

# ANATOMY OF A WHITE HOUSE SEX SCANDAL

## . Introduction

This presents substantial and credible information that President Clinton criminally obstructed the judicial process, first in a sexual harassment lawsuit in which he was the defendant and then in a grand jury investigation. The opening section of the Narrative provides an overview of the object of the President's cover-up, the sexual relationship between the President and Ms. Lewinsky. Subsequent sections recount the evolution of the relationship chronologically, including the sexual contacts, the President's efforts to get Ms. Lewinsky a job, Ms. Lewinsky's subpoena in Jones v. Clinton, the role of Vernon Jordan, the President's discussions with Ms. Lewinsky about her affidavit and deposition, the President's deposition testimony in Jones, the President's attempts to coach a potential witness in the harassment case, the President's false and misleading statements to aides and to the American public after the Lewinsky story became public, and, finally, the President's testimony before a federal grand jury.

## B. Evidence Establishing Nature of Relationship

### 1. Physical Evidence

Physical evidence conclusively establishes that the President and Ms. Lewinsky had a sexual relationship. After reaching an immunity and cooperation agreement with the Office of the Independent Counsel on July 28, 1998, Ms. Lewinsky turned over a navy blue dress that she said she had worn during a sexual encounter with the President on February 28, 1997. According to Ms. Lewinsky, she noticed stains on the garment the next time she took it from her closet. From their location, she surmised that the stains were the President's semen.(1)

Initial tests revealed that the stains are in fact semen.(2) Based on that result, the OIC asked the President for a blood sample.(3) After requesting and being given assurances that the OIC had an evidentiary basis for making the request, the President agreed.(4) In the White House Map Room on

August 3, 1998, the White House Physician drew a vial of blood from the President in the presence of an FBI agent and an OIC attorney.(5) By conducting the two standard DNA comparison tests, the FBI Laboratory concluded that the President was the source of the DNA obtained from the dress.(6) According to the more sensitive RFLP test, the genetic markers on the semen, which match the President's DNA, are characteristic of one out of 7.87 trillion Caucasians.(7) In addition to the dress, Ms. Lewinsky provided what she said were answering machine tapes



chronologically lists her contacts with President Clinton, including meetings, phone calls, gifts, and messages.(9) Ms. Lewinsky twice verified the accuracy of the chart under oath.(10)

In the evaluation of experienced prosecutors and investigators, Ms. Lewinsky has provided truthful information. She has not falsely inculpated the President. Harming him, she has testified, is “the last thing in the world I want to do.”(11)

Moreover, the OIC’s immunity and cooperation agreement with Ms. Lewinsky includes safeguards crafted to ensure that she tells the truth. Court-ordered immunity and written immunity agreements often provide that the witness can be prosecuted only for false statements made during the period of cooperation, and not for the underlying offense. The OIC’s agreement goes further, providing that Ms. Lewinsky will lose her immunity altogether if the government can prove to a federal district judge — by a preponderance of the evidence, not the higher standard of beyond a reasonable doubt — that she lied. Moreover, the agreement provides that, in the course of such a prosecution, the United States could introduce into evidence the statements made by Ms. Lewinsky during her cooperation. Since Ms. Lewinsky acknowledged in her proffer interview and in debriefings that she violated the law, she has a strong incentive to tell the truth: If she did not, it would be relatively straightforward to void the immunity agreement and prosecute her, using her own admissions against her.

### 3. Ms. Lewinsky’s Confidants

Between 1995 and 1998, Ms. Lewinsky confided in 11 people about her relationship with the President. All have been questioned by the OIC, most before a federal grand jury: Andrew Bleiler, Catherine Allday Davis, Neysa Erbland, Kathleen Estep, Deborah Finerman, Dr. Irene Kassorla, Marcia Lewis, Ashley Raines, Linda Tripp, Natalie Ungvari, and Dale Young.(12) Ms. Lewinsky told most of these confidants about events in her relationship with the President as they occurred, sometimes in considerable detail.

Some of Ms. Lewinsky’s statements about the relationship were contemporaneously memorialized. These include deleted email recovered from her home computer and her Pentagon computer, email messages retained by two of the recipients, tape recordings of some of Ms. Lewinsky’s conversations with Ms. Tripp, and notes taken by Ms. Tripp during some of their conversations. The Tripp notes, which have been extensively corroborated, refer specifically to places, dates, and times of physical contacts between the President and Ms. Lewinsky.(13)

Everyone in whom Ms. Lewinsky confided in detail believed she was telling the truth about her relationship with the President. Ms. Lewinsky told her psychologist, Dr. Irene Kassorla, about the

affair

shortly after it began. Thereafter, she related details of sexual encounters soon after they occurred (sometimes calling from her White House office).(14) Ms. Lewinsky showed no indications of delusional thinking, according to Dr. Kassorla, and Dr. Kassorla had no doubts whatsoever about the truth of what Ms. Lewinsky told her.(15) Ms. Lewinsky's friend Catherine Allday Davis testified that she

believed Ms. Lewinsky's accounts of the sexual relationship with the President because "I trusted in the way she had confided in me on other things in her life. . . . I just trusted the relationship, so I trusted her."(16) Dale Young, a friend in whom Ms. Lewinsky confided starting in mid-1996, testified: [I]f she was going to lie to me, she would have said to me, "Oh, he calls me all the time. He does wonderful things. He can't wait to see me." . . . [S]he would have embellished the story. You know, she wouldn't be telling me, "He told me he'd call me, I waited home all weekend and I didn't do anything and he didn't call and then he didn't call for two weeks."(17)

#### 4. Documents

In addition to her remarks and email to friends, Ms. Lewinsky wrote a number of documents, including letters and draft letters to the President. Among these documents are (i) papers found in a consensual search of her apartment; (ii) papers that Ms. Lewinsky turned over pursuant to her cooperation agreement, including a calendar with dates circled when she met or talked by telephone with the President in 1996 and 1997; and (iii) files recovered from Ms. Lewinsky's computers at home and at the Pentagon.

#### 5. Consistency and Corroboration

The details of Ms. Lewinsky's many statements have been checked, cross-checked, and corroborated. When negotiations with Ms. Lewinsky in January and February 1998 did not culminate in an agreement, the OIC proceeded with a comprehensive investigation, which generated a great deal of probative evidence.

In July and August 1998, circumstances brought more direct and compelling evidence to the investigation. After the courts rejected a novel privilege claim, Secret Service officers and agents testified about their observations of the President and Ms. Lewinsky in the White House. Ms. Lewinsky agreed to submit to a proffer interview (previous negotiations had deadlocked over her refusal to do so), and, after assessing her credibility in that session, the OIC entered into a cooperation agreement

with her. Pursuant to the cooperation agreement, Ms. Lewinsky turned over the dress that proved to bear traces of the President's semen. And the President, who had spurned six invitations to testify, finally agreed to provide his account to the grand jury. In that sworn testimony, he acknowledged "inappropriate intimate contact" with Ms. Lewinsky.

Because of the fashion in which the investigation had unfolded, in sum, a massive quantity of evidence was available to test and verify Ms. Lewinsky's statements during her proffer interview and her later cooperation. Consequently, Ms. Lewinsky's statements have been corroborated to a remarkable degree. Her detailed statements to the grand jury and the OIC in 1998 are consistent with statements to her confidants dating back to 1995, documents that she created, and physical evidence.<sup>(18)</sup> Moreover, her accounts generally match the testimony of White House staff members; the testimony of Secret Service agents and officers; and White House records showing Ms. Lewinsky's entries and exits, the President's whereabouts, and the President's telephone calls.

## C. Sexual Contacts

### 1. The President's Accounts

#### a. Jones Testimony

In the Jones deposition on January 17, 1998, the President denied having had "a sexual affair," "sexual relations," or "a sexual relationship" with Ms. Lewinsky.<sup>(19)</sup> He noted that "[t]here are no curtains on the Oval Office, there are no curtains on my private office, there are no curtains or blinds that can close [on] the windows in my private dining room," and added: "I have done everything I could to avoid the kind of questions you are asking me here today. . . ."<sup>(20)</sup>

During the deposition, the President's attorney, Robert Bennett, sought to limit questioning about Ms. Lewinsky. Mr. Bennett told Judge Susan Webber Wright that Ms. Lewinsky had executed "an affidavit which [Ms. Jones's lawyers] are in possession of saying that there is absolutely no sex of any kind in any manner, shape or form, with President Clinton." In a subsequent colloquy with Judge Wright, Mr. Bennett declared that as a result of "preparation of [President Clinton] for this deposition, the witness is fully aware of Ms. Lewinsky's affidavit."<sup>(21)</sup> The President did not dispute his legal representative's

assertion that the President and Ms. Lewinsky had had "absolutely no sex of any kind in any manner, shape or form," nor did he dispute the implication that Ms. Lewinsky's affidavit, in denying "a sexual relationship," meant that there was "absolutely no sex of any kind in any manner, shape or form." In subsequent questioning by his attorney, President Clinton testified under oath that Ms. Lewinsky's

affidavit was “absolutely true.”(22)

#### b. Grand Jury Testimony

Testifying before the grand jury on August 17, 1998, seven months after his Jones deposition, the President acknowledged “inappropriate intimate contact” with Ms. Lewinsky but maintained that his January deposition testimony was accurate.(23) In his account, “what began as a friendship [with Ms. Lewinsky] came to include this conduct.”(24) He said he remembered “meeting her, or having my first real conversation with her during the government shutdown in November of ’95.” According to the President, the inappropriate contact occurred later (after Ms. Lewinsky’s internship had ended), “in early 1996 and once in early 1997.”(25)

The President refused to answer questions about the precise nature of his intimate contacts with Ms. Lewinsky, but he did explain his earlier denials.(26) As to his denial in the Jones deposition that he and Ms. Lewinsky had had a “sexual relationship,” the President maintained that there can be no sexual relationship without sexual intercourse, regardless of what other sexual activities may transpire. He stated that “most ordinary Americans” would embrace this distinction.(27)

The President also maintained that none of his sexual contacts with Ms. Lewinsky constituted “sexual relations” within a specific definition used in the Jones deposition.(28) Under that definition:

