

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	David Gai to [list] at 23:21:00. Subject: DoD News Briefing - 4/7/98.[10 U.S. Code § 424] [partial] (1 page)	04/09/1998	P3/b(3)
002. email	Sara Morris to Noa A. Meyer at 01:07:20.00. Subject: hello! [partial] (2 pages)	06/19/1998	b(6)

COLLECTION:

Clinton Presidential Records
Tape Restoration Project [Email]
WHO ([Don't Ask, Don't Tell])
OA/Box Number: 500000

FOLDER TITLE:

[04/02/1998 - 09/24/1998]

2015-0017-F
ab1579

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 (TRP NOTES MAIL)

CREATOR: PlanetOut NewsPlanet (PlanetOut NewsPlanet <newsplanet@planetout.com> [UNKNOWN])

CREATION DATE/TIME: 2-APR-1998 00:21:13.00

SUBJECT: [GLBT-NEWS:PNO] Unappealing Appeals

TO: GLBT-NEWS List (GLBT-NEWS List <glbt-news-owner@duh.org> [UNKNOWN])

READ:UNKNOWN

Joseph E. Voeller (CN=Joseph E. Voeller/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

NEWS SOURCE: PlanetOut NewsPlanet - <http://www.planetout.com/>

BACKGROUND OF NEWS SOURCE:

PlanetOut is a web site with oodles of news, information, and just plain

Web-fun for the gay community. Visit their site and support their news

staff that bring you these articles. This particular article may have

even more links--click below for the Web version of this article:

<http://www.planetout.com/newsplanet/article.html?1998/04/01/4>

Unappealing Appeals

NewsPlanet Staff

Wednesday, April 1, 1998 / 03:00 PM

SUMMARY: The Justice Dept. will pursue an appeal of the McVeigh "don't

ask" ruling against the Navy...Houston's conservative honcho has

abandonment issues around the attack on the mayor's

anti-discrimination order...

Government Appeals McVeigh: It's a surprise to no one, but now it's official: the Department of Justice will be filing an appeal on behalf of the Navy in the first case in which a judge ever declared that a branch of the military had violated the so-called "Don't Ask, Don't Tell" policy on gays and lesbians in uniform. The case is that of Chief Petty Officer Timothy McVeigh, a decorated 17-year veteran with a spotless record who served as the top enlisted man on a fast-attack nuclear submarine -- until the Navy tried to dismiss him for homosexuality based solely on the content of an America Online profile, which they connected with McVeigh only by means of evidence federal judge Stanley Sporkin found had been obtained in violation of the Electronic Communications Privacy Act.

McVeigh is still involved in the legal follow-up to that January ruling, seeking to be reinstated in something like his former job instead of the significantly lower-paid clerical work he's been kept in since, while the Navy is concerned about returning him to the "close confines" of a submarine. He's also pursuing a civil lawsuit against the Navy.

Hotze Wants In In Houston: You can set aside any notion that conservative activist Richard Hotze was acting selflessly when he joined Houston, Texas City Councilmember Rob Todd in a legal challenge to Mayor Lee Brown's executive order prohibiting discrimination based on sexual orientation in city employment and in provision of city services -- even though his side is winning, Hotze

has filed an appeal so that he personally can remain a player.

To the surprise of many, Texas District Judge Patrick Mizell blocked enforcement of Brown's order, accepting Todd and Hotze's claim that the mayor didn't actually have the authority to issue an order with respect to city employment issues, despite the fact that other mayors have done so for decades. But Mizell also found that although Todd as a Councilmember had legal standing to bring the suit, Hotze as a private citizen did not. Hotze had claimed that Brown's action ignored his 1985 vote on a ballot initiative he'd actively supported, which repealed a similar anti-discrimination measure the City Council had passed. Because that initiative only negated the ordinance, Mizell found that the city charter did not stop the mayor from ignoring it. Had the initiative "adopted" a positive message, its authority could only be overridden by either a Council vote or another referendum.

On March 30, Hotze filed an appeal of his exclusion from the lawsuit, and he then held a news conference outside City Hall to insist that the initiative should have the same weight regardless of the nature of its content. The Houston city attorney agrees with Mizell that the city charter just isn't written that way.

===== Distributed through the GLBT-NEWS mailing list =====

To unsubscribe, send a message containing only "unsubscribe" in the message body (NOT subject) to the address: glbt-news-request@duh.org

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: The Data Lounge News (The Data Lounge News <editorial@datalounge.com> [UNKNOWN])

CREATION DATE/TIME: 7-APR-1998 01:20:36.00

SUBJECT: [GLBT-NEWS:DL] Navy Files Appeal on McVeigh Ruling

TO: GLBT-NEWS List (GLBT-NEWS List <glbt-news-owner@duh.org> [UNKNOWN])

READ:UNKNOWN

Joseph E. Voeller (CN=Joseph E. Voeller/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

NEWS SOURCE: The Data Lounge - <http://www.datalounge.com/>

BACKGROUND OF NEWS SOURCE:

The Data Lounge is about anything and everything gay. Daily news headlines,

culture information, and gossip--who's out, who's not, and who should be.

Visit their site, and to see the Web version of this article, click

below:

<http://www.datalounge.com/pages/sections/news/98/04/06/003.news>

Monday, April 6, 1998

Navy Files Appeal on McVeigh Ruling

WASHINGTON, D.C. - The Department of the Navy filed a notice of appeal on Tuesday in the case of Senior Chief Petty Officer Timothy R.

McVeigh. The appeal stems from a January 29, 1998 ruling by D.C. District Court Judge Stanley Sporkin that the Navy had violated its own regulations governing investigations under "don't ask, don't tell, don't pursue."

In late January, Judge Sporkin accused the Navy of conducting a "search and 'outing' mission" against the highly decorated 17-year veteran, and said that the Navy's handling of the investigation was in probable violation of the Electronic Communications Privacy Act.

Judge Sporkin ruled that the Navy had "violated the very essence of 'don't ask, don't pursue'" by pursuing McVeigh based on a report from a civilian that an anonymous America Online user profile containing the word "gay" might belong to McVeigh.

"Suggestions of sexual orientation in a private, anonymous email account did not give the Navy a sufficient reason to investigate to determine whether to commence discharge proceedings," said the judge.

Christopher Wolf, McVeigh's attorney, told the court in March that the Navy has been "dragging its feet" and has purposely kept the decorated veteran from returning to his former command position. It was revealed that a position on another submarine did become available but that the Navy would not assign McVeigh because of the "close confines of a nuclear submarine."

The Servicemembers Legal Defense Fund says the Navy has twice refused

to reinstate McVeigh as Chief of Boat of the USS Chicago or to a comparable position. In federal court on March 5, David Glass of the Department of Justice argued the Navy could assign McVeigh to be "a janitor" and that Judge Sporkin had no authority to hold the Navy accountable.

On March 26, Sporkin issued a ruling ordering the Navy to return McVeigh to his old status as the top enlisted man on a nuclear attack submarine and gave the Navy 60 days to comply.

The government's decision to appeal the high-profile case comes in the wake of broad criticism the Navy's handling of the McVeigh case from privacy rights experts and human rights groups.

===== Distributed through the GLBT-NEWS mailing list =====

To unsubscribe, send a message containing only "unsubscribe" in the message body (NOT subject) to the address: glbt-news-request@duh.org

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: The Data Lounge News (The Data Lounge News <editorial@datalounge.com> [UNKNOWN])

CREATION DATE/TIME: 7-APR-1998 23:21:11.00

SUBJECT: [GLBT-NEWS:DL] Pentagon Says Rise in Gay Discharges 'Voluntary'

TO: GLBT-NEWS List (GLBT-NEWS List <glbt-news-owner@duh.org> [UNKNOWN])

READ:UNKNOWN

Joseph E. Voeller (CN=Joseph E. Voeller/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

NEWS SOURCE: The Data Lounge - <http://www.datalounge.com/>

BACKGROUND OF NEWS SOURCE:

The Data Lounge is about anything and everything gay. Daily news headlines,

culture information, and gossip--who's out, who's not, and who should be.

Visit their site, and to see the Web version of this article, click

below:

<http://www.datalounge.com/pages/sections/news/98/04/07/005.news>

Tuesday, April 7, 1998

Pentagon Says Rise in Gay Discharges 'Voluntary'

WASHINGTON -- Citing a Defense Department study to be issued later this month, The New York Times reports the U.S. military is

discharging 67 percent more gay and lesbian troops today than when the Clinton administration adopted its "don't ask don't tell" policy.

997 military servicemembers were discharged for homosexuality last year, the report says, compared with 597 in 1994, the first full year after the policy went into effect.

Gay rights advocates cite these figures as evidence that gay servicemembers are being hunted and discharged in ever-larger numbers and contend gay and lesbian personnel are routinely being subjected to interrogation and harassment by commanders in violation of 'don't ask, don't, don't pursue' regulations.

Secretary of Defense William S. Cohen said that violations of the policy were not the cause for the rise. "There are some indications," Cohen said, "that there has been an increase as far as some of the people who have declared themselves to be homosexual and have opted to get out of the military."

Elaborating on that remark, Kenneth Bacon, a Pentagon spokesman, told The Times, "We think the rise is almost exclusively explained by the increase in the numbers of people stating they are homosexuals. We think they are voluntary statements. We can only speculate as to why they are doing this." This statement brought a furious response from people who work with servicemembers harassed and drummed out of the service following investigations into their private lives.

Michelle M. Benecke, a former Army captain and co-director of the Servicemembers Legal Defense Network told The Times, "It is well documented that command violations are widespread in the field and that commanders have not been trained on the intent of the policy," she said. "Commanders are in the driver's seat without a road map. Others know the rules and are deliberately violating them."

Ms. Benecke cited a number of cases, including the widely publicized case involving Senior Chief Petty Officer Timothy R. McVeigh, a 17-year sailor with a sterling record. The Navy's discharge of McVeigh was blocked by a federal judge in January who ruled the Navy had "embarked on a search and 'outing' mission" against the sailor. The Navy is appealing.

The Pentagon report ordered last year by Secretary Cohen came after the Servicemembers Legal Defense Network documented a surge in what it described as violations of the policy. For those that hoped for an honest appraisal of the policy, the report came as a bitter disappointment.

"I think it's working," Cohen said of the policy Monday.

Benecke told The Times that under the terms of the compromise, harassment and witchhunts of gay servicemembers was supposed to stop. "We have asked the Pentagon as a first step to inform commanders of the intent of this policy to respect people's privacy. Leaders need to hold their subordinates accountable for violations," she said. "Nearly

five years into this policy, that has not occurred."

===== Distributed through the GLBT-NEWS mailing list =====

To unsubscribe, send a message containing only "unsubscribe" in the
message body (NOT subject) to the address: glbt-news-request@duh.org

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: The Data Lounge News (The Data Lounge News <editorial@datalounge.com> [UNKNOWN])

CREATION DATE/TIME: 7-APR-1998 01:20:39.00

SUBJECT: [GLBT-NEWS:DL] British Army to Lift Ban on Gay Service

TO: GLBT-NEWS List (GLBT-NEWS List <glbt-news-owner@duh.org> [UNKNOWN])

READ:UNKNOWN

Joseph E. Voeller (CN=Joseph E. Voeller/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

NEWS SOURCE: The Data Lounge - <http://www.datalounge.com/>

BACKGROUND OF NEWS SOURCE:

The Data Lounge is about anything and everything gay. Daily news headlines,

culture information, and gossip--who's out, who's not, and who should be.

Visit their site, and to see the Web version of this article, click

below:

<http://www.datalounge.com/pages/sections/news/98/04/06/004.news>

Monday, April 6, 1998

British Army to Lift Ban on Gay Service

LONDON -- The Sunday Times reports senior generals serving on the Army

Board will lift the ban on gay men and lesbians serving in the British

Army. The Royal Navy and Royal Air Force are not immediately expected to follow suit.

The Times says the proposal for lifting the ban coincides with increasing political and legal pressure on the military to reverse the exclusion of gays in service. More than 50 cases alleging sexual discrimination against the forces by gay personnel are being taken to the courts. The first is expected to be heard in the European Court of Human Rights this autumn.

The new proposals would allow gay men and women to serve in the army on the strict condition that they do not engage in sexual activity while in service.

Under current rules, any soldiers known to be gay or lesbian - whether they are sexually active or not - are expelled. Senior military officers say the switch in policy is the only sensible way forward after the apparent failure of "don't ask, don't tell" compromise policies in the United States and other countries.

A senior military lawyer told The Times current regulations left officers with little choice but to initiate discharge proceedings against enlisted men and women once their same-sex orientation became known. "We don't believe in witchhunting. We don't seek out gays and we certainly don't persecute them," he said. "But the policy is very clear. Anybody identified as a homosexual is required to leave immediately, whether or not there has been improper behavior."

The source told The Times said the new wording would give the army more flexibility in retaining gay members who were prepared to abide by rules on sexual activity. The Army Board, however, will not immediately consider whether the ban on homosexual relations should apply only when soldiers are on duty or should be extended to include their private lives off-base.

The gay advocacy group Stonewall urged the Ministry of Defense to review the Armed Forces Discipline Act and establish a uniform code of sexual conduct which would apply equally to homosexual and heterosexual personnel.

John Wadham, legal director of Liberty, the human rights group which is taking two gays-in-the-military cases to the European court, said that while any advance on gay and lesbian rights in the forces was to be welcomed, the new proposals did not go far enough. "This is a feeble attempt to move to equality," he said. "What lesbian and gay people want is to be treated fairly and equally. These proposals do not do that."

===== Distributed through the GLBT-NEWS mailing list =====

To unsubscribe, send a message containing only "unsubscribe" in the message body (NOT subject) to the address: glbt-news-request@duh.org

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: PlanetOut NewsPlanet (PlanetOut NewsPlanet <newsplanet@planetout.com> [UNKNOWN])

CREATION DATE/TIME: 7-APR-1998 23:21:18.00

SUBJECT: [GLBT-NEWS:PNO] DOD Report Coming Full Spin

TO: GLBT-NEWS List (GLBT-NEWS List <glbt-news-owner@duh.org> [UNKNOWN])

READ:UNKNOWN

Joseph E. Voeller (CN=Joseph E. Voeller/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

NEWS SOURCE: PlanetOut NewsPlanet - <http://www.planetout.com/>

BACKGROUND OF NEWS SOURCE:

PlanetOut is a web site with oodles of news, information, and just plain

Web-fun for the gay community. Visit their site and support their news

staff that bring you these articles. This particular article may have

even more links--click below for the Web version of this article:

<http://www.planetout.com/newsplanet/article.html?1998/04/07/1>

DOD Report Coming Full Spin

NewsPlanet Staff

Tuesday, April 7, 1998 / 02:40 PM

SUMMARY: The Defense Dept's suspiciously spun "don't ask, don't tell"

report says that record numbers of discharges are due to

servicemembers coming out voluntarily, but the military definition of

"volunteer" may be questionable.

The Department of Defense (DOD) announced April 6 that later this month it will finally be releasing its long-awaited report on the so-called "Don't Ask, Don't Tell" policy on military service by gays and lesbians, after years of having no data of its own to compare to the annual report by the gay and lesbian Servicemembers Legal Defense Network (SLDN). About the only point on which the two reports seem to agree is that there has been a steady increase in discharges for homosexuality since the policy was instituted in 1993. By presenting the report before anyone outside the military has had a chance to review it, the Pentagon has every advantage in putting its own "spin" on the findings. From the gay and lesbian point of view, it's a very mixed bag of good and bad news, starting with Secretary of Defense William Cohen's assertion that, "in terms of the policy itself, overall, I think it's working."

By DOD's own count, the policy is "working" to discharge increasing numbers of servicemembers for homosexuality: 597 in 1994, 722 in 1995, 850 in 1996, and 997 in 1997. One of the strongest arguments in support reforming the previous outright ban on military service by gays and lesbians was the high cost of the training investment -- which becomes lost money when servicemembers are discharged; "Don't Ask, Don't Tell" was clearly intended to decrease, not increase, the number of those discharges. The Pentagon counts a decrease in discharges for homosexual acts (presumably sodomy charges) and same-gender marriages combined of about 20% from 1994 through 1997.

The best news is that the report recommends that commanders be better informed about the policy, something SLDN has urged strongly every year after hearing again and again that the overwhelming number of commanders had never received training, or even read it. Cohen said, "We intend to continue to emphasize the fact that this policy should not be abused, that there should be no attempt to hunt or seek out those who may be homosexual, and that we intend to strictly enforce the 'don't ask, don't tell' policy.... [The report] recommends better training for all people involved in implementing the policy, to make sure everybody understands what the policy is." Some senior officers are recommended for retraining, commanders are advised to consult with military lawyers before initiating investigations, and a memo about response to homophobic threats and harassment will be reissued. That memo emphasizes that the commander's duty is to focus on those responsible for the threats and harassment, not to investigate the actual orientation of their victim towards possible discharge.

The worst news is that the military is clearly trying to present the increase in discharges for homosexuality as primarily reflecting dissatisfied servicemembers' choice to leave the service without incurring a dishonorable discharge -- an allegation put forward by the Pentagon before the policy ever went into effect. The report describes 58% of the discharges for homosexuality in 1997 as resulting from voluntary "telling" statements by servicemembers in their first year in uniform. By contrast, only 22 "don't tell" violations were reported to SLDN in 1997, down from 31 in 1996. Cohen said, "There are some indications that there has been an increase as far as some of the

people who have declared themselves to be homosexual and have opted to get out of the military." Reporters wondered if the "voluntary" statements were actually spurred by harassment. Pentagon spokesperson Kenneth Bacon told reporters that, "We think the rise is almost exclusively explained by the increase in the numbers of people stating they are homosexuals. We think they are voluntary statements. We can only speculate as to why they are doing this."

