little Rock,
Arkansas, as an attorney and partner.

Since January, 1993, Mr. Foster has been employed by
the White House, Washington, D.C., as Deputy Counsel to the
President.

- Sup. Dir. _____
- ADD Adm. _____
- ADD Inv. _____
- Asst. Dir.:
- Adm. Servs. _____
- Crim. Inv. _____
- Ident. _____
- Insp. _____
- Intell. _____
- Lab. _____
- Legal Coun. _____
- Plan. Mgnt. _____
- Tech. Servs. _____
- Training _____
- Comp. Affs. OR _____
- OR. of BEO _____
- OR. Liaison & _____
- Int. Affs. _____
- OR. of Public Affs. _____

CRJ:tm (2)

66 67C

RETURN TO [REDACTED] ROOM 4371

6/09

Vincent Walker Foster, Jr.

Family Status

Mr. Foster is married to the former Elizabeth Braden, whom he has indicated is a United States citizen. They and their children, John B., Laura B., and Vincent W. Foster III, reside at 5414 Stonewall Road, Little Rock, Arkansas. Mr. Foster is temporarily residing with his sister, Sheila F. Anthony, at 3900 Macomb Street, Northwest, Washington, D.C.

Mr. Foster's father, Vincent W. Foster, is deceased. In addition to his wife and children, Mr. Foster has listed the following living close relatives:

Mother	Alice Mae Foster Hope, Arkansas
Sister	Sheila F. Anthony Washington, D.C.
Sister	Sharon F. Bowman Little Rock, Arkansas

Interviews

Twenty-two persons, consisting of current and former superiors and colleagues, neighbors, references, professional associates, and social acquaintances, were interviewed. They provided favorable comments concerning Mr. Foster's character, associates, reputation, and loyalty. They stated they are unaware of any illegal drug use or alcohol abuse by Mr. Foster, nor have they ever known him to exhibit any type of bias or prejudice against any class of citizen or any type of religious, racial or ethnic group. They also commented that they believe Mr. Foster lives within his financial means. All persons interviewed recommended him for a position of trust and responsibility.

Among those interviewed are the following:

Thomas F. McLarty, Chief of Staff, the White House, Washington, D.C.;

Bernard Nussbaum, Counsel to the President, the White House, Washington, D.C.;

Webster Hubbell, Assistant to the Attorney General, Department of Justice, Washington, D.C.;

Vincent Walker Foster, Jr.

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b7c

[REDACTED] Rose Law Firm, Little
Rock, Arkansas; and
[REDACTED] Arkansas Bar
Association, Little Rock, Arkansas.

Financial Responsibility

A search of the computerized records of TRW Information Services, Dallas, Texas, conducted at FBI Headquarters in February, 1993, disclosed no pertinent information concerning Mr. Foster.

Law Enforcement Agency Checks

Information has been received from appropriate law enforcement agencies indicating their files contain no record concerning Mr. Foster, except the following:

A review of the records of the Charlotte-Mecklenburg County Police Department, Charlotte, North Carolina, failed to reveal any arrest record for Mr. Foster. However, the records of the Mecklenburg County Superior Court, Charlotte, North Carolina, revealed that Mr. Foster entered a guilty plea on January 28, 1965, for speeding, but no disposition was indicated. The records also revealed that Mr. Foster paid a \$50 fine plus costs on March 18, 1965, for reckless driving and operating an automobile while intoxicated. On September 29, 1966, Mr. Foster was found not guilty of allowing an unlicensed person to drive. The court records contained no additional information.

Bar Affiliation

Mr. Foster is eligible to practice law in the State of Arkansas. According to information available, no grievances have been filed against him.

Vincent Walker Foster, Jr.

Miscellaneous

During a routine interview, Mr. Foster advised that he used marijuana on no more than one occasion in 1982. He stated that the incident took place at a social function when a lit marijuana cigarette was handed to him by a friend. Mr. Foster advised that he has not used any illegal drugs since that time.

Mr. Foster also stated that he was arrested and spent one night in jail in 1964 after being stopped for a traffic violation. He stated that he was found to have more than an allowed amount of alcohol in the trunk of his car, according to North Carolina law. Mr. Foster also advised that in 1966, he was given a "ticket" for being intoxicated at a college party.

Mr. Foster stated that he is a member of the Country Club of Little Rock, which formerly did not have any minority members. He stated that he now believes that the club has at least one minority member. Mr. Foster stated that the reason why the club did not have any minority members was "economic" in that the dues were beyond what most people could afford. He stated that he does not believe that the club has any policy of exclusion. Mr. Foster commented that he is not biased or prejudiced toward any group or individual, and has always tried to be objective and fair in his decision making.

A review of the by-laws of the Country Club of Little Rock, Arkansas, on February 5, 1993, revealed that, for admission to the club, a person must be of good moral character, at least twenty-one years of age, and reside within a 50-mile radius of Little Rock. In addition, the by-laws state that the membership of the club shall not exceed 500 members. According to an official of the club, these rules have been in effect since the club began in 1902.

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[REDACTED] Country Club of Little Rock, advised that the club has a waiting list due to its full membership. [REDACTED] stated that it has never been the policy of the club, either written or unwritten, to discriminate against any person on the basis of race, sex, color, religion, national origin, age, or handicap. [REDACTED] stated that the membership of the club includes female, African American, and Jewish members.

Vincent Walker Foster, Jr.

A search of NEXIS, a computerized news retrieval service, disclosed no pertinent information concerning Mr. Foster.

Agency Checks

During the course of this investigation, the records of the following entities were checked and found to contain either no record or no pertinent information concerning Mr. Foster, unless otherwise noted in this summary memorandum:

Central Intelligence Agency;
Office of Personnel Management;
Arkansas State Attorney General's Office;
Pulaski County Elections Commission,
Little Rock, Arkansas;
Federal Election Commission;
Defense Clearance and Investigations Index;
Federal Records Center, St. Louis, Missouri;
Public Integrity Section and appropriate
United States Attorneys,
Department of Justice;
United States Secret Service;
and the White House Office.

Searches of the various indices of the FBI, including but not limited to the central index maintained at FBI Headquarters, the index of the Identification Division, the indices of appropriate field offices and other appropriate computer data bases, did not identify any documents that contain pertinent information identifiable with Mr. Foster or his close relatives.

It should be noted that results of the above indices searches reveal only data entered into those indices as of the date each was searched. However, it should be noted that some delays may occur as to the entry of such data.

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 2/12/93

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/29/97 BY SSA SLS/SLA/TAC
(424,736) (CA 97-2107)

VINCENT WALKER FOSTER, JR., Deputy Counsel to the President, the White House, was advised of the official identity of the interviewing Agent and the purpose of the interview, that being to ensure that complete, current and accurate information is available and obtained concerning the appointee to assist the FBI in conducting a thorough background investigation of appointee for the position with the Federal government for which he is being considered. Appointee provided the following information:

Appointee was shown a copy of a Standard Form (SF)-86 and any supplements thereto, which he previously completed, signed and dated. Each of appointee's answers to the questions therein were reviewed with appointee to ensure their accuracy and completeness. Appointee advised that his written responses to each of the questions in the SF-86 (and supplement) were accurate and correct to the best of his knowledge and recollection.

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Investigation on 2/12/93 at Washington, D.C. File # 161B1044727
by SA [redacted] ^{b6 b7c} gwa *[signature]* Date dictated 2/12/93

FD-302 (REV. 11/15/83)
161B1044727

Continuation of FD-302 of VINCENT WALKER FOSTER, JR.

Appointee advised he has never been involved in any type of civil matter as a plaintiff or defendant, other than in his official capacity.

Appointee advised he has never been denied employment, dismissed from any employment or left any employment under unfavorable circumstance, or denied a security clearance by any agency within the Federal government.

Appointee advised he has never had any personal or continuing contact with representatives of any foreign government.

Appointee advised his oral responses to the above questions are true and correct to the best of his knowledge and recollection. Appointee advised that he is unaware of anything that could, would, or should prevent him from receiving a position with the United States Government or be used to coerce or compromise him if he were to receive such a position.

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Appointee advised he is currently staying with his sister, at 3900 Macomb St. NW, WDC, and has phone number 202-686-6768. He has been there since 1/15/93.



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

FEB 25 1993

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 12-29-97 BY SSA568SLA/DK
(424,736) (CA#97-2107)

VINCENT WALKER FOSTER, JR.

THE INVESTIGATION OF MR. FOSTER COVERED INQUIRIES IN THE UNITED STATES AS TO HIS CHARACTER, LOYALTY, AND GENERAL STANDING, BUT NO INQUIRIES WERE MADE AS TO THE SOURCES OF HIS INCOME.

This summary memorandum contains the results of a Level II background investigation concerning Mr. Foster.

Birth

Mr. Foster was born on January 15, 1945, in Hope, Arkansas.

Education

Mr. Foster attended the University of Arkansas School of Law, Fayetteville, Arkansas, from February, 1969, to January, 1970, receiving a J.D. degree.

Military Service

Mr. Foster enlisted in the United States Army National Guard of the State of Arkansas, with membership in the Army National Guard of the United States, on May 20, 1968. On July 8, 1968, he entered on active duty for training in the U.S. Army and served until November 5, 1968, at which time he was honorably released as a private and was transferred back to the Army National Guard of Arkansas. He served in a reserve status until he was honorably discharged on May 19, 1974, as a staff sergeant. His service record is clear.

Employment

From February, 1978, to January, 1993, Mr. Foster continued to be employed by the Rose Law Firm, Little Rock, Arkansas, as an attorney and partner.

Since January, 1993, Mr. Foster has been employed by the White House, Washington, D.C., as Deputy Counsel to the President.

Copy of report to be placed in file.

Vincent Walker Foster, Jr.

Family Status

Mr. Foster is married to the former Elizabeth Braden, whom he has indicated is a United States citizen. They and their children, John B., Laura B., and Vincent W. Foster III, reside at 5414 Stonewall Road, Little Rock, Arkansas. Mr. Foster is temporarily residing with his sister, Sheila F. Anthony, at 3900 Macomb Street, Northwest, Washington, D.C.

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Sister	Sheila F. Anthony Washington, D.C.
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Webster Hubbell, Assistant to the Attorney General, Department of Justice, Washington, D.C.;

Vincent Walker Foster, Jr.

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b7c [REDACTED] Rose Law Firm, Little
Rock, Arkansas; and [REDACTED]
[REDACTED] Arkansas Bar
Association, Little Rock, Arkansas.

Financial Responsibility

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Bar Affiliation

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Vincent Walker Foster, Jr.

Miscellaneous

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[REDACTED] Country Club of Little Rock, advised that the club has a waiting list due to its full membership. [REDACTED] stated that it has never been the policy of the club, either written or unwritten, to discriminate against any person on the basis of race, sex, color, religion, national origin, age, or handicap. [REDACTED] stated that the membership of the club includes female, African American, and Jewish members.

Vincent Walker Foster, Jr.

A search of NEXIS, a computerized news retrieval service, disclosed no pertinent information concerning Mr. Foster.

Agency Checks

During the course of this investigation, the records of the following entities were checked and found to contain either no record or no pertinent information concerning Mr. Foster, unless otherwise noted in this summary memorandum:

Central Intelligence Agency;
Office of Personnel Management;
Arkansas State Attorney General's Office;
Pulaski County Elections Commission,
Little Rock, Arkansas;
Federal Election Commission;
Defense Clearance and Investigations Index;
Federal Records Center, St. Louis, Missouri;
Public Integrity Section and appropriate
United States Attorneys,
Department of Justice;
United States Secret Service;
and the White House Office.

Searches of the various indices of the FBI, including but not limited to the central index maintained at FBI Headquarters, the index of the Identification Division, the indices of appropriate field offices and other appropriate computer data bases, did not identify any documents that contain pertinent information identifiable with Mr. Foster or his close relatives.

