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**Collection/Office of Origin:** Speechwriting, White House Office of  
**Series:** Snow, Tony, Files  
**Subseries:** Subject File, 1988-1993

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**OA/ID Number:** 13893  
**Folder ID Number:** 13893-010

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**Folder Title:**  
[Daily News Summaries, 1991]

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# Bush Praises Gulf Forces, Calls for Mideast Peace

## President Urges Hill to Back Domestic Agenda

By Dan Balz  
Washington Post Staff Writer

In a patriotic celebration of the allied victory over Iraq, President Bush said last night that "the time has come" to end the Arab-Israeli conflict and urged a joint session of Congress to bring the self-discipline and urgency of the war effort to the problems here at home.

"As commander in chief, I can report to you: Our armed forces fought with honor and valor," Bush said. "As president, I can report to the nation: Aggression is defeated. The war is over."

Announcing that the first plane-load of U.S. soldiers—members of the 24th Mechanized Infantry Division from Fort Stewart, Ga.—were about to leave for home from Saudi Arabia, Bush lavished praise on the men and women of Operation Desert Storm.

"They set out to confront an enemy abroad," he said, "and in the process, they transformed a nation at home."

The response to Iraq's invasion of Kuwait, he said, was the first test of a new world order built on the rule of law and resistance to aggression. "The gulf war put this new world to its first test," he said, "and my fellow Americans, we passed that test."

Bush was interrupted a dozen times by standing ovations, as lawmakers carrying small American

flags and some Republicans bearing bright yellow buttons saying "I voted with the president" cheered him and the troops repeatedly.

At one point, the president was nearly overcome with emotion, as he recounted the scene of surrender by four terrified Iraqi soldiers and the reassurances offered to them by an American soldier, who said, "It's okay. You're all right now." Bush took a drink of water, dabbed his face with a handkerchief and regained his composure.

At home, he said, his first priority is to "get this economy rolling again," but he also called on Congress to move quickly on his domestic agenda, which faces strong opposition from the Democrats. In the Middle East, he said that while Iraqi President Saddam Hussein "walks amidst ruin, his war machine . . . crushed," the U.S. "commitment to peace in the Middle East does not end with the liberation of Kuwait."

On the eve of a trip by Secretary of State James A. Baker III to the Middle East for consultations on the future of the region, Bush said that while U.S. ground forces will not be part of the equation, there will be an enhanced American military role there, including "a capable naval presence" in the Persian Gulf and regular exercises by U.S. air and ground forces.

"Let it be clear," he said. "Our vital national interests depend on a stable and secure gulf."

The president also pledged to put America's newfound credibility in the region to work in behalf of a lasting peace there. Saying that peacemaking in the Middle East "requires compromise" among the feuding parties, Bush said, "We must do all that we can to close the gap between Israel and the Arab states, and between Israelis and Palestinians."

Bush said there can be "no solely American answer" to the problems of the Mideast but said no nation "will work harder for a stable peace in the region than we will" and pledged that the United States would be a "catalyst for positive change."

Bush restated U.S. policy calling for a comprehensive peace in the Middle East built around U.N. Security Council resolutions 242 and 338 "and the principle of territory for peace." He said any solution must provide for Israel's "security and recognition, while giving the Palestinians legitimate political rights." In the past, Israel has rejected this formulation.

While the policy appeared unchanged, the president conveyed a new sense of urgency and commitment that he and his advisers feel is necessary to capitalize on the changed climate for negotiations as a result of the war against Iraq. But the U.S. effort is likely to put new

pressure on Israel to resolve the Palestinian issue and will test the diplomatic skills of the administration in a region where others have failed.

Bush's speech reflected the belief among administration officials that the United States should pursue a two-track strategy in the region, emphasizing relations between Israel and individual Arab states as well as an overall effort on the Israeli-Palestinian issue.

But officials said the administration's planning process for a comprehensive peace plan is less developed than its ideas for regional security. They said a principal purpose of Baker's trip will be to draw out the ideas of the Israelis and the Arab members of the coalition before outlining in more specific detail a U.S. proposal.

The president's description of the U.S. military role in the gulf was his most explicit to date and reflects planning underway inside the administration for many weeks. He said the countries of the region will bear the principal burden of securing the peace in the wake of the victory over Iraq but said "America stands ready" to back up any security arrangement of the gulf nations.

Bush said the plan for a continuing naval presence extends a policy that has existed for 40 years in the gulf. But he offered no details of new plans for air and ground forces to participate in joint exercises there. "No one's talking about having a permanent [ground] presence where you have American people taking a two-year hitch in the Middle East," one administration official said.

The Iraqi military no longer threatens the region, Bush said, but the international coalition that defeated that army must now prevent the Iraqis from rearming until the government there shows it has only peaceful intentions.

He also said the United States must work to prevent spread of weapons of mass destruction and ballistic missiles. "It would be tragic if the nations of the Middle East and Persian Gulf were now, in the wake

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of war, to embark on a new arms race," he said.

He opened the door to a new Iraq, under a different government, rejoining the world community. "We grieve for the people" of that country, he said. But on the question of Saddam's future, he gave no quarter. "For all that Saddam has done to his own people, to the Kuwaitis, and to the entire world, Saddam and those around him are accountable," he said.

At one point in his speech, as Bush declared "Kuwait is free," the Kuwaiti ambassador, Saad Naim Sabah, leaped to his feet and saluted the president to applause.

Bush said the United States would press for economic development in the Middle East as a means to future peace and security. He also pledged that in the new political climate there, Baker would press for release of American hostages still held in Lebanon. "We have not forgotten them," he said, "and we will not forget them."

The president demonstrated that he will attempt to use his prestige not only to push for peace in the Middle East but to battle Demo-

crats at home over the domestic agenda.

On the economy, Bush said the uncertainty brought on by the war was understandable, but should be forgotten. "Now that the war is over, oil prices are down, interest rates are down, and confidence is rightly coming back," he said. "Americans can move forward, to lend, spend and invest in this, the strongest economy on earth."

The economy is the most significant domestic obstacle facing Bush now, and while he has predicted the recession will end by summer, he and his advisers recognize the political danger it poses.

Bush wasted no time in trying to set the domestic agenda along lines favorable to him and the Republicans, including a challenge on defense and foreign policy issues.

"We cannot lead a new world abroad if, at home, it's politics as usual on defense and diplomacy," he said. He urged Congress to "turn away from the temptation to protect unneeded weapons systems and obsolete [military] bases" and said the lawmakers should quit try-

ing to micromanage diplomacy and security assistance policies. Although he did not say so, that could be interpreted as meaning Congress should not tilt so strongly toward aid to Israel.

Under fire from Democrats for a pale and timid domestic agenda, Bush countered by challenging Congress to prove it can act quickly on key problems at home. Calling for enactment of transportation and anti-crime measures he has proposed, Bush said, "If our forces could win the ground war in 100 hours, then surely the Congress can pass this legislation in 100 days."

But lawmakers from both parties, accustomed to months-long debates over almost all issues, laughed good-naturedly as they applauded that line.

Bush used his national television audience—and the backdrop of a Congress cheering his accomplishments in the gulf—to attempt to build support for other programs on his agenda, including his newly unveiled national energy strategy, which Democrats say does not go far enough to encourage conservation; a new civil rights bill that Democrats oppose; and choice in education, which would give parents more freedom to decide where to send their children to school.

Noting that U.S. policy in the gulf was successful in part because there were clear objectives, timetables and a commitment to win, he said, "We must bring the same sense of self-discipline, that same sense of urgency, to the way we meet challenges here at home."

Bush's announcement of the first contingent of U.S. troops returning home brought strong applause and followed two days of rumors that the withdrawal was about to begin. But the first deployments back to the United States of about 15,000 service men and women represent a largely symbolic—and hastily arranged—step, officials at U.S. Central Command in Riyadh, Saudi Arabia, said. Only after the allies and Iraq agree to a permanent ceasefire will the bulk of the half-million service members start to move.

The entire withdrawal is likely to last months. One official said, for ex-

ample, that it will take the 1st Infantry Division about 30 days to get home once it receives orders to move out. Other commanders anticipate an even longer withdrawal period.

But commanders are eager to avoid a prolonged stay in the desert, fearing that the longer U.S. service members are there, the more danger they may face from unexploded cluster bombs and mines. Having come through the ground war with so few casualties, these commanders recoil at the thought of losing American lives now.

Several thousand troops drawn from various units are scheduled to begin arriving at their home bases Friday, U.S. Central Command officials said yesterday. They are expected to participate in an elaborate stateside homecoming. Bush made clear he hopes the celebrations last for many months, calling on communities around the country to use the July 4 holiday to honor the veterans of Operation Desert Storm.

"Let us honor them with our gratitude," he said. "Let us comfort the families of the fallen—and remember each precious life lost."

He called the feeling of patriotism in the country in the wake of the war "noble and majestic." The troops return home "proud, confident, heads held high," he said, troops that represent "the finest fighting force this nation has ever known in its history."

Last night's speech marked the first time a president has come to Congress to tell of victory in war since Woodrow Wilson did so in November 1918. House Speaker Thomas S. Foley (Wash.), one of the Democratic leaders who voted not to give Bush authority to go to war against Iraq in January, departed from the traditional introduction accorded a president to congratulate Bush "on the brilliant victory of Operation Desert Storm."

*Staff writers Helen Dewar and Tom Kenworthy in Washington and correspondent William Branigan in Kuwait contributed to this report.*

# BUSH, PROCLAIMING VICTORY, SEEKS WIDER MIDEAST PEACE; HINTS AT PRESSURE ON ISRAEL

## URGES COMPROMISE

### Cites U.N. Measures as Basis for Arab-Israeli Peace Agreement

By MAUREEN DOWD

Special to The New York Times

WASHINGTON, March 6 — President Bush said tonight that he will immediately begin bringing home American troops from the Persian Gulf, but he pledged to maintain a strong diplomatic presence in the Middle East and redouble efforts to solve the stubborn Arab-Israeli conflict.

"Our commitment to peace in the Middle East does not end with the liberation of Kuwait," Mr. Bush said in prepared remarks to a joint session of Congress, adding: "The time has come to put an end to the Arab-Israeli conflict."

In remarks almost certain to be perceived by the Israeli Government as an indication that he intended to seek important concessions from it, Mr. Bush re-emphasized longstanding American policy that Israel must trade territory it seized during Arab-Israeli wars for peace and secure borders. He said that efforts should be made "to close the gap between Israel and the Arab states — and between Israel and Palestinians."

Mr. Bush said, "By now, it should be plain to all parties that peacemaking in the Middle East requires compromise." [Text of speech, page A8.]

#### Baker Mission to Mideast

Coming on the eve of the departure of Secretary of State James A. Baker 3rd to the Middle East, Mr. Bush's remarks seemed likely to be read in Israel as an effort to get Prime Minister Yitzhak Shamir to make territorial concessions to the Palestinians.

But it was also a clear signal to Arab leaders that Washington would encourage them to deal directly with Israel and to move toward formal recognition of that nation and its sovereignty. He skirted any specific plans, and left it unclear how he foresaw a solution to the Palestinian problem.

Palestinians have generally sought either an independent state carved out of the occupied West Bank of the Jordan and the Gaza Strip, or at the minimum an autonomous homeland somehow linked to Jordan.

#### U.N. Resolutions Cited

His comments seemed to mark a departure from the more incremental diplomacy the Administration has pursued in the Middle East, with a call for bolder steps to end the enmity in the region.

He cited United Nations Security Council Resolution 242 of November 1967, which called on Israel to give up unspecified amounts of territory it had captured during the June 1967 war in return for recognition by the Arab countries of its borders. He also cited

Security Council Resolution 338 of October 1973, after the war of that month, which called for negotiations between Israel and the Arabs.

Israel did return Sinai, which it had captured from Egypt, as part of the Israeli-Egyptian peace treaty of 1979, but it has generally refused to give the Golan Heights back to Syria or the West Bank to Jordan. Arab nations have refused to sign peace treaties with Israel unless all the occupied land was returned. The situation has been complicated by the Palestinian campaign for a state or homeland.

In his nationally televised speech to Congress, Mr. Bush promised that he would not back away from America's difficult new responsibilities in a Middle East left reeling and recast by the Persian Gulf war.

#### Savoring U.S. Victory

The speech, capping a half-year of extraordinary diplomatic and military maneuvers that put the nation on an emotional roller-coaster, was a time for the President to savor the nearly unanimous accolades for his skill in cementing a disparate coalition and conducting a swift and victorious war.

After resisting the national ebullience that followed the cease-fire, saying he wanted to stay apart from the heady mood until he could tell the American people that the last "t" was crossed and "i" was dotted, Mr. Bush finally declared victory.

"As Commander in Chief, I can report to you: Our armed forces fought with honor and valor," he said. "As President, I can report to the nation, aggression is defeated. The war is over."

Mr. Bush said he had directed Secretary of Defense Dick Cheney to begin the immediate return of American combat units from the Gulf.

"Less than two hours from now, the first planeload of American soldiers will lift off from Saudi Arabia headed for the U.S.A.," he said. "It will carry men and women of the 24th Mechanized Infantry Division bound for Fort Stewart, Georgia. This is just the

beginning of a steady flow of American troops coming home."

The Administration's inclination seems to be to speed up the withdrawal of American troops, both because they could be a lightning rod for anti-American sentiment in the region and because the President had promised to bring the troops home as soon as he could.

Saudi Arabia and Kuwait have indicated that they would prefer to see a large contingent of American ground forces remain in the region at least for the better part of this year, but Mr. Bush is eager to fulfill his pledge that the war was not an excuse to install a permanent, large American ground force in the area.

He outlined his plan for "the world after war" that he will refine in a series of meetings with allied leaders next week.

#### 'Darker Side of Human Nature'

"Our uncommon coalition must now work in common purpose to forge a future that should never again be held hostage to the darker side of human nature," he said.

While Mr. Bush regards it as unseemly to grab credit, he appears to enjoy getting it as much as anyone else. Tonight, he allowed himself to gloat just a little, as he basked in the bipartisan applause and the national joy at the way the war cast out the demons of Vietnam and restored the luster to America's role as the pre-eminent world power.

Mr. Bush had been invited to Capitol Hill tonight for a celebration; politicians here wanted to capture and promote the feeling that the nation had moved beyond the gloomy sense of America's decline as a world and economic power, as well as years stained by political scandal and marred Presidencies.

"Tonight in Iraq, Saddam walks amidst ruin," Mr. Bush said, referring to Saddam Hussein, the Iraqi President. "His war machine is crushed. His ability to threaten mass destruction is itself destroyed. His people have been lied to, denied the truth. And when his defeated legions come home, all Iraqis

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will see and feel the havoc he has wrought."

The President made it clear that he is not yet finished his bout with Mr. Hussein, when he said: "And this I promise you: For all that Saddam has done to his own people, to the Kuwaitis, and to the entire world, Saddam and those around him are accountable."

He said that Americans must grieve not only for the people who suffered in Kuwait, but for the people of Iraq, "a people who have never been our enemy. My hope is that one day we will once again welcome them as friends into the community of nations."

Mr. Bush seemed to acknowledge

## 'The time has come to put an end to the Arab-Israeli conflict.'

that, now that he has acted so decisively and effectively abroad, he faces new expectations at home. He said that he hoped that the same sense of "mission" and "duty" would help America deal with her domestic problems.

"In the war just ended, there were clear-cut objectives, timetables and, above all, an overriding imperative to achieve results," he said. "We must bring that same sense of self-discipline, that same sense of urgency, to the way we meet challenges here at home."

"Our first priority is to get this economy rolling again," Mr. Bush said. He called on Congress to act quickly on initiatives on transportation and crime.

"If our forces could win the ground war in 100 hours, then surely Congress can pass this legislation in 100 days," Mr. Bush said, but the speech lacked any specific new proposals that might be read as a concession to the Democrats criticism that the White House lacks interest in domestic policy.

In the latest New York Times/CBS News Poll, the public expressed eager-

ness for Mr. Bush to shift his focus to the domestic economy. Sixty-one percent said he "should be paying more attention to the economy" now than he has been, while 32 percent said he has already been paying enough attention.

Republicans have been prodding President Bush to capitalize on his success in the Persian Gulf war by moving boldly on the domestic front, but they fear he may squander what they see as a rare opportunity.

While the President emphasized the need for new attention to the domestic front, he merely recapitulated legislative proposals the Administration has already put forth, including that the agenda is unimaginative and meager.

These included grants to local school boards to encourage programs that help give parents the choice of sending their children to private or parochial schools; an energy plan that focuses on the Administration's interest in allowing additional oil exploration on Alaska's North Slope; a civil rights bill that has been the center of an angry battle between the White House and civil rights groups; a crime program that includes increased penalties for repeat offenders who use guns, and a new highway bill.

Many members of Congress contend that civil rights and social welfare legislation is needed to improve the nation to which members of the armed forces will return. Often, they quote Lloyd George, the British Prime Minister, who said at the end of World War I that he wanted to make Britain "a fit country for heroes to live in."

While Mr. Bush has been preoccupied with the international response to Iraq's invasion of Kuwait, domestic problems have worsened. The number of jobless workers has increased by 700,000, to 7.7 million, since Aug. 2. The number of people receiving welfare and food stamps has risen sharply.

Barbara Bush sat in the balcony as her husband spoke, surrounded by her daughter, Dorothy LeBlond, her daughter-in-law, Margaret Bush, the Vice President's wife, Marilyn Quayle, and the spouses of cabinet officers.

Mr. Bush outlined what he called

"the four key challenges" that need to be met in the Middle East.

He said that the allied coalition must work together "to create shared security arrangements in the region."

"Our friends and allies in the Middle East recognize that they will bear the bulk of the responsibility for regional security," he said.

Working to secure the peace in the region, he said, "does not mean stationing U.S. ground forces on the Arabian Peninsula, but it does mean American participation in joint exercises involving both air and ground forces. And it means maintaining a capable U.S. naval presence in the region, just as we have for over 40 years."

Second, he said, the allies must act to control the proliferation of nuclear weapons and missiles in the region. "It would be tragic now, in the wake of war, to embark on a new arms race," he said. "Until Iraq convinces the world of its peaceful intentions — that its leaders will not use new revenues to rearm and rebuild its menacing war machine — Iraq must not have access to the instruments of war."

### Arab-Israeli Conflict

Third, he said, America must pursue new opportunities for peace in the Arab-Israeli conflict.

"All of us know the depth of bitterness that has made the dispute between Israel and its neighbors so painful and intractable," he said. "Yet, in the conflict just concluded, Israel and many of the Arab states have for the first time found themselves confronting the same aggressor."

"By now, it should be plain to all parties that peacemaking in the Middle East requires compromise," he said, adding that there must be "legitimate Palestinian political rights."

"I guarantee you," he said. "No one will work harder for a stable peace in the region than we will."

Finally, Mr. Bush said, "we must foster economic development for the sake of peace and progress."

"Resources once squandered on military might must be redirected to more peaceful ends," he said.

# Challenging Democrats, Israelis, Arabs

By Ann Devroy  
Washington Post Staff Writer

President Bush, at a pinnacle of popularity at home and influence abroad, outlined last night how he will employ his new strength: in the Middle East, a nudging of Israel into compromises that could produce a more peaceful region; at home, a challenge to the Democratic Congress to produce on his terms or be blamed for the nation's ills.

NEWS  
ANALYSIS

A senior administration official said yesterday that the Bush address amounted to "the first political rally" of the 1992 campaign season, and the domestic challenge to Democrats, amid the flags and yellow ribbons produced for the event by the Republicans, was that.

But the 40-minute paean to America's victory over Iraq also established some firm foreign policy goals for the administration in the weeks ahead, including the challenge to Israel, and the commitment to maintain a larger military presence in the Persian Gulf than before the war.

As Secretary of State James A. Baker III prepared to leave this morning for a trip to the region that will include his first visit to Israel, Bush put aside praise for the Jewish state's restraint in the Persian Gulf War and offered instead a challenge to Israel and the Arabs to accept compromises as the only route to peace.

"By now, it should be plain to all parties that peace-making in the Middle East requires compromise," Bush said after noting that in the gulf conflict, Israel and many of the Arab states for the first time "found themselves confronting the same aggressor."

Bush, in a clear commitment, pledged that securing the peace in the Middle East will be a priority beyond the lip service presidents often give that complex, unyielding region. "The time has come to put an end to the Arab-Israeli conflict," the president said, and added, "I guarantee you: No one will work harder for a stable peace in the region than we will."

The president reiterated what has been basic U.S. policy in the Arab-Israeli peace process, the requirement that a comprehensive settlement must be grounded in the two key United Nations Security Council resolutions, 242 and 338, and in the principle of Israel giving up occupied territory for peace.

Bush also referred to the administration's new two-track approach in the region, an effort to get not only an Israel-Palestinian dialogue started, but also dialogues between Israel and individual Arab states.

In what appeared to be a veiled threat to Israel, Bush also renewed complaints about Congress "micro-managing" foreign aid programs when he said a new world cannot be built abroad if at home "it's politics as usual" on programs such as foreign aid.

The issue first surfaced more than a year ago when Senate Minority Leader Robert J. Dole (R-Kan.) suggested that Congress slash 5 percent of the foreign aid of the top five recipients, Israel and four other nations, to give the administration some leeway in awarding foreign aid.

The suggestion, which the administration privately applauded, was widely seen as an effort to break the grip Israel, with its staunch friends in Congress, has on U.S. aid.

The administration just emerged this week from a bruising, behind the scenes battle over more aid to

Israel. Bush, with some reluctance, agreed to the assistance but not without complaining privately about the aggressive lobbying done by Israel's friends for what White House officials called "grossly exaggerated" levels of new aid.

Beyond the Arab-Israeli conflict, Bush sketched a more active U.S. military presence in the Persian Gulf than the naval forces there before the war. While he said U.S. ground forces will not be stationed on the Arabian Peninsula, American air and ground forces will participate in joint exercises in the region and a "capable" naval presence will be maintained.

Defense Secretary Richard B. Cheney said last week that the naval presence will be "at a higher level for the time being" and that friendly Arab nations had asked the United States to participate in joint exercises "so that we may be able to rotate units through the area, maybe pre-position some equipment" in the region.

On the domestic front, Bush employed what one official called "a good offense is the best defense" tactic. He ignored Democratic—and even some Republican—com-

plaints that he has no domestic policy, instead challenging Congress to pass in 100 days the programs he has requested to reduce crime, enhance civil rights, rebuild highways, and in energy and education policy.

Those packages are left over from last year, and they all face the same problem: the Democrats have alternative approaches, and have made a theme of accusing Bush of dabbling at the edges of domestic policy while his heart and most of his attention are overseas.

Rather than debate the merits of the various approaches, Bush and his allies laid out a strategy this week for portraying the Democrats as nay-saying dilettantes who withheld their support from the president in war and now are withholding it in peace.

Noting the speed with which the United States confronted and overcame the Iraqi challenge in the Persian Gulf region, Bush told the Congress, "If our forces could win the ground war in 100 hours, then surely the Congress can pass this legislation in 100 days."

Staff researcher Mark Stencel  
contributed to this report.

# Bush king of the Hill

By Frank J. Murray  
THE WASHINGTON TIMES

President Bush basked in the whoops and cheers of a Congress united in bipartisan exhilaration last night, accepting the thanks of the nation for victory in the Persian Gulf.

"As a commander in chief," Mr. Bush said in a nationally televised address to a joint session of Congress, "I can report to you: Our armed forces fought with honor and valor. As president, I can report to the nation: Aggression is defeated. 'The war is over.'"

The president told the session, meeting in the House chamber, that Saddam Hussein had been left walking "amidst ruin" by the crushing feat of allied arms, and he used the rare occasion of bipartisan bonhomie to lay out an agenda seeking to use the power displayed in the Arabian desert to improve "the world after war" both at home and abroad.

His "new world order," he said, must include settlement of the ancient Arab-Israeli conflict, based on U.N. Resolutions 242 and 338, to assure Israeli security and a Palestinian homeland. This was the strongest statement in that regard by an American president.

In a 31-minute speech interrupted 22 times by applause, Mr. Bush also said he had directed Defense Secretary Richard Cheney to "begin the immediate return of American combat units from the Gulf."

He said the first elements of the 24th Mechanized Infantry Division were scheduled to leave Saudi Arabia at 11 last night Washington time for Fort Stewart, Ga., just seven days after the tentative cease-fire with Iraq took effect.

"This is just the beginning of a

steady flow of American troops coming home," the president said, calling for a nationwide celebration of their return on the Fourth of July. "They may have missed Thanksgiving and Christmas, but I can tell you this: For them and their families, we can make this a holiday they'll never forget."

Before Mr. Bush spoke, House Speaker Thomas Foley of Washington broke tradition by postponing the introduction to convey "our warmest congratulations on the brilliant victory of the Desert Storm operation."

Mr. Bush said his first priority at home was "to get this economy rolling again" but also used the high of quick victory in the Persian Gulf as a launching point for his troubled domestic agenda to promote civil rights, highway construction, education choice, an energy strategy and the war on crime.

He bluntly called on Congress to follow the example of his 100-hour ground war by acting within 100 days on new anti-crime and transportation initiatives. That drew a self-conscious standing ovation that began on the GOP side and spread across the aisle.

"We must bring that same sense of self-discipline, that same sense of urgency, to the way we meet challenges here at home," he said.

"It's time to rise above the parochial and the pork barrel, to do what is necessary, what's right, and what will enable this nation to play the leadership role required of us," Mr. Bush said.

"If we can selflessly confront evil for the sake of good in a land so far away, then surely we can make this land all that it should be," he told a congressional audience whose enthusiasm belied divisions that led 43 percent of them to vote against authorizing Mr. Bush to use force against Iraq. Many in the audience wore large yellow buttons proclaiming: "I voted with the president."

Mr. Bush seemed to ignore those divided votes — 250-183 in the House and 52-47 in the Senate after three days of debate — when he praised lawmakers for their actions after he ordered an air war and ground invasion. "Support here for our troops in battle was overwhelming," he said.

Mr. Bush said the American commitment in the Middle East would not end until four goals were met:

- Coalition partners must become "a force for peace and security in the region" but will not include U.S. ground troops.

- Proliferation of chemical and nuclear weapons must be controlled along with the missiles used to drop them on distant targets.

- "An end to Arab-Israeli conflict."
- Economic development must peacefully foster prosperity "for all people of the region."

Mr. Bush noted, however, that "we cannot lead a world abroad if, at home, it's politics as usual on American defense and diplomacy."

"It's time," he said, "to turn away from the temptation to protect unneeded weapons systems and obsolete bases. It's time to put an end to micromanagement of foreign and security assistance programs, micromanagement that humiliates our friends and allies and hampers our diplomacy."

Calling for a settlement of the Israeli-Palestinian issue that he had said was not linked to Iraq's surrender seemed the main difference in what was otherwise an enthusiastic restatement of U.S. policy. He said no agreement could stop short of security and recognition for Israel and "legitimate Palestinian political rights."

U.N. Security Council Resolution 242, passed in 1967, calls for Israel to withdraw from occupied Arab territories and the recognition of Israel's right to live in peace within secure boundaries. Resolution 338, which called for an end to the 1973 Arab-Israeli war, reaffirms that.

Early in the speech, the president praised the wildly popular commander of allied forces, Gen. Norman Schwarzkopf, whom he called "the tower of calm at the eye of Desert Storm."

"The brave men and women of Desert Storm . . . set out to confront an enemy abroad and in the process they transformed a nation at home," he said.

"Aggression is defeated. The war is over," Mr. Bush told the jubilant audience of House and Senate, the Supreme Court, his Cabinet, and foreign diplomats. At one point, he singled out Kuwaiti Ambassador Saud Nasir Sabah, seated three rows from the back of the crowded hall. The ambassador stood, waved and clasped his hands above his head like a prizefighter.

"Saddam walks amidst ruin. His war machine is crushed. His ability to threaten mass destruction is itself destroyed," he said.

Congress cheered Mr. Bush as never before. The only greeting that rivaled last night's was given to Ronald Reagan after he recovered from an assassination attempt, but last night the fervor lasted throughout an address that brought the audience to its feet 11 times.

If there is any lasting truth to polls showing Mr. Bush at unparalleled popularity, Democrats may have been cheering the instrument of impending political doom.

The Capitol Hill mood was so receptive that Mr. Foley and Senate Majority Leader George Mitchell of Maine did not request time to answer Mr. Bush, as has been the opposition practice since Republicans pioneered it after Lyndon Johnson's 1966 State of the Union speech.

An official in the Democratic leadership office said the decision to let Mr. Bush's remarks stand alone was based on an "extraordinary situation."

The Democratic leaders were catching up with public opinion that already had rocketed Mr. Bush's popularity to levels no president ever enjoyed.

The mood was contagious.

Aboard an aircraft carrier at Mayport, Fla., Barbara Bush nearly set off a riot by saying, "This country is truly wrapped in yellow ribbons. . . I'm proud of George Bush."

Recalling her husband's service as a Navy pilot in World War II, she told the families of present-day Navy airmen, "He's been there and he's never forgotten what it's like to answer the call for this great country of ours."

"While the rest of us take quiet pride in the magnificent job they have done, I think it entirely appropriate for you — their family and friends — to shout your heads off with pride and joy," she said.

## BUSH AGENDA

### In the Middle East

- U.S. and allied security role.
- Control of weapons.
- An end to Arab-Israeli conflict.
- Solutions in Lebanon and a return of hostages.
- Economic development, freedom and prosperity.

### At Home

- First priority: "get economy rolling."
- Crime legislation
- A National Energy Strategy
- Civil rights legislation
- A new highway bill
- Expanded choice in education

# Bipartisan audience basks in Bush's triumph

By Major Garrett  
THE WASHINGTON TIMES

Congress gave President Bush his most enthusiastic and bipartisan reception ever as he delivered a stirring tribute to U.S. troops in the Gulf and a call to arms against nagging domestic ills.

Lawmakers applauded as Mr. Bush announced his top priorities — he wants Congress to pass anti-crime and highway reconstruction legislation within 100 days.

"I don't think that's too ambitious," said Sen. John Kerry, Massachusetts Democrat. "I don't think Congress has been pushing this stuff enough."

House Majority Leader Richard

Gephardt, Missouri Democrat, said: "I take him seriously. . . . I really think the country is interested in the unity and resolve they saw in the war."

Senate Minority Leader Robert Dole, Kansas Republican, said: "Congress talks a good game. . . . Now it's up to us to meet our president's domestic challenge."

Although a crime bill could sail through Congress, lawmakers said a highway bill could easily get tangled in regional squabbles that often transcend party lines.

Most lawmakers viewed last night's address as the capstone to Mr. Bush's masterful handling of the war. Many said the president's pop-

ularity would make him a powerful force in the coming months.

"He's on a roll," said Rep. Larry Smith, Florida Democrat. "If he throws his weight around, his bills will move much more rapidly."

"He'll be able to spend some of his popularity on domestic issues, but he must select them carefully," said a political analyst, James Thurber, director of the Center for Congressional and Presidential Studies at American University. "The American people want just a few issues at a time."

Mr. Bush's call for a settlement of the Arab-Israeli conflict brought cautionary words from some lawmakers. "Territory for peace is a

buzzword that sets a lot of people on edge," said Mr. Smith, an ardent supporter of Israel.

But others foresaw a rare opportunity for the United State to play a leading role in the Middle East.

"We must move swiftly to ensure that the leadership we have provided leaves a constructive imprint on the region," said Sen. Richard Lugar, Indiana Republican.

Overall, Congress seemed as caught up in the thrilling aftermath of the war as Mr. Bush.

Behind the scenes, however, there has been partisan skirmishing over which party did more to win the war.

Two Republicans who view politics as a contact sport on par with

rugby, Texas Sen. Phil Gramm and Georgia Rep. Newt Gingrich, have wasted no time in criticizing Democrats who voted against the war resolution. To rub it in, Republicans wore yellow buttons that read "I voted with the president."

From their point of view, Democrats who voted for sanctions came within an eyelash of undercutting Mr. Bush's Gulf policy and thus have no right to celebrate the subsequent victory.

But Congress wanted to bask in the president's overflowing popularity, which was one reason the Democratic leadership invited him to address them.

This act of polite bipartisanship — engineered by House Speaker Thomas Foley and Senate Majority Leader George Mitchell — reflected well on the party generally, and allowed vulnerable Democrats to share the rare moment with those back home via the dozens of TV interviews conducted afterward in Statuary Hall.

Earlier in the day, Sen. Albert Gore, Tennessee Democrat and one of the few credible presidential aspirants who voted to use force in the Gulf, led his party's counteroffensive, asking in a speech on the Senate floor: "Did Republicans view their votes as political chips to be cashed in later?"

## HISTORY

# Bush makes history on Hill

By Alan McConagha  
THE WASHINGTON TIMES

President Bush's speech to a wildly enthusiastic joint session of Congress last night was as unprecedented in recent American history as the swift, decisive victory in the Persian Gulf.

Historians were hard put to find a precise analogy for last night's moment of triumph. For one thing, they said, there has not been such a clear-cut American military victory since World War II ended in 1945.

"Presidents come [to the Capitol] for different reasons," said Raymond Smock, historian for the House of Representatives. "But obviously, we have not had a war like this to celebrate before."

Richard Baker, historian of the Senate, said, "In terms of the broader context and whole purpose for the visit [to Congress], there is nothing to compare" in recent memory with last night's presidential moment.

Historian James McGregor Burns said the period that followed the 1962 Cuban missile crisis may have produced similar emotions of relief and victory. President Kennedy, however, did not speak to Congress at the time.

President Franklin D. Roosevelt did not live to see the end of World War II. His last speech to a joint session occurred March 1, 1945. It was a report on the widely criticized Yalta Conference.

Roosevelt's successor, Harry S. Truman, was warmly received by both houses on April 16, 1945. But the war was still on, and he devoted himself to a statement on the continuing prosecution of the conflict.

He was followed to joint sessions of Congress by the winning military leaders. Gen. George Marshall and Dwight D. Eisenhower, and Adm. Chester Nimitz were hailed in separate appearances at the war's end.

The most famous post-World War II joint session relating to the armed forces was the appearance of Gen. Douglas MacArthur on April 19, 1951, after being relieved of the command of United Nations forces fighting in Korea.

In the middle of an emotional and political crisis over his removal by President Truman, the general bid the nation farewell and reminded it that "old soldiers never die; they just fade away."

Entirely different in spirit was Gen. William C. Westmoreland's appearance on April 28, 1967, in which he spoke of body counts and the need for a nation united against an elusive enemy in Vietnam.

Reaching more deeply into the past, historians noted Gen. John J. Pershing received wild applause at a joint congressional session on Sept. 8, 1919, after a triumphant return from World War I.

Congress gave him "a hero's welcome," said Mr. Smock, the House historian. "He was the first field commander to appear before Congress and was incredibly popular all around the country."

President Wilson's appearances before Congress at the end of the war did not stir the same euphoria, at least in part because political opposition was growing over his vision for a postwar settlement.

The practice of presidential visits to Congress generally fell into disuse after the presidency of Thomas Jefferson, and Wilson is credited with re-establishing the appearances.

For the most part, presidents used their speeches before both houses of Congress to make an annual report on the state of the nation or to ask for congressional help with some problem.

Abraham Lincoln was assassinated just after the end of the Civil War. Three days before his death he made his last public address from a White House balcony — a reasoned plea for reacceptance of Louisiana into the Union to start a new era.

# Triumph too spicy for left

By Ralph Z. Hallow  
THE WASHINGTON TIMES

Many liberals sip the heady wine of America's Persian Gulf triumph and taste only the brackish water of defeat.

"Triumphalism" is the new word for what they see wrong with America now. They're arguing that the easy defeat of Iraq will turn the United States toward increased military interventionism abroad.

"From a purely military viewpoint, we won a substantial victory," says Sen. Paul Simon, Illinois Democrat. "The real danger is that we learned the wrong lesson from Iraq. We were just incredibly lucky. We

fought a fool who made all kinds of military errors."

The upshot, he says, will be to distract from such "pressing domestic needs as education and infrastructure" a Republican administration that may be all too eager for such distraction in the first place.

Striking a similar theme, syndicated columnist Ellen Goodman of the Boston Globe warns that the war's "victorious ends will surely be used to justify the peacetime means: the military budget and the buildup of the 1980s that came at the cost of bridges and schools and children."

Like many other "peace liberals," Miss Goodman worries that victory in war, any war, teaches bad things at home.

She recounts, for example, the experience of a third-grade teacher who, at recess, "stopped a fight on the playground with her usual routine admonition: 'This is not the way we solve problems.' On the faces of her children there was a look of disbelief."

Not all in Mr. Simon's party see the victory over Iraq as quite so blemished. Former Sen. Gary Hart, a mainstream, big-picture Democrat, dismisses those who try to make the case that the only thing worse than losing a war is winning it.

"Any attempt to turn this victory into a defeat seems like a fool's errand," Mr. Hart says in an interview. "The American people want to accept things as they appear. They won a substantial military victory at less cost than expected. The left, if that's what it's trying to do, can't take that away."

Even concern about the administration's being distracted from domestic problems is misplaced, says Mr. Hart. The president will not be able "to ignore people sleeping in doorways or the nation's concern about the quality of its schools."

"Triumphalism will last till the next powder keg blows up. It's like a political victory. It's over in a fortnight. [You] realize you didn't settle all problems in winning one engagement."

The administration dismisses the notion that the United States will embrace either triumphalism or the role of global policeman.

"President Bush has made it clear there will be no gloating, just as there will be no more Vietnams," says James Pinkerton, the White House domestic policy planning chief. "He is leading the country down a middle path of confidence in our technology and certitude about our global mission: to defend and ex-

pand the free world."

Even in the Republican Party there are some who see implied in this formulation what they distrust most, the export of democracy as a national mission.

There's a partial meeting of the minds on the part of those on the left and those on the right who advocate a more inward-looking America.

"The left fears the GOP will become the Pretorian party of Amer-

ican politics, and part of the right fears that, too," says Robert Robins, a professor of political science at Tulane University in New Orleans.

"Part of the Old Right like myself find some areas of similarity with the Old Left," says Mr. Robins. "Now, with the end of the Cold War, there should be a decrease of military expenditure and exercise of military force."

As Mr. Robins sees it, America was "always most effective when it stood as an example. There is a danger we are going to become the new Rome."

Ronald King, his liberal Democratic colleague at Tulane, picks up on Ellen Goodman's theme: "It is somewhat curious that the administration could raise \$80 billion for this war but not a nickel for education."

"It is possible, of course, that triumphalism could be a spur for Bush to address fundamental domestic issues, but I see no signs this is going to happen. George Bush is basically a tread-water domestic president."

Conservative opponents of big government look at Mr. Bush and see

just the opposite — a president who has shown himself willing to go along with the left in generous spending on education and other perceived federal needs.

Borrowing the liberals' "triumphalism" but approaching it differently, Mr. Robins warns that "triumphalism" will have the effect of corrupting republican institutions.

"The left dislikes foreign adventures for fear of what they will do to the foreign countries involved," Mr. Robins says. "Conservatives like myself are more concerned about what foreign adventures will do to our

own country."

William S. Lind, director of the Center for Cultural Conservatism, sees another difference.

"The two sides differ completely in understanding the nature of the domestic problem," he says. The left, including most liberals, sees things in terms of government-driven solutions, while the right continues to see such statism as part of the problem.

"The Old Right sees problems at home as the collapse of traditional Western culture, and I share their view on that," Mr. Lind says. "The

left sees it as the opposite. We have not made the transition to the new radical culture that the left is promoting. The code words for the left are 'injustice and oppression,' and for those on the right, 'decay and decline.'"

Mr. Simon, Mr. King and Miss Goodman also worry about the domestic effect. But while their concern is that the effect will be less attention and money devoted to education and the homeless, Mr. Robins worries about increased taxes to finance wars and the military machine that makes them possible.

**H**OUSE SPEAKER THOMAS S. FOLEY (D-Wash.): Mr. President, it is customary at joint sessions for the chair to present the president to the members of Congress directly and without further comment.

But I wish to depart from tradition tonight and express to you on behalf of the Congress and the country and, through you, to the members of our armed forces, our warmest congratulations on the brilliant victory of the Desert Storm operation.

Members of the Congress, I now have the high privilege and distinct honor of presenting to you the president of the United States.

**PRESIDENT BUSH:** Mr. President. Mr. Speaker, thank you, sir, for those very generous words, spoken from the heart, about the wonderful performance of our military.

Members of Congress: Five short weeks ago I came to this House to speak to you about the State of the Union. We met then in time of war. Tonight, we meet in a world blessed by the promise of peace.

From the moment Operation Desert Storm commenced on Jan. 16 until the time the guns fell silent at midnight one week ago, this nation has watched its sons and daughters with pride, watched over them with prayer. As commander-in-chief, I can report to you: Our armed forces fought with honor and valor. As president, I can report to the nation: Aggression is defeated. The war is over.

This is a victory for every country in the coalition and for the United Nations, a victory for unprecedented international cooperation and diplomacy, so well led by our secretary of state, James [A.] Baker [III]. It is a victory for the rule of law and for what is right.

Desert Storm's success belongs to the team that so ably leads our armed forces—our secretary of defense and our chairman of the Joint Chiefs, Dick Cheney and Colin Powell.

And, while you're standing, this military victory also belongs to the one the British call the "Man of the Match"—the tower of calm at the eye of Desert Storm—Gen. [H.] Norman Schwarzkopf.

And let us—recognizing this was a coalition effort—let us not forget Saudi Gen. Khalid [Bin Sultan], or Britain's Gen. [Peter] de la Billiere, or Gen. [Michel] Roquejoffre of France, and all the others whose leadership played such a vital role. And, most importantly, most importantly of all, all those who served in the field.

I thank the members of this Congress. Support here for our troops in battle was overwhelming. And, above all, I thank those whose unflinching love and support sustained our courageous men and women. I thank the American people.

### **A Common Purpose: 4 Future Challenges**

Tonight I come to this House to speak about the world—the world after war.

The recent challenge could not have been clearer. [Iraqi President] Saddam Hussein was the villain, Kuwait the victim. To the aid of this small country came nations from North America and Europe, from Asia and South America, from Africa and the Arab world, all united against aggression.

Our uncommon coalition must now work in common purpose to forge a future that should never again be held hostage to the darker side of human nature.

Tonight in Iraq, Saddam walks amidst ruin. His war machine is crushed. His ability to threaten mass destruction is itself destroyed. His people have been lied to, denied the truth. And when his defeated legions come home, all Iraqis will see and feel the havoc he has wrought. And this I promise you: For all that Saddam has done to his own people, to the Kuwaitis and to the entire world, Saddam and those around him are accountable.

All of us grieve for the victims of war, for the people of Kuwait and the suffering that scars the soul of that proud nation. We grieve for all our fallen soldiers and their families, for all the innocents caught up in this conflict. And, yes, we grieve for the people of Iraq, a people who have never been our enemy. My hope is

that one day we will once again welcome them as friends into the community of nations.

Our commitment to peace in the Middle East does not end with the liberation of Kuwait. So tonight let me outline four key challenges to be met.

First, we must work together to create shared security arrangements in the region. Our friends and allies in the Middle East recognize that they will bear the bulk of the responsibility for regional security. But we want them to know that just as we stood with them to repel aggression, so now America stands ready to work with them to secure the peace.

This does not mean stationing U.S. ground forces on the Arabian Peninsula, but it does mean American participation in joint exercises involving both air and ground forces. It means maintaining a capable U.S. naval presence in the region, just as we have for over 40 years. Let it be clear: Our vital national interests depend on a stable and secure gulf.

Second, we must act to control the proliferation of weapons of mass destruction and the missiles used to deliver them. It would be tragic if the nations of the Middle East and Persian Gulf were now, in the wake of war, to embark on a new arms race. Iraq requires special vigilance. Until Iraq convinces the world of its peaceful intentions—that its leaders will not use new revenues to rearm and rebuild its menacing war machine—Iraq must not have access to the instruments of war.

And third, we must work to create new opportunities for peace and stability in the Middle East. On the night I announced Operation Desert Storm, I expressed my hope that out of the horrors of war might come new momentum for peace. We have learned in the modern age geography cannot guarantee security and security does not come from military power alone.

All of us know the depth of bitterness that has made the dispute between Israel and its neighbors so painful and intractable. Yet, in the conflict just concluded, Israel and many of the Arab states have for the first time found themselves confronting the same aggressor. By now, it should be plain to all parties that peacemaking in the Middle East requires compromise. At the same time, peace brings real benefits to everyone. We must do all that we can to close the gap between Israel and the Arab states—and between Israelis and Palestinians. The tactics of terror lead nowhere. There can be no substitute for diplomacy.

A comprehensive peace must be grounded in United Nations Security Council Resolutions 242 and 338 and the principle of territory for peace. This principle must be elaborated to provide for Israel's security and recognition, and at the same time for legitimate Palestinian political rights. Anything else would fail the twin tests of fairness and security. The time has come to put an end to Arab-Israeli conflict.

The war with Iraq is over. The quest for solutions to the problem in Lebanon, in the Arab-Israeli dispute, and in the gulf must go forward with new vigor and determination. And I guarantee you: No one will work harder for a stable peace in the region than we will.

Fourth, we must foster economic development for the sake of peace and progress. The Persian Gulf and Middle East form a region rich in natural resources with a wealth of untapped human potential. Resources once squandered on military might must be redirected to more peaceful ends. We are already addressing the immediate economic consequences of Iraq's aggression. Now the challenge is to reach higher—to foster economic freedom and prosperity for all people of the region.

By meeting these four challenges, we can build a framework for peace. I've asked Secretary of State Baker to go to the Middle East to begin the process. He will go to listen, to probe, to offer suggestions and to advance the search for peace and stability. I have also asked him to raise the plight of the hostages held in Lebanon. We have not forgotten them, and we will not forget them.

To all the challenges that confront this region of the world, there is no single solution, no solely American answer. But we can make a difference. America will work tirelessly as a catalyst for positive change.

But we cannot lead a new world abroad if, at home, it's politics as usual on American defense and diplomacy. It's time to turn away from the temptation to pro-

tect unneeded weapons systems and obsolete bases. It's time to put an end to micromanagement of foreign and security assistance programs, micromanagement that humiliates our friends and allies and hamstringing our diplomacy. It's time to rise above the parochial and the pork barrel, to do what is necessary, what's right and what will enable this nation to play the leadership role required of us.

The consequences of the conflict in the gulf reach far beyond the confines of the Middle East. Twice before in this century, an entire world was convulsed by war. Twice this century, out of the horrors of war hope emerged for enduring peace. Twice before, those hopes proved to be a distant dream, beyond the grasp of man.

Until now, the world we've known has been a world divided—a world of barbed wire and concrete block, conflict and cold war.

### **A New World Order and Enduring Peace**

Now, we can see a new world coming into view. A world in which there is the very real prospect of a new world order. In the words of Winston Churchill, a "world order" in which "the principles of justice and fair play . . . protect the weak against the strong. . . ." A world where the United Nations, freed from Cold War stalemate, is poised to fulfill the historic vision of its founders. A world in which freedom and respect for human rights find a home among all nations.

The gulf war put this new world to its first test, and, my fellow Americans, we passed that test.

For the sake of our principles, for the sake of the Kuwaiti people, we stood our ground. Because the world would not look the other way, Ambassador [Saud Nasir] al Sabah, tonight, Kuwait is free.

Tonight as our troops begin to come home, let us recognize that the hard work of freedom still calls us forward. We've learned the hard lessons of history. The victory over Iraq was not waged as "a war to end all wars." Even the new world order cannot guarantee an era of perpetual peace. But enduring peace must be our mission.

Our success in the gulf will shape not only the new world order we seek but our mission here at home.

In the war just ended, there were clear-cut objectives, timetables and, above all, an overriding imperative to achieve results. We must bring that same sense of self-discipline, that same sense of urgency, to the way we meet challenges here at home.

In my State of the Union address and in my budget, I defined a comprehensive agenda to prepare for the next American century.

Our first priority is to get this economy rolling again. The fear and uncertainty caused by the gulf crisis is understandable. But now that the war is over, oil prices are down, interest rates are down and confidence is rightly coming back. Americans can move forward—to lend, spend and invest in this, the strongest economy on Earth.

We must also enact the legislation that is key to building a better America. For example, in 1990, we enacted an historic Clean Air Act, and now we've proposed a national energy strategy. We passed a child care bill that put power in the hands of parents, and today we're ready to do the same thing with our schools and expand choice in education. We passed a crime bill that made a useful start in fighting crime and drugs. This year, we're sending to Congress our comprehensive crime package to finish the job. We passed the landmark Americans With Disabilities Act, and now we've sent forward our civil rights bill. We also passed the aviation bill. This year, we've sent up our new highway bill. And these are just a few of our pending proposals for reform and renewal.

So tonight, I call on the Congress to move forward aggressively on our domestic front. Let's begin with two initiatives we should be able to agree on quickly: transportation and crime. And then, let's build on success with those and enact the rest of our agenda. If our forces could win the ground war in 100 hours, then surely the Congress can pass this legislation in 100 days. Let that be a promise we make tonight to the American people.

When I spoke in this House about the state of our union, I asked all of you: If we can selflessly confront

evil for the sake of good in a land so far away, then surely we can make this land all that it should be. In the time since then, the brave men and women of Desert Storm accomplished more than even they may realize. They set out to confront an enemy abroad and, in the process, they transformed a nation at home.

Think of the way they went about their mission—with confidence and quiet pride. Think about their sense of duty, about all they taught us about our values, about ourselves.

We hear so often about our young people in turmoil, how our children fall short, how our schools fail us, how American products and American workers are second class. Well, don't you believe it. The America we saw in Desert Storm was first-class talent. And they did it using America's state-of-the-art technology.

We saw the excellence embodied in the Patriot missile and the patriots who made it work. And we saw soldiers who know about honor and bravery and duty and country and the world-shaking power of these simple words.

There is something noble and majestic about the pride, about the patriotism that we feel tonight.

So, to everyone here and everyone watching at home, think about the men and women of Desert Storm. Let us honor them with our gratitude. Let us comfort the families of the fallen and remember each precious life lost.

Let us learn from them as well. Let us honor those who have served us by serving others.

Let us honor them as individuals—men and women of every race, all creeds and colors—by setting the face of this nation against discrimination, bigotry and hate. Eliminate them.

I'm sure many of you saw on television the unforgettable scene of four terrified Iraqi soldiers surrendering. They emerged from their bunker broken, tears streaming from their eyes, fearing the worst. And then there was the American soldier. Remember what he said? He said: "It's okay. You're all right now. You're all right now."

That scene says a lot about America, a lot about who we are. Americans are a caring people. We are a good people, a generous people. Let us always be caring and good and generous in all we do.

### **Coming Home for a Special 4th of July**

Soon, very soon, our troops will begin the march we've all been waiting for—their march home. And I have directed Secretary Cheney to begin the immediate return of American combat units from the gulf. Less than two hours from now, the first planeload of American soldiers will lift off from Saudi Arabia, headed for the U.S.A. That plane will carry men and women of the 24th Mechanized Infantry Division bound for Fort Stewart, Georgia. This is just the beginning of a steady flow of American troops coming home.

Let their return remind us that all those who have gone before are linked with us in the long line of freedom's march. Americans have always tried to serve, to sacrifice nobly for what we believe to be right.

Tonight, I ask every community in this country to make this coming Fourth of July a day of special celebration for our returning troops. They may have missed Thanksgiving and Christmas, but I can tell you this: For them and for their families, we can make this a holiday they'll never forget.

In a very real sense, this victory belongs to them, to the privates and the pilots, to the sergeants and the supply officers, to the men and women in the machines and the men and women who made them work. It belongs to the regulars, to the reserves, to the National Guard. This victory belongs to the finest fighting force this nation has ever known in its history.

We went halfway around the world to do what is moral and just and right. We fought hard and, with others, we won the war. We lifted the yoke of aggression and tyranny from a small country that many Americans had never even heard of, and we ask nothing in return.

We're coming home now—proud, confident, heads high. There is much that we must do, at home and abroad, and we will do it. We are Americans.

May God bless this great nation, the United States of America. Thank you all very, very much.

On the Air**Bush,  
Leading  
The Cheers****On the Hill, the  
Drumbeat of Victory**

By Tom Shales  
Washington Post Staff Writer

George Bush, all but drunk on popularity, got a rousing reception from a joint session of Congress for his speech on the subject of winning the Persian Gulf War last night. But the television spectacle had a distinct sour side, an aura of boastfulness and nationalistic bravado that seemed inappropriate and ungracious.

It was as if Bush were trying to take all the fun out of having won the war.

The point of the speech was basically to wallow and gloat about the defeat of Iraq and to expand that good news into glittering generalities about America's being Number

One in the world again, about her superiority and prestige, about the righteousness and wonderfulness of us.

At the same time, the president seemed to signal a harder line toward Israel, the ally that repeatedly turned the other cheek when attacked by Saddam Hussein's Scud missiles. This newsworthy note was, however, ignored by most network commentators who were too busy hailing and praising the speech right after it ended. No one wants to be seen trying to lay a glove on a president with a 90 percent approval rating.

The best moment of the speech seemed to take even Bush by surprise. Recalling news footage of fearful Iraqi soldiers surrendering to American GIs and being told by a soldier, "It's okay, you're all right now," Bush's voice cracked and his eyes grew moist. The camera zoomed in on them.

"That scene says a lot about America, a lot about who we are," Bush went on, clearly moved. "Americans are a caring people. We are a good people, a generous people. Let us always be caring and good and generous in all we do."

It was the most beautifully written passage of the speech by far. And Bush's show of emotion was refreshing in a leader who has sometimes seemed to lack it. Of course the reason for the cracking voice and tearful eyes, the reason even Bush seemed taken aback by what he said, may have been that he hadn't read

the speech many times before delivering it; at several points, he stumbled over words and botched up phrasing.

He pronounced the word "missile" so deliberately that he sounded like he was doing an impression of Dana Carvey doing his impression of George Bush.

Peter Jennings, in his own awkward way, took note of the high point of the speech on ABC, saying that Bush was "seeming more than normal to be moved" and "seeming to just suppress a lump in his throat." On CBS, Dan Rather, whose voice cracked regularly during war coverage, seemed oblivious to Bush's best moment, as did correspondent Bob Schieffer, who simply gushed that this was "one of the better speeches" of the Bush administration. Yes, but is that saying much?

A vaguely ugly jingoistic tone was not entirely Bush's fault. His audience in the House of Representatives, obviously fearing they might not look properly thrilled and elated over the popular president's words, played the jolly jump-up game, leaping into ovations whenever given half a chance. They stood up so many times you could almost hear the knees cracking.

A shot of Mrs. Bush during the speech, however, found her looking, at one point, rather bored. Maybe she'd heard it in the car on the way over.

There's an old high school slogan that goes "Modest in victory, gracious in defeat." George Bush's speech last night failed that test.

*Jim Hoagland*

# 'Boosh! Boosh!'

PARIS—When Ronald Reagan dispatched the U.S. Marines to Lebanon in 1982, he told congressional leaders that the Marines would do their job quickly and leave with the cheers of that grateful Arab nation ringing in their ears. The Lebanese would gather on the dockside, wave American flags and hail the Americans as liberators, just as Filipinos sent Gen. Douglas MacArthur and his men off as heroes, Reagan promised.

I witnessed a scene something like Reagan's fantasy on Sunday. But it happened in Kuwait City, not Beirut. And the American president who was exalted by cheering Arabs as their liberator was not Ronald Reagan. It was George Bush, the once obedient sidekick who has just erased any remnant of Reagan's shadow on his own presidency with the stunning victory of Operation Desert Storm.

It was a victory the likes of which Reagan never achieved. True, circumstances never dealt him quite the same hand. But as I watched joyful Kuwaitis dancing on their debris-strewn seafront, wrapped in U.S. flags and shouting "Boosh! Boosh!" it struck me that Reagan, a political giant in some respects, could never have achieved this victory.

Desert Storm defines the differences between the 40th and 41st presidents of the United States as nothing else has. And it is a contrast all in Bush's favor.

Reagan went for easy successes (Grenada) while walking away from challenges that turned out to be difficult (Lebanon) by pretending they had never happened. The retreat from Lebanon was announced by a mimeographed press release in late evening while Reagan was incommunicado on an airliner.

The ill-starred Lebanon adventure, which ended with the death on a Sunday of three times as many U.S. servicemen as were killed in the six months of the Persian Gulf War, illustrated Reagan's lack of patience, inattention to detail and inability to stop destructive infighting within his own Cabinet even when the president said "vital national interests" were at stake.

Patience, attention to detail and teamwork are precisely the qualities that Bush has shown, particularly in the Gulf crisis endgame when he consistently wrong-footed his adversaries abroad and his rivals at home by never leaving them the initiative. Bush doggedly built up a military and diplomatic pincer movement that required a concentration of effort and

*"It was a victory the likes of which Reagan never achieved."*

national risk-taking that were alien to Reagan's style of governing.

The public images of Reagan and Bush would have it otherwise. Reagan, as the Great Communicator, should have been able to inspire a nation to undertake sacrifice more easily than Bush, the man of mangled syntax. But appearances deceive. Desert Storm is one of those events that tell us something we would already know if we had been paying more attention.

What is striking when you look back on the memoirs of Stockman, Speakes, Haig, Noonan and the others is the lack of confidence the people who worked most closely with Ronald Reagan had in their president. They liked, revered or idolized him. But they never trusted him to undertake and lead a protracted clash of wills and resources. They never followed him without thinking they knew better.

That is why George Shultz and Caspar Weinberger could continue to wrangle over whether and how the Marines should be in Lebanon long after they had been placed in exposed positions by the president. And if we go back and read David Stockman on James Baker's various schemes to protect Reagan from himself, we may gain insight into why Bush's secretary of state was the only member of this team who conveyed to reporters some unease with the president's bold military course in confronting Saddam Hussein.

Conversations with a few persons in the small circle of people who work or have worked closely with Bush suggest to me that the president inspires a loyalty in and a genuine confidence from his staff that are surprising in the increasingly hard-bitten, cynical folkways of official Washington.

Among his fellow politicians and my fellow journalists in Washington has lingered a distrust of Bush that borders on scorn. His actions in the 1988 campaign earned him some of that. But the distrust, at least until now, has been both broader and deeper than simple reaction to Willie Hortonism. It was the lack of faith in Bush as a leader that led many in the Federal City to doubt that Desert Storm would work in the first place.

It did, in part because the people working for Bush were willing to follow his lead without second-guessing him in public, while he did the same with them. The quiet competence that made Bush a nonentity in the Technicolor days of the Reagan White House serves Bush well in his own White House.

DATE: Friday March 8, 1991

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# THE DAILY NEWS SUMMARY

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FILE



# For Democrats, '92 Nightmare in Offing

## Activity by Would-Be Candidates Bumps Up Against Bush Popularity

By Thomas B. Edsall  
and E.J. Dionne Jr.  
Washington Post Staff Writers

Like Sleeping Beauty, the Democratic presidential nomination lies there waiting to be kissed as wary politicians hover over her, wondering whether instead of dozing, she may be dead.

Still, Democratic suitors circle in the hope that despite all the signs of a calamity for their party in 1992, their nomination will be worth having. In the first week after the allied military victory over Iraq produced dream-like approval ratings for President Bush, there has been a flurry of political activity, including:

■ Former Massachusetts senator Paul Tsongas, an unknown com-

modity to much of the nation, saying yesterday he will enter the contest in a few weeks to run as an "aggressively pro-business liberal," combining strong support for environmental and social legislation with a belief that Democrats "must drop the old rhetoric of class warfare and corporate bashing."

■ In one of those emblematic personnel moves noticed only by the most ardent aficionados of presidential politics, House Majority Leader Richard A. Gephardt (D-Mo.) announcing that he has rehired Don Foley, a key aide in Gephardt's 1988 presidential bid, "to coordinate political and fund-raising activities."

■ Sen. Albert Gore Jr. (D-Tenn.) who voted for the congressiona

resolution authorizing the use of force against Iraq, trying to build on this advantage by assailing Republicans for attempting to score political points off Democrats who voted against the war. In doing so, Gore himself has scored points by currying favor with those who disagreed with his stand on the war. Aides to Gore who once doubted whether he would run in 1992 say he is seriously considering the contest.

■ Virginia Gov. L. Douglas Wilder, who has resolutely refused to raise state taxes, pressing his highly unusual message as an anti-tax Democrat, intriguing party strategists with the prospect that a black candidate could also be one of the most conservative in the field.

■ Senate Majority Leader George J. Mitchell (Maine) becoming one of the Democrats' most visible spokesmen and some of his colleagues, particularly such northern liberals as Sen. Paul Simon (D-Ill.), encouraging him to consider seeking the 1992 nomination. Still, Simon said yesterday that "the odds are probably against" Mitchell running.

