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BEFORE THE
MERIT SYSTEMS PROTECTION BOARD
WASHINGTON REGIONAL OFFICE

TERESA C. CHAMBERS,	x
	:
Appellant,	: Docket No.
vs.	: DC-0752-04-0642-I-1
	: Judge E.B. Bogle
DEPARTMENT OF INTERIOR,	:
	:
Agency.	x

Tuesday, August 24, 2004
Washington, D.C.

DEPOSITION OF:

J. STEVEN GRILES,

a witness, was called for examination by counsel for the appellant, pursuant to Notice and agreement of the parties as to time and date, beginning at approximately 9:13 o'clock, a.m., in the offices of Public Employees For Environmental Responsibility, 2001 S Street, N.W., Suite 570, Washington, D.C. 20009, before Ronnie C. Palmer, a court reporter and Notary Public in and for the District of Columbia, when were present on behalf of the

1 respective parties:

2

3 APPEARANCE OF COUNSEL:

4 For the Appellant:

5 KENTUCKY ENVIRONMENTAL FOUNDATION
6 BY: MICK G. HARRISON, ESQUIRE
7 128 Main Street
8 Berea, Kentucky 40403
9 859-321-1586

and

8 PUBLIC EMPLOYEES FOR ENVIRONMENTAL
9 RESPONSIBILITY
10 BY: RICHARD CONDIT, GENERAL COUNSEL
11 2001 S Street, N.W., Suite 570
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For the Agency:

12 McNAMARA & L'HEUREUX, ESQUIRES
13 BY: ROBERT D. L'HEUREUX, ESQUIRE
14 1522 King Street
15 Alexandria, Virginia 22314
16 703-535-3014

and

15 U.S. DEPARTMENT OF INTERIOR
16 OFFICE OF THE SOLICITOR
17 BY: JACQUELINE JACKSON, ATTORNEY-ADVISOR
18 1849 C Street, N.W., Room 7323
19 Washington, D.C. 20240
20 202-208-6848

21 ALSO PRESENT:

22 Teresa Chambers

 Jeffrey P. Ruch

23

1	I-N-D-E-X	
2	Witness:	Page:
3	Steven Griles	
4	Examination by Mr. Harrison	4
5	- 0 -	
6	Exhibits: (Included in transcript)	Page:
7	Appellant's Exhibit No. 1	
8	to the Griles deposition	80
9	(Transcript of interview with Mr. Hoffman)	
10	- 0 -	
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1 WHEREUPON,

2 J. STEVEN GRILES,

3 a witness, was called for examination by counsel for
4 the appellant, and after having been duly sworn, was
5 examined and testified as follows:

6 EXAMINATION BY COUNSEL FOR

7 APPELLANT

8 BY MR. HARRISON:

9 Q Good morning, Mr. Griles. Please state
10 your full name for the record?

11 A James Steven Griles.

12 Q And Mr. Griles. What is your current
13 position?

14 A Deputy Secretary, United States
15 Department of Interior.

16 Q How long have you held that position?

17 A Since July 19th, 2001.

18 Q And what was your professional history
19 prior to that position?

20 A Prior to that, I started my professional
21 history in the State of Virginia in 1968. Working
22 for the Virginia Department of Conservation. I

1 worked there until 1981. I left the Virginia
2 Department of Conservation, after that period of time
3 joined the Department of Interior in March, I believe
4 it was, of 1981.

5 I left the Department of Interior in the
6 end of January 1988 -- 1989, excuse me. I joined the
7 United Company. Left the United Company in I think
8 it was in 1995. Joined the National Environmental
9 Strategist, and left there in the year 2001 when I
10 became Deputy Secretary.

11 Q And the job you had immediately preceding
12 taking your current position, what were your duties
13 in that?

14 A We had three different companies set up.
15 I was president of two companies and the vice
16 president of one company.

17 Q And was it an environment or natural
18 resource job or different?

19 A Natural resource energy environmental
20 consultant companies.

21 Q When you assumed your position with the
22 Department of Interior, were you given a description

1 of your duties at that time?

2 A There were no written descriptions of
3 duties of my job.

4 Q Does anyone evaluate your performance in
5 your position?

6 A I'm not aware of any evaluation of my
7 duties by anyone.

8 Q And how would you describe the line
9 authority above and below your position down to say
10 the level of the Chief of the United States Park
11 Police?

12 A The departmental organization is set up
13 with the Office of the Secretary. The Secretary
14 being the number one official of the department. I
15 am the number two official of the department. I am
16 Deputy Secretary and the President signed an
17 Executive Order which named me also as the Chief
18 Operating Officer of the Department of Interior.

19 All other employees report through the
20 Chief Operating Officer except for the Inspector
21 General. There are a number of assistant secretaries
22 which report through the Chief Operating Officer.

1 Q All right. And is there one that would
2 be in line with the United States Park Police Chief?

3 A Correct. The Assistant Secretary for
4 Fish, Wildlife, and Parks, Craig Manson, is the
5 Assistant Secretary. The Director of Park Service
6 reports directly to the Assistant Secretary and Park
7 Police is part of the Park Service.

8 Q Okay. I appreciate that. Do you have
9 occasion in your day-to-day duties to meet with or
10 speak with officials in that line of authority below
11 Mr. Manson?

12 A Yes.

13 Q Is it unusual for you to see do so?

14 A No.

15 Q Do you discourage officials in that line
16 below Mr. Manson from communicating with you if they
17 feel the need to do so?

18 A No. I have daily meetings with people in
19 that line that are set up. So, I am on a daily
20 communications with people in those areas.

21 Q Understood. Apart from those
22 communications that you yourself set up, do you

1 occasionally have communications initiated by those
2 officials in that line below Mr. Manson?

3 A Yes.

4 Q And do you discourage those particular
5 communications?

6 A No.

7 Q Have you ever established a written
8 policy that would prohibit an official in that line
9 of authority below Mr. Manson from communicating with
10 you on their on initiative?

11 A I have not established a written policy.

12 Q Have you every reviewed a written policy
13 written by anyone else in that line of authority that
14 would prohibit any official in that line below Mr.
15 Manson from communicating with you?

16 A I am not aware of a written policy.

17 Q Are you familiar with the nature and
18 extent of any training that Ms. Chambers would have
19 received when she assumed her position as Chief of
20 the United States Park Police?

21 A I am not aware of that.

22 Q When did you first come to meet and talk

1 with Teresa Chambers, as you remember?

2 A I don't recall the time or circumstances
3 of my first meeting.

4 Q Do you know whether you were involved in
5 communicating with Chief Chambers before she was
6 officially hired as the Chief of the Park Police or
7 would it have been afterwards?

8 A My recollection would have been after the
9 selection process had been completed.

10 Q All right. Do you recall whether you had
11 any discussions with Ms. Chambers near or to the time
12 after she was selected as the Chief of the U.S. Park
13 Police?

14 A I don't have a recollection of that kind
15 of discussion at this point.

16 Q Okay. Let me be a little more specific.
17 Do you recall asking Chief Chambers on your
18 initiative at some point early on to chat with you
19 and you directed her to make sure she got her budgets
20 in order or words to that effect?

21 A During the time of budget preparation for
22 the Park Service, there was and had been a concern

1 about the budget of the Park Police. And in that
2 discussion, there were attempts and efforts to deal
3 with the Park Service Park Police budget.

4 Q And in that context, would you have
5 spoken with Chief Chambers personally and said words
6 to the effect you should make sure you get your
7 budget in order?

8 A I don't recall those specific words, but
9 the budget was something that we were concerned about
10 and that it needed to be addressed.

11 Q I am taking from your testimony that you
12 are not denying that such a conversation would have
13 taken place?

14 A I am informing you that we were concerned
15 about the Park Service budget and Teresa and we had
16 meetings with her to discuss that budget. Yes.

17 Q And did you ever talk with her with no
18 one else present regarding budget matters?

19 A I don't recall a specific conversation
20 with her independent of meetings which the budget was
21 discussed.

22 Q Okay. Pardon my persistence in

1 attempting to be clear and precise, but that's my
2 job. I am taking from your testimony that you're
3 describing to me what you do recall and also the
4 limits of your recollection but you're not
5 specifically saying that a meeting with Ms. Chambers
6 alone to discuss budget matters never happened.
7 You're not saying that?

8 A I don't recall ever a meeting with Teresa
9 Chambers to discuss her budget occurring.

10 Q I understand. But you are qualifying
11 that by saying you don't recall. Do you recall
12 specifically that it never happened?

13 A I don't recall a meeting ever occurring.

14 Q We are having trouble getting a precise
15 answer. Do you deny such a meeting happened?

16 A I don't recall a meeting ever occurring.

17 Q That is not my question.

18 A Repeat your question.

19 Q Do you deny and when I say that I mean do
20 you with certainty recall that such a meeting never
21 happened?

22 A I recall with certainty that I don't

1 recall a meeting ever occurring.

2 Q You're not answering my question. I'll
3 just note that for the record.

4 Did you ever have a meeting with Ms.
5 Chambers regarding any matter in which she and you
6 were present when no one else was present?

7 A I met Teresa Chambers on a number of
8 different occasions. At ceremonial events with which
9 we would have a brief conversation.

10 Q Okay.

11 A I recall meeting her on my hallway one
12 day and we had a conversation.

13 Q I appreciate that. And these
14 conversations would have been when no one else
15 happened to be present?

16 A There were people present in all the
17 ceremonial events in audiences or wherever it may
18 have occurred. The time I met her in the hallway I
19 just ran into her on the hallway.

20 Q At the ceremonial events, I take it those
21 present would not have been privy to the conversation
22 between you and Ms. Chambers?

1 A I don't believe anybody was taking notes
2 or listening to the conversation.

3 Q Okay. And the instance you recall
4 encountering Ms. Chambers in the hallway, can you
5 give us an approximate time frame for that?

6 A No. I don't know when that would have
7 been.

8 Q Do you think it was near or to the
9 beginning of her career or near her departure on
10 December 5th, 2003?

11 A I think it was like the summer or spring
12 or summer of whatever year that would have been.

13 Q 2003?

14 A The year of her departure.

15 Q 2002 I think was when she was employed.

16 A 2002.

17 Q I believe she came in on February 2002 if
18 that's any help.

19 A I believe it was 2003.

20 Q Okay. I appreciate that. Now on that
21 particular occasion, do you recall inviting or
22 encouraging Ms. Chambers to step into your office

1 from the hallway?

2 A No.

3 Q Do you recall speaking to Ms. Chambers in
4 the hallway?

5 A I do remember meeting her in the hallway.

6 Q My question was did you speak with her?

7 A Yes.

8 Q And do you recall what was said in that
9 conversation?

10 A I do not.

11 Q From either side?

12 A No, I do not.

13 Q I take it from that you don't recall even
14 the topic?

15 A No, I do not.

16 Q If Ms. Chambers had a specific
17 recollection of that conversation, would your memory
18 be sufficient to say whether or not she was correct?

19 A I have no idea if my memory would be
20 refreshed by that.

21 Q Do you recall at any point in time
22 discussing with Ms. Chambers in whatever words that

1 you felt it was important for she and persons in
2 positions such as hers to feel free to communicate
3 with you on matters that you needed information on
4 and that she shouldn't be concerned about any
5 reprisal to her for having talked with you about
6 those matters?

7 A No.

8 Q Are you saying that conversation never
9 took place?

10 A If that is the alleged conversation, I do
11 not recall a conversation occurring of that nature.

12 Q Do you ever recall having a conversation
13 with Ms. Chambers in whatever way you would have
14 chosen attempting to make her feel comfortable in
15 speaking with you?

16 A No. Without specific references.

17 Q I'm not trying to quote, and I'm not
18 trying to ask a question that ties the scenario to
19 specific words I am choosing.

20 I am asking you generally was there ever
21 a conversation in which Ms. Chambers felt uneasy in
22 talking with you because you were not her immediate

1 supervisor and you attempted to put her at ease?

2 A I do not recall that conversation.

3 Q We'll try this one more time on this
4 question. Do you deny that the conversation took
5 place?

6 A I'm not denying anything because I don't
7 have any recollection of it.

8 Q That's a clear answer, and I appreciate
9 that. On any occasion which Ms. Chambers spoke with
10 you and there were no other parties present, do you
11 recall ever telling Ms. Chambers do not speak with me
12 again in the absence of your immediate superior?

13 A No.

14 Q Do you recall talking with Ms. Chambers
15 about a potential budget shortfall for any fiscal
16 year for the U.S. Park Police?

17 A I had discussions with Teresa Chambers
18 about the allocation of her budget.

19 Q Okay. When you say allocation of her
20 budget, I'm assuming, please correct me if I'm
21 mistaken, you mean how money is already allocated to
22 the U.S. Park Police for the fiscal year in which

1 they were operating or being spent?

2 A Correct.

3 Q And in the course of that conversation,
4 did the issue come up that absent some change in
5 course there would be insufficient funds to cover all
6 of the anticipated expenditures?

7 A Within conversations concerning the
8 budget, we had issues associated with Park Police
9 budget as to how the monies were allocated and trying
10 to deal with the allocations of those funds.

11 Specifically related to overtime and
12 things of that nature.

13 Q And I appreciate what I believe you're
14 saying, and that is that there were concerns among
15 certain officials as to how certain monies were being
16 spent within the Park Police within the different
17 categories overtime being one of them.

18 My question is during the course of those
19 conversations did any person raise the issue, Ms.
20 Chambers or yourself, or any other person that by the
21 end of the fiscal year absent a change in course that
22 there would be insufficient monies to recover all the

1 expenses anticipated? In other words, a shortfall?

2 A My recollection of the discussions were
3 that the Park Service had a large budget that
4 allocations of money within the Park Service to
5 assure the -- that the mission for the Park Police
6 could be carried out were the discussions that we
7 were having including the budget officer of the Park
8 Service.

9 Q Mr. Schaffer?

10 A Correct.

11 Q Beyond that, you don't recall the issue
12 of shortfall coming up I take it?

13 A Well within the context of the budget
14 preparation and in the context of assuring that we
15 could meet the requirements of the Park Police there,
16 were discussions about allocations of funds to assure
17 that the necessary staffing for the Park Police could
18 occur were discussed.

19 Q I understand. And what I'm getting at is
20 a specific subset of that discussion which is whether
21 in the course of those discussions it was mentioned
22 by any person that there might be a shortfall for

1 that fiscal year. And I believe we're talking about
2 fiscal year '04 in this case. Did the term shortfall
3 ever come up?

4 A I don't believe the term shortfall would
5 have been appropriate in terms of the allocation of
6 funds.

7 Q That may or may not be true. Was that
8 words mentioned?

9 A I don't recall that word being used.

10 Q Did the concept of insufficient funding
11 for fiscal year '04 come up in any such discussions?

12 A Would you repeat your question.

13 Q Did the concept, not term, of
14 insufficient funding for the U.S. Park Police for
15 fiscal year '04 come up in that conversation from any
16 person?

17 A Within the context of budget discussions,
18 allocations of funds for both the Park Service as
19 well as other bureaus of the Department are ongoing.

20 So, I would say that in the day-to-day
21 operations of not only the Park Service but other
22 bureaus of the Department, we do have discussions

1 about how funds are allocated to assure that the
2 missions that have been identified can be and are
3 carried out. That kind of discussions occurred. And
4 that occurred in relationship to the Park Service
5 budget.

6 Q And perhaps other units within the Park
7 Service and the Department of Interior?

8 A Correct.

9 Q All right. Do you recall specifically
10 Chief Chambers taking a position that she anticipated
11 there being insufficient funds to cover all of the
12 demands being placed on the Park Police for fiscal
13 year '04?

14 A I recall meetings in which we had
15 discussions about a review of the Park Police mission
16 duties and objectives within the context of how those
17 needed to be defined on a priority basis based on the
18 allocation of the budget so that the allocation of
19 the budget and the mission could reflect what the
20 allocation of the budget was.

21 Q I appreciate the topic of the meetings
22 from your point of view, but my question was about

1 Ms. Chambers' statements?

2 A Well within the context of those
3 meetings, Ms. Chambers may have indicated that
4 viewpoint.

5 Q Was it your position in those meetings
6 that essentially the mission of the U.S. Park Police
7 should be refined or limited so that essentially
8 there would not be a need for any additional funds?

9 A No.

10 Q Did you have a specific position in those
11 meetings that you took?

12 A My position in those meetings were that
13 we had directed that and Congress had directed that a
14 review first of all. That the national -- I can't
15 think of the name of the studies.

16 Q NAPA?

17 A NAPA study. Thank you.

18 Q Your welcome.

19 A Where recommendations should be
20 implemented. And secondly that we directed the new
21 Deputy Assistant Secretary for Law Enforcement, Larry
22 Parkinson, to work with the Park Service and the Park

1 Police on a review of the mission and objectives to
2 determine whether or not the budget allocations were
3 appropriate or if there needed to be readjustments.

4 Q Okay. Did you personally give Mr.
5 Parkinson that task?

6 A Mr. Parkinson was part of a meeting along
7 with the Assistant Secretary Lynn Scarlett and others
8 in which that was agreed to.

9 Q And do you know who initiated that plan
10 of action to refine the mission?

11 A Well, my recollection of it it was the
12 consensus based on both Congressional concerns as
13 well as Mr. Parkinson and others who said we needed
14 to make sure that what the duties and objectives of
15 the Park Police were had been reviewed and could be
16 and should be analyzed in relationship to assure that
17 we could accomplish our highest priorities.

