

OFFICE OF THE INDEPENDENT COUNSEL

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TESTIMONY OF
HILLARY RODHAM CLINTON
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Sunday, June 12, 1994
Washington, D. C.

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Testimony of

HILLARY RODHAM CLINTON

before the Independent Counsel, held at The White House,
Washington, D. C., beginning at 3:55 p.m., when were present
on behalf of the respective parties:

FOR THE INDEPENDENT COUNSEL:

ROBERT B. FISKE, JR., ESQ.
Independent Counsel

RODERICK C. LANGLER, ESQ.
Associate Counsel

FOR HILLARY RODHAM CLINTON:

LLOYD N. CUTLER, ESQ.
Counsel to the President

DAVID E. KENDALL, ESQ.
Williams & Connolly
Washington, D. C.

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Court Reporter:

Elizabeth A. Eastman

PROCEEDINGS

1
2 WHEREUPON,

3 HILLARY RODHAM CLINTON

4 having been called for examination by the Independent
5 Counsel, and having been first duly sworn by the notary, was
6 examined and testified as follows:

7 EXAMINATION BY THE INDEPENDENT COUNSEL

8 BY MR. FISKE:

9 Q Mrs. Clinton, we've had some conversations with Mr.
10 Kendall before we started and I think you probably understand
11 this. What we are trying to do today is cover the so-called
12 Washington aspects of what we have been doing, which are
13 essentially events relating to the death of Vincent Foster,
14 events that occurred in the White House after his death, and
15 any subject of contacts between the White House and the
16 Treasury officials.

17 There obviously are a lot of questions about what
18 went on or didn't go on in Arkansas that we will want to talk
19 to you about later. But those are not on the program for
20 today.

21 A All right.

22 MR. FISKE: I think maybe it would be useful to
23 start the way we did with the President and ask the two
24 lawyers to identify themselves.

25 MR. KENDALL: David E. Kendall of the firm of

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1 Williams and Connolly, and I represent Mrs. Clinton in her
2 personal capacity. 4

3 MR. CUTLER: I am Lloyd N. Cutler, Counsel to the
4 President, and I am here representing the First Lady in her
5 official capacity.

6 BY MR. FISKE:

7 Q Mrs. Clinton, Mr. Kendall was here representing the
8 President, and I take it that have discussed with Mr. Kendall
9 and with your husband the fact that he is representing both
10 of you?

11 A Yes, we have.

12 Q And you are comfortable with that?

13 A Yes, I am.

14 Q Fine. Let me start by showing you two documents
15 which we have marked as Exhibits 1 and 2, which are subpoenas
16 that were served on the White House in March and May of this
17 year, calling for on the one hand documents relating to
18 contacts between the White House and Treasury, and, in the
19 second subpoena, documents relating to Vincent Foster.

20 We have not served personal subpoenas on you or the
21 President, but Mr. Kendall has explained to us that your
22 personal files have been searched and that any personal
23 documents that you have that would be responsive to those two
24 subpoenas have, in fact, been produced. Is that correct?

25 A Yes, that is correct.

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Q We would like to start by talking about Mr. Foster.

1 I take it you knew him for a long time?

2 A Yes, I have.

3 Q You worked together with him at the Rose Law Firm?

4 A Yes.

5 Q In terms of the lawyers that you worked with at the
6 Rose Law Firm, how would you place Mr. Foster in terms of the
7 frequency with which you were associated with him, as opposed
8 to other lawyers?
9

10 A Oh, I was probably associated with him among the
11 three or four most frequent associations with respect to work
12 that I did with other lawyers during my time at the Rose Law
13 Firm.

14 Q Okay. And you were personal friends as well?

15 A Yes, we were.

16 Q Did you have the kind of personal relationship
17 where he would from time to time discuss confidential
18 personal matters with you?

19 A Very rarely. That was not something that he did
20 with me at least, and I don't believe very often with anyone.

21 Q During the time before your husband became
22 President, had Mr. Foster done any personal work for you or
23 your husband?

24 A Yes.

25 Q What type of work?

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1 A Well, he in many respects was kind of an ongoing
2 counselor to us in many matters, and I don't know that I can
3 point to any specific instances. But at least on one
4 occasion I believe he was an attorney of record for me many
5 years ago arising out of some action taken by Legal Service
6 Corporation, and we needed to enter an appearance. I'm vague
7 about it, but I think that occurred probably in the late
8 1970s, if I recall.

9 But on many other occasions he would be the person
10 that I would go to for advice of a legal or quasi-legal
11 nature. He was someone that both my husband and I turned to
12 for advice and counsel. It was a continuing relationship of
13 that nature, but I can't really pull out any specific
14 instances. But I certainly relied on his advice on many
15 occasions.