■ Some Democrats, fearing that the party could end up with a weak nominee who would drag Democratic House and Senate candidates down to defeat, trying to draft a "safe candidate" such as Sen. Lloyd Bentsen (Tex.), the 1988 vice presidential nominee. The theory behind the draft movement is that he would provide protection for Senate and House candidates, even if he lost.

In an effort to stop the flood of pessimism that has engulfed the

party, top congressional Democrats and Democratic National Committee officials have been lecturing some of the party's political consultants on the need to avoid funereal talk.

Whether as the result of these entreaties or not, a new line began emerging from top Democrats yesterday that the party's 1992 nomination would be very much worth having.

"The nomination is such a huge prize that it won't go begging," said Geoff Garin, a Democratic polltaker. "For four or five months, the Democratic nominee for president will be the second most important politician in America."

Not all Democratic consultants, however, were toeing this line. Pollster Harrison Hickman said "the odds of having a contested presidential election in this country are only slightly better than having a contested presidential election in Kuwait."

One potential candidate who does

not share that view is Gephardt, who has been quietly assembling a network of experienced advisers and continues to send messages to potential donors to keep their checkbooks ready.

The possibility of a paucity of candidates has stirred speculation that a number of long shots may run, including two from Massachusetts, home state of former governor Michael S. Dukakis, who led the party to defeat in 1988. Besides Tsongas, Boston University President John Silber, who lost a race for governor last fall, also could be a candidate. Former senator George McGovern (S.D.), who in 1972 carried just one state as the Democratic nominee, has been counting support in Iowa, but friends say he is having second thoughts.

Bentsen, 70, who first won his Senate seat running as a Tory Democrat against George Bush in 1970, has been using public forums to experiment with populist economic themes. At a recent appearance in

Dallas, Bentsen denounced "an administration that is forceful and resourceful halfway around the world" while showing "little apparent concern for the millions of our own people who fall prey, every day, to recession, despair, ignorance and disease."

Former Democratic National Committee chairman Robert S. Strauss, a fellow Texan, acknowledges being part of discussions to build support for Bentsen. Although Strauss said he thought the odds were against Bentsen running, he said he found strong support for such a candidacy on Capitol Hill and among Democratic governors.

The Texas senator says he has "no plans" to seek the 1992 presidential nomination and a source close to him said that "if the Democrats are looking for a sacrificial lamb," who would simply provide some protection against a rout for Senate and House candidates, "I can tell you Lloyd Bentsen is not interested. He is not into resume-building."

New York Gov. Mario M. Cuomo (D), for his part, sounded anything but defensive about his party. In an interview yesterday, he said that Bush's domestic failures stood in such sharp contrast to his success at war that "the logic here seems so clear to me: These people are no good at peace."

"The president was greeted as a hero. He should be. He earned that," Cuomo said. "But when he turned to the domestic program, he made it apparent that he was not going to deal with the problems. . . . You cannot stay at 91 percent in the polls by cheering yesterday's war."

Cuomo, who was quoted before the Persian Gulf War as calling for concessions of oil and water rights to Iraq—he insists he was misunderstood—contended that Demo-

crats who voted for economic sanctions as an alternative to war will not be hurt by their votes. "Before you go to war, you should pursue every reasonable alternative," Cuomo said. "That is not called surrender. That is intelligence and civility and progress."

Sen. Sam Nunn (Ga.), who cast such a vote and has apparently suffered political damage as a result, disagreed with Cuomo. "I don't think there is any doubt politically right now that those of us who felt economic sanctions should be given longer to work are not on the popular side of the issue," he said.

The vote in fact appears to have already badly wounded, if not killed outright, Nunn's presidential prospects. "I cannot visualize any circumstances under which I would run in 1992," Nunn told reporters in Boston. "Southerners don't like to make Sherman-like statements, but that is pretty close to one."

Cuomo's comments reflected a broad desire in the party to change

the subject of American politics from foreign to domestic policy—and as quickly as possible.

Jesse L. Jackson has already jumped on that bandwagon, traveling last weekend to Washington and Oregon in an attempt to negotiate peace between unionized lumber workers and environmentalists locked in a bitter dispute over saving old growth forests and the spotted owls that live there.

At a meeting in the Capitol yesterday, a group of Democratic strategists agreed that while the potential candidates sort themselves out, one of the party's priorities is "to engage Bush on education, drugs, crime and the other things he's talked about," said one Democrat who attended. "Dealing with domestic issues and legislation is the work of mere mortals, not of commanders in chief."

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*Staff writer David S. Broder and special correspondent Christopher B. Daly in Boston contributed to this report.*

# Fine, 100 Days. But for What?

The challenge President Bush put to Congress Wednesday could hardly have been plainer. We have won the war in the gulf, he said. Now we must apply the same urgency and self-discipline "here at home." Then, invoking F.D.R., he sharpened the challenge: "If our forces could win the ground war in 100 hours, then surely the Congress can pass this legislation in 100 days."

What legislation? Mr. Bush's roar brought forth two mice: a crime bill that would do little to fight crime. And a proposal to repair old roads and build new ones. Hardly a vision to send the Congressional troops charging out of the trenches.

Nobody could reasonably have denied George Bush his night in the sun, his right to savor the accolades for orchestrating the Persian Gulf war. And what a night it was: a pep rally and the State of the Union rolled into one, with flag-wearing Republicans and even dyspeptic Democrats on their feet, applauding again and again.

Mr. Bush resisted the temptation to criticize those in Congress who had opposed the war. He struck exactly the right notes about converting the "horrors of war" into a new "momentum for peace," especially peace between Israelis and Arabs. He was also right to summon Congress to convert triumph abroad into renewal at home. Yet it quickly became clear that Mr. Bush has either no coherent idea of how to do that or no compelling desire to do so.

The subjects of Mr. Bush's domestic proposals are worthy enough, although he might have chosen other examples to adumbrate his vision. The crime bill is in part a sop to death penalty advocates, and does nothing about the availability of the weapons

that create so much urban carnage. The transportation plan would promote new highways but short-change mass transit. Given the nation's energy and environmental concerns, Mr. Bush seems to have his priorities backward.

Yet even if these were sterling proposals, what kind of agenda do they make? True, there's not a lot of money lying around for big domestic initiatives. . . . all the more reason to ask for a sharper sense of priorities from the White House. The big problems are not hard to identify: a medical care system hopelessly out of control, states and cities staggering under impossible burdens, an educational system that leaves the nation increasingly vulnerable to international competition.

The public sees the discontinuity between Mr. Bush's strength abroad and his diffidence at home. He gets extraordinarily high marks for his handling of foreign policy — 83 percent approval, according to today's New York Times/CBS Poll. Yet he fails to persuade even a bare majority that he's really interested in doing something about the economy or drugs or education.

There was a point in the speech when Mr. Bush, honoring the soldiers, came close to acknowledging the discrepancy. "We hear so often about our young people in turmoil, how our children fall short, how our schools fail us, how American products and American workers are second class. Well don't you believe it. The America we saw in Desert Storm was first-class talent."

It was indeed first class. And why? One reason, of course, was the dedication and spirit of the American forces. But another, surely, was that Mr. Bush gave them conviction, clarity of purpose and a gambler's courage. That is the job of a leader. At home, too.

*Rowland Evans and Robert Novak*

# On Being Wrong

In the course of 62 columns on the Persian Gulf crisis since Aug. 3, our failure to support President Bush's march to war with the hawkish views our readers would expect derived from two miscalculations that deserve explanation.

First, we overestimated Saddam Hussein's powers of resistance and underestimated the effectiveness of high-tech American arms. Second, we overestimated the dangers of negative reaction by the Arab "street," which turned out to be surprisingly subdued.

Now the war has been won with minimum expenditure of time, fortune and blood. Questions remain, however, about the president's procedures in sending the nation into the Gulf War, the necessary diplomatic tradeoffs and the overriding reason for war. To be wrong about the outcome of the war, we believe, is not necessarily to be wrong about the necessity of going to war.

We have sought during 28 years of writing our column to buttress our ideological point of view with hard reporting, and the Gulf crisis was no exception. Accordingly, the gap between what our columns reported and what then happened is a valid subject for inquiry. The fearful prospect of thousands of Americans dead came to us from serious interviews with past and present Pentagon officials, including generals and admirals. It was partly based on our close-up reporting on tough, resolute Iraqi troops in their war against a much more populous Iran.

Our concern about both Arab and Islamic explosions triggered by America's first war against an Arab state was born partly out of our long experience in the Mideast, partly out of on-the-spot talks with Egyptian, Syrian, Jordanian and other Arab politicians and diplomats during three separate reporting trips to the Mideast after Iraq invaded Kuwait.

We also heard—and reported—conflicting expert opinion: rosy assessments of a quick, relatively bloodless victory over Saddam. But here we may have been the victim of the Vietnam Syndrome. Our many trips to that unhappy conflict bred deep suspicion of any quick, high-tech victory over the Third World warriors of Saddam Hussein. One crucial difference between Vietnam and the Gulf, which Bush repeatedly has stressed but which we took with a grain of salt, was his pledge of a U.S. military high command unfettered by bombing pauses ordered from the Oval Office.

After the fact, one White House aide said that our columns surely had expressed "doubt" about the war. But he was honest enough to add: "I had the same doubts." He could not publicly express them. Nor could Republican members of Congress, such as one conservative House GOP leader who was haunted by visions of body bags. He would have voted "no" on the war resolution, he told us, had he had free choice. Luckily for his political future, party discipline bound him.

His early anxiety became jubilation when Bush brought home his flawless victory, destroying the image of helpless American giant. The president, he rejoiced to us, turned out to be perfectly correct.

We come far closer to that judgment than to left-wing public critics of the president who see no vindication in victory and insist that the Vietnam Syndrome persists. But we do continue to question the means chosen by Bush to go to war: mobilization and deployment 8,000 miles away of an immense military force without a single vote by Congress; then—at the very flash point—the rush on Congress to approve it. Under such procedures, it is hard to imagine any bar on any president against waging any war in the future that he says is required to correct gross injustice.

We also question mortgaging U.S. support for freedom movements in the Soviet Union to ensure its forbearance. If democracy and self-determination are only secondary factors, the new world order is diminished.

Critics have asked us hard questions about our hawkish support of U.S. intervention in the Dominican Republic, Vietnam, El Salvador, Grenada, Angola and Afghanistan, but not against Saddam. Did we love Arabs too much and respect Israel's case too little?

The difference was that in each earlier intervention, the United States fought an undeniable Soviet attempt to expand the Communist empire. The issue in Iraq was simpler: shut down a tyrant not because he menaced the future of America but because he posed a regional danger.

We cling to that assessment and to our procedural concerns over Bush's course to war, while freely admitting gross error in miscalculating the war's brilliant outcome and its beneficial results.

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DATE: 3/18/01

Stephen S. Rosenfeld

## Put the Knives Away

Democrats and other derelicts are being invited to render the president praise and credit for a job in Iraq exceptionally well done, something that most of them do not need to be prompted to do. They are also being summoned to acknowledge the error of their ways in not supporting his policy before it turned into war, at which point almost everyone came aboard. This is quite a different affair.

It is not simply that George Bush's splendid accomplishments as a wartime president were preceded by his lamentable performance as a peacetime president. In the year and a half before Saddam Hussein seized Kuwait, Bush consistently misread Saddam's strategy and tactics. Whether a more alert American policy would have obviated aggression and war is an alternative that history did not have a chance to disclose. There remains copious presidential error to acknowledge.

Recall the circumstances of the key congressional vote on Jan. 12, four days before President Bush launched the air war. There had been what was by almost anyone's standards an unusually serious, probing and civil debate on the litmus issue of whether to move beyond sanctions, diplomacy and a military buildup into authorizing the president to use force. Heavy hitters had stood up on both sides of this issue. It was acknowledged in many places that both had a case and that any decision would be a judgment call.

So close was the call, in fact, that some number of legislators—quite possibly the number that tipped the balance—made their decision not on the basis that war had become necessary and feasible. No, they were aware that the United Nations' Jan. 15 deadline for Iraqi withdrawal was coming up fast, and they felt that a vote to authorize force offered the only chance remaining to squeeze Saddam into backing off.

In short, whatever the president and his advisers may have thought, the vote in Congress was finally carried not by those who had determined war was inevitable and who were ready for it, but by those who hoped war was still avoidable.

At that moment, moreover, there was little awareness evident anywhere in Congress that the United States and its allies were going to wage the sort of fantastic high-inten-

sity military campaign, air and ground, that shortly materialized. Neither Pentagon planners nor outside defense experts had prepared the public, even the informed public, for what was to come. On the contrary, in Congress and elsewhere the prevailing assumption was that a fearsome and costly struggle lay ahead.

The administration presented terse projections of a quick, violent and successful conflict but with little of the amplifying detail that would have imparted understanding or credibility. Legislators who voted for the president did so not on the assumption that the coalition's victory would be easy and cheap but that the cause of combating Saddam was just and wise. Once war came, those who voted for the president were no less surprised by the unfolding of the battle than those who voted against him.

To this day it is not clear that even the president and his men had comprehended the awesome uses of the power at their command. They were using weapons and tactics that had not been applied in meaningful combat before. They could not know how the coalition would hold together or how Saddam might react under duress. They were fearful of raising the public's expectations to levels they might not be able to meet.

The doubters are now being taxed with their earlier anticipation of high American casualties—the leading emotional and political index. But was the anticipation of the commander in chief any different? He sent his army into combat having ordered up 16,000 body bags. Only to him this number, apparently, was not forbiddingly high.

But this is beside the main point, which is that the congressional decision that gave crucial national weight to President Bush's preparations for war issued from a debate to do a democracy proud. As it turned out, the questioners were wrong, but they were wrong for respectable reason. Perhaps Democrats will now pay a political penalty, but it serves no national benefit to ask them to wallow for having participated in good faith in a debate that illuminated the issue, provided for full participation and produced a sound national decision, after which ranks closed in Congress and in the country. This is how it should be.

"I CAN LICK ANY MAN IN EITHER HOUSE"



## PRUDEN ON POLITICS

By Wesley Pruden



# All the shed blood was patriotic red

The Rev. Jesse Jackson owes a few thousand troopers in Saudi Arabia an apology.

So do a lot of his colleagues who, wittingly or not, belittled the contributions of young black men and women to the American victory in the Persian Gulf.

Mr. Jackson was only the most prominent of the high-profile black "leaders" to predict that black soldiers would shed more than their share of blood for what they depicted as a white man's war.

"If war breaks out," said the District's non-voting, non-paid official Senate lobbyist for District statehood on the eve of battle, "our youth will burn first."

Well, they didn't, for which we are all thankful, but if Mr. Jackson has said he was wrong it has gone unnoticed. He ought to apologize to everyone, but he could start by apologizing to the young black men who served in Operation Desert Storm. They did not ask for his buttinsky pity, and from all accounts they nearly all resented it, fiercely.

In those early days of the conflict, some anti-war folk vied with one another to say mean and silly things. The Persian Gulf war, said Randall Robinson, the disproportionately silly man who led the U.S. protests against apartheid in South Africa, "is disproportionately black, disproportionately Hispanic and disproportionately poor — a war declared by a government that is disproportionately white and disproportionately wealthy."

Said Martin Luther King III: "Every black soldier ought to say: 'You all do what you want to. I'm not going to fight. This is not my war.'"

The president of an organization called Black Veterans for Social Justice, still mired in the mud of the past, seemed to want to blame the infamous Reagan budget cuts, the heartbreak of psoriasis and the New Madrid earthquake of 1799. The disproportionate black numbers in the Persian Gulf, he says, stem from insensitive domestic policies such as President Bush's veto of a civil rights bill

last year.

He doesn't say how the president's veto in 1990 induced so many splendid young black men to volunteer for the Army, the Navy, the Air Force and the Marines over the previous decade, when the military establishment — lately under the command of the black general who has become everybody's hero — was molding such a remarkable all-volunteer force.

But in fact it takes no rocket scientist to figure out that many of these young black men volunteered for the military services for the same reasons that young white men volunteered — to serve their country, to wear their country's uniform, and to use military service as a way to improve their lives, just as millions of Americans before them had done.

During "the years between the wars," as the 1920s and '30s were once known, the Army was greatly and disproportionately white and Southern, as young men left the mean mill towns of Georgia and the Carolinas, the hardscrabble mountain hamlets of Tennessee and Arkansas, and the bleak piney woods of Mississippi and Alabama to try to find fortune in the ranks.

Some of their grandsons are in the Arabian desert this morning. "Whatever their race, these small-town youngsters are patriotic, adventurous and anxious to leave a restricted environment," says Charles Moskos, a military sociologist at Northwestern University. "They weren't going to be unemployed, but there was a low opportunity ceiling."

These men, says Mr. Moskos, are "the quiet Americans, who serve disproportionately and suffer disproportionately." Whites overwhelmingly predominate in these numbers, often the poor whites who do not have either the advantages of membership in an articulate elite nor the leaders who speak for racial minorities.

It's too bad that Mr. Jackson and his colleagues framed the discussion in racial terms, because to do so risks obscuring the transcendent reality that patriotism, like blood, comes in only one color. The young men in the Persian Gulf were sent there as Americans, neither black nor white, and no leader, real or so-called, black or white, has the right to put an asterisk beside the sacrifice of any one of them.



Everybody's hero

## HAYNES JOHNSON

## Multiplying the Divisions

Understatement is not an American characteristic, so it's no surprise that the raucous gathering of lawmakers and president in the House Wednesday night to celebrate victory in the gulf turned into something more than pride and affirmation of a positive new national spirit. It also was a mass display of loud self-congratulatory cheering, swaggering, posturing and something more. It signaled the reemergence of a familiar American trait: the politics of recrimination and polarization.

Those flags sprouting from congressional breast pockets and those accompanying large yellow buttons affixed to lapels bearing the words "I Voted With The President" over smaller depictions of Old Glory were evidence that good will is being displaced by partisanship, specifically by finger-pointing about who is patriotic and who is not.

That process was well under way before George Bush, the new American Caesar, strode into the congressional chamber amid a rising crescendo of sound that marked his triumphal path. Republican operatives already had launched their campaign to capitalize on the stunning and swift military triumph in the gulf by politicizing it.

Rep. Newt Gingrich (R-Ga.), who only a few months earlier was disparaging Bush's leadership qualities publicly, thus intensifying belief that so "weak" a president would face a strong conservative GOP renomination challenge, was exhorting Republicans to turn military rout in the Arabian desert into a similar debacle for Democrats at home. He is urging his party to recruit Desert Storm veterans to run against pusillanimous Democrats who so cravenly failed to support the powerful president. Similar strategy for the campaign days to come is being articulated by Sen. Phil Gramm (Tex.), chairman of the National Republican Senatorial Committee.

Lest there be any doubt as to how swiftly the political climate has changed, the morning of the president's speech was marked by a full-page ad in the New York Times that nakedly spelled out the kinds of tactics to be employed. Under bold, black headlines demanding to know "Where Was Pat Moynihan When America Needed Him?" the New York State Conservative Party issued an appeal for contributions to unseat the Democratic senator. The message undoubtedly will be repeated across the country in the 1992 congressional and presidential campaigns.

"Pat Moynihan shamefully voted against our president," the text read. "If Pat Moynihan had his way, our soldiers would still be sitting in the Persian Gulf waiting for economic sanctions to fail."

It went on, with more invective, to say: "Time and again, Pat Moynihan voted against a strong America. Pat Moynihan opposed many of the defense weapons that brought the allied coalition this historic victory. We should never forget." Then came the penultimate ugly political argument equating support for the president with patriotism and opposition with appeasement:

"New Yorkers are proud to be Americans. We should be represented in Washington by men and women who support our values—not oppose them. Representatives who speak out in favor of our national interest—not spokesmen for appeasement."

That kind of political pitch openly implies that January's somber, wrenching congressional deliberation on granting Bush the right to wage war was not a genuinely moving and impressive example of democratic decision-making at its finest, as it certainly was. No, the cynical patriots-for-political-gain now charge, those who voted against war did so not as an act of conscience but of cowardice.

It is to Bush's great credit that he is not joining the mob. Since war's end, he has struck a positive tone. He has warned, rightly, against the tendency to gloat over an enemy so thoroughly defeated and humiliated. In his congressional speech, he did not attempt to make cheap political capital out of the moment. The brief exchange between Bush and Speaker Thomas S. Foley (D-Wash.) as the president was introduced was as generous as it was spontaneous. It signified a reassuring, and welcome, cooperative spirit by both parties.

Obviously, some amount of partisanship is inevitable and even useful in shaping the coming debates about the country's direction at home and abroad after the war. But if those debates degenerate into mudslinging, character assassination, charges of appeasement, unpatriotic behavior and a search for scapegoats, the very reason for celebrating the gulf success will be lost.

The Persian Gulf War was proof that America, when united, can accomplish great things. It can achieve similar success in areas other than military but not while divided.

## Safe as Kuwait City

"During the first three days of the ground offensive more Americans were killed in some American cities than at the entire Kuwaiti front. Think of it—one of our brave National Guardsmen may have actually been safer in the midst of the largest armored offensive in history than he would have been on the streets of his own hometown." President Bush made this sobering observation at an anti-crime conference this week at the Justice Department. He made a further connection. "The kind of moral force and national will that freed Kuwait City from abuse can free America's cities from crime," he said. "Among the lessons is that in furtherance of a widely accepted moral value, collective action succeeds."

In his address this week to the joint session, Mr. Bush challenged Washington to collectively apply these lessons learned fighting a criminal tyrant abroad to the battle against criminals at home. He gave Congress 100 days to pass his anti-crime bill, which would start to return to the police and courts the powers they need to make the streets safe. The bill, which goes to Congress next week, is similar to one legislators rejected last year.

The bill would make important changes in the exclusionary rule, which since *Miranda* and related Supreme Court cases has hindered law enforcement by suppressing evidence from juries. One proposal would allow evidence from searches by police officers who acted in good faith, even if the search warrant turns out to have technical problems.

Some in the administration are also considering a more far-reaching proposal to abolish the exclusionary rule. The idea would be to allow the evidence into court, but also create a new system to directly discipline police misbehavior. This would be a big improvement on the exclusionary rule's absurdity of banning evidence, letting criminals go free and leaving police officers undisciplined for any errors.

Other provisions would try to limit the endless appeals of death-penalty convictions, which since the return of the death penalty in 1973 have made the average delay from conviction to execution more than eight years. Many prisoners, even those who confessed to murder, get endless appeals in state and federal courts. Last year, Congress sandbagged the Bush crime bill when the House inserted provisions that would have invalidated the death penalties of the more than 2,300

people on death row by declaring the penalty inherently racist. This despite the fact that blacks and other minorities are disproportionately the victims of capital and other serious offenses.

Supreme Court Justice Sandra O'Connor gave an important speech at the Justice Department crime conference titled, "Local Control of Crime." She noted that under our criminal-justice system, 96% of felony convictions are in state courts, but that increasingly convicts are making "habeas corpus" appeals to the federal courts, arguing that they were unfairly convicted. Many of these appeals are in death-penalty cases.

While the federal courts need to ensure that state trials are "fundamentally fair," Justice O'Connor also warned, "The delay and uncertainty that federal relitigation brings frustrates the states' ability to enforce their criminal laws and to control anti-social behavior." She stressed that "certainty and immediacy of punishment are the most important elements of effective deterrence."

Last year, six million Americans were the victims of violent crime, more than the number injured in auto accidents. One reason for record levels of crime is precisely that despite all the filled jail cells, certainty and immediacy of punishment have become a joke. Fewer than one arrest in 100 in New York City leads to anyone spending a single day in jail. One reason is that after *Miranda*, the percentage of people arrested for felonies who confess fell to 40% from 90%. We have turned law enforcement into a silly detective game that the detectives too often lose.

It is now clear that the Vietnam Syndrome extended to self-doubts about the moral authority to enforce rules of behavior at home. Volumes of rules now on the books have the express purpose of limiting the ability of the police to do their job. Indeed, *Miranda* is the domestic equivalent of the War Powers Resolution. Just as Presidents were no longer supposed to have the power to lead the country into war, law enforcement was no longer considered worthy of the tools required to punish wrongdoers at home.

The new self-confidence from the victory in the Persian Gulf includes a recognition that we can take care of serious problems if we have the resolve to get the job done. It's up to Congress to decide if this time it's going to stand with Mr. Bush or continue to let crime take its toll.

## Warner's Scudbuster

If Patriot missiles can defend against Scuds in Riyadh and Tel Aviv, why can't the U.S. defend against missiles targeted to land on Cleveland or Miami?

That's the simple question Republican Senator John Warner of Virginia is asking with his just-proposed Missile Defense Act of 1991. His bombshell would let the U.S. develop and test missile defenses regardless of the restrictions of the Anti-Ballistic Missile Treaty. The treaty's ban on deploying large-scale defenses would still stand, but at least the U.S. would be able to develop defenses without interference.

The ABM treaty, an artifact of the Cold War's nuclear neurosis, has stood in the way of the ability to defend the U.S. mainland from incoming missiles since 1972. Mr. Warner, the ranking Republican on the Armed Services Committee, is sensibly saying that a new era demands new thinking.

Mr. Warner's proposal has already sent political debris scattering all over Washington. Democrats who oppose defending the U.S. mainland against missile attacks have been hiding for years behind the ABM Treaty; now they're pleading with Mr. Warner to kill his bill lest they have to, yikes, vote on it. The White House is also strangely quiet, though it claims to support strategic defense. Mr. Warner hopes to attach his idea as an amendment to the Desert Storm financing bill, so everyone will get a chance to come out of hiding and vote.

No one doubts that ballistic missiles are a growing threat, even to the continental U.S. Saddam Hussein's Scud is primitive compared with future varieties. As technology advances, so will range and accuracy. Nuclear and biological warheads will come sooner or later. The CIA says between 15 and 20 developing coun-

tries will have ballistic missiles by the year 2000; at least six will have missiles with a range of 3,400 miles. Even if a missile is never fired, the mere threat would enhance a future Saddam's influence and leverage over a defenseless United States.

As a response, the ABM Treaty might as well be the horse cavalry. In 1972, the U.S. and U.S.S.R. could only reach an "interim agreement" limiting offensive weapons, so they agreed to limit defenses permanently. We never liked this MAD—mutual assured destruction—logic, but it's suicide in a world with missiles becoming as common as aircraft. The idea that signing a treaty is adequate protection against future Saddams is the sort of thing that only the Arms Control Association could believe.

The ABM treaty limits the U.S. to 100 interceptors at a single site. It inhibits, if not proscribes, tests in space. It even complicates life for the heroic Patriot. Because of ABM, a U.S. space sensor could be used to detect a Scud launch, but not to track or practice "battle management." Those duties now have to be passed down to a radar on the ground. Space tracking and management might have allowed an earlier Patriot interception and prevented the Dhahran Scud tragedy that killed 28 soldiers.

Some will ask how the U.S. can abrogate a treaty, but the ABM Treaty itself says either side can stand down from it with only six months' notice. In fact, the Soviets just might want to stand down themselves. They already have a limited defense deployed around Moscow, and they're closer to the worst Scud threats than we are. Senior Soviet military men have said as much.

Senator Warner's bold stroke gets past the lawyers' talk about treaty "interpretation" to the main point: Will the U.S. be defended, or not?

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## Asides

### *Peace Quagmire*

When President Bush used the phrase "land for peace" in his speech to Congress, we quickly dismissed the possibility that maybe the plan was to give Israel part of Jordan. Equally absurd is the notion that anyone would think compromise means turning the West Bank into a Scud launching pad. In fact, we doubt that Mr. Bush meant

to repay Israel for its missile hits and unprecedented self-restraint by further endangering the tiny country. Mr. Bush is surely correct that there are better prospects now than ever before for peaceful overtures to Israel from the Arabs. It's probably also true, however, that the Middle East at all times remains the perfect place to allow matters to proceed at their own pace rather than push too hard.

## Be grateful to the president, an experienced hand

We now can see that the dismantling of the Iron Curtain in Eastern Europe was not the beginning of a new era. It was, rather, the end of the old era. The new era was a blank page until given content by the successful U.S.-led coalition's restoration of Kuwait's sovereignty.

The full implications of this triumph become more clear if viewed in the context of global events over the past two years.

While the values in which we believe seemed to enjoy global popularity as the Berlin Wall crumbled in 1989, we soon were struck with the realization that the success of those values in the new era was by no means assured. From Poland to Panama, from Managua to Moscow, it became clear that translating the global groundswell of people power into democracy and economic opportunity would require years of perseverance. Anti-democratic elements in recently liberated societies retrenched and looked for opportunities to reverse the reform process, and economic benefits failed to keep pace with political progress in some of the

emerging democracies.

President Bush saw before most of us that the United States would be called upon in this new era, perhaps as never before, to provide leadership in the cause of liberty, prosperity and peace. The President said that the challenges and opportunities for the United States to make this world a better place would be great in this new era, and that we could forfeit our chance to influence events if we lacked the political will to meet our responsibilities in the international arena.

Chapter 1 in the history of the new era now has been written. All Americans, and all the people and governments around the world who supported our cause, share the credit for success of the values and the vision with which our president led this struggle. Our grief at the loss of human life will give way, in time, to recognition that there is in this terrible but historic episode great hope for the future of civilization.

The fresh breeze the President spoke of in his inaugural address was swept through Latin America, Africa and the Pacific Rim in

1989 and 1990. Now, in a horrific but profound way, the crisis we have endured creates a new agenda of hope for the Middle East, and the smoke of battle at last may be cleared away by a fresh breeze of democracy and peace in the region. We best can honor those who died by providing leadership in the search for peace as we did in war.

We can be grateful to have a president who has delivered on his campaign promise to bring his long experience, and even longer-held values, to bear in his service to the nation — and the world. For giving yourself so completely to our cause, for taking a righteous stand and having the courage to resist a politically safer course, for doing what was right: Mr. President, we salute you.

**FRED M. ZEDER**  
President and Chief Executive  
Officer  
Overseas Private Investment  
Corp.  
Washington, D.C.

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## Dellums denies intelligence charge

**M**uch ado has been made recently about my appointment to the House Intelligence Committee by U.S. House Speaker Thomas Foley. Cal Thomas exercised himself righteously on the subject in "Not-so-intelligent move," his Feb. 14 column.

His basic thrust is that I represent a threat to the nation generally and to our intelligence assets specifically. In what is obviously part of an orchestrated campaign designed for expedient political purposes, he joins other commentators in reiterating old, previously discredited allegations. In fact, these attacks are so similar that my replies to the various forums in which they have appeared will seem similar.

Two prongs form this attack. First, that I will reveal secrets vital to the nation. Second, that the presence on the committee of somebody with my views will itself disserve the nation.

For 20 years I have served in Congress on committees that deal with the most sensitive security issues. This service includes two years on the Foreign Affairs Committee; service during the complete tenure of the House Select Committee to In-

vestigate the Intelligence Community (the Pike Committee); and the House Armed Services Committee and its super-sensitive Subcommittee on Research and Development; I have been chairman of this latter group for two years.

Such Republican colleagues as Bill Dickinson, of Alabama; David O'B. Martin, of New York; and Robert W. Davis, of Michigan, repeatedly have acknowledged my ability to work with members of all ideological and political orientations. Even my colleague, Rep. Newt Gingrich, Republican of Georgia, has conceded, "First, you believe [David E.] Bonior [California Democrat] and Dellums are not security risks. I agree, they are both honorable men and have known and kept secrets for years." This, despite the fact Mr. Gingrich is among those leading the charge against my appointment.

The second prong of this attack, that my political views are too dangerous to merit inclusion into the public debate about the purpose, scope and operations of our intelligence agencies, is fundamentally contemptuous of our very form of government.

The right wing's insistence that only those who share its pessimistic,

monolithic vision of the world deserve inclusion on the committee is a frightening testimonial to the extent to which it is willing to subordinate fact to ideological fiction in the pursuit of the nation's foreign affairs.

My statement that we should "dismantle every intelligence agency in this country piece by piece, brick by brick, nail by nail" continues: "If there was a need for us to rebuild such organizations that we should rebuild them with civil liberties and civil rights and justice to people in mind." I reached this conclusion based upon documentation available to the Pike Committee; the information subsequently has become known generally. Our intelligence agencies had conducted themselves in a fashion that exceeded their charters and that was inimical to our Constitution's guarantees to its citizens.

Intelligence acquisition enjoys a rightful place; but responsible agencies must be required to respect both the nation's laws and international laws that we have, by treaty, incorporated into the body of our own jurisprudence.

**RONALD V. DELLUMS**  
Democrat; California, District 8  
U.S. House of Representatives  
Washington

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DATE: Friday March 15, 1991

CONTACT: STEVE O'PASTORKOVICH

PRESS: 863-8608

HAVE A GREAT ST. PATRICK'S DAY!!!

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# THE DAILY NEWS SUMMARY



# GOP figures to gain on Hill

By Major Garrett  
THE WASHINGTON TIMES

Even if President Bush's popularity recedes, the Democrats' majority in Congress is expected to shrink next year because of redistricting, vulnerable freshmen, retirements and the Gulf war vote.

That is the view of both Republican and Democratic strategists, who cite structural political factors and historical trends.

They say the GOP has its best chance to achieve a majority in the House and retake control of the Senate since 1980 — when Ronald Reagan's coattails hauled 32 new Republicans into the House and 12 into the Senate.

"I think there are a number of factors coming together that present great opportunities for the Republicans," said Stuart Rothenberg, a non-partisan analyst and author of the Political Report.

Consider the following:

- Twenty of the 35 senators up for re-election are Democrats, and many are vulnerable freshman who voted against the war and have seen their popularity ratings drop by 10 percent to 20 percent.

- Thirty-three of 50 House members who will be older than 65 on Election Day and eligible to convert campaign funds for personal use are Democrats.

- Thirty-five House Democrats were re-elected in 1990 with margins of 55 percent or less, a threshold of vulnerability.

- Analysts are expecting 50 to 100 House members to retire before 1992, and more than half are likely to be Democrats.

- Redistricting will expose some Democrats to new voters, making re-election less certain.

- Ten times in this century an incumbent president has led his party to an average gain of 25 House seats.

The results in 1992 will have a lot to do with the quality of Republican recruiting this summer. "If the Republicans play their cards right, they can go out now and find good candidates — war veterans, mayors and members of state legislatures," said William Schneider, a Democratic adviser and analyst with the American Enterprise Institute.

"If they go on the offensive, they can make it happen."

Democratic hopes that the war euphoria would soon fade appear less and less realistic. Local media coverage of returning war heroes and the attendant Flag Day and Fourth of July celebrations will, in the eyes of some analysts, become an

almost continuous campaign advertisement for the GOP.

Nevertheless, the Democrats, who hold 264 seats in the House, have the power of incumbency and a proven ability to run smooth, locally oriented campaigns.

For their part, Republican strategists can hardly wait to unleash reams of news footage of American global ascendancy — flags dancing over liberated Kuwait and the full-throttle retreat of communism in Eastern Europe. Some have come to think of the 1992 campaign as "Morning in America" with substance.

GOP prospects appear best in the Senate, where it plans to target freshmen in particular.

Several in that class voted against the use of force in the Gulf and now appear more vulnerable as a result. They include Terry Sanford of North Carolina, Wyche Fowler of Georgia and Barbara Mikulski of Maryland.

Even stalwart Dixie Democrat Ernest Hollings of South Carolina has seen his poll ratings plummet in reaction to his vote against the use of force.

"I can't think of an issue that's so hot," said Merle Black, a political science professor at Emory University in Atlanta and an expert on Southern politics. "There is a very strong sentiment for strong military in the South, and this could be an opening for Republicans."

Mr. Sanford's state is home to the Army's 82nd Airborne Division and harbors strong pro-defense sentiments. He chafed at questions about his vote against the president.

"Unlike the Republicans and members of the Iraqi National Assembly, I had a choice about going to war," Mr. Sanford said this week. "I'm proud of my vote. The polls don't mean a damn thing."

A leading Democratic strategist conceded Mr. Sanford and others like him are in "a world of hurt" because they opposed the president.

Mr. Black pointed out that in presidential years Southern white conservatives vote Republican and turn out in far larger numbers than in off-year elections. Success in the Gulf has vindicated their intuitive support for a strong national defense and stirred powerful feelings of patriotism.

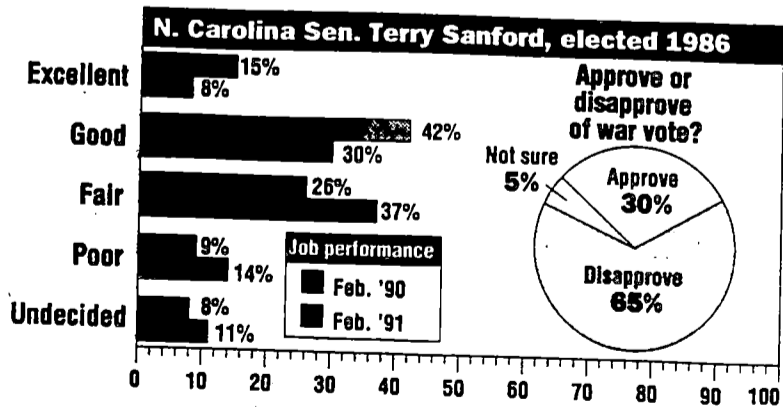
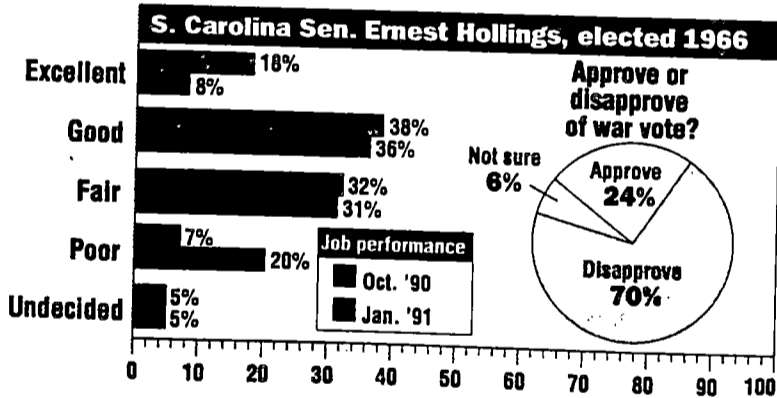
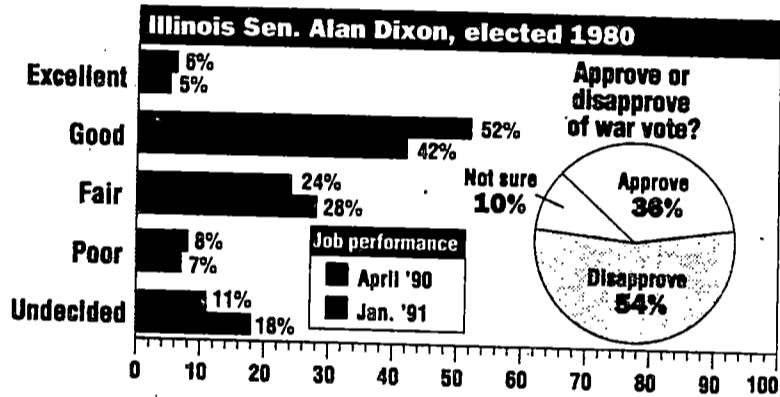
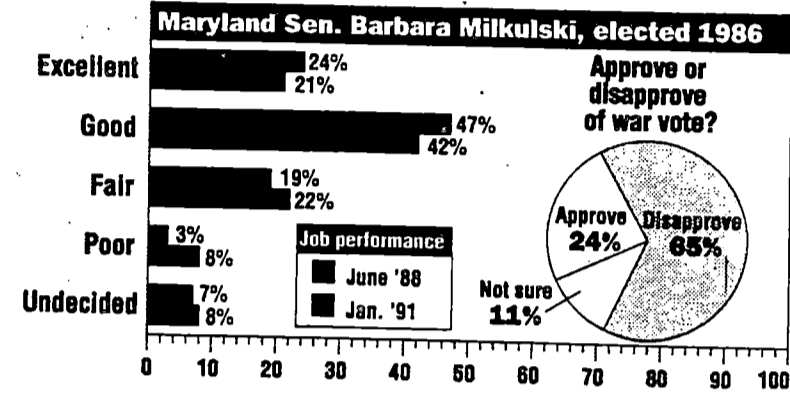
But the war issue cuts both ways in the South. If Republicans use the war vote as a litmus test, they will weaken Sens. Hollings, Sanford and Fowler at the expense of elevating three Democrats who voted with the president but had been considered vulnerable before the war.

Sens. Bob Graham of Florida, John Breaux of Louisiana and Richard Shelby of Alabama might be able to scare off potential challengers because of their vote to authorize force.

In the House, the GOP has set a goal of picking up at least 25 seats

### VULNERABLE SENATORS

Mason-Dixon Opinion Research polling of job performance and re-election ratings for four senators shows declining performance ratings and particular voter unhappiness with votes against use of force in the Persian Gulf.



Note: Numbers may not add to 100% due to rounding.

Chart by Henry Christopher / The Washington Times

# Bush Criticizes Iraq's Use Of Helicopters on Rebels

*President, Mitterrand Confer in Martinique*

By Dan Balz  
Washington Post Staff Writer

TROIS ILETS, Martinique, March 14—President Bush said here today that the United States is not attempting to impose a new government on Iraq, but he maintained his pressure on President Saddam Hussein by saying Iraq's use of attack helicopters to suppress internal rebellion could delay the withdrawal of American forces from the region.

But Bush added that he has no intention of playing into the hands of those who have suggested the United States would use the Persian Gulf War to maintain a permanent military ground presence there and said he did not foresee a prolonged process of agreeing to a formal cease-fire to end the war.

Bush's comments, which came at a press conference with French President Francois Mitterrand, represented part of an administration strategy designed to brand Saddam as a leader inimical to the interests of his own country and to encourage forces inside Iraq to conclude that they must remove Saddam to restore normal relations with the rest of the world.

Bush and Mitterrand met for several hours on this French Caribbean island and, while disagreeing on the role of the Palestine Liberation Organization and on an international Middle East peace conference, appeared to begin the process of narrowing differences between the two countries on how to solve the Israeli-Palestinian issue and bring about lasting peace in the Middle East.

"We're not in there trying to impose a solution inside Iraq," Bush said today.

Bush said Wednesday that Iraqi attack helicopters were firing on rebel forces, and he indicated that this could complicate a formal cease-fire. His statement raised questions about whether the United States had decided to impose new conditions on the Iraqis that could make it difficult to sign a permanent cease-fire with Saddam still in power.

There is nothing in the provisional cease-fire that explicitly prevents Iraq from using its helicopters in combat against rebellious forces, although Bush said it was not part of the understanding of how those could be used.

On March 4, Army Lt. Gen. Thomas Kelly, then senior operations officer for the Joint Chiefs of Staff, said that under the provisional accords, Iraq could operate helicopters for administrative purposes within the zone of southern Iraq controlled by allied forces, but he did not lay out any prohibitions on helicopter use outside the zone.

A senior administration official said tonight that the Iraqis have ignored Bush's warnings and are continuing to use the helicopters against the insurgents. He added that the administration has no immediate plans to intervene in Iraq's internal battles.

It is not clear what options the United States has, other than rhetorical pressure on Iraq, to prevent the helicopters from being used in this way. "This kind of policy—publicly stating concern—is probably the best we can do at this point," one official said.

While Bush held out the possibility that the permanent cease-fire might be delayed, he made clear he does not want to prolong the withdrawal of U.S. forces. "We are not going to permit this to drag on in terms of U.S. significant presence a la Korea," he said.

Mitterrand made clear that while the Iraqis do not have "a free hand" to do whatever they want to restore order, the issue is an internal matter and not something for France and other members of the international coalition to decide.

"We said that it was not our intention to conquer Iraq, but to liberate Kuwait," Mitterrand said. He added later, "We've done our job."

Bush said he largely agreed with Mitterrand's analysis. "I am concerned about the instability inside of Iraq, but I think President Mitterrand put that very well when he said that was not an objective for us to dictate or control the situation in there," he said.

Bush called his talks with Mitterrand "exceptionally productive," and the French leader appeared to go out of his way to harmonize his differences with Bush on specific steps toward peace in the Middle East.

The clearest disagreement involves the role of the PLO as the sole representative of Palestinians in any talks, and whether its chairman, Yasser Arafat, who supported Saddam, has any credibility left.

Bush reiterated his view that Arafat has lost considerable authority, but Mitterrand suggested he could see no alternative to dealing with the PLO. "Mr. Arafat remains, to my knowledge, the leader of the PLO and, to my knowledge, the PLO still appears as the representative organization," Mitterrand said. He added, "I just take the facts of the situation as they are."

Pointing to the meeting that Secretary of State James A. Baker III held with Palestinians this week, Bush said the United States would continue on that track to "see how the healing process goes," adding that without Palestinian involvement, there could be no solution.

Bush said he still opposes "a Palestinian state, per se," something Mitterrand supports. But he said Mitterrand "had some very good ideas" that they discussed privately.

The two still disagreed on the need for an international conference on the Middle East, but Mitterrand clearly did not push hard on that issue and suggested that if a regional peace conference among the Arab states and Israel could produce peace, "so much the better."

Both men praised Syria and President Hafez Assad for the role that country played in the gulf and said they hoped Syria would be a constructive player in the peace process.

Asked about progress toward freeing American hostages in Lebanon, Bush said, "I don't have any specifics on that or can I say that there is any positive points for optimism."

*The Associated Press added:*

Iraq may have violated a cease-fire agreement with the allies by flying fixed-wing combat aircraft, a Pentagon official said tonight. The allies have "some fairly solid evidence" that Iraqi pilots flew several combat planes inside the country in the last few days to reposition the aircraft, he said.

# Bush Not Ready to Halt Mideast Arms Sales

By R. Jeffrey Smith  
Washington Post Staff Writer

When President Bush declined Wednesday to endorse a Canadian proposal for swift enactment of Middle East arms controls, he effectively postponed consideration of one of the first concrete ideas for a postwar security structure raised by a military coalition partner.

The proposal forwarded by Canada to Washington before Bush's visit to Ottawa called for a special summit of world leaders to focus attention on tens of billions of dollars worth of arms sales that Canadian officials say have contributed to instability and aggression throughout the Middle East.

Canadian Prime Minister Brian Mulroney noted at a joint news conference with Bush that most of these arms were sold by the five permanent members of the United Nations Security Council: the United States, Britain, China, France and the Soviet Union. Officials in Washington said they believe the cooperation of these countries will be crucial, and

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ANALYSIS

possibly sufficient, in any early agreement on postwar arms constraints.

But the world summit was to map a more lasting strategy for halting outright sales of conventional arms and materials needed for chemical, biological or nuclear weapons under a Middle East security strategy to be formally adopted at another summit in 1995. The Canadian secretary of state for external affairs, Joe Clark, suggested such a meeting would be instrumental in overcoming the "lack of political will or conflicting interests" on arms limitations among nations outside the region.

Canada also has suggested that the summit endorse a policy of arms sales "transparency," or open disclosures, and pledge not to ship spare European weapons to regions elsewhere.

Bush reacted coolly to these ideas partly because he favors new sales of arms to some U.S. allies in the Persian Gulf, including Saudi Arabia, Egypt and the less powerful but wealthy members of the Gulf Cooperation Council that historically have been outmanned and outgunned by Iraq, Iran and Syria, according to U.S. and diplomatic officials.

The specific idea of a world summit also is seen in Washington as a possible finishing touch, not the kickoff, of any new security arrangement for the region, the officials said. Bush said at the news conference the "idea might have some merit . . . [but] it's a little early." Secretary of State James A. Baker III will return Sunday from a 10-day trip to the Middle East, Turkey and the Soviet Union for consultations on Mideast security arrangements and Arab-Israeli relations.

While the United States favors less arms proliferation, Bush said, "that doesn't mean . . . we're going to refuse to sell anything to anybody"—a longstanding Canadian military policy. Bush said the severe blow dealt by the Western and Arab military coalition to Iraq's forces meant that "we will . . . not have ever-increasing arms sales" to Israel or other nations in the region.

But he added that "we don't want to see the threats to individual countries increase" because of an existing imbalance among various military arsenals.

Richard Haass, the White House senior di-

## Sales Altogether

rector for Near East and South Asian affairs expressed similar skepticism about developing a quick arms control plan for the region at U.S. Institute of Peace conference here Monday, according to several people who attend the meeting. Haass said that while various "confidence-building" measures could be adopted to diminish tensions, enhanced defense cooperation could provide more security than arms control, the participants said.

Sen. Joseph R. Biden Jr. (D-Del.) this week criticized what he characterized as an administration "retreat" from earlier declarations of support for arms control in the Middle East.

Biden, a member of the Foreign Relations Committee, said he plans to introduce legislation encouraging major supplier nations to form a "cartel" capable of exchanging arms sales data and halting the flow of advanced conventional or unconventional weapons to the region. He also said "future arms sales, foreign assistance, even eligibility for loans from international financial institutions, could all be linked . . . to [the] willingness of nations in the region to pursue arms control efforts."

# Bush, Mitterrand at odds over PLO

By Frank J. Murray  
THE WASHINGTON TIMES

FORT-DE-FRANCE, Martinique — President Bush pledged yesterday to continue the new course of talking directly with prominent Palestinian citizens, but not the PLO — even in the unlikely event it dumps Chairman Yasser Arafat.

Mr. Bush rejected long arguments by French President Francois Mitterrand for a Palestine Liberation Organization role in Middle East peace discussions during the leaders' third tropical tete-a-tete in 15 months.

"We don't have any intention of resuming our dialogue [with the PLO]," Mr. Bush said when asked if his repeated criticism of Mr. Arafat signaled that desire.

Meanwhile, Secretary of State James A. Baker III ended a week-long tour of the Middle East apparently no closer to resolution of Arab-Israeli differences and the Palestinian issue. Mr. Baker left Syria and arrived in Moscow, cautioning against excessive optimism on progress toward peace.

In Martinique, both Mr. Bush and Mr. Mitterrand also discussed the turmoil in Iraq, saying their countries would not become involved in restoring peace within that war-torn country. Mr. Mitterrand said his nation's job in the Persian Gulf conflict is done.

"As far as France is concerned, that particular period of our intervention in the Middle East is now terminated," Mr. Mitterrand said.

Mr. Bush also addressed the March 3 cease-fire agreement with Iraq and Iraqi military tactics against insurgents, tactics that appear to skirt the accord leading to a permanent cease-fire.

Without giving details, Mr. Bush said Iraq had misled the allies on the intended use of armed helicopters used to put down insurrection.

"It was not my understanding that they be used to quash their own citizens," Mr. Bush said at a news conference after an afternoon of meetings with Mr. Mitterrand. "Using helicopters like this to put down one's own people is not helping the stability of the area."

Mr. Bush underlined his commitment not to allow a permanent cease-fire until it is stopped. "Clearly those [U.S.] troops are not going to be pulled out of there until there's a cease-fire, a formalized cease-fire," he said, adding, "I want our troops home."

A Pentagon official in Washington last night also said Iraq may have violated the cease-fire agreement by flying fixed-wing combat air-

craft. The official, speaking on condition of anonymity, told the Associated Press that the allies have "some fairly solid evidence" that Iraqi pilots flew several combat planes in the past few days.

Earlier in the day, a Pentagon spokesman said the Iraqis had agreed not to fly fixed-wing combat craft. The 130 or more Iraqi aircraft flown to Iran were not involved, the official said, but Iraq still has several hundred combat aircraft.

Mr. Bush endorsed Mr. Baker's meeting Tuesday with 10 independent Palestinians in Jerusalem, the first such non-PLO high-level contact, a White House official said. Although some in that meeting are PLO members and met with PLO approval, they came as individuals.

"We'll pursue that track for a while and just see how the healing process goes," Mr. Bush said. "There's got to be discussions with Palestinians or you're not going to get this problem solved."

Bassam Abu Sharif, a senior aide to Mr. Arafat, told Washington Jewish Week that Mr. Baker's meeting with the Palestinians "opened the door widely" to resuming the U.S. dialogue with the PLO. He said the PLO had instructed the Palestinian group on what to tell Mr. Baker and had given them a memorandum for the secretary of state.

Mr. Mitterrand called the Palestinian dispute "the key problem through which all the other problems in fact arise."

Former Secretary of State George Shultz once tried to set up such a meeting but the PLO withdrew its behind-the-scenes sanction and the Palestinians didn't show up.

A Bush administration official describes those who would be sought out as prominent Palestinians comfortable enough that they could act without running afoul of the PLO.

Mr. Bush restated once again his biting commentary on Mr. Arafat's support for Iraqi President Saddam Hussein. "He simply bet on the wrong horse," Mr. Bush said.

"That's for the Palestinians to answer that," Mr. Mitterrand said. "Mr. Arafat remains, to my knowledge, the leader of the PLO, and to my knowledge the PLO still appears as the representative organization."

The French president called for a meeting of Security Council heads of state and for a Middle East peace conference.

Mr. Bush finessed both issues, saying, "There was no request on his part, nor did I state on our part when such a meeting might be timely."

A senior White House official was more abrupt in explaining the rebuff. "The last thing we need is countries like Cuba and Yemen yelling at us," he said. "We'll do it our way."

The creation of a Palestinian state was defended by Mr. Mitterrand, who said it was mandated by the United Nations when it designated territory for the Israeli state. Mr. Bush stood fast.

"Let me repeat it here. A Palestinian state is not the answer. . . . Clearly we're going to have to address ourselves to the homeland question, some question for a home for Palestinians," Mr. Bush said, citing Jordan as having a possible key role in that outcome.

"I have used the word 'state' and if you like I can repeat it," Mr. Mitterrand responded.

On Monday, French Foreign Minister Roland Dumas said the PLO must be considered a go-between or interlocutor for any talks to resolve Israeli-Palestinian differences.

Mr. Bush served notice in advance that he would confront Mr. Mitterrand on the PLO issue.

"I will be probing with him to see if we can find a way to be more active catalysts for peace. I wouldn't expect to find — I'm anxious to ask him — that President Mitterrand was elated about the performance of Yasser Arafat," Mr. Bush said.

In interviews over the past week, Mr. Bush has gone out of his way to say that the PLO is discredited.

"Their leader is clean wrong on this," Mr. Bush said Wednesday in Ottawa after Canadian Prime Minister Brian Mulroney said "the credibility of the leadership of the PLO is zero."

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# War Has Further Shifted Bush's Focus Abroad, Away From Domestic Squabbles He Sees as Petty

By GERALD F. SEIB

Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON—In the midst of the showdown with Iraq, squabbling erupted in Washington over who should become the new Republican national chairman. The issue, President Bush confided to a friend, seemed petty indeed, compared with the grave questions confronting him.

Now that the Gulf war has been won, the questions confronting Mr. Bush on the global stage aren't getting any smaller—and those domestic squabbles are likely to continue looking petty to him for some time to come.

The war with Iraq seems to have changed Mr. Bush himself only marginally: aides say he seems slightly more confident and sure of himself in its aftermath. But it will change fundamentally the way he does his job for the foreseeable future.

He emerges from the war facing two giant foreign-policy challenges—a near-remaking of the Middle East political order and relations with an increasingly unstable Soviet Union. What's more, by winning the war, Mr. Bush has created obligations and expectations that all but force him to act on those two challenges.

Mr. Bush suddenly confronts "the possibility of moving toward a much more radical agenda in foreign policy than we've ever seen before," says Graham Fuller, a former top analyst at the Central Intelligence Agency.

The net result, administration officials say, is likely to be a heavy focus on foreign policy—the part of being president Mr. Bush always has liked most anyway—and less time and energy devoted to domestic affairs.

## Too Partisan

Although he is riding at a 90% approval level in the public-opinion polls, Mr. Bush shows little sign of willingness to use that popularity to push contentious domestic initiatives. His postwar speech to a joint session of Congress stressed legislation—on transportation and crime—that stirs little enthusiasm. He ignored such major issues as banking reform and a capital-gains tax cut—a subject his aides say was left out because it was considered too partisan and divisive for the occasion.

The trend away from domestic issues worries some Bush supporters, who say the administration should be looking more intently at an economic-stimulus package to guarantee that the country pulls out of recession by the end of the year. But a look at the president's travel plans underscores that foreign affairs will remain uppermost in his mind.

Mr. Bush is now in the midst of a five-day trip to consult with leaders of Canada, Britain and France, all Persian Gulf war allies. Aides already are planning a trip by him to the Middle East, perhaps as early as this spring. And they still hope to reschedule the delayed summit meeting with Soviet President Mikhail Gorbachev in Moscow in the next few months. A visit with Mexican President Carlos Salinas de Gortari is also being contemplated for early next month.

Mr. Bush doesn't like the perception that he doesn't have much of a domestic agenda. The president opened a meeting of his cabinet this week, aides say, by expressing annoyance at the charge, and then went around the table asking cabinet

members to give an update on issues they are wrestling with.

But the forces unleashed by the war with Iraq are so powerful that they may essentially dictate his agenda for the remainder of his term.

"I think it changed the world for Bush, and it probably changed people's perceptions of Bush," says Robert Teeter, Mr. Bush's longtime pollster and one of his closest political advisers. "I don't think it changed Bush, [but] he is a more influential figure in the world today than he was six months ago."

## Intensely Focused

It's evident that Mr. Bush remains intensely focused on the Middle East, where Arabs and Israelis alike now look to him for leadership in building a more stable region.

His absorption showed itself last week when he gave his first postwar interview, to four editors of newspapers published in Arab countries that were allied with the U.S. against Iraq. Mr. Bush sketched a vision in which the U.S. works actively, not only to set up a security structure to prevent a recurrence of war in the Persian Gulf, but also to try to solve the Arab-Israeli and Palestinian disputes and to stabilize Lebanon.

At one point, amid several long answers, Mr. Bush told the editors: "I'll try not to lecture you so much. I get all—I'm very enthusiastic about this."

One reason for his enthusiasm is a deep personal interest in the region that stretches back to his days as a Texas oil-drilling executive and was continued through his relations with Arab diplomats as U.S. ambassador to the United Nations

in the 1970s and his visits with Arab leaders as vice president. Mr. Bush still talks frequently of his friendship with Jordan's King Hussein, though that friendship is now strained by Jordan's sympathy toward Iraq.

At the same time, the end of the war brings to the forefront concerns about the disintegrating Soviet Union. If anything, the war has deepened the desire of the president and his aides to continue dealing with a Soviet Union led by Mr. Gorbachev. Though he annoyed the U.S. with his last-minute attempts to save Saddam Hussein diplomatically from a crushing ground war, the Soviet leader generally resisted pressures from hard-liners to dump his close relationship with Mr. Bush and side more openly with the Iraqi leader.

Perhaps more important, Mr. Gorbachev seems to have demonstrated that his ties to Mr. Bush are of paramount importance to him. He apparently avoided giving Iraq any intelligence information from Soviet satellites on U.S. troop movements; he also apparently stuck by the U.S.-led arms embargo.

So now Mr. Bush faces a delicate two-pronged task. He must try to bolster Mr. Gorbachev as much as he can, while also opening lines to opposition figures in case the Soviet leader falls. Mr. Bush faces tough decisions on whether to finish a strategic-arms deal with a Soviet state that is in such turmoil and that already may not be strictly honoring the just-completed conventional-arms treaty.

At home, though, Mr. Bush's war success doesn't seem likely to inspire risky proposals to attack domestic problems. Rather, one official says, it is more likely to "give us the courage to hold the line" against Democratic proposals deemed too expensive or intrusive.

Privately, some administration aides say the burden of pushing the president's modest agenda of domestic initiatives through Congress is going to fall largely on

the cabinet agencies directly affected—and that there won't be big tears shed if some of the initiatives don't get passed.

But perhaps the strongest sign that Mr. Bush's focus is elsewhere comes in the fact that he hasn't yet addressed what many

consider the ultimate domestic issue: his own re-election. Mr. Bush hasn't even broached the subject of a campaign organization with some of his closest aides—and he may not do so until this fall, officials say.



George Bush

# The Powell-Cheney Relationship: Blunt Give-and-Take Early in Crisis

By **PATRICK E. TYLER**

Special to The New York Times

WASHINGTON, March 14 — The low point of the relationship between Dick Cheney and Gen. Colin L. Powell came in the first hours after Iraq's invasion of Kuwait on Aug. 2, as the two men and their aides faced a giant map of the Arabian Peninsula in the Defense Secretary's cavernous office on the Pentagon's outer ring.

The Chairman of the Joint Chiefs of Staff had privately confided to an associate that he believed that if the military was asked to intervene, it should not go in halfway. General Powell believed he would have to go in big. But because he was skeptical that the White House was willing to commit the kind of force that would be required to remove President Saddam Hussein's army from Kuwait, the general presented limited military options, like bombing Iraq's oil pipeline through Saudi Arabia.

