

EXHIBIT A

JUL 27 2004 3:12PM U S ATTORNEY CHICAGO

NO. 201 P. 2



Office of Special Counsel

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Confidential Communication as Part of Good Faith Negotiations

Via Telefax & Federal Express

July 27, 2004

Lee Levine, Attorney
LEVINE SULLIVAN KOCH & SCHULZ, L.L.P.
1050 17th Street, N.W., Suite 800
Washington, DC 20036-5514

Dear Mr. Levine:

This will confirm the understandings pursuant to which we intend to resolve the matter of a grand jury subpoena issued to your client, Tim Russert. As you know, we began discussing whether the Office of Special Counsel would subpoena Russert earlier this year. When we could not reach a mutually agreeable compromise, we later litigated (under seal) a motion by Russert to quash a subpoena for his testimony. That motion was resolved by a sealed opinion and order issued by Chief Judge Thomas Hogan on July 21, 2004.

Pursuant to conversations following resolution of the motion, we have worked out the following arrangements which if complied with will obviate the necessity for Mr. Russert to appear in the grand jury to testify as to the specific matters for which the subpoena was issued.

Mr. Russert has agreed to be interviewed under oath and on the record in a proceeding ("the Deposition") to be audio taped and transcribed by a court reporter. The recordings will be treated as if they were recordings of grand jury proceedings. The Deposition will be conducted as if Mr. Russert were in the grand jury, with the exception that counsel for Mr. Russert and NBC will be present in the room.

It is the understanding that while the Office of Special Counsel requests that Mr. Russert keep his testimony confidential, Mr. Russert will have the same rights to disclose publicly what took place in the Deposition as he would if he had testified in the grand jury.

As you are aware from prior discussions, the government intends to examine Mr. Russert in a manner consistent with the preferred topics outlined in my June 2, 2004, letter to you. The specific description of the areas to be inquired about is intended in good faith to provide Mr. Russert and NBC

LL008-10166

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Lee Levine, Attorney
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with an understanding of the scope of the intended inquiry during the Deposition, and is not intended to be a waiver or diminution of the right of Special Counsel to conduct future investigation as is appropriate.

Very truly yours,


PATRICK J. FITZGERALD
Special Counsel

LL008-10167

EXHIBIT B

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EXHIBIT C

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NBC News Transcripts

SHOW: TODAY (7:00 AM ET)

July 28, 1998, Tuesday 9:00 AM

LENGTH: 823 words

HEADLINE: TIM RUSSERT DISCUSSES MONICA LEWINSKY'S MEETING WITH PROSECUTORS AND
WHAT IT MEANS IN KEN STARR'S INVESTIGATION

ANCHORS: KATIE COURIC; MATT LAUER

REPORTERS: TIM RUSSERT

BODY:

KATIE COURIC, co-host:

On CLOSE UP this morning, Monica Lewinsky. Six months and 10 days after the former White House intern initially walked away from Ken Starr's request to cooperate with his investigation, Lewinsky unexpectedly met with Starr's prosecutors for five hours Monday, a first step toward a possible immunity deal. Tim Russert is NBC's Washington bureau chief and moderator of "Meet the Press."

Tim, good morning.

TIM RUSSERT reporting:

Good morning, Katie.

COURIC: So Monica Lewinsky is reportedly exploring a deal. How big a surprise is this and how do you think this came about?

RUSSERT: A big surprise for everyone. She was called by prosecutors on Thursday, her 25th birthday, and asked, in their words, to be queen for a day, which in legal parties means that she was invited to come, sit with prosecutors, tell them everything she knows, and they would not use that information against her. There is another meeting scheduled probably as early as today. Katie, Ken Starr has always said that he would not consider giving Monica Lewinsky immunity until he had a face-to-face meeting with her. That has now been concluded.

COURIC: But other than the queen for the day stipulation, Tim, what motivated her to do this now, at this point in time?

RUSSERT: Ken Starr began to move quickly. Once the subpoena to the president began to leak out, there was a sense within the Lewinsky camp that, My God, Starr is serious. He's moving. Perhaps he really is going to indict Monica. And when you're 25 years old, you do not want to be indicted. That is something that will scar you for life. She then moved rather rapidly to sit down and told Mr. Starr and his fellow prosecutors exactly what she knew.

COURIC: Now, let's talk about exactly what she knew. It's all purely speculation at this juncture, isn't it, Tim?

TIM RUSSERT DISCUSSES MONICA LEWINSKY'S MEETING WITH PROSECUTORS AN

RUSSERT: Well, we're getting, obviously, information from sources close to Monica Lewinsky and sources close to the entire investigation. The one thing that seems to be emerging--excuse me--is that Monica is saying what she said in her first proffer--her first offer for immunity last February, that she, in fact, did have a sexual relationship with the president. After that, whether or not she is saying that there was obstruction of justice, that he bought her gifts, that he encouraged her to lie, that seems to be very fudgey, and no one knows.

COURIC: Right now it's being reported, though, in some quarters, Tim, that she is admitting to having a sexual--having had a sexual relationship, but says the president did not ask her to lie about it?

RUSSERT: And again, Katie, we just plain don't know until we hear her testimony and hear the president's response. But every indication seems to be that Monica is willing to change her testimony from her original deposition, where she said she did not have sex with the president to now testify under oath that, in fact, she did.

COURIC: How big a nightmare is this for the White House, Tim?

RUSSERT: It's creating anxiety, because it now has a person, a woman, 25-year-old Monica Lewinsky, saying something in conflict with the president; that she, obviously, visited the White House on numerous occasions; and if, in fact, she said she had sex, the president is going to have to respond. It could then be he said/she said. The prosecutors will attempt to corroborate Monica Lewinsky's testimony with the tape she made with Linda Tripp and with the FBI and with the logs and so forth. But in the end, the president can, obviously, lay out a scenario where he said, Well, I knew her and she was a friend, but we never had sex. Who do you want to believe?'

COURIC: So what is the conventional wisdom right now in Washington about the president's upcoming testimony? Will he testify?

RUSSERT: Well, after talking to no less than six advisers and friends of the president, they're convinced that he will testify perhaps as early as next week.

COURIC: How?

RUSSERT: Well, the White house would like to put it off, Katie. He's going to the Hamptons this weekend, then mid-August going to Martha's Vineyard and then going to Moscow. And they're suggesting he's too busy. It should be in September. Ken Starr wants to interview Monica Lewinsky and President Clinton simultaneous so they can't get their stories together, if you will. The compromise is taking the form as the--follows: One, he would not go to the grand jury, but be allowed to stay in the White House. Secondly, it would be on videotape rather than in front of the grand jury. The president is asking that his lawyer be present. Most Americans would find that reasonable, even though when you go to the grand jury, you don't normally have--you do not have your lawyer present. The president is asking that the questions be given to him in advance. Ken Starr is balking at that. And that, again, Katie, is public reception. The public would probably say, Gee, you don't get your questions in advance in an exam, why would you do it in a testimony?' My sense is, it could happen as early as next week with both the president and Monica--the president on videotape with his lawyer present, but the questions not known in advance.

COURIC: All right. Tim Russert in Washington. Tim, thanks so much.

RUSSERT: OK, Katie.

COURIC: Seven thirteen. Now here's Matt.

