

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	jlriley to Christine K. Baer at 16:23:03.00. Subject: my email address - Reply. (3 pages)	01/14/2000	Personal Misfile

COLLECTION:

Clinton Presidential Records
Automated Records Management System [Email]
WHO ([Don't Ask, Don't Tell])
OA/Box Number: 500000

FOLDER TITLE:

[01/13/2000 - 01/14/2000]

2015-0017-F

ab1547

RESTRICTION CODES

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

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

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

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

C. Closed in accordance with restrictions contained in donor's deed of gift.
PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).
RR. Document will be reviewed upon request.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: David B. Peterman (CN=David B. Peterman/OU=NSC/O=EOP [NSC])

CREATION DATE/TIME:13-JAN-2000 13:56:29.00

SUBJECT: DADT Email

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

READ:UNKNOWN

TEXT:

Laura- Attached is the latest email sent to Berger 1/11. In response, SRB gave approval for us to participate in a DoD led working group and Rudy DeLeon has agreed to chair the group who's purpose will be to monitor implementation of the current DADT policy and to identify non-legislative ways the policy might be improved. SRB asked that we prepare a one-page memo for the President with this info.

Also, it looks now like the Cohen roll-out of the Services DADT implementation plans will be on Wed. of next week. We are monitoring closely.

If you have any questions, please let me know.

Brian

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D28]ARMS23092132W.046 to ASCII,
The following is a HEX DUMP:

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

PLEASE PASS TO SANDY FROM HANS (@ Legal and @ Legislat concur)

As I mentioned at this morning's staff meeting, I spoke yesterday afternoon with Rudy DeLeon and his OSD colleagues (along with Matt Gobush, Mary DeRosa and Betsy Pimentel) to get an update on the Fort Campbell trial and related DOD actions on policy implementation. The results are as follows:

Fort Campbell Trial:

- The trial was held on Saturday, Jan 8th, for Specialist Fisher (roommate of Winchell). Trial was actually a sentencing hearing as a pre-trial agreement had been made as part of a previous plea-bargain to get Fisher's agreement to testify in the trial of Private Glover (previously convicted of murdering Private Winchell).
- As a result of his guilty plea, Fisher was convicted of obstruction of justice, making false official statements and providing alcohol to a minor. Sentence imposed by the court included 14 years imprisonment, but the pre-trial agreement capped the sentence at 12 1/2 years.
- As part of the sentencing hearing a psychologist testified that Fisher had a drinking problem, struggled with his own sexual identity, had been a cross-dresser since he was 14, had 3 abusive father figures and had a previous experience with a transvestite. These facts were picked up by several local papers, but not the national press. This is significant as it is a whole new twist on the incident and the individuals involved.
- Private Winchell's family knew about the pre-trial agreement several weeks ago and was not happy. They continued to express their discontent in the press following the trial.

Follow-on actions at Fort Campbell:

- Last Saturday after the trial, Fort Campbell commander MG Clark requested that the Army IG conduct a review into the alleged violations of the DOD Homosexual Conduct Policy at Fort Campbell.

- Yesterday Louis Caldera announced that he will implement an Army IG investigation which will:
 - examine all alleged violations of the policy that came up during the trial to include the alleged environment of harassment that led up to Private Winchell's murder.
 - look at the overall command climate at Fort Campbell as it related to the application, enforcement and training associated with the DOD Homosexual Conduct Policy.
 - examine the overall implementation of the Don't Ask, Don't Tell policy throughout the rest of the Army.
- This is in addition to the DOD IG's climate assessments ordered by Bill Cohen.
- The IG's report and recommendations are due to Caldera by May 1st.

DOD Climate Assessments:

- DOD is on-track with their IG assessment of the environment at representative military installations.
- The assessment will be a random sampling of units from each service with surveys provided to a cross-section of individuals with no means of identification on the survey. The team will be in the field administering the survey beginning next week.
- The IG is on target to complete the effort by 13 March.

Service Implementation of August guidelines:

Rudy plans to meet with key representatives of each service this Friday for a final review of their plans to implement the "don't harass" training program. Bill Cohen may make a public statement at that time announcing the new plans.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides <RSocarides@rlmnet.com> (Richard Socarides <RSocarides@rlmnet.com> [UNKNOWN])

CREATION DATE/TIME:13-JAN-2000 09:24:13.00

SUBJECT: FW: NC11713: Army-wide review of DADT

TO: Elizabeth J. Potter (CN=Elizabeth J. Potter/OU=WHO/O=EOP [WHO])
READ:UNKNOWN

TO: Edward W. Correia (CN=Edward W. Correia/OU=WHO/O=EOP [WHO])
READ:UNKNOWN

TEXT:

-----Original Message-----

From: Rex Wockner [mailto:rwockner@netcom.com]

Sent: Thursday, January 13, 2000 3:12 AM

To: Rex Wockner

Subject: NC11713: Army-wide review of DADT

U.S. Army
NEWS RELEASE
Army Public Affairs
Washington, D.C. 20310

FOR IMMEDIATE RELEASE
RELEASE #00-002, 10 January 2000

ARMY SECRETARY ORDERS FT. CAMPBELL AND ARMY- WIDE REVIEW OF DOD HOMOSEXUAL CONDUCT POLICY IMPLEMENTATION

The Secretary of the Army, Louis Caldera, today announced that he is directing the Army's Inspector General to conduct a thorough review of the implementation of the Homosexual Conduct Policy at Ft. Campbell Ky., following a request by the Commander 101st Airborne Division (Air Assault) and Ft. Campbell. In light of allegations that surfaced during the investigations and courts martial surrounding the murder of Pfc Barry Winchell, the Inspector General is being directed to examine alleged violations of the Department of Defense Homosexual Conduct Policy during the period preceding Winchell's death. The review was requested Saturday by Maj. Gen. Robert T. Clark upon the conclusion of the second court martial and conviction in the case, and is supported by his chain of command to include Gen. Eric K. Shinseki, Army Chief of Staff. "The soldiers who serve in the United States Army today are the best we've ever had," said Caldera. "They serve our Nation and merit our respect, and they deserve to be treated with dignity in a climate of safety and security. The Chief of Staff and I, and the entire chain of command, are committed to this cause." Caldera is also directing the Inspector General to conduct an overall assessment of the command climate that existed at Ft. Campbell,

as it related to the application, enforcement and training associated with the DoD Homosexual Conduct Policy. Finally, Caldera is instructing the Army Inspector General to provide an overall assessment of the Department of the Army's implementation of the DoD Homosexual Conduct Policy throughout the rest of the Army. The Inspector General's report and recommendations are to be provided the Secretary of the Army not later than May 1. Secretary of Defense William S. Cohen announced in December that he had directed the Department of Defense (DoD) Inspector General to initiate an assessment of the environment at representative installations within each military Department with respect to the application of the homosexual conduct policy. The Army's review is being coordinated with the DoD IG. -30- For more information, please contact Army Public Affairs Media Relations Division (703) 697-7550.

- att1.htm===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

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<P><FONT SIZE=2>-----Original Message-----</FONT>
<BR><FONT SIZE=2>From: Rex Wockner [<A HREF="mailto:rwockner@netcom.com">mailto:
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<BR><FONT SIZE=2>Sent: Thursday, January 13, 2000 3:12 AM</FONT>
<BR><FONT SIZE=2>To: Rex Wockner</FONT>
<BR><FONT SIZE=2>Subject: NC11713: Army-wide review of DADT </FONT>
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Media Relations Division (703) 697-7550.
</P>

</BODY>

</HTML>

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Edward W. Correia (CN=Edward W. Correia/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:13-JAN-2000 15:08:49.00

SUBJECT: Don't Ask/Don't Tell

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: David B. Peterman (CN=David B. Peterman/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

TO: Matt Gobush (CN=Matt Gobush/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

TO: Mary B. DeRosa (CN=Mary B. DeRosa/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

TO: Betsy Pimentel (CN=Betsy Pimentel/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

TO: Johannes A. Binnendijk (CN=Johannes A. Binnendijk/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

CC: William Marshall (CN=William Marshall/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

CC: Karen Tramontano (CN=Karen Tramontano/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

CC: Beth Nolan (CN=Beth Nolan/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TEXT:

Here is a list of possible steps to improve implementation of DA/DT. I've incorporated items from the memo to the President as well as a couple of possible additional steps. Please give me your comments in order to develop a joint document we can give to DoD for review.

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D81]ARMS25941232S.046 to ASCII,
The following is a HEX DUMP:

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

Possible Steps to Improve Implementation of Don't Ask/Don't Tell

Ensure prompt implementation of the August 1999 guidelines. In August 1999, DoD issued a memorandum to the services reiterating the Pentagon's policy prohibiting threats or harassment on the basis of alleged homosexuality. The services are to develop guidance regarding harassment, submit it to DoD for review, disseminate it all levels of command and incorporate it into training. All the services should do so as soon as possible. After review and approval by DoD, the release of the guidelines could be accompanied by strong statements of endorsement by the Secretary of Defense, the Secretary of each service, and appropriate military personnel.

Conduct more vigorous anti-harassment training. The issuance of harassment guidelines by each service should be followed up by training and supportive statements by commanding officers, including officers at the base and unit levels.

More Effective Enforcement of the "Don't Ask" Prohibition. The Secretary of Defense, the Secretary of each service and appropriate military personnel should reiterate the importance of the policy prohibiting "asking or pursuing" individuals because of their suspected sexual orientation. Each service should ensure that persons who violate the policy are held accountable. General Clark at Ft. Campbell has requested that the Army IG conduct an investigation of possible violations of the DoD Homosexual Conduct policy in connection with the death of Private Winchell. Such an inquiry may be appropriate at other installations as well. Although such investigations must be conducted free of any command influence by the White House, DoD, or military commanders, DoD can request additional inquiries where appropriate to more effectively enforce this aspect of the policy.

Protecting the Confidentiality of Communications. The "Don't Tell" prohibition in the statute (10 U.S.C. § 654(b)(2)) does not define prohibited statements. However, the intent of the policy is to prevent demonstrations of sexual orientation that interfere with the effectiveness of military units. See 10 U.S.C. § 654(a)(15) ("The presence in the armed forces of persons who demonstrate a propensity or intent to engage in homosexual acts would create an unacceptable risk to the armed forces' high standards of morale, good order and discipline, and unit cohesion that are the essence of military capability.")

In the past, the services have tended to apply a very broad definition of statements, which has had the result of triggering an investigation even in cases where the statement was made to an isolated individual or counselor. However, there should be sufficient flexibility in the implementation of the policy to recognize a category of statements that do not raise the concerns at which the statute was aimed. For example, this category might include confidential statements to counselors and chaplains as well as discrete statements to commanding officers or isolated individuals under circumstances that do not amount to a "demonstration" of a propensity to

engage in prohibited conduct. DoD should consider giving more discretion to the services in deciding what constitutes a statement that triggers investigations of a possible violation of the policy.

Ensure there is appropriate recourse for service members. Service members who are the subject of harassment or improper inquiries about sexual orientation must have recourse to persons they trust in order to discuss candidly their concerns. Since the policy penalizes candid communications about sexual orientation, service members can be placed in an extremely difficult position in deciding whether to complain about harassment or an improper inquiry about sexual orientation. The services should review the procedures available to service members to ensure that service members are not discouraged from coming forward with complaints.

Pre-trial Agreements. Existing DoD policy is unclear as to when pre-trial agreements in court martial proceedings can be contingent on one service member providing information about the consensual sexual conduct of other service members. There have been discussions within DoD about clarifying the policy to make clear that such agreements should not be contingent on providing such information unless the conduct of the other service member constitutes conduct that warrants a criminal investigation.

Rebutting the Presumption of Homosexual Conduct. The statute provides that a service member must be discharged if he or she makes a statement that he or she is a homosexual and fails to demonstrate "that he or she is not a person who engages in, attempts to engage in, has a propensity to engage in, or intends to engage in homosexual acts." A service member should be given a reasonable opportunity to make this demonstration. For example, if there is no evidence that a service member has engaged in conduct, it may be appropriate to simply require an affidavit stating there is no intent to engage in conduct in the future. The infrequency with which this rebuttal provision has been used suggests that DoD needs to implement this aspect of the policy in a more flexible way.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides <RSocarides@rlmnet.com> (Richard Socarides <RSocarides@rlmnet.com> [UNKNOWN])

CREATION DATE/TIME:13-JAN-2000 09:24:25.00

SUBJECT: FW: Britain Ends Military Ban on Gays

TO: Elizabeth J. Potter (CN=Elizabeth J. Potter/OU=WHO/O=EOP [WHO])
READ:UNKNOWN

TO: Edward W. Correia (CN=Edward W. Correia/OU=WHO/O=EOP [WHO])
READ:UNKNOWN

TEXT:

I'm sure you saw this, and the pl nyt article, but i think what they are doing should be looked at closely for opportunities for us

-----Original Message-----From: LGBT Activists List [mailto:Doug.Case@sdsu.edu]

Sent: Thursday, January 13, 2000 1:35 AM

To: queerpolitics@abacus.oxy.edu

Subject: Britain Ends Military Ban on Gays

Associated Press, January 12, 2000

Britain Ends Military Ban on Gays

By MAUREEN JOHNSON

LONDON (AP) -- Forced to act by a European court ruling, Britain lifted its ban on gays in the military Wednesday and introduced instead a code of conduct for sexual behavior, whether soldiers be heterosexual or homosexual.

"As no primary or secondary legislation is required, with effect from today, homosexuality will no longer be a bar to service in Britain's armed forces," Defense Secretary Geoff Hoon of the governing Labor Party told the House of Commons.

Opposition Conservative Party lawmakers expressed outrage.

"This appalling decision will be greeted with dismay among ordinary soldiers in the armed forces, many of whom joined the services precisely because they wished to turn their back on some of the values of modern society," said Tory Gerald Howarth.

Hoon acknowledged opposition to gays in the military, but added that "the law is the law. We cannot choose the decisions we implement."

Under the new code of conduct, to be published next month, inappropriate sexual behavior between personnel on duty -- and not a person's sexual orientation -- would be a punishable offense.

The key test will be whether an individual's behavior undermines the "efficiency or operational effectiveness" of the military, Hoon said.

Britain promised to lift the ban after the European Court of Human Rights ruled in September in favor of four gay enlistees dismissed from the

military. The judges called the ban a grave interference in private lives.

Personnel dismissed for being gay can apply to rejoin the services, and actions against current military personnel will be halted.

In the future, the sexual orientation of soldiers, sailors and air force

personnel will be "essentially a private matter for the individual," Hoon said.

Unlike the United States military's "don't ask, don't tell" policy, the

British military had flatly banned gays.

On the need for a code, Hoon said military personnel "cannot choose the people they work and live with, often in difficult, cramped conditions and for sustained periods."

"Operational effectiveness depends on team cohesion and the maintenance of trust and loyalty," he told lawmakers. "As a result, standards of behavior ... can be more demanding than those required by society at large."

Britain is now in line with other European countries that allow gays in uniform, with varying degrees of enthusiasm.

Policies range from the Netherlands, where gays have served openly since

the 1970s, to Greece, which bars homosexual officers. In Italy, overt homosexual behavior is frowned on the military and gay men are often exempted

from the 10-month compulsory military service.

The Pentagon announced in December a review of its policy under which the

military is not supposed to ask service members about their sexual orientation, unless there is evidence of homosexual conduct. Still, soldiers

who say they are gay may be discharged.

President Clinton has said the policy was never supposed to facilitate rooting out gays or allow for harassment. He has cited repeatedly the case of a gay soldier who was beaten to death in Kentucky.

Associated Press, January 12, 2000

World's Militaries and Gay Stance

Britain's decision Wednesday to lift its ban on gays in the military brings it into line with most of the rest of the Western world.

Most NATO nations either have strict policies against discrimination or consider it a non-issue and have no policies at all. Other countries take an

officially nondiscriminatory attitude but have no laws governing the matter.

United States: Washington has not yet completely come to grips with the

issue, following what it calls a "don't ask, don't tell" policy that allows

homosexuals to serve in the military as long as they keep their sexual orientation private.

Canada: Gays are full-fledged members of the Canadian armed forces. There are no special arrangements or considerations for them.

Israel: Has accepted gays into its ranks since a 1993 decision banning

restrictions on recruiting them. There are occasional charges of discrimination, however, such as the dismissal last fall of a gay officer who had sex with a soldier at an army base.

Netherlands: Discrimination because of sexual orientation is prohibited by the constitution and homosexuals serve in the armed forces. While there may be some cases of harassment, it is not officially tolerated.

France: France has no official policy, but discrimination because of sexual orientation is prohibited by law. There is currently no debate on the issue.

Greece: Homosexuality is banned among officers in the Greek armed forces. If an officer is found to be homosexual he or she is forced to resign his commission. Conscripts may be exempted if they are gay, although they may insist on serving.

Hungary: There are no restrictions in the Hungarian armed forces.

Norway: There are no restrictions on homosexuals serving in the Norwegian military.

Denmark: Homosexuals were denied the right to serve until 1954. From 1955 until 1978, they were allowed to serve only in the Home Guard. In 1978, the Defense Ministry ruled that sexuality was not the government's business.

Italy: There is no official policy on gays in the Italian military, but gay men are often allowed exemption from Italy's compulsory 10-month military service if they admit they are homosexual and say they fear discrimination.

Finland: Has compulsory military service but men may be excused on the grounds of homosexuality.

Sweden: There is no specific policy on gays in the military and a Defense Ministry spokeswoman says it is not an issue in Sweden, which is generally liberal about homosexuality and gives legal recognition to gay partnership.

Reuters, January 12, 2000

Britain ends ban on gays in military

By Mike Peacock

LONDON (Reuters) □ Britain on Wednesday lifted its ban on gays serving in the military, accepting a landmark European court ruling, but laid down a code of conduct to try to ensure the effectiveness of the armed forces was unaffected.

"There is no longer a reason to deny homosexuals the opportunity of a career in the armed forces," Defence Secretary Geoff Hoon told parliament.

"Accordingly, we have decided that it is right that the existing ban should be lifted."

The European Court of Human Rights ruled last September that four homosexuals were wrongly dismissed from the UK armed forces after they admitted their sexual orientation to investigators.

Hoon said Britain was legally obliged to reflect the court's

conclusion.

"The status quo is not an option," he said.

A new code of conduct, developed by service experts, will govern personnel in the armed forces, complementing existing policies cracking down

on harassment, discrimination and bullying, Hoon said.

ONE QUESTION TO GOVERN

At its heart will be one question □ "Have the actions or behaviour of an

individual adversely impacted or are they likely to impact on the efficiency

or operational effectiveness of the service?"

Commanding officers will have to use the code to rule on individual cases.

The code gave examples of behaviour which could undermine cohesion in the

forces □ unwanted sexual attention, verbal or physical, over-familiarity with

partners of personnel, displays of affection which may offend others or taking advantage of subordinates.

"(The armed forces) cannot choose the people they live and work with, often in difficult, cramped conditions," Hoon said. "Operational effectiveness depends on team cohesion and the maintenance of trust and loyalty."

He stressed he was not tightening the rules on heterosexual relationships.

Gay rights campaigners welcomed the end to the ban but warned that homophobic attitudes would continue to force many gay people out of the services.

"Military training should challenge anti-gay attitudes. What is needed is an educational campaign to create a safe, sympathetic environment for gay

members of the forces," gay rights group Outrage! said in a statement.

A government official said commanding officers will have to regard sexual

orientation as a private matter and no basis for discrimination.

Those who have in the past been forced out of the forces for being gay may rejoin as long as they continue to meet the standard entry requirements,

the official said.-----

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- att1.htm===== ATTACHMENT 1 =====

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 "As no primary or secondary legislation is required, with effect from

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 "This appalling decision will be greeted with dismay among ordinary

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orientation, unless there is evidence of homosexual conduct. bsp; Still, soldiers

who say they are gay may be discharged.

 President Clinton has said the policy was never supposed to facilitate

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<P>Associated Press, January 12, 2000

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 Britain's decision Wednesday to lift its ban on gays in the military

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 Most NATO nations either have strict policies against discrimination or

consider it a non-issue and have no policies at all. Other countries take an

officially nondiscriminatory attitude but have no laws governing the matter.