Northwestern University sociology professor Charles Moskos, widely recognized as the key figure in drafting the policy and who also supports SLDN's criticism of its implementation, responded that, "The core question is, Are the statements being generated by asking?" SLDN's Michelle Benecke flatly denied that large numbers of servicemembers are willingly "outing" themselves, saying, "The discharges result from the fact that military leaders have not stopped asking and telling and pursuing."

It remains to be seen if there will be follow-through on Cohen's assertion that "we intend to strictly enforce the 'don't ask, don't tell' policy" -- SLDN has yet to hear of an instance in which a commander was punished in any way for violating it, although the group documented 563 command violations of the policy in 1997 alone.

===== Distributed through the GLBT-NEWS mailing list =====

To unsubscribe, send a message containing only "unsubscribe" in the message body (NOT subject) to the address: glbt-news-request@duh.org

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Phil Attey (Phil Attey <phil.attey@mail.hrcusa.org> [UNKNOWN])

CREATION DATE/TIME: 7-APR-1998 17:29:02.00

SUBJECT: Gay Discharges Up Sharply, According to Pentagon Leaks of 'D

TO: gaypress-l (gaypress-l@netra-1.hrc.org [UNKNOWN])

READ:UNKNOWN

TO: hrc-business (hrc-business@netra-1.hrc.org [UNKNOWN])

READ:UNKNOWN

TO: hrc-directors (hrc-directors@netra-1.hrc.org [UNKNOWN])

READ:UNKNOWN

TO: hrc-governors (hrc-governors@netra-1.hrc.org [UNKNOWN])

READ:UNKNOWN

TO: hrc-news (hrc-news@netra-1.hrc.org [UNKNOWN])

READ:UNKNOWN

TO: hrc-youth (hrc-youth@netra-1.hrc.org [UNKNOWN])

READ:UNKNOWN

Joseph E. Voeller (CN=Joseph E. Voeller/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

NEWS from the

Human Rights Campaign

1101 14th Street NW

Washington, DC 20005

email: hrc@hrc.org

WWW: http://www.hrc.org

GAY DISCHARGES UP SHARPLY, ACCORDING TO PENTAGON LEAKS OF 'DON'T ASK, DON'T TELL' REPORT

HRC Says Report Underscores Why 'Don't Ask, Don't Tell, Don't Pursue'

Doesn't

Work

WASHINGTON -- Discharges of gay service members are up sharply, according to

early accounts of a Department of Defense internal review of the Clinton administration's "don't ask, don't tell" policy barring openly gay people from

serving in the U.S. armed services. In response to Pentagon-orchestrated leaks

of key aspects of the report, the Human Rights Campaign said today that the report's recommendations for fixing problems underscore why the policy is not working.

"Any policy that asks people to lie is bound to fail," said Winnie Stachelberg, HRC's political director. "The policy itself is not being followed down the chain of command and the core problem of anti-gay bias goes completely unaddressed."

Leaked accounts of the some of the contents of the report show that there

was an increase of 67 percent in the number of gay-related discharges since "don't ask, don't tell" was implemented in 1994. Department of Defense spokespeople claimed the increase was due to servicemembers' using the policy in their first year of service to get out early.

"The policy is not working because commanders in the field are continuing to ask and pursue, hunting down gay service members unabated," said Stachelberg.

"The military's explanations for the dramatic increase in discharges are self-serving and disingenuous. Anti-gay bias continues to be the core issue, and the Pentagon has done nothing to address it."

HRC pointed to a ruling by U.S. District Judge Stanley Sporkin in January, who found that the Navy went on a "search and out mission" by pursuing Senior Chief Petty Officer Timothy McVeigh. The Navy pursued McVeigh after learning the word "gay" was in his personal America Online profile.

The internal review was ordered by Defense Secretary William Cohen in response to three annual reports from Servicemembers Legal Defense Network, an advocacy group that works to assist gay and lesbian servicemembers and monitors the "don't ask, don't tell" policy. The reports for the past three years have

shown dramatic increases in discharges and reveal that witch hunts and unauthorized inquisitions continue to take place at U.S. military installations throughout the world.

The "don't ask, don't tell" policy was adopted by the Clinton administration and Congress in 1993 as a so-called compromise measure that would allow gay people to serve as long as they did not admit to being gay.

"Lying cannot be the cornerstone of any U.S. policy. We need a policy that respects performance, ability, commitment and privacy," Stachelberg said.

The Human Rights Campaign is the largest national lesbian and gay political organization, with members throughout the country. It effectively lobbies Congress, provides campaign support, and educates the public to ensure that lesbian and gay Americans can be open, honest, and safe at home, at work, and in the community.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: PlanetOut NewsPlanet (PlanetOut NewsPlanet <newsplanet@planetout.com> [UNKNOWN])

CREATION DATE/TIME: 8-APR-1998 23:20:55.00

SUBJECT: [GLBT-NEWS:PNO] Cohen Wants McVeigh Out

TO: GLBT-NEWS List (GLBT-NEWS List <glbt-news-owner@duh.org> [UNKNOWN])

READ:UNKNOWN

Joseph E. Voeller (CN=Joseph E. Voeller/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

NEWS SOURCE: PlanetOut NewsPlanet - <http://www.planetout.com/>

BACKGROUND OF NEWS SOURCE:

PlanetOut is a web site with oodles of news, information, and just plain Web-fun for the gay community. Visit their site and support their news staff that bring you these articles. This particular article may have even more links--click below for the Web version of this article:

<http://www.planetout.com/newsplanet/article.html?1998/04/08/2>

Cohen Wants McVeigh Out

NewsPlanet Staff

Wednesday, April 8, 1998 / 02:51 PM

SUMMARY: Clearly on the defensive, Bill Cohen's "don't keep, don't pay, do pursue" instructions to Justice concerning Tim McVeigh have been revealed.

The right-wing "Washington [DC] Times" newspaper says it's obtained a copy of an April 1 letter from Secretary of Defense William Cohen to Attorney General Janet Reno with instructions for the Department of Justice's legal battle with Senior Chief Petty Officer Timothy McVeigh, whom the Navy attempted to discharge for homosexuality based on an America Online profile. Although many letters have been written to Cohen calling for his intervention in the case, the "Washington Times" says that Cohen's letter to Reno makes clear that his concern is exclusively for the Navy rather than McVeigh. Assuming that the letter is valid despite its April 1 date and the not always completely objective publisher, it dims already-slim hopes for fair enforcement of the policy as indicated in Cohen's remarks this week about "Don't Ask, Don't Tell" (see yesterday's NewsPlanet).

U.S. District Court Judge Stanley Sporkin found that the Navy's investigation of McVeigh had violated both the federal Electronic Communications Privacy Act and the so-called "Don't Ask, Don't Tell" policy, in the first court ruling ever to find the policy violated by any branch of the military. The Justice Department, representing the Navy, filed its intent to appeal that ruling on March 31, the day before the date of the presumed Cohen letter. The letter also followed meetings between Cohen and chief of naval operations Admiral Jay Johnson and between Reno and Navy brass.

The "Washington Times" quotes the letter to Reno as saying, "We feel strongly that the district court's decision in that case is plainly erroneous in numerous respects, and that it should be appealed." It

continues that, "We understand that you share our view that the [Sporkin] decision is erroneous, and that the Navy's action with respect to Senior Chief McVeigh were [sic] fully consistent with the statute governing homosexual conduct in the military and with our own regulations on that subject."

Speaking of McVeigh's case in these terms seems to undermine Cohen's statement this week that, "We intend to emphasize the fact that this ["Don't Ask, Don't Tell"] policy should not be abused, that there should be no attempt to hunt or seek out those who may be homosexual...." Sporkin's ruling likened the McVeigh investigation to a "search-and-destroy mission."

The letter says, "We support the approach to the McVeigh case that you have recommended, so long as it is clear that any settlement of this case must be on terms acceptable to the Navy," referring to Reno's plans to discuss a settlement agreement with McVeigh's attorney. The letter adds the caveat that any settlement must not "represent any diminution of your support for that ["Don't Ask, Don't Tell"] policy, and that you and your colleagues would be prepared to assist us in communicating that fact to the field."

But the key issue for Cohen and the Navy, according to the "Washington Times" unnamed sources in the administration, is that retirement benefits should not be included in any settlement with McVeigh. He's currently about three years short of the 20-year mark required for full retirement benefits. The reason suggested is that it would set a

precedent for other discharged personnel to seek those benefits. There appears to be no recognition whatever of McVeigh's case being one in which a court found wrongdoing on the part of the Navy and none on his.

===== Distributed through the GLBT-NEWS mailing list =====

To unsubscribe, send a message containing only "unsubscribe" in the message body (NOT subject) to the address: glbt-news-request@duh.org

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: The Data Lounge News (The Data Lounge News <editorial@datalounge.com> [UNKNOWN])

CREATION DATE/TIME: 9-APR-1998 23:20:31.00

SUBJECT: [GLBT-NEWS:DL] Cohen Backs McVeigh Ouster in Letter to Reno

TO: GLBT-NEWS List (GLBT-NEWS List <glbt-news-owner@duh.org> [UNKNOWN])

READ:UNKNOWN

Joseph E. Voeller (CN=Joseph E. Voeller/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

---NEWS SOURCE: The Data Lounge - <http://www.datalounge.com/>

BACKGROUND OF NEWS SOURCE:

The Data Lounge is about anything and everything gay. Daily news headlines,

culture information, and gossip--who's out, who's not, and who should be.

Visit their site, and to see the Web version of this article, click

below:

<http://www.datalounge.com/pages/sections/news/98/04/09/004.news>-----

Thursday, April 9, 1998

Cohen Backs McVeigh Ouster in Letter to Reno

WASHINGTON -- The Washington Times reports that prior to speaking about the "success" of the "don't ask, don't tell, don't pursue"

policy governing gay and lesbian service in the military this week,

Defense Secretary William S. Cohen sent a letter to Attorney General

Janet Reno strongly backing the Navy's decision to discharge Senior

Chief Petty Officer Timothy R. McVeigh.

McVeigh's case is one of many cited by gay advocacy groups as typifying the military's systemic disregard for regulations intended to provide minimal safeguards to closeted gay and lesbian servicemembers.

In an letter dated April 1, Cohen cautioned Reno's Justice Department that any settlement reached with McVeigh must be approved by the Navy.

"We support the approach to the McVeigh case that you have recommended, so long as it is clear that any settlement of this case must be on terms acceptable to the Navy," Mr. Cohen said in his letter.

The Navy's effort to discharge McVeigh was blocked by a federal judge who ruled officials violated "don't ask, don't pursue" regulations in pursuing its investigation against the decorated 17-year veteran.

The Washington Times quotes administration sources as saying Cohen's letter to Reno is an attempt to head off any move by the Justice Department to let Chief McVeigh retire, with pay benefits, three years short of the required 20 years. The sources said this would leave the door open for other discharged personnel to gain retirement pay.

The defense secretary also sought assurances from Reno that any deal made with McVeigh would not "represent any diminution of your support for that policy, and that you and your colleagues would be prepared to

assist us in communicating that fact to the field."

Administration officials said Mr. Cohen dispatched the letter after he met last week with Adm. Jay Johnson, chief of naval operations, who convinced the secretary the Navy had acted properly in moving against McVeigh. The day before, Reno met with top Navy officials to discuss the McVeigh case. She told them she planned to explore settlement talks with Chief McVeigh's attorney.

Cohen left little room for doubt as to his sentiments in the McVeigh case. "We feel strongly that the district court's decision in that case is plainly erroneous in numerous respects, and that it should be appealed," Cohen wrote. "We understand that you share our view that the decision is erroneous, and that the Navy's action with respect to Senior Chief McVeigh were fully consistent with the statute governing homosexual conduct in the military and with our own regulations on that subject."

The Defense Department, after a review of how commanders are enforcing "don't ask, don't tell," yesterday released a report saying the policy is fair.

"I think it's working," Mr. Cohen said on Monday. "We intend to continue to emphasize the fact that this policy should not be abused, that there should be no attempt to hunt or seek out those who may be homosexual, and that we intend to strictly enforce the 'don't ask, don't tell' policy."

===== Distributed through the GLBT-NEWS mailing list =====

To unsubscribe, send a message containing only "unsubscribe" in the
message body (NOT subject) to the address: glbt-news-request@duh.org

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Gai, David, , OSD ("Gai, David, , OSD/PA" <dgai@pagate.pa.osd.mil> [UNKNOWN])

CREATION DATE/TIME: 9-APR-1998 23:21:00.00

SUBJECT: DoD News Briefing - 4/7/98

TO: ACOM - Stephens, Kevin ("ACOM - Stephens, Kevin" <stephens@jtasc.acom.mil> [UNKNOWN])
READ:UNKNOWN

TO: CHINFO - Thorp, Frank ("CHINFO - Thorp, Frank" <thorp.frank@hq.navy.mil> [UNKNOWN])
READ:UNKNOWN

TO: SPACECOM - Mahr, Col ("SPACECOM - Mahr, Col" <tmahr@spacecom.af.mil> [UNKNOWN])
READ:UNKNOWN

TO: TRANSCOM - Dooley, CAPT ("TRANSCOM - Dooley, CAPT" <dooleyaj@transcom.safb.af.mil> [UNKNOWN])
READ:UNKNOWN

TO: Campbell, Kurt, CIV, OUSD ("Campbell, Kurt, CIV, OUSD(P)" <campbelk@policy1.policy.osd.mil> [UNKNOWN])
READ:UNKNOWN

TO: CHINFO - Greer, Tom ("CHINFO - Greer, Tom " <greer.thomas@hq.navy.mil> [UNKNOWN])
READ:UNKNOWN

TO: OSD ("OSD (ISA) - EAP" <campbelk@policy1.policy.osd.mil> [UNKNOWN])
READ:UNKNOWN

TO: SAF ("SAF/PA - Rand" <randr@af.pentagon.mil> [UNKNOWN])
READ:UNKNOWN

TO: SAF ("SAF/PA - Worley" <worleye@af.pentagon.mil> [UNKNOWN])
READ:UNKNOWN

TO: Thurston, David L., LtCol, JCS ("Thurston, David L., LtCol, JCS" <david.thurston@js.pentagon.mil> [UNKNOWN])
READ:UNKNOWN

TO: USMC - White, Ken Major ("USMC - White, Ken Major" <whitekd@hqi.usmc.mil> [UNKNOWN])
READ:UNKNOWN

TO: CENTCOM - Todd ('CENTCOM - Todd' <toddml@centcom.mil> [UNKNOWN])
READ:UNKNOWN

TO: PACFLT - Arterburn ('PACFLT - Arterburn' <u00pa@cpf.navy.mil> [UNKNOWN])
READ:UNKNOWN

TO: SAF-PA - McClellk ('SAF-PA - McClellk' <mcclellk@af.pentagon.mil> [UNKNOWN])
READ:UNKNOWN

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	David Gai to [list] at 23:21:00. Subject: DoD News Briefing - 4/7/98.[10 U.S. Code § 424] [partial] (1 page)	04/09/1998	P3/b(3)

COLLECTION:

Clinton Presidential Records
Tape Restoration Project [Email]
WHO ([Don't Ask, Don't Tell])
OA/Box Number: 500000

FOLDER TITLE:

[04/02/1998 - 09/24/1998]

2015-0017-F
ab1579

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]

TO: SOCOM - Zeigler ('SOCOM - Zeigler' <zeiglee@socom.mil> [UNKNOWN])

READ:UNKNOWN

TO: SPACECOM - Eta ('SPACECOM - Eta' <ehellmun@spacecom.af.mil> [UNKNOWN])

READ:UNKNOWN

TO: ACOM - Barron (ACOM - Barron <acompa@acom.mil> [UNKNOWN])

READ:UNKNOWN

TO: AFSOUTH - Van Dyke (AFSOUTH - Van Dyke <mvandyke@afsouth.nato.int> [UNKNOWN])

READ:UNKNOWN

TO: BMDO - Biggs (BMDO - Biggs <timothy.biggs-contractor@bmdo.osd.mil> [UNKNOWN])

READ:UNKNOWN

TO: BTF - Kaufmann (BTF - Kaufmann <kaufmang@osd.pentagon.mil> [UNKNOWN])

READ:UNKNOWN

TO: CHINFO - Evans (CHINFO - Evans <evans.lawrence@hq.navy.mil> [UNKNOWN])

READ:UNKNOWN

TO: CHINFO - Logan (CHINFO - Logan <logan.rachelle@hq.navy.mil> [UNKNOWN])

READ:UNKNOWN

TO: CHINFO - Pittman (CHINFO - Pittman <pittman.harold@hq.navy.mil> [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

TO: COMNAVMAR - Balice (COMNAVMAR - Balice <n01pa@guam.navy.mil> [UNKNOWN])

READ:UNKNOWN

(b)(3)

[01]

(b)(3)

TO: EUCOM - Holt (EUCOM - Holt <Holtba@hq.eucom.mil> [UNKNOWN])

READ:UNKNOWN

TO: EUCOM - Taylor (EUCOM - Taylor <taylortb@hq.eucom.mil> [UNKNOWN])

