

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:17-APR-1997 18:50:39.00

SUBJECT: Mtg with Winnie Stackelberg of Human Rights Campaign

TO: Elizabeth R. Newman (CN=Elizabeth R. Newman/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TO: Victoria Radd (CN=Victoria Radd/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

I understand from Elizabeth that you are meeting with Winnie Stackelberg of the Human Rights Campaign. Here's an update on some key issues we have been working with them on. Also, I'd be glad to attend if you would like.

As you know, we have tentatively scheduled a POTUS event around the Employment Non-discrimination Act for next Thursday. This is their number one legislative priority and thus they are pretty happy with us now. This bill would outlaw employment discrimination against gays and lesbians. They worked closely with us on the roll-out of the AIDS Czar and although Thurman was not their first choice, their comments were very supportive and her appointment and the event received extremely good notices. They very much want the President to speak at their national dinner in Washington in October, 1997. Obviously, no commitments on this.

Elizabeth Birch and Winnie have been at the White House for meetings, almost on a weekly basis, either individually or in groups, to see Maria Echaveste, John Podesta and others. About ten days ago we hosted a series of meetings on anti-gay hate crimes which Winnie attended. She was also hear for the meeting John had with the National Organizations Responding to AIDS.

We also work with the Human Rights Campaign on issues relating to gays in the military, and AIDS funding.

Let me know if there is anything else you need. RS

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:18-APR-1997 09:21:29.00

SUBJECT: weekly

TO: Craig Gardenswartz (CN=Craig Gardenswartz/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

Gay and Lesbian Issues:

(1): We have been working closely with gay groups on appointments of qualified gay and lesbian Americans to Administration positions. The Human Rights Campaign heads a task force of groups interested in this issue. To date we have made 16 such appointments to positions at the White House and at a broad array of agencies. Others are in the process of completion. Presidential Personnel has done a good job with this constituency.

(2): The Defense Department issued a Memorandum directing that servicemembers who report sexual or anti-gay harassment should not be targeted for investigation, as had widely been reported as the prior practice. Gay groups called this a "good faith" effort to end some of the more blatant violations of "don't ask, don't tell."

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 8-MAY-1997 14:12:43.00

SUBJECT: weekly

TO: Mark Hunker (CN=Mark Hunker/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

Gays and Lesbians:

We are working closely with gay and lesbian groups on appointments. Bob Nash is scheduled to have his second meeting with gay leaders on the subject on Monday. Leaders in the gay community, which in 1996 compromised 7% of the Clinton/Gore vote, feel strongly that you need to name an openly gay person to a Senate confirmed position early in your second term. Attention is primarily focused on those seeking PAS appointments at the following agencies: Former NYS Cuomo appointee Virginia Apuzzo (Department of Labor); Fred Hochberg (Department of Education, Federal Trade Commission); James Hormel (State Department); Former Oregon State Representative Gail Shibley (Department of Transportation). Parenthetically, Tony Blair named an openly gay person to his cabinet: Chris Smith as National Heritage Secretary. Also, the Chair of the Vermont Democratic Party, Steve Howard, announced that he was gay.

Ellen was the most watched television show during sweeps week. A former White House and Clinton/Gore '96 campaign staffer, Paul Yandura, was gay-bashed leaving a Human Rights Campaign party in Union Station, providing more anecdotal proof that hate crimes directed at gays increase when gay related issues are in the news.

We met with representatives of gay veterans groups, who wanted to call attention to so-called recoupment cases, in which the government seeks to "recover" the cost of training service members discharged because they are gay. They also seek better oversight of the "don't ask, don't tell" policy." They also met with Fred Pang at DOD.

AIDS:

Mark -- repeat my original paragraph from NEC memo.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:15-MAY-1997 18:24:44.00

SUBJECT: Your note re: DOD review of don't ask, don't tell policy

TO: Sylvia M. Mathews (CN=Sylvia M. Mathews/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

CC: Laura S. Marcus (CN=Laura S. Marcus/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

CC: John Podesta (CN=John Podesta/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

Laura Marcus and I have been working closely on this.

The Pentagon has instituted a "comprehensive policy review" to determine whether the "don't ask, don't tell" policy is being "fairly executed."

They estimate the process will take approximately six months or less. A DOD working group has been formed and they had their first meeting this week. They plan to review specific cases about which there have been complaints over the last three years. The effort, the idea for which seems to have originated in Secretary Cohen's office, is in response to the reports detailing alleged abuses issued by the Servicemembers Legal Defense Network, a gay rights group, and letters from Congress.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sylvia M. Mathews (CN=Sylvia M. Mathews/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:17-MAY-1997 13:29:04.00

SUBJECT: Re: Your note re: DOD review of don't ask, don't tell policy

TO: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

Thanks Richard.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Margaret M. Suntum (SUNTUM_M) (WHO)

CREATION DATE/TIME:11-JUN-1997 19:21:40.09

SUBJECT: 1997-06-11 INTERNAL TRANSCRIPT Interview with Trotter

TO: Lori L. Anderson (ANDERSON_L) Autoforward to: Remote Addressee (Lori
Anderson@eop@lngtwy@eopmrx) (WHO)
READ:NOT READ

TO: Brenda M. Anders (ANDERS_B) Autoforward to: Remote Addressee (Brenda M.
Anders@eop@lngtwy@eopmrx) (WHO)
READ:NOT READ

TO: David T. Johnson (JOHNSON_DT) Autoforward to: Remote Addressee (david t.
johnson@eop@lngtwy@eopmrx) (NSC)
READ:NOT READ

TO: Julia R. Green (Julia R. Green@eop@LNGTWY@EOPMRX)
READ:NOT READ

TO: Joseph P. Lockhart (LOCKHART_J) Autoforward to: Remote Addressee (Joseph P.
Lockhart@eop@lngtwy@eopmrx) (WHO)
READ:NOT READ

TO: Laura D. Schwartz (Laura D. Schwartz@eop@LNGTWY@EOPMRX)
READ:NOT READ

TO: Michael McCurry (MCCURRY_M) Autoforward to: Remote Addressee (Michael
McCurry@eop@lngtwy@eopmrx) (WHO)
READ:NOT READ

TO: Lorraine McHugh (MCHUGH_L) Autoforward to: Remote Addressee (Lorraine L.
Wytkind@eop@lngtwy@eopmrx) (WHO)
READ:NOT READ

TO: April K. Mellody (MELLODY_A) Autoforward to: Remote Addressee (April
Mellody@eop@lngtwy@eopmrx) (WHO)
READ:NOT READ

TO: Megan C. Moloney (MOLONEY_M) Autoforward to: Remote Addressee (Megan C.
Moloney@eop@lngtwy@eopmrx) (WHO)
READ:NOT READ

TO: Jonathan Murchinson (MURCHINSON_J) Autoforward to: Remote Addressee (Jonathan
Murchinson@eop@lngtwy@eopmrx) (WHO)
READ:NOT READ

TO: Elizabeth R. Newman (NEWMAN_E) Autoforward to: Remote Addressee (Elizabeth R.
Newman@eop@lngtwy@eopmrx) (WHO)
READ:NOT READ

TO: Joshua Silverman (SILVERMAN_J) Autoforward to: Remote Addressee (Joshua
Silverman@EOP@LNGTWY@EOPMRX) (WHO)
READ:NOT READ

TO: Darby Stott (STOTT_D) Autoforward to: Remote Addressee (Darby E.
Stott@eop@lngtwy@eopmrk) (WHO)
READ:NOT READ

TO: Margaret M. Suntum (SUNTUM_M) (WHO)
READ:11-JUN-1997 19:22:40.21

TO: Stuart Schear (Stuart M. Schear@eop@LNGTWY@EOPMRX)
READ:NOT READ

TO: Barry Toiv (TOIV_B) Autoforward to: Remote Addressee (Barry J.
Toiv@EOP@LNGTWY@EOPMRX) (WHO)
READ:NOT READ

TO: Michael Waldman (WALDMAN_M) Autoforward to: Remote Addressee (Michael
Waldman@eop@lngtwy@eopmrk) (WHO)
READ:NOT READ

TO: Natalie S. Wozniak (WOZNIAK_N) (NSC)
READ:11-JUN-1997 19:38:54.26

TEXT:
PRINTER FONT 10_POINT_COURIER
BOTTOM ODD
MORE

PRINTER FONT 12_POINT_COURIER
THE WHITE HOUSE

Office of the Press Secretary

Internal Transcript June 11, 1997

INTERVIEW OF THE PRESIDENT
BY THE TROTTER GROUP

The Cabinet Room

5:13 P.M. EDT

THE PRESIDENT: Well, I'm glad to see you all. Let me just briefly say, by way of opening -- and then we'll go around the room however you want to do the questions -- the initiative that I am going to announce in San Diego is basically an effort to look at what America is going to be like as we enter a new century as the first truly multi

-racial democracy in history, to examine what is still defining us in terms of our traditional dynamic between black and white Americans and how that will be overtaken over time as we become ever more multi

-racial and multi

-ethnic.

But there are, I think, two distinct questions there. I want to do it at this time because I think that, because we don't have any burning social upheaval as we did when President Johnson established the Kerner Commission, because we have the lowest unemployment rate in 24 years and the crime rates and welfare rolls are coming down and we see that maybe we can solve some of our problems, we ought to be free to look at what we really have to do to deal with this incredible diversity of ours, and also honest enough to know that under the surface we still have a lot of significant problems that could flare up and undermine our progress and get in our way.

So that's basically what I'm doing and why. And I think it's the right thing to do at the right time.

Q Mr. President, when we were last here, in response to a question you gave a very clear and concise definition of racism. Can you give us an equally clear and concise statement about what it is you are attempting to do? What is the problem that you're trying to tackle here?

THE PRESIDENT: I am trying to get America to focus on what we will have to do to create a genuinely unified, multi

-racial country in the 21st century. We know what we're going to look like, and we know that it won't be long before, in most states, all of us will be members of minority groups. The question is, what are we going to be like? And that's what I'm trying to get us to do.

In that connection, I want to do three things. I want to foster a dialogue. I want to foster -- I want to get -- I want to promote education; that is, I want to explicitly expose myths that aren't true and salient realities that are. And I want us to have concrete actions that come out of this endeavor.

But in the end, the important thing is that we demonstrate to the world that America is still capable of becoming -- of rising to a new challenge. This will -- arguably along with our BOTTOM EVEN MORE founding, which was an act of genius, where we took the ideals of the French Revolution without its excesses and created a system of stable democracy, and the freeing of the slaves in Civil War and the long civil rights movement, this will arguably be the third great revolution of America if we can prove that we can -- that we

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BOTTOM EVEN

MORE

literally can live without in effect having a dominant European culture. Are we going to become a multi

-racial, multi

-ethnic

society. And that we're not going to disintegrate in the face of it, but we're actually going to be more unified by learning how to respect our differences and celebrate them, but be bound by common values. It is a huge challenge. And you see it in what's happening in the rest of the world.

Q The recent Gallup Poll that was just printed today --

THE PRESIDENT: It's fascinating, isn't it?

Q Yes, it really is. One of the things that poll did is that it, as you know, it broke down the components to black and white -- Hispanics, for instance, had to choose sides. I mean, you're black and white; they didn't factor out for Hispanics. And one of the things that came out in that poll -- many of them came up -- but one of them was that 59 percent of whites in America said essentially that the federal government had done enough. Fifty

-nine

percent, almost the same exact number, of African Americans said that the federal government need yet to do some more.

Now, obviously, in trying to get your initiative moved you'd run against this with whites probably saying that you're offering a prescription for which there is no ailment, essentially, if we are to believe those polls.

But more specifically, though, one of blacks' concerns -- and I think that from my experience of making the rounds is that they believe that we have not yet arrived at a position where what gains that were made -- and there have been quite a lot and your administration has been responsible for some -- but that they're not irreversible, which is to say they fear now that some of these gains are being rolled back.

And one specific -- if you take not just 209 out in California, but the fact that the law schools both at -- the two law schools, University of California at Berkeley and Los Angeles, as well as University of Texas Law School, 80 percent drop in enrollment. How can your initiative, or how can the federal government, be brought into play when there is that resistance among the vast majority of people who are white, and this anxiety on the part of African Americans?

THE PRESIDENT: Well, let me make two points there. Have all of you looked at the Gallup Poll findings? I mean, to me, it was fascinating. Some of it was discouraging, but some of it was quite hopeful, I thought. It was very much a mixed bag.

The first thing I think we have to do is to recognize that those poll findings may be rooted in deeply held convictions, but they also may be rooted in assumptions about the evidence which are not true. For example, if we would have had another three weeks, I think we could have beat 209 in California. You know, we worked hard against it; I think we could have beat it in three more weeks.

I believe, even though it's a chilling development, it may -- in the end redound to the favor of sensible affirmative action policies that these enrollment figures in California and Texas are as disturbing as they are. Why? Because they show something to white America that those of us who have been active in this area knew, but they didn't know and didn't believe.

So I think the first thing -- I agree with you, the biggest -- in a way the biggest practical divide -- you ask, how is this going to change people's lives. The biggest practical divide in the Gallup Poll was the difference in blacks and whites over whether TOP ODD - \p -

BOTTOM ODD
MORE

the government should do more. But evidence is the cure for that.

One of the things that I hope I can do with this advisory board and having hearings around the country is to put out some very salient -- here are myths about our racial divide in America and here are realities. And I think if we do that we can find a way to have a sensible affirmative action policy.

You know, it would be tragic indeed if you go all the way back to Brown against Board of Education and you look at what we tried to do, if the only educational institutions that could promote affirmative action were private ones. I mean, you know, my daughter's class had 120 people in it, and I'll bet you there were 30 different groups represented. I mean, it was an amazing thing, one of the most diverse classes I've ever seen.

Public higher education has been the -- I've supported strongly the historically black colleges and universities, but we have always wanted more affirmative action, and we have seen that as a way of moving our country forward.

Secondly, just availability of education. I think it is fair to say that the -- I think the unemployment rate among black high school graduates is triple what it is among black college graduates. So this is a huge issue -- facts.

Now, let me give you another sort of non

-threatening

thing. One of the stunning things that came out of the Gallup Poll is that both blacks and whites were wrong about the percentage of the American population that is black. Did you see that? The biggest plurality in both -- the biggest group -- about 40 percent of each said, when asked to check a box -- was it less than 10, 10 to 20, 20 to 50, or over 50 -- the biggest block checked 20 to 49 -- both.

So we got to say -- one of the things that I've got to try to do in this endeavor is say, hey, you got to be willing to call time out here, and let's realize there are certain facts not subject to argument. And you'd be better off if you had them. And we can still disagree, but let's get that. And that's one of the things that we have to do there.

I was amazed by that.

Q Mr. President, how will your initiative address the tone that's being set by 209? That's one of the concerns because, as you know, California is a precursor of many of the national trends. And we, of course, have 10 percent of the votes cast from that state. And I'm just wondering how you'll go about it. Would you, for example, directly criticize Wilson and some of the proponents of 209? What would you do to --

THE PRESIDENT: Well, first of all, one of the -- my relationship with California has been rather interesting because they voted for me twice now, and they know I really care about the state. And the state's gone through all kinds of turmoil and terrible economic problems and all those natural disasters. And I came out against what they did on immigration, and I came out against what they did on affirmative action, and they still voted for me. It was interesting.

But I think that going to California to give this speech at a campus that is very much a multi

-racial, multi

-ethnic society --

interestingly enough a campus that has produced 12 Nobel Prize winners from nine different countries and America -- and restating my position on affirmative action, the people of California get that. I mean, they're very sophisticated about this.

And they almost -- we made a lot of headway from 1994 with the immigration position to 1996 with Proposition 209. It didn't win by that much. And if we'd had a little more time, I think we could have beat it. And I think now they have evidence that they didn't have then. And I personally believe that we can turn this around in California. I think time is on our side there. So I'm very hopeful about it.

But that's one of the reasons I wanted to go out there -- because it is on the cutting edge, and I wanted -- that's why --

the last time I gave the affirmative action speech, I went to the Archives. I thought it was the right place to do it, around our founding documents. But this race speech should be given in California because it's about the future and because of 209.

Q What are you going to say, Mr. President? What do you want to say?

THE PRESIDENT: Well, I'm going to say on affirmative action -- I'm going to say what I've always said -- that we don't need to get rid of it; that I have tried to comply with the Supreme Court standings; and I have tried to improve some of the government's programs; but that every American has a vested interest in seeing that people who live all over this country have a chance to get a good education and have a chance to get into business, have a chance to do business with the federal government, have a chance to build the fabric of opportunity that is a precondition of a stable society; and that we would all be better off if that happened.

And I'm going to -- so, I'm going to restate my position about it. And I'm going to ask people to think about it in terms of the way they want America to look 20 years from now.

See, I think in a funny way, we can -- people, because there's not the level of economic anxiety that existed in much of the '80s, we can get people to think about this in a more clear

-headed way. But to go back to what you say, we've got to go back and make sure they've got the facts to start with.

And I think the facts of the enrollment figures at the law schools -- I think will be very helpful to this debate. I think it will be shocking. I do not believe that white Americans will be happy about that, nor do I believe they will be reinforced. I think they will be surprised, and I think it will bother them.

Q Mr. President, what myths of white Americans do you hope to expose or explode? For instance, in the last 30 years, regardless of the state of the economy, African American unemployment has always remained twice that of white Americans. In the era of affirmative action, black male college

-degree holders only make 76 percent of what white males do. And one relatively not touched fact by many people is that white women have zoomed past black women in valued job positions under affirmative action to the point where, despite all the myths -- despite the myths -- most of the job shifting that has happened with white males has been simply to white women.

So the question to you is, how do you account for the continuing disparity despite bust or boom? And how do you use your office to begin to deal with that problem?

THE PRESIDENT: I think there are three reasons for it. One is, I think there is some continuing discrimination that would be identifiable as such under the law.

The second is, I think that there is still a cultural divide that doesn't rise to the level of illegal discrimination, but because you don't have as many independent economic centers in the African American community, I think it's been harder for people to catch up.

And the third is -- and this is why I'm so upset about 209 -- the levels of educational attainment past high school have not been equalized yet, including more subtle things like opportunities for continuing education in corporations and things of that kind.

So I think all three of those things are there. And again I will say, but I think there are more allies now. In the context of looking to the future, this is going to become a bigger problem for Hispanics than for blacks. In the last three or four years, only Hispanics have failed to make gains as a group. That doesn't mean that within the group there haven't been some blacks that still have declining incomes or unemployment, but as a group only Hispanics are not better off. And the reason is that in the past decade African American high school graduation rates have risen almost to the level of whites. So that in a boom economy, where people at the margins get picked up, everybody kind of goes forward. That, plus the minimum wage, plus the earned income tax credit and some of the other things have tended to lift, in the last four years, blacks as a groups, along with whites.

Hispanics have for -- well, I've only looked at the figures going back 35 or 40 years -- always had bigger drop

-out rates from high school than blacks, but used to have more coherent family structures, where everybody worked, lived together, minimized cost so their family incomes were higher. Now poor Hispanic family structure is beginning to look like poor white and poor black family structure, but the drop

-out rate is still the same. So they are now going to face this same sort of problem. And I think many of the same kind of solutions will be required.

But I'll give you an example in terms of the law. When I became President -- I can't remember how many -- there was this huge backlog of EEOC cases -- just give you one example -- which sets a tone for the whole country as they get resolved, in terms of opportunity. We have cleared out about -- we've handled all the current cases and cleared out about 25 percent of the backlog. And we should have cleared, in four years, over half the backlog, but we couldn't the Congress to give us the money to clear the backlog. We've also increased the awards.

So one of the things that I'm going to argue hard for in the context of this endeavor is that even the conservative Republicans who don't agree with affirmative action always said they were against discrimination. And if they really are, give us the money to do the job at the EEOC, and in the other areas of the federal government to enforce the law.

Q -- one of the forms of discrimination that many people feel that your administration has abetted, if not directly participated in, is when you signed the Crime Bill in '94 you maintained the 100 to 1 crack sentencing ratio. As one concrete sign of your administration's effort to end discrimination -- as you may know, a recent study, one from Minnesota, says that there's no medical basis -- many people are saying there's no medical basis to have a 100 -- at most, 2 to 1, 3 to 1. Are you prepared to begin to change that and eliminate that 100 to 1 sentencing ratio?

THE PRESIDENT: Yes. Keep in mind, the only choice we were given last time was I thought a Hobson's choice, and the wrong one, which was simply to lower the crack penalties to the cocaine penalties without asking whether or not -- not only was any disparity justified, but if they were going to be made equal should there be at least some marginal lifting of the cocaine penalties. And the situation that exists is unfair, unjustifiable, and should be changed. And I'm going to do what I can to eliminate a huge percentage of the disparity this time.

Q In what way?

THE PRESIDENT: Well, we're going to get a recommendation from the sentencing commission; then we're going to try to implement it. I will do -- whatever we can do by executive action, we will. If we have to -- whatever we have to do through congressional action, I will try to get passed through the Congress.

I'm saying this out of some ignorance now. I'm not sure, given the present posture of the issue, what I can do by executive action and what has to be done through the Congress, but there is coming to me a recommendation for a drastic reduction in the disparity, and I intend to support a drastic reduction in the disparity. I think it's not a sustainable thing.

And if we did it, particularly because of the rules in federal prison, where parole is rare and we have much more strict guidelines about how long you have to serve -- I don't know if parole is rare, but you have to serve a higher percentage of your sentence -- it would go a long way toward I think at least eliminating one of the real reasons that blacks feel that there is a disparity in the criminal justice system.

Q Mr. Clinton, I think it's always a real, you know, tricky issue, and I'm sure it's tricky for you, in particular, but in this speech will you talk about, or is there an opportunity to talk about, the unique relationship I think between white and black Americans as a dysfunctional family? I mean, it's sort of like it's not just the numerical numbers, where the numbers of African

Americans are expanding. But that particular relationship, it seems to me that every time we try to deal with these other, broader issues, we always get back to that issue between blacks and whites in America.

And how do you help other minority groups understand that it's more than a numbers thing, numerically, but that particular institution, that particular relationship that almost makes us brothers and sisters in the same household in a way that others have not been in that house.

And is this an opportunity for you to do that? Or do you see yourself trying to help -- when we deal with mythologies and all of these arguments, it's often cast as a numbers thing -- there are going to be more Hispanics than blacks, but no one I think has had this particular relationship. And it seems to me that it stymies us as we try to deal with these others, because this one is so big and so --

THE PRESIDENT: Well, first of all, I agree with that. I had a group in here yesterday, we were talking about whether -- how you said, how I would say that the issue is how we build a multi

-racial society, but there's still unfinished business between blacks and whites in America that without resolving we can't ever get to the next stage. So that you have to see these two things together and not one or the other. Maybe the way you suggested is the right way to say it.

But I think it's true. It's the same thing that, you know -- I mean, I'm sure because South Africa is the richest country in Africa now, unless the Nigerians can really pull together, that it will become more multi

-ethnic and multi

-racial because people will want to go there and be there. But they'll still have to deal with the legacy of 350 years of oppression. It will never be out of their character, at least not for quite a long while.

And it's the same thing here. It's just different because blacks were brought to our shores against their will as slaves, subject to institutionalized oppression. It is different in that -- and the legacy of that and how we lived as families in the beginning on farms, often really living as families, is a unique part of what makes us how we are.

I'm trying to -- that's a rhetorical question as much as anything else. I've tried to imagine how to think about it and haven't approved any final language for the talk yet.

Q And in a way I guess what I'm thinking -- you know, I don't want to tell you what to say -- but in a way that makes it

non

-threatening and not -- you know, because that's always how it's cast. It's either "us" or "them," and I don't think that African Americans generally want that or can afford it. But, you know, it's just our family.

THE PRESIDENT: It's amazing how many people have -- you know, I've heard -- of many discussions -- first time in a long time about what really causes racism, why are people prejudiced. And you look at Bosnia, for example, where there is no biological difference between the three warring groups and where they lived together in harmony in Sarajevo for decades. And I mean, in a matter of weeks they were shooting each other.

Some of this is learned behavior. But a lot of it goes back to the vulnerability people have to defining their greatness in terms of their ability to look down on somebody, beat up on somebody else, feel that someone else is inferior to them. And a lot of what will shape America in the future is whether we can find a way to -- all of us -- define our own individual aspirations as well as our nation's greatness in terms that are non

-oppressive, that don't require us to be pushing down on each other or someone else.

Q Mr. President, in Bosnia and in the Congo, the thing that was missing as ethnic groups decided to kill each other was a policy structure to prevent it. So I'm kind of interested in what your commission is going to be doing. What's the product going to be? Are we talking about new policies? Are we just talking about moving around the country doing --

THE PRESIDENT: No, there will be new policies. There will be some new policies at the end of the day and there will be some in between.

Q What's the goal, I guess that's what I'm asking.

THE PRESIDENT: The goal is twofold. The goal is to produce a report in about a year -- maybe a little more, but not much more, sometime next year -- which will encapsulate what we learned during the year about how we can create one America in the 21st century, what policies do we need to change, what perceptions do we need to change, and what kind of institutionalized -- how can we institutionalize a level of not only dialogue, but common action, which will prevent us in times of stress from disintegrating into our version of what has bedeviled so many other countries and what has bedeviled us in the past.

That is the goal, so there will be a heavy policy component. And these other things, as well.

Q Who are they going to be? Do we know yet? Do you

know yet?

THE PRESIDENT: Sure. Well, I'll tell you three people I'm going to put on the commission. I've got to save something for tomorrow. (Laughter.)

Q We won't tell. (Laughter.)

THE PRESIDENT: John Hope Franklin, whom all of you know, and for obvious reasons, he's still in great shape -- I mean, he's not a young man, but he's very sharp, and he's very much attuned to this. I'm going to appoint Bill Werner, who was formally Governor of Mississippi, and he's been a friend of mine for 20 years and been very, very active in the racial activities in not only Mississippi, but throughout the country. And I'm going to appoint a young woman named Angela Oh, who's a Korean American lawyer in Los Angeles, who's been very active in the Korean community there and in developing the relationships between the Korean community and the African American community and other communities there. I thought it was really important to have somebody from Los Angeles County there since it's the biggest county in the country and has people from 150

-plus racial and ethnic groups in it. And there will be -- probably three or four more. I'm not going to have a great big commission. I don't want a big group.

Q Is there any concern about having somebody on that commission, though, who can speak for those people in the black community particularly who are alienated, who are angry and alienated and some of whom hate white people?

THE PRESIDENT: No, because we're going to go see them. We're going to give them a chance to speak for themselves.

Q Okay.

THE PRESIDENT: I mean, one of the things that I did not want to do is -- I don't want a big group. I don't want people to think this commission somehow is there -- I want this to be an advisory board to me. I want this to be something where I can have no distance from this, so I can't just say it's something I did, and then if I choose to take the recommendations, fine; if I don't, fine. I don't want that sort of a deal. I'm not looking for a way out here; I'm looking for a way in.

And so I have consciously chosen to stick with a small number -- six or seven people -- small. And what I want to do is go give those people who feel angry and alienated their chance to tell me and them what they expect and what's not working and what we still have to do. And I want us then to be able to use that to get a lot of those things done.

I still believe that there are a lot of -- there's a serious economic component to all this and that we've got to create a climate in the country for continuing that.

This whole welfare business -- I'm not -- I'm really not worried about our capacity to create enough jobs for the people on welfare before their time runs out. I'm not worried about that. I know a lot of people are, I'm not. I'm confident we can do that. What I'm worried about are all these young, single men who were never on welfare in the first place, who are out there on the street corners of the country, still having trouble putting their life together.

Q One of them asked me for money on the way in.

THE PRESIDENT: One of them asked you for money on the way in -- yes?

Q Mr. President, you're going to hold -- this commission is going to hold town hall meetings and so forth throughout the country. How do you get those alienated folk to come to this kind of a meeting? These are people that don't show up to town hall meetings and government things.

THE PRESIDENT: But if we go to them, I think we will. And if we hold town hall meetings and they're not all in fancy neighborhoods and they're in places that are accessible to folks like that -- and also, there are community groups in this country now full of former gang members, full of people who work in these communities, who live with these problems. And I want this to be their forum. I want to give this to them.

I just was -- we had -- that's actually one of the most encouraging social developments in America today, is all these community groups with former gang members in them, going back committed to trying to rescue their own neighborhoods and the kids they grew up with and the people that they live with. I just was with one of them today over at Georgetown at a Justice Department program on juvenile justice and rescuing children.

So I don't -- if we go out there and give them a chance, I think they'll show up. I've found that a lot of these people are not the least bit shy about telling you what we need to.

Q So, you're going to go to real grassroots?

THE PRESIDENT: Yes, that's what I want to do. That's what I intend to do.

Q Mr. President, when we were last here, you told us that you believe that you know more about black folks than most white politicians do.

THE PRESIDENT: That's not arrogant, that's just the fact of my life as opposed to other politicians.

Q I wasn't trying to characterize it.

THE PRESIDENT: It might be, but I think it's true.
(Laughter.)

Q But you said that, which leads me to ask you this question. In undertaking this effort, do you begin with an idea of where you want to end? And is this a process then simply to teach or one in which you hope to learn something about the relationship between blacks and whites in this country?

THE PRESIDENT: Well, yes, I begin with an idea of where I want to end because I think where I want to end is the only sensible place for us to end up. That is -- let me say again, I can give every one of you right now a little handout which will tell you what America will look like 20 years from now, and barring some totally unforeseeable outbreak of disease or some massive immigration pattern different from anything that's ever happened or some total change in birth rates, that's pretty much what we're going to look like 20 years from now.