18 Q Okay. Do you recall a time frame for
19 that meeting that you refer to? August 28th perhaps?

20 A Well, my recollection is that these
21 discussions started sometime in the late spring or
22 early summer of 2003 I would think.

1 Q Okay.

2 A As part of the '04 budget preparation.

3 Q Okay. Is it fair to say that after this
4 discussion with the parties you described and perhaps
5 others and this consensus was reached that Mr.
6 Parkinson would understand that you expected of him
7 that he would work with the National Park Service and
8 U.S. Park Police to review the mission and objectives
9 of the Park Police?

10 A That is correct.

11 Q Has Mr. Parkinson reported back to you on
12 that task in any sort of final way to submit a
13 refined mission to you?

14 A Work continues on that redefining and
15 review of that. There has been -- We have not
16 accomplished that --

17 Q Task?

18 A -- that task to the satisfaction that I
19 think it needs to be.

20 Q Okay. Had you imposed any deadlines with
21 Mr. Parkinson or any other person in terms of
22 committing back to you a completed refined mission

1 for the Park Police?

2 A My recollection is there was a time line
3 established by the participants.

4 Q Okay.

5 A I don't recall what that time line was.

6 Q Is it fair to say that that time line has
7 been exceeded at the moment?

8 A As I indicated, I have not seen a final
9 report on it until we have finished -- until that
10 task is finished.

11 Q I understood. I guess I'm getting at
12 more what the original time frame was when you
13 expected that task to be completed. Do you recall?

14 A I do not.

15 Q Is it fair to say that your expectation
16 for fiscal year '04 for the U.S. Park Police was that
17 any concern about insufficient funds should be
18 resolved by refining the mission to limit a Park
19 Police activity as to live within the monies
20 allocated as opposed to cutting -- Well, strike that.
21 As opposed to seeking additional funding?

22 A Until that evaluation was done, it would

1 be -- my expectations were that we would have that
2 evaluation done so that the '04 budget would reflect
3 what we defined as the appropriate mission of the
4 Park Service.

5 Q I see. So as I understand your position,
6 you were at least hoping and it was the plan that you
7 refine the Park Police mission so that you could make
8 a decision as to whether all of the priority
9 objectives within that refined mission could be
10 accomplished with the monies available?

11 A That is correct.

12 Q Did it come to your attention at any time
13 that in addition to the transitional activities of
14 the U.S. Park Police prior to saying September 11th
15 of 2001 and after the events of September 11th and
16 those terrorist attacks that some additional staffing
17 demands were placed on the U.S. Park Police in
18 response to the ongoing threat of terrorism?

19 A There were additional -- Repeat your
20 question.

21 Q Yes. I'll do my best.

22 A Sorry.

1 Q In addition to traditional activities of
2 the U.S. Park Police, those that had been conducted
3 over some years prior to September 11, 2001. is it
4 fair to say that after the events of September 11th,
5 2001, meaning those terrorist attacks, that some
6 additional staffing demands were placed on the U.S.
7 Park Police because of the ongoing threat of
8 terrorism?

9 A That is correct.

10 Q And I want you to be clear in asking
11 questions regarding this topic. I am not asking you
12 to you disclose nor do I intend to elicit any
13 sensitive information.

14 Is it fair to say that some additional
15 staffing of the -- what I call the icons, some of the
16 more important national monuments, was imposed at the
17 Secretary of Interior level as response to those
18 terrorist attacks?

19 A Additional protection measures were
20 imposed.

21 Q And in some ways, that would place some
22 additional demand on the U.S. Park Police staffing?

1 A That is correct.

2 Q Do you know whether when the Secretary
3 directed those changes whether some additional funds
4 accompanied the direction that would pay for
5 implementing those new demands?

6 A I am aware that we were concerned and
7 that funds needed to be allocated to the Park Police
8 to meet those new demands.

9 Q Did you know whether for fiscal year '04
10 such additional funds were in fact located?

11 A Within the allocation of the budget,
12 there was additional funds allocated to address some
13 of those needs.

14 Q Did you ever become familiar with the
15 details of the U.S. Park Police budget yourself to
16 determine whether for fiscal year '04 the Secretary's
17 desired staffing levels for the U.S. Park Police for
18 the icons could be satisfied within without drawing
19 Park Police from other areas from which they
20 traditionally served?

21 A I don't recall those specific details.

22 Q Do you recall Chief Chambers having a

1 concern for fiscal year '04 that in order to meet the
2 Secretary's new expectations for staffing at the
3 icons by the Park Police that she would, in fact,
4 have to draw some Park Police staff from other
5 assigned areas?

6 A I recall that in the meetings that we had
7 about the '04 budget that our decision was to make an
8 evaluation of the role of the Park Police in totality
9 to determine whether or not additional resources were
10 needed.

11 Q Was that task dependent on refining the
12 mission of the Park Police?

13 A It was to review the priorities and what
14 the Park Police were allocated to then determine
15 whether or not an evaluation and a reevaluation of
16 that mission and role should occur.

17 Q I take it at some point that there was a
18 consensus that a reevaluation of the mission of the
19 Park Police should occur?

20 A Yes.

21 Q Now during the course of the discussions
22 about the Park Police budget planning and about their

1 historical use of resources and eventually the
2 reevaluation of the mission efforts, do you recall
3 Ms. Chambers ever stating her view in order to meet
4 the new expectations from the Secretary for staffing
5 at the icons that she would have to draw staff from
6 other assigned areas?

7 A I don't recall that specific comment
8 being made.

9 Q Do you recall the Chief making a comment
10 that meant substantively the same?

11 A No. Not the way you've phrased the
12 question. No.

13 Q Okay. What do you recall Chief Chambers
14 saying in those meetings in regard to what might be
15 the consequence of staffing the icons at the level
16 the Secretary expected?

17 A That additional funds would be required
18 because of the overtime requirements to meet those
19 requirements would be necessary.

20 Q The meetings that you attended that had
21 to do with either assessing the existing allocation
22 of resources within the Park Police or what I

1 understand to be the subsequent meetings about
2 refining the mission, in those meetings that you
3 attended was Chief Chambers present?

4 A I don't believe that she was present in
5 those meetings.

6 Q That you attended?

7 A Well, she was present in some budget
8 meetings, but there was numerous meetings in which
9 this issue was discussed. She was not present in all
10 of those meetings.

11 Q Thank you. And I'm taking from your
12 answer that in the meetings that you're describing in
13 your answer these are meetings that you personally
14 attended?

15 A Correct.

16 Q Was there a way to categorically describe
17 those meetings that the chief did attend those versus
18 those that she did not? For example, you indicated
19 the Chief may have attended budget meetings. Was
20 there some other category of meetings that she did
21 not attend?

22 A Well, we have meetings weekly with the

1 senior management of the Department. Both
2 collectively and individually. And Chief Chambers
3 would not have been in any of those meetings.

4 Q And do I take it that those meetings
5 would have at least on some occasions discussed U.S.
6 Park Police either their historical allocation of
7 resources or the effort to refine the mission?

8 A That's two different questions.

9 Q Fine. Let's take one at a time, if that
10 helps you. In those meetings you described the
11 senior management meetings, was the topic discussed
12 of how the U.S. Park Police were historically and
13 perhaps currently allocating their resources?

14 A My recollection generally not
15 specifically was that at those meetings, the budget
16 and its allocation within the Park Service was
17 discussed. And by that very nature, I would assume
18 that Park Police budget -- the Park Police part of
19 the Park Service budget would have been discussed.

20 Q Okay. Do you know whether Mr. Bruce
21 Schaffer attended those meetings?

22 A Mr. Schaffer would have attended the

1 budget meetings many of which Chief Chambers -- some
2 of which Chief Chambers would have been involved in,
3 not all.

4 Q All right. And the meetings we were
5 discussing when I asked my question were the senior
6 management meetings rather than the budget meetings.
7 Would Mr. Schaffer have been present for those?

8 A No.

9 Q Those senior management meetings you
10 discussed, who would have been present for those?

11 A There are several different senior
12 management meetings. Monday mornings. Every week.
13 The Secretary, myself, and all of the Secretary's
14 senior management staff. All the assistant
15 secretaries and the Solicitor meet. Once a month the
16 bureau heads. Let me backup. And the deputy
17 assistant secretaries meet every week.

18 Once a month, the senior management of
19 the bureaus, the deputy directors as well as the
20 bureau heads meet at the Monday morning meeting.

21 Q I see.

22 A During the week, each Assistant

1 Secretary, the Senior Assistant Secretary's senior
2 staff, the bureaus and the bureaus' senior staff meet
3 with the Secretary individually.

4 Q Okay. So, those taken together would be
5 the senior staff meetings you were referring to?

6 A Correct.

7 Q Okay. Now, you're familiar with a
8 Mr. Paul Hoffman I take it?

9 A I am.

10 Q And he is one of the deputy assistant
11 secretaries?

12 A He is.

13 Q What is his position in line of authority
14 in relation to yourself?

15 A Mr. Hoffman reports to the Assistant
16 Secretary, and the Assistant Secretary reports to me.

17 Q And is that Assistant Secretary Manson?

18 A It is.

19 Q So as I understood your description of
20 the various meetings, Mr. Hoffman would attend the
21 Monday morning meetings with the senior management?

22 A That is correct.

1 Q And that would be on a weekly basis?

2 A That is correct.

3 Q Are you familiar with the relationship of
4 the U.S. Park Police budget as it does or does not
5 fit within a National Park Service budget? In other
6 words, the relationship between the two?

7 A Yes.

8 Q Is that relationship one in which the
9 Congress gives an allocation for the National Park
10 Service which is then essentially divided up among
11 the units within the National Park Service or is
12 there a direct allocation to the U.S. Park Police by
13 the Congress?

14 A My recollection is that the Park Service
15 Police budget is an integral part integrated into the
16 National Park Service budget.

17 Q Do you recall reviewing any draft or
18 proposed budget for fiscal year '05 for the U.S. Park
19 Police?

20 A I was involved in the preparation of the
21 '05 budget for the Department as well as for the Park
22 Service and the Park Police.

1 Q Okay. Do you recall ever reviewing a
2 version of a budget proposal for the U.S. Park Police
3 whether alone or as part of the larger budget for the
4 National Park Service that would have proposed an
5 increase in funding for fiscal year '05 as compared
6 to fiscal year '04 in an amount of approximately
7 three or \$3.3 million?

8 A I do not recall that.

9 Q If there had been such a proposal, do you
10 think it might have passed over your desk or that you
11 would have reviewed it?

12 A Potentially.

13 Q Not necessarily?

14 A Not necessarily.

15 Q Do you recall a proposal for the U.S.
16 Park Police budget for fiscal year '05 in which an
17 amount of a budget increase for fiscal year '05 as
18 compared to fiscal year '04 was proposed in an amount
19 of approximately \$9 million?

20 A Not specifically.

21 Q We will cut this short hopefully and ask
22 do you recall any specific figure for a budget

1 increase in a proposal for the U.S. Park Police for
2 fiscal year '05?

3 A I do not recall any specific numbers.

4 Q Do you ever recall discussing with Ms.
5 Chambers alone or in the presence of others what Ms.
6 Chambers felt was needed in terms of an increase in
7 budget for fiscal year '05 for the U.S. Park Police?

8 A We had meetings in which we discussed as
9 part of the '05 budget preparation the integration of
10 the review of the mission, and goals, and objectives
11 so that we could, in fact, make what we hoped to be a
12 direct allocation of monies to the Park Service
13 Police. I don't recall specifically any concrete
14 proposal or suggestion from Ms. Chambers today.

15 Q Did you ever review a document which
16 would have been or purported to be a request by the
17 U.S. Park Police themselves for what they felt, the
18 Park Police felt, were their budgetary needs for
19 fiscal year '05 as distinguished from a document that
20 might have been prepared by Mr. Bruce Schaffer for
21 the National Park Service that may have reflected his
22 or others views of the Park Police needs?

1 A I don't recall having seen such a
2 document.

3 Q Do you recall an issue arising during Ms.
4 Chambers' tenure as Chief of the U.S. Park Police
5 that involved the proposed detailing of a staff
6 person in the Chief's executive command, a Ms. Pamela
7 Blyth?

8 A Yes.

9 Q And do you recall the first time it came
10 to your attention that anyone was considering
11 detailing Ms. Blyth from her duties as special
12 assistant to Chief Chambers?

13 A Yes.

14 Q When did that occur, as best you can
15 remember.

16 A I don't know the specific date.

17 Q Can you ballpark it for us?

18 A July, August, possibly of 2003.

19 Q Okay. How did that matter first come to
20 your attention?

21 A I had a -- I was out of town. I had a
22 message on my cell phone from Jeff Capps indicating

1 that there was an emergency, please call him. I did.
2 He indicated that Chief Chambers needed to speak to
3 me.

4 My recollection today is that I suggested
5 that Chief Chambers call me or he may have given me
6 her number and I called her. Exactly how that
7 transpired, I am not sure with my recollection today.

8 Q And Mr. Capps, I take it, was at that
9 time functioning in his role as an officer for the
10 Fraternal Order of Police?

11 A That is my understanding. Yes.

12 Q And did Mr. Capps tell you what the
13 matter was that needed to be discussed with Chief
14 Chambers?

15 A I don't recall him indicating to me the
16 nature of the emergency.

17 Q And do you recall inquiring of him what
18 the nature of the matter might be?

19 A I am sure I probably would have inquired
20 about the very nature of it, but I just don't recall
21 if he told me what the nature of it was.

22 Q Okay. And did you have any reason to

1 know the nature of the matter prior to Mr. Capps
2 calling you about that?

3 A No. I don't believe so.

4 Q Had Director Mainella of the Park Service
5 inform you that Ms. Blyth would be re-detailed or
6 that she might be detailed?

7 A No.

8 Q Do you know whether Mr. Don Murphy of the
9 National Park Service might have discussed that
10 matter with you prior to this call?

11 A No.

12 Q I take it as a follow-up to Mr. Capps'
13 call, did you speak with Ms. Chambers?

14 A I did.

15 Q Do you recall how that came to happen?

16 A Either she called me or I called her.

17 Q And whichever way that conversation took
18 place, did you in speaking with Ms. Chambers indicate
19 to her that she should not be speaking with you about
20 that matter?

21 A No.

22 Q Prior to communicating with Ms. Chambers

1 about that matter, did you make an inquiry with
2 Director Mainella on that same topic?

3 A I spoke to Ms. Chambers. I had no
4 knowledge of what the topic was.

5 Q So, you would not have spoken to Ms.
6 Mainella about it?

7 A No.

8 Q You did speak with Ms. Chambers. You do
9 recall when that conversation took place?

10 A My recollection is that it was on a
11 weekend. Whether it was Friday, or Saturday, or
12 Sunday, I just don't recall. But I believe it was on
13 a weekend.

14 Q And did you understand that some action
15 was contemplated occurring regarding detailing Ms.
16 Blyth which would be the following Monday?

17 A I recall there was a proposed action that
18 was to occur. I accept your timing of it.

19 Q It does not sound wrong necessarily to
20 you?

21 A No.

22 Q Did Ms. Chambers discuss with you the

1 substance of her concern regarding that detail?

2 A Yes.

3 Q What did you understand the concern was
4 from Ms. Chambers' point of view?

5 A My recollection was that Ms. Chambers was
6 concerned that as part of the budget analysis, the
7 preparation and mission analysis and preparation,
8 that she had -- was using Ms. Blyth to prepare some
9 documents that were to be prepared by the end of that
10 week for submission to the Director of Park Service,
11 to Judge Manson and myself.

12 Q And did you understand that that effort
13 was within the efforts that you expected to be
14 performed in terms of budget planning and mission
15 refinement?

16 A Yes.

17 Q All right. And did you consider the task
18 Ms. Chambers was relying on Ms. Blyth to perform to
19 be important tasks within those areas?

20 A The directive to prepare the budget
21 evaluation and missions was, yes, very important.

22 Q Did you make any decision during that

1 phone call as to how you felt the detailing of Ms.
2 Blyth should be handled?

3 A No.

4 Q When you finished with that conversation,
5 did you make any additional inquiries to inform your
6 decision as to how that issue of Ms. Blyth's proposed
7 detail should be handled?

8 A I followed up, as I recall, after that
9 conversation and called, I believe, Director Mainella
10 and the Assistant Secretary and ask that they come
11 together next day with a meeting to discuss the
12 concerns.

13 Q Okay. And would you have expected them
14 to have come together on a weekend to do that?

15 A As I said, I think it was on Sunday. So,
16 I believe that the meeting occurred the next day on
17 Monday.

18 Q Which would have been a business day?

19 A Yes.

20 Q And do you know whether the Assistant
21 Secretary, Mr. Manson, and Director Mainella, in
22 fact, did meet on that matter?

1 A That is my recollection.

2 Q I take it you were not present for that
3 meeting?

4 A No. I was.

5 Q You were present. So, what do you recall
6 occurring in that meeting?

7 A My recollection was that a meeting
8 occurred with -- It's been a while. But my
9 recollection of the participants were Lynn Scarlett,
10 Assistant Secretary for Policy and Budget; Larry
11 Parkinson, the Deputy Assistant Secretary; Craig
12 Manson, Director Mainella, and Paul Hoffman -- excuse
13 me. Not Paul Hoffman. The Deputy Director.