READ:UNKNOWN

TO: Harper Eugene (Harper Eugene <ejharpe@hq.afis.osd.mil> [UNKNOWN])

READ:UNKNOWN

TO: LANTFLT - Trotter (LANTFLT - Trotter <n02p2c@clf.navy.mil> [UNKNOWN])

READ:UNKNOWN

TO: MSC - Holtz (MSC - Holtz <marge.holtz@smtpgw.msc.navy.mil> [UNKNOWN])

READ:UNKNOWN

TO: MSC - Larson (MSC - Larson <trish.larson@smtpgw.msc.navy.mil> [UNKNOWN])
READ:UNKNOWN

TO: NAVWARCOL - Shrout (NAVWARCOL - Shrout <shroutg@usnwc.edu> [UNKNOWN])
READ:UNKNOWN

TO: NGB - Donohue (NGB - Donohue <donohued@ngb.af.mil> [UNKNOWN])
READ:UNKNOWN

TO: PACFLT - Mendez (PACFLT - Mendez <u00pa2b@cpf.navy.mil> [UNKNOWN])
READ:UNKNOWN

TO: PACOM UNCLAS (PACOM UNCLAS <pacompao@hq.pacom.mil> [UNKNOWN])
READ:UNKNOWN

TO: PASUTH62 (PASUTH62 <tsuther@cv62.navy.mil> [UNKNOWN])
READ:UNKNOWN

TO: RUDDLE - Lee (RUDDLE - Lee <ruddlelp@acq.osd.mil> [UNKNOWN])
READ:UNKNOWN

TO: SECNAV - Kudla (SECNAV - Kudla <kudla.james@hq.navy.mil> [UNKNOWN])
READ:UNKNOWN

TO: SHAPE - Garrison (SHAPE - Garrison <garrisonw@osaceurl.shape.army.mil> [UNKNOWN])
READ:UNKNOWN

TO: SHAPE - Hoehne (SHAPE - Hoehne <hoehne@shape.nato.int> [UNKNOWN])
READ:UNKNOWN

TO: SIXTHFLT - Geisen (SIXTHFLT - Geisen <c6fpao@hotmail.com> [UNKNOWN])
READ:UNKNOWN

TO: SOCOM - Willey (SOCOM - Willey <sopao@aol.com> [UNKNOWN])
READ:UNKNOWN

TO: SOUTHCOM - Ogilvie (SOUTHCOM - Ogilvie <ogilvie@hq.southcom.mil> [UNKNOWN])
READ:UNKNOWN

TO: STRATCOM -- Pritchard (STRATCOM -- Pritchard <pritchar@stratcom.af.mil> [UNKNOWN])
READ:UNKNOWN

TO: USCG PA - Schneeweis (USCG PA - Schneeweis <wschneeweis@comdt.uscg.mil> [UNKNOWN])
READ:UNKNOWN

TO: USCINCPAC - Boyd (USCINCPAC - Boyd <boydtjpa@hq.pacom.mil> [UNKNOWN])
READ:UNKNOWN

TO: USCINCPAC-KING (USCINCPAC-KING <kinggm00@hq.pacom.mil> [UNKNOWN])
READ:UNKNOWN

TO: USFJ - Perini (USFJ - Perini <perinim@emh.yokota.af.mil> [UNKNOWN])
READ:UNKNOWN

TO: USFK - Kropf (USFK - Kropf <fkpa-pao@emh9.korea.army.mil> [UNKNOWN])
READ:UNKNOWN

TO: USIA - Doerflein (USIA - Doerflein <cdoerfle@usia.gov> [UNKNOWN])
READ:UNKNOWN

TO: USIA - Feaster (USIA - Feaster <kfeaster@usia.gov> [UNKNOWN])
READ:UNKNOWN

TO: USMC - Ower Mohle (USMC - Ower Mohle <owermohlek@hqi.usmc.mil> [UNKNOWN])
READ:UNKNOWN

TEXT:
DoD News Briefing

Tuesday, April 7, 1998 - 1:30 p.m. (EDT)

Mr. Kenneth H. Bacon, ASD (PA)

Mr. Bacon: Good afternoon.

I wanted to start by announcing two retirements. Secretary Cohen has approved the retirement of General James Jamerson of the Air Force, who is currently the Deputy Commander in Chief of the European Command stationed in Germany; and also the retirement of General Walter Cross, who is the Commander in Chief of the Transportation Command and the Air Mobility Command at Scott Air Force Base, in Illinois. Both of these fine, dedicated Air Force officers have served their country very well over long careers and they will be missed.

Secretary Cohen has recommended to the President, people to replace

these Air Force officers in their current jobs, and we expect to have an announcement soon from the White House on their replacements.

Second, I would like to tell you that in about two hours we expect to release the report on the don't ask/don't tell policy. This is a review that Secretary Cohen requested last year in response to allegations made by the Servicemembers' Legal Defense Network. Those allegations were that the don't ask/don't tell policy was being implemented improperly by commanders throughout the military. The report did not find that allegation to be true. It found, instead, that the policy is working well, for the most part, and that it is being implemented fairly and effectively.

There were one or two, maybe three cases where it found that there had been some problems, and in order to make sure that the policy is implemented as fairly and as uniformly as possible, the report does recommend five changes in the way the Department of Defense administers the policy, and Secretary Cohen has accepted all of those recommendations. I'd like to run through very quickly what these recommendations are.

First, before launching investigations into charges that somebody may be in violation of the don't ask/don't tell/don't pursue policy, that the commander check with higher headquarters' legal authorities to make sure that any investigation is carried out in full compliance with the Department of Defense regulations.

Second, the Department of Defense will issue additional guidance on pre-trial agreements that are sometimes entered into in order to obtain information on consensual sexual conduct. There have been some cases where, in order to avoid penalties, a person may try to plea bargain through a pre-trial agreement, and perhaps provide information or make allegations about other people in the military. We want to make sure that there's no violation of privacy in the course of negotiating these pre-trial agreements.

The third recommendation is designed to make sure that in so-called coming out cases where a person announces that he or she is coming out and may want to give information about other people in the military, that there are no abuses of privacy in the course of conducting these coming out investigations.

So basically, it's a firmer adherence to rules designed to protect people's privacies. The recommendation is that guidance be issued to deal with these situations.

The fourth recommendation is that more training be given, particularly to investigators who actually review the facts of alleged violations of the policy, but also to commanders as well, and attorneys, to make sure that they understand what the policy is, that they understand the proper rules for implementing the policy and for carrying it out fairly.

The fifth recommendation is that the Department re-issue some earlier

guidance that was put out by former Under Secretary Ed Dorn last year that deals with sexual harassment. It specifically deals with cases where threats or charges are made alleging that somebody is homosexual in order to harass that person, and the policy says that such threats or harassment is wrong, it won't be tolerated, and that the person making the threat, the alleged harasser, should be investigated for sexual harassment and possibly disciplined for sexual harassment. So the threat for the harassment will not be accepted at face value and the person who made the threat will not be let off scot-free if it's learned that the person is, in fact, violating the sexual harassment prescriptions in the military regulations.

So those are the five recommendations that are contained in the report.

Secretary Cohen has accepted these recommendations and accepted the report.

With that, I'll take your questions on this or anything else.

Q: It would just seem that given the fact that you made these five pretty substantial recommendations, that it would validate the criticism of some of the gay rights groups that there has been, in fact, a problem with the way the policy has been administered. Otherwise, why would you need to take these five corrective actions?

A: There are very few policies in the U.S. Government, or in the

world as a whole, that can't be improved. This is the first review of the implementation of don't ask/don't tell since it was put into effect in early

1994. The report is very clear, as you will see when you read it, that the people who did the review believe that the policy is working well and for the most part is being implemented fairly and effectively. That's not to say that in 100 percent of the cases it's being implemented fairly and effectively. I think this is a policy that commanders and senior civilian officials in the Department have worked very hard to make work. It's a policy that balances the military's concern about homosexuality with the right to privacy by people in the military. In reviewing four years of the policy at work, these five recommendations were made for essentially leading

to greater uniformity and implementation. I think they're appropriate in light of the finding by the report that there are not widespread abuses, there are very, very small numbers of problems, and that the policy generally is working well. But it can work better, and that's the goal.

Q: We haven't seen the report yet, at least some of us haven't, but the big jump in the numbers discharged jumped something like 597 to 997, something like that. There's a large jump anyway, whatever the numbers are.

Are you saying that is completely attributable to people, as you say, coming out and then being discharged because they have said that?

A: The report does find that there has been an increase in the number

of discharges. The primary reason for that increase is because of

so-called

statement cases.

There are basically two types of cases that lead to discharge. One is a statement case where a person says "I am gay" or a statement is made about a person saying "He or she is gay" and then the statement is investigated, if it's a credible statement.

The second are acts cases where a person is found to have engaged in homosexual acts or marriage. What we have found is that over the last three years the number of discharges for acts or marriage has declined by 20 percent. However, the number of discharges for statements has increased.

In 1997 there were 997 discharges. Eighty-two percent of those discharges were in cases involving statements of homosexuality. And in compensating, 18 percent obviously were because of acts. So statements are the primary reason for the discharges, and what the services believe, and have found in their own work, is that most of the statements are voluntary, self statements or proclamations.

Now when I say they believe that, when a person comes to his or her commanding officer and says, "I'm gay," the commanding officer does not start an investigation. He says, okay, you've made a statement that you're gay and the policy prohibits that and therefore they begin administrative proceedings for discharge. Ninety-eight percent of the discharges are

handled swiftly, they're administrative discharges, and they're generally under honorable conditions or they're general discharges without dishonorable conditions, so they bear no stigma whatsoever on the person's records. They're not a blockage to future employment.

Q: So you're saying some of the voluntary ones could be, the person could feel under pressure that someone else is going to...

A: We don't know that because, as I say, when a person comes forward and makes a statement, the commander does not then whip out a form and say fill out this form and explain exactly why you're saying this. Are you saying it because you're coming out and you feel this the right thing to do?

You're saying it because you have some fear that somebody else may be about to make a statement about you? We don't investigate the statement itself or the circumstances behind the statement. We accept the statement.

Q: I thought the Secretary said this morning that that 82-percent figure is voluntary. Voluntary statements.

A: It is largely voluntary. These are statement cases, and the services believe that most of the statement cases are voluntary self proclamations.

Q: Is there any reason to believe that the increase in number is because of the timing, it seems to indicate that these people are trying to get out of the military? Has there been any study of exactly when these

statements are made?

A: The overwhelming number of the statements occur in the first four years of service. I think about 80 percent of the statement cases... Last year 82 percent of the statements were made in the first four years of service or less, and 58 percent of the statements last year were made during the first year of service.

The report does not speculate as to why this increase has occurred except to attribute the increase in the area of statement cases rather than acts, but I think that it's clear that in society as a whole more people are so-called coming out, and more young people in particular, in college and high school and shortly after college, so it's not surprising that the military would be subject to exactly the same trend that we see in society as a whole.

Q: If ten were a perfect number, how would you rate the success of the don't ask/don't tell policy? We both know how it was born in such controversy, but it's been accepted, it's working. What kind of a grade would you give it?

A: I'm not sure I'm qualified to be the grader in this case. I think it would be more appropriate to ask that question of somebody who's spent more time on the policy than I. But based on my personal observation and fairly extensive travel around the country and around the world, talking with commanders and with soldiers, sailors, airmen and Marines, I'd say

that

the policy gets a fairly high grade, probably a nine. The reason I say

that

is that this never comes up in the course of discussions that I have

witnessed between commanders or enlisted people and the Secretary of

Defense

or other officials with whom I've traveled.

Everybody realizes that this is a difficult issue, and that this
policy

attempts to balance two different equities. I think it's clear from
reading

this report, and I think you'll see it, it's a very brief report, it's easy
and quick to read, I think you'll find that this report concludes the same
thing, that the policy is working.

Q: Is it your sense that the same acceptance is evident in Congress
and the retired military community?

A: I didn't say that.

Q: I know. I'm saying do you think it's been accepted...

A: I can't speak for either of those groups. They'll have to speak
for themselves.

Q: Some groups that have still been critical of the Pentagon have
contended that there've been hundreds of cases of what they call command
violations, yet the study you say found only one or two or three?

A: It found a very small number, I think three. And they didn't describe them specifically.

Q: Is there any action being taken...

A: This was not a report to take action. It went back several years in time and looked at a pie slice of cases. This report was designed to lead to, produce, if necessary, recommendations that would improve the implementation of the policy and I think it's done that.

Q: Your fifth point about revising things so that if someone makes an allegation that someone else is homosexual, it may be more likely that sexual harassment charges might be brought against them. In that situation, when an allegation like that is made, does the military investigate its veracity? And if it turns out to be in the military's view true, does that mean that the accuser would not bring sexual harassment charges?

A: One of the reasons for this policy deals with a very specific set of charges, and we will get you a copy of the warning or the policy statement that was issued by Under Secretary Dorn last year. This recommendation is that we simply reissue it, repeat it, to make sure that it's sort of filtered all the way through the military.

There's a specific set of allegations that's made sometimes, and it involves primarily women. The allegation is that if women reject sexual overtures from men, that the men may sometimes charge that they're lesbians,

and that's why they've rejected the overture. And this, we have not found a high incidence of that, but one of the reasons that Under Secretary Dorn issued this was to deal with that type of situation.

So in order to investigate a statement or charge that somebody is gay, there has to be credible evidence. One of the points made in this policy issued, or statement issued, by Under Secretary Dorn last year was that this type of allegation or charge is not necessarily credible evidence. That it has to be looked at from both sides as possible harassment as well as a charge that there may be a violation of the don't ask/don't tell policy.

Q: The two other recommendations, two and three, the one having to do with basically plea bargaining and then outing other people when you're coming out yourself, is that viewed as credible evidence that someone's gay?

A: It's difficult to talk in general terms without knowing the specifics, but I think it's important to go back to what this report does find. What it finds is that 98 percent of the discharges under the don't ask/don't tell policy are administrative discharges that are made without any stain on the person's record. They're honorable or general discharges.

So what we're talking about are a very small number of cases that may be contested cases, or where there may be investigations. The point of

this

report is that most of the discharges occur because people come forward and

proclaim themselves as gay, and then there's no question as to what the circumstances are. The discharge proceedings begin and they go forward

very

quickly in an administrative way.

So we're not talking about a large number of cases. Most regulations are designed to deal with exceptions rather than rules, and these recommendations are really designed to deal with the exceptions to effective

implementation rather than the general, which is effective... The law is being implemented effectively.

Q: What's the service breakdown in terms of...

A: I don't have the breakdown, and it's not in this report. There are some reports through the Air Force. There are some specific figures for

the Air Force, but not for the other services. That may be something you may want to inquire about, but they're not in here.

Q: The names that come up in these plea bargain cases or in the other

ones, where you've said privacy is a concern, so it's not broadcast. But are they investigated, or is that a case-by-case basis?

A: As I said, I can't talk generally about these cases. It's like your stories, the facts of every story are different and you can't

generalize about them in a uniform way.

Q: Is it possible that the United States supplied any Russian made anti-aircraft missiles to any African country that could have eventually found a way into the hands of people who would have used them to bring down this plane in 1994 that was carrying the Presidents of Burundi and Rwanda?

Is that a possible scenario?

A: Based on everything I know, it is not possible.

Q: Has the United States ever supplied Russian made anti-aircraft missiles, or actually any aircraft missiles to Uganda?

A: No, the U.S. has not ever provided anti-aircraft missiles to Uganda.

Q: What do you make of this story, the published report that suggested that the missiles that brought down this plane, and I'm not even sure that that's a fact, but that the possibility of the missiles that brought down the plane could have come from American stockpiles taken from the Iraqis during the Gulf War.

A: I think first it's a calumnious charge; and second, I think it's wrong.

Q: Did the Secretary talk to the independent experts on the F/A-18E/F before going ahead with the production decision?

A: I don't believe that he did talk to the independent experts. He did get a briefing from the Navy, and he got a briefing from his

acquisition

officials on this, but I don't think he spoke individually to the independent experts.

Q: Was there a written report by these independent experts?

A: I don't know. All I saw was a summary of various reports and studies by the Navy. We can try to check into that.

Q: Has the United States supplied any weapons captured during the 1991 Persian Gulf War to any third country?

A: Not to my knowledge.

Q: Would the United States be routinely... Do we have a policy against that or do we have any policy governing the transfer of arms acquired from other countries to third countries?

A: I think going back to the question at hand, which is did we provide missiles to Rwanda, the answer is no. The basis for the charge made in the French press, one of the charges -- I might point out there have been two charges in the French press. One charge in the French press was that these were missiles provided through France. Another charge in the French press was that they were missiles provided through the United States. We deny that because we have no record of providing any missiles to Uganda. We did not provide missiles to Uganda.

Q: A China question. Chinese General, Wang Ke... He is planning on coming to the U.S. Do you have any information when possibly?

A: This is the Chief of Logistics, I understand, who's here now? Yes. He met very briefly with Secretary Cohen yesterday, and he's been meeting with officials in the Department. He is here as part of an exchange program, and he is the -- as I understand it -- the Logistics Chief of the Chinese military. He's been meeting with fellow logisticians in the American military.

Q: Does Secretary Cohen plan to accompany President Clinton when Clinton goes to China?

A: He does not have current plans to accompany him.

Q: Are there any new agreements where U.S. forces might observe Chinese military maneuvers or Chinese forces might observe U.S. military maneuvers? Anything new on that?