It should be noted that results of the above indices searches reveal only data entered into those indices as of the date each was searched. However, it should be noted that some delays may occur as to the entry of such data.

FEDERAL BUREAU OF INVESTIGATION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/19/97 BY SSA 5685 sub/PAE
(424,736) (CA# 97-2107)

Date of transcription 2/12/93

VINCENT WALKER FOSTER, JR., Deputy Counsel to the President, the White House, was advised of the official identity of the interviewing Agent and the purpose of the interview, that being to ensure that complete, current and accurate information is available and obtained concerning the appointee to assist the FBI in conducting a thorough background investigation of appointee for the position with the Federal government for which he is being considered. Appointee provided the following information:

Appointee was shown a copy of a Standard Form (SF)-86 and any supplements thereto, which he previously completed, signed and dated. Each of appointee's answers to the questions therein were reviewed with appointee to ensure their accuracy and completeness. Appointee advised that his written responses to each of the questions in the SF-86 (and supplement) were accurate and correct to the best of his knowledge and recollection.

Appointee advised that he has never sold or purchased any illegal drugs, including marijuana. Appointee also advised that he has never abused prescription drugs or alcohol. He has experimented with marijuana on no more than one occasion, in 1982. This incident took place at a social function, and the lit ^{b6} marijuana was handed to him by a friend named [redacted] who ^{b7C} has since married. He does not know her married name. She was a resident of Little Rock at the time. He could not think of anyone else who could verify this use. He has not used any illegal drug since that time.

Appointee advised that he has never had any financial problems which resulted in, but not limited to, property being repossessed, debts placed for collection, made him the subject of a tax lien or legal judgement rendered concerning a debt, or filed for bankruptcy, or had any delinquent student loans.

Investigation on 2/12/93 at Washington, D.C. File # 161B1044727
by SA [redacted] ^{b6 b7C} gwa ^(signature) Date dictated 2/12/93

Continuation of FD-302 of VINCENT WALKER FOSTER, JR.

Appointee advised he has never been involved in any type of civil matter as a plaintiff or defendant, other than in his official capacity.

Appointee advised he has never been denied employment, dismissed from any employment or left any employment under unfavorable circumstance, or denied a security clearance by any agency within the Federal government.

Appointee advised he has never had any personal or continuing contact with representatives of any foreign government.

Appointee advised his oral responses to the above questions are true and correct to the best of his knowledge and recollection. Appointee advised that he is unaware of anything that could, would, or should prevent him from receiving a position with the United States Government or be used to coerce or compromise him if he were to receive such a position.

Appointee advised he has never received any type of psychological or psychiatric treatment or counseling, or any counseling related to substance use, or abuse.

Appointee advised that he was arrested, and did spend the night in jail in April of 1964, when he was stopped for a traffic violation, and was found to have more than an allowed amount of alcohol in the trunk of his car. In North Carolina it was against the law to possess a certain amount of alcohol in 1964. In 1966 he advised he received a "ticket" for being intoxicated at a college party.

Appointee advised that the exchange student that he had staying with he and his family has departed, and no longer lives with him.

Appointee advised that while he does belong to several organizations, he was a member and not an officer or director. He was a member of a country club that did not have any minority members at the time, but did have an application pending for one man who was a minority. He believes the club now has a minority member. He advised that the reason why the club did not have a minority member was "economic" in that the dues were beyond most persons ability. He does not believe the club had any policy of exclusion. He advised that he is not bias or prejudiced toward any individual or group, or any reason, and has always tried to be objective and fair in his decision making.

Appointee advised he is currently staying with his sister, at 3900 Macomb St. NW, WDC, and has phone number 202-686-6768. He has been there since 1/15/93.

Headquarters File
72-WF-187908

FEDERAL BUREAU OF INVESTIGATION
FINGERPRINT SECTION
IDENTIFICATION DIVISION

Telephone Request - Evidence Receipt Form (check appropriate box)

Contributor and Address SAC W M F O Date 7-30-93
Time 7:00 P

Requested By SA [REDACTED] Accepted By Hupp

Reference File No. 72-WF 187908 FBI File No. _____

Latent Case No. L 5024 Specialist Hupp

Re: UNSUB

Subject(s) Possible Obstruction of Justice of

Victim(s) US Park Police Investigation of death of

Address VINCENT FOSTER, Counsel to the President,

Date and Type of Offense DOJ

Suspect (s) (Include FBI# Sex Race DOB SSAN - If Known) _____

[REDACTED]

VINCENT FOSTER (Over)

Report To Be Directed To W M F O

Reason For Expeditious Handling _____

Copies To _____

Evidence _____

72-WF-187908-3

Delivered By And How _____ (Over)

(This Space For Blocking)
LEPS
273
gmk

L 5024
7-30-93
Hupp

67A

LFPS

received LFPS
7:30 PM 9-30-93
[Signature]

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Section 552

Section 552a

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(b)(7)(D)

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(b)(7)(E)

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(b)(7)(F)

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(b)(6)

(k)(7)

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7-2-92
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FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Recorded 8/2/93

Laboratory Work Sheet
J&J

Received 7/30/93

To: SAC, WMFO

Date:

FBI File No. 72-WF-187908 -4

Lab No. 30730011 D/S UD

Reference: LETTER dated July 30, 1993 & TELEPHONE CALL 7/30/93

Your No. 72-WF-187908

LC# L-5024

Examiner: HUPP

Noted by:

Re: UNSUB;
POSSIBLE OBSTRUCTION OF JUSTICE OF
U.S. PARK POLICE INVESTIGATION OF DEATH OF
VINCENT FOSTER, COUNSEL TO THE PRESIDENT,

OOJ
OO: WMFO

LEADS WILL BE FORWARDED AND RETURNED

KL

Specimens received: Hand delivered by SA [redacted] July 30, 1993 b7C

[redacted]
[redacted]
[redacted]

b7A

United States Capitol Police Laboratory Report dated
7-29-93

7-30 93

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[redacted]
[redacted]
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FINANCIAL CRIMES SECTION
CRIMINAL INVESTIGATIVE DIVISION

DATE: MARCH 21, 1994

TO	ROOM	NAME	TO	ROOM	NAME
	7175	The Director		3149	Mr. Brubaker
	7142	Mr. Boney		3443	Mr. Galdo
	7116	Mr. Potts		3836	Mr. Kasper
	7116	[REDACTED]		3155	Mr. Kasper
	7116	Mr. Vortelder		3025	Mr. Lasky
	7116	[REDACTED]		3045	Mr. Moody
	7116	[REDACTED]		3052	Mr. Parks
	3012	Mr. Delp		3015	Mr. Corvay
	3012	Mr. Pizer			
	3022	Mr. [REDACTED]		3129	Admin./Budget Unit
	3423	[REDACTED]		3122	Supply Clerk
	3049	Mr. Dick		7136	SAMMS Board
	3023	Mr. Dorch		18327	Mail Room
	3171	Mr. Leachman		6248	Reading Room
	3045	Mr. Menchen		3045	SIOC
				3117	USOU
				1993	Voucher Unit

b7C

- REMOVE TICKLER
- See Me
- For Inquiry
- For Your Approval
- For Your Info.
- Prepare Response
- Status/PCCs
- Approp. Action

MEMORANDUM FROM MR. HICKS TO MR. POTTS

RE: [REDACTED]

b7A

[REDACTED]

[REDACTED]

See to 29D-1P-32063

CC to 72-WF-18798

THOMAS S. EURAC
CHIEF, FINANCIAL CRIMES SECTION
ROOM 3023, EXT. 4-2000

LM

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Section 552

Section 552a

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(Pages 349-350)

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Memorandum



To : Assistant Attorney General
Criminal Division
(Attention: Ms. Mary Harkenrider)
From : Inspector-in-Charge
Office of Public and Congressional Affairs

Date 7/13/94

Subject: REQUEST BY SENATE COMMITTEE ON BANKING, HOUSING, AND
URBAN AFFAIRS FOR DOCUMENTS PERTAINING TO THE DEATH OF
VINCENT FOSTER AND RELATED MATTERS

By letter to the Attorney General dated June 22, 1994, Senators Donald W. Riegle, Jr. (Chairman), and Alfonse M. D'Amato (Ranking Minority Member) advised that the Senate Committee on Banking, Housing, and Urban Affairs (Senate Banking Committee) will conduct hearings on an unspecified date, but no later than 7/29/94 into matters covered by Senate Resolution 229 pertaining to what is commonly referred to as "Whitewater."

The letter to the Attorney General requests all Department of Justice records, including FBI records, pertaining to:

(a) communications between officials of the White House and the Department of the Treasury or the Resolution Trust Corporation relating to the Whitewater Development Corporation and the Madison Guaranty Savings and Loan Association;

(b) the Park Service Police Investigation into the death of Vincent Foster; and

(c) the way in which White House officials handled documents in the office of Vincent Foster at the time of his death.

72 WF-187908-6

- 1 - Deputy Assistant Attorney General
Office of Legislative Affairs
Department of Justice
- 1 - Director
- 1 - Mr. Binney
- 1 - Mr. R. Bucknam
- 1 - Mr. J. Bucknam
- 1 - Miss [redacted]
- 1 - Ms. [redacted] Mrs. [redacted]
- ① - Mr. Potts - 3012

- 1 - Mr. Meachum (Encl. 1)
- 1 - Mr. Shapiro
- 1 - Ms. Simonton
- 1 - Mr. Kelley
- 1 - Mr. McFarland
- 1 - Mr. Collingwood
- 1 - Mr. Mandigo
- 1 - Mr. Kaul
- 1 - CAO File

b7c

JHK:arg (21)

Note: Sheila Anthony, Assistant Attorney General, Office of Legislative Affairs, has recused herself from all matters pertaining to Whitewater.

Assistant Attorney General, Criminal Division

Enclosed are four redacted copies of FBI records responsive to the request. Also enclosed are three "bleed through" copies which permit review of the redactions taken in the excised copies. These records only encompass the period of time prior to the appointment of the Independent Counsel.

Please direct any questions concerning this release to me at 324-2727 or John H. Kaul of my staff at 324-5354, facsimile number 324-2367.

Enclosures (7)

CENTRAL INVESTIGATIVE DIVISION

8/16 1994

TO	ROOM	NAME/TITLE	TO	ROOM	NAME/TITLE
	7176	DIRECTOR		7116	MR. ESPOSITO
		MR. SHAPIRO		5012	MR. DALY
		MS. SIMONTO		3012	MR. FRIER
		MR. R. BUCKNAM			
		MR. J. BUCKNAM			
		MR. ST. DENNIS			
	7142	MR. BINNEY		5030	MR. KAHN
	7116	MR. POTTS		5155	MR. KOLETAR
	3090	MR. AHLERICH		3028	MR. LUSBY
	5829	MR. BAUGH		3012	MR. MOODY
	7110	MR. BRYANT		3042	MR. PARKS
	7427	MR. DAVIS		7443	MR. RINGGOLD
	6012	MR. GONZALEZ		7116	
	6028	MRS. PASENELLI		7116	
	ACADEMY	MR. PHILIP		3012	
	11861	MR. POMERANTZ		5012	
	7125	MR. REUTTER			
	7240	MR. COLLINGWOOD		5129	ADMIN. UNIT
	7901	MR. PEREZ		5129	BUDGET UNIT
				18327	MAIL ROOM
				6247	COMM. CENTER
				3823	
				3149	

meach

b7c

b7c

- Call Me
- See Me
- Approp. Action
- See Attached
- For Your Info.
- Prepare Response
- For Your Approval
- Status/Facts

W. J. Esposito, Jr
[Redacted] b7c

W. J. Esposito, Jr
[Large signature]

file
TO Director
FROM Special Counsel *W. J. Esposito*
6/30/94
File - See 72-WF-187908-7

WILLIAM J. ESPOSITO
DEPUTY ASSISTANT DIRECTOR
ROOM 7116, EXT. 4-4805

2-Ends
Reports

**Report of the
Independent Counsel
In Re
Vincent W. Foster, Jr.**

*Washington, D.C.
June 30, 1994*

**Robert B. Fiske, Jr.
Independent Counsel**

**Roderick C. Lankler
Deputy Independent Counsel**

**Mark J. Stein
Carl J. Stich, Jr.
Associate Independent Counsel**

STATEMENT ON WASHINGTON, D.C. INVESTIGATIONS

The Washington, D.C. Office of the Independent Counsel has completed two separate investigations:

(1) An investigation to determine whether the cause of the death of Vincent W. Foster, Jr. was a suicide or a homicide, and if it was a suicide, whether any matter related to the Clintons' involvement in the Whitewater Development Company ("Whitewater"), Madison Guaranty Savings and Loan ("Madison Guaranty") or Capital Management Services ("CMS") played any role in his death; and

(2) An investigation to determine whether a criminal prosecution should be brought against anyone for obstruction of justice or a violation of any other federal statute for conduct arising out of a series of meetings and other contacts between White House and Treasury Department officials from September 1993 through March 1994.

