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8-18-98

The Prosecutor's Double Standard

BY RICHARD FRICKER

Kenneth Starr is, if nothing else, resolute. The Church of Christ preacher's kid from San Antonio diligently slogs through the streets of the nation's capital, turning over rocks and digging through trash, while listening to and enlisting anyone willing to say, "Clinton did it"

But it's worth recalling that the Special Prosecutor wasn't so doggedly committed to truth, justice, or his responsibility as the government's lawyer five years ago, when he was hired by the Senate to review Bob Packwood's diaries. Senator Packwood, a Republican from Oregon, resigned from office after it became apparent that during his term of office he had regularly groped, pinched, or fondled almost any woman who ever came within arm's reach.

The evidence was so clear and convincing that Packwood had to admit his sins and apologize to his Senate colleagues. So there he was, indicted and convicted by his own words, while Senate Republicans grew more and more nervous at his refusal to resign. After all, how would it look to the Christian Coalition if the Republican Senate turned a blind eye to sexual groping outside the bonds of matrimony? Pragmatic Republicans were worried, too. In his diaries, Packwood had recorded everything: every contribution, every back-alley deal, every conversation with lobbyists, every meeting with his colleagues, and what he knew of their dealings with lobbyists and GOP money men.

Who were the Republicans going to call? Ken Starr had been chief counsel to Ronald Reagan's first Attorney General, William French-Smith (who had signed the agreement, with Reagan campaign manager and then-C.I.A. Director William Casey, that the C.I.A. would not report what it knew about drug-trafficking, particularly as it involved the Nicaraguan Contras). He had held a seat on the Washington, D.C. Court of Appeals, resigned to become solicitor general (to help George Bush clean up the Iran-Contra mess and to argue abortion cases), and was being groomed for a seat on the Supreme Court.

Starr was also a major player in the Federalist Society — clearly the place to be by the end of the Bush administration, when



Ron Sargent

the Federalists openly bragged that their approval was required for every appointment to the federal judiciary. The young ideologues who founded the Federalists in 1988 had received much of their start-up funding from the Mellon-Scaife Foundation, run by Richard Mellon-Scaife, the right-wing multi-millionaire. Mellon-Scaife later tried to fund a position for Starr as dean of the Pepperdine Law School, sank millions into the liberal-bashing *American Spectator*, and put \$1.5 million into his so-called "Arkansas Project": the freewheeling, freelance investigation that provided Starr with Clinton-hater David Hale, thus far his prime witness against the President.

Starr was eventually dropped from the Supreme Court short list, because as solicitor general he had been a bit too vigorous in his opposition to abortion (at one point Starr even refused to answer the questions of Justices who did not appear to support his position). As much as Bush wanted

Starr on the Court, he didn't need Senate confirmation hearings focused on abortion — which, before an election, might split the social and economic conservatives who make up the Republican party. So Starr's judicial future was put on hold, and when Bush lost in 1992, the former Supreme Court clerk — ex-chief counsel to the attorney general, one of the youngest federal judges in the history of the republic, and solicitor general of the United States — was out of work. But the partners at the law firm of Kirkland & Ellis read that résumé and offered Starr \$1-million-plus a year, anticipating the \$390 an hour he now commands from the firm's corporate clients.

But when Bob Packwood unraveled, Starr was called back into public service. His charge was to review the Senator's diary to consider evidence of further wrongdoing, to determine if anything had been altered, and to vet any

AUGUST 14, 1998

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That's interesting

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confidential information not relevant to the Senate inquiry.

Incredibly, in some 10,000 pages of Bob Packwood's private musings, Starr found nothing worthy of the Senate's further attention. Among these neglected leads were Packwood's notes of a meeting with Texas colleague Phil Gramm, to determine how to launder \$100,000 of lobbyists' money. (Of that meeting, Packwood had written, "What was said in that room would be enough to convict us all of something.") In Starr's considered legal judgment, that meeting was not worth investigating. Packwood also wrote that during Senate trade hearings he had

asked questions that had been provided to him by Mitsubishi — the same corporation that, according to Packwood, had provided his ex-wife with a \$7,500-a-year consulting contract, thereby reducing the Senator's alimony payments. Mitsubishi also promised that if the GOP gained control of the Senate, the company would increase the retainer provided to the former Mrs. Packwood. When the Republicans won, Mitsubishi, like Bob Packwood, delivered.

Packwood's diaries are littered with such entries, some of which he later attempted to alter, a practice that Starr either overlooked or chose not to mention. Be-

havior a bit strange for the dogged prosecutor who locked Susan McDougal in jail for two years for refusing to answer questions, argued that Vincent Foster's attorney-client privilege ended when he died, demanded the names of every reporter who discussed the Whitewater investigation with Clinton's top aides, and had Deputy Prosecutor Solomon Wisenberg put Sidney Blumenthal under oath to ask, "Does the President's religion include sexual intercourse?" □

Richard Fricker writes about legal affairs from Tulsa, Oklahoma.

THE WHITE HOUSE
WASHINGTON

DATE: August 18, 1998

NOTE FOR: Al From

The President has reviewed the attached, and it is forwarded to you
for your:

Information ☒

Action ☐

Thank you.