[A] person engages in “sexual relations” when the person knowingly engages in or causes — (1) contact with the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to arouse or gratify the sexual desire of any person . . . . “Contact” means intentional touching, either directly or through clothing.(29)

According to what the President testified was his understanding, this definition “covers contact by the person being deposed with the enumerated areas, if the contact is done with an intent to arouse or gratify,” but it does not cover oral sex performed on the person being deposed.(30) He testified:

[I]f the deponent is the person who has oral sex performed on him, then the contact is with — not with anything on that list, but with the lips of another person. It seems to be self-evident that that’s what it is. . . . Let me remind you, sir, I read this carefully.(31)

In the President’s view, “any person, reasonable person” would recognize that oral sex performed on the deponent falls outside the definition.(32)

If Ms. Lewinsky performed oral sex on the President, then — under this interpretation — she engaged in sexual relations but he did not. The President refused to answer whether Ms. Lewinsky in fact had performed oral sex on him.(33) He did testify that direct contact with Ms. Lewinsky’s breasts or

genitalia would fall within the definition, and he denied having had any such contact.(34)

## 2. Ms. Lewinsky's Account

In his grand jury testimony, the President relied heavily on a particular interpretation of “sexual relations” as defined in the Jones deposition. Beyond insisting that his conduct did not fall within the Jones definition, he refused to answer questions about the nature of his physical contact with Ms. Lewinsky, thus placing the grand jury in the position of having to accept his conclusion without being able to explore the underlying facts. This strategy — evidently an effort to account for possible traces of the President's semen on Ms. Lewinsky's clothing without undermining his position that he did not lie in the Jones deposition — mandates that this Referral set forth evidence of an explicit nature that otherwise would be omitted.

In light of the President's testimony, Ms. Lewinsky's accounts of their sexual encounters are indispensable for two reasons. First, the detail and consistency of these accounts tend to bolster Ms. Lewinsky's credibility. Second, and particularly important, Ms. Lewinsky contradicts the President on a key issue. According to Ms. Lewinsky, the President touched her breasts and genitalia — which means that his conduct met the Jones definition of sexual relations even under his theory. On these matters, the evidence of the President's perjury cannot be presented without specific, explicit, and possibly offensive descriptions of sexual encounters.

According to Ms. Lewinsky, she and the President had ten sexual encounters, eight while she worked at the White House and two thereafter.(35) The sexual encounters generally occurred in or near the private study off the Oval Office — most often in the windowless hallway outside the study.(36) During

many of their sexual encounters, the President stood leaning against the doorway of the bathroom across from the study, which, he told Ms. Lewinsky, eased his sore back.(37)

Ms. Lewinsky testified that her physical relationship with the President included oral sex but not sexual intercourse.(38) According to Ms. Lewinsky, she performed oral sex on the President; he never performed oral sex on her.(39) Initially, according to Ms. Lewinsky, the President would not let her perform oral sex to completion. In Ms. Lewinsky's understanding, his refusal was related to “trust and not knowing me well enough.”(40) During their last two sexual encounters, both in 1997, he did ejaculate.(41)

According to Ms. Lewinsky, she performed oral sex on the President on nine occasions. On all nine of



those occasions, the President fondled and kissed her bare breasts. He touched her genitals, both through her underwear and directly, bringing her to orgasm on two occasions. On one occasion, the President inserted a cigar into her vagina. On another occasion, she and the President had brief genital-to-genital contact.(42)

Whereas the President testified that “what began as a friendship came to include [intimate contact],” Ms. Lewinsky explained that the relationship moved in the opposite direction: “[T]he emotional and friendship aspects . . . developed after the beginning of our sexual relationship.”(43)

#### D. Emotional Attachment

As the relationship developed over time, Ms. Lewinsky grew emotionally attached to President Clinton. She testified: “I never expected to fall in love with the President. I was surprised that I did.”(44) Ms. Lewinsky told him of her feelings.(45) At times, she believed that he loved her too.(46) They were physically affectionate: “A lot of hugging, holding hands sometimes. He always used to push the hair out of my face.”(47) She called him “Handsome”; on occasion, he called her “Sweetie,” “Baby,” or sometimes “Dear.”(48) He told her that he enjoyed talking to her — she recalled his saying that the two of them were “emotive and full of fire,” and she made him feel young.(50) He said he wished he could spend more time with her.(51)

Ms. Lewinsky told confidants of the emotional underpinnings of the relationship as it evolved. According to her mother, Marcia Lewis, the President once told Ms. Lewinsky that she “had been hurt a lot or something by different men and that he would be her friend or he would help her, not hurt her.”(52) According to Ms. Lewinsky’s friend Neysa Erbland, President Clinton once confided in Ms. Lewinsky that he was uncertain whether he would remain married after he left the White House. He said in essence, “[W]ho knows what will happen four years from now when I am out of office?” Ms. Lewinsky thought, according to Ms. Erbland, that “maybe she will be his wife.”(53)

#### E. Conversations and Phone Messages

Ms. Lewinsky testified that she and the President “enjoyed talking to each other and being with each other.” In her recollection, “We would tell jokes. We would talk about our childhoods. Talk about current events. I was always giving him my stupid ideas about what I thought should be done in the administration or different views on things.”(54) One of Ms. Lewinsky’s friends testified that, in her understanding, “[The President] would talk about his childhood and growing up, and [Ms. Lewinsky] would relay stories about her childhood and growing up. I guess normal conversations that you would have with someone that you’re getting to know.”(55)

The longer conversations often occurred after their sexual contact. Ms. Lewinsky testified: “[W]hen I was working there [at the White House] . . . we’d start in the back [in or near the private study] and we’d talk and that was where we were physically intimate, and we’d usually end up, kind of the pillow talk of it, I guess, . . . sitting in the Oval Office . . . .”(56) During several meetings when they were not sexually intimate, they talked in the Oval Office or in the area of the study.(57)

Along with face-to-face meetings, according to Ms. Lewinsky, she spoke on the telephone with the President approximately 50 times, often after 10 p.m. and sometimes well after midnight.(58) The President placed the calls himself or, during working hours, had his secretary, Betty Currie, do so; Ms. Lewinsky could not telephone him directly, though she sometimes reached him through Ms. Currie.(59) Ms. Lewinsky testified: “[W]e spent hours on the phone talking.”(60) Their telephone conversations were “[s]imilar to what we discussed in person, just how we were doing. A lot of discussions about my job, when I was trying to come back to the White House and then once I decided to move to New York. . . . We talked about everything under the sun.”(61) On 10 to 15 occasions, she and the President had phone sex.(62) After phone sex late one night, the President fell asleep mid-conversation.(63)

On four occasions, the President left very brief messages on Ms. Lewinsky’s answering machine, though he told her that he did not like doing so because (in her recollection) he “felt it was a little unsafe.”(64) She saved his messages and played the tapes for several confidants, who said they believed that the voice was the President’s.(65)

By phone and in person, according to Ms. Lewinsky, she and the President sometimes had arguments. On a number of occasions in 1997, she complained that he had not brought her back from the Pentagon to work in the White House, as he had promised to do after the election.(66) In a face-to-face meeting on July 4, 1997, the President reprimanded her for a letter she had sent him that obliquely threatened to disclose their relationship.(67) During an argument on December 6, 1997, according to Ms. Lewinsky, the President said that “he had never been treated as poorly by anyone else as I treated him,” and added that “he spent more time with me than anyone else in the world, aside from his family, friends and staff, which I don’t know exactly which category that put me in.”(68)

Testifying before the grand jury, the President confirmed that he and Ms. Lewinsky had had personal conversations, and he acknowledged that their telephone conversations sometimes included “inappropriate sexual banter.”(69) The President said that Ms. Lewinsky told him about “her personal

life,” “her upbringing,” and “her job ambitions.”(70) After terminating their intimate relationship in 1997, he said, he tried “to be a friend to Ms. Lewinsky, to be a counselor to her, to give her good advice, and to help her.”(71)

#### F. Gifts

Ms. Lewinsky and the President exchanged numerous gifts. By her estimate, she gave him about 30 items, and he gave her about 18.(72) Ms. Lewinsky’s first gift to him was a matted poem given by her and other White House interns to commemorate “National Boss Day,” October 24, 1995.(73) This was the only item reflected in White House records that Ms. Lewinsky gave the President before (in her account) the sexual relationship began, and the only item that he sent to the archives instead of keeping.(74) On November 20 — five days after the intimate relationship began, according to Ms. Lewinsky — she gave him a necktie, which he chose to keep rather than send to the archives.(75) According to Ms. Lewinsky, the President telephoned the night she gave him the tie, then sent her a photo of himself wearing it.(76) The tie was logged pursuant to White House procedures for gifts to the President.(77)

In a draft note to the President in December 1997, Ms. Lewinsky wrote that she was “very particular about presents and could never give them to anyone else — they were all bought with you in mind.”(78) Many of the 30 or so gifts that she gave the President reflected his interests in history, antiques, cigars, and frogs. Ms. Lewinsky gave him, among other things, six neckties, an antique paperweight showing the White House, a silver tabletop holder for cigars or cigarettes, a pair of sunglasses, a casual shirt, a mug emblazoned “Santa Monica,” a frog figurine, a letter opener depicting a frog, several novels, a humorous book of quotations, and several antique books.(79) He gave her, among other things, a hat pin, two brooches, a blanket, a marble bear figurine, and a special edition of Walt Whitman’s *Leaves of Grass*.(80)

Ms. Lewinsky construed it as a sign of affection when the President wore a necktie or other item of clothing she had given him. She testified: “I used to say to him that ‘I like it when you wear my ties because then I know I’m close to your heart.’ So — literally and figuratively.”(81) The President was aware of her reaction, according to Ms. Lewinsky, and he would sometimes wear one of the items to reassure her — occasionally on the day they were scheduled to meet or the day after they had met in person or talked by telephone.(82) The President would sometimes say to her, “Did you see I wore your tie the other day?”(83)

In his grand jury testimony, the President acknowledged that he had exchanged a number of gifts

with Ms. Lewinsky. After their intimate relationship ended in 1997, he testified, “[S]he continued to give me gifts. And I felt that it was a right thing to do to give her gifts back.”(84)

