

FOIA MARKER

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Collection/Record Group: Clinton Presidential Records
Subgroup/Office of Origin: Chief of Staff
Series/Staff Member: George Stephanopoulos
Subseries:

OA/ID Number: 8028
FolderID:

Folder Title:
Homosexual issues

Stack:	Row:	Section:	Shelf:	Position:
S	22	2	9	3

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. fax	To: Laura Capps; From: Clinton / Gore 96 Office of Lesbian and Gay Outreach; Re: Debate Talking Points - Gay and Lesbian Issues (5 pages)	10/03/1996	Personal Misfile
002. memo	To: Harold Ickes; From: Richard Socarides; Re: Human Rights Campaign poll (38 pages)	09/17/1996	Personal Misfile

COLLECTION:

Clinton Presidential Records
Chief of Staff
Stephanopoulos, George
OA/Box Number: 8028

FOLDER TITLE:

Homosexual Issues

2015-0017-F
sb1236

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]

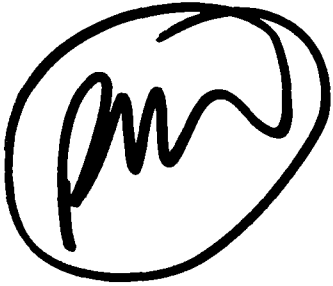
C. Closed in accordance with restrictions contained in donor's deed of gift.

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)]

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THE WHITE HOUSE
WASHINGTON

**OFFICE OF GEORGE STEPHANOPOULOS
SENIOR ADVISOR TO THE PRESIDENT**

TEL. 202-456-7128
FAX. 202-456-2883

(716) 357-
a397
357-
5577

TO:

Adam

FROM:

Pls. give to George

COMMENTS:

Gay/Lesbian T. Pts.

DATE:

NUMBER OF PAGES:

6

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October 3, 1996

TO: Carol Rasco
Don Baer
George Stephanopoulos
Janet Crist
Rahm Emanuel
Kathleen Wallman
Greg Simon
Todd Stern

FROM: Jeremy Ben-Ami

RE: Letter to FCC re Liquor Advertising

Attached is a draft letter from the President to Chairman Hundt of the FCC asking him to act on the issue of liquor advertising on TV.

MADD is issuing a press release calling on the President to act. They are holding the release till tomorrow so that we can have this letter out. The FCC is aware of the letter and its contents as is MADD. They are both supportive.

We need to get this signed and out tomorrow morning, so I need to get your comments by cob TODAY (Thursday).

Thanks. Call with questions - 6-5584.

cc: Bruce Reed
Dennis Burke

The Honorable Reed E. Hundt
Chairman, Federal Communications Commission
1919 M Street, N.W., Suite 814
Washington, D.C. 20554

Dear Chairman Hundt:

I write to ask your assistance in addressing a new and emerging challenge to parents struggling to raise safe, healthy children: the decision by manufacturers of hard liquor to begin advertising on television.

For half a century, liquor companies have voluntarily refrained from such advertising. They understood that such ads could reach children inappropriately and encourage them to drink before it was legal or advisable for them to do so. These companies have been good corporate citizens for as long as there has been television; they knew a voluntary ban was the right thing to do and they lived by it. Now, at least one major company has broken ranks and started putting liquor ads on TV.

I was greatly disappointed by this decision, and I now understand that this advertising may commence nationwide. I have previously expressed my dismay at this action and called on the liquor industry to pull their ads and return to their long-standing decision to live by the ban.

I firmly believe that we have a national obligation to act strongly to protect our children from threats to their health and safety. That's why I have fought so strongly to impose appropriate regulations on the sale and distribution of cigarettes and smokeless tobacco and tobacco advertising that appeals to adolescents, to ensure that our schools and children are safe and drug-free, and to combat gangs and violence afflicting our youth.

I urge the Federal Communications Commission to take all appropriate actions to explore what effects might ensue if the liquor industry abandons its long-standing voluntary ban on television advertising. What is the likely impact on underage drinking? In particular, I believe the Commission should examine whether restrictions on such advertising during certain time periods might be appropriate if a link between the advertising and underage drinking is established.