14 Q Mr. Murphy?

15 A Mr. Murphy. Thank you.

16 Q You're welcome.

17 A Were there for that meeting. We had a
18 meeting. And Chief Chambers was there for the
19 meeting also.

20 Q And if this is the meeting I'm recalling,
21 Ms. Chambers would not have been present during the
22 early portion of the meeting but would have been

1 invited to join it later?

2 A That is correct.

3 Q Now prior to that meeting taking place,
4 had you communicated any direction to Assistant
5 Secretary Manson or any other party as to how to
6 proceed on the detail of Ms. Blyth?

7 A My recollection today is that I discussed
8 with Judge Manson that until we had that meeting that
9 we should not make a change because Judge Manson had
10 directed a presentation to be prepared until he
11 understood the nature of that presentation and how it
12 was going to be done, that we should have a meeting
13 first.

14 Q Understood. So I take it and please
15 correct me if I misunderstand, that you would have
16 directed Assistant Secretary Manson to communicate to
17 Mr. Murphy or whoever it was necessary to temporarily
18 hold on off the detail of Ms. Blyth until this
19 meeting took place?

20 A I think word directed is probably much
21 stronger than what I would --

22 Q Recommended or what would word?

1 A We had a discussion. I think out of that
2 discussion that was Judge Manson's decision, as I
3 recall.

4 Q I understand.

5 A It might have been after he talked to
6 Director Mainella. I just don't recall all the facts
7 at this time.

8 Q Do you recall as a consequence of your
9 discussions with Assistant Secretary Manson and
10 whatever other inquiries he may have made with
11 Director Mainella or others that he chose to
12 communicate to Mr. Murphy to at least temporarily
13 hold off on the detailing of Ms. Blyth until this
14 meeting would take place?

15 A Since the meeting was the next day, I
16 don't know what actually occurred.

17 Q Are you certain the meeting was the next
18 day or might it have day been a day or two?

19 A It may have been Tuesday.

20 Q It was soon thereafter?

21 A Yes. I recall it almost immediately.

22 Q Okay. In this meeting that took place,

1 or let me ask you. Do you recall that, in fact, Ms.
2 Blyth was not effectively detailed until prior to
3 that meeting?

4 A I don't recall the details.

5 Q Do you know whether Ms. Blyth has ever
6 been detailed?

7 A My recollection of the outcome of the
8 meeting was there was a modification of the detail.

9 Q And do you recall the nature of that
10 modification?

11 A My recollection is that the objective of
12 the detail was to give Ms. Blyth an opportunity to
13 work within the budget shop so she could understand
14 the budgeting process and procedures used in the
15 Federal Government.

16 So, in order to allow for Ms. Blyth to
17 perform the duties that Ms. Chambers indicated she
18 needed to help her on, she was to perform those
19 duties and also part of the time do the detail also.

20 Q I see. So as I understand the
21 modification that was agreed upon by some parties at
22 least, Ms. Blyth would essentially have her time

1 split between her duties as special assistant to
2 Chief Chambers that she had been performing plus she
3 would be doing some additional duties as part of the
4 planned detail?

5 A That is my recollection.

6 Q Okay. Do you know whether there was a
7 record kept of this particular meeting?

8 A No.

9 Q So, I take it that you did not direct any
10 minutes to be taken?

11 A No.

12 Q And I assume it was not recorded?

13 A No.

14 Q Do you know whether any party took
15 minutes in that meeting or took notes?

16 A I don't recall anyone taking notes
17 specifically.

18 Q Do you know whether there was another
19 meeting with similar participants that would have
20 taken place in August or September of 2003?

21 In other words, meeting between yourself,
22 Director Mainella, Director Murphy, Ms. Scarlett,

1 perhaps others in which Ms. Chambers would have been
2 waiting outside for a period of time and then invited
3 to come in later? Would there have been a second
4 meeting of that character in that same time frame?

5 A I don't recall a second meeting of that
6 nature.

7 Q Who would have set the purpose for that
8 particular meeting?

9 A The first meeting or the meeting that I
10 recall?

11 Q Yes, sir.

12 A I think I did.

13 Q Okay. And is it the purpose you've
14 described here this morning to resolve the matter of
15 the detail of Ms. Blyth?

16 A The purpose of the meeting was to assure
17 that the directive that had been issued to have an
18 evaluation performed of the budget could, in fact, be
19 performed, in a timely fashion which, as I recall,
20 was the end of that week.

21 Q Okay .

22 A Because it was part of the '05 budget, I

1 believe. That time frame.

2 Q So as I understand, the purpose as you
3 said it for that meeting was to insure that steps
4 would be taken to make sure that preparation of those
5 budget documents and whatever analysis needed to be
6 done could be done in a timely manner?

7 A Correct.

8 Q And I also take it from your testimony
9 that whether or not Ms. Blyth should be detailed
10 during this time frame was to be evaluated in terms
11 of its impact on achieving those goals of doing that
12 budget analysis and preparing those documents. Did I
13 hear you correctly?

14 A I think the correct summary would be that
15 at the meeting a decision was made to alter the
16 detail so that Ms. Blyth could participate both in
17 the detail and in the budget analysis and
18 submissions.

19 Q Okay. So, the topic of Ms. Blyth's
20 detail did come up in a meeting and there was a
21 modification made in the direction you have
22 testified?

1 A There was a change in the detail. That
2 was a part of the objective of the meeting.

3 Q Okay. Thank you. Did you ever
4 communicate in writing with anyone as to agenda or
5 purpose of this meeting?

6 A No.

7 Q Not even an e-mail?

8 A I don't -- No. I don't recall ever
9 having done that.

10 Q Did you ever verbally communicate with
11 anyone that the purpose of this meeting would be
12 specifically to evaluate Chief Chambers' performance
13 in her job?

14 A No.

15 Q Did you ever communicate with anyone that
16 the purpose of that meeting would be to evaluate the
17 overall performance of the United States Park Police?

18 A No.

19 Q Did you ever communicate to anyone a
20 purpose for this meeting other than you described in
21 your testimony today?

22 A No.

1 Q Do you know a Mr. James Cason?

2 A I do.

3 Q Who is he?

4 A Associate Deputy Secretary.

5 Q Okay. Of the Interior?

6 A Correct.

7 Q And was he present for this meeting that
8 you have described where Ms. Scarlett, Mr. Murphy,
9 Ms. Mainella, and eventually Ms. Chambers was
10 present?

11 A He may have been.

12 Q Do you recall what Director Mainella said
13 in this meeting prior to Ms. Chambers entering?

14 A No. No specific comments to this point.

15 Q Do you recall the gist of what Director
16 Mainella may have communicated in this meeting?

17 A I can't recall. Nothing was -- Had a
18 broad range of topics. So, I can't specifically tell
19 you what she said about any of those topics right
20 now.

21 Q Okay. And I think you probably recall my
22 question was not specific wording that Ms. Mainella

1 may have used but the gist?

2 A Not specifically on anything right now.

3 No.

4 Q Do you recall anything at all of
5 substance which may have been communicated by the
6 Director?

7 A Not her specifically.

8 Q That was my question; about her
9 specifically. Do you recall any substance that was
10 communicated by Deputy Director Murphy in that
11 meeting on any topic?

12 A I would say that Mr. Murphy was concerned
13 that the detail was being modified but once all the
14 discussions had occurred he agreed with the
15 modification.

16 Q And when Ms. Chambers was eventually
17 invited into the meeting, did certain -- had certain
18 persons departed prior to that point in time?

19 A I don't recall.

20 Q Do you recall Mr. Murphy leaving before
21 that meeting was over?

22 A I don't recall.

1 Q Do you recall Mr. Murphy upon his
2 departure when Ms. Chambers entered making a
3 statement to the effect and no I'm not mad.
4 Something like I have to catch a train and no I'm not
5 mad?

6 A No. I don't recall that comment.

7 Q Do recall whether Ms. Scarlett was
8 present during the portion of the meeting in which
9 Ms. Chambers was present?

10 A My recollection is that she was there,
11 that she was there for part of the meeting. I don't
12 recall who left when.

13 Q I take it your recollection would be the
14 same for Mr. Parkinson?

15 A Correct.

16 Q And any other party I could name your
17 answer would be the same I take it?

18 A Well, I recall that people left. And my
19 recollection today as you asked the question is that
20 there was a follow-up meeting that evening with
21 Teresa Chambers, the Director of Park Service, and
22 maybe Judge Manson, but that's my recollection of

1 what was happening.

2 Q And that meeting that you are describing
3 as a follow-up with Ms. Chambers, would that have
4 been the only time you spoke with Ms. Chambers on
5 that day?

6 A I spoke with Ms. Chambers during the
7 general meeting. I did not attend a subsequent
8 meeting with Ms. Chambers.

9 Q Okay. I want to be as clear as we can be
10 about this. The follow-up meeting described as
11 happening with Ms. Chambers, were you present for
12 that?

13 A No.

14 Q So as far as you can tell, you would have
15 spoke with Ms. Chambers during the earlier meeting,
16 what you call the general meeting?

17 A Correct.

18 Q There would have been a later meeting
19 that evening between Ms. Chambers. And who would
20 you have understood to have been present during that
21 additional meeting in addition to Ms. Chambers?

22 A The Director of the Park Service and

1 possibly the Assistant Secretary.

2 Q Mr. Manson?

3 A Correct.

4 Q And as far as you know, not Deputy
5 Director Murphy?

6 A I don't believe so.

7 Q Any other parties that you remember?

8 A I wasn't at the meeting. I'm just
9 giving you my recollection. I don't recall. That's
10 my recollection of who potentially was at that
11 meeting.

12 Q And why is it that you understand that
13 such a follow-up meeting would have taken place? How
14 did you come to understand that?

15 A Either that was what was agreed to during
16 that general meeting and/or later on I was told that
17 a meeting had occurred. I'm not sure which one it
18 was.

19 Q All right. And that general meeting that
20 happened when you were present, do you recall any
21 parties, even if you can't name them at the moment,
22 any parties departing that meeting before it was

1 over?

2 A I just don't recall who departed early or
3 if anyone departed early.

4 Q And to be as clear as we can be, I
5 believe we said earlier that you recall that some
6 parties may have departed the meeting early before it
7 was over but you do not recall who they were. Is
8 that the best statement of your recollection at the
9 moment?

10 A As I think I just stated, I don't recall
11 if anyone left early.

12 Q I see. I understand. That's a pretty
13 clear answer. Do you recall who would have set the
14 agenda or the purpose for that follow-up meeting that
15 you believe would have taken place with the Director,
16 perhaps the Assistant Secretary, and Ms. Chambers?

17 A No.

18 Q When it came time for Ms. Chambers to
19 enter that general meeting you attended, who was it
20 that invited Ms. Chambers to come in?

21 A I don't recall.

22 Q Do you recall speaking with Ms. Chambers

1 in the hallway before she was invited in?

2 A I don't recall.

3 Q Do you recall any statement you would
4 have made to Ms. Chambers regardless of the
5 circumstances prior to her joining that general
6 meeting?

7 A No.

8 Q Do you recall at any point in time ever
9 assuring Ms. Chambers that -- in that meeting, the
10 general meeting you attended, that nothing bad was to
11 happen to her?

12 A I don't recall that kind of a
13 conversation.

14 Q Do you recall your intent at the time
15 being that nothing bad would happen to Ms. Chambers
16 in that meeting?

17 A That was not the objective of the
18 meeting.

19 Q So, it wasn't about Ms. Chambers'
20 performance or discipline I take it?

21 A That's correct.

22 Q In that general meeting before Ms.

1 Chambers entered, did any party other than yourself
2 raise the issue of discipline for Ms. Chambers?

3 A I don't recall that being raised during
4 that meeting. No.

5 Q Did anyone attempt to use that particular
6 meeting to solicit input on Ms. Chambers' performance
7 as Chief of the U.S. Park Police to your knowledge?

8 A To my knowledge, that was never
9 discussed.

10 Q Did you ever have occasion to communicate
11 with Director Mainella or Deputy Director Murphy your
12 desire that there be no retribution to Ms. Chambers
13 for having raised her concern with you about the
14 detail of Ms. Blyth?

15 A No.

16 Q Did you ever approve of any disciplinary
17 action to be taken against Chief Chambers by Director
18 Mainella or Deputy Director Murphy because she had
19 raised the concern with you about the detail of Ms.
20 Blyth?

21 A No.

22 Q Did anyone ever inform you, Director

1 Mainella or Deputy Director Murphy, or anyone else at
2 any point in time that there was a plan to take
3 disciplinary action against Chief Chambers because
4 she had raised the concern with you about the detail
5 of Ms. Blyth?

6 A No.

7 Q Did you ever come to know at any point in
8 time that disciplinary action had, in fact, been
9 taken against Chief Chambers because she had raised
10 the concern to you about the detail of Ms. Blyth?

11 A Eventually I was informed of the
12 disciplinary action that was taken against Chief
13 Chambers the specifics of which I don't know that I
14 understood taking as you articulated.

15 Q I am not meaning to tell you that such
16 action was taken on that. I am asking have you come
17 to know there have been?

18 A I understood that disciplinary action was
19 taken against Chief Chambers. The exact nature of
20 why it was taken to my recollection was not
21 articulated to me.

22 Q I see. I'm taking from that answer --

1 please correct me if I misunderstand you -- that no
2 person ever communicated to you at any time that
3 actions taken against Chief Chambers were based in
4 whole or in part specifically because Chief Chambers
5 had appealed to you on the matter of the detail of
6 Ms. Blyth?

7 A That is correct.

8 Q Did you ever come to determine after
9 speaking with Director Mainella about the issue of
10 the detail of Ms. Blyth that Director Mainella had
11 previously spoken with Chief Chambers on that matter?

12 A I don't recall that conversation. No.

13 Q Do you know sitting here today whether or
14 not Chief Chambers had discussed the issue of the
15 detail of Ms. Blyth with Director Mainella prior to
16 approaching you on that matter?

17 A No.

18 Q You don't know either way?

19 A No.

20 Q Do you know whether prior to discussing
21 the matter with you of the detail of Ms. Blyth Chief
22 Chambers had previously discussed that matter with

1 Deputy Director Murphy?

2 A I simply don't recall that being part of
3 the discussion on the eve of the conversation with
4 Chief Chambers as to whether or not that was what she
5 indicated.

6 Q So, you don't recall whether she had told
7 you she had talked with Murphy before that?

8 A Correct.

9 Q Did you come to learn from any source at
10 any time that Ms. Chambers had, in fact, discussed
11 the matter of the detail of Ms. Blyth with Deputy
12 Director Murphy prior to approaching you on that
13 matter?

14 A The sequence of events is blurred because
15 of the meeting that occurred right after that whether
16 the next day or, as I recall it, where some of those
17 discussions occurred within the meeting with Director
18 Murphy -- Director Mainella and Deputy Director
19 Murphy prior to Teresa entering the meeting.

20 Q Do you recall whether in that meeting
21 prior to Ms. Chambers entering whether Mr. Murphy
22 made clear that he had discussed the matter with Ms.

1 Chambers?

2 A I just don't recall the specifics.

3 Q Okay. Understood. Is it fair to say
4 that one of your purposes for this meeting was to
5 insure that Ms. Chambers' view was communicated to
6 Deputy Director Murphy, and Director Mainella, and to
7 some extent vice versa before you made a final
8 decision on that matter?

9 A The purpose of the meeting was to assure
10 that the -- We had had a prior budgetary meeting on
11 the budget, and the purpose, goals, and objectives,
12 and mission of the Park Police. And a decision had
13 been made that Teresa would prepare that document.
14 And there was a time line for that document.

15 The purpose of that meeting was to assure
16 that that could be accomplished in a timely manner.

17 Q Okay. And there was no other purpose?

18 A No.

19 Q When I chatted with Ms. Chambers on that
20 weekend evening regarding her concern about the
21 detail of Ms. Blyth, did you ask her directly whether
22 she had first discussed the matter with Deputy

1 Director Murphy?

2 A I simply don't recall that part of
3 this -- that being part of the conversation.

4 Q And would your answer be the same
5 regarding whether Ms. Chambers had discussed the
6 matter with Director Mainella?

7 A I don't recall that at this time.

8 Q Okay. Did you communicate to Ms.
9 Chambers at that time that she was in any way acting
10 improperly in communicating with you about that
11 matter?

12 A I don't recall indicating that.

13 Q And did you communicate that to Ms.
14 Chambers at any point in time after that conversation
15 that she had acted improperly in broaching the matter
16 with you?

17 A No.

18 Q Do you recall there being a special event
19 that the U.S. Park Police had some role in that
20 involved the National Football League?

21 A Yes.

22 Q What was that event?

1 A That would have been September of '03.
2 Maybe it was late August or early September of '03
3 for the kickoff of the National Football League.

4 Q Basically the season kickoff?

5 A Correct.

6 Q And was that a happening on the mall?

7 A It was.

8 Q And the Park Police were providing
9 security for that I take it?

10 A The Park Police were part of the Park
11 Service.

12 Q Arrangements --

13 A -- arrangements. At some point, we need
14 to take a break.

15 Q This is a pretty good time. Let me ask
16 just one more question, and then we will take that
17 break.

18 A Good.

19 Q Do you recall encountering Ms. Chambers
20 at that event?

21 A I don't have a specific recollection of
22 meeting her specifically at that event.

1 MR. HARRISON: Let's go ahead and take
2 our break.

3 (Off the record.)

4 BY MR. HARRISON:

5 Q Mr. Griles, we were chatting about the
6 NFL event on the mall, and you do not recall
7 encountering Ms. Chambers at that time. Do you ever
8 recall discussing the NFL event with Ms. Chambers?