#### G. Messages

According to Ms. Lewinsky, she sent the President a number of cards and letters. In some, she expressed anger that he was “not paying enough attention to me”; in others, she said she missed him; in still others, she just sent “a funny card that I saw.”(85) In early January 1998, she sent him, along with an antique book about American presidents, “[a]n embarrassing mushy note.”(86) She testified that the President never sent her any cards or notes other than formal thank-you letters.(87) Testifying before the grand jury, the President acknowledged having received cards and notes from Ms. Lewinsky that were “somewhat intimate” and “quite affectionate,” even after the intimate relationship ended.(88)

#### H. Secrecy

##### 1. Mutual Understanding

Both Ms. Lewinsky and the President testified that they took steps to maintain the secrecy of the relationship. According to Ms. Lewinsky, the President from the outset stressed the importance of keeping the relationship secret. In her handwritten statement to this Office, Ms. Lewinsky wrote that “the President told Ms. L to deny a relationship, if ever asked about it. He also said something to the effect of if the two people who are involved say it didn’t happen — it didn’t happen.”(89) According to

Ms. Lewinsky, the President sometimes asked if she had told anyone about their sexual relationship or about the gifts they had exchanged; she (falsely) assured him that she had not.(90) She told him that “I would always deny it, I would always protect him,” and he responded approvingly.(91) The two of them had, in her words, “a mutual understanding” that they would “keep this private, so that meant deny it and . . . take whatever appropriate steps needed to be taken.”(92) When she and the President both were subpoenaed to testify in the Jones case, Ms. Lewinsky anticipated that “as we had on every other occasion and every other instance of this relationship, we would deny it.”(93)

In his grand jury testimony, the President confirmed his efforts to keep their liaisons secret.(94) He said

he did not want the facts of their relationship to be disclosed “in any context,” and added: “I certainly didn’t want this to come out, if I could help it. And I was concerned about that. I was embarrassed about it. I knew it was wrong.”(95) Asked if he wanted to avoid having the facts come out through Ms.

Lewinsky's testimony in Jones, he said: "Well, I did not want her to have to testify and go through that. And, of course, I didn't want her to do that, of course not."(96)

## 2. Cover Stories

For her visits to see the President, according to Ms. Lewinsky, "[T]here was always some sort of a cover."(97) When visiting the President while she worked at the White House, she generally planned to tell anyone who asked (including Secret Service officers and agents) that she was delivering papers to the President.(98) Ms. Lewinsky explained that this artifice may have originated when "I got there kind of saying, 'Oh, gee, here are your letters,' wink, wink, wink, and him saying, 'Okay, that's good.'"(99) To back up her stories, she generally carried a folder on these visits.(100) (In truth, according to Ms. Lewinsky, her job never required her to deliver papers to the President.(101)) On a few occasions during her White House employment, Ms. Lewinsky and the President arranged to bump into each other in the hallway; he then would invite her to accompany him to the Oval Office.(102) Later, after she left the White House and started working at the Pentagon, Ms. Lewinsky relied on Ms. Currie to arrange times when she could see the President. The cover story for those visits was that Ms. Lewinsky was coming to see Ms. Currie, not the President.(103)

While the President did not expressly instruct her to lie, according to Ms. Lewinsky, he did suggest misleading cover stories.(104) And, when she assured him that she planned to lie about the relationship, he responded approvingly. On the frequent occasions when Ms. Lewinsky promised that she would "always deny" the relationship and "always protect him," for example, the President responded, in her recollection, "'That's good,' or — something affirmative. . . . [N]ot — 'Don't deny it.'"(105)

Once she was named as a possible witness in the Jones case, according to Ms. Lewinsky, the President reminded her of the cover stories. After telling her that she was a potential witness, the President suggested that, if she were subpoenaed, she could file an affidavit to avoid being deposed. He also told her she could say that, when working at the White House, she had sometimes delivered letters to him, and, after leaving her White House job, she had sometimes returned to visit Ms. Currie.(106) (The President's own testimony in the Jones case mirrors the recommendations he made to Ms. Lewinsky for her testimony. In his deposition, the President testified that he saw Ms. Lewinsky "on two or three occasions" during the November 1995 government furlough, "one or two other times when she brought some documents to me," and "sometime before Christmas" when Ms. Lewinsky "came by to see Betty."(107))

In his grand jury testimony, the President acknowledged that he and Ms. Lewinsky “might have talked about what to do in a nonlegal context” to hide their relationship, and that he “might well have said” that Ms. Lewinsky should tell people that she was bringing letters to him or coming to visit Ms. Currie.(108) But he also stated that “I never asked Ms. Lewinsky to lie.”(109)

### 3. Steps to Avoid Being Seen or Heard

After their first two sexual encounters during the November 1995 government shutdown, according to Ms. Lewinsky, her encounters with the President generally occurred on weekends, when fewer people were in the West Wing.(110) Ms. Lewinsky testified:

He had told me . . . that he was usually around on the weekends and that it was okay to come see him on the weekends. So he would call and we would arrange either to bump into each other in the hall or that I would bring papers to the office.(111)

From some of the President’s comments, Ms. Lewinsky gathered that she should try to avoid being seen by several White House employees, including Nancy Hernreich, Deputy Assistant to the President and Director of Oval Office Operations, and Stephen Goodin, the President’s personal aide.(112)

Out of concern about being seen, the sexual encounters most often occurred in the windowless hallway outside the study.(113) According to Ms. Lewinsky, the President was concerned that the two of them might be spotted through a White House window. When they were in the study together in the evenings, he sometimes turned out the light.(114) Once, when she spotted a gardener outside the study window, they left the room.(115) Ms. Lewinsky testified that, on December 28, 1997, “when I was

getting my Christmas kiss” in the doorway to the study, the President was “looking out the window with

his eyes wide open while he was kissing me and then I got mad because it wasn’t very romantic.” He responded, “Well, I was just looking to see to make sure no one was out there.”(116)

Fear of discovery constrained their sexual encounters in several respects, according to Ms. Lewinsky. The President ordinarily kept the door between the private hallway and the Oval Office several inches ajar during their encounters, both so that he could hear if anyone approached and so that anyone who did approach would be less likely to suspect impropriety.(117) During their sexual encounters, Ms. Lewinsky testified, “[W]e were both aware of the volume and sometimes . . . I bit my hand — so that I wouldn’t make any noise.”(118) On one occasion, according to Ms. Lewinsky, the

President put his hand over her mouth during a sexual encounter to keep her quiet.(119) Concerned that they might be interrupted abruptly, according to Ms. Lewinsky, the two of them never fully undressed.(120)

While noting that “the door to the hallway was always somewhat open,” the President testified that he did try to keep the intimate relationship secret: “I did what people do when they do the wrong thing. I tried to do it where nobody else was looking at it.”(121)

#### 4. Ms. Lewinsky’s Notes and Letters

The President expressed concern about documents that might hint at an improper relationship between them, according to Ms. Lewinsky. He cautioned her about messages she sent:

There were . . . some occasions when I sent him cards or notes that I wrote things that he deemed too personal to put on paper just in case something ever happened, if it got lost getting there or someone else opened it. So there were several times when he remarked to me, you know, you shouldn’t put that on paper.(122)

She said that the President made this point to her in their last conversation, on January 5, 1998, in reference to what she characterized as “[a]n embarrassing mushy note” she had sent him.(123) In addition, according to Ms. Lewinsky, the President expressed concerns about official records that could establish aspects of their relationship. She said that on two occasions she asked the President if she could go upstairs to the Residence with him. No, he said, because a record is kept of everyone who accompanies him there.(124)

The President testified before the grand jury: “I remember telling her she should be careful what she wrote, because a lot of it was clearly inappropriate and would be embarrassing if somebody else read it.”(125)

#### 5. Ms. Lewinsky’s Evaluation of Their Secrecy Efforts

In two conversations recorded after she was subpoenaed in the Jones case, Ms. Lewinsky expressed confidence that her relationship with the President would never be discovered.(126) She believed that no records showed her and the President alone in the area of the study.(127) Regardless of the evidence, in any event, she would continue denying the relationship. “If someone looked in the study window, it’s not me,” she said.(128) If someone produced tapes of her telephone calls with the President, she would say they were fakes.(129)

In another recorded conversation, Ms. Lewinsky said she was especially comforted by the fact that the President, like her, would be swearing under oath that “nothing happened.”(130) She said:

[T]o tell you the truth, I'm not concerned all that much anymore because I know I'm not going to get in trouble. I will not get in trouble because you know what? The story I've signed under — under oath is what someone else is saying under oath.(131)

## II. 1995: Initial Sexual Encounters

Monica Lewinsky began her White House employment as an intern in the Chief of Staff's office in July 1995. At White House functions in the following months, she made eye contact with the President. During the November 1995 government shutdown, the President invited her to his private study, where they kissed. Later that evening, they had a more intimate sexual encounter. They had another sexual encounter two days later, and a third one on New Year's Eve.

