

FOIA MARKER

**This is not a textual record. This is used as an
administrative marker by the William J. Clinton
Presidential Library Staff.**

Collection/Record Group: Clinton Presidential Records

Subgroup/Office of Origin: Counsel Office

Series/Staff Member: Joel Klein

Subseries:

OA/ID Number: 4338

FolderID:

Folder Title:
Disability Group

Stack:
S

Row:
111

Section:
6

Shelf:
11

Position:
1

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Curt Decker to Joel Klein; RE: Personally Identifiable Information [partial] (1 page)	08/11/1994	b(6)

COLLECTION:

Clinton Presidential Records
Counsel Office
Joel Klein
OA/Box Number: 4338

FOLDER TITLE:

Disability Group

2007-0143-F

db4479

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]



American Foundation
for the Blind 1615 M Street, N.W.
Suite 250
Washington, DC 20036
Tel: 202.457.1496
Fax: 202.457.1492

CLINTON LIBRARY PHOTOCOPY

Denise M. Rozell, Esq.
Governmental Relations Specialist
Governmental Relations

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Curt Decker to Joel Klein; RE: Personally Identifiable Information [partial] (1 page)	08/11/1994	b(6)

COLLECTION:

Clinton Presidential Records
Counsel Office
Joel Klein
OA/Box Number: 4338

FOLDER TITLE:

Disability Group

2007-0143-F
db4479

RESTRICTION CODES**Presidential Records Act - [44 U.S.C. 2204(a)]**

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]



National Association of Protection & Advocacy Systems

900 Second St., NE, Suite 211, Washington, DC 20002 (202) 408-9514
FAX: (202) 408-9520 TDD: (202) 408-9521

President
Sarah Wiggins-Mitchell
New Jersey
(609) 292-9742

Vice President
Zena Naiditch
Illinois
(312) 341-0022

Secretary
Duncan Wyeth
Michigan
(517) 373-8193

Treasurer
James Jackson
New Mexico
(505) 256-3100

Region I
Donna Woodfin
New Hampshire

Region II
Camille Ayala-Walker
Virgin Islands

Region III
James Rothrock
Virginia

Region IV
Mac Brownlee
North Carolina

Region V
Elizabeth Bauer
Michigan

Region VI
James Comstock-Galagan
Texas

Region VII
Cynthia Schloss
Missouri

Region VIII
Barbara Braun
North Dakota

Region IX
Kevin Christensen
Nevada

Region X
Jerry Johnsen
Washington

Territories
Minareta Thompson
American Samoa

At-Large
Cathy Costanzo
Massachusetts

At-Large
Vivianne Hardy-Townes
Washington, D.C.

Executive Director
Curtis L. Decker, J.D.

MEMORANDUM

TO: Joel Klein, Office of White House Counsel
FROM: Curt Decker
DATE: August 11, 1994
RE: Meeting August 17, 1994

The following people will be attending the meeting:

[001]

Curt Decker, National Association of Protection and Advocacy Systems

Paul Marchand, The Arc and Chairman of the Consortium of Citizens with disabilities

(b)(6)

Kris Koyanagi, Bazelon Center for Mental Health Law

Denise Rozell, American Federation of the Blind

We wish to discuss the following issues:

Legal issues affecting children and adults with disabilities and the Administrations position on critical items before Congress including the reauthorization of the Individuals with Disabilities Education Act. Other issues include the enforcement of the Americans with Disabilities Act and the Civil Rights of Institutional Persons Act.

Disability

Garten

I.D.E.A.

stay put

Jeffords Amendment
weapons

Przel - ref. Juvenal
justice

ESFA -

Alcohol & drug abuse

Congressman Blunt

SSA - substance abuse
alcohol amendment

DOT -

Legis. - process for
administrative

Consent - Paul Marbach

F.I.A.C.C. by law
leads

Nat'l Council on Disability

initials

July 1, 1994

MEMORANDUM FOR RICKI SEIDMAN
MIKE LUX

FROM: MARVIN KRISLOV *MM*

RE: Disabilities Planning Group

The attendees at the meeting held June 24, 1994 included: Chris Cerf (OA), Todd Campbell, Bob Boorstin, Debbie Fine, Joe Velasquez, Joel Klein, Paul Miller, Steve Warnath for Stan Herr. I have also spoken with Jennifer O'Connor who will be coordinating agency events.