9 A I don't have a recollection of that
10 conversation.

11 Q Okay. Do you recall encountering Ms.
12 Chambers at some point perhaps in the time frame of
13 the NFL event and asking her how things were going
14 after the general meeting you described with all the
15 parties?

16 A I don't recall that conversation.

17 Q Was there a plan that came out of that
18 general meeting with Director Mainella, Deputy
19 Director Murphy, and Ms. Scarlett, and the others you
20 described for Ms. Chambers to meet with anyone as her
21 follow-up to that meeting?

22 A Yes.

1 Q And what was the follow-up plan as you
2 remember it?

3 A My recollection was that the Assistant
4 Secretary and the Director of the Park Service were
5 going to meet with Ms. Chambers weekly.

6 Q As a follow-up to that meeting?

7 A Yes.

8 Q Did you make any inquiry, substance of
9 that meeting, to see if those follow-up meetings
10 were, in fact, were taking place?

11 A I recall asking if right after that the
12 meeting if the meetings were occurring or the meeting
13 had occurred and my recollection was some had and
14 some hadn't due to scheduling of the travel and
15 things.

16 Q Do you recall who communicated that to
17 you?

18 A Either Director Mainella or the Assistant
19 Secretary. I'm not sure which.

20 Q Okay. Do you occasionally have meetings
21 with Director Mainella in the absence of Assistant
22 Secretary Manson?

1 A I have. Yes. That does occur.

2 Q And are those meetings always on your
3 initiative?

4 A Not necessarily.

5 Q I take it you never disciplined Director
6 Mainella without Assistant Secretary Manson being
7 present?

8 A No.

9 Q Have you ever told Director Mainella that
10 she would need to communicate with you only through
11 Assistant Secretary Manson?

12 A No.

13 Q I take it you are not offended by direct
14 communications from the Director?

15 A No.

16 Q What was the specific document that you
17 were referring to that was due to be prepared in the
18 time frame of this general meeting that you wanted to
19 make sure was prepared in a timely manner? Do you
20 recall referring to such a document?

21 A Yes.

22 Q Okay.

1 A My recollection is that it was a document
2 as part of the '05 budget submission.

3 Q Okay. Would it have had a name?

4 A I don't think it probably would have.

5 Q Is it fair to say that it would have been
6 the U.S. Park Police input for the '05 budget or do
7 you recall the substance?

8 A My recollection was that as part of the
9 evaluation both of the mission and the budget that
10 this document was to be prepared. Yes.

11 Q Do you know who was to have authored it?

12 A The Park Service Police.

13 Q Was there a joint effort of anyone in the
14 National Park Service, or the Department of Interior,
15 or was it solely an effort of the Park Police to your
16 knowledge?

17 A My recollection is that it was a joint
18 effort that included Deputy Assistant Secretary Larry
19 Parkinson.

20 Q Do you recall when you would have
21 received that document?

22 A I don't recall receiving the document.

1 Q And I take it that that means as of today
2 you have not received it?

3 A That is correct. The document, as I
4 recall, was being prepared for the Director and the
5 Assistant Secretary.

6 Q I see.

7 A And the assistant Secretary for Policy,
8 Budget and Analysis.

9 Q That would have been Ms. Scarlett?

10 A Yes.

11 Q So, it may have been submitted to those
12 parties?

13 A It could have been.

14 Q Have you been involved in any manner at
15 any time in any performance appraisal for Chief
16 Chambers?

17 A No.

18 Q Had it ever come to your attention that a
19 performance appraisal was being prepared in writing
20 by any party for Ms. Chambers?

21 A No.

22 Q I take it you've never seen a performance

1 appraisal draft or final for Ms. Chambers?

2 A No.

3 Q Did it ever come to your attention that
4 anyone was preparing a performance plan or a
5 performance improvement plan for Ms. Chambers?

6 A No.

7 Q And I take it you've seen no such
8 document?

9 A No.

10 Q Were you aware that at some point in time
11 Ms. Chambers was placed on administrative leave?

12 A Yes.

13 Q And when did you first become aware of
14 that?

15 A The day it occurred, I believe.

16 Q Do you happen to remember what day that
17 would have been?

18 A No.

19 Q And do you recall how you came to be
20 aware of that on that day?

21 A I don't recall who informed me at this
22 point.

1 Q Would it have been a verbal,
2 person-to-person communication do you think?

3 A That would normally be how that would
4 occur. Yes.

5 Q Were you told before the notice was given
6 to the Chief or after? Do you know?

7 A I don't recall today whether I had prior
8 notification or not.

9 Q But in this case, it would have been no
10 sooner than the same day?

11 A That is my recollection.

12 Q When you were told of the administrative
13 leave being issued to Chief Chambers, did you -- were
14 you asked to approve it?

15 A No.

16 Q Do you recall stating anything in
17 response to that information?

18 A No.

19 Q Was there any record of the conversation
20 in which you were told of that?

21 A No.

22 Q And I take it you don't recall who would

1 have been present?

2 A No.

3 Q Do you happen to recall why you would
4 have been informed at that time?

5 A As the Chief Operating Officer of the
6 Department of Interior, I was informed as the Chief
7 Operating Officer.

8 Q And I take it from your testimony that
9 essentially you were be given notice of a decision
10 that had been made by some other official. You were
11 not being asked to participate in that decision?

12 A That is correct.

13 Q Do you know whether Ms. Chambers had been
14 given any advance notice of that decision prior to
15 the day that she was placed on administrative leave?

16 A I do not know.

17 Q Did you have any occasion to notice an
18 article in the Washington Post that was published
19 December 2nd, 2003, in which Chief Chambers was
20 referred to?

21 A I think I know the article you're
22 speaking of.

1 Q Let's see if we have that handy here.

2 MR. HARRISON: Let me take a moment to
3 grab a copy of that.

4 (Off the record.)

5 BY MR. HARRISON:

6 Q I am going to show you a document
7 previously marked as an exhibit to Mr. Hoffman's
8 deposition, Exhibit Number 2. I don't have any extra
9 copies at the moment. See if you recognize this
10 article. It may be in a different format than you
11 have seen it in the newspaper.

12 A I recall seeing the article.

13 Q All right. When did you first notice the
14 article here. Excuse me.

15 MR. L'HEUREUX: Counsel, could we have a
16 description of the article.

17 MR. HARRISON: I believe it is in the
18 record. It is an article from the Washington Post,
19 December 2nd, 2003. Indicates page B01, but I don't
20 know from memory whether that's correct or not.
21 Written by David Fahrenhold. The title is Park
22 Police Duties Exceed Staffing.

1 BY MR. HARRISON:

2 Q And when did you first notice that
3 article?

4 A The day that it was published.

5 Q Would you have seen it prior to arriving
6 at work on that day do you think?

7 A I don't recall.

8 Q And did you notice it on your own or did
9 someone bring it to your attention?

10 A I don't recall whether I saw it or my own
11 or someone brought it to my attention.

12 Q Did you have occasion to discuss this
13 article in any manner with anyone on the day it was
14 published, December 2nd?

15 A I believe it was discussed in generic,
16 general fashion.

17 Q And with whom?

18 A With the senior management staff of the
19 Department of Interior.

20 Q And would that have been in individual
21 conversations or a meeting of some kind?

22 A I think it was at a staff meeting the

1 issue was brought up.

2 Q Do you recall who might have brought up
3 that issue of that newspaper article?

4 A No.

5 Q And who would have been present?

6 A It possibly could have been in a
7 meeting -- I would just be speculating. I don't
8 recall the specific nature of the meeting.

9 Q Did anyone mention a concern about the
10 article to you on that day?

11 A I think that there was general concern
12 about the nature of the article.

13 Q Okay. Do you know whether Director
14 Mainella had expressed a concern about it?

15 A I don't recall specifically who discussed
16 the nature of the article.

17 Q And I assume you do not recall whether
18 Mr. Murphy did so or not?

19 A No.

20 Q All right. Did you receive any telephone
21 calls about this article during that day, December
22 2nd?

1 A I don't recall any.

2 Q Do you recall receiving any e-mails about
3 the article?

4 A No.

5 Q Did you yourself communicate to any other
6 person a concern you had about the article on that
7 day?

8 A No. I don't recall, one, who was -- when
9 the discussion ensued. So, I can't say who I may
10 have expressed concerns about the article to.

11 Q Apart from names, do you recall
12 expressing a concern about the article to someone?

13 A I was concerned about the nature of the
14 content of the article as relates to the strategies
15 that we were being employed to protect icons.

16 Q Did you express that to someone that
17 concern?

18 A Generally, yes. To whoever was involved.
19 Whoever would be discussing the newspaper article
20 with.

21 Q Okay. Did you indicate to anyone that
22 you felt that Ms. Chambers should be disciplined

1 because of some statement she made in this article?

2 A No, I did not.

3 Q Subsequent to December 2nd, did you ever
4 communicate to anyone that you felt Ms. Chambers
5 should be disciplined because of some statement she
6 made in the article?

7 A No.

8 Q No? Did anyone on December 2nd
9 communicate to you that they thought Ms. Chambers
10 should be disciplined because of some statement she
11 made in this article?

12 A I don't know.

13 Q Did anyone communicate to you an intent
14 on December 2nd, 2003, to restrict Ms. Chambers'
15 future statements to the media?

16 A I don't recall that being discussed.

17 Q Did you yourself communicate to anyone
18 your intent that Ms. Chambers' future communication
19 with the media should be restricted?

20 A I did not.

21 Q Is there anything in this article before
22 you that to your knowledge has been classified as not

1 to be released under any national security
2 classification? And I believe and correct me if I am
3 wrong. I believe those classifications are top
4 secret, secret, and confidential.

5 A I don't recall whether the plans for the
6 icons were classified or not.

7 Q Did you ever make an inquiry to determine
8 whether any statement in this article had been
9 classified?

10 A I have not.

11 Q Are you aware of any statement in this
12 article that had been categorized with any formal
13 designation other than the three classified
14 categories such as law enforcement sensitive, or any
15 other type of classification, or confidential
16 designation? I'm speaking formally whether there had
17 been a document stamped as such.

18 A I am unaware of a determination of that
19 nature.

20 Q When you took your position with the
21 Department of Interior, were you given any training
22 as to the meaning of the term law enforcement

1 sensitive?

2 A I'm unaware of -- No.

3 Q Have you ever seen a document that
4 purports to define the meaning of the term law
5 enforcement sensitive as that term would be used in
6 the Department of Interior?

7 A No.

8 Q Did you ever come to know that any action
9 was taken against Ms. Chambers by her superiors
10 because of any statement she made in the December
11 2nd, Washington Post article?

12 A I became aware of the actions taken at a
13 later date. Yes.

14 Q Now, my question went a little beyond the
15 actions taken to a specific reason for those actions.
16 And you may or may not be meaning to say that in your
17 answer.

18 So just to be clear, when did you become
19 aware of the actions taken against Ms. Chambers, at
20 any time did you become aware that one of the reasons
21 for any of those actions was statements made by Ms.
22 Chambers in the December 2nd Washington Post article?

1 A I did become aware of the -- of the
2 actions taken and the reasons why.

3 Q And one of those reasons would be the one
4 I just stated?

5 A They were contained in the documents that
6 I was shown during the Paul Hoffman interview, and I
7 don't have that document in front of me.

8 Q Understood. We may be able to refresh
9 your memory on that.

10 MR. HARRISON: Let me mark this document
11 as Exhibit 1 to Mr. Griles' deposition.

12 (Griles Exhibit No. 1 was
13 marked for identification.)

14 BY MR. HARRISON:

15 Q Take a moment, Mr. Griles, and look over
16 Exhibit 1, and let me know if you recognize it.

17 A This appears to be the transcript of the
18 interview with Mr. Hoffman.

19 Q Is there anything that you believe in
20 this transcript that might refresh your memory of
21 what you were shown at that time?

22 A I could read through it and see if it

1 did. If you have something specifically you want to
2 point to.

3 Q Okay. Maybe I can. Let me ask you this.
4 Do you recall some document being shown during this
5 interview?

6 A I believe there was a document shown to
7 me with the specifics of the removal, the
8 disciplinary action that was proposed by Mr. Murphy,
9 I believe.

10 Q Yes, it was. Okay. And you recall that
11 happening during this interview?

12 A Yes. That's my recollection.

13 Q Okay. And do you know why --

14 (Off the record.)

15 (The record was read by the reporter.)

16 BY MR. HARRISON:

17 Q That document that you were shown which
18 you understood to be the proposed removal by Mr.
19 Murphy that would have stated the allegations or
20 charges. Do you know why you were shown that
21 document at that time?

22 A Well, first of all, I don't know that's

1 what I was shown.

2 Q Okay. May have been?

3 A It may have been a document. I'm not
4 sure if that was what it was without looking at it
5 and having it.

6 Q Understood. And were you shown more than
7 one document or was it just the one do you think?

8 A I don't recall.

9 Q Take a moment to glance through your
10 transcript there and see if you can find an
11 indication of where you would have been shown a
12 document. I have gone through that task myself and
13 have not found it. But it might be there.

14 A The only thing is the very first part of
15 the deposition or interview.

16 Q Are you on a certain page there?

17 A Page three.

18 Q What do you find there?

19 A I'll just go ahead and give you my copy
20 of this for what I might want to review things on
21 certain page numbers.

22 Q I don't suppose it tells you enough for

1 you to remember what the document was?

2 A No.

3 Q Thank you for that. That's helpful. Let
4 me show you another document. I don't think we're
5 going to need to mark it yet as a deposition exhibit.
6 I will describe it. And it may refresh your memory
7 or not.

8 This document for the record is a
9 proposed removal document authored by Don Murphy
10 dated December 17th, 2003, regarding Ms. Chambers.
11 So, take a moment and see if that refreshes atoll on
12 what you may have been shown.

13 A This may have been the document I was
14 shown.

15 Q You are not completely certain?

16 A I am not.

17 Q Thank you. Whether or not that
18 particular document was the one that you were shown
19 at the time of your interview by Mr. Hoffman, would
20 that occasion have been the first time that you would
21 ever have reviewed any document regarding a
22 disciplinary action proposed or taken regarding Ms.

1 Chambers?

2 A That is correct.

3 Q Apart from reviewing that document,
4 whichever document it turns out to be, were you ever
5 informed that one of the reasons that Ms. Chambers
6 was to be placed on administrative leave or to be
7 removed was because she had made certain statements
8 in this article of December 2nd in the Washington
9 Post?

10 A Could you repeat that? I want to make
11 sure I got the first part of your question.

12 Q Sure. I will do my best. Maybe I can.
13 Apart from the document that you reviewed in your
14 interview with Mr. Hoffman, were you ever informed in
15 any other manner that one of the reasons for Ms.
16 Chambers being placed on administrative leave or
17 being removed was because of any statement she made
18 in this article of December 2nd in the Washington
19 Post?

20 A Prior to that interview?

21 Q Well, we can break it up, if you wish.
22 Let's start with that. Prior to the interview.

1 A Was in I informed that she was being
2 removed because of that?

3 Q Let me restate the complete question, and
4 I will do it in two time frames and two different
5 questions. That may help us.

6 The first question is do you recall at
7 any time prior to your interview with Mr. Hoffman
8 being informed in any manner that one of the reasons
9 Ms. Chambers was being placed on administrative leave
10 or was proposed to be removed was because of any
11 statement she made in the Washington Post article of
12 December 2nd, 2003?

13 A I think that I was informed after the
14 action was taken the general natures of the issues
15 that were in the decision that was made.

16 Q Okay. Do you recall circumstances in
17 which you were informed?

18 A I don't recall the date or the
19 circumstances. I have general recollection of being
20 informed.

21 Q Would it have been in writing do you
22 think or do you think it would have been verbal?

1 A It would have been verbal.

2 Q Do you recall any person present?

3 A I do not.

4 Q Do you recall during that verbal
5 communication that you were informed that one of the
6 reasons for actions taken against Ms. Chambers was
7 the reason I stated in my question? Her statements
8 in the Washington Post article.

9 A I recall a very general discussion
10 that -- No. I don't recall the specific
11 conversations about that.

12 Q So, I take it that you couldn't say
13 either way whether that particular reason had been
14 mentioned at this time?

15 A I don't recall.

16 Q Okay. Now, is that the only time that
17 you would have received a communication about the
18 reasons for the actions against Ms. Chambers prior to
19 your interview with Mr. Hoffman?

20 A I was never given any of the factors, the
21 specifics, regarding the removal prior to the
22 interview with Mr. Hoffman.

1 Q And were you given any reasons prior to
2 the interview with Mr. Hoffman regarding why Ms.
3 Chambers was placed on administrative leave?

4 A My recollection is that there was a
5 general understanding that there were several issues
6 that had resulted in the administrative action being
7 taken.

8 Q The administrative leave action -- Do you
9 understand what I mean by administrative leave? It's
10 what I would sometimes call a suspension although
11 technically it may not have been certain definition
12 of suspension. It was when Ms. Chambers was relieved
13 of law enforcement authority, badge, and gun December
14 5th, 2003.

15 And that is the particular action I am
16 asking you about at the moment. Please distinguish
17 it from later actions that may have happened
18 regarding Ms. Chambers such as a proposed removal.

19 So, were you told at any time any reasons
20 for Ms. Chambers being placed on administrative leave
21 on December 5th where she had her badge, gun, and
22 police authorities relieved?