A: Not that I'm aware of. You mean new since Secretary Cohen's trip to Beijing? No. Not that I'm aware of. Are you aware of something I should know about?

Q: I just had an inquiry.

A: No, I'm not aware of anything new.

Press: Thank you.

-END-

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Joel Velasco (Joel Velasco <velasco@simoninc.com> [UNKNOWN])

CREATION DATE/TIME: 9-APR-1998 13:35:36.00

SUBJECT: THURSDAY: News Roundup

TO: News Roundup (News Roundup <news@simoninc.com> [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

- att1.htm - 040998.htm===== ATTACHMENT 1 =====

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

TEXT:

<HTML>

<CENTER>This news roundup
can now be accessed at http://www.simon
inc.com/news/</CENTER>

<CENTER> </CENTER>

<CENTER><TABLE>

<TR ALIGN=CENTER VALIGN=CENTER>

<TD ALIGN=CENTER VALIGN=CENTER></TD>

<TD></TD>

<TD></TD>

<TD ALIGN=CENTER VALIGN=CENTER> </TD>

<TD>

<CENTER></CENTER></TD>

<TD></TD>

<TD ALIGN=CENTER VALIGN=CENTER><FORM method=get action="http://search.main.yahoo.com/search/news"><INPUT size=13 name=p>

<INPUT type=submit value="Search Reuters"></FORM></TD>

<TD></TD>
</TR>
</TABLE></CENTER>

<CENTER>Click on these icons above for the latest news -- you will need Real Audio^{®} for some of these links</CENTER>

<CENTER> </CENTER>

<TABLE WIDTH="100%" BGCOLOR="#000000" >
<TR>
<TD>T
>ECH
NEWS</TD>
</TR>
</TABLE>

<P>States Ready Microsoft Case Microsoft faces new worries as several states prepare to file their own antitrust suit against the company, state officials and industry executives say. In a separate antitrust probe, the states are investigating alleged abuses in the credit-card industry. (WSJ)
(CNN)

<P>In Rejecting Dismissal of Filtering Case, Judge Sets High Standard for Libraries In the first major ruling on the use of Internet filtering software in public libraries, a judge in Virginia has rejected efforts to dismiss a challenge to the use of such software in Loudoun County, Va. (NYT)
(C|Net)

<P>Yahoo! Beats Expectations Yahoo! Inc. has reported first-quarter earnings that were double the consensus

analyst forecast. Yahoo's first-quarter earnings were 8 cents per share on a diluted basis compared with a loss of 2 cents per share in the year-ago quarter. (Reuters) (WSJ)
(NYT)

<P>US Domain Name Plan Assailed Again
The Internet Council of Registrars says the US government's plan for revising
the Domain Name System will only preserve the existing monopoly of Network
Solutions, current stewards of the InterNIC. (<A HREF="http://www.wired.com/new
s/news/technology/story/11552.html">Wired)

<P>Intel Helping Online Firm Get Into The
Game Intel Corp. is betting on a San Francisco high-tech startup that
wants to revolutionize the way we watch sporting events. (<A HREF="http://www.s
fgate.com/cgi-bin/article.cgi?file=/chronicle/archive/1998/04/08/BU76313.DTL">S
FChronicle)

<P>Microsoft To Acquire Firefly <I>As
reported yesterday... </I>Microsoft has finalized a deal to acquire much-herald
ed
software firm Firefly Network for about \$40 million in stock, cash and
assumed debt, according to a person familiar with the agreement. (<A HREF="http
://interactive.wsj.com/edition/current/articles/SB892081381393464000.htm">WSJ</
A>)
(<A HREF="http://www.newshub.com/cgibin/rd.cgi?u=http://www.techweb.com/news/st
ory/TWB19980408S0033">TechWeb)

<P>Microsoft, Intel Merge Interactive-TV
Formats Microsoft and Intel are combining their nascent interactive-televis
ion
formats to increase the amount of Internet-based TV programming available
to users of personal computers. (<A HREF="http://interactive.wsj.com/edition/cu
rrent/articles/SB892073283139328000.htm">WSJ)
(<A HREF="http://www.nytimes.com/library/tech/98/04/biztech/articles/09intel.ht
ml">NYT)
(USAToday)
(<A HREF="http://www.newshub.com/cgibin/rd.cgi?u=http://www.techweb.com/news/st
ory/TWB19980408S0034">TechWeb)

<P>Windows 98 to Give Better TV Hoping
for more TV-ready PCs in the home, Microsoft says Windows 98 will support
Intel's InterCast technology for beaming data along with TV shows.
(Wired
)

<P>Boob Tube or Geek Box? As technologies
emerge around the vision of a networked digital domicile, TV and PC proponents

compete to be at the center of it all. Not surprisingly, Microsoft is covering

both bases, as evidenced by a pair of announcements this week. (<A HREF="http:/
/www.wired.com/news/news/business/story/11566.html">Wired)

<P>Digital TV set shoppers should study
before they buy When pricey new digital TV sets hit the stores this
fall, let the buyer beware: Just as with any new product, consumers will
need to do their homework. Initially, digital TV set owners who don't have
cable television will need an indoor, and possibly, a rooftop antenna to

receive and watch digital broadcasts provided by ABC, CBS, NBC and Fox and local TV stations. Some broadcasts will begin this fall. (AP)

(C|Net)

<P>Have You Listened to Your Computer Lately?Millions of Web cruisers are learning that the Internet, a medium that was dominated first by text, is surprisingly well wired to transmit the great-granddaddy of wireless communications -- radio. (NYT)

<P>Government Clings to Paper RecordsThe National Archives and Records Administration is advising Government agencies that they could delete their electronic records as long as they printed out copies and saved the reams of paper. (NYT)

<P>Internet Venture Capital GrowsVenture capital investments in Internet-related operations more than doubled last year to \$1.88 billion, according to the accounting firm Price Waterhouse. The new figure also represents a 14-fold increase from 1995 levels, when just \$134 million of venture capital went into the Internet sector. It also shows that Internet businesses remain one of the most popular industries for venture capitalists, who provide funds in return for equity in a company seen as having strong growth potential. (Reuters)

<P>Does Cable Fit in Vulcan's Vision?Paul Allen's eclectic collection of tech investments looks like so many puzzle pieces waiting to be interlocked. But the size of his US\$2.8 billion investment in Marcus Cable changes the picture. Or does it? (Wired)

<P>Satellite Phone Globalstar Communication
s
signed a 300-million-dollar contract with three of the world's biggest cell phone makers to work on satellite telephones. (KRON-TV)
(Requires RealVideo)

<P>It's Confirmed: Web's Size Bogs Down SearchesFor anyone who believes that despite all those search engines, the Internet has grown into an uncontrollable, unwieldy, amorphous mass, computer scientists have a study with one message: You're right. (NYT)

<P>Sweet Slips Of the Ear: MondegreensSites featuring examples of misheard song lyrics offer proof, at last, that botching the words to popular songs is a nearly universal human failing.(NYT)

Microsoft, 3Com Settle Dispute
Microsoft is making a rare retreat. The software giant says it has agreed to resolve a brand-name dispute with 3Com Corp. and will modify its use of the word "Palm" in marketing its hand-held computers. Microsoft will no longer refer to its class of tiny computers as "PalmPCs." Instead, its worldwide marketing will use "Palm-size PCs." In return, 3Com, which sells the popular PalmPilot hand-held computer, agreed not to pursue any lawsuits. (Reuters) ([WSJ](http://interactive.wsj.com/edition/current/articles/SB892071797385802500.htm)) ([Wired](http://www.wired.com/news/news/business/story/11563.html))

The CrossPad Sends Notes to a PC Screen
There's an ingenious new product that tries to bridge the gap between paper and computer. Called the CrossPad, it's an electronic clipboard that holds standard paper legal pads and lets you take notes on them with pen and ink before you upload them to your computer. ([WSJ](http://interactive.wsj.com/edition/current/articles/SB892073125253312000.htm))
Horse, Blender, Car, Crockpot: Pick Your Gadgets
In Amish communities in Lancaster County, Pa., technological choice is a matter both grand and trivial. The pursuit of simplicity has deep spiritual meaning. And yet the working out of theology in practice can seem contradictory to the larger culture. ([NYT](http://www.nytimes.com/library/tech/98/04/circuits/articles/09amish.html))

Versatile System Aims to Teach Cooking in the Kitchen
A new kitchen gadget doesn't exactly slice and dice, but it does offer digital assistance to the home chef. Unfortunately, the software is not so hot. ([NYT](http://www.nytimes.com/library/tech/98/04/circuits/downtime/09cook.html))

Net cameras put intimacy online
Ana Voog shared an intimate night in November with a boyfriend and a worldwide audience. Thousands on the Internet followed the singer/songwriter's

unscheduled show in 30-second increments via still images posted automatically

by four cameras Voog put in her bedroom and apartment. ([USAToday](http://www.usatoday.com/life/cyber/tech/ctc443.htm))

As connected as a Japanese Coke machine
Few Americans are as plugged into the telecommunications revolution as are an estimated 800,000 soft drink vending machines in Japan. But that is going to change, quickly and inexorably. "The Coca Cola machines in Japan have a chip in them so that they are all inter-connected. Just imagine what that means for marketing and merchandising, instantly knowing how fast each product sells," said Boston telecommunications author Stan Davis. ([ScrippsHoward](http://www.techserver.com/newsroom/ntn/info/040998/info29_9927_noframes.html))

--

M

>ORNING
PAPERS <I>from
Slate
Magazine</I></TD>
</TR>
</TABLE>

The en masse defection
of the major tobacco manufacturers from Congress' efforts at a settlement
leads everywhere. The industry promises to immediately launch a public
relations offensive against a "coercive, Big Brother-type Congress." The
<I>Wa
shington
Post</I> says the campaign kicks off today with newspaper ads reading,
"We Agreed To Change The Way We Do Business . . . Not To Go Out Of Business."
Everybody quotes President Clinton's determined reaction: "They can be
part of it or they can fight it," although oddly, <I><A HREF="http://www.usatod
ay.com/usafront.htm">USA
Today</I> leaves out the most important part of his quote: "We're going
to get this done."

<P>The tobacco stance
became official with a speech against the tough and expensive Senate bill
by the RJR CEO, Steven Goldstone, described by the papers as "aggressive"
and "defiant." Goldstone is widely quoted as saying, "Washington has rushed
to collect more tobacco revenues while playing the politics of punishment."
<I>USAT</I> quotes him describing the process as "broken beyond repair."
The <I>Los Angeles Times<
/I>
adds that Goldstone raised the specter of a thriving black market in cigarettes
if the Senate bill were to become law.

<P>The <I><A HREF="http://ww
w.nytimes.com/auth/login?Tag=/&" URI="/info/contents/contents.html"">New
York Times</I> and <I>USAT</I> point out that while Congress can proceed
unilaterally in many areas of the proposed legislation, this is problematic
with the provisions that touch on the curtailment of free speech, such
as advertising restrictions. Goldstone is quoted in the <I>Times</I> saying
that if Congress imposes these anyway, the companies "will fight in court."
Feelings are running just as high on the other side. The paper quotes the
reaction of Sen. Kent Conrad: "Poor babies." Both the <I>NYT</I> and <I>WP</I>

note that Conrad expressed the idea that all this tobacco manufacturer
stridency is a stratagem designed to get the current deal accepted without
the addition of any harsher conditions.

<P>The <I>NYT</I> is
admirably clear about the context producing such skepticism: "The tobacco
industry has dissembled so often in the past--about whether cigarettes
cause diseases, about whether nicotine is addictive, about whether they
market their product to children--that people are never sure what to make
of the companies' pronouncements." Now, if only the <I>Times</I> had said
"lied" instead of "dissembled"...

<P>The <I>Wall Street Journal</I> seems a little less surprised by all this, claiming that "the reality is that tobacco companies for weeks have been closed out of the legislative process." The <I>Journal</I> also sends along word that Mississippi Attorney General Michael Moore, an architect of last summer's

original tobacco deal, says he understands the industry position and calls on President Clinton and Congress to convene new negotiations.

<P>And lest we forget what this is all about, the <I>WP</I> reports that a study in today's <I>New England Journal of Medicine</I> suggests that non-smokers not only live longer, but have less sickness and dependence on others in their last years.

<P>The <I>WSJ</I> and <I>WP</I> each run stories describing a new study purporting to show that the differences

between black and white investors are considerable. Among those with incomes above \$50,000, only 57 percent of the blacks had money in the stock market, compared to 81 percent of the whites. And while only 13 percent of the whites believed Social Security will provide at least half their retirement income, 25 percent of blacks thought this.

<P>The <I>NYT</I> front reports that President Clinton has ordered the Departments of Defense, State, and Justice to devise plans for the arrest and trial of Pol Pot, the Khmer Rouge leader responsible for the death of perhaps a million Cambodians in the 1970s. According to the paper, the opportunity presents itself because the Khmer Rouge, which has Pol Pot under house arrest, is in complete disarray. Hmmm...wonder if the Khmer Rouge subscribes to the <I>Times</I>...

<P>In a <I>NYT</I> op-ed, Andrew Sullivan assesses the career thus far of the military's "don't ask, don't tell" policy. Sullivan notes that under the policy, discharges of homosexuals have increased 67 percent (80 percent if you figure in downsizing).

Bill Clinton, Sullivan observes, has now fired more homosexuals than any other employer in America.

<P>The front page of the <I>NYT</I> national edition brings word that, buoyed by the soaring approval ratings of the sex-scandalized Bill Clinton, the sex-scandalized Bob Packwood wants to get back in the game. He's thinking about running for the Oregon state legislature. "Today's Papers" has just the campaign slogan for him: "Still Packing Wood."

<TABLE WIDTH="100%" BGCOLOR="#000000" >

<TR>
<TD>G
>ENERAL
NEWS</TD>
</TR>

</TABLE>

Tornadoes Kill 18 In Alabama
At least 18 people are reported dead after tornadoes ripped through central Alabama overnight. Most of the destruction was in the Birmingham area, and the National Guard has been called out. Tornadoes also struck in Georgia and Mississippi. Authorities west of Birmingham say one twister destroyed a church during services last night, and it was a miracle no one died there. At least 100 homes and businesses were damaged in Alabama alone. (Reuters)</FON
T>

<P>Tobacco Firms Say Deal Dead
Cigarette makers have declared their settlement with the states ``dead" in Congress, but President Clinton and key lawmakers vow to push for laws to combat teen smoking with or without industry cooperation. RJR Nabisco Chief Executive Officer Steven Goldstone says bluntly he has ``no hope" for a comprehensive tobacco settlement this year. ``There is no process which is even remotely likely to lead to an acceptable, comprehensive solution

this year," he said. Other big cigarette makers backed Goldstone's view. But the White House and members of Congress from both parties say they are undeterred by industry threats. ``We are going to get this done," Clinton said. ``They can be part of it or they can fight it. (Reuters)

<P>Starr witness accused of selling information

An Arkansas woman claims conservative groups paid Independent Counsel Ken Starr's chief Whitewater trial witness cash for information while the witness was cooperating in Starr's investigation. In her first television interview, Caryn Mann alleges her ex-live-in boyfriend Parker Dohzier paid David Hale for secret information. That information was then provided to the persons working for the conservative magazine The American Spectator. Mann's allegations of payoffs from right-wing operatives, funneled through Dohzier to Hale, have prompted Attorney General Janet Reno to declare the charges "must be pursued." (C
NN)

<P>Starr: Probe Moving Quickly Independent

counsel Kenneth Starr says the investigation into the White House sex-and-perju
ry
scandal is ``moving very quickly" but there is no decision about when, or if, a report will be made to Congress. ``While federal law requires us to convey to the House 'any substantial and credible information ... that may constitute grounds for an impeachment,' our investigation is still ongoing and no decision has been made on the issuance, timing or contents of such a submission," Starr said in a statement. Sources familiar with the investigation have said Starr's team hopes to have a report to Congress on the inquiry of former White House intern Monica Lewinsky ready by the

end of May. (Reuters)

<P>N. Ireland Deadline Hours Away

Northern Ireland's political rivals are racing against a midnight deadline to end 30 years of strife with a peace pact for the British province. The prime ministers of Britain and Ireland met for 45 minutes today, in advance of a final round of talks with local politicians aimed at sealing a historic deal. ``We've got complete determination" to wrap up a deal, British Prime Minister Tony Blair told reporters. His Irish counterpart, Bertie Ahern, concedes stumbling blocks remain, but says ``If people concentrate and are as determined as we are, then we can complete all of this work today." (Reuters)

<P>Cambodia Would Welcome U.S. Move

A government spokesman said today that Cambodia would welcome U.S. and Thai efforts to bring Pol Pot to trial in an international court. Today's New York Times reports President Clinton has ordered the Defense, State and Justice departments to devise plans for the arrest and trial of the notorious former Khmer Rouge leader. Pol Pot is being held under house arrest in a Khmer Rouge stronghold in Cambodia near the Thai frontier. The Times says Thailand suggested it would be willing to take Pol Pot into custody as long as the United States agrees to spirit him out of Thailand within hours of his capture. (Reuters)

<P>Serb Suspects Due In Court

The U.N. criminal tribunal for former Yugoslavia said today that it expects two Bosnian Serb war crimes suspects transferred to The Hague overnight to appear in court some time next week. A tribunal spokeswoman says the initial court appearance of Miroslav Kvočka and Mladen Radic is not expected before Tuesday. She says the two were flown to Holland today after the NATO-led Stabilization Force arrested them in the sector of Bosnia under the control of British troops yesterday. The tribunal has indicted Kvočka and Radic on charges relating to atrocities at the Serb-run Omarska camp in Bosnia in 1992. (Reuters)