16 Q Would it be fair to say that you and your husband
17 included the Fosters in your close circle of friends?

18 A Yes, it would.

19 Q Did you have any role in his selection as Deputy
20 White House Counsel?

21 A Well, I certainly thought it was a good idea.

22 Q Other than expressing that opinion?

23 A I don't know that it really was much of an opinion
24 needed. My husband thought very highly of Vince and wanted
25 him to come to Washington, and I think decided that would be

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1 the appropriate role, which I certainly thought was a good
2 idea. 7

3 Q Did you have any conversations with Mr. Foster
4 yourself about that prospective appointment?

5 A I'm sure I did. But I don't recall anything
6 specifically, other than urging him to do it if he thought it
7 was a good idea for him.

8 Q Did he express to you any reluctance about coming
9 to Washington and taking this job offer?

10 A Not to me. The nature of our conversations were
11 very positive about what he saw as a great professional
12 challenge. That's all I recall.

13 Q Had you heard at the time from anyone else that he
14 had any concern about leaving Arkansas and coming to
15 Washington?

16 A No. No one told me that, that I remember.

17 Q Could you just tell me, in the best of your memory,
18 during this period of time in the two or three years before
19 you all came to Washington, how frequently did you see Mr.
20 and Mrs. Foster socially?

21 A Socially?

22 Q Yes.

23 A Let's see. From like around, what, 1989 or '90?

24 Q Yes.

25 A We saw them on a regular basis, but I wouldn't say

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1 a frequent basis, partly because 1990 was an election year
2 for my husband. And then by, you know, late '91 he was in
3 the campaign. We didn't have much time to socialize with
4 anybody. In fact, it was one of the things that we used to
5 regret and we would laugh about with the Fosters when we did
6 see them that, you know, we just didn't have time to have fun
7 any more or to go to our friends' houses for dinner and do
8 the things that we used to be able to do much more
9 frequently.

10 So, toward the time leading up to my husband being
11 President, our social activities with everyone, including the
12 Fosters, was much less than, you know, it had been in
13 previous years probably.

14 Q From the period of time that you all came up to
15 Washington and your husband became President in January of
16 '93, right through the time of Mr. Foster's death, how
17 frequently did you see him?

18 A Well, when I went over to the West Wing office, I
19 would sometimes see him several times a day or sometimes not
20 at all. It was a -- there was no regular planned meetings.
21 So, it was a very random kind of series of contacts.

22 Socially, we tried to have all of the people from
23 Arkansas over for movies or for dinners. And we would always
24 invite Vince, because he was up here for the first five or
25 six months without his family. Toward the end of that time

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1 his daughter came and then Lisa came. But we always tried to
2 invite him, as we did with the Hubbells and the others. 9

3 So, you know, I couldn't tell you exactly how many
4 times, but, you know, a number of times, but particularly in
5 the sort of Friday night gathering of friends and people, and
6 we would try to mix it up with some of the new people we were
7 meeting. But we always invited him.

8 Q And did you work with him on White House business?

9 A Only in a couple of instances. We were sued over
10 the Federal Advisory Commission Act, or something like that,
11 FACA. And I think -- and Vince was one of the lawyers
12 involved in that, along with Steve Neuwirth and others in the
13 counsel's office. So, occasionally I would talk to him if he
14 would have questions about that. He did some work for the
15 health care group on medical malpractice, and I think I had
16 at least one meeting with him about that.

17 Those were the two main reasons why I met with him
18 in a professional way.

19 And then he was the person in the counsel's office
20 assigned to coordinate with our outside lawyers and
21 accountants on the blind trust. So, I had several meetings
22 with him about that.

23 Q Was he doing any personal work for you or the
24 President other than the blind trust?

25 A Not that I'm aware of, no. Oh, wait. The only

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1 thing I would add to that is I think he also did some
2 personal advising, or at least was in some way involved in
3 the tax returns when they were being finalized for '93, but
4 that was part of the blind trust work, as I recall.

5 Q Your own tax returns?

6 A Yes.

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7 Q Was he doing work, to your knowledge, with respect
8 to the filing of the Whitewater tax returns?

9 A Not that I know of, no.

10 MR. CUTLER: This is while in the White House?

11 MR. FISKE: Pardon me?

12 MR. CUTLER: While in the White House?

13 MR. FISKE: Yes.

14 MRS. CLINTON: Not that I know of.

15 BY MR. FISKE:

16 Q When was the last time that you talked to Mr.
17 Foster?

18 A You know, I've thought about that a lot because I
19 don't recall it. I don't think I talked with him for a week
20 before we left for Asia, and I did not talk to him all the
21 time I was gone, and I left July 5th or 6th, as I remember.
22 And then I got back to Arkansas on July 20th.