MATT LAUER, co-host:

Katie, thank you.

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LOAD-DATE: July 29, 1998

EXHIBIT D

Tim Russert Discusses his Career on "Meet the Press" CNN Augu

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SHOW: CNN LARRY KING LIVE 21:00 pm ET

August 6, 1998; Thursday 9:00 pm Eastern Time

Transcript # 98080600V22

TYPE: CORRECTION

SECTION: News; Domestic

LENGTH: 8610 words

HEADLINE: Tim Russert Discusses his Career on "Meet the Press"

GUESTS: LEXIS-NEXIS Related Topics Full Article Related Topics Overview

This document contains no targeted Topics.

BYLINE: Larry King

HIGHLIGHT:

Tim Russert, of NBC's "Meet the Press," talks about his career and top stories in the news, including Monica Lewinsky's long awaited appearance before the grand jury in the investigation of President Clinton.

BODY:

THIS IS A RUSH TRANSCRIPT. THIS COPY MAY NOT BE IN ITS FINAL FORM AND MAY BE UPDATED.

LARRY KING, HOST: Tonight Monica Lewinsky finally goes before the grand jury and who better to talk about it than NBC's Tim Russert, host of the longest running show on television, "Meet the Press."

He'll be with us for the full hour next on LARRY KING LIVE.

Not doing bad when you get Koppel and Russert back to back. We're honored by your presence and that your wearing your LARRY KING LIVE tie.

TIM RUSSERT, NBC, "MEET THE PRESS": What else.

KING: For save the children.

RUSSERT: Save the children.

KING: I am honored you'd appear with us on this hectic breaking day to come across network channels.

RUSSERT: My real pleasure Larry.

KING: By the way before -- we have so much news happening. Tell me about the program, how is it doing?

RUSSERT: "Meet the Press"?

KING: Yes.

Tim Russert Discusses his Career on "Meet the Press" CNN Augu

RUSSERT: There is nothing like it for me. Sunday morning is my favorite television venue other than 9:00 at night of course. Great competition, five great programs on Sunday morning.

KING: They're all good.

RUSSERT: Excellent. And people can watch and get a good sense of where the country going, where the leaders want to take us. It's very competitive. There's no doubt about that. And we all (INAUDIBLE).

KING: How are you doing in the rating race?

RUSSERT: Doing well so far. Number one which is a nice feeling, but every week is a new battle and a new challenge.

KING: Has it been one for a long time?

RUSSERT: It takes a while about the last year or so solid number one across the board.

KING: When you took it over it wasn't number one.

RUSSERT: No, not in terms of viewership. I always thought in terms of quality. But people change their viewer habits once they get familiar with you and comfortable with you, and thus far it seems to work.

KING: Do you feel the mantle of inheriting or having inherited an icon show?

RUSSERT: When I took over "Meet the Press" six years ago, now the first person I called was Lawrence Spivec (ph) the founder of "Meet the Press," who, God bless him, has now he's died, but alive back them -- died back at age 91. And I said how do you prepare for "Meet the Press"? How do you approach it?

He said each and every week you learn as much as you can about your guests and his positions and take the other side. If you do that every week you're going to be fair and objective and even handed. And now I realize that after 51 years, there have only been eight moderators. And it really is a national trust. I am a temporary custodian. Every Sunday I go out with that mission.

KING: We first met when you were the top aide to Mario Cuomo, then governor of New York. And although I knew you liked the media, no one had any idea -- did Mario -- did anyone know that you really wanted to be a news person?

RUSSERT: I didn't know. That was 20 years ago.

KING: How did that happen?

RUSSERT: I joined NBC as an executive.

KING: You left Cuomo for that job?

RUSSERT: In New York. My first job was an executive, basically in charge of the "Today" program, then with Bryant Gumbel and Jane Pauley. I worked very much behind the scenes for four or five years, then I came to Washington as the bureau chief and I was on conference calls every day. What are we going to cover at the penthouse, state department? Then Michael Gartner, then the president of NBC News, said I like what I am hearing on this telephone call, why don't we put it on the air. I said Michael look at me, I don't have a jaw, I have cheeks. I don't look like I belong on TV -- never had any coaching or training along those lines. I am a lawyer -- is my background. He said no, no, just be yourself.

KING: What was your first appears?

RUSSERT: Nineteen ninety-one. KING: Only seven years ago.

RUSSERT: That's right.

KING: Was it as host of "Meet the Press."

RUSSERT: It was a panelist on "Meet the Press," and who else was the guest, Bob Dole.

KING: Were you scared?

RUSSERT: I was nervous, sure, whole new venue. But once you -- it's like football once you have the first hit, the first engagement I felt great.

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KING: What has Sunday morning in America become?

RUSSERT: A ritual. Most people that watch "Meet the Press" I find go to mass or church on Sunday or synagogue on Saturday. Then they like to get their coffee and their Sunday paper and sit back on their couch in their recliner and watch the Sunday shows.

KING: And like Rick Kaplan says about this program, which we're on, and like yours, it's an appointment television right?

RUSSERT: Absolutely right.

KING: We make an appointment to view it.

RUSSERT: And the people who watch it are so loyal. We have six million viewers every Sunday morning. They go out of their way to set their VCR's adjust their schedules because they really want to check in and see what you're saying on the top issues.

KING: The responsibility of it, Tim we'll get the that -- you have come in to some criticism lately about some breaking stories.

RUSSERT: Sure.

KING: How do you view -- you carry a couple hats you're the bureau chief, you're the host of "Meet the Press" you're also a reporter.

RUSSERT: And an analyst for the nightly news with Tom Brokaw and the today show. So you have to juggle a lot of balls.

KING: So you'll break a story here that you wouldn't break there.

RUSSERT: Invariably. In the course of the day on MSNBC, we'll break stories or on the "Today" show, in terms -- which is part analysis and part reporting. So it's tricky. I remember the day this story all broke with Monica Lewinsky, one of the president's closest advisers and one of his fiercest defenders called me up and said you know if this is true he's going to have to get out of town. I said, can I report this? He said, yes, you can. I didn't report it by name. But I said one of the president's closest advisers. Later they said, you predicted the president would be out of the town. I said I didn't predict anything. I reported what one of his friends told me. That was the mind set at the White House seven months ago Larry.

KING: Are you used to now that you get occasionally knocked?

RUSSERT: Sure, it comes with the territory.

KING: Because I'm going to read something from "New York" magazine.

RUSSERT: OK.

KING: I'm really interested in your answer in this...

RUSSERT: Great.

KING: ... it bothered me because you were my friend, so it bothered me emotionally.

It's a very critical article on the media and then it says "Meet the Press" host Tim Russert enjoyed a golden reputation.

RUSSERT: Stop there.

KING: Up through January 21. Since then he's given Matt Drudge a platform and has been ground into the dirt by Steve Brill. On July 15th, Russert went on the "Today" show -- told four million viewers that people close to Ken Starr were saying Secret Service agents had facilitated for Clinton. If you had a glancing familiarity with the now discredited troopergate story, you know facilitated meant pimped. Russert clearly implied that his sources were inside the investigation, they weren't. And by mid-day on MSNBC with a fraction of the "Today" audience, he'd watered it down." That's it? That's your response?

