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## Nightline

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Monday, January 26, 1998

## NEWS

## CRISIS IN THE WHITE HOUSE

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## WILL THE PRESIDENT'S WORD BE ENOUGH?

JOHN DONVAN / CHRIS BURY / DAVE MARASH, TED KOPPEL

ANNOUNCER: January 26, 1997.

TED KOPPEL, ABC News: (voice-over) Monica Lewinsky meets with her lawyers. President Clinton prepares for tomorrow's State of the Union address but takes a few seconds out to respond forcefully to his critics.

res. WILLIAM J. CLINTON: I want to say one thing to the American people. I want you to listen to me. I'm going to say this again. I did not have sexual relations with that woman, Ms. Lewinsky. I never told anybody to lie, not a single time, never. These allegations are false and I need to go back to work for the American people.

TED KOPPEL: (voice-over) Tonight, crisis in the White House -- will the president's word be enough?

ANNOUNCER: From ABC News, this is Nightline. Reporting from Washington, Ted Koppel.

TED KOPPEL: It is not easy to make sense out of what is happening in Washington these days and for the moment at least it is next to impossible to determine the truth. Yesterday, ABC News Correspondent Jackie Judd quoted unnamed sources as saying that there may have been a witness, possibly a secret service agent, to an intimate encounter between President Clinton and Monica Lewinsky. This morning, as you have just heard again, President Clinton angrily denied any sexual relationship with Ms. Lewinsky. Now comes tomorrow's edition of the Dallas Morning News, not only citing sources confirming Jackie Judd's report of yesterday, but adding new details. The Dallas paper cites its own sources as stating that a secret service agent witnessed the president and Ms. Lewinsky in a compromising situation and that the agent has already been in communication with the office of the

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Independent counsel, Ken Starr.

Only a couple of hours ago, though, I spoke with a member of Ms. Lewinsky's legal team who said, speaking on behalf of all her lawyers, we know nothing about this agent who has alleged to have witnessed an intimate moment.

A senior law enforcement source whom we contacted late tonight did little to unravel the confusion. It would be highly unusual, he indicated, for a secret service agent to reveal private information about any president, unprecedented to do so about a sitting president. Having said that, he acknowledged that there was no statute that would prevent it.

On Wednesday, President Clinton will visit LaCrosse, Wisconsin. That trip was planned a long time ago, but as John Donovan now reports, it has taken on a whole new flavor.

JOHN DONVAN, ABC News: (voice-over) It is, to say the least, getting awkward for LaCrosse. Government class this afternoon at Logan High.

1st LACROSSE RESIDENT: It's a disgusting display of morals for us young kids that maybe look up to the president.

2nd LACROSSE RESIDENT: Does he claim that she has this dress that's seamy? It's kind of disgusting.

JOHN DONVAN: (voice-over) Yes, it's getting awkward.

(on camera) Because tonight as they begin building the stage that the president will speak from on Wednesday and as the town began filling up with White House advance people and reporters, it wasn't really clear what this presidential visit means to LaCrosse anymore. It was supposed to be a moment of pride and celebration. Now, it's a lot more complicated than that.

(voice-over) Listen to the mayor, John Medinger, a lifelong Democrat.

JOHN MEDINGER: The most frenzied part is hoping that it all comes together and that we have a successful event here on Wednesday afternoon. I expect it's going to happen, but I'm not sure anymore.

JOHN DONVAN: (voice-over) Eleven days ago, it was a different story.

SCOTT HACKWORTH, News 19 Reporter: More information tonight about President Clinton's visit to LaCrosse next weekend, where you can get tickets.

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JOHN DONVAN: (voice-over) The story then was that LaCrosse had been given the duty and the honor of welcoming the president of the United States. Six days ago, the scandal broke.

REPORTER: A controversy surrounds President Clinton as he tries to continue his presidential duties...

JOHN DONVAN: (voice-over) And two days ago, Saturday, as the mayor bounced between meeting with the White House team and the five block long Packer parade, he also had to deal with the first serious backlash against the president's coming here. It was about money and the standard letter that the White House had sent the mayor last Friday explaining that, "Costs incurred in connection with the staging of any events are the host's responsibility." In other words, LaCrosse was being asked to pay an estimated \$40,000 for the president's visit. The mayor knew that was not going to get through the city council.