1 A Prior to that occurring?

2 Q Yes.

3 A No.

4 Q Were you told on December 5th or
5 subsequent to December 5th any reason for Ms.
6 Chambers being placed on administrative leave?

7 A I don't recall a specific conversation
8 with anyone in which that communication occurred.

9 Q Okay. Were you ever informed in writing?

10 A No.

11 Q Do you recall anything of a more general
12 nature about such a communication taking place?

13 A I have a recollection -- general
14 recollection that -- of what the issues were that
15 were part of the decision, but nothing formal was
16 ever communicated to me either in writing or verbal.

17 Q And would you have had that general
18 recollection -- pardon me -- general understanding
19 prior to your interview with Mr. Hoffman?

20 A I believe that I had had a general
21 understanding of some of the issues that were
22 involved but nothing specific.

1 Q Prior to that interview?

2 A Right.

3 Q What do you recall your general
4 understanding at that time to be about why Ms.
5 Chambers was placed on administrative leave?

6 A Again, I don't recall any specifics of
7 any action that was taken, and my -- so my
8 recollection is clouded by after reading the papers
9 that were presented to me that day of the interview.
10 So, I just don't know when that transition occurred.

11 Q I take it from your testimony it would be
12 difficult for you to separate in your memory today
13 what you might have learned prior to your interview
14 and what you may have been shown during the interview
15 as the reasons?

16 A I can specifically say that I did not
17 know any of the details of the reason for the
18 administrative action taken into any detail at all
19 until the day of the interview, until I read whatever
20 the document that was presented to me.

21 Q I see, which may or may not have been
22 about the administrative leave. It may have been

1 about the proposed removal?

2 A Yes.

3 Q Did anyone ask your approval prior to Ms.
4 Chambers being placed on administrative leave?

5 A No.

6 Q Did anyone ask your approval prior to the
7 issuance of the proposed removing document that I did
8 show you date December 17th, 2003?

9 A No.

10 Q Did anyone ask your approval prior to the
11 final decision by Mr. Hoffman to sustain the removal
12 of Chief Chambers?

13 A No.

14 Q Other than your interview with Mr.
15 Hoffman, did you play any role in the decision -- the
16 final decision to sustain the removal of Chief
17 Chambers?

18 A No. It was a decision that was reached
19 by Mr. Hoffman.

20 Q Did you have any communication with Mr.
21 Hoffman about Chief Chambers other than as reflected
22 in this transcript before you of your interview?

1 A No.

2 Q Did you have any role in the appointment
3 of Mr. Hoffman specifically as the deciding or
4 reviewing official for this particular decision?

5 A I did not.

6 Q When did you first come to know that Mr.
7 Hoffman was to be the deciding official for this
8 particular matter?

9 A Sometime before the interview, I believe,
10 that he conducted.

11 Q Do you recall how that was communicated
12 to you?

13 A I believe by one of my -- I'm
14 speculating. So, I shouldn't do that. I don't
15 recall the detail of who told me that.

16 Q Okay. Were you given anything in written
17 regarding your interview with Mr. Hoffman prior to it
18 occurring?

19 A No.

20 Q Did anyone discuss with you the questions
21 you might be asked in that interview prior to the
22 interview occurring?

1 A No.

2 Q Did anyone solicit input from you as to
3 what questions might be asked of you in that
4 interview?

5 A No.

6 Q Who was present for your interview with
7 Mr. Hoffman other than yourself and Mr. Hoffman?

8 A Ms. Jackson, a court reporter, and there
9 may have been one other person present.

10 Q Was there anyone from Human Resources
11 present to your knowledge?

12 A I don't recall there being anyone present
13 from Human Resources.

14 Q Do you know Mr. Steve Krutz of Human
15 Resources?

16 A I don't think I do.

17 Q Do you know Mr. Dave Davies from Human
18 Resources?

19 A No.

20 Q Are you uncertain as to whether there was
21 another person present?

22 A I don't recall anyone else being present.

1 Q Did anyone ever inquire with you in
2 advance of the administrative leave decision for Ms.
3 Chambers that was communicated to the her on December
4 5th as to what reaction you would have to such an
5 action?

6 A No.

7 Q Did anyone ever inquire with you prior to
8 December 17th, 2003, what your reaction would be if
9 Ms. Chambers were to be proposed to be removed?

10 A No.

11 Q Did anyone ever inquire with you prior to
12 July 9th of 2004 what your right action would be if
13 Ms. Chambers were to be finally removed?

14 A There was some general discussions about
15 timing of actions.

16 Q Okay. Can I take it that the timing
17 question was regarding the final removal decision for
18 Ms. Chambers?

19 A Correct.

20 Q And you participated in that decision?

21 A It was brought to my attention that the
22 action was to be taken, that it was going to be

1 taken.

2 Q Did anyone secure concurrence at that
3 time?

4 A Only in the sense of they were going to
5 make the announcement.

6 Q Were you being informed or were you being
7 asked to concur?

8 A I was being asked to -- I was being
9 informed.

10 Q And do you recall who brought that to
11 your attention at that time?

12 A Maybe Ms. Jackson. I honestly don't
13 know.

14 Q Do you recall who might have been
15 present?

16 A No.

17 Q Did you make a record of that
18 conversation?

19 A I did not.

20 Q Were you given anything in writing about
21 that?

22 A I was not.

1 Q Did you make any statement at that time?

2 A I did not. I do not recall making any
3 statement at that time.

4 Q Okay. Were you given any documents at
5 that time regarding the decision to remove Ms.
6 Chambers?

7 A No.

8 Q Have you ever been given a document that
9 reflects a final decision by Mr. Hoffman to remove
10 Ms. Chambers?

11 A I don't recall ever seeing any such
12 document.

13 Q And I take it your answer would include
14 any draft or final version?

15 A That is correct.

16 Q Are you aware that Ms. Chambers wrote a
17 memo to Director Mainella on November 28th of 2003
18 expressing a concern that because of the limitations
19 on staffing and funding for the U.S. Park Police that
20 there was a serious risk of loss of life or loss of
21 one of the icons, one of the national monuments?
22 Were you aware of that?

1 A I am not.

2 Q I take it you have not seen a November
3 28th memo to that effect?

4 A I do recall seeing a memo of that nature.

5 Q Apart from reviewing such a memo, has
6 anyone ever brought to your attention that Ms.
7 Chambers would have communicated to that effect to
8 Director Mainella?

9 A I do not recall any such communication.

10 Q Do you know a Ms. Debbie Weatherly?

11 A I do.

12 Q And who do you understand Ms. Weatherly
13 to be?

14 A She's the staff director I believe is the
15 title of the subcommittee on Interior on the House
16 Appropriations Committee.

17 Q And have you ever had occasion to speak
18 with Ms. Weatherly?

19 A Yes.

20 Q And more than one?

21 A Yes.

22 Q And under what circumstances would you

1 have occasion to speak with Ms. Weatherly?

2 A Whenever there is a need to discuss with
3 her issues concerning the Department's budget or --
4 I've been to the Wolf Trap with Ms. Weatherly. I do
5 know her.

6 Q And the Wolf Trap occasion, was that a
7 business occasion, or social occasion, or business
8 enterprise?

9 A It was a business enterprise.

10 Q And you know what was happening with
11 regard to Wolf Trap that caused you both to be there
12 at the time?

13 A It was just a performance.

14 Q You were both attending?

15 A Yes.

16 Q Were you attending together or separately
17 pardon my asking?

18 A Separately.

19 Q Has anyone every restricted your
20 communication with Ms. Weatherly in any manner?

21 A No restrictions to her. We have
22 guidelines about how we should communicate.

1 Q No one has ever attempted to prevent your
2 communicating with Ms. Weatherly?

3 A No.

4 Q Has anyone ever given you a directive or
5 memo that would describe categories of communications
6 that were prohibited between you and Ms. Weatherly?

7 A No.

8 Q Were you ever given any training as to
9 any limitations on your communications with Ms.
10 Weatherly or Congressional staff?

11 A No.

12 Q Have you ever been communicated with in
13 any manner by anyone that would have described the
14 proper scope of your communications with Ms.
15 Weatherly?

16 A There are guidelines, verbal guidelines,
17 that we have established on who and how
18 communications should occur with the various
19 committees of Congress.

20 Q Do you recall substantively what you have
21 been told in verbal communications about any
22 guidelines for communication with Congress?

1 A Yes.

2 Q And what would that be?

3 A Generally that communications to the
4 Appropriations Committee we try to direct those
5 communications to the budget office, to the budget
6 shop.

7 We have a Congressional Affairs Office
8 which works with the budget shop to make sure that
9 that is how we keep our lines of communication
10 established with the authorizing committees of
11 Congress. The Congressional office is the office
12 that directs those communications.

13 Q Okay. Would there be any record or
14 memorialization of these verbal communications to you
15 in that regard?

16 A No. I don't know that there is a record
17 of those kinds of directives.

18 Q Do you recall who specifically would have
19 given those verbal communications to you?

20 A From a management viewpoint as Chief
21 Operating Officer, I wanted to assure that the budget
22 shop of the Department were the communicators to the

1 Appropriations Committee. And that from the
2 operational side of the Department, that is laws to
3 be passed and things of that nature, that the
4 Congressional side of the Department would be the
5 communicating arm. That is how we set it up.

6 Q Were you the initiating party for those
7 guidelines?

8 A It was a decision that was reached by the
9 Assistant Secretary of Policy and Budget and the
10 Director of Congressional Affairs as to who and how
11 we would assure we had appropriate lines of
12 communication.

13 And the appropriators and the staffing of
14 the Appropriations Committee had asked that that kind
15 of lines of communication be established also.

16 Q So if I understand your testimony, you
17 were involved in creating those guidelines. They
18 would not have necessarily been communicated to you
19 by some other party. Is that correct?

20 A That is correct.

21 Q And I'm also understanding from your
22 testimony that these guidelines may never have been

1 actually written down?

2 A I don't know if they're written down or
3 not.

4 Q They've never been given to you in
5 writing?

6 A I have never put them in writing myself.
7 Therefore, no. I have never been presented a set of
8 guidelines.

9 Q All right. Do you know what guidelines
10 would have been communicated to Ms. Chambers in
11 writing and verbally regarding communications with
12 Congress? Do you know from your own personal
13 knowledge?

14 A I do not.

15 Q Those communications you had with Ms.
16 Weatherly every instance in -- which you had them did
17 you go through the Congressional Liaison Office?

18 A The Congressional Liaison Office or both
19 the Budget Office were aware of those communications
20 that I initiated.

21 Q Okay. Were they aware of prior to your
22 actually communicating with Ms. Weatherly in every

1 instance?

2 A As best that I can recall, yes.

3 Q And would you have told those respective
4 offices the substance of what you were going to
5 communicate or simply that you were going to
6 communicate?

7 A I would have discussed the substance of
8 the communication before I would have communicated to
9 them, to the appropriators.

10 Q Okay.

11 A Staff.

12 Q Do you think there is a written record of
13 your communication of the substance to the Budget
14 Office or the Congressional Liaison Office regarding
15 your planned communication with Congress?

16 A I would not think there would be.

17 Q Now, did you ever have occasion to chat
18 with Debbie Weatherly in regard to Ms. Chambers in
19 any regard?

20 A I don't recall a specific communication
21 from Ms. Weatherly to me concerning Ms. Chambers.

22 Q Do you recall any communication more

1 generally that may have involved Ms. Weatherly
2 regarding Ms. Chambers?

3 A To me?

4 Q Yes. Involving you and Ms. Weatherly.

5 A No.

6 Q Okay.

7 A I don't recall any conversation or
8 generally about it either.

9 Q So as far as you can recall, there may
10 never have been communication when you and Ms.
11 Weatherly regarding Ms. Chambers?

12 A Ms. Chambers directly, no.

13 Q Did you it ever come to your attention
14 that other officials within the Department of
15 Interior did have communications with Ms. Weatherly
16 in regard to Ms. Chambers specifically?

17 A Yes.

18 Q And to the best of your recollection and
19 knowledge, who would have communicated with Ms.
20 Weatherly regarding Ms. Chambers?

21 A My recollection is that Ms. Weatherly
22 communicated to Assistant Secretary Lynn Scarlett

1 concerning Teresa Chambers.

2 Q How did you come to know that?

3 A Miss -- the Assistant Secretary informed
4 me of that communication.

5 Q All right. And in this case, the
6 Assistant Secretary in question is Ms. Scarlett?

7 A Yes.

8 Q And do you recall the time frame that Ms.
9 Scarlett may have even formed of that conversation
10 she had with Ms. Weatherly?

11 A 2003. Late 2003. Sometime in that time
12 frame.

13 Q Thank you. Did Ms. Scarlett indicate
14 whether she had initiated the conversation with Ms.
15 Weatherly or vice versa?

16 A My recollection is that Ms. Scarlett
17 indicated Ms. Weatherly had called her.

18 Q And do you recall whether Ms. Scarlett
19 stated the reason why Ms. Weatherly would have
20 initiated that call?

21 A Yes.

22 Q What was the reason?

1 A Ms. Weatherly, Debbie, was concerned that
2 the communications were occurring and had occurred
3 and that it was not -- she did not think that that
4 was appropriate.

5 (Off the record.)

6 BY MR. HARRISON:

7 Q Mr. Griles, we were talking about a
8 communication between and you Ms. Scarlett, the
9 Assistant Secretary?

10 A Correct.

11 Q Ms. Weatherly apparently had communicated
12 to Ms. Scarlett, as it was related to you by Ms.
13 Scarlett, that Ms. Weatherly was concerned about some
14 communications that were occurring. Is that correct?

15 A Correct.

16 Q And were you told by Ms. Scarlett
17 specifically what communications were causing
18 concern?

19 A My recollection was that the issue of the
20 NAPA Study and who would pay for it was the issue.

21 Q All right. And would this have been in a
22 time frame prior to the December 5th, 2003, of the

1 placement of Chief Chambers on administrative leave?

2 A It was prior to that.

3 Q I'm guessing that you probably don't
4 recall the exact time frame, but do you?

5 A I do not.

6 Q Okay. Were there any specific details
7 stated to you by Ms. Scarlett as to whether what Ms.
8 Weatherly perceived to be the specifics of the
9 conversation that seemed inappropriate to her?

10 A My recollection that Ms. Weatherly had
11 expressed concern that Teresa Chambers had indicated
12 to her where the money was going to come from to
13 perform the NAPA Study.

14 Q Anything further that you remember?

15 A No.

16 Q Did Ms. Scarlett herself other than
17 relaying to you Ms. Weatherly's concern did Ms.
18 Scarlett herself express a concern that she felt the
19 communication by Chief Chambers to Ms. Weatherly were
20 inappropriate in that regard?

21 A Yes.

22 Q And do you recall any specifics Ms.

1 Scarlett would have said to you regarding that
2 matter?

3 A She indicated that she thought such a
4 communications were inappropriate.

5 Q Did she say why?

6 A Because we had guidelines that those kind
7 of communications were through the Budget Office.

8 Q And Ms. Scarlett told you at the time she
9 first told you about Ms. Weatherly's communication?

10 A Yes.

11 Q Did Ms. Scarlett to your recollection
12 tell you about Ms. Weatherly's communication shortly
13 after the communication with Ms. Weatherly occurred?

14 A My recollection was it was immediate.

15 Q Probably the same day?

16 A Either the same day or the day
17 afterwards, I believe.

18 Q Okay. Did Ms. Scarlett give you anything
19 in writing regarding her concern about that
20 communication between Ms. Chambers and Ms. Weatherly?

21 A No.

22 Q Did Ms. Scarlett recommend any

1 disciplinary action regarding Ms. Chambers in that
2 regard?

3 A No.

4 Q Did you issue any communications as a
5 follow-up to that expression of concern by Ms.
6 Scarlett?

7 A No.

8 Q Did you communication what you had
9 learned from Ms. Scarlett to anyone?

10 A No.

11 Q Did Ms. Scarlett inform you when she gave
12 you this communication that Ms. Weatherly had
13 acknowledged that the particular communication in
14 question regarding the NAPA issue had taken place on
15 Ms. Weatherly's initiative?

16 A That was not the understanding I had of
17 that conversation.

18 Q Did Ms. Scarlett inform you that the
19 conversation in question between Ms. Chambers and Ms.
20 Weatherly had occurred as a result of Ms. Weatherly
21 returning a call from Chief Chambers and Chief
22 Chambers informing Ms. Weatherly that she had already

1 had gotten her question answered and that Ms.

2 Weatherly then initiated conversation?

3 A The details of the conversation were
4 unknown to me.

5 Q So I understand it from your testimony --
6 and let's be precise -- that you at no time initiated
7 any action against Ms. Chambers of a disciplinary
8 nature because of Ms. Chambers' communication with
9 Ms. Weatherly?

10 A I did not.

11 Q Did it ever come to your attention that
12 any disciplinary action against Chief Chambers was
13 proposed to be taken because of Ms. Chambers'
14 communications or alleged communications with Ms.
15 Weatherly?

16 A If they came to my attention, it would
17 have been part of that interview with Mr. Hoffman.

18 Q Have you ever reviewed a document that
19 reflected a reason for a disciplinary action to be
20 taken against Ms. Chambers which included Ms.
21 Chambers' communication with Ms. Weatherly?

22 A I don't understand your question.

1 Q I'll restate it. If necessary, I'll
2 reword it. The question was have you ever reviewed a
3 document which stated any reason for actions to be
4 taken against Ms. Chambers which included Ms.
5 Chambers' communications to Ms. Weatherly?