Others present were: Paul Marchand (202) 785-3388; Becky Ogle (703) 836-6263; Justin Dart (202) 488-7684; Tony Coelho (202); Pat Wright (202) 986-0375; Len Rubenstein (202) 467-5730; Liz Savage (DOJ) (202) 514-4279. Tony Coelho also suggested that John Lancaster (202) 376-6200 be invited. Attached are WAVES lists that you may wish to use for a future meeting.

Please let me know if I may be of assistance.

cc: Joel Klein

Attachments (2)

Chris -

Here's an additional
memo on the ADA
event.

— Marlene

THE WHITE HOUSE
WASHINGTON

4 JUL 22 P3:47

MEMORANDUM

TO: Lloyd Cutler
FROM: Ann Stock *AS.*
DATE: July 22, 1994
RE: First Aid for ADA Ceremony, July 27

With regards to my previous memorandum to you of July 19, I wanted to let you know where we are on First Aid for the event.

As I said before, The Uniformed Division of Secret Service will provide medical support for the event. They have arranged for 3 EMT's to circulate the crowd, 2 EMT's in the Palm Court to handle emergency cases and Dr. Mariano and 2 nurses are also available. The DC Fire Board will have an ambulance available on site.

In addition, we have been speaking with the Red Cross in an attempt to secure their assistance with a First Aid Station. The Red Cross recommends one station which consists of anywhere from 3 to 8 medical personnel, all emergency trained and qualified in CPR. The cost per hour is \$100 and that includes personnel and supplies. We recommend a four hour station due to that fact that guests will begin arriving at 8:30 am. That cost would be \$400 for one station.

Attached is a form the Red Cross would like us to submit to them to start the process in the event they can help us. (Their emergency personnel has been booked for quite some time, however, the Red Cross is trying to see what they can come up with.)

We also spoke with the DC Commission of Public Health, Emergency Preparedness Office, and they can provide us with additional emergency personnel to assist. However, they do not have so-called first aid stations with supplies.

Can you please advise? I will need a sign-off on the attached form if we choose to contract with Red Cross.

Thanks! I look forward to hearing from you.

REQUEST FOR FIRST AID STATIONS

Please print or type

Red Cross says
this does not
apply to us -
← (50% Deposit)

I/we understand that this is a request for services and it does not confirm or guarantee that the National Capital Chapter of the American Red Cross will provide the requested services. I/we further understand that there is a fee of \$100.00 per hour, per first aid station, for the requested service(s) and by signing this request I am obligating my organization (sponsor) for this fee if the requested services are provided. I/we further understand that the Red Cross may not accept requests with less than 4 weeks advance written notice.

A deposit of fifty percent (50%) is required.

Name of Organization/Sponsor: _____

Name of event: _____

Name of authorized contact person: _____

Mailing address of Contact Person: _____
Street Add. City State Zip

Contact person's phone No's. Day: _____ Night: _____

Type of event (i.e. fair, race, show, party, picnic): _____

Date(s) and time(s) for event: _____ Number of first aid stations requested: _____

Location of event (please enclose a map of the area): _____

Number of People expected to attend: _____ Number of actual event participants: _____

Requested arrival time: _____ am _____ pm Ending time: _____ am _____ pm

Have all permits been issued for this event? ☐ Yes ☐ No

Facilities available at location: (Check those available)

☐ Shelter (room, tent, etc.) specify type: _____	☐ Electricity _____	☐ Law Enforcement Personnel _____
☐ Running Water _____	☐ Toilets _____	☐ Communications Network _____
☐ Telephone _____	☐ Food _____	☐ Other (Specify) _____
☐ Ice _____		

Will any of your personnel be assigned to work with ARC at the event? ☐ Yes ☐ No
If yes and any of them Doctors, Nurses, EMT's, Paramedic's or other medical type people, please let us know their training, certification and state number.

The person signing this form must be authorized by the Organization/Sponsor to make this request and guarantee the payment of the fee for service.