Q Demographically?

THE PRESIDENT: Demographically. But what I cannot tell you for certain is what we're going to be like 20 years from now. So what I want us to -- I want us to learn, what do we look like now? What are we like now? What are the myths and realities? Here's what we're going to look like 20 years from now. I want us to be one America.

Now, I have an idea about where I want to go. But I also -- and I also have an idea about some specific things which I think we have to deal with -- like affirmative action, like genuine economic opportunities, like discrimination where it still exists

-
-through the EEOC and other mechanisms. But I also expect to learn quite a lot. I expect to learn quite a lot about it.

Q Mr. President, when you go back and read the Kerner Commission, which was released 30 years ago next year, it talks about some of the underlying problems of race relations -- poverty, problems in inner cities -- the Kerner Commission called them ghettos for the most part. And today we still -- some politicians, some journalists -- not all of us -- see some of these areas and there are a lot of problems. Is that what we want America to be like? Or how do we get rid of those?

THE PRESIDENT: Well, I think -- for one thing, I think a lot of the things the Kerner Commission said are still relevant. I

think -- someone told me the other day when we went back and read the whole thing that we had actually done some things in the first year of my Presidency that were recommended in the Kerner Commission report. So I think that we shouldn't be ashamed to say that we have not solved all the problems that the Kerner Commission identified three decades ago.

Now, one of the things that I think we ought to say, and I've heard Reverend Jackson, among others, say this for years, but I firmly believe it's true, is that, with America at a national unemployment rate of 4.8 percent -- that's actually quite a misnomer, isn't it. Nebraska has an unemployment rate of like 2.3 percent. There are five or six or seven states with unemployment rates at 2.5 percent or below, which all economists will tell you is a functional labor shortage. Anytime you get below 3 percent, there's a serious labor shortage because you've got that many people just kind of moving around all the time -- changing their lives and doing things.

So what that means is, that because we did not take -- we didn't do what the Kerner Commission said we should do as a country, because we have huge chunks of people who have not moved into the economic mainstream, that is not in the self

-interest of the rest of us. How can we keep the American economy going without inflation? We have to have new markets and new workers. Where are the nearest new markets and the readiest new workers? In those places in America which are still too poor and too underemployed and too underinvested.

So, I mean, I think that that part of the Kerner Commission report is relevant today, and we need to be -- that's one of the reasons that in this budget deal I fought so hard for trying to create an investment framework that would naturally flow more capital into those areas than we've had in the past. I think it's terribly important.

Q Mr. President, you have a reputation of being sort of a student of history. And I wonder if you have in your mind any historic precedent for a situation where the President of the United States was able to exert the kind of leadership to bring about what you're talking about, which is to have the American people confront the future, to create a consensus for what that future ought to be and get them to move forward on it -- other than in a time of crisis, like war.

THE PRESIDENT: On this issue there isn't such a precedent. But I'll tell you, the nearest precedents don't relate to this issue. But the nearest precedents would be the progressive things that Theodore Roosevelt and Woodrow Wilson did as we moved into the -- we became a more industrialized, more urbanized country. And they said in their different ways, hey, you've got to look at child labor; you've got to look at resource conservation, as well as resource use; you've got to look at the regulation of monopolies.

Theodore Roosevelt passed the Railroad Act, an act called the Hepburn Act. It was the first example in American history of the President going out and rallying popular opinion against the institutional interest which controlled Congress, and actually getting Congress to change their position on whether the Interstate Commerce Commission should be able to regulate how much the railroads can gouge the common people to ride around on, or could gouge the people to carry things back and forth on the railroads that could only be carried on the railroads. It had never happened before.

But anyway, Wilson and Roosevelt were, in essence, trying to involve the American people as a massive group in a way they never had before been involved, and explain to them what the Industrial Revolution is all about and how we're going to make it so everybody could be a part of it.

The only other time that is even kind of close to this -- that is, when there's no crisis -- was the period between Thomas Jefferson becoming President and the War of 1812, which presented us with a crisis. And during that period and then after it settled down right afterward, we still were being governed by a founding father when the existence of the country was not at issue. And they were trying to figure out whether we were going to continue to become a continental country, were we going to expand, what did it mean to be an American, were we just going to be these 13 little colonies or were we going to do something else?

And they had the same sort of debates. They fundamentally changed the country without a crisis. And the same thing happened with -- much more relevant to the present day with Roosevelt and Wilson. I don't think there is any other historic parallel.

Q Mr. President -- is there a country or a place that you would point to and hold up as a guide of where we ought to be headed, multicultural?

THE PRESIDENT: No, because they're having problems everywhere. You know, India is the biggest democracy but they have their problems with the Sikhs, for example. The Russians have about as many different ethnic groups in their far reaches as we do, and linguistic groups, but they all live segregated, they're not living together. Nobody -- even the Chinese are -- in ways that are mystifying to Americans, how could they be afraid of the Tibetans, why would they crush the Tibetan culture? If the Dalai Lama is willing to admit Tibet is part of China, so there's no big territorial deal, why in the world would they not want that culture to flourish? They're even separate from them. So no one has really succeeded in building this kind of culture.

And, interestingly enough, our friends in Great Britain are facing similar challenges now, but not to this extent. They have different racial issues and different historical problems that they have to deal with. But it's very interesting to see. You know, the

Europeans are by and large much tighter on immigration than we are. And they're concerned about it.

But no one has ever tried to do this. But if you consider the problems in the Middle East and you consider in America we have Jewish Americans, Palestinian Americans, Jordanian Americans, Syrian Americans, Iraqi Americans and Iranian Americans; we have Croatians, Serbians and Muslims from the Bosnia area in the United States; we have Greeks and Turks in the United States; we have Irish Catholics and Irish Protestants with roots in Northern Ireland in the United States; we have people from every African country and every tribal group in Africa in the United States.

So in a funny way, because we haven't cut out anybody, we may have a better chance than anybody else does to get this right. But I do agree, to go back to what Betty said, we have to recognize that there's something unique here and always will be about the black

-white dimension of this and we have to recognize that we have an obligation to create this multi

-ethnic society.

Q Mr. President, you mentioned before that one of the biggest problems is a cultural bias does not quite make legal discrimination, which I think most of us in this room think is actually the fundamental problem right now.

THE PRESIDENT: But it still exists, doesn't it? Every one of you has sensed it, haven't you, at some time in your life.

Q Correct.

Q Today. (Laughter.)

Q Well, how do you, given that on the administrative side that you had to back off of health care, you had to back off of the pledge to end the ban on gays and lesbians in the military. Given that there is no precedence for attacking a problem like this, where is your moral capital? What is it that you are bringing to the table -- particularly with white Americans, that somehow you are going to rise up over some of your past failures to succeed on this issue?

THE PRESIDENT: Well, first of all, I think most white Americans even who don't vote for me believe that my conviction here is genuine, that this is something I really care about and that it's something I know more about than most of them do. I believe that, and there is a lot of polling data that supports that.

Secondly, there is some evidence now after five years that when we follow policies that I advocate, things get better -- economic policies and crime policies. There is some evidence here

that I ought to be the benefit of the doubt on.

Thirdly, I don't quit trying when I'm first defeated. Look, in this budget agreement, we didn't win the health care debate; but as a result of the health care debate, health inflation dropped because a lot of the things we were advocating were happening anyway. And the cost of health care stopped going up so much and now we've got money in the budget to insure half of the uninsured kids in the country and I think we'll get the rest of them before we're done. So we will have a big victory in health care.

We didn't win the victory on gays in the military, and I think I was right on that, but we have -- there are a lot more gay Americans serving in the federal government without fear of prejudice or of censure. We've repealed a lot of other discriminatory provisions in terms of government service that affect gays. I have supported the Employment Nondiscrimination Act and we -- basically, if you look at the record of this administration in behalf of gays and lesbians and compare it to anybody else, it pales in comparison.

So to talk about the fact that we didn't win the gays in the military, which was the most visible and most controversial one where we had the weakest hand to play and where we had a veto

-proof
margin in both Houses against us, that's really why we lost -- when there was a vote in the Senate 68

-32 against my policy and we knew we were stronger in the Senate than the House, that's the only reason we had to pack it in.

I think that the fact that I've fought the fights that I've fought and then I could keep coming back and making what progress I can should be reassuring to people, not discouraging. They shouldn't -- nobody should want an advocate that only picks fights they always win.

Q Mr. President, from New Orleans to Sioux City, Iowa there is a group called ERACISM, which basically meets once a week, once a month -- it's a multiracial group, and it deals with just conversations where whites and blacks sit down at the table and discuss racial issues. How do you get America to just talk about race, and just to look at the issues --

THE PRESIDENT: For one thing, I want to highlight groups like that. To us, I know it's because we're all here and we're focused on all of this policy stuff, I know it's easy to minimize the impact of that. But keep in mind, most Americans live somewhere else, and most Americans live beyond the breach of a lot of these policies. And most Americans would be really incredibly better off if they had a chance to participate in a thing like this, and they would figure out how to solve some of their problems without my help or yours. That's not an excuse for me to evade responsibility,

it's just a fact of life that if people get together and they figure out how to take care of a lot of their own business.

So I think one of the central objectives of this whole endeavor should be to get people in every neighborhood in America to have that kind of cross

-racial dialogue.

Q When you talk about the grass roots, I think one of the things that we -- who are polite journalists who don't get into a lot -- is, we keep running into the criminal justice system and I've noticed that when you begin to deal with race, you inevitably, because it is a continuing problem, you go back and you deal with the past. You talk about the syphilis issue, you talk about the medal of honor that were not given, you talk about things that have happened in the past and force the county to confront it.

On the issue of criminal justice, you're going to California. The Geronimo

-Pratt case, not so much as an individual case, but as a case which -- it has been charged that this represents a reminder to us, like the government prosecutor -- an unjust war, perhaps, in the view of some -- in the view of a lot of blacks of the era, to include myself, they felt that the Justice Department pursued an unwise and ill

-advised campaign against blacks who were trying to win rights. Geronimo

-Pratt may very well have been caught up in that. What are your views on Geronimo

-Pratt; and what are your views, broader than just Geronimo

-Pratt on that era of the '60s in which there were people who were caught up and in some cases prosecuted?

THE PRESIDENT: I don't know enough about the Pratt case to have an informed opinion. In the turmoil of the '60s, both in the streets in America and in the controversies over the war in Vietnam, I think there were a lot of people who got hurt who shouldn't have. And I think we all know that. This sort of picture that gets painted of the '60s now by -- mostly by people on the right, you know, that it was all just a bunch of amoral, self

-indulgent people smoking dope and having irresponsible sex and not caring about their obligations, that's, I think -- I find that to be a horribly disfiguring characterization of the decade in which there were probably more people who tried to seriously ask and answer what their moral

responsibilities were as citizens to make this country a better country and to deal with our responsibilities at home and abroad than at any other time.

Often, they disagreed with one another, but it'll be a long time before we remove the scars of all of the people who got hurt, who were just kind of standing there trying to do what they thought was right.

Q When you look at -- like the situation in California with 209 -- when you look at those situations, who do you see as the enemy? Who are the enemies?

THE PRESIDENT: Well, in racism, I always think the number one enemy is ignorance and fear; there's always somebody trying to take advantage of it for political purposes. But you look at what Hitler did with --

Q Would you care to name them, Mr. President?
(Laughter.)

THE PRESIDENT: You look at what Hitler did with the Jews. Now, Hitler used racism to build a power base to achieve his own sort of grandiose objectives, but he could not have done it if the people who were voting for him did not at least have some predisposition to define themselves in terms of their superiority to the Jews and then to believe that somehow they were right to be afraid of the Jews, they presented a threat, they had to do all these terrible things.

So I still think the enemy is largely within here. We can handle all the politicians trying to take unfair advantage of the race deal. We can handle people who -- it's not in our economic self

-interest anymore -- we've been talking about that. No serious person can claim that discrimination is in the economic self

-interest
of anybody in America -- or of any substantial block of people. It is undermining our capacity to keep beating the business cycle here and keep growing.

So this -- the enemy here, I still believe, is learned behavior, and even prior to learned behavior, there's either fear of people who are different from us or our inability to define ourselves in positive ways as opposed to negative ways. That is, we always got to figure there's some -- we're good because we're better than somebody and that somebody else we're better than is different from us. I still believe that is the central problem.

Q A follow up to that. We were talking about myths and the need to dispel bad ones and the assumption has been that

white people harbor bad myths about black people. Are there any myths -- do you think there's any myths that black people harbor wrong about white people? And if so, what would they be and what do we need to do to get rid of them?

THE PRESIDENT: Well, if you look at the Gallup Poll, the evidence is that -- I think that if there is a myth, I think it is that -- I think black people think a majority of white people actually know the bad stuff that's happening to them and it's kind of all right with them as long as they don't have to deal with it directly. And I'm not sure that's true. I think there is still -- I think that most people in this country confronted with the facts will do the right thing, not the wrong thing.

That's why I think -- to go back to what you said about that -- what did you call it -- all these conversations occurred -- that's why I think one of the things it's important for us to do is to go out and puncture every myth we can find because I --

Q The media --

THE PRESIDENT: No, let me just -- if you take -- I really do believe that the most important difference in perception and reality right now in blacks and whites -- I'm not talking about other racial groups -- is this whole law enforcement business.

And I think this -- so I think that if there's a myth -- I would just say to the black community, if we can get a hold of most white people and they actually know what the truth is, I think they will do the right thing.

I don't think they really believe -- just like this government thing -- I think that's -- I think they're wrong that we don't need more policy, but I think they honestly believe that. I think if they knew the facts, I think -- that's why I think you're going to be amazed at how much we can move white opinion on the facts in California and Texas now. That's what I believe.

Q The media is one of those conveyors, of course, of impressions in this attack -- we are part of it here in this attack constantly, as you know.

A substantive point is, in addition to the rollbacks and the reversals that have happened in the enrollments of the law schools in Texas and California, there is also the problem of black ownership, which is in a free fall now because of the removal of the tax incentive in 1995. The tax incentive for black ownership of TV and radio stations was removed in 1995. There has been a reduction over the last year of 10 percent, and it is going down steeply.

The FCC says that they are studying the issue again to see if they should restore incentives. There is no will among the Republicans in Congress to do anything about this. What can your administration do in the area of black ownership of media?

THE PRESIDENT: First of all, I have to share some of the responsibility for that. I signed the bill and I said I would

support that. We were in part trying to stop an even bigger encroachment on affirmative action, but I have to take my fair share of responsibility for this.

What we underestimated was the coincident effect of removing the tax credit with the structural changes that were going to happen in media anyway because of the telecommunications law and just economics.

So that if you're sitting out here and you have one of these certificates and you're an African American and you own a radio station or a television station or whatever the heck you own, and one of these big conglomerates comes along -- Mr. Redstone, Mr. Murdoch, Mr. Somebody Else -- and they offer you five times what you've got in this thing, and you've got three kids to send to college, it's pretty hard for you not to take the deal.

Now, under the old system, because of the way the tax certificate thing worked, you could almost always guarantee that there would be some kind of replacement or some sort of joint deal or something would come up. And I think when I signed that legislation, I totally underestimated the extent to which people who had properties wouldn't hold on to them or pass them on to other minorities and really, economically, almost couldn't because of what was happening.

So short answer to your question is, I have asked the FCC what our options are and whether we have to -- can we do anything short of going back to Congress. But I wouldn't even be too sure that we couldn't get this Republican Congress to do something because the facts are so stark. It is breathtaking what's happened.

Q Mr. President, let me quickly ask you about welfare, which you mentioned briefly. The bill that, of course, you signed was not exactly what you proposed in the beginning. And a key component of it was that it ended the federal guarantee of assistance to kids, even to families that might even play by the rules, try to get work and that kind of stuff.

THE PRESIDENT: Let's talk about it. Let me just say what it did do and what it didn't.

It ended the federal guarantee of the monthly check. It kept the federal guarantee for food stamps and Medicaid, basically food and nutrition and anything else that people were otherwise eligible for, like housing -- it kept those guarantees.

However, we also did give the states -- the block grant we gave to states was based on the population -- their money that they were entitled to when the welfare population was at its all

-time

high in early 1994. That means that today, 40 states have huge windfalls, and they have to spend all that money on poor people. Among other things, let me just say that they can spend the money paying people to take community service jobs, they can spend the money to send people back to college, they can spend the money on extra child care.

And we got in this bill a restoration of most of the benefits to legal immigrants and a commitment for \$3 billion more for the highest unemployment areas of the country to create opportunities for work, including the ability of cities to hire people to do community service jobs. And we have now several hundred businesses that have agreed to participate in this.

And the real trick now is, I think, to get the states to do things that make sense to create job opportunities for people. If they do that, these people will be all right. The people that I still have not been able to help are the people that weren't getting helped in the first place, and those are the young, single men who never were on welfare in the first place and therefore we can't give their welfare check to an employer as a job subsidy, we can't do anything. That is something that I expect to be a big focus of this endeavor here.

Q Mr. President, when we were here in November, you were gracious enough to say you would have us back. We appreciate that and we hope that you will have us back again. Thank you very much.

THE PRESIDENT: I will.

Q Your wife is here from Chicago. I'm from Nashville and Al came down to our convention last year, but he promised that you would be in Chicago this year.

THE PRESIDENT: When are you going to meet in Chicago?

Q It's July 16th through the 20th.

Q We also have a golf tournament there this year.
(Laughter.)

THE PRESIDENT: Where are you going to play?

Q I'm not sure.

THE PRESIDENT: You know the oldest 18-hole golf course in America is in Chicago?

Q Is that right?

Q I'm sure we'd love to have you there.

THE PRESIDENT: July 16th through 20th?

Q Yes.

TOP EVEN

- \p -

BOTTOM ALL

Q We're also having an election, so be careful which day you come. (Laughter.)

* * *

Q Mr. President, you said you wanted to use facts. What three facts off the top of your head would you use to try to explode the myths that white Americans have of African Americans. Is there any that come to mind, if you had to pick three.

THE PRESIDENT: Most people on welfare are white, not black. Most black people work. Most poor people work. And I would -- there's a lot of things. There was a young journalist -- or a scholar -- who wrote a whole book on myths about black America. Do you remember that book?

Q Oh, yes.

THE PRESIDENT: Sabrina Young. I got that -- it's a fabulous book. I want to start with that. It's terrific. But there are -- what you want to do is to -- one of the things that we know is that public opinion is impervious to evidence, but not necessarily because of bigotry. (Laughter.)

No, no, let me give you an example. One of the reasons we lost the Congress in '94 is the public bought two myths. One was my 1993 economic plan raised everybody's income taxes, which it didn't. It only raised income taxes on the top 1.2 percent of the American people. The people believe politicians always raise taxes on everybody. Two was that nothing good was happening in the economy, which was also untrue. We'd also had big, heavy growth in '93 and good growth in '94. But it took more than a year and half of that kind of growth for people to feel it. So that by mid '95 -- two and a half years later -- everybody was saying, yes, Clinton's doing a good job on the economy. Meanwhile, we had all these people that lost their seats in Congress because the perception didn't catch up to the reality.

I'll give you another example. We just had the biggest drop in crime in 36 years reported for 1995 -- or '96. If you took a poll, I would bet you my child's college education, that if you asked people, did the crime rate go down or up last year, 55 to 65 percent of the people would say, it went up. And no more than 20 percent of the people would say it went down. That does not mean that people are stupid. They're not stupid, but they don't live by statistics. We all live by perceptions, by feelings, by our own apprehension.

So one of the things that we can do at this convention is we can jump start -- we can save lots of time for millions of Americans. If they really will focus on this and trust this, we can get rid a lot of these misperceptions in a much quicker time frame

than we could if we had to do it coffee table by coffee table. We can, in that sense, reinforce what all these groups are doing you talked about.

You know, it's not all about race. If you took a crime poll, I bet you anything that's what people would say.

Q Thank you very much.
END 6:13 P.M. EDT

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

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CREATION DATE/TIME:16-JUN-1997 08:59:00.00

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TEXT:

Just a reminder that next Monday the WHF educational program has invited two speakers on gay and lesbian civil rights issues to address us at lunch.

Michelle Benecke, a lawyer, co-founder and co-director of the Servicemembers Legal Defense Network, will talk to us about the military's "Don't Ask, Don't Tell" policy (Secretary Cohen has recently decided to

review that policy). Winnie Stackelburg, chief lobbyist for the Human Rights Campaign Fund, will speak more generally about the HRC's efforts on behalf of ENDA (federal legislation banning discrimination against gays/lesbians in employment) and other civil rights issues.

These speakers are very excited about the opportunity to address our group so it important that we make a good "showing." Various Fellows have expressed interest in these issues throughout the year so I hope you all will be able to attend. Call me if you have any questions. Joe should be getting you the speakers bios in the next day or two.

Brenda

===== ATTACHMENT 1 =====

ATT CREATION TIME/DATE:16-JUN-1997 08:59:00.00

ATT BODYPART TYPE:D

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)
id <01IK4V0D2780003G0V@PMDF.EOP.GOV>; Mon, 16 Jun 1997 08:59:43 -0500 (EST)

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by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IK4V0AVFKG003BAW@PMDF.EOP.GOV>; Mon,
16 Jun 1997 08:59:40 -0500 (EST)

Received: from dol.gov ([166.96.254.1]) by STORM.EOP.GOV (PMDF V5.1-7 #6879)
with SMTP id <01IK4UZLWSGS003D76@STORM.EOP.GOV>; Mon,
16 Jun 1997 08:59:07 -0400 (EDT)

Received: by dol.gov (5.x/SMI-SVR4) id AA11255; Mon, 16 Jun 1997 08:54:48 -0400

Received: from unknown(166.96.250.74) by gatekeeper via smap (V1.3)
id smad11081; Mon Jun 16 08:54:27 1997

Received: by essmtp01.dol.gov with SMTP
(Microsoft Exchange Server Internet Mail Connector Version 4.0.994.63)
id <01BC7A34.4BD9BC20@essmtp01.dol.gov>; Mon, 16 Jun 1997 09:04:28 -0500

===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:17-JUN-1997 13:20:51.00

SUBJECT: Barney Frank bill on sex in the military

TO: Laura S. Marcus (CN=Laura S. Marcus/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TO: Janet Murguia (CN=Janet Murguia/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TO: Peter G. Jacoby (CN=Peter G. Jacoby/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

FYI -- Laura, you should mention to John. Peter -- will we be forced to take a position? Have we been asked?

ASSOCIATED PRESS, June 16, 1997

New Military Sex Policy Proposed

By CASSANDRA BURRELL

WASHINGTON (AP) - Rep. Barney Frank said Monday he intends to introduce a bill in Congress decriminalizing sex among consenting members of the military.

"I do not think that adult members of the military ought to be criminally penalized for sexual activity of a private, consenting nature," said Frank, D-Mass.

"That doesn't mean all of it would be morally approvable," he said. "It does mean that criminal prosecution is a wholly inappropriate way of dealing with these kind of consenting acts."

Frank's bill, called the Anti-Hypocrisy Act, would end criminal prosecution for consensual sex. Fraternization or sexual misconduct that undermines "good order and discipline," however, would still be subject to disciplinary action.

Frank, who is homosexual, said the bill would help gay members of the military. It would repeal sections of the Uniform Code of Military Justice "which specifically criminalize private, consenting sex described as sodomy, which can be both heterosexual or homosexual," he said.

Gay service members have been threatened with criminal prosecution if they don't reveal the identities of other homosexuals despite the Clinton administration's "don't ask, don't tell" policy on gays in the military.

"You wouldn't have this coercive tool that is being misused," Frank said. "That shouldn't happen. The Pentagon acknowledges to me that that's a violation of the policy. That's a witch hunt."

Frank said the bill was inspired by the cases of 1st Lt. Kelly Flinn, who resigned rather than face court-martial for adultery, disobeying an

order
and lying to her commander, and of Air Force Gen. Joseph Ralston, who
withdrew from consideration as chairman of the Joint Chiefs of Staff
because
of an extramarital affair a decade ago.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Kyle M. Baker (BAKER_K) (WHO)

CREATION DATE/TIME: 2-JUL-1997 14:42:39.03

SUBJECT: JUDGE STRIKES DOWN 'DON'T ASK, DON'T TELL' FOR SECOND TIME

TO: Richard Socarides (SOCARIDES_R) Autoforward to: Remote Addressee (Richard Socarides@EOP@LNGTWY@EOPMRX) (WHO)
READ:NOT READ

TEXT:

Date: 07/02/97 Time: 13:53

MJudge strikes down 'don't ask, don't tell' for second time

NEW YORK (AP) The Clinton administration's "don't ask, don't tell" policy for gays in the military is unconstitutional, a federal judge ruled today, reaffirming his earlier ruling.

The 48-page ruling by U.S. District Court Judge Eugene Nickerson concludes that the policy violates the First Amendment's free speech protections.

A military "called on to fight for the principles of equality and free speech embodied in the United States Constitution should embrace those principles in its own ranks," the judge wrote.

The judge also argued that for the policy "to single out gay and lesbian members denies them, without legitimate reason, the right to openly participate as equals in the defense of the nation."

Nickerson first declared the policy unconstitutional in 1995, calling it "nothing short of Orwellian" and a violation of free-speech rights that barred people from saying "I am gay." But last year, a three-judge panel of the 2nd U.S. Circuit Court of Appeals sent the case back for review because it disagreed with the judge's reasoning.

"It is plain to us that governmental restrictions on speech that would run afoul of the Constitution if imposed in civilian life can pass constitutional muster in the military context," the appeals court said.

Under the "don't ask, don't tell, don't pursue" policy, gays can serve as long as they keep their sexual orientation to themselves and do not engage in homosexual acts. Otherwise, they can be honorably discharged. In addition, commanders may not ask a service member his or her sexual orientation.

The New York case is one of several around the nation challenging the policy, which the Clinton administration adopted in 1993 as a compromise between the views of gay-rights advocates and those flatly opposed to homosexuals in the military.

APNP-07-02-97 1410EDT

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 2-JUL-1997 15:41:33.00

SUBJECT: New "Don't Ask, Don't Tell" case

TO: KERRICK_D (KERRICK_D @ A1 @ CD @ LNGTWY [UNKNOWN]) (NSC)
READ:UNKNOWN

TO: Laura S. Marcus (CN=Laura S. Marcus/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Barry J. Toiv (CN=Barry J. Toiv/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: David T. Johnson (CN=David T. Johnson/OU=NSC/O=EOP @ EOP [NSC])
READ:UNKNOWN

TO: William P. Marshall (CN=William P. Marshall/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Joseph P. Lockhart (CN=Joseph P. Lockhart/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Michael D. McCurry (CN=Michael D. McCurry/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TEXT:

1. REUTERS Judge says "Don't ask, Don't tell" is unconstitutional
2. ASSOCIATED PRESS Judge Strikes Down "Don't Ask, Don't Tell" For 2nd Time

Reuters, July 2, 1997
Judge Rejects Gay Policy

A U.S. District Court judge in New York has struck down the "don't ask, don't tell" policy on gays in the military. It's the second time Judge Eugene Nickerson has ruled against the policy. The first time was in 1995, when he said it violated the rights of free speech and due process. A higher court vacated Nickerson's decision a year ago and asked him to consider whether the policy's use of the longtime ban on homosexual acts was constitutional. Nickerson ruled today that ``don't ask, don't tell" imposes special rules on gay troops. The policy went into effect in 1994 allowing homosexuals to serve in the military but to keep their sexual orientation private.

ASSOCIATED PRESS, July 2, 1997
UPDATE
Judge Strikes Down "Don't Ask, Don't Tell" For Second Time

From Associated Press

NEW YORK--The Clinton administration's "don't ask, don't tell" policy for gays in the military is unconstitutional, a federal judge ruled today, reaffirming his earlier ruling.

The 48-page ruling by U.S. District Court Judge Eugene Nickerson concludes that the policy violates the First Amendment's free speech protections.

A military "called on to fight for the principles of equality and free speech embodied in the United States Constitution should embrace those principles in its own ranks," the judge wrote.

The judge also argued that for the policy "to single out gay and lesbian

members denies them, without legitimate reason, the right to openly participate as equals in the defense of the nation."

Nickerson first declared the policy unconstitutional in 1995, calling it

"nothing short of Orwellian" and a violation of free-speech rights that barred people from saying "I am gay." But last year, a three-judge panel of the 2nd U.S. Circuit Court of Appeals sent the case back for review because it disagreed with the judge's reasoning.

"It is plain to us that governmental restrictions on speech that would run afoul of the Constitution if imposed in civilian life can pass constitutional muster in the military context," the appeals court said.

Under the "don't ask, don't tell, don't pursue" policy, gays can serve as long as they keep their sexual orientation to themselves and do not engage in

homosexual acts. Otherwise, they can be honorably discharged. In addition, commanders may not ask a service member his or her sexual orientation.

The New York case is one of several around the nation challenging the policy, which the Clinton administration adopted in 1993 as a compromise between the views of gay-rights advocates and those flatly opposed to homosexuals in the military.