RUSSERT: No several things, one is Matt Drudge. Did I invite him on "Meet the Press" roundtable, absolutely. He was a central character in this story.

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KING: Not a journalist?

RUSSELL: No. "Meet the Press" roundtable we have people from Mary McGrory (ph), Rush Limbaugh, James Carville, Mary Matlin.

KING: But Mary could be considered more a journalist than Limbaugh.

RUSSELL: Sure but there are journalists, non journalists. Larry King has been on the "Meet the Press" roundtable.

KING: Correct.

RUSSELL: And did a tremendous job. The week before you did the Ross Perot debate because I wanted your insights into what was going on. With Matt Drudge he has been on LARRY KING LIVE. KING: No he hasn't been on. He was scheduled to be here. But for some reason, there was a mix up.

RUSSELL: Been on "RELIABLE SOURCES" and an ABC special I know. I am not above the news. If Matt Drudge is the man who broke the story, I believe our viewers have the opportunity and the right to see who he is, how he approaches things. The fact is many viewers who saw him and observed him said "that's Matt Drudge?" And they had a much different perception of him.

KING: Were you offended by the Brill story?

RUSSELL: No. I think that the Brill magazine "Content" has -- can serve a very important purpose and has tremendous potential. I do think that Steven Brill should have acknowledged his contributions to the Clinton campaign and to the president and any relationships he may have had. He hired his former communications director and so forth. And he came on -- I invited him on "Meet the Press" the roundtable after the article. And he said "well you'd predicted the president would be gone." I said "no, Steve I didn't. I said I reported a close friend of the president's. Reporting is different than predicting. But I do believe that "Content" can play a valuable role, if in fact, they play the same standards to themselves as they're forcing on the media.

KING: And so we can end this. Did you water down the story? Did that story change?

RUSSELL: No. That fascinated what happened there.

KING: That bothered me the most because I've known you a long time, and I know you don't water down. You water up.

RUSSELL: I try. I try. On the "Today" show, when I said that the Secret Service agent who was in charge of the president's detail was going to be called before the grand jury and he would be removed from the detail. That's absolutely what happened.

The second part was that Ken Starr had been hearing rumors and was going to check into fact or try to determine whether or not the Secret Service, in any way, had helped facilitate the relationship between the president and Monica Lewinsky. That's what I said because that's what I was told. I said "sources close to Ken Starr." The White House immediately jumped into the spin control and said Ken Starr is leaking again.

KING: You said it wasn't Starr.

RUSSELL: They had "Salon" magazine call me. Sid Blumenthal got the transcript, White House adviser, from the "Today" show, gave it to "Salon" magazine. They called me. I said I'll make this easy. This is not a leak story. Sources close to Ken Starr -- they're congressional sources close to Ken Starr. It was not Ken Starr's office.

But the story is absolutely strong and firm. I went on the "Today" show the next day and talked about it in great detail. "The Washington Post" wrote a story -- I love "The Washington Post" it's a great newspaper, but every paper has a few clunkers. And there's a gullible reporter there who spends a lot of his time covering Hollywood who I never spoke to about the piece, and he got totally caught up in the White House spin and wrote a story saying how this whole scoop had slipped away. The fact is the "Wall Street Journal" four days later wrote a story saying Ken Starr is looking into the behavior of the Secret Service.

KING: So you stand by that story now.

RUSSELL: Absolutely. And the fact is Larry, the Secret Service -- no one has been more sympathetic and understanding than I have. I had Jerry Parr (ph) and Tim McCarthy on just like you had.

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KING: They were great.

RUSSERT: I believe in them. They're dedicated professionals they put their lives on the line, but when I am told Starr is looking into something I think it showed the depths of his investigation at that time, rather than anything else.

KING: Tim Russert, host NBC's "Meet the Press." We'll talk about sources right after this.

(COMMERCIAL BREAK)

KING: We all know that Monica Lewinsky testified today to the grand jury. Wolf Blitzer and as Ted Koppel said last night, you go by the source of who reports it. If it's Wolf Blitzer you believe it. Wolf Blitzer quotes sources familiar with the case as saying Monica Lewinsky gave a detailed account of at least a dozen sexual encounters with president over an 18 month period. The source say Lewinsky testified Clinton never directly asked her to lie. Sources familiar with what Lewinsky -- this is continuing Wolf's report -- told the grand jury she was (UNINTELLIGIBLE) in graphic detail. The beginning of November she had a certain kind of sex with the president including in his private study off the oval office, that he told her the kind of sex they had in his mind didn't amount to sexual relations and they discussed hypothetical ways to conceal the relationship." That aside, who is source? Who is this?

RUSSERT: I wish I knew.

KING: That's a good source.

RUSSERT: But Wolf Blitzer is a very good reporter. He would not go on CNN seen around the world unless he had confidence in what he was being told and by whom.

KING: And you give him that confidence, so you would say this story is true?

RUSSERT: Absolutely.

KING: Who would leak this? A grand jury member can't, right? That's a crime.

RUSSERT: That's a crime. Lawyers involved with either Lewinsky or the prosecutor.

KING: But they weren't in there. The prosecutor was but the lawyers..

RUSSERT: But they're debriefed -- court personnel. You just don't know.

KING: It could have been a stenographer.

RUSSERT: We could guess all night, Larry.

KING: Now the key question supposing it's one person -- supposing it's a grand jury member who breaks the law. You've got a friend, a grand jury member, your old buddy, your dentist because he says Tim I want to help you out, I've got a great story for you, here's what she said, do you go with that?

RUSSERT: My dentist, no. He hurts me, but if you knew a grand jury member.

KING: Let's say you do and you trust him.

RUSSERT: Have you known him 20 years, 30 years.

KING: Let's say you have enough of a relationship that you believe him.

RUSSERT: As long as I have had dealings in the past which were more than just casual and they said Tim I can go jail for this, you have to protect me on this, but this is what happened in the grand jury room. On somebody of that magnitude I would go to the president of NBC news. This is what I have been told. This is your call. I believe this story is sound and good and we should report it. I do not have a second source, but it is first hand information from a grand jury.

KING: And do you stand by your guy if he is subsequently charged with something and they subpoena you?

RUSSERT: I would have to go to prison to protect his name.

KING: Why are there so many sources in this, do you gather?

RUSSERT: Because it is a story where people will not be on the record. When Wolf Blitzer went on CNN tonight or Claire Shipman goes on NBC, they don't say Rahm Emanuel of the White House told me or Paul Begala told me or

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Mike McCurry told me or Plato Cacheris told me. They have to say sources close to the investigation, sources at the White House. It could be none of them or all of them. But it is a way of getting information to the public. We have to be filters. We have to be saying to the public with our own personalities and presence, you can trust us. We are telling you something that was told to us. We can't identify the person, that person may get in trouble. We have to know the agenda of the person who is our source because this is a bad town. People try to really hurt each other and we're not going to be just funnels or vehicles to put out bad information or to help one person's agenda against another's.

KING: We keep hearing about there has to be two sources and we know with Woodward and Bernstein -- Woodward is going to be on your show Sunday, he'll be on this show next week. Deep throat was sometimes the only source on some of their leads. Do you have a two-source rule?