JOHN MEDINGER: And in light of what was going on I indicated to him that I was getting calls from members of the city council saying why should we pay these bills. They're getting calls from their constituents, you know, indicating the same thing, we don't want the taxpayers to spend any money for that person in the White House.

JOHN DONVAN: (voice-over) He says he warned the White House advance team this could be trouble.

JOHN MEDINGER: I says, you know, this isn't a slam dunk in the city council. We may have some problems. And it finally, you know, a light went on and they says you mean like they might vote it down? And I says yeah, like they might vote it down. And they says well, we can't let that happen.

JOHN DONVAN: (voice-over) The White House got the message and at Saturday's council meeting, Medinger was able to announce that the federal government will pay most of the cost.

JOHN MEDINGER: There will be no cost to the city of LaCrosse for any of this stuff that's on here.

JOHN DONVAN: (voice-over) Crisis averted, the visit is still on. But as the president tried again today to bailout his sinking reputation, the people of LaCrosse watched and mostly they seemed embarrassed, some embarrassed for the president, others embarrassed by the president. There was P.J. Jacobs, a short order cook at Mr. D's.

P.J. JACOBS: What he did was wrong, that's for sure. But I think what they're doing to him is even worse. I don't know. It's the man's private life. As far as I'm concerned, leave him alone. And maybe I'm

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The only woman in the United States who would say something like that.

LAURIE MINSNER: (ph) Now the children made pictures and wrote his name and this is a present for him.

JOHN DONVAN: (voice-over) Over at city hall, Laurie Minsner came by with her five -year-old son Zack. (ph) They were dropping off a sign that Zack's class had made for the president's visit.

LAURIE MINSNER: And he was asking what that meant, what sexual relations meant. I told him the best that I could that he understands that people are married and that meant perhaps having some sort of relationship with someone other than a wife. And he understands that and he knows in his mind so far what's right and wrong.

JOHN DONVAN: (voice-over) Chip Denure, (ph) a probation officer, says he's just disgusted.

CHIP DENURE: I'd prefer that he stayed home and resigned. That's just my opinion. I know he'll probably get a good crowd here in LaCrosse, but people shouldn't read too much into that because I think mostly a lot of the people will just be going down to see a president of the United States.

JOHN DONVAN: (voice-over) That much is probably true. When they started handing out tickets on Saturday, there were people lined up outside the doors.

3rd LACROSSE RESIDENT: We felt it was really IPO whenever we have a chance to let our teenage daughter see something as important as the president of the United States and his entourage, that we be a part of it.

4th LACROSSE RESIDENT: It's just exciting for the kids to be able to see the president.

JOHN DONVAN: Are they all excited about it?

4th LACROSSE RESIDENT: Oh yeah.

JOHN DONVAN: How do you guys feel about having the president come to LaCrosse?

5th LACROSSE RESIDENT: It's pretty cool.

JOHN DONVAN: (voice-over) It was, said the lead man in the White House dance team, heartening to see.

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(interviewing) Do you have any doubts or have you had any doubts about how this event is going to go in light of what's happening in Washington?

RICK JASCULCA, Presidential Advance Team: Never.

JOHN DONVAN: But you know what it's like back in Washington right now.

RICK JASCULCA: Well, this isn't Washington, John.

JOHN DONVAN: No, it's not, and as someone who has been in both cities this week, I can report that LaCrosse is not nearly as obsessed with this story as Washington is. Here there is little fever for catching the president in a lie. Here it's much more a fervent prayer that he's telling the truth.

John Donvan for Nightline in LaCrosse, Wisconsin.

TED KOPPEL: ABC News has conducted another poll on how the American public at large is reacting to ongoing news of the allegations and denials. On the question of whether the allegations are interfering with the president's ability to serve, 58 percent said yes, 41 percent said no.

A new snippet of news together with a newly surfaced videotape are not likely to help. In some video taken at a Democratic National Committee fundraiser on May 9th of 1996, the president is seen once again on what is called a rope line meeting and hugging Monica Lewinsky. She is also seen in the front left in white as the president speaks at the Democratic National Committee fundraiser in Washington. Ms. Lewinsky wrote a \$250 check to attend the event.

