

COUNT FOUR

(December 8, 1986 Testimony
before the House of Representatives
Committee on Foreign Affairs)

The Independent Counsel further charges:

18. Paragraphs 1 through 6 of Count One of this Information are repeated, realleged and incorporated by reference herein as if fully set forth in this Count.

19. On December 8, 1986, in the District of Columbia, the defendant ROBERT C. McFARLANE, having been summoned to give testimony before the United States House of Representatives Committee on Foreign Affairs, unlawfully, willfully and knowingly did make default by refusing and failing to answer fully and completely, to wit, defendant McFARLANE withheld material information from the House of Representatives Committee on Foreign Affairs, a committee of Congress, as follows:

Q -- There have also been press reports that the [nationals of a third country] have been indirectly involved in financing the contras. Are you aware of any such activities?

A -- I have seen the reports and I have heard that the [nationals of such third country] have contributed. The concrete character of that is beyond my ken.

20. The underscored answer unlawfully withheld material information from the United States House of Representatives Committee on Foreign Affairs because as the defendant McFARLANE then and there knew and believed, the defendant McFARLANE had

been aware since 1984 that nationals of the third country referred to had expressed willingness to contribute millions of dollars to the Contras, the defendant McFARLANE had provided a representative of that third country with the number of a Contra-controlled bank account into which the funds could be deposited, and the defendant McFARLANE was aware that nationals of that third country had in fact made contributions to the Contras totalling millions of dollars.

(Violation of Title 2, United States Code,
Section 192.)



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