### A. Overview of Monica Lewinsky's White House Employment

Monica Lewinsky worked at the White House, first as an intern and then as an employee, from July 1995 to April 1996. With the assistance of family friend Walter Kaye, a prominent contributor to political causes, she obtained an internship starting in early July, when she was 21 years old.(132) She was assigned to work on correspondence in the office of Chief of Staff Leon Panetta in the Old Executive Office Building.(133)

As her internship was winding down, Ms. Lewinsky applied for a paying job on the White House staff. She interviewed with Timothy Keating, Special Assistant to the President and Staff Director for Legislative Affairs.(134) Ms. Lewinsky accepted a position dealing with correspondence in the Office of Legislative Affairs on November 13, 1995, but did not start the job (and, thus, continued her internship) until November 26.(135) She remained a White House employee until April 1996, when — in her view, because of her intimate relationship with the President — she was dismissed from the White House and transferred to the Pentagon.(136)

### B. First Meetings with the President

The month after her White House internship began, Ms. Lewinsky and the President began what she characterized as “intense flirting.”(137) At departure ceremonies and other events, she made eye contact with him, shook hands, and introduced herself.(138) When she ran into the President in the West Wing basement and introduced herself again, according to Ms. Lewinsky, he responded that he already knew who she was.(139) Ms. Lewinsky told her aunt that the President “seemed attracted to her or interested in her or something,” and told a visiting friend that “she was attracted to [President Clinton], she had a big crush on him, and I think she told me she at some point had gotten his attention, that there was some mutual eye contact and recognition, mutual acknowledgment.”(140)



In the autumn of 1995, an impasse over the budget forced the federal government to shut down for one week, from Tuesday, November 14, to Monday, November 20.(141) Only essential federal employees were permitted to work during the furlough, and the White House staff of 430 shrank to about 90 people for the week. White House interns could continue working because of their unpaid status, and they took on a wide range of additional duties.(142)

During the shutdown, Ms. Lewinsky worked in Chief of Staff Panetta's West Wing office, where she answered phones and ran errands.(143) The President came to Mr. Panetta's office frequently because of the shutdown, and he sometimes talked with Ms. Lewinsky.(144) She characterized these encounters as "continued flirtation."(145) According to Ms. Lewinsky, a Senior Adviser to the Chief of

Staff, Barry Toiv, remarked to her that she was getting a great deal of "face time" with the President.(146)

#### C. November 15 Sexual Encounter

Ms. Lewinsky testified that Wednesday, November 15, 1995 — the second day of the government shutdown — marked the beginning of her sexual relationship with the President.(147) On that date, she entered the White House at 1:30 p.m., left sometime thereafter (White House records do not show the time), reentered at 5:07 p.m., and departed at 12:18 a.m. on November 16.(148) The President was in the Oval Office or the Chief of Staff's office (where Ms. Lewinsky worked during the furlough) for almost the identical period that Ms. Lewinsky was in the White House that evening, from 5:01 p.m. on November 15 to 12:35 a.m. on November 16.(149)

According to Ms. Lewinsky, she and the President made eye contact when he came to the West Wing to see Mr. Panetta and Deputy Chief of Staff Harold Ickes, then again later at an informal birthday party for Jennifer Palmieri, Special Assistant to the Chief of Staff.(150) At one point, Ms. Lewinsky and

the President talked alone in the Chief of Staff's office. In the course of flirting with him, she raised her jacket in the back and showed him the straps of her thong underwear, which extended above her pants.(151)

En route to the restroom at about 8 p.m., she passed George Stephanopoulos's office. The President was inside alone, and he beckoned her to enter.(152) She told him that she had a crush on him. He laughed, then asked if she would like to see his private office.(153) Through a connecting door in Mr. Stephanopoulos's office, they went through the President's private dining room toward the study off

the Oval Office. Ms. Lewinsky testified: “We talked briefly and sort of acknowledged that there had been a chemistry that was there before and that we were both attracted to each other and then he asked me if he could kiss me.” Ms. Lewinsky said yes. In the windowless hallway adjacent to the study,

they kissed.(154) Before returning to her desk, Ms. Lewinsky wrote down her name and telephone number for the President.(155)

At about 10 p.m., in Ms. Lewinsky’s recollection, she was alone in the Chief of Staff’s office and the President approached.(156) He invited her to rendezvous again in Mr. Stephanopoulos’s office in a few minutes, and she agreed.(157) (Asked if she knew why the President wanted to meet with her, Ms. Lewinsky testified: “I had an idea.”(158)) They met in Mr. Stephanopoulos’s office and went again to the area of the private study.(159) This time the lights in the study were off.(160)

According to Ms. Lewinsky, she and the President kissed. She unbuttoned her jacket; either she unhooked her bra or he lifted her bra up; and he touched her breasts with his hands and mouth.(161)

Ms. Lewinsky testified: “I believe he took a phone call . . . and so we moved from the hallway into the back office . . . . [H]e put his hand down my pants and stimulated me manually in the genital area.”(162) While the President continued talking on the phone (Ms. Lewinsky understood that the caller was a Member of Congress or a Senator), she performed oral sex on him.(163) He finished his call, and, a moment later, told Ms. Lewinsky to stop. In her recollection: “I told him that I wanted . . . to complete that. And he said . . . that he needed to wait until he trusted me more. And then I think he made a joke . . . that he hadn’t had that in a long time.”(164)

Both before and after their sexual contact during that encounter, Ms. Lewinsky and the President talked.(165) At one point during the conversation, the President tugged on the pink intern pass hanging from her neck and said that it might be a problem. Ms. Lewinsky thought that he was talking about access — interns were not supposed to be in the West Wing without an escort — and, in addition,

that he might have discerned some “impropriety” in a sexual relationship with a White House intern.(166)

White House records corroborate details of Ms. Lewinsky’s account. She testified that her November 15 encounters with the President occurred at about 8 p.m. and 10 p.m., and that in each case the two of them went from the Chief of Staff’s office to the Oval Office area.(167) Records show that the President visited the Chief of Staff’s office for one minute at 8:12 p.m. and for two minutes at 9:23

p.m., in each case returning to the Oval Office.(168) She recalled that the President took a telephone call during their sexual encounter, and she believed that the caller was a Member of Congress or a Senator.(169) White House records show that after returning to the Oval Office from the Chief of Staff's

office, the President talked to two Members of Congress: Rep. Jim Chapman from 9:25 p.m. to 9:30 p.m., and Rep. John Tanner from 9:31 p.m. to 9:35 p.m.(170)

#### D. November 17 Sexual Encounter

According to Ms. Lewinsky, she and the President had a second sexual encounter two days later (still during the government furlough), on Friday, November 17. She was at the White House until 8:56 p.m., then returned from 9:38 to 10:39 p.m.(171) At 9:45 p.m., a few minutes after Ms. Lewinsky's reentry, the President went from the Oval Office to the Chief of Staff's office (where Ms. Lewinsky worked during the furlough) for one minute, then returned to the Oval Office for 30 minutes. From there, he went back to the Chief of Staff's office until 10:34 p.m. (approximately when Ms. Lewinsky left the White House), then went by the Oval Office and the Ground Floor before retiring to the Residence at 10:40 p.m.(172)

Ms. Lewinsky testified:

We were again working late because it was during the furlough and Jennifer Palmieri . . . had ordered pizza along with Ms. Currie and Ms. Hernreich. And when the pizza came, I went down to let them know that the pizza was there and it was at that point when I walked into Ms. Currie's office that the President was standing there with some other people discussing something.

And they all came back to the office and Mr. — I think it was Mr. Toiv, somebody accidentally knocked

pizza on my jacket, so I went to go use the restroom to wash it off and as I was coming out of the restroom, the President was standing in Ms. Currie's doorway and said, "You can come out this way."(173)

Ms. Lewinsky and the President went into the area of the private study, according to Ms. Lewinsky. There, either in the hallway or the bathroom, she and the President kissed. After a few minutes, in Ms. Lewinsky's recollection, she told him that she needed to get back to her desk. The President suggested that she bring him some slices of pizza.(174)

A few minutes later, she returned to the Oval Office area with pizza and told Ms. Currie that the President had requested it. Ms. Lewinsky testified: "[Ms. Currie] opened the door and said, 'Sir, the

girl's here with the pizza.' He told me to come in. Ms. Currie went back into her office and then we went into the back study area again.”(175) Several witnesses confirm that when Ms. Lewinsky delivered pizza to the President that night, the two of them were briefly alone.(176)

Ms. Lewinsky testified that she and the President had a sexual encounter during this visit.(177) They kissed, and the President touched Ms. Lewinsky's bare breasts with his hands and mouth.(178) At some

point, Ms. Currie approached the door leading to the hallway, which was ajar, and said that the President had a telephone call.(179) Ms. Lewinsky recalled that the caller was a Member of Congress with a nickname.(180) While the President was on the telephone, according to Ms. Lewinsky, “he unzipped his pants and exposed himself,” and she performed oral sex.(181) Again, he stopped her before he ejaculated.(182)

During this visit, according to Ms. Lewinsky, the President told her that he liked her smile and her energy. He also said: “I'm usually around on weekends, no one else is around, and you can come and see me.”(183)

Records corroborate Ms. Lewinsky's recollection that the President took a call from a Member of Congress with a nickname. While Ms. Lewinsky was at the White House that evening (9:38 to 10:39 p.m.), the President had one telephone conversation with a Member of Congress: From 9:53 to 10:14 p.m., he spoke with Rep. H.L. “Sonny” Callahan.(184)

In his Jones deposition on January 17, 1998, President Clinton — who said he was unable to recall most of his encounters with Ms. Lewinsky — did remember her “back there with a pizza” during the government shutdown. He said, however, that he did not believe that the two of them were alone.(185) Testifying before the grand jury on August 17, 1998, the President said that his first “real conversation” with Ms. Lewinsky occurred during the November 1995 furlough. He testified: “One night she brought me some pizza. We had some remarks.”(186)

#### E. December 31 Sexual Encounter

According to Ms. Lewinsky, she and the President had their third sexual encounter on New Year's Eve. Ms. Lewinsky — by then a member of the staff of the Office of Legislative Affairs — was at the White House on Sunday, December 31, 1995, until 1:16 p.m.; her time of arrival is not shown.(187) The President was in the Oval Office area from 12:11 p.m. until about the time that Ms. Lewinsky left, 1:15 p.m., when he went to the Residence.(188)

Sometime between noon and 1 p.m., in Ms. Lewinsky's recollection, she was in the pantry area of the

President's private dining room talking with a White House steward, Bayani Nelvis. She told Mr. Nelvis that she had recently smoked her first cigar, and he offered to give her one of the President's cigars. Just then, the President came down the hallway from the Oval Office and saw Ms. Lewinsky. The President dispatched Mr. Nelvis to deliver something to Mr. Panetta.(189)

According to Ms. Lewinsky, she told the President that Mr. Nelvis had promised her a cigar, and the President gave her one.(190) She told him her name — she had the impression that he had forgotten it in the six weeks since their furlough encounters because, when passing her in the hallway, he had called her “Kiddo.”(191) The President replied that he knew her name; in fact, he added, having lost the phone number she had given him, he had tried to find her in the phonebook.(192)