Name of Authorized person (Please print or type): _____

Signature: _____ Date: _____ Day phone number: _____

FOR AMERICAN RED CROSS USE

Date Received: _____ By whom: _____

Date Acknowledgement sent: _____ By whom: _____

Date Corps Notified: _____ By whom: _____

Accepted: YES NO Date: _____ By whom: _____

Reason for Turn Down: _____

Date "Accepted/Not Accepted" notification made: _____ By whom: _____

By: LETTER PHONE (If phone, complete the following:)

Who did you speak to: _____ Approx. Time: _____

Brief notes on conversation: _____

Declassify
file (D)

The Department of Justice, through both the Attorney General and Deputy Attorney General, expressed serious concern about two aspects of the proposed Order: the public interest balancing test (in section 3.2(b)) and the "significant doubt" standard (in sections 1.2(c) and 1.3(c)). Justice believes that these provisions will invite courts to second-guess Executive Branch classification decisions and may be viewed as an abdication of the Executive's responsibility to protect sensitive national security information. They may also infringe on the Executive's constitutional prerogative in the national security area. The courts traditionally have deferred to the Executive's judgment concerning whether disclosure of sensitive information would damage national security. With the new provisions, the courts may feel free to substitute their own judgments about the national security/public interest balance for the Executive's. To protect the Executive's constitutional prerogatives in this area, Justice proposed adding language stating that these provisions did not create any substantive or procedural rights subject to judicial review.

Roz

Disabilities

letterhead, edit, personal sig. and hopefully delivered to his office today

TO: Joel Klein (spelling?)

SUBJ: Swearing in

Tony Coelho, chair of the President's Committee on the Employment of People with Disabilities, has called me to ask whom is appropriate to swear in the new chair of the Council on Disabilities, Marca Bristo. A room is set aside in the Capitol for 5-7 p.m. on July 26, anniversary date of ADA. He said they had talked about the President, Vice-President or the Attorney General.

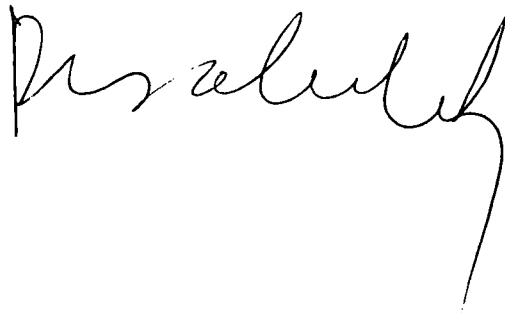
I know nothing about swearings in....can someone from General Counsel's office get back with Tony? He can be reached at 212-492-6423. I'd appreciate a quick update on what he will be told. My personal recommendation of the three would be the Attorney General but again, I know nothing about this procedure.

*Joel -
Todd Campbell
is checking Veep's
schedule. Will
1/13/94*

3

—

THE WHITE HOUSE
WASHINGTON



ATTORNEY CLIENT PRODUCT
~~PRIVILEGED AND CONFIDENTIAL~~
FOR INTERNAL DISTRIBUTION ONLY

June 22, 1994

MEMORANDUM FOR WHITE HOUSE DISABILITIES EVENT PLANNING GROUP

TODD CAMPBELL
CHRIS CERF
JOE VALASQUEZ
DEBBIE FINE
MIKE LUX
BOB BOORSTIN
PAUL MILLER
STAN HERR

FROM: JOEL KLEIN
MARVIN KRISLOV *JK*

RE: Future Plans

In our initial meeting, we discussed various tasks to be undertaken in connection with the planned July 26 event to celebrate the anniversary of passage of the ADA. We have planned a meeting for this Friday, June 24 at 2:00 p.m. in the Eisenhower Room of the White House Conference Center and have invited selected outside persons to attend. Below please find a list of tasks and suggested assignments; your input is welcome.

We anticipate the Friday meeting will focus on the July 26 event. We hope that other groups will meet and begin work on other tasks in the meantime.

1. Event Planning
Confirm date. Coordinate with community.
Involve agencies and identify activities, speakers, etc.

All hands--Valasquez, Miller, etc.
2. Record of Accomplishments/Message:
In preparation for event but also in general terms.
Need to coordinate with agencies to identify accomplishments, prepare materials, and pinpoint future goals.

DETERMINED TO BE AN ADMINISTRATIVE
MARKING Per E.O. 13526
Sec. 3.2(C) Initials: JK Date: 9/14/17

Herr, Boorstin, Fine, Lux along with agencies esp.
Savage (DOJ), Labor, Education, SBA, EEOC

3. White House Coordinator for Disabilities Issues:
We need to obtain the position and select the person.

Klein, Miller, Campbell (?)