RUSSERT: Generally yes, but for example if the president of the United States or the vice president or the speaker of the House -- someone called you in his office and said I want to tell you something. Now do you have to have a second source for that? You can say a high government official and feel very confident in what you're saying. It depends on the magnitude of the story and how well you know your source but generally you're much more comfortable with two source. For example, tonight, Claire Shipman had a story in which Janet Reno had begun a 30-day investigation into whether or not to have a new independent counsel on campaign finance. We didn't feel comfortable with just one source. Pete Williams who covers the justice department called and got a second confirmation. We had two sources, it went on "NBC Nightly News."

KING: Our guest is Tim Russert. We'll be including your phone calls, he's with us the full hour. He's the host of "Meet The Press." Up in the ratings and not only the longest running show in the history of television, but still the most popular show on a Sunday filled with very good programming. We'll be right back.

(BEGIN VIDEO CLIP)

JUDY SMITH, LEWINSKY FAMILY SPOKESWOMAN: Monica Lewinsky testified before the grand jury today. She answered each question truthfully, completely, and honestly that was posed to her by the office of independent counsel and also questions that were posed to her by members of the grand jury. Monica and her family are relieved that this ordeal finally appears to be coming to an end. Thank you very much.

(END VIDEO CLIP)

(COMMERCIAL BREAK)

KING: We're back with Tim Russert. Let's say that everything we have learned today and certainly Wolf has learned a lot and last night he reported that the White House was very nervous privately over the semen and the whole thing. Let's say for -- hypothetically Lewinsky is right; the semen is there, the whole thing, what happens? What happens to this president? What happens to the grand jury if she's right?

RUSSERT: I don't know. I truly don't know. You can play out all the various scenarios. The president of the United States will testify a week from Monday. That becomes very interesting testimony. Does he stay with the story that he told in the Paula Jones deposition?

KING: If it's the truth, what's the difference?

RUSSERT: Well, Wolf Blitzer's story is interesting tonight because if in fact the president said those things to Monica Lewinsky that this kind of sex is different and doesn't qualify for adultery, the description of sex that was given to the president in the deposition was all encompassing. It included everything. And this is not a semantic game. I mean the president can't say, well, I was thinking this when -- he has to either retract that or stay with that statement.

But with all that being said, Larry, this is a really complicated story because when Ken Starr first learned of this whole situation from Linda Tripp, he had the sense that, oh my God, I have heard this before. The president of the United States and his friends using jobs and positions, to silence people, to move people around. Is this what happened with Webb Hubbell? That's why he went after it. If it turns out to be perjury about sex and there is no obstruction of justice, then people will say, what's the punishment for that crime? Do we want to remove him from office? I don't see any great appetite in Congress to remove the president simply for perjury. Now, a lot of people in the country will say, that's outrageous. If someone lied under oath.

KING: And lies a lot.

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RUSSERT: And under oath no one is above the law. That's nonsense. Let's move forward. And in the end, the country will be the jury. You mentioned the White House staff. Today if you called the White House, you would get your call picked up like that. They want to talk to anybody. What do you hear? What do you hear? And they're nervous because what they have found is that about 20 percent of the electorate, independents, women suburbanites are getting soft. They approve of the president's performance as president but they're concerned about him as an individual.

KING: If truth is the best defense, if you announced tomorrow that I robbed a bank and I didn't rob the bank, I am on tomorrow night telling you where I was at the time you said I robbed the bank. Telling you if I had any involvement with that bank -- but I certainly didn't rob it. I want to clear it up. So why should he worry about what she testified today? Why should he worry about anything? Truth is on his side.

RUSSERT: That's been the unanswered question. It's one that I raised with David Gergen, former White House adviser last Sunday and he said there's no good answer as to why the president has chosen to wait until August rather than in January when this first occurred to come forward and say, this is everything I know. I want all my advisers, I want everyone to tell everything.

KING: Are you frustrated by this?

RUSSERT: Sure. I thought this was a watershed week in that you had former White House chief of staff Leon Panetta, former communications director Dee Dee Myers, former senior adviser George Stephanopoulos, former campaign consultant Dick Morris, David Gergen all saying, Mr. President, if you want to do a mea culpa now's the time to do it. The country will be forgiving. You raised the whole idea of robbing a bank -- Mike Barnicle the columnist for "The Boston Globe."

KING: We're going to talk about that in a minute.

RUSSERT: We're going to talk about that, but a good friend of mine. He went up to New Hampshire a few months ago to a Democratic event and he was talking to people about this and saying if you robbed the bank, why not come forward? He said the problem is -- this is a Democrat saying it -- my concern is the president would say I didn't rob a bank. OK, you didn't? And the guy would walk away and say it was an S&L.

(LAUGHTER)

That's the problem.

KING: That's Barnicle. We'll be right back with Russert. Your calls in a little while. Don't go away.

(COMMERCIAL BREAK)

KING: Mike Barnicle of the -- as an aside here before we go to your phone calls -- of the "Boston Globe," was asked to resign today because of a column he wrote, in which he did various quotes on a bunch of things. And apparently some of those quotes had appeared in exact form or similar form in a best-selling book by George Carlin, a book that previously on television Barnicle had recommended, even though he hadn't read it. He's going to have a meeting tomorrow with the publisher. I know how close you are with Mike. And Mike's been on this show a few times. He's a regular on Imus. You're a regular on Imus.

Is this a bad wrap for him, or as -- in a journalistic thing, you do anything wrong you're gone?

RUSSERT: Well, full disclosure, Mike Barnicle is one of my best friends and I'm his son's godfather, Tim Barnicle. I'm very proud of that.

KING: Can't get closer than that.

RUSSERT: But, I've looked at this as objectively as I can. And here's a guy for 25 years who has written a column, which really is the pride of Boston, and a column he wrote about 38 things he wants to see, some of them appeared in George Carlin's book. Mike says he got them from people all around Boston; they fed him information, they could have gotten from Carlin's book.

But Larry, these were jokes. This was not about public policy. This was not about nerve gas, or a truck...

KING: ... in the supermarket. RUSSERT: ... being blown up at NBC. This is jokes. I mean if we're going to say to Jay Leno and Jackie Mason, next time I hear a joke, I want a footnote. Give it up, stop. Come on, where are we going with this? I mean, there are only three original jokes in all the world and we all...

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KING: Can't you also recommend a book based on -- you know George Carlin's funny.

RUSSERT: Well, when I heard about the fact that he had, quote, "recommended the book," I wanted to find out what actually happened. It was a 2 1/2 minute segment on local news show on his front porch, called "Barnicle's Summer Reading List," and he held up 17 books in a 2 1/2 minute period. He also had -- he had books he hadn't read on that list. He held up one -- the Carlin book and said this is a good read, a yuck on every page, and threw it aside and went on to the next one. And Mike's the first to say...

KING: So what's the big deal? What caused this?

RUSSERT: How many times have you hawked a book on this show that you haven't read.

KING: Oh, but I would always say, I haven't read it. No, I would always say that. I would never say I've read this book. That would be a lie to say I've read this. But on a summer show, you could say George Carlin's book had a yuck on every page; you could glance through a few pages and say that. You know he's funny.

RUSSERT: The key is, if you make a mistake, stand up, accept responsibility. Mike Barnicle did that.

KING: He did?