The Defense Secretary inadequate, insisting that President Bush have a full range of options, including the maximum use of force.

Mr. Cheney was blunt in criticizing the plans. There was a lot of "thrashing around," and the atmosphere was "testy," a senior Administration official said.

Associates say the conflict lasted no more than 24 to 36 hours. Mr. Cheney says he will not discuss it, because that would intrude on the heart of the confidentiality in his "good close relationship" with General Powell. There was a lot of "intense interaction that was even more intense during the period when our forces were engaged in combat," was all he would say in an interview this week.

## Bush's Inner Circle

"It gets to be very close," he said. "We each see more of the other guy than we do of our families."

"He called me today and we grabbed lunch together," Mr. Cheney said, adding "no specific agenda, just a bull session."

Steeped just last summer in the drudgery of managing the decline of the American defense establishment, on the defensive against Congressional attacks for timidity and lack of vision in the face of the collapse of the Soviet empire, Secretary Cheney and General Powell have emerged as two of the most visible members of President Bush's inner circle. For the Republican Party, they are emerging as factors in Presidential speculation.

Mr. Cheney, the career Republican Party political operative who spent a decade in the House of Representa-

tives, seems at times easily outshone by General Powell, the Bronx-born son of Jamaican immigrants.

After the military victory in the Persian Gulf, General Powell addressed the Veterans of Foreign Wars, who were meeting in Washington. Here is how he reminded them of the time when he told them that Saddam Hussein's threats would never shake American resolve.

## 'Powell Is a Politician'

"Was I right?" the General said, standing before an American flag the size of the one Hollywood put behind George C. Scott in the film "Patton." The crowd erupted.

"Powell is a politician in the old-fashioned, buy-you-a-hot-dog style, that's true," said an Administration official who has worked with both men. "Colin gets a big charge out of getting down with the guys, of cheering and rooting them on," the official said. "They probably react more viscerally to him than to Cheney, who is a little shy in getting in and working the crowd."

Mr. Cheney's is more self-effacing image, a hands-shoved-into-the-pockets Westerner who is ready to tell a joke about his former career in Congress and then, with his head sinking between hunched shoulders, say something sincere. But there also is a hard edge — some opponents in Congress call it a mean streak — that can flare in dealing with an adversary.

This is the rebuke he delivered to his former colleague, Representative Peter H. Kostmayer, Democrat of Pennsylvania, after a challenge to his spending plans: "When the Soviets were oppressing Eastern Europe, invading Afghanistan, building and deploying massive armaments, engaging in the largest military buildup, peacetime, in the history of the world, supporting third-world revolution in Central America and southern Africa, I don't recall that you supported the defense budget then, either."

## Cheney's Senior Post

General Powell's instincts seem disciplined by his military training. From Army fatigues and getting down with the troops, he can change effortlessly to spit-polish and dress-greens to discuss international affairs with diplomats, statesmen and royalty.

It is that political-military combination in General Powell's resume, the four-star warrior who also served as President Reagan's last national security adviser, that gives him special status. In an interview in August, just two weeks after he had clashed

## Colin Luther Powell

**Born:** April 5, 1937.

**Hometown:** New York City.

**Education:** B.S., City College, New York; M.B.A., George Washington University.

### Career Highlights:

Commissioned Army second lieutenant, 1958; Vietnam tours of duty, 1962 and 1968; commander, Second Brigade, 101st Airborne Division, Fort Campbell, Ky., 1976-77; military assistant to Secretary of Defense, 1983-86; commander, V Corps, Europe, 1986; Reagan White House, deputy national security adviser, national security adviser 1987-1989; appointed Chairman of the Joint Chiefs, October 1989.

**Hobbies:** Restoring Volvos.

## Dick Cheney

**Born:** Jan. 30, 1941.

**Hometown:** Casper, Wyo.

**Education:** B.A. and M.A., University of Wyoming.

**Career Highlights:** 1969-70, Special Assistant to the Director of the Office of Economic Opportunity; 1971-73, Assistant Director of Operations, White House Cost of Living Council; 1973-74, Vice President, Bradley, Woods & Company Inc., an investment firm; Ford White House 1974-77, Deputy Assistant to the President, Chief of Staff; House of Representatives, Republican of Wyoming, 1979-89; appointed Secretary of Defense, March 1989.

**Hobbies:** Fly-fishing, horseback riding.

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with Mr. Cheney, General Powell reinforced the restraint he had felt in those opening hours of the crisis.

"The use of the armed forces of the United States is a political matter, not a military matter," he said. "There has to be a political objective when we use the armed forces. We tend to get in trouble when we forget that."

But Mr. Cheney, almost stately at 50 — nearly four years younger than General Powell — is the senior partner by virtue of his seat in the President's Cabinet.

#### Staff Members Clash

"They are not equals, and Colin understands that," said one associate.

And though they frequently pay tribute to each other — Mr. Cheney refers to the general as "my compatriot" and tutor — each man vigorously guards the prerogatives of his office.

Mr. Cheney runs the huge Pentagon staff through a small circle of trusted aides, many of whom have been with him since his Congressional or White House days. That inner staff has clashed from time to time with General Powell's over Mr. Cheney's information-gathering forays into the military.

"Powell is very concerned with making sure that he is the adviser to the Secretary and the President," an official said.

Because he held office, ran President Ford's White House staff at the age of 34 and understands party machinery intimately, Mr. Cheney has

## Presidential speculation about two in Bush's inner circle.

become the darling of the Republican right wing. He has strong ties to the West, a perfect conservative voting record as a Congressman, skepticism about Soviet intentions, devotion to Israel's security and unflinching support for "Star Wars."

"Cheney is probably the conservatives' favorite right now," said Richard A. Viguerie, the conservative Republican fund raiser. "He is one of us. We have known him for many years and fought many battles together."

But a Republican media consultant, Robert Goodman, disagreed, arguing that General Powell and his field commander, Gen. H. Norman Schwarzkopf, have intense political allure for the Republican Party.

"In a nation starved for heroes, with politicians generally in low repute, with incumbency in some kind of turmoil right now, a fresh heroic face can be very very appealing," Mr. Goodman said.

Mr. Cheney "is the only real politician in the crowd," Mr. Goodman said. But he said that General Powell, if he were to replace Dan Quayle on the 1992 Republican ticket "could

create a sea change in national politics," not only by virtue of the racial coup such a draft would represent but also because General Powell might be able to rid the party of its four-decade shutout on projecting a humane domestic agenda.

The biggest problem for Republicans who lust for a Powell candidacy is the General's persistence in not declaring his party while in uniform.

In midwar, weeks ago, the General called Vice President Quayle and assured him that any talk of a Bush-Powell ticket was nonsense from his perspective.

#### Availability for Interviews

Both men have the relatively thick hides that only come from years of Washington experience.

"Cheney is a little more patient than Powell in dealing with Congress and the press," a senior official said.

General Powell carefully screens requests for access, and his distance has become all the more acute as his political future — and his relative attractiveness as a Bush running mate in 1992 — are more frequently discussed.

"In our free time he likes to fix old cars and I like to fly-fish," Mr. Cheney said. "I'm from the wide-open spaces of Wyoming, and he's a big-city boy from New York, so we are very different in that respect. His background is primarily military and mine is political, but they mesh nicely where they need to mesh."

# Baker wary of over-optimism as he seeks peace in Mideast

By Warren Strobel  
THE WASHINGTON TIMES

MOSCOW — Secretary of State James A. Baker III ended a week-long tour of the Middle East yesterday no closer to bridging differences between Arabs and Israelis and warning against over-optimism on progress toward peace.

Mr. Baker arrived here yesterday and is to meet today with radical reformer Boris Yeltsin, president of the Russian federation, and leaders of the three Baltic republics two days before a nationwide referendum on constitutional changes regarding Soviet unity.

Before Mr. Baker left Syria yesterday, Syrian Foreign Minister Farouk Shara underscored the difficulty of reaching a Middle East peace when he acknowledged that his country recently acquired more Scud missiles. He said Syria needs them to balance Israel's high-tech weapons.

"Syria is still in a state of war with Israel, and Israel has so many missiles and so many different types of mass-destruction weapons," he said. "A just and comprehensive peace would solve all these problems."

Mr. Shara cited the U.S. commitment to basing an Arab-Israeli peace on U.N. Resolutions 242 and 338, which call for Israel's withdrawal from occupied Arab territories, as a reason for being "optimistic for the future. That's why we see a window of optimism."

Mr. Baker, at a news conference with Mr. Shara at Damascus airport, indicated it is too early to determine whether the latest U.S. attempt to revive the Arab-Israeli peace process will take hold.

"We ought not to let expectations get out of control here," Mr. Baker replied when asked if his visits to Saudi Arabia, Kuwait, Egypt, Israel and Syria have changed anything. "This is early in the process of trying to address this problem."

He emphasized that he had found a new desire to resolve regional problems following the anti-Iraq alliance forged by the United States.

"Now maybe you don't think that's progress, and maybe it isn't," Mr. Baker said of what he described as the new mood. "Maybe the wheels will

come off [the effort] tomorrow, but let's give it a chance."

Syrian President Hafez Assad, in nearly seven hours of talks with Mr. Baker into the early hours yesterday, expressed "a commitment to peace with Israel that we haven't really seen before," a senior official said on the flight from Damascus to Moscow.

The commitment to a "genuine peace" with Israel, rather than hostile coexistence, signified an important "change in lexicon," the official said.

Other topics of discussion between the two men included American hostages in Lebanon and Syria's support for terrorism.

"We have the feeling that the hostage issue has to be resolved, and we would exert maximum effort to help in securing the release of all the foreign hostages in Lebanon," Mr. Shara said. "We are not pessimistic this will happen."

The major dispute between Israel and Syria focuses on the Golan Heights, which the Israelis captured in the 1967 Arab-Israeli War. Israel returned a slice of it after the 1973 October War and annexed the remainder in 1981. The windswept plain is dotted with Jewish settlements.

Syria has been a major foe of Israel since the Jewish state was born in 1948.

U.S. officials have said their goal is to build a consensus on how to move forward in the peace process and not to demand that specific steps be taken immediately by Israelis, Arabs or Palestinians.

On those terms, U.S. officials said, the mission is a good first start, but only that.

One element secured by Mr. Baker from Arab and Israeli leaders is their agreement to try Washington's two-track approach to resolve the problem. But there's been no public change in position by either side.

One track heads toward negotiations between Israel and the Arab states, the other aims at starting a dialogue between Israel and the Palestinians under military rule in the West Bank and Gaza Strip.

"You've got to take it a step at a time," Mr. Baker said. "You have to crawl before you walk, and you have

to walk before you run.

"And we've been at it for maybe five or six days, and it's a little bit premature to be... suggesting that somehow there is no opportunity here because we haven't had instant peace."

The senior official said Mr. Baker and his aides think they have established a consensus about how to proceed.

"That's good," the official said, speaking on condition of anonymity. "That's a first step. There's a long way to go. If you can't get over that hump, ... you're not going anywhere."

"Can I go beyond that [now]?" he asked rhetorically. "No, I can't."

Israel views the West Bank, seized from Jordan in 1967, as crucial to its security because of its stated need for a strategic territorial buffer against a land attack. Israeli officials took Mr. Baker on a helicopter tour of the narrowest part of pre-1967 Israel, only nine miles wide, to try to prove their point.

Syria, Egypt and Saudi Arabia view the occupied territories as the most vital question and want the West Bank and Gaza Strip to become a Palestinian homeland.

Mr. Baker, careful to avoid putting pressure on Israel, said he and Syrian officials agreed on the need to seek "a comprehensive settlement," with the two U.N. resolutions acting as basis.

In response to a question, he said there was a difference between Iraq's occupation of Kuwait and Israel's military rule of the Arab territories.

But, he said, "there should be no double standard" in implementing U.N. Security Council directives.

To break the Arab-Israeli deadlock and get negotiations started, the United States has asked each side to consider confidence-building steps to signal their good faith.

One such measure, which Mr. Baker brought up with Mr. Assad, is the fate of Israeli prisoners of war captured in Lebanon, the senior official said.

Another of Mr. Baker's goals in the region is to explore controls on nuclear, biological and chemical weapons, and missiles to deliver them.

# Cheney Says Guard Units May Need Reorganizing

## Secretary Questions Short-Notice Capability

By Barton Gellman  
Washington Post Staff Writer

The National Guard's front-line combat brigades, three of which were activated but never deployed to the Persian Gulf, probably cannot be made ready to fight on short notice and should be reorganized into reserve divisions that get three to four months of training before being sent into battle, Defense Secretary Richard B. Cheney said yesterday.

Cheney's tentative conclusion, among the first declared lessons of the Pentagon's postwar self-evaluation, carries potentially far-reaching implications for the "total force" policy that replaced the draft in 1973. Analysts inside and outside the military said a change of mission for the guard brigades would raise questions about the future of the reserves and the centuries-old ideal of the citizen-soldier.

Cheney emphasized in an interview yesterday that he regarded the Persian Gulf War as a vindication of the total force concept, a post-Vietnam creation that interweaves active-duty forces with reservists and ensures that no sustained war can be fought without involving civilians.

Of the 228,561 guardsmen and reservists called to active duty for Operation Desert Shield and Desert Storm, the vast majority were in combat support roles such as transportation and logistics. Cheney said "we could not have done the operation" without them.

But the highest-profile test for the reservists was their performance in three Army National Guard combat brigades, known as "round-out" brigades because they were intended to supplement active-duty brigades in combat divisions. Under the total force plan, a guard brigade would join two active-duty brigades to form a division.

The three round-out brigades, numbering nearly 5,000 soldiers each, were activated in November and December but never sent to the gulf with parent divisions. Pentagon officials said they were not ready for the complex demands of fast-paced maneuver warfare. Cheney said yesterday it was unrealistic to expect part-time soldiers to maintain readiness rates as high as their active-duty counterparts.

"I feel very strongly we would have run the risk of getting a lot of people killed unnecessarily if we sent units [to the gulf] before they were ready," Cheney said.

Instead of using the guard combat brigades in future wars "as integral parts of fast-deploying divisions," Cheney said, they might better be organized into their own divisions that would be expected to train 90 to 120 days before being sent into battle. Cheney said, however, that he had not "drawn final conclusions" so soon after the end of the war.

Cheney's views, disclosed in yesterday's Los Angeles Times, marked a major change of emphasis from last week's testimony of Gen. Edwin H. Burba Jr., head of the Army's Forces Command, who is responsible for meeting manpower demands of theater commanders in wartime.

Burba told a House Armed Services Committee panel that the guard brigades could improve their training enough to be ready for battle within 30 days of call-up. He said they should continue to function in their "round-out" role, assigned to active-duty divisions that would be the early reinforcements for divisions deployed first in future wars. Burba rejected the suggestion of Committee Chairman Les Aspin (D-Wis.) that battle-readiness might take as long as 90 days.

To those who support combat reserves, their reassignment to second-tier missions would come as a severe disappointment at a time when the U.S. military is remaking itself to fit the leaner budgets and reduced threats expected in the 1990s. Because reserve units cost less to run than their active-duty counterparts, some advocates saw the post-Cold War restructuring as an opportunity to expand their role.

The Pentagon's five-year plan to cut half a million troops and 25 percent of its budget now is spread

equally across active units and reserves. Some proponents of the guard and reserves said they fear the demise of the "round-out" brigades will lead inevitably to arguments for cutting more deeply into the reserves.

A senior Pentagon official, although cautioning that there are no plans to shift the impact of budget cuts, did not rule out a change in favor of active forces.

Rep. G.V. "Sonny" Montgomery (D-Miss.), a longtime proponent of the guard, said any reduction of its role would "waste a lot of money and a lot of talent."

"They train together. They march off together," Montgomery said yesterday in an interview, referring to the round-out brigades. "That's what I've been saying for 20 years."

"If you're going to relegate them to poorer cousins, if they're not going to have proper equipment, then why should anybody join?" asked a National Guard official who declined to be named. "Why not just draft me whenever you get the urge?"

Martin Binkin, an analyst at the Brookings Institution, said the guard historically sought missions in which they would be among the first deployed "because it's the only way you can make a claim on factory-fresh equipment."

In fact, the guard's round-out brigades sometimes received new-generation combat gear before active units assigned to less vital roles. The guard's 48th Infantry Brigade (Mechanized) from Georgia, for example, was among the first to receive M-1 tanks and Bradley Fighting Vehicles, because it was intended to deploy with the 24th Infantry Division.

When war came, however, the 48th became a symbol of the guard's frustration. The 24th was among the first rushed to the gulf after Iraq's Aug. 2 invasion of Kuwait, and it went on to glory in the rout of the Republican Guard. More than three months passed before the 48th was even mobilized, and it embarked on an embarrassing odyssey that included removal from command of Brig. Gen. William A. Holland and a training regimen that lasted until Feb. 28—the day the ground war ended in the gulf.

Army and senior civilian officials said the brigade ultimately honed itself into an effective combat force, but it suffered serious problems along the way. Accustomed to full-time maintenance help in peacetime, the brigade could keep only 30 percent to 40 percent of its tanks running, according to one official.

Medical examinations of the newly activated civilians turned up heart conditions, pregnancies and other problems that disabled some key officers and enlisted soldiers. The unit's top non-commissioned officer, Sgt. Maj. Wesley H. Shepard, was 54 years old; another senior non-com was 58.

Guard officials, on the other hand, said the 48th was never given a chance and was required to perform to standards that had not been set in peacetime.

"What you did is you said, 'You're going to play on an athletic field, the game is going to be soccer,'" a guard official said. "Then you changed it and said, 'The game is now going to be football.'"

# Thornburgh to probe complaints of brutality

By Jerry Seper  
THE WASHINGTON TIMES

Attorney General Dick Thornburgh, following a closed-door meeting with members of the Congressional Black Caucus yesterday, ordered a review of allegations of police brutality filed with the Justice Department.

The review, according to Mr. Thornburgh, will include a look at "official complaints" filed with the department's civil rights division since 1985 in an effort to determine "whether any pattern of misconduct is apparent" nationwide.

"Those engaged in law enforcement must be among the first to assure the observance of the civil rights and civil liberties of all citizens," said Mr. Thornburgh.

The caucus, outraged by the videotaped beating of a black man by Los Angeles police, had sought a full investigation of the Los Angeles Police Department — amid allegations that brutality against minorities in that city was "systemic."

Yesterday's decision by Mr. Thornburgh to limit the Justice Department's response to a review of existing cases was not viewed critically by most caucus members.

"This is an excellent first step," said an official close to the caucus. "At least we've got the door open."

Earlier this week, FBI Director William S. Sessions declined a request by the caucus to expand an ongoing bureau investigation into the Los Angeles beating of Rodney G. King March 3. He told caucus members the bureau was authorized to investigate brutality allegations only on a case-by-case basis.

Mr. King, 25, was kicked and struck with nightsticks more than 60 times following a traffic stop. The incident was videotaped by an amateur photographer and shown on television nationwide.

Mr. Thornburgh's call for a review came after a breakfast meeting with Rep. John Conyers, chairman of the House Committee on Government Operations, and Rep. Edolphus

Towns, New York Democrat and chairman of the Black Caucus. They sought an investigation at the request of both the black and Hispanic caucuses, saying the public had lost confidence in police in Los Angeles.

Mr. Conyers, Michigan Democrat, said the Justice review would involve at least 22 allegations of brutality by police agencies across the country, all of which could lead to criminal indictments. The six-year cutoff period, he said, covers the statute of limitations on federal civil rights crimes for which police could be prosecuted.

Mr. Conyers' staff will meet with officials from the General Accounting Office today to discuss a possible GAO investigation of alleged police brutality.

Mr. Thornburgh also ordered the department's National Institute of Justice to study the "correlation, if any, between the incidence of police brutality" and police training and internal procedures.

Meanwhile, Los Angeles Police Chief Daryl Gates has apologized for the "shame and dishonor" the beating incident had brought on the department, but continued to resist mounting calls for his resignation.

"He has promised his troops he is going to stay here and provide the leadership to restore the shine and gleam of that badge," Lt. Fred Nixon, a spokesman, said yesterday.

Calls for his resignation, however, have increased dramatically since the March 3 incident.

The American Civil Liberties Union purchased full-page ads in local newspapers and, in conjunction with eight other civil rights and labor organizations, urged the chief to quit. In Watts, a Los Angeles suburb that experienced explosive riots in 1965, black leaders gathered at a Baptist church to demand his resignation.

The beating incident is now before a grand jury, and felony charges are expected against at least three of the officers involved. Other charges may be lodged against 11 other officers identified at the scene.

# Alexander OK'd for job at Education

By James W. Brosnan  
MEMPHIS COMMERCIAL APPEAL

Lamar Alexander was confirmed as secretary of education yesterday by a voice vote of the Senate. He will be sworn in on Monday.

The 50-year-old former Tennessee governor expanded on his views on education in a series of written question-and-answers released by the Senate Labor and Human Resources Committee after it voted 16-0 Wednesday to confirm him.

Mr. Alexander said he would oppose a federal requirement for a single national test for students, a longer school year or a minimum pupil-teacher ratio. He said parents, community leaders and school officials, not state or federal governments, should decide whether high school health clinics should dispense birth control devices.

As governor from 1979 to 1987, Mr. Alexander passed a statewide merit pay plan for teachers and led the education reform efforts of the National Governors' Association.

At his confirmation hearing Feb. 6, Mr. Alexander said he would rescind the Education Department's controversial ban on college scholarships set aside exclusively for blacks and other minorities.

In the written Q&A, he responded on the following issues:

- Lengthening the 180-day school year: "If students are not engaged, lengthening the school year would only be a costly and futile proposition." He said a better alternative may be keeping schools open all year and spacing the same number of vacation days throughout the year instead of in summer.
- A national test for all students: Students need to be tested against world standards, but "I'm not certain we need only one test" and "goals need to be adopted, not imposed" by a

mandatory test.

- Choice: "It is time for the government to stop dictating to parents where they should send their children to school," but school choice programs need to protect the rights of the disabled and minorities.
- Increasing minorities in college: Schools can do a better job of preparing minorities for college and colleges need to target more financial aid and assistance to low-income students regardless of race.
- School birth-control clinics: "This is ... a local issue, to be decided by parents, religious and community groups and school officials."
- Tracking students into college preparatory and non-college courses: Schools should provide every student a "good liberal arts education" and no student should be "dumped" into special education classes because of income or race.
- National teacher certification: States should set minimum qualifications. A voluntary national system of certification would be one way to identify "master teachers" for merit pay plans and to allow people leaving another profession to become teachers.
- Distributed by Scripps Howard.

# Ouster of Robb attributed to his conservative views

By Donald Lambro  
THE WASHINGTON TIMES

Sen. Charles Robb's ouster from the Budget Committee is sparking a storm of anger among Democratic allies who believe he was purged by party leaders because of his fiscally conservative views.

Some Democrats said the action against a party leader of Mr. Robb's stature sends a damaging signal that the party is still controlled by special interests. The Virginia senator is chairman of the Democratic Senatorial Campaign Committee.

"It's absolutely outrageous," said Al From, executive director of the Democratic Leadership Council that Mr. Robb founded to move his party toward the political center. "Robb wouldn't play politics as usual, and they are punishing him for it."

"I've been around here a long time," said Mr. From, who formerly served as executive director of the House Democratic Caucus. "This is the first time I remember that someone was removed from a committee involuntarily for reasons of whether he supported the committee's chairman."

The senator's removal from the committee has since spawned an intraparty squabble, and some of the party's moderate Democrats are said to have made known their concern to the senator and to their leadership.

Both Sen. Sam Nunn of Georgia, a co-founder of the DLC, and Sen. Jo-

seph Lieberman of Connecticut were described by Democratic Party sources as angered by the action. The senators were unavailable for comment.

Rep. David McCurdy of Oklahoma, a DLC leader and the newly named chairman of the House Intelligence Committee, said of the action against Mr. Robb: "If this was done to punish him, it's almost unspeakable."

The junior senator from Virginia "is not only the chairman of the Senate campaign committee, he is one of the most respected members in the Senate. Democrats should be following his leadership on the budget, not ostracizing him. I find that unconscionable," Mr. McCurdy said.

"If what I've heard is factual, then it sends a terrible signal to the rest of the country . . . that people who believe as Chuck Robb and I do are not welcome in the party," said Rep. Charles Stenholm, Texas Democrat. "I don't believe that's [the case], but if it is, that's not a healthy sign."

Mr. Robb was told last week by Budget Committee Chairman James Sasser of Tennessee that he was being removed from the 23-member panel in order to reduce its size. The highly unusual action was done with the approval of the Senate Democratic Steering Committee, which oversees committee assignments, and Senate Majority Leader George Mitchell of Maine.

But Mr. Robb has since said that Mr. Sasser told him privately that



Sen. Charles Robb

the real reason for the removal was his reluctance to support Democratic budget bills.

"It's clear to me from what the chairman said to me, and from what I learned from others, that the chairman felt it would be easier to work his will with the committee if I were not a member of the committee," Mr. Robb said. "There's no question in my mind that was the reason."

Mr. Sasser has insisted that the decision had nothing to do with Mr. Robb's views.

But Mr. Robb, who frequently has been mentioned as a future presidential contender, told The New York Times this week that Mr. Sasser "admitted to me that although his public position was to reduce the size of the committee . . . if I would have been more willing to cooperate, then he would have been more willing to go to bat for me. It is clear that, for whatever reason, he viewed me as an impediment for the way he wanted to operate the committee."

# House GOP leaders plan to stay

By Ralph Z. Hallow  
THE WASHINGTON TIMES

The House GOP leadership lineup isn't likely to change in the foreseeable future, contrary to long-held expectations of Republican lawmakers frustrated with their leaders' go-along, get-along attitude.

In interviews over the last few weeks, these legislators directed their frustration at Minority Leader Robert Michel and National Republican Congressional Committee Chairman Guy Vander Jagt.

Many colleagues had expected both men to leave by 1990 or 1992, at the latest.

Mr. Vander Jagt of Michigan, NRCC chairman since 1975, has told The Washington Times he has no intention of relinquishing his chairmanship of the House GOP Campaign Committee after next year's congressional elections.

"The idea that I would leave in 1992 was peddled by the Sundquist-Livingston group," Mr. Vander Jagt said, referring to fellow Republicans who challenged him for the House campaign committee chair last year.

A spokesman for Mr. Michel of Illinois, who has been minority leader since 1981, said yesterday, "At this point, he has no plans to retire." And Mr. Vander Jagt said, "Every clue I get from Bob is that he is going to run again." House GOP Confer-

ence Chairman Jerry Lewis of California also told The Times he believes Mr. Michel plans to stay.

Even a supporter of Mr. Michel's such as Mr. Lewis noted that "our numbers have shrunk from 192 to 165 in the House, all during the heyday of the Reagan era." It was also under the Michel-Vander Jagt leadership.

Leading House Republicans said privately they have no doubt the White House wants the cooperative Mr. Michel to stay on.

Many GOP lawmakers said they regard Mr. Michel and Mr. Vander Jagt as too gentlemanly and too little driven by political philosophy for the bloody task of building a Republican majority over the bodies of Democrats.

Mr. Michel, in particular, is uncomfortable conducting aggressive air-land war tactics against Democrats and strongly believes in making his own troops toe the White House line. Most House Republicans regard that line as insufficiently partisan and bereft of domestic vision.

Many of these same GOP members also said younger leaders, led by House Minority Whip Newt Gingrich of Georgia, are proving to be less confrontational toward Democrats than expected.

They said Mr. Gingrich, the former conservative firebrand whom

many expected to take Mr. Michel's job, and other former "young Turks" are also showing traces of that same go-along, get-along attitude as they begin to climb the leadership ladder.

None of the GOP congressmen interviewed would speak for attribution, fearing retaliation by those above them in the pecking order.

"In this House, the most timid among us become king," said a Western state congressman who repeatedly has bucked the party leadership and the White House on key votes but was not about to slam Mr. Michel or Mr. Vander Jagt openly.

Several GOP members complained that a memo circulated by Rep. Mickey Edwards, House GOP Conference Policy chairman, outlining a strategy for becoming a majority in the House, was itself symptomatic of the problem.

"A district that might elect a Dana Rohrabacher or a Bob Dornan might not elect a Dan Schaefer or a Jim Saxton. Nor is there any philosophical reason to prefer one over the other," wrote the Oklahoma congressman.

Mr. Rohrabacher and Mr. Dornan are conservatives from California — the American Conservative Union repeatedly scored Mr. Dornan a perfect 100. Mr. Schaefer of Colorado and Mr. Saxton of New Jersey are GOP moderates — the ACU once gave Mr. Saxton a failing grade of 52.

# House GOP chiefs weigh war plans

By Donald Lambro  
THE WASHINGTON TIMES

House Republican leaders are considering a sweeping campaign war plan that for the first time would bring the GOP congressional campaign committee under their strict supervision and control.

In a memorandum presented to GOP leaders at a strategy meeting late last month, Rep. Mickey Edwards of Oklahoma outlined an ambitious Campaign '92 battle plan that would give new authority to House Minority Leader Robert Michel to control virtually every aspect of the National Republican Congressional Committee.

In a campaign blueprint for "becoming a majority in the House," Mr. Edwards proposed that Mr. Michel and a special House Republican task force "should exercise greater control over the NRCC, both in terms of defining its mission and overseeing its activities."

Mr. Edwards, who chairs the House GOP Policy Committee, proposed that Mr. Michel and his assigned deputies should be intimately involved in every facet of the NRCC and that its activities "should be a

part of every week's leadership meeting agenda."

Among other things, he said, the House GOP leaders "should know at all times the status of recruiting, the status of fund raising, the status of the campaign committee's finances and the details of all contracts and arrangements into which the NRCC has entered."

The Feb. 21 memo, a copy of which was made available to The Washington Times, calls for sharply reducing the NRCC's consulting activities, which have been a lucrative source of business for a number of GOP strategists. In its place, he proposed that the committee's primary emphasis should be "on maintaining a competent staff of field personnel" with responsibility for targeted congressional districts.

"The NRCC has done it all wrong for the past 10 years," Mr. Edwards said in a telephone interview. "In fact, I've been saying for years that the Democrats have been winning elections in the House because they don't have an NRCC."

His proposals are sure to spark considerable debate among House Republicans, especially the NRCC's longtime chairman, Rep. Guy Van-

der Jagt of Michigan, who has largely had a free hand in running the panel.

The proposals come in a time of transition and turmoil for the NRCC. It is soon to be taken over by a new director, Spencer Abraham, in the wake of former Co-chairman Ed Rollins' resignation earlier this year.

But Mr. Edwards' call for tighter political control over the NRCC's considerable resources also reflects a longstanding frustration among many Republicans who believe the committee has very little to show for the hundreds of millions of dollars it has spent over the past decade.

Other changes in the NRCC's mission would include increased use of focus group and open-ended polling in "all targeted districts" to identify key issues, and maintaining a data base for GOP candidates on their opponents' voting records.

The recommendations, which are still being considered by Mr. Michel and his deputies, also call for increasing the House GOP leadership's role in working with state GOP chairmen in candidate recruitment, training, fund raising and other support services.

Mr. Edwards said his other proposals, emphasizing a strategy based on the ancient wisdom that all politics is local, have been warmly received by his party's leadership. He said even House GOP Whip Newt Gingrich, long an exponent of stressing national issues in House races, recently sent him a note "saying that he had changed his mind and that I was essentially correct."

# Dole: War vote fair political game

By Adam Nagourney  
USA TODAY

Weighing into a growing partisan debate, Senate Minority Leader Robert Dole Wednesday sharply attacked Democrats who initially opposed President Bush on his handling of the Persian Gulf war.

The Senate's top Republican — who had been largely silent on the issue — dismissed Democratic claims "this is a vote of conscience or this is off-limits."

Expanding on a *Wall Street Journal* column he wrote saying that "never before have so many been so wrong about so much," Dole signaled the GOP's intent to hammer Democrats with the issue.

"It's a judgment call just like any judgment call," Dole said in an interview.

"I get bashed for some of mine. President Bush gets bashed for some of his. I can't remember anybody saying we ought to stop attacking the Re-

publicans on Social Security or civil rights."

Since the war ended, the debate has been growing over the Jan. 12 vote when only 10 of 55 Senate Democrats voted to authorize war. The resolution passed 52-47.

Dole said the vote won't be a major factor in most congressional elections. But he predicted it would be "particularly devastating for any Democrat" who voted against war and runs for president.

Democrats, he said, were "just as patriotic as the rest of us." But he argued that a shift of three votes could "have turned this smashing victory into a catastrophe."

He described the vote as "a contest on who was going to run this country from a military standpoint — the Democrats or Republicans." And he added: "If casualties were really heavy, I would have to think a lot of us who voted for the resolution would be taking a lot



AP

**DOLE:** 'No' vote most damaging for presidential hopefuls.

of gas right now."

Dole said the argument by some — including New York Gov. Mario Cuomo — that sanctions might have worked if given time was "a hard sell."

On the Senate floor Wednesday, Sen. John Kerry, D-Mass., accused Republicans of an "unpatriotic" and "partisan approach to postwar politics."

Kerry added: "Some are trying to rewrite history when they suggest that somehow the vote on early use of force meant that our country wasn't united about Iraqi aggression."

4A

**DUKE CAMPAIGN:** Louisiana state Rep. David Duke kicked off his bid for governor, vowing to slash taxes and welfare programs. The ex-Ku Klux Klan leader, running as a Republican, said his chances aren't hurt by Gov. Buddy Roemer's switch to the GOP. Duke got 44% of the vote in a losing U.S. Senate bid last year. "I got 100,000 more votes than Buddy Roemer did when he ran for governor," Duke said. Also running: ex-governor Edwin Edwards, a Democrat.



AP

**DUKE:** Ex-KKK leader runs for gov

3A

# Panel Votes \$16 Billion for War Costs

## *Aid to Turkey Approved; Mikulski Seeks to Continue F-14 Production*

By John E. Yang  
Washington Post Staff Writer

The Senate Appropriations Committee voted unanimously yesterday to spend nearly \$16 billion to begin paying the U.S. military and civilian costs of the Persian Gulf War, including \$200 million in aid for Turkey.

The twin supplemental spending bills, which the panel approved on a single 24 to 0 vote, would provide \$15 billion to be used to pay the military costs of the war until more of the pledges from foreign allies—now in excess of \$50 billion—are fulfilled. The bill would limit the Pentagon's war expenditures, financed by both U.S. funds and foreign contributions, to \$46.2 billion.

The measures also include \$975 million to pay for various civilian spending related to the war, including increased security at federal facilities and foreign embassies in the United States. The measure also contained \$3.6 billion in extra fiscal 1991 spending for programs from food stamps to relief for the drought-stricken western states.

The Senate is to consider the bills next week. Lawmakers hope that both can be given final approval and reconciled with competing House versions before they begin a two-week recess at the end of next week.

The additional aid to Turkey had been sought by Senate Appropriations Committee Chairman Robert C. Byrd (D-W.Va.), a strong supporter of that NATO nation, after the Bush administration supported \$650 million for Israel.

The funding was not in the administration's original request. But Wednesday, Office of Management and Budget Director Richard G. Darman wrote Byrd officially seek-



**RICHARD G. DARMAN**  
... U.S. "appreciative" toward Turkey

ing the money. "The United States is, of course, deeply appreciative of the role and conduct of Turkey in the gulf war," Darman wrote.

The Turkish government had sought at least \$650 million to offset the additional military expenses it incurred during the Persian Gulf War, which it estimated to be more than \$7 billion, according to Darman.

In making its military funding decision, the Senate Appropriations Committee set a slightly higher limit on Pentagon spending to pay the war's bills than the House did. The panel estimated the cost of just the combat to be \$9.8 billion, \$3.5 billion more than the House did.

The Senate committee dropped a House provision allocating

\$350,000 for a Memorial Day celebration honoring the U.S. military men and women who fought in the gulf.

Sens. Barbara A. Mikulski (D-Md.) and Alfonse M. D'Amato (R-N.Y.) added language to the measure, identical to a provision in the House bill, ordering Defense Secretary Richard B. Cheney to continue production of 12 F-14 Tomcat fighter planes this year at a cost of \$987 million. Cheney has been trying to kill the Navy program for two years.

The carrier-based aircraft, which flew thousands of missions in the Persian Gulf War, is produced by Grumman Corp. on Long Island. Work on the aircraft is also done at a Grumman facility in Salisbury, Md., where Mikulski said 700 jobs were at stake.

Sen. Arlen Specter (R-Pa.) added language, also identical to the House bill, protecting the V-22 Osprey tilt-rotor troop transport aircraft. Work on the craft, produced by Boeing Co. and Textron Inc., is done in Pennsylvania and Texas.

The measures also include \$500 million to pay for the increased military benefits the full Senate approved yesterday, but directs that the funds come from foreign contributions.

Of the foreign pledges of cash, services and equipment, only \$18.9 billion has been received, according to Senate Appropriations Committee aides. The U.S. expects to receive \$6 billion more from Japan next Monday and another \$3 billion from Tokyo on March 28, Byrd said.

The committee's report accompanying the legislation said that Congress should not approve the sale of military weapons to any country that does not fully deliver on its pledges.

# Senate Approves Veterans Benefits

*\$500 Million Package Would Boost Pay, Education, Housing Funds*

By Helen Dewar  
Washington Post Staff Writer

The Senate last night gave overwhelming approval to a \$500 million package of pay and other benefits for troops who fought the Persian Gulf War and sent it to conference with the House, which has authorized \$1.1 billion in benefits for veterans of all wars.

The vote was 97 to 1, with Sen. Mark O. Hatfield (R-Ore.) opposing the measure because it also authorized \$15 billion to cover costs of the war itself, which Hatfield opposed. Sens. Bob Graham (D-Fla.) and James M. Jeffords (R-Vt.) did not vote.

Although the White House raised objections to some provisions in the House bill, including new benefits for veterans of wars other than the gulf conflict, the Senate measure was worked out in consultation with administration officials.

Benefits, which would be paid out over five years under both bills, range from higher combat pay to educational and health services and aid in coping with loan payments.

In a major difference, the House bill would provide more generous increases in higher education assist-

ance to active-duty as well as reserve forces, while the Senate version emphasizes increases for reserve troops, whose benefits would be raised from \$140 to \$270 per month for each month a reservist was on active duty.

The Senate measure would finance the benefits out of contributions from allied countries to Operation Desert Storm. The House bill would finance them from U.S. tax revenue, contingent on a declaration from President Bush that they are emergency spending and thus fall outside the constraints of last year's budget agreement.

The Senate measure was approved after days of intense behind-the-scenes negotiations aimed at keeping it from being swamped by amendments from senators eager to promote their pet projects and win credit for helping Desert Storm troops and their families.

Dozens of amendments were rejected by party leaders, and Majority Leader George J. Mitchell (D-Maine) and Minority Leader Robert J. Dole (R-Kan.) teamed up to keep senators from reviving their proposals on the Senate floor.

Only a couple of amendments were accepted, and they added no costs to the bill. The Senate unan-

imously approved a nonbinding resolution urging that the United States spend no funds to help rebuild Iraq while President Saddam Hussein remains in power. Another amendment urges creation of an international tribunal to try Saddam and others for war crimes.

The Senate-approved benefits include a temporary increase in imminent-danger pay from \$110 a month to \$150 a month and increased death benefits as well as other remuneration to survivors of those killed in the war.

Reservists would receive 60 days of transitional medical coverage after their release from active duty. Funds for child-care and family-support services would be increased by \$50 million. Home-loan guarantees for reservists would be extended, and small-business loan repayments would be deferred. The Veterans Resource Centers program would be open to gulf veterans.

Money to fund the programs is provided in a supplemental appropriations bill now making its way through Congress. Congressional leaders hope that the veterans benefit legislation can be approved and sent to the White House before Congress adjourns for a two-week recess at the end of next week.

# Warner Drops Effort to Revise ABM Treaty

## Nunn Outmaneuvers GOP Proponents of Space-Based Anti-Missile Systems

By Helen Dewar  
Washington Post Staff Writer

Senate Republicans yesterday abandoned an attempt to capitalize on the success of the Persian Gulf War and champion the cause of anti-missile defenses after being outanked by Armed Services Committee Chairman Sam Nunn (D-Va.).

Just as the Senate began final debate on the proposal, Sen. John V. Warner (R-Va.) withdrew it on grounds that it would delay action on authorizing \$500 million in benefits for gulf war troops and their families.

But others said Warner's proposal would have been rejected in favor of an alternative drafted by Nunn that would have promoted the Patriot missile and other tactical ground defenses and put a Democratic stamp on the issue.

"I think we would have prevailed, substantially," said Nunn.

The Republican initiative had the support of the White House, and its failure represented at least a temporary setback for the administration and its Capitol Hill allies in their efforts to exploit the war's popularity on behalf of their policy objectives, including the space-based missile defense envisioned under the Strategic Defense Initiative (SDI).

The outcome also provided a boost for Nunn, who has been the subject of countless political obituaries since he joined other Democratic leaders in their unsuccessful efforts two months ago to block congressional authorization for offensive military action to expel Iraq from Kuwait.

Long regarded as one of the Democrats' strongest voices on national security issues, Nunn has more recently been hearing himself described by Republicans as a dove

Such a move could provide a powerful boost for space-based missile defenses planned under SDI, which proponents contend is severely hampered by testing and deployment constraints in the ABM Treaty. Support for SDI has been losing ground in recent years, and supporters hope to use the success of the Patriot and other high-tech weaponry in the Persian Gulf War to revive support for the program.

The nonbinding resolution called on the secretary of defense to "undertake preparations" for development and testing of the systems during the negotiations. It also stated that, if modifications were not negotiated within two years, the president should decide whether to abandon U.S. compliance with the treaty.

Warner proposed the resolution Wednesday as an amendment to the gulf war benefits package and pushed ahead with it despite Democratic and Republican leaders' attempts to avoid any moves that might trigger an avalanche of amendments to the benefits bill.

Warner won administration blessing in the form of a letter from na-

tional security adviser Brent Scowcroft saying Warner's proposal would send an "unmistakable signal of our determination to proceed with ballistic missile defenses that enhance our national security."

In floor speeches and a letter to colleagues Wednesday, Warner invoked the image of the doughty Patriot missile system that brought down Scud missiles fired by Iraq at Saudi Arabia and Israel. His amendment, he said, would free American genius to devise new, more advanced systems to defend U.S. territory and fighting forces from a "worldwide proliferation of ballistic missiles, including future generations of the infamous Scud missile."

But Nunn did more than invoke the image of the Patriot in an alternative to Warner's proposal that he laid before the Senate late Wednesday: he proposed to buy more of them—\$224 million worth—and put them on ships for quick deployment to trouble spots around the world.

Nunn also proposed to shift \$218 million within the SDI budget to accelerate production of ground-based missile defenses that can be

deployed in the near future at the expense of more exotic and long-term space-based systems that are favored by many of the most ardent Republican backers of SDI.

Warner's resolution drew fire from Sen. William S. Cohen (R-Maine), who opposed consideration of either the Warner or Nunn proposals in connection with the benefits bill. Cohen said he was especially troubled by the Warner resolution's suggestion that the defense secretary "undertake something prohibited by law" in preparing for tests banned by the ABM Treaty.

By late yesterday, the White House was also distancing itself from Warner's proposal. Officials said they supported Warner's effort because it was in line with their policy but warned Warner that the timing was inappropriate.

One official said Warner was "all fired up" to embarrass Nunn and to make a mark for himself. The official also said Vice President Quayle enthusiastically supported Warner's move.

Talking with reporters after he withdrew his proposal, Warner denied he backed off because of Nunn's counterattack. He said he welcomed the contrast between the two plans, contending it underscored the more advanced and far-reaching nature of the missile defenses contemplated by his proposal. But he acknowledged

he needed more time to marshal grass-roots support.

"Frankly," he said, "I need more time to take this to hometown U.S.A. . . . I dare not take the risk of leaving this to Beltway arms control groups."

Staff writer Ann Devroy contributed to this report.

# Plan to Cut Payroll Tax Gains Support

By Spencer Rich  
Washington Post Staff Writer

A broad political spectrum of support gathered yesterday behind a proposal sponsored by Sen. Daniel Patrick Moynihan (D-N.Y.) to cut the Social Security payroll tax, with cosponsor Sen. Robert W. Kasten Jr. (R-Wis.) promising that the idea would create at least 299,000 new jobs by the end of the century.

At a news conference releasing a study of the plan, Kasten was flanked by Sen. Malcolm Wallop (R-Wyo.), Rep. Richard K. Armey (R-Tex.) and spokesmen for the National Committee to Preserve Social Security and Medicare, the National Federation of Independent Businesses and the U.S. Chamber of Commerce, among others.

Kasten's list of other backers included the AFL-CIO, the Democratic National Committee, the Democratic Leadership Council, the American Academy of Actuaries, Citizens for Tax Justice, Citizens for a Sound Economy and the Heritage Foundation and Cato Institute think tanks.

Moynihan has said the Social Security system won't need the huge surpluses it is now accumulating until about 2020, so it is safe to give American workers a break on the taxes now and raise them again later. The Bush administration is opposed, and many members of Congress are sympathetic but cautious.

The proposal would lower the Social Security tax rate by 1 percentage point on both workers and employers by 1996 and raise the amount of wages subject to the tax. Kasten cited a study by two former Treasury Department economists, Aldona and Gary Robbins of the Institute for Policy Innovation, that said the change would create 299,000 jobs. If the ceiling is not raised, the move would create 650,000 jobs, the study said.

The first test vote is expected in a few weeks when Moynihan plans to offer an amendment to the budget resolution adjusting government revenue estimates to reflect the proposed change. The actual change would be made in a tax bill later.

Last year Moynihan's idea got 54 votes, but needed 60. If the budget resolution amendment passes, the plan would need only a majority vote under new rules.

# Taking On A 'Skunk In a Closet'

## S&L Rescue Becomes A Political Quagmire

By Susan Schmidt  
Washington Post Staff Writer

The House Banking Committee hearing in mid-January was supposed to be about more money for the savings and loan cleanup, but Rep. Maxine Waters, a newly elected Democrat from Los Angeles, had a few other things on her mind.

Staring down at Treasury Secretary Nicholas F. Brady, she demanded to know why more minorities weren't sharing in the billions of dollars in contracts that the thrift cleanup agency awards? "Have you ever heard of empowerment?" she asked.

Other representatives continued the barrage of questions: Why wasn't the government making more of its huge real estate portfolio available to low-income people? Why shouldn't the rich be taxed to pay for the whole mess?

By some accounts, Democrats have been trying to keep the costly S&L cleanup in the public eye to damage Republicans, but this week Democrats and Republicans alike found themselves under an uncomfortable spotlight when it came down to having to spend more money on it. It was a position made even more uncomfortable by the notoriety of the recent Keating Five decision.

"It's like a skunk in a closet," said Brookings Institution economist Robert Litan. "Nobody wants to go near it and it stinks to high heaven."

Wednesday, the House finally approved \$30 billion more for 1991 S&L losses, nearly six months into the fiscal year, when thrift closings by the cash-strapped Resolution Trust Corp. have all but ground to a halt and a larger funding request for 1992 is just months away.

The vote came after weeks of chaotic debate and months of collective hand-wringing over having to spend much more money than anyone ever dreamed for something utterly intangible to most constituents: the government's guarantee on insured deposits.

"It is not exactly anybody's idea of how you would best like to use scarce resources," said House Speaker Thomas S. Foley (D-Wash.).

And Congress is finding it particularly hard to justify voting more money for an agency that many believe is wasting too much already. But it is

hard-pressed to come up with an alternative: Most of the "reforms" its members have proposed would do nothing to make the RTC more efficient and save taxpayer money. Many, in fact, would cost more.

It's a debate that threatens to become almost a year-round struggle. In addition to the \$30 billion for 1991 losses, the Bush administration projects it will need \$50 billion in the fiscal year beginning Oct. 1, a request Congress will have to take up this summer.

Estimates of the cleanup's cost have mushroomed from \$50 billion in 1989 to at least \$130 billion today, as have those of the size of the job, which is now expected to entail closing more than 1,000 institutions. The cost to taxpayers, when interest on borrowings is included, will reach \$500 billion over 10 years, by some estimates.

Voting to pay for it is politically painful, so much so that Congress delayed action on the current funding bill even though doing so has driven costs even higher. The RTC estimates that \$300 million has been lost because it had to hold off closing 125 insolvent thrifts.

When the House Banking Committee took up the funding request at a 10-hour hearing earlier this month, Rep. Chalmers Wylie (R-Ohio) even suggested a voice vote instead of a roll call. "Turn the lights off too!" quipped Rep. Gerald Kleczka (D-Wis.).

Many members seem to think voting for the money will taint them in the eyes of constituents who don't understand where it is going. New Jersey Republican Marge Roukema tried to explain it during a televised floor debate Tuesday. "This does not bail out the crooks; it bails out depositors," she said.

It was logic that failed that day, when four separate versions of the thrift funding bill went down to defeat. Passage came about only after intense negotiations Wednesday between House leaders and Treasury Secretary Brady.

"It's sort of like taking medicine; it doesn't taste good, but you know you have to take it," said Rep. Charles Schumer (D-N.Y.).

On top of frustration with the spiraling cost, the complaints about the RTC's performance are endless: Every congressional office has heard them from constituents trying to do business with the agency.

The RTC has been extremely slow selling assets, hampered in part by the recession and the collapse

of the real estate market, as well as the inevitable kinks of a new agency. But many of its problems are of its own making: Its strategies for selling assets have shifted constantly, and stories from would-be buyers and contractors about its unresponsiveness are legion.

Those problems should be separated from the funding issue, argued Peter Monroe, president of the cabinet-level RTC oversight board. "You shouldn't punish insured depositors because of this other debate about whether the RTC is run in the best way possible," he said.

Many Democrats, along with some Republicans, are determined to keep a close eye on the Resolution Trust Corp. They want to force the agency to come to Congress frequently for money as a way of keeping it under tight rein.

Some experts think they are using the issue as a political brickbat, however.

"They are trying to keep the S&L issue alive . . . as a way to distract attention from the foreign policy successes of the president," said the Brookings Institution's Litan. In the end, though, said Litan, it's a strategy that backfires because the Democrats keep having to vote to spend huge sums of money.

For their part, the Republicans have tried to avoid the politically uncomfortable debate over the escalating cost of the cleanup by asking for an open-ended appropriation to take care of it—a "blank check" in the view of many in Congress.

Most of the proposals in Congress to change the way the RTC does business have social goals, such as more affordable housing, but they would do nothing to cut costs or improve efficiency. But larger reform efforts may be ahead.

Some in Congress want to reduce the Treasury's influence over the agency by streamlining the overlapping boards that run it. And a radical change in the way the cleanup is paid for—a pay-as-you-go plan—won surprisingly strong support this week from a broad political spectrum.

Opponents, including many Democrats, believe the pay-as-you-go plan, which would eliminate costly interest payments, would undermine last year's budget agreement, and no one wants to have to raise taxes or cut programs to pay for the S&L cleanup now.

And this week, some in Congress found the pay-as-you-go plan a handy place to take cover. "Some folks who voted for our [bill] told me they wouldn't

vote for anything else," said cosponsor Rep. Jim Slatery (D-Kan.). They voted against adding to the deficit and against the funding bill that passed.

But House Minority Leader Robert Michel (R-Ill.) warned his colleagues the S&L mess won't disappear without money. "It's never going to go away. It'll be here and be here and be here."

# Senate panel OKs aid for D.C.

By Chris Harvey  
THE WASHINGTON TIMES

The Senate Appropriations Committee yesterday followed the House's lead and approved \$104 million in emergency funds for the District — a vote described as a tribute to Mayor Sharon Pratt Dixon's efforts to ease the fiscal crisis she inherited.

Key members of the committee predicted the full Senate next week would also approve the money, which is needed to prevent city employee furloughs. Passage could come as early as Tuesday.

"One can never be sure," said Appropriations Committee Chairman Robert Byrd of West Virginia, "but it has a lot of momentum behind it here."

"We're on third base, and home is in sight," said an elated Sen. Barbara Mikulski, Maryland Democrat.

Mrs. Dixon said in a telephone interview that she was cautiously optimistic the city would win the funds. But, she added, "I know enough about public life to know you never have anything locked up."

Not one senator spoke out against the D.C. emergency money during the committee session, which was slightly delayed yesterday while some members were rounded up from an NCAA basketball game at the University of Maryland. The money was approved on a 24-0 vote, as part of a roughly \$5 billion Gulf war supplemental package.

Of the total, \$100 million boosts the annual \$430.5 million federal payment, given to the city in lieu of taxes on federal property. About \$3.6 million is a reimbursement for stepped-up security measures taken by the city during Operation Desert Shield and Operation Desert Storm.

If the city gets the money, members said it will be because of Mrs. Dixon's efforts to eliminate most of the city's projected \$316 million deficit for fiscal 1991 without Congress' help.

Her tireless lobbying this year on Capitol Hill has also been instrumental, senators and Dixon aides said. Mimi Mager, the mayor's liai-

son to Congress, said Mrs. Dixon personally visited at least two-thirds of the Senate's 100 members since Congress convened in January.

"It was a lot of effort," Mrs. Dixon said yesterday.

The mayor has pledged to cut \$63 million in employee raises and \$137 million in agency spending in the year ending Sept. 30. She has also committed to raising \$12 million in revenues — including \$6.3 million from a telephone surcharge and \$2.2 million from a change in the hotel occupancy tax.

"I have been very much impressed with this new mayor," Mr. Byrd said, adding he believed she is trying to instill "discipline" to the city's budget process. "It's like a fresh breath of spring air from the mountains of West Virginia."

Sen. Christopher "Kit" Bond, ranking Republican on the Appropriations subcommittee on the District, said he was persuaded to back the \$104 million request after he was assured the money would not disturb deficit-reduction targets set by Congress last year. He said he also sought and was given assurances the city would live up to its pledge to cut \$212 million of the deficit on its own.

"It's clear the Congress expects the cuts to be made," the Missouri Republican said.

The Senate committee made release of the emergency funds contingent on the city's follow-through with those \$212 million in spending cuts and revenue boosts. Mrs. Dixon said she would have preferred as "few limits as possible" in the bill, but added the conditional language "wasn't disturbing to me."

The language may have been inserted in an attempt to appease the White House, which has called the \$100 million increase in the federal payment premature without a long-range plan to restructure local revenue and spending patterns.

In a letter sent to Mr. Byrd Wednesday, White House Budget Director Richard Darman said if the committee felt compelled to approve the emergency funds for the District, it should at least "tie such a commitment to some measure of D.C. government performance."

Passage of the \$100 million in aid is considered the first step on Capitol Hill toward permanently boosting the annual federal payment, which has been set at \$430.5 million since fiscal 1988.

Mrs. Dixon is seeking an additional \$200 million in fiscal 1992. She is also pushing passage of a bill that would tie the now-arbitrary federal payment to a formula based on locally raised revenues.

Sen. Brock Adams, a Washington Democrat and chairman of the Appropriations subcommittee on D.C., said it was too early to speculate if that \$200 million request will fly. "I have no idea yet. One day at a time," he said.

D.C. congressional Delegate Eleanor Holmes Norton, a Democrat, says she and city officials are "strategizing" on the \$200 million. "We don't anticipate it will be tougher," she said.

# Lawmakers besieged by eager workers seeking Kuwait jobs

By Joan Mower  
THE ASSOCIATED PRESS

The call Democratic Rep. Byron Dorgan received from the North Dakota man was typical: Could the congressman help find a job in Kuwait for his son, a young farmer who doesn't have enough money to plant his spring crop?

Like scores of other lawmakers, Mr. Dorgan has been besieged by people who want to do business or work in newly liberated Kuwait.

Dairy farmers in Republican Sen. Bob Kasten's home state of Wisconsin asked if they could ship their surplus to Kuwait, and idle construction workers sought jobs from Sen. Joseph Lieberman, Connecticut Democrat.

Rep. Barbara Kennelly, Connecticut Democrat, said one of her constituents was so convinced she could land him a job that he asked, "What are my benefits?"

Other than to steer people to federal agencies dealing with Kuwait and to hand out telephone numbers for Kuwaiti offices, there is little lawmakers can do.

"The Kuwaitis have set up a process and if you don't follow that process, you don't get in," said Rep. Dante Fascell, Florida Democrat and chairman of the House Foreign Affairs Committee. Kuwaitis will pay for — and be in charge of — the reconstruction, an effort that could take a decade and cost \$100 billion.

Many Americans have the mistaken notion that the United States "will control what happens" in the Kuwait rebuilding because Americans played the lead role in the Persian Gulf war, said Sen. John Kerry, Massachusetts Democrat.

In the frenzy to help their constituents, lawmakers have held hearings; repeatedly contacted Kuwaiti Ambassador Saud Nasir Sabah; introduced resolutions calling for Americans to get a fair share of the contracts; printed an information packet; and planned trips to war-torn Kuwait.

Rep. Helen Bentley, Maryland Republican, said the ambassador is "aware of the interest" of Marylanders in doing business, including the 200 Maryland medical companies that have banded together to try to land contracts.

Mrs. Bentley said she tells many people it is premature to think about long-term contracts until the Kuwait clean-up effort is finished.

Sens. Wendell Ford, Kentucky Democrat, and John Warner, Virginia Republican, are leading a Senate delegation to Kuwait and Saudi Arabia this weekend. A similar House delegation is also traveling there.

Sen. Alfonse D'Amato, New York

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***"The Kuwaitis have set up a process and if you don't follow that process, you don't get in."***

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Republican, has already visited Kuwait, where he found "total and complete devastation" of the Persian Gulf country that once enjoyed one of the world's highest standards of living.

Mr. D'Amato has also been one of the most aggressive in trying to ensure his constituents have an inside track on business opportunities. He was the first to hold a new conference with Mr. Sabah after Kuwait's liberation from Iraq on Feb. 25.

He manned telephones at the Commerce Department's Gulf Reconstruction Center clearinghouse, and he has arranged a trade conference in New York tomorrow to be attended by a high Kuwaiti official.

"I am not going to look to close any deal," Mr. D'Amato said. "What I want to do is help New Yorkers get into the process, ... call the right people."

Finding the right people to call can be a challenge. The main number at the Kuwaiti Embassy is busy virtually all the time, as is the phone at the Kuwait Emergency and Recovery Program.

"They are overwhelmed, they don't have enough staff," said Ghaleb Fardi, a spokesman for the U.S.-Arab Chamber of Commerce. "It's going to take time for things to clear up."

The chamber, meantime, has added 10 telephone lines to cope with the influx.

## Alexander Haig, Others, Fly to Kuwait In Search of Reconstruction Benefits

By JILL ABRAMSON

Staff Reporter of THE WALL STREET JOURNAL

When the emir of Kuwait at last reclaimed his throne yesterday, a bevy of U.S. dignitaries were on hand to celebrate. But this wasn't merely a social occasion.

Among those who were flying in for the fete—on an all-expenses-paid flight that the Bush administration helped to arrange—were some of the very consultants and lobbyists now lining up to cash in on the reconstruction of the emir's war-ravaged country.

Take Alexander Haig, the former Secretary of State. He has been busily touting himself as a matchmaker between corporations eager to get a piece of the multibillion dollar reconstruction and Kuwaiti government officials, including the emir. Since leaving the government, Mr. Haig has earned millions of dollars in consulting fees from such clients as **United Technologies Corp.**, which he once headed, and **Boeing Co.**

Also departing from Andrews Air Force Base Wednesday night aboard a chartered Kuwaiti Airlines 747 aircraft were former Secretary of Defense Frank Carlucci, another highly paid international business consultant; former Democratic Rep. Tony Coelho, now an investment banker in New York; and top executives from **AT&T Corp.**, **Fluor Corp.** and **Dresser Industries Inc.** Richard Allen, an international business consultant who was Ronald Reagan's national security adviser, also was on board.

Not everyone on the plane is going gratis. Mort Zuckerman, the developer and publisher, is paying his own way, says a spokeswoman.

The Kuwaitis dubbed it the Freedom Flight. Coveted invitations for the four-day trip went out last week from Shaikh Saud Nasir al-Sabah, the Kuwaiti ambassador in Washington and a member of the ruling family. But the Bush administration had a hand in picking who would go along.

Secretary of Commerce Robert Mosbacher, who joined in the trip, spoke for the administration on which companies should receive invitations. As word of the invitation-only trip spread, both the Commerce Department and the Embassy of Kuwait were deluged by those begging for a seat on the plane.

Administration officials and some business executives wanted to play down the business aspect of the trip. "It is not a trade mission," insisted one Bush administration official knowledgeable about the trip. The group may, however, meet with Kuwait's interior minister, who will play a role in handing out contracts for the rebuilding of the country—a public works project that may approach \$100 billion in value. A meeting with the emir was also tentative, according to someone familiar with the planning for the trip.