23 And I just don't have any memory of -- I never
24 thought it would be the last time I ever saw him or talked to
25 him. And I don't have any memory of when that was. But I

1 don't think it was for about a month before his death. 11

2 Q So, as you sit there, you can't sort of bring back
3 the last conversation you had with him?

4 A No. I know that I had a conversation with him in
5 mid-June, because there were a bunch of people up here from
6 Arkansas and my husband was out of town, and he and Lisa
7 called to see if I would go to dinner with them. And I
8 talked to both of them, as I remember. But I couldn't do it.

9 And I'm sure I saw him in and around the office
10 after that, after that mid-June phone call. I remember it
11 was mid-June, because it was around Father's Day because
12 that's one of the reasons they were all gathered together and
13 were going to be doing some things together.

14 But I just don't have any specific memory of when
15 the last time I saw him or talked to him after that, and I've
16 tried to remember it, because I would like to remember it,
17 but I can't.

18 Q Again, talking about the time from January '93
19 right up through July, did he ever express to you during that
20 period of time any concern about anything that was troubling
21 him, either in his job here at the White House or in his
22 personal life?

23 A No. I mean, he like everybody would say things
24 about, you know, how tough this was, and how different it
25 was, and how stressful it was. And I would, you know,

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1 express the same feelings. I think we were all amazed at
2 some of what we found when we got here.

3 But he never confided in me. He never told me -- I
4 didn't know until after he died that he took the Wall Street
5 Journal editorial seriously. If I had known that, I would
6 have, you know, said something funny or dismissive in some
7 way. But he never said that to me.

8 So, I don't have any specific memory of any
9 conversation that went beyond the, you know, general blowing
10 off steam about, I can't believe this place, or can you get
11 over this, or stuff like that.

12 Q Let me just ask you about a few specific things
13 just to be sure. Did he ever express any concern to you
14 about anything having to do with sort of nominations that
15 didn't work out?

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16 A No, not to me.

17 Q How about anything related to problems connected
18 with the travel office situation?

19 A Not that I recall, no.

20 Q Did you ever hear from any source that back then he
21 had given consideration to resigning from his job?

22 A No. I have heard since his death from people who
23 say that they thought he might have considered that, but he
24 never said anything to me about it.

25 Q So, the last time you talked to him, whenever that

1 was, if you can sort of go back to that time in your mind,
2 how would you assess sort of his attitude towards what he was
3 doing and life in general?

4 A Well, you know, the last specific conversation I
5 can recall is this phone conversation which was either Friday
6 or Saturday before Father's Day, whenever that was. I guess
7 it was like mid-June, because Father's Day is next week and
8 that is like June 19th. So, I guess it was probably around
9 that time.

10 And, you know, I mean, there was nothing. He said,
11 well, why don't you come out to dinner with us and, you know,
12 you need to be with us. We've got a lot of friends up here.
13 Let's just have a good time and, you know, I was saying, you
14 know, I just couldn't do it because I had too much else to
15 do. And that's all. That's all I remember from all of June.

16 Q Did he ever express during this time, that is
17 January through July, any concern to you about anything
18 relating in any way to his personal life?

19 A No. And I have a distinct memory, I don't know
20 when it was, of him celebrating Laura's birthday and bringing
21 her to one of our Friday night movies. And I remember seeing
22 them walk in together. He had his arm around her and they
23 looked so happy. And it was shortly before Lisa was getting
24 there and shortly before, I think, Vincent was getting out of
25 school. And he seemed very -- you know, he seemed very happy

1 that finally he was going to have his family back.
2

3 And I think it had been hard on him, you know,
4 being an involuntary bachelor for all those months. At
5 least, that's the way he and his daughter were talking when I
6 saw them.

7 Q Did he ever express any concern to you about
8 anything relating to any potential legal problems that you or
9 the President might have relating to Whitewater?

10 A No. We never talked about that. That was -- that
11 was something that I can't ever recall having any
12 conversation with him about after we got here. He had
13 handled the sale right before we left because, as I recall,
14 somebody else was going to do it and couldn't, and he did it.
15 But that's the only conversation, and that was before we
16 moved here, that I can remember with him about Whitewater.

17 Q Did he express any concern to you during this
18 period about any legal problem that he thought you or the
19 President might have?

20 A No. No, I mean, other than this lawsuit that we
21 were, you know, fighting over this FACA statute.

22 Q I meant personal.

23 A No.

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