RUSSERT: I made a mistake. They suspended, all right, we're going to suspend you for a month. He said, "I understand; I disagree, but I'll take my licking."

KING: Then what happened?

RUSSERT: Well, because they saw -- well, there was a TV show in which you said you had read this book. But he said, "I never said I read it." It gets to the point where the media is going to be eating its own for taking a joke, reprinting a joke, and saying I didn't get this joke from such and such a source. I mean, has anyone ever told a joke where you actually told who the source was? I'm the funny guy. Here's a line.

KING: Can his -- you know the business, although it is print not broadcast -- can his -- the man who is in charge of the paper overrule the editor?

RUSSERT: That's a tough one. I mean the editor has basically boxed the situation by saying I want your resignation. Mike Barnicle has said, no. If the publisher says, Hey, I am going to give Barnicle a chance here -- there were thousands of phone calls into the "Boston Globe," then his editor has to make a decision: Does he step aside? or does he say, All right, look, maybe I acted a little bit too aggressively and too quickly. The fact is, Mike Barnicle deserves a second chance. After 25 years, and to say that because you didn't give full credit for a joke; give it up.

KING: If you owned the paper, would you hire him?

RUSSERT: Barnicle, tonight.

KING: In a second.

RUSSERT: I'd put his column on the front page.

KING: We'll be back with your phone calls for Tim Russert, right after this.

(COMMERCIAL BREAK)

KING: We're back on LARRY KING LIVE. Our guest for the full hour is Tim Russert, the host of the longest running program in television history, NBC's "Meet The Press".

By the way, tomorrow night we have an exclusive with Julie Hiatt Steele, that's the former friend of Kathleen Willey. It is her first television appearance since all of that broke. Rosalynn Carter is Saturday night, and next Monday, Queen Nord (ph) of Jordan. Tim Russert is with us; we're going to go to your calls.

A couple other things in this area; the father, Lewinsky's father, Dr. Lewinsky, got immunity -- surprise you?

RUSSERT: No. Once you immunize the mother, you immunize the father. What he wanted to do, Ken Starr, was say to the whole family, I'm going to take you all out of legal jeopardy if you tell me the truth, because what I'm trying to do is find the truth. Larry, people come to me all the time from around the country and say, "Why is this situation so important?"

KING: Yes, and what do you say?

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RUSSERT: What I say is as follows, if a president of network or a college or a hospital was accused by an intern of inappropriate behavior, people would be outraged and say, "we don't allow them."

KING: The board of directors would fire them? Unless he had a good answer.

RUSSERT: Well, they'd look into it and they'd give an opportunity to respond. And I think that's been lost in all of this. This is a CEO, the president of the United States, and an intern. And the CEO -- it really does have en loco parentis. They have in charge -- they are the parent in absence of the real parents when you go to a place of employment. That's the case at NBC or CNN.

And I think we have an opportunity now and obligation to examine this. However, we also have to be conscious that presidents are human beings, they have the right to personal and private lives, and where does that behavior begin to interfere or affect their public behavior.

Also, the media: Are we so driven by this, and with all the competition between CNN and MSNBC and CNBC that we're just trying to pump up the story and stay with it day in and day out. And enter four: the prosecutor, Ken Starr, has he made mistakes and been overzealous? The answer is yes.

But stepping back upon it, if the president of the United States is accused of potential sexual harassment or obstruction of justice or perjury, whether it's sex or not, we have an obligation to look into it and to examine it. We are a nation of laws. I hope, however, that we do learn from our excesses and try to improve our coverage next time, all of us. In the same vein, I would also hope that the White House realize there are extraordinary, extraordinary prices to pay for some of the tact that's taken.

Now let me just take 10 seconds on this. The next president of the United States and the one after the next president of the United States are going to have to deal with several things: Clinton versus Jones. A private individual can now sue a president of the United States. The Secret Service was forced to testify. A White House counsel no longer has lawyer-client privilege with the president of the United States. Every future president is going to have to live with these legal precedents, which severely weaken, I believe, the presidency. That is a serious issue.

KING: Your a lawyer, as well. Do you think they're legally mistaken to challenge that Bruce Lindsey shouldn't appear?

RUSSERT: I think it's important that a president have good advice from people and honest advice from people, particularly about Bosnia, particularly about Iraq, and India and Pakistan. But, if the discussion is about trying to cover up an alleged misbehavior, I don't think so.

KING: Atlanta, Georgia, for Tim Russert, hello.

CALLER: Hello, Larry, hello, Tim. How are you this evening?

KING: Fine.

RUSSERT: Great.

CALLER: My question for Tim is, how do you justify the fact that if your source is revealing secret testimony from the grand jury, you should be turning him into the law for breaking the law rather than protecting him? How do you justify this.

KING: Is journalism above the law?

RUSSERT: It's a great question.

KING: It sure is. RUSSERT: It was largely settled with the Pentagon papers case.

KING: Stolen papers.

RUSSERT: Stolen papers, which the "New York Times" and "Washington Post" both published, and the courts ruled they had a right to under the First Amendment. The president of the United States can go before the grand jury and reveal his testimony if he so desires.

KING: Anybody can. Anybody can reveal their own testimony.

RUSSERT: We are constantly given information that is privileged or secret, and we have to make a judgment as to whether to publish or not. We have many times refused to publish information that we believe would damage national

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security. During the great Gulf War, we had information about the positioning of American troops. If published that or broadcast that, we'd be tipping off Saddam; we'd never do it.

In a situation like this, however, where it really is a legal case and we have information that we think is relevant, we will broadcast it. It's a difficult call.

KING: Even though it's -- if you found the minutes today, that's illegal for you to have them?

RUSSERT: It's not illegal for us to broadcast them. It's illegal for someone else to give them to us.

KING: Supposing in the feed on the 17th, which is going by satellite or digital -- how's it going?

RUSSERT: Well, on August 17th, the president will testify in the Oval Office. It'll be fed by transmission to the grand jury.

KING: Supposing something goes crazy and the transmission comes through your office, and you could hit a button and put it on the air, would you?

RUSSERT: Not without consulting with the president of NBC News.

KING: Do you think NBC would?

RUSSERT: That's a tough call. That is a very, very tough call and I don't know the answer to that. My sense is the pressure, the competitive pressure would be enormous.

KING: To put it on?

RUSSERT: And if while we were discussing it CNN put it on...

KING: It's on.

KING: Las Vegas, hello.

CALLER: Good evening.

KING: Hi.

CALLER: Mr. Russert...

RUSSERT: Hi.

CALLER: ... how difficult is it for you to keep your role as reporter separate from your role as commentator. Sometimes I have a problem telling which hat you're wearing.

RUSSERT: That's a great question.

KING: He wears a few.

RUSSERT: Yes, it's difficult. What I do on "Meet the Press" as a moderator, is really try to be objective and facilitate the entire conversation, even in the round table, I kind of step back and not even offer my own opinions or predictions or whatever. On "Today Show," I am very much an analyst, where I come in and say, All right, Tim, we just heard reports from the White House, the Pentagon, the State Department, and Congress, where is this going? Why are people saying what they're saying?