Copyright Los Angeles Times

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 2-JUL-1997 15:55:18.00

SUBJECT: Articles 7.2.97.8

TO: Thomas A. Shea (CN=Thomas A. Shea/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

----- Forwarded by Richard Socarides/WHO/EOP on 07/02/97
03:54 PM -----

Fenceberry @ aol.com

07/02/97 01:57:00 PM

Record Type: Record

To: Richard Socarides

cc:

Subject: Articles 7.2.97.8

1. REUTERS Judge says "Don't ask, Don't tell" is unconstitutional
2. ASSOCIATED PRESS Judge Strikes Down "Don't Ask, Don't Tell' For 2nd Time

Reuters, July 2, 1997

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ASSOCIATED PRESS, July 2, 1997

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Copyright Los Angeles Times

===== ATTACHMENT 1 =====

ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)
id <01IKRKRS07JK004XG3@PMDF.EOP.GOV> for Socarides_R@a1.eop.gov; Wed,
02 Jul 1997 15:14:42 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov)
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IKRKROXJ68004WIX@PMDF.EOP.GOV> for
Socarides_R@a1.eop.gov; Wed, 02 Jul 1997 15:14:40 -0500 (EST)

Received: from emout09.mail.aol.com ([198.81.11.24])
by STORM.EOP.GOV (PMDF V5.1-7 #6879)
with ESMTP id <01IKRKQZXXCS001G46@STORM.EOP.GOV> for Socarides_R@a1.eop.gov;
Wed, 02 Jul 1997 15:14:18 -0400 (EDT)

Received: (from root@localhost) by emout09.mail.aol.com (8.7.6/8.7.3/AOL-2.0.0)

id OAA10515; Wed, 02 Jul 1997 14:57:30 -0400 (EDT)

===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Lori L. Anderson (CN=Lori L. Anderson/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 2-JUL-1997 12:55:08.00

SUBJECT:

TO: MICHAEL D. (Pager) #MCCURRY (MICHAEL D. (Pager) #MCCURRY [UNKNOWN])

READ:UNKNOWN

TEXT:

lockhart is trying to get a response to questions re: don't ask, don't
tell ruling in ny state. -lori

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 3-JUL-1997 15:59:29.00

SUBJECT:

TO: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

Q Any comment on the "don't ask, don't tell" decision yesterday being overruled?

MR. MCCURRY: We continue to believe that the policy is a good one, it is being implemented effectively by the Department of Defense. Every time this issue has risen up to the appellate level, the law itself has been upheld, and we will abide by whatever determination is made by the Justice Department with respect to an appeal of the decision that's been rendered in New York. Is that right? That's about right.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 7-JUL-1997 09:34:46.00

SUBJECT: dadt

TO: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

SAN FRANCISCO CHRONICLE, July 7, 1997

901 Mission St., San Francisco, CA, 94103

(Fax 415-896-1107, print run 570,300)

(E-MAIL: chronletters@sfgate.com) (<http://www.sfgate.com>)

EDITORIAL -- Opportunity to Scrap 'Don't Ask, Don't Tell'

ATTORNEY GENERAL Janet Reno did not hesitate last week when asked if the government would appeal a federal judge's ruling that the military's "don't ask, don't tell" policy violates gays' rights to equal participation in national defense.

"Yes, it will," Reno told reporters without elaboration.

Let's hope that was the answer of an underling who made a wrong assumption based on past policy.

President Clinton, who has been in avoidance mode on tough issues in the first few months of his second term, has an opportunity to show some leadership by eliminating an indefensible set of rules designed to appease a voting bloc that, as a lame duck, he no longer has to worry about.

Almost five years after he made it, it's time for Clinton to make good on his promise to end the ban on gays in the the military. Requiring homosexuals to deny who they are does not meet the spirit of Clinton's 1992 campaign pledge.

Under the "don't ask, don't tell, don't pursue" policy, gays can serve as long as they keep their sexual orientation to themselves. Otherwise, they can be discharged. Commanders may not ask a service member his or her sexual orientation.

The ludicrous muzzle on homosexuals is particularly ironic considering the scandals that have rocked the military as a result of heterosexual sexual indiscretion, harassment and abuse of power.

However, the current slew of sex-related courts-martial demonstrates that there are procedures in place for prosecuting sexual predators regardless of their rank, gender or sexual orientation.

Two years ago in New York, U.S. District Court Judge Eugene Nickerson became the first federal judge to strike down the ``don't ask, don't tell" policy, ruling that it violated the free speech rights of gay and lesbian troops. A U.S. Court of Appeals panel asked that Nickerson also address the part of the policy that banned homosexual acts. Responding to that charge, Nickerson ruled last week that gays are denied equal treatment under guarantees of due process because only they are subject to separate, discriminatory regulations. ``It is hard to imagine why the mere holding of hands off base and in private is dangerous to the mission of the armed forces if done by a homosexual, but not if done by a heterosexual," Nickerson wrote.

Clinton should cancel the appeal and then start lobbying to change the law.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:11-JUL-1997 11:11:51.00

SUBJECT:

TO: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

The Buffalo News, July 10, 1997 (Thanks ConnieBrns@aol.com)

Box 100, Buffalo, NY, 14240

(Fax 716-856-5150, print run 314,830)

Editorial

Letters to The Buffalo News, One News Plaza, P.O. Box 100, Buffalo NY 14240,

fax (716) 856-5150. Include signature, address and phone number for verification.

GAY WRONGS

BANISH THE 'DON'T ASK, DON'T TELL' RULE

U.S. District Judge Eugene H. Nickerson of Brooklyn has the right idea. Washington's cumberson "don't ask, don't tell, don't pursue" policy on gays in the military offends the Constitution and mistreats those who may be called upon to defend America under fire.

Patched together by President Clinton in a compromise with Congress early in his first term, the rule allows gays and lesbians to serve in the military so long as nobody knows about their sexual preference. Should they reveal it or engage in homosexual acts, they can be discharged.

Two years ago Nickerson voided the policy as violating free speech and equal protections under the law.

It is easy to understand why. For gays, to speak of their sexual preferences meant being discharged from the service. But heterosexuals could freely discuss their own sexual preference. At the time, Nickerson, among other things, branded the "don't ask, don't tell" rule "Orwellian."

But a higher court returned the original decision for him to weigh the constitutionality of the military's ban on homosexual acts.

Nickerson has now found that prohibition equally offensive, which it is. He decided that the bar applied to acts not otherwise covered by the military code. He interpreted it as punishing some acts, like holding hands, that were "in themselves inherently innocuous" and that people of the opposite sex could freely perform.

As for the government's tattered contention that prohibiting homosexual activity somehow promotes "unit cohesion," Nickerson dismissed that for the myth it is.

"It is hard to imagine," he wrote, "why the mere holding of hands off

base

and in private is dangerous to the mission of the armed forces if done by a homosexual but not if done by a heterosexual."

Hard to imagine is right. There are now, and always have been, homosexuals

in the military. They just kept the truth to themselves and lived more private lives. Does anyone really believe that, in the defense of the nation,

it is more important to bar admitted gays from military service than to utilize their skills at flying jets, analyzing intelligence reports or scouting positions behind enemy lines? That is absurd.

The Nickerson decision is but one of several on gay rights in the military

wending their way through the courts. When they reach the U.S. Supreme Court,

it should decide the constitutional issues for the country as a whole.

Better yet, Clinton and Congress should repeal this abomination to which Nickerson has raised such convincing, fundamental objections. The "don't ask, don't tell" compromise is no compromise at all. It applies

indefensible

double standards to basic American rights. In offending both decency and the

Constitution, it surrenders to brutish prejudice.

It is a cruel irony that America mistreats men and women who may be called

upon to defend in battle the very constitutional safeguards America denies to

them.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:16-JUL-1997 17:26:41.00

SUBJECT: SLDN Action Alert

TO: Lori L. Anderson (CN=Lori L. Anderson/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TO: Michael D. McCurry (CN=Michael D. McCurry/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

Here's the item we discussed.

----- Forwarded by Richard Socarides/WHO/EOP on 07/16/97

05:24 PM -----

Doug.Case @ sdsu.edu

07/16/97 12:58:00 PM

Record Type: Record

To: Richard Socarides

cc:

Subject: SLDN Action Alert

ACTION ALERT

Calls, faxes and emails are urgently needed to the White House urging the Administration to properly address ongoing violations of Don't Ask, Don't Tell, Don't Pursue. Please see below for back ground details, contact information and suggested response language to cut and paste.

****ISSUE****

In a letter dated 10 July 1997, Servicemembers Legal Defense Network requested to meet with White House Press Secretary Mike McCurry regarding his recent comments that mischaracterize the military's anti-gay policy and that encourage the Defense Department panel currently reviewing Don't Ask, Don't Tell, Don't Pursue to turn a blind eye to command abuses. At the July 3rd White House press briefing, Mr. McCurry stated, "We continue to believe that the policy is a good one, it is being implemented effectively by the Department of Defense" in response to a question about the policy being ruled unconstitutional in the case of Able v. USA the day before.

SLDN Co-Executive Directors Michelle Benecke and Dixon Osburn wrote, "This is

a puzzling assessment in light of the overwhelming evidence indicating that military officials have violated the policy with impunity and that discharges under the policy have increased to the highest level since 1991 and the highest rate since 1987."

Benecke and Osburn concluded, "You are no doubt aware that the Secretary of Defense has established a panel to review the ongoing abuses of 'Don't Ask, Don't Tell, Don't Pursue.' We are concerned that your comments send the wrong message to the panel, encouraging its members to turn a blind eye to command abuses. At the very least, your comments raise serious concerns about whether the Administration intends to conduct a good faith review of the implementation of this policy."

****CONTACT****

1. Mike McCurry, White House Press Secretary. It is crucial that calls & faxes go directly to Mr. McCurry's office. His voice phone is (202) 456-2673 and fax is (202) 456-6423.

2. The President and Vice-President. They can be emailed at president@whitehouse.gov and vice.president@whitehouse.gov, respectively.

****Message****

This message can be cut and pasted into fax/email messages to Mr. McCurry as well as to the President and Vice-President. Please feel free to send your own personal messages or add your concerns and observations to this message.

I am gravely concerned that the White House Press Secretary denies the ongoing violations of "Don't Ask, Don't Tell, Don't Pursue" that have allowed military commanders to continue asking, pursuing, harassing and witch hunting troops suspected of being gay. Mr. McCurry's comments send the wrong message to the DoD panel currently reviewing implementation of the policy and encourage them to turn a blind eye to command abuses. The increased number of discharges under the gay policy and its brutal use to retaliate against women who report sexual harassment effect on women are but the most obvious indications that the military is not obeying its own rules. This is clearly not the humane policy stopping affirmative efforts to seek out gay troops and providing a zone of privacy that the President promised at the outset of his Administration. I request that you clarify to Secretary of Defense Cohen that you expect him to conduct a thorough and objective review of the implementation of this policy. The Pentagon review panel must know that the

White House takes abuses of the policy seriously and is committed to ending the abuses.

****followup****

As always, please "cc" SLDN [email: sldn@sldn.org, fax: (202) 797-1635, snail: P.O. Box 53013, Washington, DC 20009] and send us copies of any responses you receive. Thank you for your continued efforts on behalf of those we serve. The progress we see could not happen without your support. For more information, please contact Julia Adams here at (202) 328-3244.

===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)
id <01ILB64VZGEO00090Q@PMDF.EOP.GOV> for socarides_r@al.eop.gov; Wed,
16 Jul 1997 15:51:18 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov)
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01ILB64J1SC0000C50@PMDF.EOP.GOV> for
socarides_r@al.eop.gov; Wed, 16 Jul 1997 15:51:06 -0500 (EST)

Received: from mail.sdsu.edu ([130.191.25.3])
by STORM.EOP.GOV (PMDF V5.1-7 #6879)
with ESMTP id <01ILB619QQY2002QPD@STORM.EOP.GOV> for socarides_r@al.eop.gov;
Wed, 16 Jul 1997 15:48:18 -0400 (EDT)

Received: from [130.191.242.121] ([130.191.242.121])
by mail.sdsu.edu (8.8.4/8.8.4) with ESMTP id JAA10830; Wed,
16 Jul 1997 09:55:16 -0700 (PDT)

X-Sender: dcase@mail.sdsu.edu

===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Laura S. Marcus (CN=Laura S. Marcus/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:21-JUL-1997 18:39:41.00

SUBJECT: Don't Ask Don't Tell comments

TO: John Podesta (CN=John Podesta/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

CC: Sara M. Latham (CN=Sara M. Latham/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

John -

You received a letter from the Servicemembers Legal Defense Fund (SLDN) regarding a comment McCurry had made about the Don't Ask Don't Tell policy in his press briefing last week. Specifically, SLDN was concerned that McCurry had said, "We continue to believe the policy is a good one, it is being implemented effectively by DoD."

In response to SLDN's concerns, Richard Socarides and McCurry met with SLDN today to discuss the implementation of the policy. In this afternoon's press briefing, McCurry said he had revisited the subject and we did have concerns about the policy's implementation. On that note, he added that Sec Cohen had established a panel to take a serious look into the issue.

SLDN was very pleased with the White House follow through -- As you know, the Don't Ask Don't Tell policy will most likely come up tomorrow at 5:30 when POTUS meets with members of the Gay and Lesbian community.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sara M. Latham (CN=Sara M. Latham/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:21-JUL-1997 18:51:00.00

SUBJECT: Don't Ask Don't Tell comments

TO: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

fyi

----- Forwarded by Sara M. Latham/WHO/EOP on 07/21/97
06:50 PM -----

Laura S. Marcus

07/21/97 06:39:36 PM

Record Type: Record

To: John Podesta/WHO/EOP

cc: Sara M. Latham/WHO/EOP

Subject: Don't Ask Don't Tell comments

John -

You received a letter from the Servicemembers Legal Defense Fund (SLDN) regarding a comment McCurry had made about the Don't Ask Don't Tell policy in his press briefing last week. Specifically, SLDN was concerned that McCurry had said, "We continue to believe the policy is a good one, it is being implemented effectively by DoD."

In response to SLDN's concerns, Richard Socarides and McCurry met with SLDN today to discuss the implementation of the policy. In this afternoon's press briefing, McCurry said he had revisited the subject and we did have concerns about the policy's implementation. On that note, he added that Sec Cohen had established a panel to take a serious look into the issue.

SLDN was very pleased with the White House follow through -- As you know, the Don't Ask Don't Tell policy will most likely come up tomorrow at 5:30 when POTUS meets with members of the Gay and Lesbian community.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:21-JUL-1997 20:50:27.00

SUBJECT: Re: Don't Ask Don't Tell comments

TO: Sara M. Latham (CN=Sara M. Latham/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

thanks!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Stefanie Sanford (CN=Stefanie Sanford/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:21-JUL-1997 10:48:08.00

SUBJECT: DOJ request

TO: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

I've talked with folks over @ DOJ -- and Tony Sutin, the Principal Deputy Associate AG is the contact. He is working up a document to give status on the gays in the military cases. he has my name (although, we generally work through the Chief of Staff's office) -- but feel free to contact hm if you have more specific needs. He is aware of the timeline for this. Thanks. ss

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:22-JUL-1997 08:44:21.00

SUBJECT: SLDN White House Alert Followup

TO: Lori L. Anderson (CN=Lori L. Anderson/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TO: Michael D. McCurry (CN=Michael D. McCurry/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

If you ever get tired of being White House Press Secretary, there might be a slot for you in Public Liaison. I'd be glad to put in a good word for you.

Lori -- you too.

Thanks RS

----- Forwarded by Richard Socarides/WHO/EOP on 07/22/97
08:41 AM -----

Doug.Case @ sdsu.edu

07/22/97 12:15:00 AM

Record Type: Record

To: Richard Socarides

cc:

Subject: SLDN White House Alert Followup

Thank you for your response to last week's action alert on White House Press

Secretary Mike McCurry's misstatements about "Don't Ask, Don't Tell, Don't Pursue." This morning, Mr. McCurry met with Servicemembers Legal Defense Network Co-Executive Directors Michelle Benecke and C. Dixon Osburn regarding

the current state of the military's anti-gay policy. At the daily press briefing this afternoon, Mr. McCurry raised the issue and corrected his earlier statement. Below is the text of Mr. McCurry's comments. His comments help to send the right message to the Pentagon: that the policy prohibits asking, harassment and witch hunts of suspected gay troops and that

such violations must end. On behalf of the men and women in the military whom we serve, we deeply appreciate your support. We would also like to thank the organizations, including HRC, NGLTF and GLAAD. A copy of our press

release on today's developments will be placed on our web site

[www.sldn.org.] Thanks again - you are making a difference!

Kirk

White House Press Briefing

21 July 1997

Mike McCurry: "[E]very once in a while, you get to kind of go back and revisit a subject that you talked about, and I wanted to do something. In July, right before the July Fourth weekend, I had a typically McCurry off-the-cuff reaction to a court ruling up in New York on the don't ask, don't tell, don't pursue policy.

"And I've done a little more homework on that issue since, prodded, I think by some concern --- legitimate concern expressed within and around the gay and lesbian community. And I should have pointed out in reacting to that court decision, among other things, that Secretary Cohen has expressed some concern about the implementation of the law, has empanelled a review group within the Department of Defense to look at the implementation of the act. They're working through issues like better training for members of the military as they implement the law, looking also at the allegations and the data with respect to those who suggest that the policy has not been carefully and effectively implemented.

"And in retrospect, I would have pointed that out, if I had looked into the issue more on July 3rd, and I thank the Human Rights Campaign, Servicemembers Legal Defense Network, and also Ken Bacon over at the Pentagon for educating me further and for prompting this clarification."

[When asked about statistics regarding discharges under the policy, Mr. McCurry responded,]

McCurry: "There are -- you can contact the Pentagon on that. There is an independent group called Servicemembers Legal Defense Network that has done work on that, has issued a report in February, its third annual report, that looks at that data. That's a private nongovernmental group, but I believe that the Defense Department looks carefully at the data that they assemble. They have some disagreements with the methodology, but that is a useful report if you're looking for information."

===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)

id <01ILIL22I4RK0008FG@PMD.F.EOP.GOV> for socarides_r@al.eop.gov; Mon,
21 Jul 1997 23:14:23 -0400 (EDT)

Received: from storm.eop.gov (storm.eop.gov)

by PMDF.EOP.GOV (PMD.F V5.0-4 #6879) id <01ILIL1ZS2OG0018OI@PMD.F.EOP.GOV> for
socarides_r@al.eop.gov; Mon, 21 Jul 1997 23:14:19 -0400 (EDT)

Received: from mail.sdsu.edu ([130.191.25.3])

by STORM.EOP.GOV (PMD.F V5.1-7 #6879)

with ESMTP id <01ILIL1FY4TU003EC9@STORM.EOP.GOV> for socarides_r@al.eop.gov;
Mon, 21 Jul 1997 23:13:53 -0400 (EDT)

Received: from [130.191.242.121] ([130.191.242.121])

by mail.sdsu.edu (8.8.4/8.8.4) with ESMTP id UAA18488; Mon,
21 Jul 1997 20:11:55 -0700 (PDT)

X-Sender: dcase@mail.sdsu.edu

===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Debra S. Wood (CN=Debra S. Wood/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:22-JUL-1997 15:38:22.00

SUBJECT: 1997-7-22 McCurry Briefing

TO: bholbe (bholbe @ aol.com @ inet [UNKNOWN])

READ:UNKNOWN

TEXT:

----- Forwarded by Debra S. Wood/WHO/EOP on 07/22/97
03:37 PM -----

Catherine T. Kitchen
07/22/97 03:09:28 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc:
Subject: 1997-7-22 McCurry Briefing

----- Forwarded by Catherine T. Kitchen/WHO/EOP on
07/22/97 03:09 PM -----

SUNTUM_M @ A1
07/22/97 02:58:00 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc:
Subject: 1997-7-22 McCurry Briefing

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

July 22, 1997

PRESS BRIEFING BY
MIKE MCCURRY

The Briefing Room

1:30 P.M.

MR. MCCURRY: Ladies and gentlemen, I apologize for running a little bit late today. I was wishing Nicholas Burns farewell on his last day of briefing at the State Department. And I said, and I think I am maybe alone qualified in saying, that in the life of the Clinton administration, no one has commanded the podium at the State Department better than Nick Burns. (Laughter.)

Q We couldn't agree more.

Q No, a lot of people say that. (Laughter.)

MR. MCCURRY: Rita's right, a lot of people are saying that.

Q When is his nomination going up?

MR. MCCURRY: He is highly regarded by the President and I expect there will be good things in his future. Good things, sometimes, if you're patient, are worth waiting for.

Q Where is he going? Ambassador to Greece?

MR. MCCURRY: That's the rumor. It's the rumor. I can't confirm anything here.

His hearing is coming up this week, but the Secretary, I believe, is departing on a trip. Is that not correct? She's going to Asia for the ASEAN meeting, so Nick will not return to the State Department podium, but I imagine, though he will miss it, he has better and bigger things to do.

Q Why did you give him a Red Sox cap?

MR. MCCURRY: He's a huge Boston Red Sox fan. He opens every State Department briefing demanding fidelity to lost causes.

Q What are you going to be ambassador to -- Tanzania?

MR. MCCURRY: Sort of like what we give here, too. Got to do better than that.

Hi, Leo, what's up?

Q Hi, Mike. Can you flesh out the President's new proposal on Medicare, how this would actually be handled administratively if you don't let IRS do the job? Wouldn't you have

to create again the separate bureaucracy and run the same risk that the President says would be run if HHS did it?

MR. MCCURRY: We are trying -- first of all, remember our preference was to do this through the normal income tax process

, that a typical tax payer proceeds through. And doing it that way would save \$5 billion over five years, \$12 billion over 10 years, compared to the Republican plan, as advanced in the tax bills on the Hill to do it through the Department of Health and Human Services. So our preference all along has been to do this in what we thought was the most orderly fashion, which was connected to income tax filing.

Now, we understand and have tried to be responsive to the expressions of concern by the Republican majority in Congress, which is why we have developed -- or at least developed the outline of a different proposal. And it works, according to the information I have, like this -- if you ask me to explain this, I will hit you with a wet noodle, because I have no idea exactly how they would administer this, but this is what the Treasury thinks they can do.

First of all, it would not be administered by the Internal Revenue Service, it would be administered more broadly by the Treasury Department. Near the end of each year, all elderly Americans would receive a Medicare premium adjustment form in the mail. Instructions would be attached to the form telling the beneficiaries how to calculate their income, the timing for calculating income would be done the same way as calculating income for tax purposes.

This form would be sent to the Treasury Department, along with the tax form, so it would make it somewhat easier for a typical filer to submit the document. Beneficiaries would return the form if they were required to make a payment because of the means test, they would make a check payable to the Medicare trust fund so the funding would be devoted to the trust fund. The payments would be due on April 15th, consistent with the tax filing deadline.

Q No one will think it's a tax.

MR. MCCURRY: So the beneficiaries can calculate their incomes once for purposes -- for tax purposes, and then mail in with their returns. It makes it easier. The Treasury Department would then make sure that the Medicare payments are directed to the Part A trust fund and they would be able to work out if there was an overpayment or underpayment, as you would typically with the refund, they would work it out.

Now, don't ask me -- (laughter) -- why we are going through this. As one highly-placed aide here said, it is a cosmetic solution to a cosmetic problem. But we are responding to the concern expressed by the Republican majority in Congress. And the Treasury

Department does believe that this would be more cost-efficient and less costly to taxpayers in the long run than developing a whole new quasi Internal Revenue Service within the Department of Health and Human Services, which I think a fair-minded person would say is a common-sense point.

Q Can I just follow up a couple of points? One, if I understand you correctly, taxpayers who are seniors instead of sending two envelopes, one envelope on April 15th, would be sending two to different parties -- one to the IRS as usual and one to Treasury. But wouldn't you have to set up a whole new bureaucracy within Treasury -- you're talking about 33 million seniors -- and a fair percentage of those might be over the \$50,000, \$75,000. Who in Treasury would scan these things as they come in, who would follow up on whether proper filing has taken place, or filing at all?

MR. MCCURRY: Well, they, Treasury -- you will concede the point that the Treasury Department is the more logical place to do this than the Department of Health and Human Services, as starters.

Q Well, you're conceding it.

MR. MCCURRY: No, I'm -- hopefully a fair-minded person would make that point. (Laughter.) But second, the Treasury Department through the IRS already does have to analyze and screen tax returns so they have some capacity for doing that. And of the elderly that we're talking about that would do this form, it would be, in a sense, for administrative purposes, it would be like handling another schedule within a tax return.

But, clearly, with the funds directly to the trust fund, it would, we hope, make it more palatable for someone filing this income premium, to indicate -- or income-tested premium -- to indicate that it was being directed to the trust fund. And exactly, politically, that is the purpose of the provision to begin with -- to extend the life of the Medicare trust fund.

Q I mean, assuming you're not just doing this to show how ridiculous the whole exercise is -- I mean, one of the complaints that you guys had in the beginning about why you might not want to agree to this whole scheme in the context of the balanced budget agreement is because it was kind of done at the dead of night, no hearings, not well-thought-through. First they were going to means test deductibles, then they switched to premiums. And critics of this have said, look, there's ways to means-test, to make richer seniors pay more, that are simpler and that are not so Rube Goldberg like as what you guys are --

MR. MCCURRY: Look, I outlined you the best-faith effort the Treasury Department has on how they will put it together. And this is -- if you're not doing it just straight-forward through the

IRS, this is the best way to do it and the least cost.

Q What I'm asking is, aren't there dangers to doing something that is so complex rather than --

MR. MCCURRY: I don't know that what I outlined -- maybe I made it sound unnecessarily complex -- you figure out your income. You figure out whether under the means test provision you owe any money due to the income levels, which would be -- we're talking about upper-income, elderly Medicare beneficiaries to begin with, so we're not dealing with the entire universe of elderly be required to file. Most elderly, obviously, would not file. And if you've got it due, you pay it. It's not unlike other transactions you do as you're calculating your taxes. I don't know that it's that hard to figure out.

Q What is the income that would trigger higher premiums?

MR. MCCURRY: Well, for example -- I mean, I can't -- I don't know that they have placed that into law yet. One of the things, it would have to be a lot lower if you were going with the Republican plan because, if you're collecting the money they were talking about, you'd have to set the income test much lower because of the cost of their proposed way of collecting.

But just for example, the Blue Dog proposal that had been pending in the -- this is not the bill we're talking about now because that has yet to be determined -- but similar proposals -- the Blue Dog proposal in the House and in the Senate bill, the income test began at \$50,000 for single beneficiaries. The 1995 Republican budget plan began at roughly \$60,000. When we did this -- correct me if I'm wrong -- but when we did the health care proposal, the income test under means testing kicked in at about \$90,000 for a single beneficiary. That was in the '94 health plan. So it would be set at -- that's the range that they're talking about, but I don't know that they've worked through with Congress.

What we're doing -- and again, we're coming forward with this in a response to some of the concerns expressed by the Republican side and to demonstrate the determination of the President to follow through on his commitments to include this in the final version of the legislation.

Q Mike, standing here today, does the White House really believe that this is politically palatable?

MR. MCCURRY: It's politically palatable, yes. I mean, the President, on the subject generally of means testing, has said the American people understanding the geodemographics we face going into the next century, every American including elderly Americans know that increasingly the elderly population grows and we have to take steps to secure programs like Medicare for the future, and that an application of a means test in a limited fashion like this could

be useful. I think that's politically palatable.

Q Let me put it a different way. Do you honestly, standing here today, believe that this plan is going to wash?

MR. MCCURRY: That it's going to be in the bill at the end of the day? We'll see.

Q Mike, when the President said that when he got off the plane from Madrid he made strong comments in support of this, could you give us the citations on that? Because I don't see it.

MR. MCCURRY: Where was it that he said that?

Q He said, practically as soon as I got off of the plane. When did he --

MR. MCCURRY: It's when the bipartisan leadership was here and he addressed that in the Q&A session you all had with him. But we can pull the transcript for you.

Q That was the day he was referring to?

Q That's what he means --

MR. MCCURRY: I think it was Tuesday, it was maybe the day after.

MR. TOIV: He also spoke to it at the press conference, I believe.

Q Yes, but very vague at the press conference.

MR. MCCURRY: It was the Q&A with the congressional bipartisan leadership.

Q If the Republican version was going to cost to your estimate \$5 billion over five years --

MR. MCCURRY: Five billion more than -- we would yield \$5 billion less in revenue, \$12 billion less over 10 years.

Q This new plan, just having Treasury as opposed to IRS doing it, or HHS, how much would that cost?

MR. MCCURRY: I don't have an estimate on that, but the Treasury Department will try to calculate that.

,

Q When you give those estimates on the revenue, what are you basing that on? At what income level would this kick in?

MR. MCCURRY: That's the anticipated cost of

administering the collection of the revenue through the Department of Health and Human Services based on what their administrative response was to the question -- what would be the collection.

Q And do you have any estimates for how much revenue would be yielded from these various proposed income --

MR. MCCURRY: It was roughly --

MR. LOCKHART: Less than ten, I think, for five years, and less than five under the HHS --

Q When it kicks in at what income level?

MR. MCCURRY: You mean on the original, on the Republican version in Congress. You lost about half of the revenue that would be collected by the premium because the administrative costs of doing it at HHS, as the President said.

Q You said this whole plan brings in \$9.8 billion over five years if you do it the IRS way.

MR. MCCURRY: No, I said -- that's roughly right, yes.

Q What income is that based on?

MR. LOCKHART: I don't know what number they used.

MR. MCCURRY: I think that was based on the -- it was the kicked in Republican version kicking in, I think, at \$60,000 for a single beneficiary and then graduated for dual income households.

Q Who is this charade for the benefit of, the members of Congress who are concerned about it or for the American people?

MR. MCCURRY: It's not a charade, Mark. If you're going to apply means testing, this is the way to do it if you are not going to do it through the Internal Revenue Service.

Q But have you shown this to any Republican leader? Is there any indication that they're actually ready to sign on to this?

MR. MCCURRY: They've had discussion on the Hill with the conferees and this is our proposal on how to do this.