According to Ms. Lewinsky, they moved to the study. “And then . . . we were kissing and he lifted my sweater and exposed my breasts and was fondling them with his hands and with his mouth.”(193) She performed oral sex.(194) Once again, he stopped her before he ejaculated because, Ms. Lewinsky testified, “he didn't know me well enough or he didn't trust me yet.”(195)

According to Ms. Lewinsky, a Secret Service officer named Sandy was on duty in the West Wing that day.(196) Records show that Sandra Verna was on duty outside the Oval Office from 7 a.m. to 2 p.m.(197)

#### F. President's Account of 1995 Relationship

As noted, the President testified before the grand jury that on November 17, 1995, Ms. Lewinsky delivered pizza and exchanged “some remarks” with him, but he never indicated that anything sexual occurred then or at any other point in 1995.(198) Testifying under oath before the grand jury, the President said that he engaged in “conduct that was wrong” involving “inappropriate intimate contact” with Ms. Lewinsky “on certain occasions in early 1996 and once in early 1997.”(199) By implicitly denying any sexual contact in 1995, the President indicated that he and Ms. Lewinsky had no sexual involvement while she was an intern.(200) In the President's testimony, his relationship with Ms. Lewinsky “began as a friendship,” then later “came to include this conduct.”(201)

### III. January-March 1996: Continued Sexual Encounters

President Clinton and Ms. Lewinsky had additional sexual encounters near the Oval Office in 1996. After their sixth sexual encounter, the President and Ms. Lewinsky had their first lengthy conversation. On President's Day, February 19, the President terminated their sexual relationship, then revived it on March 31.

#### A. January 7 Sexual Encounter

According to Ms. Lewinsky, she and the President had another sexual encounter on Sunday, January 7, 1996. Although White House records do not indicate that Ms. Lewinsky was at the White House that

day, her testimony and other evidence indicate that she was there.(202) The President, according to White House records, was in the Oval Office most of the afternoon, from 2:13 to 5:49 p.m.(203)

According to Ms. Lewinsky, the President telephoned her early that afternoon. It was the first time he had called her at home.(204) In her recollection: “I asked him what he was doing and he said he was going to be going into the office soon. I said, oh, do you want some company? And he said, oh, that would be great.”(205) Ms. Lewinsky went to her office, and the President called to arrange their rendezvous:

[W]e made an arrangement that . . . he would have the door to his office open, and I would pass by the office with some papers and then . . . he would sort of stop me and invite me in. So, that was exactly what happened. I passed by and that was actually when I saw [Secret Service Uniformed Officer] Lew Fox who was on duty outside the Oval Office, and stopped and spoke with Lew for a few minutes, and then the President came out and said, oh, hey, Monica . . . come on in . . . . And so we spoke for about 10 minutes in the [Oval] office. We sat on the sofas. Then we went into the back study and we were intimate in the bathroom.(206)

Ms. Lewinsky testified that during this bathroom encounter, she and the President kissed, and he touched her bare breasts with his hands and his mouth.(207) The President “was talking about performing oral sex on me,” according to Ms. Lewinsky.(208) But she stopped him because she was menstruating and he did not.(209) Ms. Lewinsky did perform oral sex on him.(210)

Afterward, she and the President moved to the Oval Office and talked. According to Ms. Lewinsky: “[H]e was chewing on a cigar. And then he had the cigar in his hand and he was kind of looking at the cigar in . . . sort of a naughty way. And so . . . I looked at the cigar and I looked at him and I said, we can do that, too, some time.”(211)

Corroborating aspects of Ms. Lewinsky’s recollection, records show that Officer Fox was posted outside

the Oval Office the afternoon of January 7.(212) Officer Fox (who is now retired) testified that he recalled an incident with Ms. Lewinsky one weekend afternoon when he was on duty by the Oval Office:(213)

[T]he President of the United States came out, and he asked me, he says, “Have you seen any young congressional staff members here today?” I said, “No, sir.” He said, “Well, I’m expecting one.” He

says, “Would you please let me know when they show up?” And I said, “Yes, sir.”(214)

Officer Fox construed the reference to “congressional staff members” to mean White House staff who worked with Congress — i.e., staff of the Legislative Affairs Office, where Ms. Lewinsky worked. (215)

Talking with a Secret Service agent posted in the hallway, Officer Fox speculated on whom the President was expecting: “I described Ms. Lewinsky, without mentioning the name, in detail, dark hair — you know, I gave a general description of what she looked like.”(216) Officer Fox had gotten to know

Ms. Lewinsky during her tenure at the White House, and other agents had told him that she often spent time with the President.(217)

A short time later, Ms. Lewinsky approached, greeted Officer Fox, and said, “I have some papers for the President.” Officer Fox admitted her to the Oval Office. The President said: “You can close the door. She’ll be here for a while.”(218)

#### B. January 21 Sexual Encounter

On Sunday, January 21, 1996, according to Ms. Lewinsky, she and the President had another sexual encounter. Her time of White House entry is not reflected in records. She left at 3:56 p.m.(219) The President moved from the Residence to the Oval Office at 3:33 p.m. and remained there until 7:40 p.m.(220)

On that day, according to Ms. Lewinsky, she saw the President in a hallway by an elevator, and he invited her to the Oval Office.(221) According to Ms. Lewinsky:

We had . . . had phone sex for the first time the week prior, and I was feeling a little bit insecure about whether he had liked it or didn’t like it . . . I didn’t know if this was sort of developing into some kind of a longer-term relationship than what I thought it initially might have been, that maybe he had some regular girlfriend who was furloughed . . .(222)

According to Ms. Lewinsky, she questioned the President about his interest in her. “I asked him why he doesn’t ask me any questions about myself, and . . . is this just about sex . . . or do you have some interest in trying to get to know me as a person?”(223) The President laughed and said, according to Ms. Lewinsky, that “he cherishes the time that he had with me.”(224) She considered it “a little bit odd” for him to speak of cherishing their time together “when I felt like he didn’t really even know me yet.”(225)

They continued talking as they went to the hallway by the study. Then, with Ms. Lewinsky in

mid-sentence, “he just started kissing me.”(226) He lifted her top and touched her breasts with his hands and mouth.(227) According to Ms. Lewinsky, the President “unzipped his pants and sort of exposed himself,” and she performed oral sex.(228)

At one point during the encounter, someone entered the Oval Office. In Ms. Lewinsky’s recollection, “[The President] zipped up real quickly and went out and came back in . . . . I just remember laughing because he had walked out there and he was visibly aroused, and I just thought it was funny.”(229)

A short time later, the President got word that his next appointment, a friend from Arkansas, had arrived.(230) He took Ms. Lewinsky out through the Oval Office into Ms. Hernreich’s office, where he kissed her goodbye.(231)

### C. February 4 Sexual Encounter and Subsequent Phone Calls

On Sunday, February 4, according to Ms. Lewinsky, she and the President had their sixth sexual encounter and their first lengthy and personal conversation. The President was in the Oval Office from 3:36 to 7:05 p.m.(232) He had no telephone calls in the Oval Office before 4:45 p.m.(233) Records do not show Ms. Lewinsky’s entry or exit.

According to Ms. Lewinsky, the President telephoned her at her desk and they planned their rendezvous. At her suggestion, they bumped into each other in the hallway, “because when it happened accidentally, that seemed to work really well,” then walked together to the area of the private study.(234)

There, according to Ms. Lewinsky, they kissed. She was wearing a long dress that buttoned from the neck to the ankles. “And he unbuttoned my dress and he unhooked my bra, and sort of took the dress off my shoulders and . . . moved the bra . . . . [H]e was looking at me and touching me and telling me how beautiful I was.”(235) He touched her breasts with his hands and his mouth, and touched her genitals, first through underwear and then directly.(236) She performed oral sex on him.(237)

After their sexual encounter, the President and Ms. Lewinsky sat and talked in the Oval Office for about 45 minutes. Ms. Lewinsky thought the President might be responding to her suggestion during their previous meeting about “trying to get to know me.”(238) It was during that conversation on February 4, according to Ms. Lewinsky, that their friendship started to blossom.(239)

When she prepared to depart, according to Ms. Lewinsky, the President “kissed my arm and told me he’d call me, and then I said, yeah, well, what’s my phone number? And so he recited both my home number and my office number off the top of his head.”(240) The President called her at her desk later



that afternoon and said he had enjoyed their time together.(241)

#### D. President's Day (February 19) Break-up

According to Ms. Lewinsky, the President terminated their relationship (only temporarily, as it happened), on Monday, February 19, 1996 — President's Day. The President was in the Oval Office from 11 a.m. to 2:01 p.m. that day.(242) He had no telephone calls between 12:19 and 12:42 p.m.(243) Records do not reflect Ms. Lewinsky's presence at the White House.

In Ms. Lewinsky's recollection, the President telephoned her at her Watergate apartment that day. From the tone of his voice, she could tell something was wrong. She asked to come see him, but he said he did not know how long he would be there.(244) Ms. Lewinsky went to the White House, then walked to the Oval Office sometime between noon and 2 p.m. (the only time she ever went to the Oval Office uninvited).(245) Ms. Lewinsky recalled that she was admitted by a tall, slender, Hispanic plainclothes agent on duty near the door.(246)

The President told her that he no longer felt right about their intimate relationship, and he had to put a stop to it.(247) Ms. Lewinsky was welcome to continue coming to visit him, but only as a friend. He hugged her but would not kiss her.(248) At one point during their conversation, the President had a call from a sugar grower in Florida whose name, according to Ms. Lewinsky, was something like "Fanuli." In Ms. Lewinsky's recollection, the President may have taken or returned the call just as she was leaving.(249)

Ms. Lewinsky's account is corroborated in two respects. First, Nelson U. Garabito, a plainclothes Secret

Service agent, testified that, on a weekend or holiday while Ms. Lewinsky worked at the White House (most likely in the early spring of 1996), Ms. Lewinsky appeared in the area of the Oval Office carrying a folder and said, "I have these papers for the President."(250) After knocking, Agent Garabito

opened the Oval Office door, told the President he had a visitor, ushered Ms. Lewinsky in, and closed the door behind her.(251) When Agent Garabito's shift ended a few minutes later, Ms. Lewinsky was still in the Oval Office.(252)

Second, concerning Ms. Lewinsky's recollection of a call from a sugar grower named "Fanuli," the President talked with Alfonso Fanjul of Palm Beach, Florida, from 12:42 to 1:04 p.m.(253) Mr. Fanjul had telephoned a few minutes earlier, at 12:24 p.m.(254) The Fanjuls are prominent sugar growers in Florida.(255)

## E. Continuing Contacts

After the break-up on February 19, 1996, according to Ms. Lewinsky, “there continued to sort of be this flirtation . . . when we’d see each other.”(256) After passing Ms. Lewinsky in a hallway one night in

late February or March, the President telephoned her at home and said he was disappointed that, because she had already left the White House for the evening, they could not get together. Ms.