We have made tremendous progress in recent years reducing the incidence of alcohol-related deaths among our youth. We have taken important steps including the increase in the drinking age to 21 and the passage of zero tolerance legislation for underage drinking and driving. But there is more to be done. Too many of our young people are dying in alcohol-related car crashes, and too many young people are starting to drink at an early age, leading to alcohol and other substance abuse problems.

We do not need to increase the temptations and the risks that our young people face by unnecessarily exposing them to advertising for products it is illegal for them to purchase and use. I would appreciate your help and the help of the Commission in exploring possible actions you could take to support our parents and children in this area.

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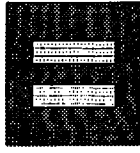
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HUMAN
RIGHTS
CAMPAIGN

TO: George Stephanopoulos

FROM:

ATTN:

TO: FAX PHONE#: 202. 456. 2883

TIME: 04/22/96 22: 22: 01

JOB NUMBER: 26980954-007-2-0001

7 PAGES INCLUDING COVER SHEET

WORKING FOR GAY AND LESBIAN EQUAL RIGHTS.

1101 14th Street NW, Suite 200 Washington, D.C. 20005
phone (202) 628 4160 *fax* (202) 347 5323 *email* hrc@hrcusa.org

Congress of the United States
Washington, DC 20515

April 19, 1996

Honorable Bob Livingston
Chairman
Committee on Appropriations
H218 The Capitol
Washington, D.C. 20515

Dear Mr. Chairman:

The conference committee on the Omnibus Appropriations bill (H.R. 3019) is considering a Senate-passed provision that would repeal recently enacted legislation requiring the dismissal of all HIV-positive military personnel no later than August 31, 1996, or six months after they are found to be HIV positive. We urge you to retain the Senate-passed language in the final conference report.

The military has procedures in place to deal with members of the service who test positive for the AIDS virus. There is no rational basis for dismissing otherwise healthy servicemen and women simply because they have a stigmatized medical condition. Longstanding military policy has been to retain members of the services with conditions that may restrict their deployability but not their capacity to perform their valuable jobs. This includes service members with cancer, heart disease, asthma and diabetes, for example. The basis of this policy is that there are ample opportunities to station such individuals where their talents and skills can make important contributions to the Armed Forces. After a substantial investment in recruiting and training these individuals, it would be extremely wasteful to mandate their discharge when they remain capable of providing productive military service. Additionally, the number of HIV-positive service members affected by this discharge mandate is minuscule: only 1,049 individuals out of 1.4 million total. Some 20 percent of these 1,049 people are officers. About half of them are married. On average, they have served for a decade.

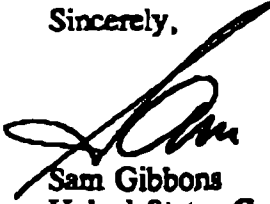
We understand there is a proposal under consideration to delay the effective date of these mandatory separations until December 31, 1996. We urge you to reject this proposal as well. It serves no useful purpose since further study is not necessary. The military and civilian leaders of the armed forces are united in their opposition to the discharge measure.

The repeal effort has the support of Joint Chiefs of Staff Chairman General John Shalikashvili, Secretary of Defense William Perry, Secretary of Veterans Affairs Jesse Brown, the Veterans of Foreign Wars, the Disabled American Veterans and the Air Force Association. General Shalikashvili and Secretary Perry have called the discharge provision unwarranted and "unnecessary as a matter of sound military policy."

The policy of retaining able-bodied HIV-positive service members was developed during the Reagan Administration, upon recommendation of the Joint Chiefs of Staff. It has been sustained by Republican and Democratic administrations since and during Republican and Democratic Congresses.

We urge you to sustain the Senate provision and provide for the immediate repeal of the mandatory separation policy. Discharging these service members would be wasteful, unfair and contrary to the professional recommendations of the leadership of the armed forces.

Sincerely,



Sam Gibbons
United States Congressman



Jim Kolbe
United States Congressman

Barry Goldwater

P.O. BOX 1601
SCOTTSDALE, ARIZONA 85252

April 12, 1996

Dear Republican Appropriations Conferee:

I am writing to Republican conferees because I believe you have a unique political opportunity – a chance to undo a serious mistake before our party pays a heavy price.