<P>King, Reno Meet The widow of slain civil rights leader Martin Luther King Jr. met for more than two hours with Attorney General Janet Reno about the King family's request for a new investigation of his murder. The meeting between Reno and Coretta Scott King was requested by President Clinton. It took place at the Justice Department four days after the 30th anniversary of King's assassination in Memphis, Tennessee. Former U.N. Ambassador Andrew Young and King's son Dexter also attended the meeting. King's family has pressed for a probe at the highest levels of government, not convinced that confessed killer James Earl Ray acted alone or that the case was investigated fairly or thoroughly. (Reuters)

<P>Four Hurt as Jet Plunges

Four people were injured when a Northwest Airlines jet ran into turbulence on a flight from Detroit to Fort Lauderdale, the airline says. Passengers said the Boeing 727, Northwest flight 242, plunged at least 40 feet about half an hour before landing at Fort Lauderdale-Hollywood International Airport. The drop sent luggage crashing from overhead bins. ``I would say it dropped down at least 40 feet," a passenger told reporters after the

plane landed. "It was frightening, really frightening." An airlines spokesman said the plane, carrying 135 passengers and a crew of nine, hit what was described as a "single cell of clear air turbulence" without warning. (Reuters)

Japan Economy Worries U.S. The United States is deeply concerned about Japan's stagnant economy and wants Tokyo to take strong action to save it from recession, White House chief economic adviser Janet Yellen says. Despite the dire outlook for the Japanese economy and the broader Asian financial crisis, Yellen told Reuters she saw no reason for the U.S. economic expansion, now entering its eighth year, to end. Yellen said she expected the Asian crisis to slow U.S. growth overall, possibly to below 3 percent over the year. She said in Japan, domestic demand was so depressed that only a substantial fiscal stimulus could help the economy regain momentum. (Reuters)

Brokerage Firm Settles Suit A New York brokerage firm has settled a sexual harassment and racial discrimination lawsuit, the second largest of its kind in the United States, the Equal Employment Opportunity Commission says. It said under the settlement, Lew Lieberbaum & Co., now known as First Asset Management, would pay \$1.75 million to the EEOC and continue its sexual harassment training program for employees. The lawsuit alleged that female employees suffered repeatedly from sexual misconduct, including lewd and abusive language, sexual propositions and "unsolicited touching" by executives. Black employees were also harassed and subjected to racially offensive comments, according to the complaint. (Reuters)

Poll: Republicans Favor Bush According to a CBS News poll, Republican voters favor Texas Gov. George W. Bush for the White House in 2000. The nationwide poll of 994 registered Republicans and party "leaners" -- it was conducted March 30 to April 1 -- shows Bush leading Elizabeth Dole by 25 percent to 13 percent. Bush, the son of former President George Bush, also led other Republicans in an early presidential preference poll released in late March. Six percent of respondents in the CBS poll favored former Vice President Dan Quayle, who served under Bush. (Reuters)

Wellstone Weighs White House Bid Paul Wellstone, a liberal Democratic senator from Minnesota, has formed a committee to explore a possible presidential bid in 2000. Wellstone said in a statement that the exploratory committee will help him decide whether to run for president by allowing me to travel extensively, organize and build support for a potential presidential campaign. Wellstone said he believes the missing ingredient in American politics is "energized, effective citizen activism" and he hopes to put critical issues back on the political agenda. (Reuters)

Packwood May Run Again Bob

Packwood, the former Republican senator from Oregon who resigned in 1995 amid claims of sexual misconduct, reportedly is thinking of making a run for the Oregon legislature in 2000. Today's New York Times reported that Packwood, presently a Washington-based lobbyist, has begun raising his profile in Oregon, making speeches and attending fund-raisers. During the congressional recess over Easter, Packwood is to deliver four speeches in Portland and tour a factory. (Reuters)

<P>Babbitt Wages War on Weeds Interior Secretary Bruce Babbitt says invasive weeds are infesting millions of acres each year and causing the extinction of native plants and animals. ``They ignore borders and property lines. No place is immune," Babbitt said of weeds that infest 100 million acres of land a year. Farmers and ranchers spent \$5 billion a year to control them, Babbitt told a group of scientists from Western states at a weed management conference. He added that the problem was not only a Western one but should be viewed as a national issue and fought on several levels, including using herbicides. (Reuters)

<HR SIZE=1 WIDTH="100%">

<TABLE WIDTH="100%">

<TR>

<TD> </TD>

<TD><I>Joel Velasco</I>

Simon Strategies

1001 G Street, NW Suite 900E

;

Washington, DC 20001

United States

<P>Phone: 202-783-2205

Fax: 202-783-0440

E-mail: velasco@simoninc.com</TD>

<TD>You are free to distribute this news roundup,

but please include this section in your e-mail.

<HR SIZE=1 WIDTH="100%">

If you have any suggestions, comments, questions, problems regarding this news roundup or if you would like to make sure someone you know receives this news roundup every morning, just e-mail me.

<HR SIZE=1 WIDTH="100%">

Disclaimer: This is a news roundup covering the news making articles of the day. That's it.</TD>

</TR>

</TABLE>

<HR SIZE=1 WIDTH="100%">

 </HTML>

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

===== ATTACHMENT 2 =====

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

TEXT:

<HTML>

<HEAD>

<META HTTP-EQUIV="Content-Type" CONTENT="text/html; charset=iso-8859-1">

<META NAME="Author" CONTENT="Joel Velasco">

<META NAME="GENERATOR" CONTENT="Mozilla/4.04 [en] (Win95; I) [Netscape]">

<TITLE>Today's News Roundup</TITLE>

</HEAD>

<BODY TEXT="#000000" BGCOLOR="#FFFEF7" LINK="#0000EE" VLINK="#551A8B" ALINK="#FF0000">

<CENTER>This news roundup
can now be accessed at http://www.simon
inc.com/news/</CENTER>

<CENTER> </CENTER>

<CENTER><TABLE>

<TR ALIGN=CENTER VALIGN=CENTER>

<TD ALIGN=CENTER VALIGN=CENTER></TD>

<TD></TD>

<TD></TD>

<TD ALIGN=CENTER VALIGN=CENTER> </TD>

<TD>

<CENTER></CENTER></TD>

<TD></TD>

<TD ALIGN=CENTER VALIGN=CENTER><FORM method=get action="http://search.main.yahoo

o.com/search/news"><INPUT size=13 name=p>

<INPUT type=submit value="Search Reuters"></FORM></TD>

<TD></TD>
</TR>
</TABLE></CENTER>

<CENTER>Click on these icons
above for the latest news -- you will need <A HREF="http://www.real.com/p
roducts/player/index.html">Real
Audio^{@} for
some of these links</CENTER>

<CENTER> </CENTER>

<TABLE WIDTH="100%" BGCOLOR="#000000" >
<TR>
<TD>T</FONT
>ECH
NEWS</TD>
</TR>
</TABLE>

States Ready Microsoft Case Microsoft
faces new worries as several states prepare to file their own antitrust
suit against the company, state officials and industry executives say.
In a separate antitrust probe, the states are investigating alleged abuses
in the credit-card industry. (<A HREF="http://interactive.wsj.com/edition/curre
nt/articles/SB89207567049555000.htm">WSJ)
(CNN)</FO
NT>

<P>In Rejecting Dismissal of Filtering
Case, Judge Sets High Standard for Libraries In the first major ruling
on the use of Internet filtering software in public libraries, a judge
in Virginia has rejected efforts to dismiss a challenge to the use of such
software in Loudoun County, Va. (<A HREF="http://www.nytimes.com/library/tech/9
8/04/cyber/articles/09library.html">NYT)
(C|Net</
A>)

<P>Yahoo! Beats Expectations
Yahoo! Inc. has reported first-quarter earnings that were double the consensus

analyst forecast. Yahoo's first-quarter earnings were 8 cents per share
on a diluted basis compared with a loss of 2 cents per share in the year-ago
quarter. (Reuters) (<A HREF="http://interactive.wsj.com/edition/current/article
s/SB892068636460257000.htm">WSJ)
(<A HREF="http://www.nytimes.com/library/tech/98/04/biztech/articles/09yahoo.ht
ml">NYT)

<P>US Domain Name Plan Assailed Again
The Internet Council of Registrars says the US government's plan for revising

the Domain Name System will only preserve the existing monopoly of Network Solutions, current stewards of the InterNIC. (<A HREF="http://www.wired.com/new
s/news/technology/story/11552.html">Wired)<FONT FACE="Arial,Helvetic
a">

<P>Intel Helping Online Firm Get Into The
Game Intel Corp. is betting on a San Francisco high-tech startup that
wants to revolutionize the way we watch sporting events. (<A HREF="http://www.s
fgate.com/cgi-bin/article.cgi?file=/chronicle/archive/1998/04/08/BU76313.DTL">S
FChronicle)

<P>Microsoft To Acquire Firefly <I>As
reported yesterday... </I>Microsoft has finalized a deal to acquire much-herald
ed
software firm Firefly Network for about \$40 million in stock, cash and
assumed debt, according to a person familiar with the agreement. (<A HREF="http
://interactive.wsj.com/edition/current/articles/SB892081381393464000.htm">WSJ</
A>)
(<A HREF="http://www.newshub.com/cgibin/rd.cgi?u=http://www.techweb.com/news/st
ory/TWB19980408S0033">TechWeb)

<P>Microsoft, Intel Merge Interactive-TV
Formats Microsoft and Intel are combining their nascent interactive-televis
ion
formats to increase the amount of Internet-based TV programming available
to users of personal computers. (<A HREF="http://interactive.wsj.com/edition/cu
rrent/articles/SB892073283139328000.htm">WSJ)
(<A HREF="http://www.nytimes.com/library/tech/98/04/biztech/articles/09intel.ht
ml">NYT)
(USAToday)
(<A HREF="http://www.newshub.com/cgibin/rd.cgi?u=http://www.techweb.com/news/st
ory/TWB19980408S0034">TechWeb)

<P>Windows 98 to Give Better TV Hoping
for more TV-ready PCs in the home, Microsoft says Windows 98 will support
Intel's InterCast technology for beaming data along with TV shows.
(Wired
)

<P>Boob Tube or Geek Box? As technologies
emerge around the vision of a networked digital domicile, TV and PC proponents

compete to be at the center of it all. Not surprisingly, Microsoft is covering

both bases, as evidenced by a pair of announcements this week. (<A HREF="http:/
/www.wired.com/news/news/business/story/11566.html">Wired)<FONT FACE
="Arial,Helvetica">

<P>Digital TV set shoppers should study
before they buy When pricey new digital TV sets hit the stores this
fall, let the buyer beware: Just as with any new product, consumers will
need to do their homework. Initially, digital TV set owners who don't have
cable television will need an indoor, and possibly, a rooftop antenna to
receive and watch digital broadcasts provided by ABC, CBS, NBC and Fox

and local TV stations. Some broadcasts will begin this fall. (AP)

(C|Net)

<P>Have You Listened to Your Computer Lately?Millions of Web cruisers are learning that the Internet, a medium that was dominated first by text, is surprisingly well wired to transmit the great-granddaddy of wireless communications -- radio. (NYT)

<P>Government Clings to Paper RecordsThe National Archives and Records Administration is advising Government agencies that they could delete their electronic records as long as they printed out copies and saved the reams of paper. (NYT)

<P>Internet Venture Capital GrowsVenture capital investments in Internet-related operations more than doubled last year to \$1.88 billion, according to the accounting firm Price Waterhouse. The new figure also represents a 14-fold increase from 1995 levels, when just \$134 million of venture capital went into the Internet sector. It also shows that Internet businesses remain one of the most popular industries for venture capitalists, who provide funds in return for equity in a company seen as having strong growth potential. (Reuters)

<P>Does Cable Fit in Vulcan's Vision?Paul Allen's eclectic collection of tech investments looks like so many puzzle pieces waiting to be interlocked. But the size of his US\$2.8 billion investment in Marcus Cable changes the picture. Or does it? (Wired)

<P>Satellite Phone Globalstar Communications signed a 300-million-dollar contract with three of the world's biggest cell phone makers to work on satellite telephones. (KRON-TV)

<P>It's Confirmed: Web's Size Bogs Down SearchesFor anyone who believes that despite all those search engines, the Internet has grown into an uncontrollable, unwieldy, amorphous mass, computer scientists have a study with one message: You're right. (NYT)

<P>Sweet Slips Of the Ear: MondegreensSites featuring examples of misheard song lyrics offer proof, at last,

that botching the words to popular songs is a nearly universal human failing.(<
A HREF="http://www.nytimes.com/library/tech/98/04/circuits/articles/09song.html
>NYT)

<P>Microsoft, 3Com Settle Dispute
Microsoft is making a rare retreat. The software giant says it has agreed
to resolve a brand-name dispute with 3Com Corp. and will modify its use
of the word ``Palm" in marketing its hand-held computers. Microsoft will
no longer refer to its class of tiny computers as "PalmPCs." Instead,
its worldwide marketing will use "Palm-size PCs." In return, 3Com, which
sells the popular PalmPilot hand-held computer, agreed not to pursue any
lawsuits. (Reuters) (<A HREF="http://interactive.wsj.com/edition/current/articl
es/SB892071797385802500.htm">WSJ)
(Wired)<
/FONT>

<P>The CrossPad Sends Notes to a PC Screen
There's an ingenious new product that tries to bridge the gap between
paper and computer. Called the CrossPad, it's an electronic clipboard that
holds standard paper legal pads and lets you take notes on them with pen
and ink before you upload them to your computer. (<A HREF="http://interactive.w
sj.com/edition/current/articles/SB892073125253312000.htm">WSJ)

Horse, Blender, Car, Crockpot: Pick
Your Gadgets In Amish communities in Lancaster County, Pa., technological
choice is a matter both grand and trivial. The pursuit of simplicity has
deep spiritual meaning. And yet the working out of theology in practice
can seem contradictory to the larger culture. (<A HREF="http://www.nytimes.com/
library/tech/98/04/circuits/articles/09amish.html">NYT)<FONT FACE="A
rial,Helvetica">

<P>Versatile System Aims to Teach Cooking
in the Kitchen A new kitchen gadget doesn't exactly slice and dice,
but it does offer digital assistance to the home chef. Unfortunately, the
software is not so hot. (<A HREF="http://www.nytimes.com/library/tech/98/04/cir
cuits/downtime/09cook.html">NYT)

<P>Net cameras put intimacy online
Ana Voog shared an intimate night in November with a boyfriend and a
worldwide audience. Thousands on the Internet followed the singer/songwriter's

unscheduled show in 30-second increments via still images posted automatically

by four cameras Voog put in her bedroom and apartment. (<A HREF="http://www.usa
today.com/life/cyber/tech/ctc443.htm">USAToday)<FONT FACE="Arial,Hel
vetica">

<P>As connected as a Japanese Coke machine
Few Americans are as plugged into the telecommunications revolution
as are an estimated 800,000 soft drink vending machines in Japan. But that
is going to change, quickly and inexorably. "The Coca Cola machines in
Japan have a chip in them so that they are all inter-connected. Just imagine
what that means for marketing and merchandising, instantly knowing how

fast each product sells," said Boston telecommunications author Stan Davis.

([ScrippsHoward](http://www.techserver.com/newsroom/ntn/info/040998/info29_9927_noframes.html))

MORNING PAPERS from Slate Magazine

The en masse defection of the major tobacco manufacturers from Congress' efforts at a settlement leads everywhere. The industry promises to immediately launch a public relations offensive against a "coercive, Big Brother-type Congress." The [Washington Post](http://search.washingtonpost.com/wp-srv/WPlate/m-frontpage.html) says the campaign kicks off today with newspaper ads reading, "We Agreed To Change The Way We Do Business . . . Not To Go Out Of Business." Everybody quotes President Clinton's determined reaction: "They can be part of it or they can fight it," although oddly, [USA Today](http://www.usatoday.com/usafront.htm) leaves out the most important part of his quote: "We're going to get this done."

The tobacco stance became official with a speech against the tough and expensive Senate bill by the RJR CEO, Steven Goldstone, described by the papers as "aggressive" and "defiant." Goldstone is widely quoted as saying, "Washington has rushed to collect more tobacco revenues while playing the politics of punishment." [USAT](http://www.usatoday.com) quotes him describing the process as "broken beyond repair." The [Los Angeles Times](http://www.latimes.com/HOME/NEWS/FRONT/) adds that Goldstone raised the specter of a thriving black market in cigarettes

if the Senate bill were to become law.

The [New York Times](http://www.nytimes.com/auth/login?Tag=/&URI=/info/contents/contents.html) and [USAT](http://www.usatoday.com) point out that while Congress can proceed unilaterally in many areas of the proposed legislation, this is problematic with the provisions that touch on the curtailment of free speech, such as advertising restrictions. Goldstone is quoted in the [Times](http://www.nytimes.com) saying that if Congress imposes these anyway, the companies "will fight in court." Feelings are running just as high on the other side. The paper quotes the reaction of Sen. Kent Conrad: "Poor babies." Both the [NYT](http://www.nytimes.com) and [WP](http://www.washingtonpost.com)

note that Conrad expressed the idea that all this tobacco manufacturer stridency is a stratagem designed to get the current deal accepted without the addition of any harsher conditions.