And so to a nightly news, for example, this very evening. What I try to do in my analysis is not just punditry, Oh, stick a fork in, he's dead or he's well done. I don't like that. What I try to say is that senior advisers told me this, or people close to the investigation told me this. If it's analysis, I would try to clearly indicate -- Well, Tom, if you're asking my opinion -- Tom Brokaw, this is what I think. But as much as I can, I prefer to report, rather than simply hypothesize.

KING: More with Tim Russert and more of your phone calls after these words. Don't go away.

(COMMERCIAL BREAK)

KING: We're back with Tim Russert. Before we take the next call, do you think Lindsey will have a lot to offer if he's required to testify?

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RUSSERT: Bruce Lindsey, the White House counsel, assistant counsel, and Lanny Breuer, and probably Charles Ruff, the president's counsel -- chief counsel.

KING: Lindsey is his closest one in there.

RUSSERT: Close friend, adviser. They were called to testify. They're now fighting it again, saying that they have attorney-client privilege. I think ultimately, they will have to testify under oath. They will -- they had strategy meetings with the president early on. How much they know, we don't know, but clearly Ken Starr, I believe, will have to hold up writing his final report until he gets their testimony on the record. But I don't believe that Bruce Lindsey is going to be someone who is going to change the case all that much. He has said already publicly he does not know anything about this.

KING: Janet Reno going to go to jail?

RUSSERT: Well, you know what...

KING: Hey, It's a crazy world, folks.

RUSSERT: This is a very serious issue. Janet Reno now has to decide whether to appoint another independent counsel to look into campaign finance irregularities.

KING: Number 111.

RUSSERT: I think the potential of that could be far greater than this Monica Lewinsky situation, because what it would mean is that the president and all his advisers, all his fund-raising network would once again be subject to very serious and legal scrutiny, bring back the whole notion about whether the Chinese government tried to influence our elections. And there would be fallout on Vice President Al Gore. And it would take an independent counsel, at least through '99, well into the presidential year 2000 and could very well taint the Democrats' ability to raise money for both congressional and presidential elections.

KING: And even though the Freeh and the other gentleman recommended that she appoint it, they also said to the Burton committee, don't release these, because you're going to give away evidence, right?

RUSSERT: Charles LaBella, who is the justice department chief investigator -- Louis Freeh, the FBI director, wrote memos to Janet Reno and said "we think you should have an independent counsel. It's that serious of an issue." The Republicans in Congress said, "we want to see the memos LaBella and Freeh wrote." And Reno said, "if I give those to you, you'll tip off people who are trying to investigate, and LaBella and Freeh backed Reno up on that issue. But they're still urging her to appoint an independent counsel. She has a few weeks to decide, and if she doesn't, the Republicans in the Congress will, I believe, hold her in contempt of Congress, and that becomes a very interesting constitutional issue.

KING: Senator Hatch, though, on your show said we should give her the time, though, right?

RUSSERT: Give her 21 days and if she doesn't however, he said I believe she'll have to resign.

KING: Canfield, Ohio with Tim Russert.

CALLER: Hi Tim.

RUSSERT: Hi.

CALLER: I want to say I watch you religiously every Sunday and I'm very impressed by the way you maintain a neutral position as a moderator on the show. My question is have you ever been so upset with the guest that you couldn't say anything on air that during the commercial break you stated your own opinions?

RUSSERT: No, I try to refrain from that. One of my favorite guests of all time is Ross Perot. And he's been a regular on this program too.

KING: I introduced him to you.

RUSSERT: Yes, you did. And after the show, he came up next to me and put me in a fake head lock and said I hope you think you proved your manhood, and we had a nice exchange.

KING: He's a riot.

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RUSSERT: He is.

KING: He's a good American.

RUSSERT: A patriot -- a real patriot.

KING: He is.

RUSSERT: And we had a very feisty exchange, but we respect each other. I've been given enormous opportunities with "Meet the Press." People have asked me to write books behind the scenes of "Meet the Press" and what goes on in the green room, and what do I really think of my guests. I'll never write it. Because I think I would really cheapen myself and really neutralize my ability to carry on with that great program.

KING: You're the only Sunday show with an Emmy nomination this year.

RUSSERT: Our interview with Louis Farrakhan back in April has been nominated for an Emmy, which we obviously are very proud of. He's an extraordinary guest. I took, Larry, his own writings, his own publications and put them on the screen and you said if you said that if you're a member of Islam, you should be free from all federal prisons, you should not pay any taxes. He stood there every step and said that's correct. I said that and I believe it. He didn't flinch. He didn't back off one argument. I said you believe in someone called Yakkum (ph), who you said was a bad scientist who invented the white race six million years ago. "Yes I do." And as we walked off the set, he said to me you know "I could have asked you about Christ ascending into heaven and Noah's Ark." But he said "you have your beliefs, I have mine." But as much as he says things that are believable, he says a lot of very controversial things that many believe are anti-Catholic -- anti-semitic.

KING: Clinton a good guest?

RUSSERT: The president of the United States is a wonderful guest on "Meet the Press."

KING: On this show he was a great guest.

RUSSERT: For our 50th anniversary and for our 46th anniversary. He is very smart, very facile.

KING: So now, he must be going a little nuts listening to lawyers not coming forward. He is a guy who likes to come forward, right?

RUSSERT: It's been suggested by no less than the former governor of New York the other night, that now that the president has decided that he's going to testify before the grand jury, why do it in the Oval Office and why insist that his lawyer be there.?

Go into the grand jury without a lawyer, like every other American citizen, go ahead, ask me any question you want and I'll give you an honest answer. And that would turn the whole situation around in the eyes of some. That has been the most curious thing here: why has the president waited from January to August? He said more rather than less, sooner rather than later. That's when he believed that Monica Lewinsky was going to tell her story back then. When she didn't come forward with her story right away, the White House pulled back and said, let's wait, but let's wait. We have to hear what Monica had to say. We have to hear what the president has to say, and the nation has to come together and make a decision.

KING: Have you ever seen a story where no one comes out good?

RUSSERT: Not like this. The caller before talked about being an analyst. The day after this occurred I was on the "Today" show. And I was asked what is going to happen, and I said I have no clue. I don't know. But my sense is that it has a potential of imploding Bill Clinton, and or, Ken Starr.

This is about two months before James Carville declared war on Ken Starr. And now if you look back at the last seven months, I believe the presidency has been, in many ways, diminished. I believe Ken Starr has been diminished, and I think the media has been diminished. The public looks at all of us and God, we've had enough of this story, and yet, we want to know the outcome.

KING: Then explain his popularity rating which is higher than it was in January.

RUSSERT: It is almost 65 percent -- two out of every three Americans.

KING: The highest in memory?

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RUSSETT: I think people have won the economy; it's doing very, very well. People are building their (INAUDIBLE) their 401(k)s are they're doing wonderful, and the president has successfully said to people, I can compartmentalize.

What happened here does not affect my ability to be your president. What happens in the next two weeks, when people hear all the excruciating details that Wolf talked about tonight, when they hear the audiotapes of Linda Tripp and Monica Lewinsky, perhaps even hear Monica Lewinsky before Congress, if there are hearings in November. What happens when people hear all of that collective information? Do they change their opinion, or do they say, I know all of that; we have discounted it; he is who he is and we want to keep him there and let him do his job.

KING: Back with more -- more of your calls for Tim Russert. Tomorrow night, Julie Hiatt Steele, the former friend of Kathleen Willey. It's her first appearance on television. We'll be right back.