A third investigation, to determine whether a criminal prosecution should be brought against anyone for obstruction of justice or a violation of any other federal statute for conduct involving the handling of Mr. Foster's documents in the White House immediately following his death, is in its final stages and should be completed shortly.

We announce today the results of the two completed investigations. We are satisfied that all of the issues involved in these investigations have been fully and thoroughly investigated. In total, attorneys from this Office and agents of

the Federal Bureau of Investigation ("FBI") questioned 188 persons and reviewed and analyzed thousands of documents. Other investigative steps were also undertaken.

I am extremely grateful for the commitment and effort of the lawyers on my staff in Washington; Roderick C. Lankler, Mark J. Stein and Carl J. Stich, Jr., and the FBI agents who have worked with us, which has enabled us to conduct and complete these two investigations in a period of less than four months.

The Foster Death Investigation

At this time, we are issuing a complete report on the death of Vincent Foster. This report concludes that on July 20, 1993, Mr. Foster committed suicide in Fort Marcy Park, Fairfax County, Virginia. The report lists a number of factors that may have contributed to his suicide, and finds no evidence that matters relating to Whitewater, Madison Guaranty or CMS played any role in his death. The investigation into Mr. Foster's death was not a grand jury investigation. It consisted of interviews by attorneys and FBI agents working with this Office, and of extensive forensic and pathological laboratory analyses. Accordingly, there are no grand jury secrecy restrictions on the public issuance of a full report, and we are making public such a report at this time.* We

* Rule 6(e) of the Federal Rules of Criminal Procedure provides, in relevant part, "(2) A grand juror, an interpreter, a stenographer, an operator of a recording device, a typist who transcribes recorded testimony, an attorney for the government, or any person to whom disclosure is made [pursuant to a specified exception] shall not disclose matters occurring before the grand jury, except as otherwise provided for in these rules. . . . A

will submit a copy of this report to the division of the Court of Appeals for the District of Columbia referred to in Title 28, United States Code, Section 49, as part of the report required by Title 28, Code of Federal Regulations, Section 600.2(b)(1).

White House/Treasury Contacts Investigation

On February 24, 1994 Deputy Treasury Secretary Roger Altman disclosed in testimony before the Senate Banking Committee that he and Treasury General Counsel Jean Hanson had met with members of the White House staff on the subject of the Resolution Trust Corporation's ("RTC's") investigation of Madison Guaranty Savings & Loan ("Madison Guaranty"). In the days and weeks that followed that testimony, disclosures were made about additional meetings and contacts that occurred from September 1993 through February 1994 between Treasury representatives and White House staff on the subject of Madison Guaranty. Following these disclosures, Members of Congress, the press and other individuals raised questions about what occurred at these meetings and whether there was any attempt by members of the Administration to improperly influence the RTC investigation.

As a result of these disclosures and the issues that arose from them, this Office conducted a grand jury investigation to determine whether any Government official did anything during or following these contacts that amounted to obstruction of justice

knowing violation of Rule 6 may be punished as a contempt of court."

under the federal criminal laws.

The purpose of this investigation was to determine whether the evidence established that any of those contacts, viewed individually or collectively, amounted to a violation of law by anyone involved. A total of more than twenty different contacts, either face-to-face meetings or telephone conversations, were investigated. The investigation focused on whether in the course of any of these contacts, any individual obstructed justice, attempted to obstruct justice, or conspired with others to obstruct justice, as defined in Title 18, United States Code, Section 1505. That section provides, in pertinent part:

Whoever corruptly . . . influences, obstructs, or impedes or endeavors to influence, obstruct, or impede the due and proper administration of the law under which any pending proceeding is being had before any department or agency of the United States . . . [s]hall be fined not more than \$5,000 or imprisoned not more than five years, or both.

After a review of all the evidence, we have concluded that the evidence is insufficient to establish that anyone within the White House or the Department of the Treasury acted with the intent to corruptly influence an RTC investigation. Therefore, the evidence of the events surrounding the contacts between the White House and the Treasury Department does not justify the prosecution of anyone for a violation of Section 1505. We have also concluded that the evidence does not justify a criminal prosecution for violation of any other federal statute.

Because this investigation was conducted almost entirely through the use of a federal grand jury sitting in the District of

Columbia, we are precluded by Rule 6(e) of the Federal Rules of Criminal Procedure from publicly disclosing anything more than the results of the investigation. We will submit a full report of this investigation to the Division of the Court of Appeals for the District of Columbia referred to in Title 28, United States Code, Section 49, pursuant to Title 28, Code of Federal Regulations, Section 600.2(b)(1).

In reaching this conclusion, this Office is not determining anything other than that the evidence does not justify a criminal prosecution. We express no opinion on the propriety of these meetings or whether anything that occurred at these meetings constitutes a breach of ethical rules or standards. Prior to the issuance of our grand jury subpoenas, Secretary of the Treasury Lloyd M. Bentsen, Jr. had asked the Office of Government Ethics ("OGE") to conduct an investigation into these meetings. That investigation was suspended, at our request, when we began our investigation. We have advised Secretary Bentsen that we have completed our investigation, and we understand that the OGE investigation will now go forward.

June 30, 1994

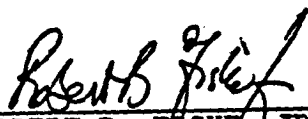

ROBERT B. FISKE, JR.
Independent Counsel

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REPORT ON THE DEATH OF VINCENT W. FOSTER, JR.

INTRODUCTION

In the early evening of July 20, 1993, the body of Deputy White House Counsel Vincent W. Foster, Jr. was found in Fort Marcy Park in Fairfax County, Virginia. The United States Park Police ("Park Police") investigated the death and concluded that it was a suicide.

Since that time, questions have been raised concerning the circumstances of Foster's death, specifically:

- 1) Were the Park Police correct that Foster committed suicide, or was he murdered?;
- 2) If the death was a suicide, did it occur in Fort Marcy Park or had the body been moved?; and
- 3) If Foster committed suicide, was it motivated in any way by concerns Foster may have had about legal issues related to the Clintons' involvement with the Whitewater Development Company, Inc. ("Whitewater"), Madison Guaranty Savings & Loan ("Madison Guaranty"), or Capital Management Services, Inc. ("CMS")?

As a result of speculation about a possible link between Foster's death and issues related to Whitewater, Madison Guaranty, and CMS, the Office of the Independent Counsel ("this Office") conducted a thorough investigation into each of the questions listed above.

THE INVESTIGATION

Roderick C. Lankler directed the Independent Counsel's investigation into Foster's death. For eight of his thirteen years in the Manhattan District Attorney's Office, Mr. Lankler served in the Homicide Bureau, investigating and prosecuting murder cases. He was assisted in this investigation by Associate Counsels Mark Stein and Carl Stich. Russell Hardin, Jr., also an Associate Counsel, reviewed and analyzed the evidence compiled during this investigation. Mr. Hardin is a former Assistant District Attorney in Houston, Texas who has also investigated and tried numerous homicide cases.

The Federal Bureau of Investigation ("FBI") provided substantial and invaluable support in this investigation. The FBI assigned seven experienced agents to the Independent Counsel's Washington Office, all of whom have worked exclusively with this Office for approximately the last four months. Assistance was also provided by representatives of the FBI's National Center for the Analysis of Violent Crime. In addition, experts in the FBI Laboratory performed a thorough analysis of the available evidence.

In the course of the investigation, this Office interviewed approximately 125 people. Those interviewed included numerous close friends and relatives of Foster, who provided insight into Foster's activities and state of mind during the weeks

prior to his death.* This Office also interviewed numerous people who worked with and for Foster in the White House, including President William Jefferson Clinton; First Lady Hillary Rodham Clinton; Chief of Staff Thomas McLarty; Assistants to the President Bruce Lindsey, John Podesta, Ricki Seidman and George Stephanopoulos; Deputy Assistants to the President Charles ("Bill") Burton, and Marsha Scott; former Deputy Chief of Staff Roy Neel; Mrs. Clinton's Chief of Staff Margaret Williams; former General Counsel Bernard Nussbaum; Associate Counsels William Kennedy, Stephen Neuwirth, Beth Nolan and Clifford Sloan; Foster's Executive Assistant Deborah Gorham, and other staff who worked in the White House Counsel's offices. In addition, we contacted and interviewed everyone whom our investigation revealed may have spoken or attempted to speak with Foster in the days prior to his death, including Foster's close friend, former Associate Attorney General Webster Hubbell.

Everyone known to have been in Fort Marcy Park on the afternoon or evening of July 20, 1993, also was questioned. This includes: a confidential witness who first found the body; the members of the Fairfax County Fire and Rescue Department who responded to the Park; the Park Police investigators, officers and technicians who conducted the investigation in the Park; the Fairfax County Medical Examiner; and others who were in or near the

* It should be noted that Mr. Foster's wife, Elizabeth "Lisa" Foster, his three children, and other close family members were extremely helpful and cooperative with this Office under obviously difficult circumstances.

Park on that day for reasons unconnected with Foster's death. The Medical Examiner who conducted the autopsy was also interviewed.

In addition to conducting interviews, this Office examined documentary and photographic evidence, including documents obtained by the Park Police at the time of Foster's death from his wallet and his car; documents removed from Foster's office at the White House and turned over to either the Clintons' private attorney or the Foster family attorney; photographs of Foster's body taken by the Park Police in Fort Marcy Park; the Northern Virginia District Medical Examiner's autopsy report; and photographs taken during the autopsy. This Office also reviewed White House documents that were worked on by Foster, found in his office, or which otherwise related to Foster.

Experienced FBI Laboratory Technicians in Washington D.C. ("the FBI Lab") performed extensive analyses of the physical evidence identified during the investigation. Among the tests conducted by the FBI Lab were: an examination of the gun that the Park Police found in Foster's hand; a chemical and physical comparison of gunpowder and lead residue on Foster's clothing with that found in the gun; an analysis of photographs taken by the Park Police for patterns of bloodstaining, gunpowder residue and the presence or absence of physical marks on Foster's clothing and body; a toxicological analysis of a blood sample obtained during the autopsy and a comparison of that blood sample with blood on Foster's clothing; a DNA comparison of Foster's blood with DNA found near the muzzle of the gun; an analysis of mineral deposits

on the clothing; a fingerprint analysis; and a handwriting analysis of a torn-up note discovered in Foster's briefcase."