Staff Secretary
(x6-2702)

cc:

AS SEEN
THE PRESIDENT HAS SEEN
8-18-98



Jock Gill <jgill @ penfield-gill.com>
08/13/98 10:26:46 AM

Record Type: Record

To: Jock Gill <jgill @ penfield-gill.com>

cc:

Subject:

*Get this book for me
- cc: Sid, Borge, K. Brown, VP*

American Dreamers:

On page 159 of the book Unleashing the Killer App, the authors write:

"Tomorrow's customers... will not only expect but demand commercial relationships that are technology enabled."

On Sunday I wrote:

"I am neither shocked nor surprised that today's politics, as you so keenly write, are "content free" entertainment. Neither party has a dynamic story to tell, so they tell the same old story for the zillionth time and it quickly becomes irrelevant wallpaper. Which in turn drives the one way media to ever greater excesses of entertainment in a vain attempt to poke the disengaged in the eye for a moment's connection. Which in turn drives up the anger/alienation/ hostility factor of the intended 'audience'. A vicious cycle spiraling down to nasty conclusions. In reality, the audience has been treated for decades as no more than the passive targets of manipulative messages. There is no conversation. There is no inclusivity. There is no listening. How many relationships do you maintain and nurture where you are treated as an unheard, passive target to be manipulated?"

This was part of a longer message to David Shribman, the Washington Bureau Chief for the Boston Globe in response to his Sunday Globe Magazine article "Hollywood, D.C."

✓ As you will have surmised, it is my prediction that the development of Killer Apps in the private sector will, by training consumers to expect a new transaction model, drive a radical revision of the political process. Have you considered this?

For some out of the box thinking, I strongly recommend you read Killer App, even if it is not on your ordinary list. Take a good look at "Unleashing the Killer App, digital strategies for market dominance". Harvard Business School Press. Get it from Amazon.com, or the Borders. Or see www.killer-apps.com for a very interesting publishing model which might stimulate your

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thinking. As you read the book, forget business and think "politics". It gets very interesting very fast if you do.

This is going to be important in the 2000 election cycle.

Regards,

Jock

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8-18-98
To Burkhardt +
for Reply.
4/5

BRIAN O'DWYER

52 Duane Street
New York, N.Y. 10007
(212) 571-7100

cc:
Christen Stank
342

August 18, 1998

Hon William Jefferson Clinton
President of the United States
The White House
Washington, D.C.

THE PRESIDENT HAS SEEN
8-18-98

Dear President Clinton,

Your many friends in the Irish community reaffirm our support for you and your Presidency. No one has done more to bring peace in Ireland and prosperity to our people at home. I have never been as proud to be counted among your supporters.

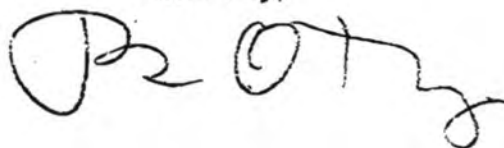
On September 11, you will be receiving the Paul O'Dwyer award. My father in his life stood as a champion of the poor and oppressed a voice for the voiceless. He would have been proud to have his name associated with an award honoring you. The Irish community both here and abroad is proud to claim you as one of our own.

I know that these are difficult times for you and your family. I take the liberty of urging you to be resolute in the face of this adversity. We need you, we need your commitment to peace with justice. We need your unfailing patience and courage. We need, and the children of Ireland need, your vision of a new future.

Your friends may not command the media, they may not sit in the boardrooms of America, but they earnestly believe in you.

You may count on us.

Sincerely,



THE PRESIDENT HAS SEEN

8-18-98

August 18, 1998

Bishop Eddie L. Long, D.D., L.H.D.

Senior Pastor

President Bill Clinton
The White House

Dear Mr. President:

During this time, my prayers are with you, your family and this nation. I am asking God to continue to give you the strength to get through this difficult time. Remember God has appointed and anointed you at this time to bring order and direction to this nation. Roman 13:1 states, "For there is no authority except from God, and the authorities that exist are appointed by God." I am in full support of you remaining President of this nation. Also, I realize this nation has not dealt with this situation in the way that it should be handled. As you know, there is indeed a political influence behind this whole issue.

I am in the process of conducting a press conference with several other pastors within the Atlanta area to pray and to stand against the attack of the enemy to destroy the office of the President, your character and this nation.

While you were in Atlanta in July, we met briefly to discuss some major issues concerning this nation. I have scheduled a Pastor's Summit in Washington, DC on September 21-23, 1998 which consists of pastors across this nation that want to embrace you. Currently, I am working with Min Yon Moore to schedule you to address the pastors.

It will be an honor for me to pray with you and your family regarding this matter. I can be reached at 770/482-8010 (h), 770/520-5230 (p) or my Executive Assistant, April McLaughlin at 770/322-5321 or 770/523-7753.

Amazed By His Grace,


Bishop Eddie L. Long
Senior Pastor, NBMBC

Post-it® Fax Note	7671	Date	8/18/98	# of pages	1
To	Min Yon Moore	From	April McLaughlin		
Co/Dept.	Deputy Asst.	Co/Dept.	Bishop Long		
Phone #		Phone #			
Fax #		Fax #			

8-18-98
To Scheduling?
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YES

Finally, my brethren, be strong in the Lord, and in the power of his might.

Enb 6.10