(COMMERCIAL BREAK)

KING: Before we take another call, I am told there is one guest who did emotionally upset you, David Duke of the Ku Klux Klan, what happened?

RUSSETT: He was running as a governor of Louisiana, he was on with Edwin Edwards, and I said to him, "what made you become a Nazi? What was it about the United States of America that you rejected and embraced something as vile as Nazism?"

And he said, "what I want to run is a economic builder for Louisiana. I'm not going to answer your question." I said OK. You want to spur economic growth in Louisiana. Who are the three largest employers in your state -- didn't know. Silence front page the next day: "Duke Can't Answer the Question." He was furious at me and he was bad mouthing me and saying I set him. I didn't set him up on anything. I was feeling kind of down. I just had started the show. I called my dad in Buffalo -- World War II veteran and I said, dad, what do you think? And he said, it was great. I said, "I think I crossed the line. I was almost like a prosecutor. I was really boring and I think I was losing my objectivity." He said, "if you're losing your objectivity, lose your objectivity with a Nazi.

KING: Susanville, California.

CALLER: Hello Larry.

KING: Hi.

CALLER: Thank you very much for taking my call.

KING: Sure.

CALLER: I wanted to ask you gentlemen might think that this innocuous situation that has occurred that we're been exposed to could be diversionary for a much more important world involvement event that the president will be able to address in a way that will make this all go bye-bye?

KING: Are you suspicious of this, you mean?

CALLER: I feel that it's kind of diversionary, just the way (INAUDIBLE).

KING: Diversionary by who? Who is creating the diversion?

CALLER: Ah, I think... KING: Who?

RUSSETT: Politicians -- the political situation.

KING: Do you think this is a right-wing conspiracy?

RUSSETT: No. Monica Lewinsky was put into the White House by Democratic Party donors. But I think if the caller is alluding to one thing which I think is important to touch upon, Saddam Hussein said to the United Nations inspectors no longer cooperating, get out. The last time he did that was in January when this crisis first surfaced.

So clearly Saddam Hussein, rightly or wrongly believes he can make different decisions based upon the president's difficulties back home. I think it's a total misread by Saddam Hussein. He doesn't understand this country.

KING: Won't be the first time.

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RUSSERT: President Clinton can go on television tomorrow and say, we're going to go after Saddam Hussein, and 90 percent of the people say go get him.

KING: Cincinnati, Ohio. Hello.

CALLER: Hi Larry.

KING: Hi.

CALLER: How are you doing?

KING: Fine.

CALLER: Fine, and Tim.

RUSSERT: Nice...

CALLER: I want to ask you a question.

RUSSERT: Sure.

CALLER: The president, they always talk about his approval ratings, 60 percent and so forth. My question is: and I've always wanted to ask this question: if for an example, President Clinton did not have Gore as a running mate, do you -- or -- a vice president, I mean, excuse me, would he then have a...

KING: Sir, I don't know where you're going.

CALLER: Well, in other words, here is what I'm saying: do you think people are giving, Tim, the president a higher rate, because they're afraid if something happens to him, Gore will become our president?

KING: You mean, they like Clinton because they're afraid of Gore? Why would people be afraid of Gore.

RUSSERT: I think presidents are pretty much judged on their behavior as president.

KING: Clinton is popular.

RUSSERT: He's very popular as a president. What has happened over the last few weeks, Larry, again, there has been a decline in people's respect for him. Two out of three Americans now believe he's not telling the truth. In our situation in the United States of America, our president is everything. He not only is the commander in chief, he's the healer in chief, the moral leader in chief in many ways. He sets the tone for responsibility.

You want a president to talk about the fact that 25 million kids under 18 are going to be in single parent homes. You want to talk about abstinence from drugs and alcohol and sex in high school. That's part of the job of being president, and this president is being neutralized at this time on some of those things. And that's why, I think people are now pulling back a little bit. They want to be fair. They want to suspend judgment until they hear it from the president.

KING: Back with our remaining moments with Tim Russert of NBC's "Meet the Press" right after this.

(COMMERCIAL BREAK)

KING: Back in our remaining moments with Tim Russert. You'll see him Sunday morning, of course, on "Meet the Press." Little Rock, Arkansas, hello.

CALLER: Yes.

KING: Go ahead.

CALLER: Yes, I was wondering about Tim Russert's opinion on the media coverage, if you do think that it's totally necessary that we are informed on all aspects going on?

KING: Are we overdoing it, Tim?

RUSSERT: I think in some cases, yes. We have to be very careful about the tone, about the certainty of some of the reporting.

KING: We've never had -- there is no background. Have you ever discussed semen on a television show in your life?

RUSSERT: I never thought I'd hear that word.

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KING: So what is the barometer?

RUSSERT: Mark Shields and I -- we're both Catholic. We say we were conscientious objectors in the sexual revolution. This is all very difficult to deal with.

It's a point now, that's when people say, you know, DNA evidence, you find code words to try to explain what happened. Is this dress important? It could prove a physical relationship with the president. The White House certainly...

KING: We have to cover it, right?

RUSSERT: We have to cover it, but I think we have to do it with some sensibility and some taste. Some people enjoy, or kind of relish, talking about in excruciating detail the different...

KING: That's weird.

RUSSERT: ... types of sexual behavior. That's kind of weird. Let's do this in a professional way and give our viewers the necessary information, but I don't think we should revel in it.

KING: We only have a minute and a half. What is your read on all of this? What happened to Bill Clinton?

RUSSERT: Such potential. He re-elected president of the United States and he had an opportunity, I believe, having worked with the Republican Congress to put a budget in balance -- had this tremendous economic recovery, having a surplus, who would have thought. And the next two programs, Medicare and Social Security would have put him in the history books as a president who presided over the last few years of this century -- brought us into the millennium with a balanced budget and Social Security and Medicare system fixed, Internet in most schools.

I think he could have been a president with a real legacy, not a war that he had won, but someone who positioned the country for the next millennium, and instead, what happened? We'll never know until August 17th. We don't know what happened. But there is a cloud over his presidency, and whether he removes it or not...

KING: All that could change it, is he'd have to clear this up completely? A lot of people would have to be doing falsehoods here.

RUSSERT: We have to hear what he has to say. In the end, Larry -- that's why these next two weeks are so critical. We're finally going to get real information.

KING: You think he'll come on and talk to the public too?

RUSSERT: I do. I think after his grand jury testimony...

KING: He'll make a speech?

RUSSERT: His has an obligation to the country to tell them exactly what, as president, he believes our course will be as a nation and why we have to put this behind us. That's his judgment.

KING: Thanks Tim, as always.

RUSSERT: Pleasure.

KING: Glad to have you as a friend.

KING: Tim Russert on Larry King in Washington. Up next, "NEWSTAND: CNN & ENTERTAINMENT WEEKLY." A look at how those screaming thrillers are being brought back to the silver screen. Stay tuned.

Friday night on LARRY KING LIVE for the first time Julie Hiatt Steele breaks her silence about her former friend Kathleen Willey's allegations about President Clinton.

On Saturday, former first lady Rosalynn Carter talks about treating mental illness.