A four-member panel of experienced and respected forensic pathologists ("Pathologist Panel") reviewed the results of the investigation. The members of this panel are:

Dr. Charles S. Hirsch - Chief Medical Examiner for the City of New York and Chairman of the Department of Forensic Medicine at New York University Medical School;

Dr. James L. Luke - Forensic Pathology Consultant, FBI Investigative Support Unit, FBI Academy; Project Director, Department of Environmental and Toxicologic Pathology, Armed Forces Institute of Pathology, Washington D.C.; Clinical Professor of Pathology at Georgetown and George Washington Universities;

Dr. Donald T. Reay - Chief Medical Examiner for King County, Seattle, Washington since 1975; Professor of Pathology at the University of Washington;

Dr. Charles J. Stahl - Distinguished Scientist and Armed Forces Medical Examiner, Armed Forces Institute of Pathology, Washington, D.C.

Following their review of the evidence, the Pathologist Panel issued a report summarizing their analysis and conclusions ("Pathologist Report").

* Attached as Exhibit 1 are reports issued by the FBI Lab. These include two general reports dated May 9, 1994 ("Lab Report") and June 13, 1994 ("Supplemental Lab Report") (the Supplemental Lab Report was issued as a result of questions posed by this Office to the Lab following receipt of the Lab's first Report); two reports on the FBI Lab's fingerprint analyses dated May 9, 1994 and June 9, 1994; and a report on the FBI Lab's handwriting analysis dated June 17, 1994.

** Dr. Luke assisted this Office throughout the investigation.

*** The curriculum vitae for each pathologist is attached as Exhibit 2. The Pathologist Report is attached as Exhibit 3.

This Office was also assisted by Dr. Joel E. Kleinman, M.D., Ph.D., a respected psychiatrist. Dr. Kleinman is the Deputy Chief of the Clinical Brain Disorders Branch and Chief of the Neuropathology Section at the Intramural Research Program, National Institute of Mental Health, Saint Elizabeth's Hospital, Washington D.C. He is also a Clinical Professor in the Department of Psychiatry and Behavioral Sciences and Department of Neurology, George Washington University School of Medicine.*

SUMMARY OF CONCLUSIONS

On the afternoon of July 20, 1993, in Fort Marcy Park, Fairfax County, Virginia, Vincent W. Foster, Jr. committed suicide by firing a bullet from a .38 caliber revolver into his mouth. As discussed below, the evidence overwhelmingly supports this conclusion, and there is no evidence to the contrary. This conclusion is endorsed by all participants in the investigation, including each member of the Pathologist Panel.

We found no evidence that issues involving Whitewater, Madison Guaranty, CMS or other personal legal matters of the President or Mrs. Clinton were a factor in Foster's suicide. While Foster did confide to family and friends in the weeks prior to his death that certain matters were troubling him, we have learned of no instance in which Whitewater, Madison Guaranty, CMS, or other possible legal matters of the Clintons were mentioned. Moreover,

* The curriculum vitae for Dr. Kleinman is attached as Exhibit

in the spring and summer of 1993, Whitewater and Madison Guaranty related matters were not issues of concern either within the White House or in the press.

FACTS

A. Background

Vincent W. Foster, Jr. was born on January 15, 1945, in Hope, Arkansas, where he attended the same kindergarten class as President Clinton and White House Chief of Staff Thomas McLarty. After graduating from Hope High School in 1963, Foster attended Davidson College in Davidson, North Carolina, where he earned a bachelor's degree in 1967. In 1968, Foster married Elizabeth ("Lisa") Braden, with whom he had three children: Vincent, age 22; Laura, age 21; and John, age 18. In 1971, he received his law degree from the University of Arkansas School of Law in Fayetteville, Arkansas, where he ranked first in his class. He subsequently received the highest score on the Arkansas Bar exam. In 1971, Foster joined the Rose Law Firm and, in 1973, he was made a partner. Among his partners at the firm were Hillary Rodham Clinton, Webster Hubbell and William Kennedy.

Foster remained at the firm until January 1993, when he moved to Washington, D.C., to assume the position of Deputy White House Counsel. At about the same time, Kennedy joined the Counsel's Office and Hubbell became Associate Attorney General. Foster's office at the White House was located on the second floor of the West Wing where he shared a suite with White House General

Counsel Bernard Nussbaum. A few weeks after arriving he hired Deborah Gorham as his Executive Assistant.

When Foster first arrived in Washington he lived with his sister, Sheila, and her husband, Beryl Anthony. Foster's wife and children remained in Arkansas so that his son John could complete his school year. In March 1993, Foster rented a house and in early June he was joined in Washington by his wife and children.

Friends and associates who knew Foster well, uniformly described him as a man of honesty and integrity, respected for his intelligence and judgment. His professional reputation was of paramount importance to him, particularly among colleagues in Arkansas. Foster was characterized as quiet, reserved, and one who rarely showed anger or emotion. Although difficult to get close to, he could be relied upon as a trusted confidante. Colleagues within the White House described him as a calming influence during stressful periods.

Foster's family and friends said that Foster did not experience any extended period of depression prior to the spring of 1993. Although he experienced some brief episodes of depression and anxiety, these appeared to be resolved without treatment. From time to time Foster experienced what his wife described as anxiety or panic attacks, marked by heavy sweating and a strained voice. In late 1992, he told his physician in Little Rock, Dr. Larry Watkins, that he was feeling depressed and anxious. At least two of Foster's close relatives have suffered from periods of depression.

B. Foster's State Of Mind During The Weeks Prior To Suicide

Foster's position at the White House generally demanded that he work from between 7:30-8:30 in the morning until 9:30 or later at night, either six or seven days per week. He took no vacation or weekends off until the weekend immediately prior to his death. The demands of the Counsel's office were severe, and Bernard Nussbaum heavily relied upon Foster to assist him in accomplishing a wide range of tasks. Friends and associates recall that in the last two to three months prior to his death, he showed signs of stress and had virtually no time to relax in the ways that he had in Arkansas.

In the last six to eight weeks of his life those close to Foster observed that he appeared exhausted much of the time, his face drawn and grey. He confided to some that he was having difficulty sleeping, and on certain mornings commented that he had not slept at all.* Although no one noticed a loss of appetite, it was obvious to many that he had lost weight. In the last few weeks of his life Foster seemed uncharacteristically fretful, and more quiet and subdued than usual. Family members noted that he had lost his sense of humor and appeared distracted. Lisa Foster described him as constantly worried and under stress.

Bernard Nussbaum noted a marked decrease in Foster's productivity in the weeks prior to his death. During his first few months in Washington, Foster actively involved himself in most of

* Foster had a prescription for sleeping pills but did not want to take them for fear of becoming addicted.

the important matters within the Counsel's office. Nussbaum came to rely on him to accomplish matters quickly and with sound judgment. During the particularly busy period of late June and July, however, Foster was virtually uninvolved. For example, Nussbaum noted that Foster uncharacteristically provided little assistance in the selection of a new FBI Director, a task that Nussbaum considered one of the most important he faced during his time in Washington. Nussbaum repeatedly suggested to Foster during this period that he should take some time off, but Foster was reluctant. Deborah Gorham, his Executive Assistant, confirmed that Foster's productivity dropped significantly in the last few weeks of his life. Lisa Foster said that Foster received no joy from his work during that time.

Some family members have stated that Foster appeared depressed in the weeks prior to his death. Although it is impossible to determine precisely what triggered this depression, certain matters were cited repeatedly by those interviewed during this investigation.

1. The Travel Office matter

Those close to Foster have stated that the single greatest source of his distress was the criticism he and others within the Counsel's Office received following the firing of seven employees from the White House Travel Office.

The Travel Office controversy began in mid-May 1993, when allegations surfaced that the White House Travel Office was being mismanaged and that employees within that Office may have either

embezzled funds or received kickbacks. Foster gave Associate Counsel William Kennedy responsibility for handling the matter. In consultation with Foster and others within the White House, Kennedy took two steps: he hired an outside accounting firm to audit the books of the Travel Office, and he contacted the FBI to discuss the possibility of initiating a criminal investigation. On May 19, 1993, following a preliminary report by the accounting firm, the White House decided to fire seven employees in the Travel Office.

In the days that followed, the White House was harshly criticized for its handling of the matter. Some reports charged that the White House pressured the FBI to open an investigation in order to justify the firings. In late May 1993, the FBI conducted an internal review of the meetings between FBI agents and White House personnel, and on June 1, submitted a report on the matter to the Attorney General. Included in the report were statements attributed to William Kennedy, some of which Kennedy denied making. The White House announced in late May that it would conduct an internal review of the Travel Office matter. In connection with that review, the White House requested and received a copy of the FBI's report to the Attorney General. On July 2, 1993, the White House released an internal report that reprimanded Kennedy and others for their handling of the matter. There was some discussion within the White House about reprimanding Foster, but this did not occur.

By many accounts, Foster was deeply disturbed by the reprimand of Kennedy and what he viewed as a distortion of the

facts by the press. Lisa Foster believed that the Travel Office matter was the greatest cause of Foster's stress and anxiety in the weeks prior to his death. She recalled that Foster had a bout of "anxiety" at around the time that the White House reprimand was issued. Foster was angry and distressed that, in his view, Kennedy had been unjustly criticized. He told co-workers that he believed that the FBI's report to the Attorney General had mischaracterized what had occurred in meetings with Kennedy. He told family members that the FBI had lied about the meetings, and that the Counsel's Office had been set up by the FBI in this matter.*

Foster was concerned that the White House report would lead to unwarranted investigations of well-intentioned actions. He felt responsible for Kennedy's situation because he had assigned Kennedy to the matter. He was heard to raise his voice uncharacteristically in insisting that Nussbaum allow Foster to take the blame instead of Kennedy.

It is clear from Foster's conversations with others in the White House that the reaction to the Travel Office firings had a profound effect upon him. He told Webster Hubbell, a close friend who at that time was serving as the Associate Attorney General, that no laws or rules had been broken but that in Washington you

* At the time of the appointment of the Independent Counsel on January 20, 1994, the Office of Professional Responsibility ("OPR") in the Department of Justice had already begun an inquiry into the conduct of the FBI in connection with the Travel Office matter. As a result, this Office agreed with OPR that this Office would not investigate whether the FBI had in fact made false statements in its report to the Attorney General, but only whether Foster's belief that the FBI had "lied" played any role in his suicide.

are assumed to have done something wrong even if you have not. He further told Hubbell that he thought the matter would never end. Foster told Kennedy in connection with the Travel Office matter that there were very few people one could trust in Washington.

Foster's sister, Sheila Anthony, observed that immediately after the White House issued its Travel Office report, Foster's distress became severe. He told his sister, as well as his wife, Lisa, and friend, Kennedy, that he was considering resigning from his position. Both Sheila Anthony and Lisa Foster believed that the personal humiliation he would have felt had he returned to Arkansas under those circumstances prevented him from resigning.

According to Nussbaum, Foster became increasingly obsessed with the Travel Office matter in the weeks before his death. Foster repeatedly urged Nussbaum to hire outside counsel to represent the General Counsel's Office in connection with the issues related to the Travel Office firings.* Nussbaum felt that Foster was overreacting and tried unsuccessfully to allay his concerns.

The extent to which Foster was disturbed by Travel Office issues is reflected in a torn note found in his briefcase by Stephen Neuwirth on July 26, 1993, six days after Foster's death. Lisa Foster has identified the handwriting in the note as Foster's,

* In fact, in early July 1993, Foster consulted James Lyons, an attorney located in Denver, Colorado, about the likelihood of Congressional hearings into the Travel Office firings and Foster's concern that his role in the Travel Office matter might affect his objectivity in advising the Clintons. Lyons advised Foster, after reviewing the White House report, that he saw no conflict of interest.

and a handwriting analysis performed by the FBI Lab confirms that identification. Lisa Foster believes that the note was written by Foster on or about July 11, 1993. On that day, she had encouraged him to write down everything that was disturbing him. She also encouraged him to go on the offensive and not take responsibility for every mistake. Later that day, Foster told his wife that he had written the opening argument for his defense - an apparent reference to his expected testimony should Congress hold hearings on the Travel Office matter.