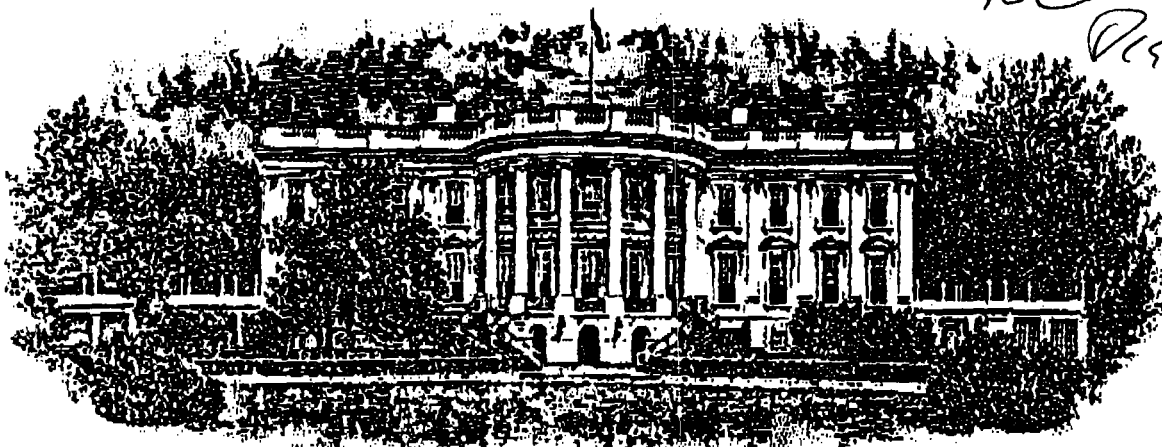
4. Other Appointments
Expedite vetting for Access Board, Council on
Disability, and Council on Mental Retardation.

Miller, Krislov

5. White House Accessibility Issues.
Work with GSA and/or persons in complex to identify
areas of concern, and remedy.

Cerf, Campbell

The White House



File
Perabally

COUNSEL'S OFFICE

FACSIMILE TRANSMISSION COVER SHEET

DATE: 6/20/94

TO: Joel Klein

FACSIMILE NUMBER: _____

TELEPHONE NUMBER: _____

FROM: Martin Krikel

TELEPHONE NUMBER: 67903

PAGES (WITH COVER): 3

COMMENTS: P71. review & comment Rules.

PLEASE DELIVER AS SOON AS POSSIBLE

The document(s) accompanying this facsimile transmittal sheet is intended only for the use of the individual or entity to whom it is addressed. This message contains information which may be privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any disclosure, dissemination, copying or distribution, or the taking of any action in reliance on the contents of this communication is strictly prohibited. If you have received this information in error, please immediately notify the sender at their telephone number stated above.

DRAFT

ATTORNEY CLIENT PRODUCT
PRIVILEGED AND ~~CONFIDENTIAL~~
FOR INTERNAL DISTRIBUTION ONLY

June 19, 1994

MEMORANDUM FOR WHITE HOUSE DISABILITIES EVENT PLANNING GROUP

TODD CAMPBELL
CHRIS CERF
JOE VALASQUEZ
DEBBIE FINE
MIKE LUX
BOB BOORSTIN
PAUL MILLER
STAN HERR

FROM: JOEL KLEIN
MARVIN KRISLOV

RE: Future Plans

In our initial meeting, we discussed various tasks to be undertaken in connection with the planned July 26 event to celebrate the anniversary of passage of the ADA. We have planned a meeting for this Friday, June 24 at 2:00 p.m. and have invited selected outside persons to attend. Below please find a list of tasks and suggested assignments; your input is welcome.

We anticipate the Friday meeting will focus on the July 26 event. We hope that other groups will meet and begin work on other tasks in the meantime.

1. Event Planning
Confirm date. Coordinate with community.
Involve agencies and identify activities, speakers, etc.

All hands--Valasquez, Miller, etc.

2. Record of Accomplishments/Message:
In preparation for event but also in general terms.
Need to coordinate with agencies to identify accomplishments, prepare materials, and pinpoint future goals.

