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06/22/2000 06:33:30 PM

Record Type: Record

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Subject: Statement by the Press Secretary

THE WHITE HOUSE**Office of the Press Secretary
(Phoenix, Arizona)**

For Immediate Release**June 22, 2000****Statement by the Press Secretary**

The White House received the Independent Counsel's press release on the travel office matter this afternoon, a report that should officially end its investigation. After seven years and the expense of tens of millions of taxpayer dollars, the Independent Counsel confirms what we have said all along; there is no evidence that the First Lady did anything wrong. In fact, the Independent Counsel confirms what the President and First Lady have always said about this matter. Moreover, by innappropriately characterizing the results of a legally sealed report through innuendo, the Office of the Independent Counsel has further politicized an investigation that has dragged on far too long.

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**Office of the Independent Counsel**

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KATHY KIELY
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FOR IMMEDIATE RELEASE

June 22, 2000

Independent Counsel Robert W. Ray issued the following statement today:

The Office of the Independent Counsel ("OIC") has concluded an investigation commonly known as the Travel Office matter. This matter concerned allegations that David Watkins, former Assistant to the President for Management and Administration, and First Lady Hillary Rodham Clinton made false statements in violation of 18 U.S.C. § 1001, committed perjury in violation of 18 U.S.C. § 1621, or obstructed justice in violation of 18 U.S.C. § 1503, in connection with their statements and testimony concerning the May 19, 1993 firing of seven employees of the White House Travel Office. The Independent Counsel has concluded that the evidence was insufficient to prove that Mr. Watkins or Mrs. Clinton made any knowingly false statements, committed perjury, or obstructed justice in this matter.

With respect to Mr. Watkins, the evidence was insufficient to show that his statements regarding whether Mrs. Clinton ordered him to fire the Travel Office employees or that she pressured him to do so were knowingly false. Although there was some evidence that Mrs. Clinton's involvement had the effect of pressuring him to fire the Travel Office employees, that evidence was insufficient to prove beyond a reasonable doubt that Mr. Watkins's statements and testimony regarding that issue were knowingly false.

Similarly, with respect to Mrs. Clinton, there was substantial evidence that she had a "role" in the decision to fire the Travel Office employees. She had discussions with Deputy White House Counsel Vince Foster, Chief of Staff Mack McLarty, and longtime friend and

advisor Harry Thomason, and one direct telephone conversation with David Watkins (whose responsibilities included oversight and management of the Travel Office) in which she expressed her "concerns" regarding the Travel Office. These individuals discussed her concerns among themselves, which produced a momentum to take immediate action. Thus, Mrs. Clinton's concerns ultimately influenced Watkins's decision to fire the Travel Office employees.

Nevertheless, the evidence was insufficient to prove to a jury beyond a reasonable doubt that any of Mrs. Clinton's statements and testimony regarding her involvement in the Travel Office firings were knowingly false. Accordingly, the Independent Counsel has declined prosecution of Mrs. Clinton as well.

This Office reached its conclusions only after completing an extensive investigation through the assistance of criminal investigators and FBI agents already detailed to this Office. These conclusions are the culmination of the investigative work of these agents and more than 10 attorneys, including Assistant United States Attorneys detailed by the Department of Justice to this Office, other career prosecutors, and senior OIC staff. The investigation included a review of the voluminous record created by investigations by the House Committee on Government Reform and Oversight, the General Accounting Office, the Department of Justice Public Integrity Section and Office of Professional Responsibility, the Inspector General for the Department of the Treasury, and the White House Management Review.

In contrast to the cooperation received from the White House in the FBI Files investigation, concluded in March of this year, this Office experienced substantial resistance in its efforts to obtain relevant evidence in the Travel Office matter. For example, the White House asserted unfounded privileges that were later rejected in court. White House officials also conducted inadequate searches for documents and failed to make timely production of documents, including relevant e-mails, in their possession. Despite these and other obstacles that

substantially delayed the receipt of relevant evidence by this Office, the Independent Counsel has concluded that the investigation may now be closed.

This announcement, like the announcement at the conclusion of the FBI Files matter, is consistent with the statutory requirement relating to the conclusion of an investigation. At that time, an independent counsel is required by statute to submit a final report that "set[s] forth fully and completely the work of the independent counsel." Congress has explained that the scope of this provision requires "independent counsels . . . to provide a summary of the key steps taken in the investigatory and prosecutorial stages of their work and to explain the basis for their decisions." Congress described it as "crucial" to have "a discussion of the conduct of the person for whom the independent counsel was appointed to office." This announcement serves to provide timely information to the public concerning the findings of the investigation with respect to Mr. Watkins and Mrs. Clinton.

Under the Independent Counsel statute, a report filed with the Special Division remains under seal until such time, if at all, the Special Division authorizes its public release. Historically, public release occurs only after those persons named in a report are notified, pursuant to the statute, and have a full opportunity to read the relevant portions of the report that pertain to them and to prepare and file comments. This process typically takes several months after a report is filed.

This Office has now concluded its investigation into allegations relating to Mr. Watkins's and Mrs. Clinton's statements and testimony concerning the Travel Office firings and has fully discharged both of them from criminal liability for matters within this Office's jurisdiction in the Travel Office matter. The matter is now closed.

6/22/00

HRC/

Can't prove 2 know
Outrageous / White House -

David Kendall / Nicole / did B.

"Typical smeen" make it clear

One scintilla of evidence Reg'd prosecute
It's been a pol. witchhunt since
he began.

Surrogates in Wash/DC

Conf. call
877-241-
1838
code 99609/

White House - Nicole says WH should issue statement
~~that~~
- We've said all along that she did
absolutely nothing wrong -
- Unfb. he couldn't resist ~~that~~ taking on
a political shot in the process.

Jian K. "abusive / over-the-line"

- Chronology that we put out in 1993 >
Eggleson's statements to GAO - consistent w/ this

She covers up will be she pretended she was in there -
She ~~planned~~ said she played a role & never denied
it
(she)

One is background - push back the facts
What level of WH official response to get out

Ray Report (2)

The discussion w/ Foster + Watson are in
Report we put out
She expressed concern

She guy books himself on meet the Press ^{day} before
\$60m + years >

After \$60m he's come up w/ facts that have
been known for 7 years and are what
we've said all along: She did absolutely
nothing wrong.

Legal issue

- If it's grand jury material +
it's under seal - wld be
inappropriate -
judge could grant permission
- if not from gr. jury, not illegal

Statement by the Press Secretary

The White House received the Independent Counsel's press release on the travel office matter this afternoon, a report that should officially end its investigation. After seven years and the expense of tens of millions of taxpayer dollars, the Independent Counsel confirms what we have said all along; there is no evidence that the First Lady did anything wrong. In fact, the Independent Counsel confirms what the President and First Lady have always said about this matter. Moreover, by characterizing the results of a legally sealed report through innuendo, the Office of the Independent Counsel has further politicized an investigation that has dragged on far too long.

And violated the law
+ Independent Counsel

unsupported
by
on

- Derzhowitz
- Larry Brewer
- Richard Ben Venuto
- Nadler

Liz Holtzman

- Alan Derzhowitz -
- weigh in that this is happening -
- old, done

Leahy
Tomucelli
died

STATEMENT OF JANE C. SHERBURNE
Special Counsel to the President

March 21, 1996

The White House today is pleased to make public the First Lady's answers to questions submitted to her by the House Government Reform and Oversight Committee about the Travel Office matter. The First Lady's answers reflect her already well-documented concern about reports of financial irregularities in the Travel Office -- a concern that in the end proved fully justified by the findings of a big six accounting firm.

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EDWARD BENNETT WILLIAMS (1920-1990)
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March 21, 1996

BY HAND DELIVERY

The Honorable William F. Clinger, Jr.
Chairman, Committee on Government Reform
and Oversight
House of Representatives
2157 Rayburn House Office Building
Washington, D.C. 20515-6143

Dear Mr. Chairman:

I enclose the responses of Mrs. Clinton to the
questions transmitted to her by you last month.

Sincerely,


David E. Kendall

cc: The Honorable Cardiss Collins

RESPONSES TO QUESTIONS FOR THE FIRST LADY
FROM THE COMMITTEE ON GOVERNMENT REFORM
AND OVERSIGHT OF THE HOUSE OF REPRESENTATIVES

1. Did you at any time direct or authorize anyone to state on your behalf to the General Accounting Office that you did "not know the origin of the decision to remove the White House Travel Office employees?"

Were you aware that any such statement would be made to the General Accounting Office on your behalf?

Set forth all information known to you concerning any such statement made on your behalf to the General Accounting Office and with respect to any communication by or to you regarding any such statement, supply all of the information described in the preliminary statement above.

Response to Nos. 1-6:

Neil Eggleston, an Associate Counsel in the White House Counsel's Office, made a submission on my behalf to the General Accounting Office on April 6, 1994, which I directed and authorized. This submission included statements quoted in the first six of these interrogatories. Mr. Eggleston made this submission in response to the following request, dated March 16, 1994, from Nancy Kingsbury, Director of Federal Human Resource Management Issues at the GAO:

"The White House Management Report describes, on page 9, the following:

That afternoon [May 13], before Foster talked to Watkins about Peat Marwick, Foster went to see the First Lady on a matter unrelated to the Travel Office. The First Lady told Foster that she had heard about problems in the Travel Office. Foster replied that Kennedy was looking into it. Late that afternoon, she saw McLarty and inquired about the situation in the Travel Office. Foster subsequently informed her that Peat Marwick was going to conduct a review of the Office.

In our interview with Mr. David Watkins, he stated that (a) on May 14, Mrs. Clinton (through Mr. Foster) had expressed an interest or awareness of the situation in the Travel Office; and (b) that it was Mr. Watkins' understanding that Mr. Harry Thomason asked to have an update on the situation. Mr. Watkins reported that in a subsequent conversation on the same day, Mrs. Clinton (a) mentioned the 25 percent (White House) staff reduction goal; (b) said it would be good to have our staff people working in the Travel Office; and (c) said that the administration had been criticized at the time for being slow in filling positions, and had delayed too long. We also note that the White House Travel Office Management Review contains a copy of a memorandum from Mr. Watkins to Mr. McLarty which was marked as cc to Mrs. Clinton and which describes the steps taken to review the Travel Office matter and the decisions made to remove the employees and carry out the functions with other staff.

We respectfully request Mrs. Clinton's official response to the following questions:

1. How would you describe and to whom would you attribute the origin of the decision to remove the Travel Office employees?
2. How would you characterize your role in that decision?
3. Did you ask or direct that any action be taken by anyone in regard to the White House Travel Office?
4. Is Mr. Watkins' characterization of his discussion with you, as recorded by us, accurate? If not, how would you describe the discussion?
5. Did you participate in any other discussions with White House staff or Mr. Thomason concerning the White House Travel Office matter during the period leading up to the removal of the Travel Office employees on May 19, 1993? If so, when and how would you describe those discussions?"

After receiving Ms. Kingsbury's request, Mr. Eggleston met with me to obtain my answers to the GAO questions. I do not recall the date of this meeting nor who else may have been present, but I believe the meeting lasted about 30 minutes. Mr. Eggleston subsequently prepared draft responses, which he

provided for my review. I reviewed the responses and authorized Mr. Eggleston to submit them to the GAO as follows:

- "1. Mrs. Clinton does not know the origin of the decision to remove the White House Travel Office employees. She believes that the decision to terminate the employees would have been made by Mr. Watkins with the approval of Mr. McLarty.
2. Mrs. Clinton was aware that Mr. Watkins was undertaking a review of the situation in the Travel Office, but she had no role in the decision to terminate the employees.
3. Mrs. Clinton did not direct that any action be taken by anyone with regard to the Travel Office, other than expressing an interest in receiving information about the review.
4. Mrs. Clinton does not recall this conversation with the same level of detail as Mr. Watkins. She recalls that on Friday, May 14, she had a very short telephone call with Mr. Watkins. Mr. Watkins stated that Mr. Foster had mentioned that Mrs. Clinton was interested in knowing what was going on with the Travel Office. Mrs. Clinton knew that Mr. Watkins was out of town. Mr. Watkins conveyed to her that even though he was not in Washington, his office was taking appropriate action.
5. Mrs. Clinton has a general recollection of having conversations with Mr. Foster and Mr. McLarty about the Travel Office situation prior to the termination of the Travel Office employees. She has no specific recollection of any particular conversation with Mr. Thomason on this issue at that time.

Mrs. Clinton believes that she spoke with Mr. Foster about the Travel Office before her telephone call with Mr. Watkins. She also believes that she had a very brief conversation with Mr. McLarty sometime before she spoke with Mr. Watkins. In that conversation, she told Mr. McLarty that she had heard about problems in the Travel Office and wanted Mr. McLarty to be aware of it.

Mrs. Clinton does not recall seeing the May 17 memorandum from Mr. Watkins to Mr. McLarty until after the Travel Office employees were terminated."

These answers were accurate responses to the questions posed by the GAO. Please see also my Response to Nos. 7-10, below.

2. Did you at any time direct or authorize anyone to state on your behalf to the General Accounting Office that you "had no role in the decision to terminate the employees" in the White House Travel Office?

Were you aware that any such statement would be made to the General Accounting Office on your behalf?

Set forth all information known to you concerning any such statement made on your behalf to the General Accounting Office and with respect to any communication by or to you regarding any such statement, supply all of the information described in the preliminary statement above.

Please see my previous Response to Nos. 1-6.

3. Did you at any time direct or authorize anyone to state on your behalf to the General Accounting Office that you "did not direct that any action be taken by anyone with regard to the Travel Office, other than expressing an interest in receiving information about the Review?"

Were you aware that any such statement would be made to the General Accounting Office on your behalf?

Set forth all information known to you concerning any such statement made on your behalf to the General Accounting Office and with respect to any communication by or to you regarding any such statement, supply all of the information described in the preliminary statement above.

Please see my previous Response to Nos. 1-6.

4. Did you at any time direct or authorize anyone to state on your behalf to the General Accounting Office that you had "no specific recollection of any particular conversation with Mr. Thomason on this issue at that time?"

Were you aware that any such statement would be made to the General Accounting Office on your behalf?

Set forth all information known to you concerning any such statement made on your behalf to the General Accounting Office and with respect to any communication by or to you regarding any such statement, supply all of the information described in the

preliminary statement above.

Please see my previous Response to Nos. 1-6.

5. Did you at any time direct or authorize anyone to state on your behalf to the General Accounting Office that you "had a very brief conversation with Mr. McLarty sometime before you spoke with Mr. Watkins" on May 14, 1993 and that you "told Mr. McLarty that you had heard about problems in the Travel Office and wanted Mr. McLarty to be aware of it?"

Were you aware that any such statement would be made to the General Accounting Office on your behalf?

Set forth all information known to you concerning any such statement made on your behalf to the General Accounting Office and with respect to any communication by or to you regarding any such statement, supply all of the information described in the preliminary statement above.

Please see my previous Response to Nos. 1-6.

6. Did you at any time direct or authorize anyone to state on your behalf to the General Accounting Office that you did "not recall seeing the May 17 memorandum from Mr. Watkins to Mr. McLarty until after the Travel Office employees were terminated?"