Several members of the delegation—including Mr. Carlucci, Mr. Coelho and Sam Zakhem, the former Ambassador to Bahrain—were active in the Committee for Peace and Security in the Gulf, an ad hoc lobby group that supported President Bush's Gulf war policies. "Most of the people on the trip already have established strong relations with the Kuwaitis," explained Ron Cathell of the National Council of Arab-American Relations, whose president, John Duke Anthony, is on the trip.

But many of those on the excursion are hoping to exploit those ties for business. "They are all over there feeding at the trough," says Edward von Kloberg, a Washington lobbyist who once represented the government of Iraq. "They are promising the world, but I don't know what any of these consultants can really deliver."

With Kuwaitis still unable to receive incoming telephone calls, consultants such as Mr. Haig are selling themselves as emissaries to the emir and his aides. According to one person in Washington familiar with some of Mr. Haig's client contacts, the former secretary is aggressively marketing himself as someone "who can help open the right doors in Kuwait." Mr. Haig couldn't be reached in Kuwait and an associate didn't return a message left for him,

although Mr. Haig's secretary confirmed that he was on the trip.

Some companies are already doing business in Kuwait without the help of Mr. Haig or other consultants. AT&T, for example, has three satellite stations and a fourth on the way that have restored some outgoing telephone service.

Not every international business consultant who made the cut was able to go along. Declining invitations for the flight were former Secretary of State Henry Kissinger and former Pentagon official Richard Perle.

The Kuwaiti government's offer to pay for the trip created an ethical minefield for some U.S. officials. While Commerce Department ethics guidelines permitted Secretary Mosbacher, for one, to accept some transportation and other gifts from a foreign government, members of Congress could not. Several alternatives were explored. Among them: a plan to join the caravan in Montreal, because a loophole in the ethics laws allows for some foreign trips to be paid for, as long as the lawmakers don't depart from the U.S.

In the end, Fluor, based in Irvine, Calif., saved the day, resolving the ethical complication by footing the bill for the 12 House members who are on the trip. Such donations from U.S. corporations are lawful for "fact finding" missions. Deborah Land, a Fluor spokesperson, said that her company received the request from the Commerce Department to pay the lawmakers' passage.

Republican congressmen outnumbered Democrats by 10 to two. They included such hawks as Robert Dornan of California and such influential committee leaders as Chalmers P. Wylie and Michael Oxley, both of Ohio. House Speaker Thomas Foley discouraged Democrats from going along. Maryland Gov. W. Donald Schaefer was also there.

For its part, Fluor also hopes to massage its relationship with the Kuwaitis. The construction giant has extensive business interests in the Middle East and has done business in Kuwait since the 1960s. "We certainly are looking for opportunities there," says Ms. Land.

—Peter Truell contributed to this article.

# The Silence of the

Now That the War Is Over, Will April Glaspie Go Public on

By Roxanne Roberts  
Washington Post Staff Writer

## Diplomat Her Meeting With Saddam?

**A**pril Glaspie is getting a crash course on the ironies of Washington: While her boss, Secretary of State James Baker, enjoys an 84 percent approval rating, the U.S. ambassador to Iraq is being singled out for failing to prevent the Persian Gulf War.

"We have an ambassador who, on the instructions of the State Department, virtually gave a green light to Saddam Hussein," as Sen. Patrick Leahy (D-Vt.) described it to National Public Radio.

Since August, she has been working quietly in the State Department. Despite repeated requests by Congress and the press, she has not spoken on the record about her critical meeting with Saddam one week before the invasion of Kuwait. For months, the State Department prevented her from speaking; now, according to Deputy Spokesman Richard Boucher, it is up to Glaspie.

Depending on whom you talk to, Glaspie has been under wraps because:

1. She mishandled the meeting with Saddam.
2. She is too closely linked to a conciliatory pre-war policy toward Iraq from which the Bush administration now wants to distance itself.
3. She is a loyal career diplomat who does not feel it her place to discuss the meeting publicly.

Unlikely as it may seem, the last explanation is perhaps closest to the truth about April Glaspie.

Aside from some remarks made by White House Press Secretary Marlin Fitzwater in September, no one has explicitly defended Glaspie's conduct in the meeting—not President Bush, who has met with the ambassador three times since Aug. 2, and not Baker, whose indifference to career diplomats is well known.

But Glaspie, a career Foreign Service officer and the first female ambassador to an Arab country, hasn't publicly uttered a word of protest. She herself supports the State Department's decision not to release her report of the confidential exchange because it would undermine the diplomatic process she so fervently believes in. So only a few people know how she disarmed Saddam—literally—by requesting that he remove his gun as they spoke.

But assigning blame is a blood sport in Washington politics. Congress is now planning hearings, and Glaspie, under subpoena if necessary, is expected to be the star witness. That will place her smack in the middle of a political tug of war, the last place she ever wanted to be.

"I think she was the hapless ambassador who is clearly the fall guy," said Rep. Dan Glickman (D-Kan.), a member of the House Intelligence Committee. "I want to know who she got her instructions from."

Hapless or not, Glaspie will not return to Baghdad and sources say she is not likely to get another ambassadorship for some time. The administration is thought unlikely to submit her to the lengthy and highly political confirmation process.

"I doubt that the State Department would want to open up the events leading up to August 2," said Sen. Jesse Helms (R-N.C.), ranking minority member of the Senate Foreign Relations Committee. "I would hope that the State Department would not cause itself or Ms. Glaspie any further embarrassment."

"They're putting April out to pasture," said former ambassador to Mauritania Edward Peck, who served with her in Cairo. "I just feel so bad about it because she's so damn good."

### July 25: The Turning Point

Glaspie's 25-year diplomatic career has come down to one day, one two-hour meeting.

On July 25, 1990, the ambassador walked into an unexpected encounter with Saddam, her first private meeting with the Iraqi president since she arrived in Baghdad two years earlier. Glaspie had been summoned to the Foreign Ministry by Deputy Foreign Minister Nizar Hamdoun, then escorted to a government car and driven to the Presidential Palace. She was alone.

Just hours before, Glaspie had delivered a statement by State Department spokeswoman Margaret Tutwiler to Hamdoun in response to the massive buildup of Iraqi troops near Kuwait's border. "There is no place for coercion and intimidation in a civilized world," said Tutwiler.

Glaspie walked into Saddam's office to find the Iraqi leader wearing a gun on his hip. Did he, she inquired, intend to receive the representative of the United States wearing a gun? Saddam, taken aback, handed the pistol to an aide and the meeting began.

Saddam did most of the talking. Afterward she returned immediately to the U.S. Embassy and sent a cable report to Washington detailing her discussion with Saddam. The report is classified and has not been released by the State Department.

On July 30, believing the worst of the crisis was over, Glaspie left Baghdad for a week of briefings in Washington. She first found out about the invasion when she flicked on the television in her London hotel room.

"Obviously, I didn't think—and no one else did—that the Iraqis were going to take all of Kuwait," Glaspie told the New York Times in September. "Every Kuwaiti and Saudi, every analyst in the Western world was wrong too. That does not excuse me. But people who now claim that all was clear were not heard from again."

Instead of returning to Baghdad, Glaspie was kept in Washington during the early weeks of the crisis to indicate U.S. displeasure with Saddam's action.

On Sept. 11, Iraq released a transcript of the July 25 meeting, which they had taped. Although a State Department official later said it was heavily edited by the Iraqis, Glaspie's published remarks caused an uproar—especially on Capitol Hill.

Leaks began filtering out of the State Department: Some blamed Glaspie for mishandling the meeting with Saddam, others complained she was being set up as a scapegoat for Baker and a breakdown in foreign policy.

### The Loyalty of a Diplomat

"April's holding her peace because she's a loyal person—loyal to Bush and loyal to Baker," said a fellow career Foreign Service officer.

The strained relations between Baker and the State Department's career diplomats are no secret; Baker relies on a small circle of insiders and rarely seeks advice on foreign policy from career officers. In addition, Bush and Baker often bypass Foreign Service officers in favor of direct contacts

and personal relationships with other heads of state.

Loyalty is nonetheless one of the sacred vows of the Foreign Service. Any public disagreement with the secretary is tantamount to career suicide; any short-term gains are tempered by the prospect of an abrupt and permanent transfer to diplomatic limbo.

Until Aug. 2, the 48-year-old Glaspie was considered one of the rising stars of the department.

Fluent in Arabic and French, Glaspie is best known as a workaholic. "April has led an anecdote-free life," said one colleague from Cairo. During the rare hours not in the office, Glaspie spent her time exploring the city and getting to know the people outside the embassies.

Her personal style runs more to no-nonsense Canadian, where she was born, than Californian, where she was raised: conservative clothing, simple gold earrings, little makeup and short unpolished nails. Her one vanity is her hair—long and flowing.

Her personality is equally unadorned—warm, blunt and funny. "She's a character in a good sense," said a colleague. "Not a weirdo, just a very appealing person."

Glaspie has never married. Her widowed mother, Margaret, was visiting the Middle East in the mid-'70s when everything she owned was lost in a fire back in the United States. She has accompanied Glaspie, who is an only child, on all her postings since.

"I used to ask her why she didn't get married," said Hermann Eilts, the U.S. ambassador to Egypt when Glaspie was posted in Cairo. "She said she was going to be a career woman. She had made that choice years ago."

She entered the Foreign Service in 1966 with degrees from Mills College and Johns Hopkins's School of Advanced International Studies. Fascinated with the Arab world, she began to climb the diplomatic ranks in a series of postings throughout the Middle East, including stints as a political officer at the U.S. Embassy in Cairo in the '70s, director of the Language Institute at the embassy in Tunis, and the deputy chief of mission in Damascus from 1983 to '85. Glaspie was director of the Office of Jordan, Lebanon and Syria Affairs in Washington when she was nominated ambassador to the Republic of Iraq.

"She's absolutely brilliant," said Eilts. "She is one of the very best Foreign Service people I've ever worked with. Her ability to make contacts with people in the region has always been remarkable."

In 1987, then-Secretary of State George Shultz praised Glaspie for having persuaded the Syrians to help free 104 Americans held hostage aboard TWA Flight 847 in June 1985. Glaspie was the ranking U.S. envoy in Damascus during the crisis.

"April Glaspie was just great and she is a little-known but, I think, genuine heroine of that whole effort," he said.

Her name first surfaced for the posting in Iraq in the fall of 1987. Soon after, Helms called then-Deputy Secretary of State John Whitehead—as he had with a number of other candidates—and suggested that Glaspie was the wrong person for the job in Baghdad. Helms suggested she be posted to another Middle East country more suitable to what he termed her inexperience and her lack of a military or intelligence background.

The high regard in which Glaspie was held by the Syrians also caused some concern that she would be viewed warily by the Iraqi leadership because of the deep animosity between the two nations.

Curiously, Glaspie's gender was never considered a drawback. Unlike the more religious Arab states that frown on women in positions of power, Iraq considered itself a secular country where status is more important than gender. In fact, said one female Foreign Service officer, the European-educated Arab diplomats "bend over backwards not to be chauvinists."

Helms held up Glaspie's confirmation for four months while he battled the administration over the closing of the Palestine Liberation Organization's observer mission in New York. When the Justice Department finally ordered the mission closed, Helms withdrew his hold on the nomination and Glaspie was confirmed in March 1988.

She arrived in Baghdad just as the eight-year Iran-Iraq war was drawing to a close. Glaspie had little opportunity to influence Saddam. The Iraqi leader never met with any foreign ambassadors in Baghdad—with the exception of the Soviet ambassador. In addition, Glaspie rarely was allowed any contact with Iraqi officials.

On July 20, Saddam began moving his troops to the Kuwaiti border. Glaspie spent the next week making repeated visits to the Foreign Ministry and was finally ushered into the fateful meeting with Saddam. She left for Washington one week later.

## What April Glaspie Said

Little was known about Glaspie's conversation with Saddam until Sept. 11, when the Iraqis released a transcript, which Glaspie has never read in its entirety. The document set off a furor as Congress and the press attempted to determine exactly what was said and by whose authorization.

The transcript, according to a State Department official, was heavily edited and excludes Glaspie's sharper remarks to Saddam and his assurances that he had no intentions of invading Kuwait. But Glaspie's critics say the overall tone of her response was too soft—instead of holding Saddam in check, she cleared the way for his advance into Kuwait.

One statement was singled out as sending an especially misleading signal to the Iraqi leader: "We have no opinion on the Arab-Arab conflicts, like your border disagreement with Kuwait."

Glaspie, however, was reiterating State Department policy. As late as July 31, two days before the invasion, John Kelly, assistant secretary of state for Near Eastern and South Asian affairs, told the House Foreign Affairs subcommittee on Europe and the Middle East, "We have historically avoided taking a position on border disputes or internal OPEC deliberations, but we have certainly, as have all administrations, resoundingly called for the peaceful settlement of disputes and differences in the area."

In October, following testimony by Baker to the Senate Foreign Relations Committee, Sen. Daniel Moynihan (D-N.Y.) submitted questions to Baker's office concerning the accuracy of the transcript; who, if anyone, authorized Glaspie's remarks; and what conclusions Saddam may have reached.

Two months later the State Department responded generally with a memo citing U.S. statements before the invasion calling for peaceful resolution of all disputes. State, however, has never denied the accuracy of the statements included in the transcript.

Now that the war is over, Congress is turning its attention to whether the crisis could have been averted.

Rep. Lee Hamilton (D-Ind.), chairman of the House Foreign Affairs subcommittee on Europe and the Middle East, has informally asked that Glaspie testify for the panel but the State Department has refused. There is now a formal request pending.

"Where is this hidden person?" asked House Intelligence Committee member Glickman. "People want to know historically what caused us to coddle Saddam," he said. "It is imperative from the standpoint of congressional oversight to hear from her to prevent this thing from happening again."

But hearing from the ambassador is proving more difficult than anyone anticipated.

In a January State Department briefing, Tutwiler gave two reasons for Glaspie's conspicuous absence: She was too busy and only Baker would speak on behalf of the administration.

Last month on CNN's "Newsmaker Sunday," correspondent Ralph Begleiter confronted Baker with a formal request to interview Glaspie. "Anytime you want to, as far as I'm concerned," said Baker. "She's free to talk to you anytime you want to talk to her."

Begleiter then personally made three requests to the State Department but received no response; other news organizations also got stonewalled. One frustrated television crew ambushed Glaspie in front of her Georgetown home in hope of getting an interview. No luck.

"No one's heard her side of the story," said one senator on the Foreign Relations Committee. "The very fact that she's not available adds to the mystery."

## After Baghdad

Glaspie's original hope of returning to Baghdad was never realized. In September John Kelly was asked by the House Foreign Affairs subcommittee on Europe and the Middle East who made the decision not to send Glaspie back to Iraq. "My understanding is that it was the president," he said.

On Jan. 12, the United States withdrew the remaining staff from the embassy in Baghdad. Two weeks later, sources at the State Department said that A. Peter Burleigh, a career diplomat specializing in the Persian Gulf, had been selected to represent the United States in postwar Iraq.

On Feb. 9, Iraq formally severed diplomatic relations with the United States.

Glaspie's posting in Baghdad was due up this summer under the State Department's three-year rotation policy. She currently serves as an adviser in the State Department's office of Near East and South Asian affairs. A State Department official said Glaspie would be given another position this summer, "something commensurate with her grade, which is pretty senior."

Her supporters fear Glaspie's options in the State Department will be limited to jobs that require no Senate confirmation—a spot at a college, for instance, that would involve no diplomatic or policy decisions.

"Even if the administration wanted to name her to another post now, they would have great difficulties from the Senate," said Eilts. "What worries me is that they will shunt her off to a non-policy, non-substantive administration position that would cause her to be forgotten."

But there are those who believe that Glaspie's loyalty will be rewarded after a cooling-off period as ambassador-in-residence at a university.

"Heads roll all the time," said a State Department colleague. "You fly up fast and anybody can fall."

"But I think in April's case it's a temporary thing."

# California Prepares for Two-Ring Political Circus in 1992 Election

By Scott Armstrong

Staff writer of The Christian Science Monitor

LOS ANGELES

THE tilt-a-whirl of California politics is beginning to dip and roll for the next election cycle — a ride that may turn out to be the most intense in state history.

With both United States Senate seats open and seven additional House races next year because of redistricting, California is bracing for a political season that will likely set records for campaign spending and perhaps for numbers of candidates running as well.

Already, some of the state's biggest names — some familiar, some not — are emerging. The outcomes will help shape the composition of Congress in the 1990s.

"There has been a glass ceiling at the top for a long time," says Sherry Bebitch Jeffe, a political scientist at the Claremont Graduate School.

Never before in state history, and rarely in American, have two Senate seats been open in the same year. It is a quirk caused by the election of Republican Sen. Pete Wilson as governor last November, which opened his Senate seat, and by the decision of Sen. Alan Cranston (D), for personal and political reasons, not to seek

reelection.

Mr. Wilson appointed fellow Republican John Seymour, a former state legislator, to replace him. Because of state election laws, Mr. Seymour would have to face the voters next year as well as in 1994.

Two expensive elections in two years might seem enough to shoo away even the most ambitious politician. That likely won't be the case. Seymour already has one GOP challenger — US Rep. William Dannemeyer, an Orange County conservative.

His decision to take on Seymour sets up a clash between the conservative and moderate wings of the party, something that riles

many GOP stalwarts. But most analysts say the challenge will only help the little-known Seymour: He will be forced to set up a statewide campaign organization earlier and will garner greater name recognition. Running against a conservative will also highlight his moderate views, the argument goes, aiding his general-election chances.

On the Democratic side, former San Francisco Mayor Dianne Feinstein, fresh from her surfboard-thin gubernatorial loss to Wilson, is seeking the "short" Senate seat. Her early announcement was designed to preempt the Democratic field. That may or may not work.

## Recognition factor

Her historic bid to become California's first woman governor gave her statewide campaign experience and generated widespread enthusiasm, not to mention a formidable donor's list. But so many Democrats are lining up for the other Senate seat that she seems likely to face competition.

Two prominent Democrats known to be thinking about a run for the Senate, but who haven't yet announced which seat they would seek, are state Controller

Gray Davis and US Rep. Mel Levine of Los Angeles.

"I think it is going to be a competitive primary," says Danny Goldberg, a Democratic activist. "I don't think anyone will be given the seat."

## Four Democrats in race

Certainly no one will be given Mr. Cranston's seat. Already, four Democrats have announced intentions of inhabiting it: Lt. Gov. Leo McCarthy, US Reps. Robert Matsui of Sacramento and Barbara Boxer of San Francisco, and former Gov. Edmund (Jerry) Brown Jr. Mr. Brown, who has a habit of reinventing himself, has come up with a new persona for his bid. The man who most recently served as chairman of the state Democratic Party, with the task of raising large sums of money for the party, is casting himself as a grass-roots populist who won't accept large campaign contributions.

In a crowded Democratic primary Brown would be a formidable candidate. But many analysts believe he would be trumped in a general election against a mainstream Republican. The GOP pines for a crack at him.

"If he is the nominee, it will prove that God is a Republican," says GOP strategist Sal Russo.

Moderate Republicans mentioned as possible contenders include former US Reps. Ed Zschau and Rep. Tom Campbell of Palo Alto. Conservative names that surface: US Reps. David Dreier and Robert Dornan, and TV commentator Bruce Herschen-son. Spending for the two Senate contests could top \$100 million — a big amount even by California standards. Still, pollster Mervin Field says: "There is always a new clump of financial trees to shake."

In addition to the seven new US House seats that will be created by population growth, several others will likely be open because of retirements and other factors. The passage of a term-limit initiative last year has many state lawmakers looking to move up into these jobs.

## Presidential prospects

If all this isn't enough, there will be the presidential campaign — for which there is early maneuvering going on. California Democrats, frustrated over the state's lack of influence in choosing a presidential nominee because of a late primary, are pushing a new idea: early caucuses.

The plan is to elect about one-third of the state's delegates at caucuses in March and most of the rest in the June primary.

## The 'Fairness' Lodestone

"The fairness issue" declares a spokesman for the Democratic campaign, "is the Republicans' Achilles' heel." No, that is not today's news. We found it in our clips from the summer of 1984, two presidential landslides ago. Yet the same issue has the Republican Party paralyzed today on economic policy; tax cuts to spur economic growth are derailed by the accusation that they would hurt the poor, or at least help the rich.

Democrats charge that Reagan administration policies made the rich richer and the poor poorer. This charge has carried the day because the Bush administration has offered no rebuttal, but a few congressional Republicans are starting to show some spunk. Senators Domenici and Gramm have offered an analysis demonstrating that the poor benefited along with the prosperous during the seven-year economic expansion starting in 1983. Democrats reply that the choice of year loads the dice, and that since they last held the presidency in 1980 the income distribution has become more lopsided.

In our own view, anyone seriously interested in the statistics behind this battle should start with the Census Bureau reports, the most relevant extracts of which are reprinted alongside. Yes, by the usual measures the income distribution did become more unequal during the 1980s, as for that matter it did during the 1970s. The figures are not dramatic, which is to be expected given the remarkable stability of such measures over time and across societies.

More important, what seems primarily to be happening is less a matter of public policy than of sweeping demographic change. To understand, note the caveat "the usual measures." The usual measure is pre-tax money income of households. So *by definition* tax changes such as the Reagan cuts have no direct effect. Money income excludes in-kind transfers to the poor, including food stamps, which look and work a lot like money. And households include both families and individuals living alone.

A banker's son leaving home to go to graduate school would leave the top 20% and join the bottom 20%, presumably temporarily. Someone retiring to live on savings could collect \$15,000 in interest and/or Social Security and still be in the bottom 20%. Female-headed households are especially likely to be in the bottom 20%. So if you have fewer people per household, if you have more retired people, if you have more female-headed households, the usual statistics will show growing income inequality, even if income *per capita* increases handsomely and the population is quite generally more prosperous. As the Census Bureau elaborates, this is precisely what happened over the past two decades and particularly in the 1980s.

So in themselves the income-distribution numbers tell us very little

about the welfare of the bottom 20%, let alone about the impact of public policy. In trying to develop a yardstick including the impact of taxes and all transfer payments, for example, the Census Bureau found that the distribution was not affected by including the rental value of owner-occupied housing, because "homeowners are spread throughout the income distribution." As Heritage analyst Robert Rector has reported on this page, the Census numbers show that some 22,000 "poor" households own heated swimming pools or Jacuzzis. The Census also measures the *consumption* of households below the poverty line, and finds it runs nearly twice the measured *income*. Whatever you make of these statistics, it's far from clear they represent an indictment of American society.

Nor are they a portrait of a decade of greed. While self-evidently a partisan reply to partisan attacks, the Domenici-Gramm analysis makes one cardinal point: Once we got the tide rising, it did indeed lift all boats. One can argue about when to start the count, or about what causes recession and what causes boom, but there is no argument about the underlying statistics. They refute rather than support the assertion that during the seven-year Reagan expansion the rich prospered *at the expense* of the poor.

Do the champions of "fairness" really doubt that a growing economy is better for the poor than a shrinking one? Would they prefer to live in a society with a shrinking economy and a flattening distribution of income, or in a society with increasing disparities in the income measures but growing per capita income? Do they really think this kind of "fairness" is politically invincible? As the two presidential landslides show, the fairness issue is no match for the growth issue. The fairness issue has arisen only because the Republicans have more or less abandoned the growth issue, choosing instead to emphasize their futile attempt to close the deficit in a budget deal with the Democrats. The most hopeful thing about the Domenici-Gramm initiative is that it suggests the Republicans may yet return to their good senses.

One final point on "the poor." We do not need income statistics to see that our society includes real people with real problems. The homeless are manifest. Our schools in urban centers are performing poorly. We have a drug problem. We have a crime problem. We should help those suffering from these problems. We should become less permissive toward the mentally ill. We should let "the poor" choose their own schools. We should do everything we can to stigmatize drugs. We should make the criminal-justice system work, in particular by allowing juries access to evidence. It is no accident that those who resist these steps are precisely those who find the lodestone of "fairness" in the pre-tax money income of households.

## Bush at Home: Not Exactly Stormin' Norman

It's a canard that President Bush has no domestic policy. He has plans to spur oil production, remake the Congress, rebuild roads and factories, cut taxes to attract investment, and clear the country's streets of guns and criminals.

It's just that the country he has in mind is Kuwait.

OK, that's a joke, but the truth is that most everyone in Washington believes it. That doesn't bother White House Chief of Staff John Sununu. "People forget that virtually everything on our domestic agenda was passed in October," says Mr. Bush's ranking domestic policy adviser. "It all came together in that one week, and went unnoticed."

Many Republicans would like to forget what they noticed, but Mr. Sununu isn't kidding. The White House is planning to build on last year's triumph with a similar stealth strategy this year: The domestic agenda will exist, but you might not notice until it passes, if you're paying attention. President Bush intends to spend his Desert Storm domestic capital like a miser, if he spends it at all.

That may overstate things a bit, and to be fair there's logic in White House caution. Democrats still control Congress, and

### Potomac Watch

By Paul A. Gigot

as Democratic pollster Celinda Lake says, "George Bush is now in a sense above politics." His advisers want to sustain his commander-in-chief aura as long as possible. It's Democrats who want to drag him back into mud-wrestling over "fairness" and "unmet needs."

It's also true that here and there the White House has ideas worth the name. Education "choice" and excellence have become consistent presidential themes. The crime bill is a winner, both for the administration of justice and against ACLU Democrats. The White House will push hard on free trade. (The less said about "transportation," also known as highway pork-barrel, the better.) Mr. Bush is also refreshingly unapologetic about his civil-rights principles, refusing to hide from the "quota" issue.

But don't expect much else. Mr. Bush will wield his veto plenty if he has to, but don't expect any frontal assaults on Congress. "Sometimes there are better ways to pass things than heading up the middle," says Mr. Sununu.

In particular that describes Bush economic policy, which continues to rely on hope and Alan Greenspan. The hope is to squeeze easier money from the turnip at the Federal Reserve to float out of recession. And, in the small favors category, "at least" budget director Dick Darman doesn't have license to trade higher taxes for higher spending again. It may even work.

If it doesn't, Mr. Sununu insists the capital-gains tax cut is still alive, though this has become truly invisible. One ranking White House aide says the capital-gains strategy now is a "Schwarzkopf flanking maneuver."

The Greenspan study group will move ahead to study the tax cut's effect on revenue and income. This will give the cut's supporters covering fire against the Joint Tax Committee's "soak the rich" claims later in the year. "A lot of Democrats won't go against their leadership until the excuse of bad analysis is eliminated," says Mr. Sununu.

Another good sign is that Treasury Secretary Nicholas Brady has become more enthusiastic. And the GOP's twin towers in Congress, Rep. Newt Gingrich and Sen. Phil Gramm, are jaw-boning the White House into combining capital gains with more "populist" tax ideas. They're both optimistic (then again, they were last year too).

Their main enemy is Darmanomics, which has become Budget Deal Vindication. Anything that tampers with last year's budget deal won't fly. That rules out the Social Security tax cut favored by many Democrats and such pro-growth Republicans as Minnesota Rep. Vin Weber. Mr. Darman's great fiscal policy insight is to "means-test" (tax) the Medicare benefits of Republican voters.

Stealth also describes the strategy to pass anti-poverty policies once known as "empowerment." The theme still exists as "choice and opportunity," but so far only as words without political weight. Mr. Bush introduced the proposals in a speech on Feb. 27, at the height of the ground war. Of course no one noticed.

Last week, Housing Secretary Jack Kemp had a modest (\$500 million) housing proposal up for consideration in the House. The White House was missing in action. Mr. Kemp received a "policy statement" of support, but no lobbying, and lost in a rout. The White House uttered nary a peep of protest, so Democrats pocketed a no-cost win.

One HUD official, sincerely trying to defend the White House, says: "We were worried that they might say they didn't care. They didn't do that." This White House will liberate Kuwait City, but don't ask it to do much to free the inner-city welfare state.

Another idea you won't hear much about is term limits for members of Congress. "Probably the best path for term limits is in the states," says one senior White House official. "It passed in California without our help." It'll have to pass other states that way too.

By winning a war, George Bush has become more popular than any president since Truman. But Truman's popularity fell within a year, until he recovered in 1948 by challenging Congress to pass an agenda of substance. Mr. Bush is running the risk of resembling Richard Nixon, who could point to foreign-policy successes, but preferred only token domestic ideas to "inoculate" himself against democrats. George Bush could finish his first term having done more for the world than he has for his country.

# The Evening Sun

Baltimore, Wednesday, March 13, 1991

A12

## Gulf war vote has Democrats on the defensive

**A**RGUMENTS OVER patriotism make for ugly politics. That was true when candidate George Bush exploited the American flag in 1988 to suggest that Michael Dukakis was lacking in patriotism. And it is true today when such Republicans as Sen. Phil Gramm seek to exploit the vote

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**Jack W.  
Germond &  
Jules  
Witcover**

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so many Democrats cast against the war authorization resolution in January. It is also true, moreover, when some Democrats counter with a reminder that Gramm and Rep. Newt Gingrich, another Republican leading the charge on the issue, avoided military service during the war in Vietnam. Draft deferments were made available as an expression of national policy, and the fact that someone took advantage of

them shouldn't be used to suggest either a lack of patriotism or personal courage.

But American politics today is so driven by slogans, shorthand and sound bites that ugly politics is far more effective than thoughtful argument. That has never been more apparent than in the current controversy over that vote in January.

Nobody ever raises the patriotism issue explicitly, of course. Bush's complaint with Dukakis was that the Massachusetts governor had vetoed a bill that would have required teachers to lead their classes in the pledge of allegiance to the flag. Dukakis protested haplessly that he was acting on a legal opinion that the legislation would be unlawful, and Bush scoffed that it was a question of "judgment" and "values." But Bush was really making a case that this liberal Democrat wasn't sufficiently patriotic to be president. It played like gangbusters.

Similarly, the Gramms and Gingriches are braying today that this is

not a question of patriotism but of the "judgment" of those who opposed the war resolution. But in a fundraising letter written in his capacity as chairman of the National Republican Congressional Committee, Gramm attacked them as "appeasement-before-country liberals" — a phrase that clearly goes beyond questions of judgment.

The problem for the Democrats is

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### On Politics Today

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that the issue is too complex to be summarized in a slogan. Although the war in the Persian Gulf was a howling success, there were sound reasons to be concerned about the potential cost in casualties when the vote to continue the use of sanctions was taken — reasons based on, among other things, the testimony of United States military leaders.

Moreover, the notion that the Democrats failed to support either

the troops or the president or, as Gramm put it, "undercut" the president, was patent nonsense. If there has been any American politician who didn't support both Bush and the troops, it has been a well-kept secret.

But such arguments sound hollow today. Winners are automatically right because they have won, and heaven knows no one has won a bigger success than President Bush. The Democrats have little choice but to try to change the subject to something on which Bush has been less successful.

Chances are, nonetheless, that the patriotism issue, even if not called that, will be a major one in the 1992 campaign. The Republicans have made no bones about targeting senators who voted against the war resolution, including Wyche Fowler of Georgia, Terry Sanford of North Carolina and Ernest F. Hollings of South Carolina. And they are talking about recruiting veterans of the Persian Gulf to run in House races.

There was, of course, a way the Democrats might have anticipated the political consequences and perhaps forestalled them. After failing to win approval for the resolution urging continued use of sanctions, they could simply have fallen in line behind the president and voted for the war authorization.

But the atmosphere here when those votes were taken two months ago was quite different from what it is today. There was no party position as such, and senators and congressmen made much of the fact that these were votes of conscience on which each individual felt obliged to deliver his best judgment.

In that climate voting for both resolutions might have seemed like the crudest kind of political positioning. But by failing to protect themselves, the Democrats are now the targets of partisan politics that is equally crude — and, if the George Bush precedent is a reliable indicator — extremely threatening to their survival.

DATE: March 15, 1991PAGE: A-33

ON MY MIND | A. M. Rosenthal

## Democrats: The Burden of Error

I miss the Democratic Party. Sometimes I find myself daydreaming that the party I knew will suddenly reappear, if only for a minute, so I can introduce it to younger friends who never got to know it before it passed away.

I am not now, never was and never will be a member of the Democratic or Republican parties. I walk about ringing my journalistic bell to ward off contaminating political associations. I pick and choose from either party in elections for every office, alderman to President.

But throughout my youth and early adulthood, the Democratic Party represented those things that were central to my own life and hopes.

Democrats stood for decent breaks for the working man and his family — unemployment benefits, minimum wages, collective bargaining, at least some medical insurance, civil liberty.

All those things — they could be called respect — had to be fought for, hard. Now all American society, including the Republican Party, takes them as unquestioned. That is the triumph and vindication of the old Democratic Party.

I saw Democrats as also fighting to protect this country against dreadful danger from abroad. They fought against Fascism before and during World War II and against the Communist takeover of Western Europe afterward.

For years, many Americans were edgy about the Republican Party because we saw it as isolationist, denying the fearfulness of the great cancer of our time — dictatorships metastasizing through aggression.

That has changed, of course. But Americans still know that a party that is not strong enough to fight evil

abroad cannot be trusted to fight evil at home. The whole blessed country knows it — all except the leadership of the present Democratic Party.

The Democrats made one of the worst errors of American political history when all but a handful of them voted against allowing President Bush to use force against Saddam Hussein. Only the occasional blow-hard questions their patriotism. And of course, it was the Republican Administration and Republican leaders of the Senate who slavered over Saddam Hussein until the eve of the invasion. But the Republicans and the President finally learned something

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### Why not lay it down?

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about appeasement — at least of Saddam Hussein.

So we have a right to question the judgment of those Democrats who voted against the President. And we can question the judgment and candor of those Democrats like Gov. Mario Cuomo and party leaders of the House and Senate who now try to justify themselves by saying that we will never know if sanctions without force would have worked.

They expect us to believe that the same Saddam Hussein who chose war after months of sanctions and who then withstood the most ferocious air bombardment in history might have folded and surrendered

simply under the pressure of a few more months of continued embargo.

Yes, all right, Governor and Senators, proof of the unknowable is impossible to obtain; terrific point in a high school debating class. But among grown-ups, it is embarrassing for its lack of common sense and honesty of hindsight.

These politicians are making fools of themselves, which is their own business. But it is the country's business that they are reducing any chance the Democrats can give the electorate a respectable choice in the 1992 Presidential election.

Do they really believe that Americans would put their affairs into the hands of a candidate who not only opposed military action against Saddam Hussein but is too murky-minded or arrogant to drop the heavy baggage of that mistake and goes staggering on under it, crying "What mistake? What baggage?"

Elections for Congressional and local office prove over and over that on domestic matters Democrats hold out more ideas and more hope for a majority of Americans than do the Republicans.

But they won't get the chance to try out those ideas in the White House unless they now talk frankly to Americans. What's needed is a statement by the Democratic Congressional membership and Democratic governors on how the majority of them now see the world and this country's place in it.

At least it will show that some Democrats understand that the voter who does not trust a political party abroad is not likely to entrust it at home. And it might convince Americans that the party they knew may one day be more than a memory. □

**ABROAD AT HOME** | Anthony Lewis

## A Bush Initiative?

**I**n the explorations under way on the possibilities for Arab-Israeli peace, there is one fact of immediate importance. President Bush is going to the Middle East next month.

An American President at the height of his powers would not plan such a trip in the expectation of coming back empty-handed. He will want a result of some kind. And George Bush has made very clear that he wants to breathe light into that hypothetical creature, the Middle East peace process.

What can Mr. Bush do? The familiar obstacles to peace are still there, as Secretary of State Baker has just found. The Shamir Government in Israel is dead set against trading occupied lands for peace. The Arabs will only negotiate on that premise. And so on.

But there is an idea that could get a process started. William Quandt, the Middle East specialist at the Brookings Institution, began talking about it several weeks ago. It has found some resonance in official Washington. And it fits President Bush's natu-

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### The prospect of a Mideast conference.

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ral instincts.

The idea is to hold a conference, in Cairo, on peace and security in the region. The United States and the Soviet Union would convene it. The participants would be Egypt, Israel, Syria, Saudi Arabia and a Jordanian-Palestinian delegation.

That concept would finesse the prickly issue of an international conference including the five permanent members of the U.N. Security Council, which the Arabs have demanded and Israel rejected.

Past proposals for joint United States-Soviet action in the Middle East have aroused strong objections from some American conservatives and supporters of Israel. But such opposition might be muted if the Israeli Government accepts the idea, and there are reasons to believe it might.

Moscow would almost certainly restore diplomatic relations with Israel if Israel agreed to go to such a conference. Resuming normal Soviet relations has long been an Israeli hope, and it is the more important now with large numbers of Soviet Jews

going to Israel or planning to go.

A meeting on the model suggested would produce face-to-face negotiations between Israel and its neighbors without preconditions: an object of Israeli policy since the state was founded in 1948. The role of the convening powers would be limited, and there would be less sense of possible pressure from outsiders than at the proposed international conference.

Prime Minister Shamir might also find it easier to accept the idea of a Jordanian-Palestinian delegation than one of Palestinians alone. His opposition to any role for the P.L.O. helped to wreck Secretary Baker's earlier efforts to get talks going.

Would Palestinians in the occupied territories be ready to take part in any delegation with Jordanians? There can be no certainty. But the Palestinians who met Mr. Baker in Jerusalem this week reportedly were realistic in their tone and gave him some reason to believe that the idea would work.

Would the Saudis agree to take part? It is not yet clear whether the Saudi Government is ready to play a larger diplomatic role after the Persian Gulf war or will revert to its traditional reserve. But its participation is not essential to the regional conference idea.

Egypt would play a critical role as the host. It is on closer terms with Syria now than in a very long time, and of course it is the one Arab country that has relations with Israel. Egypt is also in the best position to extend a hand to Jordan and the Palestinians after their support of Saddam Hussein in the war.

The Cairo conference, as it is envisaged, would have three distinct tracks. One would seek peace between Israel and the Arab states, the second a solution of the Palestinian problem, the third security arrangements for the region.

The conference would have no time limit. It would really be a beginning — a device to start talking. In my judgment that is exactly the right concept. There can be no instant solutions to problems so difficult. But talking has its own value.

In the last few days both Egypt and France have pulled back from their former enthusiasm for the international conference. That may be a sign that the regional conference idea is taking hold.

If there is ever to be a real Middle East peace process, this is the time for it. The cold war is not in the way. George Bush is an extraordinarily popular President. He will have wide support abroad for an initiative. And I believe he is really committed to making the effort. □

*Rowland Evans and Robert Novak*

# Iraq and the Ayatollahs

A top-secret "command memorandum" dated March 4 ordered Iran's Revolutionary Guards for the first time to give full military support to "cross-border activities" against Saddam Hussein by Iraqi dissidents who sought political asylum in Iran during the Iran-Iraq war and are still based there.

Behind this interventionist decision by the legatees of the late Ayatollah Khomeini lies the epicenter of a political earthquake rumbling through the land of fundamentalist mullahs since the Gulf War started.

The apparent aim of the ayatollahs is an event feared by President Bush: destabilize defeated Iraq and replace it with Iran as the Gulf's preeminent power. "There definitely is a stirring of the pot, [and] no one knows how it will turn out," an administration insider told us. To Bush and his advisers, Iran-style Shi'ite fundamentalism is a dangerous threat.

The March 4 order went to all local commanders in newly supplied revolutionary guard bases along

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## *"Iran regards the Persian Gulf as its own."*

the entire Iran-Iraq border. Canceling a Jan. 23 order that barred Iran-backed military operations against Iraq during the Gulf conflict, it stated that "all support necessary" should now be given to military and political "cross-border activities." The guards' commander, Brig. Gen. Kamal Hedayat, signed it.

The American-led, anti-Saddam coalition maintained solid cohesion during the six-month military buildup and the short, explosive war that began in mid-January. But with victory came division. Backed strongly by non-coalition member Israel, both Saudi Arabia and Egypt thought Saddam should be destroyed before the war ended.

But Bush, supported by Britain and France, worried more about Iraq's stability than the personal fate of Saddam, despite his repeated attacks on the Iraqi dictator as "worse than Hitler." Bush's worry was wisely based on Western fears that a destabilized Iraq, almost defenseless and wracked by civil war, would inevitably lead to a destabilized Persian Gulf. The probable elevation of Iran, by far the largest Gulf power, would naturally follow.

Iran regards the Persian Gulf as its own. Its

ayatollahs want to control the Islamic holy places in Saudi Arabia's Mecca and Medina and in Iraq's Najaf and Karbala. Thus a resurgent Iran would pose a threat to U.S. and Western interests, not limited to oil, surpassing last summer's threat when Saddam seized Kuwait.

Iran's president, Hashemi Rafsanjani, remained something of an enigma to the United States while he gathered most of Khomeini's power into his own hands. Now, however, administration officials worry that they may have been wrong about early signs that he is a "moderate," the political brand impossible to find during the Iran-contra scandal. Intelligence specialists here say the order to the Revolutionary Guards came only with his express approval.

Indeed, Rafsanjani quietly went this week to a key guard base near Kermanshah called the Ramazon Garrison, a principal kickoff point for subversive border crossings by Iraqi dissidents and Revolutionary Guards. The ostensible reason: to study "reconstruction" projects. The more likely reason was to hear reports about stepped-up operations across the border.

Once inside Iraq, armed with weapons, food and one blanket each, these fighters operate as irregulars. A key target is the so-called National Liberation Army of Iran, formed four years ago by anti-fundamentalist Iranian expatriates. The NLA is the sworn enemy of the mullahs. It operates with Saddam's support from bases inside Iraq. Last Monday an NLA unit was intercepted by the guards near the border but in Iraq. There were 150 casualties in the ensuing firefight.

But Iran's real target must extend beyond the NLA. Rafsanjani, the self-styled Gulf War peace seeker, suddenly denounced Saddam last week and demanded he quit. Playing to the majority Shi'ites in southern Iraq, where Khomeini plotted to build an Iraqi Shi'ite republic, Rafsanjani said in Tehran that "a truly popular [anti-Saddam] movement" was spreading from the Shi'ite south to the Kurdish north.

The Iranian leader is clearly worried that Turkey's overtures to large Kurdish minorities in Turkey and Iraq will stir up Iran's own huge Kurdish minority. Nevertheless, his objective may be to split Iraq in three: Baghdad and western Iraq, controlled by successors to Saddam; a Kurdish north; and a Shi'ite south tied to Tehran.

That is a chilling prospect as militant guards penetrate an Iraq already in civil chaos.

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## HAYNES JOHNSON

## Images of Harmony and Discord

**A**mong conflicting scenes on television screens in these days of rapidly shifting emotions as the nation reels between dread of war and the jubilation of sudden victory, two powerfully address the American condition.

In Bangor, Maine, at one of many joyous homecoming scenes captured by network television cameras, a high school band gathered at an airport to perform for returning Persian Gulf War veterans during a refueling stop. The musicians were, as far as one could see, all white. When they finished their welcoming patriotic medleys, a black sergeant took a young student's saxophone and proceeded to play an extraordinarily moving rendition of the national anthem. It was mournful and uplifting. A hush settled over the gathering.

While he played, with surpassing grace, the cameras panned the expectant, breathless, admiring faces of the young students. At the end, they spontaneously burst into applause. It was one of those moments at which words could not do justice to sights and sounds. "Did you see that black soldier and those white kids?" a family member asked in tones of awe immediately afterward in a phone call from New York. "Something's happening."

She meant that positive emotions were being stirred nationally.

Nor was that the only such scene recently. Similar televised images have abounded of blacks and whites exchanging cheers, tears and emotional responses of homecoming and well-being. Those scenes also depict powerful expressions of black pride in America.

For example, a heartwarming photo in the New York Times of a black sergeant enveloping his young daughter in a tender bear hug at an air base in Plattsburgh, N.Y., was a testament to personal joy and unabashed patriotism. Both father and daughter had beatific expressions, but something else about that picture was even more striking. Clutched tightly in his hand was an American flag that framed the homecoming picture and symbolized in a much larger sense the moment for the nation.

These events suggest that, for all of the obvious racial tensions in this country, positive elements exist. They also suggest that these elements are potentially strengthened in the war's

euphoric aftermath during which black combat veterans are serving not only as role models for other blacks but also for whites.

Yet even as these welcome scenes are being shown, the nation has witnessed the other side of the saga of racism in America:

The same network newscasts that showed the black sergeant and the young Maine white students in positive juxtaposition also reported on one of the most shocking scenes of racial violence in years—the savage beating of a black motorist by white police officers of the Los Angeles Police Department.

That nighttime beating, videotaped by a witness from a nearby apartment building without police knowledge, showed the motorist being clubbed unmercifully while surrounded by 15 Los Angeles Police Department officers. He lay handcuffed on the ground after being stopped for speeding in excess of 100 mph, according to the California Highway Patrol. Whatever the offense, it in no way justified the classic example of police brutality. Never has that term better fit the crime—seen by all of America in horrifying detail even as people were reacting to the joyous celebrations at war's end.

Commenting after the videotape was made available to television stations and broadcast nationally, Los Angeles Police Chief Daryl F. Gates said: "With those two minutes of videotape, two minutes that will go down in infamy in the history of this department, the work of thousands of people who have put their very best efforts forward to make this department the very best in the world—those have shattered that image."

It wasn't just an image of a police force that was being shattered. It was an image of racism that was being reinforced.

These conflicting scenes come as the nation and its leaders ponder how to take advantage of the new optimism flowing out of the war effort. They also come as politicians here threaten to politicize the war effort by leveling false charges of appeasement and to inflame racial tension by falsely depicting the pending civil rights bill on Capitol Hill as a racial-quota bill.

Positive evidence notwithstanding, the Kerner Commission findings of a generation ago are still sadly applicable. America is two nations racially divided. Closing that gulf remains only a goal.

## Hostages Still

THE AMERICAN military prisoners of war in Iraq are coming back home, but a half-dozen American civilians and as many Europeans remain hostages in Lebanon. The longest held among these veteran prisoners is journalist Terry Anderson, who begins his seventh year in captivity on Saturday reportedly chained to a wall. The terrors endured by these innocents—assuming they are all still alive—constitute an overwhelming indictment of their captors. They are prisoners not for any individual act or alleged offense of their own but simply because they are American, British, German, Italian. That imposes on their fellow citizens, acting mostly through their governments, a grave obligation to do what can be done to set them free.

Originally it seemed that their Iranian-backed fundamentalist Hezbollah kidnappers wanted to trade them for release of a group of relatives and comrades of the Iraqi-backed Dawa group convicted of the terrorist bombings of several embassies in Kuwait. It is known that the Iraqi invaders of Kuwait freed the Dawa prisoners, conceivably to let them travel back to Iran or

Lebanon. Logic suggested that, with the Dawa group now beyond a prisoner exchange, the remaining captives in Lebanon would be let go. Instead, it is reported, they were simply moved from one location to another within Lebanon.

Lebanon, and that part of Lebanon in particular, is in the orbit of Syria, a country that found its way to the American side in the Iraq war and whose president has just been visited by the American secretary of state. Syria's repeated professions of incapacity to act in behalf of the hostages are one of the great political pretenses of recent years and, necessarily, a heavy continuing burden on U.S.-Syrian relations. Iran's similar insistence on its inability to bring its political progeny to a decent humanitarian concern is another constant of the period—and a high obstacle to Iran's full participation in new Gulf security arrangements and in the international economy.

In the Gulf and Lebanon, in Iraq and Iran, the scene is changing. Perhaps the result will be to shake out the hostages. Until then, Americans will ask why Syria and Lebanon have not acted to end their ordeal.

## A Test of the House

ON WEDNESDAY the willingness of the House to abide by last year's budget agreement was put to the first of what will be many tests this year. The results were not encouraging. Republicans voted 2 to 1 to uphold the spending limitations, but the majority Democrats voted 3 to 1 to trash them.

The vote was on a veterans' bill, the rationale for which was the war in the Persian Gulf. Some Democrats who voted against the war may have felt they couldn't afford to vote against the veterans too, and anyway the vote was free in that the administration and Senate were already moving to repair the fiscal damage. Still, the augury was bad. This is the same House which earlier in the week also failed on the first try to meet its responsibility to fund the savings and loan bailout.

The Veterans' Affairs Committee had seized on the war as a vehicle to increase benefits not just for those who fought there but for veterans generally. The general increases may or may not be justified—veterans' benefits already come to \$33 billion a year—but if they are justified, they ought to be paid for. That is what the budget agreement to which both parties piously subscribed last fall requires.

Reps. Leon Panetta and Willis Gradison, chairman and ranking minority member of the House Budget Committee, urged their colleagues not to abandon the good rule that, until the deficit

comes down, all legislated spending increases must be financed. They were flicked aside 248 to 175, members insisting instead that the veterans' benefits be treated as emergency and/or war-related expenditures exempt from the budget provisions. The House refused even to take responsibility for having evaded its responsibilities. The benefits would be exempt only if the president declared them to be; otherwise the money would not be spent. Let him be the one to bust the budget or say no.

The House-passed benefits would cost an estimated \$1.1 billion over five years. More than \$800 million would be a major increase in the aid now offered veterans to attend college. Many proposals for increased aid to education and other social purposes are before Congress. They range from added funding for Head Start to larger grants to make college accessible to the poor. These would be subject to the budget rules and the permanent veterans' benefits would not? The country indeed has an obligation to make returning veterans whole, but this would go beyond that, creating two classes of citizens; it is special-interest politics wrapped in the flag.

The administration and Senate support a stripped-down version, mainly confined to those who served in Desert Storm, at less than half the cost. It isn't perfect, but neither would it shred the budget agreement, which it would rescue from the House.

## Colleagues value Ron Dellums' integrity and viewpoint

In his Feb. 14 column "Not-so-intelligent move," Cal Thomas charges that "America's secrets are likely to be even less safe" because of the recent appointment of "ultraliberal House members," including Rep. Ron Dellums, to the House Permanent Select Committee on Intelligence.

During the 20 years Mr. Dellums and I have served together on the House Armed Services Committee, we have both disagreed and agreed in our judgments about major security policy questions. For example, in January, he opposed and I supported authorizing President Bush to use force in the Persian Gulf while last year we joined to stop the B2 bomber.

Yet, even in the heat of our most intense and consequential debates, senior members of our committee of both parties, including those who have deep philosophical differences with him, have explicitly celebrated Ron Dellums' integrity. We know from our own direct experience that he is trustworthy and that he keeps his word.

We know from his record as chairman of the key Subcommittee on Research and Development that he has scrupulously pro-



ected highly classified information about our future military technologies, about our most sensitive special-access military programs and about our future intelligence reconnaissance systems that his subcommittee oversees and funds.

Our country has been strengthened since our Revolution by our diversity of views. During the Cold War our national policies were tested, refined and tempered in the fire of public debate while the Soviets' ability to solve their problems withered and died because they distrusted those who disagreed with their party's policies.

We will need all of our American strengths to rethink our security policies so we can deal with the new dangers and vulnerabilities of the post-Cold War world.

Those of us who have worked most closely with Ron Dellums have learned to trust him and value him as a colleague because he has protected our military secrets and challenged our thinking.

**LES ASPIN**  
Chairman  
Committee on Armed Services  
U.S. House of Representatives  
Washington

## Save it for later

There they go again: Spend, spend, spend. No, not federal lawmakers, but those spendthrift voters who elected them. Federal Reserve Chairman Alan Greenspan says the low American savings rate is the most pressing long-term economic problem facing the country. Texas Sen. Lloyd Bentsen says our national savings rate is at a record low, which means higher interest rates and trade deficits. The whole thing has got Washington pretty upset.

This week Mr. Bentsen, joined by Sen. William Roth and a host of other co-sponsors, introduced legislation to do something about the problem. They want to bring back the once-popular Individual Retirement Account, and not just any IRA, but the super variety. Their bill would let people make tax-deductible IRA contributions of as much as \$2,000 with earnings tax-deferred, regardless of their income level or whether they are covered by a company savings plan. It provides for penalty-free withdrawals to pay the cost of expensive medical treatment, first-time house purchases or college tuition. It even offers the option of "back-end" IRAs, by which you could make non-deductible contributions but get the earnings tax-free at retirement. "This Super IRA," beams Mr. Bentsen, "would give Americans new incentive to save."

Mr. Bentsen's right, but these latter-day Ben Franklins ought to ask why Americans are so pound-foolish. Are they really just credit-card-happy caricatures of Reagan-style "greed"?

Not really. They're just obeying the tax code dictated by — you guessed it — Congress. It punishes those who save by taxing dividends twice and savings accounts once and hitting those who invest in businesses, already facing high-risk returns, with a capital-gains tax. Such gains aren't indexed for inflation, which means savers are taxed on gains they haven't actually realized. And capital losses are deductible only up to a point. Meanwhile, the code rewards those who spend by providing tax deductions for mortgage and tax payments and home-equity loans that cover far more than just homes. So why save, especially when citizens know that the federal government sees itself as an avuncular saver-of-last-resort? Need retirement money? Try Social Security. College tuition? Try low-interest federal loans. Health care? Try Medicare Medicaid. Far from saving, citizens have every incentive to spend themselves silly to qualify for Uncle Sam's handouts.

Bentsen-Roth is a government solution to a government problem. Faced with a tax code and a budget that do almost everything possible to discourage saving, the bill lays out industrial policy-style tax relief that dictates people may save money as long as they do so according to congressional preferences.

We're all for tax relief. We're all for savings. The best way to achieve both would be to lower tax rates, eliminate spending incentives and let people make their own savings decisions. Short of that, we'll settle for Bentsen-Roth.

DATE: 2/15/91

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## Bush's Domestic Record Is His Achilles' Heel

To the Editor:

You quote Jim Ruvolo, former chairman of the Ohio Democratic Party, saying, "My sense is George Bush is getting close to unbeatable" (Political Memo, front page, Feb. 27). He does not speak for a vast number of Democrats who believe Mr. Bush will be vulnerable in the fall of 1992, Persian Gulf war notwithstanding.

Many of us believe that the Bush Administration's elitist economic policy, barren domestic social program and backward-looking energy and environmental programs have at least an even chance of catching up with the President by November of 1992.

We in Minnesota elected a Democratic-Farmer-Labor Senator in Paul Wellstone, who offered better answers for the challenges that face the country than his conservative, well-financed and heavily favored opponent did.

Yes, George Bush would win if the election were today. He is basking in the reflected glory our troops and their leaders have brought to our country and the international alliance of which we are a part.

But if he is entitled to share the triumph, he must also be held responsible for our recession and growing unemployment.

To the extent that this Administration fails to provide strong domestic leadership in the economy, energy, education and the environment, President Bush is at risk in 1992.

But if Democrats are buffaloed by Mr. Bush's success today, and fail to take our case aggressively to the American public, then 1992 could be a tough year indeed.

TODD OTIS  
Chairman, Minnesota  
Democratic-Farmer-Labor Party  
St. Paul, March 1, 1991

**Don Kowitz's**  
**DESERT STORM**  
**HALL**  
**of**  
**SHAME**

**Today's inductees:**



**Joseph Sobran**

**Mark Shields**

*During the Persian Gulf war, America's pundits, journalists and politicians barraged the public with hysterical opinions and predictions. In commemoration, each day "Desert Storm Hall of Shame" honors one or more sages whose pronouncements proved preposterous.*

Today's inductees are columnists Mark Shields and Joseph Sobran. Here are their comments and predictions:

■ **Hall of Shame:** "I've spent a holiday weekend clipping the last month's newspapers, and I've gathered a nice little file for future reference. If American boys start dying in the desert, I'll know whom to quote." — Mr. Sobran, Sept. 26, 1990.

■ **Very, very costly:** "[Rep.] Lee Hamilton is not only a prominent Democrat, he's an important Democrat. He's very respected. . . . He said this week to a group of reporters, which I was a member of, that a land invasion would be very, very costly in American lives." — Mr. Shields, Sept. 21.

■ **Some illusion:** "There's a man named Robert Lind, an Irish essayist, who said the most persistent and dangerous illusion that humankind finds itself plagued with is that of a quick and decisive war." — Mr. Shields, Nov. 2.

■ **Bush destroyed:** "You don't have to live in Washington to see that Mr. Bush is, politically speaking, destroying himself. And his party." — Mr. Sobran, Nov. 6.

■ **Brits' big bark, no bite:** "Margaret Thatcher talked awfully tough today, [but] those aren't British soldiers who are lined up ready to die in the Persian Gulf." — Mr. Shields, Nov. 7.

■ **Bush bluffing:** "The duel between Mr. Bush and Iraqi strongman Saddam Hussein is like a poker game. Mr. Bush has been doing a lot of bluffing. . . . Mr. Bush may decide, when the chips are down, to fold." — Mr. Sobran, Nov. 20.

■ **Bush outsmarted:** "If the Brutal Dictator really is the 'madman' Mr. Bush calls him, how come he keeps outsmarting Mr. Bush?" — Mr. Sobran, Nov. 22.

■ **Festering debate:** "There's a debate festering in the country, there's a real debate." — Mr. Shields, Nov. 23.

■ **Bush disavowed:** "One way or another, everyone disavows George Bush." — Mr. Sobran, Dec. 11.

■ **Bush bereft:** "This is an administration in trouble, it really is. It's bereft of ideas, it's bereft of direction. It is, right now, in 1990 — George Bush's administration is reminiscent of nothing so much as Jimmy Carter's in 1979. . . . I mean, [George Bush] is a man without an idea. . . . George Bush is dull." — Mr. Shields, Dec. 14.

■ **Bush silly:** "George Bush looked silly. I thought all his swaggering bluster about kicking ass, as he [told] a group of congressional members who were down at the White House yesterday, was unnatural. It's contrived. It's artificial. It's not believable. . . . and I don't think it's going to convince Saddam Hussein or anybody else." — Mr. Shields, Dec. 21.

■ **Massive conflagration:** "Now if Israel's attacked, Israel will respond, as Sen. [George] Mitchell pointed out. . . . You're talking about a massive conflagration and the entire region going up." — Mr. Shields, Dec. 21.

■ **Hawkspeak:** "Ignoring the hard truth that faith in a short, decisive war remains the most persistent of human illusions, the hawks now speak of a short, successful battle with very limited American casualties." — Mr. Shields, Dec. 25.

■ **Patriots protesting:** "The anti-war movement this time is distinguished by its evident patriotism. . . . And it will spread as the war stretches out and Americans die in large numbers." — Mr. Sobran, Jan. 2, 1991.

■ **Leftists protesting:** "Anti-war demonstrations are already going on across the nation. The core of the movement is the reactivated left, some of it reflexively and repellantly anti-American." — Mr. Sobran, Jan. 24.

■ **Gen. Agreement:** "By general agreement this week, the war will stretch on at least for months." — Mr. Sobran, Feb. 7.

■ **Jews and prostitutes:** "Since my position has been so often assailed as anti-Jewish, I want to add a few observations. First, a Washington Post poll of anti-war demonstrators in the capital the last weekend of January found a disproportionate number of Jews among them; and I'd be very surprised if this weren't true nationwide. Second, the pro-Israel pundits urging war include a number of Gentiles, whom, having enough enemies already, I won't list; but some of them are no better than prostitutes." — Mr. Sobran, Feb. 7.

■ **Up Saddam's sleeve:** "The worst is coming. There's no question, the number of casualties is going to go up. . . . That's clearly going to go up, and there is clearly a concern that [Saddam Hussein] is

going to do some nasty things to us, he may pull some surprises, a chemical attack, other things he might have up his sleeve." — Mr. Shields, Feb. 8.

■ **Poisoning George Will's coffee:** "George Will has chosen this moment to write that nuking Hiroshima and Nagasaki was 'morally correct' . . . because it saved so many lives, military and civilian. Will is doing his bit to legitimate such an act against Iraqis. On utilitarian reasoning, killing women and children can be justified by the lives it saves; but by that utilitarian reasoning, you can justify poisoning George Will's coffee if you calculate that it will save two more lives that might have been ended by actions he was egging on." — Mr. Sobran, Feb. 14.

■ **Golden opportunity:** "Politically, America's military success in the Persian Gulf constitutes a golden opportunity, maybe a once-in-a-lifetime chance, and an unexpected advantage for — the Democrats." — Mr. Shields, March 9.

*And — pass the envelope, please — today's prize-winning prediction is:*

■ **Our trembling troops:** "Reports from the front indicate, despite attempts to conceal the facts, that our boys are sick with fear. They don't know why they're there. They dread the outbreak of violence, in which they'll be as helpless as so many cockroaches being sprayed with Raid." — Mr. Sobran, Jan. 24.