Our Republican majority in Congress was elected to balance the budget and right the wrongs of 40 years of Democratic rule. Our revolution is about creating hope and opportunity and a better future for our children and grandchildren. It is not about throwing 1,049 patriotic Americans out of the armed forces because they happen to be HIV positive. That kind of senseless sideshow only distracts our attention and reduces our credibility.

The Chairman of the Joint Chiefs of Staff has stated that there is no valid military rationale for forcing the Defense Department to discharge all service members with HIV. In fact, the entire Pentagon leadership opposes this policy change and has testified before the Senate Armed Services Committee in favor of its repeal.

I was Chairman of the Senate Armed Services Committee when President Reagan and Defense Secretary Weinberger put the old policy in place. Their policy was simple and quite Republican: treat individuals fairly and use limited resources wisely. Their policy now has a 10-year proven track-record of success. If it isn't broken, don't break it.

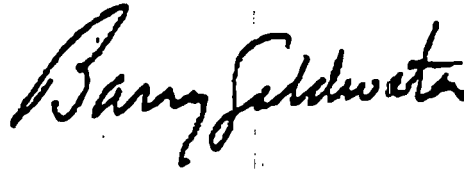
The Senate, under the able leadership of our Presidential nominee Bob Dole, adopted an amendment to the Omnibus Appropriations Act repealing this misguided policy change. Republican conferees should now close ranks and get the job done.

I understand that some are proposing to simply change the date of this mass discharge from summer time to Christmas time. That's a hell of a Christmas present. This so-called "compromise" is supposedly designed to give the authorizing committee an opportunity to act. In fact, even without this delay, the Armed Services Committee retains the authority to deal with this or any other issue in its 1997 Authorization bill – just as it did in the 1996 bill.

But for Republicans, one additional reality remains clear — this blunder will dog our party until it's repealed once and for all. We will see this repeal amendment offered again and again. And the closer we get to the conventions and the fall campaign, the worse it will get. So far, we have escaped with limited Democratic party demagoguery. We need to get out — not push our luck. The Senate has given our party a viable exit strategy — I say take it — before the November election is the real casualty.

I am enclosing an article I wrote about this issue last month, and I hope you will find it persuasive.

Sincerely,

A handwritten signature in cursive script that reads "Barry Goldwater". The signature is written in dark ink and is positioned above the printed name.

Barry Goldwater

Southern
California's
Newspaper

WASHINGTON EDITION

Los Angeles Times

Tuesday
March 19
1996

CIRCULATION:
1,098,000 DAILY / 1,437,501 SUNDAY

TIMES MIRROR COMPANY

AN EDITION OF THE LOS ANGELES TIMES

Zealots Are Derailing the Revolution



**What does discharging
HIV-infected soldiers
possibly have to do with
the rebirth of American
values?**

By BARRY GOLDWATER

Just two years ago, we celebrated the historic Republican takeover of Congress. Now a few right-wing fanatics are trying to wreck the revolution.

The Republican majority was elected to balance the budget and right the wrongs of 40 years of Democratic rule. This revolution was about creating hope and opportunity for our children and grandchildren.

True conservatives have tried to stay the course and remain focused on these popular American ideals. Unfortunately, there are detractors in our ranks. Their latest victims: 1,049 patriotic Americans ably serving in the military who happen to be HIV positive.

When these men and women enlisted in our armed forces, they knew the dangers they faced. But of all the risks they assumed, they never thought they'd fall victim to an ambush by their own government. After years of dedicated service, that's exactly what's happened.

Last month, Rep. Robert K. Dornan (R-Garden Grove) planted a legislative land mine in the annual defense bill. His provision requires the discharge of all

members of the armed forces with HIV. The bill has already been signed into law, but this misguided rider should be repealed—and soon.

I was chairman of the Senate Armed Services Committee when Ronald Reagan and then-Secretary of State Caspar W. Weinberger put the current policy in place. I don't

recall anyone questioning their conservative credentials. In fact, their policy was quite Republican: Treat individuals fairly and use limited resources wisely. Their policy has a 10-year proven track record of success.

The purported reason behind the Dornan amendment is to protect the battlefield blood supply. That's ridiculous. Under the Reagan policy, service members with HIV or any other illness are not assigned to battlefield units. Serving your country isn't about where you're sent, but about what you give.