Q Are your policy people clear that of all the different ways to make people with more resources pay more for Medicare, this is the best way to do it?

MR. MCCURRY: I am told that if you want to collect the premium against a means test income test as proposed by the Congress in the legislation, this is a more efficient way to do it than to do it through the Department of Health and Human Services.

Q But I'm saying if you guys were designing a method, would this be it?

Q When the President says he could defend any member voting for this, Republican or Democrat, what kind of political cover is the President offering to members of Congress?

MR. MCCURRY: He obviously will defend those who vote for it, and it will have some impact in protecting those who vote for it against those who would attempt to attack them politically for having voted for it.

Q To what extent is he willing to work for this? The initial reaction back from the Hill is it's dead, this isn't enough. To what extent would the President be willing, when you talk about bringing the whole budget negotiations to a higher level, to what extent is the President willing to go in and make his case for this?

MR. MCCURRY: The President will protect those who vote against it if they are subject to attack politically for having voted against it. That's what he said. I haven't talked to him about how elaborate that is going to be.

Q Mike, does the President envision situations where he would be out campaigning for Republican candidates against Democrats who are --

MR. MCCURRY: I think it's more that there are ways in which the President can speak publicly that indicates what his position is, and that provides some measure of help to those who are defending any vote that they've made in the Congress.

Q Mike, could you explain how this erases the image, the specter of a tax increase? Is it just simply using the Treasury Department instead of the IRS?

MR. MCCURRY: Oh, writing a check to -- I mean, I think, if an individual citizen is writing a check to the Medicare trust fund and with the understanding that is part of a plan to extend the solvency of the trust fund so that it will be there for future generations, they're not going to feel necessarily like they're writing their check to the Internal Revenue Service for general revenue purposes. There is some distinction there, however valid it is, you can put it out and there will be a public debate on it.

Q Did I understand you to say that the people who work in the IRS currently would do the screening of the forms themselves and the processing? Is that right?

MR. MCCURRY: They have the technology and the expertise to do it, so there would be some IRS involvement, even though the program would be administered by the department itself.

Q What's the status with the other big items on Medicare -- raising the eligibility age to 67, and also the \$5 co-pay?

MR. MCCURRY: Well, they're still under discussion within the conference committee itself. Remember, we're talking about something that is solely the product of a discussion on the Republican side of the aisle. They indicated that they were going to back off the Senate-passed means test provision. So that issue has not come before the conference yet and many of the big-ticket issues, as you point out, are still pending before the conference.

Q How is the overall outlook for the budget?

MR. MCCURRY: We think good. This is not -- this is one issue, but not necessarily the critical issue in these discussions. I think this issue could be resolved relatively expeditiously, and they could get on to what are really the serious issues at stake in coming to a final agreement.

Q What are those?

Q When do you think that will happen?

Q What are those?

MR. MCCURRY: Taxes and spending, as I've said before. I mean, you all know what they are.

Q Why, when the President initially didn't want to have Medicare be at all involved in this budget process would have now enmesh himself in this, vis-a-vis, the tax increase?

MR. MCCURRY: No, David, you're just way wrong. I mean, from the very beginning, the President has fought for savings from Medicare that would extend the solvency of the trust fund. That's been a feature of our proposed Fiscal Year 1998 budget, it's been part of the agreement. Now, we originally got generated the savings we need for Medicare without applying a means test, but the Congress felt strongly about it. It arose during the Senate consideration. We've accepted it. We're for it. And we will try to make it work.

Q Under the President's proposal as you've explained it, would federal employees at Treasury who do not currently have the authorization to look at people's income tax forms, then now have the authorization? Would people's income tax forms be reviewed by employees outside of the IRS?

MR. MCCURRY: I don't think they anticipate changing procedures, but I'll refer that to Treasury.

Q Mike, would you take the question of what the

additional costs would be to Treasury for implementing this plan?

MR. MCCURRY: I'll see if and when Treasury has a cost estimate on the --

Q But it clearly won't be as efficient as if the IRS were to do itself, correct?

MR. MCCURRY: It wouldn't be as efficient as the way we suggested it be done in the initial instance, correct. But it would be better than doing it through the Department of Health and Human Services as the Congress is currently considering.

Q Getting to another subject, the crack cocaine disparity in powder and crack --

Q Can I just ask one more question on this?

Q No, let me get to this real quick.

MR. MCCURRY: Why don't you hold the thought. Let's just finish on this. I don't have much more on this. Beat the dead horse a little more.

Q The only question I have is, the President said that the budget team would be going up to the Hill shortly for more negotiations, but there's nothing scheduled. Do you know anything about that and what he's talking about?

MR. MCCURRY: We're hopeful we can engage the leadership. We think it's -- we're at a point now where we need to reengage the leadership, particularly those that were involved in drafting the agreement, and I suspect that will happen over the course of the coming day or so.

Q You don't know of anything today?

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MR. MCCURRY: We'll see. A lot of hours left in this day.

Q If the negotiators are unable to put back together the means testing element, how critical is it to this whole agreement? Is there an easy way around it? I mean, if the means testing thing collapses despite what the President has said --

MR. MCCURRY: Remember, in our proposed agreement, or in the agreement itself, they generated the \$115-billion of savings in Medicare without using this means testing provision, so you can clearly do it without relying on this particular feature. But if there is a determination that we need this feature, the President is willing, in good faith, to work with Congress to design one that is administratively acceptable.

The problem is the way it was originally structured it's not, and as the President indicated, the other problem was, you could not require a 100 percent level test for benefits received, because that would, in effect, take the highest income elderly, give them an inducement for opting out of the program, and we want to try to preserve the universality of the program itself, which is why most of the discussions have been on testing and 75 percent.

Q Going back to this issue of the offer of support for Republicans who might vote for this plan, how can the President square that with some of the Democrats for whom he's raising money tonight with the DCCC?

MR. MCCURRY: I don't know what that means. Look, we're not saying that we're going to go out and campaign for Republican candidates, we're saying that if the President says publicly that you made your vote, it was a good vote, it makes it a lot harder for a Democratic candidate or a Republican candidate for that matter, to attack an opponent who has voted for the provision in question. You just play back the President's statements and that provides some level of comfort to the member of Congress who has voted for the provision. That's especially true when you have a President that's at 64 percent popularity.

Q As I recall, in a '93 budget deal, there was an increase to taxes on wealthy people that have received Social Security, and that money was earmarked for the Medicare trust fund. Why didn't you have this kind of system that you're outlining now for that provision or, alternatively --

MR. MCCURRY: That was basically done through the income tax system. As I keep saying, that would have been our preferred way of administering this particular provision, but we're responding to the expressions of concern by the Republican side.

Q How can, on the one hand, you say that the President will provide political cover for, for example, a Republican voting for this, and on the other hand say we don't really need this as part of the budget deal and sort of say we could walk away from this if we had to because --

MR. MCCURRY: I'm not saying -- look, we're trying to get a deal done here and implement it. This is a provision that apparently many people on the Hill feel strongly about, we support it, we're trying to make it work, trying to give them a way that they, if they want to pass it into law, they can be confident it will work effectively. And if it raises a political issue and subjects a member of Congress to some form of political attack, the President's been willing to say he'd get out there and be the first to say that it's a good vote and it makes sense from a policy and economic point of view. Now, that will be helpful to some members of Congress, presumably. But let's not make more out of this than what it is.

Q Mike, during the '95 budget fight, Democrats were accusing Republicans of trying to make Medicare recipients pay for tax breaks for the wealthy. Why would this not be interpreted the same way?

MR. MCCURRY: Because I think it's structured in a way that clearly the highest income elderly are those that are going to be subjected to an income test for the premium payment. The costs are not coming broadly across the board from all beneficiaries. It's very carefully structured. And the impact and incidence of the premium payment is such that you extend the benefits of the program broadly for the current population.

I mean, you -- look, we also are dealing with the solvency question, looking for a way to generating savings. We had provided our ideas during that debate on this. And we think this is a sensible way to at least try to accommodate the concerns that have been expressed by the majority.

Q So, Mike, I understand you're trying to send the Republicans a message in saying, well, they feel strongly about it, we're going to go along with that if it's administratively doable and we'll even provide political cover. But it seems like you're not having a hard time restraining your enthusiasm for this as a policy idea. I mean, how enthusiastic is the President? In a perfect world, is this the way he'd begin to address Medicare's long-term structural reforms -- this particular way? I'm not talking about means testing in principle.

MR. MCCURRY: This is not an effort to deal with the long-term structural problems of Medicare or, for that matter, Social Security. But, philosophically, the application of some type of means test to those programs is something generally acknowledged as something that should properly be under consideration at the proper time. We're not prejudging any of that discussion by advancing this proposal today.

Q Let me just follow up. Is the reason that he feels this is okay to do this and there's not danger in this is because fiscally, it's pretty trivial? I mean, what you're talking about is not huge savings. He kept on repeating today, look, the biggest savings comes from --

MR. MCCURRY: These are not -- in the sum total of all the things that we're doing in this agreement, this is not, in dollar terms, as significant as other aspects of the agreement, including the education relief, including the overall savings generated by the agreement over time. Even in Medicare, it's not the most significant extender for solvency within the Medicare portions itself. But there may be value in the philosophical premise that we have adopted some element of means testing just as there was when we introduced elements of means testing into the Social Security program in the 1980s.

Q Mike, the Senate and the House both said they'd favor included in the bill the creation of a commission to deal with these long-term financing problems of Medicare. Does the President have any view about what kind of a commission that should be, how it should work, who should --

MR. MCCURRY: We have said that there should be a bipartisan process. We have not ruled out that it would be some form of commission. But there should be a process that is truly bipartisan, can produce the kind of result that the negotiations that led to the bipartisan balanced budget agreement produced. That did not require a commission. But the President has pledged to pursue some type of bipartisan process to deal with long-term entitlement reform issues.

Q Does the White House believe these added -- these additional premiums for more affluent Medicare recipients amount to, in effect, increased taxes?

MR. MCCURRY: It amounts to a means test.

Q But is it increased tax?

MR. MCCURRY: And it's being structured so that they represent payments to extend the solvency of the Medicare trust fund, and that's the way I would characterize it.

Q What harm is done by having the best people opt out of the system?

MR. MCCURRY: Well, you mean if they opted out altogether? You increase -- it's like any other group insurance pool, you increase the cost of the program if those who are the healthiest and the wealthiest opt out. You change the structural cost of insuring the remaining population. It's like any other -- works like any other group insurance plan that had to be calculated actuarially.

Q If the IRS employees the ones doing the actual processing, what will the Treasury --

MR. MCCURRY: Peter, look, you guys can't ask me that level of substance. We're trying to work through -- we've got an idea; the Treasury Department is working hard on it. If you're that interested, please contact some experts at Treasury.

Q In terms of the actual means test that the administration would apply, I gather there's no endorsement today of either the \$50,000 or \$75,000 threshold or the range of increases in the premiums.

MR. MCCURRY: I don't think that we have -- we have not addressed the question of exactly where you set it.

Q As a matter of fact, isn't it the other way around, that the way the Senate voted, the President is opposed because that's what he's really referring to when he is saying that you're running the risk of chasing people out of the Medicare system? In other words, that the -- as I understand it, the premiums go up very high when people reach incomes above \$100,000. In other words, the President is not ready to accept what the Senate has proposed, is that correct? In terms of the actual numbers.

MR. MCCURRY: You mean in terms of the actual --

Q The higher premium.

MR. MCCURRY: I think we still have that in discussion with the conferees.

MR. TOIV: We have not agreed on phasing -- the problem he's referring to is what you were just talking -- charging the premium --

MR. MCCURRY: We have some disagreement on the phasing, how you phase in. But the we also have -- remember, you heard the President talk about this earlier -- we don't believe you subject the test up to 100 percent of the benefit, either. We both believe it should be in the level of 75 percent, I think we suggest; maximum should be 75 percent.

Q Do you have anything specific on the table with regard to means testing?

MR. MCCURRY: With respect to this? No. We're clearly discussing with them how we can proceed in a good-faith effort to try to implement this concept in the agreement because it's been voted for now by the Senate and the Senate Republicans in particular feel very strongly about this in conference. We're trying to work with them to see if we can't include this element in the final legislation that's negotiated. We're going to them with some ideas, clearly still skeletal, about how we would make it work.

Q But if you were really in a serious effort with the Republicans, particularly in the Senate, to reach an agreement on means testing, shouldn't you by now have put on the table exactly what the specifics of your means testing proposal --

MR. MCCURRY: No. I mean, Leo, this came out of the clear blue during Senate Finance Committee markup and it was considered on the Floor. This is a very late -- not very long ago, not very long ago and the degree to which it was going to be embraced by the House conferees I think is fair to say still very much in question even on the Republican side. But we're where we are. We want to see if we can work on it and we know that there are elements within the conference that feel strongly about it, there are Republicans in the Senate that feel strongly about it, so we want to work with them to see if we can make it work. Can't -- right, there

are obviously Democrats on the Senate side and in the Finance Committee who also very strongly advocated this position.

Q I was just wondering, if your negotiators today or tomorrow have any specific guidance on this matter when they engage in serious negotiations with the folks on the Hill.

MR. MCCURRY: I think they got it from the President this morning, and we're fleshing it out now as best we can.

Q Mike, on the record, what was the official recommendation from McCaffrey and from Reno, and where does the President want to kind of fall in between, between five to one and 10 to one?

MR. MCCURRY: The recommendation of the Drug Director and the Attorney General was that the trigger for a five-year mandatory drug penalty should be increased from five to 25 grams for crack and drop from 500 grams to 250 grams for powder cocaine. That would drop the ratio from the current level from 100 to one to roughly 10 to one. The President, as he said earlier, thinks that's a sensible recommendation and he certainly accepted it, but we now have to work closely with Congress to see how we would implement it.

Q Well, why not one to one?

Q What's the justification?

MR. MCCURRY: Because one to one in the view of the law enforcement community does not make sense. Parity does not reflect the fact that these are two different drugs associated with two different types of social behavior in the one case of crack, much more violent and much more dangerous to the community.

Q McCaffrey says it affects disproportionately the black community.

MR. MCCURRY: I'm telling you what the recommendation was that came forward. Both of these drugs affect all populations in the country one way or another, sometimes disproportionately in the case of some communities. But crack cocaine is associated with much more violent, much more dangerous, much more antisocial behavior.

Q Mike, when the President is saying that he accepts the recommendations, was he indicating reluctance to accept them? He didn't seem overly enthusiastic in commenting.

MR. MCCURRY: No, it's just reflecting the reality that we have to work with Congress now to see what will be enacted into law and the viewpoints on the Hill that have to be considered and we have been consulting closely with people on the Hill.

Q He doesn't think that it has much of a chance on the Hill?

MR. MCCURRY: No, I think it has a very good chance on the Hill to reduce the disparity. The disparity is clearly something that many members if not most members of Congress find objectionable and how to close the disparity is what's under consideration. This is obviously a tenfold reduction in that disparity.

Q Can we go to a different subject?

MR. MCCURRY: Absolutely. Anytime.

Q The Pacific salmon dispute -- the Premier of British Columbia has written to the President suggesting that the State Department and the Canadian government can't seem to get this thing resolved, and the Prime Minister earlier, I guess, a month ago, asked the President to help get involved in this. Given the letter from --

MR. MCCURRY: That's one version, maybe, of history.

Q Yes, but given the letter from the Premier of British Columbia, will the President take a different view, maybe throw his weight behind getting these two countries back to the bargaining table?

MR. MCCURRY: Well, the President, privately, with Prime Minister Chretien has stressed the importance of resolving this issue amicably; has suggested that both the State Department and the relevant ministries in the Canadian government should be involved in a renewed effort to solve the issues.

We should not have to go through the kind of episode we did this past weekend in which people who have no connection whatsoever with the fishing industry were not only inconvenienced, but maybe even put into some degree of hazard as a result of the dispute itself. And the President would reiterate what he has suggested privately to the Prime Minister, that it's time for negotiators to work extra hard to solve the dispute.

Q Mike, the President has a lot of time scheduled in Los Angeles and not much seems to be scheduled for him to do. What's he going to be doing?

MR. MCCURRY: I think playing golf.

Q So he has a fundraiser and --

MR. MCCURRY: It's a Sunday, so he's essentially taking that portion of Sunday off, between doing the event up in Lake Tahoe and then going out to speak to the National Governors Association Monday in Las Vegas.

Q Should we expect the Weld nomination today?

MR. MCCURRY: No.

Q Mike, can you talk about the Leder's nomination?

MR. MCCURRY: Maybe tomorrow. Maybe. Check in on that tomorrow. Soon.

Q Leder nomination?

MR. MCCURRY: Phil Leder?

Q Yes.

MR. MCCURRY: The President believes that Phil Leder, who has got enormous wealth of experience within this administration, both here at the White House, at the Small Business Administration and who has worked on so many interesting international efforts on behalf of the administration will be an excellent Ambassador to the Court of St. James.

Q How many times has the President attended the Renaissance Weekend?

MR. MCCURRY: I have no idea. I think -- the beginning. And he certainly credits Mr. Leder with having a brilliant idea in setting it up.

Q This conference this week at the -- small arms trafficking, on an agreement to limit the illegal traffic of small arms in the hemisphere, how important, how interested is the administration in that agreement?

MR. MCCURRY: I know that within the administration we've worked a great deal on it and I've seen some discussions at the State Department on it. I'd have to check further with people who are following it here at the White House. But we have enormous interest generally in the question of conventional military balance, conventional arms balances in the region. We believe we have structured our own policy with respect to sales and exports carefully to acknowledge some of the concerns about balance. And, of course, we are most interested in illegal or illicit arms smuggling and arms trafficking and we work closely with governments of the OAS to advance those concerns.

Q The President said he was spending a lot of time in the last few days with the Boeing situation. Can you elaborate a little bit on that, on the call --

MR. MCCURRY: He's been following the discussions that have been underway. He's made a handful of calls himself. He's obviously been trying to impress upon European leaders the relevant criteria evaluated by our own Independent Federal Trade Commission,

which looked at the competitive economic aspects of the proposed merger. And that's the basis upon which he believes the European Commission consider the matter. We remain hopeful there will be some resolution of the question prior to the anticipated vote by the EC tomorrow.

Q Who are some of the people he's talked to?

MR. MCCURRY: I'm not -- the President has had good conversations with those that he believes are in a position to be helpful in advancing the discussions within the European Union.

Q How many calls has he made?

MR. MCCURRY: He's made two that I know of and may have made some more by now.

Q What if it's turned down? What if the EU turns it down? Then what?

MR. MCCURRY: Well, the President has suggested and others in the administration have suggested that we do have some remedies and we could pursue our concerns within the World Trade Organization. But it also would depend in part on any response -- or, the response, if any, that would be forthcoming from the Commission.

Q Mike, just what is going on between now and tomorrow to try to head off what the President describes as a trade conflict --

MR. MCCURRY: Those of you who have followed the discussions know that there have been -- I think in Brussels, right? -- almost around-the-clock negotiations that have been underway, and we are -- both we are represented and representatives of Boeing and McDonnell Douglas are also represented in private capacities.

Q Mike, it's been reported that Mike Espy has gotten a target letter. Does the White House have any reaction?

MR. MCCURRY: I don't have any comment. To my knowledge, no one here is familiar with whether or not that's true.

Q What's up for tomorrow?

MR. MCCURRY: Come back to that. One last question. What are we doing tomorrow? (Laughter.) Child health, yes. We're protecting the health of children and we've got some things -- the President will have some things to report on immunization levels, and we're looking forward to see what we can do more broadly to advance the subject of health care in America. You know the President and the First Lady have indicated there will be a conference at the White

House later in the year on child health care issues -- child care issues, more broadly defined. I think the President will have some things to say about that as well.

Q Mike, could you talk about the 5:30 p.m. meeting with gay and lesbian groups?

MR. MCCURRY: The President has had a -- is planning a series of outreach meetings to leaders in various communities. He has already met, I believe, with leadership of the Hispanic community. He has, in connection with his initiative on race, met with many representatives of African American organizations. This afternoon, he'll meet with leaders in the gay and lesbian community. I expect in coming weeks he'll be continuing this effort to kind of reach out.

Q What will be the issue there?

MR. MCCURRY: There are a lot of them.

Q Don't ask, don't tell?

MR. MCCURRY: No. The Employment Discrimination Act in particular, which I think is a very high priority of that community. There are lists of about a half-dozen or so issues I think the President anticipates talking with them about.

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Q Do you know off-hand what the level of professional appointments to political appointments for ambassadorships under this President?

MR. MCCURRY: Off-hand, I don't. I think that we have done as well as if not somewhat better than prior administrations in the ratio of career appointees to political appointees, which is something the President felt keenly about and I think on balance -- on balance, obviously, we have a much higher percentage of career foreign service officer appointees to ambassadorships than we do political appointees.

Q Is there any update on Felix Rohatyn?

MR. MCCURRY: Yes, he's been nominated. He was nominated I guess two days ago.

THE PRESS: Thank you.

END 2:10 P.M. EDT

Message Sent

To:

Julie E. Mason
April Mellody
Darby E. Stott
Julia R. Green
Lorraine L. Wytkind
Laura D. Schwartz
Lori E. Abrams
Lori Anderson
Brenda M. Anders
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Teresa Wildman
SUNTUM_M @ A1@CD@LNGTWY
COGDELL_C @ A1@CD@LNGTWY
backup @ wilson.ai.mit.edu@INET@LNGTWY
wh-outbox-distr @ clinton.ai.mit.edu@INET@LNGTWY
BARBUSCHAK_K @ A1@CD@LNGTWY
BARTHOLOME_M @ A1@CD@LNGTWY
BARTHOLOW_T @ A1@CD@LNGTWY
CAPLAN_P @ A1@CD@LNGTWY
CUTLER_L @ A1@CD@LNGTWY
GILLESPIE_C @ A1@CD@LNGTWY
GRAY_W @ A1@CD@LNGTWY
GRIBBEN_J @ A1@CD@LNGTWY
HAAS_L @ A1@CD@LNGTWY
JOHNSON_WC @ A1@CD@LNGTWY
LIZIK_C @ A1@CD@LNGTWY
MOFFETT_J @ A1@CD@LNGTWY
NAPLAN_S @ A1@CD@LNGTWY
RILEY_R @ A1@CD@LNGTWY
NAPLAN_S @ A1@CD@LNGTWY
SMITH_BD @ A1@CD@LNGTWY
STUMPF_D @ A1@CD@LNGTWY
WEINER_R @ A1@CD@LNGTWY
WOZNIAK_N @ A1@CD@LNGTWY
glynnm @ panet.us-state.gov@INET@LNGTWY
usia01 @ access.digex.com@INET@LNGTWY
I=US@2=WESTERN UNION@3=@5=ATT.COM@*ELN\62955104@MRX@LNGTWY
62955104 @ eln.attmail.com@INET@LNGTWY
73030.21 @ compuserve.com@INET@LNGTWY
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newsdesk @ usnewswire.com@INET@LNGTWY
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Message Sent

To: _____

Patrick E. Briggs/WHO/EOP
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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:23-JUL-1997 09:36:08.00

SUBJECT: Clinton Meets with Gay Activists

TO: Sandra Thurman (CN=Sandra Thurman/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

TO: Mark Hunker (CN=Mark Hunker/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Sylvia M. Mathews (CN=Sylvia M. Mathews/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Marjorie Tarmey (CN=Marjorie Tarmey/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Craig T. Smith (CN=Craig T. Smith/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Maria Echaveste (CN=Maria Echaveste/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TEXT:

Here's the AP story. Thanks so much to all of you for your support in putting this session together. It's interesting that that what it really comes down to is the very basic issue of inclusion. The feedback on the meeting last night was extremely positive. I'm working on a follow-up memo which I'll circulate in a day or two.

----- Forwarded by Richard Socarides/WHO/EOP on 07/23/97
09:22 AM -----

Doug.Case @ sdsu.edu
07/23/97 02:03:00 AM
Record Type: Record

To: Richard Socarides
cc:
Subject: Clinton Meets with Gay Activists

ASSOCIATED PRESS, July 22, 1997
President Meets With Gay Activists
By SONYA ROSS

WASHINGTON (AP) - President Clinton met Tuesday with a dozen gay and lesbian activists, pledging support for two employment concerns: anti-gay bias in the workplace and high-ranking appointments in his administration.

The president spent more than an hour discussing a range of issues from

adoptions to homeless gay youth and problems confronting gays and lesbians in rural areas, such as access to AIDS medicine.

Clinton pledged his support for the Employment Non-Discrimination Act, which bars firing or discriminating against an employee on the basis of sexual orientation.

And he assured the group that he has put forth five nominations of openly gay people for administration jobs that require Senate confirmation.

"Each one of them will take work," said Elizabeth Birch, executive director of the gay political advocacy group Human Rights Campaign. "We have a tough challenge ahead."

Maria Echaveste, White House director of public liaison, said the president wants gay appointees so that his administration can provide an example of how to reduce anti-gay attitudes in the workplace.

"The more people work with them, the less prejudiced they are," Echaveste said. "That's why appointments are so pivotal."

There also was discussion of Clinton's upcoming White House conference on hate crimes later this year. The activists said they want the conference to address "widespread" violence against gays and would like to include gay youths who often are prone to violence on the streets because of family rejection and homelessness.

"There is agreement that violence against any group is something that must be combatted," Echaveste said.

The group expressed concern about the implementation of the Clinton administration's "don't ask, don't tell, don't pursue" policy on gays in the military. A study by the Service Members Legal Defense Network showed that gays are being discharged from all branches of the armed forces in greater numbers since the policy was instituted in 1993.

"We made it clear there are a number of instances in which the administration has come down on the wrong side of issues that are important to us, not the least of which is the gays-in-the-military issue," said Lorri

Jean, executive director of the Los Angeles Gay and Lesbian Center.

The policy bars commanders from asking service members to reveal their sexual orientations, and allows gay troops to serve as long as they refrain from homosexual acts and don't reveal their orientation.

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===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)
id <01ILK34WUTOW001RE2@PMDF.EOP.GOV> for socarides_r@al.eop.gov; Wed,
23 Jul 1997 01:02:51 -0400 (EDT)

Received: from storm.eop.gov (storm.eop.gov)
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01ILK34UBQDC001BHK@PMDF.EOP.GOV> for
socarides_r@al.eop.gov; Wed, 23 Jul 1997 01:02:48 -0400 (EDT)

Received: from mail.sdsu.edu ([130.191.25.3])
by STORM.EOP.GOV (PMDF V5.1-7 #6879)
with ESMTP id <01ILK343YN22003DBV@STORM.EOP.GOV> for socarides_r@al.eop.gov;
Wed, 23 Jul 1997 01:02:14 -0400 (EDT)

Received: from [130.191.242.121] ([130.191.242.121])
by mail.sdsu.edu (8.8.4/8.8.4) with ESMTP id WAA12308; Tue,
22 Jul 1997 22:00:01 -0700 (PDT)

X-Sender: dcase@mail.sdsu.edu

===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Laura S. Marcus (CN=Laura S. Marcus/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:30-JUL-1997 17:39:52.00

SUBJECT: Col. Loomis

TO: John Podesta (CN=John Podesta/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

CC: Sara M. Latham (CN=Sara M. Latham/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

Follow-up on our conversation with Tyrer yesterday -

----- Forwarded by Laura S. Marcus/WHO/EOP on 07/30/97
05:37 PM -----

Richard Socarides 07/30/97 04:32:23 PM

Record Type: Record

To: Maria Echaveste/WHO/EOP, Mark Hunker/WHO/EOP

cc: Laura S. Marcus/WHO/EOP

Subject: Col. Loomis

Here's the page 1 story on Col. Loomis. because this is a pending, litigated matter, there is really no action we can take. The groups are asking for a meeting w/ Cohen, and we are going to support this request once it gets formalized. In the meantime, Mike has not had any questions on it and we're basically saying that we support the DOD policy review process. RS

WASHINGTON POST, July 26, 1997
1150 15th Street NW, Washington, DC, 20071
(No Fax - letters by mail only, print run 838,902)
Gay Officer's Removal Fuels Charges of Bias
Army Lieutenant Colonel Had Week Until Retirement
By Bradley Graham
Washington Post Staff Writer
Saturday, July 26, 1997; Page A01
The Washington Post

When a fellow soldier burned down Steve Loomis's off-base house a year ago, the trouble was only just beginning for the Army lieutenant colonel. For nearly two decades while moving up Army ranks, Loomis had kept his homosexuality a private matter. But investigating the burned ruins of the

house, a fire marshal discovered a videotape showing Loomis having sex with three other men and passed the information to Army officials.

A board of inquiry found Loomis guilty of engaging in unbecoming conduct and, last week, Loomis was discharged from the Army under "other than honorable" conditions -- one week shy of his 20-year active-duty career mark and without the pension and health benefits that would have accompanied voluntary retirement.

Gay rights activists have seized on the case as the latest example of what they say is unjust and discriminatory prosecution of homosexuals by the military establishment. They insist the Army was wrong to act on evidence obtained accidentally as a result of the fire, and argue that Loomis should have been given at least the opportunity to retire quietly given his commendable service record.

"He's a victim of a felony -- an arsonist torches his house -- but instead of reacting by saying what can we do to help, the Army says we're going to have to discharge you," declared Kirk Childress, an attorney with the Servicemembers Legal Defense Network in Washington. "It's indicative of the rush to judgment we've seen against those accused of gay conduct."

The case comes as the Pentagon is reviewing enforcement of its three-year-old "don't ask, don't tell" policy regulating homosexuals. Being homosexual is no longer a bar to military service, but acknowledging it or engaging in homosexual activity still can trigger expulsion.