## Washington Wire

### A Special Weekly Report From The Wall Street Journal's Capital Bureau

**PROGRESS ON PEACE** in the Mideast moves slowly, despite hints of optimism.

Gulf states' attitudes have improved, but neither the Arabs nor Israelis are ready to compromise. Baker finds both feel the U.S. first owes them favors for their conduct during the Gulf war. Palestinians aren't likely to adopt a new leader, which the U.S. wants; the PLO executes West Bank Arabs who challenge its authority.

A turnaround in the region may rest with the Syrians. "Syria is the heart of it," says Graham Fuller, a former CIA analyst. But Damascus's candidate to succeed Arafat as the Palestinian leader is Ahmed Jibril, the terrorist who is believed to have engineered the bombing of Pan Am flight 103.

*Some Israeli hardliners will act cooperative now, convinced that the peace issue will fade as the U.S. presidential campaign nears.*

**DAMPING THE DOLLAR:** The U.S. Treasury moves back into the market.

In the most recent action, the government begins selling dollars to try to stop the currency's sharp rise. Treasury chief Brady, after ending intervention last year, has changed policy in response to urgent pleas from Germany. By holding down the dollar against the mark, U.S. officials hope to persuade the Germans not to raise interest rates to protect their sagging currency.

Some economists worry that the dollar's recent rise may cut off the export boom that has been the one bright spot in the U.S. economy recently. But officials at the White House and Federal Reserve complain that intervention in the dollar market is a waste of time. Indeed, Fed officials say if the dollar continues to go up, it may provide more room to ease credit further.

**DON'T EXPECT** major legislation in 100 days, despite Bush's challenge.

His demand to Congress aims mainly to counter Democratic attacks on the administration's domestic agenda, Bush advisers concede. But agreement on a transportation bill isn't expected until fall at the soonest. Democrats will "tamper just short of provoking a veto, because they'd lose a confrontation," predicts William Schneider of the American Enterprise Institute.

Bush's crime bill also will be slowed by stiff Democratic opposition. Democrats will push for a seven-day "cooling-off" period for handgun sales and assault-weapons prohibitions. What the president might get in 100 days are two bills he vetoed before: one on civil rights and another on parental job leave.

*To show that Bush's popularity doesn't sway domestic issues, House Democrats plan a vote soon that, with bipartisan support, would kill his fiscal 1992 budget.*

**A FEDERAL INDICTMENT** is near in the 1988 bombing of Pan Am flight 103. The FBI will pin most of the blame on Syrian-backed terrorists. Some Libyan operatives will also be charged. But it is doubtful that Syria's Assad, who became a U.S. ally during the Gulf war, will turn over any of the major participants.

**FLANKING MOVE?** The military services, citing the "residual" costs of the Gulf war, press for added spending beyond deficit-reduction targets. The Army looks for as much as \$10 billion more in spending authority by 1996. But Cheney and the White House resist for fear of reopening the deficit debate.

**LUCKY LAPSE:** Pentagon officials say that during the Gulf war the U.S. intercepted communications in which Iraqi army officials told field commanders to disregard the idea of a flanking attack by the allies. One message even asserted that U.S. media reports of such a possible move were American "disinformation."

**TWO CHANCES:** California Democrats, with the national party's blessing, will propose to allow voting on the Saturday before elections, as well as on the first Tuesday in November. Democrats, who could gain a bigger turnout of working people, hope to get the idea on the state ballot in June 1992, in time for the presidential election.

**BREEDEN'S AMBITIONS** at the SEC ruffle feathers in and out of government.

The SEC chairman pushes hard to take away CFTC territory, sparring openly with CFTC Chairman Gramm at hearings. Another assault focuses on squeezing out state securities regulators. He also starts a major drive to reform bank accounting, which a Fed official complains Breeden proposed without consulting bank regulators.

John Damgard, the chief futures-industry lobbyist, snipes that Breeden "loses sight of reality in an effort to get enough attention to be considered for a higher position." But defenders say the SEC chief is just addressing broader issues affecting securities markets. Fed Vice Chairman Mullins says "some of the charge of being turf motivated is misplaced."

*House Commerce Chairman Dingell, once a Breeden backer, orders an inquiry into possible inaccuracies in several SEC reports.*

**MINOR MEMOS:** The Democrats still have some friends. Comedian Bill Cosby gives the Democratic National Committee \$50,000. . . . All in the family: Patton, Boggs & Blow and two other lobbying firms invite congressional staffers in their 20s to join "Twenty Something," a social group of those who work on and "with" Capitol Hill. . . . From this year's Hexagon satirical review: Before the war, Iraq had the fourth largest army in the world. Now it has the second largest army in Iraq.

—Compiled by RONALD G. SHAFER

# Children to Get Second Chance for Aid

## Social Security to Review 400,000 Benefit Denials After Court Ruling

Associated Press

The Bush administration said yesterday it will reconsider the cases of more than 400,000 children denied Social Security disability benefits under criteria struck down last year by the Supreme Court.

The administration, which recently developed new criteria, pledged in federal court papers signed by a judge yesterday to rehear rejections dating to Jan. 1, 1980.

That amounts to 400,000 to 450,000 reviews, Social Security Administration spokesman Frank Battistelli said.

The agreement with Philadelphia-based attorneys for the children resolves the most important remaining issue arising from a Supreme Court ruling on the Supplemental Security Income (SSI) program on Feb. 20, 1990.

The court voided a government regulation that gave children seeking disability benefits less protection than adults. The Department of Health and Human Services rule had applied a rigid list of disorders to children, while permitting adults to be judged individually on their ability to work.

Jonathan Stein, the children's attorney in the class-action lawsuit, said in an interview that the court decision could have forced officials to reevaluate nearly 600,000 denials going back to program's beginning in 1974.

The Social Security Administration argued that legal precedent required that it go back only to 1983, when the case was originally filed on behalf of Brian Zebly, then 5, of Upland, Pa. Brian, who suffers from congenital brain damage, lost his SSI benefits when an administrative law judge concluded that his

medical conditions did not meet requirements.

But yesterday's agreement to begin the "class" at 1980, instead of 1983, represented a compromise, Stein said. Stein and Battistelli said the agreement was signed by U.S. District Judge John Fullam in Philadelphia.

The children's cases will be judged under new criteria drawn up by Social Security this year. For the first time, the government will consider not only children's medical problems, but also the effects those conditions have on walking, eating and other daily activities.

About 312,000 needy, disabled children receive SSI benefits, which average \$387 per month. About 50 percent of the applicants now qualify, but the administration expects the success rate to rise to as high as 65 percent under the new guidelines.

## TALKING POINTS

### White House Drops Curtain On Information Agency Epic

The Bush administration, preparing to write the final chapter in a two-year saga of turmoil, will nominate Voice of America chief Richard Carlson to be ambassador to Seychelles.

The nomination will conclude the two-step effort by the White House to restore stability to the U.S. Information Agency by ousting both the head of USIA, Bruce S. Gelb, and Carlson, his nemesis. Gelb was formally nominated this week to be ambassador to Belgium and will be replaced at USIA by Henry Catto, who had been ambassador to Britain.

The White House worked for more than a year to negotiate a cease-fire between Carlson and Gelb, but finally gave up this winter, fed up with the constant disputes that made their way into print with regularity. Gelb refused to accept a new post unless Carlson was asked to exit VOA as well and the White House completed the package this week.

Carlson's tenure at VOA during its turmoil may be good training for his diplomatic post in Seychelles, a socialist one-party republic made up of more than 90 islands in the Indian Ocean where political upheavals, coup attempts and exiles have characterized its political life the past decade.

### State Department Changes in Works

■ At the State Department, Undersecretary for Management Ivan Selin is reportedly leaving to become chairman of the Nuclear Regulatory Commission this summer. Chairman Kenneth Carr's term expires on June 30.

Before joining the State Department, Selin was the chairman of the board of American Management Systems Inc., a computer systems, services and consulting firm that he founded in 1970.

Carr, a retired vice admiral and veteran of the Navy's nuclear program, was appointed to the commission by President Ronald Reagan in 1986 and became its chairman three years later.

The change in NRC chairmanship comes as the agency is facing a number of challenges, including streamlining the way new atomic power plants are licensed, dealing with nuclear wastes, shutting down a growing number of aging nuclear plants, and approving the next generation of power plant designs.

Also at the State Department, word is that Edward P. Djerejian, now U.S. ambassador to Syria, is a leading candidate to replace Assistant Secretary of State John H. Kelly later this year.

### Presidential Lobbying Team Revamped

■ At the White House, Gary Andres, now a deputy in the legislative operation, is considered the likely candidate to take over as chief House lobbyist for the administration, replacing Nick Calio, one of the administration's top legislative strategists.

Calio is scheduled to leave the White House May 15 to join the consulting firm run by Kenneth Duberstein, former chief of staff to Reagan and one of the GOP's outside brain trust of advisers who have been involved in prior Republican administrations. Another likely addition to the legislative shop at the White House is Randy Urban, who ran the Washington office for the state of Texas when Republican William Clements was governor.

### Senate Approves Education Nominee

■ On a voice vote without dissent, the Senate yesterday confirmed former Tennessee governor Lamar Alexander as secretary of education.

During confirmation hearings by the Senate Labor and Human Resources Committee, some senators criticized Alexander's business dealings. Committee Chairman Edward M. Kennedy (D-Mass.) observed that Alexander had created "the appearance of using his high public office for . . . private financial benefit."

In a statement after the vote, Alexander said he hoped "to be a sparkplug for change to help President Bush be the Education President." He succeeds Lauro Cavazos.

—Ann Devroy and Al Kamen

## TODAY IN CONGRES

### SENATE

Meets at 10 a.m.

Committees:

**Appropriations**—10 a.m. Open. Agriculture, rural development and related agencies subc. On FY'92 appropriations for the Animal and Plant Health Inspection Service, Food Safety and Inspection Service and Agricultural Marketing Service. 138 Dirksen Office Building.

**Banking, Housing and Urban Affairs**—9:30 a.m. Housing and urban affairs subc. On reauthorization of the Urban Mass Transit Act. 538 DOB. **Labor and Human Resources**—10 a.m. Aging subc. On reauthorization of the Older Americans Act. 192 DOB. **Labor and Human Resources**—9:30 a.m. Open. Disability policy subc. On reauthorization of Part H of IDEA. 430 DOB.

### HOUSE

Not in session.

Committees: none

# Personalities

By Chuck Conconi  
Washington Post Staff Writer

As part of the National Gallery of Art's 50th-anniversary celebration, First Lady **Barbara Bush** invited some of the gallery's more generous benefactors to the White House for tea yesterday. They were all members of the \$1 million-plus club who over the years have helped build the gallery's collection. Among them were artists **Jasper Johns** and **Roy Lichtenstein** and his wife, **Dorothy**; **Pamela Harriman**; **Robert and Jane Meyerhoff**; **Nancy Dickerson Whitehead**; and **Betsy Whitney**, widow of former National Gallery trustee **John Hay Whitney**. National Gallery Director **J. Carter Brown** presented the First Lady with the first bound copy of the gallery's 50th-anniversary book, "America's National Gallery of Art: A Gift to the Nation," written by **Philip Kopper**, with a foreword by **President Bush**.

## Out and About

Kuwaiti Ambassador **Sheik Saud Nasir Sabah** has donated \$300,000 so 4,000 Operation Desert Storm service members and their spouses can attend the **Wayne Newton Las Vegas** show at the Patriot Center in Fairfax County March 27. Newton is donating the proceeds from the concert to the **Joe Gibbs Charities** spring benefit for Youth for Tomorrow, a home for troubled boys near Manassas...

In 1984, Sen. **Rudy Boschwitz** began holding a series of parties where Jewish singles could meet. The parties were so successful that nine marriages resulted, his staff reports. Now, according to Congressional Quarterly, Rep. **Larry Smith** has decided he will continue the tradition, holding three parties a year, the first on April 14...

CNN celebrity **Peter Arnett** is scheduled to speak at a National Press Club luncheon Tuesday, but apparently there will not be any room at the head table for Sen. **Alan Simpson**...



BARBARA BUSH



PETER ARNETT

**Walt Disney's** nephew says his uncle never shared profits with such voice performers as the great singer **Peggy Lee**, who wrote songs and performed four of the voices in the 1955 cartoon classic hit "Lady and the Tramp." Lee has filed a lawsuit seeking a share of videocassette royalties from the animated film. She was paid \$3,500 for her work, and the distributors' gross from the videocassette release has totaled \$72.2 million. That aside, **Roy Disney**, who heads Disney Studios' animation department, argued in Superior Court in Los Angeles that Uncle Walt always paid voice performers flat fees only. "This goes back to policies that existed from the beginning, and it hasn't changed," he said...

There may be a lot of green beer, corned beef and cabbage, and even green bagels served around town, but they won't be cele-

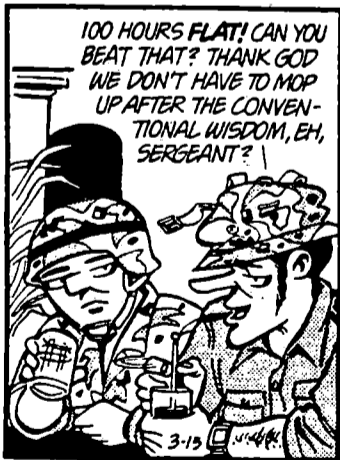
brating St. Patrick's Day that way at **Dominique's** restaurant. There's a new "traditional Irish" dish there this week: alligator and cabbage. It would take a French restaurant to think up something like that...

You can bet that the guests at Wednesday night's **Chieftains** and **James Galway** concert at the Kennedy Center wouldn't consider celebrating with alligator and cabbage. Irish Foreign Minister **Gerry Collins** was in the audience as well as Irish Ambassador **Padraic MacKernan** and former U.S. ambassador to Ireland **Margaret Heckler**...

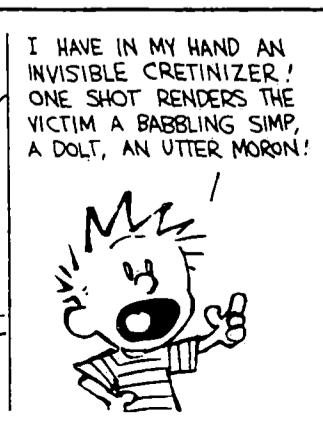
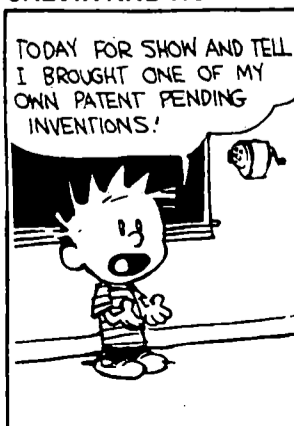
It's this kind of talk that makes Democrats want to cry: "Experts are saying that **President Bush's** goal now is to politically humiliate **Saddam Hussein**. Why don't we just make him the next Democratic presidential nominee?"—**Jay Leno**...

By G.B. Trudeau

## DOONESBURY



CALVIN AND HOBBS BILL WATTERSON



**Fun in the sun**

Forbes magazine will be raising questions on a sweetheart of a deal involving a Caribbean paradise and the eight members of Congress who own it with some of their friends. Pierres Island, a 17-acre hideaway 55 miles north of Nassau, Bahamas, was purchased by the group in 1988 for \$475,000 after inspection by Reps. Robert J. Mrazek and Tom Downey, New York Democrats. Those who jumped into the purchasing pool also included fellow Democrats Sen. Al Gore of Tennessee, Rep. William Lehman of Florida, Rep. Butler Derrick of South Carolina, Rep. John Bryant of Texas, Rep. Edward Feighan of Ohio, Rep. Tom McMillan of Maryland and Rep. Matthew McHugh of New York.

Now the group plans to sell for twice what they paid. But there's a catch. "A number of coincidences regarding the sale have caught the attention of lawyers at the Justice Department and Department of Energy," according to an article to be published in Forbes. Among the questions being asked is one concerning the involvement of fugitive oil financier Bartlett B. Chamberlain Jr., who owes the federal government \$26 million plus interest accumulating at \$5,000 a day. And he maintains a mansion just five miles from the Pierres Island property.

So investigators find it curious that the corporation formed by Mr. Mrazek is "Douglas & Chamberlain Ltd." The congressman said it's named for a couple of Civil War heroes. There are other coincidences, but Mr. Mrazek insists it's just a simple real estate deal.

**The AIDS question**

"Why did the National Endowment for the Arts host a conference on AIDS? Isn't that a job for Health and Human Services?"

That's a question that apparently intrigues a number of folks inside

**INSIDE THE BELTWAY**

the Beltway, and maybe even in America at large. And there are other questions. John M. Slye, a research assistant at the Heritage Foundation, has written a letter to NEA's general counsel inquiring as to why the March 7 forum was not open to the public. The forum, according to an NEA announcement, was designed to "promote cooperation in shaping public awareness of the epidemic and its impact on the arts." It brought together officials of private and public organizations around the country concerned about AIDS.

In preparation for the meeting, held at the NEA's offices in Washington, participants were asked to "send a brief description of the work that his or her organization is doing in the areas of AIDS/HIV education, prevention, public awareness, health insurance, assistance for persons living with AIDS, preservation of works by artists with AIDS and any other relevant activities."

Mr. Slye said yesterday that he hadn't received a reply from NEA but that his request to attend the conference was accommodated.

**Listen up, crooks**

"Politicians often call it fraud, abuse and waste; program officials would rather call it mismanagement and inefficiency," said Gene Richardson, an assistant inspector general at the U.S. Agency for International Development. "Down in Texas where I come from, we call it just plain lyin', stealin' and cheatin'."

That commendable pronouncement accompanied an announcement of the indictment of an

AID Foreign Service officer for submitting false expense claims.



Wyoming Sen. Malcolm Wallop enjoyed the mistaken identity.

**Signing off now**

Radio South Africa thought they'd lined up an interview with an opponent of lifting sanctions. In response to the call, a staffer for Sen. Malcolm Wallop, Wyoming Republican, made it clear that the senator wants sanctions repealed. Apparently the message got diluted as it was transmitted across the miles.

Well, when the interviewer got on the line with Mr. Wallop, he asked: "Do you prefer the pronunciation of your name *Walpey* or *Wolpe*?"

Rep. Howard Wolpe, Michigan Democrat, is strongly opposed to lifting sanctions. Mr. Wallop said he preferred "Wallop." There was a pause, and then a highly amused Mr. Wallop was heard to say, as he hung up, "Quite all right, thank you."

**An ancient proverb**

Wasn't it heartwarming to see all those pictures of surrendering Iraqi soldiers kissing the hands of their captors? Those boys know how to show humility. The New Republic carried one of the photos. TNR has a fairly elite audience, you know, including a few learned Arabists. Those readers informed TNR editors of an old Arab saying: "Kiss the hand you cannot bite, and pray that God will break it."

— John Elvin

**Hey, hey, ho, ho**

The overbilling of the federal government by Stanford University is much in the news of late. In testimony before the House Energy and Commerce Committee, Stanford representatives answered questions about billings involving a 72-foot yacht, a university-owned shopping center, a wedding reception for the university's president, an early-19th-century fruitwood commode and other luxurious expenses.

Some background seems in order. Stanford, as we recall, recently decided to move away from teaching traditional Western civilization in order to provide a more multicultural approach, right? In fact, Jesse Jackson was on the campus at one point leading the chant: "Hey, hey, ho, ho; Western culture's got to go!"

During the House hearing, one Republican committee member was overheard remarking: "I know that double-entry accounting was invented sometime around the 15th century in Italy, but I had no idea that this was the sort of 'Western traditional value' that Stanford was trying to move away from."

## World-Wide

**KUWAIT'S EMIR RETURNED** as U.S. officials pursued postwar diplomacy.

The Kuwaiti ruler flew home after seven months in exile during Iraq's occupation of his country. Meanwhile, Bush met in Martinique with France's Mitterrand, and the two leaders later said they weren't interested in getting involved militarily in the current violence inside Iraq. Secretary of State Baker held talks in Moscow with Bessmertnykh to brief the Soviet foreign minister on his five-nation Middle East trip and prospects for peace. (Stories on Pages A4 and A9)

*Kurdish rebels charged that Iraqi troops rounded up civilians yesterday in the northern city of Kirkuk and then massacred them by firing weapons from helicopter gunships.*

**Baker plans to meet today** in Moscow with the Russian republic's president, Yeltsin, and other Soviet progressives pressing Gorbachev for economic and political reforms. The rivalry between Yeltsin and Gorbachev has sharpened in advance of Sunday's vote on preserving the Soviet Union. (Related stories on Page A8)

**Thornburgh announced** that in response to allegations of police brutality in Los Angeles, the Justice Department will review all "official complaints" of such police actions nationwide over the past six years. The attorney general said the purpose of the review is "to discern whether any pattern of misconduct is apparent."

**A federal appeals court ruled** that local governments and law enforcement agencies can be held liable for failing to train officers on the legal limits of the use of force. The decision appears to broaden the grounds under which officials can be sanctioned for brutality. (Story on Page B3)

**Six Irishmen were freed** after spending 16 years in prison after Britain's Court of Appeal reversed their convictions for Irish Republican Army bombings in 1974 that killed 21 people. The decision had been expected after prosecutors said they could no longer rely on scientific and police evidence in the "Birmingham Six" case.

**Scientists found a gene** that appears to trigger the initial transformation of a healthy cell into cancer. The discovery by Johns Hopkins University researchers may soon help doctors tell whether a tumor is beginning to rise amid the normal tissue cells in the human colon. (Story on Page B1)

**Angry Slovak nationalists** shouted abuse at Czechoslovakia's president, who visited Bratislava, the capital of Slovakia, and urged the five million Slovaks not to secede. Earlier, Havel warned Slovak army officers that they should stay out of the dispute over whether Slovakia should split with the Czechs and become a separate state.

**Computer hackers have been stealing** phone records and using local and toll-free phone numbers to gain access to office voice-mail systems around the country, allowing them to use the office phones for their own purposes. The extent of the intrusion is still being gauged by the Secret Service and the FBI. (Story on Page B1)

**Honecker has been taken** to Moscow for medical treatment, a Soviet official said, prompting a demand from Germany for the return of the former East German leader. Honecker, facing German manslaughter charges over the killing of people trying to flee East Germany, had spent nearly a year in a Soviet hospital outside Berlin.

**Aid totaling \$850 million** was approved by the Senate Appropriations Committee for Turkey and Israel as part of two spending bills covering the initial costs of the Gulf crisis and increased benefits for veterans of the war with Iraq. (Story on Page C16)

**Serbian protesters ended** five days of anti-Communist rallies but threatened to return to Belgrade's streets if the government of Yugoslavia's biggest republic doesn't resign. The country's eight-member presidency, meanwhile, met in closed session with army officials to discuss security.

**Malawi's President Banda** toured the flood-stricken southern area of his country where at least 472 people died when their villages were washed away. Several hundred people are still missing and an estimated 150,000 people have been left homeless by the floods, caused by torrential downpours Sunday in the African nation.

**Britain's Major is expected** to announce a drastic change in the unpopular poll tax next week to ease pressure on his three-month-old government, politicians said.

Schools.

assigning issues:

→ schedule?

manpower. . . .

**DATE:** Thursday, September 12, 1991

**CONTACT:** Scot Montrey

**PRESS:** 863-8608

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**THE  
DAILY  
NEWS  
SUMMARY**



## Letters to the editor

### Thomas has detractors, supporters

THE SENATE Judiciary Committee is considering Judge Clarence Thomas for the position of U.S. Supreme Court justice ... a lifetime appointment.

While chair of the Equal Employment Opportunity Commission, Thomas ignored thousands of age-discrimination complaints. While assistant secretary of education for civil rights, he admitted violating a court order for timely investigation of discrimination in education.

Thomas supports the "natural law" theory; in the past, "natural law" was used by the Supreme Court to deny a woman the license to practice law and to limit women's work hours.

Thomas has little more than a year's experience as a federal judge. Twice, the American Bar Association has rated him "qualified" (its lowest qualified assessment).

After reviewing this sad record, the bipartisan National Women's Political Caucus voted unanimously in convention to oppose his confirmation. We hope others join us in urging senators to withhold confirmation until a qualified nominee is proposed that mainstream Americans can trust.

Lynda Van Scoyoc  
Delegate-at-Large  
National Steering Committee  
National Women's Political Caucus  
ORLANDO

### High-caliber nominee

PEOLA BUTLER Dews' op-ed column titled "Is Thomas too black for whites and too conservative for blacks?" is by far one of the most eloquently articulated essays I have seen regarding the Clarence Thomas nomination. I strongly share Dews' opinion that Thomas should be judged by the merits of his legal qualifications, and not by an arbitrarily institutionalized set of "racially correct" standards created by some of his detractors.



Thomas

As Dews correctly pointed out, the judge's predicament lies in that he "seems to be too black for white people, and too conservative for black people." This, however, should not be the criterion that we ought to use in order to gauge Judge Thomas' judicial qualifications.

I commend Dews on taking a courageous stance in expressing her support of Thomas, and I hope that many more will come out in support of this high-caliber nominee. I am convinced that Thomas' impressive credentials and experience would make him an excellent Supreme Court justice, and the nation would benefit immensely from his services.

Jeanie Austin  
Co-Chairman  
Republican National Committee  
WASHINGTON, D.C.

# Thomas Refuses to State View on Abortion Issue

## Nominee Steadfast Amid Senators' Questions

By Ruth Marcus  
Washington Post Staff Writer

Supreme Court nominee Clarence Thomas yesterday said he had no opinion on whether the Constitution protects the right to abortion and had not discussed the issue, even in a private setting, in the 18 years since the court decided it.

Elaborating on his views on the right to privacy, the legal underpinning for the court's recognition of a constitutional guarantee to abortion, Thomas said he believed the right to privacy for married couples is a fundamental constitutional right, meaning that government can interfere with it only in extreme cases.

But he did not say whether that right extends beyond the marital setting. He steadfastly refused attempts to pin him down on the abortion issue, despite complaints by frustrated Democrats that he was discussing other cases and constitutional doctrines likely to come before the court.

Four of the five Democratic senators who questioned Thomas on the second day of his confirmation hearings before the Senate Judiciary Committee expressed varying degrees of concern that the nominee was backtracking from or contradicting earlier statements, primarily about the role of natural law in interpreting the Constitution.

Sen. Howell T. Heflin (D-Ala.), a swing vote on the committee, told Thomas that there was "an appearance of a confirmation conversion," an issue, Heflin pointedly noted, "that can affect the evaluation that members of the committee may give as to integrity and temperament." Heflin devoted his entire half-hour of questioning to asking the nominee to square his previous statements with his current position that natural law plays no role in constitutional adjudication.

"What I read is somewhat different from the tone" of earlier remarks, said Sen. Paul Simon (D-Ill.).

Sen. Arlen Specter (R-Pa.) also said that Thomas, before the confirmation hearings, had "shifted" position several times on the legality of minority preference programs and set-asides.

Thomas, backed by Republicans on the committee, sought to defuse that concern, saying he had been "consistent on this issue of natural law" and pointing repeatedly to a statement at his confirmation hearings for the federal appeals court in February 1990 at which he suggested he would follow a more traditional approach to constitutional interpretation.

He also distinguished between his roles as administration policy-maker and jurist. "I advocated as an advocate, and now I will rule as a judge," he said.

Sen. Alan K. Simpson (R-Wyo.) said suggestions of a confirmation conversion were "an act of desperation" by groups opposed to Thom-

as and that natural law "has been selected as an issue to try to confound people because natural law is an inherently vague concept."

Thomas tangled with Sens. Howard M. Metzenbaum (D-Ohio) and Patrick J. Leahy (D-Vt.) over his refusal to discuss the issue of abortion rights. Thomas—comparing his situation to that of a football referee—insisted it would violate his impartiality as a sitting federal judge.

When Metzenbaum invoked the specter that American women "will once again be forced to resort to brutal and illegal abortions" if the *Roe v. Wade* abortion ruling is overturned, Thomas came closest to expressing some thoughts on the question.

"I guess as a kid we heard the hushed whispers about illegal abortions and individuals performing them in less than safe environments, but they were whispers," he said. ". . . Of course, if a woman is subjected to the agony of an environment like that, on a personal level, certainly, I am very, very pained by that. I think any of us would be. I would not want to see people subjected to torture of that nature."

But, he said, "as difficult as it is for me to anticipate or to want to see that kind of illegal activity, I think it would undermine my ability to sit in an impartial way on an important case like that."

Later, in an exchange with Leahy, Thomas said he had never discussed *Roe v. Wade*, a decision that Thomas described as "one of the more important, as well as one that has been one of the more highly publicized and debated cases."

Thomas said that when the case was decided in 1973, he was a married law student who was also working, and "I did not spend a lot of time around the law school doing what all the other students enjoyed so much, and that is debating all the current cases."

"Judge Thomas, I was a married law student who also worked. but I also found at least between classes that we did discuss some of the law," Leahy responded.

In the years since the ruling, Thomas told Leahy, his only experience in discussing the case was "in the most general sense that other individuals express concerns one way or the other and you listen and you try to be thoughtful. If you are asking me whether or not I have ever debated the contents of it, the answer to that is no, senator."

Leahy pointed out that Thomas had participated in a White House report on the family that criticized *Roe*, cited the case in a footnote to a law review article, mentioned the abortion issue in a reference to an article about natural law and a fetal right to life and discussed black voters' views on abortion in a newspaper article.

"I cannot believe that all of this was done in a vacuum, absent some very clear considerations of *Roe v. Wade*," said Leahy, who promised

to "revisit this subject a tad more."

Asked whether the fetus is a person protected by the Constitution, Thomas, following a lengthy pause, said the Supreme Court had never found such protection, adding, "I would have to go back and rethink that." The court in *Roe* held that "the word 'person,' as used in the 14th Amendment, does not include the unborn."

At various points in his testimony, Thomas said he had not read the White House report on the family, even after it surfaced as an issue in news reports concerning his nomination this summer. He said his only interest in the White House working group on policy had been on the issue of low-income families.

He said he had only "skimmed" the article on natural law and the fetus's right to life before praising it in a 1987 speech as a "splendid example" of applying natural law, and had not reread the article, written by conservative businessman Lewis Lehrman, since being nominated. The article has been a central part of the debate about Thomas's nomination.

Leahy and Metzenbaum both contrasted Thomas's reticence on the subject of abortion with his willingness to discuss other legal issues.

For example, Thomas, in answering questions Tuesday from Sen. Strom Thurmond (R-S.C.), talked about habeas corpus reform to expedite handling of death row cases; commented on a Supreme Court decision in June protecting victims' rights; and discussed the good-faith exception to the rule excluding illegally seized evidence from use in criminal trials.

He also said he thought the Supreme Court was correct during the New Deal when it abandoned its practice of striking down social welfare legislation as violative of economic rights, and he stated his flat agreement with a 1977 case, *Moore v. East Cleveland*, invalidating a city zoning ordinance that defined families because it barred a grandmother from living with her two grandsons, who were first cousins.

Thomas and his defenders said his comments involved either settled areas of the law, such as the right to privacy or the post-New Deal cases, or situations in which he simply offered his comments on issues without stating how he would come down on them.

Thomas also invoked his status as a sitting federal judge, contasting it to his freedom to comment on issues while he was an official of the executive branch.

"I think it is important that one becomes a member of the judiciary that one ceases to accumulate strong viewpoints . . . and to maintain and secure that level of impartiality and objectivity necessary for judging cases," he said.

Toward the close of the session yesterday, Thomas commented extensively on the proper test to be used in cases involving the separa-

tion of church and state, an issue that the court has agreed to decide in the coming term and on which the justices are closely divided. Thomas said he had no "personal disagreement" with the current test the court uses, although he noted it had been difficult to apply. The Bush administration is backing the side in the case that has asked the court to adopt a new test.

Simon asked about the childhood experience of Rep. Dan Glickman (D-Kan.), who is Jewish. As a boy, Glickman was escorted from his fourth-grade class each day while his Christian schoolmates prayed. In response, Thomas noted his own feelings of exclusion when white southern classmates had talked about the Civil War, and he said, "My concern would be with someone like Danny Glickman that . . . we understand the effects of the government's perceived endorsement of one religion over another," suggesting his potential agreement with a middle-ground standard adopted by Justice Sandra Day O'Connor.

In other testimony and comments yesterday:

■ Thomas told Sen. Dennis DeConcini (D-Ariz.) he "had no reason to question or to disagree with" the approach the court currently uses in protecting women from sex discrimination.

DeConcini said he was troubled by Thomas's record with regard to Hispanics while head of the Equal Employment Opportunity Commission. "The feeling I have is you really were not paying attention to Hispanics," said DeConcini, another potential swing vote on the committee. "I get that feeling, and from the Hispanic community, you certainly didn't leave them with any great impression you were interested in their problems, Judge."

By yesterday evening, the White House had provided DeConcini with a list he had requested of the meetings Thomas held with Hispanic groups while at the EEOC.

■ Thomas expressed a view on the importance of upholding Supreme Court precedents that appeared different from that endorsed by a majority of the justices on the last day of the term this year. The court said it would be more reluctant to overturn precedents in property rights and other economic rights cases than in those concerning individual rights.

The standard for overturning precedents "should be as uniform as possible," Thomas said, not "less for individual rights than for commercial cases." He said it "seems to me the cases in the individual rights area deserve the greatest protection."

# THOMAS UNDERGOES TOUGH QUESTIONING ON PAST REMARKS

## OPENNESS IS CHALLENGED

### Committee Democrats Express Concern That the Nominee Is Tailoring Testimony

By NEIL A. LEWIS  
Special to The New York Times

WASHINGTON, Sept. 11 — Judge Clarence Thomas faced stiff questioning today in his second day of testimony before the Senate Judiciary Committee, with some Democratic Senators questioning whether he was tailoring his comments and repudiating his earlier writings and speeches to win a seat on the Supreme Court.

Senator Howell Heflin, an Alabama Democrat whose support to Judge Thomas's nomination is crucial, told the nominee he was concerned that "there appears to be a conflict between what you've said in the past and what you've told us here."

He said this gave the appearance that Judge Thomas was undergoing a "confirmation conversion" and said such an approach could raise questions about the nominee's integrity and temperament.

#### Speeches and Writings

At issue are Judge Thomas's statements on Tuesday before the committee, in which he sought to dismiss the significance of a series of speeches and writings over the years. Opponents have argued that the writings and speeches demonstrate Judge Thomas has a strong conservative agenda.

Judge Thomas insisted on both days that he would bring no ideological agenda to the court and said he believed that a judge should approach a case by shedding all his preconceptions the way a runner strips down for a race. [Excerpts, page A20.]

#### Contentious Tone

The contentious tone of the hearing was set in today's opening colloquy with Senator Howard Metzenbaum, an Ohio Democrat, the only committee member to have voted against Judge Thomas's confirmation to the United States Court of Appeals for the District of Columbia Circuit last year.

Mr. Metzenbaum said he was greatly concerned about Judge Thomas's explanations on Tuesday of his earlier speeches and writings. "Your complete repudiation of your past record makes our job very difficult," he said.

Over the next half hour, Mr. Metzenbaum asked Judge Thomas 13 times, and in as many ways, to indicate whether he believed there was any constitutional right of privacy that would give a woman a right to abortion. Each time Judge Thomas responded it would be inappropriate to answer because it would compromise his ability to sit on a Supreme Court that is certain to consider the issue.

"I don't have an ideology to take to the Court to do all sorts of things," Judge Thomas said. "I'm there to take the cases that come before me and to do the fairest, most open-minded, decent job I can as a judge."

President Bush, who nominated Judge Thomas to replace Thurgood Marshall on the Supreme Court, said

he chose the 43-year-old jurist without regard to his views on Roe v. Wade, the 1973 ruling that established a constitutional right to abortion.

Judge Thomas today repeated that he believed the Constitution provides for some right of privacy but would not say whether that meant a constitutional right to an abortion because that would "leave the impression that I've prejudged the case."

All he would say about his personal views about abortion in response to a question was that he was "very, very pained" by the thought of back-alley abortions which resulted in the death and disfigurement of women. "I wouldn't want to see people subjected to that kind of torture," he said but again declined to say if that influenced his constitutional view of abortion.

Several of the committee's Republican members were clearly uncomfortable with the aggressive questioning of Judge Thomas. Senator Strom Thurmond of South Carolina, the committee's ranking Republican, broke into Mr. Metzenbaum's questioning to defend Judge Thomas against a complaint that he was willing to answer questions on other cases that might come before the Court but not abortion because that would harm his chances of confirmation.

Despite the tough questions and the annoyance Judge Thomas's answers produced among some members, it remains unclear whether his chances at winning confirmation will be seriously affected. But the contest is clearly not over; by the second day of hearings last year on the nomination of Judge David H. Souter to the Supreme Court, any opposition on the committee had evaporated. Members were referring to him respectfully as "Justice-to-be" and recommending what he do with his vacation time when he joined the Court.

#### A Record of Comments

But unlike Judge Souter who had not written or spoken publicly much, Judge Thomas has an extensive record of comments suggesting, some highly critical of Congress and certain Supreme Court opinions.

Judge Thomas said today that his wife had remarked that if Judge Souter was known as the "stealth" nominee, he should be known as "Bigfoot."

Republican strategists said that despite the skepticism that his answers produced among some committee members he performed well and gave no cause for any momentum to oppose him. One said that he and his advisers were willing to have him "take his lumps" over whether his answers were annoyingly repetitive or even implausible.

The alternative, the strategist said, was for him to engage in an open-ended debate that could prove perilous.

Still, there was anxiety over the charge that in explaining away his past comments he was tailoring his remarks to win confirmation. The charge of a confirmation conversion had proved devastating in 1987 to Judge Robert H. Bork who was rejected for a Supreme Court seat after a bruising political fight.

#### Affirmative Action Opponent

Although Judge Thomas has gained a reputation as an outspoken opponent of affirmative action, the subject has been little discussed so far. Today he told Senator Hank Brown, a Colorado Republican, that he opposed timetables, preferences or quotas but said he supported efforts to seek out and enlist fully qualified minorities. Under such a program, he said, he was able to attend Yale Law School.

"The effort on the part of Yale during my years there was to reach out and open its doors to minorities whom it felt were qualified, and I took them at their word on that," he said. "And I have advocated that very kind of affirmative action."

While Judge Thomas sat alone at a green-baize table in the Senate Caucus room with nothing before him on Tuesday, today he fingered a pocket-sized booklet of the Constitution. And by the

end of the day, the table held copies of several of the Judge's articles and speeches; copies delivered to him by Senators, who were pressing him to read his own words and be prepared to answer further questions about them.

Judge Thomas is expected to testify through Friday. Next week will be devoted to hearing witnesses for and against the nomination.

Senator Joseph R. Biden Jr. of Delaware, the committee chairman, is expected to schedule a vote sometime later in the month.

After Mr. Metzenbaum's persistent questions about abortions led off the hearing, the same issue was sharply pressed in the afternoon by Senator Patrick J. Leahy, Democrat of Vermont. The Senator sought to question Judge Thomas again on what he meant in 1987 when he briefly but pointedly praised an article that argued Roe v. Wade was immoral and a violation of natural law. Judge Thomas's writings in support of natural law, the concept that there is a higher, more fundamental law that transcends any written law, has been the focus of much questioning.

Mr. Leahy seemed annoyed when Judge Thomas said for the first time today that he may never have read the article by Lewis Lehrman, a New York businessman and patron of conservative causes. In his 1987 speech entitled, "Why Black Americans Should Look to Conservative Policies," he praised the Lehrman article "on the meaning of the right to life is a splendid example of applying natural law."

Judge Thomas said he might have only skimmed the piece before he spoke and had not looked at it in years. Judge Thomas said he disavowed the message in the article insofar as it meant that natural law should be a basis for a court's ruling.

When Mr. Leahy asked Judge Thomas if a fetus has any constitutional rights, he paused for several seconds before saying that he did not believe there were any cases that took that view but he would have to check. In fact, Roe v. Wade explicitly holds that a fetus does not have constitutional rights.

Under repeated questioning from Mr. Leahy, Judge Thomas said that he did not believe he had ever expressed an opinion about Roe even in private nor had he ever formulated a personal opinion on the case in the 18 years since it was decided.

In Roe, the Court held that a right of privacy could be found in the 14th Amendment, the post-Civil War amendment that guarantees citizens of all the states a range of liberties, including due process.

## Democrats Accuse Thomas of Changing Positions to Win Confirmation as Justice

DATE: 9/12/97  
PAGE: A20

By PAUL M. BARRETT

Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON — Some Senate Democrats began to focus on Clarence Thomas's integrity, accusing the Supreme Court nominee of trying to get confirmed by repudiating his past positions on such topics as the right to privacy and natural law.

Judge Thomas, in his second day of testimony before the Senate Judiciary Committee, insisted he hadn't changed his views and also resisted Democrats' continued efforts to elicit his opinion on *Roe vs. Wade*, the landmark 1973 Supreme Court decision that recognized a constitutional right to abortion.

Under sharp questioning by Sen. Patrick Leahy (D., Vt.), the nominee said he has never formed an opinion of any kind about *Roe vs. Wade* and couldn't even recall discussing the controversial case in the 18 years since he graduated from law school. Judge Thomas, who sits on the federal appeals court here, reiterated that, in any case, he wouldn't comment directly on the abortion-rights issue because it would "undermine" his impartiality as a judge.

He did say that, if confirmed, he would keep an open mind on abortion cases and would rely on precedent and medical science in deciding them.

### Continued Questioning on Abortion

Expressing skepticism, Sen. Leahy indicated that he would continue to press the nominee on the issue. Republicans, meanwhile, charged that Judge Thomas was being held to a tougher standard than Justice David Souter, who was easily confirmed last year despite his refusal to discuss *Roe vs. Wade*.

Overall, Judge Thomas maintained a calm demeanor under Democratic fire, and at least one influential committee member, Sen. Dennis DeConcini (D. Ariz.), said he was "pleased" with his testimony on some issues. Committee Chairman Joseph Biden of Delaware told the nominee, "Do not count me as one of your detractors because I ask you tough questions."

Even the nominee's staunchest liberal opponents conceded that he went into the hearings a strong favorite to be confirmed and probably could be defeated only if he blundered badly at the witness table. So far, at least, he hasn't.

Responding to questions on abortion, for example, he acknowledged the potential human toll of making the procedure illegal, as many of his conservative allies advocate. He recalled that as a child he had heard "hushed whispers" about illegal abortions performed under unsafe conditions. "On a personal level," he added, "I wouldn't want to see people subjected to torture of that nature."

Aside from his own performance, Judge Thomas has benefited from the difficult position in which his nomination has put liberals. Among his most controversial positions is the steadfast opposition to most forms of racial preferences, which he turned into federal policy as chairman of the Equal Employment Opportunity Commission during the 1980s. But Democrats have hesitated to raise race relations; apparently because they don't relish criticizing a black man who overcame segregation and poverty and bases his self-help philosophy on those compelling experiences.

It was a Republican, Arlen Specter of Pennsylvania, who persistently questioned Judge Thomas yesterday on why he doesn't favor broad affirmative-action poli-

cies to help move large numbers of blacks into the work force. The nominee responded that such policies lead to reverse discrimination against whites and other racial groups and also "undermine the dignity" of those who are helped.

Judge Thomas instead stressed that individual cases of discrimination deserved government attention and that employers found guilty of purposeful bias should face tougher punishment, including potential jail terms and multimillion-dollar criminal fines.

In an earlier exchange with Sen. DeConcini, the nominee said somewhat enigmatically that for some types of discrimination, he might endorse a "more exacting" level of analysis than is now employed by the Supreme Court. Judge Thomas didn't elaborate on when he would consider such a "ratcheting up" of the high court's discrimination test, making it easier to prove illegal bias.

Responding to questions from Sen. Paul Simon (D., Ill.), Judge Thomas made his first comments on another issue that comes before the Supreme Court frequently, prayer in school. The nominee said that a policy that resulted in a student's being excluded from any activity because of religion "should be considered inappropriate."

The issue Democrats pursued with enthusiasm was whether Judge Thomas has been conveniently disavowing past statements and positions to improve his chances of being confirmed. Sen. Howell Heflin (D., Ala.) noted "an appearance of confirmation conversion," a clear reference to the 1987 defeat Robert Bork, a Supreme Court nominee of former President Reagan. Some Democrats charged four years ago that Mr. Bork had undergone such a conversion when he tried to temper some of his controversial views, and the accusation helped doom his nomination.

Sen. Heflin, who provided a key vote against Mr. Bork, said a confirmation conversion raised the issue of a nominee's "integrity and temperament" to sit on the Supreme Court.

### Focus on Natural Law

Specifically, the Alabama lawmaker questioned whether Judge Thomas had backed off his earlier endorsements of natural law. This somewhat esoteric legal philosophy, which has become a central issue in the Thomas hearings, assumes the existence of certain fundamental rights, such as liberty and equality, regardless of whether those rights are included in written laws.

In response to questions from several Democrats, Judge Thomas has tried to soften and clarify some of his natural-law beliefs. For example, he has distanced himself from natural-law thinkers who would declare abortion unconstitutional or assert property rights as a means of rolling back government regulation of business. But the nominee insisted yesterday that he wasn't abandoning natural law altogether; instead, he stressed that he views it as more of a political theory than a basis for deciding constitutional cases.

It wasn't clear whether this answer completely satisfied Sen. Heflin. But the lawmaker eventually qualified his attack by acknowledging that Judge Thomas's past pronouncements on natural law were "subject to interpretation." Sen. Heflin also said he hadn't decided how he would vote on the nomination.

—Raquel Santiago contributed to this article.

# Thomas holds firm on 'impartiality'

## Senators press on abortion

By Dawn Ceol  
THE WASHINGTON TIMES

Supreme Court nominee Clarence Thomas yesterday deflected repeated attempts by Senate liberals to force him to reveal his views on abortion, insisting that he had "not made a decision" on the issue and would keep an open mind.

"As a kid we heard the hushed whispers about illegal abortions, and individuals performing them in less-than-safe environments," Judge Thomas told the Senate Judiciary Committee. "If a woman had been subjected to the agony of an environment like that, on a personal level certainly I am very, very pained by that."

But divulging an opinion on abortion "would undermine my ability to sit in an impartial way on an important case like that," the nominee said.

Judge Thomas' second day of testimony covered a variety of topics he had treated in numerous speeches during his career, including affirmative action and judicial restraint.

Pressed by Sen. Paul Simon, Illinois Democrat, for his views on school prayer, Judge Thomas said he was "sensitive to our desire in this country to keep government and religion separated."

But the testiest exchanges involved the abortion question and Judge Thomas' refusal to state his position.

Sen. Howard Metzenbaum, Ohio Democrat, used his half-hour of questioning to press the black conservative nominee at least 10 times for his views on Roe vs. Wade, the 1973 decision that recognized a constitutional right to abortion.

"Frankly, I'm terrified that if we turn the clock back on legal abortion services, women will once again be forced to resort to brutal and illegal abortions, the kinds of abortions where coat hangers substitute for surgical instruments," Mr. Metzenbaum said.

"I fear that you, like other nominees before the committee, could assure us that you support a fundamental right to privacy but could also decline to find that a woman's right to choose is protected by the Constitution."

Sen. Patrick Leahy, Vermont Democrat, continued that theme, quizzing Judge Thomas about whether he had discussed the Roe decision, or even thought about it, in the 18 years since his graduation from Yale law school.

Judge Thomas, 43, said he had discussed abortion "only in the most general sense, that other individuals express concerns one way or the other and you listen and you try to be thoughtful."

"If you're asking me whether or not I've ever debated the contents of it, the answer to that is no, Senator," said Judge Thomas, a member of the U.S. Court of Appeals for the District of Columbia.

"Have you made any decision in your mind whether you feel Roe vs. Wade was properly decided... without stating what that decision is?" Mr. Leahy asked.

"I have not made, Senator, a decision one way or the other with respect to that important decision," the judge responded.

Sen. Dennis DeConcini, an Arizona Democrat and a swing vote in the closely contested nomination battles, said Judge Thomas "handled the privacy questions very well."

"I don't see how you could ask him to do anything more," Mr. DeConcini said.

Sen. John Danforth, a Missouri Republican and Judge Thomas' strongest Senate supporter, chastised his colleagues for a "litmus test" approach.

"It really is wrong to say that we are only going to confirm people who are going to vote our way on any issue, whether it's Roe v. Wade or anything else?" Mr. Danforth said.

"Continually, people bark up the same tree: Will Clarence Thomas prejudge the abortion issue? He says no, he will not," he said. "Does he have a view of abortion that predetermines how he would vote on the Supreme Court? No, he does not."

Won't he please tell us how he would prejudge abortion? No, he won't.

"And no matter how many times the same question comes up, I think his answer is appropriate."

Mr. Metzenbaum said that he would not continue to press Judge Thomas on the abortion question but that his reluctance to reveal his position "certainly makes it more difficult to vote for him."

Sen. Herb Kohl, Wisconsin Democrat, said he was bothered by Judge Thomas' testimony: "I'm concerned about his candor, his willingness to be forthcoming."

Mr. Metzenbaum, who had voted to confirm Justice David Souter last year despite his refusal to answer questions on abortion, denied that liberals were applying a different standard to Judge Thomas, former chairman of the Equal Employment Opportunity Commission.

"Souter had not written or made as many speeches as has Judge Thomas," he said. "Judge Thomas has spoken and talked about the subject of a woman's right to choose, although not in those quite specific words. But he certainly has much more of a record than did have Souter."

Liberals had used as proof of Judge Thomas' pro-life views on abortion his praise of an article by conservative businessman Lewis Lehrman attacking the Roe decision as "a splendid example of the application of natural law."

Discussions on "natural law," a philosophy that holds certain rights to be above governmental interference, also played a leading role in yesterday's session.

"At no time did I adopt or endorse the substance of the [Lehrman] article," Judge Thomas said, adding that he had praised it during a speech at the Heritage Foundation to illustrate to conservatives that natural law was a good reason "to be more re-

ceptive... and to be more aggressive" on civil rights enforcement.

Mr. Metzenbaum said he was not satisfied with Judge Thomas' testimony that his earlier writings on natural law were mere philosophical musings that he would not apply on the bench and charged the nominee with tailoring his answers to ensure confirmation.

"We don't know if the Judge Thomas who has been speaking and writing throughout his adult life is the same man up for confirmation before us today, and I must tell you it gives me a great deal of concern," Mr. Metzenbaum said.

Sen. Alan Simpson, Wyoming Republican, quoted passages from Judge Thomas' 1990 hearings for a seat on the federal appeals court in which the nominee said: "Recognizing that natural rights is a philosophical, historical context of the Constitution is not to say that I have abandoned the methodology of constitutional interpretation used by the Supreme Court."

Mr. Simpson dismissed charges of a "confirmation conversion" on the natural law issue as "a bit of an overreaction... an act of desperation, if you will."

Several times during the day, Judge Thomas repeated his belief that judges should divorce themselves from opinions on contentious issues.

He assured Sen. Arlen Specter, Pennsylvania Republican, that although he had criticized race-conscious policies while EEOC chairman, he had put those opinions aside in his role as a judge. In one exchange about the correct role of judges, the nominee used football to illustrate his contention that judges must be impartial in all things.

"My Dallas Cowboys, for example, played the Redskins this Monday night. And I am totally convinced that every referee in those games is a Redskins fan, but none would admit to it," the nominee said.

"I think that in something as simple as that, even though we have strong views about who should win... we'd want to feel that the referees — and judges are, to a large extent, referees — are fair and impartial, even when we don't agree with the calls."

Noting the judge's admission that he had been a Cowboys fan for 25 years, Mr. Simpson said: "I think that will create more concern than anything thus far. To have you in this nest of Redskin fans to be a Dallas Cowboy fan certainly discloses a degree of independence which will serve you very well on the court."

The full Senate will vote on confirmation after the committee has made its recommendation on President Bush's choice to succeed retiring Justice Thurgood Marshall, the only black member in the high court's history.

"He's doing a superb job; he knows exactly how to handle himself and that's what's coming through," Mr. Bush said of Judge Thomas' performance.

# For Committee Democrats, Nominee's Lack of Views Can Be a Target Too

By Fred Barbash  
Washington Post Staff Writer

Unable to make an effective issue so far of Clarence Thomas's views, Democrats on the Senate Judiciary Committee tried yesterday to focus attention on his professed lack of them.

After repeatedly asserting—in response to at least 30 questions on whether a woman has a constitutional right to terminate a pregnancy—that he could not answer lest he compromise his impartiality, Thomas told an incredulous Sen. Patrick J. Leahy (D-Vt.) that, in fact, he hadn't really formed an opinion on the matter.

"With all due respect, Judge, I have some difficulty with your answer," said Leahy, pointing out that Thomas had been immersed in a wide variety of conservative policy debates over the past 18 years and had on one occasion cited *Roe v. Wade*—the 1973 Supreme Court for Thomas.

decision on abortion—in a footnote to a scholarly paper.

On those issues about which the Supreme Court nominee's views seemed to be an undeniable matter of record in speeches and writings, the Democratic senators implied that Thomas had had some sudden, politically expedient changes of opinion.

In particular, they contrasted his previously expressed views on the subject of "natural law," indicating he thought it was a good basis for making judicial decisions, with his repeated insistence during a day and a half of hearings that he thought it was not.

Perhaps Thomas had undergone a "confirmation conversion," Sen. Howell T. Heflin (D-Ala.) suggested, indicating such a strategy could "raise issues that can affect the evaluation that [we] may give as to integrity and temperament."

The question thus far—or at least the question that the Democrats would like to see

becomes a judge, that's what one starts doing. . . . I think it's important for judges not to have strong ideological views."

Republicans on the committee, for the most part, tried to make sure Thomas stayed stripped down yesterday. Sen. Alan K. Simpson (R-Wyo.) talked for most of his allotted half hour of question time. Sen. Hank Brown (R-Colo.) questioned Thomas about such hot-button items as the computer system and database he had installed as chairman of the Equal Employment Opportunity Commission. Sen. Charles E. Grassley (R-Iowa) complimented Thomas on his fine family, gave readings from the Federalist Papers and Thomas's last confirmation hearing (to be a federal appeals court judge), and quoted the late Justice Harlan Fiske Stone before turning Thomas's attention to an Interstate Commerce Commission case he had voted on recently concerning ferry operators on Long Island.

Instead they have pounded away at natural law—a juridical theory that most constituents know little about and care about even less—and, most repetitively, at abortion. Abortion is relatively easy for the Democrats, most of whom are on record with one position or another, and potentially dangerous territory for Thomas.

Despite attempts to make him appear less than candid, Thomas doubtless knows that expressing an opinion on *Roe v. Wade*—if, indeed, he has one—could cost him the confirmation by alienating one side or the other. Not surprisingly, he chose—as have most recent nominees—to decline to answer.

It was too much for Sen. Howard M. Metzenbaum (D-Ohio), who pointed out that both on Tuesday and yesterday, Thomas showed little hesitation in answering questions about currently hot judicial issues such as sex discrimination, church-state relations, victim impact statements and capital punishment appeals.

Thomas sought to make a virtue of a lack of strong opinions. "One of the justices once spoke of having to strip down like a runner to eliminate agendas, to eliminate ideology. When one

NEWS ANALYSIS

# Sticking to the Script

## Confirmation Process Lets Judge Say As Much, or as Little, as He Chooses

By LINDA GREENHOUSE  
Special to The New York Times

WASHINGTON, Sept. 11 — Judge Clarence Thomas's second day before the Senate Judiciary Committee offered a graphic display of the limits of the modern Supreme Court confirmation process.

As part of the Senate's constitutional role of advice and consent, the committee can summon nominees, sit them down before the glare of television lights, probe their records and pepper them with questions. The one thing the committee cannot do is make nominees provide substantive answers.

Judge Thomas stuck doggedly to his script today, a script that called for him to refuse to discuss abortion on the ground that he did not want to compromise his ability to decide an abortion case impartially.

### Questioned Repeatedly

Questioned repeatedly about his many speeches and articles advocating that the Constitution be understood in light of the framers' belief in a higher or "natural" law, he insisted he had been speaking only about a political theory and not as a judge who would actually decide cases by reference to natural law.

Democratic Senators who found these answers either uninformative or inconsistent with the written record

The unrehearsed moments hint that Thomas might be unpredictable.

were left writhing in frustration. Senator Patrick J. Leahy of Vermont was openly incredulous in the face of Judge Thomas's assertion that in the 18 years since the Supreme Court established a constitutional right to abortion in the *Roe v. Wade* decision he had never expressed a view, even in conversation, about the case.

Yet as a practical matter, the options are fairly limited for Senators who believe they are not getting the full story from the nominee.

They could call him a liar, an unpalatable option that would involve not only a breach of protocol but also a credibility contest that the Senators would have no assurance of winning.

### An Unattractive Option

Or they could credit his sincerity but challenge his competence, on the ground that he must not have understood the implications of what he was saying in his past speeches and articles; if he now believes that he was not advocating the use of natural law as a tool for deciding constitutional cases.

That, too, is an unattractive option in the case of a nominee whom the Senate

overwhelmingly confirmed to an important Federal appeals court just last year and who has been found "qualified" by the American Bar Association to sit on the Supreme Court.

Or the Senators could simply refuse to confirm him on the ground that he has not been forthcoming enough for them to make a judgment. That is a difficult option because a number of other recent Supreme Court nominees have been permitted by the Senate to say almost nothing of substance. Antonin Scalia was confirmed unanimously in 1986 despite refusing to give his views on *Marbury v. Madison*, the decision, nearly 200 years old, that established the basis for the Supreme Court's exercise of the power of judicial review.

And a year ago, David H. Souter was confirmed to the Supreme Court despite his refusal to give his views on abortion and other pressing subjects. Several of Judge Thomas's supporters, including his principal patron, Senator John C. Danforth of Missouri, have hinted that for the Senate to hold this nominee to a higher standard might give an appearance of racism.

### Strict Constructionist Approach

Judge Thomas took a strict constructionist approach to his own writings and speeches, ascribing narrow meanings to statements that sounded sweeping when Senators read them aloud in the hearing room. For example, Senator Howell Heflin, Democrat of Alabama, read from a 1988 speech in which Judge Thomas had declared that "the higher law background of the Constitution, whether explicitly appealed to or not, provides the only firm basis for a just, wise, and constitutional decision."

The nominee insisted, with reference to this and other similar passages, that he had been speaking as a "part-time political theorist" who was trying to help conservative audiences become more receptive to aggressive civil rights enforcement. He said he had hoped that conservatives would understand that natural law was the basis for the opposition to slavery.

"I'm not saying it worked," he remarked to Senator Heflin about those efforts. He added: "I certainly never thought I'd be having this discussion."

Judge Thomas's adherence to his strategy of refusing to discuss abortion on the ground that he would otherwise compromise his impartiality led him to make the surprising suggestion that sitting Justices who had written opinions on abortion might not be impartial enough to decide future abortion cases.

That suggestion came in answer to a question from Senator Leahy, who noted that Justice Scalia has expressed opposition to *Roe v. Wade*, while Justice Harry A. Blackmun, the opinion's author, has expressed his continued support for it. Should those Justices be disqualified from sitting in future abortion cases, Senator Leahy asked.

"Each of them has to determine in his mind at what point they have compromised their objectivity or their ability to sit fairly on those cases," Judge Thomas replied.

The relative handful of unscripted, unrehearsed moments during today's proceeding offered a hint that if he is confirmed Judge Thomas might not necessarily be as predictable as some of his conservative supporters might hope.

One example was his discussion with Senator Hank Brown, Republican of Colorado, of the role of precedent in the Court's decision-making process. Precedent was "important," Judge Thomas said, not surprisingly.

Might some types of precedents be more important than others, Senator Brown asked.

Judge Thomas replied that he had "read somewhere" that the Court should treat precedents governing commercial relationships as more stable than those dealing with individual rights. He did not understand that approach and did not agree with it, he said, adding that he would give equal weight to precedents concerning individual rights and commercial relationships.

The "somewhere" in which the contrary view appeared was the Court's majority opinion last June in *Payne v. Tennessee*, written by Chief Justice William H. Rehnquist. Over a vigorous dissent by Justice Thurgood Marshall, whose seat Judge Thomas would fill, Chief Justice Rehnquist essentially set out guidelines for overturning existing precedents, with cases on individual rights among the most vulnerable.

That decision was evidently not covered during Judge Thomas's preparation sessions for his confirmation hearing. His spontaneous response to Senator Brown's question perhaps said more about his judicial instincts than his carefully crafted and repetitively delivered answers to the questions he and his team did expect. More such spontaneity during the remainder of the proceedings would be enlightening. But, given the way the confirmation process has evolved, it is not particularly likely.

# Panel tries to catch Thomas shifting on issues

By Ronald A. Taylor  
THE WASHINGTON TIMES

Supreme Court nominee Clarence Thomas faced intense queries yesterday as members of the Senate Judiciary Committee probed to see whether President Bush nominated an inconsistent, possibly opportunistic replacement for Justice Thurgood Marshall.

