

UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

United States Court of Appeals  
For the District of Columbia Circuit

Division for the Purpose of  
Appointing Independent Counsels

FILED JAN 16 1998

Special Division

In re: Madison Guaranty Savings  
& Loan Association

Division No. 94-1

Before: Sentelle, Presiding, Butzner and Fay, Senior Circuit  
Judges

ORDER

Upon consideration of an oral application for the expansion of jurisdiction of an Independent Counsel provided to this Court on behalf of the Attorney General on January 16, 1998, it is hereby

ORDERED that the investigative and prosecutorial jurisdiction over the following matters be referred to Independent Counsel Kenneth W. Starr and to the Office of the Independent Counsel as an expansion of prosecutorial jurisdiction in lieu of the appointment of another Independent Counsel pursuant to 593(c)(1):

(1) The Independent Counsel shall continue to enjoy the full jurisdiction initially conferred upon him as a result of the August 5, 1994, order of the Special Division of the Court and all subsequent orders concerning jurisdiction. Pursuant to 28 U.S.C. § 593(c)(1), the Independent Counsel's jurisdiction shall be expanded to include the following:

(2) The Independent Counsel shall have jurisdiction and authority to investigate to the maximum extent authorized by the Independent Counsel Reauthorization Act of 1994 whether Monica Lewinsky or others suborned perjury, obstructed justice, intimidated witnesses, or otherwise violated federal law other than a Class B or C misdemeanor or infraction in dealing with witnesses, potential witnesses,

attorneys, or others concerning the civil case Jones v. Clinton.

(3) The Independent Counsel shall have jurisdiction and authority to investigate related violations of federal criminal law, other than a Class B or C misdemeanor or infraction, including any person or entity who has engaged in unlawful conspiracy or who has aided or abetted any federal offense, as necessary to resolve the matter described above.

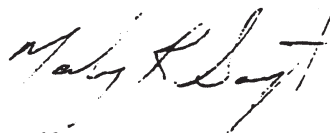
(4) The Independent Counsel shall have jurisdiction and authority to investigate crimes, such as any violation of 28 U.S.C. § 1826, any obstruction of the due administration of justice, or any material false testimony or statement in violation of federal criminal law, arising out of his investigation of the matter described above.

(5) The Independent Counsel shall have all the powers and authority provided by the Independent Counsel Reauthorization Act of 1994.

It is further ORDERED that this document and its contents be and remain UNDER SEAL absent further Order of this Court.

This the 16<sup>th</sup> day of January, 1998.

Per Curiam  
For the Court:



Marilyn Sargent  
Chief Deputy Clerk

United States Court of Appeals  
For the District of Columbia Circuit

UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT  
INDEPENDENT COUNSEL DIVISION

FILED JAN 16 1998

Special Division

In re Monica Lewinsky )

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No. )

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NOTIFICATION OF RECUSAL DETERMINATION

Section 591(e)(2) of the Independent Counsel Reauthorization Act of 1994 (the Act) requires that the Attorney General determine whether she must recuse herself because information received involves "a person with whom the Attorney General has a current or recent personal or financial relationship," and that the determination be filed with this Court. Accordingly, I hereby notify the Special Division of the Court that I have no current or recent personal or financial relationship with Monica Lewinsky such as would require my recusal from discharging my responsibilities under the Act.

Respectfully submitted,



Janet Reno  
Attorney General of the United States

DATED: *January 16, 1998*

FILED JAN 16 1998

Special Division

UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT  
INDEPENDENT COUNSEL DIVISION

In re Monica Lewinsky

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No.

NOTIFICATION TO THE COURT OF THE INITIATION OF  
A PRELIMINARY INVESTIGATION AND APPLICATION TO THE COURT  
FOR THE EXPANSION OF THE JURISDICTION OF AN INDEPENDENT COUNSEL

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In accordance with the Independent Counsel Reauthorization Act of 1994, I hereby notify in writing the Special Division of the Court that I have commenced a preliminary investigation, 28 U.S.C. § 592(a)(1), into whether violations of federal criminal law were committed by Monica Lewinsky or any other individual, as described below. As a result of my inquiry into this matter, I request expansion of the jurisdiction of Independent Counsel Kenneth Starr to further investigate and determine whether prosecution is warranted. 28 U.S.C. § 593(c)(1). The Court has already been informed of this matter and my request orally.

The Department of Justice has received information from Independent Counsel Kenneth Starr that Monica Lewinsky, a former White House employee and witness in the civil case Jones v. Clinton, may have submitted a false affidavit and suborned perjury from another witness in the case. In a taped

conversation with a cooperating witness, Ms. Lewinsky states that she intends to lie when deposed. In the same conversation, she urges the cooperating witness to lie in her own upcoming deposition.

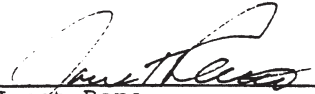
I have determined that it would be a conflict of interest for the Department of Justice to investigate Ms. Lewinsky for perjury and suborning perjury as a witness in this civil suit involving the President, in light of the allegations involved in the lawsuit. 28 U.S.C. § 591(c)(1).

I have also determined that the taped conversation establishes that further investigation of this matter is warranted. 28 U.S.C. § 592(c)(1).

It would be appropriate for Independent Counsel Starr to handle this matter because he is currently investigating similar allegations involving possible efforts to influence witnesses in his own investigation. Some potential subjects and witnesses in this matter overlap with those in his ongoing investigation. Independent Counsel Starr has requested that this matter be referred to him.

Attached is a recommended draft Order expanding Independent Counsel Starr's jurisdiction to include this matter.

Respectfully submitted,

  
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Janet Reno  
Attorney General of the United States

Date January 16, 1998

UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

United States Court of Appeals  
For the District of Columbia Circuit

FILED JAN 29 1998

Division for the Purpose of  
Appointing Independent Counsels

Special Division

Ethics in Government Act of 1978, As Amended

In re: Madison Guaranty Savings  
& Loan Association

Division No. 94-1

Before: SENTELLE, *Presiding Judge*, BUTZNER and FAY, *Senior Circuit Judges*.

**ORDER**

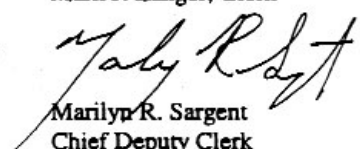
Upon consideration of the "Application to Authorize Disclosure of Jurisdictional Expansion Order," filed by Independent Counsel Kenneth W. Starr on January 28, 1998, the Court finds that disclosure of the Court's order of January 16, 1998, expanding the jurisdiction of the Independent Counsel would be in the best interests of justice. Accordingly, it is

**ORDERED** that the application be granted. The Court's order expanding the prosecutorial jurisdiction of the Independent Counsel in this matter, filed under seal on January 16, 1998, is hereby unsealed. It is

**FURTHER ORDERED** that the "Notification to the Court of the Initiation of a Preliminary Investigation and Application to the Court for the Expansion of the Jurisdiction of an Independent Counsel" and the "Notification of Recusal Determination," filed under seal by the Attorney General on January 16, 1998, are also hereby unsealed.

Per Curiam  
For the Court:  
Mark J. Langer, Clerk

by

  
Marilyn R. Sargent  
Chief Deputy Clerk