6 A The only document that I would have
7 reviewed is the one that Mr. Hoffman would have shown
8 me at that interview. If that was part of the
9 reasons, then I would have seen it at that time.

10 Q Has anyone ever communicated to you at
11 any point in time that Ms. Chambers' communication
12 with Ms. Weatherly were a reason for Ms. Chambers'
13 proposed removal?

14 A Again only in the context of the
15 interview with Mr. Hoffman if it was part of the
16 reasons in that document.

17 Q All right. Did you ever inquire with Ms.
18 Weatherly directly regarding Ms. Chambers'
19 communications with her?

20 A No.

21 Q Apart from the communication with Ms.
22 Scarlett regarding that particular communication

1 between Ms. Chambers and Ms. Weatherly, did anyone
2 else communicate with you to the effect that Ms.
3 Weatherly has communicated with them regarding Ms.
4 Chambers?

5 A No.

6 Q Are you aware of whether or not Ms.
7 Weatherly has ever communicated with Director
8 Mainella regarding Ms. Chambers?

9 A No.

10 Q Are you aware of whether Ms. Weatherly
11 ever communicated with Deputy Director Murphy
12 regarding Ms. Chambers?

13 A No.

14 Q Are you aware whether Ms. Weatherly has
15 ever communicated with Bruce Schaffer regarding Ms.
16 Chambers?

17 A No.

18 Q You know what whether the planned date of
19 placing Ms. Chambers on administrative leave ever
20 changed from the initial planned date?

21 A No.

22 Q Are you familiar with a event called the

1 Pageant of Peace?

2 A I am.

3 Q And does it take place in December of
4 each year?

5 A Yes, it does.

6 Q And do you recall the Pageant of Peace
7 for the year 2003?

8 A Yes.

9 Q Did you attend?

10 A Yes.

11 Q Do you know whether Ms. Chambers
12 attended?

13 A I believe so. Yes.

14 Q Do you recall encountering Ms. Chambers
15 at the Pageant of Peace in December 2003?

16 A I do think I recall that discussion or
17 meeting.

18 Q Were words spoken with Ms. Chambers?

19 A Correct.

20 Q And do you recall what was said by you or
21 Ms. Chambers?

22 A I believe it was at that point that Ms.

1 Chambers expressed the viewpoint that the President
2 was attending, was attending that event, and their
3 primary mission was to insure the protection of the
4 President of the White House.

5 Q Did Ms. Chambers bring up the topic of
6 her own personnel situation at the time?

7 A I think Ms. Chambers asked me am I going
8 to be okay.

9 Q And do you recall responding?

10 A I think I indicated to her that that was
11 a decision that others were responsible for.

12 Q Did you mention Director Mainella in
13 particular?

14 A I may have.

15 Q At that time, did you have any reason to
16 believe that actions were being contemplated in
17 regard to Chief Chambers?

18 A I don't recall that I would have had any
19 knowledge of that.

20 Q Do you recall at any point in time
21 communicating with Ms. Chambers to the effect that
22 you would insure that no actions would be taken

1 against her for communicating with you?

2 A No.

3 Q Do you believe that it would be
4 appropriate for disciplinary action to be taken by
5 others against Chief Chambers?

6 MR. L'HEUREUX: Objection. This is a
7 fact witness. He has not been called as an expert.
8 His opinion is valueless.

9 MR. HARRISON: You want to wait until I
10 finish.

11 BY MR. HARRISON:

12 Q Do you believe it would have been
13 appropriate for any person to have taken disciplinary
14 action against Ms. Chambers for communicating with
15 you?

16 MR. L'HEUREUX: Same objection.

17 BY MR. HARRISON:

18 Q You may answer.

19 A I think that in the context of your
20 question, the fact and the circumstances always
21 dictate the answer.

22 Q Do you need more specifics?

1 A I would.

2 Q Under what circumstances come to mind
3 where it would be appropriate for Ms. Chambers to be
4 disciplined for communicating with you?

5 A If directives and orders had been given
6 on certain issues and then and she violated that
7 directive.

8 Q If Mr. Murphy, for example, had told Ms.
9 Chambers verbally you are not to speak with Mr.
10 Griles under any circumstances and Ms. Chambers then
11 brought some concern to you, would that be a
12 circumstance under which it would be proper to
13 discipline Ms. Chambers?

14 A It would be a consideration.

15 Q It would still depend on more specifics?

16 A I think yes. The manager would have to
17 make those determinations based on the facts and all
18 the circumstances surrounding it.

19 Q Is it your policy as the Deputy
20 Secretary, the Chief Operational Officer as you have
21 described, that your subordinates are empowered to
22 restrict communications of others with you?

1 A No.

2 Q In your view, is it a violation of any
3 written directive that you have seen for Ms. Chambers
4 to have brought to your attention her desire that you
5 alter the course of the proposed detail of Ms. Blyth?

6 A No.

7 Q To your knowledge, is there any directive
8 that you issued to Ms. Chambers as a follow-up to
9 your meeting in August or September of 2003 that you
10 have described in some detail that a number of
11 officials were present for regarding -- insuring that
12 certain budget analyses and documents were prepared?

13 Is there any directive that you gave as a
14 follow-up to that meeting that you are aware that Ms.
15 Chambers did not follow?

16 A I am unaware of any today.

17 Q Have you had any occasion to discuss
18 Chief Chambers' personnel situation since her
19 December 17th, 2003, proposed removal?

20 A Yes.

21 Q And under what circumstances did you
22 discuss her case?

1 A I did not discuss anything about her case
2 until after the proposed actions and removal had been
3 taken. Only after that point was I involved in any
4 discussion.

5 Q What was your role, if it had a
6 categorization, what would your role have been in
7 that regard?

8 A I was informed of the actions that were
9 to be taken, but that was it.

10 Q So, you're basically being kept in the
11 loop, as it were? You weren't participating in any
12 decisions?

13 A That is correct.

14 Q Have you ever had occasion to receive any
15 communication regarding Ms. Chambers' case after her
16 proposed removal that you then forwarded on to others
17 or recommended to be forwarded on to others?

18 A No.

19 Q Have you had occasion to see any e-mails
20 from Ms. Debbie Weatherly to Mr. Don Murphy?

21 A No.

22 Q Have you had occasions to see any e-mails

1 from Ms. Chambers to Ms. Debbie Weatherly?

2 A No.

3 Q Has anyone informed you that Ms. Chambers
4 had communicated to Ms. Weatherly on or about
5 December 2nd by e-mail that Ms. Chambers was
6 concerned that the limitations of staffing and
7 funding for the U.S. Park Police, if not remedied,
8 would be expected to result in the loss of life, or
9 the loss of an icon, or the national monuments?

10 A Only in the sense of the newspaper
11 article. I have no other communications.

12 Q Okay. So, you wouldn't have known that
13 Ms. Chambers had e-mailed such communication to Ms.
14 Weatherly?

15 A No.

16 Q Have you had occasion to speak with any
17 member of Congress regarding Chief Chambers?

18 A No.

19 Q Have you had occasion to speak with the
20 Secretary of the Interior regarding Chief Chambers?

21 A Yes.

22 Q And would this have been in regard to any

1 disciplinary actions regarding Chief Chambers?

2 A Only in the informing her what I had been
3 informed of.

4 Q And in your communication to the
5 Secretary passing along what had been given to you
6 regarding disciplinary actions regarding Chief
7 Chambers, were you seeking the Secretary's
8 concurrence in those actions?

9 A No.

10 Q Did the Secretary express approval or
11 disapproval of those actions?

12 A No.

13 Q Do you know whether the Secretary has
14 played in any role in deciding any of those actions?

15 A Yes.

16 Q You know?

17 A I know.

18 Q And what is the answer to that?

19 A She has played absolutely no role.

20 Q You know what Mr. Manson, the Assistant
21 Secretary's role would have been, if any, in the
22 determining the deciding official for Ms. Chambers'

1 case?

2 A I don't recall who made the decision or
3 who would be the deciding official.

4 Q Did you ever express any opinion on that
5 yourself?

6 A No. I don't think I expressed an opinion
7 as to who it should be.

8 Q Do you know whether anyone ever expressed
9 the opinion that Director Mainella while she might be
10 the default or normal deciding official, reviewing
11 official, in this case should not perform that role?

12 A I don't recall that discussion.

13 Q Do you know who might have made the
14 decision that Ms. Mainella would not be the deciding
15 official in this case?

16 A I don't recall who made the decision.

17 Q Did it ever come to your knowledge that a
18 written communication was given to Ms. Chambers which
19 directed her to have no further interviews with the
20 press or the media without seeking approval of her
21 superiors?

22 A I recall that general -- Yes.

1 Q And do you recall who would have issued
2 such a written communication to the Chief?

3 A My recollection was that was Don Murphy.

4 Q And do you recall when you would have
5 first learned this, that such a written communication
6 had been issued?

7 A I don't recall that.

8 Q When you first learned of that
9 communication, were you being asked to concur in it?

10 A No.

11 Q Did you express an approval or
12 disapproval of that action at the time you learned of
13 it?

14 A No.

15 Q Do you know whether the communication was
16 given by Mr. Murphy to Ms. Chambers that she should
17 not have any further media interviews was intended to
18 apply to further interviews with Congress as well?

19 A I do not.

20 Q Do you recall reviewing any draft or
21 final version of a memo from Director Murphy placing
22 Ms. Chambers on administrative leave?

1 A No.

2 Q Let me show you. Let me show you a
3 document that was previously marked as Hoffman
4 Exhibit Number 3. It is a July 9th, 2004, memo
5 directed to Ms. Chambers. And it is signed by Paul
6 Hoffman. Let me ask if you recognize that.

7 A No.

8 Q Do you believe that you have never seen
9 that before?

10 A I believe I have not seen this before.

11 Q All right. Do you know whether you might
12 have seen a draft or other version of this document
13 before?

14 A I don't recall -- believe I saw a draft
15 of this document ever.

16 Q All right. Thank you. Did it ever come
17 to your attention that there would have been
18 different drafts or versions of Mr. Hoffman's
19 decision to sustain Ms. Chambers' removal?

20 A No.

21 Q And I take it that you have not been
22 asked at any time to input on any draft of a decision

1 by Mr. Hoffman?

2 A No.

3 Q Are you aware of a document called the
4 Departmental Manual?

5 A I am.

6 Q And what do you understand that document
7 to be?

8 A The Departmental Manual is an attempt by
9 the Department to capture all the directives that
10 control the actions and activities of the Department
11 across a broad spectrum of activities.

12 Q All right. Is it updated on a periodic
13 basis?

14 A It is modified periodically.

15 Q How long would you say that document is
16 at the moment?

17 A I have no idea.

18 Q Several hundred pages?

19 A I have no idea.

20 Q Have you seen it?

21 A I've seen part of it, but I don't know
22 that I have ever seen the manual in and of itself.

1 Q How did you come to see part of it?

2 A As issues arise, I ask what is the
3 Departmental Manual relationship to this issue or
4 dealing with issues. People bring me the manual and
5 say this is how the manual directs we operate.

6 Q On those occasions, do they bring to you
7 the entire document and show you a portion or do they
8 just bring you a portion?

9 A I don't recall specifically how that --
10 how the issue is dealt with. Generally, it is a
11 portion, a page of, or a section of the manual.

12 Q So, you are not familiar sitting here
13 today with the total length of the document?

14 A I am not.

15 Q I take it from your testimony apart from
16 those issues that you have felt the need to inquire
17 about, you are not necessarily familiar with the
18 entire content of the document?

19 A I would not.

20 Q Did anyone make an effort to train you on
21 the contents of the Departmental Manual and its
22 policy upon your assuming your position?

1 A No.

2 Q Did anyone make an effort to train you on
3 the Departmental Manual during the course of your
4 tenure at the Department of Interior?

5 A I have been with the Department of
6 Interior going on 14 years now.

7 Q Okay.

8 A No. That's not correct. Even years
9 plus. So, I am very familiar with the Departmental
10 Manual and various parts with it. So, I have had
11 some exposure to certain sections of it from a
12 training viewpoint over that 11 years, if that
13 answers your question.

14 Q In part. I take it from your answer but
15 just to be clear that you may have had actual
16 training like workshop or instructions on portions of
17 the manual?

18 A Correct.

19 Q I'm also taking from your answer that to
20 your knowledge you've never even been given a
21 training that was purported to be a comprehensive
22 training on the entire manual?

1 A No.

2 Q Have you directed during your tenure as
3 the Chief Operating Officer for the Department of
4 Interior that training be given to officers in the
5 line of authority you've described today down to the
6 U.S. Park Police Chief on the entire contents of the
7 Departmental Manual?

8 A No.

9 Q Do you know what training Chief Chambers
10 would have received on the Departmental Manual?

11 A No.

12 Q Do you know whether when Chief Chambers
13 was first selected and hired as the Chief of the U.S.
14 Park Police because she was hired from the outside,
15 meaning not from within the ranks of the U.S. Park
16 Police, whether there was a discussion as to whether
17 she might need to receive such a training?

18 A No.

19 Q I take it from your answer that you don't
20 know whether any particular official was designated
21 to provide the Chief with any particular training?

22 A No.

1 Q Did you make a personal inquiry yourself
2 to determine whether the factual allegations in the
3 proposed removal document issued by Don Murphy
4 regarding Chief Chambers were correct or incorrect?

5 A No.

6 Q Would you know of your own personal
7 knowledge whether or not specific final numbers
8 referenced in the Washington Post article of December
9 2nd were the same or different from any particular
10 financial numbers presented in a budget proposal by
11 the OMB to Congress for the Department of Interior?

12 A No.

13 Q Would you know whether any specific
14 financial numbers referenced in the Washington Post
15 article would be different from or the same as any
16 specific financial numbers in a budget submission
17 from the Department of Interior for the OMB?

18 A No.

19 Q And would your answer be the same
20 regarding any budget submission from the National
21 Park Service to the Department of Interior?

22 A I would not know.

1 Q And would your answer be the same for a
2 budget submission from the U.S. Park Police to the
3 National Park Service?

4 A No.

5 Q No meaning you would not know?

6 A I would not know.

7 Q Thank you. You know what training or
8 direction Chief Chambers would have received on the
9 issue of what categories of information in regard to
10 staffing or security, meaning police staffing or
11 securities she was free to discuss public and
12 which categories of information she should maintain
13 as confidential?

14 A No.

15 Q If I were to want to go to a document
16 that might explain what categories police staffing or
17 security could be discussed in public by the Chief of
18 the U.S. Park Police, which categories would have to
19 be kept confidential, would you know where to direct
20 me to read such a document?

21 A I would not.

22 Q In the course of the communications given

1 to you by those officials below you in the chain of
2 authority regarding Ms. Chambers' disciplinary
3 actions, has anyone ever purported to show you such a
4 document that would have explained a category of
5 information that Chief of the U.S. Park Police was
6 allowed to discuss publicly regarding staffing of
7 police or security and those that should be
8 maintained as confidential?

9 A No.

10 Q In the course of your conversations with
11 subordinate officials regarding Ms. Chambers'
12 disciplinary action, has anyone purported to show you
13 a specific budget submission document at any level in
14 the process of the budget formulation that is alleged
15 to contain specific numbers which were discussed in
16 the Washington Post article of December 2nd?

17 A No.

18 Q If I were to desire to see a document
19 that described what communications could be made with
20 Congress or their staff regarding budget matters by
21 the Chief of the U.S. Park Police and which
22 substantive issues were not to be discussed with

1 Congress or their staff by the Chief of the U.S. Park
2 Police, would you know where to direct me to see such
3 a document?

4 A I don't know where it is actually
5 articulated in a document.

6 Q You know what training the Chief of the
7 U.S. Park Police, specifically Ms. Chambers would
8 have received regarding communications with Congress?

9 A I do not.

10 Q Do you know what the term lobbying would
11 mean as a term of art and official definition?

12 A I think I understand what the term
13 lobbying means.

14 Q Could you share your understanding with
15 us?

16 A The effort an individual engages in to
17 influence a member of Congress and/or the staff
18 member of Congress toward a particular position.

19 Q On legislation?

20 A Legislation, appropriation, or any
21 matter.

22 Q And do you recall where you would have

1 received your understanding of that term and it's
2 meaning? Your 11 years of experience in the
3 Department of Interior?

4 A I have had 23 years of public service. I
5 think I pretty much know what the term lobbying and
6 how it is used.

7 Q Have you ever seen a written definition
8 of lobbying?

9 A I have.

10 Q Do you recall where you would have seen
11 it?

12 A I would have seen it -- Requirements
13 Congress has imposed on disclosing lobbying efforts.

14 Q Would that have been in a law or
15 different type of document?

16 A I think it's in the law and the
17 guidelines that Congress has adopted.

18 Q Okay. And do you know whether there are
19 types of lobbying that are being considered allowable
20 by officials of the Department of Interior and the
21 type of lobbying that are consider improper by
22 officials at the Department of Interior?

1 A I do not believe that we are allowed to
2 lobby period.

3 Q Do you know whether the Director of the
4 Congressional Liaison Office ever directs officials
5 of the Department of Interior to communicate with
6 members of the Congress to have portions of a bill
7 inserted or deleted?

8 A Yes.

9 Q Is that effort lobbying?

10 A It is an expression of the
11 Administration's position cleared by the White House.
12 It is then communicated to Congress.