There are ten separate entries in the torn up note found in Foster's briefcase. Five of them appear to relate to the Travel Office matter:

I made mistakes from ignorance, inexperience and overwork;

I did not knowingly violate any law or standard of conduct.

No one in the White House, to my knowledge, violated any law or standard of conduct, including any action in the travel office. There was no intent to benefit any individual or specific group.

The FBI lied in their report to the AG.

The press is covering up the illegal benefits they received from the travel staff.*

2. The Wall Street Journal editorials

According to people close to Foster, he was also distressed by editorials written about him in the Wall Street Journal ("the Journal"). Of particular concern was a June 17,

* The full text of the note is attached as Exhibit 5.

1993, editorial entitled "Who Is Vincent Foster?" The editorial criticized the Clinton White House for "carelessness about following the law," using as an example the Journal's efforts to obtain a photograph of Foster. According to the editorial, someone within the White House Counsel's Office responded that, "Mr. Foster sees no reason why he should supply the Journal with a photo." The Journal thereafter filed a request for the photograph under the Freedom of Information Act but, according to the editorial, did not receive a response within the ten-day period set forth in the Act. The editorial states:

No doubt Mr. Foster and company consider us mischievous (at best). . . . Does the law mean one thing for critics and another for friends? Will we in the end have to go to court to get a reply, or will even that work? Does it take a \$50,000-a day fine to get this mule's attention? . . . Who ensures that this administration follows the law, or explains why not? A good question. While Constitutional law may not have been the big part of the Rose firm's practice, it seems to us that a good man for the job would be deputy counsel Foster.

One week later, on June 24, 1993, the Journal ran another editorial entitled "Vincent Foster's Victory", which focused on a decision by the United States Court of Appeals for the District of Columbia that Hillary Rodham Clinton was the functional equivalent of a federal employee and, therefore, the Health Care Task Force she headed need not meet in public pursuant to the Federal Advisory Committee Act ("FACA"). The editorial states:

As for Iran-Contra, we suspect that Vincent Foster and Ollie North might hit it off. After all, we're supposed to believe that the health task force "officially" disbanded on

May 30, and so FACA's requirements are moot. That is, we're supposed to believe that Mrs. Clinton and her associates will never ever hold off-the-books meetings with "non-government" advisers to get the reform plan finished.

Foster was unaccustomed to such criticism. He was distraught over these editorials, and told others that they were mean-spirited and factually baseless. He believed the Journal would continue attacking him and others within the Administration until someone from Arkansas was forced out of the White House. He noted to his sister Sheila and to Kennedy that his friends and colleagues in Arkansas read the Journal, and voiced his concern that the editorials would damage his reputation. Foster told Sheila's husband, Beryl Anthony, that he had spent a lifetime building his reputation and that it was now being tarnished. Sheila Anthony tried without success to make Foster understand that this was "par for the course" in Washington politics. Colleagues at the White House made similar comments and attempted to joke with Foster about the editorials, but Foster found no humor in them.

On July 19, 1993, the Journal ran another editorial that mentioned Foster. That editorial was critical of the speed at which the Administration was moving to replace FBI Director William Sessions, and compared it to the Administration's handling of the Travel Office matter. The editorial noted that Foster was involved in the Travel Office matter, and stated that, "The mores on display from the Rose alumni are far from confidence-building."

* The June 17, June 24 and July 19 Journal editorials are attached as Exhibit 6,

Foster's views about the importance of reputation are reflected in his commencement address to The University of Arkansas Law School at Fayetteville, Arkansas, on May 8, 1993. Many of those interviewed referred to the speech as a source of insight into Foster's attitudes. On the topic of reputation Foster told his audience:

The reputation you develop for intellectual and ethical integrity will be your greatest asset or your worst enemy. . . . Treat every pleading, every brief, every contract, every letter, every daily task as if your career will be judged on it. . . . I cannot make this point to you too strongly. There is no victory, no advantage, no fee, no favor which is worth even a blemish on your reputation for intellect and integrity. Nothing travels faster than an accusation that another lawyer's word is no good. . . . Dents to the reputation in the legal profession are irreparable. . . .

Sheila Anthony recalls that during his address Foster's voice was unnaturally strained and tense, reminiscent of their father's voice when he was distraught during the period before his death in 1991.

Foster's distress about adverse publicity is plainly reflected in the torn note found in his briefcase. In reference to the Journal editorials, he wrote that "The WSJ editors lie without consequence." He concluded the note by stating, "I was not meant for the job or the spotlight of public life in Washington. Here ruining people is considered sport."^{**}

* The full text of the address is attached as Exhibit 7.

** Foster also exhibited distress over criticism received by the Administration regarding matters in which he was involved. For example, he was actively involved in the selection of a nominee for United States Attorney General. On the night that Zoe Baird

C. The Role of Whitewater

During his time as White House Deputy Counsel, Foster continued to handle some personal legal matters for the President and Mrs. Clinton, as he had while a member of the Rose Law Firm. Among those matters was Foster's role in arranging for the Clintons' accounting firm to prepare Whitewater tax returns for the years 1990-92. We have reviewed all of the Whitewater-related documents from Mr. Foster's files that were delivered to the Clinton's personal attorney after his death. However, Rule 6(e) of the Federal Rules of Criminal Procedure precludes us from disclosing the content of these documents since they were obtained by grand jury subpoena.

Those who worked in the White House during the first half of 1993 all stated that Whitewater was not an issue of any significance within the White House during that period. The issue had received virtually no attention in the press since the spring of 1992, during the Presidential campaign. As one person put it, Whitewater issues were "not on the screen" at that time. It was not until October 1993, three months after Foster's death, when it was disclosed that the Resolution Trust Corporation had issued

withdrew from consideration, Foster had what was described as an anxiety attack. He went to bed at about 2:30 a.m., sweating profusely, and became sick. He told family members that he felt that everyone was criticizing him. Beryl Anthony said that Foster blamed himself for the failed nomination and was concerned that he had let down the President.

criminal referrals involving Madison Guaranty and Whitewater, that the matter again received prominent public attention.

Each of Foster's co-workers, friends and family whom we questioned was explicitly asked whether Foster had ever mentioned Whitewater or Madison Guaranty related matters as a cause of concern or distress.* According to each of these people, Foster had never expressed any concern about these matters.

Questions have also been raised regarding whether a warrant authorizing the FBI to search the premises of CMS played a role in Foster's suicide. The search warrant was issued by the Federal District Court in Little Rock, Arkansas, on the afternoon of July 20, 1993, the date of Foster's death. However, the search warrant was not made public until it was executed, on July 21, after Foster's death. We have investigated to determine whether Foster learned of the search warrant prior to his death and have found no evidence that he did. In fact, only a limited number of individuals in the Little Rock U.S. Attorney's Office, the Little Rock FBI Office and the Court had any knowledge of the warrant prior to its execution.

Obviously, the fact that Foster never expressed a concern about Whitewater or Madison to anyone does not mean that he did not, in fact, have such a concern. Thus, we cannot conclusively rule out such a concern as a possible contributing factor to his depression. What we can conclude is that there is no evidence that

* These questions were asked under circumstances where a false statement would be prosecutable under Title 18, United States Code, Section 1001.

he did have such a concern against a background in which Whitewater/Madison issues were neither a matter of expressed concern in the White House, nor the subject of media attention.*

D. Foster's Activities From July 12 - July 18, 1993

Early in the week of July 12, Foster expressed concern to Beryl Anthony about the possibility of Congressional hearings on the Travel Office matter and asked Anthony to recommend an attorney. Mr. Anthony delivered a list of attorneys to him later that week. At about the same time, Foster spoke to James Lyons by telephone and told Lyons that the Travel Office matter was escalating and asked him to come to Washington as soon as possible. They arranged to meet the following week, on July 21, when Lyons was planning to be in Washington on other business. On July 13, Foster again expressed his concern about upcoming Congressional hearings regarding the Travel Office and told his wife that he was thinking about resigning.

Deborah Gorham, Foster's Executive Assistant, stated that Foster did little work during the week of July 12, and instead concentrated on "cleaning-up" matters that he had not been able to get to for some time, such as dictating thank-you and congratulatory notes. Gorham rarely had personal conversations with Foster, but on Thursday, July 15, he told her that he was

* In addition to completing tax returns on Whitewater, Foster also participated in creating a blind trust for the Clintons, completing their personal 1992 income tax returns, and fulfilling their financial disclosure requirements. There is no evidence that these matters were a contributing cause of Foster's distress.

frustrated because well-intentioned people were trying to build something and others just kept knocking it down. Gorham asked Foster if he ever felt that he was in "spiritual default." He said that he did, and Gorham recommended a church located near the White House.

Lisa Foster recalls that during that same week, Foster told her that his heart had been "pounding". Records reflect that on Friday, July 16, he went to the White House medical unit to have his blood pressure taken, which was recorded as 132/84. On the same day, Foster called his sister, Sheila, and told her that he was battling depression for the first time in his life and did not know what to do about it. Sheila Anthony described Foster's voice as tight and strained. She asked him to let her contact a psychiatrist and set up an appointment for him. Foster told her that he was hesitant to see a psychiatrist because it could jeopardize his White House security clearance. Sheila Anthony said that she would discuss this concern with the psychiatrist before making any appointment.

Sheila Anthony contacted a psychiatrist in the Washington area who was recommended by a friend. That doctor agreed to see Foster one time on an "off-the-record" basis. Sheila Anthony then called Foster and provided him with the names and telephone numbers of three psychiatrists, including the one she had spoken to, and encouraged him to call right away. He said that he wanted to think about it over the weekend.

Telephone records reflect that in the early afternoon of July 16, Foster made two calls to one of the psychiatrists recommended by his sister. At 12:41 p.m. and again at 1:24 p.m., Foster called the psychiatrist from the telephone in his office, and charged the calls to his home telephone. Each call lasted one minute or less.* The psychiatrist called by Foster often uses an answering machine during the lunch hour when no one is in the office. It is possible that Foster reached the answering machine and did not leave a message. Neither the psychiatrist that Foster attempted to reach nor the other psychiatrists recommended by Sheila Anthony ever spoke with Foster. The list of psychiatrists was found on a piece of paper in Foster's wallet following his death.

During the same telephone call in which Foster told Sheila Anthony that he was depressed, he asked her to recommend a place he and his wife could go to relax for the weekend. She called Lisa Foster with two or three possibilities, and Lisa Foster made arrangements for them to go to an inn on Maryland's Eastern Shore. Before they left, Foster told his wife that he was depressed, and she could tell that he was still under great stress while they were driving through Maryland.

Coincidentally, Webster Hubbell and his wife were also on the Eastern Shore of Maryland for the weekend staying with friends, Michael and Harolyn Cardoza, who also knew the Fosters. On

* Calls of less than one minute are reflected on a telephone bill as one minute in length.

Saturday, July 17, the Cardozas invited the Fosters to their home, and the group spent Saturday evening and Sunday together. Hubbell described it as a relaxing weekend during which Foster jogged, went boating, hit some golf balls, read the newspaper, and ate fresh crab for the first time. Foster and Hubbell spoke about the need to change their lifestyles and spend more time away from work. Foster mentioned that he missed spending time during June and July at his house in Michigan, as he had while at the Rose Law Firm.

Somewhat in contrast to Hubbell's perception of the weekend, Lisa Foster stated that the weekend did not go particularly well for Foster. When Foster returned on Sunday evening, July 18, he spoke to Lyons by telephone. They discussed the Travel Office matter for approximately thirty minutes and confirmed that they would meet in Washington to further discuss it on July 21.