Were you aware that any such statement would be made to the General Accounting Office on your behalf?

Set forth all information known to you concerning any such statement made on your behalf to the General Accounting Office and with respect to any communication by or to you regarding any such statement, supply all of the information described in the preliminary statement above.

Please see my previous Response to Nos. 1-6.

7. Identify and set forth the information sought in the preliminary statement for all communications that you had at any time with Harry Thomason or any individual acting on his behalf regarding any White House Travel Office matters, the personnel employed in the White House Travel Office, or any proposed or actual activities of Mr. Thomason at the White House, including but not limited to, all aviation matters involving Mr. Thomason, Darnell Martens, and/or TRM Incorporated, or other transportation related issues, and any reviews, civil or criminal investigations.

In particular, describe in full any and all discussions, meetings, telephone conversations or other communications you had with Harry Thomason regarding the White House Travel Office on or about May 12, 13, and/or 14, 1993. Describe your knowledge of any meetings attended by Harry Thomason during this time period regarding the White House Travel Office with White House employees.

Did you make any statement, comment or observation to Harry Thomason on May 12 and/or 13, 1993, or at any other time, that you were "ready to fire" any or all of the employees in the White House Travel Office that day?

Did you make any statement, comment or observation to Harry Thomason at any time that could have been construed by him to convey the sentiment that you "were ready to fire" any or all employees of the White House Travel Office or that you wished that any or all of the White House Travel Office employees would be fired or that their employment should be terminated?

For any and all such statements, supply the information described in the preliminary statement.

Response to Nos. 7-10:

It is hard to remember the specifics of conversations that occurred almost three years ago, in view of all that has happened since then, but I have tried to state in this response such recollection as I have. Because there has been so much publicity about the Travel Office matter, it is also difficult now to distinguish between what I knew in 1993 and what I know now. Initially, I think it is desirable to provide some perspective, from my point of view.

The spring of 1993 was a busy and stressful time. After the Inauguration on January 20, there were the predictable complexities and difficulties which confronted my husband in establishing a new Administration. My family faced a significant change in living circumstances, including relocating to a new city, moving into the White House, settling our

daughter into a new school, and the increased entertainment and media demands of living in the White House. In addition, in late January of 1993, my husband asked me to become deeply involved in fulfilling the new Administration's pledge to develop a comprehensive health care plan by May 1, 1993. In the following months, I spent a great deal of time analyzing policy proposals, meeting with many groups and persons with an interest in health care, making speeches, and traveling around the country as part of the Administration's effort to devise a comprehensive and legislatively feasible health care plan. From late March through early April, I also spent many days in Arkansas after my father suffered a critical and ultimately fatal stroke. Following my father's funeral services in Little Rock, Arkansas, and Scranton, Pennsylvania, on April 9 and 10, I returned to the White House the week of April 12 to face a backlog of work and obligations primarily relating to the May 1 target date for the presentation of an Administration health care plan. It became apparent that the target date would have to be moved back because of the work still to be completed. Our interest in avoiding substantial delay put added pressure on us. The first part of May was particularly busy due to health care meetings with Congressional leaders, Congressional Committees and staffs, health care coalitions, business associations, and professional groups, and also due to my travel and speechmaking obligations.

At some point during the first part of May, 1993, I believe

I became aware from Vincent Foster or Harry Thomason of concerns about financial mismanagement in the White House Travel Office. I do not remember precisely what the concerns were, except that they involved allegations of waste, inefficiency, or improper procedures. I had no personal knowledge of or direct involvement with that office, and, indeed, I do not recall even knowing of the existence of the Travel Office until sometime in the first two weeks of May. I have a vague recollection of hearing either the outgoing or incoming president of the White House Correspondents' Association complain about the expense of press travel at the Association dinner on May 1, 1993, but I do not recall how or whether these complaints specifically related to the Travel Office.

Mr. Thomason is an old and close personal family friend. My husband has known him for more than two decades. Mr. Thomason assisted in my husband's campaign for President and served as Cochair of the Presidential Inaugural Committee. From time to time, Mr. Thomason has provided informal advice on how the President might better communicate his values, ideas, and policies. I cannot recall specific conversations with him regarding the White House Travel Office or its personnel, but as indicated above, it is possible that at some point in May, 1993, he may have mentioned to me issues of possible financial mismanagement in the Travel Office. I do not recall what, if anything, I may have said to him on this topic. I do not recall saying to him that I was "ready to fire" the Travel Office

employees. I do not know how Mr. Thomason may have construed remarks by me.

I believe I discussed with Mr. Thomason in the spring of 1993 ways in which he might assist in assuring the most effective presentation of the President's values, ideas, and policies. I do not believe I ever spoke to Mr. Thomason about aviation matters involving himself, Mr. Martens and/or TRM Incorporated, or transportation issues, reviews, or investigations related to himself, Mr. Martens, or TRM Incorporated. I have no knowledge of what meetings Mr. Thomason attended during the May 12-14, 1993, time period.

At some point during the week of May 10, 1993, I spoke to Vincent Foster about the Travel Office, and he told me that William Kennedy, who was a lawyer in the White House Counsel's Office, was looking into reports of financial misconduct and that KPMG Peat Marwick would be conducting a review of the Travel Office. I believe I had two conversations with Mr. Foster on this matter, although I may have had more. I do not believe that I asked Mr. Foster why action wasn't being taken to terminate the employees of the White House Travel Office or that I stated to him that these employees should be fired immediately. I do not recall saying to Mr. Foster that I wanted him to "act" with respect to those employees or indicating how I believed he should "act".

I don't recall speaking to Mr. Foster about any proposed or actual activities of Mr. Thomason at the White House. I do not

believe I ever spoke to Mr. Foster about aviation matters involving Mr. Thomason, Mr. Martens, and/or TRM Incorporated, or transportation issues, reviews, or investigations related to these two men or TRM Incorporated.

I also recall a brief conversation with Thomas F. "Mack" McLarty at some point, in which I told him that I had heard about fiscal mismanagement problems in the Travel Office. I expressed my concern that if there were any problems in the Travel Office they should be addressed promptly. I would not have had enough information to know what steps, if any, should be taken, but I believed then and still believe that if there were fiscal mismanagement in any part of the White House, it would be important to take prompt and appropriate corrective action. I may have spoken to Mr. McLarty a second time about the Travel Office, but I have no specific recollection of what was said. I don't recall saying to Mr. McLarty that the Travel Office matter was in the "forefront" of my mind or that "action needed to be taken".

It is possible that I may have spoken to Mr. McLarty at some point in 1993 about Mr. Thomason's actual or proposed activities at the White House with regard to communications matters, but I have no specific recollection of such a conversation. I do not believe I ever spoke to Mr. McLarty about aviation matters involving Mr. Thomason, Mr. Martens, and/or TRM Incorporated, or transportation issues, reviews, or investigations related to these two men and TRM Incorporated.

During the evening of Friday, May 14, 1993, I remember a brief telephone conversation with David Watkins, Assistant to the President for Management and Administration, who was out of the city. Mr. Foster was present, and he indicated that Mr. Watkins wished to speak to me about the Travel Office matter. Mr. Watkins stated that Mr. Foster had told him that I was interested in knowing what was going on with regard to the Travel Office. He told me that he was having a review conducted, and that, although he was out of town, his office was taking appropriate action. He may have mentioned that KPMG Peat Marwick was conducting some kind of audit or review. I recall that I thanked him for the report and let him know that I was glad he had taken the situation in hand.

I don't believe I had any conversations with Mr. Watkins about the Travel Office before or after this one telephone call. While I do not recall the specific details of our conversation, I did not direct that any particular action should be taken, nor did I make particular comments about what should be done (e.g., that I thought the Travel Office people "should be out"). I may have expressed the view that appropriate action should be taken if the circumstances warranted it. I do not recall telling Mr. Watkins I was going to an event with the President. I do not know how Mr. Watkins may have construed my remarks.

I don't recall ever speaking to Mr. Watkins about Mr. Thomason's actual or proposed White House activities. I do not believe I ever spoke to Mr. Watkins about aviation matters

involving Mr. Thomason, Mr. Martens, and/or TRM Incorporated, or transportation issues, reviews, or investigations related to these two men or TRM Incorporated.

I now understand that the KPMG Peat Marwick report presented on Monday, May 17, 1993, found several significant weaknesses in the existing internal control systems of the Travel Office and, on the basis of a three-day review, identified discrepancies in the amount of at least \$18,200 in missing checks and improperly recorded or unrecorded petty cash transactions. This report further found several significant accounting system weaknesses in the Travel Office, including "lack of financial control consciousness," "no formal financial reporting process," "no reconciliations of financial information other than reconciliations of bank statements," "no documented system of checks and balances on transactions and accounting decisions within the office," "no general ledger, or cash receipts/disbursements journals," "lack of accounting expertise," and "no evidence or documentation of competitive bids or purchase orders for press charter service." The report also concluded that "[s]everal disbursements have missing or inadequate documentation," and "[b]illing practices are informal and inconsistent."

Although I had no decision-making role with regard to the removal of the Travel Office employees on May 19, 1993, I expressed my concern, as set forth above, that if there were fiscal mismanagement in the Travel Office or in any part of the

White House, it should be addressed promptly. I am sure I felt such action could include, if necessary and justified, appropriate personnel actions so that this Administration would not be blamed for condoning any existing fiscal mismanagement problems, even though the Travel Office employees had been hired by previous administrations. I may have expressed to Mr. Foster and Mr. McLarty, and perhaps to Mr. Watkins, an interest in receiving information about whether the review that was being conducted found evidence of financial mismanagement.

It is quite possible that I had conversations with other individuals about the White House Travel Office prior to May 19, 1993, but I do not recall them.

8. Identify and set forth the information sought in the preliminary statement for all communications that you had at any time with Vincent Foster or any individual acting on his behalf regarding the White House Travel Office matter, the personnel employed in the White House Travel Office, or any proposed or actual activities of Mr. Thomason at the White House, including but not limited to, all aviation matters involving Mr. Thomason, Darnell Martens, and/or TRM Incorporated or other transportation related issues.

In particular, describe in full any and all discussions, meetings, telephone conversations or other communications you had with Vincent Foster regarding the White House Travel Office on or about May 12, 13 and/or 14, 1993.

Did you make any statement, comment or observation to Vincent Foster on May 12 and/or 13, 1993, or at any other time, about the Travel Office?

Did you make any statement, comment or observation to Vincent Foster on May 12 and/or 13, 1993, or at any other time, to ask why action wasn't being taken to terminate the employment of the Travel Office employees?

Did you make any statement, comment or observation to Vincent Foster on May 12 and/or 13, 1993, or at any other time, "that they should be fired immediately and out of here by the

end of the day" or that the employees should be replaced by the end of the day or by the end of the week?

Did you make any statement, comment or observation to Vincent Foster on May 14, 1993, or at any other time, that you want him "to Act" on the information concerning the White House Travel Office employees?

Did you make any statement, comment or observation to Vincent Foster at any time that could have been construed by him to convey the sentiment that you were inquiring about the Travel Office or wanted to know why action wasn't being taken to terminate the employment of the Travel Office employees or "that they should be fired immediately and out of here by the end of the day" or that you wanted him "to act" on the information received to concerning the White House Travel Office employees?

Did you make any statement, comment or observation to Vincent Foster at any time that could have been construed by him to convey the sentiment that you were exerting pressure on him to act to terminate the Travel Office employees?

For any and all of such statements, supply the information described in the preliminary statement.

Please see my previous Response to Nos. 7-10.

9. Identify and set forth the information sought in the preliminary statement for all communications that you had at any time with Thomas F. "Mack" McLarty or any individual acting on his behalf regarding the White House Travel Office matter, the personnel employed in the White House Travel Office, or any proposed or actual activities of Mr. Thomason at the White House, including but not limited to, all aviation matters involving Mr. Thomason, Darnell Martens, and/or TRM Incorporated or other transportation related issues and any reviews, civil or criminal investigations.

In particular, describe in full any and all discussions, meetings, telephone conversations or other communications you had with Mack McLarty regarding the White House Travel Office on or about May 13 through May 17, 1993.

Did you make any statement, comment or observation to Mack McLarty on May 13, 1993, or at any other time, in which you advised him of the situation in the White House Travel Office?

Did you make any statement, comment or observation to Mack McLarty on May 17, 1993, or at any other time, that this was "in the forefront" of your mind and that "action needed to be taken"?

Did you make any statement, comment or observation to Mack McLarty at any time that could have been construed by him to convey the sentiment that you were advising him of the situation in the White House Travel Office or exerting pressure on him to act to terminate the White House Travel Office employees or that this was "in the forefront" of your mind and that "action needed to be taken"?

For any and all of such statements, supply the information described in the preliminary statement.

Please see my previous Response to Nos. 7-10.

10. Identify and set forth the information sought in the preliminary statement for all communications that you had at any time with David Watkins regarding the White House Travel Office matter, the personnel employed in the White House Travel Office, or any proposed or actual activities of Mr. Thomason at the White House, including but not limited to, all aviation matters involving Mr. Thomason, Darneil Martens, and/or TRM Incorporated, or other transportation related issues and any reviews, civil or criminal investigations.

In particular, describe in full any and all discussions, meetings, telephone conversations or other communications you had with David Watkins regarding the White House Travel Office on or about December, 1992, January, 1993, February, 1993, April, 1993 and May 12, 13, and/or 14, 1993.

Did you make any statement, comment or observation to David Watkins on May 12 and/or 13, 1993, or at any other time, that you thought that "these people," referring to the employees of the Travel Office, "should be out?"

Did you make any statement, comment or observation to David Watkins at any time that could have been construed by him to convey the sentiment that you "thought these people should be out" or that you wished that any or all of the White House Travel Office employees would be fired or that their employment should be terminated?

Did you make any statement, comment or observation to David Watkins on May 12 and/or 13, 1993, or at any other time, that Harry Thomason told you that he thought that other individuals could do the job of the Travel Office employees with his assistance and that his people could run things better and save money?

Did you make any statement, comment or observation to David Watkins on May 14, 1993, or at any other time, that "action needed to be taken immediately to be certain those not friendly

to the Administration were removed and replaced with trustworthy individuals"?

Did you make any statement, comment or observation to David Watkins on May 14, 1993, or at any other time, that you "had an interest in tracking this matter and wanted to keep abreast of information on the review" and that you were "going to an event with the President"?

Did you make any statement, comment or observation to David Watkins on May 14, 1993, or at any other time, that you believed a mistake had been made by "not getting our people in place sooner"?

Did you make any statement, comment or observation to David Watkins on May 14, 1993, or at any other time, that "we need those people out -- We need our people in -- We need the slots --"?

Did you make any statement, comment or observation to David Watkins at any time that could have been construed by him to convey that "action needed to be taken immediately to be certain those not friendly to the Administration were removed and replaced with trustworthy individuals" or that you "had an interest in tracking this matter and wanted to keep abreast of information on the review" and that you were "going to an event with the President" or that you believed a mistake had been made by "not getting our people in place sooner" or that "we need those people out -- We need our people in -- We need the slots --"?