These service members may not have gone to Iraq or Haiti or Bosnia, but on almost every base on American soil their expertise is helping make America stronger. Service members with HIV pull their weight, do their job and deserve our support, not a discharge.

I served in the Air Force, and I'd think twice before dumping a skilled soldier for a rookie. Experience counts. Training matters.

Most of the 1,049 military personnel with HIV have served for 10 to 15 years or more and have a wealth of knowledge.

That's why Gen. John M. Shalikashvili, chairman of the Joint Chiefs of Staff, has called for the repeal of this policy change. As the general says: "Discharging service members deemed fit for duty would waste the government's investment in the training of these individuals and be disruptive to the military programs in which they play an integral role." He's right.

A bill now pending in Congress would return the policy to the sensible approach of Ronald Reagan and has the endorsement of a majority of senators. Sen. John McCain (R-Ariz.) is a strong supporter of this action, as is Sen. Sam Nunn (D-Ga.). They are military experts, and they know a bad idea when they see one.

This policy is a train wreck in the making, and the sooner it is repealed the better. For those who support military readiness, repeal is the answer. For those who support fundamental fairness, repeal is the answer. And for those who want to keep the Republican revolution from being hijacked by extremists, repeal is the answer.

We need to bring more people into our party, not drive them away. This senseless HIV policy wasn't part of the "contract with America."

Let's repeal this turkey and get back to the revolution.

Barry Goldwater represented Arizona in the U.S. Senate from 1953 to 1965 and from 1969 to 1987. He was the GOP presidential candidate in 1964.

(Sent to House and Senate Conferees on HR 3019)

April 19, 1996

The Honorable Thad Cochran
326 Russell Senate Office Building
Washington, DC 20510

Dear Senator Cochran:

The undersigned organizations urge you to support the Senate amendment to HR 3019, thereby repealing Section 567 of PL 104-106, which requires the separation and discharge from the armed forces of any member who is HIV positive. As health care and disability organizations, we have long advocated that Congress rely on scientific information to develop policy to support health care for all citizens. We are unaware of any such medical evidence which would support Section 567.

Until PL 104-106 was enacted, military personnel who tested HIV positive were treated like other non-worldwide deployable members who have chronic illnesses including multiple sclerosis, diabetes, asthma, heart disease, cancer or pregnancy. These men and women were allowed to perform their regular military duties until their chronic illnesses or disabilities made it impossible. At that time they were discharged from the military. Section 567 singles out only members who are HIV positive and requires their discharge regardless of their ability to perform their duties.

Further, this policy change is not supported by Secretary of Defense Perry or Joint Chiefs of Staff Chairman General Shalikashvili. In a joint statement, they opposed this action referring to it as "unwarranted and unwise." They believe that Section 567 "violates a standard traditionally used by the services for retention and thus undermines a fair policy of evaluating retention on medical and service issues on an individual basis."

We urge you to overturn Section 567 of PL 104-106 because it unfairly discriminates against members who are HIV positive. In addition, there is neither medical evidence nor support from the Defense Department for such a policy change.

Respectfully,

American Academy of Physicians Assistants
American Dental Association
American Medical Association
American Nurses Association
American Occupational Therapy Association
American Podiatric Medical Association
American Speech-Hearing-Language Association



**HUMAN
RIGHTS
CAMPAIGN**

TO: George Stephanopolous

**FROM: The Human Rights Campaign
Political Department**

ATTN:

TO: FAX PHONE#: 202.456.6527

TIME: 04/25/96 12:01:53

JOB NUMBER: 27190477-007-41-0008

2 PAGES INCLUDING COVER SHEET

WORKING FOR GAY AND LESBIAN EQUAL RIGHTS.

1101 14th Street NW, Suite 200 Washington, D.C. 20005
phone (202) 628 4160 *fax* (202) 347 5323 *email* hrc@hrcusa.org

The Metro Section

The New York Times

B1

THURSDAY, APRIL 25, 1996

Mandate That H.I.V. Troops Be Discharged Is Set for Repeal

By PHILIP SHENON

WASHINGTON, April 24 — Congressional leaders agreed today to repeal legislation that would have forced the Defense Department to discharge members of the military who have for H.I.V., the virus that causes AIDS.