Herr, Boorstin, Fine, Lux along with agencies esp.
Savage (DOJ), Labor, Education, SBA, EEOC

DETERMINED TO BE AN ADMINISTRATIVE
MARKING Per E.O. 13526

Sec. 3.2(C) Initials: QB Date: 9/14/17

3. White House Coordinator for Disabilities Issues:
We need to obtain the position and select the person.

Klein, Miller, Campbell (?)
4. Other Appointments
Expedite vetting for Access Board, Council on
Disability, and Council on Mental Retardation.

Miller, Krislov
5. White House Accessibility Issues.
Work with GSA and/or persons in complex to identify
areas of concern, and remedy.

Cerf, Campbell

Washburn
CC: Klein

ROUTING SLIP

Fr: Velasquez

DATE:

6/10/94

FROM:

RICKI SEIDMAN
ASSISTANT TO THE PRESIDENT
AND DIRECTOR OF SCHEDULING AND ADVANCE

SUBJECT:

American w/ Disabilities Act July 24

Joan Baggett

John Podesta

Rebecca Cameron

Jack Quinn

Lloyd Cutler

Carol Rasco

Rahm Emanuel

Bob Rubin

Mark Gearan

Patti Solis

David Gergen

Stephanie Streett

Jack Gibbons

Stephanopoulos

Cindy Gire

Ann Stock

Pat Griffin

Christine Varney

Marcia Hale

Anna Winderbaum

Alexis Herman

Maggie Williams

Nancy Hernreich

Melanne Verveer

Harold Ickes

_____✓

Joe Velasquez

_____✓

Phil Lader

Tony Wilson

Anthony Lake

Ann Cahill

_____✓

Bruce Lindsey

Mack McLarty

File:

For Your
Information

Pending July 26.

*mine
Paci*

Advice

Action

Comments:

Ann - Please advise me. Corleone

*I will discuss with
health care people.*

Schedule Proposal

June 7, 1994

☐ ACCEPT

☐ REGRET

94 MAY 9

PENDING
P-4: 58

TO: Ricki Seidman

FROM: Joe Velasquez

REQUEST: For the President to participate in an anniversary celebration of the Americans with Disabilities Act on the South Lawn of the White House.

PURPOSE: To reclaim one of the Bush Administration's most welcomed legislative achievements as our own by changing the ADA's focus to health care.

BACKGROUND: The disabled community is angry and disappointed with the Administration at the lack of attention paid to their special needs regarding health care reform.

This July marks the final stage of the law's implementation into society, an appropriate time for us to initiate discussion about its future under the Clinton Administration.

President Bush signed the ADA in 1990 (also on the South Lawn) but did not tackle health care reform as it relates to the disabled community. This opening gives the President a chance to mobilize the disabled community on our behalf, specifically with regard to health care.

About 1000 of the disabled community's top opinion leaders, political activists and grassroots coordinators would attend this event, and would follow with a massive lobbying effort on Capitol Hill immediately afterward.

DATE/TIME: July 26, 1994
Advance notice is critical to this event due to the nature of the community.

REMARKS: To be provided by Speechwriters.

LOCATION: White House South Lawn

MEDIA COVERAGE: Open Press

**FIRST LADY'S
ATTENDANCE:**

Requested

**VICE PRESIDENT'S
ATTENDANCE:**

Welcome but not essential

RECOMMENDED BY:

**Public Liaison
Political Affairs**

CONTACT:

Joe Velasquez, x6-6257

Lloyd N. Cutler

It Was A Good Process

President Clinton has received high marks for his nomination of Stephen Breyer to be our next Supreme Court Justice. But the process that led to this selection has been criticized on the ground that it reflected indecision by the president. The criticism is unwarranted. The president acted carefully and with conviction: He had several highly qualified candidates to choose from; he personally reviewed a great deal of information about each; he weighed their respective pluses and minuses; he sought and received input from others; and he finally made a difficult choice from among three outstanding people. The entire process took only 37 days.

To start with the obvious and most important point, the process produced a nominee who is almost universally thought to be an excellent choice. That is no small accomplishment when one considers how polarized and divisive recent Supreme Court nominations have become. To have a true consensus candidate may be boring for people who like the Supreme Court nomination process to be as fiercely contested as a sporting event, but such a candidate is plainly good for the nation and for the court. For too long now, the appointment of Supreme Court justices has divided the country without enhancing the court.