Did you make any statement, comment or observation to David Watkins any time that could have been construed by him to convey that you "had spoken to Harry Thomason (sic) concerning the matter" or that Mr. Thomason had brought "the Travel Office situation" to your attention?

For any and all of such statements, supply the information described in the preliminary statement.

Please see my previous Response to Nos. 7-10.

11. Identify and set forth the information sought in the preliminary statement for all communications that you had at any time with William Kennedy, Patsy Thomasson, Neil Eggleston, Lloyd Cutler, Bernard Nussbaum, Jennifer O'Connor, Catherine Cornelius, Robert Barnett, Susan Thomases, Lisa Caputo, Jane Sherburne, or Margaret Williams regarding the White House Travel Office matter, the personnel employed in the White House Travel Office, or any proposed or actual activities of Mr. Thomason at the White House, including but not limited to, all aviation

matters involving Mr. Thomason, Darnell Martens, and/or TRM Incorporated, or other transportation related issues and any reviews, civil or criminal investigations.

Since May 19, 1993, due to the numerous investigations and attendant publicity, I have had a number of conversations about the Travel Office matter, including with some of the people named in this interrogatory. I cannot identify all such communications over the last nearly three years with the requested specificity. However, I do not recall speaking to any of the people named here prior to May 19, 1993, about the Travel Office matter or the people employed in the White House Travel Office. I may have spoken to some of these people in 1993 about proposed or actual activities of Mr. Thomason regarding his ideas as to how the President could better communicate his values, ideas, and policies, but I don't believe I ever spoke to any of them about aviation matters involving Mr. Thomason, Mr. Martens, and/or TRM Incorporated, or transportation issues, reviews, or investigations related to these two men and TRM Incorporated. Please see also my previous Response to Nos. 7-10.

12. Identify and set forth the information sought in the preliminary statement for all communications that you had at any time with Jeff Eller, Dee Dee Myers, George Stephanopoulos or Mark Gearan regarding the White House Travel Office matter, the personnel employed in the White House Travel Office, or any proposed or actual activities of Mr. Thomason at the White House, including but not limited to, all aviation matters involving Mr. Thomason, Darnell Martens, and/or TRM Incorporated, or any other transportation related issues, and any reviews, civil or criminal investigations.

In particular, describe in full any and all discussions,

meetings, telephone conversations or other communications you had with Jeff Eller, Dee Dee Myers, George Stephanopoulos or Mark Gearan regarding the fact that the firing of the Travel Office employees would be a good or positive story or that they should stay ahead of the story?

Did you make any statement, comment or observation to Jeff Eller, Dee Dee Myers, George Stephanopoulos or Mark Gearan at any time that could have been construed to convey that the firing of the Travel Office employees would be a good or positive story or that they should stay ahead of the story?

For any and all of such statements, supply the information described in the preliminary statement.

Since May 19, 1993, due to the numerous investigations and attendant publicity, I have had a number of conversations with different people about the Travel Office matter, including some of the people named in this interrogatory. 'I cannot identify all such communications over the last nearly three years with the requested specificity. I do not recall speaking to any of the people named here prior to May 19, 1993, about the Travel Office matter or the people employed in the White House Travel Office. I may have spoken to some of these people in 1993 about proposed or actual activities of Mr. Thomason regarding his ideas as to how the President might better communicate his values, ideas, and policies, but I don't believe I ever spoke to any of them about aviation matters involving Mr. Thomason, Mr. Martens, and/or TRM Incorporated, or transportation issues, reviews, or investigations related to these two men and TRM Incorporated.

I do not recall saying to Ms. Myers or Messrs. Eller, Stephanopoulos, or Gearan that the firing of the Travel Office employees would be a good story or that they should stay ahead

of the story.

I simply do not know how these four people construed remarks of mine.

Please see also my previous Response to Nos. 7-10.

13. Identify and set forth the information sought in the preliminary statement for all communications you had on May 16, 1993, including but not limited to, all persons with whom you had dinner, regarding the White House Travel Office matter, the personnel employed in the White House Travel Office, or any proposed or actual activities of Mr. Harry Thomason, including but not limited to, all aviation matters involving Mr. Thomason, Darnell Martens, and/or TRM Incorporated, or other transportation related issues and any reviews, civil or criminal investigations.

I do not recall what, if any, communications I had about the Travel Office matter, the Travel Office personnel, or the proposed or actual activities of Mr. Thomason on May 16, 1993. I don't believe I had any discussions of aviation matters involving Mr. Thomason, Mr. Martens, and/or TRM Incorporated, or transportation issues, reviews, or investigations related to these two men and TRM Incorporated on this date.

14. Identify and set forth the information sought in the preliminary statement for all communications concerning or knowledge of Mr. David Watkins' handwritten notes asking "POTUS real relationship with Catherine Cornelius?"

I did not write this note, and I have no knowledge about what it means.

15. Set forth all information known to you concerning any documents removed or transferred from Mr. Foster's office at any time between July 20, 1993 through July 29, 1993.

Identify and set forth the information sought in the preliminary statement for all communications you had regarding

the removal of any documents from Mr. Foster's office and the individuals who were in his office prior to the review of the office on July 22, 1993 in the presence of law enforcement officials.

Identify and describe any Travel Office files maintained by Mr. Foster or other employees of the Counsel's office working at his behest and how such documents were handled or transferred.

The question of documents removed or transferred from Mr. Foster's office in July, 1993, has been the subject of extensive public hearings and media coverage. Because I am generally aware of this publicity, it would simply be impossible for me to set forth "all information known to [me]" about this matter.

I do not recall having had communications with anyone about removal of documents from Mr. Foster's office and the individuals who were in his office prior to the review of the office on July 22, 1993, in the presence of law enforcement officials.

I did not know what, if any, Travel Office files Mr. Foster might have been working on at the time of his death. I knew nothing about Travel Office work being done at that time by others under Mr. Foster's direction or how any related materials may have been handled or transferred.

16. Identify and set forth the information sought in the preliminary statement for all communications that you had at any time with any person regarding the reprimands of particular individuals in the White House.

I do not recall any discussions of reprimands of particular individuals in the White House prior to July 2, 1993. After the White House Travel Office Management Review was released on that date, it is possible I discussed the reprimands of White House

personnel at some point, but I do not recall doing so.

17. Do you keep a personal diary or is one maintained for you? If so, when was this diary begun and are events recorded into this diary on a regular basis?

I do not keep a personal diary, nor is one maintained for me.

18. Do you keep a telephone log and appointment calendar or is one maintained for you? If so, when was this log or calendar begun and are events recorded into this log or calendar on a regular basis?

I do not keep such records. My office does not keep a record or calendar of my appointments and meetings, although my Scheduling Office does keep a schedule for me, and copies of my schedules are retained. My Executive Assistant provides to me and maintains a daily log of incoming communications to that office which includes telephone messages. She also provides me with a call sheet reflecting telephone calls to be returned. These call sheets have not been systematically maintained. The Office of Personal Correspondence in the East Wing maintains a daily log of correspondence for me, which occasionally includes a few telephone messages for me received by that office.

19. Identify and set forth the information sought in the preliminary statement for all gifts or things of value received by you or your family, at any time, from Harry Thomason, Darnell Martens, TRM Incorporated, Harry Thomason & Associates, World Wide Travel, Air Advantage, or any entity or person affiliated therewith.

Harry Thomason and his wife, Linda Bloodworth-Thomason, are long-time personal friends, and my family and I have both given gifts to and received gifts from them at anniversaries,

birthdays, Christmas, and other occasions. We have stayed at their home, and they have visited us at ours. I do not recall receiving gifts from the other persons and entities listed in this question, or, to my knowledge, from entities or persons are who are "affiliated" with these people and entities.

20. Identify and set forth the information sought in the preliminary statement of any participation, concern, or pressure exerted by you or the Office of the First Lady to terminate any other employees of the White House during the first fifteen months of the Clinton presidency.

Identify all information known to you of any "rumors" of possible wrongdoing in the White House Travel Office prior to the May 19, 1993 firings of the employees.

Identify all information known to you of any "financial mismanagement" of possible wrongdoing in the White House Travel Office as of May 12, 1993.

As has been true of all new Presidents, my husband took such steps to organize the Executive Branch as he thought proper to discharge his responsibilities as Chief Executive. Likewise, since January 20, 1993, such steps have been taken as were deemed necessary and appropriate, including personnel changes, to make the White House residence a comfortable and efficient place for us to live and a welcoming and pleasant environment for us to entertain both state and personal guests.

For responses to the second and third sentences of this interrogatory, please see my previous Response to Nos. 7-10.

21. Do you have any knowledge of anyone who at any time maintained, stored, or utilized any records in the White House residence Book Room regarding the White House Travel Office matter, the personnel employed in the White House Travel Office,

or any proposed or actual activities of Mr. Harry Thomason, including but not limited to, all aviation matters involving Mr. Thomason, Darnell Martens, and/or TRM Incorporated, the Presidential Inaugural Committee, or other transportation related issues?

I have no such knowledge.

22. Provide a written description detailing any knowledge which you have concerning the origin and chain-of-custody of the undated 9-page memorandum by Mr. David Watkins, a copy of which was produced to this Committee on January 3, 1996. This document includes Bates-stamp numbers CCGE 12286-12294. Identify all persons in the chain-of-custody of whom you have any knowledge by name and location. Include any information that you have concerning the origin and chain-of-custody of any other drafts, copies of drafts, final versions, or copies of final versions of the Watkins memorandum.

Describe any other similar documents, drafts, copies of drafts, final versions or copies of final versions of the 9-page Watkins memorandum of which you have knowledge. Include any information that you have concerning the origin and chain-of-custody of any of these additional documents.

Provide a complete account of all your knowledge, past or present, of the existence of the 9-page Watkins memorandum. Describe the circumstance or circumstances under which you gained any knowledge whatsoever of the drafting, existence, storage, retrieval, or use of this memorandum for any purposes whatsoever.

In the 9-page draft Watkins memorandum, Mr. Watkins makes four references to an issue that developed between the Secret Service and the First Family in February and March, 1993. Based upon Mr. Watkins' stated belief that a poorly handled Secret Service incident required that he take immediate and forceful action on subsequent matters requested by you, provide a full description of the February, March or Spring, 1993 Secret Service incidents in which you and/or the President were involved. Identify what was expected of Mr. Watkins and Mr. McLarty that they failed to do for you and/or the President in response to the incidents.

I have no first-hand knowledge of the origins or chain of custody of this memorandum.

I do not know for certain what particular incidents Mr. Watkins is referring to in his draft memorandum, but there was

an adjustment period in early 1993 when we had to become accustomed to the security and surveillance procedures then in effect in the White House. Moreover, certain false reports of conduct within the White House residence had been circulated and even published during the first few months after our move, and it was sometimes implied that the source of these rumors was the Secret Service. Mr. McLarty and Mr. Watkins were able to work out procedures which better accommodated the needs of our family and the Secret Service.

23. Set forth all information known to you concerning the circumstances leading up to the departure of Mr. Watkins from the White House, including but not limited to, any concerns about his management, personal conduct towards employees, and actions regarding the use of White House helicopters.

I have no first-hand knowledge of the circumstances which led to Mr. Watkins' departure from the White House.

24. Set forth all information known to you concerning Catherine Cornelius' role in the Travel Office firings and any actions taken by David Watkins, Patsy Thomasson or others to remove Catherine Cornelius from her job at the White House following the Travel Office firings. Describe any efforts made to find Ms. Cornelius another job and any knowledge you have concerning Ms. Cornelius' concerns about the hostile environment created by David Watkins and Patsy Thomasson.

I have no first-hand knowledge of these matters.

25. Were you aware of any "talking points" concerning Mr. Billy Dale or the Travel Office disseminated by your office at any time since Mr. Dale's trial began on October 26, 1995? If so please describe with whom you discussed any such talking points and any information you were provided about such efforts.

I'm not aware of any "talking points" concerning Mr. Dale

or the Travel Office that my office "disseminated" in this period. I know that, prior to interviews, press conferences, or public appearances, I have occasionally been furnished with information to be used in answering predicted questions. Some of these predicted questions have related to Travel Office matters.

26. Set forth all information known to you concerning any actions taken to use Presidential Inaugural Funds to fund outside volunteers or other employees to assist in any White House functions and the role of Harry Thomason, David Watkins, Vince Foster, Michael Berman and others in exploring ways to use outside sources of funding or Presidential Inaugural Funds to fund any White House activities.

I helped arrange a \$300,000 donation by the Presidential Inaugural Committee to the White House Historical Association in 1993 to be used for the renovation and upkeep of the White House. I am generally aware that there were discussions in 1993 of ways to manage the work load and ameliorate the effects of the 25% staff cut which the Administration had imposed on itself and that these discussions included consideration of whether excess Presidential Inaugural Committee funds could be used for such purposes, although ultimately they were not.

Hillary Rodham Clinton
HILLARY RODHAM CLINTON

Subscribed and sworn to before me
this 21st day of March, 1996.

Maura K. Ricketts
Notary Public

MAURA K. RICKETTS
NOTARY PUBLIC DISTRICT OF COLUMBIA
My Commission Expires February 14, 1999



^BC-Clinton-Travel Office, 2nd Ld-Writethru, a0672,790<

^Ray: 'Substantial evidence' of Hillary Clinton role in travel office firings<

^Eds: SUBS 10th graf pvs bgng, 'Mrs. Clinton,' with 3 grafs to UPDATE with detail; PICKS UP 11th graf pvs bgng, 'Nevertheless, the'<

^By PETE YOST=

^Associated Press Writer=

¶ WASHINGTON (AP) — Independent Counsel Robert Ray said Thursday there is "substantial evidence" that Hillary Rodham Clinton played a role in White House travel office firings, contrary to her denials, but he won't bring charges against her.

¶ Ray said he could not prove beyond a reasonable doubt that "any of Mrs. Clinton's statements and testimony regarding her involvement in the travel office firings were knowingly false."

¶ "The independent counsel has declined prosecution of Mrs. Clinton," Ray said.

¶ The prosecutor also criticized the White House for what he called "substantial resistance" to providing "relevant evidence" to his investigators.

¶ "The White House asserted unfounded privileges that were later rejected in court," Ray said. "White House officials also conducted inadequate searches for documents and failed to make timely production of documents, including relevant e-mails."

¶ Ray issued the statement after closing out the investigation into the 1993 firings of all seven employees of the White House travel office, which spurred one of the first major controversies of President Clinton's tenure.

¶ The announcement comes less than six months before the election. Mrs. Clinton is seeking to become a U.S. senator from New York.

¶ When Ray recently announced the closing of the FBI files investigation, he praised the White House for cooperation and emphasized there was no "substantial" evidence of wrongdoing.

¶ But in Thursday's statement, Ray challenged the veracity of Mrs. Clinton's account of the firings. She has repeatedly stated she did not play a role in them.

¶ "Mrs. Clinton does not know the origin of the decision to remove the White House travel office employees," her lawyers told congressional auditors in 1994. "Mrs. Clinton did not direct that any action be taken." In 1996, Mrs. Clinton swore to Congress that the earlier answers "were accurate."