<P>The <I>NYT</I> is admirably clear about the context producing such skepticism: "The tobacco industry has dissembled so often in the past--about whether cigarettes cause diseases, about whether nicotine is addictive, about whether they market their product to children--that people are never sure what to make of the companies' pronouncements." Now, if only the <I>Times</I> had said "lied" instead of "dissembled"...

<P>The <I>Wall Street Journal</I> seems a little less surprised by all this, claiming that "the reality is that tobacco companies for weeks have been closed out of the legislative process." The <I>Journal</I> also sends along word that Mississippi Attorney General Michael Moore, an architect of last summer's

original tobacco deal, says he understands the industry position and calls on President Clinton and Congress to convene new negotiations.

<P>And lest we forget what this is all about, the <I>WP</I> reports that a study in today's <I>New England Journal of Medicine</I> suggests that non-smokers not only live longer, but have less sickness and dependence on others in their last years.>

<P>The <I>WSJ</I> and <I>WP</I> each run stories describing a new study purporting to show that the differences

between black and white investors are considerable. Among those with incomes above \$50,000, only 57 percent of the blacks had money in the stock market, compared to 81 percent of the whites. And while only 13 percent of the whites believed Social Security will provide at least half their retirement income, 25 percent of blacks thought this.

<P>The <I>NYT</I> front reports that President Clinton has ordered the Departments of Defense, State, and Justice to devise plans for the arrest and trial of Pol Pot, the Khmer Rouge leader responsible for the death of perhaps a million Cambodians in the 1970s. According to the paper, the opportunity presents itself because the Khmer Rouge, which has Pol Pot under house arrest, is in complete disarray. Hmmm...wonder if the Khmer Rouge subscribes to the <I>Times</I>...

<P>In a <I>NYT</I> op-ed,

Andrew Sullivan assesses the career thus far of the military's "don't ask, don't tell" policy. Sullivan notes that under the policy, discharges of homosexuals have increased 67 percent (80 percent if you figure in downsizing).

Bill Clinton, Sullivan observes, has now fired more homosexuals than any other employer in America.

The front page of the <I>NYT</I> national edition brings word that, buoyed by the soaring approval ratings of the sex-scandalized Bill Clinton, the sex-scandalized Bob Packwood wants to get back in the game. He's thinking about running for the Oregon state legislature. "Today's Papers" has just the campaign slogan for him: "Still Packing Wood."

G
ENERAL
N
EWS

Tornadoes Kill 18 In Alabama
At least 18 people are reported dead after tornadoes ripped through central Alabama overnight. Most of the destruction was in the Birmingham area, and the National Guard has been called out. Tornadoes also struck in Georgia and Mississippi. Authorities west of Birmingham say one twister destroyed a church during services last night, and it was a miracle no one died there. At least 100 homes and businesses were damaged in Alabama alone. (Reuters)

Tobacco Firms Say Deal Dead
Cigarette makers have declared their settlement with the states "dead" in Congress, but President Clinton and key lawmakers vow to push for laws to combat teen smoking with or without industry cooperation. RJR Nabisco Chief Executive Officer Steven Goldstone says bluntly he has "no hope" for a comprehensive tobacco settlement this year. "There is no process which is even remotely likely to lead to an acceptable, comprehensive solution

this year," he said. Other big cigarette makers backed Goldstone's view. But the White House and members of Congress from both parties say they are undeterred by industry threats. "We are going to get this done," Clinton said. "They can be part of it or they can fight it. (Reuters)"

Starr witness accused of selling information

An Arkansas woman claims conservative groups paid Independent Counsel Ken Starr's chief Whitewater trial witness cash for information while the witness was cooperating in Starr's investigation. In her first television interview, Caryn Mann alleges her ex-live-in boyfriend Parker Dohzier paid David Hale for secret information. That information was then provided to the persons working for the conservative magazine The American Spectator. Mann's allegations of payoffs from right-wing operatives, funneled through Dohzier to Hale, have prompted Attorney General Janet Reno to declare the

charges "must be pursued." (CNN)

<P>Starr: Probe Moving Quickly Independent

counsel Kenneth Starr says the investigation into the White House sex-and-perjury

scandal is "moving very quickly" but there is no decision about when, or if, a report will be made to Congress. "While federal law requires us to convey to the House 'any substantial and credible information ... that may constitute grounds for an impeachment,' our investigation is still ongoing and no decision has been made on the issuance, timing or contents of such a submission," Starr said in a statement. Sources familiar with the investigation have said Starr's team hopes to have a report to Congress on the inquiry of former White House intern Monica Lewinsky ready by the end of May. (Reuters)

<P>N. Ireland Deadline Hours Away

Northern Ireland's political rivals are racing against a midnight deadline to end 30 years of strife with a peace pact for the British province. The prime ministers of Britain and Ireland met for 45 minutes today, in advance of a final round of talks with local politicians aimed at sealing a historic deal. "We've got complete determination" to wrap up a deal, British Prime Minister Tony Blair told reporters. His Irish counterpart, Bertie Ahern, concedes stumbling blocks remain, but says "If people concentrate and are as determined as we are, then we can complete all of this work today." (Reuters)

<P>Cambodia Would Welcome U.S. Move

A government spokesman said today that Cambodia would welcome U.S. and Thai efforts to bring Pol Pot to trial in an international court. Today's New York Times reports President Clinton has ordered the Defense, State and Justice departments to devise plans for the arrest and trial of the notorious former Khmer Rouge leader. Pol Pot is being held under house arrest in a Khmer Rouge stronghold in Cambodia near the Thai frontier. The Times says Thailand suggested it would be willing to take Pol Pot into custody as long as the United States agrees to spirit him out of Thailand within hours of his capture. (Reuters)

<P>Serb Suspects Due In Court

The U.N. criminal tribunal for former Yugoslavia said today that it expects two Bosnian Serb war crimes suspects transferred to The Hague overnight to appear in court some time next week. A tribunal spokeswoman says the initial court appearance of Miroslav Kvočka and Mladen Radic is not expected before Tuesday. She says the two were flown to Holland today after the NATO-led Stabilization Force arrested them in the sector of Bosnia under the control of British troops yesterday. The tribunal has indicted Kvočka and Radic on charges relating to atrocities at the Serb-run Omarska camp in Bosnia in 1992. (Reuters)

<P>King, Reno Meet The widow of slain civil rights leader Martin Luther King Jr. met for more than two hours with Attorney General Janet Reno about the King family's request

for a new investigation of his murder. The meeting between Reno and Coretta Scott King was requested by President Clinton. It took place at the Justice Department four days after the 30th anniversary of King's assassination in Memphis, Tennessee. Former U.N. Ambassador Andrew Young and King's son Dexter also attended the meeting. King's family has pressed for a probe at the highest levels of government, not convinced that confessed killer James Earl Ray acted alone or that the case was investigated fairly or thoroughly. (Reuters)

<P>Four Hurt as Jet Plunges Four people were injured when a Northwest Airlines jet ran into turbulence on a flight from Detroit to Fort Lauderdale, the airline says. Passengers said the Boeing 727, Northwest flight 242, plunged at least 40 feet about half an hour before landing at Fort Lauderdale-Hollywood International Airport. The drop sent luggage crashing from overhead bins. ``I would say it dropped down at least 40 feet," a passenger told reporters after the plane landed. ``It was frightening, really frightening." An airlines spokesman

said the plane, carrying 135 passengers and a crew of nine, hit what was described as a ``single cell of clear air turbulence" without warning. (Reuters)

<P>Japan Economy Worries U.S. The United States is deeply concerned about Japan's stagnant economy and wants Tokyo to take strong action to save it from recession, White House chief economic adviser Janet Yellen says. Despite the dire outlook for the Japanese economy and the broader Asian financial crisis, Yellen told Reuters she saw no reason for the U.S. economic expansion, now entering its eighth year, to end. Yellen said she expected the Asian crisis to slow U.S. growth overall, possibly to below 3 percent over the year. She said in Japan, domestic demand was so depressed that only a substantial fiscal stimulus could help the economy regain momentum. (Reuters)

<P>Brokerage Firm Settles Suit A New York brokerage firm has settled a sexual harassment and racial discrimination lawsuit, the second largest of its kind in the United States, the Equal Employment Opportunity Commission says. It said under the settlement, Lew Lieberbaum & Co., now known as First Asset Management, would pay \$1.75 million to the EEOC and continue its sexual harassment training program for employees. The lawsuit alleged that female employees suffered repeatedly from sexual misconduct, including lewd and abusive language, sexual propositions and ``unsolicited touching" by executives. Black employees were also harassed

and subjected to racially offensive comments, according to the complaint. (Reuters)

<P>Poll: Republicans Favor Bush According to a CBS News poll, Republican voters favor Texas Gov. George W. Bush for the White House in 2000. The nationwide poll of 994 registered Republicans and party ``leaners" -- it was conducted March 30 to April 1 -- shows Bush leading Elizabeth Dole by 25 percent to 13 percent. Bush,

the son of former President George Bush, also led other Republicans in an early presidential preference poll released in late March. Six percent of respondents in the CBS poll favored former Vice President Dan Quayle, who served under Bush. (Reuters)

<P>Wellstone Weighs White House Bid

Paul Wellstone, a liberal Democratic senator from Minnesota, has formed a committee to explore a possible presidential bid in 2000. Wellstone said in a statement that the exploratory committee will help him decide whether to run for president by allowing me to travel extensively, organize and build support for a potential presidential campaign. Wellstone said he believes the missing ingredient in American politics is ``energized, effective

citizen activism" and he hopes to put critical issues back on the political agenda. (Reuters)

<P>Packwood May Run Again Bob

Packwood, the former Republican senator from Oregon who resigned in 1995 amid claims of sexual misconduct, reportedly is thinking of making a run for the Oregon legislature in 2000. Today's New York Times reported that Packwood, presently a Washington-based lobbyist, has begun raising his profile in Oregon, making speeches and attending fund-raisers. During the congressional recess over Easter, Packwood is to deliver four speeches in Portland and tour a factory. (Reuters)

<P>Babbitt Wages War on Weeds Interior

Secretary Bruce Babbitt says invasive weeds are infesting millions of acres each year and causing the extinction of native plants and animals. ``They ignore borders and property lines. No place is immune," Babbitt said of weeds that infest 100 million acres of land a year. Farmers and ranchers spent \$5 billion a year to control them, Babbitt told a group of scientists from Western states at a weed management conference. He added that the problem was not only a Western one but should be viewed as a national issue and fought on several levels, including using herbicides. (Reuters)

<HR SIZE=1 WIDTH="100%">

<TABLE WIDTH="100%" >

<TR>

<TD> </TD>

<TD><I>Joel Velasco</I>

Simon Strategies

1001 G Street, NW Suite 900E

Washington, DC 20001

United States

<P>Phone: 202-783-2205

Fax: 202-783-0440

E-mail:

velasco@simoninc.com</TD>

<TD>You are free to distribute this news roundup,
but please include this section in your e-mail.

<HR SIZE=1 WIDTH="100%">

If you have any suggestions, comments,
questions, problems regarding this news roundup or if you would like to
make sure someone you know receives this news roundup every morning, just
e-mail me.

<HR SIZE=1 WIDTH="100%">

Disclaimer: This is a news roundup covering
the news making articles of the day. That's it.</TD>

</TR>

</TABLE>

<HR SIZE=1 WIDTH="100%">

</BODY>

</HTML>

===== END ATTACHMENT 2 =====

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: The Data Lounge News (The Data Lounge News <editorial@datalounge.com> [UNKNOWN])

CREATION DATE/TIME:10-APR-1998 23:20:31.00

SUBJECT: [GLBT-NEWS:DL] Scout Affiliate Granted Exemption from Bias Law

TO: GLBT-NEWS List (GLBT-NEWS List <glbt-news-owner@duh.org> [UNKNOWN])

READ:UNKNOWN

Joseph E. Voeller (CN=Joseph E. Voeller/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

NEWS SOURCE: The Data Lounge - <http://www.datalounge.com/>

BACKGROUND OF NEWS SOURCE:

The Data Lounge is about anything and everything gay. Daily news headlines,

culture information, and gossip--who's out, who's not, and who should be.

Visit their site, and to see the Web version of this article, click

below:

<http://www.datalounge.com/pages/sections/news/98/04/10/004.news>

Friday, April 10, 1998

Scout Affiliate Granted Exemption from Bias Law

BERKELEY, Ca. -- The San Francisco Examiner reports a seafaring affiliate of the Boy Scouts will be allowed to keep its free berths at

the Berkeley Marina despite the city's anti-discrimination ordinance.

The city law prohibits public support to groups that exclude people based on sexual orientation or religious beliefs.

In a tense meeting held Wednesday, Berkeley's Waterfront Commission narrowly recommended that the City Council allow the Sea Scouts, who have berthed three boats at two slips for the past 60 years, to keep doing so for at least another year.

The Berkeley youth group vowed that, unlike the Boy Scouts, gay people and atheists would not be prevented from joining or participating in the Sea Scouts. Reflecting the thinking of many parents present at the meeting, Ron Brill, whose son has trained on one of the scouts' boats for two years, said "I think it's possible to support the Sea Scouts and condemn the national policy."

The City Council has the final say on the berths and could overturn the commission's vote later this year.

City Councilwoman Diane Woolley, who voted to end city support of the program elicited boos and shouts of derision when she said, "Better to teach young people not to be bigots than how to sail boats."

The Examiner reports a steady stream of parents and students rose to offer praise for the roughly 100-scout program that trains Bay Area youngsters navigation, lifesaving and naval communications. Most said the Sea Scouting program provided much-needed mentoring and leadership

training to area minorities offered nowhere else.

Facing slip fees of more than \$7,000 per year, the local troop offered its own version of a "don't ask, don't tell" ordinance to get around Berkeley's non-discrimination policy. "We do not ask either adults or youths to divulge this information," the Examiner quotes the local Sea Scout ordinance. "We believe that sexual orientation is a private matter."

Patricia Francis-Lyon, who spoke on behalf of the Sea Scouts, said no one had ever been asked about their sexual orientation nor would the troop ever kick anybody out who came out of the closet or rejected the existence of God. "It's more like, 'We don't ask, and we don't care,' " she said.

The California Supreme Court gave the Boy Scouts a major victory last month when it ruled the group had the right to bar atheists and gay people from the national organization.

===== Distributed through the GLBT-NEWS mailing list =====

To unsubscribe, send a message containing only "unsubscribe" in the message body (NOT subject) to the address: glbt-news-request@duh.org

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Tom Henderson (Tom Henderson <THENDERS@wpgate.glo.state.tx.us> [UNKNOWN])

CREATION DATE/TIME:15-APR-1998 20:51:24.00

SUBJECT: NEEDLE EXCHANGE

TO: Paul E. Begala (CN=Paul E. Begala/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

Dear Paul:

I understand that the discussions on needle exchange may soon be reaching the decision stage. I also understand that there is some discussion of splitting the decision by having the Secretary of HHS make the scientific determination that needle exchange programs reduce the instance of new HIV infections while not encouraging illegal drug use but then not actually lifting the existing ban on the use of federal funds for such programs.

In my opinion, that would be a political disaster on the order of the "Don't Ask, Don't Tell" decision. The opponents of needle exchange would be unhappy because the Administration had done too much and the proponents would be unhappy because it had not done enough.

Even if the judgment is made that it is likely that Congress would immediately overturn a lifting of the ban on the use of federal funds, the Administration should go the full route of making the scientific determination AND lifting the funding ban. Anything short of that will draw considerable fire from both the AIDS

community and the President's Advisory Council.

I hope we will soon be able to move on to less contentious issues and to use the time the President has left in office to do great things.

Best personal regards.

Sincerely,

Tom Henderson

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Doug Case (Doug Case <Doug.Case@sdsu.edu> [UNKNOWN])

CREATION DATE/TIME:19-APR-1998 04:49:22.00

SUBJECT: Richared Socarides defends the indefensible

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

READ:UNKNOWN

TEXT:

Richard,

Can you kindly explain how can you have the audacity to claim that Sec.

Cohen opposes abuses to "Don't Ask, Don't Tell" when he claims the Navy acted properly in attempting to discharge McVeigh??? You know as well as I do that the Navy greatly abused its powers in this case and Cohen's position (and his failure to intervene and stop the discharge long ago) is nothing short of official approval of such abuse. His statements to the contrary are meaningless.

Doug Case

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: PlanetOut NewsPlanet (PlanetOut NewsPlanet <newsplanet@planetout.com> [UNKNOWN])

CREATION DATE/TIME:13-MAY-1998 23:20:49.00

SUBJECT: [GLBT-NEWS:PNO] McVeigh Promotion Ceremony

TO: GLBT-NEWS List (GLBT-NEWS List <glbt-news-owner@duh.org> [UNKNOWN])

READ:UNKNOWN

Joseph E. Voeller (CN=Joseph E. Voeller/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

NEWS SOURCE: PlanetOut NewsPlanet - <http://www.planetout.com/>

BACKGROUND OF NEWS SOURCE:

PlanetOut is a web site with oodles of news, information, and just plain

Web-fun for the gay community. Visit their site and support their news

staff that bring you these articles. This particular article may have

even more links--click below for the Web version of this article:

<http://www.planetout.com/newsplanet/article.html?1998/05/13/1>

McVeigh Promotion Ceremony

NewsPlanet Staff

Wednesday, May 13, 1998 / 03:55 PM

SUMMARY: The AOL-outed sailor has managed to "master" the Navy, even as they're still hoping to drown him in litigation.