Meanwhile, ABC News learned today that Ms. Lewinsky is heard on one of her tape recorded conversations with her friend, Linda Tripp, telling Tripp that she placed a personal ad in the Washington Post last Valentine's Day and that it was intended for the president. The ad, addressed to Handsome and quoting from Romeo and Juliet is signed simply, "M". Tomorrow morning's Washington Post reprints this copy of the ad.

(Commercial Break)

TED KOPPEL: White House officials with daily access to the president are in the all but impossible position of wanting to defend him but making themselves subject to subpoena and the likelihood of huge legal expenses if they actually talk to Mr. Clinton about the case. Indeed, the president himself may be inhibited for legal reasons from saying all that he might want to say in public. Today, as Nightline's

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Correspondent Chris Bury reports, the president made as categorical a denial as he could.

Pres. WILLIAM J. CLINTON: I did not ask anyone to tell anything other than the truth. There is no improper relationship and I intend to cooperate with this inquiry.

CHRIS BURY, ABC News: (voice-over) If the president's first, somewhat subdued explanation last Wednesday failed to clear the air, then his guarded response the following day during a photo op with Yasir Arafat only made matters worse.

Pres. WILLIAM J. CLINTON: (January 22) You and the American people have a right to get answers. We are working very hard to comply, get all the requests for information up here and we will give you as many answers as we can as soon as we can at the appropriate time consistent with our obligation to also cooperate with the investigations. And that's not a dodge.

CHRIS BURY: (voice-over) Only today, five days after the allegations first surfaced, did the president, with Hillary Rodham Clinton close at his side, look squarely into the camera, clench his jaw and show some anger in his voice.

PRES. BILL CLINTON: I want you to listen to me. I'm going to say this again. I did not have sexual relations with that woman, Ms. Lewinsky. I never told anybody to lie, not a single time, never. These allegations are false and I need to go back to work for the American people.

CHRIS BURY: President Clinton's reluctance to make that kind of forceful response before today has been one of the most damaging factors in this scandal. After all, the Clinton team perfected the war room and those rapid response counter attacks during previous crises. This time, the president's defenders have been uncharacteristically slow off the mark and their familiar tactics are just now beginning to emerge.

ANN LEWIS, White House Communications Director: I can say with absolute assurance the president of the United States did not have a sexual relationship because I have heard the president of the United States say so.

CHRIS BURY: (voice-over) In the last few days, Mr. Clinton's most trusted political advisers have fanned out across the air waves. Tactic number one, if the president said so, it must be true.

PAUL BEGALA, Clinton Adviser: (Courtesy "This Week with Sam and Diane") Like, you know, I'm like Dale Evans with the Bible -- God wrote

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I believe it and that settles it.

JAMES CARVILLE, Clinton Adviser: (Courtesy NBC's "Meet The Press") He's denied it to his staff, he's denied it to the news media, he's denied it to the American people and denied it to his cabinet and denied it to his friends. Can't be any more emphatic about that.

CHRIS BURY: (voice-over) But none of those defenders could say they had personally asked the president a single question about Monica Lewinsky.

HOWARD FINEMAN, "Newsweek": (ph) I think the performance by the spin doctors yesterday was pretty darned weak.

CHRIS BURY: (voice-over) Howard Fineman is chief political correspondent for Newsweek.

HOWARD FINEMAN: They weren't able to go on the air and say look, we are good friends of Bill Clinton's, we've looked him in the eye and we are here to tell you that that's a man who's telling the truth. All they said was we heard the same denials on TV that you all did, and that's not very convincing.

CHRIS BURY: (voice-over) Tactic number two, the lawyers won't let us

k.

ANN LEWIS: We had some very educational meetings with the lawyers.

The legal counsel has explained to us...

Our lawyers have explained to us that when such serious charges, words like subornation of perjury, when those kinds of charges are in the air, your first obligation is to cooperate fully with the investigation.

CHRIS BURY: (voice-over) Nightline reviewed the White House public relations performance with Stuart Taylor, a lawyer who writes for the National Journal.

STUART TAYLOR, "National Journal": Innocent people with nothing to hide who tell the truth don't need to surround themselves with phalanxes of lawyers. They simply tell the truth. They rely on that rather than on their ability to construct a story with elaborate help from experts at constructing stories after they've studied everything everybody else might say.