The president's decision was difficult because Breyer was not the only superb choice available. Several of the other people on the president's final list were also outstanding. In the judgment of their peers, Richard Arnold and Stephen Breyer are among the two or three outstanding appellate judges a Democratic president ought to have considered. And Bruce Babbitt, who has spent much of his career in elected and Cabinet office rather than on the bench, is one of the few top-flight lawyers with seasoned political experience who, like George Mitchell, merited consideration for today's court, which has an exceptionally high percentage of justices without such experience. Two others on the president's "short" list—Judges Jose Cabranes and Annabha Kearse—also deserved thorough consideration for this vacancy.

Still, it is said that the president took too long. But five weeks was a relatively short time in which to weigh the comparative merits of such an excellent class of candidates. There was no need to rush to judgment. When the decision was announced on May 13, the present term of court still had at least six weeks to go, and a replacement for Justice Blackmun need not be confirmed before September to ensure an orderly transition into the term that begins next October. This is, after all, a lifetime appointment to the nation's highest court. Time for reflection, for gathering additional information and for consulting, particularly with members of the Senate, should all be seen as enhancing the process, not detracting from it. This was especially true for the first president since Gerald Ford who is himself a lawyer—and a former teacher of constitutional law to boot—and who fully immersed himself in all of the analysis and discussion.

There have also been complaints about the factors the president took into account that were unrelated to the judicial qualifications of the candidates. Probable longevity of service is certainly an important factor to evaluate. All of the Reagan and Bush appointees were in their forties and fifties and in good health when named. In the case of this vacancy, the current life expectancy prognosis for Richard Arnold's medical condition deserved thorough attention. The president had to consider that if Judge Arnold were appointed and could serve only for a few years, a Republican president might have the chance to appoint his successor. This is not discrimination against the physically disabled in any fair-minded sense of that term. While life expectancy should be an irrelevant condition for most presidential appointments, which are not expected to last beyond the president's own term of office, it is certainly relevant to selecting a Supreme Court justice whose impact one wants to last for decades.

Similarly, it made sense to take into account that if the president nominated Bruce Babbitt, this administration and its programs might lose something important—talent and stability at the Department of Interior—that would not be lost if Judge Breyer or Judge Arnold were

appointed instead. It was also reasonable to consider the possibility that, by proposing Judge Breyer, the president could avoid a potentially divisive confirmation hearing at a time when health care and other major legislative initiatives will demand a great deal of congressional time and the president's political capital. It's one thing to put such considerations aside if they mean that the president would have to turn to a less-qualified nominee. But it's entirely appropriate to take them into account when he has an equally qualified alternative choice.

After carefully weighing these various factors, the president ultimately settled on Judge Breyer. The distinctions among the three finalists were not great, and they didn't all cut in one direction. Given these realities, it is hardly surprising that extended reflection and consideration was devoted to making the wisest choice.

In the end, of course, the president's decision will be judged by how good a Justice Stephen Breyer turns out to be, and for how long. Measured against that yardstick, the president is entitled to feel as confident of this choice as he did last year when he nominated Justice Ginsburg.

The writer is special counsel to President Clinton.

*Deschutes
Jul*

*personally
affected*

MARY McGRORY

Healing in the Air at Anzio

ROME

At the splendid lunch the city of Rome gave for American veterans at the world's most beautiful city hall, the Campidoglio, killed Canadian bagpipers struck up "Amazing Grace." The festive elders fell silent, and the tears began to flow again.

An old boy from the Fifth Army shuffled up to the colonel in charge of the pipers and thanked him for the music—and remembered that Canadian Special Forces had held the southern end of the line at Anzio 50 years before.

The colonel said stoutly, "We were always in the background, but we're there"—and he was plainly pleased.

It was just one of hundreds of healing moments that occurred at the long-delayed, weekend-long thank-you for veterans of "The Forgotten War." First at Nettuno, at the cemetery that holds 7,000 of Anzio's dead and later in Rome with flowers and wine.

Once again they were being overshadowed by Normandy, as decorated veteran John Shirley said at Nettuno.

They were grateful to be rescued at least from the shadows, and their gratitude spilled over, to two of the most prominent participants, President Clinton and his chief critic, Senate Minority Leader Robert J. Dole (R-Kan.).

The veterans looked at Dole—who lost the use of his right hand in fierce fighting with the 10th Mountain Division—and saw a president. At Nettuno, they surrounded him. They wanted his autograph, his photograph, his pledge to run.