¶ Ray noted that Mrs. Clinton "had discussions with Deputy White House Counsel Vince Foster, Chief of Staff Mack McLarty and longtime friend and adviser Harry Thomason." Ray also called attention to a phone conversation she had with David Watkins, then the White House administration chief.

¶ Those contacts have been known since the White House's original review of the firings in 1993. However, Ray concluded the contacts "ultimately influenced Watkins' decision to fire the travel office employees."

¶ "Nevertheless, the evidence was insufficient to prove to a jury

beyond a reasonable doubt that any of Mrs. Clinton's statements and testimony regarding her involvement in the travel office firings were knowingly false," he said.

¶ The White House travel office workers who were fired served at the pleasure of the president and could have been terminated without any reason. But a White House lawyer who worked for Foster contacted the FBI to pass along rumors of financial improprieties before the workers were fired.

¶ Republicans accused the White House of using the FBI to justify the firings.

¶ Foster later committed suicide.

¶ The White House conducted an internal review and issued a public apology, saying the firings had been mishandled. It also reprimanded four presidential aides while recommending that five of the seven former employees be given new government jobs. The former head of the office was prosecuted and acquitted of financial wrongdoing.

¶ Ray's predecessor, Kenneth Starr, zeroed in on the travel office in January 1996 when a memo by Watkins surfaced stating that Mrs. Clinton had been behind the firings.

¶ A year and a half earlier, Mrs. Clinton had denied ordering the dismissals in written answers a White House lawyer submitted on her behalf to the General Accounting Office, the investigative arm of Congress.

¶ "We ... knew that there would be hell to pay if ... we failed to take swift and decisive action in conformity with the first lady's wishes," Watkins wrote in his unaddressed memo, adding that he had been "as protective and vague as possible" in his own answers to investigators.

¶ "Once this made it onto the first lady's agenda, Vince Foster became involved, and he" and "Thomason regularly informed me of her ... insistence that the situation be resolved immediately by replacing the travel office staff," Watkins wrote.

¶ Mrs. Clinton continued to insist she didn't direct the firings. "I had no decision-making role with regard to the removal," Mrs. Clinton said in written answers to Congress in 1996.

¶
¶

Statement by the Press Secretary

The White House received the Independent Counsel's press release on the travel office matter this afternoon, a report that should officially end its investigation. After seven years of investigation and tens of millions of taxpayer dollars, the Independent Counsel confirms what we have said all along: There is no evidence that the First Lady did anything wrong. In fact, the Independent Counsel confirms what the President and First Lady have always said about this matter. Moreover, by characterizing the results of a legally sealed report in this manner, the Office of the Independent Counsel has further politicized this investigation.

Not already
on
has gone on
far too long.

Lanny Davis
Alan D.

through
inadequate

against no law?

all you can say is what the evidence

 Megan C. Moloney

06/22/2000 04:06:53 PM

Record Type: Record

To: Erika A. Batcheller/WHO/EOP@EOP, Jennifer H. Smith/WHO/EOP@EOP

cc:

Subject: AP -- Travel Office story

FYI

----- Forwarded by Megan C. Moloney/WHO/EOP on 06/22/2000 04:06 PM -----

 Megan C. Moloney

06/22/2000 04:05:20 PM

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Subject: AP -- Travel Office story

^BC-Clinton-Travel Office,110

^URGENT

^Ray: 'Substantial evidence' of Hillary Clinton role in travel office firings

^By PETE YOST= ^Associated Press Writer=

WASHINGTON (AP) Independent Counsel Robert Ray said Thursday there is "substantial evidence" that Hillary Rodham Clinton played a role in White House travel office firings, contrary to her denials, but said he won't bring charges against her.

Ray said he could not prove beyond a reasonable doubt that "any of Mrs. Clinton's statements and testimony regarding her involvement in the travel office firings were knowingly false."

"The independent counsel has declined prosecution of Mrs. Clinton," Ray said.

^MORE

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Record Type: Record

To: See the distribution list at the bottom of this message

cc:

Subject: More from AP

BC-Clinton-Travel Office, 1st Add, a0660,260

^URGENT

^WASHN: Ray said.

The prosecutor also criticized the White House for what he called "substantial resistance" to providing "relevant evidence" to his investigators.

"The White House asserted unfounded privileges that were later rejected in court," Ray said. "White House officials also conducted inadequate searches for documents and failed to make timely production of documents, including relevant e-mails."

Ray issued the statement after closing out the investigation into the 1993 firings of all seven employees of the White House travel office, which spurred one of the first major controversies of President Clinton's tenure.

The announcement comes less than six months before the election. Mrs. Clinton is seeking to become a U.S. senator from New York.

When Ray recently announced the closing of the FBI files investigation, he praised the White House for cooperation and emphasized there was no "substantial" evidence of wrongdoing.

But in Thursday's statement, Ray challenged the veracity of Mrs. Clinton's account of the firings. She has repeatedly stated she did not play a role in them.

Mrs. Clinton "had discussions with Deputy White House Counsel Vince Foster, Chief of Staff Mack McLarty and longtime friend and adviser Harry Thomason," he noted. Ray also said a direct telephone conversation she had with David Watkins, then the White House administration chief, "ultimately influenced Watkins' decision to fire the travel office employees."

^MORE

Message Sent To: _____



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KATHY KIELY
703-558-8971

FOR IMMEDIATE RELEASE

June 22, 2000

Independent Counsel Robert W. Ray issued the following statement today:

The Office of the Independent Counsel ("OIC") has concluded an investigation commonly known as the Travel Office matter. This matter concerned allegations that David Watkins, former Assistant to the President for Management and Administration, and First Lady Hillary Rodham Clinton made false statements in violation of 18 U.S.C. § 1001, committed perjury in violation of 18 U.S.C. § 1621, or obstructed justice in violation of 18 U.S.C. § 1503, in connection with their statements and testimony concerning the May 19, 1993 firing of seven employees of the White House Travel Office. The Independent Counsel has concluded that the evidence was insufficient to prove that Mr. Watkins or Mrs. Clinton made any knowingly false statements, committed perjury, or obstructed justice in this matter.

With respect to Mr. Watkins, the evidence was insufficient to show that his statements regarding whether Mrs. Clinton ordered him to fire the Travel Office employees or that she pressured him to do so were knowingly false. Although there was some evidence that Mrs. Clinton's involvement had the effect of pressuring him to fire the Travel Office employees, that evidence was insufficient to prove beyond a reasonable doubt that Mr. Watkins's statements and testimony regarding that issue were knowingly false.

Similarly, with respect to Mrs. Clinton, there was substantial evidence that she had a "role" in the decision to fire the Travel Office employees. She had discussions with Deputy White House Counsel Vince Foster, Chief of Staff Mack McLarty, and longtime friend and

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advisor Harry Thomason, and one direct telephone conversation with David Watkins (whose responsibilities included oversight and management of the Travel Office) in which she expressed her "concerns" regarding the Travel Office. These individuals discussed her concerns among themselves, which produced a momentum to take immediate action. Thus, Mrs. Clinton's concerns ultimately influenced Watkins's decision to fire the Travel Office employees.

Nevertheless, the evidence was insufficient to prove to a jury beyond a reasonable doubt that any of Mrs. Clinton's statements and testimony regarding her involvement in the Travel Office firings were knowingly false. Accordingly, the Independent Counsel has declined prosecution of Mrs. Clinton as well.

This Office reached its conclusions only after completing an extensive investigation through the assistance of criminal investigators and FBI agents already detailed to this Office. These conclusions are the culmination of the investigative work of these agents and more than 10 attorneys, including Assistant United States Attorneys detailed by the Department of Justice to this Office, other career prosecutors, and senior OIC staff. The investigation included a review of the voluminous record created by investigations by the House Committee on Government Reform and Oversight, the General Accounting Office, the Department of Justice Public Integrity Section and Office of Professional Responsibility, the Inspector General for the Department of the Treasury, and the White House Management Review.

In contrast to the cooperation received from the White House in the FBI Files investigation, concluded in March of this year, this Office experienced substantial resistance in its efforts to obtain relevant evidence in the Travel Office matter. For example, the White House asserted unfounded privileges that were later rejected in court. White House officials also conducted inadequate searches for documents and failed to make timely production of documents, including relevant e-mails, in their possession. Despite these and other obstacles that

JUN 22 '00 16:41 FR USA TODAY NEWS 703 338 8971 10 312024387003 P.04/04 Page 03

substantially delayed the receipt of relevant evidence by this Office, the Independent Counsel has concluded that the investigation may now be closed.

This announcement, like the announcement at the conclusion of the FBI Files matter, is consistent with the statutory requirement relating to the conclusion of an investigation. At that time, an independent counsel is required by statute to submit a final report that "set[s] forth fully and completely the work of the independent counsel." Congress has explained that the scope of this provision requires "independent counsels . . . to provide a summary of the key steps taken in the investigatory and prosecutorial stages of their work and to explain the basis for their decisions." Congress described it as "crucial" to have "a discussion of the conduct of the person for whom the independent counsel was appointed to office." This announcement serves to provide timely information to the public concerning the findings of the investigation with respect to Mr. Watkins and Mrs. Clinton.

Under the Independent Counsel statute, a report filed with the Special Division remains under seal until such time, if at all, the Special Division authorizes its public release. Historically, public release occurs only after those persons named in a report are notified, pursuant to the statute, and have a full opportunity to read the relevant portions of the report that pertain to them and to prepare and file comments. This process typically takes several months after a report is filed.

This Office has now concluded its investigation into allegations relating to Mr. Watkins's and Mrs. Clinton's statements and testimony concerning the Travel Office firings and has fully discharged both of them from criminal liability for matters within this Office's jurisdiction in the Travel Office matter. The matter is now closed.

11TH STORY of Level 1 printed in FULL format.

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NBC News Transcripts

SHOW: MEET THE PRESS (10:00 AM ET)

June 25, 2000, Sunday

LENGTH: 4366 words

HEADLINE: ROBERT RAY DISCUSSES HIS INVESTIGATION INTO THE WHITE HOUSE TRAVEL OFFICE SCANDAL

BODY:

MR. RUSSERT: But first: Eight months ago, Ken Starr was replaced by Robert Ray. This press release from the Office of the Independent Counsel about Hillary Rodham Clinton and the White House Travel Office creates headlines and triggered this response: "By inappropriately characterizing the results of a legally sealed report through innuendo, the Office of the Independent Counsel has further politicized an investigation that has dragged on far too long."

And with us now: the target of those words from the White House, is the independent counsel, Robert Ray. Welcome.

MR. ROBERT RAY: Thank you.

MR. RUSSERT: The White House unloaded on you.

MR. RAY: Well, I think the comment itself with regard to politicizing the investigation is unfortunate, but the White House also did note that my findings, which were announced, in their words, confirmed what the first lady's position had been all along. I'm not going to chara--I won't care to characterize those remarks, but I will say that after a fair and a thorough investigation, we reached findings and conclusions. Those findings and conclusions were that, notwithstanding the fact that there was substantial evidence that the first lady played a role in the firing of the Travel Office employees, my judgment, the judgment of the office, was that no charges would be brought because if a case had been submitted to a jury, no jury would convict on the evidence that we had to present.

MR. RUSSERT: But she has insisted that she played no role.

MR. RAY: Well, again, it's not appropriate at this time for me to characterize her role. My job as a prosecutor is to make a threshold judgment about whether or not, based on the evidence that we have, whether a jury, if presented with that evidence, would be able to find the evidence beyond a reasonable doubt to support a charge. Having made that judgment, that's the end of the matter. I felt it appropriate at this time, once that judgment was made, to release at least that much of our findings and conclusions to the public. My job as a prosecutor is to fairly, and promptly, and responsibly, conclude this investigation. The fact of an investigation lingers. And when we reach a point where I can come to closure with regard to a matter, I think it's important that the public know that closure has been reached. And in this instance, it has

been reached, and I said so.

MR. RUSSERT: Let's go through this carefully because it involves the first lady and, obviously, the integrity of your office. The first is the American public. We asked them in our latest Wall Street Journal/NBC poll what they thought of the investigation: 28% thought a legitimate attempt to expose criminal wrongdoing; 53%, a political effort to hurt Hillary Clinton's campaign.

MR. RAY: Well, obviously, we have more work to do. I have more work to do. And it's important that I make more of an effort to explain to the public what our office does, and what a prosecutor in the position that I find myself does. In this particular instance, our findings and conclusions are not with an effort to expose criminal wrongdoing. Indeed, in this instance, I made a judgment that no charges would be brought. For that purpose, that is the conclusion of the criminal matter, and this matter now returns to the political process. With regard to what we're about, it is important that I think at the end of the day, and I think the country, hopefully, will see this, that we do make an effort to restore the public's confidence in the fair, effective, and impartial administration of the criminal justice system. In this instance, we made a determination that there was not sufficient evidence to bring charges, and that's the end of the matter.

MR. RUSSERT: When you say restore public confidence, has it been tarnished?

MR. RAY: Well, I think that there is a fair degree of evidence that in the political process, it is difficult for a prosecutor to make those non-partisan calls, which I think the country should come to expect, and I think some damage has been done. My job is to act responsibly and to go about my very limited role in that process, so that the country understands that I understand the role that I play, a narrow one, as a prosecutor, to decide whether or not charges should be brought in a criminal case. That's it. I do not have any other further role. I think if the country sees that that's how I go about doing my job, then I hope at least I'll play my small role in restoring the public's confidence in the integrity of the criminal justice system.

MR. RUSSERT: Let's go through this carefully. This is the press release that you put out across the country. It says: "With respect to Mrs. Clinton, there was substantial evidence that she had a 'role'"--and role is in quotes, which is interesting--"in the decision to fire the Travel Office employees. She had discussions with Deputy White House Counsel Vince Foster, Chief of Staff Mack McLarty, longtime friend and adviser Harry Thomason and one direct telephone conversation with David Watkins, whose responsibilities included oversight and management of the Travel Office, in which she expressed her 'concerns'"--in quotes--"regarding the Travel Office. These individuals discussed her concerns among themselves, which produced a momentum to take immediate action. Thus, Mrs. Clinton's concerns ultimately influenced Watkins' decision to, in effect, fire the Travel Office employees." Why did you put role in quotes?

MR. RAY: Well, based upon the first lady's testimony in public--and we evaluated not only her public testimony, but testimony and statements before other investigative bodies, the details of which it's not appropriate for me to comment at this time--but obviously the wording...

MR. RUSSERT: That would be the grand jury?

MR. RAY: I can't have any comment at this point, and we'll have to wait--an appropriate time for there to be a discussion about--further discussion about those matters.

MR. RUSSERT: Well, let me show you what she said that is in the public domain. This was her comment before the GAO, her lawyers speaking on her behalf. She had no role in the decision to terminate the employees. Then before the House, she testified: "I had no decision-making role with regard to the removal of the Travel Office employees." And Mrs. Clinton did not direct that any action be taken by anyone with regard to the Travel Office, other than expressing an interest in receiving information about the review. Are those comments by her truthful?