GEORGE STEPHANOPOLOUS, ABC News Consultant: I know that if I were inside and I asked the president a question and then I came out and talked to you, the next call I would make would be to my lawyer because in this world we're in now, a super heated world of special prosecutors,

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My conversation with a person involved in the investigation becomes subpoenaable, becomes actionable in court and I perfectly understand why the president's spokespeople over the weekend took that stance.

CHRIS BURY: (voice-over) Tactic number three, go after independent counsel Kenneth Starr.

JAMES CARVILLE: This started out as a \$40,000 land deal that lost money and about \$50 million and five years later, after nobody could find anything we're wiring up people in hotels and feeding 'em whiskey trying to get 'em to talk and everything else. This is a scuzzy investigation.

RAHM EMANUEL, Senior Presidential Adviser: (From CNN's Late Edition) Ken Starr, for three and a half years, has been walking around with a loaded subpoena. He started investigating a 24-year-old real estate deal and now he's investigating a 24-year-old young lady and the only common thread I can find, and I'm not a lawyer, is that they're both 24-years-old.

STUART TAYLOR: It's all Kenneth Starr, Kenneth Starr, Kenneth Starr. Kenneth Starr didn't make these audiotapes. Kenneth Starr didn't put Linda Tripp up to it. Kenneth Starr didn't tell Monica Lewinsky what to do on the audiotapes.

HOWARD FINEMAN: If you look at Bill Clinton in crisis, you see a pattern. First, the silence. Then the angry denials. Then this hair splitting. And then the full bore attack on whoever the accusers happen to be. They did it to Gennifer Flowers in '92 with some success. They did it to critics on the draft in those days. Now they're looking for enemies and they've found one in Ken Starr.

CHRIS BURY: (voice-over) Perhaps even more critical than what the president and his defenders are saying is what they are not.

(interviewing) The White House has not yet put forward some kind of plausible story line or explanation, which is a huge omission, it seems.

GEORGE STEPHANOPOULOS: That's the big one. You know, in the end, I think this is one of those stories where spin is essentially meaningless, in the long run, because in the end, only one question matters, is the president telling the truth, the whole truth and nothing but the truth? And if he is, everything will be okay. If he's not, no spin will help.

CHRIS BURY: (voice-over) Today, on that one big question.

OLF BLITZER, CNN WHITE HOUSE CORRESPONDENT: (from White House press

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ference) Why is it so hard then to simply explain to the American public what was the nature of their friendship or relationship?

CHRIS BURY: (voice-over) The White House spokesman simply would not answer.

WOLF BLITZER: Why is that such a difficult question to answer?

MIKE McCURRY, White House Press Secretary: It's not difficult, I just don't think it needs to be done here.

WOLF BLITZER: Why?

MIKE McCURRY: Because the president's been very straightforward and very clear about what he said and I think most Americans heard him and they know exactly what he means and I don't want to get into, you know, a description of different permutations on what is very clearly an unambiguous statement.

CHRIS BURY: So no one at the White House, from President Clinton down to his press secretary, has yet given a straightforward plausible account describing exactly his relationship with Monica Lewinsky. And all the president's denials, no matter how often they are repeated by supporters, may never be taken at face value until that fundamental question is answered, too.

This is Chris Bury for Nightline in Washington.

TED KOPPEL: The issue of Kenneth Starr and his motives, when we come back.

(Commercial Break)

TED KOPPEL: What about Kenneth Starr, the independent counsel? We asked that in our ABC News poll. Is he trying to hurt the president politically? And 56 percent said yes; only 30 percent said no.

If anyone is saying less publicly than President Clinton these days, it is Judge Starr, who is sitting in the middle of his web, encouraging evidence to be brought to him. Here's Nightline correspondent Dave Marash.

WILLIAM GINSBURG, Monica Lewinsky's Attorney: We have made a complete proffer to the office of the independent counsel.

DAVE MARASH, ABC News: (voice-over) In the midst of typical Washington media mayhem tonight, Monica Lewinsky's attorney announced he had just played what may be his final card, a formal proffer, a promise of

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Exactly what his client will say in court.

WILLIAM GINSBURG: We are now in a position where the ball is totally in Judge Starr's court and Judge Starr has to tell us what he wants to do.