In fact, the number of gays dismissed from military service has climbed sharply since the policy took effect, drawing allegations from gay rights advocates that government investigators are wrongfully conducting aggressive inquiries into the sex lives of gay service members and that commanders have turned a blind eye to harassment.

As lawsuits challenging the policy's constitutionality make their way through federal courts, the military has become embroiled this year in still larger controversies over attempts to regulate adultery, fraternization and other heterosexual relations. Amid the widening national debate on the appropriateness of Pentagon efforts to manage sexual conduct, Rep. Barney Frank (D-Mass.), who is gay, introduced a bill last month dubbed the "Anti-Hypocrisy Act" that would decriminalize such consensual adult sex as sodomy and adultery.

"What happened to Loomis is a clear violation of the Pentagon's policy," Frank said. "It looks particularly vindictive. A guy with a grudge did something to him, which led someone else to make a report to the Army. Loomis didn't tell, and he wasn't bothering anyone.

"The whole purpose of the policy was to preserve order and discipline in the ranks," Frank added. "Loomis was willing to retire within a week of his discharge, so what disruption could there have been by letting him do so?"

The Army regarded the case against Loomis as open and shut, once confronted with evidence that he had committed homosexual acts.

"The policy is clear on how people are supposed to conduct themselves, and if they don't, there is an established procedure for administrative

separation that was followed in this case," said Jim Wittmeyer, an Army spokesman at Fort Hood, Tex., where Loomis served as an engineer on the headquarters staff of III Corps.

The board of inquiry concluded further last December that some of the homosexual sex involved "force, coercion or intimidation" -- a finding Loomis

vigorously protested, attributing it to the inexperience of Army investigators who viewed the confiscated videotape.

"My relations with others have at all times been consensual," Loomis, 50,

said in a phone interview this week. "And they never involved anyone in my chain of command. Anything else would have quickly put me in jeopardy."

Aides to Army Secretary Togo D. West Jr., who reviewed the case this month, rejected Loomis's request to retire voluntarily and preserve his benefits. An Army statement issued this week in response to questions said Loomis "was afforded administrative due process," and "both the length and character" of his military service were taken into account.

By all accounts, Loomis's homosexuality, while known to some of his former commanders and colleagues, was never an issue earlier in his career.

Wounded in the Vietnam War, where he also earned two Bronze Stars, Loomis

left active duty after the war, then rejoined in the early 1980s. He received

high marks for his job performance over the years and had been selected for promotion to full colonel. The night last August that his house was torched,

he had returned from an office party celebrating his imminent transfer from III Corps to an inspector general's job with the 96th Army Reserve Command in Salt Lake City.

The fire was set by an Army private, Michael A. Burdette, who had met Loomis the year before and had posed for nude photos in Loomis's house. Desperate to retrieve the photos but unable to find them after breaking into

Loomis's house, Burdette started the fire in hopes of destroying the pictures, according to Army records. Burdette was discharged from the Army in

January after pleading guilty in state court to arson.

The fire marshal who came across the incriminating videotape in a camera on the scene has testified that he seized it thinking it might show the arsonist igniting the house. But Burdette does not appear in the tape.

Loomis

and his supporters argued use of the tape as evidence was improper, but Army

officials at every stage of appeal affirmed its inclusion.

Army investigators did not pursue the three men pictured with Loomis, who

has since identified them all as soldiers. Nor did the Army choose to court-martial Loomis, preferring to handle the case through administrative rather than judicial channels. Loomis, who plans to appeal his discharge with

the Board for Correction of Military Records, said if Army investigators were

convinced he had used force or coercion, they would have brought him to trial.

Spokesman Wittmeyer said the administrative route was chosen because it is the normal way to handle such cases. He said investigators had no grounds to go after the three other men since their identities could not be determined from the videotape.

"It wasn't even clear from the tape that they were soldiers," he said. "They had no uniforms on. In fact, they had on nothing at all."

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Kyle M. Baker (BAKER_K) (WHO)

CREATION DATE/TIME: 4-AUG-1997 09:52:20.94

SUBJECT: GINGRICH: PANEL SHOULD LOOK AT SEX IN MILITARY

TO: Remote Addressee (dmartin@feminist.org@INET)

READ:NOT READ

TEXT:

Date: 08/04/97 Time: 08:44

GGingrich: Panel should look at sex in military

WASHINGTON (AP) House Speaker Newt Gingrich supports the creation of a commission to look at sex in the armed services, saying the controversy over gays in the military and recent sex scandals have demoralized troops.

"I think we have to look at the entire issue of sexuality in the military," Gingrich said on "Fox News Sunday."

The Dallas Morning News reported Sunday that the Defense Department began reviewing how its "don't ask, don't tell" policy is applied after discharges for homosexuality reached a five-year high of 850 in 1996.

"We're reviewing the enforcement of the policy, not the policy itself," Pentagon spokeswoman Monica Aloisio told the newspaper. "We think the policy works fine. We have no intention of changing it." The Pentagon had no further comment Sunday.

Recent events have turned the military into a "social laboratory," said Gingrich, R-Ga. "You don't hire a military as a social laboratory."

All this scrutiny is "very, very demoralizing to active personnel," he said.

The Army's top enlisted man is undergoing hearings to determine whether he should be court-martialed for sexual misconduct after six women accused him of using his position of authority to intimidate them sexually.

Also, the Army is reviewing training for drill instructors after allegations that male drill sergeants at its Aberdeen Proving Ground in Maryland were preying on female trainees.

The "don't ask, don't tell" policy, implemented in 1994, essentially permits gays to stay in the military as long as they do not disclose their sexual orientation or engage in homosexual activity. The military is prohibited from asking service members about their orientation or actively seeking to identify suspected gay members.

Many homosexuals say military commanders continue to ask people about their sexual orientation and have instigated "witch hunts" against gays.

Military officials suggest that one explanation for the increase in discharges may be the policy itself. Before the policy, enlistees were asked about their sexual orientation when they joined up. If they lied, they could be discharged for "fraudulent

enlistment."

Now, such questions are forbidden. Instead of being discharged for lying when they enlisted, many gay service members now are discharged specifically for homosexuality.

APNP-08-04-97 0843EDT

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 5-AUG-1997 09:17:04.00

SUBJECT: fyi

TO: Laura S. Marcus (CN=Laura S. Marcus/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

BOSTON GLOBE, August 4, 1997

Box 2378, Boston, MA, 02107

(Fax 617-929-2098, print run 516,981)

(E-MAIL: letter@globe.com) (<http://www.boston.com/globe>)

Gingrich seeks military sex review

By Associated Press, 08/04/97

WASHINGTON - Controversy over gays in the military and recent sex scandals

have demoralized troops, and a commission should investigate sexuality issues

in the armed services, House Speaker Newt Gingrich said yesterday.

"I think we have to look at the entire issue of sexuality in the military," Gingrich said on "Fox News Sunday."

The Dallas Morning News reported yesterday that the Pentagon has begun reviewing how its "don't ask, don't tell" policy is applied. Discharges for

homosexuality reached a five-year high of 850 in 1996.

"We're reviewing the enforcement of the policy, not the policy itself,"

the newspaper quoted a Pentagon spokeswoman, Monica Aloisio, as saying.

"We think the policy works fine. We have no intention of changing it." The Pentagon had no further comment yesterday.

Recent events have turned the military into a "social laboratory," said

Gingrich, Republican of Georgia. "You don't hire a military as a social laboratory."

The scrutiny is "very, very demoralizing to active personnel," Gingrich added.

The Army's top enlisted man is undergoing hearings to determine if he should be court-martialed for sexual misconduct, after six women accused him of using his authority to intimidate them sexually.

And many homosexuals say military commanders continue to ask service members about their sexual orientation and have instigated "witch hunts" against gays.

The "don't ask, don't tell" policy, implemented in 1994, permits homosexuals to serve in the military as long as they do not disclose their sexual orientation or engage in homosexual activity. The military is prohibited from asking service members about their sexual orientation or

seeking to identify suspected gay members.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:26-AUG-1997 17:40:34.00

SUBJECT: Pentagon was aware of "Don't Ask, Don't Tell" overzealous enfor

TO: Laura S. Marcus (CN=Laura S. Marcus/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

----- Forwarded by Richard Socarides/WHO/EOP on 08/26/97
05:40 PM -----

Doug.Case @ sdsu.edu

08/16/97 08:03:00 PM

Record Type: Record

To: Stuart D. Rosenstein, Richard Socarides

cc:

Subject: Pentagon was aware of "Don't Ask, Don't Tell" overzealous enfor

WASHINGTON, Aug. 15 (UPI) -- An internal Pentagon memo shows that top officials knew there were problems with enforcement of the Clinton administration's ``don't ask, don't tell" policy toward gays in the military nearly two months before a review of its enforcement was ordered.

On May 12, the Pentagon formally opened a review into enforcement of the 1994 policy, which was designed to allow gays to serve in the military as long as they kept their homosexuality private.

Officials say the review was prompted, at least in part, by complaints raised by advocacy groups who were alarmed that the number of gays dismissed from the military -- 850 in 1996 -- has actually increased 42 percent under the policy.

The Pentagon memo obtained by United Press International shows that top officials were aware of overzealous enforcement six weeks before the review was launched.

In it, Edwin Dorn, former Undersecretary of Defense for Personnel and Readiness, warns top leaders that his office has information ``that some service members have been threatened with being reported as homosexual after they rebuffed sexual advances or themselves reported acts of sexual misconduct by others."

Dorn, who has since retired, addressed the March 24 memo to the service secretaries, Chairman of the Joint Chiefs of Staff John Shalikashvili and the Defense Department's Inspector General. Aides to

each said their office had seen the memo and passed it down the chain of command.

But activist groups contend that the memo shows boot-dragging on the military's behalf toward reining-in excessive enforcement of the policy.

The memo goes on to detail how the policy should be enforced: an investigation can't be launched simply because a service member reports being threatened or harassed for perceived homosexuality.

It also warns that investigators cannot solicit allegations about the sexuality of a person who has been threatened.

Pentagon spokeswoman Maj. Monica Aloisio said Dorn's memo was just a reminder, and that the subsequent review doesn't mean the document was ignored. She said the review was ordered so officials can review the cases of each of the 850 people who were discharged for homosexuality last year.

Asked if the review was prompted because Dorn's memo was ignored, Aloisio replied, ``No, that's just wrong."

Michelle Benecke, co-director of the Servicemembers Legal Defense Network, which tracks the treatment of gays in the military, says both the memo and review ``show that this really isn't the best possible policy." Her group opposes ``don't ask, don't tell," saying it allows the military to treat homosexuals differently from heterosexuals.

Her group is particularly concerned about the policy being used against women. Women who reject sexual advances, Benecke said, are frequently labeled lesbians. Figures from the military itself show that a disproportionate number of women have been dismissed from service under the policy.

In 1996, 29 percent of the homosexual discharges were issued to women, although the active duty military is only 13 percent female. In the Army, 41 percent of discharges were given to women, who account for about 13 percent of that service branch.

That part of the issue came up most recently in the case of Sergeant Major of the Army Gene McKinney, whom six women have accused of sexual misconduct. One of them, retired Sgt. Brenda Hoster, agreed to testify against the Army's top enlisted man only if the prosecution agreed to object to any questions about her sexual past that did not pertain to the case.

The deal didn't stop defense attorneys from asking if she'd held hands or exchanged rings with another woman, questions Hoster refused to answer.

Such tactics highlight a problem -- ``gay-baiting," advocates call it -- of which the military has been aware even before ``don't ask, don't tell" was instituted.

A 1992 Army 91st Division survey on sexual harassment concluded, ``The prohibition against homosexuals in the Army results in a subtle 'billy club' for anyone to use against single women in the Army. When they turn down a date with another soldier, it is often whispered, unjustifiably, that she is 'lesbian.'"

The Pentagon has made it clear that it has no intention of changing the policy, saying the review is only studying how ``don't ask, don't tell" is being enforced. Aloisio said the study, to be completed next month, will help determine that the policy is being enforced uniformly and properly in all service branches.

Officials have conceded that this isn't the case right now. Fred Pang, the assistant secretary for management and the man heading the review, was recently quoted as saying, ``If you ask me whether I think the policy is being perfectly implemented, the answer to that is no. It's a very complicated policy."

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===== ATTACHMENT 1 =====

ATT CREATION TIME/DATE: 0 00:00:00.00

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RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)
id <01IMINR7V8GW005HF0@PMDF.EOP.GOV>; Sat, 16 Aug 1997 19:00:28 -0400 (EDT)

Received: from storm.eop.gov (storm.eop.gov)
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IMINR21ZOG007I06@PMDF.EOP.GOV>; Sat,

16 Aug 1997 19:00:20 -0400 (EDT)

Received: from mail.sdsu.edu ([130.191.25.3])

by STORM.EOP.GOV (PMDF V5.1-7 #6879)

with ESMTP id <01IMINQXEKKE0025OU@STORM.EOP.GOV>; Sat,

16 Aug 1997 19:00:13 -0400 (EDT)

Received: from [130.191.242.121] ([130.191.242.121])

by mail.sdsu.edu (8.8.4/8.8.4) with ESMTP id PAA28360; Sat,

16 Aug 1997 15:58:42 -0700 (PDT)

X-Sender: dcase@mail.sdsu.edu

===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:31-AUG-1997 15:02:03.00

SUBJECT: NC4499: Memo shows 'don't ask, don't tell' flaws

TO: Laura S. Marcus (CN=Laura S. Marcus/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TO: John Podesta (CN=John Podesta/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

fyi

----- Forwarded by Richard Socarides/WHO/EOP on 08/31/97
03:01 PM -----

rwockner @ netcom.com

08/15/97 08:50:00 PM

Record Type: Record

To: Stuart D. Rosenstein, Richard Socarides

cc:

Subject: NC4499: Memo shows 'don't ask, don't tell' flaws

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* by you from the originating news organization. *

WASHINGTON, Aug. 15 (UPI) -- An internal Pentagon memo shows that top officials knew there were problems with enforcement of the Clinton administration's ``don't ask, don't tell" policy toward gays in the military nearly two months before a review of its enforcement was ordered.

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Officials say the review was prompted, at least in part, by complaints raised by advocacy groups who were alarmed that the number of gays dismissed from the military -- 850 in 1996 -- has actually increased 42 percent under the policy.

The Pentagon memo obtained by United Press International shows that top officials were aware of overzealous enforcement six weeks before the review was launched.

In it, Edwin Dorn, former Undersecretary of Defense for Personnel and Readiness, warns top leaders that his office has information ``that some service members have been threatened with being reported as homosexual after they rebuffed sexual advances or themselves reported acts of sexual misconduct by others."

Dorn, who has since retired, addressed the March 24 memo to the service secretaries, Chairman of the Joint Chiefs of Staff John Shalikashvili and the Defense Department's Inspector General. Aides to each said their office had seen the memo and passed it down the chain of command.

But activist groups contend that the memo shows boot-dragging on the military's behalf toward reining-in excessive enforcement of the policy.

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ATT CREATION TIME/DATE: 0 00:00:00.00

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id <01IMHDC7O580007NPY@PMDF.EOP.GOV>; Fri, 15 Aug 1997 20:51:14 -0400 (EDT)

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by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IMHDC4QUPS006VS3@PMDF.EOP.GOV>; Fri,

15 Aug 1997 20:51:09 -0400 (EDT)

Received: from netcom3.netcom.com ([192.100.81.103])

by STORM.EOP.GOV (PMDF V5.1-7 #6879)

with SMTP id <01IMHDBT7RPQ0021EX@STORM.EOP.GOV>; Fri,

15 Aug 1997 20:51:06 -0400 (EDT)

Received: (from rwockner@localhost) by netcom3.netcom.com (8.6.13/Netcom)

id RAA29365; Fri, 15 Aug 1997 17:50:22 -0700

===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Laura S. Marcus (CN=Laura S. Marcus/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:11-SEP-1997 10:52:05.00

SUBJECT: military issues

TO: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

checked in on recent developments on don't ask, don't tell. review is not due out for a few months. main focus for now is Army sexual harrassment in general.

I've asked Undersecretary Rudy deLeon to keep me posted.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:13-SEP-1997 08:52:45.00

SUBJECT:

TO: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TO: Laura S. Marcus (CN=Laura S. Marcus/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

CONTRA COSTA TIMES, September 10, 1997

Box 5088, Walnut Creek, CA, 94596

(Fax 510-933-0239, print run 99,500)

(E-MAIL: ccleters@network.com)

PENTAGON UNDERMINED GAY OFFICER IT NOMINATED FOR PROMOTION

Bob Egelko

Four days before he lost a challenge to the "don't ask, don't tell" policy, Navy Lt. Richard Watson was nominated for promotion by the Defense Department which promptly undermined him by reminding senators of his homosexuality and court case.

On the same day, Sept. 2, that President Clinton formally recommended Watson to the Senate for promotion to lieutenant commander, an assistant defense secretary sent a letter to Sen. Strom Thurmond, chairman of the Armed Services Committee, calling attention to Watson's status.

The letter from Frederick Pang, assistant secretary for force management policy, noted that a Navy board had approved Watson's discharge in 1995 based on the department's "policy on homosexual conduct." A court order prohibits the department from taking "adverse action" against Watson while his lawsuit continues, Pang wrote.

A similar but more elaborate letter from Pang last year prompted Thurmond's committee to shelve Watson's promotion without a hearing. Maj. Monica Aloisio, a Pentagon spokeswoman, said Tuesday that last week's letter was required by law, a statement disputed by Watson's lawyer.

The letter was "dirty pool" that "impugned a good officer," said attorney Christopher Bakes. He said the Clinton administration, still barred by court order from taking actions against Watson, "passed the buck to Senator Thurmond to do what it could not do."

John DeCrosta, spokesman for Thurmond's committee, said it would be busy with the Defense Department budget for two weeks and then would consider Watson's nomination, among many others.

Watson's only known "homosexual conduct" during a decorated 15-year career

was a letter to his commanding officer in 1994 disclosing his homosexuality.

Last Friday, the 9th U.S. Circuit Court of Appeals ruled 2-1 that the Navy was entitled to presume from Watson's statement that he would engage in prohibited homosexual conduct and that his resulting discharge order was neither discriminatory nor a violation of free speech.

The court said it would have been possible for Watson to remain in the service by convincing the Navy that he would not engage in homosexual conduct.

Bakes said Tuesday that he would seek a rehearing before an 11-judge appellate panel. For the time being, the appeal blocks Watson's discharge.

An appeal is also likely from Andrew Holmes, a California Army National Guard officer whose case was consolidated with Watson's.

Promotion to lieutenant commander would increase Watson's pay by 5 percent to 7 percent and make him eligible for command at sea, Bakes said. Watson's ambition is to command a nuclear submarine.

Before ruling on Watson's discharge, U.S. District Judge Thomas Zilly ordered the government to take no adverse action based on his homosexuality.

Based on that order, which remains in effect during Watson's appeal, a Navy board and the Pentagon first approved Watson's promotion last year, based solely on his service record, and Clinton sent his name to the Senate last September.

Four days later, Pang sent his first unsolicited letter to Thurmond, detailing the history of Watson's case and noting that the officer's homosexuality was not disclosed to the promotional board.

In response, the committee took Watson's nomination off calendar and returned it to the Navy without a vote, Bakes said.

Watson then returned to Zilly's court, arguing that Pang's letter had violated the judge's ban on adverse actions.

Zilly refused to hold the government in contempt of court but found the letter improper and banned any such letters while his order remained in effect, Bakes said.

The administration appealed, and the same 9th Circuit panel that later upheld the "don't ask, don't tell" policy ruled that the Defense Department had the constitutional authority to communicate to the Senate about appointments. The ruling did not specify the contents of the communication, Bakes said.

Aloisio, the Pentagon spokeswoman, said Tuesday that Pang's letter to Thurmond last week was "information that the Senate has to know by law."

"Any adverse actions in an officer's file have to be sent to the Senate Armed Services Committee" when the officer is nominated for promotion, she said. "We had to do it with all officers involved in Tailhook."

Bakes countered that Congress had asked the Pentagon to identify all promotional candidates who had been involved in the Tailhook scandal, but had made no such request about Watson.

Negative information about an officer must normally be revealed to the Senate, Bakes said.

But he said the government, in its court papers in Watson's case, had never referred to the disclosure of the officer's homosexuality as "adverse action" which would be barred by Zilly's order and was playing a double

game
by doing so now.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Mark Hunker (CN=Mark Hunker/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:23-SEP-1997 18:41:27.00

SUBJECT: NC4933: ACT UP newly appalled at HRC

TO: Marjorie Tarmey (CN=Marjorie Tarmey/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

----- Forwarded by Mark Hunker/WHO/EOP on 09/23/97 06:35 PM -----

Richard Socarides 09/23/97 06:13:21 PM

Record Type: Record

To: Maria Echaveste/WHO/EOP, Mark Hunker/WHO/EOP

cc:

Subject: NC4933: ACT UP newly appalled at HRC

I guess it's fair to say there is a range of opinion.

----- Forwarded by Richard Socarides/WHO/EOP on 09/23/97 06:12 PM -----

rwockner @ netcom.com

09/23/97 05:43:00 PM

Record Type: Record

To: Stuart D. Rosenstein, Richard Socarides

cc:

Subject: NC4933: ACT UP newly appalled at HRC

----- Forwarded message -----

To: MPetrelis@aol.com

Subject: HRC continues campaign to protect Clinton

ACT UP members appalled

Clinton to speak before Gay organization

AIDS activists cite Clinton's five year record of broken promises and lies

for immediate action September 23, 1997

contact: Wayne Turner at 202.547.9404

Washington, DC-- President Clinton will be the keynote speaker at the annual dinner of the Human Rights Campaign, a DC-based Gay lobbying

organization, at an event to be held on November 8, at Washington's Grand Hyatt. AIDS activists with the advocacy group ACT UP in Washington are disgusted that the HRC would honor Clinton, whose record on Gay and AIDS-related issues has been appalling. Activists cite a long list broken promises and betrayals under Clinton, including: increased witch hunts expelling Lesbian and Gay service members from the US military under Clinton's 'Don't Ask, Don't Tell' policy, signing into law the 'Defense of Marriage Act,' signing into law travel restrictions and a ban on immigration for persons living with HIV, failing to implement the promised 'Manhattan-project' to develop a cure for AIDS, firing Surgeon General Joycelyn Elders for promoting safe sex, refusing to lift the federal funding ban for life-saving needle exchange programs, failing to appoint a cabinet-level AIDS czar to lead the nation's war on AIDS, launching an assault on physicians who recommend marijuana to their patients, and the list goes on.

The record speaks for itself. "Cocktail parties don't save lives," states ACT UP Washington spokesperson Wayne Turner. "We've spent the past five years holding Bill Clinton accountable, trying to hold his feet to the fire. The HRC is simply providing political cover for a President who has failed people with AIDS. They do our cause more harm than good."

ACT UP Washington members have refused to disclose any plans for protests---except to say that activists will use the event as a forum to expose the Clinton legacy. Concludes ACT UP Washington's Steve Michael, "Bill Clinton has not earned the right to speak before Gay and Lesbians Americans. His five year record of lip service and lies speak loud enough"

===== ATTACHMENT 1 =====

ATT CREATION TIME/DATE: 0 00:00:00.00

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RFC-822-headers:

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23 Sep 1997 17:46:08 -0400 (EDT)

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by STORM.EOP.GOV (PMDF V5.1-7 #6879)
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id OAA11991; Tue, 23 Sep 1997 14:43:22 -0700

===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jon P. Jennings (CN=Jon P. Jennings/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:24-SEP-1997 12:22:07.00

SUBJECT: Discrimination

TO: Alicia Hirai (CN=Alicia Hirai/OU=who/O=gov @ who [UNKNOWN])

READ:UNKNOWN

TEXT:

----- Forwarded by Jon P. Jennings/WHO/EOP on 09/24/97
12:24 PM -----

Judi Gold @ DOT

09/24/97 12:02:09 PM

Record Type: Record

To: Jon P. Jennings/WHO/EOP

cc:

Subject: Discrimination

TO: JON JENNINGS

FROM: JUDI GOLD

SUBJECT: REQUEST FOR INFORMATION DISCRIMINATION ISSUES

DATE: SEPTEMBER 24, 1996

Following is some information on discrimination issues in San Francisco, Chicago, Little Rock, Washington, DC. While not all of these issues relate directly to transportation, they might be useful overall. Please contact me at 366-9497 if you have any questions.

Oakland, CA: The Chester Street Block Club Association, representing a West Oakland community, with the assistance of the Community Environmental Law Clinic has filed an Administrative Complaint with EPA and DOT/FHWA. The group is alleging that "the refusal of California EPA's Department of Toxic Substance Control branch and Caltrans to require a full clean-up of toxic sites had a discriminatory and disproportionate impact on the predominately low-income, people of color residents impacted by the rebuilding of the Cypress Freeway". FHWA is currently conducting an investigation. FHWA/Civil Rights has an investigator on-site this week, investigating with EPA. (NOTE: This issue was included in a recent issues report on Northern California)

Berkeley, CA, is the center of disability rights advocacy. Lately, the ADAPT disability rights group has demonstrated across the country,

demanding that over-the-road buses be made accessible to people with mobility impairments. They attended a DOT forum in Austin, interrupting the session to talk about their issues. They recently met with the Secretary, but have been known to continue demonstrating even while solutions are being worked out. They are one of the most activist disability rights groups in the US. and they regard themselves as the legitimate successor to historical activist civil rights groups.

San Francisco, CA: POTUS might experience criticism from large gay population in San Francisco, regarding lack of sexual orientation nondiscrimination statutes and on gays in the military.

Little Rock:

The University of Arkansas did a study of the Little Rock schools which found "Despite four decades of busing and court involvement in their school system, their children continue to receive an education that is, in many respects, both racially separate and unequal." (Chronicle of Higher Education, 9/26/97, p. A11) Black students lag far behind their white peers on achievement tests. Proportion of white students has dropped from 74% in 1958 to 33% last year. (But may be on the way up.) 40% of the city's white children are enrolled in private schools. The study contends that court intervention has made the district nearly impossible to manage, and that the court's reliance on busing has caused so much white flight that the district's black students have become more racially isolated in recent years.

Little Rock passed a one-half cent tax to set up a Minority Economic Development Office for the city, but there has never been an Economic Development Plan. African Americans are still denied opportunities to do business with the city.

As a result of the lack of action by the city, the African American Business Community asked for a disparity study two years ago, a group out of Tallahassee conducted the study which showed that the city discriminated against minorities in business opportunities 99.5% of the time. The City of Little Rock has yet to respond to any of the reports recommendations. Data has been collected which reveal that the city spends \$4.5 to \$5 million every three months but African Americans receive less than \$50,000.

Consequently, the business community filed a law suit and court action is pending. Several motions are being filed in the interim.

Little Rock showed a lack of sensitivity when it appointed a Commission for the Central High celebration without having representation from the NAACP which was the driving force behind the school challenge in 1957. The Commission members did not represent the community. In fact, no African American organization was invited to the table until six months later when the Commission realized that there was no response from the African American Community.

Little Rock has a 21-member Race and Cultural Diversity Commission which was set up 5 years ago. It now has to restructure because of the

inability of the members to get along. The Commission has not made any recommendations, issued any reports, given any status reports, nothing issued since it was created.

Washington, DC: Recent (including on 9/24/97), heavily attended hearings by Congress on equal employment opportunity in the federal government. Much criticism of federal EEO, especially regarding slowness of complaint investigation process. Many African-American federal employee and civil rights groups feel the system is broken. A new study by the Merit Systems Protection Board found that Hispanics are the most under represented minority in the federal government. This could be an issue in Oakland and San Francisco, CA, because of the large Hispanic population there.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Kyle M. Baker (BAKER_K) (WHO)

CREATION DATE/TIME: 6-OCT-1997 11:30:33.21

SUBJECT: WHITE HOUSE 'DON'T ASK, DON'T TELL' POLICY STANDS FOR ...

TO: Richard Socarides (Richard Socarides@eop@LNGTWY@EOPMRX)

READ:NOT READ

TEXT:

Date: 10/06/97 Time: 10:18

SWhite House 'don't ask, don't tell' policy stands for gays in
WASHINGTON (AP) For the third time in a year, the Supreme
Court today turned away a challenge to the Clinton administration's
``don't ask, don't tell" policy on homosexuals in the military.

The justices, without comment, refused to revive a lawsuit by
Richard Richenberg Jr., a former Air Force captain.

Richenberg said the policy violates his free-speech rights and
fosters government ``discrimination and bigotry."

The policy states that members of, and applicants for, the
military will not be asked or required to reveal their sexual
orientation.

Members of the military are discharged for homosexual conduct,
and a service member's acknowledgment of homosexuality creates a
presumption that the he or she is engaging in homosexual acts or
has a propensity or intent to do so, according to the policy.

To avoid being discharged, the acknowledged homosexual must
prove he or she is not engaging in, nor intends to engage in, any
homosexual act while in the military.

Richenberg entered the Air Force in 1985. After he served in the
Gulf War, he began training for special service in Saudi Arabia.
While in training, Richenberg disclosed his homosexuality to his
commanding officer.

The Air Force canceled his Saudi Arabian mission and reassigned
him to Offutt Air Force Base in Nebraska, where discharge
proceedings were begun.

Richenberg was given an honorable discharge in 1995.

He sued the Air Force, but a federal trial judge and the 8th
U.S. Circuit Court of Appeals ruled against him.

``We find no constitutional infirmity in the ... military
policy," a three-judge panel of the appeals court ruled by a 2-1
vote last year.