The black conservative had to handle pointed questions about apparent inconsistencies in his current positions and previously expressed attitudes about privacy, abortion rights, natural law, anti-discrimination remedies and Congress' ability to spell out its legislative intentions.

Sen. Howell Heflin, Alabama Democrat, said Judge Thomas gives the "appearance of confirmation conversion," using a phrase coined by Sen. Patrick Leahy, Vermont Democrat, during 1987 hearings for Judge Robert Bork.

So far, Judge Thomas appears "to change his mind or give answers that won't hurt him in regards to the confirmation," Mr. Heflin said.

"I'm concerned about his candor, his willingness to be forthcoming," said Sen. Herb Kohl, Wisconsin Democrat.

Sen. Alan Simpson, Wyoming Republican, dismissed such remarks as "an act of desperation" by liberals worried that Judge Thomas will be confirmed.

"You've got 'em," Mr. Simpson told the nominee. "They're very frustrated by you."

Some of the most pointed questions came from Sen. Howard Metzenbaum, Ohio Democrat, and Mr. Leahy on the abortion and natural-law issues.

"Judge, does a fetus have a constitutional status as a person?" Mr. Leahy asked.

"I can't think of any cases that have held that," Judge Thomas responded.

During questioning by Mr. Leahy on whether Judge Thomas embraces the idea of natural law as a basis for judicial rulings, Judge Thomas said he had only skimmed an article by conservative Lewis

Lehrman before praising it as a "splendid example" of the use of natural law.

"Sometime between now and the next go-around, could you please find the time to read it, and if you get crammed with too many things between now and then when I get my next turnaround, I'll just stop and give you time to read it right then," Mr. Leahy said.

"Do not count me as one of your detractors because I ask you tough questions," said committee Chairman Joseph Biden Jr., Delaware Democrat. He noted that definitions of the concept of natural law are at best elusive.

Defining and applying that idea "may confound the people... but not

a single legal scholar in America, and I hope you meet that test or you shouldn't be on the Supreme Court," Mr. Biden said.

Mr. Leahy expressed surprise at Judge Thomas' assertion that he had not discussed the celebrated Roe vs. Wade abortion ruling.

"I have never heard anybody who does know him here that they have heard him state a position on Roe v. Wade, and I think he's very truthful in saying that," said Sen. John C. Danforth, Missouri Republican and the judge's chief sponsor. "I think that there are, believe it or not, a lot of people in the country who don't go around spending their time talking about Supreme Court cases, even

one as controversial as Roe v. Wade." There were occasional points won by the questioners.

Sen. Arlen Specter, Pennsylvania Republican, cited two decades of foot-dragging by a union to avoid a court order to end racial discrimination. Citing the nominee's stated aversion to race-based hiring remedies, he asked the judge to explain why the Equal Employment Opportunity Commission argued against penalizing the union for contempt of court.

"It was a point well taken," Judge Thomas said of the senator's observation. "There should be... the same kind of fines that are available in antitrust litigation."

# Nominee wins fans beyond the Beltway

By Joyce Price  
THE WASHINGTON TIMES

Clarence Thomas may not be drawing Middle America to its TV sets like Norman Schwarzkopf — or even Robert Bork — but the conservative black Supreme Court nominee seems to have made a good impression on many outside the Beltway who have been following his confirmation hearings.

"I think he has done extremely well, and I'm an ultraliberal," Jim Buist, owner of Buist's Barbershop in Kalamazoo, Mich., said in a telephone interview yesterday.

Judge Thomas also won good ratings from viewers in Pin Point, Ga., his hometown, mixed reviews in

Pine Bluff, Ark., and Peoria, Ill., and negatives in Detroit for his conservative record. Elsewhere, a random telephone survey found, the Senate Judiciary Committee hearings were making little headway against the soaps, talk shows and other daytime television standards.

Keith Winn, an employee at Mac's Bar and Grill in Oakland, Calif., laughed when asked if any of the televisions in the place were tuned to the hearings. "Washington, D.C., is the only place I can think of where they'd have the Clarence Thomas hearings on in a bar," he said.

"My customers really aren't talking about the Clarence Thomas hearings," said John Pierorazio, owner of Uncle Eddie's restaurant in Essex, a blue-collar community east of Baltimore. "The Supreme Court really is too esoteric for most people, I think."

Mr. Pierorazio said he could not watch the hearings even if he wanted to, because his establishment does not have cable TV. But he said he's seen some news clips of Judge Thomas at the hearings and commented, "Overall, I think he's avoiding the issues pretty well."

Mr. Buist, who has been catching the hearings between customers in his barbershop, had critical words for Judge Thomas' questioners.

"I was sorry to hear [Sen. Howard] Metzenbaum [Ohio Democrat] grinding him today on his philosophical and ideological positions," he said. "They have to look at his qualifications . . . but are way out in left field [in their approach]."

His customers have had little to say about Judge Thomas, he said. The nomination has "not been a particularly big issue here," Mr. Buist said. "It hasn't caught hold or grabbed the conscience of the populace to any extent at all."

He added: "But there was some discussion about those ads the conservatives ran, including the one on [Sen. Edward] Kennedy [Massachusetts Democrat]. I think the ad gave people a more negative impression of him, along with those events" in Florida.

Interest in the Thomas hearings seems to be a little keener in Pine Bluff, a city whose population is 55 percent black. Clyde N. Toney, a

black businessman who owns a furniture store in Pine Bluff, said he's been watching the hearings on a TV in his store.

"Quite a few customers have paused and watched the hearings and made comments," he said. "The general feeling is that he's done fairly well. All of us could relate to what he was saying with regard to his background and experiences."

But Mr. Toney said he's unhappy Judge Thomas has not answered questions about abortion. "I would hope he'd give his views on abortion, rather than evade the issue," he said.

Public opinion on the nomination in Pine Bluff is mixed, he said. "Some feel he'll be confirmed. Others feel he shouldn't be confirmed. It's about 50-50."

In Peoria, customers at George's Shoeshine and Hattery downtown also are split down the middle on the nomination. "It was much worse during the Bork hearings," said George Manias, who has been shining shoes at that spot for 45 years. "Everybody was against Bork."

Customers at Steve's Barbershop, across the street from the Peoria City Hall, have had little to say about the Thomas hearings, owner Steve Bainter said. Those who have commented, he said, "feel he's going to be confirmed and that these hearings are just a formality."

One community that has been paying understandably close attention to the hearings is Pin Point, a town of about 175 residents just south of Savannah.

"Everybody in Pin Point's trying to get off work so they can watch the hearings or are calling home to find out what's going on," said George Anderson, a lifelong resident and distant relative of Judge Thomas. "I think he's doing pretty good. Some of the questions he's been asked are purely political."

Mr. Anderson commended the judge for not answering questions related to abortion, saying: "As a judge, he shouldn't make a decision before he hears a case. He's got to maintain impartiality."

Jannel Starling, owner of Marsh Point Florists just outside Pin Point, said: "We watched the hearings yesterday and are pleased with how he's done so far. Everybody's for him, because he put Pin Point on the map. But it really angers me that the Democrats are so biased."

Judge Thomas' conservative views don't play as well in urban Detroit, says Gerald Harrington, managing editor of "Detroit Daily," a talk show on WGPR-TV, whose audience is predominantly black. "Most folk out here don't care for Clarence Thomas," he said.

But Ed Hudson, a salesman from suburban Detroit, was an exception. "The first day he appeared to be rattled, but he seems to have settled into something of a rhythm today," Mr. Hudson said yesterday.

His only criticism of Judge Thomas' performance yesterday focused on some "vague" answers to questions about a doubling of complaints by Hispanics during his tenure as director of the Equal Employment Opportunity Commission. "He didn't really seem to know what his [staff] people were doing," Mr. Hudson said.

# Specter Dons Mantle of Republican Maverick at Senate Hearing

By RICHARD L. BERKE  
Special to The New York Times

WASHINGTON, Sept. 11 — While his cross-examination of Judge Clarence Thomas today was by no means harsh, Senator Arlen Specter sounded like the grand inquisitor compared with other Republicans on the Senate Judiciary Committee.

Polite yet insistent, Mr. Specter put the Supreme Court nominee on notice that he had problems with aspects of his record, particularly his view of the role and performance of Congress.

"You have repeatedly, over such a long period of time, expressed a very strong view as to Congressional ineptitude," Mr. Specter told the nominee.

With moderates like Charles McC. Mathias Jr. of Maryland now retired, Mr. Specter is the only Republican on the committee who is viewed as a possible swing vote on the Thomas nomination.

The role of Republican maverick is not new for the onetime prosecutor from Pennsylvania.

In 1987, after a tense 90-minute colloquy with Judge Robert H. Bork, Mr. Specter was the sole Republican on the panel who voted against his confirmation to the High Court. That vote helped set off the burst of opposition that spelled Judge Bork's spectacular defeat and turned the national spotlight on Mr. Specter.

It is a vote that Mr. Specter could never forget — even though it often seems as if he wants to.

"There's been hardly a day since the Bork hearings that I have not heard about it," Mr. Specter said in an interview today. "Judge Bork was more than just another nominee. He was a philosophical standard-bearer."

#### No Regrets on Bork Vote

His daily reminders about Judge Bork are usually not complimentary. Many Republicans are still infuriated with Mr. Specter's vote, and the Senator says he expects conservative Republicans who plan to run against him in next year's primary election to make the Bork vote a centerpiece of their campaigns.

Mr. Specter insists that he does not regret his vote against Judge Bork, but acknowledges that it wounded him politically. How much? "I'll let you know after 1992," he said.

But the 61-year-old Senator, a onetime Democrat who was first elected in 1980, says he can already envision the attacks in commercials on his vote on Judge Bork. He has a ready response. "I'm going to say that Judge Bork had the most extreme views of anyone ever nominated to the Court," he said.

In part because of the continued fallout on the Bork vote, and because he faces re-election, it is perhaps improbable that Mr. Specter will ultimately oppose Judge Thomas. Letters to his office are overwhelmingly in favor of confirmation, his aides say, but the telephone calls are overwhelmingly against it.

Mr. Specter, whose staff members say a scheduling conflict prevented

him from voting on Judge Thomas's confirmation last year to the United States Court of Appeals for the District of Columbia Circuit, insists that he has not decided.

"I'm really not leaning," he said. "I'm here to listen."

But Mr. Specter is known less as a listener than as a legal pontificator. His questions today for Judge Thomas were a lot longer than most of the answers. And they tended to ramble.

To his credit, Mr. Specter is widely respected for his knowledge of Constitutional issues. As in the Bork case, he has immersed himself in Judge Thomas's writings and rulings. Even during a vacation at the beach last month, his aides said, they delivered materials on Judge Thomas to the Senator every day. And he returned to Washington a week early to prepare for the hearings.

But his detractors say that Mr. Specter is more of a show horse than many of his colleagues, and that his demeanor sometimes borders on arrogant.

Still, Mr. Specter wins plaudits from people who are often at odds with Republican lawmakers.

"Senator Specter always plays an important role with respect to championing civil rights," said Ralph Neas, executive director of the Leadership Conference on Civil Rights, which opposed Judge Bork in 1987 and is now lobbying against Judge Thomas.

Senator Dennis DeConcini of Arizona, considered a possible swing vote on Judge Thomas on the Democratic side, described Mr. Specter as one of the most conscientious members of the panel.

"We all have the propensity to want to listen to ourselves," Mr. DeConcini said. "Maybe he takes a little longer to get his questions out. But I think he's a very thoughtful guy. Some of my Republican colleagues feel they have to go with the President, whoever is sent up here. Life would be much easier for him if he were an Alan Simpson and just went along with everyone they sent up here."

Gary Bauer, chairman of the Citizens Committee to Confirm Clarence Thomas and a former Reagan Administration official, called Mr. Specter's vote on Judge Bork "irritating at best."

"But," he said, "the good thing about Washington is you get other chances. And he's got a chance now to redeem himself on Judge Thomas."

# Privy to a Man's Soul

## Clarence Thomas & The Outhouse Effect

By Lloyd Grove  
Washington Post Staff Writer

The Clarence Thomas Story, being told this week in the Senate Judiciary Committee, has already toppled a towering edifice of American political iconography—the log cabin—and replaced it with something completely different.

The outhouse.

"In 1955, my brother and I went to live with my mother in Savannah," Thomas told the panel Tuesday as it began considering his nomination to the Supreme Court. "We lived in one room in a tenement. We shared a kitchen with other tenants and we had a common bathroom in the back yard which was unworkable and unusable. It was hard, but it was all we had and all there was."

"He grew up without material comforts and even conveniences," Sen. Charles Grassley (R-Iowa), a Thomas supporter, thought it important to point out. "We have heard from him and people who have known him well that it wasn't until he was 7 years old that he lived in a home with indoor plumbing."

"I understand this," Sen. Orrin Hatch (R-Utah), another partisan of the nominee, chimed in significantly. "I was born into a family where we didn't have indoor facilities either during the early years of my life. . . . And I have to tell you, Judge Thomas, I am so doggone proud of you I can hardly stand it."

Arguably, the above has implications for natural law and the right of privacy. But mainly it's supposed to be proof of character—even a window on the soul, if only outhouses had windows. Clarence Thomas—and, apparently, Orrin Hatch too—are thus salt of the earth, men of the people, not the sort of moral weaklings to be pampered by the extravagance of a flush toilet.

"It seems to be part of the agrarian myth," said historian William Leuchtenburg, president of the American Historical Association, when reached yesterday at the University of North Carolina. "It isn't simply that one was poor. It's that one *knew* what the countryside was like."

Leuchtenburg waxed nostalgic. "When I was a boy in the 1930s, we had almost no books in the house. One of the few books we possessed was by Chic Sale, an altogether forgotten figure now, but a well-known figure then, who specialized in outhouse humor. It was the entire corpus of my literary education in those days."

"The other piece of literature associated with outhouses was the Sears Roebuck catalogue," Leuchtenburg

added. "If you went to an outhouse, there would not be toilet paper, but there would be Sears Roebuck and Montgomery Ward catalogues, and you'd rip the pages out as necessary. I joke you not. Some of these catalogues also had lingerie ads, and some young men would go in there and—"

But enough of that.

Brookings Institution fellow Stephen Hess recalled a political cartoon, from a 1936 edition of the New York Herald Tribune, in which Franklin Roosevelt, Harry Hopkins and James Farley were portrayed as young pranksters stealing an outhouse labeled "Private Rights."

"In 1936, outhouses were enough a part of one's environment, a common utility, that people could laugh at it," Hess said. "I have a feeling that today if you did the same cartoon with George Bush, John Sununu and Clayton Yeutter, stealing an outhouse marked "Private Rights," no one would quite get it. You'd have to show them hot-wiring a BMW."

"Outhouses were very typical, actually, of World War II America," said University of New Orleans historian Stephen Ambrose, biographer of Richard Nixon and Dwight D. Eisenhower. "Outside of the cities, a majority of houses did not have indoor plumbing. Having grown up on a farm in Illinois, I myself was in that situation."

The young Ike made do without indoor plumbing, as did Nixon, who probably had it as a teenager, Am-

brose said. He cited figures from the 1940 Census indicating that of 35 million households in the United States, 33 million boasted radios but only 20 million had flush toilets.

"I don't think anybody imagined then," said political sage Robert Shrum, a Democratic media consultant, "that this would someday be used for political fertilizer."

"I actually *built* an outhouse," said Williams College historian James MacGregor Burns, upping the ante. "It was for our summer place on Martha's Vineyard, and I built it with my two sons, out among the trees," FDR's biographer went on. "One thing about an outhouse that might relate to politics is that, unlike indoor plumbing or a log cabin, if you sit in an outhouse with the door open—which is usually a good idea—you get a certain perspective. You can sit there and look into the distance and philosophize. And since we want our politicians to have perspective, maybe the outhouse is a natural solution. With that comment, I think I'll conclude my groping around to say something on this unexpected subject."

"I had outdoor plumbing when I was growing up, because I came from a Depression-ridden poor white family in North Carolina," said Eloise Smith, who tackled the subject yesterday in the absence of her husband, the eminent historian Page Smith, who was out playing tennis. "But I think for this to have come up in the hearings was undignified. I mean, is it relevant? Maybe I should be considered for some important post."

# Bush Presses Gates Nomination Amid Fear Vote May Be Delayed

By Ann Devroy and Walter Pincus  
Washington Post Staff Writers

THE WALL

STREET JOURNAL.

DATE: 9/12/91  
PAGE: 86

## Top Aide to Casey at CIA Backs Gates Nomination

By a WALL STREET JOURNAL Staff Reporter

WASHINGTON — John McMahon, a former top Central Intelligence Agency officer with broad respect in Congress, said he will testify next week in support of Robert Gates's nomination as director of the CIA.

Mr. McMahon's support is a major boost for Mr. Gates, whose credibility with lawmakers suffers as a result of his performance as deputy director during the Iran-Contra scandal in 1986. "It's very plausible that Gates didn't know what was going on," said Mr. McMahon, who had held the same post under Director William Casey. "I think he's pretty clean on this. I'm going to push for Gates."

Among major CIA veterans, few have the same standing in Congress as Mr. McMahon, who preserved close ties with senior lawmakers even as he served in the stormy period of covert action in the early 1980s. His forceful image presents a striking contrast to Mr. Gates's failure to more aggressively pursue warnings of the Iran-Contra operation.

Mr. McMahon defends Mr. Gates in large part because the Iran-Contra operation was run more from the White House than from the CIA. But his broader account of the deputy's job is at odds with those who now argue that Mr. Casey so compartmentalized information that he prevented his deputies from knowing what was going on in the agency.

A former special assistant to Mr. Casey, now posted overseas by the CIA, has been interviewed by the Senate Intelligence Committee in regard to Mr. Casey's administrative style. But Mr. McMahon said again yesterday: "We had a swinging door between us. I knew everything I wanted to know."

President Bush yesterday renewed his public campaign to gain Senate approval of Robert M. Gates to head the CIA, but senior officials expressed fear the Senate will try to kill the nomination by delaying a vote on it.

One senior official said the White House is "confident [Gates] will get approved if he gets to a vote," but said he feared Democratic leaders "will leave him twisting in the wind" with the hope Gates will withdraw his nomination in frustration.

But the official said Gates, who withdrew once before in 1987 under similar circumstances, would not do so again. "It's the only job he wants and this is his last chance."

Sen. Frank H. Murkowski (R-Alaska), vice chairman of the Senate intelligence committee that will open confirmation hearings on Gates on Monday, said yesterday he does not expect the Democrats to hold up the nomination. Murkowski said he plans to push for a committee vote "upon conclusion of the hearing process" and expects the Senate Democratic leadership to "expedite" bringing the nomination to the Senate floor.

Bush discussed the nomination with GOP leaders at the White House, opening the meeting with a statement that included praise for Gates, currently his deputy national security adviser. "He's the right man to run the intelligence community," he said as Gates looked on.

Later, Bush conferred with senior Senate Republicans, urging them to be vocal in their support for Gates and to push for swift confirmation; participants said. The White House has begun daily strategy sessions to deal with issues raised in the Gates confirmation.

The Republican lawmakers echoed the administration's concern that Democrats might further delay action on Gates's nomination by citing the continuing criminal investigation into the Iran-contra affair, which developed in the mid-1980s when Gates was the CIA's deputy director.

Murkowski and Senate intelligence committee Chairman David L. Boren (D-Okla.) met for about an hour Tuesday with Independent Counsel Lawrence E. Walsh in an effort to determine what more might emerge from the Iran-contra investigation that would relate to Gates. A surprise guilty plea in July by a former senior CIA official, who implicated other top agency officials in a coverup of the Iran-contra affair, prompted the Senate committee to delay the confirmation hearings until this month.

Gates "remains a subject" of Walsh's investigation, "but not a target," Murkowski

said—meaning his conduct remains subject to review by the grand jury but he does not necessarily face indictment. Gates's status as a subject of the Walsh inquiry is a "legitimate concern," Murkowski said, "and a legitimate question to be posed to Gates."

Murkowski said that although there was no reason to believe Gates would become a Walsh target, "there is no assurance he won't"—as "remote" a possibility as that might be. "Bob Gates will be prepared to respond" to questions about his status, Murkowski added.

The senator noted that last week's indictment of Clair E. George, the former head of CIA covert operations, means the Walsh inquiry into the activities of senior agency officials "will proceed for an unknown amount of time." George, who was subordinate to Gates but reported directly on most matters to then-CIA Director William J. Casey, is alleged to have illegally withheld information on the Iran-contra affair from congressional committees.

What George might have discussed with Gates about the affair as it was unfolding is a question of considerable interest. The committee is making an effort to get George to testify or respond to written questions, Murkowski said, but there has yet to be a response.

Gates will be the panel's first witness when the hearings open Monday, Murkowski said. Among the six or seven witnesses, Murkowski said, will be Alan D. Fiers, former head of the CIA's Central American Task Force who pleaded guilty in July to withholding information from Congress and has cooperated with Walsh's investigation. Other witnesses were not identified.

# Bush bolsters drive for Gates' confirmation

By Paul Bedard  
THE WASHINGTON TIMES

The White House yesterday stepped up its campaign to win Senate confirmation of Robert Gates as CIA director.

During a White House strategy session, President Bush called on supporters of his deputy national security adviser to speak up for Mr. Gates, who faces tough questions about his claim he had no role in the Iran-Contra scandal when he was deputy CIA director in 1986-87.

During the session it was agreed that Mr. Gates would tell his Senate Intelligence Committee confirmation hearing next week that former CIA Director William Casey never revealed the Iran-Contra scandal to him, according to White House and congressional sources.

The strategy is intended to counter charges that Mr. Gates must have known of the cover-up since it was controlled by Mr. Casey and the CIA's No. 3 official, Clair George, then deputy director for clandestine operations. Mr. George, who was indicted last week for his role in the scandal, is not expected to testify at the Gates hearing.

But Alan Fiers, former chief of the CIA's Central American Task Force, will be testifying. He pleaded guilty to two counts in the scandal and has been cooperating with federal prosecutors.

Critics of Mr. Gates have expressed amazement at his claims that he didn't know of the Iran-Contra affair even though he held the top deputy job.

But Sen. John Chafee, Rhode Island Republican and a member of the Intelligence Committee, said Mr. Casey did not run a typical bureaucracy.

"Bill Casey ran the outfit in a manner that jump-changed the command," he said. "In other words, some people will say Bill Casey was above Bob Gates and Clair George was below him, therefore the man in between must have known a lot. I don't think that follows at all.

"Chains of command and diagrams didn't fit with Bill Casey."

Mr. Chafee's comment came after he attended the White House strategy session.

Mr. Gates was questioned on Iran-Contra when he was nominated in 1987 to replace Mr. Casey, who died.

Sen. Frank Murkowski, Alaska Republican and vice chairman of the committee, said Mr. Gates will also be asked about his knowledge of the evolving fraud case of the Bank of Credit and Commerce International.

The White House has led a low-key campaign to win Mr. Gates' confirmation.

"Gates has been around a long time and is well known in the agency and well known by virtually everybody in Washington, so I don't think there's a need" for special preparations, said Mr. Murkowski, who also attended the White House meeting.

Presidential spokesman Marlin Fitzwater said the administration has embarked on a "very, very concentrated effort on his behalf."

But he said few special interest groups will get involved and added: "My PR answer to that is, 'The PR that's not seen is the best kind.' So, it's going very well."

Mr. Gates also expects to be attacked by CIA insiders, according to Mr. Murkowski.

"There are certain people that probably will speak against Mr. Gates," the senator said. "That's quite understandable for a man who spent as much time in the agency and who has moved as rapidly as Mr. Gates. There is some jealousy."

At the strategy session, Mr. Bush asked senators supporting Mr. Gates to shepherd his nomination through the committee. "Those who are in favor of Gates should speak up — don't be blushing violets," he said, according to Mr. Chafee.

The president said Mr. Gates is "doing a superb job and knows exactly how to handle himself and I think that's what's coming through," Mr. Chafee said.

• Major Garrett contributed to this report.

# Bush angry at Hill's, Israel's defiance on aid

By Paul Bedard and Major Gari  
THE WASHINGTON TIMES

The White House attacked Congress and Israel yesterday for trying to push through \$10 billion in loan guarantees, and President Bush denied reports he promised the aid to Israeli leaders.

"I'm calling the shots," said Mr. Bush, who has asked Congress to delay action on the unprecedented aid request for 120 days. The Bush administration fears debate on the loan guarantees could derail plans for an Arab-Israeli peace conference next month.

Mr. Bush bristled at reports from Israel that he intended to provide \$10 billion in loan guarantees over five years for construction of homes and roads for emigrating Jews from the Soviet Union and Ethiopia.

Israeli Prime Minister Yitzak Shamir requested the \$10 billion in guarantees last week. The Jewish state received \$400 million in guarantees last year, the largest amount in the 31-year history of the State Department program.

"I'm not committed to any numbers and never have been," Mr. Bush said.

Meanwhile, Senate supporters of the loan guarantees sought to outflank the president by introducing a loan guarantee amendment the chamber could take up at any time — should a compromise prove elusive.

Sens. Bob Kasten, Wisconsin Republican, and Daniel Inouye, Hawaii Democrat, submitted the amendment late Tuesday night so as to attract minimal attention. Both are key members of the Senate Appropriations subcommittee on foreign

aid, which is scheduled to debate the guarantees in two weeks.

Supporters of the guarantees have kept an unusually low profile in the belief that publicity over a foreign aid package of this size would only undermine public support.

"Everything is the same," Mr. Kasten said, referring to ongoing discussions on Capitol Hill. "We're still delaying."

House Speaker Thomas S. Foley said he opposed delaying loan guarantees and felt no need to meet



## SIX-POINT DEAL

In a letter to Congress, President Bush has outlined his plan to help Israel but only after the Mideast peace talks. He would:

1. Guarantee a loan deal after 120-day delay ends.
2. Promise no more delays in considering housing aid.
3. Restate support to help Israel pay for absorbing Soviet Jews.
4. Pledge to keep aid within the budget-deal limits set last year.
5. Offer to seek international assistance for Israel.
6. Pledge to absorb Israel's costs due to the aid delay.

The Washington Times

"some deadline" set by the president. Mr. Bush asked congressional leaders to promise to postpone action on the guarantees as Secretary of State James A. Baker III arrives in Israel next week.

The Kasten-Inouye plan would provide \$2 billion in loan guarantees each year until 1996. The amendment contains two controversial provisions. One requires Congress to dispense the guarantees 60 days after receiving Israel's request.

That would prevent the Bush administration from using the guarantees as a tool to extract political concessions from Israel, as happened last year in a dispute over placing settlements in the occupied territories.

It also proposes Israel pay \$100 million as insurance against possible loan defaults. Congress is required to provide a certain amount of money each year as insurance against default. On Tuesday, the Senate Budget Committee's Republican staff fixed those costs between \$200 million and \$2 billion.

Support for Mr. Bush among Republicans appeared to be slipping. A source in the House Republican leadership said not one of the 20 lawmakers present at a leadership meeting yesterday backed Mr. Bush's request for a delay.

Similar opposition faces the president in the Senate.

"An attempt is being made to see if members of Congress can run

roughshod over the president," said Sen. Richard G. Lugar, Indiana Republican and key administration ally on the Foreign Relations Committee.

Mr. Lugar said the president may have to lobby "senator to senator" to prevail.

But a key House Democrat said Congress could pass the guarantees — regardless of White House pressure.

"Nobody believes [loan guarantees] would not pass in the House and Senate," said Florida Rep. Larry Smith, a member of the Appropriations subcommittee on foreign aid. "Our goal is to consolidate our support to defeat a veto."

Mr. Bush outlined a six-point plan in a letter to Congress yesterday, offering to consider the aid package but only after the peace conference occurs. He said he would appeal to the American people if congressional resistance intensifies.

"I'm going to fight for it and I think the American people will back me on it when I take — if we take the case to the people," said Mr. Bush.

In return for the delay, Mr. Bush has promised to move on the aid proposal in January and provide Israel funds to cover any costs associated with the delay.

Israeli lobby groups planned to send 1,000 Jewish leaders to Capitol Hill today. Pro-Arab groups will lobby as well.

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## Democrats Plan to Fight Bush by Forcing Vetoes

By PAUL HOUSTON  
and MICHAEL ROSS  
TIMES STAFF WRITERS

WASHINGTON—Congressional Democrats, frustrated at being unable to focus attention on domestic concerns as President Bush strides the world stage, have a new strategy: winning by losing.

When Congress returns from its summer recess today, Democratic leaders will begin pushing a series of bills—on issues ranging from abortion rights and student loans to income tax cuts and unemployment benefits—that Bush is expected to veto.

The Democrats concede that they will lose most if not all attempts to override the vetoes that they provoke. Congress has yet to overturn any of Bush's 22 vetoes.

But the Democratic leaders hope that the expected veto fights will win votes in next year's elections by highlighting Democratic differences with Bush and his Republican allies.

"I can see Democrats passing bills that the President might feel compelled to veto," Senate Budget Committee Chairman Jim Sasser (D-Tenn.) said. "If that sharpens the distinction between the two

parties, I don't think Democrats will be unhappy with it."

Rep. Robert T. Matsui (D-Sacramento), who sits on two House panels involved in the emerging veto strategy, is promoting it aggressively in his new role as treasurer of the Democratic National Committee.

"We have to stop worrying about passing bills that the President will sign," he said. "We need to focus more on presenting a vision of the Democratic Party."

An aide to House Democratic leaders put it even more pungently: "One thing Democrats have to learn and relearn is that winning is not everything. The important thing is to state clearly what we stand for. We have to lay the groundwork for the 1992 campaign."

The first shot will be fired today in the Senate, which will take up a money bill that would allow abortion counseling at federally funded family planning clinics. The measure, strongly opposed by Bush, would lift an Administration ban against such counseling.

The House will consider a second piece of veto bait next week. It is a bill that would provide \$5.2 billion for additional aid to jobless workers who have exhausted their benefits.

Bush signed but refused to implement a similar measure last month, saying that it cost too much and that the recession was coming to an end. The new bill is constructed so that he will have to sign it and trigger the spending or he will have to veto it.

Democrats are also working on a proposal that would lower taxes for middle-income Americans while raising taxes on the rich, as well as a plan that would grant student loans without regard to income. The President, in contrast, has consistently opposed such tax increases and would cut off student loan availability at income levels above \$30,000.

Republican leaders warned that the Democrats' veto strategy could backfire.

"These are volatile issues and could create quite a quagmire," said Rep. Jerry Lewis (R-Redlands), the third-ranking House GOP leader. "They [the Democrats] face a popular President and, in many cases, a new set of voters in reapportioned districts. They'd better be careful about the way they dance."

According to an aide, Senate Minority Leader Bob Dole (R-Kan.) believes that the veto strategy "reflects the realities of 1992."

"The Democrats are without a strong candidate," Walt Riker said, "and they are looking for some way to shape the debate. It may make some good headlines, but the bottom line is getting bills signed into law. That is going to take teamwork."

The Democrats' plan to profit politically by lobbing hot potatoes at Bush could be risky and difficult for a party that has been in disarray for much of the 102nd Congress.

One problem is that drawing contrasts can be tricky on issues in which some Republicans are lined up with Democrats—for example, on protecting a woman's right to an abortion.

Also, on key proposals like tax

cuts for the middle class and health care for 33 million uninsured Americans, Democrats are deeply split on whether and how to do it. Reaching a position that most in the party can support will not be easy.

The Democrats' biggest problem may be that they will be picking fights with a President whose approval ratings soared during the Persian Gulf crisis and stayed high during the recent upheavals in the Soviet Union. Bush could be the one who profits the most from showdowns.

However, Rep. David E. Bonior (D-Mich.), the newly elected House Democratic whip, sees little risk.

"The American people want us to do these things. Even at the height of the Soviet crisis and peace initiative in the Middle East, which was well-handled, [Bush's] approval rating dropped because he's ignoring the folks at home. I see just up-sides to this, substantively and politically."

Bush's approval rating in Los Angeles Times polls did fall from 85% in January to 73% on Aug. 20 (and to 67% in an ABC poll on Aug. 28). But even that lowest approval rating is considered high by many observers.

Some Democratic leaders who have been reluctant to confront Bush in the past—including House Speaker Thomas S. Foley (D-Wash.) and Senate Finance Committee Chairman Lloyd Bentsen (D-Tex.)—have signed on to the veto strategy.

Foley aide Jeffrey Biggs said Monday that "there are some issues coming up that will obviously be major tests where the Democrats will seek to provoke a veto. We're not going to do this on a routine basis. But there will be an effort to find issues that indicate a clear demarcation between George Bush and the Democrats."

Rep. Leon E. Panetta (D-Carmel Valley), chairman of the House Budget Committee and another legislator who generally seeks bipartisan cooperation, is also sounding more militant now.

# White House Urges Action On Soviet Trade Treaty

By Stuart Auerbach  
Washington Post Staff Writer

The Bush administration urged Congress yesterday to quickly approve a trade agreement that would grant most-favored-nation (MFN) trade status to the Soviet Union, brushing aside concerns from members of the Senate Finance Committee that Washington should deal with individual republics instead of the disintegrating central government.

Administration witnesses said that if individual republics become independent states, the republics would have to agree to the pact's terms to gain the benefits of MFN status, which allows the lowest possible tariffs on imports to the United States.

"It is important to put into place

now a set of obligations to govern our trade relations, which can also serve as a road map for the central and republic governments" on what they have to do to develop free and open market economies, said Deputy U.S. Trade Representative Julius Katz.

"This agreement fits" with the changes that have occurred in the Soviet Union as a result of last month's failed attempt by hard-liners to unseat Soviet President Mikhail Gorbachev, Katz added.

The administration witnesses also said that President Bush is seeking ways to grant MFN status quickly to the newly independent Baltic republics of Latvia, Lithuania and Estonia—a goal the president reiterated in White House remarks yesterday to leaders of the Baltic-American community.

But Deputy Assistant Secretary of State Curtis W. Kamman said that granting MFN status to the Baltic republics is complicated by decades-old U.S. laws requiring them to do what the Soviet Union already has done—pass laws allowing free emigration of their citizens. Secretary of State James A. Baker III will be discussing the issue with leaders of the Baltic states during his visit there Saturday.

"We realize that a completely different situation for the Baltic states exists now," said Kamman, "and we want to move as effectively as we can to put them on a completely normalized footing with the U.S."

Diplomats from the Ukrainian republic, which also declared its independence, and from Lithuania will testify before the committee today.

In their testimony yesterday, administration witnesses said the trade agreement would help move the Soviet Union and its republics from the centrally planned Communist system to an economy driven by market forces. It would also make it easier for American companies to do business in the Soviet Union and provide

them with strict controls against piracy of patented products.

But Assistant Commerce Secretary Thomas Duesterberg said an agreement was unlikely to significantly boost the present low level of U.S.-Soviet trade in the near future. Even with substantially lower tariffs as a result of MFN status, Soviet sales in the United States, which amounted to about \$1 billion last year, are expected to grow by \$100 million to \$400 million as a result of the agreement, he said.

Over the long term, though, Duesterberg said the Soviet Union has "enormous potential" for U.S. exports, and American companies doing business there are looking for the "reassurance" that the trade agreement provides.

Committee members chided the administration for moving so slowly on the trade agreement, which was signed 14 months ago but sent to Congress only on Aug. 2, before the attempted coup.

"I don't know what the trade agreement means now, but it surely means something different than it meant August 2," said Chairman Lloyd Bentsen (D-Tex.).

"We are considering a trade agreement with a state that in essence no longer exists . . . which might present some problems," said Sen. Bill Bradley (D-N.J.).

# Bush, conservatives clash over Soviet aid

By Frank J. Murray  
THE WASHINGTON TIMES

President Bush found himself publicly at odds yesterday with conservative congressional allies on helping the Soviet Union financially before Moscow casts Cuba completely adrift.

Mr. Bush did not hedge on Baltic aid, announcing that the Peace Corps will begin operating immediately in all three nations, most-favored-nation trade status will be granted to the Baltics shortly, gold and other assets held since before World War II will be unfrozen quickly, and a request for membership in the International Monetary Fund will be made.

The White House would not budge on its policy of persuasion for Moscow, which officials saw bearing fruit when Mikhail Gorbachev yesterday ordered the withdrawal of 11,000 troops from Cuba.

"I wish they'd hurry up," Mr. Bush said of the troop pullout.

But there was an ultimatum to block Soviet aid from Sen. Phil Gramm, Texas Republican, and House Minority Whip Newt Gingrich of Georgia as they emerged from a presidential meeting.

"We're not going to pass any kind of significant aid that helps the Russians while that aid is still being sent to Cuba," Mr. Gingrich told reporters, insisting he would not vote for any Soviet aid until Cuba is entirely cut off.

Mr. Gramm was more blunt: "We can't let this freedom tide wash over the world and not drown Fidel Castro."

Despite signals about Mr. Bush's personal sympathies and "expecta-

tions," he will not toughen his efforts to get Mr. Castro's hands out of Moscow's pockets, White House press secretary Marlin Fitzwater said yesterday.

"It's our policy that the quickest and best way to get money is to take some of that Cuban aid and apply it to their own economy," Mr. Fitzwater said, estimating that aid's value at \$5 billion, not including the troops. Other U.S. estimates peg the figure at \$3.5 billion.

When a reporter suggested that sounded more like a truism than a policy, he replied, "We haven't tried to lay down threats or specific guidelines."

And the president's response to the Gramm-Gingrich all-or-nothing plan?

"We feel the same way, that a good place for them to get money is in aid to Cuba and it looks like that's the direction they're moving in," Mr. Fitzwater said, asserting that has been reiterated more often than any other U.S.-Soviet policy in the past six months.

In Kennebunkport, Maine, last month, a senior Bush administration official listed a cutoff of foreign aid to Cuba and Afghanistan among six "expectations" for Mr. Gorbachev and his ally Boris Yeltsin, Russian republic president.

Despite that expectation, reality yesterday came in the form of assurances by Agriculture Secretary Edward Madigan, who said Western countries will be able to meet Soviet food aid needs this winter. He is scheduled to visit the Soviet Union later this month to assess those needs.

"I feel quite secure in saying the needs of the Soviet Union will be met

by those who choose to be of assistance, and that certainly would include the United States," Mr. Madigan said at a news conference.

Although U.S. guarantees for 98 percent of feed grain loans were accelerated by Mr. Bush just two weeks ago, private banks in the United States have refused to extend loans because they would have to shoulder the risk for the other 2 percent, a \$30 million risk under the current three-year program.

At the same time, as he hosted a celebration of Baltic freedom to honor the exiles and activists who kept the pressure on for half a century, Mr. Bush was confronted by a demand to link Soviet aid to withdrawal of all Soviet troops from Estonia, Latvia and Lithuania.

"Let me say in closing that as the United States was true to the Baltic states in captivity, we will continue to be true to them as democratic partners in the months and the years ahead," Mr. Bush said.

Peace Corps planners began contingency planning a year ago and can provide 100 volunteers within weeks after formal requests are received, Director Paul Coverdell said in an interview yesterday.

"Once that contact is made with us, you'll see this thing move very quickly," Mr. Coverdell said, saying informal discussions began a year ago.

"Promises are not enough. After a half-century you can understand why we are leery of accepting Soviet promises," said a letter from Angela Nelsas, president of the Baltic American Freedom League.

She asked that Mr. Bush go further on trade and silence anonymous Yeltsin critics in his administration.

# Senate Reaches Compromise on Abortion Notification

*Proposal, Approved 92 to 8, Sets Circumstances Under Which Parents Need Not Be Informed*

By Helen Dewar  
Washington Post Staff Writer

The Senate, brushing aside objections from both sides in the abortion debate, last night overwhelmingly approved a compromise that would establish some circumstances under which federally funded clinics would have to notify parents when minors seek abortions.

The proposal, drafted by Sen. Nancy L. Kassebaum (R-Kan.), was approved by a vote of 92 to 8 after a broader and more stringent notification requirement was rejected, 45 to 55.

The proposal requires notification of parents or guardians by a clinic's attending physician within 48 hours of an abortion for women under age 18 but then spells out a variety of circumstances under which notification would not be required.

These include medical emergencies, a judicial order granting the minor's right to an abortion, a professional counselor's certification that notification could result in physical abuse or emotional harm or when states have laws covering the issue.

Approval of the Kassebaum proposal appeared to reflect a wide-

spread desire on the part of senators on both sides of the notification issue to put it behind them, at least for this year. "It's a classic compromise," said Sen. Orrin G. Hatch (R-Utah), a leader of antiabortion forces in the Senate. "It basically pleases no one. But it's better than having a political morass here."

Kassebaum's proposal was approved as part of the labor, health and human services appropriations bill, which the Senate also amended to increase education spending a year from now and to force the government to impose new rules aimed at curbing the spread of AIDS and other blood-borne diseases.

For the second time this year, the Senate rejected a proposal from Sen. Jesse Helms (R-N.C.) to ban quotas and other preferential hiring and promotion practices. Helms's latest proposal, which would have allowed preferential practices only when used to expand an employer's pool of job applicants, was defeated, 67 to 33.

Approval of Kassebaum's proposal followed a fence-straddling vote last July in which the Senate voted for two starkly conflicting positions. It voted both to require parental consent in nearly all cases of abortions for minors at federally funded clinics and to create so many excep-

tions to the requirement that anti-abortion forces said it amounted to an "abortionists' consent" bill.

Kassebaum was among those who voted for both provisions in July, hoping to strike the kind of compromise she offered yesterday. "I think people really wanted to find a genuine compromise. . . . I was just trying to find language that made sense," she said after the vote.

But her proposal drew immediate fire from lobbying groups on both sides of the abortion argument. Susan Smith, representing the National Right to Life Committee, said it "had so many loopholes it would apply in only nine states."

Judy Crockett, legislative representative of the American Civil Liberties Union, said it created a dangerous precedent by restricting recipients of federal funds from using private funds for separate projects.

While federal funds cannot be used to conduct abortions at federally funded family planning clinics, the clinics can perform them with private or other non-federal funds in separate facilities run under the clinic's auspices. Kassebaum's restrictions would affect these non-federally funded abortions.

With Kassebaum's compromise

waiting in the wings, the Senate rejected the stronger alternative proposed by Sen. Don Nickles (R-Okla.), which would have created far fewer exceptions than Kassebaum's proposal.

Nickles subsequently endorsed Kassebaum's proposal as "better than nothing."

All the senators who opposed Kassebaum were abortion-rights supporters.

The new AIDS-related rules, which have been under study by the Occupational Safety and Health Administration (OSHA) for five years, cover sterilization of equipment, use of protective gloves and gowns, safe disposal of waste and other steps to protect health-care workers and patients. OSHA would be empowered to enforce the new standards and impose civil penalties for violations. Jail terms could be imposed in cases where deaths result.

Voting 99 to 1, the Senate gave OSHA until Dec. 1 to put the new rules into effect or face automatic implementation of them until the agency acts on its own. The proposal was jointly sponsored by leaders of both parties and was supported by Labor Secretary Lynn Martin, according to Minority Leader Robert J. Dole (R-Kan.).

# Opportunities, not victimization, are new focus of Black Caucus

By Ralph Z. Hallow  
THE WASHINGTON TIMES

The Congressional Black Caucus kicked off its 21st annual conference yesterday with a conscious shift of focus away from the idea that black crime, poverty and health problems are mainly the fault of whites.

"African-Americans in this country have suffered from racism and exploitation [and] servitude," said Mississippi Rep. Mike Espy. "We all know the statistics.

"But also we want to get away from victimization, and talk about expanding the opportunities."

Mr. Espy is this year's conference chairman and one of 26 caucus members. All are Democrats except for Rep. Gary Franks, a Connecticut Republican.

Caucus officials hoped to attract 20,000 supporters from throughout the country and raise money for the non-profit Congressional Black Caucus Foundation, which provides scholarships and other aid to black students.

Reporters, pressing Mr. Espy on the issue of the week — Supreme Court nominee Judge Clarence Thomas' Senate confirmation hearings — weren't disappointed.

He accused Judge Thomas of "running away from his record so fast that he's out of breath," and of

being "very good at evading and avoiding" questions about his views on abortion.

Mr. Espy said he didn't know of any demonstration or assembly that the Black Caucus might lead against Judge Thomas today or later in the week. "But I would say, keep your eyes open, there might be one," he added with a smile.

The caucus, whose chairman is New York Rep. Edolphus Towns, overwhelmingly voted to oppose Mr. Thomas in July, soon after his nomination. Mr. Franks was the only caucus member to speak up for the conservative black federal appeals judge.

Former D.C. Mayor Marion Barry came late in the afternoon but refused to comment on Judge Thomas' confirmation.

Retiring Supreme Court Justice Thurgood Marshall will receive the liberal-dominated caucus' highest award at a banquet Saturday night. Retiring House Majority Whip William Gray of Pennsylvania will also receive the award.

Asked if black lawmakers were backing away from the victimization theme, Mr. Espy said: "The Black Caucus is not monolithic, because the African-American community is not monolithic."

Black conservatives such as Shelby Steel have used the word vic-

timization and suggested that traditional civil rights leaders have been part of the problem because they "wallowed in victimization."

Republican-bashing and traces of the victimization theme could still be found at the conference during some workshop sessions. Raymond M. Brown, a Newark, N.J., lawyer, accused Mr. Bush, like President Reagan before him, of trying to use fear of crime as well as the criminal justice system as "a lever . . . to incite people to support programs that squander resources."

Don Jackson, a black former police officer from Long Beach, Calif., explained why black police officers "jumped to the support of [Los Angeles Police Chief] Daryl Gates" by arguing that black police officers often adopt the brutal behavior of the white police because the police force itself is a "closed, secret society" constituting a "subculture."

One of those attending yesterday's sessions was Willie Clemons of Atlanta, special events chairman of 100 Black Men of America, a community-based group with 22 chapters across the country that helps provide education and mentoring to black students.

Caucus officials said the banquet Saturday night is sold out, with several hundred tables going for \$1,500 to \$10,000.

# House bill threatens Bush's banking plan

By Dave Skidmore  
THE ASSOCIATED PRESS

The House Energy and Commerce Committee yesterday released draft legislation that if adopted could scuttle the Bush administration's plan to restructure the banking system.

The bill, proposed by Democratic Reps. John D. Dingell of Michigan and Edward J. Markey of Massachusetts, would block the administration's proposal to allow commercial companies such as General Motors Corp. and Sears, Roebuck & Co. to own banks. It also would bar banks' expansion into insurance.

Mr. Dingell is chairman of the committee and Mr. Markey is chairman of its finance and telecommunications subcommittee, which is scheduled Monday to start considering amendments to the draft bill.

As the administration urged, Mr. Dingell and Mr. Markey would repeal the Glass-Steagall Act of 1933. It separated banking from the securities industry in response to abuses before the 1929 stock-market crash.

However, they would place stringent restrictions on dealings between affiliated banks and securities firms. The restrictions, called "firewalls," may make the new securities powers not worth having, many bankers say.

Also, the bill would expand the regulatory power of the Securities and Exchange Commission, an agency their panels oversee.

The banking committees in both the House and Senate have passed versions of the banking legislation repealing Glass-Steagall. However, only the House version opens bank ownership to commercial firms.

The Energy and Commerce bill, if it emerges from the full committee by the Sept. 27 deadline set by House Speaker Thomas Foley, Washington Democrat, would serve as a rival version in the House.

In the Senate, the banking com-

mittee has sole jurisdiction over the bill, so the key elements of its version, which are more acceptable to the banking industry, likely will emerge from the full chamber.

Meanwhile, administration officials sought to reassure rural legislators who fear President Bush's banking reform proposal will choke off credit to farmers and small-town businesspeople.

"I'm worried about Congress rushing in a knee-jerk fashion to banking reform . . . that will have an adverse effect on rural and small-town America," said Rep. Pat Roberts, Kansas Republican.

He was one of a half-dozen members of the House Agriculture Committee — Democrats and Republicans — from such farm states as Wisconsin, Missouri, Oregon and Oklahoma — who said provisions in the bill permitting banks to establish branches across state lines could result in rural and small-town deposits being invested in big cities.

Mr. Roberts predicted that branch-bank lending decisions would be made by "a 26-year-old with a laptop computer" instead of experienced country bankers.

Treasury Undersecretary Robert R. Glauber told the committee that the administration proposal would help banks by allowing them to diversify their loan portfolios.

He said community banks would continue to prosper because they know their customers better than an out-of-town bank could.

Agriculture Assistant Secretary Bruce L. Gardner predicted the administration's plan would increase the number of banks operating in rural areas.

"From a rural community's perspective, being served by both large banks, with their greater array of financial products, and small independent banks, with their greater knowledge of local conditions, is desirable," he said.

# GOP links Clifford to BCCI plan

By Chuck Raasch  
and John Hanchette  
USA TODAY

Democratic insider Clark Clifford knew 13 years ago that scandal-plagued BCCI planned to secretly control a U.S. bank he would later run, says a GOP report prepared for congressional hearings starting today.

The Bank of Credit and Commerce International is the subject of international probes for alleged money laundering, drug deals and arms deals.

Clifford, 84, an adviser to Democratic presidents since Harry Truman and former chairman of First American bank, has denied knowing of BCCI's plans or its alleged 1982 takeover of First American of Washington, D.C.

Also denying previous knowledge: Robert Altman, 44, Clifford's protege and former First American president.

Their lawyer, Robert Bennett, called documents cited in the report "gross distortions" of their relationship with BCCI, which he says was First American's investment adviser.

The documents, in a Republican House investigative report, quote BCCI officials as saying in 1978 Clifford "was happy to know the details and has blessed the acquisition" of the bank by BCCI.

Gannett News Service obtained the report.

Clifford "adamantly denies ever having any kind of conversation like that," lawyer Bennett says.

The report also says:

► "BCCI reviewed (First American's) financial performance on a periodic basis."

► A July 7, 1982, memo to the chairman of BCCI from an associate discussed BCCI's dealings with Altman about the operation of First American.

# Senate OKs Information Network Bill

## Five-Year Plan Would Aid Research

By John Burgess  
Washington Post Staff Writer

The Senate yesterday passed legislation to create a national "information superhighway" of fiber optic cables that advanced research computers would use to transmit billions of bits of information per second.

The House has already passed a version of the five-year, \$1 billion bill. The White House has given a preliminary green light to the program, which also would increase federal research into supercomputers and the software they use. Senate aides said yesterday that differences in the two versions of the bill are minor.

In years of debate over how to foster U.S. economic competitiveness, the computer network is one of the few areas of common ground found by the White House and legislators who

want a larger federal role in shoring up the U.S. position in the world economy. The White House has generally opposed programs that it believes would favor one industry over another. However, the computer network, portrayed as a public infrastructure project similar in principle to the federal highway system, has won Bush administration approval as a legitimate area for government spending.

The network would enable the United States to "leap-frog competitors like the Japanese in a number of key areas and make the most productive use of the talents of our people," said Sen. Al Gore (D-Tenn.), the bill's author.

Supercomputers, the most advanced computers in existence, can conduct billions of calculations per second. They are used in scientific research and, increasingly, in the design of products as diverse as airplanes, cars and drugs.

A single supercomputer's output, however, may consist of many billions of bits of information. Delays in moving that information between laboratories using today's low-capacity lines has been called a drag on the speed of research.

The program would help set up a network of high-capacity communications lines between computers in government and private labs throughout the country. This would allow re-

searchers to trade findings freely, perhaps sending in a second data that now might take hours.

The new system also would be able to carry video conferencing, enabling scientists to work "as though we were all in the same room," said Lawrence Lee, executive director of the North Carolina Supercomputing Center in Research Triangle Park, N.C.

Gore and other senators earlier had clashed over which federal agency would run the program. A compromise calls for the White House's Office of Science and Technology Policy to make the decision.

### THE WALL STREET JOURNAL.

# Fight to Expand FDA Role Puts Chief in Middle

By BRUCE INGERSOLL

Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON—Lawmakers are taking the first steps toward rewriting the half-century-old federal Food, Drug and Cosmetic Act, a prospect that has the industry prodding the Bush administration to oppose stronger regulation.

House Democrats, backed by consumer advocates, are intent on expanding the Food and Drug Administration's enforcement powers over food processors, drug makers and medical-device manufacturers. A bill introduced by Representatives Henry Waxman (D., Calif.) and John Dingell (D., Mich.) would empower the FDA to impose civil fines for certain violations, subpoena witnesses, inspect corporate records, destroy contaminated food imports, recall unsafe products from the marketplace and embargo defective products until it can obtain a seizure order from a court. Sen. Howard Metzenbaum (D., Ohio) is expected to introduce a similar measure on the Senate side.

At a House hearing today, lawmakers are expected to question FDA Commissioner David Kessler closely on his views on the adequacy of the agency's statutory powers and attempt to determine whether the Bush administration has, as some fear, thrown in with industry on this issue.

Last June, Health and Human Services Secretary Louis Sullivan told Congress that he had signed off on an FDA-drafted enforcement bill that was almost identical to the Waxman-Dingell proposal. On July 17, however, Dr. Kessler appeared before a subcommittee headed by Rep. Waxman and read a noncommittal, one-page statement, raising fears that he may have been

muzzled by the White House.

At today's hearing, Rep. Dingell, chairman of the House Energy and Commerce subcommittee on oversight and investigations, will put into the Congressional Record testimony that Dr. Kessler was to have given, but didn't. Even that planned testimony had been edited and watered down in the administration.

He had planned to testify that the power to recall and detain products would improve the understaffed FDA's efficiency, according to a copy of his undelivered testimony, obtained yesterday by The Wall Street Journal. Currently, the agency must rely on moral persuasion to induce companies to recall tainted food or defective products. He also was to have pointed out that some other federal agencies can impose fines under certain circumstances. In addition, he would have recounted how three distributors refused to let FDA inspectors examine records of where canned mushrooms tainted with the deadly botulism toxin had been shipped.

Administration officials acknowledge that Dr. Kessler's proposed testimony was reviewed as a matter of course by staff members of the White House budget office, the Council on Competitiveness and other agencies. Because of the heavy editing and internal disagreement on the question of expanded powers, Dr. Kessler opted for giving the brief statement.

Trying to thwart the Waxman-Dingell initiative is a well-financed coalition of more than 20 powerful trade associations, led by the food industry, which fears that its enterprises would bear the brunt of beefed-up FDA enforcement. The bill would turn the agency into "Big Brother," warned John Cady, president of the National Food Processors Association.

Despite the administration's waffling, advocates of stronger enforcement believe they will prevail in the coming political battle. They say the measure would only confer on the FDA powers that other federal and state agencies wield. The objective, said Rep. Waxman, is to modernize the 1938 law, which has been updated "only in piecemeal fashion" in recent years.

# Tribute to A Friend & Inspiration

## Bush Joins in Salute to Businessman Stan Scott

By Roxanne Roberts  
Washington Post Staff Writer

Certainly, last night's "All-Star Salute to Stan Scott" was a well-deserved tribute to an accomplished and well-loved man: award-winning journalist, White House adviser, corporate executive and philanthropist.

"Stan offers living proof that love nourishes virtue, that hard work pays, and that good things happen to good people," said President Bush, an old friend. "And most impressive: that some journalists can turn to honest work."

But perhaps in a larger sense it was about black achievement—or at least one definition of it. In a week when the life of Judge Clarence Thomas is under intense scrutiny and as the Congressional Black Caucus opens its annual legislative weekend focusing on its opposition to the nomination—the tribute to Scott, a prominent black Republican, seemed to underscore the debate about affirmative action.

"Many of us will disagree over particulars of social policy," said Bush, "but we have only ourselves to blame if we fail to promote a Good Society."

"I don't see this as some philosophical outreach program to entrepreneurship," said Gov. Buddy Roemer of Louisiana, one of 600 corporate and political friends at the Sheraton Washington last night. "If there is a political meaning—and there probably is—it's the Republican Party trying to incorporate, include and show a cooperative spirit. That's Stan Scott."

Certainly Scott, 58, boasts impressive credentials. He was the first black reporter for United Press International, served in the White House from 1972 to 1975 as special assistant for domestic affairs during the Nixon and Ford administrations,

spent two years at the State Department, then "recycled"—to use his term—to the private sector—first at Philip Morris and then as owner of Crescent Distributing in New Orleans, a Miller Beer franchise and the largest black-owned business in the state.

Along the way, he gathered an impressive array of friends and admirers—many of whom attended the dinner, including the Bushes; Roemer; former representative William Gray (as of 4 p.m. yesterday president of the United Negro College Fund); New Orleans Mayor Sid Barthelemy; attorney Vernon Jordan; Connie Newnman, director of the Office of Personnel Management; musician Lionel Hampton; and corporate bigwigs from across the country.

"It's not an ideological crowd," said Gray. "It's a Stan Scott crowd."

They were there to honor their friend for his numerous contributions—and also to support him through his battle against cancer.

"Stan, we love you," said Bush, whose voice broke during his speech. The president sat between Scott and his wife, Bettye, during dinner and spent more than a half-hour at a VIP reception before the dinner posing with corporate executives who donated more than \$100,000 to establish a United Negro College Fund scholarship in Scott's name.

"I think it's necessary to provide everybody the opportunity to succeed," said Leonard Goldstein, presi-

dent of Miller Brewing Co. "What UNCF provides is the opportunity for people to meet the challenges that face us in the world. Stan Scott represents someone who has taken advantage of opportunity in government and in the private sector."

The guest of honor credited his success to his family, friends and "a conviction that we make our own good luck."

Scott said he was "kind of ahead of my time. Ahead of affirmative action." And he supports both Thomas's nomination and affirmative action.

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—Louisiana Gov. Buddy Roemer

"I personally feel that we as a people are wasting a lot of good energy and resources on this nomination," said Scott, "energy that could be better used in terms of securing advancement in a wide spectrum of areas for our people. Good people may disagree on that."

"We don't have enough of anything as a people. . . . We don't enjoy the respect we require to enjoy our fair share of the great American promise."

But certainly, respect—and love—filled the room last night.

"Thanks," Scott told the audience, "for caring about a guy who never wanted anything more out of life than to do his best and try his best to make life better for all of us."

## California Loses Fight On Census

### *Court Denies Use Of Revised Tally*

By Barbara Vobejda  
Washington Post Staff Writer

Despite the legal efforts of its Democratic leaders, the California legislature will not have access to the adjusted 1990 census figures before it redraws its political boundaries this fall.

Two federal judges in California agreed with the state's Assembly and Senate that the federal government should be forced to release the revised figures. But the Supreme Court ruled 6 to 3 Tuesday that the Census Bureau and Commerce Department could withhold the adjusted population counts pending a hearing before a federal appeals court.

That hearing likely will occur next year, but the state must meet a Friday deadline for redistricting. Before the Supreme Court ruling, Assembly Speaker Willie Brown (D) had said the legislature may base its new political districts on the revised figures, which have been statistically adjusted to compensate for those people who were missed in the census.

The adjusted figures, based on a national survey, put the state's population at 30.8 million, compared to the census count of 29.7 million.

"Clearly we're disappointed that it requires that we proceed with unadjusted data," said Michael Reese, a spokesman for Brown.

The assembly had argued that, under the Freedom of Information Act, it had a right to see the numbers. In a separate suit, the state Senate had argued that the federal government's refusal to provide the adjusted figures unfairly denied representation to those residents missed in the head count.

In both cases, the Commerce Department and the Census Bureau, represented by the Justice Department, appealed the judges' orders to release the figures. The 9th U.S. Circuit Court of Appeals upheld the judge's order in the assembly suit, but overturned the lower court in the Senate suit.

It was the government's appeal in the assembly's case that went to the Supreme Court.

Charles Marson, the assembly's attorney said the legislature will continue to pursue the adjusted figures, not only for purposes of redistricting, but with the possibility that they would be used for other population-based funding and policy decisions.

# New bill deletes city-paid abortions

By Chris Harvey  
THE WASHINGTON TIMES

Rep. Julian Dixon yesterday introduced a stripped-down version of the District's \$3.9 billion spending bill, leaving out the prickly language on abortion funding that prompted a presidential veto last month.

The new fiscal 1992 bill could be approved by the House as early as Tuesday, putting the measure on a fast track for Senate passage before the 1991 bill expires at the end of the month.

The Dixon bill reinstates language in effect since fiscal 1989, which says that no city or federal funds can be used to pay for an abortion unless the mother's life is endangered.

The vetoed bill would have removed all restrictions on city-funded abortions, but kept the life-of-the-mother restriction on federal funds.

Mr. Dixon, a California Democrat and chairman of the House appropriations subcommittee on the District, said yesterday he anticipated no trouble with the new bill. "The major issue [of contention] was the abortion language, and I don't see anyone now raising the issue," he said.