The legislators said they had included the repeal, which the White House and the Pentagon had requested, in a major budget bill that will be forwarded to the House and the Senate. The bill, which would provide financing for many Federal agencies for the rest of the fiscal year, is expected to pass easily in both houses.

The decision to repeal the H.I.V.

provision comes only two months after it was enacted and is a victory for more than 1,000 service members with the virus, who, although certified by their doctors and the Defense Department as fit for duty, were facing discharge later this year.

The fight for repeal was led by Senator Mark O. Hatfield, the Oregon Republican who is chairman of the Senate Appropriations Committee. "We have succeeded," Mr. Hatfield said today. "It's not just that we won. It's that it's the right thing to do."

The discharge provision, part of the 1995 defense authorization bill, enacted in February, was sponsored by Representative Robert K. Dornan, a conservative California Re-

publican. Mr. Dornan vowed today to revive it in the bill authorizing defense spending for the 1997 fiscal year.

"It will be reintroduced tomorrow," he said, placing blame for the repeal on "weak leadership" among Republicans in Congress, in particular that of Senator Hatfield. "My leadership is getting rolled on this," Mr. Dornan said. "The homosexual lobby is what drives the Senate, combined with a dose of misunderstood mercy."

The Dornan provision required that members of the military who tested positive for the virus be discharged within six months. The Defense Department's civilian and uni-

formed leadership alike denounced it, noting that H.I.V.-positive service members were performing admirably throughout the military. They rejected Mr. Dornan's contention that a relative handful of troops with H.I.V. were compromising combat readiness.

There was rejoicing today among gay and lesbian rights groups, which had seen the Dornan provision as an especially mean-spirited attack on the rights of homosexuals and others carrying the virus.

"This is a tremendous victory for service members and their families, and for fairness," said Winde Stachelberg, a lobbyist on Capitol Hill for the Human Rights Campaign, a

national gay rights organization. "The Senate and the House have spoken on this issue. Service members with chronic conditions, whether H.I.V. or cancer, should be permitted to stay in the military for as long as they can and perform the duties that they have honorably chosen to perform."

The repeal upholds Defense Department policy in which service members infected with the virus who remain fit are allowed to stay on active duty in the United States — although not overseas, where the monitoring of their condition might not be as effective.

It takes an average of 10 years for a person infected with the virus to become disabled with AIDS, and, because the military performs regular blood tests, the virus is almost always detected early among service

members, long before AIDS symptoms develop.

Mr. Dornan's move to discharge H.I.V.-infected service members was roundly denounced by lawmakers of both parties. But as a member of the House National Security Committee, he was able to make the provision law by inserting it into the defense authorization bill that President Clinton signed in February.

The President said that despite his opposition to the discharge provision, larger concerns for national security meant that he had no choice but to sign the \$345 billion authorization bill. He described the provision as unconstitutional and urged that Congress repeal it, and that is what Congressional leaders moved to do today.

Thank you for
your support!

March 26, 1996

MEMORANDUM FOR THE PRESIDENT

FROM: Marsha Scott

96 MAR 29 P6:42

Re: Gay and Lesbian Political Issues from the week of 3/25/96

cc: Leon (Tay)

We continue to hear individual cases of alleged violations of the "Don't Ask/Don't Tell" policy. We're working successfully with DoD to track down each case that's brought to our attention, but it's clear that strong focus on the implementation of this policy through training in the field may be needed.

- As part of the restructuring of HHS, the Office of HIV/AIDS Policy (which is to HHS what the National AIDS Policy Office is to you) was moved from the Office of the Assistant Secretary for Health (an office which is being abolished) to the Immediate Office of the Secretary. However, while there was no cut in this office's budget, there was no specific line-item in the budget either. This caused concern in the GL community, particularly among the AIDS activists, that the Administration was backpedalling on its commitment to AIDS research. We worked with HHS and OMB to have language inserted into the errata sheet which clearly states our continued commitment to this office.

cc: Baer

A number of positive developments are taking place in the fight against AIDS. We need to do a better job politically to communicate this message.