In the appeal acted on today, lawyers for Richenberg argued that
the policy is based on prejudice.

``The real objective ... is to inhibit members from telling
anyone that they are gay and to guard against the negative reaction
that might be engendered if anyone expressly discloses that he or
she is homosexual," they said.

The case is Richenberg vs. Cohen, 96-1648.

APNP-10-06-97 1021EDT

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:17-OCT-1997 12:50:55.00

SUBJECT:

TO: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

SAN JOSE MERCURY NEWS, October 17, 1997

750 Ridder Park Drive, San Jose, CA, 95190

(Fax 408-471-3792, print run 275,600)

(E-MAIL: letters@sjmercury.com)(http://www.sjmercury.com)

Judge blasts 'don't ask, don't tell'

* Gays in the military: Clinton should 'admit his mistake,' jurist says.

Los Angeles Times

LOS ANGELES -- A veteran federal judge issued a stern challenge to President Clinton on Thursday, urging the president to "admit his mistake of

judgment" and renounce the military's "don't ask, don't tell" policy.

"Renounce it because it is wrong, it is evil -- as you surely know in your

heart," declared 9th U.S. Circuit Court of Appeals Judge William A. Norris.

The liberal jurist issued the unusual challenge in remarks prepared for delivery at an evening ceremony at the Pacific Design Center, where he was to

receive a "Liberty Award" from the Lambda Legal Defense and Education Fund, a

national non-profit legal group working for full civil rights for gay men and lesbians.

"Discrimination against lesbians and gay men as official governmental policy has emerged as the most intractable civil rights issue of the '90s," said Norris, 70, who is perhaps best known for his strong opinion in a 1988 case in which he said the military's ban on gays violated the Constitution's equal protection clause.

"To be sure, other forms of discrimination, such as discrimination based on race or gender, persist as grave social problems in America," Norris said

Thursday. "But at least they are no longer acceptable as official governmental policy. Regrettably, however, it continues to be acceptable for

the government and government officials to promote hatred, fear and intolerance against gay men and lesbians."

Norris, who is set to retire this month after 17 years on the federal bench, condemned "don't ask, don't tell" as a policy which "demands that gays and lesbians live a lie if they wish to serve in the military, and fight and

die for their country."

In response to Norris' prepared remarks, a White House spokesman, speaking on condition that he not be identified, said "the so-called 'don't ask, don't tell' policy is the law of the land and the president and the Department of Defense maintain a keen interest in ensuring that the policy is fairly enforced."

The policy evolved from a lengthy debate about the rights of gays to serve in the military. Until 1993, there was a ban on gays and lesbians serving in the U.S. armed forces. As a presidential candidate, Clinton said he supported repeal of the ban. But shortly after his election, the Pentagon and some members of Congress vociferously objected to an outright repeal, and Clinton came out with "don't ask, don't tell," which permits gays to serve in the military so long as they do not publicly state their sexual orientation.

Clinton called the policy an "honorable compromise." But gay rights organizations immediately denounced it, and there has been considerable litigation over the policy. Thus far, four federal appeals courts -- including the 9th Circuit -- have upheld the policy. Norris was not one of the judges who considered that case, but in his remarks Thursday said that the policy's constitutionality is "highly suspect."

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:18-OCT-1997 11:48:39.00

SUBJECT: Judge Urges Clinton to Renounce "Don't Ask, Don't Tell"

TO: John Podesta (CN=John Podesta/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TO: Michael D. McCurry (CN=Michael D. McCurry/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TO: Laura S. Marcus (CN=Laura S. Marcus/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

CC: Sara M. Latham (CN=Sara M. Latham/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

----- Forwarded by Richard Socarides/WHO/EOP on 10/18/97
11:47 AM -----

Doug.Case @ sdsu.edu

10/18/97 03:09:00 AM

Record Type: Record

To: Stuart D. Rosenstein, Richard Socarides

cc:

Subject: Judge Urges Clinton to Renounce "Don't Ask, Don't Tell"

LOS ANGELES TIMES

October 17, 1997

<http://www.latimes.com>

Judge Urges Repeal of Military's Gay Policy Rights: Jurist challenges Clinton to renounce 'don't ask, don't tell' edict because it forces homosexuals to 'live a lie.'

By HENRY WEINSTEIN, Times Legal Affairs Writer

A veteran federal judge issued a stern challenge to President Clinton on Thursday, urging the president to "admit his mistake of judgment" and renounce the military's "don't ask, don't tell" policy.

"Renounce it because it is wrong, it is evil-as you surely know in your heart," declared U.S. 9th Circuit Court of Appeals Judge William A. Norris in Los Angeles.

The liberal jurist issued the unusual challenge in remarks at an evening ceremony at the Pacific Design Center, where he received a "Liberty Award" from the Lambda Legal Defense and Education Fund, a national

nonprofit legal group working for full civil rights for gay men and lesbians.

"Discrimination against lesbians and gay men as official governmental policy has emerged as the most intractable civil rights issue of the '90s," said Norris, 70, who is perhaps best known for his strong opinion in a 1988 case in which he said the military's ban on gays violated the U.S. Constitution's equal protection clause.

"To be sure, other forms of discrimination, such as discrimination based on race or gender, persist as grave social problems in America," Norris said Thursday. "But at least they are no longer acceptable as official governmental policy. Regrettably, however, it continues to be acceptable for the government and government officials to promote hatred, fear and intolerance against gay men and lesbians."

Norris, condemned "don't ask, don't tell" as a policy that "demands that gays and lesbians live a lie if they wish to serve in the military, and fight and die for their country. . . . I can think of no other instance in which the government passed a law whose very purpose is to force people to live a lie, to pretend that their true selves don't really exist."

The judge, who once ran unsuccessfully as the Democratic nominee for state attorney general, said that in this respect the policy is truly unique.

In response to Norris' prepared remarks, a White House spokesman, speaking on condition that he not be identified, said "the so-called 'don't ask, don't tell' policy is the law of the land and the president and the Department of Defense maintain a keen interest in ensuring that the policy is fairly enforced."

The policy evolved from a lengthy debate about the rights of gays to serve in the military. Until 1993, there was a ban on gays and lesbians serving in the U.S. Armed Forces. As a presidential candidate, Bill Clinton said he supported the repeal of the ban. But shortly after his election, the Pentagon and some members of Congress vociferously objected to an outright repeal and Clinton came out with "don't ask, don't tell," which permits homosexuals to serve in the military so long as they do not publicly state their sexual orientation.

Clinton called the policy an "honorable compromise." But gay rights organizations immediately denounced it, and there has been considerable litigation over the policy. Thus far, four federal appeals courts-including the 9th Circuit-have upheld the policy. Norris was not one of the judges who considered that case, but in his remarks Thursday, said that the policy's constitutionality is "highly suspect."

Norris was introduced by his old friend, Mayor Richard Riordan, a longtime supporter of gay rights. Riordan quipped that when the two met at Princeton University in the late 1940s, "diversity was having a roommate from Texas."

At the outset of his speech, Norris, who is set to retire this month after 17 years on the federal bench, indicated that his return to private life would enable him to speak more freely in public, saying, "I want to take advantage of my fully restored 1st Amendment rights."

In his address, the judge pointedly reminded Clinton of his recent commemoration of the 40th anniversary of the desegregation of the Little Rock, Ark., public schools, where speakers denounced the bigotry that had kept blacks in separate, unequal schools until then.

Norris said the "don't ask, don't tell" policy was equally worthy of

condemnation. "It is also evil. . . . Just as the racial policies of Gov. [Orval] Faubus were evil."

The federal judge urged Clinton to renounce the policy "before it becomes a permanent stain on his legacy."

In the same vein, Norris denounced the 1986 U.S. Supreme Court's Bowers vs. Hardwick decision, which upheld a Georgia law making sodomy a crime-a ruling that reversed a federal appellate court decision which held that the statute violated fundamental rights and that engaging in such conduct in private was beyond state regulation.

Norris delivered a particularly blistering critique of then-Chief Justice Warren Burger's concurring opinion in the Bowers case. Burger said that according gay people "the same rights of privacy enjoyed by straight people" would be "to cast aside millennia of moral teaching." Norris said Thursday that it was "surely one of the most gratuitous and vicious opinions ever written by a federal judge."

Norris predicted that the Bowers case and the "don't ask, don't tell" policy would eventually be buried in the "national cemetery of shame," along with earlier Supreme Court decisions that permitted slavery, segregated public facilities and the mass incarceration of Japanese Americans during World War II.

"As dark as each of these chapters in our history has been, each ultimately has been renounced," Norris said. "Each is now dead and buried, but we must never forget them, for they serve both as a reminder of our past mistakes and as a reference point for measuring our collective progress toward a truly just society."

Norris said he took comfort from the 1996 U.S. Supreme Court decision that struck down an anti-gay initiative in Colorado, giving gays and lesbians their first major high court victory.

On a broader note, Norris said the nation is undergoing "a fundamental shift in the way Americans think about gay men and lesbians and the roles they play in our everyday lives. We see this change manifested in the popularity of Ellen DeGeneres' out-of-the closet TV show, and the current box office sensation 'In & Out,' with its memorable moment of passion between the characters portrayed by actors Kevin Kline and Tom Selleck."

After Norris concluded, comedian Bruce Vilanch, the master of ceremonies, joked: "We'll send a video of Judge Norris' speech to the White House, but of course it will take them six months to find it."

Asked why he was making such a strong statement about gay and lesbian rights, Norris, who is normally cautious in his off-the-bench remarks, said simply, "I'm honored to get this award and it occurred to me this was an appropriate occasion to say what is in my heart."

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===== ATTACHMENT 1 =====

ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)

id <01IOXOVYL7SW00POE3@PMDF.EOP.GOV>; Sat, 18 Oct 1997 02:11:28 -0400 (EDT)

Received: from storm.eop.gov (storm.eop.gov)

by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IOXOVWY9W000NHDS@PMDF.EOP.GOV>; Sat,

18 Oct 1997 02:11:24 -0400 (EDT)

Received: from mail.sdsu.edu ([130.191.25.1])

by STORM.EOP.GOV (PMDF V5.1-7 #6879)

with ESMTP id <01IOXOVR2IRW0010ER@STORM.EOP.GOV>; Sat,

18 Oct 1997 02:11:16 -0400 (EDT)

Received: from [130.191.242.121] ([130.191.242.121])

by mail.sdsu.edu (8.8.7/8.8.7) with ESMTP id XAA10412; Fri,

17 Oct 1997 23:08:42 -0700 (PDT)

X-Sender: dcase@mail.sdsu.edu

===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Dag Vega@EOP@LNGTWY@LNGTWY (Dag Vega@EOP@LNGTWY@LNGTWY [WHO])

CREATION DATE/TIME:20-OCT-1997 06:33:15.00

SUBJECT: CNN: Inside Politics Weekend, 10/18/97

TO: jgibbons@ostp.eop.gov@INET@LNGTWY (jgibbons@ostp.eop.gov@INET@LNGTWY [OSTP])
READ:UNKNOWN

TO: Lorraine A. Voles@ovp@eop (Lorraine A. Voles@ovp@eop [UNKNOWN])
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TO: Virginia M. Terzano@ovp@eop (Virginia M. Terzano@ovp@eop [UNKNOWN])
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TO: Gene B. Sperling@eop (Gene B. Sperling@eop [OPD])
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TO: Laura D. Schwartz@eop (Laura D. Schwartz@eop [WHO])
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TO: Steven J. Naplan@eop (Steven J. Naplan@eop [NSC])
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TO: Kevin Moran@eop (Kevin Moran@eop [WHO])
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TO: Daniel J. Gunia@eop (Daniel J. Gunia@eop [OA])
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TO: Jason S. Goldberg@EOP (Jason S. Goldberg@EOP [WHO])
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TO: Karen E. Finney@eop (Karen E. Finney@eop [WHO])
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TO: Rahm Emanuel@eop (Rahm Emanuel@eop [WHO])
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TO: Michelle Crisci@eop (Michelle Crisci@eop [WHO])
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TO: Paul K. Engskov@eop (Paul K. Engskov@eop [WHO])
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TO: Anne M. Edwards@eop (Anne M. Edwards@eop [WHO])
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TO: Steven A. Cohen@eop (Steven A. Cohen@eop [WHO])
READ:UNKNOWN

TO: Lori Anderson@eop (Lori Anderson@eop [WHO])
READ:UNKNOWN

TEXT:
Message Creation Date was at 20-OCT-1997 06:25:00

Inside Politics Weekend
Top Political News of the Week

Aired October 18, 1997 - 7:30 p.m. ET

ANNOUNCER: From Washington, this INSIDE POLITICS

WEEKEND with Wolf Blitzer.

GENE RANDALL, CNN HOST: Thanks for joining us for our weekend look inside politics. I'm Gene Randall. Wolf

Blitzer
is on

Wolf
in South

assignment with the president. We'll get a report from

America a bit later in the program.

Here in Washington, a new use for an old sports phrase

--
let's go

to the videotape.

(BEGIN VIDEOTAPE)

WILLIAM J. CLINTON, PRESIDENT, UNITED STATES: Hi, Johnny. How are you? Good to see you.

film

Charlie
Trie,

Clinton's

RANDALL (voice-over): You could call it a White House

festival. Among the stars, Johnny Chung, John Huang,

major players in the ongoing controversy over President

fund raising. One hundred new hours of behind-the-scenes videotapes. One was even a musical.

(SINGING)

tape
after

The main character, of course, the president himself in

tape with a lot of rich contributors.

want
to

CLINTON: Now on the media fund, let me just say that I

do
that.

thank everybody who's done so much work already to help

that
between

One of the reasons this campaign is winning today is

more
than

25 and 45 percent of the country nearly every week for

six months now has heard what we think the message is.

TV ads,

RANDALL: Mr. Clinton is referring to Democratic Party

and Republicans suggest the president used those ads to
avoid
Justice
Department.

Judiciary
investigation.
Attorney General Janet Reno spent time before the House
Committee Wednesday defending her ongoing

JANET RENO, ATTORNEY GENERAL, UNITED STATES:
But the average citizen has a right to ask what's
taking you
so long?

The answer is simple. We need to do it right.

RANDALL: But Republicans weren't buying it.

REP. HENRY HYDE (R-IL), CHAIRMAN, HOUSE
JUDICIARY COMMITTEE: More troubling are the large areas
that have been left completely

uninvestigated, even the task force has been in
business for
nearly a
year.

(END VIDEOTAPE)

RANDALL (on camera): Joining me now, two members of the
House Judiciary Committee that questioned the attorney

general,
Republican
Bill
Massachusetts Democrat Barney Frank and Florida

session
with the
attorney general. But I'd like to know from each of you

what
was
the net effect? What's changed because of that hearing?

Mr.
McCollum?

REP. BILL MCCOLLUM (R-FL): Well, I think we know a good
deal more than we did before. For example, the attorney

general
was a
solicitation
of a campaign contribution in a working space of the
White
House,

it would be a crime.

I think we also understand that there have been problems in the task

explicitly laid out force that she's fessed up to, and they were more

beginning of this in this hearing. For example, the fact that at the

officials in the whole process some 11 months ago, the FBI was denied the opportunity it wanted to interview very high level

White House and at the Democratic National Committee.

determined not to And I think we also understand that she's very

calls credible appoint an independent counsel until she gets what she

source even evidence from -- specific evidence from a credible

refuses to though she has the discretion, which she stubbornly

the exercise, to appoint an independent counsel or to seek

interest, appointment of one when she has a political conflict of which I think she most assuredly has here.

hearing. RANDALL: Mr. Frank, what's changed because of the

attorney general to REP. BARNEY FRANK (D-MA): Well, one thing that hasn't changed, fortunately, is the determination of the

committee follow the law. I was appalled when the chairman of the

people want whom I respect in general said, well, a poll shows that an independent counsel.

opinion polls to You don't prosecute by poll. You don't take public

statutes. decide when you invoke very specific criminal law

What

also happened, I think, is I learned how thin the
Republican
accusations are. Let me give you an example of the
ludicrousness of
some of what they were talking about.

The president last year declared a significant piece of
land
in Utah to
be a national monument, something environmentalists
were
delighted
to have happen that they'd been pushing for. Because
James R
iady,
a contributor, has coal deposits and because one of the
things that
happened when the president you could not mine in Utah
when
he
made it an environmental monument was to stop coal
mining,
they
want him investigated for bribery. That's preposterous.
That's a
degradation of the process.

When the president announced that he thought we
shouldn't
change
immigration law and we shouldn't stop people from
bringing
their
brothers and sisters over here, one of the Republican
Congressmen
said, well, some of your contributors wanted you to do
that.
That's
bribery.

There are problems with the political campaign finance
system. They
ought to be changed. But to announce that it's criminal
because
someone does something that some of the contributors
might
benefit
from, frankly, at that point you probably ought to just
put
bars
around Washington, D.C. and lock up everybody that's in
there.

RANDALL: It was quite a week inside the Beltway what

with the
districts
Mr.
White House tapes and the Reno appearance before your committee. But you gentlemen are both back in your home now. Are your constituents talking about any of this?
McCollum?

today. I
television.
They were
don't
know
American.
There's a
MCCOLLUM: Yes, they are. I went to two town meetings got asked about it. They were watching it on television. They were concerned about it, at least the ones that come out. I don't know that that's necessarily representative of every American. There's a general blase attitude here.

something's
wrong,
last
time and
of the
United
whether
they were
just
shouldn't be.
But I think there is a growing awareness that that when we have political campaigns like we did the we have what appears to be an effort by the president States to circumvent the campaign election laws, illegal or not and what he did, it's something that

think
crimes
being
whether the
Now you can say the laws and the regs are wrong, but I there's much more at fundamental. I think there were committed, and people were being solicited improperly president did it or not.

what
RANDALL: We'll move to the broader question. Mr. Frank,
are you hearing from your constituents?

economic
when we
FRANK: Well, essentially that I'm mostly hearing about issues and the concern about the Amtrak strike. But

get to
have
told me
don't
like
campaign finance reform, frankly people in my district
they appreciated what I did on Thursday because they
hypocrisy.

that
soft
that
no laws
to
complain
does to
me, to
And for the Republican Party simultaneously to insist
money contributions ought to continue to be legal, and
should be changed to make soft money illegal and then
about the use of the soft money seems to them, as it
be great hypocrisy.

campaign
requires you
to do
re-election,
and then to
solicited,
that
does
him to
do,
hypocrisy
really
For all of us in elected office who solicit money from
contributors because that's what the system now
if you're going to stay in office and run for
have people say, oh, but when the vice president
somehow put pressure on people unfairly. And when he
exactly what everybody else does which the law allows
they want a criminal investigation. That kind of
bothers
people.

RANDALL: Mr. McCollum?

that if
public
official's
MCCOLLUM: I don't think it's hypocrisy at all to say
somebody solicits by making a campaign call from a
working space to solicit money that that's a crime.

FRANK: Bill, that's not what I'm talking about.

MCCOLLUM: The Democratic National Committee to...

FRANK: Bill, you're....

MCCOLLUM: Well, let me finish, Barney.

FRANK: Look, you've misstated my point. I'm quoting

from the

Republican letter which said because a person who was

called

by

the vice president, regardless of where the call came

from,

but the

vice president called him, and he said I felt pressured

because he

has influence over public policy. So do you, and so do

I,

and we

both do exactly what the vice president was accused of.

And

you

wrote a silly letter asking that he be investigated for

that.

MCCOLLUM: Well, the letter that went over...

FRANK: And it had nothing to do with where the call was

made. It

had to do with the fact of the call.

MCCOLLUM: Well, it's great for you to talk a lot of

smoke

screens, Barney. There are about 50 different

allegations in

that

letter of possible misconduct, some of which might not

have...

FRANK: No, almost all of which were extremely silly,

Bill.

MCCOLLUM: And we've got a major problem here with the

fact

that there probably were some solicitations illegally

made

on White

House property...

FRANK: Bill, that's not the letter I'm quoting.

else, and
Democratic
MCCOLLUM: Either by the vice president or somebody
there could well be a conspiracy to divert money to the
National Committee.

being...
FRANK: Bill, don't accuse me -- excuse me, but you're

MCCOLLUM: For the president's re-election campaign.

smoke
FRANK: Bill, you're being very unfair to accuse me of
screens when I'm quoting from your letter.

MCCOLLUM: If you're quoting from...

said...
FRANK: I am quoting from your letter. Your letter

the
MCCOLLUM: Well, the letter's 40 pages long. I signed
letter. I stand by every one of those possible criminal
violations.

about
FRANK: Well, let me talk about one of them. Let me talk
one of them. You said in your...

still...
MCCOLLUM: You can talk about them all you want. They're

this
letter. It
a
man who
because
the vice
the
campaign
FRANK: Please, Bill, stop filibustering. Let me quote
had nothing to do with where the call was made. It said
got a call from the vice president felt pressured
president affects public policy. That's the nature of
finance system.

saying
have a
process.
And for you to send a letter to the attorney general
criminal investigation based on that is an abuse of the

MCCOLLUM: No, I don't agree with that at all.

that. FRANK: She shouldn't appoint an independent counsel for

crime MCCOLLUM: The crime wasn't in feeling pressure. The
was...

haven't read FRANK: No, that's what you said it was. No, Bill, you
your own letter.

MCCOLLUM: I've read the letter, Barney.

FRANK: The letter says...

MCCOLLUM: And you're misinterpreting the letter.

I'll read it FRANK: No, I will meet you on the floor next week, and
to you. What it says is...

many MCCOLLUM: Well, I have read the letter in great detail
times over.

the point. The FRANK: This particular -- Bill, you're filibustering
about a specific letter said that the man felt pressured. I am talking
the ca count in the letter that has nothing to do with where
ll came from.

MCCOLLUM: What's your point? I don't get your point.

RANDALL: Mr. McCollum, Mr. Frank, remember me?

FRANK: Yeah, you're the guy who started the program.

that RANDALL: Is there a smoking tape, Mr. McCollum, in all
we've seen out of the White House?

are a lot MCCOLLUM: Well, I don't know if there is or not. There
cumulative effect is of tapes being reviewed right now. I think the

for
example,
that he

very significant here. It's very clear that John Huang,
was praised by the president in some of those tapes,

those
tapes

was there a lot of the time in the White House that
show.

Huang,
used
to
one
which
is
made a
president
was
about
it.

And what we do know is that on at least one occasion,
according to a very reputable source, a Mr. Jackson who
be an aide in the White House to Mr. Bush, says that on
occasion he recalls in the Map Room of the White House
certainly an official office space in my judgment, he
solicitation for campaign contributions, and the
present and he acknowledged it and didn't do anything

RANDALL: Mr. Frank, that has to be the final word.

crime. It
is

FRANK: That would mean that Mr. Huang committed a
not a crime to be present when someone else makes the
solicitation.

it
was.

MCCOLLUM: Well, the president was aiding and abetting,

that
this man
Huang
may
the
president
course, tapes

FRANK: The president was there, and the allegation is
did something in the president's presence. Yeah, Mr.
have committed a crime. But there is no showing that
made the solicitation or was involved. There were, of
of Ronald Reagan making solicitations in the White

House,
and no
behavior
because
the
process
attorney
opportunism
that
attack her

one at the time thought to accuse him of criminal
that would have been the same kind of degradation of
that we're seeing now.

MCCOLLUM: Well, the key point is why doesn't the
general go ahead on her discretionary powers and seek an
independent counsel so we don't have the political
that's out there now and the plethora of Republicans
credibility every day.

anyway
because
oh,
my god,
a
poll says I
that
way.

FRANK: Well, in the first thing, she wouldn't have
I don't think Janet Reno is the kind of person who says
they're saying bad things about me, and they're saying
should change the law, and therefore I'm going to act

be...

I admire her integrity. I'm delighted that she won't

McCollum,

RANDALL: And that is the final word. Mr. Frank, Mr.
thanks very much.

FRANK: You're welcome.

of
Al
Gore under
this
week's

RANDALL: When we come back, the president venture South
the Border. Wolf Blitzer will have the highlights. And
fire from conservative groups. Why? You can check out

POLITICAL ROUNDUP. Stay with us.

(COMMERCIAL BREAK)

RANDALL: Welcome back to INSIDE POLITICS WEEKEND.

Democracy and free trade, two of the issues President

Clinton tried

to target during his travels this week. Wolf Blitzer

tells

us it wasn't

quite that simple.

WOLF BLITZER, CNN CORRESPONDENT (on camera):

Gene, we're here in Badilache (ph), a spectacular town

in

the Andes

Mountains about 1,000 miles southwest of Buenos Aires.

It's

the

last stop on the president's week long tour of South

America.

(BEGIN VIDEOTAPE)

It's taken him nearly five years, but the president

finally

made it to

this part of the world and it didn't take long for him

to

feel right at

home whether in Caracas, Brazil, Sao Paulo, Rio de Ja

neiro

or

Buenos Aires.

Here in Rio, he's kicking around a soccer ball with a

retired

Brazilian star, Paylay (ph). Shortly after arriving in

Buenos Aires

Wednesday night, the president and the first lady

headed to

the

Senor Tangle Nightclub. Unfortunately, no cameras were

allowed

inside. But it didn't take long for the first lady to

make a

phone call.

HILLARY CLINTON, U.S. FIRST LADY: I am, as you may know, an empty nest mother now. And I called my

daughter last

night to tell her that I had seen just a small sample

of

tango.

BLITZER: Before the White House, there was a different

version of

the tango with reporters over the news on this trip.

This is
a
politically
embarrassing
whether
during
leaders
White
Water
president who is gotten used to dealing with
domestic problems while abroad. On earlier trips,
summits with Caribbean leaders in Barbados or with NATO
in Madrid, there have been sensitive questions about
and Paula Jones.

fundraising
Washington.
The
political
be a
leadership.
On this trip to South America, it's the tapes. Those
videotapes that are getting all the attention in
president was described by his aides as angry that the
uproar back home was upstaging what he had hoped would
triumph tour abroad showcasing his international

conference in
Brazil. Did that bother him?
Questions about the tapes seem to dominate his news

by how
you
decide to do your job.
BILL CLINTON, U.S. PRESIDENT: You have to decide what
questions you're going to ask. I can't be embarrassed

listen to
Mike McCurry briefing reporters.
BLITZER: But frustration surfaced in another way. Just

that you
can contact
Washington in time
to cover it probably.
MIKE MCCURRY, WHITE HOUSE PRESS SECRETARY: If
you're interested in that story, the timing is such

videotapes is
President
Clinton is enjoying the sights and sounds a bit longer
far away from this remote corner of South America.
BLITZER: A bit touchy, aren't we? But all that talk of

before heads

back to the rough and tumble of Washington. Gene.

have

RANDALL: Back here at home, vice president Al Gore may

tip toed out onto a political tightrope in California.

We

begin our

roundup with a flashback.

(BEGIN VIDEO CLIP)

DAN QUAYLE, FORMER U.S. VICE PRESIDENT: It doesn't help matters when prime time T.V. has Murphy Brown, a

character

who supposedly epitomizes today's intelligent, highly

paid

professional woman, mocking the importance of fathers

by

bearing a

child alone and calling it just another lifestyle

choice.

RANDALL: Vice president Dan Quayle, five years ago.

Politicians

have long criticized Hollywood and more recently record

labels

saying what they produce runs counter to family values.

Among the

critics, Tipper Gore who became famous a decade ago for

drawing

attention to what those rock lyrics spelled out.

four-day

swing

Now her husband is striking a different chord. On a

through California, Gore praised television's only

openly

homosexual

lead character in a speech before the Hollywood Radio

and TV

Society.

AL GORE, U.S. VICE PRESIDENT: When the character Ellen came out, millions of Americans were forced to look at

sexual

orientation in a more open light.

RANDALL: And what does Hollywood think of Al Gore? Stay tuned, we expect to him to become a regular visitor to

California as

campaign 2000 approaches.

Along way from his days atop the powerful House Ways and

Tuesday
serving 15
a
fixture in
Congress
for 36

Means Committee, Dan Rostenkowski became a free man
night, released from a halfway house in Chicago after
months in federal prison on mail fraud charges. Rosty,
Chicago's Democratic political machine, served in
years.

Voted
former
of
Democrat
to
the next
can
continue to

And how could we leave you without a Bob Dornin update?
out of Congress, banned from the House floor by his
colleagues, Dornin claimed voter fraud in the election
Loretta Sanchez. Now Dornin promises to fight right up
election, declaring himself a candidate in 1998 so he
take contributions to fight his laws.

(END VIDEO CLIP)

politics. Bill

(on camera): When we come back call it El Nino
Schneider will give us his story behind the story.

(COMMERCIAL BREAK)

from his
goes
to
gay
character. Is it

RANDALL: Welcome back. Bill Schneider takes time out
long-range Halloween planning to join us. Bill, Al Gore
California and talks about television's first openly
a good issue for him?

liberatorian on
lifestyle
think he
was
community

BILL SCHNEIDER, CNN POLITICAL ANALYST: Well, you
know, California voters do tend to be pretty
issues. Back in the 1960s, a lot of them inhaled. I
trying to do some fence mending with the Hollywood
community

past
and with
criticized for
also
there was a
where he's had some problems over rock lyrics in the
the gay community where the Clinton has been widely
his position in the gays in the military. And I think
deliberate strategy.

minute
deliberately.
feels
a much
n the
His staff said he inserted that sentence at the last
I think he wanted to provoke a controversy because he
stronger grounds of principle in this controversy than i
controversy over ethics.

major
RANDALL: The vice president also talked about another
issue facing Californians, didn't he?

it
might
is
find another
in
California last
SCHNEIDER: Right. When a politician's career looks like
be headed for disaster, one thing the politician can do
disaster. Two political figures went disaster hunting
week. Let's look a the story behind the story.