DAVE MARASH: (voice-over) What will Ms. Lewinsky testify? Ginsburg wouldn't say. What does the lawyer want in exchange? Full immunity for Lewinsky, not more limited use immunity. What's the difference?

MICHAEL ZELDIN, Former Special Prosecutor: Use immunity essentially is that you can't be prosecuted for the words out of your mouth. It's a more limited form of immunity. Full immunity immunizes you from all criminal conduct save perhaps for perjury.

DAVE MARASH: How will Starr respond? No answers yet tonight, but there was this hint that prosecutors may already be reorganizing their case. Nightline has learned tonight that Monica Lewinsky's grand jury appearance, scheduled for tomorrow, has been postponed until Wednesday at the earliest.

WILLIAM GINSBURG: If these allegations are true then I have to be extremely, extremely angry, and I am.

DAVE MARASH: (voice-over) From the moment he arrived in Washington, attorney William Ginsburg has followed what many fellow lawyers consider a peculiar strategy, all but conceding that the allegations his client had a sexual relationship with President Clinton are true and that Ms. Lewinsky perjured herself in her affidavit in the Paula Jones lawsuit.

WILLIAM GINSBURG: Her greatest fear is wearing the proverbial scarlet letter of indictment and conviction for the rest of her life and the possibility of spending some very unsavory time in a prison.

DAVE MARASH: (voice-over) While Ginsburg's poor little rich girl Lewinsky portrait may have won public sympathy, few lawyers consider that jail threat credible.

JOHN BARRETT, Former Special Prosecutor: The reality is that there's no real threat of her prosecution. There's just no jury appeal. There's no serious reason why she deserves the full prosecutorial resources of the government focused on her. She's a much better witness and if that leads to other people, that's clearly what Starr wants to do.

KENNETH GORMLEY, Duquesne Law School: It's hard to imagine how Kenneth Starr goes forward without her and it's also hard to imagine why he would not grant her immunity.

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DAVE MARASH: (voice-over) So, what's all the haggling been about? Time, say several legal eagles, time for Starr to gather corroborating evidence and witnesses, time for President Clinton and his advisers to stew.

MICHAEL ZELDIN: I think that what Bob Bennett and the legal team is working against when they have to meet with the political team, which is they're saying these charges are too amorphous. We can't get a handle on what it is that is being alleged here. Keep quiet and let it play out. That's a difficult thing for a political person who wants, that's watching numbers drop in the polls and is watching the American people saying we want to hear from our president, we want to hear from our president.

DAVE MARASH: (voice-over) Law professor Jeffrey Rosen recently wrote in the New York Times worrying about this case, which necessarily invades presidential privacy and about the man prosecuting it.

JEFFREY ROSEN: An independent counsel unconstrained by financial or political accountability. So I do think it's fair to worry about whether Mr. Starr, with or without explicit cooperation, may have turned himself into an unpaid investigator for Paula Jones' lawyers.

DAVE MARASH: (voice-over) While law professor John Barrett sees nothing to fear.

JOHN BARRETT: And I think what the independent counsel statute exists for and what appears generally to be happening in these cases is a credible investigation, a credible prosecution, a day in court that will establish the truth or the falsity of these charges.

DAVE MARASH: When might a Clinton-Lewinsky courtroom confrontation come?

Ken Starr's critics and his advocates agree it must come quickly or not at all.

I'm Dave Marash for Nightline in Washington.

TED KOPPEL: I'd like to warn our affiliates that we'll be going just a minute or two over our normal allotted time. We have an update to a story I reported at the beginning of this broadcast. I'll have that update for you, in a moment.

(Commercial Break)

TED KOPPEL: One late breaking development. The White House called after we went on the air tonight to advise us of their reaction to

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The Dallas Morning News story where the secret service agent was prepared to testify that he saw President Clinton and Monica Lewinsky in "a compromising position".

President Clinton's attorney David Kendall (ph) denounced the story as false and malicious. His statement goes on to say, and I quote, "This is another false political leak for obvious and political reasons on the eve of the State of the Union."

Peter Jennings will anchor an ABC News special on President Clinton's State of the Union address at 9:00 Eastern, 8:00 Central time tomorrow night.

That's our report for tonight. I'm Ted Koppel in Washington. For all of us here at ABC News, good night.

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