13 Q So is the answer to my question a yes or
14 a no?

15 A I do not consider that lobbying.

16 Q I see. So to communicate the
17 Administration's position that the Administration
18 wishes a bill to be changed to you is not lobbying?

19 A No. It is expressing the Executive
20 Branch position on a bill.

21 Q Okay. So in order for a communication to
22 Congress regarding changing a piece of legislation to

1 be lobbying, your understanding it would have to be
2 an expression of an individual point of view of
3 official and not the Department's or Administration's
4 position?

5 A I think that's a fairly fair definition
6 of what lobbying could mean.

7 Q So, is it fair to say that the primary
8 distinction between lobbying which you understand to
9 be prohibited and communications with a desire to
10 change legislation which you understand to be allowed
11 to be whether or not the Administration has approved
12 the particular position being communicated?

13 A That is correct.

14 Q Is it your understanding of lobbying
15 meaning within the definition of lobbying as you
16 understand it that any statement to a reporter on any
17 matter would be considered lobbying?

18 A Lobbying -- I don't think communicating
19 with a reporter is lobbying.

20 Q Okay. It would take I assume from your
21 understanding a more direct communication with
22 Congress to constitute lobbying?

1 A Correct.

2 Q Have you been shown in the course of the
3 communications you ever had with your subordinates
4 regarding actions against Chief Chambers any written
5 instruction by any official given Chief Chambers that
6 directed her to or the Deputy Chiefs Barry Beam and
7 Dwight Pederford to undergo certain psychological
8 evaluations?

9 A Repeat that.

10 Q I will. In the course of your
11 communications with any of your subordinates
12 regarding any actions taken or to be taken against
13 Chief Chambers, have you been shown any written
14 instruction or order or directive given to Chief
15 Chambers by any party directing her to essentially
16 order Chief -- Deputy Chief Pederford and deputy
17 Chief Beam to undergo psychological evaluations?

18 A No.

19 Q Have you been shown any documents that
20 was represented to you by anyone to be an instruction
21 given to Chief Chambers which she disobeyed in regard
22 to psychological evaluations to be undergone by

1 Deputy Chief pederford or Beam?

2 MR. L'HEUREUX: Objection, relevance to
3 the whole line of questions.

4 BY MR. HARRISON:

5 Q And your answer was no? You may answer.

6 A Yes. No.

7 (Off the record.)

8 BY MR. HARRISON:

9 Q Mr. Griles, to clarify your prior
10 testimony, I believe you told me and correct me if I
11 misunderstand, that you have not played any role in
12 any decisions regarding Ms. Chambers and actions to
13 be taken against her. Is that a fair statement?

14 A That is correct.

15 Q In that same regard, do you know whether
16 Ms. Lynn Scarlett has played any role in regard to
17 decisions regarding Ms. Chambers?

18 A I don't believe she did.

19 Q Has anyone ever brought to your attention
20 a document that represents a complaint or alleged
21 complaint made by the Organization of American States
22 regarding the U.S. Park Police?

1 A I am not aware of any such.

2 Q Has anyone brought to your attention a
3 document that purports to be a direction or
4 instruction from Mr. Murphy to Ms. Chambers that was
5 not followed or obeyed in regard to Ms. Chambers
6 meeting with an attorney by the name of Randy Myers?

7 A I am not familiar with it.

8 Q Did you consider any of the remarks
9 attributed to Ms. Chambers in a December 2nd, 2002,
10 Washington Post article to be intemperant?

11 A Inappropriate?

12 Q Intemperant.

13 A Give me a definition of what you mean.

14 Q I was hoping you could give me one.
15 Let's say by the definition you would use for that
16 word or you would not use that word?

17 A I probably would not have used that word
18 myself.

19 Q Did anyone consult with you after the
20 decision was made that the charges against Ms.
21 Chambers was to be sustained by Mr. Hoffman as to
22 what the appropriate penalty should be for Ms.

1 Chambers because of those charges?

2 A No.

3 Q Have you ever seen a policy document or a
4 legal document that would purport to prohibit an
5 official within the Department of Interior from
6 communicating with a second-level supervisor without
7 first going through their first-level supervisor?

8 A I have not.

9 Q If I changed that question slightly to
10 refer to third-level or fourth-level supervisor,
11 would you have seen such a document?

12 A No.

13 Q Do you still have your testimony to Mr.
14 Hoffman before you? Let me hand that back to you.
15 This would be Exhibit Number 1, I believe. Did you
16 get a chance to review this transcribed testimony for
17 accuracy and did you make any edits or corrections?

18 A Yes.

19 Q And were there any substantive
20 corrections that you made?

21 A I think I made a minor modification in
22 one sentence.

1 Q Is that reflected in the handwriting in
2 the document?

3 A It should be.

4 Q Page 11, I see a handwritten word.

5 A Yes.

6 Q Would that be something you would have
7 written?

8 A Yes.

9 Q The word time was inserted, I believe?

10 A That's correct.

11 Q And any other changes you recall?

12 A I do not.

13 Q So I take it you believe this to be an
14 accurate rendition of your testimony at that time?

15 A Yes, sir. Accurate rendition of my
16 statement. Yes.

17 Q You understood it was testimony under
18 oath at the time?

19 A Yes.

20 Q On page four of your testimony, Mr.
21 Hoffman, which carries over from page three, is
22 asking you a question which turned into kind of a

1 lengthy statement. It appears Mr. Hoffman is
2 purporting to quote from Ms. Chambers' response to a
3 proposal to remove her. Do you see that?

4 A I see page four. Yes.

5 Q You see the quote starting on line eight?

6 A I do.

7 Q Do you understand Mr. Hoffman is reading
8 that to you as a quote?

9 A It appears. Yes.

10 Q Did you ever have occasion to read Ms.
11 Chambers' response to her proposal to remove?

12 A No.

13 Q I take it you were not shown the document
14 during your interview here?

15 A I don't recall being shown that document.

16 Q At the bottom of page seven, you are
17 telling Mr. Hoffman that regarding your conversation
18 with Mr. Jeff Capps that you informed Director of the
19 Park Service which would be Ms. Mainella that Mr.
20 Capps had communicated to you and asked her if you
21 had any concerns about that. Is that correct?

22 A Correct.

1 Q What did Ms. Mainella, the Director, say
2 to you in sharing that with her? How did she
3 respond?

4 A I asked her if she had any concerns about
5 the communication, and she said she did not.

6 Q Was that the extent of her response?

7 A As I recall it.

8 Q You testify at the bottom of page eight
9 and carrying over to page nine regarding the content
10 of the meeting that you described for us today where
11 Mr. Parkinson, and Scarlett, and others were present.

12 And it appears that you are saying in
13 this portion of your testimony even though Ms.
14 Chambers may not have directly communicated certain
15 of her concerns to you that some of those concerns
16 may have been related indirectly to you by some of
17 the persons present in that meeting. Am I reading
18 that testimony correctly?

19 A I don't quite --

20 Q You may want to refresh your memory
21 starting on line 21 on the bottom of page eight over
22 to line ten on page nine. You may have to actually

1 read further up to understand the context in which
2 that testimony was given.

3 A What is your question?

4 Q My question is you seem to be indicating
5 in your testimony that Ms. Chambers may not have
6 communicated certain specific concerns to you
7 directly but that in the meeting you had with these
8 other parties that you name on page nine; Mr.
9 Parkinson, Ms. Scarlett, and others, that you did
10 discuss some of Ms. Chambers' concerns with those
11 parties. Am I reading that testimony correctly?

12 A The testimony is to indicate that during
13 the meeting that occurred one of the -- the directive
14 that had been issued was for the Park Police to
15 prepare an evaluation and analysis of its mission and
16 function and of its budget and that so that we could
17 come to closure on what the appropriate allocation to
18 the Park Service Police was going to be.

19 In any of those discussions with any
20 bureau or bureau head, there are always more requests
21 for money than what is there. So, you always have
22 these discussions.

1 Q Have you completed your answer?

2 A I have.

3 Q If you go to page eight starting on line
4 eight, I want to read you a portion.

5 A Page eight?

6 Q Yes. Mr. Hoffman is saying to you in
7 Teresa Chambers' response she says and then he quotes
8 from Ms. Chambers. "The Chief alerted Deputy
9 Secretary Griles to many embarrassing and potentially
10 dangerous decisions that had been made with regard to
11 the staffing and protecting of the icons.

12 "The Chief explained her concern that the
13 decisions made would likely result in troubles in the
14 future that would discredit the administration and
15 the entire Department of Interior." And then Mr.
16 Hoffman asked you what did Teresa Chambers say to you
17 about these matters. Do you see that?

18 A I do.

19 Q And do you understand that that question
20 directed to you was towards the concerns that he was
21 quoting from Ms. Chambers there? Are you with me so
22 far?

1 A Yes.

2 Q So then you testified I don't recall her
3 expressing those kind of concerns to me.

4 A Correct.

5 Q Directly. And then you immediately after
6 that say we had a meeting in which there was -- with
7 Larry Parkinson, Assistant Secretary Judge Manson,
8 Assistant Secretary for Policy and Budget, Ms.
9 Scarlett, in which we talked about some of these
10 particular issues. Do you see that?

11 A I do.

12 Q And do I read that testimony in reference
13 to these particular issues to be the issues that you
14 were just asked about by Mr. Hoffman in his quote
15 from Ms. Chambers?

16 A Is your question -- The answer is no we
17 did not discuss this specific comments that are
18 contained in the quote that you read from.

19 Q That was my question.

20 A No. We did not discuss those
21 specifically.

22 Q Now when you testified to Mr. Hoffman

1 under oath in response to his question which was
2 about that quotation and you said, "I don't recall
3 her expressing those kinds of concerns to me
4 directly," and then you immediately say we had this
5 meeting in which we talked about some of these
6 particular issues, what did you mean by these
7 particular issues?

8 A Budget issues.

9 Q You didn't mean potentially dangerous
10 decisions?

11 A No.

12 Q You didn't mean protecting the icons?

13 A No.

14 Q You didn't mean troubles that might
15 discredit the Administration?

16 A No.

17 Q And you go on to say in that same
18 paragraph which Don Murphy was in to make sure we had
19 an understanding of what some of the concerns that
20 were being expressed by her. Is the her Ms.
21 Chambers?

22 A I would think that she would refer to Ms.

1 Chambers because we were in the, again, the budget
2 formulation part of the Department's '04 budget, '05
3 budget. Excuse me.

4 Q If Ms. Chambers had expressed a concern
5 that she had inadequate financial resources to
6 properly protect the icons, would that fall into what
7 you consider to be a budget matter or budget concern?

8 A We believed that we had directed two
9 things to occur. One was that evaluation of the
10 mission, objectives, goals, and staffing of the Park
11 Police so that we could make that evaluation if there
12 were sufficient resources to carry out that mission.

13 That was the directive that had been
14 issued, and that was the discussion that ensued that
15 day.

16 Q Is that a yes or no to my question?

17 A I'm not sure what your question was. So
18 I was trying to be responsive.

19 Q Fine. I will repeat it for you. If Ms.
20 Chambers had raised a concern that she had inadequate
21 financial resources to adequately protect the icons,
22 the national monuments, would you have considered

1 that type of concern to fall within the category you
2 describe as budget concerns or questions?

3 A That is correct.

4 Q Did you ever have occasion to read the
5 NAPA recommendations from their initial studies for
6 the U.S. Park Police, not the more recent follow-up
7 study but the initial one, in which they made a
8 recommendation regarding the need to refine the
9 mission of the U.S. Park Police?

10 A I did review that. Early on in the
11 Administration.

12 Q And do you recall the NAPA
13 recommendations recommending specifically that the
14 National Park Service should take responsibility for
15 refining the mission of the U.S. Park Police?

16 A Restate that.

17 Q Yes. Do you recall the NAPA
18 recommendations recommending specifically the
19 National Park Service should take responsibility for
20 refining the mission of the U.S. Park Police?

21 A I recall that being -- that we -- Yes.
22 The NAPA Study called for a redefinition and

1 refinement of the Park Police mission.

2 Q Pardon me?

3 A By the Department.

4 Q And did you read that as being the
5 Department of Interior or the National Park Service
6 more specifically?

7 A Well, the implementation of that we did
8 it with the Department and Larry Parkinson so that we
9 could have somebody who had expertise, knowledge in
10 law enforcement to be involved.

11 Q And Mr. Parkinson is actually outside of
12 the National Park Service, per se?

13 A Correct.

14 Q Do you recall whether that was something
15 the NAPA Study recommended specifically that you
16 refine the mission by use of someone such as Mr.
17 Parkinson outside the Park Service or was that a
18 decision that someone in your agency made?

19 A It was a decision that management made.

20 Q Do you recall whether or not the NAPA
21 recommendations specifically contemplated the
22 refinement of the Park Police mission being done by

1 the National Park Service at least as they made the
2 recommendation?

3 A I don't.

4 Q On the bottom of page ten of your
5 testimony, if you will turn to that. Actually, I
6 guess more in the middle of the page as well, you
7 will see two occasions where Mr. Krutz' name is
8 listed as somebody asking questions?

9 A I do.

10 Q Do you recall Mr. Krutz being there now?

11 A Obviously he was there. I think he
12 was -- Yes. He was there.

13 Q Okay.

14 A If he was sitting here today, I couldn't
15 tell you who he was.

16 Q That is okay.

17 A Sorry.

18 Q Do you recall answering his question?

19 A I do.

20 Q On page 12 that carries over to page 13,
21 you were asked a question by Mr. Hoffman who is
22 quoting from apparently Ms. Chambers again. And Mr.

1 Hoffman says in Teresa Chambers' response she says
2 "At no time did he," being you and quoting again
3 "direct the Chief back to her chain of command." And
4 you were asked to comments on that statement. There
5 is some testimony that follows from you in regard to
6 that question.

7 You say I felt we were on a position
8 where she was not using the chain of command the way
9 it should have been. Therefore, we had the meeting
10 in my conference room in which we had all the chain
11 of command present. Do you recall testifying to that
12 effect?

13 A Yes.

14 Q And you do believe you did have all the
15 chain of command present for that meeting?

16 A Yes.

17 Q And was it your intent to have them
18 there?

19 A Yes.

20 Q Okay. And that included even folks who
21 might not have been in direct line I take it such as
22 Mr. Parkinson and Ms. Scarlett?

1 A Correct. But Mr. Parkinson has been
2 given law enforcement responsibility and the direct
3 line of responsibility for law enforcement for the
4 Department.

5 Q So that is why you would have him there?

6 A Correct.

7 Q And you go on to say we had a discussion
8 about how she should work within the chain of
9 command. Do you recall that?

10 A Yes.

11 Q Did you feel like that after your
12 discussion with those parties who constitute the
13 chain of command and your subsequent discussion with
14 Ms. Chambers in the latter portion of that meeting
15 that that chain of command issue or question had been
16 resolved without the need for disciplinary action
17 against Ms. Chambers?

18 A That was never part of the discussion as
19 to any disciplinary action to be taken.

20 Q So was that chain of command question
21 resolved to your satisfaction at that time?

22 A I think that at that time there was an

1 understanding of how the issues that were being
2 raised should be dealt with in the chain of command.

3 Q So in order to address what you had
4 testified to here that you felt Ms. Chambers was not
5 using the chain of command the way it should have
6 been, did you feel any further action needed to be
7 taken to deal with that?

8 A I thought that we had established a
9 process so that the issues that were being raised by
10 Ms. Chambers would go through the appropriate chain
11 of command.

12 Q Okay. I believe you said that there were
13 some follow-up meetings that were to take place?

14 A That is correct.

15 Q Okay. Apart from that follow-up plan,
16 did you feel the need to take any further action
17 regarding that perception apparently by you that Ms.
18 Chambers was not using the chain of command the way
19 it should have been?

20 A I felt that we had addressed the issues
21 that she had raised to me so that the chain of
22 command could function appropriately.

1 Q So I take it that it's fair to say that
2 you would have implemented whatever corrective action
3 you felt was required to deal with that issue at that
4 time and that you did so?

5 A My purpose was to simply assure that the
6 chain of command was in place. We had a meeting to
7 review the issues that had been raised via the phone
8 call and we could put those back into the chain of
9 command and be dealt with appropriately.

10 Q Okay.

11 A I wasn't there to discipline anyone or
12 make determinations on that issue.

13 Q I see. Did you tell Ms. Chambers in that
14 particular meeting that you perceived that she was
15 not using the chain of command the way it should have
16 been?

17 A I don't recall making that specific
18 directive or comment.

19 Q Did you tell Ms. Chambers at that point
20 in time that if she did not alter her approach to the
21 chain of command that she might be disciplined?

22 A I did not.

1 Q Did you know whether anyone in that
2 meeting communicated to Ms. Chambers that if she did
3 not alter her approach to the chain of command she
4 would be disciplined?

5 A I do not know.

6 Q Did anyone express to you in that meeting
7 whether in the Chief's complaint or command either
8 directly or indirectly that they believed that
9 further actions needed to be taken in regard to Chief
10 Chambers beyond what you had directed or agreed in
11 order to resolve a concern that Ms. Chambers had not
12 used the chain of command properly in regard to the
13 detailing of Ms. Blyth?

14 A As I previously stated, the purpose of
15 the meeting was not to discuss disciplinary action.
16 The purpose of the meeting was to assure a process
17 was in place so that the chain of command could
18 appropriately deal with the issues being raised.