We doubted it, he doubted it, but now it's official: as had previously been "leaked," Senior Chief Petty Officer Timothy McVeigh is being promoted to the Navy's top enlisted rank of Master Chief Petty Officer -- even as the Navy continues its legal battle to discharge him for the gay content of a profile associated with one of his America Online screen names. On the morning of May 12, the Navy's traditional "frocking ceremony" was held for McVeigh at the Naval Submarine Training Center Pacific in Pearl Harbor, Hawai'i. Now McVeigh can wear the uniform and enjoy the privileges of his new rank for several months before the official promotion and its financial benefits come through.

McVeigh said, "I feel great, I have worked extremely hard for 18 years to keep Navy submarines mission-ready and make them a better place for sailors to work. I look forward to continuing that challenging job. I would like to take a moment to congratulate the other senior chief petty officers who were on the same list and selected for advancement as well."

The Navy has filed an appeal of U.S. District Court Judge Stanley Sporkin's January ruling that the service violated both the Electronic Communications Privacy Act and the so-called "Don't Ask, Don't Tell" policy in its pursuit of McVeigh. Sporkin's is the first decision ever to find any of branch of the military to have violated "Don't Ask, Don't Tell."

===== Distributed through the GLBT-NEWS mailing list =====

To unsubscribe, send a message containing only "unsubscribe" in the
message body (NOT subject) to the address: glbt-news-request@duh.org

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: ELLSASSER (ELLSASSER <ELLSASSER@aol.com> [UNKNOWN])

CREATION DATE/TIME:19-MAY-1998 20:18:30.00

SUBJECT: N'walins

TO: ahicks (ahicks@gcocarpet.com [UNKNOWN])

READ:UNKNOWN

TO: aquella (aquella@blue.weeg.uiowa.edu [UNKNOWN])

READ:UNKNOWN

TO: Asegel (Asegel@tpigroup.com [UNKNOWN])

READ:UNKNOWN

TO: Clarke_Taylor (Clarke_Taylor@cc.chiron.com [UNKNOWN])

READ:UNKNOWN

TO: Cliff_Wood (Cliff_Wood@cornishlp.com [UNKNOWN])

READ:UNKNOWN

TO: Laura K. Capps (CN=Laura K. Capps/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TO: Cynthia_Rono (Cynthia_Rono@tax.org [UNKNOWN])

READ:UNKNOWN

TO: daniel.maiello (daniel.maiello@turner.com [UNKNOWN])

READ:UNKNOWN

TO: Dennis_Layton-Rodin (Dennis_Layton-Rodin@MCKINSEY.COM [UNKNOWN])

READ:UNKNOWN

TO: dgoconnell (dgoconnell@msn.com [UNKNOWN])

READ:UNKNOWN

TO: dsciocchet (dsciocchet@AdCouncil.org [UNKNOWN])

READ:UNKNOWN

TO: elizabeth (elizabeth@millencom.com [UNKNOWN])

READ:UNKNOWN

TO: GIC (GIC@compuserve.com [UNKNOWN])

READ:UNKNOWN

TO: goodwill (goodwill@hal-pc.org [UNKNOWN])

READ:UNKNOWN

TO: Hampton_Tucker (Hampton_Tucker@nps.gov [UNKNOWN])

READ:UNKNOWN

TO: JEHAN (JEHAN@worldnet.att.net [UNKNOWN])
READ:UNKNOWN

TO: Jocelyn_Craugh (Jocelyn_Craugh@condenast.com [UNKNOWN])
READ:UNKNOWN

TO: kencampbell (kencampbell@geocities.com [UNKNOWN])
READ:UNKNOWN

TO: kschaepman (kschaepman@compuserve.com [UNKNOWN])
READ:UNKNOWN

TO: kwood (kwood@igc.apc.org [UNKNOWN])
READ:UNKNOWN

TO: LIZB (LIZB@USCONCEPTS.COM [UNKNOWN])
READ:UNKNOWN

TO: LIZB (LIZB@USCONCEPTS.COM (BROWN,LIZ) [UNKNOWN])
READ:UNKNOWN

TO: Madyar (Madyar@secondharvest.org [UNKNOWN])
READ:UNKNOWN

TO: maggieb (maggieb@idt.net [UNKNOWN])
READ:UNKNOWN

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

TO: mickbob (mickbob@email.msn.com (mickbob) [UNKNOWN])
READ:UNKNOWN

TO: MVITALE (MVITALE@fcc.gov [UNKNOWN])
READ:UNKNOWN

TO: r.ellsasser (r.ellsasser@MCI2000.com [UNKNOWN])
READ:UNKNOWN

TO: Rebekkah (Rebekkah@worldnet.att.net [UNKNOWN])
READ:UNKNOWN

TO: RLinton385 (RLinton385@aol.com [UNKNOWN])
READ:UNKNOWN

TO: Ruben.Rodas (Ruben.Rodas@JANSSEN.COM.AR [UNKNOWN])
READ:UNKNOWN

TO: SJTHOMAS13 (SJTHOMAS13@aol.com [UNKNOWN])
READ:UNKNOWN

TO: todd (todd@owensdigital.com [UNKNOWN])
READ:UNKNOWN

TO: wbrennan (wbrennan@mba1999.hbs.edu [UNKNOWN])
READ:UNKNOWN

TEXT:
EMBARGOED FOR RELEASE

Contact: William

Waybourn

May 22,

1997

(202) 223-0554

Chris

Crain

(404) 876-1819

Window Media Purchases Impact & Eclipse

Plans to Expand & Enhance New Orleans' Gay and Lesbian Newspaper;

Continues Window Media's Efforts to Boost Gay Media Businesses

NEW ORLEANS--Kyle Scafide and the principals of Window Media, LLC,

announced

today the pending sale of New Orleans' gay and lesbian newspaper, Impact,

as

well as its sister entertainment guide, Eclipse. The New Orleans

publications

will join the family of Window Media newspapers, Atlanta's Southern Voice

and

the Houston Voice. Impact and Eclipse will change ownership effective

August

15, 1998.

Scafide, who has owned Impact since 1992, said he is very optimistic about the future of the New Orleans newspaper, one of the oldest in the U.S. Scafide has worked to consistently improve the content and advertising in the New Orleans publications and now looks forward to continued growth as part of Window Media. "This affiliation with Window Media will allow Impact to become part of, at an early stage, the premier gay and lesbian news organization in the country," said Scafide, who will remain with the publication after the change in ownership.

Window Media was established in 1997 as a nationwide enterprise devoted to grouping lesbian and gay newspapers and devoting resources to improve their content and grow their reach, as well as provide a forum for a diverse array of voices in each community the papers serve.

Window Media was founded by gay rights advocate William Waybourn, and partners Chris Crain, Rick Ellsasser and Chad Johnson. Waybourn is President of Window Corp., a Washington DC-based public relations firm. He most recently served as Managing Director of the Gay & Lesbian Alliance Against Defamation, a media watchdog group, and was founding Executive Director of the Gay & Lesbian

Victory Fund, a successful gay political action committee.

Crain and Ellsasser manage Window Media, LLC, and serve as co-publishers of the Atlanta and Houston papers and will be responsible for the New Orleans publication. Crain, who oversees editorial direction, is editor of Southern

Voice and a Harvard Law School graduate formerly with the Atlanta firm of Alston & Bird, LLP. Ellsasser, who manages administration and advertising, previously held day-to-day responsibility for GLAAD and the Victory Fund.

He is also a partner in Window Corp. and formerly directed the firm's West Coast efforts. Johnson is also a Harvard Law graduate, an attorney in the Washington, D.C. office of Skadden, Arps, Slate, Meagher & Flom, LLP. He has served in leadership roles with the Victory Fund, GLAAD and the Servicemembers Legal Defense Network, which provides legal advice to servicemembers impacted by the military's "Don't Ask Don't Tell" policy.

"Editorial management of Impact and Eclipse will remain at the local level,"

Crain said. "We are fortunate to be coming to New Orleans at an exciting time.

More and more lesbians and gay men are flocking to New Orleans to live and play, and their impact on the city's economy has been increasing over the

years. It's a city with a vibrant gay community and a colorful and exciting political culture. Impact will continue to be a part of that tradition," he said. Ellsasser said Window Media would immediately begin working toward taking the paper to a weekly schedule. "Everything we've seen and heard has pointed to the direction of giving New Orleans a publication each week that is a reliable and timely source of news and information relevant to our community. To do this, we will focus more on local news coverage and expanding our advertising base to include more businesses that want to reach the gay market," he said. "This is a city that has embraced the needs of the lesbian and gay community, and one where the entire community has created a paradigm for better AIDS care. We want to be a participant in that process," said Waybourn. "Too much news is happening in a city the size of New Orleans not to produce a new paper each week," he said.

###

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Wayne Besen (Wayne Besen <wayne.besen@mail.hrcusa.org> [UNKNOWN])

CREATION DATE/TIME:12-JUN-1998 20:00:09.00

SUBJECT: TRIUMPH FOR GAY SAILOR IN SETTLEMENT WITH THE NAVY AND AMERI

TO: ben_finzel (ben_finzel@dc.edelman.com [UNKNOWN])

READ:UNKNOWN

TO: wayne.besen (wayne.besen@bellatlantic.net [UNKNOWN])

READ:UNKNOWN

Joseph E. Voeller (CN=Joseph E. Voeller/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

1101 14th Street NW

Washington, DC 20005

website <http://www.hrc.org>

News Release

FOR IMMEDIATE RELEASE

Friday, June 12, 1998

TRIUMPH FOR GAY SAILOR IN SETTLEMENT WITH THE NAVY AND AMERICA ONLINE

Case Highlights Abuse of Failed "Don't Ask, Don't Tell Policy," According

To HRC

WASHINGTON -- Chief Petty Officer Timothy R. McVeigh was justly rewarded,

in separate settlements with the U.S. Navy and America Online, for his

suffering at the hands of overzealous naval investigators who had abridged

McVeigh's rights and broken the law by violating the "don't ask, don't tell" policy, according to the Human Rights Campaign.

"This sends a clear message to the U.S. military that in the future they will have to follow their own regulations and think twice before willfully disregarding the law," said Winnie Stachelberg, HRC's political director. "We are pleased that a dedicated member of our armed forces was rewarded for more than eighteen years of service to our country. This is a glaring case of how the military's bias against gays ruins lives and hurts our country by depriving the military of some of their most decorated service members."

Under the settlement, McVeigh will retire from the military with full benefits and money to pay his legal fees. In a separate settlement, America Online has apologized to McVeigh and will pay him an undisclosed sum of money for violating his privacy.

McVeigh had remained on active duty after U.S. District Judge Stanley Sporkin issued a preliminary injunction in January, saying that McVeigh would be irreparably harmed by being discharged before the court's review of the case was complete. The Navy was proposing to honorably discharge McVeigh immediately, ending his distinguished Navy career and depriving him of a pension and retirement benefits.

The Navy tried to discharge McVeigh after Navy investigators illegally called America Online and obtained his user profile in which he said he was gay. McVeigh filed suit in federal court in Washington charging that the Navy violated both electronic privacy law and the military's "don't ask, don't tell" policy on gays.

McVeigh, 36, was stationed in Hawaii. His AOL profile did not identify him by name or indicate that he was in the Navy. The profile page

has since been removed from AOL.

The Human Rights Campaign is the largest national lesbian and gay political organization, with members throughout the country. It effectively lobbies Congress, provides campaign support and educates the public to ensure that lesbian and gay Americans can be open, honest and safe at home, at work and in the community.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: PlanetOut NewsPlanet (PlanetOut NewsPlanet <newsplanet@planetout.com> [UNKNOWN])

CREATION DATE/TIME:12-JUN-1998 23:20:45.00

SUBJECT: [GLBT-NEWS:PNO] AOL & Navy Settle with McVeigh

TO: GLBT-NEWS List (GLBT-NEWS List <glbt-news-owner@duh.org> [UNKNOWN])

READ:UNKNOWN

Joseph E. Voeller (CN=Joseph E. Voeller/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

NEWS SOURCE: PlanetOut NewsPlanet - <http://www.planetout.com/>

BACKGROUND OF NEWS SOURCE:

PlanetOut is a web site with oodles of news, information, and just plain

Web-fun for the gay community. Visit their site and support their news

staff that bring you these articles. This particular article may have

even more links--click below for the Web version of this article:

<http://www.planetout.com/newsplanet/article.html?1998/06/12/1>

AOL & Navy Settle with McVeigh

NewsPlanet Staff

Friday, June 12, 1998 / 04:04 PM

SUMMARY: The AOL-outed sailor wins his retirement benefits and legal

fees, the online service improves its security, and the Navy loses one

more good man.

Master Chief Petty Officer Tim McVeigh, whom the Navy had sought to discharge based solely on the "gay" content of the America Online (AOL) profile associated with one of his screen names, announced late June 11 that he had reached settlement agreements with both the Navy and America Online. The "New York Times" reports that McVeigh will retire from the Navy with full benefits even though he's about two years shy of 20 years' service, and the Navy will pay his legal fees of \$90,000. McVeigh will receive an undisclosed sum in damages from AOL, which has also made several policy changes towards improved protection of its users' confidentiality. U.S. District Court Judge Stanley Sporkin had found that the Navy violated the so-called "Don't Ask, Don't Tell" policy in seeking McVeigh's discharge, and that both the Navy and AOL had violated the Electronic Communications Privacy Act in the course of the investigation.

McVeigh, who had served as Chief of the Boat (top enlisted man) on a fast-attack nuclear submarine before the charges were brought against him, told the "Times," "I'm happy that this case has been resolved on my terms. I think that all sailors can take comfort from this. I hope it sends a message that the rules and regulations that are in place need to be followed by the military." Of leaving his job, McVeigh said, "I'm ready to move on to bigger and better things." McVeigh continues to refuse to comment on his own sexual orientation, scrupulously abiding by the "Don't Ask, Don't Tell" policy and determined not to distract or detract from the Navy's misconduct in the case -- conduct Sporkin described as a "search and destroy"

mission against him.

McVeigh's attorney, Christopher Wolf, believes the case is the first in which the Navy allowed a ruling of a "Don't Ask, Don't Tell" violation to stand (having dropped its appeal as part of the settlement), and that it would create a reliable precedent for future cases. However, there have been no indications of any changes in policy or practice by the Navy, and the service loses a highly trained and experienced veteran with top evaluations and a spotless record.

America Online has admitted that it violated its own internal policies when a staff member told a Navy investigator during a phone call that the screen name "Boysrch" in fact belonged to McVeigh, even though the investigator did not identify himself as such, much less present an authorization, warrant or court order as the Electronic Communications Privacy Act requires. To avoid such errors in the future, all the company's customer service representatives will receive training to help them avoid being misled into revealing information inappropriately, and will be required to review the privacy policy every six months. The company also acted to rewrite all of its privacy policies in more clear and understandable terms. AOL's settlement with McVeigh had actually been reached earlier, but not previously announced.

[Ed. note: GLOradio will feature an exclusive interview with Tim McVeigh Friday at 6pm PT/9pm ET online at www.planetout.com/radio.]

===== Distributed through the GLBT-NEWS mailing list =====

To unsubscribe, send a message containing only "unsubscribe" in the
message body (NOT subject) to the address: glbt-news-request@duh.org

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Sara Morris to Noa A. Meyer at 01:07:20.00. Subject: hello! [partial] (2 pages)	06/19/1998	b(6)

COLLECTION:

Clinton Presidential Records
Tape Restoration Project [Email]
WHO ([Don't Ask, Don't Tell])
OA/Box Number: 500000

FOLDER TITLE:

[04/02/1998 - 09/24/1998]

2015-0017-F

ab1579

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 (TRP NOTES MAIL)

CREATOR: Sara Morris (Sara Morris <smorris@nwu.edu> [UNKNOWN])

CREATION DATE/TIME:19-JUN-1998 01:07:20.00

SUBJECT: hello!

TO: Noa A. Meyer (CN=Noa A. Meyer/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

Hi Noa! How are you? Hope things at work are going well -- any travel plans for the summer (with or without HRC)? By the way, a friend of mine named Nathaniel Frank may be calling you...he's a grad student and he's writing an op-ed (a quirky little habit of his, he cranks them out continually but so far has only gotten one published). Anyway, he needs some info on the administration's official position on gays in the military, and I don't know anyone in Domestic Policy anymore, so I told him to call you in the hopes that you could point him in the right direction.

[002]

(b)(6)

(b)(6)

(b)(6)

[Loss cont.]

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: The Data Lounge News (The Data Lounge News <editorial@datalounge.com> [UNKNOWN])

CREATION DATE/TIME:23-JUN-1998 15:20:23.00

SUBJECT: [GLBT-NEWS:DL] Court Approves Class Action Against National Guard

TO: GLBT-NEWS List (GLBT-NEWS List <glbt-news-owner@duh.org> [UNKNOWN])

READ:UNKNOWN

Joseph E. Voeller (CN=Joseph E. Voeller/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

NEWS SOURCE: The Data Lounge - <http://www.datalounge.com/>

BACKGROUND OF NEWS SOURCE:

The Data Lounge is about anything and everything gay. Daily news headlines,

culture information, and gossip--who's out, who's not, and who should be.

Visit their site, and to see the Web version of this article, click

below:

<http://www.datalounge.com/pages/sections/news/98/06/22/003.news>

Monday, June 22, 1998

Court Approves Class Action Against National Guard

SAN FRANCISCO, Ca. -- The San Francisco Chronicle reports a state

Superior Court judge has struck down as unconstitutional a California

regulation that bars gay men and lesbians from serving in the California National Guard.