 United States: Washington has not yet completely come to grips with the

issue, following what it calls a "don't ask, don't tell" policy that allows

homosexuals to serve in the military as long as they keep their sexual

orientation private.

 Canada: Gays are full-fledged members of the Canadian armed forces.

There are no special arrangements or considerations for them.

 Israel: Has accepted gays into its ranks since a 1993 decision banning

restrictions on recruiting them. There are occasional charges of

discrimination, however, such as the dismissal last fall of a gay officer who

had sex with a soldier at an army base.

 Netherlands: Discrimination because of sexual orientation is prohibited

by the constitution and homosexuals serve in the armed forces. While there

may be some cases of harassment, it is not officially tolerated.

 France: France has no official policy, but discrimination because of

sexual orientation is prohibited by law. There is currently no debate on the

issue.

 Greece: Homosexuality is banned among officers in the Greek armed

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the Defense Ministry ruled that sexuality was not the government's business.

 Italy: There is no official policy on gays in the Italian military, but

gay men are often allowed exemption from Italy's compulsory 10-month military

service if they admit they are homosexual and say they fear discrimination.

 Finland: Has compulsory military service but men may be excused on the

grounds of homosexuality.

 Sweden: There is no specific policy on gays in the military and a

Defense Ministry spokeswoman says it is not an issue in Sweden, which is

generally liberal about homosexuality and gives legal recognition to gay

partnership.
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Britain ends ban on gays in military

By Mike Peacock

 LONDON (Reuters) Britain on Wednesday lifted its ban on gays serving in

the military, accepting a landmark European court ruling, but laid down a

code of conduct to try to ensure the effectiveness of the armed forces was

unaffected.

 "There is no longer a reason to deny homosexuals the opportunity of a

career in the armed forces," Defence Secretary Geoff Hoon told parliament.

 "Accordingly, we have decided that it is right that the existing ban

should be lifted."

 The European Court of Human Rights ruled last September that four

homosexuals were wrongly dismissed from the UK armed forces after they

admitted their sexual orientation to investigators.

 Hoon said Britain was legally obliged to reflect the court's conclusion.

"The status quo is not an option," he said.

 A new code of conduct, developed by service
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</BODY>

</HTML>

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Bob Witeck (Bob Witeck [UNKNOWN])

CREATION DATE/TIME:13-JAN-2000 09:55:19.00

SUBJECT: Good quotes by Davis, possibly smart ones for Gore, too.

TO: "shelleysimpson@hotmail.com" ("shelleysimpson@hotmail.com" [UNKNOWN])
READ:UNKNOWN

TO: Elizabeth J. Potter (CN=Elizabeth J. Potter/OU=WHO/O=EOP [WHO])
READ:UNKNOWN

TO: "yandylove@aol.com" ("yandylove@aol.com" [UNKNOWN])
READ:UNKNOWN

TO: "Jtrammel@hillandknowlton.Com" ("Jtrammel@hillandknowlton.Com" [UNKNOWN])
READ:UNKNOWN

TEXT:

Associated Press, January 12, 2000

Governor supports gays in military, but delays stand on gay marriages

SACRAMENTO (AP) - Gov. Gray Davis has declined to take a position on the March ballot measure to outlaw gay marriages in California, but he said he has no objections to gays in the military.

The Democratic governor said Tuesday he would announce his position later this month on all 20 measures on the March 7 ballot, including Proposition 22, which is titled "limit on marriage" on the ballot.

But on the question of gays in the military, Davis said that he knew from his experience in the Army in Vietnam that if a soldier is otherwise qualified, it doesn't matter whether he is gay or heterosexual.

"I can tell you that anyone who's been in or near a combat zone doesn't care about the sexual orientation of the person standing next to him as long as they are in the same uniform. That's all that matters, that they are on your side," he said.

Bob Witeck
Witeck-Combs Communications
2120 L Street N.W. Suite 850
Washington, D.C. 20037
202-887-0500 ext. 19
202-887-5633 fax

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Julia M. Payne (CN=Julia M. Payne/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:13-JAN-2000 17:37:10.00

SUBJECT: podesta guidance for nbc's this week

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

READ:UNKNOWN

TO: Jason H. Schechter (CN=Jason H. Schechter/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TO: Anna Richter (CN=Anna Richter/OU=OPD/O=EOP@EOP [OPD])

READ:UNKNOWN

TO: Joel Johnson (CN=Joel Johnson/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TEXT:

add GUNS to the list -- specifically meetings with the industry and any other executive actions we may take. Joel, I expect gays in the military to be a major piece of conversation -- President, VP, HRC, Pentagon -- all views.

----- Forwarded by Julia M. Payne/WHO/EOP on 01/13/2000
05:35 PM -----

Jason H. Schechter
01/13/2000 04:31:40 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc: Julia M. Payne/WHO/EOP@EOP, Jennifer M. Palmieri/WHO/EOP@EOP
Subject: podesta guidance for nbc's this week

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*cuba

*shepherdstown

*politics - potus campaigning this year, gore views, flotus campaign, etc.

*gays in the military

Message Sent

To:

Anna Richter/OPD/EOP@EOP

David C. Leavy/NSC/EOP@EOP

Michael A. Hammer/NSC/EOP@EOP

Natalie S. Wozniak/NSC/EOP@EOP

Elizabeth J. Potter/WHO/EOP@EOP

Patrick M. Dorton/OPD/EOP@EOP

Joel Johnson/WHO/EOP@EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jason H. Schechter (CN=Jason H. Schechter/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:13-JAN-2000 16:50:47.00

SUBJECT: podesta guidance for nbc's this week

TO: Patrick M. Dorton (CN=Patrick M. Dorton/OU=OPD/O=EOP@EOP [OPD])

READ:UNKNOWN

TO: Natalie S. Wozniak (CN=Natalie S. Wozniak/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

TO: David C. Leavy (CN=David C. Leavy/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

TO: Joel Johnson (CN=Joel Johnson/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

TO: Michael A. Hammer (CN=Michael A. Hammer/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

TO: Anna Richter (CN=Anna Richter/OU=OPD/O=EOP@EOP [OPD])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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*gays in the military

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (Richard Socarides [UNKNOWN])

CREATION DATE/TIME:13-JAN-2000 09:24:27.00

SUBJECT: FW: NC11713: Army-wide review of DADT

TO: Elizabeth J. Potter (CN=Elizabeth J. Potter/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TO: Edward W. Correia (CN=Edward W. Correia/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

-----Original Message-----

From: Rex Wockner [mailto:rwockner@netcom.com]

Sent: Thursday, January 13, 2000 3:12 AM

To: Rex Wockner

Subject: NC11713: Army-wide review of DADT

U.S. Army
NEWS RELEASE
Army Public Affairs
Washington, D.C. 20310

FOR IMMEDIATE RELEASE
RELEASE #00-002, 10 January 2000

ARMY SECRETARY ORDERS FT. CAMPBELL AND ARMY- WIDE REVIEW OF DOD HOMOSEXUAL CONDUCT POLICY IMPLEMENTATION

The Secretary of the Army, Louis Caldera, today announced that he is directing the Army's Inspector General to conduct a thorough review of the implementation of the Homosexual Conduct Policy at Ft. Campbell Ky., following a request by the Commander 101st Airborne Division (Air Assault) and Ft. Campbell. In light of allegations that surfaced during the investigations and courts martial surrounding the murder of Pfc Barry Winchell, the Inspector General is being directed to examine alleged violations of the Department of Defense Homosexual Conduct Policy during the period preceding Winchell's death. The review was requested Saturday by Maj. Gen. Robert T. Clark upon the conclusion of the second court martial and conviction in the case, and is supported by his chain of command to include Gen. Eric K. Shinseki, Army Chief of Staff. "The soldiers who serve in the United States Army today are the best we've ever had," said Caldera. "They serve our Nation and merit our respect, and they deserve to be treated with dignity in a climate of safety and security. The Chief of Staff and I, and the entire chain of command, are committed to this cause." Caldera is also directing the Inspector General to conduct an overall assessment of the command climate that existed at Ft. Campbell, as it related to the application, enforcement and training associated with

the DoD Homosexual Conduct Policy. Finally, Caldera is instructing the Army Inspector General to provide an overall assessment of the Department of the Army's implementation of the DoD Homosexual Conduct Policy throughout the rest of the Army. The Inspector General's report and recommendations are to be provided the Secretary of the Army not later than May 1. Secretary of Defense William S. Cohen announced in December that he had directed the Department of Defense (DoD) Inspector General to initiate an assessment of the environment at representative installations within each military Department with respect to the application of the homosexual conduct policy. The Army's review is being coordinated with the DoD IG. -30- For more information, please contact Army Public Affairs Media Relations Division (703) 697-7550.

- att1.htm===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

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TO: Elizabeth J. Potter (CN=Elizabeth J. Potter/OU=WHO/O=EOP [WHO])
READ:UNKNOWN

TO: Edward W. Correia (CN=Edward W. Correia/OU=WHO/O=EOP [WHO])
READ:UNKNOWN

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Sent: Thursday, January 13, 2000 1:35 AM

To: queerpolitics@abacus.oxy.edu

Subject: Britain Ends Military Ban on Gays

Associated Press, January 12, 2000

Britain Ends Military Ban on Gays

By MAUREEN JOHNSON

LONDON (AP) -- Forced to act by a European court ruling, Britain lifted its ban on gays in the military Wednesday and introduced instead a code of conduct for sexual behavior, whether soldiers be heterosexual or homosexual.

"As no primary or secondary legislation is required, with effect from today, homosexuality will no longer be a bar to service in Britain's armed forces," Defense Secretary Geoff Hoon of the governing Labor Party told the House of Commons.

Opposition Conservative Party lawmakers expressed outrage.

"This appalling decision will be greeted with dismay among ordinary soldiers in the armed forces, many of whom joined the services precisely because they wished to turn their back on some of the values of modern society," said Tory Gerald Howarth.

Hoon acknowledged opposition to gays in the military, but added that "the law is the law. We cannot choose the decisions we implement."

Under the new code of conduct, to be published next month, inappropriate sexual behavior between personnel on duty -- and not a person's sexual orientation -- would be a punishable offense.

The key test will be whether an individual's behavior undermines the "efficiency or operational effectiveness" of the military, Hoon said.

Britain promised to lift the ban after the European Court of Human Rights ruled in September in favor of four gay enlistees dismissed from the military. The judges called the ban a grave interference in private lives.

Personnel dismissed for being gay can apply to rejoin the services, and actions against current military personnel will be halted.

In the future, the sexual orientation of soldiers, sailors and air force personnel will be "essentially a private matter for the individual," Hoon said.

Unlike the United States military's "don't ask, don't tell" policy, the British military had flatly banned gays.

On the need for a code, Hoon said military personnel "cannot choose the people they work and live with, often in difficult, cramped conditions and for sustained periods."

"Operational effectiveness depends on team cohesion and the maintenance of trust and loyalty," he told lawmakers. "As a result, standards of behavior ... can be more demanding than those required by society at large."

Britain is now in line with other European countries that allow gays in uniform, with varying degrees of enthusiasm.

Policies range from the Netherlands, where gays have served openly since the 1970s, to Greece, which bars homosexual officers. In Italy, overt homosexual behavior is frowned on the military and gay men are often exempted from the 10-month compulsory military service.

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Italy: There is no official policy on gays in the Italian military, but

gay men are often allowed exemption from Italy's compulsory 10-month military

service if they admit they are homosexual and say they fear discrimination.

Finland: Has compulsory military service but men may be excused on the grounds of homosexuality.

Sweden: There is no specific policy on gays in the military and a

Defense Ministry spokeswoman says it is not an issue in Sweden, which is

generally liberal about homosexuality and gives legal recognition to gay

partnership.

Reuters, January 12, 2000

Britain ends ban on gays in military

By Mike Peacock

LONDON (Reuters) Britain on Wednesday lifted its ban on gays serving in

the military, accepting a landmark European court ruling, but laid down a

code of conduct to try to ensure the effectiveness of the armed forces was

unaffected.

"There is no longer a reason to deny homosexuals the opportunity of a

career in the armed forces," Defence Secretary Geoff Hoon told parliament.

"Accordingly, we have decided that it is right that the existing ban

should be lifted."

The European Court of Human Rights ruled last September that four

homosexuals were wrongly dismissed from the UK armed forces after they

admitted their sexual orientation to investigators.

Hoon said Britain was legally obliged to reflect the court's conclusion.

"The status quo is not an option," he said.

A new code of conduct, developed by service experts, will govern

personnel in the armed forces, complementing existing policies cracking down

on harassment, discrimination and bullying, Hoon said.

ONE QUESTION TO GOVERN

At its heart will be one question "Have the actions or behaviour of an

individual adversely impacted or are they likely to impact on the efficiency

or operational effectiveness of the service?"

Commanding officers will have to use the code to rule on individual

cases.

The code gave examples of behaviour which could undermine cohesion in the

forces unwanted sexual attention, verbal or physical, over-familiarity with

partners of personnel, displays of affection which may offend others or

taking advantage of subordinates.

"(The armed forces) cannot choose the people they live and work with,

often in difficult, cramped conditions," Hoon said. "Operational

effectiveness depends on team cohesion and the maintenance of trust and

loyalty."

He stressed he was not tightening the rules on heterosexual

relationships.

Gay rights campaigners welcomed the end to the ban but warned that

homophobic attitudes would continue to force many gay people out of the

services.

"Military training should challenge anti-gay attitudes. What is needed

is an educational campaign to create a safe, sympathetic environment for gay

members of the forces," gay rights group Outrage! said in a statement.

A government official said commanding officers will have to regard sexual

orientation as a private matter and no basis for discrimination.

Those who have in the past been forced out of the forces for being gay

may rejoin as long as they continue to meet the standard entry requirements,

the official said.

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constitute endorsement of the content; in fact, often items ar
e distributed

as "opposition research."

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Julia M. Payne (CN=Julia M. Payne/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:13-JAN-2000 16:51:02.00

SUBJECT: Re: podesta guidance for nbc's this week

TO: Jason H. Schechter (CN=Jason H. Schechter/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TEXT:

it's abc and thanks for doing this.

You've got all the issues covered per my conversations with this week. We need really, really good guidance on gays in the military especially with the british announcement.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-JAN-2000 14:30:05.00

SUBJECT: Re: DADT Email

TO: David B. Peterman (CN=David B. Peterman/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

TEXT:

thanks, Brian this was just what we were looking for.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Edward W. Correia (CN=Edward W. Correia/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JAN-2000 13:12:47.00

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

TO: David B. Peterman (CN=David B. Peterman/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

CC: karen tramontano (CN=karen tramontano/OU=who/O=eop@eop [WHO])

READ:UNKNOWN

CC: beth nolan (CN=beth nolan/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: betsy pimentel (CN=betsy pimentel/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: johannes a. binnendijk (CN=johannes a. binnendijk/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: william marshall (CN=william marshall/OU=who/O=eop@eop [WHO])

READ:UNKNOWN

CC: matt gobush (CN=matt gobush/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: mary b. derosa (CN=mary b. derosa/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: david b. peterman (CN=david b. peterman/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: elizabeth j. potter (CN=elizabeth j. potter/OU=who/O=eop@eop [WHO])

READ:UNKNOWN

TEXT:

I think the answer on Britain's new code is OK if there a general question about the code, since the code actually addresses a number of issues. However, a question on Britain will probably directly ask about the new UK policy allowing gays to serve openly in the military. As to that, the answer should be something along the lines of the answer to the second question. So, I would send over the guidance that David sent around with this addition:

Q: What do you think of the fact that the UK is going to allow gays and lesbians to serve openly in their armed forces?

A: That is the position that the President advocated in 1993. I

hope we can learn from the British experience and a future Congress can consider it when it reviews our policy.

and John doesn't need to endorse all of them.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Elizabeth J. Potter (CN=Elizabeth J. Potter/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JAN-2000 14:16:23.00

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

TO: Jason H. Schechter (CN=Jason H. Schechter/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TEXT:

I AM WAITING FOR FINAL EDITS THIS IS 98% FINAL.

----- Forwarded by Elizabeth J. Potter/WHO/EOP on
01/14/2000 02:15 PM -----

Elizabeth J. Potter

01/14/2000 02:09:31 PM

Record Type: Record

To: Kendee A. Yamaguchi/WHO/EOP@EOP

cc:

Subject: Re: Don't Ask/Don't Tell

PRESS GUIDANCE

1/14/2000

"Don't Ask, Don't Tell"

Jointly prepared by White House Counsel, NSC and OPL

Section A: Britain and NATO

1.) What do you think of the fact that the UK is going to allow
gays and lesbians
to serve openly in their armed forces?

ú That is the position that the President advocated in 1993. It's
consistent with the policy that the President pressed for in 1992-93. A
future Congress should consider where Europe is headed.

2.) What do you think of Britain's Department of Defense's new code
of social conduct affecting gays in the military?

ú As I understand it, the code sets standards for proper social
interaction between the diverse mix of individuals serving in the
military. These standards, much like we have in our own military, will
help commanders maintain good order and discipline within their units.

3.) What do you think of the European Court of Human Rights ruling (which led to Britain's change in policy) that the ban on gays serving openly in the military violated the fundamental human right to privacy?

ú The European Court's opinion is setting out a standard of equality and human rights that is something we should study and learn from. It's consistent with the policy that the President pressed for in 1992-93. A future Congress should consider where Europe is headed.

4.) Is there a possibility that the US Supreme Court will overturn the DADT law as a ban on human rights similar to the European Court?

ú I'm not sure what the Supreme Court would do, but I don't think this is primarily a legal matter. Here in the United States, It's a question of what makes sense for military readiness and what is fair to gays and lesbians who have served honorably in the military services for a long time.

5.) Most NATO countries now allow homosexuals to serve openly in their militaries. Will the effectiveness of joint NATO maneuvers be threatened because of DOD's fear of diminished military unit cohesion with NATO forces who allow gays in the military?

ú I am confident that different policies on this issue will not hinder joint NATO maneuvers or any other NATO action.

Section B: On the Barry Winchell trial and DOD's response

Background: The trial of Army Specialist Justin R. Fisher concluded this weekend at Fort Campbell. This is the second court martial stemming from the death of Private First Class Barry Winchell, who was allegedly killed because of his homosexuality. Private Calvin Glover was convicted of murder in a previous court martial. Specialist Fisher was the roommate of Private Winchell and was convicted of obstructing justice, making false statements, and providing alcohol to a minor.

1.) What do you think of DOD's response to the trial at Ft. Campbell?

ú I'm not going to comment about the verdict or sentence in any particular case. This case is in the military justice system, and the legal process is ongoing.

ú As a general matter, both the President and the Secretary of Defense have said in the clearest terms that harassment of people based on sexual orientation -- or race and gender for that matter -- is strictly prohibited.

ú The Department of Defense is taking a number of actions to review

implementation of this policy. The Inspector General of the Department of Defense is conducting an investigation of compliance with our Don't Ask/Don't Tell/Don't Harass policy, and the Army IG is conducting a separate one at Fort Campbell. We are determined to prevent service members from being harassed."

2.) This case raises questions about the safety of servicemen and women on U.S. bases. At Ft. Campbell, for example, underage drinking allegedly contributed to the violence that claimed Private Winchell's life. Are you concerned? If so, what are you willing to do to improve safety?

ú Of course, the safety and security of our servicemen and women on our military installations is a paramount concern.

ú The Army has committed to review compliance with policies and procedures that protect the health, safety, and security of its soldiers at Ft. Campbell.

ú Specifically, the commanding general at Fort Campbell has asked the Army Inspector General to review whether there were violations of the Department of Defense Homosexual Conduct Policy in the events at Fort Campbell.

ú Beyond reviewing the Homosexual Conduct Policy, Fort Campbell will also undertake a review of compliance with applicable policies, procedures and regulations.

ú I strongly support any measures that improve the safety of our soldiers.

3.) Doesn't this verdict further demonstrate that your &don't ask, don't tell & policy regarding gays in the military does not work?

ú As I have said before, our policy has not had a chance to work because it has not been fully implemented. I am committed to improving implementation of the existing policy rather than changing the statute passed by Congress in 1993.