Lewinsky testified that the call “sort of implied to me that he was interested in starting up again.”(257)

On March 10, 1996, Ms. Lewinsky took a visiting friend, Natalie Ungvari, to the White House. They bumped into the President, who said to Ms. Ungvari when Ms. Lewinsky introduced them: “You must be her friend from California.”(258) Ms. Ungvari was “shocked” that the President knew where she was

from.(259)

Ms. Lewinsky testified that on Friday, March 29, 1996, she was walking down a hallway when she passed the President, who was wearing the first necktie she had given him. She asked where he had gotten the tie, and he replied: “Some girl with style gave it to me.”(260) Later, he telephoned her at her desk and asked if she would like to see a movie. His plan was that she would position herself in the hallway by the White House Theater at a certain time, and he would invite her to join him and a group of guests as they entered. Ms. Lewinsky responded that she did not want people to think she was lurking around the West Wing uninvited.(261) She asked if they could arrange a rendezvous over the weekend instead, and he said he would try.(262) Records confirm that the President spent the evening of March 29 in the White House Theater.(263) Mrs. Clinton was in Athens, Greece.(264)

## F. March 31 Sexual Encounter

On Sunday, March 31, 1996, according to Ms. Lewinsky, she and the President resumed their sexual contact.(265) Ms. Lewinsky was at the White House from 10:21 a.m. to 4:27 p.m. on that day.(266) The

President was in the Oval Office from 3:00 to 5:46 p.m.(267) His only call while in the Oval Office was

from 3:06 to 3:07 p.m.(268) Mrs. Clinton was in Ireland.(269)

According to Ms. Lewinsky, the President telephoned her at her desk and suggested that she come to the Oval Office on the pretext of delivering papers to him.(270) She went to the Oval Office and was admitted by a plainclothes Secret Service agent.(271) In her folder was a gift for the President, a Hugo Boss necktie.(272)

In the hallway by the study, the President and Ms. Lewinsky kissed. On this occasion, according to Ms.

Lewinsky, “he focused on me pretty exclusively,” kissing her bare breasts and fondling her genitals.(273) At one point, the President inserted a cigar into Ms. Lewinsky’s vagina, then put the cigar in his mouth and said: “It tastes good.”(274) After they were finished, Ms. Lewinsky left the Oval

Office and walked through the Rose Garden.(275)

#### IV. April 1996: Ms. Lewinsky’s Transfer to the Pentagon

With White House and Secret Service employees remarking on Ms. Lewinsky’s frequent presence in the West Wing, a deputy chief of staff ordered Ms. Lewinsky transferred from the White House to the Pentagon. On April 7 — Easter Sunday — Ms. Lewinsky told the President of her dismissal. He promised to bring her back after the election, and they had a sexual encounter.

##### A. Earlier Observations of Ms. Lewinsky in the West Wing

Ms. Lewinsky’s visits to the Oval Office area had not gone unnoticed. Officer Fox testified that “it was pretty commonly known that she did frequent the West Wing on the weekends.”(276) Another Secret Service uniformed officer, William Ludtke III, once saw her exit from the pantry near the Oval Office; she seemed startled and possibly embarrassed to be spotted.(277) Officer John Muskett testified that “if the President was known to be coming into the Diplomatic Reception Room, a lot of times [Ms. Lewinsky] just happened to be walking down the corridor, you know, maybe just to see the President.”(278) Ms. Lewinsky acknowledged that she tried to position herself to see the President.(279)

Although they could not date them precisely, Secret Service officers and agents testified about several occasions when Ms. Lewinsky and the President were alone in the Oval Office. William C. Bordley, a former member of the Presidential Protective Detail, testified that in late 1995 or early 1996, he stopped Ms. Lewinsky outside the Oval Office because she did not have her pass.(280) The President opened the Oval Office door, indicated to Agent Bordley that Ms. Lewinsky’s presence was all right, and ushered Ms. Lewinsky into the Oval Office.(281) Agent Bordley saw Ms. Lewinsky leave about half an hour later.(282)

Another former member of the Presidential Protective Detail, Robert C. Ferguson, testified that one Saturday in winter, the President told him that he was expecting “some staffers.”(283) A short time later, Ms. Lewinsky arrived and said that “[t]he President needs me.”(284) Agent Ferguson announced

Ms. Lewinsky and admitted her to the Oval Office.(285) About 10 or 15 minutes later, Agent Ferguson rotated to a post on the Colonnade outside the Oval Office.(286) He glanced through the window into the Oval Office and saw the President and Ms. Lewinsky go through the door leading toward the private study.(287)

Deeming her frequent visits to the Oval Office area a “nuisance,” one Secret Service Officer complained to Evelyn Lieberman, the Deputy Chief of Staff for Operations.(288) Ms. Lieberman was already aware of Ms. Lewinsky. In December 1995, according to Ms. Lewinsky, Ms. Lieberman chided

her for being in the West Wing and told her that interns are not permitted around the Oval Office. Ms. Lewinsky (who had begun her Office of Legislative Affairs job) told Ms. Lieberman that she was not an intern anymore. After expressing surprise that Ms. Lewinsky had been hired, Ms. Lieberman said she must have Ms. Lewinsky confused with someone else.(289) Ms. Lieberman confirmed that she reprimanded Ms. Lewinsky, whom she considered “what we used to call a ‘clutch’ . . . always someplace she shouldn’t be.”(290)

In Ms. Lewinsky’s view, some White House staff members seemed to think that she was to blame for the President’s evident interest in her:

[P]eople were wary of his weaknesses, maybe, and . . . they didn’t want to look at him and think that he could be responsible for anything, so it had to all be my fault . . . I was stalking him or I was making advances towards him.(292)

#### B. Decision to Transfer Ms. Lewinsky

Ms. Lieberman testified that, because Ms. Lewinsky was so persistent in her efforts to be near the President, “I decided to get rid of her.”(293) First she consulted Chief of Staff Panetta. According to Mr. Panetta, Ms. Lieberman told him about a woman on the staff who was “spending too much time around the West Wing.” Because of “the appearance that it was creating,” Ms. Lieberman proposed to move her out of the White House. Mr. Panetta — who testified that he valued Ms. Lieberman’s role as “a tough disciplinarian” and “trusted her judgment” — replied, “Fine.”(294) Although Ms. Lieberman said she could not recall having heard any rumors linking the President and Ms. Lewinsky, she acknowledged that “the President was vulnerable to these kind of rumors . . . yes, yes, that was one of the reasons” for moving Ms. Lewinsky out of the White House.(295) Later, in September 1997, Marcia Lewis (Ms. Lewinsky’s mother) complained about her daughter’s dismissal to Ms. Lieberman, whom she met at a Voice of America ceremony. Ms. Lieberman, according to Ms. Lewis, responded

by “saying something about Monica being cursed because she’s beautiful.” Ms. Lewis gathered from the remark that Ms. Lieberman, as part of her effort to protect the President, “would want to have pretty women moved out.”(296)

Most people understood that the principal reason for Ms. Lewinsky’s transfer was her habit of hanging around the Oval Office and the West Wing.(297) In a memo in October 1996, John Hilley, Assistant to the President and Director of Legislative Affairs, reported that Ms. Lewinsky had been “got[ten] rid of”

in part “because of ‘extracurricular activities’” (a phrase, he maintained in the grand jury, that meant only that Ms. Lewinsky was often absent from her work station).(298)

White House officials arranged for Ms. Lewinsky to get another job in the Administration.(299) “Our direction is to make sure she has a job in an Agency,” Patsy Thomasson wrote in an email message on April 9, 1996.(300) Ms. Thomasson’s office (Presidential Personnel) sent Ms. Lewinsky’s resume to

Charles Duncan, Special Assistant to the Secretary of Defense and White House Liaison, and asked him to find a Pentagon opening for her.(301) Mr. Duncan was told that, though Ms. Lewinsky had performed her duties capably, she was being dismissed for hanging around the Oval Office too much.(302) According to Mr. Duncan — who had received as many as 40 job referrals per day from the

White House — the White House had never given such an explanation for a transfer.(303)

### C. Ms. Lewinsky’s Notification of Her Transfer

On Friday, April 5, 1996, Timothy Keating, Staff Director for Legislative Affairs, informed Ms. Lewinsky that she would have to leave her White House job.(304) According to Mr. Keating, he told her that she was not being fired, merely “being given a different opportunity.” In fact, she could tell people it was a promotion if she cared to do so.(305) Upon hearing of her dismissal, Ms. Lewinsky burst into tears and asked if there was any way for her to stay in the White House, even without pay.(306) No, Mr. Keating said. According to Ms. Lewinsky, “He told me I was too sexy to be working in

the East Wing and that this job at the Pentagon where I’d be writing press releases was a sexier job.”(307)

Ms. Lewinsky was devastated. She felt that she was being transferred simply because of her relationship with the President.(308) And she feared that with the loss of her White House job, “I was never going to see the President again. I mean, my relationship with him would be over.”(309)

## D. Conversations with the President about Her Transfer

### 1. Easter Telephone Conversations and Sexual Encounter

On Easter Sunday, April 7, 1996, Ms. Lewinsky told the President of her dismissal and they had a sexual encounter. Ms. Lewinsky entered the White House at 4:56 and left at 5:28 p.m.(310) The President was in the Oval Office all afternoon, from 2:21 to 7:48 p.m.(311)