MR. RAY: Well, let's start at the beginning. The investigation commenced, and the independent counsel became involved as the result of the belated production of what has been referred to as the Watkins memorandum. The fact that there was substantial evidence that the first lady played a role, based upon a consideration of that memorandum, is what caused the independent counsel to investigate this matter. That fact alone, however, is several notches short of a determination that there's sufficient evidence to proceed with the case. And my job, as a prosecutor, was to evaluate the prior statements and testimony under oath and make a determination about whether or not those statements were knowingly false, i.e., whether or not there was perjury, obstruction of justice or knowing false statements. We reviewed, fairly and thoroughly, all of those statements, prior testimony, in light of all of the evidence gathered, and made a determination that, based upon that evidence, a jury would not convict on that evidence. Once that determination was made, we then closed the investigation and announced our findings.

MR. RUSSERT: But you put out a press release saying there was substantial evidence she had a role, and she had said that she didn't have a role. So the suggestion is she's not telling the truth.

MR. RAY: Well, but our findings were that, notwithstanding those prior statements and testimony, that the pressure that ultimately was felt by Mr. Watkins came principally through other people, that is to say Mr. Foster, who was then the deputy White House counsel, Harry Thomason and others, Mack McLarty, the chief of staff. Clearly, he did feel pressure, and we evaluated the evidence in connection with the type of pressure that he did feel. And that pressure, there was evidence to suggest, came and emanated from the first lady. But, again, that's a long way of saying that statements made by the first lady were knowingly false. Our determination was that we would not be able to persuade a jury of that fact beyond a reasonable doubt, and that's the end of the matter. The first lady's entitled to the presumption of innocence. Unless and until we proceed with a charge, go before a jury and a jury evaluated that evidence to a conclusion that a crime had been committed, no crime has been committed.

MR. RUSSERT: During the president's testimony, he says it depends what "is" is. Is this an argument about the word "role," who interprets "role" and what it means?

MR. RAY: Well, "role" is an important word, but, you know, bringing a case

with regard to false statements and obstruction or perjury is a very difficult thing to do. Persuading a jury that a charge is sustainable beyond a reasonable doubt is a particularly difficult thing to do. A prosecutor's role with regard to proceeding with a charge--in essence, dubbing a person a criminal and being able to support your allegations with proof beyond a reasonable doubt--is a very difficult thing to do. My role, again, is a very limited one to decide whether or not a crime has been committed and that it is appropriate in the exercise of discretion to bring such a case to a jury.

MR. RUSSERT: Did you decide a crime was not committed, or did you decide that you couldn't prove the crime?

MR. RAY: Well, we didn't get to the second threshold question, which is even if a crime had been committed, is it appropriate in the exercise of discretion to bring a charge? This one was a relatively easy decision to make, quite frankly, because we did not believe that the proof was sufficient to present it to a jury. Prosecutors have to make other judgments; not every crime that is committed is brought or results in a charge. That was not this case. This case was knocked out at the first threshold question about whether or not the proof was sustainable before a jury.

MR. RUSSERT: In 1996, Mrs. Clinton probably gave one of her more complete statements on this in the public domain in a radio interview on NPR with Diane Rehm. Let me play that for you, and have you--give you a chance to respond:

(Audiotape):

MRS. HILLARY CLINTON: Well, as I have said repeatedly, I expressed concern about the stories of financial mismanagement in the White House Travel Office.

MS. DIANE REHM: What form did that concern take?

MRS. CLINTON: Well, the best that I remember, it was, I have heard these stories; what is happening? You know.

MS. REHM: And to whom did you say that?

MRS. CLINTON: Well, I had two conversations with Mack McLarty, I had a few conversations with Vince Foster, and I did not seek out Mr. Watkins. He called me at Mr. Foster's suggestion to tell me that an accounting firm had been engaged to investigate these reports, that I and others had expressed concern about, and I said, "That sounds like a good idea." But I in no way directed any particular action to be taken.

MS. REHM: Why do you think that he has said what he has said, somehow casting doubt on your version of things?

MRS. CLINTON: Well, I think if you read his memo--and I will, you know, obviously listen to what he says--he doesn't say I directly told him anything. He says that, you know, the fact that I expressed concern had an impact on him. You know, Diane, one of the things I have learned is that before I came to the White House, I dealt with people in a very direct way. If something was on my mind, I said it. That is an entirely different environment, and the mere expression of concern could be, I guess, taken to mean something more than it

was meant.

(End audiotape)

MR. RUSSERT: She expressed concern, but it was interpreted as an order.

MR. RAY: Well, it could be that. And, you know, again, my job as a prosecutor is not to resolve ultimately was it that way, was it another way? When I proceed with a case to a jury, I have to have a theory of the case that I can support to the exclusion of all other possibilities; to, in other words, persuade a jury beyond a reasonable doubt that what the prosecutor says and is able to support is based upon evidence, witnesses and evaluation of credibility of those witnesses, corroboration of documents and witnesses' testimony and so on and so forth. You do not go before a jury as a prosecutor unless you are able to exclude those possibilities that would be consistent with innocence. It's not my task here before you or before anyone else once a criminal investigation has been concluded to sort out what it is I might think it might be or what you might think it might be or someone else might think it might be. My job is to determine: Can I bring a case that is sustainable with proof that proves that it is the way I said it is?

MR. RUSSERT: Let me go back to your press release because you went on to say: "Nevertheless, the evidence was insufficient to prove to a jury beyond a reasonable doubt that any of Mrs. Clinton's statements and testimony regarding her involvement in the Travel Office firings were knowingly false. Accordingly, the independent counsel has declined prosecution of Mrs. Clinton as well." When you say nevertheless, you're suggesting that you had found evidence which was conflicting to what she had said. Why didn't you say therefore, rather than nevertheless? "We looked at this, we couldn't find evidence to sustain a crime therefore, there will be no prosecution." Why nevertheless?

MR. RAY: Well, because the investigation began with substantial evidence that the first lady had a role in connection with the Travel Office firings. I mean, I could just...

MR. RUSSERT: But she said she didn't.

MR. RAY: Well, but those are the statements and testimony that I have to evaluate and decide whether or not at the end of the day there is sufficient and sustainable proof that will render a verdict beyond a reasonable doubt. And if there is not, that's it. And my role is finished.

MR. RUSSERT: But it sounds like you were convinced that she hadn't told the truth, but you didn't think you could convict her.

MR. RAY: No. Look, what is clear from our evaluation of the evidence is that there was a momentum that was created that, indeed, in fact, emanated from the first lady that was received by Mr. Watkins. Mr. Watkins, by all accounts, was the person who was responsible for making the decision to fire the Travel Office employees. It was his decision. He felt pressure. What you're asking is, based upon what it is the first lady testified to, and the statements that she made, were her statements and testimony knowingly false? That's a big, and a very different, question than sorting out what was the role, exactly what happened, was there momentum, were concerns expressed and how all of this, you know, was sorted out.

MR. RUSSERT: And to that question, you concluded no?

MR. RAY: And to that question, I concluded emphatically no and that there was not a case to be brought, and that's the end of the matter.

MR. RUSSERT: This is the way the media treated the release of your press release. This is the LA Times. The headline: Inquiry Offers Signs of Lies By First Lady. "There is substantial evidence that first lady Hillary Rodham Clinton lied under oath in denying that she played a role in the '93 White House Travel Office firings, independent counsel Robert W. Ray reported Thursday." Is that accurate?

MR. RAY: Well, I'm not going to comment about, again, what the pub--or how the public and how newspapers evaluate what it is that we have said. I've issued a press release. I have issued a press release to give the public timely information about what it is we decided. At the end of the day, a determination was made that no case would be brought. And that's the end of the matter and that's where things should be left. That process has now been fully and fairly completed, in my judgment, and this matter then returns appropriately to the people and to the political process where it belongs.

MR. RUSSERT: Another newspaper report from The New York Post said: "Sources say Ray believes Clinton lied about her role in firing career staffers to make way for presidential cronies, but she fudged her Travelgate testimony enough to make it too hard to get a conviction." Is that your view?

MR. RAY: I don't have beliefs with regard to that in the proper functioning of my role as a prosecutor. Look, what I believe makes no difference. It doesn't matter what I believe. It matters what I can prove. And at the end of the day, we could not prove, based upon the evidence that we had gathered, that there was, in fact, knowing false testimony, and we concluded the investigation because that was the judgment that was made.

MR. RUSSERT: Supporters of Mrs. Clinton will say, "Well, Mr. Ray, if that's your view, then why issue a press release?" Your report was sent up under seal to a court, and will remain private unless that court releases it. By issuing a press release saying that you found substantial evidence that she, Mrs. Clinton, had played a role, you have smeared the first lady without prosecuting her.

MR. RAY: Well, I have made it a point to be as fair as I can be without characterizing the evidence. But it is important, I believe, consistent with the oath that I took in connection with my duties as independent counsel, to render a prompt, and fair, and impartial judgment, and when that judgment is made, that I share that judgment with the people. I am not an elected official. I am not a presidential appointee with the advice and the consent of the Senate. I am a prosecutor going about making prosecutorial decisions. An investigation creates a lingering cloud over the target or the subject of that investigation, and when I make a judgment that a matter should be closed, I think that when I make that judgment, that should be shared with the public. And that's what we did, and nothing more, with regard to a resolution of this matter during the course of this week.

MR. RUSSERT: One of the key figures in the White House Travel Office was Billy Dale. Did you ever speak to him?

MR. RAY: I did not, but certainly our investigators did during the course of the investigation.

MR. RUSSERT: Let me show you something else you said in your press release: "This office experienced substantial resistance in its efforts to obtain relevant evidence in the Travel Office matter. For example, the White House asserted unfounded privileges that were later rejected in court. White House officials also conducted inadequate searches for documents and failed to make timely production of documents, including relevant e-mails in their possession." Was there any indication that the president or first lady was involved in the delay of providing you information?

MR. RAY: Well, I have characterized it as being the delay that resulted from the actions of those in the White House; not my job to sort out who all was, you know, involved, or made the decision as to why those things occurred, other than to suggest and to say, as I did, that the fact that there was delay substantially delayed our investigation. And the Watkins memorandum was produced nearly two years after it had originally been created. That was in the spring of 1996. That was a substantial delay in ultimately what became the White House Travel Office investigation. Then, the production and delayed production of other documents, and the inability to search comprehensively for relevant materials that were clearly pertinent to our investigation further delayed this matter.

In addition, the assertion of privileges, a White House government attorney-client privilege, was rejected in the courts. Other privileges that were considered--also rejected in the courts. Each of these matters that then--you know, the White House has an absolute right to go in and assert privileges, but the fact of the matter is, they were tested and found to be wanting. And because of that, that caused the investigation to now be delayed to a conclusion some four years after it was commenced.

MR. RUSSERT: Was it an intentional delay?

MR. RAY: Well, again, our judgment with regard to this matter is really one at this point of simply informing the public that the res--whatever motivated those actions caused a delay in my investigation. And I think in terms of a full and complete reporting on the course of the investigation, it's important that the public know what's happened. That's what's happened.

MR. RUSSERT: You have two remaining areas to report on: Watergate--oh, excuse me, Whitewater.

MR. RAY: I have enough to do, thank you.

MR. RUSSERT: Whitewater--you're done with Watergate--years ago. Whitewater, and whether or not the president lied under oath in the whole Monica Lewinsky saga. When can we expect reports on those two areas?

MR. RAY: Well, I have laid out a fairly ambitious schedule during the course of this year, calendar year 2000, to complete those matters under investigation that can be called to completion. In March, we announced our findings and conclusions with regard to the FBI files matter. Now, in June, I have announced

the findings and conclusions with regard to the Travel Office matter. And it is my hope and expectation that by September, we will be in a position to announce our findings and conclusions with regard to the Whitewater matter and its related aspects. I have said publicly that the matter involving the president in connection with the Lewinsky investigation and his prior testimony remains under investigation, and that there will be an appropriate time to render a judgment with regard to that matter, and that time will come when the president leaves office.

MR. RUSSERT: Can you indict a sitting president?

MR. RAY: Well, whether we can or we can't, I don't proceed with a matter if it would be effectively rendered academic, based upon the calendar. If one were to proceed with the charge, even at this point, that case, no doubt, would proceed through a district court. It ultimately, even if it bypassed the Court of Appeals, would go to the Supreme Court for a final resolution. It's an open question. And even as a constitutional matter, if one could do it, there are huge prudential reasons why one would really stop short of traveling down that road. In any event, the point is that if there were to be a case, at this point, it would not be resolved in the Supreme Court until well after the president left office, in any event. So in my judgment, that's an academic question.

MR. RUSSERT: So if you did decide to indict the president, you would wait until he left office?

MR. RAY: Yeah. And I'm only prepared to speak to the issue at the threshold matter that an investigation continues with regard to it and an appropriate judgment will be made and a responsible judgment will be made with regard to that matter when the president leaves office.

MR. RUSSERT: The fact that a federal judge has held the president in contempt of court and that the Arkansas Bar Committee has recommended disbarment, does that have any bearing on your investigation or decision regarding the president?

MR. RAY: Well, I'm not going to comment about this matter specifically. I will say that, as a general proposition as to how a prosecutor considers a case, many factors go into a determination about whether or not to proceed with a case, not the least of which is whether or not there's a substantial federal interest in proceeding with a prosecution. And that's a question separate and apart from whatever the strength of the evidence might be. Now, in this particular matter regarding the Travel Office, I said that we proceeded to a point only to determine that there was not sufficient evidence to proceed with a case beyond a reasonable doubt.

MR. RUSSERT: What do you mean by federal interest?

MR. RAY: Well, there are factors that the Department of Justice asks prosecutors to consider, with regard to every case, a substantial federal interest in bringing a case, what interest of federal law is being vindicated by proceeding with charges in an individual instance.

MR. RUSSERT: How about public fatigue with scandal?

MR. RAY: Well, I'm well aware of the fact that the country is weary of this investigation. That is why it has been my great hope to expeditiously, responsibly and in a timely fashion conclude those investigations when they can be concluded. I think last week's effort by our staff goes a long way toward restoring public confidence in our ability to do that. I will turn my attention to the Whitewater matter, and we will, if we can, conclude that matter expeditiously. And then I will turn my attention to the matter involving the president. I know that the country wants closure here, and I will do everything that I can to see that we get there.

MR. RUSSERT: Will public opinion influence your decision? If people said, "Enough already, let's leave this behind us," even though you thought you had enough evidence, would you decline to prosecute because of lack of public support?

MR. RAY: Well, you know, Abraham Lincoln said a long time ago that public sentiment makes everything possible. And without public sentiment, things are very, very difficult. I am mindful of the fact of the--you know, the environment that I operate in. I am well aware of the fact that I don't exist in a political vacuum. But I have to make a responsible judgment as a prosecutor. No person is above the law. I have said that. There's a process in place for us to make a careful evaluation regarding the president's conduct, and we will do that.

MR. RUSSERT: Robert Ray, we thank you for sharing your views this morning.

MR. RAY: Thank you. Thank you for having me.

MR. RUSSERT: Next up: another investigation of Al Gore involving fund raising, another execution on the watch of George W. Bush. Insights and analysis from: David Broder of The Washington Post, Jim Fallows of the Atlantic Monthly, Bill Kristol of the Weekly Standard and Clarence Page of the Chicago Tribune.