ú Secretary Cohen has already taken a number of steps to improve policy implementation, to include a DOD Inspector General review of the environment at military bases as it relates to the homosexual policy and specific tasking to the services on updated training programs. I refer you to DOD for details.

Section C: Presidential Primary

Background: The Human Rights Campaign, a national Gay and Lesbian equal rights group, is going to air an ad campaign starting this Sunday as a response to the Republican ads against the VP's earlier statements.

1.) What do you think of Vice President Gore's statement on the role of the Joint Chiefs?

He's made clear that he would want the candid advice of Members of the Joint Chiefs, but that he would expect them to support the policy that the Commander in Chief decided. That is the traditional and appropriate relationship between the President and the Joint Chiefs and certainly the one that this Presid

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: David B. Peterman (CN=David B. Peterman/OU=NSC/O=EOP [NSC])

CREATION DATE/TIME:14-JAN-2000 15:05:54.00

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

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

READ:UNKNOWN

CC: Matt Gobush (CN=Matt Gobush/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

CC: Mary B. DeRosa (CN=Mary B. DeRosa/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

TEXT:

Julian- Recommend the first sentence in the first answer read: "That is the position the President advocated for the U.S. military in 1993."

The rest looks good. thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Elizabeth J. Potter (CN=Elizabeth J. Potter/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JAN-2000 14:12:03.00

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

TO: Edward W. Correia (CN=Edward W. Correia/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN

TEXT:

----- Forwarded by Elizabeth J. Potter/WHO/EOP on
01/14/2000 02:11 PM -----

Elizabeth J. Potter
01/14/2000 02:09:31 PM
Record Type: Record

To: Kendee A. Yamaguchi/WHO/EOP@EOP
cc:
Subject: Re: Don't Ask/Don't Tell

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1/14/2000
"Don't Ask, Don't Tell"

Jointly prepared by White House Counsel, NSC and OPL

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Elizabeth J. Potter (CN=Elizabeth J. Potter/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JAN-2000 10:12:29.00

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

TO: Edward W. Correia (CN=Edward W. Correia/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN

CC: william marshall (CN=william marshall/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

CC: matt gobush (CN=matt gobush/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: mary b. derosa (CN=mary b. derosa/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: david b. peterman (CN=david b. peterman/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: karen tramontano (CN=karen tramontano/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

CC: beth nolan (CN=beth nolan/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: betsy pimentel (CN=betsy pimentel/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: johannes a. binnendijk (CN=johannes a. binnendijk/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

TEXT:

We need to prepare additional Q/A on NATO member countries policy on Gay's in the Military. The recent announcement of Britain to allow gays to serve in the military puts the US in an unlikely alliance with Turkey as the only two NATO members that do not allow gays to serve in the military.

John Podesta will be on "Meet the Press" this weekend and we need guidance on the following: We need something by 1:00 pm today.

NEW QUESTIONS

1.) What do you think of Britain's Department of Defense's new code of social conduct?

(This code lifts the ban on gays in the military and replaces it with a

code of conduct that applies across the forces regardless of service, rank, gender or sexual orientation. It will complement existing policies such as zero tolerance towards harassment, discrimination and bullying.)

2.) What do you think of the European Court of Human Rights ruling, (which led to Britain's change in policy) that the ban on gays in the military is a ban on human rights?

The European Court's opinion is consistent with what the President pressed for in 1992-93....

Britain's policy is essentially what the President first proposed, Congress however, enacted into law the DADT policy, which includes mandatory discharges.

Our judicial and legislative process here in the US is very different, ultimately, DADT is a law which Congress will have to change.

3.) Is there a possibility that the US Supreme Court will overturn the DADT law as a ban on human rights similar to the European Court?

Although cases have been brought before the lower courts....EDDIE

4.) Britain now joins Norway, Finland, Israel, Germany, France, Canada, Australia, New Zealand, ...? etc.(NSC please fill in) In fact, the US and Turkey are the only NATO countries to ban homosexuals from serving.

Will joint NATO maneuvers be threatened because of the DOD's fear of military unit cohesion with NATO forces who allow gays in the military?

5.) What do you think of DOD's response to the trial at Ft. Campbell.?

We believe that harassment is a serious problem, DOD has announced....(I will incorporate some of the questions from earlier this week) Need tight synopsis of DOD response.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Elizabeth J. Potter (CN=Elizabeth J. Potter/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JAN-2000 20:29:18.00

SUBJECT: curious take on candidates and gays

TO: Richard Socarides <RSocarides@rlmnet.com> (Richard Socarides <RSocarides@rlmnet.com> [UNKNOWN])
READ:UNKNOWN

CC: "philip dufour (e-mail)" <dufour_p@a1.eop.gov> ("philip dufour (e-mail)" <dufour_p@a1.eop.gov> [UNKNOWN])
READ:UNKNOWN

CC: yandylove@aol.com (yandylove@aol.com [UNKNOWN])
READ:UNKNOWN

CC: "jeff trammell (e-mail)" <jtrammel@hillandknowlton.com> ("jeff trammell (e-mail)" <jtrammel@hillandknowlton.com> [UNKNOWN])
READ:UNKNOWN

TEXT:

Knight Ridder Newspapers; January 14, 2000

Bush, Gore reflect attitudes in a country still divided over homosexuality

By Steven Thomma

WASHINGTON (KRT) ? George W. Bush and Al Gore have a problem with gays. Nothing personal; just politics.

Both leading presidential candidates have expressed tolerance of gay men

and lesbians, Bush signaling he would appoint people to high office regardless of their sexual orientation and Gore vowing to let gay men serve openly in the military for the first time.

But both also have hedged their support.

Bush, the Republican governor of Texas, steadfastly refuses to meet with

gay Republicans. Gore, the Democratic vice president, dropped a promise to use a pro-gay litmus test for prospective members of the Joint Chiefs of Staff.

Waffling politicians? Perhaps. But they also reflect attitudes in a country increasingly tolerant on many fronts yet still deeply divided over homosexuality.

In that environment, politicians feel freer to express their own tolerance and their desire to extend it to the government. But they also fear that pushing too far too fast will anger voters who have not yet made up their minds.

"The electorate is split. A lot of people aren't sure what they think. And the politicians are trying to reflect what the electorate is thinking,"

said Kathryn Dunn Tenpas, a political scientist at the University of Pennsylvania. "There's no real leadership; it's more followship."

In one recent poll, 49 percent of Americans said society should accept

homosexuality, the first time in 10 years of surveys that a plurality has expressed its tolerance. But 44 percent believe homosexuality should be discouraged.

Six out of 10 Americans now believe homosexuals should be allowed to teach without fear of being fired for their sexual orientation. A little more than a decade ago, a majority believed school boards should have the power to fire homosexuals.

"For candidates of both parties, it's a fine line to walk. It's an issue that tends to split the public," said Greg Fleming, a pollster with the nonpartisan Pew Research Center for the People & the Press.

John Wheeler, a retired naval officer who lives in Lee, N.H., represents one facet of Americans' evolving sentiment.

He once flatly opposed letting gays serve in the military, now endorses the policy allowing them to serve as long as they keep their lifestyle private, and predicts they will be able to live openly in the military eventually.

"Over a period of time it will work itself out as people get used to it, much like integration," he said.

But until then, he said, it remains "an extremely difficult and sensitive issue, for which there are no right answers."

At the same time that Americans are becoming more accepting of gays, gays and lesbians have become an increasingly active political force and a voting bloc courted by both parties.

Gays represented 5 percent of the vote in the 1996 presidential election, the same size voting bloc as the much-courted Hispanics and larger than the influential Jewish vote, according to Election Day surveys by the Voter News Service.

"In many races, we are going to be the swing vote," said Kevin Akers, a spokesman for the Log Cabin Republicans, a gay group.

Most gays vote Democratic, but enough vote Republican that their votes cannot be taken for granted. In 1996, they split almost 3-1 for President Clinton over Republican Bob Dole, and about 2-1 for Democrats over Republicans in House races.

Their influence is evident in both parties.

Again a week ago, Bush said he would not rule out homosexuals for high office. "Somebody's sexual orientation is their personal business as far as I'm concerned," he said.

He and his chief rival, Sen. John McCain of Arizona, both endorse the "Don't Ask, Don't Tell" policy allowing gays to serve in the military as long as they keep their sexual orientation private.

That's a long way from just eight years ago, when anti-gay rhetoric echoed in Houston's Astrodome at the Republican National Convention and the party ridiculed Clinton's promise to end the ban on gays in the military.

Those who remain strong and outspoken in their opposition to

homosexuality largely have been marginalized in the party. One, presidential

candidate Alan Keyes, last week lamented the change.

"I keep asking myself where all the conservatives have gone," Keyes said

in a debate in New Hampshire. "If we accept the radical homosexual agenda, be it in the military or in marriage or in other areas of our lives, we are utterly destroying the concepts of family and sexual responsibility without which the traditional family cannot survive."

There may not be enough religious conservatives to propel Keyes or fellow

social conservative Gary Bauer to the GOP nomination, but there are enough to

scare Bush about provoking anti-gay backlash.

Despite his rhetoric, Bush refuses to meet with the Log Cabin Republicans, saying it would create a "huge political scene" and feed divisions among people.

The move conjures memories of the 1996 campaign, when Dole aides returned

a contribution from the group out of fear it would signal endorsement of the

gay agenda. Dole said later that he regretted the move and the way it made him appear intolerant.

There are divisions in the Democratic Party as well, albeit farther to the left. Clinton campaigned in 1992 with a promise to end the ban on gays in the military. When he moved to do that once he was president, he met a torrent of criticism from the military and resistance from the public. The result was the compromise plan that allows gays to serve as long as they keep their sexual lives secret.

Behind closed doors, Gore argued as early as 1995 that the policy was not

working as intended to protect gays from being harassed or expelled from the

armed services, according to Rick Stafford, a former member of the President's Commission on AIDS and former chairman of the Democratic Party in

Minnesota.

"Privately, he's good on all the issues for the gay community," Stafford

said. "Privately, he says the good things."

Gore's advisers know they have to win the general election campaign, and

they wonder how gays' issues will play to the larger national audience.

Indeed, it wasn't until Gore faced a surprisingly strong challenge for the Democratic nomination from former Sen. Bill Bradley that he shifted his emphasis to the party base. And it wasn't until then that he followed Bradley in calling for an end to "Don't Ask, Don't Tell" and the beginning of a new policy that would allow gays to serve openly in the military.

In his zeal, Gore tried to one-up Bradley. He said he would only appoint

people to the Pentagon who shared his view, in effect promising to use a litmus test of political and moral beliefs. But that was too much. Gore

pulled back, saying he would require commanders only to obey a new pro-gay

policy, not to like it.

Gore also stops short of recognizing gay marriage. Like other Democrats, including Bradley and both Bill and Hillary Rodham Clinton, Gore wants to guarantee legal and financial benefits to gay and lesbian partnerships, but he says a marriage is a religious and cultural institution reserved for a man and a woman.

That stand angers many gays. After Hillary Clinton came out against gay marriage earlier this week, the Human Rights Campaign, a gay-rights group, said the stance would encourage a "separate but equal" doctrine.

"Opinion is changing," said Stafford. "But we're not all the way there yet."

? Ron Hutcheson contributed from New Hampshire.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	jlriley to Christine K. Baer at 16:23:03.00. Subject: my email address - Reply. (3 pages)	01/14/2000	Personal Misfile

COLLECTION:

Clinton Presidential Records
Automated Records Management System [Email]
WHO ([Don't Ask, Don't Tell])
OA/Box Number: 500000

FOLDER TITLE:

[01/13/2000 - 01/14/2000]

2015-0017-F

ab1547

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Elizabeth J. Potter (CN=Elizabeth J. Potter/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JAN-2000 19:06:22.00

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

TO: Edward W. Correia (CN=Edward W. Correia/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN

CC: karen tramontano (CN=karen tramontano/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

CC: beth nolan (CN=beth nolan/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: betsy pimentel (CN=betsy pimentel/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: elizabeth.j.potter (CN=elizabeth.j. potter/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

CC: william-marshall (CN=william marshall/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

CC: matt gobush (CN=matt gobush/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: mary b. derosa (CN=mary b. derosa/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: johannes a. binnendijk (CN=johannes a. binnendijk/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: david b. peterman (CN=david b. peterman/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

TEXT:
British Embassy Press Release

Statement by the British Secretary of State for Defence, Mr Geoffrey Hoon,
House of Commons, London, 12 January 2000. Check against delivery.

GAYS IN THE MILITARY: NEW CODE OF CONDUCT FOR ALL ARMED FORCES PERSONNEL

Defence Secretary Geoffrey Hoon today announced a new Code of Social
Conduct
covering all personal relationships involving Service personnel.

Speaking in the House Of Commons earlier today, Mr Hoon said. "With permission, Madam Speaker, I wish to make a statement on the outcome of our review of the implications of a judgement by the European Court of Human Rights as it affects the Armed Forces.

The House will recall that, on 27 September, the European Court of Human Rights delivered its judgement in a case brought by four ex-Service personnel of the United Kingdom Armed Forces who had each been discharged on the grounds of their homosexuality.

My predecessor issued a statement at the time making clear that the Government accepted the judgement of the Court - as British Governments have

always complied with such rulings - and that we would be carefully studying the implications of the decision. He also announced that those cases already in the system - that is, personnel in the process of being discharged on grounds of homosexuality - would be put on hold. In the light

of the Court's decisions, it was clear that the existing policy was not legally sustainable. We accordingly asked the Chief of the Defence Staff to set in hand an urgent review of policy in this area. That review has now been completed, and I am able to announce the outcome today.

Our starting point has been to develop a revised policy that preserves the operational effectiveness of our Armed Forces, respects the rights of the individual, and takes full account of the Court ruling.

The Chiefs of Staff accept the need to change the existing policy and have been fully involved in the process of developing a revised policy. I have discussed the subject with them on a number of occasions. They have endorsed the outcome of the review.

We have drawn on the experience of other countries - in particular Australia - and have taken account of the last formal study of this subject in the United Kingdom, undertaken in 1995. Moreover, we have reflected the Court's conclusion that legally we are obliged to adopt an approach which regards sexual orientation as essentially a private matter for the individual.

There is, of course, no doubt that the Armed Forces are a unique institution

and occupy a unique place in our society.

We expect a lot of them. They cannot choose the people they work and live with, often in difficult, cramped conditions and for sustained periods.

Operational effectiveness depends on team cohesion and the maintenance of trust and loyalty. As a result, standards of behaviour are imposed on members of the Armed Forces that can be more demanding than those required by society at large. That is why we need a code of conduct to govern the attitude and approach to the personal relationships of those serving in the Armed Forces. This code will apply across the Forces, regardless of Service,

rank, gender or sexual orientation. It will provide a clear framework within

which people in the Services can live and work. And it will complement existing policies, such as zero tolerance towards harassment, discrimination

and bullying. I would emphasise that we are not tightening up the rules on heterosexual relationships. The Code is not an abstract legal document

full

of rules and regulations. It has been developed by Service experts who understand fully the operational needs and day-to-day practicalities of the Armed Forces. Personal relationships> do not ever lend themselves to precise prescription and the Code recognises explicitly that:
-"It is not practicable to list every type of conduct which might constitute social misbehaviour".

Therefore, we have placed at the heart of the Code what we call the Service Test, set out in the following terms:

- "Have the actions or behaviour of an individual adversely impacted or are they likely to impact on the efficiency or operational effectiveness of the Service?"

In using the Code, commanders will have to apply this Service Test through the exercise of their good judgement, discretion and common sense - the essence of command and the effective management of people. I am arranging for copies of the Code to be placed in the library of the House. The European Court of Human Rights ruling makes very clear that the existing policy in relation to homosexuality must change. As all personal behaviour will be regulated by the Code of Conduct with the object of maintaining the operational effectiveness of the three Services, there is no longer a reason

to deny homosexuals the opportunity of a career in the Armed Forces. Accordingly, we have decided that it is right that the existing ban should be lifted. As no primary or secondary legislation is required, with effect from today, homosexuality will no longer be a bar to service in Britain> '> s Armed Forces.

A range of briefing material is being issued to Commanding Officers to explain the Code of Conduct and to give them detailed guidance on how it should be implemented. This makes clear that the Chiefs of Staff commend the principles of the new policy and are committed to ensuring that it works.

Madam Speaker, I recognise that there may be some concerns within the Armed Forces and elsewhere over this new policy. But I believe that the changes I have described offer the best way forward in terms of providing an approach which maintains operational effectiveness, is within the law, and recognises the rights of the individual.

Implementing these changes successfully will be a challenge for leadership at all levels in the Armed Forces but such challenges are not new, and all three Services will be equal to the task. With the commitment which is in place from the very highest levels of the chain of command, I am confident that our Armed Forces will adapt to this change in the professional manner for which they are rightly held in the very highest regard. There will be those who would have preferred to continue to exclude homosexuals but the law is the law. We cannot pick and choose the decisions we implement. The status quo is simply not an option.

This code centres on the paramount need to maintain the operational effectiveness of the Armed Forces.
I have no doubt it is the best way forward."

The new Code of Social Conduct comes into force immediately.

Notes for Editors

1. The Armed Forces will no longer require people to disclose their sexual orientation either at the recruitment stage, or during their service in the Forces. If people declare themselves to be homosexuals, then that is a matter for them. No special arrangements will be made for anyone who has made such a declaration.
2. The new Code of Social Conduct applies to all personnel regardless of whether they are male or female, heterosexual or homosexual, and regardless of their colour or racial or religious background. It applies to the Reserves in the same way as regular Forces.-
3. The Code has been drawn up in close consultation with Service Chiefs.
4. Those who have in the past been discharged for being homosexual, may rejoin the Forces as long as they continue to meet the usual entry requirements for personnel seeking reinstatement and have the up-to-date skills we need.
5. Implementation should be achieved with the minimum of fuss and disruption to unit life, and should be viewed as a process of adaptation rather than dramatic change. This process will be sustained by imaginative and firm leadership and the sensitive exercise of discretion rather than by over-regulation and confrontation. The key to successful adaptation rests firmly with commanders at all levels, and specifically with Commanding Officers.
6. Commanding Officers are to be guided by the following principles:
 - * Sexual orientation is regarded as a private matter for the individual-
 - * Knowledge of an individual's sexual orientation is not a basis for discrimination.
 - * Incidents which involve the possible commission of civil or military offences, or which come to a Commanding Officer's attention through a formal complaint, should be investigated and dealt with in accordance with Service disciplinary or administrative procedures.
 - * The Service Test contained in the Code of Social Conduct should be applied when there is any doubt about the impact on operational effectiveness of any particular incident.
 - * The Armed Forces value the unique contribution which every individual makes to operational effectiveness, regardless of their sexual orientation.
 - * The Armed Forces respect the right to individual privacy of every Serviceman and woman and will only intervene in the private lives of individuals where it is necessary in the interests of preserving operational effectiveness.
 - * The new policy makes no moral judgements about an individual's sexual orientation.
 - * There is no place in the Armed Forces for harassment, bullying or victimisation.
 - * Commanders have a duty of care towards all those under their command.

For further information contact Robin Banerji at the Defence Press Office on

0171 218 3257 or see <http://www.mod.uk/policy/homosexuality> on the Internet.

The MoD's home page on the Internet can be found at <http://www.mod.uk>. Alternatively you may contact the MoD Press Office by e-mail at press@dgics.mod-uk.

THE ARMED FORCES CODE OF SOCIAL CONDUCT POLICY STATEMENT

This Code of Social Conduct explains the Armed Forces' revised policy on personal relationships involving Service personnel. It applies to all members of the Armed Forces regardless of their gender, sexual orientation, rank or status. The provisions apply equally to members of the Regular and the Reserve Forces.

2. In the area of personal relationships, the overriding operational imperative to sustain team cohesion and to maintain trust and loyalty between commanders and those they command imposes a need for standards of social behaviour which are more demanding than those required by society at large. Such demands are equally necessary during peacetime and on operations. Examples of behaviour which can undermine such trust and cohesion, and therefore damage the morale or discipline of a unit (and hence

its operational effectiveness) include: unwelcome sexual attention in the form of physical or verbal conduct; over-familiarity with the spouses or partners of other Service personnel; displays of affection which might cause offence to others; behaviour which damages or hazards the marriage or personal relationships of Service personnel or civilian colleagues within the wider defence community; and taking sexual advantage of subordinates.