Pro-choice advocates admitted they did not have the votes to override President Bush's veto. "The Dis-

trict didn't have the clout to override a presidential veto," said Rosann Wisman, president of Planned Parenthood of Metropolitan Washington, D.C. "Even though poor women's lives were at stake, that was not enough to muster a two-thirds vote."

Mr. Dixon said he saw no sense in "beating a dead horse" and pressing the issue with the president. He said he spoke with city officials and was told "they need the money" in the bill.

"The longer the delays, the more short-term debt they incur," he said.

Douglas Johnson, legislative director for the National Right to Life Committee, said the president's action will save the lives of about 1,000 infants a year. He said that's how much the overall abortion rate in the city has dropped since the strict language was enacted.

Ms. Wisman said yesterday she is not certain that figure is accurate. She did say, however, that she is sure about what the continued funding restriction will mean to poor women.

"A lot of women will have babies they are not financially or emotionally or physically able to have," Ms. Wisman said. "Or, there will be some women who will scrape together the money, which is an incredible hardship to them."

The funding bill also includes a record-high federal payment of \$630.5 million. The payment — made in lieu of taxes on federal property — held steady at \$430.5 million from fiscal 1988 to 1990. It increased to \$530.5 million in fiscal 1991.

## White House Seeks Disapproval Of Grant for Welk's Hometown

The White House is pressing the Agriculture Department to reverse low-level approval for a \$500,000 grant to develop a tourist industry in Lawrence Welk's hometown.

"Disapproval of the grant would clearly be in accord with the intent of both the president and Congress," Robert Grady, an associate director of the Office of Management and Budget, recently wrote Roland Vautour, an undersecretary of agriculture.

The money would be used to build a German-Russian museum in Strasburg, N.D., and provide loans for economic development in the community.

Congress earmarked the money in the Farmers Home Administration's 1991 budget but voted this year to bar any federal funds from being spent on the band leader's birthplace after reports about the grant embarrassed lawmakers.

FmHA officials in North Dakota recently approved the grant. They said the congressional action was irrelevant because the money would be spent in Strasburg, not at the band leader's rural boyhood house, which was renovated with private gifts.

But the White House isn't buying that argument.

"The proximity of the proposed construction to the Welk birthplace, the fact that the museum will help support restorations of the Welk birthplace by attracting tourists to the area . . . is more than coincidence would allow," Grady said in Friday's letter.

The Agriculture Department is expected to decide this month whether to release the money.

## Ex-AID Employee Gets Reduced Sentence

■ A federal judge yesterday reduced by 10 months a five-year sentence she had given a former Agency for International Development employee who

pleaded guilty to stealing about \$1.4 million from the agency by falsifying travel vouchers.

William J. Burns admitted in August 1988 to stealing the money over an eight-year period, a time in which he was responsible for certifying travel and expense vouchers for AID employees. Federal sentencing guidelines called for a maximum sentence of three years and one month, but U.S. District Judge Norma Holloway Johnson departed from those guidelines to give Burns a five-year sentence.

Yesterday, she again imposed a more severe sentence—but instead of adding 23 extra months to the more than three years he has already served, she added only 13, reducing Burns's prison time to four years and two months.

The extra prison time, she told Burns, was justified because he "persisted in . . . criminal activity" over such a long period of time.

## GAO Says Medicare Fails to Follow Rules

■ The General Accounting Office said yesterday that Medicare has failed to comply with rules requiring hospitals to be thrown out of the program if they fail to correct health, safety and organizational deficiencies within 90 days of discovery.

In a report to Rep. Fortney "Pete" Stark (D-Calif.), chairman of the House Ways and Means Medicare subcommittee, the GAO said it looked at 195 hospitals that were not complying with various rules from Oct. 1, 1986, to Oct. 31, 1989. It said 147 corrected the problems and two were excluded from the program within the required 90 days.

But of the remaining 46, none was certified as fixing the problem within 90 days, and only one was ultimately tossed out of the program. Two-thirds of the 46 were reported to have from two to nine violations.

Stark said he will pursue legislation for more effective enforcement.

From staff reports and news services

## TODAY IN CONGRESS

### SENATE

Meets at 9:20 a.m.

Committees:

**Agriculture**—9 a.m. Mark up

govt.-sponsored enterprise legis. 332

Russell Office Bldg.

**Appropriations**—10 a.m. Transportation & related agencies subc. Mark up DOT & related agencies FY 92 appropriations. S-126, Capitol.

**S-126**, Capitol.

**Appropriations**—1 p.m. Mark up DOT

appropriations & FY 92 appropriation for

military construction projects. S-128, Cap.

**Armed Services**—10 a.m. Closure of

Loring Air Force Base in Maine. 222 ROB.

**Banking**—9:30 a.m. Securities subc.

Trading violations by Salomon Bros. 538

Dirksen Office Bldg.

**Budget**—10 a.m. Suspension of

Gramm-Rudman-Hollings deficit reduction

law budget restraints. 608 DOB.

**Commerce**—10 a.m. Consumer subc.

Product Liability Fairness Act. Commerce

Secretary Mosbacher. 253 ROB.

**Energy**—2 p.m. Water & power subc.

Reclamation Projects Auth. Act of '91, &

Reclamation Reform Act of '91. 366 DOB.

**Environment**—10 a.m. Environmental

protection subc. Municipal & Native

American waste mgmnt provisions of '91

RCRA amendments. 406 DOB.

**Finance**—11 a.m. MFN status for USSR.

215 DOB.

**Finance**—2 p.m. Taxation subc. Tax

simplification. 215 DOB.

**Judiciary**—10 a.m. Nomination of

Clarence Thomas to Supreme Court. 325

ROB.

**Small Business**—10:30 a.m. Pension

expansion & simplification. Labor Secretary

Martin. 428A ROB.

**Veterans Affairs**—9:30 a.m. Auth. for

marriage & family counseling for Gulf war

veterans. 418 ROB.

**POW-MIA Affairs**—3 p.m. Closed.

Organization. S-116 Cap.

### HOUSE

Meets at noon.

Committees:

**Agriculture**—9:30 a.m. Forests subc.

Auth. & direct exchange of lands in

Colorado. 1302 Longworth House Office

Bldg.

**Agriculture**—10 a.m. Govt.-sponsored

enterprise legis. 1300 LHOB.

**Armed Services**—9 a.m. Seapower subc. Hearing and mark up. 2212 Rayburn House Office Bldg.

**Banking**—10 a.m. Financial institutions subc. RTC refinancing & restructuring. 2128 RHOB.

**Education**—10 a.m. Comp. Occupational Safety & Health Reform Act, and N.C. factory fire. 2175 RHOB.

**Energy**—9:30 a.m. Oversight subc. FDA enforcement. 2123 RHOB.

**Energy**—12:15 p.m. Energy subc. National energy policy legis., global warming. 2322 RHOB.

**Energy**—1 p.m. Commerce subc. Sports exposure & revenues & historically black universities. 2154 RHOB.

**Energy**—1:15 p.m. Transportation subc. Oil & gas exploration, production waste & mining & mineral proc. waste under RCRA. 2167 RHOB.

**Foreign Affairs**—10 a.m. Internat'l. narcotics control force, human rights subc. & Western Hemisphere affairs subc. Narcotics control & human rights in Peru. 2172 RHOB.

**Interior**—10 a.m. Parks subc. Mark up. 2167 RHOB.

**Interior**—1:30 p.m. Energy subc. Radiation Protection Act of 1991. 1324 LHOB.

**Judiciary**—9:30 a.m. Economic subc. Professional, amateur Sports Protection Act. 2141 RHOB.

**Judiciary**—9:30 a.m. Internat'l. law subc. Mark up. B352 RHOB.

**Judiciary**—11 a.m. Admin. law subc. Ethics in Govt. Act of '78, ban on honoraria. 2226 RHOB.

**Merchant Marine**—2 p.m. Coast Guard subc. Bridge alteration & navigation improvement, Truman-Hobbs Act. 1334 LHOB.

**Rules**—11 a.m. Unemployment Insurance Reform Act of '91. H-313, Cap.

**Ways & Means**—10 a.m. U.S. competitiveness. 1100 LHOB.

**Hunger**—9:30 a.m. Pre- & postnatal care for high-risk women & infants. 222 RHOB.

**Joint Economic**—9:15 a.m. Technology & economic performance, focusing on Carnegie Comm. report. 2318 RHOB.

**Joint Economic**—11 a.m. Roundtable disc. 2318 RHOB.

# Natural Law, Then and Now

DATE: 1/12/91  
PAGE: A24

Clarence Thomas, the Supreme Court nominee, has not so far been credible in his Senate testimony on a point of considerable concern. Judge Thomas is trying to minimize speeches in which he extolled natural law, sometimes described as a "higher law" than the Constitution.

He characterizes those speeches now merely as musings in political theory that had nothing to do with his view of how a judge should decide hard constitutional cases.

Examination of those speeches, whose views are likely to have attracted him to the Bush Administration, shows this explanation to be inadequate. Unless the Senate Judiciary Committee can elicit better answers, it may be forced to conclude that he harbors a view of judging that is wide of what most lawyers and citizens regard as the mainstream of American law.

Natural law, a concept of inherent rights that animated the Revolution, still has respected adherents who argue for a moral basis for American law. But the concept is nevertheless vague and subjective. It has been used both to defend and oppose slavery, sex discrimination and other evils now banned by positively enacted constitutional amendments and statutes.

Judge Thomas's speeches on the subject have raised pointed questions about which brand of higher law he favors. Now, in his answers to the Senate Judiciary Committee, he seeks to distance himself from those speeches. He disavows reliance on anything but the Constitution and laws, but several senators rightly complain that his new disclaimers fall short.

The nominee, who has sat for only a matter of months on the United States Court of Appeals in Washington D.C., refuses to discuss issues of abortion, citing the need to remain publicly impartial. It's generally important to guard against public prejudice, and the Senate usually honors a nominee's reticence.

But Judge Thomas's speeches about natural law and abortion strongly suggest a predilection for

overruling *Roe v. Wade*, the landmark abortion decision, and they surely open him to broad committee questioning.

In one 1987 speech to an audience hostile to *Roe*, he praised an article by Lewis Lehrman that called the decision an illegitimate violation of a fetus's right to life under the author's view of natural law. Mr. Thomas called the article "a splendid example of applying natural law."

He now tells the Senate that he never endorsed the article and in fact disagrees with it. Natural law, he maintains, is only a political theory and he rejects it as a judicial tool to help decide constitutional cases.

Yet he told a law school audience in 1988: "Without recourse to higher law, we abandon our best defense of a Court that is active in defending the Constitution but judicious in its restraint and moderation. Higher law is the *only* alternative to the willfulness of both runamok majorities and runamok judges."

In the same year he praised a strong, lone judicial dissent by Justice Antonin Scalia from the Supreme Court's upholding of the statute establishing Federal independent counsels. He said Justice Scalia's opinion — which was delivered from the bench and not in a political science seminar — "indicates how again we might relate natural rights to democratic self-government and thus protect a regime of individual rights."

Those remarks and a host of others were about judicial decision-making, not political science or political philosophy. Judge Thomas's answers are so far unpersuasive.

What gives skeptical senators, mostly Democrats, even stronger grounds for hesitation is the belief that President Bush knows, if only from these speeches, that his nominee satisfies the Republican platform's demand for pro-life judges.

Inspired by a natural or higher law or not, Judge Thomas has the burden of explaining better when his expressed philosophy raises serious questions. The doubting senators are right to persist, and they are entitled to hold his non-answers against him.

## The Washington Times

DATE: 9/12/91  
PAGE: 62

# The opponents of Judge Thomas

As Clarence Thomas finishes testifying before the august panel of lawgivers who will decide whether to lift him to the nation's highest court, it might be instructive to look at the list of his opponents. Why, one might ask, do they oppose Judge Thomas? Well, for much the same reason they opposed Robert Bork, Antonin Scalia, William Rehnquist, David Souter and Anthony Kennedy — which they did. The nominees are conservative, the opponents are liberal.

The Congressional Quarterly ran a pretty comprehensive list of those who oppose Judge Thomas: the National Association for the Advancement of Colored People, the Leadership Conference on Civil Rights, the AFL-CIO, the Alliance for Justice, People for the American Way, the National Abortion Rights Action League, the Congressional Black Caucus, American Federation of State, County and Municipal Employees and the American Federation of Teachers.

But take a look back through the files, and guess who shows up in opposition to Mr. Bork? The same collection of groups. And Mr. Rehnquist, when he was up for chief justice? The NAACP, the National Organization for Women, the National Women's Political Caucus, the Americans for Democratic Action, etc., etc., etc. Admittedly, they came up with two ancillary rea-

sons to oppose Mr. Rehnquist — something about a restrictive covenant in the deed to his house as well as some other unsupported charge about challenging voters at polling stations — but in truth they opposed him on grounds of political ideology.

When Mr. Souter showed up for confirmation, the Leadership Conference merely wanted the Judiciary Committee to "recall" him to explain some of his positions more thoroughly, but the other groups — PAW, Alliance for Justice, NOW, NARAL, NAACP — came down against him.

Move back to Mr. Scalia, and you find the usual suspects: the Leadership Conference on Civil Rights, Americans for Democratic Action and NOW.

Anthony Kennedy was the one guy they couldn't do much with, although the Leadership Conference put a 24-man team of lawyers into action checking his background. Mr. Kennedy, you see, was the Reagan administration's choice after the left got through with Mr. Bork, and the Leadership Conference, NAACP and NOW knew its friends on the Judiciary Committee couldn't get away with murder twice. So Mr. Kennedy slipped by.

Fact is, these groups oppose Judge Thomas for one reason, and it has nothing to do with his qualifications.

DATE: 9/12/91  
PAGE: A18

## Biden Meets Epstein

The main lesson so far of the hearings for Clarence Thomas is that the World's Greatest Deliberative Body knows no limits when it comes to hypocrisy. The stubborn fact of Judge Thomas's impressive qualifications for the job forces his opponents to say some of the most amazing things.

There's the hypocrisy of Howard Metzenbaum's litmus test that Judge Thomas must agree to vote to uphold *Roe v. Wade* after accusing President Bush of having the opposite litmus. But probably the most hilarious hypocrisy is this running-joke discussion about "natural law," a phrase that no Senator can define.

The unseriousness of the natural-law issue is clear by remembering the accolades liberals gave Justices Brennan and Marshall when they advanced their common political agenda by ditching original intent and instead invoking "the constitutional ideal of human dignity" to find new rights hiding in the penumbras and shadows. Maybe liberals worry that a conservative nominee could cite natural law to make opposing arguments from the same playbook, but they also know that Judge Thomas was selected for his adherence to judicial restraint.

When Senator Biden asked Judge Thomas if he would use ambiguous natural law instead of applying the written Constitution, Judge Thomas gave the answer liberals supposedly wanted to hear. He said he would not, that his interest in natural law was limited to political arguments he could use when he ran the EEOC to broaden the inalienable rights of minorities. Does Mr. Biden wish Judge Thomas still counted as only three-fifths of an American?

Whatever the reason, Mr. Biden has now decided he doesn't like Judge Thomas's answer and chooses not to believe it. This is despite the fact that not one of Judge Thomas's opinions for the federal appeals court in Washington mentions natural law. So expect more newfound high dudgeon about the dangers of judicial activism.

This criticism of what Judge Thomas does not believe would be benign nonsense except for a danger that should worry people who are more serious than the Members of the Judiciary Committee. We have in mind Mr. Biden's attempt to ostracize proponents of economic liberties.

He asked Judge Thomas whether he thought there was a natural right to property and contracts. John Locke and John Stuart Mill would say yes, but there is no reason for a judge in this country to reach for natural-law

philosophy to protect these rights.

Mr. Biden unintentionally did the country a service by waving around a copy of University of Chicago Law Prof. Richard Epstein's "Takings" (Harvard University Press, 1985). He asked incredulously if Judge Thomas believed in this economic-liberty talk. "There's a whole new school of thought," Mr. Biden intoned, "that up until about five years ago only spoke to one another that is now receiving wider credence and credibility."

Well, the Founding Fathers memorialized economic rights in the Constitution itself. The Fifth Amendment says the government can take private property only for a "public purpose" and only if "just compensation" is paid. The Contracts Clause bars any "law impairing the obligation of contracts." The Fifth and Fourteenth Amendments protect due process for life, liberty and property. Judge Thomas reminded Mr. Biden, "there is a Takings Clause in the Constitution and there's also a reference to property in our Constitution."

These rights, which are explicit and require no invocation of natural rights or penumbras, have gone largely unprotected since FDR told the Justices he'd pack their court if they interfered with the New Deal. The failure to protect the property right to the product of one's work, incidentally, made Jim Crow possible. As Judge Thomas said, segregation laws "did not allow my grandfather to enjoy the fruits of his labor."

By now, the failure to enforce the Takings Clause is an epidemic. Expropriation by rent control and abusive zoning is common. Environmental regulations in particular routinely amount to takings. Wetlands rules turn valuable property into land that can't be developed. Timber companies unlucky enough to own trees that attract Spotted Owls have had their business outlawed. Congress can pass these regulations, but the Takings Clause was supposed to require compensation. This is about more than fairness. The Founders also insisted on the Takings Clause as a limit on the amount of government regulation by making sure taxpayers would bear the costs of regulations that hurt property values.

Mr. Biden is right; there is a "whole new school of thought" on the proper relationship between the state and private property. We know that Mr. Biden possesses a copy of Richard Epstein's "Takings." When he's done waving it, we recommend that he open it and read it.

DATE: 9/18/91  
PAGE: 84

# A Process as Near Perfect as Possible

*Is Senate up to handling Thomas nomination?*

Clarence Thomas, President Bush's nominee for the Supreme Court, faces the Senate Judiciary Committee today. Thus begins what could be a weeks-long probe of the nominee. How this constitutionally mandated process will end is unclear. But current odds favor confirmation.

Thomas, a black man, is proposed to replace Thurgood Marshall, also black. It will be difficult for the Senate to deny confirmation to a minority nominee without clear and compelling reasons.

The Thomas controversy arises because, in respects other than race, Thomas and Marshall could not be less alike. Thomas bristles at accepting the whole medicine bag of affirmative-action remedies advanced by the civil rights Establishment. The National Assn. for the Advancement of Colored People has recommended against confirmation. If Thomas were more like Marshall, he undoubtedly would sail through the Democratically controlled Senate panel; on the other hand, he would never have been nominated by the Republican White House.

**THE PROCESS:** The hope is that the Senate will rise above politics and conduct a dignified and intelligent confirmation hearing that goes beyond politics to determine what this man stands for and what his judicial philosophy is. The committee needs to discover whether he is independent and open or a closed-minded ideologue who will destroy any semblance of court balance needed to afford legal issues a thorough airing.

The panel needs to focus high-mindedly on legal issues

and leave the politics to lesser forms of political life. Bush has properly condemned extreme right-wing "attack ads" against Democratic Sens. Alan Cranston, Edward M. Kennedy and Joseph R. Biden Jr., the latter two members of the Judiciary Committee. But the Conservative Victory Committee's TV ads, centering on personal blotches in the senators' backgrounds, have already polluted the atmosphere inside the beltway. Perhaps solace can be taken in the thought that the ads might backfire.

**THE MUDDINESS:** An attack from the other side, by the liberal-minded People for the American Way, does not merit comparable outrage and condemnation. But it's not clear that the issue it is raising contributes much to the process. The group maintains that when Thomas was chairman of the federal Equal Employment Opportunity Commission he billed the government for trips that were unrelated to official business. It's possible that the allegations might prove a genuine issue by raising questions of character. But one senses the drumming up of elements not central to the matter at hand.

Of greater gravity, we think, is the American Bar Assn.'s finding that the nominee—a circuit judge on the U.S. Court of Appeals for more than a year—is "qualified" but not "well qualified." The issue of judicial competence is the one the Senate panel must firmly—but professionally—explore. The issue of Clarence Thomas is complex. It will test the ability of the Senate panel to be a thorough and fair judge of a judge.

# The Thomas hearings begin

**NEW YORK POST**

DATE: 7/11/91  
PAGE: 22

Readers of this page know we welcome President Bush's nomination of Judge Clarence Thomas to the U.S. Supreme Court. Throughout his Washington career, Thomas — whose confirmation hearings began yesterday — has been a forceful champion of ideas in which we believe.

A consistent critic of "race-based" remedies for discrimination, a vigorous proponent of the view that individual Americans should be protected by law against discrimination, rather than whole classes of alleged "victims" — many of whom may never actually have suffered from discrimination — Thomas is also an articulate advocate for judicial restraint. This doctrine has informed his rulings as a circuit-court judge and it played a clear role in his tenure as a ranking Reagan administration official.

On a personal level, Clarence Thomas' stunning rise from the depths of poverty and state-sanctioned discrimination to the threshold of the high court strikes us as evidence of exceptional fortitude and strength of character. As Sen. Howell Heflin put it on the eve of the confirmation hearings, "There are those who believe he is the very embodiment of the American dream . . ."

By virtue of his very career, Clarence Thomas is a strong argument for the view that the dream is very much alive, and accessible to all Americans, notwithstanding race or creed or class.

Thomas is black. Insofar as ideological labels are appropriate, he is also a conservative. Many Americans, white and black, appear to view the notion of a black conservative as oxymoronic.

Thomas' refusal to succumb to ideological coercion — to adopt the liberal-left politics that are "expected" of blacks in public life — is further testimony to his strength of character.

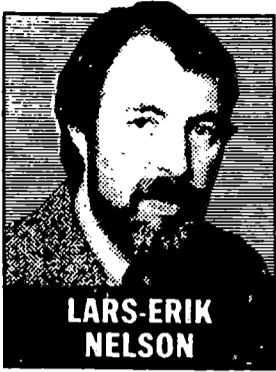
While he undoubtedly knows that there is no internal contradiction between the color of his skin and his ideological orientation — that vast numbers of American blacks don't want their own achievements diluted by the stigma of affirmative action and identify readily with the principles of self-help and individual responsibility — it remains that it cannot have been easy for Clarence Thomas to swim against the tide and reject the views held by most of the established black organizations.

How many of us manifest the kind of intellectual courage to which his career gives evidence?

Needless to say, we hope, in the days ahead, that the Judiciary Committee hearings afford Judge Thomas the opportunity to elaborate on his views in a climate defined by dignity and decorum. If history is any guide, it should be possible for both senators and witnesses to take issue with Judge Thomas' past positions while refraining from slander, misrepresentation and vilification.

Indeed, were it not for the experience Judge Robert Bork endured at the hands of his foes just a few years ago, it would scarcely be necessary to address this issue.

We hope, when all is said and done, that Clarence Thomas is speedily confirmed — so he can begin making his full contribution to American life and American law.



LARS-ERIK NELSON

# Thomas may be best man for Dems

Washington — Why are Democrats so hostile to Clarence Thomas? He may be just the man to let them out of their box.

The box is this: Since the 1964 Barry Goldwater campaign, Republican conservatives have managed to transform the GOP into the white man's party.

Democrats, partly in reaction, partly by design, and partly out of stupidity, let themselves be portrayed as the party of black people — as well as the party of women, homosexuals, criminals, the disabled, the unemployed, pornographers, abortionists and the mentally ill.

The two boxes were neat, clean and confining. Ronald Reagan carved them quite deftly. For the last 27 years, he and other Republican conservatives fought civil rights legislation, busing, affirmative action, welfare, public housing, food stamps and Medicaid.

This stance won the Republicans a double victory. It secured the loyalty of the once-Democratic white working class,

which objected to paying ever higher taxes to finance services that benefited chiefly — and in some cases only — black people.

And it lured the Democrats, in reaction against these crypto-racist policies, into embracing a "black agenda" that has been limited to failed — and expensive — social programs. The Democrats' solution to their persistent failure to improve the lives of black people: Give us more money. Voters said No, and since 1964, the Democrats have won one — count it, one — presidential election, in 1976.

Is race the only reason for the Democratic failure? Surely not. George McGovern, Jimmy Carter and Michael Dukakis were weak candidates. But race is certainly a major reason for the Republicans' success.

As Thomas Byrne Edsall points out in his latest cold-blooded analysis of American politics, "Chain Reaction," (Norton, \$22.95), white working-class backlash against the Democrats has allowed rich white Republicans like President Bush to pose as populist friends of the working man. Meanwhile, Republicans cut taxes for the rich and raise taxes for working people.

Yet every four years, with a persistence that borders on bone-headedness, Demo-

cratic presidential candidates find themselves compelled to support the same failed programs. They think they have no choice. Nearly 90% of black voters cast their ballots for Walter Mondale in 1984 and for Michael Dukakis in 1988. No Democratic presidential candidate can, in good conscience, turn his back on black needs — and blacks appear to be calling with one unanimous voice for affirmative action, poverty programs, public housing, more government spending, higher taxes, more breaks.

And now comes Clarence Thomas, a black nominee to the Supreme Court who wants none of the above. Thomas surely wants the same result the Democrats advocate: a more prosperous, juster, safer life for black people. But he disdains the Democrats' means.

Rather than government programs, Thomas believes in self-help, hard work, strong families, no special favors because of skin color. There is an element of hypocrisy in this, for Thomas — as first reported here — benefited from an affirmative-action program at Yale Law School in 1971.

But, for Democrats, Thomas opens the box. Here is the first highly visible, highly successful black man who says there is a

way to help black people that differs from the Democrats' losing poverty-politics agenda. Thomas may not be wholly right, but large numbers of black people are willing to listen. A Business Week poll of 500 black adults showed that 60% thought he should be confirmed — and that 53% disagreed with the proposition that he should be rejected because he opposed affirmative action.

Thomas also tells black people that there may be, at long last, a welcome for them in the Republican Party. True, they would have to be conservatives — and they would have to enter the conservative Republican ideological box: pro-Star Wars, anti-abortion, pro-school prayer, anti-union, anti-welfare, anti-government spending. But if blacks are welcome in the Republican Party, Republicans are going to have to start caring about black people's problems instead of writing blacks off as a problem for Democrats.

Thomas may not be the best candidate for the Supreme Court. Some of his judicial views seem weird. But if his views help to break down the racial divide between the two parties, he could be the best thing that has happened to the American political debate since 1964.

*George F. Will*

# The Modest Significance of the Modern Court

The Clarence Thomas contretemps inaugurates the post-civil rights era. The primary significance of the Thomas nomination is its merely modest significance: it does not matter mightily to the course of the Supreme Court, and the court matters decreasingly to the solution of serious social problems.

Never before has there been such a disproportion between the controversy surrounding a judicial nominee and the probable consequences of his confirmation. Of the Supreme Court's 64 decisions last term involving substantial written opinions, only 11 were by 5-4 votes. Justice Marshall, whom Thomas will replace, voted with the four-person liberal minority in six. Replacing him with a liberal rather than Thomas would not alter the pattern of liberal defeats in this era when 5-4 liberal victories are rare.

When Robert Bork was nominated in 1987 to replace Justice Powell, who often was a swing vote in crucial decisions of the closely divided court, the court's composition hung in the balance, and Democrats could hope that the conservative era in presidential politics would end when the Reagan administration did. Today, however, political probabilities indicate five more years of a Republican administration, and actuarial tables indicate that the administration will have an opportunity to make additional conservative nominations. The court's shape is set for the foreseeable future.

Why, then, the sound and fury against Thomas? What does it signify about him and these times? One answer is that liberals, impotent in presi-

dential politics, have been reduced to a merely blocking agenda, and to ideological grandstanding against the judicial consequences of their protracted irrelevancy in presidential politics.

But the primary reason for fierce liberal opposition to Thomas is that his nomination comes at a moment when the intellectual balance of American politics regarding social reform generally, and race in particular, is changing. The focus of thoughtful people is shifting away from the strategy of establishing new individual and group rights by litigation and judicial fiat, and toward the political process of creating social settings that nurture character.

Never before has a Supreme Court nominee been so much defined by his persona—by his biography more than his philosophy. Some previous nominees have carried powerful symbolic significance—Marshall, nominated in 1966, was the first black; Louis Brandeis, in 1916, was the first Jew. Thomas's nomination is highly charged with symbolic meaning because of the relationship between what he is and what he thinks.

He is a product of remarkable upward mobility. He thinks there is only modest potential for judicial remedy of social ills, because courts are instruments of limited utility, and because judges' powers, properly understood, are more narrow than many recent justices have thought.

The civil rights era, accurately described, featured attacks on legal impediments to black participation in the nation's civic and economic life. The

era featured enactment of legislation opening access to schools, voting booths, workplaces and public accommodations. The defining principle of the era was that blacks and whites should be treated alike and as equals.

The moral and intellectual decline of the civil rights impulse was signaled in 1968 when the Kerner Commission, appointed in response to the urban riots, declared that blacks, unlike the immigrants who prospered in earlier times, could not achieve unassisted upward mobility because entry-level jobs were disappearing. That false prognosis bred a disastrous moral stance.

The prognosis was refuted, as Michael Barone of U.S. News & World Report notes, by the most prodigious job creation in world history. In the 20 years after the Kerner Commission, the number of American jobs increased 50 percent and waves of Asian and Hispanic immigrants began rising through entry-level jobs.

The Kerner Commission's moral stance was, implicitly, that blacks should be treated as a crippled community, as dependent wards of a government dispensing racial preferences and other group rights and entitlements. Today's civil rights lobby, which is leading the charge against Thomas, is composed of people comfortably situated as brokers of these benefits.

Whatever the reason why a majority of black babies are born to single women, the reason is not the economy's failure to produce jobs. And whatever the cure for this crisis of family decomposition might be, the cure is not more litigation about individual rights.

Laws can contribute to the creation of the complex social ecology of nurturing families and civic habituation. But that is primarily the business of political policy, and of persuasion, not of the adversarial clash of competing claims to rights, resulting in judicial fiat.

The fierce contention about Thomas' confirmation reflects the unwholesome centrality of courts in America's recent governance. The importance of Thomas is that he knows better

## CAL THOMAS

From violence in the Crown Heights section of the Bronx to heated debates over a civil rights bill in Congress, it is clear that the distance between the races is widening.

The confirmation hearings for Judge Clarence Thomas present a rare opportunity for conservative Americans to take the initiative to bridge the racial divide. Leadership from this unlikely quarter could produce dynamic social and political benefits unique in black-white relations.

Judge Thomas represents values that most conservatives cherish: hard working, self-sufficient, personally accountable.

If there are to be many more Clarence Thomases, it is up to those who admire what he has done to show the way for others to emulate his accomplishments.

Across a wide chasm of misunderstanding, whites and blacks have hurled their ideological and political mortars. Much of America's black leadership has practiced the politics of grievance. They say whites owe them because of slavery, and that quotas, affirmative action and other

*Cal Thomas is a nationally syndicated columnist.*

# Bridging the racial divide

legal gimmicks are necessary to overcome past and present discrimination.

Some whites have countered that they are not responsible for what happened a century ago, and that blacks want to reverse the discrimination process in their favor by denying whites jobs and promotions.

The twain shall never meet — unless there is another way.

The answer, I think, lies with black children who have, like Clarence Thomas, demonstrated motivation but lack the means to make their dreams come true. With these young people, conservatives have an opportunity to produce a whole generation of Clarence Thomases if they seize the moment now.

A private national campaign should be launched by conservatives, apart from other programs, to raise college scholarship money for black students in need of financial assistance. In addition, conservatives should become personally involved in the lives of these young people, particularly young black men, serving as mentors and role models. The personal relationship factor is critical to the success of such a project because it offers enrichment that is often denied to poor children, many of whom come from broken families and suffer other social and environmental hardships.

A foundation with specific by-laws and tight controls should be created to find scholarship beneficiaries and regulate the flow of funds to protect the program's integrity. Criteria would need to be well defined. Not only good students would be helped, but anyone with the desire and potential to succeed might qualify.

To fund such a program, corporations and conservative political

groups would contribute money, time and expertise. The program's foundation would be a "domestic World Vision," patterned after World Vision International, a humanitarian organization that assists poor children around the world through sponsors who donate money every month.

Ideally sponsors would be linked to poor black American children in their city or region and would remain in close touch with their "adopted" children by telephone, letters and personal visits.

Corporations could provide for selected young people short courses on how businesses are run, economic independence through self-help, cultural appreciation and academic tutoring. Perhaps a child who had been sponsored by a corporation or business would have an inside track on a job after graduation and a relationship with his or her mentor that would serve both well.

The personal, cultural and political benefits of such a program are potentially enormous. Personal relationships on a new level would be

established between individual whites and blacks. A ripple effect could touch entire families, even whole neighborhoods. The racial animosity so prevalent today would be markedly diminished.

The political benefits might also be considerable. Conservatives could break the hold liberals have had on the "black" vote for the last half-century. This is not the highest motivation for involvement in such a project, but if that's what it takes for some conservatives to act, they can grow from the bottom motivation up.

In an address to the conservative Heritage Foundation in 1987, Clarence Thomas said, "Conservatives must open the door and lay out the welcome mat if there is ever going to be a chance of attracting black Americans. There need be no ideological concessions, just a major attitudinal change. Conservatives must show that they care."

Closing the gap between black and white, between poor and non-poor in America is a job that can begin with the initiative of conservatives reaching out to the children of poor blacks to help them become self-sufficient. The potential to transform black America is great. The potential to transform white America may be even greater.

# Robert Gates, a Case Worth Investigating

DATE: 9/12/91  
PAGE: A12

The nomination of Clarence Thomas to the Supreme Court is dominating the news, but another important nomination with constitutional overtones will come before the Senate on Monday—that of Robert Gates as CIA director. The Journal, of course, has long dismissed the significance of the Iran-Contra scandal to which Mr. Gates is linked. In flip tones, this paper's editors have written: "We admit to not knowing how much Mr. Gates knew, and especially to not caring." Columnist Ken Adelman went even further in the Washington Times, arguing that because Mr.

Even more disturbing is the fact that Mr. Gates was sandwiched between several officials—Casey; Clair George, the deputy director for covert operations who was indicted Friday; Jerry Gruner, chief of the agency's Latin American division; and Alan Fiers, head of CIA operations in Central America—who were running the extraconstitutional Contra project. Although that doesn't mean Mr. Gates necessarily knew about the secret aid, it does require that his claim be carefully scrutinized.

Mr. Gates's story has become slightly less believable with the recent revelation that, contrary to his original assertion, he in fact met several times with Mr. Fiers in 1986 and served as interagency coordinator of the limited, legal assistance program for the Contras. That aid, emphasizes the administration, was approved by Congress. But Mr. Gates's involvement in the Nicaraguan issue and his meetings with a subordinate who knew about Col. North's operation add power to the argument that he either knew or should have known about Iran-Contra.

Computer messages moreover indicate that Mr. Gates talked with National Security Council Director John Poindexter, an active participant in the scheme, about a proposal to lease a cargo ship to transfer arms to the Contras and the possibility of the agency purchasing the entire resupply system for the Contras if Congress approved more aid. Finally, there is a reference in Col. North's office diary that suggests he discussed his activities at a lunch with the CIA director and Mr. Gates, though the latter says Col. North assured him the CIA was not involved.

The many supporters of Mr. Gates who don't believe he knew about Col. North's operation may be right. But certainly there is enough evidence to warrant investigating the charge—unless one doesn't believe involvement in Iran-Contra should bar a person from heading the CIA. In Patrick Buchanan's view, for instance, Congress was guilty of a "criminal betrayal" in cutting off money to the Contras, while "the CIA men who discovered Ollie's diversion and did not report it, were loyal to a cause that was just." If they dissembled, it was "perhaps because they came to believe Congress was on the other side."

That Congress leaves much to be desired goes without saying. But the relative courage of Col. North and the average legislator does not change the fact that the diversion scheme was a direct assault on our system of constitutional liberty. A small group of men apparently bypassed the president, lied to Congress, and used part of the proceeds of the sale of weapons paid for by taxpayers to implement their own private foreign policy. That these people may have been well-meaning doesn't matter: the Constitution places the power of the purse in Congress, not with a handful of executive appointees. It is for the voters, not the CIA director and a Marines Corps detailee to the NSC, to decide that Congress is "on the other side."

And there's a reason for that. The American government was not intended to be dominated by the executive. Instead, the Founders hoped to protect individual liberty by creating a system that dispersed power to different levels and branches of government. The drafters even chopped the authority to conduct foreign affairs into several different powers and gave many of them—most important, the authority to raise armies, declare war and approve treaties, as well as the power to appropriate money—to Congress.

For years it was conservatives who fought to prevent the consolidation of power in the federal government and the executive branch. Yet the failure of Republicans to win control of the House in nearly four decades has increasingly led many of them to long for American-style Gaulism.

Last fall numerous conservatives backed George Bush's claim that he could unilaterally transfer one-fourth of the U.S. military thousands of miles from home and launch a full-scale war on another sovereign state. The Journal has championed the idea that the president has an inherent line-item veto power. Some analysts now argue that the Constitution prevents Congress from limiting the activities that appropriated funds may be used for and allows the president to fire the heads of independent agencies. In short, today many conservatives want their presidents to be like the liberal activists of yore: Woodrow Wilson, Franklin Delano Roosevelt, Harry Truman and Lyndon Johnson, who all expanded executive power.

But there were good reasons why conservatives were the sharpest critics of these "strong" presidents—that "Mr. Republican" Robert Taft, for instance, argued that Truman did not have the constitutional authority to take the country into war in Korea. These conservatives' concerns over concentrated executive power remain equally valid today. Indeed, Taft, along with any number of believers in limited government, would have been dismayed at the argument that someone should be confirmed as CIA director even though he aided or ignored a scheme that improperly circumvented Congress.

What did Robert Gates know and what should he have known? Congress has a duty to find out. If it turns out that Mr. Gates was involved in, or consciously ignored, the Iran-Contra operation, his nomination should be rejected by conservatives and liberals alike. Our system of constitutional liberty is too important to sacrifice for temporary partisan gain. On the Gates question, the Journal wonders, "Don't these people have anything better to ask about?" The answer is no.

*Mr. Bandow is a fellow at the Cato Institute and served as a special assistant to President Reagan.*

## Counterpoint

By Doug Bandow

Gates's connection to Iran-Contra is trivial the Democratic opposition to him must also be based on the idea that Mr. Gates "is less risk-averse and more strongly identified with presidential leadership" than some senators would like.

But what Mr. Gates knew and should have known should decide whether he is confirmed. Mr. Gates, who served as the agency's deputy director under William Casey, says he was unaware of the bizarre scheme orchestrated by Oliver North to use the proceeds of the sale of weapons to Iran to fund Nicaragua's Contras.

Perhaps Mr. Casey did cut him out of the illicit program. Mr. Gates, however, admits that he had heard some rumors of the North operation before it became public, but disregarded what he termed the "flimsy" evidence. He also acknowledges that Col. North once mentioned Swiss bank accounts and the Contras, but Mr. Gates ignored the comment because "I didn't know what he was talking about." Indeed, in 1987 Mr. Gates admitted to congressional investigators that "we actively discouraged people from telling us things."

PERSPECTIVE ON ISRAEL

DATE: 9/10/91  
PAGE: 85

# Bush Can Call Shamir's Bluff



If the Likud ranks the freedom of Soviet Jews above negotiating a Mideast peace, invite them to emigrate here.

By JEROME M. SEGAL

The fight is on in Washington. President Bush has called for Congress to hold off on Israel's request for \$10 billion in loan guarantees to facilitate absorption of Soviet Jews. AIPAC, the powerful lobby that represents many in the American Jewish community, is determined to push for early passage of the legislation—without conditions requiring that Israel halt settlement activity in the occupied territories. If AIPAC succeeds in this, Middle East peace negotiations will be doomed before they begin.

AIPAC—the American Israel Public Affairs Committee—argues that the settlement issue can be resolved in the negotiations. But the truth is the reverse: Failure to solve the settlement issue will destroy the negotiations—if they ever begin. The Arab states, with their shaky claims to legitimacy, will be accused by fundamentalists and other opponents of negotiations of giving Israel recognition at the conference table and of participating in a charade behind which Israel solidifies its de facto annexation of the territories.

Undoubtedly, both the Arab states and the Palestinians have told Secretary of State James A. Baker III that they will need a settlement freeze in order to stay in the negotiations, and Baker knows that the loan guarantees are the key to his ability to halt the settlement drive.

On this point, the Camp David experience is instructive. Even the forceful face-to-face involvement of an American President failed to produce more than a momentary halt to Israel's construction of new settlements. Indeed,

within 30 days of signing the accords, then-Prime Minister Menachem Begin decided, over American objections, to continue expanding existing settlements. The signing of the actual peace treaty with Egypt was still months away, and yet the Likud government was prepared to risk derailing it.

If there are negotiations on an overall Middle East peace, they will be long and difficult. Over the next five years, President Bush will be eyeball to eyeball with Prime Minister Shamir time and again. This cannot be avoided. Ever since Israel occupied the West Bank during the 1967 war, the United States has maintained that a peace settlement will require a significant Israeli withdrawal. Nothing has happened in the last 24 years to cast doubt on the soundness of

represent the most powerful potential leverage Bush has over Shamir. The reason is this: For most Israelis, the immigration and successful absorption of the Soviet Jews is the most important issue facing their country today.

This is much more than a matter of saving Jews from possible repercussions as the Soviet Union disintegrates; that could be accomplished by lifting the quota that restricts the number emigrating to the United States. But their coming to Israel is a validation of Zionism itself. It is the *raison d'être* of the Jewish state, and if they do not come, or if they come and then leave because Israel cannot provide jobs and housing, then Zionism itself will have failed.

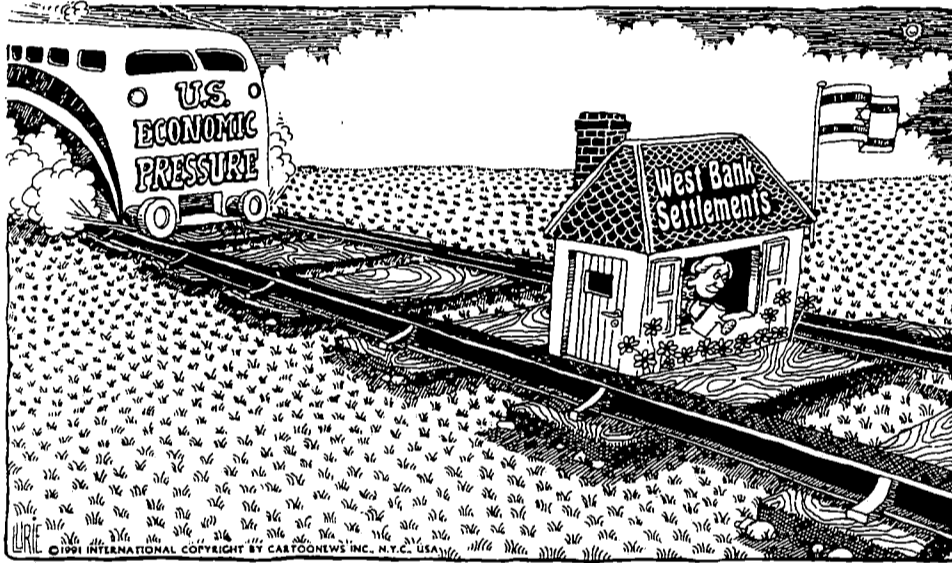
The aliyah of the Soviet Jews is a one-time historical possibility. The issue of land may never be permanently resolved, but if the Soviet Jews reject Israel, they will be lost to Israel forever.

Polls show that, faced with a determined American administration, only 16% of Israelis would give up the loan guarantees rather than give in to American demands on settlement. The Israeli people will demand a new government rather than allow the absorption effort to fail. Since Israel cannot carry out the absorption program without the

loan guarantees, Bush has the leverage he needs, unless Congress comes to Shamir's rescue.

But what about the Soviet Jews? Shamir treats them as pawns when he gambles that Congress will break with the President; but they are also treated as pawns if we rely solely on the belief that the Likud will back down on the settlements or be replaced by a new government. Something more is needed: a U.S. safety net for Soviet Jews. If Shamir does not relent, and thus forgoes the loan guarantees, then the United States should open its doors to the Soviet Jews, giving them freedom to choose.

*Jerome M. Segal is president of the Jewish Peace Lobby based in Washington.*



that proposition. But ever since the 1920s, the revisionist wing of the Zionist movement, from Vladimir Jabotinsky to Menachem Begin and then to Yitzhak Shamir, has never wavered in its determination to extend Israel's borders to include the West Bank. Shamir has been single-minded on this for more than 50 years, and he is prepared to wait out a second Bush Administration if he has to. From the standpoint of the Israeli right wing, with the reduction of the Arab capability to threaten Israel, the American problem is all that now blocks the way to "Greater Israel."

The issue of the loan guarantees is more than Round 1 in the Bush-Shamir contest; for Bush, this is a make-it-or-break-it fight. The loan guarantees

WALTER WILLIAMS

Standard Hill fare

My grandmother used to say, "Nothing good is going to come of no good." That admonition is just as relevant for a nation as an individual. As a nation, we are headed into an ever-deepening mess because of our increasing disrespect for morality, rule of law and the principles expressed in the Declaration of Independence and codified in our Constitution.

In its September issue, Reader's Digest's senior editor, Ralph Bennett, gives us a peek at the tip of the iceberg through an article titled "Pig Tales for Taxpayers." Remember last year's public outrage when Sen. Quentin N. Burdick, North Dakota Democrat, got a half-million-dollar appropriation to build a museum at Lawrence Welk's birthplace? Rep. Jim Slattery, Kansas Democrat, introduced an amendment that successfully rescinded

Walter Williams, an economics professor at George Mason University, is a nationally syndicated columnist.

Mr. Burdick's appropriation. However, before the vote, a member of Mr. Burdick's staff telephoned the dean of Kansas State University (in Mr. Slattery's district), suggesting that the university's \$5.3 million grant application might have trouble getting past Mr. Burdick.

This is standard fare in Congress, even though we face massive debt and deficits, higher taxes and talk about increasing them even more. There are billions of dollars of pork in the 1992 budget: Rep. Bob Traxler, Michigan Democrat, put \$94,000 into the budget to study "apple quality." His colleague, Martin Olav Sabo, Minnesota Democrat-Farmer-Labor, put in \$1 million to see why people don't use bicycling or walking as a means of transportation. Rep. David Bonior, Michigan Democrat, calls for \$37,000 to develop "comprehensive management technologies" for handling animal manure. Rep. Dan Rostenkowski, Illi-

nois Democrat, had \$8 million, from a \$5.4 billion appropriations bill to cover the non-military costs of the Gulf war, transferred to the Education Department budget so that it could be given to his alma mater, Loyola University of Chicago. The Pentagon requested \$500 million to overhaul the USS Kennedy aircraft carrier. But since the bid went to the Philadelphia Naval Shipyard, Sen. Arlen Specter, Pennsylvania Republican, ran it up to \$1.2 billion to basically gut the ship and rebuild it. This is just a sample of how Congress works. Congressmen who don't go along are in deep political trouble. This year, Sen. Robert Byrd, West Virginia Democrat, warned two congressmen, "If you rock the boat or support a line-item veto, we have a special chute that goes down to the Potomac."

In the pursuit of political power, congressmen are destroying our great nation. That makes me mad,

but how much can we blame them? Yes, they ought to have the decency and backbone to be statesmen instead of hustlers; however, the lion's share of the blame rests with you and me. Congressmen are doing precisely what Americans vote them into office to do: use the power of their office to confiscate that which belongs to one American and give it to another. Any politician who campaigned on the promise not to get federal money for projects in his district or state simply would not be elected to office.

Most Americans think that their favorite spending project is vital. However, if each politician provides what his constituency deems vital, it adds up to something none of us want: increasing debt and deficits, competitive weakness and moral and national decline.

Congressmen have little or no principle. As such, they are like prostitutes doing what customers want. That being the case, it is up to you and me to let them know that they cannot buy our votes by destroying our nation. We must tell them what they're selling is diseased, and we don't want it.

# Bush's Biggest Shame

 DATE: 9/12/91  
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One of the most mendacious chapters of the Reagan administration was the Bob Jones University episode of 1982. That was when the Justice Department reversed a longstanding government policy denying tax-exempt status to private schools that exclude blacks. Although the reversal was in response to a campaign by southern conservatives, the administration piously insisted that its action implied no endorsement of tax exemptions for racist schools. They would sincerely like to deny these tax exemptions, Reagan officials maintained, but the law gave them no such authority. The Supreme Court soon ruled otherwise, 8-1.

The current controversy over Operation Rescue is the Bush administration's Bob Jones case. As in that earlier disgrace, the president and his associates are pandering to extremists while pretending with wide-eyed innocence that they are merely upholding the technicalities of the law.

Operation Rescue is the antiabortion group that physically shuts down abortion clinics by blocking the entrances, lying under cars, surrounding and heckling patients and so on. Last month in Wichita, Kan., Operation Rescue shut down three abortion clinics. A federal judge ordered the group to stop and threatened to have its leaders arrested if they didn't. The Bush Justice Department then entered the case on the side of Operation Rescue, saying Judge Kelly had no authority to make this order.

Attorney General Richard Thornburgh, on his

*"Is it really possible that federal judges lack the authority to protect citizens from organized mobs?"*

way out the door to run for the Senate, claimed the Justice Department action had nothing to do with abortion, which is still for the moment a constitutional right, or with support for Operation Rescue's tactics, which are uncontestedly illegal. After a day of bad press, Bush even remarked that protests "ought to be done within the law." But what good is the law if it can't be enforced, and what good are constitutional rights if they can't be protected?

The power of federal judges to restrain Operation Rescue will be debated at the Supreme Court next month in *Bray v. Alexandria Women's Health Clinic*. In this case, too, the Justice Department has intervened on the side of Operation Rescue. At issue is a long tangle of constipated legal prose known as the Klu Klux Klan Act of 1871. The Klan Act was originally intended to authorize lawsuits against Klan persecution of blacks in the Reconstruction South, but it speaks more generally of conspiracies to deprive "any person or class of persons of the equal protection of the laws."

In their briefs, Operation Rescue and the Justice Department offer half a dozen reasons why the Klan Act may not apply in this situation.

Not all of them can be dismissed out of hand. There is a question whether the Klan Act protects any groups other than blacks. There is a question whether the group being oppressed in this case should be defined as "women" or as "women seeking abortions," and whether the latter category is acceptable. One side says: Not all women want abortions, or even support abortion. The other side replies: Not all blacks tried to vote back in 1871, but the law protected those who did.

The Justice Department emphasizes, as if it were a virtue, that Operation Rescue does not merely aim to oppress women: "Petitioners direct their actions at anyone, whether male or female, who assists or is involved in the abortion process—doctors, nurses, counsellors, boyfriends, husbands and family members, staff and others." Oh well, in that case go right ahead.

There is a question whether the law, which refers to suing for damages, authorizes judges to issue injunctions as well. Since most constitutional rights protect you only against deprivation by the government itself, not by private individuals, there is a question whether this limit also applies to the Klan Act. Lower courts

have avoided this particular complication by holding that Operation Rescue is violating not the right to choose abortion but the right to interstate travel, which does not require government involvement. But then there is a question whether the mere fact that many clinic patients come from out of state is enough to establish that this right is being violated.

My own conclusion, after reading the briefs, is one of impatience. Is it really possible that federal judges lack the authority to protect citizens from organized mobs systematically denying them the ability to exercise their constitutional rights? If so, the law ought to be changed.

President Bush does not believe in abortion rights, or claims not to. But as president he cannot openly endorse mob action to deprive people of rights that are still the law of the land. So he and his administration resort to technicalities. The solution is simple. The Klu Klux Klan Act is only a statute, not a constitutional provision. Congress ought to pass a new statute, stripped of all the complications. If Bush were presented with the bald proposition, in the form of a bill, that the federal government ought to be able to protect people in the exercise of their federal constitutional rights, would he dare to veto it? If the Democrats were a bit faster on their feet, they could have a bill like this on Bush's desk in a week. It would leave him in a bind he truly deserves.

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DATE: 9/10/91  
PAGE: A4

## Beleaguered Democrats

■ It seems apparent to everyone that the Democratic Party is in trouble. None of the Democratic candidates running for President are being taken seriously. Spokesmen from several important constituents of the party have suggested splitting off and starting their own parties. Young people who are polled find no particular use for the Democrats.

Not that I feel any great liking for the Democratic politicians. I've never met one, nor ever felt one was especially speaking to my concerns even when I was a registered Democrat. (I registered Green Party last year.) But all along I have felt the Democratic Party represented an important resource for the American people: a source of protection against the exploitation of the moneyed classes and for the expansion of civil rights to a greater variety of individuals.

So why aren't the leaders of the Democratic Party visible on every channel on TV and the radio discussing political philosophy and trying to whip up public debate on the role of the party in these trying times? Why aren't there Democrats with clipboards walking around my neighborhood trying to find out what people want? I'd feel more reassured about the future of the average citizen if I heard a few Democrats express concern that the party had lost its way. If they started to organize, I might even re-register.

TOM PLISKA  
Long Beach

■ The reason there are few Democrats running for the presidency is because none of them want to have to straighten out the big mess Ronald Reagan and George Bush have gotten this country into. This way the Republicans can't blame the Democrats for the Republicans' stupidity.

OLY ROOT  
Whittier

■ As a lifelong Democrat and longtime union member, who has never voted Republican, I must say I can no longer vote Democratic because of the party's liberal giveaway policies and softness on crime.

Is the Democratic Party so bankrupt that Jerry Brown, a.k.a. Gov. Moonbeam, is

considered a viable candidate (Part A, Sept. 4)? The same Jerry Brown who never enforced the death penalty that the voters overwhelmingly supported.

Come on, Democrats, give us some good candidates and less giveaways and molly-coddling of criminals so people like myself won't continue to leave the party of the little guy to join the party of the privileged.

GRANT R. IRVIN  
Ontario

■ The Democrats are fools if they continue to participate in the existing presidential primary system: Having their presidential candidate selected by the Republican states of New Hampshire, Iowa, etc., is stupid. Better the candidate be selected at the national convention.

ROBERT L. GEORGE  
Goleta

■ Conrad's cartoon (Aug. 23) comparing Paul Tsongas and several unannounced but possible Democratic presidential candidates to the Soviet "gang of eight" seems off the mark to me both in fact and in spirit.

The Soviet coup plotters were a group of high government and military officials trying to stave off what has become a radical insurgency movement. This description doesn't fit ex-Sen. Paul Tsongas or any other possible Democratic candidate; the goal of all of them is replace an existing government. It's a fact that they are the outsiders, not the insiders.

The plotters were reactionaries opposing a liberalizing tide in their society. The Democrats are liberals trying to arouse a long-dormant spirit of liberalism in America, without any success so far.

If we are going to compare our politics to Soviet politics, it seems to me that a better comparison would be our present circumstances to the Soviet Union during the Brezhnev years. The Soviet Union in those years had a self-satisfied government with no effective political opposition; the Brezhnev government refused to address the problem of underlying decay throughout Soviet society. Sound familiar?

WILL NETTLESHIP  
Fullerton

■ I agree absolutely with F. Sopper (Commentary, Sept. 2) that what this country needs is a bigger-than-life President, "a caped crusader." I am sick of these mediocre politicians.

President Bush puts me to sleep when he talks on TV. He told us today (Sept. 2) what we had learned from the news services two hours before. The fact that he has Gorbachev's ear on the telephone, as always, thrills me not at all.

Communism is dying, but not yet dead in the world and the United States should have a leader who realizes this and many other things of which George Bush is woefully ignorant.

We need someone electrifying, who can raise us above the mundane and still be cognizant of our dreary everyday problems. Above all, he must be interesting and a decent speaker.

MILDRED CAMERON  
Lake Elsinore

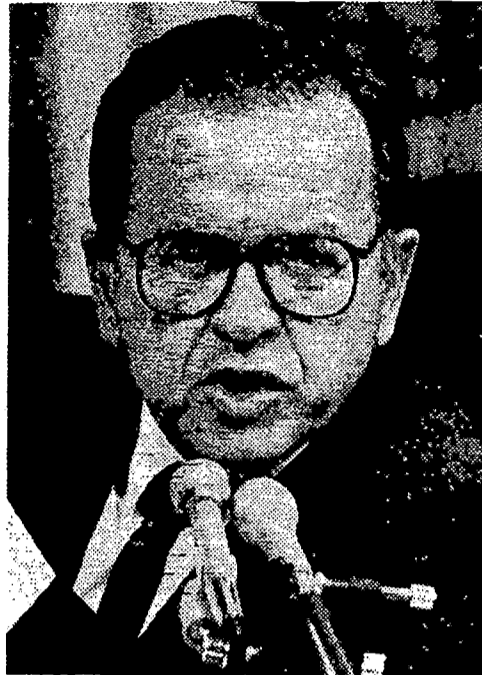
Soviet President Mikhail Gorbachev exchanged gifts in Moscow yesterday with visiting Secretary of State James Baker that were reminders of the failed coup attempt against him three weeks ago. Gorbachev presented Baker with a copy of the tape he made with his home video camera while being held in the Crimea, in an attempt to alert the world to the truth about the coup plotters. He thanked the United States for siding with those who "suppressed that putsch." Baker in turn presented Gorbachev and Russian President Boris Yeltsin with flags flown over the U.S. Capitol on the day the coup failed. Yeltsin gave Baker a photo taken of the front of the white Russian Federation building at the time the coup failed as people held up an insignia of the republic.

## Out on the Town

Now that William Webster is no longer director of the CIA, he has to make do without a government-supplied chauffeur and he is struggling with Washington streets, according to the Knight-Ridder news service. "I'm his human map," laughs his wife Lynda, who gets calls from Webster's car phone asking things like "How do I get to the Watergate?" Webster, who headed Central Intelligence from 1987 until the first of this month, had to ask how to tip a cabbie, according to his wife. "He'd never been in a Washington cab; he'd never seen the subway," she said.

## Klinghoffers Denounce Opera

The family of Leon and Marilyn Klinghoffer have denounced the opera "The Death of Klinghoffer," about the 1985 terrorist attack in which their father was killed, as "antisemitic." The opera received its U.S. premiere last week at the Brooklyn Academy of Music and Lisa and Ilsa Klinghoffer released a statement after seeing a performance. They said they were "outraged at the exploitation



SEN. TED STEVENS

of their parents and the cold-blooded murder of their father as the centerpiece of a production that appears to us to be antisemitic. . . . Moreover the juxtaposition of the plight of the Palestinian people with the cold-blooded murder of an innocent, disabled American Jew is both historically naive and appalling." Librettist Alice Goodman issued a statement in response saying, "Anyone who attends this opera with an unprejudiced mind will perceive that it does honor to the destiny of the Jewish people and to the memory of Leon and Marilyn Klinghoffer. To those who come prepared to see and hear only what they want to see and hear, nothing one can say is of any use."

## Hospital Report

Alaska Sen. Ted Stevens returned to the

fall session of Congress with a message for his colleagues: Get a checkup! Stevens, who last month underwent successful prostate surgery at the Walter Reed Army Medical Center, sent a letter this week to all male senators exhorting them to have regular physicals. He enclosed an article on cancer detection and, referring to two recently deceased Hill colleagues, said, "If Sparky Matsunaga or Silvio Conte had read it—and had their annual physical . . . they would probably be with us today" . . . Legendary jazzman Miles Davis has been hospitalized for an undisclosed illness at St. John's Hospital and Health Center in Santa Monica, Calif., since early this month, according to the Los Angeles Times. Davis's attorney, Dorothy Weber, said yesterday that the 65-year-old trumpeter's family has asked that no information be released. Weber said only that Davis was "getting better" and could be released soon . . . After a two week stay in the same Santa Monica hospital, actor Ralph Bellamy, 87, was released Tuesday after being treated for a respiratory infection, according to spokeswoman Patricia Kirk.