And: Later today the Green Party nominates Ralph Nader for president. He is with us live.

(Announcements)

LANGUAGE: English

LOAD-DATE: June 25, 2000

6TH STORY of Level 1 printed in FULL format.

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ABC NEWS

SHOW: THIS WEEK (10:30 AM ET)

June 25, 2000, Sunday

TYPE: Profile

LENGTH: 8880 words

HEADLINE: SENATOR ARLEN SPECTER, JACK QUINN, REPUBLICAN REPRESENTATIVE DAN BURTON AND DEMOCRATIC REPRESENTATIVE BARNEY FRANK DISCUSS FUND-RAISING CHARGES AGAINST AL GORE; GOVERNOR JESSE VENTURA DISCUSSES POLITICS; REVEREND PAT ROBERTSON DISCUSSES CAPITAL PUNISHMENT; ROUNDTABLE

ANCHORS: SAM DONALDSON; COKIE ROBERTS

REPORTERS: PETER JENNINGS

BODY:

Announcer: From ABC News, THIS WEEK with Sam Donaldson and Cokie Roberts.

SAM DONALDSON, co-host:

This week the vice president moves to quell the latest flare-up in his campaign. Gore claims the truth of the fund-raising issue is on his side.

Vice President AL GORE (Democratic Presidential Candidate): I think the truth is--is--is my friend in this.

DONALDSON: Challenging the vice president, Senator Arlen Specter, our exclusive guest, comes under attack himself for leaking the investigation.

And in the vice president's corner, Jack Quinn, former Gore chief of staff.

And another inquiry ends with no charges being lodged against the first lady, Hillary Clinton, but are there more investigations to come? We'll ask Republican Representative Dan Burton and Democratic Representative Barney Frank.

COKIE ROBERTS, co-host:

And this week, Gore spends some down time in Minnesota, but was it a visit to a potential running mate?

DONALDSON: If he asked you, would you say yes?

ROBERTS: We'll have an exclusive interview with Governor Jesse Ventura.

Plus Governor George Bush takes some heat over another Texas execution. We'll talk to Reverend Pat Robertson who's questioning the death penalty.

Announcer: That's THIS WEEK, with George Will and George Stephanopoulos. And now, from Washington, Sam Donaldson and Cokie Roberts.

ROBERTS: Welcome to our program. This week a Justice Department prosecutor called for a special counsel to investigate Al Gore's fund-raising activities in the 1996 presidential campaign and whether he lied about them. Senator Arlen Specter of Pennsylvania revealed that that was the case. He joins us now from New Jersey.

Thank you for being here...

Senator ARLEN SPECTER (Republican, Pennsylvania): Nice being with you, Cokie.

ROBERTS: ...Senator.

Sen. SPECTER: Thanks for the invitation.

ROBERTS: Now, you expect to have hearings this week where you will call before you Attorney General Janet Reno. What do you want to ask her?

Sen. SPECTER: I want to ask her why she hasn't appointed independent counsel in the past when it was recommended by FBI Director Louis Freeh, by her special attorney, Charles LaBella, by Robert Litt, one of her senior attorneys, and now by Robert Conrad, who has made the recommendation. The attorney general has really isolated herself from all of these career professionals and the Judiciary Committee has constitutional oversight, and we want to find out why she hasn't acted a long time ago, and now.

ROBERTS: Well, of course, she's had other people in the Justice Department recommending against independent counsel and there is speculation on the part of Democrats that you leaked this story in order to pressure Janet Reno into naming a special counsel.

Sen. SPECTER: Well, Cokie, it's not a leak when it's an official Judiciary Committee investigation. And bear this in mind: My sub-committee brought in Robert Conrad, the chief campaign finance lawyer, and we asked him the questions, and when he refused to answer, it was my judgement that ought--that ought to be in the public domain so that there would be public accountability.

And this is not just one item. I've been questioning the attorney general about this subject for three years, back to the spring of 1997, and our sub-committee has gone into great detail about the vice president's statements about whether he knew he was raising hard money, and the timing of this questioning of the vice president by Mr. Conrad is very curious. We had subpoenas out for the Freeh and LaBella memoranda. They had never been publicly--publicly released, and those subpoenas were out in April, returnable on April 20.

And then on April 18, Mr. Conrad questions the vice president, and it's obviously an enormous embarrassment for the Department of Justice as to why the attorney general has not acted up till now. And an even greater embarrassment, they've never questioned him about the Buddhist temple, or about the coffees,

and they did that, really, because our sub-committee was--was pushing to get answers.

ROBERTS: So, Senator Specter, there's some questioning of your timing in revealing Conrad's intentions. The Gore campaign has referred to it as "dirty tricks and political skullduggery." This is--you--accusing you of simply trying to promote the cause of Governor Bush.

Sen. SPECTER: Well, it's an old approach, Cokie, to make countercharges against the messenger. My record is a very strong one in the Senate for some 20 years on biparship--bipartisanship, and on running objective--objective inquiries. But, listen, let's--let's face the facts. I've not said that the vice president has done anything wrong. What I have said is that there's a basis for independent counsel. I think that...

ROBERTS: Well, let's--let's talk about that for a second...

Sen. SPECTER: OK.

ROBERTS: ...Senator, because...

Sen. SPECTER: Sure.

ROBERTS: ...you say that and--and all of the gentlemen whom you've cited, including Charles LaBella, who is head of the task force, have said the same thing. This is a process question...

Sen. SPECTER: Right.

ROBERTS: ...not a question of substance, and there--there's nothing prosecutable that the vice president has done, so why go through this exercise?

Sen. SPECTER: Because the independent counsel law, which is now expired, required it, and so do the regulations of the attorney general. I'm not saying that there's anything prosecutable, and in fairness to the vice president, it should be emphasized that there is a big difference between the level of information to warrant a special counsel and what would be necessary to have a prosecution. But there are a great many unanswered questions, and I think the American people have a right to know.

By the way, I don't think the attorney general is going to appoint a special counsel, and if she doesn't do so soon, it'll be too late. I think that this question ought to be clarified by someone who's independent. Look here, when Attorney General Reno came up for confirmation, she wanted the senators, including me, to vote to confirm her, which I did--she emphasized the importance of independent counsel so that there'd be somebody objective. The vice president...

ROBERTS: Wait--but, but...

Sen. SPECTER: Go ahead.

ROBERTS: ...Senator--Senator, we've go through all that, and then the question is, you know, now--now you're going to have hearings. You've--you've put this information out there. The--the head of the FBI has been on your side

on this, and there are reports that he has been around Capitol Hill talking to members of Congress, asking them not to call him to testify, and that maybe he is the source of this information.

Sen. SPECTER: Well, I'm determined to bring FBI Director Freeh for--to be subpoenaed if necessary, and I've said that in the...

ROBERTS: And is he the source of the information?

Sen. SPECTER: Well, he didn't tell me. Let me--let me put it that way, but he--he needs to testify about a very critical memorandum, and I think that the FBI director, and I'll be very blunt about this, did not act properly in concealing a memo from December of 1996 which showed that the key man in the Justice Department told the FBI that the attorney general was under a lot of pressure on these campaign cases...

ROBERTS: And you're going to require...

Sen. SPECTER: ...and that he...

ROBERTS: ...that he come in...

Sen. SPECTER: ...and that--and that...

ROBERTS: ...and testify about that?

Sen. SPECTER: Let--let me just finish this, Cokie, and that the attorney general's job was on the line, and I intend to ask Attorney General Reno about that, and I pressed to have Director Freeh sitting right beside her. I--I want to know what the truth is.

ROBERTS: Will you subpoena him to come into the committee to testify?

Sen. SPECTER: I sure will try, but I don't have the final word. That's up to the full committee.

ROBERTS: And--and, Senator, you are not going to tell us where you got this information that you then put out last week...

Sen. SPECTER: Well, Cokie...

ROBERTS: ...about Robert Conrad?

Sen. SPECTER: ...Cokie, I may--I may disclose that in the course of hearings in an official way, but it is an official investigation. I know that ABC News and THIS WEEK is very anxious to reveal their sources, but--just kidding--but on an official investigation we may disclose it in an appropriate time. This is not some leak to some fly-by-night journalist. This is an official Judiciary Committee investigation, and we asked Mr. Conrad, on the record, to explain it in an open hearing before I made the public disclosure, and I did it in full view of everybody.

ROBERTS: Senator, I assume you're not talking about us when you're talking about fly-by-night journalists, but thank you very much. Thanks for being with

us this morning.

Sen. SPECTER: Cokie--Cokie, you're--you're a morning show. You're not fly-by-night.

ROBERTS: There you go. Thank you, Senator Specter.

Sen. SPECTER: Nice being with you. Thank you.

ROBERTS: Sam:

DONALDSON: Cokie. Joining us now is Jack Quinn, the former chief of staff for Vice President Gore, and a former counsel for President Clinton.

Welcome, Mr. Quinn.

Mr. JACK QUINN (Former Chief of Staff for Vice President Gore): Thank you, Sam.

DONALDSON: Senator Specter makes the case that three, perhaps four, highly placed officials over the years have urged the attorney general to appoint a special counsel. What's the case against doing so?

Mr. QUINN: Well, it's important as--to note, as Cokie said, that there are, no doubt, a great many other people in the Department of Justice who've argued to the contrary, that a special counsel, or, in the past, an independent counsel should not be appointed. The argument why you don't need one is pretty clear.

As Senator Specter, and apparently Mr. Conrad and everyone else involved has said, there's no evidence of wrongdoing. Under the old independent counsel law, which of course is not operative today, it wasn't the case that whenever the president or the vice president is involved, you need an outside counsel. Rather what the law says--said at the time, is you--when the president or vice president is involved and there is meaningful credible evidence of wrongdoing then it should be taken outside the Department of Justice. But everyone here acknowledges that on the underlying facts there is no evidence of wrongdoing.

DONALDSON: Mr. Conrad seems to be concentrating on the belief that the vice president may have sworn falsely, or testified falsely under oath about the Buddhist temple fund-raising. Here's the vice president's bottom line to Mr. Conrad. "I did not know that it was a fund-raiser. And I do not to this day know that it was a fund-raiser." Mr. Quinn, doesn't everyone now acknowledge that money was raised, checks came in?

Mr. QUINN: No, and there was a lot embedded in that question. Let me try to sort it out. Number one, Mr. Conrad, I--I wasted my Saturday, I don't know if you did reading through his transcript. And I don't see any evidence of misleading testimony or false testimony. Number two, the staff that was involved in the case that they never told the vice president this was a fund-raiser, the vice president has always maintained that he has never believed that it was a fund-raiser.

The Boston Globe reporter that accompanied him didn't believe it was a fund-raiser, he went there and he gave a speech about brotherhood. Apparently what happened here is that a fund-raiser that had been scheduled for an earlier

point in the day was canceled and some of the people who had been invited to that were, unbeknownst to the president, invited to go to the--the temple event. That does not make it a fund-raiser. It was not a fund-raiser. The vice president didn't believe then, and correctly doesn't believe now that it was a fund-raiser.

DONALDSON: Well...

Mr. QUINN: There's no misleading here about the nature of that event. Now, I--I think that it's important that we remember, we are four months away from an important national election. This is not the moment when we should embark upon another seven-year-long, \$ 50 million independent counsel investigation. The transcript is out there. The vice president made it available to you and to the American people...

DONALDSON: Well in--in our...

Mr. QUINN: We ought to let the American people decide...

DONALDSON: Limited time. Let me ask you about another one. They ask him about the coffees. Mr. Conrad did. And when asked whether he'd hosted 23 White House coffees, the vice president said 'that seemed inaccurate to me.' Two days later his attorney corrected the record saying 'Well, yes he'd hosted coffees in the EOB, the Executive Office Building,' didn't realize that that what's the question embodied. But also went on to say he probably did, according to his schedule, attend four White House coffees. Mr. Conrad, apparently, according to information, seemed to suggest that the vice president was a little wishy washy to the point of maybe testifying falsely.

Mr. QUINN: No, again, it wasn't quite as you represented it, and context is everything. The context of this discussion is about the White House coffees. I happen to have been, as chief of staff at the time, I recall going to one with him. I went to a handful of others myself without him and even I got pretty bored and stopped going.

Now, the vice president understood in the context of that conversation that he--that Mr. Conrad was asking about coffees over in the White House. The events you're talking about that the vice president hosted in the old Executive Office Building have been on the public record and the vice president knew that when he testified for months and months and months. He had no reason either to think Mr. Conrad was referring to them or more importantly to, in any way, dissemble about those events which were in a different place and of a different nature.

DONALDSON: Mr. Quinn, I know we'll have time in the weeks ahead to continue to discuss this. I know that Governor Bush has said he could try to keep it on the record, at least. Thank you very much for coming in today.

Mr. QUINN: Thank you.

DONALDSON: And when we come back, we'll continue this discussion, also inquire about the first lady's ongoing problems. We'll talk to Republican Dan Burton and Democrat Barney Frank. And later, is he ready to rumble in the vice presidential arena? We'll have an exclusive interview with Governor Jesse Ventura.

Announcer: From ABC News, THIS WEEK with Sam Donaldson and Cokie Roberts. Brought to you by...

(Commercial break)

DONALDSON: Joining us now from Indianapolis, Dan Burton who's chairman of the Government Reform Committee.

Welcome Mr. Chairman, nice to see you.

Representative DAN BURTON (Chairman, Government Reform Committee): Hi, Sam. How are you?

DONALDSON: Well, what do you make of the call for a new special counsel?

Rep. BURTON: Well, first of all, I'd like to get some things straight that I don't think were properly covered. First of all, I--I--I--the FBI has indicated, and the people who've talked to the vice president earlier about the problem at the White House and the Executive Office Building, they believe the vice president wasn't truthful, or that he lied about those coffees and the hard money solicitations and that's the reason they asked for a--a--an independent counsel when the independent counsel law was in effect.

Now, Mr. Con--Conrad, he believes the vice president mislead them or lied about the Hsi Lai Temple being a fund-raiser. All the vice president's aides, the people, the Democrat National Committee, the Secret Service, we have memos showing that all of them knew about it. If the vice president didn't know that was a fund-raiser he was the only one in that whole entourage. So they believe he misled them or lied about that and that's what one of the reasons they said there should be a special prosecutor.

And finally, you haven't talked about the e-mail situation, that the vice president said he doesn't know anything about the e-mail situation, that that was something that was beyond him. And yet one of the people at the White House told him, one of the contractors told him about the e-mail problem. He even asked for a memo. The memo was sent to him. We have subpoenaed the e-mails and that memo. They have lost the memo, they said, the e-mails are non-existent and so there's some concern about his truthfulness about the e-mails as well.

DONALDSON: Mr. Burton, you said just recently that after the election, you might be sending criminal referrals to the Justice Department. Against whom?

Rep. BURTON: Against the president, the vice president, and the attorney general. And I'll go through the reasons why. The--the criminal referral is nothing more than a--a request for an investigation based upon the information that we have acquired through our investigation. And our investigation with all the memos and all the things that we've been able to document over the past 2 1/2 to three years shows very clearly to me that the president has lied under oath, that the vice president, we believe, has lied under oath and that the attorney general, according to Mr. Radek didn't appoint an independent counsel according to the law because she thought her job might be at stake. So all of those things need to be clearly investigated by a person who is non-partisan, who is really going to try to get to the bottom of it.