It is important to acknowledge in the tightly knit military community a need for mutual respect and a requirement to avoid

conduct which offends others. Each case will be judged on its merits.

3. It is not practicable to list every type of conduct that may constitute social misbehaviour. The seriousness with which misconduct will be regarded will depend on the individual circumstances and the potential for adversely affecting operational effectiveness. Nevertheless, misconduct involving abuse of position, trust or rank, or taking advantage of an individual's separation, will be viewed as being particularly serious.

4. Unacceptable social conduct requires prompt and positive action to prevent damage. Timely advice and informal action can often prevent a situation developing to the point where it could impair the effectiveness of

a Service unit. However, if the misconduct is particularly serious, it may be appropriate to proceed directly to formal administrative or to disciplinary action. Such action is always to be proportionate to the seriousness of the misconduct. It may constitute a formal warning, official censure, the posting of one or more of the parties involved or disciplinary action. In particularly serious cases, or where an individual persists with,

or has a history of acts of social misconduct, formal disciplinary or administrative action may be taken, which might lead to termination of

service.

5. The Service Test. When considering possible cases of social misconduct, and in determining whether the Service has a duty to intervene in the personal lives of its personnel, Commanding Officers at every level must consider each case against the following Service Test:

"Have the actions or behaviour of an individual adversely impacted or are they likely to impact on the efficiency or operational effectiveness of the Service?"

In assessing whether to take action, Commanding Officers will consider a series of key criteria. This will establish the seriousness of the misconduct and its impact on operational effectiveness and thus the appropriate and proportionate level of sanction.

January 2000

British Embassy
3100 Massachusetts Avenue N.W.
Washington, DC 20008

For further information contact : Peter Reid on (202) 588-6591 or
David Arkley on (202) 588-6593
Fax: (202) 588-7889

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Elizabeth J. Potter (CN=Elizabeth J. Potter/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JAN-2000 14:14:59.00

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

TO: Edward W. Correia (CN=Edward W. Correia/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN

CC: william marshall (CN=william marshall/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

CC: matt gobush (CN=matt gobush/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: mary b. derosa (CN=mary b. derosa/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: david b. peterman (CN=david b. peterman/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: elizabeth j. potter (CN=elizabeth j. potter/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

CC: karen tramontano (CN=karen tramontano/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

CC: beth nolan (CN=beth nolan/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: betsy pimentel (CN=betsy pimentel/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: johannes a. binnendijk (CN=johannes a. binnendijk/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

TEXT:
PRESS GUIDANCE
1/14/2000
"Don't Ask, Don't Tell"

Jointly prepared by White House Counsel, NSC and OPL: FINAL DRAFT

Section A: Britain and NATO

1.) What do you think of the fact that the UK is going to allow

gays and lesbians to serve openly in their armed forces?

ú That is the position that the President advocated in 1993. It's consistent with the policy that the President pressed for in 1992-93. A future Congress should consider where Europe is headed.

2.) What do you think of Britain's Department of Defense's new code of social conduct affecting gays in the military?

ú As I understand it, the code sets standards for proper social interaction between the diverse mix of individuals serving in the military. These standards, much like we have in our own military, will help commanders maintain good order and discipline within their units.

3.) What do you think of the European Court of Human Rights ruling (which led to Britain's change in policy) that the ban on gays serving openly in the military violated the fundamental human right to privacy?

ú The European Court's opinion is setting out a standard of equality and human rights that is something we should study and learn from. It's consistent with the policy that the President pressed for in 1992-93. A future Congress should consider where Europe is headed.

4.) Is there a possibility that the US Supreme Court will overturn the DADT law as a ban on human rights similar to the European Court?

ú I'm not sure what the Supreme Court would do, but I don't think this is primarily a legal matter. Here in the United States, It's a question of what makes sense for military readiness and what is fair to gays and lesbians who have served honorably in the military services for a long time.

5.) Most NATO countries now allow homosexuals to serve openly in their militaries. Will the effectiveness of joint NATO maneuvers be threatened because of DOD's fear of diminished military unit cohesion with NATO forces who allow gays in the military?

ú I am confident that different policies on this issue will not hinder joint NATO maneuvers or any other NATO action.

Section B: On the Barry Winchell trial and DOD's response

Background: The trial of Army Specialist Justin R. Fisher concluded this weekend at Fort Campbell. This is the second court martial stemming from the death of Private First Class Barry Winchell, who was allegedly killed because of his homosexuality. Private Calvin Glover was convicted of murder in a previous court martial. Specialist Fisher was the roommate of Private Winchell and was convicted of obstructing justice, making false statements, and providing alcohol to a minor.

1.) What do you think of DOD's response to the trial at Ft. Campbell?

ú I'm not going to comment about the verdict or sentence in any particular case. This case is in the military justice system, and the legal process is ongoing.

ú As a general matter, both the President and the Secretary of Defense have said in the clearest terms that harassment of people based on sexual orientation -- or race and gender for that matter -- is strictly prohibited.

ú The Department of Defense is taking a number of actions to review implementation of this policy. The Inspector General of the Department of Defense is conducting an investigation of compliance with our Don't Ask/Don't Tell/Don't Harass policy, and the Army IG is conducting a separate one at Fort Campbell. We are determined to prevent service members from being harassed."

2.) This case raises questions about the safety of servicemen and women on U.S. bases. At Ft. Campbell, for example, underage drinking allegedly contributed to the violence that claimed Private Winchell's life. Are you concerned? If so, what are you willing to do to improve safety?

ú Of course, the safety and security of our servicemen and women on our military installations is a paramount concern.

ú The Army has committed to review compliance with policies and procedures that protect the health, safety, and security of its soldiers at Ft. Campbell.

ú Specifically, the commanding general at Fort Campbell has asked the Army Inspector General to review whether there were violations of the Department of Defense Homosexual Conduct Policy in the events at Fort Campbell.

ú Beyond reviewing the Homosexual Conduct Policy, Fort Campbell will also undertake a review of compliance with applicable policies, procedures and regulations.

ú I strongly support any measures that improve the safety of our soldiers.

3.) Doesn't this verdict further demonstrate that your &don't ask, don't tell policy regarding gays in the military does not work?

ú As I have said before, our policy has not had a chance to work because it has not been fully implemented. I am committed to improving implementation of the existing policy rather than changing the statute passed by Congress in 1993.

Secretary Cohen has already taken a number of steps to improve policy implementation, to include a DOD Inspector General review of the environment at military bases as it relates to the homosexual policy and specific tasking to the services on updated training programs. I refer you to DOD for details.

Section C: Presidential Primary

Background: The Human Rights Campaign, a national Gay and Lesbian equal rights group, is going to air an ad campaign starting this Sunday as a response to the Republican ads against the VP's earlier statements.

1.) What do you think of Vice President Gore's statement on the role of the Joint Chiefs?

He's made clear that he would want the candid advice of Members of the Joint Chiefs, but that he would expect them to support the policy that the Commander in Chief decided. That is the traditional and appropriate relationship between the President and the Joint Chiefs and certainly the one that this Presid

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Elizabeth J. Potter (CN=Elizabeth J. Potter/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JAN-2000 12:42:16.00

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

TO: Edward W. Correia (CN=Edward W. Correia/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN

CC: william marshall (CN=william marshall/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

CC: matt gobush (CN=matt gobush/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: mary b. derosa (CN=mary b. derosa/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: david b. peterman (CN=david b. peterman/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: elizabeth j. potter (CN=elizabeth j. potter/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

CC: karen tramontano (CN=karen tramontano/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

CC: beth nolan (CN=beth nolan/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: betsy pimentel (CN=betsy pimentel/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: johannes a. binnendijk (CN=johannes a. binnendijk/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

TEXT:

The changes look good. I am going to circulate a copy of the European Court's decision and the new "code of conduct" policy.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Edward W. Correia (CN=Edward W. Correia/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JAN-2000 12:34:05.00

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

TO: Mary B. DeRosa (CN=Mary B. DeRosa/OU=NSC/O=EOP@EOP [NSC])

READ:UNKNOWN

CC: karen tramontano (CN=karen tramontano/OU=who/O=eop@eop [WHO])

READ:UNKNOWN

CC: beth nolan (CN=beth nolan/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: betsy pimentel (CN=betsy pimentel/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: johannes a. binnendijk (CN=johannes a. binnendijk/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: william marshall (CN=william-marshall/OU=who/O=eop@eop [WHO])

READ:UNKNOWN

CC: matt gobush (CN=matt gobush/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: mary b. derosa (CN=mary b. derosa/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: david b. peterman (CN=david b. peterman/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: elizabeth j. potter (CN=elizabeth j. potter/OU=who/O=eop@eop [WHO])

READ:UNKNOWN

TEXT:

I agree with Mary's changes.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Elizabeth J. Potter (CN=Elizabeth J. Potter/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JAN-2000 19:09:56.00

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

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

TEXT:

Here is the press guidance. Also, Judy Weider is going to put together a request and fax to you ASAP. Her number in LA is 323-860-6022. She is the editor and I would like to request that she conduct the interview, she usually does the high profile stuff and would provide a balanced, thoughtful viewpoint. She said they can provide the Q's up front and will travel anywhere in the US to do the interview. Her deadline is mid February.

----- Forwarded by Elizabeth J. Potter/WHO/EOP on
01/14/2000 07:06 PM -----

Elizabeth J. Potter
01/14/2000-03:24:19 PM
Record Type: Record

To: Edward W. Correia/WHO/EOP@EOP
cc: See the distribution list at the bottom of this message
Subject: Re: Don't Ask/Don't Tell

Here is the final.
Message Copied

To:

david b. peterman/nsc/eop@eop
elizabeth j. potter/who/eop@eop
johannes a. binnendijk/nsc/eop@eop
betsy pimentel/nsc/eop@eop
mary b. derosa/nsc/eop@eop
laura s. marcus/who/eop@eop
matt gobush/nsc/eop@eop
beth nolan/who/eop@eop
william marshall/who/eop@eop
karen tramontano/who/eop@eop

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D39]ARMS22813642W.046 to ASCII,
The following is a HEX DUMP:

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

PRESS GUIDANCE
1/14/2000
"Don't Ask, Don't Tell"

Jointly prepared by White House Counsel, NSC and OPL

Section A: Britain and NATO

1.) What do you think of the fact that the UK is going to allow gays and lesbians to serve openly in their armed forces?

- That is the position the President advocated for the U.S. military in 1993. It's consistent with the policy that the President pressed for in 1992-93. A future Congress should consider where Europe is headed.

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- The European Court's opinion is setting out a standard of equality and human rights that is something we should study and learn from. It's consistent with the policy that the President pressed for in 1992-93. A future Congress should consider where Europe is headed.

4.) Is there a possibility that the US Supreme Court will overturn the DADT law as a ban on human rights similar to the European Court?

- I'm not sure what the Supreme Court would do, but I don't think this is primarily a legal matter. Here in the United States, it's a question of what makes sense for military readiness and what is fair to gays and lesbians who have served honorably in the military services for a long time.

5.) Most NATO countries now allow homosexuals to serve openly in their militaries. Will the effectiveness of joint NATO maneuvers be threatened because of DOD's fear of diminished military unit cohesion with NATO forces who allow gays in the military?

- I am confident that different policies on this issue will not hinder joint NATO maneuvers or any other NATO action.

SECTION B: ON THE BARRY WINCHELL TRIAL AND DOD'S RESPONSE

Background: The trial of Army Specialist Justin R. Fisher concluded this weekend at Fort Campbell. This is the second court martial stemming from the death of Private First Class Barry Winchell, who was allegedly killed because of his homosexuality. Private Calvin Glover was convicted of murder in a previous court martial. Specialist Fisher was the roommate of Private Winchell and was convicted of obstructing justice, making false statements, and providing alcohol to a minor.

1.) What do you think of DOD's response to the trial at Ft. Campbell.?

- I'm not going to comment about the verdict or sentence in any particular case. This case is in the military justice system, and the legal process is ongoing.
- As a general matter, both the President and the Secretary of Defense have said in the clearest terms that harassment of people based on sexual orientation -- or race and gender for that matter -- is strictly prohibited.
- The Department of Defense is taking a number of actions to review implementation of this policy. The Inspector General of the Department of Defense is conducting an investigation of compliance with our Don't Ask/Don't Tell/Don't Harass policy, and the Army IG is conducting a separate one at Fort Campbell. We are determined to prevent service members from being harassed."

2.) This case raises questions about the safety of servicemen and women on U.S. bases. At Ft. Campbell, for example, underage drinking allegedly contributed to the violence that claimed Private Winchell's life. Are you concerned? If so, what are you willing to do to improve safety?

- Of course, the safety and security of our servicemen and women on our military installations is a paramount concern.

- The Army has committed to review compliance with policies and procedures that protect the health, safety, and security of its soldiers at Ft. Campbell.
- Specifically, the commanding general at Fort Campbell has asked the Army Inspector General to review whether there were violations of the Department of Defense Homosexual Conduct Policy in the events at Fort Campbell.
- Beyond reviewing the Homosexual Conduct Policy, Fort Campbell will also undertake a review of compliance with applicable policies, procedures and regulations.
- I strongly support any measures that improve the safety of our soldiers.

3.) Doesn't this verdict further demonstrate that your "don't ask, don't tell" policy regarding gays in the military does not work?

- As I have said before, our policy has not had a chance to work because it has not been fully implemented. I am committed to improving implementation of the existing policy rather than changing the statute passed by Congress in 1993.
- Secretary Cohen has already taken a number of steps to improve policy implementation, to include a DOD Inspector General review of the environment at military bases as it relates to the homosexual policy and specific tasking to the services on updated training programs. I refer you to DOD for details.

Section C: Presidential Primary

Background: The Human Rights Campaign, a national Gay and Lesbian equal rights group, is going to air an ad campaign starting this Sunday as a response to the Republican ads against the VP's earlier statements.

1.) What do you think of Vice President Gore's statement on the role of the Joint Chiefs?

- He's made clear that he would want the candid advice of Members of the Joint Chiefs, but that he would expect them to support the policy that the Commander in Chief decided. That is the traditional and appropriate relationship between the President and the Joint Chiefs and certainly the one that this President has followed.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Slate Magazine <delivery_morning@slate.com> (Slate Magazine <delivery_morning@slate.com> [UNKNOWN])

CREATION DATE/TIME:14-JAN-2000 07:37:19.00

SUBJECT: SLATE NEWS: Fri., Jan. 14, 2000

TO: Paul D. Glastri (CN=Paul D. Glastri/OU=WHO/O=EOP [WHO])
READ:UNKNOWN

TEXT:
SLATE NEWS: Fri., Jan. 14, 2000

--today's papers: Bradley Gives Gore the Willies

--the week/the spin: First Lady of the Night

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today's papers

Bradley Gives Gore the Willies

By Scott Shuger

The LAT leads with Alan Greenspan's comment in a speech Thursday that nudging interest rates further upwards is necessary to control the temperature of an economy overheated by soaring stock prices. The paper also notes that just hours before Greenspan spoke, President Clinton, in an appearance at the NYSE, said that dangerous inflation didn't seem to be a threat to this economy. No other paper fronts the story, although the WSJ puts it high up in its front-page financial news index. USAT goes with Bill Gates' announcement that, while remaining chairman of Microsoft, he's handing over CEO duties to long-time associate Steve Ballmer. Gates says that he will spend almost all of his time focused on the company's software strategy. The paper says Ballmer might "put a kinder, gentler face on the company" during its antitrust settlement talks with the government, but then quotes his

assessment of any government breakup of the company: "absolutely reckless and irresponsible." The LAT (which high up strongly suggests that Gates will remain the de facto leader of MS) and WP front the story, and the WSJ puts it atop its financial news index, while the NYT puts it inside. The NYT leads with the latest in a story the paper has pretty much owned: the battle between the White House and drug companies over whether or not Medicare should cover prescription drugs. The paper explains that companies have long expressed the fear that coverage would lead to government price-setting on the bulk of their sales. Today's installment: two top drug pharmaceutical executives now say they could accept the coverage. The Times suggests that they are trying to head off a full-on Clinton administration depiction as price-gougers. The WP goes with the very rare sports lead: the NBA Washington Wizards have reached an agreement in principle to give Michael Jordan complete control of the team's front office, including all trades, signings, draft selections and all other personnel decisions. The main remaining fill-in is how much equity in the franchise Jordan will get. A striking defect in the story: no mention of whether or not Jordan is buying that equity share or being given it or what his other compensation would be. The story says Jordan is not considering a comeback as part of the arrangement.

The LAT and NYT front and the WSJ reefer the revelation that under a little known federal program, the government drug control office has been getting advanced looks at scripts for primetime TV shows and making suggestions for changes that send an anti-drug message. Some of the changes have been accepted by producers. Under an agreement with the government, such in-story messages allowed the networks to make more money selling ads because they then don't have to run as many anti-drug public service announcements. The story was broken by Salon, a fact that the papers report on with varying degrees of candor: The LAT comes clean in the 2nd paragraph and the WSJ in the 4th, but the NYT holds off until the 7th.

Citing a story in Thursday's Boston Herald, the LAT fronts and the WP goes inside with Bill Bradley's decision, with ten days to go until the Iowa caucuses, to hit Al Gore for introducing the racially explosive Willie Horton issue against Michael Dukakis during Gore's 1988 presidential primary bid. The controversy was later used against Dukakis to great effect by George Bush. Both papers point out that Bradley had previously been eschewing scorched-earth politics. The Post reports on the novel spin tactics being used by the Gore and Bradley camps: The Gore campaign responded by giving out Michael Dukakis' phone number, and Dukakis is quoted saying Bradley's charge is "nonsense" because the Horton case was already well known in New England. The Bradleyites released the number of Dukakis' campaign manager, Susan Estrich, who is quoted saying the Dukakis campaign was indeed surprised by Gore's raising Horton.

Everybody goes inside with a fresh shift in the demographics of AIDS: the majority of gay men being diagnosed with the disease are now either black or Hispanic.

USAT's front-page "snapshot" shows how Americans rank various high profile crimes for qualification as the "Crime of the Century."

According to the paper the number one contender is the JFK assassination. Yet another sign of Boomer myopia: Not even making the list is the Lindbergh kidnapping or the theft of the U.S.' atom bomb secrets.

The WSJ "Washington Wire" reports that ex-Clinton press secretary Mike McCurry introduced a conference speaker the other day as having served in "the first Bush administration."

The NYT runs an op-ed today that says the real reason not to like the AOL/TW deal and its ilk is that mergers inherently dilute the quality of journalism. Of course, as the piece points out, two heads aren't guaranteed to be better than one. But this is a plausible possibility isn't it? After all, this piece has a co-byline; it's by media bigfeet Tom Rosenstiel and Bill Kovach. If they're absolutely right, then why didn't they write better separate articles instead?

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<http://bbs.slate.com/bbs/slate-todayspapers/index.asp>

For a glossary of newspaper terms used in Today's Papers, click here:

<http://www.slate.com/code/Explainer/Explainer.asp?Show=9/7/99&idMessage=356>

4

Also in today's Slate <http://www.slate.com>

Keeping Tabs: Bait and Snitch

<http://www.slate.com/keepingtabs/00-01-13/keepingtabs.asp>

In Other Magazines: Dialysis for Your Cat

<http://www.slate.com/OtherMags/00-01-10/OtherMags.asp?Show=11/29/99>

Chatterbox: United Killers of Benetton

<http://www.slate.com/Code/chatterbox/chatterbox.asp?Show=1/13/00&idMessage=4367>

the week/the spin

First Lady of the Night

By Matt Alsdorf ·

America Online is buying Time Warner. The \$166 billion deal is the biggest corporate merger ever and would create the world's largest media company, valued at over \$350 billion. Analysts hailed the marriage because 1) Time Warner will be able to market its movies, music, and magazines to AOL's 20 million subscribers; and 2) AOL will be able to use Time Warner's massive cable network to deliver high-speed Internet access. Reporters tripped over themselves to describe the importance of the deal, saying, in order of increasing excitement: 1) it signals "convergence between old media content and the new medium of the Net"; 2) it presages more megamergers, as other companies struggle to keep pace; 3) it "marks the passage of the Internet from an exotic technology into a mass media industry"; and 4) it represents "the triumph of the Internet as the irresistible force in business." Customers were tepid, wondering whether the mammoth company would improve consumers' access to products or increase investors' access to profits. ("Moneybox" asks if AOL paid too much for Time Warner, and "Chatterbox" wonders if Nora Ephron brokered the deal.)