- Gov. Romer vetoed Colorado legislation prohibiting same-sex marriages. This issue threatens to be explosive and divisive. The timing is very bad for this issue, and while most gays and lesbians think that the timing on this issue is horrible, there is potential for real anger and frustration if we don't handle this sensitively. Unlike Gays in the Military, this is an issue that has a direct, personal impact on every gay and lesbian.

As you know, we are working on language for you that is compassionate but which also indicates that this is not a federal issue.

- The Supreme Court is expected to issue its decision on the Colorado Case soon. This decision will refocus attention on our decision against filing an amicus briefing, so we are carefully crafting language now in preparation.

- I went to Boston on Sunday with John Kerry, Barney Frank and Gerry Studds. We had a number of meetings and the reactions were very positive. This community is watching very closely, and there will always be those who complain that you're not doing enough, but there is a growing understanding amongst many of the grassroots leaders of how important this Administration has been for gay and lesbian issues.

DRAFT

THE WHITE HOUSE
WASHINGTON

DETERMINED TO BE AN
ADMINISTRATIVE MARKING
INITIALS: ADB DATE: 8/2/16
2015-0017-F

March 13, 1996

MEMORANDUM FOR THE PRESIDENT

FROM: BOB J. NASH, Director of Presidential Personnel

RE: ANDREW S. EFFRON, NOMINEE TO THE U.S. COURT OF APPEALS
FOR THE ARMED FORCES

OVERVIEW:

You recently signed off on a decision memo recommending Andrew S. Effron for the U.S. Court of Appeals for the Armed Forces. (memo attached) Mr. Effron is currently being vetted by the FBI; however, a situation has developed which will impact his confirmation. The purpose of this memorandum is to detail the facts for your information and possible action.

BACKGROUND:

After the death of Judge Robert E. Wiss, Deputy Attorney General Jamie Gorelick and Department of Defense General Counsel Judy Miller initiated the process to select a nominee to fill the vacancy on the U.S. Court of Appeals for the Armed Forces. The standard process for selecting federal judges was followed (i.e. a screening panel, ranking of nominees, and making a final recommendation to White House Counsel); however White House Counsel informed Mr. Gorelick and Ms. Miller that appointments to this particular court would not follow the same appointment process as that of a federal judgeship, and that the recommendation should instead go through Presidential Personnel to the POTUS. After this issue had been cleared up, my staff began its active participation and I submitted the recommendation from the Pentagon for your approval. Once the FBI began the background investigation on Mr. Effron and his potential nomination was leaked out, PPO learned of several problems possibly arising from Effron's potential nomination.

DISCUSSION:

In Effron's role as Majority Counsel to Senator Nunn--then-Chair of the Senate Armed Services Committee--he was viewed by the Gay and Lesbian community as the chief architect of Senator Nunn's "Gays in the Military" policy. Marcia Scott has received numerous calls from our supporters in the Gay community who are displeased with Mr. Effron's potential

PRIVATE & CONFIDENTIAL

nomination and are threatening to make his confirmation difficult. Other pertinent facts of which you should be made aware:

- 1) Deputy Attorney General Jamie Gorelick is very committed to this nomination going forward;
- 2) Senator Nunn called Secretary Perry and expressed his strong support for Andy Effron. According to Margie Sullivan of Secretary Perry's office, the military establishment is very supportive of Mr. Effron and they want him to be nominated. We have not spoken with Nunn about the problems concerning Mr. Effron's potential nomination; however, we believe he will press the White House to continue with this nomination.
- 3) The F.B.I. background investigation on Mr. Effron should be completed within 2-3 weeks.
- 4) Judy Miller, General Counsel at the Pentagon, provided information which indicates that this judgeship would have little to nothing to do with "status" cases involving Gays in the military. Broadly speaking, the U.S. Court of Appeals for the Armed Forces has jurisdiction over criminal appeals involving conviction of military personnel at court martial.

Our goal is to ensure that the final decision has no negative consequences for you and your Administration from the Gay or military communities.

RECOMMENDATIONS:

- Move forward with Andy Effron provided he clears his F.B.I. background investigation;
- Have Marsha and other friends from the Hill explain to the Gay community that this judgeship will have little to do with Gays in the military.
- Have Senator Nunn explain that Mr. Effron's work was in response to direction from him--not the result of a philosophical orientation against Gays.

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