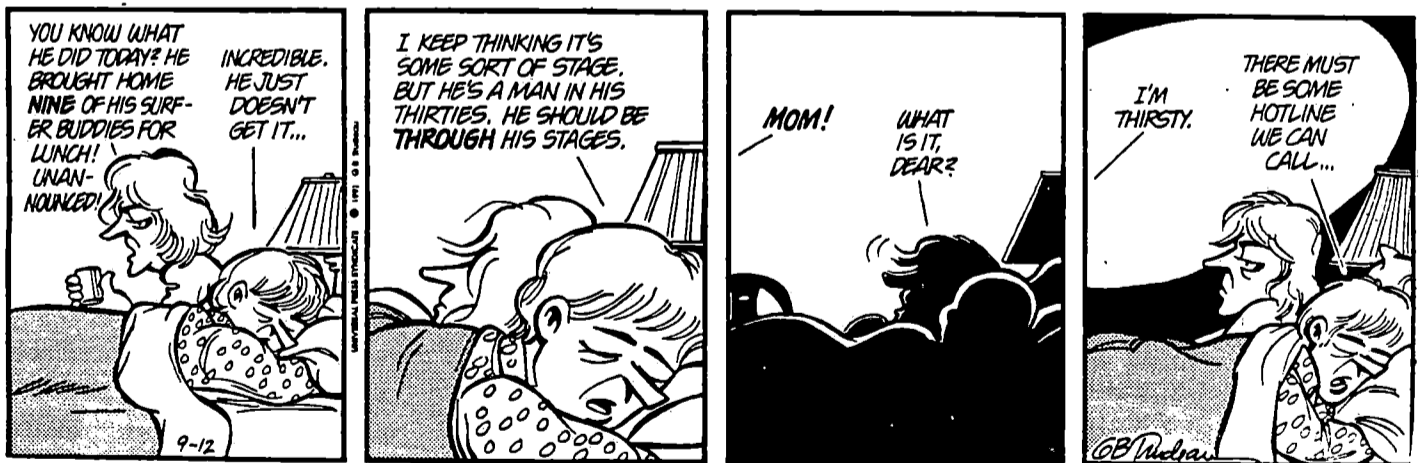
## Ban on Polisar Lifted

Author-singer Barry Louis Polisar of Silver Spring bid fair to join the ranks of James Joyce and 2 Live Crew when Anne Arundel County school officials last year banned his playfully subversive children's books, recordings and performances. Now Polisar, whose songs include "My Brother Threw Up on My Stuffed Toy Bunny" and "Never Cook Your Sister in a Frying Pan," has signed a treaty with the school system that effectively lifts whatever ban has been in place. Polisar's books will remain on school library shelves, his recordings will be submitted to a neutral committee that reviews instructional materials, and he is free again to perform in Anne Arundel schools that choose to book him.

—Compiled from staff and wire reports by Eric Brace

## DOONESBURY

By G.B. Trudeau



CALVIN AND HOBBS BILL WATTERSON



outsbursts might be less dramatic or violent if a little steam was occasionally vented harmlessly."

**Prediction!**

No, we're not flacking for those portbellied windbag talking heads on TV. This is the real stuff, from futurist Marvin Cetron and his wizardly computer Mr. Cetron, working with former Omni magazine Editor Owen Davies, has a new book on the market, "Crystal Globe," The World Future Society has sent around a selection from the book outlining 50 trends that will shape the world of tomorrow. A sampling:

- Washington, D.C., will supplant New York as the world financial capital. The stock exchanges and other financial institutions, especially those involved with international transactions, will move south to be near Congress, the World Bank and key regulatory bodies.
- Quebec will secede from Canada, probably in 1996. Canada's four Atlantic provinces will be absorbed into the United States by 2004, and the other Canadian provinces will follow suit by 2010.
- Overall, the world will be a more peaceful and prosperous place in the 1990s than it has been in the decades since World War II because ideological and military conflicts will be replaced by participation in the global economy. A few despots will provoke regional conflicts, but the international traders will respond as in Desert Storm.

**That's politics**

Jay Leno seems not to view Attorney General Dick Thornburgh's decision to go after a U.S. Senate seat in Pennsylvania as a positive move. "As attorney general, Thornburgh's job was to fight crime. So I guess he figured, if you can't beat 'em, join 'em."

— John Elvin

**Reactionary elite**

Rep. Newt Gingrich, Georgia Republican, subjected a conference on taxation convened by Citizens for a Sound Economy to a bit of political insight earlier this week. He said he finds it "wonderful that the Democrats are going to New York City for their national convention." "I can't imagine a better symbol of a reactionary left," he said. "This is a bureaucratic welfare state doomed to fail, and you now live in a world where the mayor of Moscow is to the right of the mayor of New York."

What will come of the Democratic convention? "I am certain that the Democrats will nominate somebody who will try to run as a populist," Mr. Gingrich said. "I mean . . . it is impossible to be an elected member of the reactionary elite and run as a populist. I mean, they'll try, and they'll use all the code words . . ."

For all the mirrors and smoke, the result will be business as usual. The nominee will be selected from among candidates who "are all going to be people who believe in much bigger bureaucracy, they believe in much bigger centralized government, they believe in very strong unions and they believe in an ability to coerce ordinary people through government, and all of them want to raise taxes," Mr. Gingrich said.

**New world attitude**

Speaking of the doomed bureaucratic welfare state, a conference starting today in Washington will focus on how women do two-thirds of the world's work for 5 percent of the wages. Most of those women are black or "of color" and most of them are part of the Third World, according to Black Women for Wages for Housework. The group, based in Los Angeles, will be meeting with the Congressional Black Caucus at the Washington Hilton.

**INSIDE THE BELTWAY**

Figures provided by the group indicate that the value of household work performed in the United States is \$1,462 billion a year. For the whole world, it is \$4 trillion. Initially, the group expects legislation to be introduced in Congress to get unpaid work recognized as part of the gross national product; from there, figures would be used to establish the right to welfare, equal pay, child care, Social Security credits, peace, a clean environment, health care, social services, educational opportunities and more, the group states.

While the idea may seem a bit ahead of its time, the group points to two historic events as evidence that its day is coming. For one thing, it takes heart from a strike against household duties by the women of Iceland on Oct. 24, 1975. Also, there was the statement issued by Leticia Shahani of the Philippines, an official of the United Nations Decade for Women assessment conference held in Nairobi, Kenya, in 1985. One of the main accomplishments of the decade, she assessed, "was a recognition that household work has to be paid."

**Thomas, ya bum**

"I am a lifetime . . . I have been a Dallas Cowboy fan for 25 years," Judge Clarence Thomas confessed yesterday. The Supreme Court nominee compounded the damage done by this revelation by admitting that, as he watched games such as the latest trouncing of the Cowboys, 33-31, he is "totally convinced that every referee in those games is a Redskins fan, but none would admit to it."

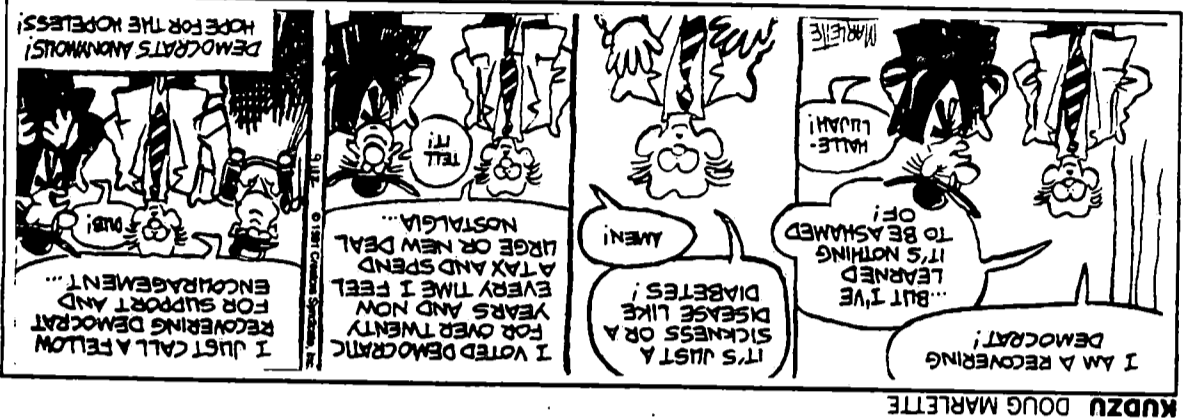
**Let'er rip**

It's all right to cry and otherwise carry on if you feel like it, Diana, Princess of Wales, told a convention of psychiatrists and psychologists in London. "I am not advocating a general wailing and gnashing of teeth or sackcloth and ashes," said the wife of Prince Charles, heir to the British throne, "but emotional



"I think that will create more concern than anything thus far," responded Sen. Alan Simpson, Wyoming Republican. But Mr. Simpson was able to spin a silver lining for this ominous dark cloud. "To have you in this nest of Redskins fans to be a Dallas Cowboy fan certainly discloses a degree of independence which will serve you very well."

The Princess of Wales says it's healthy to vent steam occasionally.



KUDZU DOUG MARLETTE

\* \* \*

## World-Wide

DATE: 9/12/91  
PAGE: 1A

**GORBACHEV SAID** he would withdraw thousands of Soviet troops from Cuba.

The unexpected announcement, apparently aimed at clearing the way for further U.S. economic aid, came after a Moscow meeting with Baker. Gorbachev said he intends to begin talks with Cuba on the pullout of a Soviet training brigade. He said the move would involve 11,000 Soviet personnel, but U.S. officials said it wasn't clear what that figure comprised. In their talks, Gorbachev and Baker apparently discussed Soviet military aid and arms sales to Havana, as well as plans to eventually end Soviet subsidies for Cuba. (Story on Page A13)

*The Cuban Foreign Ministry reacted angrily, saying that Gorbachev's announcement constituted "inappropriate behavior" and wasn't preceded by any consultations with Havana.*

\* \* \*

**Israel released** 51 Arab prisoners and returned the remains of nine Lebanese guerrillas, and an influential pro-Iranian Muslim leader predicted Western hostages would be freed in return. The Israeli action was welcomed by Washington and by U.N. chief Perez de Cuellar, who said he would redouble his efforts to end the hostage impasse.

**Shiite Muslim kidnappers** offered assurances that British hostage Jack Mann was alive and well, and said Israel's release of prisoners raised hopes of a "happy ending" for Western hostages. The Revolutionary Justice Organization's statement was accompanied by a photo of Mann. No group previously had claimed his abduction.

\* \* \*

**Some Democrats** accused Clarence Thomas of repudiating his past positions on natural law and the right to privacy. The Supreme Court nominee, in testimony before the Senate Judiciary Committee, insisted he hadn't changed his views and resisted efforts to elicit his opinion on abortion rights. (Story on Page A20)

\* \* \*

**Robert McFarlane** said his testimony at Oliver North's 1989 trial was influenced by North's televised appearance on Capitol Hill. But the former national security adviser couldn't cite examples. McFarlane's testimony opened what may be months of hearings as Iran-Contra prosecutors try to have North's felony convictions reinstated.

\* \* \*

**Taking estrogen pills** can cut the risk of heart attacks in the first decade after menopause by 40% to 50%, according to a new study. Earlier research showed estrogen also reduces bone loss in women after menopause. But some studies indicate the treatments might increase the risk of breast and endometrial cancer. (Story on Page B1)

\* \* \*

**U.N. arms inspectors** believe they haven't discovered all of Iraq's Scud missiles, the head of a U.N. commission said. Rolf Ekeus, chairman of the panel in charge of scrapping Baghdad's chemical, biological and nuclear weapons, said more inspections will have to be carried out because "we have great concerns in this field."

\* \* \*

**A commuter plane** crashed in southeast Texas, killing all 14 people aboard. The twin-engine Continental Express plane went down 60 miles west of Houston. Some witnesses said they heard explosions and saw a fireball, but the president of the commuter airline—a unit of Continental Airlines—said those reports were unconfirmed.

\* \* \*

**Yugoslav President Stipe Mesic** ordered federal army units in Croatia to return to

barracks within 48 hours as ethnic violence raged in a dozen towns in the republic. A mortar barrage by Serb guerrillas forced Croat commanders to close a bridge in Maslinica that was central Croatia's last direct link with the Adriatic coast.

\* \* \*

**National standards** were set for landfills by the EPA, but environmental and industry groups said the rules won't go far enough in closing substandard dumps and protecting drinking water. (Story on Page A8)

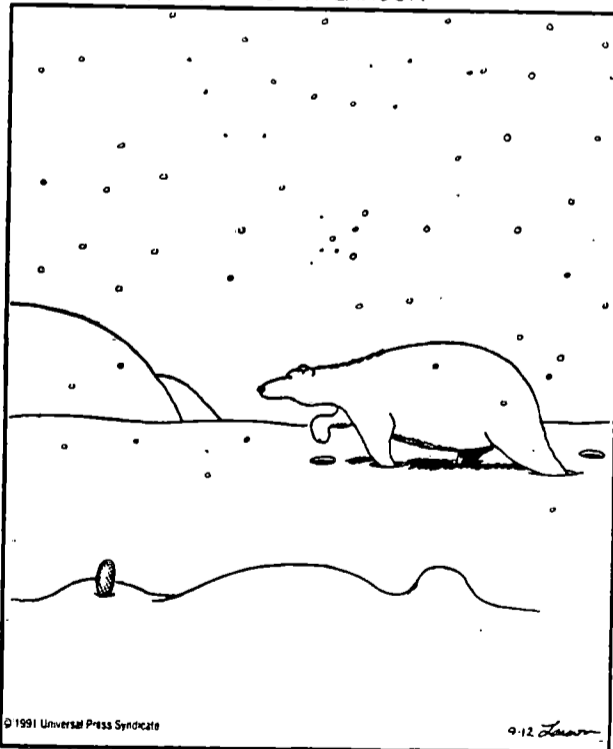
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**The Senate** voted to order the government to require that steps be taken by doctors and other medical workers for preventing the spread of AIDS. The proposal could supplant a tougher Senate measure adopted in July imposing prison terms and fines on doctors who know they have the AIDS virus but don't tell patients.

\* \* \*

**An alcoholism study** challenges the belief that inpatient hospital treatment for workers with drinking problems is a waste of money. Researchers at Harvard and Boston University said such workers are less likely to resume drinking if they are treated in the hospital before being referred to a self-help program. (Story on Page B1)

### THE FAR SIDE GARY LARSON



*In its typical defensive behavior, the arctic clown remained motionless and concealed—betrayed only by its nose.*

## PAUL CRAIG ROBERTS

Is hiring by race to achieve the right statistics the same as hiring by quota?

Liberals who favor the revived Kennedy-Hawkins racial quota bill — now known as the Civil Rights Act of 1991 — pretend that it isn't. That's the root of their disingenuous claim that the bill's quota label is a "red herring."

With California Democrat Augustus Hawkins retired, the quota bill has been revived in the House by Texas Democrat Jack Brooks. The bill seeks to reverse a set of 1989 Supreme Court decisions. In particular, it wants to overturn Wards Cove Packing Company vs. Atonio, that limited a 1971 decision, Griggs vs. Duke Power, which allowed employers to be held liable for discrimination for having the wrong racial statistics, even in the absence of intentionally discriminatory practices.

Lawsuits based on mere statistics are called "disparate impact suits," and they have been the means by which sleazy plaintiffs' lawyers and uninjured parties have been allowed to rob company treasuries. As Supreme Court Justice Harry Blackmun wrote in 1975, the costs of defending a disparate impact suit often "leave the employer little choice . . . but to engage in a subjective quota system of employment selection." This result, Mr. Blackmun admitted, "is far from the intent of" the 1964 Civil Rights Act. Nevertheless, apologists for the new racial privileges, such as New York Times columnist Anthony Lewis, erroneously claim that Griggs did not lead to racial quotas.

John Dunne, assistant attorney general for civil rights, recently went to Capitol Hill to prove to a House Committee that Griggs did lead to quotas. He cited a newspaper article in which the governor of Maryland admitted hiring by race in order to avoid being sued. He also quoted a survey of Fortune 500 CEOs in which 18 percent flatly admitted having specific quotas and another

*Paul Craig Roberts, an economist at the Center for Strategic and International Studies, is a columnist for The Washington Times.*

## Playing quotas games

54 percent used the euphemism "goals." Only 14 percent of the CEOs claimed to hire on merit and talent alone.

Mr. Dunne also described how one fire chief hired firefighters: "Each time he had to hire someone, he would look at the race of the last person hired. If he had hired a black yesterday, he hired a white today. If it was a white yesterday, then a black would be chosen today." Mr. Dunne concluded: "Race was the single most important factor because his primary concern was maintaining a 50 percent hiring rate for blacks."

Instead of challenging Mr. Dunne's description, one of the bill's sponsors took his cue from the Red Queen in "Alice in Wonderland" and said: "Our definitions of quotas are different." In other words, "Quotas are not quotas unless we say they are quotas." With this denial came an implicit admission. Liberals want race to be a factor in employment decisions.

Mr. Dunne could well have marshaled the proliferation of "racially normed" employment tests as evidence of how Griggs promoted quotas. Racially normed tests transpose the same raw scores into different final scores based on race. Blacks and Hispanics get their scores boosted by virtue of their race. As University of Delaware Scholars Jan Blits and Linda Gottfredson have documented, "Race-norming is particularly attractive to employers because it enables them to select the best workers from each racial group" as they fill quotas to avoid being sued or picketed.

If the revived Kennedy-Hawkins bill is not a quota bill, what is its purpose? Why is it trying to overturn Supreme Court rulings against quotas? Civil Rights Commissioner

Mary Frances Berry, a black woman, let the real truth out of the bag when she claimed that "civil rights laws were not passed to give civil rights protections to all Americans." She derided the Supreme Court's 1989 rulings in favor of equal civil rights by saying, "The clear message is that they oppose the implementation of plans for women and minorities if it works to the disadvantage of some white male."

Liberals don't like the fact that the Supreme Court has recognized that civil rights laws give civil rights protections to all Americans, including white males. The purpose of the quota bill is to strip white males of legal protection from civil rights laws and make them second-class citizens under the law.

Midge Decter notes in the March 1991 issue of Commentary magazine that "the proposition at the heart of late-20th-century American liberalism is that, when it comes to rights, some individuals and groups are more 'equal' than others." As if to prove her point, law professor Michel Rosenfeld devotes an entire chapter of his new book, "Affirmative Action & Justice," published by Yale University Press, to dealing with "the Problem of the Innocent White Male."



Mr. Rosenfeld claims that even though affirmative action "deprives certain innocent white males of an education, or of an employment position or a business opportunity," it "does not violate" their rights "to equal dignity and respect or equal opportunity," because "remedial affirmative action" does not take away "anything that they have rightfully earned or that they should be entitled to keep." It couldn't be put any plainer that white males have no right to equal treatment under the law.

When President Johnson signed the 1964 Civil Rights Act, he said that "it does not give special treatment to any citizen." Congress made the same unequivocal declaration. However, "civil rights advocates" have worked overtime to make the promise of equal rights a mockery. Next will be racial identity cards to keep people from claiming to be black or Hispanic in order to benefit from quotas.

CIVIL RIGHTS  
QUOTAS

**Don't Blame**  
**DESERT STORM**  
**HALL**  
*of*  
**SHAME**

**Today's inductees:**

**Anna Quindlen**      **Colman McCarthy**

During the Persian Gulf war this country's pundits, journalists and politicians barraged the public with hysterical opinions and predictions. In commemoration, each day the "Desert Storm Hall of Shame" honors one or more sages whose pronouncements proved preposterous.

Today we honor the Persian Gulf war's Heckle-and-Jeckle "Poets Laureate" — New York Times columnist Anna Quindlen and Washington Post columnist Colman McCarthy. Here are their prize-winning profundities:

■ **Pentagon's slaughter:** Mr. McCarthy, Sept. 9: "In the Middle East, the Pentagon, ordered by Bush and praised by Congress, is ready to kill all the men, women and children unlucky enough to be in harm's way on the trajectory of slaughter leading to Saddam Hussein."

■ **What soldiers do:** Miss Quindlen, Sept. 13: "Soldiers go to war, and sometimes they kill and die."

■ **Notre Dame says no:** Mr. McCarthy, Sept. 25: "On the most militarized campus in America, some University of Notre Dame students are saying no to George Bush and his threats of war. Other campuses are stirring. . . . Those are worthy beginnings. Follow-through is now the challenge. Upheavals, not dust-ups, are needed."

■ **Whoop, whoop!** Mr. McCarthy, Oct. 13: "A war-whooping moment when the U.S. military is poised to carry out orders for mass slaughter in the Persian Gulf to keep America well-oiled. . . ."

■ **Moments of national pride:** Mr. McCarthy, Oct. 21: "The U.S. rapes of Panama, Libya and Grenada, seen as gratifying by most in Congress and the media, were presented as moments of national pride."

■ **Abandoning America's children:** Miss Quindlen, Nov. 15: "When the police arrived they found the three children alone. They were wearing dirty clothes because they hadn't figured out how to do the laundry . . . they were hungry. There was no food in the house. Their father had been gone a week.  
 "He'd left for the Persian Gulf."

■ **Saddam, wealthy white man:** Miss Quindlen, Nov. 25: "Can we live as a country with the knowledge that once again the children of the poor and of people of color will be killed for the convictions of well-to-do white men?"

■ **Massive anti-war movement:** Miss Quindlen, Jan. 13: "The anti-war effort now is immediate and powerful. . . . This time, the activists seem to be saying, we will get it right. There are marches and vigils planned aplenty."

■ **Why the U.S. went to war:** Miss Quindlen, Jan. 15: "We are going to war for oil. . . . The president trots out his Hitler similes to convince us otherwise."

■ **Wounded women:** Miss Quindlen, Feb. 3: "If heavy fighting begins, a significant number of the casualties will be women. People who yearn for the good old days are sure that women in body bags will convince us that women have overstepped their bounds."

■ **Dr. Seuss meets Dr. Strangelove:** Mr. McCarthy, Feb. 3: "Were America's kiddies watching TV the day Gen. Colin Powell came on vowing to isolate the Iraqi army and 'kill it'? Instead of Dr. Seuss at bedtime, comfort them with Dr. Strangelove, currently played by Colin Powell."

■ **Equal pay for equal punishment:** Miss Quindlen, Feb. 3: "Any heightened horror at [beaten and tortured POW] women warriors is tinged with a double standard. It assumes that the travails of men are less heartbreaking than those of women. That is insulting to men, and to the people who love them."

■ **Pentagon war party:** Mr. McCarthy, Feb. 17: "Pentagon smugness, never in short supply even between wars, hit a sewer-line low when a smiling Gen. Colin Powell said that his forces have 'Lots of tools. And I brought them all to the party.' War as fun-time —

Desert Storm becomes Desert Party — is a new twist in the business of organized slaughter. It is a party — a drunken one turning sadistic. . . . After a month of obliterating Iraq, and now downtown Baghdad, the U.S. air war has been revealed as a coward's war."

■ **Anti-war movement fizzles:** Miss Quindlen, Feb. 24: "From the beginning, it has been difficult to publicly oppose this war. . . . There were anti-war demonstrations. But mostly there was the majority rallying around the President."

■ **Patriotism:** Miss Quindlen, March 1: "Euphoria has been one of the war's buzzwords. We have been repeatedly cautioned not to feel it. The president said the other night this was not the time for it. It has never crossed my mind."

■ **Why we shouldn't support them:** Mr. McCarthy, March 3: "The reason for not supporting U.S. troops was the same for not supporting Iraqi troops, or any troops anywhere for any reason. They are anti-life."

■ **Smashing success:** Miss Quindlen, March 1: "The lesson we learned from Vietnam was that it was possible for the United States to be an abject failure in the theater of war. The lesson we've learned from this is that we are a smashing success. . . . We have learned that we do this superlatively. And that frightens me."

■ **Draft dodgers Quayle and Cheney:** Mr. McCarthy, March 3: "All the yellow ribbons, all the warm puppy stories of soldiers hugging from the desert and all the pseudo-patriotic posturings of former draft dodgers Quayle and Cheney can't obscure, much less beautify, what U.S. troops were hired to do in the Gulf."

*And finally — pass the envelope please — the award-winning profundity:*

■ **War, war:** Mr. McCarthy, Feb. 10: "A first linguistic shifting would be dropping the word 'war' itself. . . . Replace it with the more accurate word — 'slaughter.' CNN would change its 'War in the Gulf' programs to 'Slaughter in the Gulf.' "

## World-Wide

**U.S. JETS SHOT DOWN** an Iraqi war-plane and forced another to land.

The action, which took place near Saddam Hussein's hometown of Tikrit, underscores the Bush administration's determination to help rebels fighting the Baghdad government and force Iraq to adhere to a ceasefire agreement banning flights by Iraqi military aircraft. The White House, however, reiterated that the U.S. isn't ready to resume the Gulf war in order to topple the Iraqi leader. (Story on Page A20)

*April Glaspie, former U.S. envoy to Iraq, told a Senate panel the administration sent clear signals to Saddam Hussein not to invade Kuwait. She said, "we foolishly didn't realize he was stupid."*

Yugoslavia's Jovic withdrew his resignation as head of the country's collective presidency, signaling a possible easing of a constitutional crisis. Jovic, the Serbian delegate to the presidency, announced last week that he was stepping down in a dispute with secession-minded republics. The Serbian Parliament refused to accept his resignation.

Moscow's deputy premier warned that price increases scheduled to take effect next month could spark a wave of strikes. The Kremlin was moving to soften the blow by handing out subsidies to students, families and the elderly. Meanwhile, striking miners in the largest Soviet coal field agreed to talks with the Ukrainian government.

A car bomb in Beirut killed eight people and injured 38 when it exploded near a motorcade carrying Lebanese Defense Minister Michel al-Murr to a cabinet meeting. The minister was slightly injured in the attack, the first bombing in Beirut since the Lebanese army, backed by Syrian troops, succeeded in unifying the capital in December.

Five New York police officers face murder charges after a Queens man was found to have been beaten and choked to death during an arrest for car theft. An initial internal police inquiry decided the officers acted properly. The city's medical examiner later ruled the death a homicide.

NASA plans to cut \$8.3 billion from its space-station project through 1999. Congress had ordered the space agency to redesign the station, and an agency document showed it plans to reduce the length by 30%, slash the number of shuttle flights needed for assembly and delay the start of construction by eight months. (Story on Page B4)

Bush agreed to cancel 70% of the \$2.9 billion debt Poland owes to the U.S., as he welcomed Lech Walesa on the first state visit of a Polish president to Washington. Bush also announced other aid initiatives for Eastern Europe and urged other Western nations, which have agreed to cancel 50% of the debt Poland owes them, to match the U.S. cut.

The new U.S. education chief told colleges and universities to ignore recent Education Department positions barring scholarships aimed at minority students until the issue is reviewed. Lamar Alexander, on his third day in office, sought to quell a furor touched off in December by the decision.

Cheney decided to allow the Army some relief from troop cuts through late 1992, but rejected proposals to slow down personnel reductions scheduled for later years. The Pentagon chief's decision makes it clear the administration doesn't intend a major fight on spending cuts imposed by last year's deficit accord. (Story on Page C9)

The State Department said that while the number of new Israeli settlements in the occupied territories has leveled off in recent years, Israeli population in the territories continues to grow by 10% a year and has passed 200,000. The report also said about 4% of recently arrived Soviet immigrants have been settled in the territories.

The National Football League dropped Phoenix, Ariz., as the site of the 1993 Super Bowl, citing the state's refusal to institute a paid holiday for Martin Luther King Jr.'s birthday. The switching of the site to Pasadena, Calif., is expected to cost Phoenix \$200 million in lost revenue.

A Cuban major defected to the U.S. by flying his MiG fighter jet to a naval air base in Key West, Fla. A Navy statement initially identified the plane as a late-model MiG-27, a jet Cuba was not believed to have, but the Pentagon said the fighter was a MiG-23.

Died: E. Paul Charlap, 67, chairman of Hem Pharmaceuticals and former chairman of Savin Corp., in Philadelphia, of cancer.

→ Domestic vision

→ Michigan:

HAMPTON

→ Hispanic Reflections on democ. change.

↑ rule of law -  
democ. bldg. in  
E. E.

- 1) banishment of self-doubt,
- 2) voluntarism,

new w. of opportunity.

DATE: 4/23/91

## The left targets Sununu

At Christmas, The Washington Post lined up a little present for White House Chief of Staff John Sununu. "Kinder? Gentler? John Sununu?" read the subtitle on a Sunday magazine piece. "Who does George Bush think he's trying to kid? The president's chief of staff has toughed it out so far — but his enemies are lining up to hit him when he's down." The Post, of course, should have known. They were the first in line.

Sunday they came round for a second hit. A front-page story screamed the horrible truth: "Sununu: Frequent Flier On Military Aircraft." "White House Chief of Staff John H. Sununu has used military jets for more than 60 trips over the past two years," read the lead paragraph, "in many instances for what appears to be personal or partisan political travel, including flights to Colorado ski resorts, to his home state of New Hampshire and to Republican fund-raising events."

Now if there were a real ethical problem here, The Post would have had a scoop. But what would that ethical problem be? We can think of two possibilities: Mr. Sununu 1) was not reimbursing the government for personal and political travel, or 2) had arrogated to himself the privilege of flying on military aircraft when it was official policy that the chief of staff should fly commercial.

The Post itself answered the first question in the second paragraph of its own story. "A presidential spokesman said White House policy requires Sununu to use military planes in order to stay in 'immediate voice contact with the White House at all times.'" Seventeen paragraphs of speculation later, The Post returned to the issue with a statement from White House spokesman Marlin Fitzwater. The national security adviser and the White House chief of staff, he said, travel under a directive that "for a number of communications and security reasons requires them to have immediate voice contact with the White House at all times." Okay, so Mr. Sununu didn't fly military because he wanted to, but because the president told him to.

But did he pay for personal and political trips? Mr. Sununu made a tactical political error in refusing to discuss this question with The Post or open to them his own records of the trips for which he reimbursed the government. But The Post had its own evidence that

Mr. Sununu had reimbursed on some trips, and Mr. Fitzwater noted that "when travel is for personal or political reasons, the government is always reimbursed at full commercial passenger rates." Yesterday, Mr. Fitzwater strengthened that statement. Mr. Sununu has "reimbursed for all of his trips on a continuing basis as he's taken them," he said.

End of story, right? Not quite.

If the story was about whether Mr. Sununu had actually done something wrong, the White House could release his reimbursement records and be done with it. If the story was about the policy of making the president's chief of staff fly on military jets even when he goes on a vacation, there may never have been a story in the first place. But the real story is the political assassination of Mr. Sununu. And even if this "ethics" piece is just a near miss and doesn't stir up much outrage in the heartland, where most Americans probably just assumed that the commander in chief's right-hand man flew on secure planes (especially when the nation's at war), there will be future potshots from The Post and other friends of ethics in high places.

One such friend, Congress, has declared it will investigate Mr. Sununu. Democratic Rep. John Conyers, chairman of the House Government Operations Committee, has asked the General Accounting Office to see what it can dig up on the chief of staff. "These were public funds that paid for the White House chief of staff to go on vacations and fund-raising trips for the Republican Party," said Rep. Vic Fazio, a tax-and-spendocrat who's never seen a social-welfare program he thought couldn't use a few billion dollars more. Mr. Fazio is now following in the footsteps of disgraced former congressman Tony Coelho as chairman of the Democratic Congressional Campaign Committee.

If Mr. Fitzwater is lying and Mr. Sununu really did not reimburse, then they both should be fired. But this story was not about ethics. It was about the three reasons the left doesn't like John Sununu: 1) He works for a Republican president, 2) he's to the right of what The Post and congressmen like Mr. Conyers and Mr. Fazio & Co. favor and 3) he's a hardball politician. We hope Mr. Sununu retains his rightful claim to all three distinctions.

## Go to the back of the class

American education, says President Bush, is too much like a "manufacturing process." It churns out students by complex ratio and by formula, then hopes for the best. Our own view is that education ought to be more like manufacturing. Or a hardware store. Or a gas station. Until the people who run government schools understand why, merely changing the formulas or the people who come with the formulas won't get American education a passing grade.

The manufacturer can use whatever formula he wants, but if he doesn't please his customers, he goes out of business. The same goes for the guy who pumps gas down the street and the one who stocks 16-penny nails and claw hammers. No service, no business. But government-run schools that turn out people who think El Salvador is a utility infielder for the Atlanta Braves and the Battle of the Bulge is some kind of new weight-loss plan go right on turning out more of the same. Service or no, they get their dough. Parents concerned about this mess are up against a government monopoly of Postal Service proportions, but the consequences of which go beyond lost letters. Constrained by the loss of tax dollars to government schools on the one hand and the high cost of private schools on the other, they have no choice in where they send their children.

Fortunately, there is some recognition of this problem in the new education plan handed down last week by Mr. Bush and education czar Lamar Alexander. One of the 44 provisions in the plan would make federal Chapter 1 funds, which go to schools serving poor students, portable. If a student benefiting from the aid at one school decides to go elsewhere for an education, the federal money goes with him to the new school. That goes for private and parochial institutions too.

Beyond putting \$6 billion in Chapter 1 funds behind the concept, Mr. Bush's advocacy serves a bully-pulpit function. It takes the concept of free markets and competition to places unfamiliar with it, notably the front page of the New York Times. And it forces people like Sen. Edward M. Kennedy, chairman of the key Senate Labor and Human Resources Committee, either to accept parental choice or to defend a government monopoly that most of all hurts the very low-income groups and minorities he claims to represent.

But the Bush plan is also loaded down with lots of new government formulas for education, including voluntary nationwide examinations, federally funded academies to help teachers and others redo the schools, \$535 million in pork-barrel schools — \$1 million for each congressional jurisdiction — job-related skill standards and a pot of business money for research into innovative schooling. And so on. Some of these ideas are dumber than others: The pork may simply be the cost of doing business with Congress. Others we agree with wholeheartedly: advocating changes in teacher certification requirements that teachers unions wield to exclude the competition.

The larger point is that none of this baggage would be necessary if schools were competing to serve parents and pupils. There's a good reason we don't have 535 model federal gas stations or voluntary national examinations for people who make hammers. We don't need the requirements because these businesses aren't government monopolies immune to citizen pressure. They compete, they serve or they shut down. If the states and localities that control education don't grasp that concept, Mr. Bush's education revolution will never have enough ammunition to do the job.

# School Choice, Without Harm

President Bush wholeheartedly supports "parental choice" as a way to improve America's public schools. In announcing his new education plan, he said that giving parents more flexibility to choose schools "will create the competitive climate that stimulates excellence in our private and parochial schools as well."

This is a revolutionary change from the tradition of assigning pupils to public schools based on where they live. But thus far Mr. Bush has been remarkably vague about how he envisions such "choice" plans in practice. The idea is outlined sketchily in three sentences in a strategy document, amplified by five sentences in a fact sheet.

There one learns that the President would provide \$230 million for demonstrations and incentive grants and would incorporate choice into the largest Federal school aid program — the \$6 billion Chapter 1 program providing desperately needed remedial education to disadvantaged children.

The choice approach has some attractions. It would provide a way out for bright or ambitious students currently trapped in inferior neighborhood schools, who might well blossom if allowed to choose a better school. And, if applied successfully, it might force weak schools to improve lest they lose their students to better schools.

But the Administration ought not embark on such radical change unless it can insure that the neediest students won't be left even worse off than before, in disintegrating schools that have been stripped of their best and brightest.

Since 1965, Washington has tried to provide

equal opportunity for students who are economically and educationally at risk through the Chapter 1 program. Money is given to schools that serve a high proportion of poor students. It is generally spent on the lowest achievers, who receive remedial help in subjects like reading and math.

Recently, Federal rules have allowed any school where poor children constitute 75 percent of enrollment to use Chapter 1 funds for schoolwide services, like lowering class sizes in all grades, hiring reading teachers or guidance counselors. Thus, many schools, particularly in low-income urban areas, now rely on Chapter 1 funds to improve instruction for all students.

Mr. Bush now proposes to convert Chapter 1, allowing eligible students to choose any school they wish to attend, whether public, private or parochial, and their pro-rated share of the program's funds would follow.

Giving bright, highly motivated low-income students more educational options is not only desirable, but imperative. Too many of these students are trapped in public schools that continue to operate despite poor performance.

But what about the less motivated, most troubled students, who are ill equipped to exercise choice and might be rejected if they did? Washington's emphasis ought to be on improving the weak public schools for them, or on attaching enough money to each student so that better schools would want to compete for even the dullest and most poorly behaved. Unless the Administration is willing to promote quality education for all students, its plan will be little more than a publicly funded scholarship program for the bright and restless.

## Too-Frequent Fliers

John Sununu, the President's chief of staff, isn't the only abuser of taxpayer-subsidized travel in Air Force planes. Junketing members of Congress are the unrivaled champs. The military indulges, too; a Marine Corps general who suspended two colonels at the El Toro Air Station in California for taking unauthorized jaunts is now under investigation himself for possibly doing the same.

Mr. Sununu's flights for personal or political convenience — some mislabeled "official" — are especially unseemly because of his superior rank and his role as Lord High Executioner in axing funds for the truly needy.

It's hard to believe he has to be in New Hampshire for official reasons as often as his log shows.

Trips to Colorado ski slopes don't look very official, either. And it is galling that even for truly personal trips to his Boston dentist, Mr. Sununu pays the Air Force only coach fare. Properly embarrassed, the White House is now reviewing its V.I.P. transportation policy.

But the chief of staff's bills pale beside the costly coddling of senators and Congressmen who jet around the planet on official surveys that are often as much fun as work. He costs thousands; they cost millions. Things are tight enough at the U.S. Treasury without these stewards of the nation's welfare wasting public funds on themselves.

There ought to be a law. But who's to write it?

Charles Fried

# Quotas: The Smoking Gun

The Kennedy-Hawkins bill (the Civil Rights Act of 1990 and now of 1991) is supposed to restore the law regarding employer practices that have the unintended effect of disadvantaging minorities to the state in which it was before a 1989 Supreme Court decision. It is these "restorative" provisions that have been criticized as creating powerful pressures on employers to engage in racially preferential hiring—in the president's words, it is a "quota bill." The bill's fans have responded every time that there is no evidence that employers before 1989 engaged in quota hiring, and so the president's misgivings are dismissed with dark hints that the president is playing racial politics.

The widespread use, particularly by large employers, of "race-normed" employment tests is as good evidence as any objective person should want. Rep. Henry Hyde (R-Ill.) has proposed legislation to restrict the use of race-normed tests. Out of that debate has come the kind of smoking gun evidence that should, but will not,

take this "no evidence" argument off the air for good.

In a race-normed test, the score assigned to an individual is not the raw score reflecting the number of right answers but a percentile score—a score of 89 means that the candidate did as well as the top 11 out of every 100 test takers. When a test is race-normed, the percentile score is assigned not according to the raw scores of all test takers but rather according to the scores of those in the same racial group (black, Hispanic, and white or Asian). The employer often does not even know what the raw scores of each candidate are. This means that a large employer accepting all qualified candidates

above a determined race-normed score must as a matter of mathematical necessity hire in strict proportion to the race of the persons taking the test—that is, quota hiring.

Now it will be said that no employer hires only according to performance on an objective employment test. Probably not. The chances are that employers seeking to avoid legal liability will give some preference (recognizing "subjective factors") to minority applicants with the same score. Can you imagine an employer so foolish as to prefer a non-minority candidate with a lower score? But the point is that any such preference is an additional preference, since the "same" score is not really the same

score at all but a race-normed score that masks the actual achievement on the test.

A lawyer for the NAACP Legal Defense Fund has defended race-norming as "a necessary tool" that "corrects for the bias that's in the test." This reasoning is circular. The bias, apparently, is nothing other than that undoctored test scores do not yield racially proportional results. But a conception of "bias" that takes as its premise that everything must be distributed strictly according to race is exactly the quota mentality that many see lurking behind the soothing euphemisms used to support Kennedy-Hawkins and race-norming both. That race-norming has nothing to do with some kind of cultural bias in the content of the test is amply demonstrated by the grouping of Asians with whites—not because of a similarity of cultural background but because Asians do as well or better than whites on the test. Thus do we penalize achievement and ability in the name of equality.

It may be that employers and universities and broadcasters are sometimes justified in giving preferences along racial lines. That is a different question from whether the law—directly or indirectly, but unmistakably as in Kennedy-Hawkins—should compel them to do so. It is sad and ironic that the Democratic leadership, in its eagerness to be seen as triumphing over a reluctant president, has rejected the administration's recent conciliatory compromise bill, and at the last minute has added to Kennedy-Hawkins a provision purporting to prohibit quota hiring. If this is meant to have teeth in it and to prohibit all racial and gender preferences, it will deny the private sector a form of discretion it has enjoyed for two generations. The only beneficiaries of this double bind will be the trial lawyers, the one group in society no one believes deserves affirmative action.

*The writer, a professor at Harvard Law School, was solicitor general in the Reagan administration.*

## Education's Golden Rule

DATE: 8/2/91  
PAGE: AB

The 1980s saw American business get involved in public education in a big way. Spurred by the 1983 "America at Risk" report that warned of a "rising tide of mediocrity" in education, business has spent billions of dollars to make public schools work better. But 200,000 public-private partnerships, computers in the classroom and similar programs haven't done all that much to improve overall student performance.

J. Patrick Rooney, chairman of the Lawrenceville, Illinois-based Golden Rule Insurance Co., has decided the time to apply Band-Aids to public schools is over. He's decided that business must support a fundamental restructuring of the educational system. Golden Rule is announcing today that it will begin a \$1.2 million voucher program to enable low-income parents to send their children to private schools.

The program, roughly patterned after Wisconsin state Rep. Polly Williams' choice plan in Milwaukee, is a breakthrough in corporate support for educational choice. "This is the first time a company has empowered low-income parents on a large scale to let their children escape bad city schools," says Patrick Keleher of TEACH America, a pro-choice education group in Chicago.

Mr. Rooney says the program will be in Indianapolis, with Golden Rule executives on hand to monitor the money. In the first year, a Choice Charitable Trust will award scholarships to 500 students whose family income makes them eligible for the federal school-lunch program. Each voucher will pay up to 50% of tuition

in an Indianapolis private school, with a cap of \$800 per year. Most private schools in the city charge less than \$1,600 a year. Golden Rule will back the Trust for at least three years and expects to continue doing so after that with the help of other corporations.

Mr. Rooney says Golden Rule isn't abandoning the public schools but challenging them. "If inner-city students do better when they are empowered to choose their own schools, then public education funds should be redirected to parents," he told us. "When all families, no matter how poor, have the freedom to walk away from bad schools, competition will force the public schools to improve." Mr. Rooney doesn't want to take only the best or most well-off students out of failing public schools. He says low-income families are the only ones who don't already have choice in education, and that's an effective barrier to upward mobility.

Polly Williams, who supports Golden Rule's efforts, says choice in education is "coming no matter how much the bureaucracy tries to stop it." She told us that "if legislatures won't allow choice then maybe corporate America can support it and shame the politicians into letting my people go."

We hope corporate America takes a look at Golden Rule's school-choice plan. There's no reason why other corporations can't mount similar choice efforts in their cities. It's potentially an opportunity to help create the kind of work force that so many managers say they're looking for—well-educated, diverse, motivated.

Ed.

Aug. 2, 1990 – Aug. 2, 1991

DATE: 8/2/91  
PAGE: F2

A year ago today, George Bush's presidency faced its most serious test. Saddam Hussein's army had marched into Kuwait and stood poised to continue into Saudi Arabia. U.S. diplomats had failed to convey any strong message warning the Iraqi leader of how seriously the United States would take such a move. And so a peaceful — and by Middle East standards, a relatively decent — country had been wiped off the face of the map by a brutal aggressor bent on further conquest and subjugation in an area that provides the bulk of the industrial world's most critical resource, oil.

Mr. Bush responded swiftly and effectively. His quick pledge of support for Saudi Arabia seems to have been the main reason Saddam stopped at the border of Kuwait. The U.S. generals who initially convened with Saudi officials in the kingdom have described their combined arms in the early days as amounting to one pocketknife. Had the president reacted with even the slightest hesitation and Iraqi armor moved on, the task U.S. forces eventually faced would have been incalculably more difficult.

The president then proceeded to assemble an extraordinary international coalition against Iraq. The deployment of U.S. forces to the region went quickly, and despite problems relating to lift capabilities, relatively smoothly. Gen. H. Norman Schwarzkopf, with considerable prescience, had already begun to reorient his Central Command planning away from the likelihood of a Soviet incursion into the Gulf area and toward the possible emergence of a threat from a country within the region. By November, the generals felt confident that Saudi Arabia was well defended.

And still Saddam would not leave Kuwait. The president announced he would double the U.S. troop commitment, a move designed to give the coalition forces the capability to eject Saddam from Kuwait if necessary. In the United States, opposition mounted in Congress as politicians took what turned out to be a blip in support for the president in opinion polls as a sign of mounting public opposition to his policy. The president's opponents rapped him hard (and disingenuously) for an alleged failure to state the objectives of his policy and the reasons behind them. In fact, he and other officials of the administration had made their case forcefully, and the erosion of public support — much of which was the result of people who had begun to think that the United States was acting too slowly — soon turned around.

The president relied on the United Nations to set the terms for Saddam. The Security Council, with Soviet support, passed a number of resolutions demanding

nothing less than unconditional withdrawal and setting a Jan. 15 deadline for compliance. A round of diplomatic activity between Secretary of State James Baker and Iraqi Foreign Minister Tariq Aziz may, according to some observers, have had the opposite effect from the one intended. Saddam remained convinced that the United States was bluffing. The president insisted otherwise. After debates remarkable for their seriousness and passion, the Senate and House finally approved resolutions authorizing Mr. Bush to use force — resolutions he welcomed, but did not feel he needed. The deadline passed, and the United States and its allies went to war.

The day after the first air strikes on Baghdad, the price of oil, which had skyrocketed after Iraq's invasion of Kuwait much to the further distress of a faltering U.S. economy, collapsed. U.S. warplanes, in an amazing display of technological superiority and of the supreme competence of U.S. fliers, quickly gained control of the skies. Saddam was capable of doing little more than unleashing militarily insignificant terror missiles at the population of Israel and Saudi Arabia. The Patriot missile system became a hero of the war, an example of the need to do something to defend civilian populations against missile attack. The president ably kept the coalition united despite widespread expectations of its fragility. At the most remarkable point, on the eve of the launch of the ground offensive, he even summarily dismissed a Soviet effort to broker peace.

The ground campaign that began six weeks after the start of the air war was a rout. U.S. and coalition forces achieved their objectives ahead of schedule. Iraq's capacity to make further trouble in the region was dramatically reduced. The low level of U.S. casualties was nothing short of miraculous, in Gen. Schwarzkopf's judgment.

Five months later, Saddam is still in power; coalition forces did not completely eliminate Iraq's weapons of mass destruction; the president's decision to end the ground campaign allowed a significant part of Iraq's military to escape destruction, a part sufficient to put down uprisings by Kurds and Shi'ites against Saddam. In retrospect, the United States might have pressed on and pressed harder, and should have. But in the year since Aug. 2, 1990, President Bush crippled a brutal aggressor, ensured the free flow of oil to the industrial world, restored a legitimate government and lifted the spirit of Americans who had too long been weighed down by memories of the defeat in Vietnam. That the president has more to do should not detract from the amazing quality of what he has done.

For Pol

News—

\* \* \*

World-Wide

DATE: 3/30/92  
PAGE: A1

**BUSH SAID** he was preparing a comprehensive plan to aid former Soviet states.

The package includes a \$1 billion contribution to a ruble-stabilization fund, as well as \$12 billion to replenish the IMF. With the president personally promoting the package, the plan stands a better chance of passage in Congress, though Bush noted some elements wouldn't require legislative approval. The administration last week eased restrictions on advanced-technology exports to the former Soviet Union. (Story on Page A3)

*Conflict in the former Soviet states continued, with Georgian rebels capturing three towns and Moldovan authorities moving to crush separatist forces.*

\* \* \*

**ISRAEL'S FOREIGN MINISTER SAID** he would resign, dealing Shamir a setback.

The announcement by Levy, the cabinet's strongest champion of the U.S.-brokered Arab-Israeli peace talks, comes three months before national elections. The resignation won't take effect for more than a week, and a compromise giving Levy's faction more power in the ruling Likud party remains possible. Separately, Baker proposed resuming the peace talks in April.

*A U.S. team completed its investigation of charges Israel sold U.S. missile technology to China. The White House said it was awaiting the findings.*

\* \* \*

**Both Democratic candidates** became ensnared in new flaps involving their past actions. Brown defended his affiliation with a firm accused of making excessive claims for an AIDS treatment. Clinton defended his involvement in the drafting of an ethics-reform law and admitted experimenting with marijuana. (Story on Page A12)

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**France's ruling Socialists** suffered another electoral setback, intensifying speculation that Prime Minister Cresson could be fired by President Mitterrand as early as this week. Early returns in the final round of local elections at the provincial level showed the Socialists losing majority control in five of the 21 councils they had controlled.

\* \* \*

**House Speaker Foley** said all special privileges enjoyed by House members would be reviewed and may be eliminated. Foley also said he intends to seek re-election as speaker, denying speculation that House members have urged him to resign because of his handling of inquiries into irregularities at the House bank and post office.

\* \* \*

**Egypt's foreign minister** said last-minute proposals by a Libyan delegation that met yesterday with Mubarak were unlikely to avert a confrontation over Western demands for the surrender of two suspects in the 1988 Lockerbie bombing. The U.N. Security Council is set to vote on sanctions against Libya for refusing to turn over the suspects.

\* \* \*

**The FDA ousted** its head of medical-device evaluation, Robert Sheridan, in a shakeup designed to put new-device approvals on a more scientific basis. The agency also proposed requiring more than 370 manufacturers to begin tracking 35 classes of devices, including heart valves and breast implants. (Story on Page A3)

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**Cambodia's government** launched an offensive against Khmer Rouge guerrillas in the country's north, threatening a U.N.-sponsored peace accord. The announcement of the new campaign by the Vietnam-backed government came on the eve of an operation to begin repatriating refugees from camps.

**Jewish leaders** condemned German Chancellor Kohl's meeting with Austrian President Waldheim, who has generally been shunned by Western leaders over allegations that he hides a Nazi past. Separately, Polish President Walesa arrived in Germany yesterday for a five-day visit, the first by a Polish president since World War II.

\* \* \*

**Refugees fled** fighting in Bosnia-Herzegovina as sniper fire killed three people despite a truce agreement by Serbs, Croats and Muslims. At least 40 people have died in the past week in ethnic fighting around the industrial town of Bosanski Brod in the north of the secessionist Yugoslav republic.

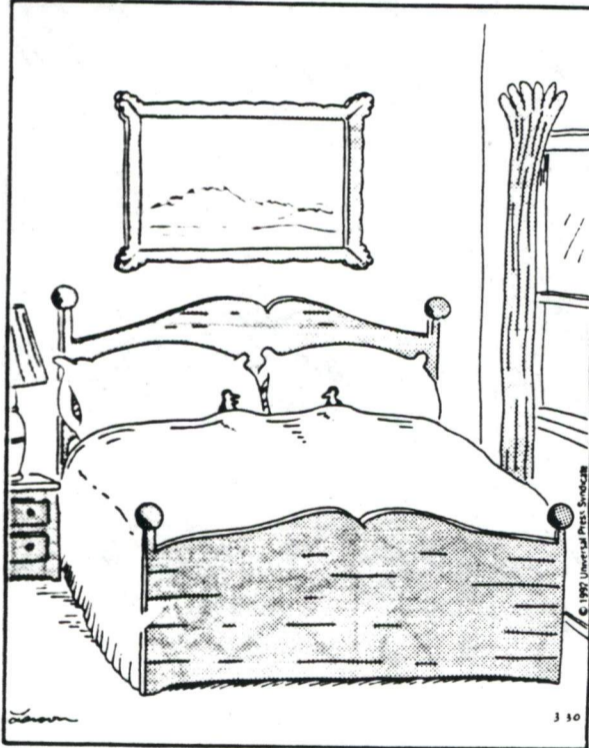
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**French police** arrested three top officials of the Spanish Basque separatist group ETA, which has vowed to disrupt the World's Fair in Seville and the Summer Olympics in Barcelona. Attacks by the ETA have escalated recently, claiming 18 lives this year.

\* \* \*

**Died: James E. Webb**, 85, the National Aeronautics and Space Administration's chief from its infancy to the moon program, Friday in Washington, of a heart attack.

THE FAR SIDE GARY LARSON



"Well, here we are, my little chickadee."

Legislators to defend the status quo...

Down Structural Reform:

St. M. 1999

medical - indirect costs - ex pra torto

at current rates - when would lawsuit cost  
sum of defense GNP...

what would be "deaf vote?"

1999

hidden lawsuit tax

complete insurance +  
also quality.

"limited" insurance

conscious

lose as a game

"lose pays" rule - in our legal system

also - much in state level

not a silver bullet

working w/ courts on this reform

3) state order

2) uniform tort reform

1) unified tort reform

30% of GNP on lawsuit

overall tort reform

liability - tort reform - subject

change standard for damages for product liability

medical malpractice

limits damages, etc.

state to state

## No Pain, No Gain

**T**HE OTHER DAY, H. Ross Perot was asked how he would balance the federal budget if elected president. "Easy," he said. First he'd wipe out \$180 billion a year in "waste and abuse" (the "president's own comptroller says we waste \$180 billion a year"). Second, he'd collect the \$100 billion a year in taxes now lost because the Internal Revenue Service has out-worn computers ("we're talking major antiquated"). Third, he'd save \$100 billion a year by going to the Europeans and Japanese and asking each "in a very nice diplomatic way" to reimburse us \$50 billion a year for their defense ("certainly they're going to be willing").

"Now we're up to \$380 billion" of the \$400 billion deficit, he said, at which point "you . . . get the folks like me who don't need Medicare and Social Security to give it up." That produces the remaining \$20 billion "and you haven't even broken a sweat." Just as important in a political year, you haven't inflicted any pain either; surely it's not the average citizen who's guilty of waste, abuse and tax evasion. No wonder Mr. Perot has a reputation as a financial genius.

The painless promises—so at odds with the demi-candidate's carefully cultivated image as a major-league, no-nonsense problem-solver—are themselves part of an ageless political tradition. Our own instant memory was of the speech Ronald Reagan gave in 1976 suggesting a \$90

billion federal spending cut in order to "balance the federal budget, make an initial \$5 billion payment on the national debt and cut the federal personal income tax . . . of every American by an average of 23 percent." The proposal would have a "beneficial impact on every aspect of our daily lives," the candidate said, but then it turned out that after a couple of exemptions he was proposing cutting the federal government in half, and he spent the rest of an unsuccessful campaign backpedaling. In that same year Jimmy Carter said that it would be possible to increase spending for various purposes without increasing the deficit because of the growth and revenues the spending would stimulate; it would pay for itself.

That's what Mr. Reagan then said would happen if taxes were cut in 1980. He also kept saying that billions were there to be saved in waste, fraud and abuse, but he never found it. Instead, he and George Bush—whose view it was in 1988 that a "flexible freeze" would make it possible to balance the budget without a tax increase—have presided over a four-fold increase in the national debt in just 12 years.

The candidates this year are doing no better. This is a pain-averse government, but no painless way exists to reduce the deficit that has choked off the ability to govern. You knew it already, but that's the hard lesson. There's no better day than today, Tax Day, to remember it.

## The New York Times

DATE: 4/15/92  
PAGE: A26

## Mr. Bush Pays His Campaign Dues

Bowing right and punching left, President Bush has attacked organized labor with orders aimed at separating the unions from some of their money. His principal order tells Federal contractors to notify non-union employees that they cannot be forced to contribute fees to a union's political causes. Now, unless a worker objects, some portion of fees paid in lieu of dues goes to support political campaigns or lobbying.

By diminishing labor's fee collection, Mr. Bush is paying some political dues of his own. His right wing and the National Right to Work Committee have long urged him to take this step. But only now does the President oblige, waxing poetic about workers' liberty. If that hassles unions opposed to Mr. Bush's re-election, why, that seems fine to the White House.

Candidate Bush has every right to tell non-union workers everywhere that Federal law, as interpreted by the Supreme Court in 1988, safeguards their right not to be compelled to make political contributions.

Union members have no such protection; their objections to political spending are deemed internal matters in an organization they joined voluntarily. But non-members who pay so-called agency fees to the union to avoid being "free riders" on labor

contracts may insist on not paying any share of political expenditures.

It's not clear that President Bush has all the authority he claims to compel contractors to issue such notices. But even if his authority were undisputed, his executive order is dismayingly biased. It requires contractors to point out workers' rights not to join a union, but not their rights to join.

In the wake of the 1988 court ruling, some unions have begun to issue the advice Mr. Bush now orders contractors to promulgate, sometimes in ways that discourage workers from exercising their rights. So far, only a small minority of non-union members has called for pro rata deductions or refunds.

But any shortcomings can be corrected. Like the power of large corporations to influence the political activity of their managers, union political power needs checking and vigilance to protect individual rights.

Leaders of organized labor were quick to denounce the President's partisanship — and just as quick to announce that top officials of the A.F.L.-C.I.O. had endorsed Bill Clinton for the Democratic nomination. How timely of Mr. Bush to remind non-union workers that they need not agree.

# Better Schools From Scratch

Albert Shanker's column opposing help for his own break-the-mold idea ["Progress—by Public Schools," op-ed, March 24] shows why real change in education is so hard.

Shanker is president of the American Federation of Teachers and one of the country's best education thinkers. In 1986, he was thinking about Saturn's plan to build the best cars in the world from scratch. Why not Saturn schools, he asked in a New York Times column. "Isn't it time we had an educational Saturn project, a time to pretend we haven't had schools or an educational system before and act as if we're putting one together for the first time?"

This put to educators the bold question Peter Drucker puts to business leaders: "If you weren't already doing it, would you start?" The idea caught on. School leaders in St. Paul, Minn., began the Saturn School of Tomorrow. In Dade County, Fla., Shanker's union helped to create a Saturn School project for 49 schools. Shanker was enthusiastic: "If you have a great idea . . . you don't have to remake anything because you start with a clean slate."

Ted Sizer of Brown University, James Comer of Yale, Henry Levin of Stanford accelerated their school-by-school mold-breaking. Minnesota passed a law to charter new independent public schools. RJR Nabisco Inc. offered \$30 million to schools willing to rethink from top to bottom, but warned: "No prizes for predicting rain, only for building arks." Then, one year ago, President Bush proposed "a new generation of thousands of break-the-mold New American Schools" and asked Congress for a half-billion federal dollars

to jump-start the process. Albert Shanker had reason to feel proud as a Founding Father.

At the president's request, bipartisan business leaders created the New American Schools Development Corp. and began raising \$200 million in private dollars to fund design teams whose mission would be to help communities create break-the-mold schools. Hundreds of schools, 226 corporate partnerships, 140 universities and 136 think tanks, associations and foundations joined the design competition.

The president stipulated that all the money should be spent on break-the-mold ideas. No business as usual. Anyone's great idea would be welcome.

Anyone's idea? Shanker stomped on his brakes and took a hard U-turn, away from his own idea. Sen. Ted Kennedy made sure that the half-billion federal dollars for New American Schools would go only to the powers that be, those who have given us the troubled schools we have.

David Broder, in a March 1 column [op-ed], chastised "Kennedy and the Senate Democrats . . . [who] have decreed that only the most timid experiments, those the bureaucracy finds least threatening will be attempted."

Broder was right. America's school system is a monopoly: One group takes your money, runs all the schools and assigns each child to one of those schools. Only the rich can opt for other choices (by moving across town) or opt out (to a private school). David Osborne and Ted Gaebler have written about the irony: "It is one of the enduring paradoxes of American ideology that

we attack private monopolies so fervently but embrace public monopolies so warmly."

What has this monopoly produced to deserve such protection? Too often the answer is schools designed for our grandfathers' day, schools so unacquainted with technology that it's hard for teachers to make a telephone call, schools still organized to give teachers summer vacations for bringing in crops, schools that send children home at 3 p.m. when no one is home, schools that suffocate creativity, schools that spend more per student than any country but Switzerland.

Teachers and principals I meet from Fresno to Boston to San Antonio are mostly hard-working,

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often downright inspiring. But most of the schools in which they struggle to help our children learn do not fit today's family or today's world. Because of this—and because of inattentive parents and communities—American 13-year-olds know just a little more math than children in Jordan, about the same as children in Slovenia and less than children in Korea and Taiwan.

Consumer Reports says this about Saturn cars: "Exceptional first year reliability, a breakthrough for a car designed and built in the U.S." Saturn workers are collecting overtime pay, while other General Motors plants are closing. In 1991 Saturn sold more cars per dealership than any import car—the first time that had happened in America in 15 years. Many Saturn

dealers have customers waiting for cars. Saturn engineers are designing a right-side steering wheel to attract Japanese drivers.

Can you imagine America in the year 2000 with your tax money following children to Saturn-type schools known for "breakthrough reliability," schools open overtime for working families, schools with waiting lists causing more schools to be created, schools designed to meet the needs of children of every background, schools gathering the best ideas from anyone—New American Schools that the Japanese want to copy?

The first Saturn car planners broke a crusty General Motors tradition. They drove Hondas—so they could learn to make a better Saturn. America's school monopoly must climb out of its ruts and welcome ideas, even from the competition—and then create a better school.

If Americans can put missiles down smokestacks, we can create the best schools in the world. But it will not happen rapidly enough if all those who seem threatening to the school monopoly—governors, mayors, corporations, parents, churches, museums, education secretaries, independent-minded educators—are kept out. Results matter, not the author.

I'm hoping Al Shanker will make another U-turn . . . back in support of his break-the-mold idea. America needs everyone involved in creating tens of thousands of New American Schools on the fastest track possible if our children are to live, work and compete in the next century.

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