Augusto Pinochet was ruled unfit for trial. British doctors deemed him too frail mentally and physically to stand trial in Spain on charges of crimes against humanity dating from his days as dictator of Chile. Britain will likely return him to Chile within weeks, and Spain has promised not to fight the decision. Relieved parties: 1) Pinochet, who may escape trial in his home country; 2) Britain, whose relations with Spain and Chile had been strained by the controversy; and 3) human rights groups, who feared public reaction to the prosecution of "a sick, elderly man." The spins, in order of increasing optimism: 1) A murderer got off the hook; 2) a tyrant got a lesson in compassion; and 3) dictators learned that imminent death is their only protection from international law. (Slate's "International Papers" rounds up world reaction to the doctors' findings, and "Explainer" describes the correct pronunciation of Pinochet.)

Hillary Clinton appeared on the Late Show With David Letterman. The host had badgered her for a month to be a guest, but she did not relent until a poll showed that New Yorkers favored her appearance by a margin of 2-to-1. Clinton aced a pop quiz of New York trivia, criticized and complimented Rudolph Giuliani, and traded one-liners with Letterman. The Washington Post said she came across as relaxed, funny, and likable. But critics said it looked like a cold and calculated effort to make Clinton look as though she isn't cold and calculated.

Three Chinese stowaways died on their way to the United States. Their bodies were discovered, along with 15 survivors, inside a metal shipping container unloaded in Seattle. About 100 illegal Chinese immigrants have been arrested in West Coast ports since the new year--almost all on container ships from Hong Kong. Unless the

stowaways can prove they were persecuted in China, they will be sent home. Officials were incensed by: 1) the greed of the smugglers, who charge up to \$60,000 per person and sell the immigrants into indentured servitude; 2) the complicity of the shipping lines; and 3) the negligence of Hong Kong authorities. The gloomy spin: This shows the desperate measures people will take to escape Chinese oppression. The rosier spin: This shows the desperate measures people will take to gain American freedom.

The Supreme Court handed down four mixed rulings. It decided that 1) states are exempt from age discrimination lawsuits; 2) states are not exempt from federal laws banning the sale of personal information; 3) police may be justified in searching a person simply because he or she flees; and 4) defendants do not have a constitutional right to defend themselves on appeal. Conservatives called the decisions "nuanced" and "moderate" and hailed the trend toward states' rights. Liberals applauded some small victories but protested the trend away from civil rights.

A Florida court granted temporary custody of Eli n Gonz lez to his Miami relatives. The state judge ordered Gonz lez to remain in the United States until a hearing in March. Attorney General Janet Reno deemed the decision invalid, saying the Immigration and Naturalization Service--which ruled last week that Gonz lez should be reunited with his father in Cuba--had sole jurisdiction over the 6-year-old's fate. Observers said the INS was in a bind: It has legal authority to forcibly return Gonz lez, but would create an ugly scene if it did so. Last week's cynical spin: The INS caved to political pressure from Cuba. This week's cynical spin: Florida caved to political pressure from Cuban exiles.

The Postal Service wants to raise prices. If approved by the Postal Rate Commission, stamps for letters and postcards would each increase by a penny in early 2001, to 34 and 21 cents, respectively. The Postal Service 1) spun the rate hike as a competitive necessity that would allow it to maintain universal service, improve technology, and cover rising costs; and 2) asserted that stamps remain "a real bargain," given inflation. Critics charged that it would hinder: 1) businesses and nonprofits that rely on direct mail; and 2) the Postal Service itself, by providing even greater incentive to use e-commerce and alternative shippers.

Peace talks between Israel and Syria wound down. Israeli Prime Minister Ehud Barak and Syrian Foreign Minister Farouk Shara are returning home without an agreement on Israel's withdrawal from the Golan Heights or Syria's guarantees of security. Their delegations will continue to negotiate, and the leaders will likely meet again in late January. The Clinton administration deemed the talks a success, saying 1) no one expected a breakthrough in the first round; and 2) the unprecedented discussion of substantive issues was a breakthrough. Skeptics said the progress was minimal and questioned whether the "well-rehearsed technique of locking Israel and its adversaries in a negotiating arena, cut off from other

distractions, still works as well as it once did."

Al Gore and Bill Bradley reiterated their support of gays in the military. Gore said he would insist that potential appointees to the Joint Chiefs of Staff support allowing gays to serve openly. Bradley said he would require his Joint Chiefs to carry out such a policy but would not require them to agree with it. Gore later asserted that he meant what Bradley said. Military officers and the Republican candidates blasted Bradley and Gore for crossing "a boundary between social politics and military policy." Separately, Britain ended its ban on gays in the military, making the U.S. the only NATO nation that maintains the prohibition. Analysts variously said the hubbub revealed that 1) gay voters are increasingly important to Democrats; 2) the candidates are willing to sacrifice popular support in order to court them; and 3) Bradley is better than Gore at doing so. (Slate's Jacob Weisberg defends Gore's initial suggestion of a "litmus test" for Joint Chiefs nominees.)

The flu is hitting the United States. Flu season arrived earlier than in previous years, and the number and severity of infections are higher than average. Some hospitals are delaying elective procedures to deal with the influx of flu patients. The good news: 1) The most widespread flu strains are covered by the current vaccine; and 2) new medications are effective if taken immediately after symptoms appear. The bad news: 1) Fewer than 10 percent of people take the vaccine; 2) a vaccination taken now may not take effect until after the season has peaked; and 3) people usually react too slowly to flu symptoms for the new medications to be effective.

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: William Marshall (CN=William Marshall/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JAN-2000 12:45:24.00

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

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

CC: william marshall (CN=william marshall/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

CC: matt gobush (CN=matt gobush/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: betsy pimentel (CN=betsy pimentel/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: johannes a. binnendijk (CN=johannes a. binnendijk/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: mary b. derosa (CN=mary b. derosa/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: karen tramontano (CN=karen tramontano/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

CC: beth nolan (CN=beth nolan/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: david b. peterman (CN=david b. peterman/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: elizabeth j. potter (CN=elizabeth j. potter/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

CC: edward w. correia (CN=edward w. correia/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

TEXT:
I also agree with Mary's changes.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jason H. Schechter (CN=Jason H. Schechter/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JAN-2000 13:41:37.00

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

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

READ:UNKNOWN

TEXT:

do you have anything yet? thanks

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Edward W. Correia (CN=Edward W. Correia/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JAN-2000 14:18:15.00

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

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

READ:UNKNOWN

CC: karen tramontano (CN=karen tramontano/OU=who/O=eop@eop [WHO])

READ:UNKNOWN

CC: beth nolan (CN=beth nolan/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: betsy pimentel (CN=betsy pimentel/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: elizabeth j. potter (CN=elizabeth j. potter/OU=who/O=eop@eop [WHO])

READ:UNKNOWN

CC: william marshall (CN=william marshall/OU=who/O=eop@eop [WHO])

READ:UNKNOWN

CC: matt gobush (CN=matt gobush/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: mary b. derosa (CN=mary b. derosa/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: johannes a. binnendijk (CN=johannes a. binnendijk/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: david b. peterman (CN=david b. peterman/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

TEXT:

The draft guidance seems fine to me.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Michele Ballantyne (CN=Michele Ballantyne/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JAN-2000 20:13:33.00

SUBJECT: Agenda for Podesta Press Prep

TO: Joel Johnson (CN=Joel Johnson/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TEXT:

Agenda for ABC/This Week Podesta Press Prep

January 14, 1999

1. Budget
 - Caps
 - Medicare/Prescription Drugs
 - Social Security
 - Taxes
2. SOTU/Domestic Issues
 - Unfinished Business
 - New Initiatives
 - Executive Action
 - Guns
 - AOL/Time Warner
 - TV Anti-Drug Deal
3. Politics
 - HRC
 - VPOTUS/Donna Brazile
 - Don't Ask/Don't Tell
4. Foreign Policy
 - Middle East Peace Talks
 - Cuba Boy
 - Russia/Putin

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Mary B. DeRosa (CN=Mary B. DeRosa/OU=NSC/O=EOP [NSC])

CREATION DATE/TIME:14-JAN-2000 12:31:24.00

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

TO: Edward W. Correia (CN=Edward W. Correia/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

CC: karen tramontano (CN=karen tramontano/OU=who/O=eop@eop [WHO])

READ:UNKNOWN

CC: beth nolan (CN=beth nolan/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: betsy pimentel (CN=betsy pimentel/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: johannes a. binnendijk (CN=johannes a. binnendijk/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: william marshall (CN=william marshall/OU=who/O=eop@eop [WHO])

READ:UNKNOWN

CC: matt gobush (CN=matt gobush/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: mary b. derosa (CN=mary b. derosa/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: david b. peterman (CN=david b. peterman/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: elizabeth j. potter (CN=elizabeth j. potter/OU=who/O=eop@eop [WHO])

READ:UNKNOWN

TEXT:

I have a few comments on the guidance

#2 -- I would change the question slightly (I know it's only a guess at what the question might be, but don't want Podesta to be confused by it.) to read: "What do you think of the European Court of Human Rights ruling (which led to Britain's change in policy) that the ban on gays serving openly in the military violated the fundamental human right to privacy?"

#4 -- Delete the second sentence of the response, so it now reads "I am confident that different policies on this issue will not hinder joint NATO maneuvers or any other NATO action."

#5 -- The question asks about the trial at Fort Campbell. I think the answer to a question about a the trial should start by making clear that he is not commenting on the verdict. I would recommend the answer read:

"I'm not going to comment about the verdict or sentence in any particular case. This case is in the military justice system, and the legal process is ongoing. As a general matter, both the President and the Secretary of Defense have said in the clearest terms that harassment of people based on sexual orientation -- or race and gender for that matter -- is strictly prohibited. The Department of Defense is taking a number of actions to review implementation of this policy. The Inspector General of the Department of Defense is conducting an investigation of compliance with our Don't Ask/Don't Tell/Don't Harass policy, and the Army IG is conducting a separate one at Fort Campbell. We are determined to prevent service members from being harassed."

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: David B. Peterman (CN=David B. Peterman/OU=NSC/O=EOP [NSC])

CREATION DATE/TIME:14-JAN-2000 13:00:18.00

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

TO: Edward W. Correia (CN=Edward W. Correia/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN

CC: karen tramontano (CN=karen tramontano/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

CC: beth nolan (CN=beth nolan/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: betsy pimentel (CN=betsy pimentel/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: johannes a. binnendijk (CN=johannes a. binnendijk/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: william marshall (CN=william marshall/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

CC: matt gobush (CN=matt gobush/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: mary b. derosa (CN=mary b. derosa/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: david b. peterman (CN=david b. peterman/OU=nsc/O=eop@eop [NSC])
READ:UNKNOWN

CC: elizabeth j. potter (CN=elizabeth j. potter/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

TEXT:

Eddie, Julian- I've made some suggested changes which have been cleared
at the NSC by Matt Gobush and Mary DeRosa.

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D19]ARMS241651425.046 to ASCII,
The following is a HEX DUMP:

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

1.) What do you think of Britain's Department of Defense's new code of social conduct?

~~It appears that Britain is further along as a society in openly accepting gays and lesbians into the military. We should learn from their experience. As I understand it, the code sets standards for proper social interaction between the diverse mix of individuals serving in the military. These standards, much like we have in our own military, will help commanders maintain good order and discipline within their units.~~

Commented [NSC1]: Can't say this. The change in British policy was forced on them by the European Court and was not a result of enlightened societal acceptance.

2.) What do you think of the European Court of Human Rights ruling, (which led to Britain's change in policy) that the ban on gays in the military is a ban on human rights?

The European Court's opinion is setting out a standard of equality and human rights that is something we should study and learn from. It's consistent with what the President pressed for in 1992-93. A future Congress should consider where Europe is headed. Usually, the United States is at the forefront in the struggle for equality and human rights, but sometimes we lag behind.

3.) Is there a possibility that the US Supreme Court will overturn the DADT law as a ban on human rights similar to the European Court?

I'm not sure what the Supreme Court would do, but I don't think this is primarily a legal matter. It's a question of what makes sense for military readiness and what is fair to gays and lesbians who have served honorably in the military services for a long time.

~~4.) Britain now joins Norway, Finland, Israel, Germany, France, Canada, Australia, New Zealand, ...? etc. (NSC please fill in) In fact, the US and Turkey are the only NATO countries to ban homosexuals from serving. Most NATO countries now allow homosexuals to serve openly in their militaries. Will the effectiveness of joint NATO maneuvers be threatened because of the DOD's fear of diminished military unit cohesion with NATO forces who allow gays in the military?~~

Commented [NSC2]: The U.S. doesn't ban gays. There is only a ban against gays serving openly.

~~I am confident that different policies on this issue will not hinder joint NATO maneuvers or any other NATO action. Our military commanders have adjusted to much tougher demands than this one.~~

5.) What do you think of DOD's response to the trial at Ft. Campbell.?

Both the President and the Secretary of Defense have said in the clearest terms that harassment of people based on sexual orientation -- or race and gender for that matter -- are strictly prohibited. The Inspector General of the Department of Defense is conducting an investigation of compliance with our Don't Ask/Don't Tell/Don't Harass policy, and the Army IG is conducting a separate one at Ft. Campbell. We are

determined to implement this policy in a fairer, more effective way and we are determined to prevent service members from being harassed.

6.) What do you think of Vice President Gore's statement on the role of the Joint Chiefs?

He's made clear that he would want the candid advice of Members of the Joint Chiefs, but that he would expect them to support the policy that the Commander in Chief decided. That is the traditional and appropriate relationship between the President and the Joint Chiefs and certainly the one that this President has followed.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Elizabeth J. Potter (CN=Elizabeth J. Potter/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JAN-2000 12:09:30.00

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

TO: Jason H. Schechter (CN=Jason H. Schechter/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN

TEXT:

These are the Q's that we are working on...

----- Forwarded by Elizabeth J. Potter/WHO/EOP on
01/14/2000 12:08 PM -----

Elizabeth J. Potter
01/14/2000 10:12:10 AM
Record Type: Record

To: Edward W. Correia/WHO/EOP@EOP
cc: See the distribution list at the bottom of this message
Subject: Re: Don't Ask/Don't Tell

We need to prepare additional Q/A on NATO member countries policy on Gay's in the Military. The recent announcement of Britain to allow gays to serve in the military puts the US in an unlikely alliance with Turkey as the only two NATO members that do not allow gays to serve in the military.

John Podesta will be on "Meet the Press" this weekend and we need guidance on the following: We need something by 1:00 pm today.

NEW QUESTIONS

1.) What do you think of Britain's Department of Defense's new code of social conduct?

(This code lifts the ban on gays in the military and replaces it with a code of conduct that applies across the forces regardless of service, rank, gender or sexual orientation. It will complement existing policies such as zero tolerance towards harassment, discrimination and bullying.)

2.) What do you think of the European Court of Human Rights ruling, (which led to Britain's change in policy) that the ban on gays in the military is a ban on human rights?

The European Court's opinion is consistent with what the President pressed for in 1992-93....

Britain's policy is essentially what the President first proposed,

Congress however, enacted into law the DADT policy, which includes mandatory discharges.

Our judicial and legislative process here in the US is very different, ultimately, DADT is a law which Congress will have to change.

3.) Is there a possibility that the US Supreme Court will overturn the DADT law as a ban on human rights similar to the European Court?

Although cases have been brought before the lower courts....EDDIE

4.) Britain now joins Norway, Finland, Israel, Germany, France, Canada, Austrailia, New Zealand, ...? etc.(NSC please fill in) In fact, the US and Turkey are the only NATO countries to ban homosexuals from serving.

Will joint NATO maneuvers be threatened because of the DOD's fear of military unit cohesion with NATO forces who allow gays in the military?

5.) What do you think of DOD's response to the trial at Ft. Campbell.?

We believe that harassment is a serious problem, DOD has announced....(I will incorporate some of the questions from earlier this week) Need tight synopsis of DOD response.

Message Copied

To:

johannes a. binnendijk/nsc/eop@eop
david b. peterman/nsc/eop@eop
betsy pimentel/nsc/eop@eop
mary b. derosa/nsc/eop@eop
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william marshall/who/eop@eop
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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Slate Magazine (Slate Magazine [UNKNOWN])

CREATION DATE/TIME:14-JAN-2000 07:26:03.00

SUBJECT: SLATE NEWS: Fri., Jan. 14, 2000

TO: Joshua S. Gottheimer (CN=Joshua S. Gottheimer/OU=WHO/O=EOP [WHO])
READ:UNKNOWN

TEXT:
SLATE NEWS: Fri., Jan. 14, 2000

--today's papers: Bradley Gives Gore the Willies

--the week/the spin: First Lady of the Night

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today's papers

Bradley Gives Gore the Willies

By Scott Shuger

The LAT leads with Alan Greenspan's comment in a speech Thursday that nudging interest rates further upwards is necessary to control the temperature of an economy overheated by soaring stock prices. The paper also notes that just hours before Greenspan spoke, President Clinton, in an appearance at the NYSE, said that dangerous inflation didn't seem to be a threat to this economy. No other paper fronts the story, although the WSJ puts it high up in its front-page financial news index. USAT goes with Bill Gates' announcement that, while remaining chairman of Microsoft, he's handing over CEO duties to long-time associate Steve Ballmer. Gates says that he will spend almost all of his time focused on the company's software strategy. The paper says Ballmer might "put a kinder, gentler face on the company" during its antitrust settlement talks with the government, but then quotes his assessment of any government breakup of the company: "absolutely

reckless and irresponsible." The LAT (which high up strongly suggests that Gates will remain the de facto leader of MS) and WP front the story, and the WSJ puts it atop its financial news index, while the NYT puts it inside. The NYT leads with the latest in a story the paper has pretty much owned: the battle between the White House and drug companies over whether or not Medicare should cover prescription drugs. The paper explains that companies have long expressed the fear that coverage would lead to government price-setting on the bulk of their sales. Today's installment: two top drug pharmaceutical executives now say they could accept the coverage. The Times suggests that they are trying to head off a full-on Clinton administration depiction as price-gougers. The WP goes with the very rare sports lead: the NBA Washington Wizards have reached an agreement in principle to give Michael Jordan complete control of the team's front office, including all trades, signings, draft selections and all other personnel decisions. The main remaining fill-in is how much equity in the franchise Jordan will get. A striking defect in the story: no mention of whether or not Jordan is buying that equity share or being given it or what his other compensation would be. The story says Jordan is not considering a comeback as part of the arrangement.

The LAT and NYT front and the WSJ reefer the revelation that under a little-known federal program, the government drug control office has been getting advanced looks at scripts for primetime TV shows and making suggestions for changes that send an anti-drug message. Some of the changes have been accepted by producers. Under an agreement with the government, such in-story messages allowed the networks to make more money selling ads because they then don't have to run as many anti-drug public service announcements. The story was broken by Salon, a fact that the papers report on with varying degrees of candor: The LAT comes clean in the 2nd paragraph and the WSJ in the 4th, but the NYT holds off until the 7th.

Citing a story in Thursday's Boston Herald, the LAT fronts and the WP goes inside with Bill Bradley's decision, with ten days to go until the Iowa caucuses, to hit Al Gore for introducing the racially explosive Willie Horton issue against Michael Dukakis during Gore's 1988 presidential primary bid. The controversy was later used against Dukakis to great effect by George Bush. Both papers point out that Bradley had previously been eschewing scorched-earth politics. The Post reports on the novel spin tactics being used by the Gore and Bradley camps: The Gore campaign responded by giving out Michael Dukakis' phone number, and Dukakis is quoted saying Bradley's charge is "nonsense" because the Horton case was already well known in New England. The Bradleyites released the number of Dukakis' campaign manager, Susan Estrich, who is quoted saying the Dukakis campaign was indeed surprised by Gore's raising Horton.

