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Newsweek

MONICA'S DEAL

**What
Will
He Say
Now?**

Clinton and Lewinsky at an October 1996 Washington, D.C., fund-raiser

NATIONAL AFFAIRS

many years. Talks between the two sides had come to a halt two weeks ago when Starr called Stein directly. In order to remove any bad blood between the prosecution and Lewinsky's defenders, Starr cut his more hawkish deputies out of the negotiations. In their place he substituted Sam Dash, an old Washington hand (he had been the chief counsel of the Senate Watergate Committee) who had an easy relationship with Stein and his co-counsel, Plato Cacheris. Meeting at Dash's home over bagels, the two sides worked out an arrangement that would allow Lewinsky to give prosecutors a preview of what she would be willing to say under oath. Early last week Lewinsky flew from her home in Los Angeles to a secret meeting with prosecutors in New York City, far from the Washington media stakeouts. Questioned first by a friendly lawyer from Cacheris's office, then by the prosecutors, Lewinsky talked for four and a half hours. By the next morning, the two sides had a deal.

Starr's team had some extra leverage to make sure Lewinsky was willing to tell the whole truth. Sometime last winter, Lewinsky had given the dress to her mother, Marcia Lewis, for safekeeping. That made Lewinsky a possible target of Starr's probe, a reality that was brought home to her when she was summoned before the grand jury last February—and collapsed under questioning. Under last week's deal, Lewis is also immune from prosecution.

The hard-liners on Starr's team had been hesitant to offer promises of immunity to Lewinsky without very specific promises of testimony in return. They felt badly burned by former associate attorney general Webster Hubbell, who promised to give testimony in the Whitewater investigation in return for Starr's help in securing a lighter sentence after Hubbell pleaded guilty to overbilling his law clients in 1994. The prosecutors believe that Hubbell basically pulled a bait-and-switch, refusing to say much of anything once he had a deal. Starr's team was determined not to make the same mistake with Lewinsky.

In addition to the dress, Lewinsky

Close encounters:
In Oct. 23, 1996,
Dash and Laiser at the
Stanton Washington



turned over tapes of several voice-mail messages allegedly left by Clinton. The president's words did not seem sexually suggestive—"Hey, it's me," he reportedly said. "Sorry I missed you." But the familiarity between the chief executive and former intern was embarrassing. "There's always been an assumption that the president wouldn't be stupid enough to leave his voice on an answering machine," said one disheartened White House aide. More dangerous are the gifts that Lewinsky turned over to the president's secretary rather than comply with a subpoena in the Paula Jones case.

In the tape recording of a conversation between Lewinsky and Tripp last December that NEWSWEEK was permitted to hear, Lewinsky was eager to get rid of any incriminating presents. She referred to an official White House photograph and worried that the inscription from Clinton was so personal that lawyers for Jones would use it against her. She told Tripp that she had tried to call Betty Currie, the president's secretary, to ask for a clean copy of the picture so that she might have one to give Jones's lawyers. But on the tape, she complains that Currie was unavailable. There may also be another photo of interest to the prosecutors. According to Goldberg, Lewinsky was photographed standing beside the president in the Oval

Office. She was wearing a blue cocktail dress.

If the reported stain on the dress turns out to be the president's semen (the lab tests may take several weeks), Clinton has an immediate perjury problem. Last January he denied under oath in his Jones deposition that he had ever had "sexual relations" with Lewinsky. Lying about a sexual relationship in a deposition in a civil case may not be perceived as a serious offense. Lying before the grand jury in a criminal investigation is more grave. It would surely be an indictable offense in a normal criminal probe. Less certain is whether it is an impeachable offense in Congress, which will probably serve as Clinton's judge and jury.

The ultimate focus of Starr's case is not sex, but obstruction of justice. Under the immunity deal worked out between Starr and Lewinsky's lawyers, described to NEWSWEEK by a knowledgeable source, Lewinsky will testify that she and the president discussed cover stories designed to keep their alleged relationship private. Lewinsky reportedly will say that at a meeting at the White House in late December, she told the president her worries about the subpoenaed gifts, which included a brooch and a book of poetry. The president did not directly tell her to lie, she says. Rather, he spoke hypothetically. If you don't have the gifts, he allegedly said, you can't turn them over. Such a veiled suggestion would hardly be the kind of evidence a

Regardless of what happens in the courts or Congress, **47%** think the president owes the country an explanation of the Monica matter; **49%** say he doesn't