

## P R O C E E D I N G S

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1 Whereupon,

2 DEBORAH L. GORHAM

3 was called as a witness and, having first been duly  
4 sworn, was examined and testified as follows:

5 EXAMINATION

6 BY MR. JOHNSON:

7 Q Good morning, Ms. Gorham.

8 A Good morning.

9 Q We've had an opportunity to meet hurriedly  
10 off the record. Let me take a moment and tell you  
11 more formally who I am. My name is Everett Johnson  
12 and I'm one of the attorneys working on the majority  
13 staff of the Senate Special Committee investigating  
14 Whitewater and related matters. And what brings us  
15 here this morning is Senate Resolution Number 120  
16 which constitutes the committee and directs an  
17 investigation into certain areas of inquiry.

18 In particular, the thing that we'd like to  
19 talk with you about this morning falls generally  
20 within the topic of the handling of the documents in  
21 Mr. Foster's office at or around the time of his

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1 death in July of 1993. I'll ask you a series of  
2 questions and when I'm finished, Mr. Kravitz will ask  
3 you also some questions. Thank you for your patience  
4 already this morning.

5 Have you ever had your deposition taken  
6 previously?

7 A I have.

8 Q Let me spend just a second or two on the  
9 procedures this morning, even though it may be that  
10 you're very familiar with them. Ms. Baker is our  
11 shorthand reporter, and she'll make a transcription  
12 of the questions that we ask and the answers that you  
13 give and in order for her to do that, it's important  
14 that we do a couple of things.

15 One of them is we try not to speak  
16 simultaneously. It's useful if you'll allow the  
17 question to be completed before you answer, even  
18 though you may know what the question is.

19 The other thing we need to do is to be sure  
20 and communicate verbally. She is unable to record  
21 body languages or gestures, so if you can just try  
22 and focus on using words instead of nods or gestures,

- 1 couldn't access the safe combination; is that right?
- 2 A That's correct.
- 3 Q And even then, even if they accessed it, it
- 4 was written in a way your belief is they wouldn't
- 5 understand it?
- 6 A That's correct.
- 7 Q Did Mr. Foster keep any documents in
- 8 Mr. Nussbaum's safe?
- 9 A Yes, he did.
- 10 Q What documents do you believe Mr. Foster
- 11 kept in Mr. Nussbaum's safe?
- 12 MR. MILLS: You can describe the subject
- 13 matter of the documents.
- 14 THE WITNESS: There were two 1-inch ring
- 15 binders that were from National Security Agency.
- 16 BY MR. JOHNSON:
- 17 Q What color were they?
- 18 A I think one was white, but I don't recall
- 19 the other color.
- 20 Q To the best of your knowledge, did
- 21 Mr. Foster keep anything else in that safe?
- 22 A I don't know that. If two particular

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- 1 envelopes were once in his possession, thus they were
- 2 his, but those are the only two things that he gave
- 3 to me that I placed on his behalf.
- 4 Q The two envelopes, do you recall the
- 5 topic? Were they sealed envelopes?
- 6 A I don't know. I never looked to see if
- 7 they were sealed or not.
- 8 Q Were they -- going back to our discussion
- 9 earlier this morning, were they big or little
- 10 envelopes?
- 11 A They were 8-1/2-by-11 sized gold envelopes.
- 12 Q And I take it you don't know what was in
- 13 those envelopes?
- 14 A I do not.
- 15 Q Do you know whether or not there was
- 16 anything in them? Did they feel heavy?
- 17 A I should clarify that. There was writing
- 18 on the outside of envelopes, which led me to believe
- 19 that what was contained in inside.
- 20 Q What do you recall about the writing on the
- 21 outside? What did it say?
- 22 A One said for eyes only and it said for eyes

1 only, not to be opened, and then it said William  
2 Kennedy on one envelope.

3 Q You've been describing one envelope that  
4 said for eyes only not to be opened William Kennedy?

5 A That's correct.

6 Q Do you know anything else about that  
7 envelope?

8 A No, sir.

9 Q Were there any markings or writing on the  
10 second envelope?

11 A It said Janet Reno.

12 Q Anything else?

13 A No, sir.

14 Q I take it you don't know anything about the  
15 contents of either of those envelopes?

16 A No, sir.

17 Q So the two 1-inch ring binders I believe  
18 you described --

19 A National Security Agency.

20 Q -- came from the National Security Agency.

21 And these two other envelopes. Anything else that  
22 you're aware of of Mr. Foster's that was in

1 Mr. Nussbaum's safe?

2 A No, sir.

3 Q When do you think you placed the two  
4 8-1/2-by-11 inch envelopes that you've just described  
5 in Mr. Nussbaum's safe? Can you place that in time?

6 A I did not place them in there.

7 Q I'm sorry, I misunderstood you. You didn't  
8 put those in there?

9 A No, sir.

10 Q Who did?

11 A I have no idea.

12 Q What makes you think they were at one time  
13 in Mr. Foster's possession?

14 A I did not say they were in Mr. Foster's  
15 possession. It was those two binders that he handed  
16 to me. I'm sorry, I thought you asked me what else  
17 was remaining in the safe.

18 Q Maybe I did, but let me just be clear. The  
19 only thing that Mr. Foster gave you to place in the  
20 safe were the two binders; is that correct?

21 A Yes.

22 Q And in placing those in the safe, you saw