Everybody goes inside with a fresh shift in the demographics of AIDS: the majority of gay men being diagnosed with the disease are now either black or Hispanic.

USAT's front-page "snapshot" shows how Americans rank various high profile crimes for qualification as the "Crime of the Century." According to the paper the number one contender is the JFK assassination. Yet another sign of Boomer myopia: Not even making the list is the Lindbergh kidnapping or the theft of the U.S.' atom bomb secrets.

The WSJ "Washington Wire" reports that ex-Clinton press secretary Mike McCurry introduced a conference speaker the other day as having served in "the first Bush administration."

The NYT runs an op-ed today that says the real reason not to like the AOL/TW deal and its ilk is that mergers inherently dilute the quality of journalism. Of course, as the piece points out, two heads aren't guaranteed to be better than one. But this is a plausible possibility isn't it? After all, this piece has a co-byline; it's by media bigfeet Tom Rosenstiel and Bill Kovach. If they're absolutely right, then why didn't they write better separate articles instead?

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4

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the week/the spin

First Lady of the Night

By Matt Alsdorf

America Online is buying Time Warner. The \$166 billion deal is the biggest corporate merger ever and would create the world's largest media company, valued at over \$350 billion. Analysts hailed the marriage because 1) Time Warner will be able to market its movies, music, and magazines to AOL's 20 million subscribers; and 2) AOL will be able to use Time Warner's massive cable network to deliver high-speed Internet access. Reporters tripped over themselves to describe the importance of the deal, saying, in order of increasing excitement: 1) it signals "convergence between old media content and the new medium of the Net"; 2) it presages more megamergers, as other companies struggle to keep pace; 3) it "marks the passage of the Internet from an exotic technology into a mass media industry"; and 4) it represents "the triumph of the Internet as the irresistible force in business." Customers were tepid, wondering whether the mammoth company would improve consumers' access to products or increase investors' access to profits. ("Moneybox" asks if AOL paid too much for Time Warner, and "Chatterbox" wonders if Nora Ephron brokered the deal.)

Augusto Pinochet was ruled unfit for trial. British doctors deemed ~~him too frail mentally and physically~~ to stand trial in Spain on charges of crimes against humanity dating from his days as dictator of Chile. Britain will likely return him to Chile within weeks, and Spain has promised not to fight the decision. Relieved parties: 1) Pinochet, who may escape trial in his home country; 2) Britain, whose relations with Spain and Chile had been strained by the controversy; and 3) human rights groups, who feared public reaction to the prosecution of "a sick, elderly man." The spins, in order of increasing optimism: 1) A murderer got off the hook; 2) a tyrant got a lesson in compassion; and 3) dictators learned that imminent death is their only protection from international law. (Slate's "International Papers" rounds up world reaction to the doctors' findings, and "Explainer" describes the correct pronunciation of Pinochet.)

Hillary Clinton appeared on the Late Show With David Letterman. The host had badgered her for a month to be a guest, but she did not relent until a poll showed that New Yorkers favored her appearance by a margin of 2-to-1. Clinton aced a pop quiz of New York trivia, criticized and complimented Rudolph Giuliani, and traded one-liners with Letterman. The Washington Post said she came across as relaxed, funny, and likable. But critics said it looked like a cold and calculated effort to make Clinton look as though she isn't cold and calculated.

Three Chinese stowaways died on their way to the United States. Their bodies were discovered, along with 15 survivors, inside a metal shipping container unloaded in Seattle. About 100 illegal Chinese immigrants have been arrested in West Coast ports since the new year--almost all on container ships from Hong Kong. Unless the stowaways can prove they were persecuted in China, they will be

sent home. Officials were incensed by: 1) the greed of the smugglers, who charge up to \$60,000 per person and sell the immigrants into indentured servitude; 2) the complicity of the shipping lines; and 3) the negligence of Hong Kong authorities. The gloomy spin: This shows the desperate measures people will take to escape Chinese oppression. The rosier spin: This shows the desperate measures people will take to gain American freedom.

The Supreme Court handed down four mixed rulings. It decided that 1) states are exempt from age discrimination lawsuits; 2) states are not exempt from federal laws banning the sale of personal information; 3) police may be justified in searching a person simply because he or she flees; and 4) defendants do not have a constitutional right to defend themselves on appeal. Conservatives called the decisions "nuanced" and "moderate" and hailed the trend toward states' rights. Liberals applauded some small victories but protested the trend away from civil rights.

A Florida court granted temporary custody of Eli n Gonz lez to his Miami relatives. The state judge ordered Gonz lez to remain in the United States until a hearing in March. Attorney General Janet Reno deemed the decision invalid, saying the Immigration and Naturalization Service--which ruled last week that Gonz lez should be reunited with his father in Cuba--had sole jurisdiction over the 6-year-old's fate. Observers said the INS was in a bind: It has legal authority to forcibly return Gonz lez, but would create an ugly scene if it did so. Last week's cynical spin: The INS caved to political pressure from Cuba. This week's cynical spin: Florida caved to political pressure from Cuban exiles.

The Postal Service wants to raise prices. If approved by the Postal Rate Commission, stamps for letters and postcards would each increase by a penny in early 2001, to 34 and 21 cents, respectively. The Postal Service 1) spun the rate hike as a competitive necessity that would allow it to maintain universal service, improve technology, and cover rising costs; and 2) asserted that stamps remain "a real bargain," given inflation. Critics charged that it would hinder: 1) businesses and nonprofits that rely on direct mail; and 2) the Postal Service itself, by providing even greater incentive to use e-commerce and alternative shippers.

Peace talks between Israel and Syria wound down. Israeli Prime Minister Ehud Barak and Syrian Foreign Minister Farouk Shara are returning home without an agreement on Israel's withdrawal from the Golan Heights or Syria's guarantees of security. Their delegations will continue to negotiate, and the leaders will likely meet again in late January. The Clinton administration deemed the talks a success, saying 1) no one expected a breakthrough in the first round; and 2) the unprecedented discussion of substantive issues was a breakthrough. Skeptics said the progress was minimal and questioned whether the "well-rehearsed technique of locking Israel and its adversaries in a negotiating arena, cut off from other distractions, still works as well as it once did."

Al Gore and Bill Bradley reiterated their support of gays in the military. Gore said he would insist that potential appointees to the Joint Chiefs of Staff support allowing gays to serve openly. Bradley said he would require his Joint Chiefs to carry out such a policy but would not require them to agree with it. Gore later asserted that he meant what Bradley said. Military officers and the Republican candidates blasted Bradley and Gore for crossing "a boundary between social politics and military policy." Separately, Britain ended its ban on gays in the military, making the U.S. the only NATO nation that maintains the prohibition. Analysts variously said the hubbub revealed that 1) gay voters are increasingly important to Democrats; 2) the candidates are willing to sacrifice popular support in order to court them; and 3) Bradley is better than Gore at doing so. (Slate's Jacob Weisberg defends Gore's initial suggestion of a "litmus test" for Joint Chiefs nominees.)

The flu is hitting the United States. Flu season arrived earlier than in previous years, and the number and severity of infections are higher than average. Some hospitals are delaying elective procedures to deal with the influx of flu patients. The good news: 1) The most widespread flu strains are covered by the current vaccine; and 2) new medications are effective if taken immediately after symptoms appear. The bad news: 1) Fewer than 10 percent of people take the vaccine; 2) a vaccination taken now may not take effect until after the season has peaked; and 3) people usually react too slowly to flu symptoms for the new medications to be effective.

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-JAN-2000 15:38:31.00

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

TO: Michele Ballantyne (CN=Michele Ballantyne/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TEXT:

press guidance as needed.

----- Forwarded by Laura S. Marcus/WHO/EOP on 01/14/2000
03:38 PM -----

Elizabeth J. Potter

01/14/2000 03:24:19 PM

Record Type: Record

To: Edward W. Correia/WHO/EOP@EOP

cc: See the distribution list at the bottom of this message

Subject: Re: Don't Ask/Don't Tell

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beth nolan/who/eop@eop
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karen tramontano/who/eop@eop

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

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

TEXT:

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The following is a HEX DUMP:

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

PRESS GUIDANCE
1/14/2000
"Don't Ask, Don't Tell"

Jointly prepared by White House Counsel, NSC and OPL

Section A: Britain and NATO

1.) What do you think of the fact that the UK is going to allow gays and lesbians to serve openly in their armed forces?

- That is the position the President advocated for the U.S. military in 1993. It's consistent with the policy that the President pressed for in 1992-93. A future Congress should consider where Europe is headed.

2.) What do you think of Britain's Department of Defense's new code of social conduct affecting gays in the military?

- As I understand it, the code sets standards for proper social interaction between the diverse mix of individuals serving in the military. These standards, much like we have in our own military, will help commanders maintain good order and discipline within their units.

3.) What do you think of the European Court of Human Rights ruling (which led to Britain's change in policy) that the ban on gays serving openly in the military violated the fundamental human right to privacy?

- The European Court's opinion is setting out a standard of equality and human rights that is something we should study and learn from. It's consistent with the policy that the President pressed for in 1992-93. A future Congress should consider where Europe is headed.

4.) Is there a possibility that the US Supreme Court will overturn the DADT law as a ban on human rights similar to the European Court?

- I'm not sure what the Supreme Court would do, but I don't think this is primarily a legal matter. Here in the United States, it's a question of what makes sense for military readiness and what is fair to gays and lesbians who have served honorably in the military services for a long time.

5.) Most NATO countries now allow homosexuals to serve openly in their militaries. Will the effectiveness of joint NATO maneuvers be threatened because of DOD's fear of diminished military unit cohesion with NATO forces who allow gays in the military?

- I am confident that different policies on this issue will not hinder joint NATO maneuvers or any other NATO action.

SECTION B: ON THE BARRY WINCHELL TRIAL AND DOD'S RESPONSE

Background: The trial of Army Specialist Justin R. Fisher concluded this weekend at Fort Campbell. This is the second court martial stemming from the death of Private First Class Barry Winchell, who was allegedly killed because of his homosexuality. Private Calvin Glover was convicted of murder in a previous court martial. Specialist Fisher was the roommate of Private Winchell and was convicted of obstructing justice, making false statements, and providing alcohol to a minor.

1.) What do you think of DOD's response to the trial at Ft. Campbell.?

- I'm not going to comment about the verdict or sentence in any particular case. This case is in the military justice system, and the legal process is ongoing.
- As a general matter, both the President and the Secretary of Defense have said in the clearest terms that harassment of people based on sexual orientation -- or race and gender for that matter -- is strictly prohibited.
- The Department of Defense is taking a number of actions to review implementation of this policy. The Inspector General of the Department of Defense is conducting an investigation of compliance with our Don't Ask/Don't Tell/Don't Harass policy, and the Army IG is conducting a separate one at Fort Campbell. We are determined to prevent service members from being harassed."

2.) This case raises questions about the safety of servicemen and women on U.S. bases. At Ft. Campbell, for example, underage drinking allegedly contributed to the violence that claimed Private Winchell's life. Are you concerned? If so, what are you willing to do to improve safety?

- Of course, the safety and security of our servicemen and women on our military installations is a paramount concern.

- The Army has committed to review compliance with policies and procedures that protect the health, safety, and security of its soldiers at Ft. Campbell.
- Specifically, the commanding general at Fort Campbell has asked the Army Inspector General to review whether there were violations of the Department of Defense Homosexual Conduct Policy in the events at Fort Campbell.
- Beyond reviewing the Homosexual Conduct Policy, Fort Campbell will also undertake a review of compliance with applicable policies, procedures and regulations.
- I strongly support any measures that improve the safety of our soldiers.

3.) Doesn't this verdict further demonstrate that your "don't ask, don't tell" policy regarding gays in the military does not work?

- As I have said before, our policy has not had a chance to work because it has not been fully implemented. I am committed to improving implementation of the existing policy rather than changing the statute passed by Congress in 1993.
- Secretary Cohen has already taken a number of steps to improve policy implementation, to include a DOD Inspector General review of the environment at military bases as it relates to the homosexual policy and specific tasking to the services on updated training programs. I refer you to DOD for details.

Section C: Presidential Primary

Background: The Human Rights Campaign, a national Gay and Lesbian equal rights group, is going to air an ad campaign starting this Sunday as a response to the Republican ads against the VP's earlier statements.

1.) What do you think of Vice President Gore's statement on the role of the Joint Chiefs?

- He's made clear that he would want the candid advice of Members of the Joint Chiefs, but that he would expect them to support the policy that the Commander in Chief decided. That is the traditional and appropriate relationship between the President and the Joint Chiefs and certainly the one that this President has followed.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Michele Ballantyne (CN=Michele Ballantyne/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JAN-2000 15:54:29.00

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

TO: Fern Mechlowitz (CN=Fern Mechlowitz/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TEXT:

pls check against the new version

----- Forwarded by Michele Ballantyne/WHO/EOP on
01/14/2000 03:53 PM -----

Laura S. Marcus

01/14/2000 03:38:22 PM

Record Type: Record

To: Michele Ballantyne/WHO/EOP@EOP

cc:

Subject: Re: Don't Ask/Don't Tell

press guidance as needed.

----- Forwarded by Laura S. Marcus/WHO/EOP on 01/14/2000
03:38 PM -----

Elizabeth J. Potter

01/14/2000 03:24:19 PM

Record Type: Record

To: Edward W. Correia/WHO/EOP@EOP

cc: See the distribution list at the bottom of this message

Subject: Re: Don't Ask/Don't Tell

Here is the final.

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karen tramontano/who/eop@eop

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

TEXT:

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

PRESS GUIDANCE
1/14/2000
"Don't Ask, Don't Tell"

Jointly prepared by White House Counsel, NSC and OPL

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jason H. Schechter (CN=Jason H. Schechter/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JAN-2000 15:26:24.00

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

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

READ:UNKNOWN

TEXT:

excellent - thanks julian

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Edward W. Correia (CN=Edward W. Correia/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JAN-2000 11:04:00.00

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

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

READ:UNKNOWN

CC: william marshall (CN=william marshall/OU=who/O=eop@eop [WHO])

READ:UNKNOWN

CC: matt gobush (CN=matt gobush/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: mary b. derosa (CN=mary b. derosa/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: david b. peterman (CN=david b. peterman/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: karen tramontano (CN=karen tramontano/OU=who/O=eop@eop [WHO])

READ:UNKNOWN

CC: beth nolan (CN=beth nolan/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: betsy pimentel (CN=betsy pimentel/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: johannes a. binnendijk (CN=johannes a. binnendijk/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

TEXT:

Here are some suggested answers to the questions you pose, plus an additional q and a on the role of the Joint Chiefs. I'm not sure we need all this stuff for John, but you can cut it down as appropriate.

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D78]ARMS24640042N.046 to ASCII,
The following is a HEX DUMP:

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

1.) What do you think of Britain's Department of Defense's new code of social conduct?

It appears that Britain is further along as a society in openly accepting gays and lesbians into the military. We should learn from their experience.

2.) What do you think of the European Court of Human Rights ruling, (which led to Britain's change in policy) that the ban on gays in the military is a ban on human rights?

The European Court's opinion is setting out a standard of equality and human rights that is something we should study and learn from. It's consistent with what the President pressed for in 1992-93. A future Congress should consider where Europe is headed. Usually, the United States is at the forefront in the struggle for equality and human rights, but sometimes we lag behind.

3.) Is there a possibility that the US Supreme Court will overturn the DADT law as a ban on human rights similar to the European Court?

I'm not sure what the Supreme Court would do, but I don't think this is primarily a legal matter. It's a question of what makes sense for military readiness and what is fair to gays and lesbians who have served honorably in the military services for a long time.

4.) Britain now joins Norway, Finland, Israel, Germany, France, Canada, Australia, New Zealand, ...? etc.(NSC please fill in) In fact, the US and Turkey are the only NATO countries to ban homosexuals from serving. Will joint NATO maneuvers be threatened because of the DOD's fear of military unit cohesion with NATO forces who allow gays in the military?

I am confident that different policies on this issue will not hinder joint NATO maneuvers or any other NATO action. Our military commanders have adjusted to much tougher demands than this one.

5.) What do you think of DOD's response to the trial at Ft. Campbell.?

Both the President and the Secretary of Defense have said in the clearest terms that harassment of people based on sexual orientation -- or race and gender for that matter -- are strictly prohibited. The Inspector General of the Department of Defense is conducting an investigation of compliance with our Don't Ask/Don't Tell/Don't Harass policy, and the Army IG is conducting a separate one at Ft. Campbell. We are determined to implement this policy in a fairer, more effective way and we are determined to prevent service members from being harassed.

6.) What do you think of Vice President Gore's statement on the role of the Joint Chiefs?

He's made clear that he would want the candid advice of Members of the Joint Chiefs, but that he would expect them to support the policy that the Commander in Chief decided. That is the traditional and appropriate relationship between the President and the Joint Chiefs and certainly the one that this President has followed.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Linda L. Moore (CN=Linda L. Moore/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JAN-2000 12:27:52.00

SUBJECT: Iowa news

TO: Vincent Fry (CN=Vincent Fry/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TO: Bridget T. Leininger (CN=Bridget T. Leininger/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

TO: Cynthia M. Jasso-Rotunno (CN=Cynthia M. Jasso-Rotunno/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

TO: Orson C. Porter (CN=Orson C. Porter/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TO: Andrew J. Mayock (CN=Andrew J. Mayock/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TO: Minyon Moore (CN=Minyon Moore/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TEXT:

Gore enlists Harkin's aid in new
ad

By Register Staff Report

01/14/2000

The television ad wars in the race for
president escalated in Iowa Thursday
as Democrat Al Gore unveiled a new ad attacking Bill
Bradley.

Gore's campaign rolled out U.S. Sen. Tom Harkin,
D-Ia., a supporter, to criticize opponent Bill Bradley for
voting against a flood relief measure in 1993.

Harkin says Gore "was the only Democratic candidate
for president who helped make sure that Iowa got the
help we desperately needed after those floods.

"Al Gore has stood up for Iowa, and in the caucuses . . . it's time for us to stand up for Al Gore," Harkin says.

Bradley's campaign quickly struck back. U.S. Sen. Bob Kerrey, D-Neb., in Iowa campaigning for Bradley, said he voted the same way as the former New Jersey senator.

"Iowa farmers and Nebraska farmers were facing a variety of problems that year. One of them was the deficit," Kerrey said. "The vice president is not informing the people of Iowa that we were not just fighting the floods. We were fighting the deficits."

Gore again goads Bradley on farming

By Register Staff Report

01/14/2000

One day after Vice President Al Gore vowed to remain positive in the race for the Democratic presidential nomination, he staged an event designed to heap more criticism on rival Bill Bradley.

The Gore campaign brought a New Jersey farmer to Iowa on Thursday to emphasize that there really is agriculture in Bradley's home state. Bradley has said he voted against some farm initiatives while a senator because he was representing the interests of his state.

"I'm a crop farmer with about 1,000 acres of corn and hay in central Jersey," said Roy Etsch, who the Gore campaign flew to Iowa. "I have a lot in common with Iowa farmers."

Gore, who has repeatedly accused Bradley of failing to address farm concerns, told Iowa reporters on Wednesday that it was important to stay positive.

"In the remaining days before the caucuses that's what I'm going to do," Gore said. "I think people want to know how you can make this a better country."

*

The Iowa Democratic Party on Thursday announced plans to post minute-by-minute results on the Internet from Iowa's first-in-the-nation presidential caucuses.

The party is teaming up with Voter.com, a Web site that provides information on parties, issues, races, candidates, events and results, in the first test of

strength

between Vice President Al Gore and former U.S. Sen. Bill Bradley.

The site at www.voter.com/iowa will continuously update results in all 99 counties and 2,131 precincts, Iowa Democratic Party Chairman Rob Tully said.

""They're going to be able to get results, not just of what the results are at the time, but they're going to be able

to

go to a congressional district, go to a county and actually go to a precinct and be able to know exactly what the vote count was in that particular area of the state,""

Tully

said.

ADWATCH: Campaign 2000

By JONATHAN ROOS
Register Staff Writer
01/14/2000

EDITOR'S NOTE: The Des Moines Register is critiquing campaign ads to help voters make sense of their claims. Here's a review of a television ad critical of Vice President Al Gore that the Republican Party is showing in Iowa.