DONALDSON: Well, of course, the people like the White House chief of staff, John Podesta, say the American people are listening less and less to you because they realize that you're just simply on a partisan witch hunt. My question is this, if at the moment people say 'Well, this Justice Department can't fairly investigate the president, the vice president' and you say 'Well, I'll wait until after the election.'

Rep. BURTON: Right.

DONALDSON: If George Bush is elected, and a Republican administration comes on, don't you think people will think that will, in fact, be a witch hunt if you prefer criminal charges or ask the Justice Department to do so?

Rep. BURTON: If it's partisan, Sam, to want to enforce the law properly, to make sure that everybody--you, me, everybody's--treated the same under the law, then I guess that means I'm partisan. But I've been a bulldog in trying to make sure that the law's enforced properly for everybody, equally across the board. Now, as far as waiting until we have a new--a new attorney general, if we could get a non-partisan independent prosecutor right now to look at it, I would be happy to see that happen and I would send criminal referrals if Janet Reno would do something about it. But the fact is for 2 1/2 to three years she's blocked everything we've tried to do. One hundred twenty-two people have taken the Fifth Amendment or fled the country in the campaign finance scandal and she has been totally uncooperative. And so all I can say is that until there's a fair and equitable distribution of the law, fairly and equitably to everybody, then I'm going to continue to pursue this.

DONALDSON: We're about out of time, Mr. Chairman, but as you know, independent counsel Robert Ray, in a finding about the Travel Office business, says there is no evidence to--enough at least, to indict Mrs. Clinton, and he says that case is closed.

Rep. BURTON: Well, let's get it very clear, Sam. He did not say there was no evidence. He said there was not enough evidence to indict the first lady, but he went on to say that he believed she was involved in the Travel Office firings and that she--she--she did involve herself in the whole--whole mess. And so when you say there's not enough evidence to indict, but you believe that she did do some things wrong, that's certainly not giving her a clean bill of health.

DONALDSON: Mr. Burton, thanks very much. Thanks for coming in.

Rep. BURTON: Thanks.

DONALDSON: Cokie:

Rep. BURTON: Thank you, Sam.

ROBERTS: Well, for the other side of the story, Representative Barney Frank of Massachusetts, who happens to be in New York today.

Welcome, Congressman Frank.

Representative BARNEY FRANK (Democrat, Massachusetts): Thank you, Cokie.

ROBERTS: Let's pick up where we just left off here. Robert Ray did say that

Hillary Clinton--the case was closed, but he did say that she had not been forthcoming, that the White House had not been very cooperative, and it does seem to be a pattern out of this White House that is repeated.

Rep. FRANK: Well, I'm afraid the more important pattern is the abuse by the independent counsel. In the first place, as I read it, and I'm holding his official statement, he never said that Mrs. Clinton wasn't forthcoming. He said the White House, in general. In fact, what he said about her, and Dan Burton, not surprisingly, was wrong when he said that--that Mr. Ray said that she had been involved in wrongdoing, or been involved in a mess. Here's--here's exactly what she said: Mrs. Clinton expressed her, quote, "concerns regarding the Travel Office."

These individuals discussed her concerns among themselves which produced a momentum to take immediate action, thus her concerns ultimately influenced the decision. So Mrs. Clinton is found guilty, by this latest version of--of the independent counsel, of having expressed her, quote "concerns," because she'd been told there were some problems. That's what she's acknowledged, so, no, I don't think this reflects at all on Mrs. Clinton. Again, she expressed her concerns in the early months of the new administration. Some people came there and said there were problems in the Travel Office. She is guilty of having expressed concern, and other people may, according to Mr. Ray, have overreacted to her concerns. It's just bizarre that this is considered to be a serious, discussable issue.

ROBERTS: And--and on the matter of the vice president, you do now have several career prosecutors--these are not Republican members of the House of Representatives or the Senate--recommending an independent counsel, or special counsel...

Rep. FRANK: Right.

ROBERTS: ...depending on the status of the law. Wouldn't--wouldn't it make a certain amount of sense to go ahead and do this...

Rep. FRANK: No...

ROBERTS: ...and have this be over with?

Rep. FRANK: No, for this reason. In the first place, it is true that under the previous law which expired, some people reading the law recommended independent counsel. But as you and Senator Specter indicated, no one has come close to concluding that Vice President Gore broke any laws. What they said was under the law--this is under the previous independent counsel law--the criteria for invoking an independent counsel are now satisfied, even though we don't have any real reason to think he broke the law. But that's precisely why Congress allowed the independent counsel law to expire. In other words, you're right. By some independ--by some career prosecutors reading of that law, they were required by the law to do this. Janet Reno said, 'No,' and by the way...

ROBERTS: But--but the law was in effect at the time.

Rep. FRANK: Yes, but Jan--and--and I think they were wrong about the law, but the point is that it was because of this ambiguity in the law that we ever--I

have to say, the notion that Janet Reno was worried about her job, I think is very strange. To have Dan Burton impugn Janet Reno like that, I have to say in a--in a credibility contest, commitment to principal, and--and independent and objective analysis, I'm going to take Janet Reno.

And, in fact, the--the other thing, I want to cut through some of the mumbo-jumbo we've got here--one of these things that Al Gore is, quote, "accused of" is making telephone calls to raise money from a government office buddy. I have to tell you, if that law were, in fact, enforced, you and Sam would have to get visiting privileges to come to a federal prison to interview members of Congress. We couldn't get a quorum outside of Joliet. The hypocrisy of members of Congress...

ROBERTS: Well...

Rep. FRANK: ...claiming that, 'Oh, my god, he used a phone call...

ROBERTS: But...

Rep. FRANK: ...to talk...

ROBERTS: But...

Rep. FRANK: ...to talk to a contributor.

ROBERTS: But, again...

Rep. FRANK: Call the FBI.

which is that the battle line here is a question of whether the vice president told the truth, and that is one that is pretty simple to--to look at...

Rep. FRANK: Right.

ROBERTS: ...and say 'Did he or didn't he?'

Rep. FRANK: Well, I'll tell you this, maybe people find this hard to believe. I have gone to events--the very good people who work for me have, you know, said 'OK, now you're going here and there.' I've originally said 'OK, so-and-so wants me to come.' I don't know whether it's a fund-raiser or not sometimes. Sometimes it's an event where I'm rallying the troops for them. Sometimes it's an event where people paid to get in. Sometimes it's an event where after we've spoken, because I have inspired them to a point where they can hardly contain themselves, they--they are then solicited for money, so it is wholly plausible to me that the vice president of the United States--you know, we've had these situations before. You know, Gerald Ford or Jimmy Carter, or Bill Clinton, walks in and says, 'I'm delighted to be in Ohio,' when he's in Iowa.

ROBERTS: Well, all right. Before you inspire us to--to handing over any hard cash, we will say thank you very much for being here this morning.

Rep. FRANK: Thank you, Cokie. I'll give you the address for the...

ROBERTS: When we come back, will Jesse Ventura jump into the presidential race? We'll find out. And we'll talk to Reverend Pat Robertson about the controversial issue of the death penalty.

(Commercial break)

DONALDSON: Joining us now from an office in his barn on his farm north of Minneapolis is the governor of Minnesota, Jesse Ventura.
Governor, welcome.

Governor JESSE VENTURA (Independent, Minnesota): Hi, Sam. How are you today?

DONALDSON: Good. Well, last week you spent a lot of time with Vice President Gore before we all knew that once again, the attorney general has been pressed by one of her own deputies to name a special counsel to look into his fund raising in 1996. What do you think she should do?

Gov. VENTURA: Well, I'll tell you. I--I haven't kept track of the vice president's fund raising. And I think that, you know, until meaningful campaign finance reform is done, you can look at all of the fund raising you want. There's so many loopholes in the system and so much soft money and it's so--what's the term I would use--it's almost unapproachable or uninvestigatable, if that's a legitimate word. So until--until they do some meaningful reform, to me it's probably much ado about nothing.

DONALDSON: Except, Governor, in this case there are people who suggest crimes may have committed (sic); felonies. The FBI director pressed the attorney general to independent counsel. 'No,' she said. Charles LaBella, who she had brought in to look at it, said, 'You should appoint an independent counsel.' 'No,' she said. Now the head of her own campaign finance task force in the Justice Department says, 'You must appoint a special counsel.' So I suggest again, what do you think she should do?

Gov. VENTURA: Well, then, with all of those experts telling her that, I guess the attorney general should heed the warning and maybe appoint a special counsel.

DONALDSON: All right, Governor. Let's talk about politics, though. In Minnesota, which normally goes Democratic, Vice President Gore and George Bush are almost neck and neck. And among Independents, Bush is ahead. What do you make of that?

Gov. VENTURA: Well, those are polls and polls are just what they are. I mean, you can skewer a poll, you can go out and get the results you want from a poll. I think it's far too early to call any of this. I think--my personal opinion: this election will be won or lost in the debates. And rest assured, I've seen the vice president debate before and he's very good at it.

DONALDSON: Well, awhile back you suggested that if John McCain became the Republican nominee and he were to ask you to be his running mate, you would very seriously consider it. You might even say yes. So I'm going to...

Gov. VENTURA: No.

DONALDSON: No?

Gov. VENTURA: Well, let me correct you. I never said if he became the Republican candidate. I said that if he would run as an Independent candidate--which would require him to leave the Republican Party--yes, then I would have considered it. But the senator went back, he endorsed the governor. And now he's just another Republican.

DONALDSON: I stand corrected. So I suppose it'd be folly for me to ask you if you'd run with Vice President Gore on the Democratic ticket?

Gov. VENTURA: Well, first of all, I--I--I think that that's--you know, it's good, medi--media cannon fodder to--to think that. But you know, I--I find it highly unlikely that they would ask a rogue Independent like myself onto a ticket to be one heartbeat away from the presidency. Now, I suppose I've learned in this business nothing's out of the question and never to be surprised. But there's no indication right now and the vice president has given me no indication that he would ask me to run with him. We really--I think he looks at come and visiting me (sic)--certainly he's doing it for political reasons. If he can be seen with me--the Independent voter is so important because the Independent voter is going to determine this election.

DONALDSON: Yeah, Governor, what's this phrase, 'nothing's out of the question'? I mean, that certainly sounds like you're leaving that barn door open, not just for the chickens and the horses.

Gov. VENTURA: Well, you'd love that, wouldn't you, Sam? Look at these--look at these guys. Boy, oh, boy. I--the--I--right now, there is nothing that says the--the vice president would ever ask me to run with him. And I don't anticipate that. They're not going to...

DONALDSON: If he asked you, would you say yes?

Gov. VENTURA: If he asked me--first of all, he'd have to ask me. Second of all, I would judge it at that point in time and I would sit back and I would not give him a quick answer. I would at least contemplate and meet with my wife, Terry, over the weekend and at that point I'd make a decision. But I--I--I'm not going to sit here and say yes. Frankly, I sit in the same position--after meeting with the vice president and Tipper, after meeting with the president, I don't like that lifestyle. You have to live in a bubble. I like to go out. Like, I have Secret Service scared to death. I told them I was going to take the vice president, we were going to jump in my Porsche and we were going to take off for awhile. You should have seen that. They were panicked.

DONALDSON: Governor, I bring it up because there are a lot of people think that you're still the most interesting politician in the country. You told Newsweek recently that you think you could walk in and steal this presidential election at the 11th hour. But of course, you don't have the Reform Party vehicle anymore because you left it.

Gov. VENTURA: It's a statement that I don't see the electorate getting excited about this election. My friends aren't talking to me about it. When I go to coffee shops, it's not--it's not dis--it's not being discussed. So something is happening out there. There's no motivation going on. And that tells me the door is wide open for a powerful third person to come in and wreak

havoc. And all I did was say that just in stating--because that's what I'm feeling out there from the public.

DONALDSON: Governor, one more subject before I let you go.

Gov. VENTURA: Sure.

DONALDSON: You are against the death penalty. Minnesota does not have a death penalty.

Gov. VENTURA: That's correct.

DONALDSON: So you don't have to make a decision or you don't have to square your conscience with being the governor of the state.

Gov. VENTURA: That's correct, Sam.

DONALDSON: And George W. Bush is not in that situation. And Texas on Friday--or rather Thursday--executed Gary Graham. Was Texas right to do that?

Gov. VENTURA: Well, I'm not going to--I'm not going to second-guess Texas. Texas has a death penalty. Governor Bush is the governor of Texas. That's his business.

DONALDSON: Governor, death is a universal issue. And a lot of people say one of the big problems is you can't be certain that everybody's guilty.

Gov. VENTURA: That's true.

DONALDSON: And maybe innocent people are executed. Would you call for a moratorium until this question can be studied, as you fellow governor of Illinois has just done?

Gov. VENTURA: Well, I--I think Governor Ryan made the right decision. Again, I don't support the death penalty. And it's funny, Sam, because when I was a civilian, not elected, I did. But I've reassessed my opinion now...

DONALDSON: What changed your mind? What changed your mind?

Gov. VENTURA: What changed my mind was the fact that you're right. A lot of this DNA testing today--and what truly changed my mind was the responsibility that I would face if, indeed, the state of Minnesota had a death penalty, which I'm grateful we don't. But I wouldn't want that type of pressure of me having to sign that order to put someone to death. And now, philosophically, I have a feeling that I don't necessarily believe government should be putting people to death.

But, Sam, on the flip side, life should be life. No more of this stuff when they sentence someone to life in prison, and then they're up for parole six years later. If that's the case, don't call it life.

DONALDSON: But what if you get reformed? What if you come to God? What if you truly repent? Should you then rot in prison when you can be a new person?

Gov. VENTURA: Yes, you should. Because you can't reform and bring back that

life you took.

DONALDSON: Governor Ventura, on that note--I wish we had more time. You're always outspoken, you say what you think, that's why I think a lot of people like you. And we like you here at THIS WEEK and hope you'll come back.

Gov. VENTURA: All right.

DONALDSON: And when we come back, George W. Bush under fire for another execution in Texas. George Will talks to Reverend Pat Robertson. Later our ROUNDTABLE with George Stephanopoulos, coming up.

(Commercial break)

Announcer: THIS WEEK, with Sam Donaldson and Cokie Roberts, will continue in a moment, after this from our ABC stations.

(Commercial break)

ROBERTS: The debate over the death penalty has created some strange political alliances. Conservative supporters of capital punishment are taking a second look at the death sentence in light of new information about faulty evidence and incompetent lawyers. The Reverend Pat Robertson is one of those calling for a moratorium on executions. He joins us from Virginia Beach. And here to interview him is George Will.

GEORGE WILL reporting:

Reverend Robertson, let's take two of the arguments that are said to justify capital punishment. One is, capital punishment expresses, as the law should, the strong revulsion of the community over particularly heinous crimes. Is that a justification for capital punishment?

Reverend PAT ROBERTSON (President, Christian Coalition): I'm not sure that 'strong revulsion,' George, is. I--I think the concept of the man that takes the life of another is--his own life should be forfeit. That's a Biblical pre--premise, and the reason that I have been a supporter of capital punishment I think is very deeply rooted in--in the Old Testament.

