

PRELIMINARY MEMORANDUM
CONCERNING REFERRAL OF
OFFICE OF INDEPENDENT COUNSEL

EXECUTIVE SUMMARY

after she left - and it's pretty apparent that if the President had ordered it, she would have been.

10. **The President did not facilitate Ms. Lewinsky's interview with Bill Richardson, or her discussions with Vernon Jordan.** Betty Currie asked John Podesta if he

unprecedented subpoenas of Secret Service personnel and to pursue the privilege to ensure the protection of this and future presidents.

15.

overreached to describe in the most dramatic of terms conduct that not only is not criminal but is actually proper and lawful.

of "sexual relations" as he understood that term to be defined at

the Special Division? What prevented the OIC from

some phone calls;" these lawyers also wrote in that essay that "[The OIC] wanted her [Ms. Lewinsky] wired, and they wanted her to record telephone calls with the President of the U.S., Vernon Jordan and others--at

And the "talking points" were regarded throughout the investigation as the critical piece of evidence in any charge of subornation of perjury or obstruction of justice:

attempted to persuade the Jones

impeachment without raising a charge that he is thereby abusing his power.

Before moving to these issues, one other point is worthy of note. It has been suggested in media reports that one of the grounds for impeachment advanced by the OIC is that the President abused his power by denying to his staff, in the days

The Independent Counsel apparently attempts to evoke images of Watergate by charging that the President has abused the powers of his office. This allegation is simply meritless. In

Rather than acknowledge the presumptively privileged

assertion of the attorney-client privilege was not only

determined that the grand jury was entitled to the information.
Once again, the District Court did not suggest that the privilege

States v. Earp, 812 F.2d 917, 919 (4th Cir. 1987). The Supreme

Allegation: The President falsely testified in his Jones

counsel, Mr. Bennett, had invited the Jones lawyers to ask