* TITLE: Litmus Test.

* SPONSOR: Republican National Committee.

* LENGTH: 30 seconds.

* THE AD: This commercial begins with a grainy picture of Gore moving in slow motion, followed by a picture of military aircraft with the words "litmus test" appearing on the screen. Other scenes of tanks, helicopters and soldiers are interspersed with photos of retired generals Colin Powell and Norman Schwarzkopf, who directed American forces in the war that drove the Iraqi Army from Kuwait.

An off-camera male narrator delivers this terse message: "Al Gore says he wants a test for the Joint Chiefs of Staff. Not about readiness. But about politics. General Colin Powell couldn't pass Al Gore's litmus test. Neither could Norman Schwarzkopf. Schwarzkopf and

Powell. The heroes of Desert Storm. Call Al Gore. Tell him the only litmus test ought to be patriotism." A telephone number for the vice president's office flashes on the screen, then a drum roll can be heard as a sailor gives a salute in the closing scene.

* **ASSERTION:** Gore, in demanding that candidates for the Joint Chiefs of Staff agree with his position on gays in the military, would put politics ahead of a top commander's ability to do the job.

* **WHAT YOU SHOULD KNOW:** Gore, a candidate for the Democratic presidential nomination, has backed away from the position that provides the subtext for this Republican attack ad. During a recent debate, Gore said he would require candidates for the Joint Chiefs of Staff to agree in advance with him that gays be allowed to serve openly in the military. Two days later, he said he did not intend to imply that he would impose a litmus test, but rather that he would not tolerate a military chief's refusal to follow the president's orders.

~~The~~ Republican ad doesn't even say that the "litmus test" refers to the issue of gays in the military, much less attempt to describe the circumstances surrounding the controversy. There's also no mention that Gore retreated from his initial position. Instead, the flag-waving commercial tries to create a negative impression of Gore by playing on viewers' emotions.

* **THE BOTTOM LINE:** Voters should be able to form their opinions on difficult issues without being manipulated by slickly produced ads such as this. Both major parties and allied groups have used ads of this sort to drive up the "negatives" of a candidate from the opposing party. Gore gave Republicans the perfect opportunity to spring this type of ad, however, when he tried to please a core Democratic constituency group - gay Americans - and then had to backpedal from the controversial position he took.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: cdo@sldn.org (C. Dixon Osburn) (cdo@sldn.org (C. Dixon Osburn) [UNKNOWN])

CREATION DATE/TIME:14-JAN-2000 17:18:52.00

SUBJECT: RE: greetings

TO: Elizabeth J. Potter (CN=Elizabeth J. Potter/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

Dear Julian:

This just came through at 4:40.

Ad Language

VOICE OVER

The Republican presidential candidates are so busy fighting about who can
and cannot serve in the military, they may have forgotten the values
Americans actually fight for:

Equality
Fairness
Freedom
Justice

For all,, including gay Americans.

VISUAL

Still shots from debates of an R candidate waving a finger at another R
candidate.

White on black reversed type "Equality"

" " "Fairness"
" " "Freedom"
" " "Justice"

" " "For all, including gay Americans."

HRC logo

UK Info

British Embassy Press Release

Statement by the British Secretary of State for Defence, Mr Geoffrey Hoon,
House of Commons, London, 12 January 2000. Check against delivery.

GAYS IN THE MILITARY: NEW CODE OF CONDUCT FOR ALL ARMED FORCES PERSONNEL

Defence Secretary Geoffrey Hoon today announced a new Code of Social Conduct covering all personal relationships involving Service personnel.

Speaking in the House Of Commons earlier today, Mr Hoon said. "With permission, Madam Speaker, I wish to make a statement on the outcome of our review of the implications of a judgement by the European Court of Human Rights as it affects the Armed Forces.

The House will recall that, on 27 September, the European Court of Human Rights delivered its judgement in a case brought by four ex-Service personnel of the United Kingdom Armed Forces who had each been discharged on the grounds of their homosexuality.

My predecessor issued a statement at the time making clear that the Government accepted the judgement of the Court - as British Governments have always complied with such rulings - and that we would be carefully studying the implications of the decision. He also announced that those cases already in the system - that is, personnel in the process of being discharged on grounds of homosexuality - would be put on hold. In the light

of the Court's decisions, it was clear that the existing policy was not legally sustainable. We accordingly asked the Chief of the Defence Staff to set in hand an urgent review of policy in this area. That review has now been completed, and I am able to announce the outcome today.

Our starting point has been to develop a revised policy that preserves the operational effectiveness of our Armed Forces, respects the rights of the individual, and takes full account of the Court ruling.

The Chiefs of Staff accept the need to change the existing policy and have been fully involved in the process of developing a revised policy. I have discussed the subject with them on a number of occasions. They have endorsed the outcome of the review.

We have drawn on the experience of other countries - in particular Australia - and have taken account of the last formal study of this subject in the United Kingdom, undertaken in 1995. Moreover, we have reflected the Court's conclusion that legally we are obliged to adopt an approach which regards sexual orientation as essentially a private matter for the individual.

There is, of course, no doubt that the Armed Forces are a unique institution

and occupy a unique place in our society.

We expect a lot of them. They cannot choose the people they work and live with, often in difficult, cramped conditions and for sustained periods.

Operational effectiveness depends on team cohesion and the maintenance of trust and loyalty. As a result, standards of behaviour are imposed on members of the Armed Forces that can be more demanding than those required by society at large. That is why we need a code of conduct to govern the

attitude and approach to the personal relationships of those serving in the Armed Forces. This code will apply across the Forces, regardless of Service, rank, gender or sexual orientation. It will provide a clear framework within

which people in the Services can live and work. And it will complement existing policies, such as zero tolerance towards harassment, discrimination

and bullying. I would emphasise that we are not tightening up the rules on heterosexual relationships. The Code is not an abstract legal document full

of rules and regulations. It has been developed by Service experts who understand fully the operational needs and day-to-day practicalities of the Armed Forces. Personal relationships> do not ever lend themselves to precise prescription and the Code recognises explicitly that:

- "It is not practicable to list every type of conduct which might constitute social misbehaviour".

Therefore, we have placed at the heart of the Code what we call the Service Test, set out in the following terms:

- "Have the actions or behaviour of an individual adversely impacted or are they likely to impact on the efficiency or operational effectiveness of the Service?"

In using the Code, commanders will have to apply this Service Test through the exercise of their good judgement, discretion and common sense - the essence of command and the effective management of people. I am arranging for copies of the Code to be placed in the library of the House. The European Court of Human Rights ruling makes very clear that the existing policy in relation to homosexuality must change. As all personal behaviour will be regulated by the Code of Conduct with the object of maintaining the operational effectiveness of the three Services, there is no longer a reason

to deny homosexuals the opportunity of a career in the Armed Forces.

Accordingly, we have decided that it is right that the existing ban should be lifted. As no primary or secondary legislation is required, with effect from today, homosexuality will no longer be a bar to service in Britain> '> s Armed Forces.

A range of briefing material is being issued to Commanding Officers to explain the Code of Conduct and to give them detailed guidance on how it should be implemented. This makes clear that the Chiefs of Staff commend the principles of the new policy and are committed to ensuring that it works.

Madam Speaker, I recognise that there may be some concerns within the Armed Forces and elsewhere over this new policy. But I believe that the changes I have described offer the best way forward in terms of providing an approach which maintains operational effectiveness, is within the law, and recognises the rights of the individual.

Implementing these changes successfully will be a challenge for leadership at all levels in the Armed Forces but such challenges are not new, and all three Services will be equal to the task. With the commitment which is in

place from the very highest levels of the chain of command, I am confident that our Armed Forces will adapt to this change in the professional manner for which they are rightly held in the very highest regard. There will be those who would have preferred to continue to exclude homosexuals but the law is the law. We cannot pick and choose the decisions we implement. The status quo is simply not an option.

This code centres on the paramount need to maintain the operational effectiveness of the Armed Forces.
I have no doubt it is the best way forward."

The new Code of Social Conduct comes into force immediately.

Notes for Editors

1. The Armed Forces will no longer require people to disclose their sexual orientation either at the recruitment stage, or during their service in the Forces. If people declare themselves to be homosexuals, then that is a matter for them. No special arrangements will be made for anyone who has made such a declaration.
2. The new Code of Social Conduct applies to all personnel regardless of whether they are male or female, heterosexual or homosexual, and regardless of their colour or racial or religious background. It applies to the Reserves in the same way as regular Forces.-
3. The Code has been drawn up in close consultation with Service Chiefs.
4. Those who have in the past been discharged for being homosexual, may rejoin the Forces as long as they continue to meet the usual entry requirements for personnel seeking reinstatement and have the up-to-date skills we need.
5. Implementation should be achieved with the minimum of fuss and disruption to unit life, and should be viewed as a process of adaptation rather than dramatic change. This process will be sustained by imaginative and firm leadership and the sensitive exercise of discretion rather than by over-regulation and confrontation. The key to successful adaptation rests firmly with commanders at all levels, and specifically with Commanding Officers.
6. Commanding Officers are to be guided by the following principles:
 - * Sexual orientation is regarded as a private matter for the individual-
 - * Knowledge of an individual's sexual orientation is not a basis for discrimination.
 - * Incidents which involve the possible commission of civil or military offences, or which come to a Commanding Officer's attention through a formal complaint, should be investigated and dealt with in accordance with Service disciplinary or administrative procedures.
 - * The Service Test contained in the Code of Social Conduct should be applied when there is any doubt about the impact on operational effectiveness of any particular incident.
 - * The Armed Forces value the unique contribution which every individual makes to operational effectiveness, regardless of their sexual orientation.
 - * The Armed Forces respect the right to individual privacy of every Serviceman and woman and will only intervene in the private lives of individuals where it is necessary in the interests of preserving

operational effectiveness.

- * The new policy makes no moral judgements about an individual's sexual orientation.
- * There is no place in the Armed Forces for harassment, bullying or victimisation.
- * Commanders have a duty of care towards all those under their command.

For further information contact Robin Banerji at the Defence Press Office on 0171 218 3257 or see <http://www.mod.uk/policy/homosexuality> on the Internet.

The MoD's home page on the Internet can be found at <http://www.mod.uk>. Alternatively you may contact the MoD Press Office by e-mail at press@dgics.mod-uk.

THE ARMED FORCES CODE OF SOCIAL CONDUCT POLICY STATEMENT

This Code of Social Conduct explains the Armed Forces' revised policy on personal relationships involving Service personnel. It applies to all members of the Armed Forces regardless of their gender, sexual orientation, rank or status. The provisions apply equally to members of the Regular and the Reserve Forces.

2. In the area of personal relationships, the overriding operational imperative to sustain team cohesion and to maintain trust and loyalty between commanders and those they command imposes a need for standards of social behaviour which are more demanding than those required by society at large. Such demands are equally necessary during peacetime and on operations. Examples of behaviour which can undermine such trust and cohesion, and therefore damage the morale or discipline of a unit (and hence

its operational effectiveness) include: unwelcome sexual attention in the form of physical or verbal conduct; over-familiarity with the spouses or partners of other Service personnel; displays of affection which might cause

offence to others; behaviour which damages or hazards the marriage or personal relationships of Service personnel or civilian colleagues within the wider defence community; and taking sexual advantage of subordinates.

It is important to acknowledge in the tightly knit military community a need for mutual respect and a requirement to avoid

conduct which offends others. Each case will be judged on its merits.

3. It is not practicable to list every type of conduct that may constitute social misbehaviour. The seriousness with which misconduct will be regarded will depend on the individual circumstances and the potential for adversely affecting operational effectiveness. Nevertheless, misconduct involving abuse of position, trust or rank, or taking advantage of an individual's separation, will be viewed as being particularly serious.

4. Unacceptable social conduct requires prompt and positive action to prevent damage. Timely advice and informal action can often prevent a situation developing to the point where it could impair the effectiveness

of
a Service unit. However, if the misconduct is particularly serious, it may be appropriate to proceed directly to formal administrative or disciplinary action. Such action is always to be proportionate to the seriousness of the misconduct. It may constitute a formal warning, official censure, the posting of one or more of the parties involved or disciplinary action. In particularly serious cases, or where an individual persists with,
or has a history of acts of social misconduct, formal disciplinary or administrative action may be taken, which might lead to termination of service.

5. The Service Test. When considering possible cases of social misconduct, and in determining whether the Service has a duty to intervene in the personal lives of its personnel, Commanding Officers at every level must consider each case against the following Service Test:

"Have the actions or behaviour of an individual adversely impacted or are they likely to impact on the efficiency or operational effectiveness of the Service?"

In assessing whether to take action, Commanding Officers will consider a series of key criteria. This will establish the seriousness of the misconduct and its impact on operational effectiveness and thus the appropriate and proportionate level of sanction.

January 2000

British Embassy
3100 Massachusetts Avenue N.W.
Washington, DC 20008

For further information contact : Peter Reid on (202) 588-6591 or
David Arkley on (202) 588-6593
Fax: (202) 588-7889

-----Original Message-----

From: Elizabeth_J._Potter@who.eop.gov
[mailto:Elizabeth_J._Potter@who.eop.gov]
Sent: Friday, January 14, 2000 12:43 PM
To: cdo@sldn.org
Subject: greetings

if you could email the ad language...thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: PMDF e-Mail Interconnect (PMDF e-Mail Interconnect [UNKNOWN])

CREATION DATE/TIME:14-JAN-2000 20:44:40.00

SUBJECT: Delivery Notification: Delivery has failed

TO: Elizabeth J. Potter (CN=Elizabeth J. Potter/OU=WHO/O=EOP [WHO])
READ:UNKNOWN

TEXT:

This report relates to a message you sent with the following header fields:

Message-id: <85256867.00091694.00@lmgate3.eop.gov>
Date: Fri, 14 Jan 2000 20:39:23 -0500
From: Elizabeth_J_Potter@who.eop.gov
To: Richard Socarides
Subject: Re: Yikes

Your message cannot be delivered to the following recipients:

Recipient address: dufour_p@a1.eop.gov
Reason: Illegal host/domain name found

- att1.unkReturn-path:

Received: from tcp-a1 by mhub.eop.gov (PMDf V5.2-32 #34437) id
<01JKPI0SDVW.Y8ZEROD@mhub.eop.gov>; Fri, 14 Jan 2000 20:40:42 EST
Received: from lmgate3.eop.gov ([165.119.3.232]) by mhub.eop.gov (PMDf
V5.2-32 #34437) with SMTP id <01JKPI0S2K3A8ZEPO4@mhub.eop.gov> for
dufour_p@a1.eop.gov; Fri, 14 Jan 2000 20:40:42 EST
Received: by lmgate3.eop.gov(Lotus SMTP MTA SMTP v4.6 (462.2 9-3-1997)) id
85256867.00094D56 ; Fri, 14 Jan 2000 20:41:36 -0500
Date: Fri, 14 Jan 2000 20:39:23 -0500
From: Elizabeth_J_Potter@who.eop.gov
Subject: Re: Yikes
To: Richard Socarides
Cc: "jeff trammell (e-mail)" , "philip
dufour (e-mail)" , "paul yandura (e-mail)"

Message-id: <85256867.00091694.00@lmgate3.eop.gov>
MIME-version: 1.0

Content-type: text/plain; charset=us-ascii
X-Lotus-FromDomain: EOP

Knight Ridder Newspapers, January 14, 2000

Bush, Gore reflect attitudes in a country still divided over homosexuality

By Steven Thomma

WASHINGTON (KRT) ? George W. Bush and Al Gore have a problem with gays.
Nothing personal; just politics.

Both leading presidential candidates have expressed tolerance of gay
men

and lesbians, Bush signaling he would appoint people to high office
regardless of their sexual orientation and Gore vowing to let gay men serve

openly in the military for the first time.

But both also have hedged their support.

Bush, the Republican governor of Texas, steadfastly refuses to meet with gay Republicans. Gore, the Democratic vice president, dropped a promise to use a pro-gay litmus test for prospective members of the Joint Chiefs of Staff.

Waffling politicians? Perhaps. But they also reflect attitudes in a country increasingly tolerant on many fronts yet still deeply divided over homosexuality.

In that environment, politicians feel freer to express their own tolerance and their desire to extend it to the government. But they also fear that pushing too far too fast will anger voters who have not yet made up their minds.

"The electorate is split. A lot of people aren't sure what they think. And the politicians are trying to reflect what the electorate is thinking,"

said Kathryn Dunn Tenpas, a political scientist at the University of Pennsylvania. "There's no real leadership; it's more followship."

In one recent poll, 49 percent of Americans said society should accept homosexuality, the first time in 10 years of surveys that a plurality has expressed its tolerance. But 44 percent believe homosexuality should be discouraged.

Six out of 10 Americans now believe homosexuals should be allowed to teach without fear of being fired for their sexual orientation. A little more than a decade ago, a majority believed school boards should have the power to fire homosexuals.

"For candidates of both parties, it's a fine line to walk. It's an issue that tends to split the public," said Greg Fleming, a pollster with the nonpartisan Pew Research Center for the People & the Press.

John Wheeler, a retired naval officer who lives in Lee, N.H., represents one facet of Americans' evolving sentiment.

He once flatly opposed letting gays serve in the military, now endorses the policy allowing them to serve as long as they keep their lifestyle private, and predicts they will be able to live openly in the military eventually.

"Over a period of time it will work itself out as people get used to it, much like integration," he said.

But until then, he said, it remains "an extremely difficult and sensitive issue, for which there are no right answers."

At the same time that Americans are becoming more accepting of gays, gays and lesbians have become an increasingly active political force and a voting bloc courted by both parties.

Gays represented 5 percent of the vote in the 1996 presidential election, the same size voting bloc as the much-courted Hispanics and larger than the influential Jewish vote, according to Election Day surveys by the Voter

News
Service.

"In many races, we are going to be the swing vote," said Kevin Akers,
a
spokesman for the Log Cabin Republicans, a gay group.

Most gays vote Democratic, but enough vote Republican that their votes
cannot be taken for granted. In 1996, they split almost 3-1 for President
Clinton over Republican Bob Dole, and about 2-1 for Democrats over
Republicans in House races.

Their influence is evident in both parties.

Again a week ago, Bush said he would not rule out homosexuals for high
office. "Somebody's sexual orientation is their personal business as far
as
I'm concerned," he said.

He and his chief rival, Sen. John McCain of Arizona, both endorse the
"Don't Ask, Don't Tell" policy allowing gays to serve in the military as
long as they keep their sexual orientation private.

That's a long way from just eight years ago, when anti-gay rhetoric
echoed in Houston's Astrodome at the Republican National Convention and the
party-ridiculed Clinton's promise to end the ban on gays in the military.

Those who remain strong and outspoken in their opposition to
homosexuality largely have been marginalized in the party. One,
presidential
candidate Alan Keyes, last week lamented the change.

"I keep asking myself where all the conservatives have gone," Keyes
said
in a debate in New Hampshire. "If we accept the radical homosexual agenda,
be it in the military or in marriage or in other areas of our lives, we are
utterly destroying the concepts of family and sexual responsibility without
which the traditional family cannot survive."

There may not be enough religious conservatives to propel Keyes or
fellow
social conservative Gary Bauer to the GOP nomination, but there are enough
to
scare Bush about provoking anti-gay backlash.

Despite his rhetoric, Bush refuses to meet with the Log Cabin
Republicans, saying it would create a "huge political scene" and feed
divisions among people.

The move conjures memories of the 1996 campaign, when Dole aides
returned
a contribution from the group out of fear it would signal endorsement of
the
gay agenda. Dole said later that he regretted the move and the way it made
him appear intolerant.

There are divisions in the Democratic Party as well, albeit farther to
the left. Clinton campaigned in 1992 with a promise to end the ban on gays
in the military. When he moved to do that once he was president, he met a
torrent of criticism from the military and resistance from the public. The
result was the compromise plan that allows gays to serve as long as they
keep
their sexual lives secret.

Behind closed doors, Gore argued as early as 1995 that the policy was
not
working as intended to protect gays from being harassed or expelled from

the
armed services, according to Rick Stafford, a former member of the
President's Commission on AIDS and former chairman of the Democratic Party
in
Minnesota.