And on Monday, 20 years ago this American married King Hussein and became Queen Nord of Jordan. Now she's faced with her husband's cancer and an uncertain future. That's Monday, 9:00 Eastern on CNN.

TO PURCHASE A VIDEOTAPE OF THIS PIECE, PLEASE CALL 800-CNN-NEWS

LOAD-DATE: August 6, 1998

EXHIBIT E

NBC News Transcripts

July 26, 1998, Sunday 1:20 PM

SHOW: SUNDAY TODAY (9:00 AM ET)

KEN STARR'S SUBPOENA OF PRESIDENT CLINTON IS DISCUSSED

ANCHORS: JODI APPLGATE

LENGTH: 403 words

JODI APPLGATE, co-host:

As we've been reporting, Ken Starr has subpoenaed President Clinton to appear before the grand jury. And the White House is said to be seeking a compromise that would provide the president's testimony without his having to appear in person. Tim Russert is NBC's Washington bureau chief and moderator of "Meet the Press."

Good morning, Tim.

Mr. TIM RUSSERT (NBC News): Good morning, Jodi.

APPLGATE: So, Tim, apparently legal scholars are divided over whether you can compel a president to testify before a grand jury, but President Clinton doesn't even want to fight over it, right?

Mr. RUSSERT: The White House believes that is a public relations disaster. Subpoena is a word the American people understand. Resisting a subpoena is--are words they can even understand better. So the president's people and his lawyers are saying to Ken Starr, Can we not testify under oath before video cameras in the Oval Office rather than the president having to march into the grand jury without his lawyers? Can he not sit in the Oval Office with his lawyers?' The White House would also like Ken Starr to provide the questions or areas of exploration he's interested in prior to the interview. Thus far, Ken Starr has been saying, no, we wo--we'll be willing to go to the White House, but we want to ask you any question we choose to ask.

APPLGATE: Do we have any idea when this might happen?

Mr. RUSSERT: We are told that the subpoena said that--should be answered by the end of this week, but negotiations will obviously continue, and we do not know a firm date.

APPLGATE: Where does this leave Monica Lewinsky?

Mr. RUSSERT: She is next up. It is interesting in terms of analyzing strategy that Ken Starr has opted to try to question President Clinton under oath before Monica Lewinsky. But after he completes his negotiations and probably testimony with the president, he then has to make a decision either to indict Monica Lewinsky or immunize her with total immunity or, third, bring her before the grand jury. She could then take the Fifth Amendment. A judge would instruct her to answer the questions, provide her limited immunity for crimes she had committed thus far, but warn her that any perjury during her future testimony could, in fact, be an indictable offense.

APPLGATE: I'll need a brief response to this, Tim, but cynics might say so the president testifies, the details of that are leaked there in the paper and Monica Lewinsky has a script to follow.

Mr. RUSSETT: That has been a point that has been--that has been made. However, the White House and Ken Starr both insist they do not leak.

APPLEGATE: All right, Tim. Thanks very much. Appreciate it. NBC's Tim Russert from Washington.

EXHIBIT F

FOCUS - 1 of 1 DOCUMENT

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NBC News Transcripts

SHOW: TODAY (7:00 AM ET)

May 12, 1997, Monday 10:41 AM

LENGTH: 642 words

HEADLINE: TIM RUSSERT DISCUSSES SUSAN MCDUGAL'S REMARKS TO HIM ON "MEET THE PRESS" ABOUT WHITEWATER; HE DISCUSSES NEWT GINGRICH AND THE IMPORTANCE OF GETTING A BUDGET DEAL PASSED

ANCHORS: MATT LAUER; KATIE COURIC

REPORTERS: TIM RUSSERT

BODY:

MATT LAUER, co-host:

On CLOSE UP this morning, Susan McDougal, the Clintons' former business partner, said this weekend that she would never cooperate with independent prosecutor Kenneth Starr in the Whitewater investigation, but would happily tell her story to Congress. She made the remarks to NBC's Tim Russert.

Tim, good morning to you.

TIM RUSSERT reporting:

Good morning, Matt.

LAUER: It seems like Susan McDougal may have been trying to reach out and maybe even force some kind of a deal as a way out of jail by saying that she would talk to court or to Congress. What was your impression?

RUSSERT: And she got a receptive audience. Speaker Newt Gingrich, who was also on "Meet the Press," said he was going to check with the relevant committee, Dan Burton's committee, investigating on the House side, and with Ken Starr to find out whether or not it would be appropriate for Susan McDougal to testify before Congress. But it's clear, Matt, in my conversation with her, she is very determined. She is not going to cooperate with Kenneth Starr.

LAUER: Well, in terms of getting Congress out of it for a second, what are the chances she ever gets to tell her story in a court of law?

RUSSERT: I think very difficult. She's been in jail for nine months. Kenneth Starr has continued the grand jury another six. And she'll stay in jail as long as that grand jury is convened.

LAUER: Let me quote from your interview, Tim. You asked her, quote, "Have the president and Mrs. Clinton told the truth?" Mrs. McDougal said, I'm quoting again, "I will not answer any question except under oath in an open forum. I will not answer any question that will help the independent counsel in this investigation." Now you can read that a couple of ways, but some people may think that she's saying her answer will help Kenneth Starr press a case against the

TIM RUSSERT DISCUSSES SUSAN MCDUGAL'S REMARKS TO HIM ON "

Clintons.

RUSSERT: That's the great mystery. Because in other portions of the interview she'll say 'They wanted me to say the Clintons did something wrong. They wanted me to lie.' The great, interesting, and confusing point here is why she simply won't answer that question. She says it's one of many questions he was asking her. She doesn't want to cooperate with him, period, because it's before a grand jury without a lawyer, and they're trying to set her up. But it still begs the question, why not say publicly to me on television, 'They did nothing wrong.'

LAUER: All right. Let's talk about this, though. By not talking, how is she affecting the perception of the Clintons in the White House?

RUSSERT: Well, Kenneth Starr gave a speech and said that the White House refusal to turn over many documents, and Susan McDougal's resistance to speak, are causing difficulty with him making his case. Matt, the bottom line is, Kenneth Starr has judged David Hale and Jim McDougal--Susan's former husband--testifying against the Clintons. He needs a third corroborator, someone who has not been a convicted felon. That's Susan McDougal. If she hangs tough, it's very hard to make the case.

LAUER: In the few seconds we have left, Tim, you talked to Newt Gingrich on "Meet the Press" on Sunday. How confident is he that a budget deal will be reached and voted on between Congress and the White House?

RUSSERT: He's very confident. It's a long, torturous process. But he doesn't see much erosion. He--he made a point, Matt, that the conservatives who are criticizing him--none of them hold office. But those who hold public office and can go back to their constituents and talk about tax cuts and Medicare and so forth are going to vote for this plan. He believes it's going to become reality.

LAUER: As you know, Gingrich got into a lot of trouble, took a real hit for the budget deal and the budget failure last time around. How important is it to his future to get this deal done?

RUSSERT: Critical. He knows if the Republicans are going to maintain their majority in '98, he has to be successful in--in--in being the leader and staying on as speaker.

LAUER: Tim Russert in Washington. Tim, good to see you this morning.

RUSSERT: See you, Matt.

LAUER: Seven fourteen. Here's Katie.

KATIE COURIC, co-host:

Thank you, Matt.

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