E. Foster's Activities On July 19

Gorham observed that Foster spent much of the day on Monday, July 19, going through paperwork on his desk and in his desk drawers, dictating letters and taking care of unfinished business. She described Foster's day as one of "straightening and cleaning." Gorham recalled that he spent much of the day with his door closed.

Gorham recalls that at one point Foster came out of his office and placed three envelopes in the out-box on her desk. The envelopes had already been addressed, stamped and sealed by Foster, which was unusual. She looked at the envelopes to make sure they

had postage and recalls that one was addressed to Foster's mother in Hope, Arkansas, and another was addressed to an insurance company. She cannot recall how the third envelope was addressed. Sheila Anthony was with their mother when she received correspondence from Foster a day or two after his death. The letter contained oil leases which had been left to Foster's mother after his father died in 1991. Foster wrote a very brief typewritten cover letter providing instructions to his mother regarding the leases. Lisa Foster believes that the correspondence sent to the insurance company and the third envelope mailed by Foster were bill payments that she had asked Foster to make.

Hubbell stopped by Foster's office on July 19, and Foster told him that the weekend had been good for him and that he and Lisa were planning to go away the following weekend. Lisa Foster recalls that she and Foster had spoken about going away the following weekend but that no plans had been made. Foster also told Sheila Anthony during a telephone conversation on July 19 that the weekend had gone well, and he contemplated getting away more often. He also said that he was not yet ready to contact a psychiatrist.

On the same date, Foster contacted Dr. Larry Watkins, his physician in Arkansas. He told Watkins that he was under a great deal of stress and was depressed, that he had a loss of appetite and was losing weight. Watkins prescribed an anti-depressant drug called Desyrel, which has the generic name trazadone. Watkins stated that he had never before prescribed an anti-depressant for

Foster. A pharmacy in Washington filled the prescription for 30 tablets, in a dosage of 50 milligrams per tablet, and had the tablets delivered to Foster's home in the late afternoon on July 19.* Lisa Foster saw Foster take one tablet during that evening.

Foster left work earlier than usual that day and arrived home around 7:45 p.m. During the evening Foster received a call from President Clinton. The President had heard that Foster was feeling down about the Travel Office matter and called to invite Foster to watch a movie with him and others at the White House. Foster declined the invitation. After chatting about Foster's weekend in Maryland, the President told him that he wanted Foster's advice on possible White House organizational changes. They agreed to meet on Wednesday, July 21. The President did not perceive during this conversation that Foster was downcast or depressed.

F. Foster's Activities On July 20

Lisa Foster recalls that Foster left for work at about 8:00 a.m. She saw him for the last time standing "stiffly" in the kitchen before he left for work. As usual, Foster drove to work in their 1989 light grey Honda Accord which still bore Arkansas license plates. On the way to the White House, he dropped his son, Vincent, at a Metro station and his daughter, Laura, at work. Soon after Foster arrived at the White House, he attended the regular

* The pharmacy had no record of having filled any prior prescriptions for Foster.

9:00 a.m. Counsel's Office staff meeting.* Following the meeting, Foster went to the White House Rose Garden to attend the ceremony announcing the selection of Louis Freeh as Director of the FBI. Foster then returned to his office.

Later that morning, Foster walked into Nussbaum's office, where Nussbaum was watching television coverage of two events: the Freeh nomination and Ruth Bader Ginsburg's Supreme Court confirmation hearings. Nussbaum was exuberant about both nominations. He said to Foster, "We hit two home runs today." Foster seemed distracted and his response was markedly understated.

At approximately 12:00 noon, Foster asked Linda Tripp, an Executive Assistant to Nussbaum, to get him lunch from the cafeteria. A short time after Tripp went to the cafeteria, Thomas Castleton, an employee in the Counsel's Office, arrived at the cafeteria and told Tripp that Foster had sent him to find out what was taking so long. Tripp delivered Foster's lunch and added some M & M's to the tray. Foster sat on the couch in his office and ate his lunch while reading the newspaper. At about 1:00 p.m., he came out of his office holding his suit jacket, without a briefcase. He told Tripp that there were still some M & M's on the tray if she wanted them. He said, "I'll be back," and then left.

Foster did not return to the White House. A number of people tried unsuccessfully to reach him by telephone. C. Brantley Buck, Foster's former partner at the Rose Law Firm, called to

* Nothing of significance to the issues of this Report occurred during that meeting.

discuss finalizing work that Buck had been doing to set up a blind trust for the Clintons. Foster, who was acting as Buck's contact point at the White House, was supposed to have the Clintons sign some documents to complete the process. Buck stated that there was nothing about the blind trust that would have provided a source of concern to Foster, nor did Foster ever express any such concern.

James Lyons called to finalize plans for his meeting with Foster, scheduled for the following day. Gordon Rather, an attorney from Little Rock, called to discuss a routine matter regarding the American Board of Trial Advocates. A number of people within the White House also tried to reach Foster to discuss ongoing White House projects with which Foster was involved.

We have been unable to determine where Foster went following his departure from the Counsel's Office at about 1:00 p.m. We have also been unable to determine with certainty when Foster entered Fort Marcy Park. One motorist traveling on the George Washington Memorial Parkway saw a Japanese-made car driven by a white male swerve from the left lane of the Parkway into Fort Marcy Park some time between 2:45 and 3:00 p.m. on the afternoon of July 20. When interviewed shortly after Foster's death, the motorist told the Park Police that he recalled that the license plate on the car was from either Arkansas or Ohio. When he was recently shown pictures of Foster's car, the motorist stated that he did not believe that it was the car he saw on July 20 because

the license plate he saw identified the State in the lower right hand corner of the plate.

Another man stated that he drove into Fort Marcy Park between 4:15 and 4:30 p.m. He observed two cars in the parking lot of the Park at that time. He described one as a brown Japanese-made car with an Arkansas license plate. When shown photographs of Foster's car, he stated that the car he saw appeared darker in color and more compact. He stated that nobody was in the car, but there was a man's suit jacket folded over the passenger seat of the car. He recalls that the car was parked in one of the first spaces on the left side of the lot, which is where the Park Police found Foster's car following his death. The Park Police also found Foster's suit jacket draped over the front passenger seat of his car.

G. Discovery Of Foster's Body

1. Fort Marcy Park

Fort Marcy Park is located adjacent to the northbound lanes of the George Washington Memorial Parkway in Fairfax County, Virginia. The only vehicular entrance is from the Parkway, although there is a small opening in the fence on the Chain Bridge Road side of the park for use by pedestrians. A short drive from the Parkway entrance, there is a parking lot. Several foot trails lead from the lot. The original Fort Marcy was one of a ring of fortifications constructed during the Civil War to defend

* In recent years, only the State of Montana has a license plate that identifies the State in the lower right corner.

Washington against Confederate attack. It is now a National Park. One path from the parking lot leads up to two cannons dating from the Civil War.

No one interviewed during this investigation had ever heard Foster mention the Park, or knew of Foster ever visiting the Park prior to the date of his death.

2. Observations by Confidential Witness

Foster's body was discovered in Fort Marcy Park at approximately 5:45 p.m. on July 20 by a man who has requested that his identity remain confidential. As a result, this individual will be referred to only as a confidential witness ("CW").*

On the afternoon of July 20, at approximately 5:30-5:45 p.m., CW was driving north on the George Washington Memorial Parkway in heavy traffic when he turned into Fort Marcy Park to urinate. When he arrived, he observed two cars in the parking lot. He described the first as a compact Japanese-made car of a light color (he is not sure of the exact color) parked in the second or third space on the left as one enters the lot.** The other he described as a white Honda Accord parked near the rear of the lot. CW had visited the Park many times and was familiar with its layout.

* CW initially provided this information to G. Gordon Liddy, who hosts a radio call-in program broadcast from the Washington, D.C. area. Mr. Liddy subsequently contacted this Office and arranged for this Office to meet and interview CW, after receiving assurances that we would respect CW's desire for confidentiality.

** This is approximately the spot where the Park Police located Foster's car.

CW followed a path off the parking lot for approximately 200 yards until he reached the second cannon, which faces a raised berm that runs along the original Fort's perimeter. CW walked just over the berm, stopping at a point about 15-20 feet to the right of the cannon.* He noticed to his left what he first thought was a pile of trash located on the slope just over the berm in front of the cannon. He went over to look, and realized that it was a body. He stood at the top of the berm, just above the head of the body. The body appeared to be a man dressed in a white dress shirt, "expensive" trousers, and black dress shoes. CW stated that the man's head was either straight up or slightly tilted to the right, his arms were straight down at his sides. CW further stated that he believed the man's palms were facing upward. He did not see a gun in the man's hands but said it was difficult to see his hands because of the dense foliage in the area where the body was lying. CW acknowledges that, because of his position at the top of the berm and the heavy foliage, there could have been a gun in the man's hand that he did not see.

CW saw what appeared to be dried blood on the man's lips and nostrils. He also noticed a purple stain, which he believed to be a mixture of wine stains and vomit on the right upper shoulder and chest of his shirt. CW stated that he never touched the body.

After briefly viewing the body, CW returned to his vehicle and drove to Parkway Headquarters about two miles north of Fort

* CW stated that he walked to this spot because he saw two cars in the lot and wanted to be assured that he would have privacy.

Marcy Park, where he hoped to find a telephone. When he pulled into the parking lot he saw two uniformed park maintenance employees. CW provided the employees with the location of the body and drove off. He did not leave his name and the maintenance workers did not observe his license plate.*

3. Observations of the U.S. Park Police
and Fairfax County personnel

Computer records and audio recordings establish that at 5:59 p.m., using a public telephone, one of the Park maintenance workers dialed "911" to report the information provided by CW. He was advised by the Fairfax County Police dispatcher that because the body was found in the Park, the Park Police was the appropriate authority to respond. At 6:02 p.m., the maintenance worker reached the Park Police dispatcher and reported the information received from CW.

Following receipt of these calls, the Fairfax County Fire and Rescue Department dispatched Emergency Medical Services ("EMS") personnel to the Park, and the Park Police dispatched officers and investigators. At 6:09 p.m., a medical unit and an engine unit from Fairfax County EMS arrived at the Park. At approximately the

* In order to test the veracity of the information provided by CW, this Office performed a detailed analysis of that information. CW provided details that have never become public, and that could only have been known by the person who discovered Foster's body. These details include specific information about the appearance and location of the body, the description and location of the cars in the parking lot, the physical description of the park maintenance workers, and the short conversation held with them.

same time Officer Kevin Fornshill of the Park Police arrived. They split up to look for the body.

Fornshill was first to arrive at the body. His description of its location is identical to that reported by CW. Fornshill observed the body from the top of the berm as had CW and reported that Foster's head was near the top of the berm directly in front of the second cannon.

Representatives from this Office and the FBI have gone to this site numerous times. The berm on which Foster was found is located approximately ten feet in front of the cannon. There is a short incline on the inside of the berm facing the cannon. From the top of the berm, the ground falls away to form the outside embankment of the Fort. Foster was found on the outside of the berm, toward the top of the embankment. The embankment is about twenty to twenty-five feet in length, sloping at about a 45 degree angle.

Fornshill described Foster's body as lying straight up with his head slightly tilted to the right. From his position at the top of the berm, Fornshill could not see a gun, but noted that the natural foliage around Foster's body blocked his view of Foster's hands. Even after the EMS personnel arrived and stated that Foster had a gun in his right hand, Fornshill still could not see it from the top of the berm.

The first EMS personnel to arrive at the body were Todd Stacey Hall and George Gonzalez. Each of them moved next to the body and saw a gun in Foster's right hand, partially concealed

beneath the hand and right leg. Hall checked for a pulse against the left side of Foster's neck and found none. Hall states that he did not move Foster's head during this time.