WILL: Do you believe capital punishment, administered regularly and carefully, saves lives as a deterrent?

Rev. ROBERTSON: It certainly doesn't sa--deter anything right now because justice needs to be swift and certain and--and certainly the appeals take as long as 10 and 12 years. I think the average runs somewhere between nine and 11 years. So it doesn't deter anything the way it's currently administered.

WILL: But that's an argument, surely--if--if...

Rev. ROBERTSON: Oh, yeah.

WILL: ...different administration would save lives, that's an argument not for a moratorium, but for something the reverse of a moratorium.

Rev. ROBERTSON: Well--well, that's exactly right, to--to--to do it swiftly. But you know the Supreme Court has, you know, instituted a moratorium on this and it sort of reversed itself and said, 'OK, only for capital crimes and only with dual sentencing which is presented to a jury can you go forward with a death senten--death sentence for any accused persons. So it's a very limited remedy that we're using right now.

WILL: Well, what is it at this time that moved you to revise your position on capital punishment?

Rev. ROBERTSON: George, I was deeply involved with Carla Faye Tucker. I--I--I saw a--a woman who had been involved, yes, in a very brutal crime under the influence of drugs, who had had an incredible conversion, who was just one of the most beautiful human beings that I've ever seen. Her appeal process had taken about 13 years where she'd been on death row. She was an absolutely model citizen, and all I could see at that point was vengeance. This--this didn't have anything to do with the administration of justice. It was merely vengeance. And I thought that at the least that could have been done was to release her into the prison population; if nothing else, a life sentence, but certainly not--not an execution. But I--I couldn't get through to that clemency board in Texas. It's--it's very dysfunctional.

WILL: Let me ask you about life at the other end of life's spectrum...

Rev. ROBERTSON: Yeah.

WILL: ...question of abortion, which is a big political issue. Last October on this program, you said that if Governor Bush picked a pro-choice running mate, "I would promise him he'd lose the election. It would be the kiss of death." More recently you have moderated that somewhat and said, "I personally could probably accept it. Bush might lose support." Where do you stand at this point?

Rev. ROBERTSON: Oh, George, I--I think the original statement is pretty close to being the truth. I think that the pro-life contingent in our society would not support him. If Pat Buchanan is out there as an active candidate in the Reform Party, that they would probably go with him. And we're looking at a--in an election, although the--the numbers show a tremendous lead for Bush right now, it'll close--as we get closer to the general election, and it could swing on 1 or 2 percentage points. And if--if those people defect, then I think he could--he could stand the risk of losing the election. And I--I'm--I'm pretty persuaded--although he hasn't assured me to that effect--but I'm--I'm persuaded that he will not pick a cho--a pro-choice running mate because of the dissention in the base of the party.

WILL: Well, to attach a name to this--in other words, Governor Ridge of Pennsylvania--means if he's on the ticket, Bush loses.

Rev. ROBERTSON: Politics are funny. You--you know that. I--I've been involved since my father went to Carter's I think 60--68 years ago so I--I--you--you--you can't forecast elections with great certaintude (sic). But I--I think he would be taking a sig--significant risk to--to put Governor Ridge on. I--I said on "Meet the Press" that I think Ridge is a--is--is a good guy. He's been a very able governor and I personally wouldn't have a great deal of qualms about him. But I think the base of the party would.

WILL: The big event of this summer, Reverend Robertson, is, comes July 8th, the publication of volume four of the Harry Potter series. A number of American families seem to be a little upset by this because it's about witchcraft and wizardry and the supernatural and invisibility cloaks and all of that stuff. Have you read these books, had any acquaintance with them? And are you--do you think this is going to corrupt America's youth?

Rev. ROBERTSON: I--no, I haven't read them. But I suppose we've been having fairy tales and stories of--of bad wolves and Little Red Riding Hoods and Cinderellas and all that sort of thing for a long time so I--I--I don't think this is going to be any more corrupting one way or the other. But I--I am not in favor of witchcraft and the occult. I think it's--it's very destructive to people.

WILL: Well, you can check it out. It's more than 700 pages coming soon.

Rev. ROBERTSON: All right.

WILL: Thank you.

Rev. ROBERTSON: OK.

WILL: Cokie:

ROBERTS: Thank you, George.

When we come back, thoughts from our ROUNDTABLE with ABC analyst George Stephanopoulos. Stay with us.

(Commercial break)

DONALDSON: Welcome to our ROUNDTABLE. We give you our opinions. You may or may not agree with them. It's a free country.

And George Stephanopoulos, nice to see you.

GEORGE STEPHANOPOULOS reporting:

Good to be back, Sam.

DONALDSON: Well, you know, I'm reminded of the football color guy (sic) who, when they fumbled the ball, said, 'Well, I don't think that was in the game plan. I don't think they wanted that.' I don't think Vice President Gore wanted this this past week. The question is, how badly does it affect the game? George?

STEPHANOPOULOS: Well, it hurts because he--he was trying to start this Peace and Prosperity tour. And it--it gets in the way of...

ROBERTS: Progress. Progress.

STEPHANOPOULOS: Progress and Prosperity. That's exactly right. Peace is there, too, but they're--they're emphasizing the Progress.

ROBERTS: It's next week.

STEPHANOPOULOS: The--the leak itself creates a lose/lose. Now, no matter what happens, Gore is hurt. If--if a special counsel is appointed, that's hanging over his head the whole campaign.

DONALDSON: Do you think there's any chance of that?

STEPHANOPOULOS: None. Zero. I mean, have you heard a single person say there's a crime underneath it? Not even the prosecutors looking at it. But the damage is already done because now it just becomes the argument, 'Oh, Janet Reno's covering up for him again.'

ROBERTS: Well, and also, it just reminds everybody of--of all of the investigations over the last few years. And yes, people are sick of investigations. And to some degree they blame Republicans for the investigations. But George Bush says--and there's probably some truth it--that the best way to get rid of these investigations is, he says, 'Elect me.' So, you know, that's--that's exactly what Gore has to worry about.

WILL: I gather the point that the people favoring a prosecutor are making is they want a prosecutor to quickly announce that there's nothing prosecutable here.

ROBERTS: Yeah. 'This--this--this is not much.'

WILL: Now, this is the Kabuki dance. And it's--it is a distraction. Whether Mr. Gore has--has been candid is doubtful. Whether he lied, arguably. Prosecutable offense? Certainly not.

DONALDSON: Well, I--I saw the--the Washington Post editorial this week, and it seemed to have three themes: A, it happened a long time ago; B, kind of 'every does it'; and C, why not let the electorate decide this?

STEPHANOPOULOS: Yeah, but Sam, there's no crime there. We're not talking about crimes. That's why this is so terribly unfair to Gore.

DONALDSON: But, George, we can't be certain...

STEPHANOPOULOS: Yes, we can be certain.

DONALDSON: Oh?

STEPHANOPOULOS: Nobody's accusing him of one.

ROBERTS: And the interest...

DONALDSON: Well, the--the--let me just ask a little bit more about that. Mr. Conrad apparently feels that a special counsel should look into the question of whether Gore...

STEPHANOPOULOS: But why?

DONALDSON: ...lied about his view of the fund raising.

STEPHANOPOULOS: First of all, wait a second, we don't know. We don't--we don't know exactly.

DONALDSON: How do we feel?

STEPHANOPOULOS: And what we--what we--what we believe...

DONALDSON: But how can you be so categorically...

ROBERTS: Well...

DONALDSON: ...clear on this?

STEPHANOPOULOS: Because I read the whole transcript.

ROBERTS: Well, and also...

STEPHANOPOULOS: There's no lying there.

ROBERTS: But also in talking to...

DONALDSON: But the lies that are accused of him--if he is accused at all...

ROBERTS: But--excuse...

DONALDSON: ...come from his previous statements vs. what he said in the transcripts.

STEPHANOPOULOS: They do not apply to any underlying crime. Even if he was lying, it wouldn't be material and he--and there's no real evidence he is.

DONALDSON: OK.

ROBERTS: We--I mean, you--we're really in a forest and trees problem here. And I think that it's exactly the same problem we had with the Iran/Contra where everybody was worrying about Ollie North's fence and Country A and Country B and nobody ever understood the fundamental problem there which was that we were subverting the Constitution by having private armies who were not under the influence of civilian--the civilian elected officials. Here...

DONALDSON: Apparently you understood it.

ROBERTS: Well, but America didn't. And here what we're doing is with all of this, you know, Johnny Chung and Maria Shaw and all that stuff, not getting to the fundamental question of this--this fund-raising is totally out of control. The--the president, the vice president...

STEPHANOPOULOS: Throughout the system.

ROBERTS: ...are off every day, raising money by the millions. That's what--that's what they spend all their time doing.

DONALDSON: Well, you got to have the money to buy the television ads. So, I mean...

ROBERTS: But it's become--it's gotten to be a point where it's just so much money. And it doesn't much matter whether it's at a coffee or at a temple or where it is. It's the amount of money in the system that's become incredible.

WILL: There are...

DONALDSON: George--George Will:

WILL: ...of course, those of us who believe it ought to be out of control. But...

DONALDSON: Let me show you the latest polls and then let's get what everyone thinks as we look at the horse race. There are a couple out this week I want to show you.

First, at voters.com, Battleground poll shows Bush and Gore now--I'm sorry this...

ROBERTS: That's right. That's right.

TEXT:

Voter.com Battleground POLL

If the election was held today...

6/11-6/13

Bush 52%

Bore 40%

+/- 3.1

DONALDSON: This is the one that shows them very far apart with, of course, Bush gaining ground.

But a Newsweek poll just out this week, in fact says it's certainly a statistical dead heat.

TEXT:

NEWSWEEKPOLL (sic)

If the election was held today...

June 24 Bush 42%

Gore 40%

+/- 4

WILL: The Battleground poll this week was the worst news of all for Gore. If true, on the issue of guns, Bush favored by 6 percent. On the traditional

Democratic issue of education, Bush favored by 4 percent. Gore's lead among union voters only 1 percent. But I have to tell you, Sam, right track/wrong track--is the country on the right track or wrong track? By a small margin, the country told the Battleground poll the country's on the wrong track. We are rich beyond the dreams of avarice. We are at peace, we bestride the world like a colossus. We've become a nation of crybabies.

ROBERTS: Yes, and that's terrible news for incumbents of all stripes.

WILL: Yes.

ROBERTS: Because that is the question asked of--see--see if people want to stay the course or change. And if people wanted change, that's a problem not only for Al Gore, but for congressional Republicans.

DONALDSON: But, Cokie, basically, how do you explain what George just said, that people said the country's on the wrong track? And yet, if you ask the old Reagan question, 'Are you better off today than you were four or eight years ago,' the answer has to be yes.

ROBERTS: But people have a different answer--they have a different answer economically than they do morally...

WILL: They do.

ROBERTS: ...for one thing. But also consumer confidence took a hit this week, and part of that has to do with gas prices. And when President Clinton said, you know, 'They're going to rifle--they might rifle through the economy,' that is the--that's Gore's ter...

STEPHANOPOULOS: But--yeah, but that's...

ROBERTS: You know, it cost me \$ 36.75 to com--fill up my little, bitty...

STEPHANOPOULOS: And you're not even in Illinois.

ROBERTS: ...Japanese car yesterday.

STEPHANOPOULOS: The big problem for Gore is this overall decline in confidence. I can't explain it anyway unless it's some distrust or dislike of politicians overall. But the Gore campaign's own polls show it to be a much closer race. They think it's about a 4 point race. What they're most encouraged by is, the states where they're running new ads on prescription drugs and patients bill of rights, they're actually starting to pull ahead. They're very encouraged by that. But they're...

ROBERTS: And they keep making the point that they're 50 points behind in Texas...

STEPHANOPOULOS: Exactly.

ROBERTS: ...so they can only lose Texas once.

STEPHANOPOULOS: Their biggest problem that shows up in the Battleground poll, though, is that the Republican Party is enthusiastic and united. Ninety-three

percent of Republicans are voting for Bush, the Democratic Party is turned off and tuned--tuned out of the election, and they're turned off to Gore. They just don't like him yet. That's his problem.

DONALDSON: George, let's turn to Governor Bush. Does the execution of Gary Graham do anything to hurt Governor Bush?

STEPHANOPOULOS: Not yet, and he handled it pretty well Thursday night. He showed the right amount of aggravitaz (sic). The problem is, there are 15 more executions between now and election day. Now, if he handles them well, if he seems to be serious, thoughtful and reflective about it, it could help him. On the other hand, if there are questions about all of these cases, or if questions rise of the past other 35 executions, could be a problem.

DONALDSON: Right.

ROBERTS: He's thrown down almost a Gary Hart gauntlet of--of when Gary Hart said, 'Follow me around.' George Bush has said repeatedly 'Not one of those executions had a problem with it.' That's--invites people to check into every single one of them and see if there are any problems.

DONALDSON: George:

WILL: Well, in fact, there is no proper noun associated with the anti-death penalty case so far that is a clear case where someone innocent was executed. Flawed trials, certainly. But the use of DNA evidence has not yet established that someone was put to death. Indeed, what it has shown, is that DNA evidence has built a safety into the administration of it. And furthermore, DNA evidence, of course, provides absolute proof of guilt in some cases.

DONALDSON: Less than a minute left. Nader, Ralph Nader's convention this weekend. Is that going to hurt Vice President Gore excessively?

STEPHANOPOULOS: It could because he's going to run in every state this time, unlike in 1996 where he barely ran a campaign. The states where Nader is strong: Washington, Oregon, Wisconsin, New Mexico, Maine and California are all states that Gore has to win. Nader gets 5 percent, it could cut into that.

DONALDSON: What do you think?

ROBERTS: So far he's not getting that, though. He--and--and in the polls where you go into a four man race as opposed to two, they get tighter between Bush and Gore rather than farther apart. So I think that it's--school's out.

DONALDSON: Give us a 10 second answer, George. Ralph Nader.

WILL: Well, Buchanan takes votes from both parties. All of Nader's votes come from the Democrats.

DONALDSON: Thanks very much to all of you. Next week we'll have some more. And we'll be right back, right after this.

(Commercial break)

ROBERTS: Now here's Peter Jennings to talk about a special program.

PETER JENNINGS reporting:

He wrote nothing. He commanded no great army. In his lifetime he probably spoke to no more than a few thousand people. And yet his vision changed the world. We went in search of the man.

Announcer: "The Search for Jesus," Monday.

ROBERTS: That's going to be an interesting one to watch.

DONALDSON: Mm-hmm.

ROBERTS: And you have dot coms coming up this week that will be interesting.

DONALDSON: Nothing as important as that program, but on Monday we have Ted Leonsis. He made a billion dollars as a top executive of America Online. And yet, he then bought the Washington Capitals hockey team. He's a hard charger. Watch it.

ROBERTS: So is the billion gone?

DONALDSON: Oh, no. It multiplies. Fishes and loaves.

Until next week, that's THIS WEEK.

(Commercial break)

LANGUAGE: English

LOAD-DATE: June 26, 2000