(BEGIN VIDEO CLIP)

he's
bring
disastrous
told
fact,
we're
(voice-over): Al Gore may be worried about El Reno, but
talking about El Nino. A weather pattern that could
storms to California this winter. If that happens Gore
Californians, the federal government will be there. In
already there.

landing.
GORE: We're here with you. And we're waiting for the
We're here on the takeoff.

SCHNEIDER: Disasters have been known to salvage

political careers. For politicians who respond quickly and effectively. California's had more than its share of disasters and Governor Pete Wilson's management of them helped him get reelected. A rapid response to those same disasters helped Bill Clinton lock up California's presidential vote last year.

Of course, when the big winds blow, they can also blow politicians off course. George Bush took a lot of flack for the federal government's slow and inadequate response to Hurricane Andrew. When the Republican Congress held up flood relief to the Midwest this year, it got a flood of criticism.

Gore doesn't intend to let that happen to him. He's out there on the spot before the disaster even happens. It's a whole new approach to disaster management.

JAMES LEE WITT, FEMA DIRECTOR: Our goal is starting with this El Nino Summit, is to change the way America

prevents and prepares for disasters. But one thing will not change.

And that is FEMA and our partners and the federal response plan will be there when you need us.

SCHNEIDER: Whose idea was this summit? Why it originated with a politician who may be in trouble? California Senator Barbara Boxer is facing a tough race for reelection next year.

SEN. BARBARA BOXER, (D) CALIFORNIA: We'll have a much better way to respond to disaster. If we have a better way to respond, we'll save lives, we'll save money, we'll save property.

SCHNEIDER: And may be she'll save her career.

(END VIDEO CLIP)

for
and
more
than one
last
week,
weather

(on camera): Gore has to make California a safe state
Democrats as Clinton did which means praising Hollywood
preparing for disaster. It's a preemptive strategy in
sense. What did he want Californians to see on the news
more coffee talk from the White House or Al Gore on the
channel? Gene.

Coming
won't get in

RANDALL: Al Gore on the weather channel. Thanks, Bill.
up, Mark Russell's presidential history lesson, one you
the classroom.

Calvin

MARK RUSSELL, CNN CORRESPONDENT: Show me a
White House without missing tapes and I'll show you the
Coolidge administration.

(COMMERCIAL BREAK)

Mark

RANDALL: Welcome back. Time now for history professor,
Russell.

Monocle.
book,
in
there, like
have a
similar
heard it,

RUSSELL: Well, we have a rowdy crowd here at the
When you were in college did you read George Orwell's
Ninety Eight Four. They have those totalitarian phrases
war is peace and slavery is freedom. Well it seems we
phrase on Capitol Hill these days. I'm sure you've
campaign funding is speech. Now you thought campaign...

(LAUGHTER)

The
a

You thought campaign funding was money, right. No,, no.
assassins of campaign reform have been telling us with

straight
has
First

face that campaign contributions constitute speech that
Amendment protection. You remember the First Amendment
says, you can't yell money in the crowd at Buddhist

which,
Temple.

(LAUGHTER)

and
those

Well I talked to my money all the time. Yes, just me
pictures of Washington, Lincoln and the motor mouth on
20-dollar bill, Andrew Jackson and sometimes boys and

the
girls,
I talk

to my soft money. It comes in many colors and I use it
to
pay for
hotels on Boardwalk and Park Place.

(LAUGHTER)

plants,
I leave
this,
remember

And sometimes when I can't be at home to talk to my
a few bills right there next to my ferns. So remember
these, money is speech, reform is reality. Republicans
are
serious
and Democrats are sincere, as we saw this week when we
looked

six
months

at the White House film festival. Now those tapes were
late being delivered because they first had to edit out

the
foreign

looking people. Well, then on the next batch, there was
president hugging Johnny Chung saying, Johnny we

the
heartily
new ye.

(LAUGHTER)

Well then they had the White House explanation as to

why the

tapes
really
egg-
inadvertently
--
if you
incriminating?

were so late in delivery. And their explanation was
essential (ph). It's a direct quote. It says we were
unaware that the tapes existed which poses the question
play the tapes in an empty forest, is it still

(LAUGHTER)

Republican
Leader
then
goes
senator drives

Well, my hero, my hero in all of this is Senate
Trent Lott, a man who after murdering campaign reform
to look for the killer, which makes you wonder if the
a white Ford Bronco.

(LAUGHTER)

POLITICS

RANDALL: And that's all for this edition of INSIDE
WEEKEND. For now, thanks very much for watching. Have a
great week ahead. I'm Gene Randall in Washington.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Paul J. Yandura (CN=Paul J. Yandura/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:21-OCT-1997 15:49:38.00

SUBJECT: see the following

TO: Mona G. Mohib (CN=Mona G. Mohib/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

FEATURES

Capitol Assets

Working the political angle

by Tracy Syper

For many gay people, politics means letter writing, rallies, and a lot of yelling. But for others it means a desk, a chair, several phones, half a dozen rolodexes, and a lot of coffee. Profiled in this issue are six hearty individuals who have made their politics very personal.

Not-So-Secret Service Coming Out Puts Paul Yandura's Career on Fast Track

For a brief moment in 1994, Paul Yandura feared that his first day in the White House might be his last.

Yandura was attending an orientation meeting for new administration employees, listening intently as members of the FBI and CIA lectured on the career-ruining consequences of stealing White House stationary and misusing the Oval Office fax machine. Then the head of the Secret Service asked if anyone in the room was gay or lesbian. Yandura immediately, if somewhat reluctantly, raised his hand.

"I thought I was going to get killed or thrown out," recalls Yandura. "I stood up and he looked at me and said, 'Why don't you go over to that side door.'"

Waiting at the door was a staff member from the office of Marsha Scott, President Clinton's then-newly appointed liaison to the gay and lesbian community. Scott, a heterosexual, was looking for gay people to add to her staff. She took on Yandura and soon made him her chief assistant.

Yandura, 28, is a prime example of the improved fortunes of gays in Washington, D.C. Where once Yandura's openness might have gotten him booted as a security risk, under Clinton it may have put his career on the fast track.

"We're pioneers, working on this level with the president," Yandura says. "Carter had worked on gay and lesbian issues, but it was more under the radar. This has never been done before. There's no track record."

Yandura grew up in Detroit, then, at age 18, moved to California to live with his mother. He developed an early habit of volunteering and his community work has included counseling runaway youth in Los Angeles, delivering meals to homebound AIDS patients in New York City, and going to Romania to help care for orphaned babies with AIDS left stranded by the

fall of the Ceaucescu regime. Due to such efforts, Yandura was named a Dale Ride Scholar in 1994. The prestigious scholarship, named after the father of astronaut Sally Ride, is awarded each year to five students who excel in community service.

Yandura used the funds to go to Washington, where he worked for House Minority Leader Richard Gephardt. When the scholarship ran out, Yandura was asked to stay on as an intern. A few months later he was hired by the White House Office of Political Affairs, where he was tapped by Scott.

He served as the national lesbian/gay outreach director for the Clinton/Gore '96 campaign and is currently an AIDS specialist for the Clinton administration. Yandura splits his time between the White House Office on National AIDS Policy and the Department of Housing and Urban Development's Housing Opportunities for People with AIDS program.

"People with AIDS are living longer and they have to have places to live," he says. "It's really hard, if you're living on the streets to try and keep up with a drug regimen."

In three years of working for the administration, Yandura has been on the receiving end of both the admiration and vitriol directed at Clinton.

During his stint as gay/lesbian outreach director for the last presidential campaign, the level of support he saw as he stumped for Clinton touched Yandura. "We went everywhere. Iowa, Utah, South Carolina. We were stopping by [gay] people's farms and ranches and 100 people would show up out of nowhere."

There are less bucolic memories as well. There was the time, for instance, during an AIDS protest when angry marchers descended upon a White House shuttle bus Yandura was trying to board. The panicked driver shut the doors, leaving Yandura in the path of the protesters.

"I was stuck outside of this bus with a couple of thousand people running at me. [Former Clinton adviser] David Mixner was there and they were hitting him with protest signs... I remember thinking, 'Hey, I'm on your side.'"

Fortunately for Yandura, the Secret Service was on the case and pulled him from harm's way.

Yandura said he understands the community's dissatisfaction with Clinton on such issues as the Defense of Marriage Act and gays in the military. "Their anger is justified. Gays and lesbians are a group of people who are getting just bits and bits of their rights," he said. "But people have to remember, he's not a gay and lesbian leader. He's the president of the United States."

The thrill of working for the president has not worn off for Yandura. There are still times when, watching the White House all lit up at night, Yandura pinches himself and says, "I'm in there."

And it's not every gay man who can use the opening line he did two years ago when he wrote a letter coming out to his father. "Dear Dad," he wrote. "The president and the vice president know I'm gay. It's about time I told you, too."

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 8-NOV-1997 09:38:43.00

SUBJECT: Articles 11.8.97.2

TO: Christian M. Grantham (CN=Christian M. Grantham/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TO: Marsha Scott (CN=Marsha Scott/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

CC: Mary L. Smith (CN=Mary L. Smith/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

CC: Thomas L. Freedman (CN=Thomas L. Freedman/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

TEXT:

----- Forwarded by Richard Socarides/WHO/EOP on 11/08/97
09:38 AM -----

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11/08/97 07:59:00 AM

Record Type: Record

To: Stuart D. Rosenstein, Richard Socarides, Paul J. Yandura

cc:

Subject: Articles 11.8.97.2

MIME-Version: 1.0

Content-type: text/plain; charset=unknown-8bit

Content-transfer-encoding: 8BIT

1. WASHINGTON POST Clinton to Speak at Gay Rights Gala
2. PHILADELPHIA INQUIRER Two good letters on: The teachings of the church and homosexuality
3. CAPE COD TIMES Fisherman nets prison sentence for assault on two men
4. NEW HAVEN REGISTER Hate crimes conference creates stir
5. ST PAUL PIONEER PRESS One of 10 bishops who filed charges against the Rt. Rev. Walter Righter is retiring early

WASHINGTON POST, November 8, 1997

1150 15th Street NW, Washington, DC, 20071

(No Fax - letters by mail only, print run 838,902)

Clinton to Speak at Gay Rights Gala

By Peter Baker

Washington Post Staff Writer

After President George Bush invited gay rights leaders to the White

House

to watch him sign a hate crimes bill, he was roundly criticized by conservatives and never did it again. When President Clinton brought gay rights leaders into the Oval Office for the first time, aides minimized the event and kept media cameras out.

There will be no hiding tonight, however, when Clinton takes the stage at a gala black-tie fund-raiser in Washington and becomes the first sitting president to address a gay rights organization.

No matter what he says in his speech, Clinton's mere presence at the Human Rights Campaign's first annual national dinner will make history and to many activists signals the maturation of a movement once relegated to the fringes of American society. Even for a president who has supported its causes, the decision to appear at a gay rights event suggests how dramatically the political climate has changed in the last five years.

"This is a different universe we're living in," said Elizabeth Birch, executive director of the Human Rights Campaign, which claims 200,000 members. "Although there have been disappointments with President Clinton, he's really changed the [landscape]. He's put gay issues on the radar screen of America."

"It's a big deal," said Kenneth Sherrill, political science department chairman at Hunter College who has studied gay issues. "In a way, what Clinton is doing is saying to the larger political community, 'There's nothing to be embarrassed about here.'"

That is not altogether a good thing, in the opinion of many Americans who view Clinton's acceptance of homosexuality with alarm. And even as he breaks with tradition, the White House evinces palpable discomfort with appearing too radical.

As the dinner approached this week, the president's aides did nothing to call attention to it and suggested he had no interest in making history. Instead, they said, he simply is reaching out much as he does to other groups with his message of reconciliation and "One America." White House spokesman Michael McCurry yesterday compared it to Clinton's recent attendance at an Italian American dinner.

What's more, aides said Clinton has no intention of falling into the same thicket as Vice President Gore, who created a furor recently when he praised comedian Ellen DeGeneres for her coming-out episode on ABC's "Ellen." Clinton will mention his support for legislation protecting gay and lesbian Americans from job discrimination, but he will not offer commentary on the Ellen controversy*even though she will be seated on stage with him and receive an award for her groundbreaking television show.

Clinton, of course, has no more elections in his future, while Gore

does.

One more sign of the gay rights lobby's growing clout has been the courting by both the vice president and his chief potential rival for the Democratic presidential nomination in 2000, House Minority Leader Richard A. Gephardt (Mo.), who invited a group of gay rights leaders to his office just last week.

The prize is a sizable army of volunteer workers and an increasing pot of campaign money. The Human Rights Campaign estimates that openly gay donors last year gave \$3.2 million to Democrats. Two-thirds of self-identified gay voters backed Clinton in 1996, providing 7 percent of his total votes, according to an independent exit poll.

While the group this week installed former Republican congressman Steve Gunderson (Wis.) on its board of directors, the polling and contribution numbers demonstrate how beholden Democrats are becoming to the gay agenda, according to conservative opponents.

"This is an issue that has come to define American liberalism as we move into the 21st century. This is their cutting-edge issue," said Arnie Owens, spokesman for the Christian Coalition. "The message may resonate with cosmopolitan elites in New York and Los Angeles, but you get outside the beltways where the rest of America lives, you'll find the views are somewhat different."

To make that point, a coalition of conservative activists plans to demonstrate outside of tonight's \$250-per-person dinner at the Grand Hyatt Hotel as Clinton speaks inside, arguing that his presence belies his rhetoric in favor of traditional family values.

Yet even as he draws protesters from the right, the president also will encounter critics from the left. The local chapter of ACT-UP, an AIDS activism group, will march from Lafayette Square to the hotel to complain that Clinton has not lived up to his promises.

"He's talked our talk, but he's walked their walk," said Steve Michael, a founder of the organization, referring to religious conservatives. The guests paying \$250 a plate, he added, have sold out. "They want access to the cocktail parties. They want pictures on their wall so they can say, 'Here I am with the president.'"

The competing demonstrations underscore the conflicting nature of Clinton's record on gay rights.

In 1992, while running for president, he made history by appearing as a candidate before an openly gay audience, but then after taking office abandoned his support for allowing homosexuals in the military in favor of the "don't ask, don't tell" compromise. He has endorsed the proposed Employment Non-Discrimination Act outlawing workplace bias based on sexual orientation, but last year signed legislation in the middle of the night barring federal recognition of same-sex marriage. He has increased funding for AIDS research, but rebuffed recommendations that he promote needle exchanges to cut down on transmission among intravenous drug users.

Birch, the Human Rights Campaign director, acknowledged that there have been "rocky episodes" with Clinton and that his signature on the marriage bill was "very painful." But she insisted these have to be seen within a larger context. "It's important to give the president his due," she said.

"He has a record that is heads and shoulders above any of his predecessors*in fact, all of them combined."

That does not mean that gay rights activists do not want more. Although Clinton has named more than 100 openly gay appointees to his administration, the Human Rights Campaign has been pressing the White House to include more in positions that must be confirmed by the Senate, on the theory that those "tend to be the most coveted jobs."

Clinton complied earlier this year by nominating James Hormel to be ambassador to Luxembourg, but his confirmation was held up at the last minute Thursday by Sens. James M. Inhofe (R-Okla.) and Kay Bailey Hutchison (R-Tex.).

In another move of interest to the gay community, Clinton also will sponsor a conference on hate crimes Monday, focusing on ways of preventing and punishing such offenses, 12 percent of which are related to the victim's sexual orientation.

PHILADELPHIA INQUIRER, November 8, 1997
PO Box 8263, Philadelphia, PA, 19101
(Fax 215-854-4483)(E-MAIL: inquirer.editorial@phillynews.com)
(<http://www.phillynews.com>)

Letter: The teachings of the church and homosexuality

In reading the article "Church holds firm on homosexuality" by Bishop James T. McHugh, one gets the impression that the only way to express love for your lesbian or gay child is to clarify the church's teaching on sex outside of marriage (Inquirer, Nov. 1). Love indeed requires adhering to what

one believes to be the truth, but it doesn't end there. While clarifying the church's teaching on sexuality, it is a shame that Bishop McHugh did not clarify what else was in the pastoral message "Always Our Children."

I agree with Bishop McHugh that the church should not avoid speaking the truth, "particularly when certain behaviors are destructive to the physical, emotional and spiritual well-being of a person." I disagree with him on what is destructive. The bishop failed to explain how the lifelong relationships of countless same-gender couples are physically, emotionally and spiritually destructive to our well-being.

While "Always Our Children" does not represent any change in the Roman Catholic Church's teaching on sexuality, it does reflect a change of emphasis. I hope that Bishop McHugh will see to it that those who live in the Diocese of Camden hear from the altar what is contained in this document.
-- Patrick Rumaker, Pitman
prumaker@jersey.net

Letter: Bishop James T. McHugh states that neither political correctness nor genetics will prompt the Catholic Church to alter its views on the

immorality of homosexual relations based on "centuries of moral teaching" (Inquirer, Nov. 1). He explains that it would not be charitable to condone "behaviors [that] are destructive to the physical, emotional and spiritual well-being of a person."

What, then, are Catholic homosexuals required to do to remain in the fold?

Three things: They must abstain from "genital contact," agree to live a celibate life, and view themselves as aberrations of God's plan for sexuality. It is appalling that gays are required to internalize an image of their "proclivities" as immoral and unnatural. This is a form of psychological torture.

The bishop admonishes the faithful to stand firm against attempts to undermine Scripture and tradition. As for Scripture, I can recall the parable of the adulteress who was about to be stoned by an angry mob. Their zeal dwindled when their hypocrisy was pointed out to them. Christ then forgave the woman and sent her on her way.

-- Gloria Hayes, Philadelphia
hayes@oasis.rad.upenn.edu

CAPE COD TIMES, November 7, 1997

319 Main St., Hyannis, MA, 02601

(Fax 508-775-7337)(E-MAIL: letters@capecodonline.com)

(www.capecodonline.com)

Fisherman nets prison sentence for assault

New Bedford man jailed for 2-3 years for attack on two Provincetown men.

By KAREN JEFFREY

STAFF WRITER

BARNSTABLE - A New Bedford fisherman who used sexual epithets during an attack on two Provincetown men last spring was sentenced to state prison yesterday.

Christopher B. Hayes, 21, pleaded guilty in Barnstable Superior Court to two counts of violation of civil rights through bodily harm and two counts of assault and battery on April 28.

Hayes received a two- to three-year state prison sentence on the civil rights violation and two-years probation on the assault and battery charges.

The probation will begin when Hayes is released from prison.

The sentence recommendation - approved by Superior Court Judge Gerald F. O'Neill Jr., - was jointly recommended by Assistant District Attorney Michael

Trudeau, head of the district attorney's civil rights division and defense attorney William Robinson of the Committee of Public Counsel.

According to Trudeau, the two victims of Hayes attack agreed with the sentencing recommendation. Neither man was present in the court yesterday, but each submitted a victim impact statement to the judge.

Trudeau said Hayes attacked the two men after a night of drinking in Provincetown. The men had passed one another while walking down Commercial Street, he said.

"One of the men said 'Hello,' and Hayes began yelling back," said

Trudeau.

"One of the friends tried to calm him down, but Hayes grabbed him by the neck and struck him."

The man's friend tried to intervene and Hayes turned the attack on him, Trudeau said.

Police were called and Hayes ran down MacMillan Wharf, jumping off the side of the pier into Provincetown Harbor. Police persuaded him to come out of the water and he was arrested on the pier.

NEW HAVEN REGISTER, November 8, 1997

Long Wharf-40 Sargent Dr., New Haven, CT, 06511

(Fax 203-865-7894)(E-MAIL: letters@nhregister.com)

Hate crimes conference creates stir

By Staff report

WASHINGTON - President Clinton holds a one-day White House Conference on Hate Crimes on Monday but is being urged not to include opposition to homosexuality in that category.

The Traditional Values Coalition, which says it represents 32,000 churches

in opposing abortion, homosexuality and pornography, said Friday it fears that the conference and Clinton's overtures to the gay community would come close to "lumping the objections of religious citizens to homosexuality in as

some sort of hate crime."

Andrea Sheldon, executive director of the coalition, said her group opposes violence but is worried that the administration is leaning toward labeling activists who oppose gay rights as engaging in hate crimes. She said

there already is a "subtle" campaign under way in schools to teach children that "opposing homosexuality is bad."

She also condemned Clinton's decision to speak tonight at the Human Rights

Campaign dinner to raise money for anti-discrimination legislation for gays.

"If the American people are shocked by all of the same-sex smooching that is

on television, wait until they see an American president kissing up to the wealthiest extremists of the amoral left," she said.

The White House said Clinton wanted to speak at the Human Rights Campaign

dinner to condemn job discrimination against homosexuals and to promote the force of law behind that effort. The White House said he would not talk about

gay marriage or the TV show "Ellen," about a lesbian who comes out of the closet. "That's not an area he wants to highlight," said White House spokesman Mike McCurry.

White House aides Maria Echaveste, director of public liaison, and Elena Kagan, deputy assistant to the president for domestic policy, said Friday that at the hate crimes summit, expected to draw about 350 people, Clinton will call for more law enforcement against hate crimes and more meaningful statistics.

St. Paul Pioneer Press, November 8, 1997
345 Cedar Street, St. Paul, MN, 55101
(Fax 612-228-5500)(E-MAIL: letters@pioneerpress.com)

Episcopal Bishop Wantland announces resignation plans
-- MAJA BECKSTROM, STAFF WRITER

Bishop William Wantland of the Episcopal Diocese of Eau Claire, Wis., has announced his resignation, citing a new church policy on women's ordination as one of the reasons behind his decision.

Wantland, 63, is considered a leader in the conservative wing of the 2.4 million-member Episcopal Church in the United States.

He was one of 10 bishops who filed charges in 1995 against the Rt. Rev. Walter Righter, former bishop of Iowa, for ordaining a noncelibate gay man as a deacon. He also is one of four bishops nationwide who refuses to ordain women as priests.

Wantland's decision to step down, well before mandatory retirement at age 72, stems in part from a recent church decision to make women's ordination mandatory in every diocese.

"I would rather resign as bishop than put the Diocese of Eau Claire in an awkward position of having to resist the canons of the church," Wantland said.

Wantland was elected bishop of Eau Claire 17 years ago after serving as a parish priest in Oklahoma City. He oversees 27 churches in northwest Wisconsin. A former attorney general for the Seminole Nation, Wantland also has been a vocal proponent of Indian treaty rights.

During a diocesan convention last month, he called for the election of a new bishop at the next convention in October 1998. He will stay in office until the new bishop is consecrated in early 1999.

===== ATTACHMENT 1 =====

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:22-DEC-1997 11:45:06.00

SUBJECT: NC5654: Lambda beats DoD over gay school groups

TO: Laura S. Marcus (CN=Laura S. Marcus/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

I had sent you material on this

----- Forwarded by Richard Socarides/WHO/EOP on 12/22/97

11:44 AM -----

rwockner @ netcom.com

12/18/97 04:06:00 PM

Record Type: Record

To: Stuart D. Rosenstein, Richard Socarides

cc:

Subject: NC5654: Lambda beats DoD over gay school groups

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FOR IMMEDIATE RELEASE

Contact: Peg Byron, 212-809-8585, ext. 230, 888-987-1984 (pager), David

Buckel, 212-809-8585

Thursday, December 18, 1997

PENTAGON REVERSES DECISION TERMINATING GAY YOUTH GROUP

New Policy For Youth Support Groups in Civilian Schools Worldwide

(NEW YORK, December 18, 1997) -- Lambda has just learned that a lesbian and gay youth support group is now safely back in place in Okinawa, Japan, after the United States Department of Defense issued a new policy allowing such groups in DOD civilian schools worldwide, reversing an order that prohibited the group.

In October, 1996, a DOD official ordered the lesbian and gay youth support group to stop meeting at a Pentagon-operated high school in Japan. He cited the "Don't Ask, Don't Tell" policy in support of the order. The youth were devastated, and a supportive teacher called Lambda for help. Lambda, on their behalf, demanded that the Pentagon end the discriminatory

treatment and reinstate the group.

Lambda argued that DOD has consistently claimed that "Don't Ask, Don't Tell" is justified and applies only in the "unique circumstances of military life," not to any DOD-related civilian population.

Congressperson Barney Frank (D- Mass.) wrote in support of the effort to reinstate the group.

In October, 1997, the General Counsel of the United States Department of Defense announced new "group counseling protocols" that establish non-discriminatory ground rules, allowing for lesbian and gay youth support groups, and other such groups, in the Pentagon's civilian high schools worldwide. After following the new protocol, the Okinawa group now has been reinstated.

"The group's counselor has just confirmed that the group is indeed safely in place again," said David Buckel, one of Lambda's attorneys on the case. "I got a note of thanks from the group this week, and one student said, 'This group helped me find out who I am, and now I'm finding out who I can be.'"

"Especially so far from home, young gay and lesbian people need support to cope with discrimination and harassment," added Buckel. "This group, led by a teacher and a counselor, helps build self-esteem and enables the students to get the most out of their DOD education. Harming young people whose parents are in the military certainly cannot be justified by the harsh Don't Ask, Don't Tell' law that applies to service members."

30

===== ATTACHMENT 1 =====

ATT CREATION TIME/DATE: 0 00:00:00.00

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Lori L. Anderson (CN=Lori L. Anderson/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:12-JAN-1998 16:17:29.00

SUBJECT: 1998-1-12 McCurry Briefing

TO: Steven J. Ronnel (CN=Steven J. Ronnel/OU=WHO/O=EOP @ EOP [WHO])

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Subject: 1998-1-12 McCurry Briefing

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

January 12, 1998

PRESS BRIEFING
BY MIKE MCCURRY

The Briefing Room

1:22 P.M. EST

MR. MCCURRY: Thanks to General McCaffrey for that.
Where in the world do you want to start first?

Q Iraq.

MR. MCCURRY: Iraq.

Q What is the United States' reaction to Iraq's

announcement that he will bar -- stop the rest of his team from carrying out their activities?

MR. MCCURRY: We have heard provocative statements from the government of Iraq on the constitution of U.N. inspection teams over and over again, and they have been made -- met with the same resolved response of the international community that has been expressed repeatedly by the United Nations Security Council.

Now, that said, what the government of Iraq says and what it does is very often different. And successful inspections have been conducted by UNSCOM and we will wait to hear from Chairman Butler as he reports to the Security Council what's actually going to be the status of inspections as they go forward. But we are clearly watching the progress that the inspection teams are making. We have a very significant force deployed in the region in furtherance of the President's determination to see that the United States can pursue its objectives in the region. And beyond that, I don't know -- I think it's a watchful period that we're going to be in as we see what happens as the inspections go forward.

Q When did Butler make that report?

MR. MCCURRY: He is expected, I believe, to report in coming days, and then if I'm not mistaken, he's scheduled to meet and Tehran with officials from the government of Iraq within the next week -- Baghdad, Baghdad. Tehran has been on our mind recently, too.

Q Mike, wasn't the Ritter team composed specifically to provoke a reaction from the Iraqis?

MR. MCCURRY: The Ritter teams is composed as the United Nations sees fit. They draw on scientific technical experts from around the world, and the United Nations really has to tell you how they make the composition of those teams up. They break into units from time to time. There is a significant U.N. presence in Iraq now, and they constitute their teams differently depending on what the circumstances of an inspection are. So you really have to go to the U.N. and let them tell you what -- how they conduct their individual inspections.

Q But the Iraqis have complained about Ritter bitterly for many months now. Isn't this a predictable reaction from the Iraqis?

,

MR. MCCURRY: I believe, as Mr. Ritter has indicated, he has been there for six years and has worked with many of these same people, and it's not quite clear what their complaints or their objections are based on.

Q Mike, you said that this is a watchful period as these inspections go forward, so it's your understanding and your

belief that these inspections would continue to take place even if the Iraqis were, for example, blocking one team?

MR. MCCURRY: Well, you've seen them try to provoke a response from the international community in the past. They have blocked inspections in the past. We've been there, done that. We'll have to see what kind of response we have in the days going forward.

Q But if I could follow up, what I'm saying is, if the inspections proceed with Iraq saying no to one team, aren't they dictating the terms of the inspections?

MR. MCCURRY: We've made it clear over and over again, and the United Nations has made clear, that the constitution of these inspection teams is not at the whim of the government of Iraq. The United Nations is the sole determinative of how those teams are constituted, and that will remain the case.

Q But you call these provocations; do these provocations continue? And is it your view that at the end of the day we will always get our way?

MR. MCCURRY: They continue, the provocations and the difficulty with which the United Nations has to conduct its operations continues. But that's been true really for years.

Q Do you think the American public will say that that's a policy that we should continue to pursue?

MR. MCCURRY: I think the American public is very supportive of the significant deployed force we have in the region, which is there to maintain options available to the President and to the United Nations.

Q But if I may just be allowed one more -- but you know there is some portion of the public that believes the administration is not acting firmly enough, that Saddam is getting away with murder.

MR. MCCURRY: Well, he is getting away with willful violations and harassment of U.N. objectives there. And the U.N. has responded to that and we have pursued what we think is a concentrated diplomatic effort to address the behavior that we've seen, working with others and doing it through the U.N.'s authorized inspection team there.

But at the same time, the President has made clear that we are determined to see the objectives of the world community fulfilled there because those are significant U.S. interests as well, and he has never ruled out other options that may or may not be available.

Q Will the President be making any phone calls to world leaders to generate a unanimous U.N. Security Council

resolution if it comes down to that?