Shortly thereafter an additional group of EMS personnel and Park Police officers arrived at the body. Polaroid and 35 mm photographs were taken of the body and the surrounding area. The 35 mm photographs were underexposed and of little value, despite the FBI Lab's effort to enhance their quality. The Polaroid photographs, however, clearly depict the condition of Foster's body shortly after the arrival of the Park Police. The photographs show blood stains on Foster's face and on the right shoulder of his shirt. The staining on his shirt covered the top of his shoulder from his neck to his upper arm. The photographs of his face show two lines of blood, one running from the right corner of his mouth to below the right ear, and the other from the right nostril toward the temple above the right ear. The photographs also show a larger area of blood staining Foster's right cheek and jaw, forming what is described in the FBI Lab Report as a "contact stain." Lab Report at 9.*

* Two members of Fairfax County EMS, George Gonzalez and Richard Arthur, have expressed doubts about whether Foster's death was the result of a suicide. In large measure, these doubts were caused by observations of what they believed to be bullet wounds on Foster's face. Gonzalez believed he saw a bullet hole in the upper right portion of Foster's forehead. Arthur believed he saw a bullet wound in the right side of Foster's neck. These wounds did not exist. The autopsy results, the photographs taken at the scene, and the observations made by Park Police investigators conclusively show that there were no such wounds.

At approximately 6:35 p.m., Park Police Investigators arrived at the body. Park Police Investigator John Rolla observed that some of the blood on Foster's face was still wet when he arrived, but was starting to dry. He touched Foster's body and noted that it was still relatively warm (which could have been a result, in part, of the ninety degree heat that day) and there were no signs of rigor mortis.* Foster's clothes were neat and there was no sign of any struggle. Foster was wearing his White House paging device, which had been turned off. A pair of eyeglasses, identified by Lisa Foster as belonging to her husband, were found about thirteen feet below Foster's body at the bottom of the berm.

Park Police Technician Peter Simonello was responsible for removing the gun still held in Foster's right hand. He noted that the knuckle of Foster's right thumb was trapped between the front surface of the trigger and the inside of the trigger guard of the gun. Simonello stated that Foster's hand was flexible, but that he had to half cock the weapon in order to remove his thumb. After removing the gun, Simonello observed a deep impression on Foster's thumb where the trigger had been located. He further saw powder residue on Foster's thumb and along the edge of Foster's right index finger. Photographs taken at the scene and at the autopsy show this powder residue, and a photograph taken at the autopsy shows the mark on Foster's thumb. The gun, a .38 caliber Colt

* As stated in the Pathologist Report, the available information is insufficient to determine the precise time of death during that afternoon. Pathologist Report, at ¶ 4.

revolver, was found to contain one unexpended cartridge and one cartridge case from which a bullet had been fired.

While one group of Park Police officials continued to examine Foster's body, others conducted an inspection of the cars in or near the parking lot. When the Park Police and EMS personnel first arrived, they observed three cars within the Park. The first was a blue Mercedes flashing its hazard lights, located just inside the entrance to the Park. This car belonged to a woman who had pulled into the Park late in the afternoon when her car had begun to malfunction. She immediately left the Park on foot and a tow truck arrived to pick up the car at approximately 7:00 p.m.

The second car, a white Nissan Stanza parked near the rear of the parking lot, belonged to another woman who drove to the Park with a friend at approximately 5:00 p.m.* They were still in the Park when located by the Park Police a short way down a path leading south from the parking lot. Neither individual heard a gunshot while in the Park or observed anything unusual.

The third car, a grey 1989 Honda Accord with Arkansas license plates, was parked in one of the first spaces on the left near the entrance of the parking lot. The car was registered to Vincent Foster. Park Police Investigators observed a suit jacket that matched the pants worn by Foster, neatly folded over the passenger seat of the car. In the jacket was Foster's White House identification. The keys to the car were located in Foster's pants

* CW accurately described the location and description of this car.

pocket. The car was impounded and searched, but nothing significant to the investigation was found.* Foster's wallet was in his suit jacket and contained \$292, credit cards, and miscellaneous papers, including the list of three psychiatrists provided by Sheila Anthony four days earlier.

At approximately 7:40 p.m., Dr. Donald Haut, the Fairfax County Medical Examiner, arrived at the scene to examine the body. At that point Foster's body was rolled over and those present observed a large pool of blood located on the ground where Foster's head had been. Haut observed a large exit wound in the back of the skull.

Following this examination, additional personnel from Fairfax County Fire & Rescue were dispatched to the scene to transport Foster's body to the morgue. At approximately 8:45 p.m., Corey Ashford and Roger Harrison lifted Foster's body under the arms and placed him into a body bag. The body was wheeled out of the Park on a stretcher and transported to Fairfax Hospital where it was briefly examined by Dr. Julian Orenstein, the physician on duty in the hospital's emergency room, who officially pronounced Foster dead. The body was taken to the morgue, where it was later identified by William Kennedy and Craig Livingstone, a Special Assistant to the White House Counsel.

* The presence in the car of beer cans, an empty pack of cigarettes, and a cork screw was the result of a trip to the beach taken by Foster's sons during the prior weekend.

H. The Autopsy

At 10:00 a.m. on July 21, 1993, Dr. James C. Beyer, the Deputy Chief Medical Examiner for the Northern Virginia District, conducted the autopsy on Foster. The autopsy found a contact bullet wound entering the soft palate inside the mouth. A microscopic examination noted extensive gunpowder residue on the soft palate. According to the autopsy report and information subsequently provided by Dr. Beyer, the bullet entered the cranial cavity, significantly damaged the left side of the brainstem and the left cerebral hemisphere of the brain, and exited from the center of the back of the head. The autopsy found no other trauma to Foster's body and found his teeth unbroken. Dr. Beyer found gunpowder-like residue on the lateral portion of both index fingers, with a greater concentration on the right index finger. No alcohol or drugs were found in Foster's blood, although a later analysis by the FBI Lab revealed trace amounts of trazadone, attributable to the anti-depressant prescribed by Dr. Watkins. Photographs taken during the autopsy, as well as microscopic slides of Foster's soft palate and other tissues, were obtained from Dr. Beyer by this Office and reviewed by the Pathologist Panel.* Dr. Beyer certified the death as a suicide.**

* The office X-ray machine was inoperable at the time of Foster's autopsy, and as a result no X-rays were taken.

** The complete autopsy report is attached as Exhibit 8.

I. The Gun

The Park Police submitted the gun found in Foster's hand to the Bureau of Alcohol, Tobacco and Firearms ("ATF") for testing. ATF identified the gun as a .38 caliber Colt revolver. The gun contained two different serial numbers, indicating that it was assembled with parts from two different guns. The only available records indicate that guns bearing those serial numbers were purchased in 1913.

When shown the gun, Foster's sister, Sharon Bowman, identified it as appearing very similar to the one their father had kept in his bedside table, specifically recalling the pattern on the grip. When her father fell ill with cancer in 1991, Bowman moved this gun and others in her father's collection into a closet within her father's house. In 1991, shortly after her father's death, Bowman showed Foster where she had put the guns and Foster removed them from the house.

Lisa Foster stated that the gun looked similar to one that she had seen in their home in Arkansas and that she had brought to Washington. Foster had packed a trunk prior to going to Washington but did not take the trunk with him. When Lisa Foster "repacked" the trunk for her own move to Washington in June, she saw the gun and brought it with the rest of her belongings.* Lisa Foster felt uncomfortable having a gun in their house, and twice asked Foster to remove it. On the night of Foster's death, she found a gun,

* Foster's children did not recognize the gun as one they had seen in their home.

different in appearance from the gun that she had brought with her from Little Rock, in the closet of her house in Washington. She did not recall seeing any ammunition in their house in Washington. In recent weeks, she found some ammunition at her home in Arkansas, but none of it was .38 caliber.

J. The Park Police Investigation

1. Investigative jurisdiction

Because Foster's death occurred in a National Park, the Park Police, as part of the Department of the Interior, had jurisdiction to conduct the investigation. Park Police Chief Robert E. Langston stated that the Park Police have historically had primary investigative jurisdiction for crimes or possible crimes committed within federal parks.

The FBI would have had primary investigative jurisdiction if the circumstances fell within the Presidential and Presidential Staff Assassination statute, Title 18, United States Code, Section 1751. That statute makes it a federal crime to, among other things, kill the President, Vice-President, or a specified number of persons appointed by the President or Vice-President. The statute further provides that violations shall be investigated by the FBI.* Based on a preliminary inquiry by the FBI which failed

* 18 U.S.C. Section 1751 covers "any person appointed under section 105(a)(2)(A) of title 3 employed in the Executive Office of the President. . . ." Title 3, United States Code, Section 105(a)(2)(A) provides that the President may appoint twenty-five employees at a specified rate of pay. Because the preliminary investigation by the FBI provided no indication of criminal activity, the FBI did not determine whether Foster was covered by this statute.

to indicate any criminal activity, the FBI's inquiry into this matter was closed. At the request of this Office, the FBI reentered this investigation in February 1994.

2. Summary of Park Police investigation

In the weeks following Foster's death, the Park Police conducted a number of interviews with family members, White House staff, and others; reviewed documents obtained from the White House and from Foster's personal belongings; and took other investigative steps including fingerprint analyses and an unsuccessful search in Fort Marcy Park for the bullet fired from the gun. The Park Police concluded that Foster's death was a suicide from a self-inflicted gunshot wound to the mouth.

TESTS CONDUCTED BY FBI LABORATORY

In March 1994, this Office obtained from the Park Police and the Medical Examiner's Office all available physical evidence collected in connection with the investigation of Foster's death, and provided it to the FBI Lab for analysis. This evidence included the gun and the ammunition it contained, Foster's clothing and eyeglasses, items found in Foster's car, photographs taken at the scene of the death and during the autopsy, Foster's hair and blood samples obtained during the autopsy, the autopsy report, and relevant portions of the Park Police Report on Foster's death. The FBI Lab performed extensive analyses, as summarized below.

A. Firearm Analysis

The FBI Lab test-fired the revolver found in Foster's hand ("Foster's gun") and found that it was operable. This kind of firearm can be fired by either cocking the hammer and then pulling the trigger (single action) or by simply pulling the trigger (double action).^{*} The cartridge case, a .38 caliber special cartridge case manufactured by Remington was analyzed and found to have been fired inside Foster's gun. The unexpended cartridge was also .38 caliber manufactured by Remington, and bore the same stamp as the expended cartridge.

The FBI Lab found that when Foster's gun is fired, it releases gunshot residue from the muzzle of the gun and from the cylinder gap. As a result, powder and lead residue can be found on objects in close proximity to the gun when fired. An analysis of the photographs taken at the autopsy reveal gunshot residue on the side of Foster's right forefinger and the web area of Foster's right hand. The FBI Lab found this consistent with that vented by Foster's gun when ammunition of the type found in its cylinder is fired with the palm of the right hand positioned near the front of the cylinder or near the muzzle.

The trigger of Foster's gun will automatically rebound when released after firing. On one of the autopsy photographs, there is a visible mark on the inside of Foster's right thumb. The FBI Lab found that this mark is consistent with a mark produced by

^{*} The latter method requires a much firmer pull on the trigger.

Foster's gun when "this portion of the right thumb is wedged between the front of the trigger and the inside of the front of the trigger guard of [Foster's gun] when the trigger rebounds (moves forward)." This mark is also consistent with the position of Foster's thumb in the trigger guard as depicted in the Park Police photographs. Lab Report, at 7.