According to Ms. Lewinsky, the President telephoned her at home that day. After they spoke of the death of the Commerce Secretary the previous week, she told him of her dismissal:

I had asked him . . . if he was doing okay with Ron Brown's death, and then after we talked about that for a little bit I told him that my last day was Monday. And . . . he seemed really upset and sort of asked me to tell him what had happened. So I did and I was crying and I asked him if I could come see him, and he said that that was fine.(312)

At the White House, according to Ms. Lewinsky, she told Secret Service Officer Muskett that she needed to deliver papers to the President.(313) Officer Muskett admitted her to the Oval Office, and she and the President proceeded to the private study.(314)

According to Ms. Lewinsky, the President seemed troubled about her upcoming departure from the White House:

He told me that he thought that my being transferred had something to do with him and that he was upset. He said, "Why do they have to take you away from me? I trust you." And then he told me — he looked at me and he said, "I promise you if I win in November I'll bring you back like that."(315)

He also indicated that she could have any job she wanted after the election.(316) In addition, the President said he would find out why Ms. Lewinsky was transferred and report back to her.(317)

When asked if he had promised to get Ms. Lewinsky another White House job, the President told the grand jury:

What I told Ms. Lewinsky was that . . . I would do what I could to see, if she had a good record at the Pentagon, and she assured me she was doing a good job and working hard, that I would do my best to see that the fact that she had been sent away from the Legislative Affairs section did not keep her from getting a job in the White House, and that is, in fact, what I tried to do. . . . But I did not tell her I would order someone to hire her, and I never did, and I wouldn't do that. It wouldn't be right.(318)

Ms. Lewinsky, when asked if the President had said that he would bring her back to the White House only if she did a good job at the Pentagon, responded: "No."(319)

After this Easter Sunday conversation, the President and Ms. Lewinsky had a sexual encounter in the

hallway, according to Ms. Lewinsky.(320) She testified that the President touched her breasts with his mouth and hands.(321) According to Ms. Lewinsky: “I think he unzipped [his pants] . . . because it was

sort of this running joke that I could never unbutton his pants, that I just had trouble with it.”(322) Ms. Lewinsky performed oral sex. The President did not ejaculate in her presence.(323)

During this encounter, someone called out from the Oval Office that the President had a phone call.(324) He went back to the Oval Office for a moment, then took the call in the study. The President indicated that Ms. Lewinsky should perform oral sex while he talked on the phone, and she obliged.(325) The telephone conversation was about politics, and Ms. Lewinsky thought the caller might be Dick Morris.(326) White House records confirm that the President had one telephone call during Ms. Lewinsky’s visit: from “Mr. Richard Morris,” to whom he talked from 5:11 to 5:20 p.m. (327)

A second interruption occurred a few minutes later, according to Ms. Lewinsky. She and the President were in the study.(328) Ms. Lewinsky testified:

Harold Ickes has a very distinct voice and . . . I heard him holler “Mr. President,” and the President looked at me and I looked at him and he jetted out into the Oval Office and I panicked and . . . thought that maybe because Harold was so close with the President that they might just wander back there and the President would assume that I knew to leave.(329)

Ms. Lewinsky testified that she exited hurriedly through the dining room door.(330) That evening, the President called and asked Ms. Lewinsky why she had run off. “I told him that I didn’t know if he was going to be coming back . . . [H]e was a little upset with me that I left.”(331)

In addition to the record of the Dick Morris phone call, the testimony of Secret Service Officer Muskett

corroborates Ms. Lewinsky’s account. Officer Muskett was posted near the door to the Oval Office on Easter Sunday.(332) He testified that Ms. Lewinsky (whom he knew) arrived at about 4:45 p.m. carrying a manila folder and seeming “a little upset.”(333) She told Officer Muskett that she needed to deliver documents to the President.(334) Officer Muskett or the plainclothes agent on duty with him opened the door, and Ms. Lewinsky entered.(335)

About 20 to 25 minutes later, according to Officer Muskett, the telephone outside the Oval Office rang. The White House operator said that the President had an important call but he was not picking up.(336) The agent working alongside Officer Muskett knocked on the door to the Oval Office. When the President did not respond, the agent entered. The Oval Office was empty, and the door leading

to the study was slightly ajar.(337) (Ms. Lewinsky testified that the President left the door ajar during their sexual encounters.(338)) The agent called out, “Mr. President?” There was no response. The agent stepped into the Oval Office and called out more loudly, “Mr. President?” This time there was a response from the study area, according to Officer Muskett: “Huh?” The agent called out that the President had a phone call, and the President said he would take it.(339)

A few minutes later, according to Officer Muskett, Mr. Ickes approached and said he needed to see President Clinton. Officer Muskett admitted him through Ms. Currie’s office.(340) Less than a minute after Mr. Ickes entered Ms. Currie’s reception area, according to Officer Muskett, the pantry or dining room door closed audibly. Officer Muskett stepped down the hall to check and saw Ms. Lewinsky walking away briskly.(341)

At 5:30 p.m., two minutes after Ms. Lewinsky left the White House, the President called the office of the person who had decided to transfer Ms. Lewinsky, Evelyn Lieberman.(342)

## 2. April 12-13: Telephone Conversations

Ms. Lewinsky testified that the President telephoned her the following Friday, April 12, 1996, at home. They talked for about 20 minutes. According to Ms. Lewinsky, the President said he had checked on the reason for her transfer:

[H]e had come to learn . . . that Evelyn Lieberman had sort of spearheaded the transfer, and that she thought he was paying too much attention to me and I was paying too much attention to him and that she didn’t necessarily care what happened after the election but everyone needed to be careful before the election.(343)

According to Ms. Lewinsky, the President told her to give the Pentagon a try, and, if she did not like it, he would get her a job on the campaign.(344)

In the grand jury, Ms. Lieberman testified that the President asked her directly about Ms. Lewinsky’s transfer:

After I had gotten rid of her, when I was in there, during the course of a conversation, [President Clinton] said, “I got a call about –” I don’t know if he said her name. He said maybe “– an intern you fired.” And she was evidently very upset about it. He said, “Do you know anything about this?” I said, “Yes.” He said, “Who fired her?” I said, “I did.” And he said, “Oh, okay.”(345)

According to Ms. Lieberman, the President did not pursue the matter further.(346)

Three other witnesses confirm that the President knew why Ms. Lewinsky was transferred to the Pentagon. In 1997, the President told Chief of Staff Erskine Bowles “that there was a young woman —



her name was Monica Lewinsky — who used to work at the White House; that Evelyn . . . thought she hung around the Oval Office too much and transferred her to the Pentagon.”(347) According to Betty Currie, the President believed that Ms. Lewinsky had been unfairly transferred.(348) The President’s close friend, Vernon Jordan, testified that the President said to him in December 1997 that “he knew about [Ms. Lewinsky’s] situation, which was that she was pushed out of the White House.”(349)

#### V. April-December 1996: No Private Meetings

After Ms. Lewinsky began her Pentagon job on April 16, 1996, she had no further physical contact with the President for the remainder of the year. She and the President spoke by phone (and had phone sex) but saw each other only at public functions. Ms. Lewinsky grew frustrated after the election because the President did not bring her back to work at the White House.

##### A. Pentagon Job

On April 16, 1996, Ms. Lewinsky began working at the Pentagon as Confidential Assistant to the Assistant Secretary of Defense for Public Affairs.(350)

##### B. No Physical Contact

According to Ms. Lewinsky, she had no physical contact with the President for the rest of 1996.(351) “I wasn’t alone with him so when I saw him it was in some sort of event or group setting,” she testified.(352)

##### C. Telephone Conversations

Ms. Lewinsky and the President did talk by telephone, especially in her first weeks at the new job. (353)

By Ms. Lewinsky’s estimate, the President phoned her (sometimes leaving a message) four or five times in the month after she started working at the Pentagon, then two or three times a month thereafter for the rest of 1996.(354) During the fall 1996 campaign, the President sometimes called from trips when Mrs. Clinton was not accompanying him.(355) During at least seven of the 1996 calls, Ms. Lewinsky and the President had phone sex.(356)

According to Ms. Lewinsky, the President telephoned her at about 6:30 a.m. on July 19, the day he was leaving for the 1996 Olympics in Atlanta, and they had phone sex, after which the President exclaimed, “[G]ood morning!” and then said: “What a way to start a day.”(357) A call log shows that the President called the White House operator at 12:11 a.m. on July 19 and asked for a wake-up call at 7 a.m., then at 6:40 a.m., the President called and said he was already up.(358) In Ms. Lewinsky’s

recollection, she and the President also had phone sex on May 21, July 5 or 6, October 22, and December 2, 1996.(359) On those dates, Mrs. Clinton was in Denver (May 21), Prague and Budapest (July 5-6), Las Vegas (October 22), and en route to Bolivia (December 2).(360)

Ms. Lewinsky repeatedly told the President that she disliked her Pentagon job and wanted to return to the White House.(361) In a recorded conversation, Ms. Lewinsky recounted one call:

[A] month had passed and — so he had called one night, and I said, “Well,” I said, “I’m really unhappy,” you know. And [the President] said, “I don’t want to talk about your job tonight. I’ll call you

this week, and then we’ll talk about it. I want to talk about other things” — which meant phone sex.(362)

She expected to talk with him the following weekend, and she was “ready to broach the idea of . . . going to the campaign,” but he did not call.(363)

Ms. Lewinsky and the President also talked about their relationship. During a phone conversation on September 5, according to Ms. Lewinsky, she told the President that she wanted to have intercourse with him. He responded that he could not do so because of the possible consequences. The two of them argued, and he asked if he should stop calling her. No, she responded.(364)

#### D. Public Encounters

During this period, Ms. Lewinsky occasionally saw the President in public. She testified:

I’m an insecure person . . . and I was insecure about the relationship at times and thought that he would come to forget me easily and if I hadn’t heard from him . . . it was very difficult for me . . .