19 Q And I take it for that reason your answer
20 to my question is no one made such a statement?

21 A No one made any statement concerning
22 disciplinary action during that meeting.

1 Q Or the need for any further action
2 regarding the chain of command issue?

3 A I don't recall any discussion in that
4 regard.

5 Q Do you recall Ms. Chambers ever telling
6 you that she believed that the U.S. Park Police might
7 function better if they were taken outside of the --
8 how shall I say -- the National Park Service and
9 placed under the direction of another office such as
10 Mr. Parkinson's?

11 A Yes.

12 Q Do you recall when Ms. Chambers would
13 have communicated that to you?

14 A My recollection it was during the meeting
15 that we have been discussing today.

16 Q Do you believe that Ms. Chambers had a
17 right to express her opinion on that matter?

18 A Yes.

19 Q Do you know whether you would have
20 communicated to anyone after Ms. Chambers told you
21 her opinion on that what Ms. Chambers' opinion was on
22 that matter?

1 A I think that anybody that I would have
2 communicated was probably in the meeting.

3 Q You think they would have heard it
4 themselves?

5 A They were there.

6 Q So, you recall Ms. Chambers saying
7 perhaps only in that meeting that she felt the Park
8 Police would be better placed outside of the National
9 Park Service?

10 A That is my recollection.

11 Q So if that were the case, Director
12 Mainella, Deputy Director Murphy, Ms. Scarlett, Mr.
13 Parkinson would have heard the same comment?

14 A That's my recollection today.

15 Q Is it fair to say that you perceived the
16 decision by Mr. Murphy to detail Ms. Blyth at that
17 particular time to have been arbitrary?

18 A I don't know that I'd use the term
19 arbitrary. I thought that we needed to make sure
20 that the directive that had been issued by the
21 Assistant Secretary to the -- to Ms. Chambers that
22 she had the appropriate staff to implement that

1 directive.

2 Q Okay.

3 A That's why we had the meeting, to have
4 that discussion.

5 Q Is it fair to say that it occurred to you
6 at the time of this meeting and at the time Ms.
7 Chambers brought her concern to you that Mr. Murphy
8 had acted arbitrarily in deciding to detail Ms.
9 Blyth?

10 MR. L'HEUREUX: Objection. Asked and
11 answered.

12 THE WITNESS: I would not have used the
13 term arbitration because I was not aware of what Mr.
14 Murphy's concerns were. I needed to have a meeting
15 of all the people involved to understand what was
16 going on so that we could make a management decision
17 about how to move forward.

18 BY MR. HARRISON:

19 Q You did use the term arbitrary to Mr.
20 Hoffman in your testimony; did you not?

21 A If it is here, that is correct.

22 Q If you will start at the bottom of page

1 13 and read to 14, you will find it. You said, "It
2 appeared to me that that would have been an arbitrary
3 decision by Don to detail Pamela at a time when the
4 Chief was relying on her for her budget preparation."
5 Did you say that to Mr. Hoffman?

6 A Yes.

7 Q And that was your belief at the time you
8 gave this testimony?

9 A I used it in this context for this
10 question. Yes.

11 Q You told Mr. Hoffman the truth under oath
12 as you perceived it at the time; did you not?

13 A Correct.

14 Q And you believe in the discussion that
15 occurred in that meeting you worked out the issues
16 regarding the differences of opinions regarding the
17 detail of Ms. Blyth? Is that fair?

18 A Correct.

19 Q On page 14, it looks like on line 16,
20 actually line 15, you are asked by Mr. Hoffman after
21 he said that's all the questions I have. You were
22 asked if there was anything you wanted to add. And

1 you said, "No, no need. I wish we weren't here." Do
2 you recall saying that?

3 MR. L'HEUREUX: You have to answer.

4 BY MR. HARRISON:

5 Q The court reporter wont catch your nod.

6 A I'm sorry.

7 Q You want to take a break?

8 MR. HARRISON: Let's take a break.

9 (Off the record.)

10 BY MR. HARRISON:

11 Q Do you recall telling Mr. Hoffman this
12 statement I wish we weren't here?

13 A Yes.

14 Q Do you recall why you said that and what
15 you meant at the time?

16 A Yes.

17 Q What was that?

18 A Well, I had hoped that -- that we had
19 selected a strong management team and that Chief
20 Chambers was part of that management team. And --

21 Q I take it you regretted these events had
22 come to the point where they had that this action had

1 be taken?

2 A Correct. I was, as would be with any
3 public servant, and concerned about the actions that
4 had to be taken. It's one of the duties we have.

5 Q All right. Do you see that Mr. Krutz
6 asked a question after Mr. Hoffman had indicated that
7 that's all the questions that Mr. Hoffman had?

8 A Yes. And your question?

9 Q I'm sneaking up on it, sir.

10 A I am sorry.

11 Q Give me just a moment.

12 (Phone rings)

13 A Give me just a moment. I'm sorry.

14 Q That's all right. It happens.

15 (Off the record.)

16 BY MR. HARRISON:

17 Q You were testifying on page 17 at the
18 bottom and turning over to page 18 that at some point
19 apparently in the meeting you had with Chief Chambers
20 and those other chain of command persons you learned
21 for the first time that certain what I would call
22 harassment activities had been occurring that might

1 have been directed at Chief Chambers. Do you recall
2 testifying about that?

3 A I do.

4 Q I take it from your testimony that you
5 had not been aware of that until this meeting?

6 A Correct.

7 Q And I also take it that you would have
8 considered actions like having used condoms left on
9 or near her car, nails being put under her tires, her
10 police cars, pepper spray being sprayed on her police
11 officer's door, unauthorized access to someone's
12 office and computer, those would be inappropriate
13 examples of conduct; were they not?

14 A Absolutely beyond without question.

15 Q Had anyone ever brought to your attention
16 someone who was proven to be responsible for those
17 particular acts, would you have directed disciplinary
18 action against the perpetrator?

19 A Absolutely.

20 Q Did you understand in your questioning by
21 Mr. Hoffman that he ever ask you whether you
22 personally believed that removal of Chief Chambers

1 was justified?

2 A That question was never asked to me.

3 Q I realize from your testimony that you
4 were not shown apparently everything involved in the
5 decision made by others regarding Ms. Chambers.
6 Based on what you were shown, would you have yourself
7 decided to remove Ms. Chambers?

8 MR. L'HEUREUX: Objection, relevance.
9 You may answer the question.

10 THE WITNESS: I don't have all the facts.
11 I wasn't in all the meetings. I don't know the
12 circumstances nor what the communications were. So
13 for me to voice an opinion on this case at this point
14 after management that works, for me to make a choice
15 I think would be inappropriate.

16 To substitute my judgment for someone who
17 has already made that judgment and been involved in
18 all the facts and issues I think is -- would be
19 inappropriate.

20 BY MR. HARRISON:

21 Q I understand your position, and I meant
22 to qualify my question clearly enough to note that

1 you were not shown everything based on your own
2 testimony that may have been put before the deciding
3 officials.

4 And my question was not intended to have
5 you offer an opinion on what they decided based on
6 what they knew. My question was more to the point
7 had information been shown to you that you believed
8 in your own opinion justified removal.

9 And had you said yes, I would have asked
10 you what that information was. So, I would like with
11 that clarification to ask you and I don't mean to
12 have you second guess decisions made by others.
13 That's not where I am going with this question.

14 I am going in direction of exactly what
15 was shown to you. Was there information shown to you
16 that you believed justified removal based on that
17 information alone?

18 MR. L'HEUREUX: Same objection. You may
19 answer.

20 THE WITNESS: Again, I don't feel -- if I
21 was going to be involved in a decision to remove an
22 employee, I would not have made that decision without

1 having the full record and all of the information in
2 front of me.

3 BY MR. HARRISON:

4 Q Understood.

5 A I don't have that. And for you to ask me
6 today would I have made that decision, I just don't
7 think that I have the information to make that
8 decision.

9 Q I take it from your answer rather than
10 having an opinion and believing it's inappropriate to
11 tell me, you are telling me you have not formed an
12 opinion?

13 A If I was in the decision-making position,
14 I would have an opinion. I was not in the decision-
15 making opinion.

16 Q So you don't have an opinion?

17 A I have not weighed into whether anyone
18 pro or con of the decision that should or should not
19 have been made.

20 Q I appreciate that. And I apologize for
21 being persistent, but precision is important in this
22 record. I understand you already told me you did not

1 weigh in on the decisions, and I think the record
2 reflects that. I will certainly accept your answer
3 if your answer is you do not have an opinion on the
4 question. But you need to say that with precision
5 for me.

6 So distinguishing if you will between
7 having an opinion and not feeling it is appropriate
8 to disclose it versus not having formed an opinion,
9 which of those two positions are you in at the
10 moment?

11 A If you are asking me if I have an opinion
12 today versus when this deposition was taken --
13 interview was taken in January of or December or
14 February --

15 Q That's an important clarification.

16 A I don't know what you're asking me.

17 Q I understand. I'll try to clarify. At
18 the time December 17th, 2003, which is the date on
19 the proposed removal document in realizing that you
20 have not by your testimony played a role in making
21 that decision and that you may not have seen
22 everything -- all the information that the decision

1 makers did see, understanding all of that, had you
2 formed an opinion as of that time as to whether you
3 would have based on only the information you had been
4 shown proposed to remove Chief Chambers?

5 A I had not formed an opinion.

6 Q Setting here today, realizing still from
7 your testimony that you even as of today you have not
8 weighed into those decisions, and correct me if I'm
9 wrong but presumably have not been shown everything
10 -- all the information put before the decision
11 makers, have you formed an opinion today based on
12 everything that you have seen whether you would have
13 made the decision to finally remove Chief Chambers?

14 A Again, I have not, as you say, seen the
15 full record nor have I had an opportunity to explore
16 and look at all the testimony of all the parties. I
17 have not formed an opinion because of that.

18 Q Okay. Thank you. In terms of Ms.
19 Chambers' performance as Chief of the United States
20 Park Police and I would like you to distinguish that
21 issue of performance from any particular allegations
22 of misconduct regarding a particular matter, what was

1 your opinion of Chief Chambers' performance in the
2 role of Chief of the United States Park Police?

3 A I clearly wanted her to succeed as the
4 Chief. She was selected by us and during our
5 administration, and I was hoping that we could deal
6 with the issues that were identified and were
7 identified by the management.

8 I was disappointed at times at the way
9 things were managed by Teresa in some of these
10 instances.

11 So, I did not set out to do a personnel
12 evaluation of the police Chief. I still haven't done
13 that. That's not my role.

14 Q Understood. And I take it there were
15 aspects of the Chief's performance that you felt were
16 favorable or even exemplary in some cases?

17 A I felt that she had long-term
18 relationships with the community around the
19 Washington D.C. area that was a very valuable asset,
20 and she appeared to be using those contacts and
21 assets for the betterment of the Park Service.

22 Q I appreciate that. There were certain

1 events I think that had taken place; the NFL event,
2 the Pageant of Peace, and in some instances maybe not
3 so pleasant such as the tractor man. Did you believe
4 the Chief handled those matters well?

5 A I was not involved in the tractor man
6 incident. I was out of town the entire time.
7 Therefore, I wasn't there. I have read reports of
8 the incident. So, I have not entered any judgment
9 about the performance of Teresa in her role in that
10 incident at all.

11 Q Understood. Did it ever come to your
12 attention that Mr. Hoffman's findings of fact that he
13 made in regard to Ms. Chambers' removal were at some
14 point deleted from his decision document?

15 A No.

16 Q Have you maintained any record such as a
17 calendar or other log- or diary-type things that
18 reflect the dates of communication given to you
19 regarding actions regarding Ms. Chambers?

20 A No. I have a calendar of all my
21 meetings, if that's what you are asking.

22 Q Yes, sir.

1 A I don't have whatever word you used.

2 Q Diary or log?

3 A No. I don't maintain.

4 Q Would your calendar reflect dates when
5 you were informed of actions to be taken regarding
6 Ms. Chambers?

7 A They may.

8 Q Have you provided that calendar or copies
9 of it to counsel to produce in this matter?

10 A I would not have done that. My staff
11 would have. If requested, it would have been
12 provided.

13 Q Do you know whether your staff has done
14 that?

15 A I don't know.

16 Q Do you know what officials in any
17 position parallel to or above Mr. Hoffman would have
18 concurred in Mr. Hoffman's decision to remove Ms.
19 Chambers?

20 A I would not know.

21 Q Do you know who, if anyone, would have
22 reviewed the decision made by Mr. Hoffman or any

1 draft of it?

2 A No.

3 Q You had indicated in your testimony
4 earlier today that you recall that the Pageant of
5 Peace event on December 4th encountering Ms. Chambers
6 there was a discussion between you and her and she
7 had asked something to the effect of whether you
8 thought she was going to survive I think you said?

9 A I'm not sure of the exact words.

10 Q Something to that effect?

11 A Something to that effect.

12 Q What had been said in laying context for
13 that question, if you recall, before that question
14 was asked? What had Ms. Chambers said to you prior
15 to saying will I survive?

16 A I don't know that there was anything that
17 preceded that comment.

18 Q Either from her or from you?

19 A Correct.

20 Q Do you recall Ms. Chambers ever seeking
21 your assistance on any matter prior to her being
22 placed on administrative leave?

1 A That's a very general question.

2 Q It is.

3 A I mean she asked me to attend police
4 academy graduations. That kind of thing. I would
5 get an invitation to do that. Maybe she would say
6 something to me later on. Could I attend. Those are
7 the general-administrative-duties-type things. Don't
8 recall anything beyond that.

9 Q Let's take a five-minute break and then
10 we should be able to close.

11 (Off the record.)

12 MR. HARRISON: Back on the record.

13 BY MR. HARRISON:

14 Q In your position as the Chief Operating
15 Officer for the Department of Interior, have you had
16 any involvement in any determination of discipline
17 for any employee other than Ms. Chambers?

18 A When?

19 Q Since you've been the Chief Operating
20 Officer. Meaning the Deputy Secretary.

21 A Yes.

22 Q And I don't want necessarily the name of

1 the people at the moment. Can you tell us at what
2 level they would have been placed in the
3 organization?

4 A They would have been field manager.

5 Q And was that your involvement -- was that
6 one or more matters?

7 A One.

8 Q Was that a routine involvement in your
9 office in that meaning it would be a matter of course
10 for you to be involved in that decision?

11 A It's an exception.

12 Q It was an unusual case?

13 A Yes.

14 Q Did someone question your involvement?

15 A No.

16 Q You took that upon your own initiative?

17 A Correct.

18 Q And without disclosing personal
19 information regarding the instance, was there a
20 criteria that caused you to become involved in that
21 matter?

22 A Yes.

1 Q What was that?

2 A The office reported directly to me, to
3 the Chief Operating Officer. Part of the
4 Departmental Manual that had been created by the
5 Secretary and the office and one of the employees was
6 to have implemented the directives of the office and
7 they absolutely refused to do it.

8 Q This was someone that reported directly
9 to you?

10 A It was indirectly to me but to the
11 directives of this office. They did not implement
12 those directives as they were directed to do.

13 Q So, you had given that particular person
14 a written directive?

15 A I has given the office. The office had
16 given a directive to the field, and the directive had
17 been ignored.

18 Q Was that directive in writing?

19 A Yes.

20 Q Was there any question in that case about
21 receipt of the directive by the person in question
22 meaning you are sure they received it?

1 A There was no question the individual
2 understood what was intended.

3 Q I take it that is the only disciplinary
4 matter you've been involved since taking the Deputy
5 Secretary position?

6 MR. L'HEUREUX: Objection. Asked and
7 answered.

8 MR. HARRISON: Just trying to clarify.

9 THE WITNESS: That is my recollection.

10 BY MR. HARRISON:

11 Q To your knowledge, was there any
12 involvement in The White House, meaning the President
13 or vice president office, in the decision regarding
14 Ms. Chambers?

15 A Absolutely not.

16 Q Did you know whether the White House was
17 briefed on the matter regarding Ms. Chambers?

18 A I do not think they were. It would have
19 been inappropriate.

20 Q Have you seen any written restriction
21 meaning a written policy that might restrict your
22 communications with members of the media or the

1 press?

2 MR. L'HEUREUX: Objection. Asked and
3 answered.

4 THE WITNESS: No.

5 BY MR. HARRISON:

6 Q Have you seen any written policy
7 restricting communication with the press by the Chief
8 of the United States Park Police?

9 A No.

10 Q When Ms. Chambers asked you on December
11 4th something to the effect of whether you thought
12 she was going to survive and you directed her to her
13 superior, perhaps Ms. Mainella, what did you
14 understand the Chief meant when she asked you whether
15 she was going to survive?

16 A Was she going to survive in the position
17 she was in. Was she going to continue to hold the
18 position she was in.

19 Q Did you perceive at this time that the
20 Chief had reason to ask that question?

21 A Clearly there were issues. Clearly there
22 were issues going on from a management viewpoint as

1 to the success of implementing the directives, and
2 the budget, and all of the other things still
3 ongoing.

4 Q Okay. No one I take had communicated to
5 you that they contemplated that the Chief would lose
6 her position?

7 A I do not believe that. No. The answer
8 is no.

9 MR. HARRISON: Thank you, sir, for taking
10 the time. I don't know whether your counsel has any
11 questions for you.

12 MR. L'HEUREUX: I have no question for
13 this witness, and we waive reading.

14 (Whereupon, at approximately 1:41 o'clock,
15 p.m., the above deposition was ended and
16 signature was waived.)

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