B. Chemical Analysis

Ball shaped gunpowder was found in scrapings from Foster's shirt and undershirt. The FBI Lab found this gunpowder to be physically and chemically similar to the powder found in the empty cartridge case in the gun. In addition, chemical testing of Foster's shirt resulted in a positive reaction for the presence of lead residue. The presence of the residues found on Foster's shirt is consistent with the blast from the cylinder of Foster's gun when fired using ammunition of the kind found within that gun.

The FBI Lab further found one piece of ball powder on the eyeglasses recovered from the bottom of the berm, approximately thirteen feet below where Foster was found. This powder is physically and chemically similar to the gunpowder found in the cartridge case removed from Foster's gun. These facts are consistent with the eyeglasses being positioned near the gun when fired (such as on Foster's face or in his shirt pocket). One obvious scenario is that the eyeglasses were dislodged by the sudden backward movement of Foster's head when the gun was fired, after which the glasses bounced down the hill.

The FBI Lab detected one flattened ball-shaped gunpowder particle in scrapings from Foster's shoes and socks, and one disk-shaped particle on the paper that Foster's clothes were placed on at the Park Police Laboratory. The FBI Lab found that these particles did not originate from the fired cartridge in Foster's gun. These particles are believed to be the result of contamination some time after the clothing was removed from Foster's body.* The FBI Lab concluded that these particles "are not likely associated with this investigation." Supplemental Lab Report, at 3.

C. Blood Analysis

The FBI Lab conducted tests on the blood sample obtained during Foster's autopsy. The tests revealed small concentrations of trazadone, diazepam and nordiazepam. Trazadone is the anti-depressant prescribed by Dr. Watkins and taken by Foster on the evening of July 19. Diazepam is commonly known as valium, and nordiazepam is a metabolite of valium.** The concentrations of these drugs were below generally recognized therapeutic levels.

* Although the Park Police laboratory does take precautions to avoid contamination of evidence, it is a small facility which was conducting a number of unrelated examinations in July 1993. Foster's clothes were laid out to dry for four days on the floor of a "photo lab room" adjacent to the laboratory examination area. This room is regularly used by Park Police officers working on investigations and is equipped with an exhaust fan. It is possible that the clothes were contaminated while in this room.

** Lisa Foster stated that there was valium in their home in Washington, but she was not aware of Foster taking any.

Foster's blood type was found to be consistent with the blood found on his shirt and undershirt. A visual examination and limited chemical testing of the gun by the FBI Lab did not reveal the presence of any blood. Additional chemical testing was avoided so that the gun could be preserved for subsequent fingerprint and DNA testing. Subsequent testing did detect DNA near the muzzle of the gun which could have been derived from blood or saliva.

D. Analysis of Bloodstaining Patterns

The FBI Lab conducted an analysis of the bloodstaining on Foster's face and clothing as depicted in the photographs taken at the scene. The photographs show Foster's face pointing straight up - his head not tipped to either side. This position is inconsistent with the blood patterns on Foster's face and shirt. The blood on the right shoulder of Foster's shirt "consists of saturating stains typical of having been caused by a flow of blood onto or soaking into the fabric." Lab Report, at 9. The blood on Foster's right cheek and jaw is a "contact stain . . . typical of having been caused by a blotting action, such as would happen if a blood-soaked object was brought in contact with the side of his face and taken away, leaving the observed pattern behind." Lab Report, at 9.

The FBI Lab concluded that the pattern of the blood on Foster's face and on Foster's shoulder is consistent with Foster's face having come into contact with the shoulder of his shirt at some point. Because Foster's head is not in contact with his shoulder in the photographs, the FBI Lab Report concludes that

Foster's head "moved or was moved after being in contact with the shoulder." Lab Report, at 9. The Pathologist Panel endorsed this conclusion, stating that "a rightward tilt of his face was changed to a forward orientation by one of the early observers before the scene photographs were taken." Pathologist Report, ¶ 7.

The FBI Lab also found extensive bloodstaining on Foster's shirt and undershirt, covering a vastly greater amount of his shirt than that depicted in the photographs taken at the scene. This staining is attributable to the movement of the body from the scene, which typically results in additional staining of the deceased's clothing.

E. DNA Analysis

The FBI Lab performed a DNA analysis on material obtained from an area within 5 cm from the muzzle portion of the gun barrel. This DNA was compared to the DNA in Foster's blood, and the FBI Lab found it to be the same type. This DNA type is shared among approximately 6 percent of Caucasians. This material is derived from a cellular material, likely blood or saliva.

F. Fingerprint Analysis

The FBI Lab removed the grips from the handle of Foster's gun for testing. There were no fingerprints found on the outside of the grips or any other exposed portion of the gun. One print

was located on the inner surface of one of the gun's grips. The FBI Lab determined that this was not Foster's print."

G. Handwriting Analysis

Lisa Foster provided a document that she knew to have been handwritten by her husband, and personal checks that she knew had been signed by him. The FBI Lab compared the handwriting to that on the torn note found in Foster's briefcase on July 26, 1993, and determined that the torn note was written by Foster.

H. Other Analyses

1. The FBI Lab examined the pair of prescription eyeglasses found at the bottom of the berm and compared them to Foster's optical prescriptions provided to this Office by Lisa Foster. The FBI Lab found that the prescriptions were consistent with the determined prescription of the eyeglasses found on the berm. Marks on the earpieces of the eyeglasses were found to be consistent with biting. Lisa Foster stated that Foster had a habit of biting the earpieces of his glasses.

2. The FBI Lab determined that Foster's clothing contained head hairs dissimilar from his own, and carpet type fibers of various colors.

3. When Foster's clothing was examined by the FBI Lab, it "did not contain any coherent soil." Lab Report, at 12.

* The ability to recover prints varies due to a number of factors including the texture of the tested object and characteristics of the person who came in contact with that object. Latent prints can be destroyed by exposure to certain elements, such as heat.

However, the FBI Lab found small particles of mica on much of Foster's clothing, including his shoes. This mica is consistent with the soil found in the area where Foster's body was found.

I. Search For Additional Evidence In Fort Marcy Park

On April 4, 1994, sixteen individuals from the FBI Lab went to Fort Marcy Park to conduct a search in the area where Foster's body was found.* The purpose of the search was to attempt to find a bullet, bone fragments from Foster's skull, the presence of blood in the soil beneath the location of Foster's body when found, and any other evidence relevant to Foster's death.

In an attempt to locate a bullet, FBI Lab personnel surveyed and marked out a grid in what the FBI Lab determined was the most likely area for the bullet to have landed after passing through Foster's skull. This area was systematically searched using metal detectors. Twelve modern-day bullets were collected during the search and returned to the FBI Lab for analysis. The FBI Lab has determined that none of the bullets found were fired from Foster's gun.**

The area immediately beneath where Foster's body was found was searched by digging and hand sifting the soil and other debris.

* Also present were representatives from the National Park Service and a representative from the Smithsonian Institution.

** In addition to the bullets, a number of cartridges and shell casings were found. The Lab determined that none of these items was fired in Foster's gun. Numerous Civil War artifacts were also found during the search, including ammunition, nails, horseshoes, a military button and other metal objects. These items were turned over to the National Park Service. An index of these items is attached as Exhibit 9.

FBI Lab personnel excavated to a depth of approximately eighteen inches, searching the soil through various screening methods. No bone fragments or bullets were found.

ANALYSIS

A. Analysis And Conclusions Of Forensic Pathology Panel

Four experts in the field of forensic pathology reviewed and analyzed the evidence obtained during the course of this investigation. Each member of the Pathologist Panel was provided unrestricted access to the FBI Lab Reports; the reports of all interviews conducted during the course of the investigation; the report issued by the Park Police following its investigation; the autopsy report; all photographs taken at the scene of Foster's death and during the autopsy; and microscopic slides containing portions of Foster's soft palate obtained during the autopsy. In addition, the Pathologist Panel discussed the evidence with members of this Office, the FBI investigating agents, and FBI Lab personnel. Two members of the Panel met with the Medical Examiner, Dr. Beyer.

After reviewing and analyzing the evidence, the Pathologist Panel issued a report stating its conclusions and summarizing the bases for its conclusions. The Panel concluded the following:

- 1) The bullet wound to Foster's head and brain caused his death;

2) The bullet traveled through the soft palate, entered the cranial cavity, significantly damaged the left side of the brainstem and the left cerebral hemisphere of the brain and exited from the center of the back of the head;

3) The wound caused instantaneous complete incapacitation, followed by clinical death within a matter of minutes;

4) The wound was self-inflicted, resulting from Foster placing the barrel of the gun into his mouth and firing it; and

5) Foster shot himself where he was found in Fort Marcy Park.

The Pathologist Report states that these conclusions were arrived at separately and independently by each member of the Panel.

1. Basis for conclusion that death was a suicide

The Pathologist Panel found the evidence in this case "typical and characteristic of such findings in deaths due to intentional self-inflicted intraoral gunshot wounds." Pathologist Report, ¶ 1. Physical evidence examined by the Pathologist Panel establishes that the gun was fired while in Foster's mouth. Microscopic slides taken during Foster's autopsy reveal a large quantity of gunpowder residue on the soft palate, indicating "that Mr. Foster placed the barrel of the weapon into his mouth with the muzzle essentially in contact with the soft palate when he pulled the trigger." Pathologist Report, ¶ 1.

The Panel also relied on the FBI Lab's finding that the DNA in Foster's blood sample was the same type as DNA found near the muzzle of the gun. This indicates that cellular material from Foster's body likely came into contact with the barrel of the gun.

Logically, this material is either blood or saliva from Foster's mouth.

The condition of Foster's body indicates that Foster voluntarily placed the gun in his mouth. The evidence is inconsistent with someone having forced the gun into his mouth. No broken teeth or other trauma to Foster's body were discovered during the autopsy, and there was no sign of a struggle. It is highly unlikely that someone could have forced a gun into the mouth of a man of Foster's size (six feet, four and one-half inches in height and 167 pounds in weight) without a struggle that would have resulted in Foster sustaining some other detectable injury. Nor was there any evidence that he was incapacitated by drug or alcohol.

The physical evidence also demonstrates that Foster himself pulled the trigger. An autopsy photograph depicts a mark on Foster's right thumb consistent with the recoil of the trigger after firing. Based on the existence of this mark and Park Police scene photographs showing the position of the gun, the Pathologist Panel concluded that after Foster fired the gun, his "right thumb was trapped and compressed between the trigger and the front of the trigger guard." Pathologist Report, ¶ 8.

Moreover, the photographs reveal and the autopsy confirms that there was gunpowder on the portion of Foster's right index finger facing his thumb and in the web area between the index finger and the thumb. Dr. Beyer, the Medical Examiner, also noted a lesser amount of gunpowder on Foster's left index finger. The

gap between the cylinder and the frame of the gun is the logical source for this gunpowder because the muzzle of the gun was in Foster's mouth when it was fired. As a result, the Pathologist Panel concluded "that Mr. Foster's index fingers were in the vicinity of the cylinder gap when the weapon was fired."

Pathologist Report ¶ 8.

Finally, the Panel was provided with summaries of interviews with Foster's family and friends during which they described Foster's depressed state prior to his death. The Pathologist Report notes that information that Foster took an anti-depressant prior to his death is corroborated by the finding of a trace amount of trazadone, an anti-depressant, identified in Foster's blood.

2. Basis for conclusion that death occurred in Fort Marcy Park

The Panel concluded that the condition of Foster's body and clothing at the time he was found precludes his having been moved to Fort Marcy Park from another location following his death.

The photographs taken of the body in Fort Marcy Park show modest amounts of blood on his face and clothing. The blood visible on his clothing was limited to a small area on the right shoulder of his shirt, which is consistent with Foster having committed suicide where the body was found. The Panel determined that "[s]ubstantially greater contamination of skin surfaces and clothing by spilled and/or smeared blood would have been unavoidable, had the body been transported postmortem to the place