[U]sually when I’d see him, it would kind of prompt him to call me. So I made an effort. I would go early and stand in the front so I could see him . . .(365)

On May 2, 1996, Ms. Lewinsky saw the President at a reception for the Saxophone Club, a political organization.(366) On June 14, Ms. Lewinsky and her family attended the taping of the President’s weekly radio address and had photos taken with the President.(367) On August 18, Ms. Lewinsky attended the President’s 50th birthday party at Radio City Music Hall, and she got into a cocktail party for major donors where she saw the President.(368) According to Ms. Lewinsky, when the President reached past her at the rope line to shake hands with another guest, she reached out and touched his crotch in a “playful” fashion.(369) On October 23, according to Ms. Lewinsky, she talked with the President at a fundraiser for Senate Democrats.(370) The two were photographed together at the event.(371) The President was wearing a necktie she had given him, according to Ms. Lewinsky,

and she said to him, “Hey, Handsome — I like your tie.”(372) The President telephoned her that night. She said she planned to be at the White House on Pentagon business the next day, and he told her to stop by the Oval Office. At the White House the next day, Ms. Lewinsky did not see the President because Ms. Lieberman was nearby.(373) On December 17, Ms. Lewinsky attended a holiday reception at the White House.(374) A photo shows her shaking hands with the President.(375)

#### E. Ms. Lewinsky’s Frustrations

Continuing to believe that her relationship with the President was the key to regaining her White House pass, Ms. Lewinsky hoped that the President would get her a job immediately after the election. “I kept a calendar with a countdown until election day,” she later wrote in an unsent letter to him. The letter states:

I was so sure that the weekend after the election you would call me to come visit and you would kiss me passionately and tell me you couldn’t wait to have me back. You’d ask me where I wanted to work and say something akin to “Consider it done” and it would be. Instead I didn’t hear from you for weeks and subsequently your phone calls became less frequent.(376)

Ms. Lewinsky grew increasingly frustrated over her relationship with President Clinton.(377) One friend

understood that Ms. Lewinsky complained to the President about not having seen each other privately for months, and he replied, “Every day can’t be sunshine.”(378) In email to another friend in early 1997, Ms. Lewinsky wrote: “I just don’t understand what went wrong, what happened? How could he do this to me? Why did he keep up contact with me for so long and now nothing, now when we could be together?”(379)

#### VI. Early 1997: Resumption of Sexual Encounters

In 1997, President Clinton and Ms. Lewinsky had further private meetings, which now were arranged by Betty Currie, the President’s secretary. After the taping of the President’s weekly radio address on February 28, the President and Ms. Lewinsky had a sexual encounter. On March 24, they had what proved to be their final sexual encounter. Throughout this period, Ms. Lewinsky continued to press for a job at the White House, to no avail.

##### A. Resumption of Meetings with the President

###### 1. Role of Betty Currie

###### a. Arranging Meetings

In 1997, with the presidential election past, Ms. Lewinsky and the President resumed their

one-on-one meetings and sexual encounters. The President's secretary, Betty Currie, acted as intermediary.

According to Ms. Currie, Ms. Lewinsky would often call her and say she wanted to see the President, sometimes to discuss a particular topic.(380) Ms. Currie would ask President Clinton, and, if he agreed, arrange the meeting.(381) Ms. Currie also said it was "not unusual" that Ms. Lewinsky would talk by phone with the President and then call Ms. Currie to set up a meeting.(382) At times, Ms. Currie placed calls to Ms. Lewinsky for President Clinton and put him on the line.(383)

The meetings between the President and Ms. Lewinsky often occurred on weekends.(384) When Ms. Lewinsky would arrive at the White House, Ms. Currie generally would be the one to authorize her entry and take her to the West Wing.(385) Ms. Currie acknowledged that she sometimes would come to the White House for the sole purpose of having Ms. Lewinsky admitted and bringing her to see the President.(386) According to Ms. Currie, Ms. Lewinsky and the President were alone together in the Oval Office or the study for 15 to 20 minutes on multiple occasions.(387)

Secret Service officers and agents took note of Ms. Currie's role. Officer Steven Pape once observed Ms. Currie come to the White House for the duration of Ms. Lewinsky's visit, then leave.(388) When calling to alert the officer at the West Wing lobby that Ms. Lewinsky was en route, Ms. Currie would sometimes say, "[Y]ou know who it is."(389) On one occasion, Ms. Currie instructed Officer Brent Chinery to hold Ms. Lewinsky at the lobby for a few minutes because she needed to move the President to the study.(390) On another occasion, Ms. Currie told Officer Chinery to have Ms. Lewinsky

held at the gate for 30 to 40 minutes because the President already had a visitor.(391)

Ms. Lewinsky testified that she once asked the President why Ms. Currie had to clear her in, and why he could not do so himself. "[H]e said because if someone comes to see him, there's a list circulated among the staff members and then everyone would be questioning why I was there to see him."(392)

#### b. Intermediary for Gifts

Ms. Lewinsky also sent over a number of packages — six or eight, Ms. Currie estimated.(393) According

to Ms. Currie, Ms. Lewinsky would call and say she was sending something for the President.(394) The

package would arrive addressed to Ms. Currie.(395) Courier receipts show that Ms. Lewinsky sent seven

packages to the White House between October 7 and December 8, 1997.(396) Evidence indicates

that Ms. Lewinsky on occasion also dropped parcels off with Ms. Currie or had a family member do so,(397) and brought gifts to the President when visiting him.(398) Ms. Currie testified that most packages from Ms. Lewinsky were intended for the President.(399)

Although Ms. Currie generally opened letters and parcels to the President, she did not open these packages from Ms. Lewinsky.(400) She testified that “I made the determination not to open” such letters and packages because “I felt [they were] probably personal.”(401) Instead, she would leave the package in the President’s box, and “[h]e would pick it up.”(402) To the best of her knowledge, such parcels always reached the President.(403)

### c. Secrecy

Ms. Currie testified that she suspected impropriety in the President’s relationship with Ms. Lewinsky.(404) She told the grand jury that she “had concern.” In her words: “[H]e was spending a lot of time with a 24-year-old young lady. I know he has said that young people keep him involved in what’s happening in the world, so I knew that was one reason, but there was a concern of mine that she was spending more time than most.”(405) Ms. Currie understood that “the majority” of the President’s meetings with Ms. Lewinsky were “more personal in nature as opposed to business.”(406) Ms. Currie also testified that she tried to avoid learning details of the relationship between the President and Ms. Lewinsky. On one occasion, Ms. Lewinsky said of herself and the President, “As long as no one saw us — and no one did — then nothing happened.” Ms. Currie responded: “Don’t want to hear it. Don’t say any more. I don’t want to hear any more.”(407)

Ms. Currie helped keep the relationship secret. When the President wanted to talk with Ms. Lewinsky, Ms. Currie would dial the call herself rather than go through White House operators, who keep logs of presidential calls made through the switchboard.(408) When Ms. Lewinsky phoned and Ms. Currie put the President on the line, she did not log the call, though the standard procedure was to note all calls, personal and professional.(409) According to Secret Service uniformed officers, Ms. Currie sometimes tried to persuade them to admit Ms. Lewinsky to the White House compound without making a record of it.(410)

In addition, Ms. Currie avoided writing down or retaining most messages from Ms. Lewinsky to the President. In response to a grand jury subpoena, the White House turned over only one note to the President concerning Ms. Lewinsky — whereas evidence indicates that Ms. Lewinsky used Ms. Currie to convey requests and messages to the President on many occasions.(411)

When bringing Ms. Lewinsky in from the White House gate, Ms. Currie said she sometimes chose a path that would reduce the likelihood of being seen by two White House employees who disapproved of Ms. Lewinsky: Stephen Goodin and Nancy Hernreich.(412) Ms. Currie testified that she once brought Ms. Lewinsky directly to the study, “sneaking her back” via a roundabout path to avoid running into Mr. Goodin.(413) When Ms. Lewinsky visited the White House on weekends and at night,

being spotted was not a problem — in Ms. Currie’s words, “there would be no need to sneak” — so Ms.

Lewinsky would await the President in Ms. Currie’s office.(414)

According to Ms. Lewinsky, she once expressed concern about records showing the President’s calls to

her, and Ms. Currie told her not to worry.(415) Ms. Lewinsky also suspected that Ms. Currie was not logging in all of her gifts to the President.(416) In Ms. Lewinsky’s evaluation, many White House staff members tried to regulate the President’s behavior, but Ms. Currie generally did as he wished.(417)

## 2. Observations by Secret Service Officers

Officers of the Secret Service Uniformed Division noted Ms. Lewinsky’s 1997 visits to the White House.

From radio traffic about the President’s movements, several officers observed that the President often would head for the Oval Office within minutes of Ms. Lewinsky’s entry to the complex, especially on weekends, and some noted that he would return to the Residence a short time after her departure.(418) “It was just like clockwork,” according to one officer.(419) Concerned about the President’s reputation, another officer suggested putting Ms. Lewinsky on a list of people who were not to be admitted to the White House. A commander responded that it was none of their business whom the President chose to see, and, in any event, nobody would ever find out about Ms.

Lewinsky.(420)

### B. Valentine’s Day Advertisement

On February 14, 1997, the Washington Post published a Valentine’s Day “Love Note” that Ms. Lewinsky had placed. The ad said:

HANDSOME

With love’s light wings did

I o’er perch these walls

For stony limits cannot hold love out,

And what love can do that dares love attempt.

— Romeo and Juliet 2:2

Happy Valentine's Day.

M(421)

C. February 24 Message

On February 24, Ms. Lewinsky visited the White House on Pentagon business.(422) She went by Ms. Currie's office.(423) Ms. Currie sent a note to the President — the only such note turned over by the White House in response to a grand jury subpoena: "Monica Lewinsky stopped by. Do you want me to call her?"(424)

D. February 28 Sexual Encounter

According to Ms. Lewinsky, she and the President had a sexual encounter on Thursday, February 28 — their first in nearly 11 months. White House records show that Ms. Lewinsky attended the taping of the President's weekly radio address on February 28.(425) She was at the White House from 5:48 to 7:07 p.m.(426) The President was in the Roosevelt Room (where the radio address was taped) from 6:29 to 6:36 p.m., then moved to the Oval Office, where he remained until 7:24 p.m.(427) He had no telephone calls while Ms. Lewinsky was in the White House.(4

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