"It was worth the whole trip to meet you," said Paul Kamensky of Pawling, N.Y.

Dole flung his arm around Kamensky, a white-haired giant and said, "You can be my running mate—I need an older man." Dole is 70.

The senator left Nettuno to fly to Castel D'Aiano, a town of 1,800 in the mountains outside Bologna. He got a hero's welcome. A banner reading "Welcome, Bob" was stretched across the town square, which has been renamed for the 10th Mountain Division. Mayor Giorgio Chiari, in an effusive speech, told Dole he hoped he would come back as president.

"This may be my best precinct," Dole joked. "This and Russell, Kansas."

The next day in Rome, where, with another disabled veteran of the murderous Italian campaign, Sen. Daniel K. Inouye (D-Hawaii), Dole unveiled a

tablet of remembrance for the liberation of Rome and explained the pull of Castel D'Aiano.

"It was the last place in my life where I was a normal human being. I could tie my shoes," he said.

Dole was obviously revived by the waves of comradeship and approval that washed over the sons of the "stepchild campaign." He was moved to a rare expression of sympathy for Clinton.

"It can't have been easy for him,"

Dole said of Clinton's appearance at Nettuno. "He never knows when someone will shout out at him the way they did last week at the Wall."

In fact, Bill Clinton was having one of the easiest days of his presidency. At last, members of the military were looking at him and seeing a commander in chief. It was the first sign of amnesty for someone who did not serve. For most of the veterans, it was enough that he came. But he did more: He made a speech that Edwin Howard of Memphis found "noble." He shook hands for two hours with the veterans.

No less an authority than retired Gen. John W. Vessey Jr., former chairman of the Joint Chiefs of Staff, certified Clinton's victory.

Vessey, who was commissioned on the field at Anzio was taking his ease with other Anzio officers under the pine trees on a Campidoglio terrace that overlooked all Rome.

"It was very important for him to come here," said Vessey, as other generals nodded agreement. "He impressed a lot of people who were not impressed before."

It was a sentiment in wide circulation. The veterans, who often broke down in mid-sentence, had feelings larger than any resentment toward someone who had not shared "the terrible beauty" of their wartime memories. They had their certainties, their pride, their feelings of cosmic accomplishment in the "last good war."

Retired Sgt. Patrick Heagerty of Manlius, N.Y., a former junior high school teacher who served with the 15th Infantry, celebrated his 18th birthday on the Anzio beach—surrounded by 100,000 Germans. He was wounded and his cousin, John Heagerty, was killed. But 50 years has not lessened his convictions.

"I don't think there was any question we were doing the right thing," he said. "The Nazi regime had to be destroyed. Clinton's war was different. In Vietnam there were a lot of questions."

Corn Alcohol as Fuel

We were surprised and shocked to read the editorial "Environmental Corn" [May 16] regarding the reformulated gasoline provisions of the Clean Air Act amendments of 1990. Surprised, because we expected more enlightened treatment of an important environmental issue, and shocked that The Post would take a stance more strident than that of even the oil companies.

The Post's assertion that oxygenated additives do not help clean the air is wrong. Oxygenates such as ethanol already reduce carbon monoxide 15 percent to 20 percent, helping to clean up winter smog in many cities. Oxygenates reduce the ozone-forming emissions from gasoline by diluting the aromatic hydrocarbons and olefins in gasoline, which cause environmental and health problems.

The EPA's rule requiring a market share for renewable oxygenates is also good public policy.

When Congress wrote the reformulated gasoline provisions, we were careful to declare that all fuels should be able to play a role in the program. As is often the case with energy options, nonrenewable fossil fuels have gained an economic advantage through decades of subsidized use that today effectively precludes renewable fuels from playing a significant role. Hence, to allow all fuels to play a role, it has become necessary to establish a modest requirement for the use of renewables.

Even the oil companies have come around to recognizing the virtues of reformulated gasoline.

The oxygenated fuels program will not eliminate ozone smog. But it will reduce carbon monoxide, ozone precursors and greenhouse gas emissions by a worthwhile step as our nation moves toward even cleaner alternative fuels, including pure ethanol.

TOM DASCHLE

U.S. Senator (D-S.D.)