MR. MCCURRY: He has been in contact with counterparts from time to time on this subject. I'm not aware that his foreign policy advisors have recommended that he do anything now in response to this, but we are watching very carefully the progress that the Chairman of the U.N. Inspections Committee makes as he both supervises the inspections that need to occur and as he conducts his own dialogue with the government.

Q Do you know, has there been any progress at all on the inspection of the Presidential palaces, irrespective of this current decision to block the --

MR. MCCURRY: Well, you should direct that question, more appropriately, to the United Nations, but I suspect that's a subject that Chairman Butler wants to pursue in his visit.

Helen?

Q Has the President heard anything, any report from his Asian delegation?

MR. MCCURRY: He has. Let me tell you a little bit about that. Mr. Bowles convened this morning kind of an update review of a team that's been meeting on and off during the period of our work on the Asian financial situation consisting of, among others, the National Economic Advisor, Gene Sperling; the National Security Advisor, Sandy Berger; Secretary Albright; Secretary Rubin; Dan Tarullo from the National Security Council working on international economic issues; and others.

They were able to get a phone report from Deputy Secretary Summers in Asia on the status on some of his work. He has been in Singapore and arrived this morning, our time, to Jakarta, and expects to begin his meetings with Indonesian officials probably late tonight, our time, which would be the beginning of the work day in Jakarta. This was reported to the President. When he arrived here, he got an update from some of the same members of that working group. And he's following very carefully and closely the work that the IMF is doing in region, and the work, obviously, that the Deputy Secretary of the Treasury is doing.

Q Sounds like you're very concerned if you have that high level a meeting.

MR. MCCURRY: Well, it's on an off during this period. We've had roughly that same contingent of officials monitoring this, sometimes in person, sometimes through their chief deputies, depending on what other subjects they're covering. But it's a significant issue because the regional economic stability of Asia is something that impacts directly on the American people, with so much of our commerce directly tied up with the work that we do in that region, that there are millions of American families that are

affected by economic conditions in Asia. Thus, it's very appropriate for the President and many of his key advisors to be involved in this.

Q How serious is the problem, the Asian money problem?

MR. MCCURRY: Well, it's quite serious. As you know, in some sense, the markets have been telling us. At the same time, we believe that a very strong and potentially effective program of response has been developed through the International Monetary Fund. And the United States will continue to work with other industrialized nations and with the IMF to address exactly the things that we think have led to instability in the markets because, ultimately, the program that they've developed, the reforms they've recommended, the economic changes that some of these nations will make and many have indicated they are willing to make, will be the source of a return to long-term economic stability in the region.

Q But does the renewed instability in Asian markets indicate that perhaps those initiatives aren't working?

MR. MCCURRY: Well, it indicates that there's a lot of work that needs to be done by the governments that need to fulfill the obligations that they've rendered to the International Monetary Fund. And there's work that needs to be done by international monetary officials and then the governments acting independently to work with these governments to encourage them to implement the type of economic reforms that will lead to stability.

Q Is the White House concerned about Congressional opposition to U.S. participation in these bail out programs? Senator Faircloth is having a Wednesday meeting for congressional staffers against it. Senator D'Amato has made statements against it. Jim Leach is going out this week to the region to investigate.

MR. MCCURRY: Well, we encourage members to explore for themselves the reality of what is happening in those economies and the significant interest we have in seeing the success of the international programs that have been developed carried out, because that is, ultimately, we believe, very important to the livelihoods of millions of Americans, certainly millions of constituents that many of those critics represent.

But at the same time, there will be a vigorous debate on this. I think members of Congress made that clear. And we will welcome being a part of that debate because we think the case for active involvement by the United States is a very good one. We have longstanding, deeply-held interests in that region that we have pursued very actively for many, many years now, and we're not about to give up what we think is the important sense of presence and strategic interest that we have in that region.

Among other things, in addition to having the Treasury

Secretary in the region meeting with economic officials, as you know, the Defense Secretary is there now to remind governments in that region and the peoples of that region that we will remain engaged with them, and that the security of the Asia Pacific region is of vital U.S. strategic interest as well.

Q Mike, does Summers have any assurance from Soeharto, from any of the other officials in Indonesia, that they are taking the reform steps that the U.S. is demanding? And what is the level of concern here? As a follow-up, what is the level of concern here about social unrest in Indonesia and serious problems like that spreading even further to other Asian countries?

MR. MCCURRY: Well, without betraying the confidence of discussions that the President has had, he had a very good conversation with President Soeharto on exactly that subject. I think it's safe to say that we believe Deputy Secretary Summers' meetings would be constructive and useful. And we would not have believed that if there wasn't at least some indication that the government of Indonesia takes seriously the program of activity it has pledged to the IMF.

As to the internal political situation in Indonesia, that's really a matter for the people of Indonesia and for the leaders of Indonesia. They have elections scheduled in March, and it's up to them to make those determinations. But the conditions upon what they would be able to exercise their judgments and make those kinds of decisions are certainly enhanced if there is a return to economic stability in the region, which is in our interest and ultimately in their interest.

Q Are Asian governments moving too slowly to implement the kinds of reforms --

,

MR. MCCURRY: There are a number of different governments in the region that have made different sets of arrangements with the IMF and we are working case by case to address many of those situations. The Deputy Treasury Secretary will be in a number of places other than Indonesia, and we will work all those governments in the region to fulfill the kind of program that we think has the maximum chance of success.

Q Is the administration working on a fall-back position if the pace of reform is not satisfactory?

MR. MCCURRY: You've heard the Treasury Department describe what is sort of a second line of defense that is available, but at the moment we are encouraging people to make use of the IMF facilities that have been constructed and that are available.

Q Mike, with regard to the IMF facilities, it wasn't enough in South Korea. The United States agreed to put in another

\$1.5 billion because of their liquidity crunch. Is the United States standing ready to provide more funds from the U.S. Treasury for any of these countries that fail to proceed?

MR. MCCURRY: Do you want to see if I can move markets around the world? I can't answer that other than to say that we are in a position to work through the IMF and with other countries to address the type of economic market conditions that come about when there is a lack of long-term economic stability. But I think we've been pretty clear that we can't talk about specific commitments, but we can talk about the type of work that has been designed by the IMF and by the governments involved.

Q Over the weekend, Bruce Babbitt's interview with the Times, I think it was, was published, in which he said, "I've made a lot of mistakes" in this Indian casino business. Does the President still have complete confidence in him? And does the President believe that Babbitt handled the matter properly?

MR. MCCURRY: Yes, and yes, although he did instruct the Chief of Staff to explore the matter further and to get a better understanding. I would also point out over the weekend the Secretary of the Interior was applauded for his management of difficult water issues in the West, and he continues to do extraordinarily good work in addressing the nation's environmental resource management questions, even as he handles some of these other issues that have been raised.

Q Well, help me out. Is this old that the President had instructed the Chief of Staff to explore the matter further?

MR. MCCURRY: That happened quite some time ago. We reported on it here.

Q May I just -- when is the Chief of Staff going to report to the President, conclude his investigation?

MR. MCCURRY: It happened some time ago.

Q Why can't he ask that?

Q Mike, is there any concern at the White House --

Q I'm unclear, Mike --

MR. MCCURRY: The point of what we told you back a couple months ago was that the Chief of Staff did explore this, did talk to the Interior Secretary, and did report back to the President. I think we covered that in some detail.

,

Q So your answers did not come after the Babbitt interview, this was something that came before?

MR. MCCURRY: No, no. This came up quite some time ago, and we --

Q So after the Babbitt interview, the President is still satisfied with the situation?

MR. MCCURRY: I haven't talked to him specifically about the New York Times interview, but I'm not aware of any change in his thinking.

Q Mike, is there any concern at the White House that this devastating ice storm in the Northeast may just be a precursor of a totally wacky weather year that's going to throw all the budgeting of emergency assistance funds --

MR. MCCURRY: You mean, with the arrival of El Nino and we've got a front coming in over this -- look, it's hard to talk about how isolated meteorological effects reflect overall climate changes. But we do know that there has been significant overall climate change and that is a source of concern. It does take us back to the need to pursue the kinds of regimes we talked about with other members of the world community.

A little update -- as you know, I think the President declared several counties in upstate New York disaster areas. And while we haven't received any official requests from the governors of Vermont, New Hampshire and Maine, there are some preliminary damage assessments that are being done by FEMA in those states now that develops the kind of material that could be in support of a request for disaster assistance if one came, and we're working very closely and cooperatively both with the state government in New York and then with the governors and emergency response officials in the states that have been affected.

I believe also we've got some FEMA presence out in the Pacific Northwest, too, that's been looking at some of the storms there.

Q But the question was, are you sure that FEMA has enough money to deal with whatever might happen for the rest of the year?

MR. MCCURRY: Well, they've had a difficult year, but they've been able to, I think -- they got a supplemental, didn't they, Barry?

MR. TOIV: No, not for this fiscal year.

MR. MCCURRY: Not for this year. Last year, in the period when they've had to deal with floods, earthquakes, fires, they've had difficult taxing of their resources, they've been able to get the kind of supplementary appropriation from Congress that's helped them do the work that's so important.

Q Can we go back to Iraq for a second? You folks have insisted for many months now that Saddam Hussein is in a box, and yet you just said a minute ago that he's getting away with willful violations and harassments of the U.N. weapons inspection team.

MR. MCCURRY: I did not say that. I said that we would be watching very carefully to see what he does. He has from time to time failed to fully comply --

Q You did say that.

GENERAL MCCAFFREY: Well, he's failed to fully comply with the stipulations that have been placed on him by the U.N. That's been true now for six years.

Q Right, so how is he -- I don't get how he's in a box.

MR. MCCURRY: Well, he is motivated we believe in part by a desire to escape from the effect of the economic sanctions that are still placed upon him. Those sanctions remain in effect and there's absolutely no indication that there's any change in the posture of the world community to keep those sanctions in effect.

Q Let me follow up if I may. To the extent that the American people care whether or not Saddam Hussein is in a box, they care because of the threats that you folks have articulated about weapons of mass destruction --

MR. MCCURRY: Absolutely.

Q So how is it -- has anything changed since late October until today in terms of our ability to find out what he's doing in chemical or biological weapons?

MR. MCCURRY: In a sense, yes, because -- I don't know the exact number, but at the time in October he had expelled certain U.N. inspectors from Iraq that had led the United Nations to withdraw the entire inspection team. We were in the middle of a significant problem at that point; inevitably Saddam backed down, the teams went back in, they've done hundreds of inspections since. But they are continuing to work on a problem that has not produced all the answers that they want or that they find sufficient. And there is going to continue to be that effort and they're going to continue to be pressed. And no doubt when Chairman Butler reports on his meetings, at that point we're going to have to make some assessments about what other steps need to be taken.

Q If the American team is pulled out, if the American team is kicked out, is it the position of the United States that all

the teams should leave again?

MR. MCCURRY: The position of the United States is at that point supportive of the United Nations. When that's happened in the past, the response of the United Nations and of the Chairman of the U.N. Special Commission has been quite swift and quite appropriate in our view.

Q Mike, the Iraqis allege that Scott Ritter is a spy.

MR. MCCURRY: He has said that is ridiculous and so have many others. And the United Nations has made clear that he is hired because of his technical background. He is someone who is indisputably and expert. And he works for the United Nations. He's not -- he is a U.S. national, but he works under the direction and the supervision of the United Nations at this point.

Q And does not work for U.N. intelligence at any level?

MR. MCCURRY: He's very clear that he does not. He has said so himself and others have said so as well.

Q Mike, to what degree was the White House aware of complaints from gay rights group about a legal loophole in the '86 Privacy Communications Act where a sailor was essentially outed from the don't ask, don't tell policy and AOL apparently violated its own privacy standard by giving information to naval investigators which led to --

MR. MCCURRY: Chip, I saw that story this morning and I have to confess to you I failed to make an inquiries at the Pentagon about what their reaction is. I can -- we can see if we can take that and see if the Pentagon has said anything on that today.

Q On a totally unrelated matter, what is the White House position on Senator Kennedy's proposal to raise the minimum wage?

MR. MCCURRY: The Senator has made a number of interesting and important proposals and a number of them are being looked at at this point. You know, historically, this President's commitment to seeing that the minimum wage is a meaningful wage for people who are working. Very often -- people are working hard and very often doing so and staying off forms of public assistance, and we have had an interest -- we've successfully achieved an increase in the minimum wage, but at this point that's an idea that we have to be looking at carefully and have to be thinking about as we think of other things that we are pursuing with respect to macroeconomic policy.

Q If I could just follow up, do you anticipate that that would be something that's possibly going to be included in the President's State of the Union?

MR. MCCURRY: I'm only anticipating at this point that it will remain under review.

Q Mike, the Northern Ireland peace talks resume today in Belfast. Do you think they have any chance of success given the recent violence there? And secondly, do you foresee any direct U.S. involvement in the talks in the weeks and months ahead?

MR. MCCURRY: Well, do I see any prospect for success? Yes, because the peoples of Ireland are so manifestly committed to peace and are so upset about the tragic return to violence that they've seen. At the same time that there has been violence and there's been a return to the kind of troubles that people in both families lament, there has also been very determined work by the government of the U.K. and the Republic of Ireland to advance common thinking about how progress can be made at Stormont. And the United States government applauds the work that both governments are doing to table a proposal. We think that that demonstrates the seriousness of purpose with which they take the talks, and we encourage the parties themselves to make best use of this inclusive process to address the issues that members in all sects face.

Q Mike, The Washington Post had a story this morning that it's being said that Mack McLarty is going to leave the administration after the Summit of the Americas. Is there anything to that?

MR. MCCURRY: Well, you know, Mack has extended his stay here at the President's request and done an extraordinarily good job as an ambassador and envoy in that region. The President knew that 1997 would be a very significant year for our policy in Latin America and I think, using his powers of persuasion, encouraged Mr. McLarty to remain here so that he could help lead the agenda that we pursued last year. Now, that was all about preparing -- doing the work that we did in the President's travels through a lot of our other diplomacy last year to prepare us for the second Summit of the Americas in Santiago coming up in a few months.

What Mr. McLarty's plans will be beyond that will be up to him. But I know that he probably yearns for the life that he thought he was going to get after the end of the first term and as the President managed to subvert by getting him to stay.

Q In other words, he's leaving. (Laughter.)

MR. MCCURRY: I think I said that very elegantly. (Laughter.) You'd have to check with him.

Q Speaking of the President's powers of persuasion, has he had any luck convincing Senator Feinstein to run for governor of California?

MR. MCCURRY: I think he thinks very highly of her. But

if they talked recently and had a conversation about -- talked to her recently and had a conversation about politics in California, I imagine that he would want me to keep it between the two of them.

Q But were she to run, his efforts out there would be pretty --

MR. MCCURRY: I think that people who know politics in California say nothing but that she would be a very strong candidate.

Q How about Panetta?

Q Can you confirm that the President's deposition with Paula Jones' attorneys will not be taken here at the White House?

MR. MCCURRY: I can't say anything about that subject.

Q Well, if the President were to travel from the White House grounds on Saturday, am I correct that a travel pool would necessarily go with him?

MR. MCCURRY: Usually, when he tries to travel around here people know about it pretty quickly, so I imagine they would.

Q Mike, one loose end on Iraq. If the American team --

MR. MCCURRY: Without necessarily saying that's what is going to happen. I don't, frankly, know the answer and I'm not even sure that there is an answer at this point. But the court would be the only one who would properly determine what kind of public comment can be made.

Q Well, our information is flatly it has been decided it will not be here at the White House.

MR. MCCURRY: You're giving out the scoop in public? What are you doing?

Q This isn't a big scoop. It's not like a big huge story -- don't you think?

MR. MCCURRY: I personally don't think so. But I'll leave you to make your own judgment. (Laughter.)

Q Has the President seen or talked to Bennett lately?

MR. MCCURRY: He's talked to him from time to time. I don't know -- I mean, they've had to have talked during this discovery period.

Q But doesn't he have to prepare for a deposition?

MR. MCCURRY: Normally, if you're going to give a deposition, you prepare with your attorney. I can't imagine the President wouldn't.

Q How did the President react to being in the same room with Paula Jones?

MR. MCCURRY: His attorney has addressed that. I don't really have anything to add to what he said.

Q Did you find out if Robin Williams was at Camp David with the President this weekend?

MR. MCCURRY: I do believe that's true. And I think they were up with some of the other cast members. And the President and the First Lady are going to be doing some more entertaining and socializing up there. So I wouldn't be surprised if they go up from time to time.

Q Why?

MR. MCCURRY: The main reason is they want to use -- they want to make more use of Camp David. They found it hard to go up there when their daughter was still here because she'd be away from her friends and they didn't use it as much as they'd like. But they like being up there. I imagine they'll go up there more often.

Q Do you know what other members of the cast joined Robin Williams?

MR. MCCURRY: No, and I'm not -- to be honest with you, I think the President is entitled to invite who he wants to go up there to be his private social guests and I don't intend to report on the guest list on such occasions.

Q Why?

MR. MCCURRY: Because I think it's just good -- I mean, they do -- they have during -- when they screen movies and do stuff over at the residence all the time and we don't pester them about it and I don't intend to.

Q Well, just to tie up a loose end on that for interest of those who watch Show Biz Today -- (laughter) --

MR. MCCURRY: What time does that come on? (Laughter.) When's that on?

Q It comes on at 5:30 p.m. Eastern. (Laughter.)

MR. MCCURRY: At 5:30 p.m. Eastern. (Laughter.)

Q What time is that Central Time? (Laughter.)

Q Are you anchoring that now? (Laughter.)

Q No, I'm not. (Laughter.)

MR. MCCURRY: You never know, Wolf, they might have already announced it. (Laughter.)

Q To the best of my knowledge. Do they have a movie theatre at Camp David? Where do they watch these kinds of movies at Camp David?

MR. MCCURRY: They have -- I think they do. I defer that -- I'm sure they do because I think previous Presidents have very often gone up there and shown movies and that sort of thing.

Q The Republicans have proposed appropriating money to fund 100,000 new teaching positions and I'm wondering what the White House reaction to that is and why you haven't proposed that yourselves.

MR. MCCURRY: We're in favor of teachers and we are in favor of thinking about --

Q -- 100,000 new ones on the street?

MR. MCCURRY: -- thinking about ways in which we might do it. And, who knows. He's a very clever fellow, that Congressman Paxon. Maybe he caught wind of some things that we were thinking about.

Q Forget McLarty. Are you leaving anytime soon?

MR. MCCURRY: If you let me out of here, I will, yes. (Laughter.)

Q No, I mean in the White House staff.

Q Hold on. Can we just finish the teachers thing?

MR. MCCURRY: No, I dropped a hint there. You've got to pursue it on your own.

Yes?

Q The race panel is headed to Phoenix this week where one of the things they're going to do is take up the concerns of Native Americans. There's been a lot of criticism that that's late in coming and incorporating them into the discussion. Can you comment on that?

MR. MCCURRY: There are many communities that the President has been reaching out and talking to. In fact, if I'm not mistaken, John Echohawk is one of the participants in the session that we're having this afternoon with the President. I think the

President does see this effort to understand and embrace the diversities in American, one that extends to many, many different kinds of constituencies and communities. And while there are some unique aspects to race that involve the relationship between black and white America, I think we've said all along that the rich diversity that's going to be America in the 21st century requires an approach and a willingness to listen to and hear many, many other communities. And so the President's session today is one such opportunity, and there will be others.

Q Mike, does the President support the DNC's action over the weekend to allow non-citizen residents in the U.S. to contribute to the party?

MR. MCCURRY: Yes, he does.

Q Did he say during the campaign, though, that contributions ought to be limited to those who can vote in elections?

MR. MCCURRY: He sees, as the DNC said, I think, yesterday, sees these people as likely potential new voters soon.

Q Does he feel like he made a mistake a year ago when he endorsed the DNC's --

MR. MCCURRY: Presidents don't make mistakes, they have

--

Q Mistakes are made. (Laughter.)

,

MR. MCCURRY: They have further thinking that is bought to a subject.

Q Seriously, Mike, he gave a speech and said --

MR. MCCURRY: No, I think the President agrees with a lot of what was said yesterday, that the unintended consequences of that policy has been to make some communities feel like they are not worthy participants in the political process. And I think the President feels that was a bad outcome of a policy that was well intentioned. And when the DNC approached the White House about the change in the subject, I think the President understood the rationale.

Q How much money can he get from them?

MR. MCCURRY: The DNC can tell you more about it. I don't know.

Q The United States has had very little luck convincing the French and the Russians in the Security Council to take stronger action against Iraq. Is today's incident going to be

something that the United States takes into the Security Council and uses as an avenue of argument to convince them to take stronger action now?

MR. MCCURRY: It will certainly be cited by the United States as reasons why we have to remain very firm and determined in dealing with the government of Iraq. That is not lost on the governments of France and Russia and others in the Security Council. They understand the provocations that Saddam has rendered, and they also have joined unanimously with the U.N. in supporting Security Council Resolutions 1134 and 1137. And that remains the stated position of those governments, and we will continue to work to pursue the objectives that are expressed in those recent unanimous declarations of the world community.

Q But isn't this exactly what the United States warned the French and the Russians was going to happen if they didn't take stronger action?

MR. MCCURRY: We've had a number of conversations with those governments stressing the need to remain resolved and united as we address this real issue.

Q There is a line of thinking that Saddam feels more ability to maneuver this month because of the Muslim holiday of Ramadan. Would you disabuse him of that notion?

MR. MCCURRY: Yes.

Q Well said. (Laughter.)

Q I'm just wondering after today if the President has run out of items to preview for State of the Union, or are they planning more --

MR. MCCURRY: No, we've got all kinds of boxes under the tree.

Q If you could tell us, is there anything more this week that he's going to unveil?

MR. MCCURRY: I don't know. What is the status of our leaks these days? (Laughter.) Let's go call Rahm and find out where he's -- no, I think there's not -- I'm not anticipating this week additional discussions of things that have budgetary impact. The President in the State of the Union is going to be talking about a lot of things that are fundamentally important to the country. He will be talking later in the week about race in America and the struggle for civil rights, and acknowledging some of the heroic leadership of those that are going to receive the National Medal of Freedom. And that's the kind of thing that in a sense previews parts of what I think he wants to lay before Congress in January.

Q I was talking about policy initiatives.

MR. MCCURRY: In policy initiatives, I'm not aware at the moment of any, but who knows? You're all good reporters.

Q On the budget, you said this morning you would look into the report about the division of the revenues from a national tobacco settlement --

MR. MCCURRY: What I got back on that was pretty much the same answer that I gave you when we talked about the general question of tax incidence that would be reflected in the budget. We really are not going to be in a position to get into the specifics until the budget is delivered to Congress in February, although we would say that we credit the states' attorneys general for the very important work they did in bringing litigation, and it would stand to reason that we would want to share the proceeds from any settlement with the states. But exactly what the percentage would be or how we would do that, we're not at liberty to discuss until the President unveils his budget.

Q So are you saying the Wall Street Journal is wrong, or just that you're not in a position to confirm --

MR. MCCURRY: No, I sort of said that we weren't going to confirm what they had.

Q Can I come back to the DNC for a second? Are you saying that the President no longer supports a unilateral ban on this, or any ban?

MR. MCCURRY: I'll direct you to the DNC on that. He is supportive of the work that they did over the weekend.

Q The President's position on the acceptance of money from legal aliens, it's one thing to say we no longer will unilaterally do it, but still support legislation.

MR. MCCURRY: Legal permanent residents, I believe is the term we prefer.

Q Okay. Does he still support legislation that would ban them, or he no longer supports that either?

MR. MCCURRY: I don't believe that is part of the pending legislation that we've expressed support for.

Q He supported it in '96.

MR. MCCURRY: Well, I'll ask him what his views are on that specific question.

Q Mike, it's reported today that Dennis Scolabrini (phonetic), the FBI agent who testified on behalf of Billy Dale at the Travelgate trial says he was harassed by Clinton aides in

retaliation. What is your response?

MR. MCCURRY: If I understand correctly, that is a sealed deposition and we'll honor the court's decision to seal whatever testimony he gave.

Q On to weapons of mass destruction and proliferation -- the conference committee has come out with a report talking about it, saying the problem is worsening, criticizing the White House, saying a lot of talking really hasn't backed it up. Has the White House been effective in this?

MR. MCCURRY: I'm not familiar with the report. I don't know specifically what area of concern they raised. But we spent most of this briefing talking about the various extensive work that the United States is doing, including the hard work that 37,000 young men and women are doing in the Gulf to pursue our concerns about weapons of mass destruction. And I think it's fair to say that there's not a question in the post-Cold War pantheon of foreign policy that the President takes more seriously than efforts by countries that are outliers in the world community to acquire weapons of mass destruction. We've spent a lot of time on that issue here and the President certainly has done a lot of hard work on the issue. But I'll see if anyone knows of the report in particular.

Q Do you expect the President to address the issue of employer based pensions prior to the State of the Union?

MR. MCCURRY: Expanding retirement income security opportunities for Americans, which it increasingly in the next century is going to depend on shoring up Social Security, making sure the people have got a variety of private sector based employer provided pension arrangements, and encouraging Americans to make their own savings and their own arrangements for retirement. It's going to be a very real key part of work. We've already done a great deal to address and underpin the strength of the private sector pension insurance system and I expect in the -- that we will want to say some more on that subject. I wouldn't rule out that there will be a -- some focus on that in the weeks ahead, but I don't know whether prior to January 27th.

THE PRESS: Thank you.

MR. MCCURRY: Thank you, Helen.

END

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READ:UNKNOWN

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READ:UNKNOWN

TEXT:

Here the latest AP story. DOD is handling this w/ it's usual gay savvy.
Let me just say that the gay groups, the cyber crazies and the privacy
types are going to have a field day w/ this one. Fasten your seat belts.

From a press standpoint, as I said yesterday, I think it's important to
leave the details to DOD and to emphasize that Cohen is taking steps to
ensure the fair implementation of the policy, including working w/ the
groups on enforcement guidelines.

----- Forwarded by Richard Socarides/WHO/EOP on 01/13/98
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ASSOCIATED PRESS January 12, 1998

Navy defends dismissal of gay sailor

By John Diamond

Associated Press Writer

WASHINGTON (AP) -- The Navy defended its actions Monday in discharging a 17-year veteran sailor for homosexuality after apparently uncovering his sexual orientation through the Internet.

Critics accused the Navy of invasion of privacy by tracking down the sailor's identity from an Internet profile page in which he called himself simply "Tim."

The Navy's deputy chief of personnel ordered Senior Chief Petty Officer Timothy R. McVeigh to be dismissed from the service for violating the military's "don't ask, don't tell" policy on homosexuality.

McVeigh is no relation to the convicted bomber of the Oklahoma City federal building.

A Navy official, who spoke on condition of anonymity, said information posted by McVeigh on the Internet represented a "statement" under the military regulations about homosexuality in the military. Although the policy bars the military from making inquiries about sexual preference, it does allow the military to discharge those who declare their homosexuality.

But critics of the Navy say the issue is how the Navy linked information listed on the Internet only under the name "Tim" with McVeigh.

Gay rights advocacy groups cite Navy investigation transcripts showing that a Navy investigator called America Online and obtained the full name of a "Tim" who had posted personal information on a profile page. Among other things, the page listed under marital status "gay." The profile page, which has since been removed from the Internet, listed under hobbies, "driving, boywatching, collecting pictures of other young studs." The Internet account was named "Boysrch," for boy search, according to one lawyer familiar with the investigation.

The case, reported in Monday's Washington Post, appears to represent a conflict between two aspects of the Pentagon's policy on gays in the military.

Under Pentagon policy, "any credible evidence, including a written or spoken statement, which shows that a military member has a propensity or intent to engage in homosexual acts, may warrant initiation of administrative proceedings for discharge."

On the other hand, gay rights advocates cite a statement by President Clinton in 1993 that the policy would show "a decent regard for the legitimate privacy and associational rights of all service members."

America Online Inc., a Virginia-based Internet access firm, would not acknowledge Monday that an AOL employee provided McVeigh's full name to a Navy investigator.

"We don't disclose private information unless we're presented with search warrant, court order or subpoena," said AOL spokeswoman Wendy Goldberg. "The policy is made very clear to our employees and we're currently looking into the situation."

Investigatory records, copies of which were obtained by The Associated Press, show the Navy investigator acknowledging he made the inquiry.

"I called AOL and talked to a gentleman named Owen at Tech Services," the witness, who was unidentified in the records, said at a November discharge hearing. "I said that I am the third party in receipt of a fax and wanted to confirm the profile sheet, who it belonged to. They said it came from Hawaii and that it was from 'Timothy R. McVeigh' on the billing."

Before the Navy investigator made that statement, however, McVeigh had already acknowledged to superiors that the profile page was his.

McVeigh, 36, was a senior enlisted man on the USS Chicago, a Los Angeles-class attack submarine, when the inquiry began last year.

Neither McVeigh nor his military attorney returned calls Monday seeking comment.

John Aravosis, an attorney and Internet consultant who is assisting McVeigh on the case, said the case amounts to the Navy spying on an American citizen.

"Does this mean now that the FBI can do this?" Aravosis asked.

Kim Mills of the Human Rights Campaign, a gay rights advocacy group, said that although her organization opposes don't-ask, don't-tell, this case represents a violation even of the limited protections the law provides.

"If we have to live with this policy, we would like to see it properly enforced," Mills said.

The Servicemembers Legal Defense Network has asked Navy Secretary John Dalton to delay the discharge decision and examine whether Navy investigators followed procedure.

The Navy official said Dalton has not received the letter requesting a review.

===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

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