"Privately, he's good on all the issues for the gay community,"
Stafford

said. "Privately, he says the good things."

Gore's advisers know they have to win the general election campaign,
and
they wonder how gays' issues will play to the larger national audience.

Indeed, it wasn't until Gore faced a surprisingly strong challenge for
the Democratic nomination from former Sen. Bill Bradley that he shifted his
emphasis to the party base. And it wasn't until then that he followed
Bradley in calling for an end to "Don't Ask, Don't Tell" and the beginning
of a new policy that would allow gays to serve openly in the military.

In his zeal, Gore tried to one-up Bradley. He said he would only
appoint
people to the Pentagon who shared his view, in effect promising to use a
litmus-test of political and moral beliefs. But that was too much. Gore
pulled back, saying he would require commanders only to obey a new pro-gay
policy, not to like it.

Gore also stops short of recognizing gay marriage. Like other
Democrats,
including Bradley and both Bill and Hillary Rodham Clinton, Gore wants to
guarantee legal and financial benefits to gay and lesbian partnerships, but
he says a marriage is a religious and cultural institution reserved for a
man
and a woman.

That stand angers many gays. After Hillary Clinton came out against
gay
marriage earlier this week, the Human Rights Campaign, a gay-rights group,
said the stance would encourage a "separate but equal" doctrine.

"Opinion is changing," said Stafford. "But we're not all the way
there
yet."

? Ron Hutcheson contributed from New Hampshire.

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

TEXT:
Reporting-MTA: dns;mhub.eop.gov

Action: failed
Status: 5.4.4 (Illegal host/domain name found)
Original-recipient: rfc822;dufour_p@a1.eop.gov
Final-recipient: rfc822;dufour_p@a1.eop.gov

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Elizabeth J. Potter (CN=Elizabeth J. Potter/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JAN-2000 20:39:41.00

SUBJECT: Re: Yikes

TO: Richard Socarides (Richard Socarides [UNKNOWN])

READ:UNKNOWN

CC: "philip dufour (e-mail)" ("philip dufour (e-mail)" [UNKNOWN])

READ:UNKNOWN

CC: "paul yandura (e-mail)" ("paul yandura (e-mail)" [UNKNOWN])

READ:UNKNOWN

CC: "jeff trammell (e-mail)" ("jeff trammell (e-mail)" [UNKNOWN])

READ:UNKNOWN

TEXT:

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By Steven Thomma

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John Wheeler, a retired naval officer who lives in Lee, N.H., represents one facet of Americans' evolving sentiment.

He once flatly opposed letting gays serve in the military, now endorses the policy allowing them to serve as long as they keep their lifestyle private, and predicts they will be able to live openly in the military eventually.

"Over a period of time it will work itself out as people get used to it, much like integration," he said.

But until then, he said, it remains "an extremely difficult and sensitive issue, for which there are no right answers."

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"In many races, we are going to be the swing vote," said Kevin Akers, a spokesman for the Log Cabin Republicans, a gay group.

Most gays vote Democratic, but enough vote Republican that their votes cannot be taken for granted. In 1996, they split almost 3-1 for President Clinton over Republican Bob Dole, and about 2-1 for Democrats over Republicans in House races.

Their influence is evident in both parties.

Again a week ago, Bush said he would not rule out homosexuals for high office. "Somebody's sexual orientation is their personal business as far as I'm concerned," he said.

He and his chief rival, Sen. John McCain of Arizona, both endorse the "Don't Ask, Don't Tell" policy allowing gays to serve in the military as long as they keep their sexual orientation private.

That's a long way from just eight years ago, when anti-gay rhetoric echoed in Houston's Astrodome at the Republican National Convention and the party ridiculed Clinton's promise to end the ban on gays in the military.

Those who remain strong and outspoken in their opposition to homosexuality largely have been marginalized in the party. One, presidential

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"I keep asking myself where all the conservatives have gone," Keyes said in a debate in New Hampshire. "If we accept the radical homosexual agenda, be it in the military or in marriage or in other areas of our lives, we are utterly destroying the concepts of family and sexual responsibility without which the traditional family cannot survive."

There may not be enough religious conservatives to propel Keyes or fellow social conservative Gary Bauer to the GOP nomination, but there are enough to scare Bush about provoking anti-gay backlash.

Despite his rhetoric, Bush refuses to meet with the Log Cabin Republicans, saying it would create a "huge political scene" and feed divisions among people.

The move conjures memories of the 1996 campaign, when Dole aides returned a contribution from the group out of fear it would signal endorsement of the gay agenda. Dole said later that he regretted the move and the way it made him appear intolerant.

There are divisions in the Democratic Party as well, albeit farther to the left. Clinton campaigned in 1992 with a promise to end the ban on gays in the military. When he moved to do that once he was president, he met a torrent of criticism from the military and resistance from the public. The result was the compromise plan that allows gays to serve as long as they keep their sexual lives secret.

Behind closed doors, Gore argued as early as 1995 that the policy was not working as intended to protect gays from being harassed or expelled from the armed services, according to Rick Stafford, a former member of the President's Commission on AIDS and former chairman of the Democratic Party in Minnesota.

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Gore's advisers know they have to win the general election campaign, and they wonder how gays' issues will play to the larger national audience.

Indeed, it wasn't until Gore faced a surprisingly strong challenge for the Democratic nomination from former Sen. Bill Bradley that he shifted his emphasis to the party base. And it wasn't until then that he followed Bradley in calling for an end to "Don't Ask, Don't Tell" and the beginning of a new policy that would allow gays to serve openly in the military.

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? Ron Hutcheson contributed from New Hampshire.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: "Hoag, Jamie" ("Hoag, Jamie" [UNKNOWN])

CREATION DATE/TIME:14-JAN-2000 16:08:24.00

SUBJECT:

TO: Jared Powell (CN=Jared Powell/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

Surf's up for Gore

Vice president commits to Gay.com Q&A

by Lou Chibbaro Jr.

The Washington Blade -- January 14, 2000

Al Gore accepted an invitation to participate in a Gay online forum.

Vice President Al Gore is slated to become the first major party presidential candidate to field questions from Gay people over the Internet when he ~~participates~~ later this month in a forum sponsored by a Gay online network called Gay.com.

~~Through his campaign office, Gore last week~~ accepted an invitation by Gay.com to participate in the online forum, according to Mark Elderkin, president and chief operating officer of Online Partners Inc., a San Francisco-based firm that owns and operates Gay.com. Elderkin said Gore agreed to spend up to an hour in the forum sometime within the next few weeks, when he can fit such an appearance into his campaign schedule.

Elderkin said Gay.com has invited all of the presidential candidates, both Democrats and Republicans, to participate in separate online forums on the site. Democratic contender Bill Bradley, the former U.S. senator from New Jersey, has expressed an interest in appearing but his campaign has yet to make a commitment, Elderkin said. He said none of the Republican presidential candidates have responded to Gay.com's invitation.

Elderkin said that openly Gay U.S. Rep. Barney Frank (D-Mass.) has accepted Gay.com's invitation to serve as moderator of the forum with Gore, if Frank's schedule permits. With the possibility that several thousand people will be sending in questions for Gore, Elderkin said, a moderator will be needed to weed out duplicate questions and to select a representative sample of questions. Elderkin said Gay.com leaves it up to its moderators to determine if participants can ask follow-up questions.

Although Gore has met periodically with Gay civil rights leaders during his tenure as vice president, his participation in the Gay.com forum will mark the first time Gore - or any sitting U.S. vice president or major presidential candidate - has provided an opportunity for Gay people from across the country to question him on topics of their choice.

Gay.com bills itself as the nation's largest "Gay affinity" Internet site.

Elderkin said more than 2 million people sign on to the site each month and that the site receives about 250,000 "visits" each day. The Web site - which has been the subject of articles in the Wall Street Journal and the New York Times - provides a variety of features, including Gay-related news, entertainment guides, financial services, message boards, online shopping, and chat rooms. The site is open to anyone who wishes to sign on at www.Gay.com.

According to Elderkin, Gore can participate in the forum by using a computer terminal hooked up to the Internet from any location Gore chooses. He said Gore can also participate over the telephone, in which case a Gay.com employee will read Gore the questions or comments posted by participants in the forum. A typist will then enter Gore's responses into the Gay.com site.

As with most other online interview set ups, the event with Gore will enable anyone signing on to Gay.com at the time of the forum to submit questions to Gore and to read the questions and answers as they unfold. He said Gay.com will place a transcript of Gore's exchange in the online network's archive. This will allow anyone to read a transcript of the forum, as well as print a copy of it, at a later date, if they are unable to sign on to Gay.com while the forum is taking place.

Work in progress

Gore's decision to participate in the Gay.com forum comes at a time when former military leaders and most of the Republican presidential contenders have sharply criticized him for his recent statements on the subject of Gays in the military. In a televised debate with Bradley on Jan. 5, Gore said that, as a condition for their appointments, he would require his nominees for Joint Chiefs of Staff to support his position that Gays should be allowed to serve openly in the military. (See related story this issue.) Two days later, following criticism by retired military officials that Gore would impose a "Gay" litmus test for the Joint Chiefs, Gore said his position had been misunderstood. He released a statement saying that, as president and commander-in-chief, he would require only that the Joint Chiefs follow his policy on Gays in the military while they are in office and that he would not require them to take a position on the matter prior to their appointment.

Gore defended his position in press interviews, including an interview on NBC's Today Show, in which Gore said Gays have a right to serve openly in the military. However, Gore noted that he could not put his policy in place unless Congress repeals the current "don't ask, don't tell" policy, which requires that Gays be discharged from the military if they disclose their sexual orientation. President Clinton agreed to the "don't ask, don't tell" policy in 1993 after Congress forced him to back down on his earlier campaign pledge to allow Gays to serve openly. Gore campaign officials this week tried to distance Gore from Clinton's

action by releasing excerpts from a recent book by Washington journalist Elizabeth Drew. Drew's book reports that, in 1993, during private White House meetings, Gore opposed the "don't ask, don't tell" policy and strongly urged Clinton to lift the ban on Gays in the military, even if such an action would prompt Congress to rebuke Clinton and restore the ban. Gore's decision to confirm reports that he was at odds with Clinton's views on the "don't ask, don't tell" policy also appeared to be aimed at countering Bradley's criticism that Gore followed his lead in calling for an end to the "don't ask, don't tell" policy. Bradley was the first of the two presidential contenders to publicly call for scrapping the policy and advocating that Gays be allowed to serve openly.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Elizabeth J. Potter (CN=Elizabeth J. Potter/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JAN-2000 14:09:47.00

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

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

READ:UNKNOWN

TEXT:

PRESS GUIDANCE

1/14/2000

"Don't Ask, Don't Tell"

Jointly prepared by White House Counsel, NSC and OPL

Section A: Britain and NATO

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gays and lesbians
to serve openly in their armed forces?

ú That is the position that the President advocated in 1993. It's
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military. These standards, much like we have in our own military, will
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4.) Is there a possibility that the US Supreme Court will overturn
the DADT law as a ban on human rights similar to the European Court?

ú I'm not sure what the Supreme Court would do, but I don't think
this is primarily a legal matter. Here in the United States, It's a

question of what makes sense for military readiness and what is fair to gays and lesbians who have served honorably in the military services for a long time.

5.) Most NATO countries now allow homosexuals to serve openly in their militaries. Will the effectiveness of joint NATO maneuvers be threatened because of DOD's fear of diminished military unit cohesion with NATO forces who allow gays in the military?

ú I am confident that different policies on this issue will not hinder joint NATO maneuvers or any other NATO action.

Section B: On the Barry Winchell trial and DOD's response

Background: The trial of Army Specialist Justin R. Fisher concluded this weekend at Fort Campbell. This is the second court martial stemming from the death of Private First Class Barry Winchell, who was allegedly killed because of his homosexuality. Private Calvin Glover was convicted of murder in a previous court martial. Specialist Fisher was the roommate of Private Winchell and was convicted of obstructing justice, making false statements, and providing alcohol to a minor.

1.) What do you think of DOD's response to the trial at Ft. Campbell?

ú I'm not going to comment about the verdict or sentence in any particular case. This case is in the military justice system, and the legal process is ongoing.

ú As a general matter, both the President and the Secretary of Defense have said in the clearest terms that harassment of people based on sexual orientation -- or race and gender for that matter -- is strictly prohibited.

ú The Department of Defense is taking a number of actions to review implementation of this policy. The Inspector General of the Department of Defense is conducting an investigation of compliance with our Don't Ask/Don't Tell/Don't Harass policy, and the Army IG is conducting a separate one at Fort Campbell. We are determined to prevent service members from being harassed."

2.) This case raises questions about the safety of servicemen and women on U.S. bases. At Ft. Campbell, for example, underage drinking allegedly contributed to the violence that claimed Private Winchell's life. Are you concerned? If so, what are you willing to do to improve safety?

ú Of course, the safety and security of our servicemen and women on our military installations is a paramount concern.

ú The Army has committed to review compliance with policies and procedures that protect the health, safety, and security of its soldiers at Ft. Campbell.

ú Specifically, the commanding general at Fort Campbell has asked the Army Inspector General to review whether there were violations of the Department of Defense Homosexual Conduct Policy in the events at Fort Campbell.

ú Beyond reviewing the Homosexual Conduct Policy, Fort Campbell will also undertake a review of compliance with applicable policies, procedures and regulations.

ú I strongly support any measures that improve the safety of our soldiers.

3.) Doesn't this verdict further demonstrate that your &don't ask, don't tell policy regarding gays in the military does not work?

ú As I have said before, our policy has not had a chance to work because it has not been fully implemented. I am committed to improving implementation of the existing policy rather than changing the statute passed by Congress in 1993.

ú Secretary Cohen has already taken a number of steps to improve policy implementation, to include a DOD Inspector General review of the environment at military bases as it relates to the homosexual policy and specific tasking to the services on updated training programs. I refer you to DOD for details.

Section C: Presidential Primary

Background: The Human Rights Campaign, a national Gay and Lesbian equal rights group, is going to air an ad campaign starting this Sunday as a response to the Republican ads against the VP's earlier statements.

1.) What do you think of Vice President Gore's statement on the role of the Joint Chiefs?

He's made clear that he would want the candid advice of Members of the Joint Chiefs, but that he would expect them to support the policy that the Commander in Chief decided. That is the traditional and appropriate relationship between the President and the Joint Chiefs and certainly the one that this Presid

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: PMDF e-Mail Interconnect (PMDF e-Mail Interconnect [UNKNOWN])

CREATION DATE/TIME:14-JAN-2000 20:31:26.00

SUBJECT: Delivery Notification: Delivery has failed

TO: Elizabeth J. Potter (CN=Elizabeth J. Potter/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

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Message-id: <85256867.0007FD57.00@lgate3.eop.gov>

Date: Fri, 14 Jan 2000 20:29:01 -0500

From: Elizabeth_J._Potter@who.eop.gov

To: Richard Socarides

Subject: curious take on candidates and gays

Your message cannot be delivered to the following recipients:

Recipient address: dufour_p@a1.eop.gov

Reason: Illegal host/domain name found

- att1.unkReturn-path:

Received: from tcp-a1 by mhub.eop.gov (PMDf V5.2-32 #34437) id

<01JKPHMXNG6A8ZEQ25@mhub.eop.gov>; Fri, 14 Jan 2000 20:30:19 EST

Received: from lgate3.eop.gov ([165.119.3.232]) by mhub.eop.gov (PMDf V5.2-32 #34437) with SMTP id <01JKPHMXDXCM8ZEPO4@mhub.eop.gov> for dufour_p@a1.eop.gov; Fri, 14 Jan 2000 20:30:19 EST

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Date: Fri, 14 Jan 2000 20:29:01 -0500

From: Elizabeth_J._Potter@who.eop.gov

Subject: curious take on candidates and gays

To: Richard Socarides

Cc: "jeff trammell (e-mail)" , "philip

dufour (e-mail)" , yandylove@aol.com

Message-id: <85256867.0007FD57.00@lgate3.eop.gov>

MIME-version: 1.0

Content-type: text/plain; charset=us-ascii

X-Lotus-FromDomain: EOP

Knight Ridder Newspapers, January 14, 2000

Bush, Gore reflect attitudes in a country still divided over homosexuality

By Steven Thomma

WASHINGTON (KRT) ? George W. Bush and Al Gore have a problem with gays. Nothing personal; just politics.

Both leading presidential candidates have expressed tolerance of gay men

and lesbians, Bush signaling he would appoint people to high office regardless of their sexual orientation and Gore vowing to let gay men serve openly in the military for the first time.

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

TEXT:
Reporting-MTA: dns;mhub.eop.gov

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Status: 5.4.4 (Illegal host/domain name found)
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Final-recipient: rfc822;dufour_p@al.eop.gov

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Elizabeth J. Potter (CN=Elizabeth J. Potter/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JAN-2000 15:24:27.00

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

TO: Edward W. Correia (CN=Edward W. Correia/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

CC: karen tramontano (CN=karen tramontano/OU=who/O=eop@eop [WHO])

READ:UNKNOWN

CC: beth nolan (CN=beth nolan/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: betsy pimentel (CN=betsy pimentel/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: elizabeth j. potter (CN=elizabeth j. potter/OU=who/O=eop@eop [WHO])

READ:UNKNOWN

CC: william marshall (CN=william marshall/OU=who/O=eop@eop [WHO])

READ:UNKNOWN

CC: matt gobush (CN=matt gobush/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: mary b. derosa (CN=mary b. derosa/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: johannes a. binnendijk (CN=johannes a. binnendijk/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

CC: david b. peterman (CN=david b. peterman/OU=nsc/O=eop@eop [NSC])

READ:UNKNOWN

TEXT:

Here is the final.===== ATTACHMENT 1 =====

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The following is a HEX DUMP:

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

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1/14/2000
"Don't Ask, Don't Tell"

Jointly prepared by White House Counsel, NSC and OPL

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SECTION B: ON THE BARRY WINCHELL TRIAL AND DOD'S RESPONSE

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- As a general matter, both the President and the Secretary of Defense have said in the clearest terms that harassment of people based on sexual orientation -- or race and gender for that matter -- is strictly prohibited.
- The Department of Defense is taking a number of actions to review implementation of this policy. The Inspector General of the Department of Defense is conducting an investigation of compliance with our Don't Ask/Don't Tell/Don't Harass policy, and the Army IG is conducting a separate one at Fort Campbell. We are determined to prevent service members from being harassed."

2.) This case raises questions about the safety of servicemen and women on U.S. bases. At Ft. Campbell, for example, underage drinking allegedly contributed to the violence that claimed Private Winchell's life. Are you concerned? If so, what are you willing to do to improve safety?

- Of course, the safety and security of our servicemen and women on our military installations is a paramount concern.

- The Army has committed to review compliance with policies and procedures that protect the health, safety, and security of its soldiers at Ft. Campbell.
- Specifically, the commanding general at Fort Campbell has asked the Army Inspector General to review whether there were violations of the Department of Defense Homosexual Conduct Policy in the events at Fort Campbell.
- Beyond reviewing the Homosexual Conduct Policy, Fort Campbell will also undertake a review of compliance with applicable policies, procedures and regulations.
- I strongly support any measures that improve the safety of our soldiers.

3.) Doesn't this verdict further demonstrate that your "don't ask, don't tell" policy regarding gays in the military does not work?

- As I have said before, our policy has not had a chance to work because it has not been fully implemented. I am committed to improving implementation of the existing policy rather than changing the statute passed by Congress in 1993.
- Secretary Cohen has already taken a number of steps to improve policy implementation, to include a DOD Inspector General review of the environment at military bases as it relates to the homosexual policy and specific tasking to the services on updated training programs. I refer you to DOD for details.

Section C: Presidential Primary

Background: The Human Rights Campaign, a national Gay and Lesbian equal rights group, is going to air an ad campaign starting this Sunday as a response to the Republican ads against the VP's earlier statements.

1.) What do you think of Vice President Gore's statement on the role of the Joint Chiefs?

- He's made clear that he would want the candid advice of Members of the Joint Chiefs, but that he would expect them to support the policy that the Commander in Chief decided. That is the traditional and appropriate relationship between the President and the Joint Chiefs and certainly the one that this President has followed.