TOM HARKIN

U.S. Senator (D-Iowa)

Washington

file
Disabilities

Points to be Aware of
for Conversation with Pat Wright
re: Washington Post Op-Ed -- 6/7/94

Three important points:

The disability community is particularly concerned that we recognize that a poor choice of words in the disability context can reinforce negative stereotypes as much as any other ethnic or racial slur.

During the course of your conversation Pat Wright may push you on the issue of discrimination against people with cancer. We recommend that you avoid, to the extent possible, any discussion of the Judge Arnold cancer issue. Any attempt to distinguish the private context from a Presidential lifetime appointment will only exacerbate the concerns in the disability community.

The Clinton Administration has a strong commitment to vigorous enforcement of the Americans with Disabilities Act.

Disability

draft letter language

It has been brought to my attention that, in an article that appeared on Tuesday's OpEd page, I used an inappropriate term in referring to people with disabilities. I apologize for any offense which this may have caused, and wish to underscore the Administration's commitment to eliminating discrimination against, and expanding opportunities for, all people with disabilities.

Joel -
FBI. As requested.
Simple & straight.
Job
x 65696



U.S. Department of Justice
Office of the Associate Attorney General

Deputy Associate Attorney General

Washington, D.C. 20530

FACSIMILE TRANSMITTAL COVER SHEET

DATE: June 8, 1994

TO: Joel Klein

FACSIMILE NO. 456-6279

TELEPHONE NO. _____

FROM: Nancy E. McFadden
Deputy Associate Attorney General

FACSIMILE NO. 202--514-0238

TELEPHONE NO. 202--514-9700

NUMBER OF PAGES (INCLUDING COVER SHEET): 3

COMMENTS:

Attached are:

- (1) Points for a conversation with Pat Wright; and
- (2) Suggested draft Letter to the Editor.

Thanks for your help. Many of the DOJ Senior Leadership will be at the LCCR dinner tonight. Can you let me know where things stand so that I can brief the AG and Deval?

To the Editor:

In an op ed piece, "It Was A Good Process," in the Washington Post of June 7, 1994, I erred in my choice of words to describe persons with disabilities. *demeaning*
Unfortunately, my description reinforced a negative stereotype about disability, and was as ~~demeaning as any~~ racial or ethnic slur.

use of the phrase
The Clinton Administration has a strong commitment to vigorous enforcement of the Americans with Disabilities Act and other civil rights laws protecting persons with disabilities from discrimination in our society. I regret any offense that my words may have caused and hope that all of us will be more sensitive to the power of language.

*physical
of fiction*
Sincerely,

Lloyd Cutler
Special Counsel to the President

To Bob Borstein

Open file "Resub"
Same letter to Jerry
both

ma hani
—

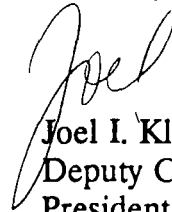
THE WHITE HOUSE
WASHINGTON

June 7, 1994

Dear Paul:

I appreciate having had the opportunity to meet with you last week. I found the meeting to be helpful and productive. It alerted me to considerations that should play a stronger role in my thinking. I hope you will continue to let me know your thoughts about how we're handling issues of concern to you and your organization.

Sincerely,



Joel I. Klein
Deputy Counsel to the
President

Paul Marchand, Director
Government Affairs Office
1522 K Street, N.W.
Suite 516
Washington, D.C. 20005

THE WHITE HOUSE

WASHINGTON

June 7, 1994

Dear Pat:

I appreciate having had the opportunity to meet with you last week. I found the meeting to be helpful and productive. It alerted me to considerations that should play a stronger role in my thinking. I hope you will continue to let me know your thoughts about how we're handling issues of concern to you and your organization.

Sincerely,



Joel I. Klein
Deputy Counsel to the
President

Patrisha Wright
Government Affairs Director
1633 Q Street, N.W.
Suite 220
Washington, D.C. 20009

Pat Wright
Disability Rights
Cal + D.C.

Paul Marchand
ARC
Govt affairs
E.C.D.

Jer
Becky Ogle
National Ass'n Med
Eq. Service
Health Care Reform
Alex

Message

15th Lodge
Remarks

Nat'l Service - \$12 -

105-ADA.

Carol Passo - unfunded
mandates

~~James~~ - unfunded mandates
Govt affairs
marking
94-142 * Chr 4

July 26 - ADA
Mammute
Daniel Tattel