The suit, filed by former Lieutenant Andrew Holmes, is the second favorable court ruling for the plaintiff who was dismissed from the California National Guard for revealing his sexual orientation in 1995.

In March 1996, U.S. District Judge Sandra Brown Armstrong sided with Holmes who argued both the state and federal National Guards had violated his constitutional guarantees to free speech and equal protection. Judge Armstrong ordered the government to reinstate him. It was the first time a judge had overturned a discharge under Clinton's "don't ask, don't tell, don't pursue" policy. The government's appeal is still pending.

Last May, Holmes filed a second suit against the government, this time a class action suit on behalf of all California guard members discharged under similar circumstances. Attorneys for Holmes said the second lawsuit was filed because Judge Armstrong refused to rule on Holmes' contention that his dismissal violated California as well as federal law.

One of Holmes' lawyers Elizabeth Scott said that as a state agency, the California National Guard is bound by state law prohibiting discrimination based on sexual orientation. "We want to assault the policy aggressively, because if we don't win on one front," she said

in May, "we may win on another."

Friday's favorable ruling on the class action by San Francisco Superior Court Judge David Garcia appears to have vindicated that strategy. It is the first ruling in California to address a state National Guard's implementation of the Clinton administration's "Don't Ask, Don't Tell" regulations governing gay and lesbian service in the military.

The judge ruled that the lawsuit will proceed as a class action whose members will include all gay, lesbian and bisexual members of the California National Guard who face discharge if their sexual orientation becomes known. Holmes' lawyers say the ruling will prevent the California National Guard from hiding behind federal military regulations to justify discrimination on the basis of sexual orientation.

===== Distributed through the GLBT-NEWS mailing list =====

To unsubscribe, send a message containing only "unsubscribe" in the message body (NOT subject) to the address: glbt-news-request@duh.org

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: PlanetOut NewsPlanet (PlanetOut NewsPlanet <newsplanet@planetout.com> [UNKNOWN])

CREATION DATE/TIME:26-JUN-1998 23:20:25.00

SUBJECT: [GLBT-NEWS:PNO] CA Guardsman's Win Appealed

TO: GLBT-NEWS List (GLBT-NEWS List <glbt-news-owner@duh.org> [UNKNOWN])

READ:UNKNOWN

Joseph E. Voeller (CN=Joseph E. Voeller/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

NEWS SOURCE: PlanetOut NewsPlanet - <http://www.planetout.com/>

BACKGROUND OF NEWS SOURCE:

PlanetOut is a web site with oodles of news, information, and just plain

Web-fun for the gay community. Visit their site and support their news

staff that bring you these articles. This particular article may have

even more links--click below for the Web version of this article:

<http://www.planetout.com/newsplanet/article.html?1998/06/26/3>

CA Guardsman's Win Appealed

NewsPlanet Staff

Friday, June 26, 1998 / 03:24 PM

SUMMARY: A gay California National Guardsman won the 1st skirmish in a

tricky "don't ask, don't tell" case that pits federal policy against

state anti-discrimination law, but he'll see lots more action before

it's over.

In what may be the first legal test of the so-called "Don't Ask, Don't Tell" policy on military service by gays and lesbians regarding a state National Guard, open gay Andrew Holmes won a victory in San Francisco Trial Court on June 19 -- but the California Army National Guard announced June 23 that it intends to appeal.

In May 1997, former First Lieutenant Holmes filed a class action lawsuit against the state of California, on behalf of both California Army National Guard members who like him had been discharged for disclosing their gay, bisexual or lesbian orientation, and those closeted lesbigays still in service who stand to lose their jobs if they come out. The lawsuit charged that the state Guard violated California's prohibitions against employment discrimination based on sexual orientation, both in general and in state government agencies.

San Francisco Superior Court Judge David Garcia last week struck down the California Guard's policy rejecting gays and lesbians who are ineligible to serve in the U.S. military, and allowed the class action to proceed. The tricky part is that it seems that some Guard positions are ruled by the federal Department of Defense (DOD) and others are not. The California Army National Guard believes that it is bound by federal law for all of its positions, and that to be a commissioned officer in the National Guard requires being a recognized commissioned officer in the federal military; therefore, the state attorney general's office is filing the Guard's appeal with the California

First District Court of Appeal.

However, one of Holmes' attorneys, Anne-Marie Eileraas, told the "San Francisco Examiner" that, "There are purely state jobs that are posted every year that are available to people who have been discharged from the federal National Guard." She added that gays and lesbians in uniform "who are afraid to come out of the closet now will know that there is an opportunity for them to hold a military job if they come out ... a California military job."

Holmes' military service began in 1986, and he was decorated for his efforts in "Desert Storm" and the Los Angeles uprising of 1992. He was a First Lieutenant in the California Army National Guard in mid-1993 when soon after the "Don't Ask, Don't Tell" policy was announced, he wrote to his commander that, "As a matter of conscience, honesty and pride, I am compelled to inform you that I am gay." As a result of that memo, he was discharged in 1994 from the 870th Military Police company. Holmes filed separate lawsuits against the DOD and the state of California. His DOD case was lost in September 1997 when the Ninth U.S. Circuit Court of Appeals ruled 2 - 1 that neither Holmes nor veteran submariner Navy Lieutenant Richard Watson had succeeded in proving they would not engage in proscribed homosexual acts. Neither man had even attempted to take on that so-called "rebuttable presumption" of a "propensity to engage in prohibited homosexual conduct," relying instead on claims of their rights to free speech. At least four federal appeals courts have rejected "Don't Ask, Don't Tell" cases based solely on free speech rights, and no federal appeals

court has placed those rights above its concern for military discipline. The U.S. Supreme Court has thus far refused to take up any "Don't Ask, Don't Tell" appeals, but is ultimately expected to hear the broader test case "Abel v. USA."

===== Distributed through the GLBT-NEWS mailing list =====

To unsubscribe, send a message containing only "unsubscribe" in the message body (NOT subject) to the address: glbt-news-request@duh.org

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: PlanetOut NewsPlanet (PlanetOut NewsPlanet <newsplanet@planetout.com> [UNKNOWN])

CREATION DATE/TIME:26-JUN-1998 23:20:32.00

SUBJECT: [GLBT-NEWS:PNO] Stonewall Anniversary

TO: GLBT-NEWS List (GLBT-NEWS List <glbt-news-owner@duh.org> [UNKNOWN])

READ:UNKNOWN

Joseph E. Voeller (CN=Joseph E. Voeller/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

NEWS SOURCE: PlanetOut NewsPlanet - <http://www.planetout.com/>

BACKGROUND OF NEWS SOURCE:

PlanetOut is a web site with oodles of news, information, and just plain

Web-fun for the gay community. Visit their site and support their news

staff that bring you these articles. This particular article may have

even more links--click below for the Web version of this article:

<http://www.planetout.com/newsplanet/article.html?1998/06/26/5>

Stonewall Anniversary

NewsPlanet Staff

Friday, June 26, 1998 / 03:29 PM

SUMMARY: Long, long ago (well, not that long) in a sleazy bar far, far

away (well, not that far), a bunch of oppressed people became a

movement -- and lesbian and transpeople haven't stopped moving since!

It was the wee hours of June 27-28, 1969 when transgendered people, gays and lesbians resisted a then-routine police raid on the Stonewall Inn in New York City's Greenwich Village, the event now celebrated with pride observances around the world as the beginning of the contemporary l/g/b/t civil rights movement. There was no obvious single trigger to make the reaction to this bar raid differ from its hundreds of predecessors; it was more a combination of the revolutionary ferment of the times, a long hot summer, the death of Judy Garland, and a growing confidence that a homosexual orientation was not a sin, a crime, or a disease, but simply a difference undeserving of the oppression it received.

The police who raided the Stonewall were acting out of a tradition of making pre-election political hay with a clean-up-the-streets approach. Instead of being cowed by a small number of officers, the bar patrons fought back; instead of passers-by running away, they gathered and joined in with the patrons. The police were driven to take refuge inside the bar as the angry crowd surrounded the entrance. The uprising continued for three nights as word spread and more l/g/b/t people came to participate in the rebellion.

That's the event that will be commemorated by hundreds of thousands this weekend, when several major cities hold their Pride Festivals. You can virtually attend many of those celebrations online:

One of the most famous (or infamous) Pride promenades, San Francisco's

Lesbian, Gay, Bisexual, and Transgender Parade, will be broadcast in real time on June 28 at www.sfpride.com (as well as on San Francisco's KOFY-TV).

Live reports from a half-dozen major North American Pride events will be part of a full day of audio Webcast pride celebration on PlanetOut Radio on Sunday, June 28. (For requirements, instructions and free software to hear the Webcast, visit PlanetOut Radio.) The pride celebration kicks off at 9am PT/noon ET with a special half-hour "Hangin'OUT with Pride" hosted by John McMullen, with the first reports from Atlanta, Georgia, Los Angeles, New York City, San Francisco, Seattle, and Toronto (and if you're in those cities, look to see if there's a PlanetOut booth at the festival for free Internet-related goodies - and maybe even a free cybercafe). Next, you can dress for the day's activities to music from previously-recorded concerts by the Women's Chorus of Dallas and the Seattle Men's Chorus. At 1:20pm PT/4:20pm ET, it's "Live From Pride!" with more reports from across the continent and interviews with performers at Los Angeles' Christopher Street West Pride Festival. Beginning at 2:30pm PT/4:30pm ET, four hours of entertainment from LA Pride's Hard Rock Cafe Stage finishes out the day, including performances by Bryan Todd, Men & Women of the Midnight Cowboys, Cae Andres, Erin Hamilton, Laura Burgo and CeCe Peniston, emceed by PlanetOut Radio's Derek Hartley.

When you're all partied-out, try logging on to take a look at the video of "Barney Frankly [sic] on E.N.D.A.," the film version of which is premiering at both the San Francisco and Connecticut festivals. Or

get your hands on the June 28 New York Times Magazine and curl up with their "Don't Ask, Don't Tell" cover story on the U.S. government's policy against military service by open gays and lesbians.

===== Distributed through the GLBT-NEWS mailing list =====

To unsubscribe, send a message containing only "unsubscribe" in the message body (NOT subject) to the address: glbt-news-request@duh.org

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: PlanetOut NewsPlanet (PlanetOut NewsPlanet <newsplanet@planetout.com> [UNKNOWN])

CREATION DATE/TIME: 1-JUL-1998 23:20:43.00

SUBJECT: [GLBT-NEWS:PNO] Gay is OK in CA Nat'l Guard

TO: GLBT-NEWS List (GLBT-NEWS List <glbt-news-owner@duh.org> [UNKNOWN])

READ:UNKNOWN

Joseph E. Voeller (CN=Joseph E. Voeller/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

NEWS SOURCE: PlanetOut NewsPlanet - <http://www.planetout.com/>

BACKGROUND OF NEWS SOURCE:

PlanetOut is a web site with oodles of news, information, and just plain

Web-fun for the gay community. Visit their site and support their news

staff that bring you these articles. This particular article may have

even more links--click below for the Web version of this article:

<http://www.planetout.com/newsplanet/article.html?1998/07/01/2>

Gay is OK in CA Nat'l Guard

NewsPlanet Staff

Wednesday, July 1, 1998 / 03:35 PM

SUMMARY: A California judge's preliminary ruling that the National

Guard's adherence to federal anti-lesbigay military policy violates

the state law is now final - until the next round.

"A total victory for the gay, lesbian and bisexual community," is what openly gay former First Lieutenant Andrew Holmes called the final ruling handed down June 29 in his challenge to the California Army National Guard's practice of the so-called "don't ask, don't tell" policy. Servicemembers Legal Defense Network's co-director Michelle Benecke called it a "landmark" and "a wake up call to the Pentagon." San Francisco Superior Court Judge David Garcia ordered the California Guard to stop treating those discharged from federal military service for homosexuality as if they had been discharged for criminal actions, a practice he found violated the state constitution's guarantee of equal protection under the law. Holmes said that, "The Guard must now open state active duty jobs to everyone, regardless of sexual orientation." The California Guard has already announced plans to appeal in response to Garcia's preliminary ruling, claiming it is bound by federal law to follow federal military guidelines, partly because the state troops can be "federalized" in event of emergencies.

The ruling allowed Holmes to proceed with his class action suit on behalf of all California Guard members discharged for homosexuality or serving while closeted, but he has decided not to pursue the case further. Holmes himself was discharged in 1995, despite having been decorated for service in the U.S. Army and the California Army National Guard since 1986, for coming out in a memo to his superiors as a matter of conscience shortly after the new policy was announced in 1993. His legal battle for reinstatement on free speech grounds ended unsuccessfully in a federal appeals court in September.

===== Distributed through the GLBT-NEWS mailing list =====

To unsubscribe, send a message containing only "unsubscribe" in the
message body (NOT subject) to the address: glbt-news-request@duh.org

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: PlanetOut NewsPlanet (PlanetOut NewsPlanet <newsplanet@planetout.com> [UNKNOWN])

CREATION DATE/TIME:11-JUL-1998 01:20:20.00

SUBJECT: [GLBT-NEWS:PNO] NZ Presbyterians Stall

TO: GLBT-NEWS List (GLBT-NEWS List <glbt-news-owner@duh.org> [UNKNOWN])

READ:UNKNOWN

Joseph E. Voeller (CN=Joseph E. Voeller/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

NEWS SOURCE: PlanetOut NewsPlanet - <http://www.planetout.com/>

BACKGROUND OF NEWS SOURCE:

PlanetOut is a web site with oodles of news, information, and just plain Web-fun for the gay community. Visit their site and support their news staff that bring you these articles. This particular article may have even more links--click below for the Web version of this article:

<http://www.planetout.com/newsplanet/article.html?1998/07/10/1>

NZ Presbyterians Stall

NewsPlanet Staff

Friday, July 10, 1998 / 04:35 PM

SUMMARY: For now at least, it'll be "don't ask, don't tell, don't decide" as New Zealand's Presbyterian Assembly ends, failing to reach any agreement on the ordination of gays and lesbians.

New Zealand's Presbyterian General Assembly, after two years of build-up and a week of discussion, ended July 10 not with a bang but a whimper on the question of ordaining sexually active gays and lesbians, putting off any permanent answers and indeed suspending the entire debate for at least another year. For the interim, the church has adopted its own "don't ask, don't tell" policy under which candidates for the ministry and other leadership positions will not be asked about their sexual activity, but open gays and lesbians will not be ordained. In a dramatic moment, Assembly moderator Bruce Hansen dissented from the ban on ordinations, saying he had supported Maori and Pacific Island churches (some of which have been notable opponents of gay and lesbian church leadership) and had to support other oppressed groups as well; he even offered his resignation, but the Assembly refused to accept it.

In 1996, the church had agreed not to knowingly ordain sexually active gays and lesbians, but the current Assembly meeting in Christchurch failed to ratify that motion into church law. After agreeing that ratification should take place by at least a 60/40 margin, the Assembly voted inconclusively on July 7, supporting the ban by only 54.5% - 45.5%. While most liberals have taken a position that ordinations should proceed but congregations be given a choice as to whether or not they want openly active gay and lesbian leadership, rumors have had anywhere "from 70 to seven" conservative congregations threatening to leave the church if the ban were not enacted.

Politicians have also gotten into the act, as Prime Minister Jenny Shipley addressed the Assembly encouraging both diversity and unity, while Christian Heritage Party leader Graham Capill expressed disappointment and sorrow that a church could not agree on what to him was so clearly taught in the Bible.

===== Distributed through the GLBT-NEWS mailing list =====

To unsubscribe, send a message containing only "unsubscribe" in the message body (NOT subject) to the address: glbt-news-request@duh.org

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: PlanetOut NewsPlanet (PlanetOut NewsPlanet <newsplanet@planetout.com> [UNKNOWN])

CREATION DATE/TIME:16-JUL-1998 01:20:49.00

SUBJECT: [GLBT-NEWS:PNO] McVeigh Leaves the Navy

TO: GLBT-NEWS List (GLBT-NEWS List <glbt-news-owner@duh.org> [UNKNOWN])

READ:UNKNOWN

Joseph E. Voeller (CN=Joseph E. Voeller/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

NEWS SOURCE: PlanetOut NewsPlanet - <http://www.planetout.com/>

BACKGROUND OF NEWS SOURCE:

PlanetOut is a web site with oodles of news, information, and just plain

Web-fun for the gay community. Visit their site and support their news

staff that bring you these articles. This particular article may have

even more links--click below for the Web version of this article:

<http://www.planetout.com/newsplanet/article.html?1998/07/15/4>

McVeigh Leaves the Navy

NewsPlanet Staff

Wednesday, July 15, 1998 / 04:25 PM

SUMMARY: Bidding the Navy bon voyage, the AOL-outed soon-to-be-ex

sailor is going home to mother ... and to speaking engagements, a new

book, and well, who knows what might happen...?

Navy Master Chief Petty Officer Tim McVeigh on July 14 left his posting in Hawai'i and headed for his home in Jacksonville, Florida to await the discharge papers ending his outstanding 18-year career.

After the Navy attempted to discharge him for homosexuality based on the "gay" content of the profile associated with one of his America Online screen names, he filed a lawsuit that became the first ever to find that a branch of the military service had violated the so-called "Don't Ask, Don't Tell" policy. Both the Navy and America Online were also found to have violated the Electronic Communications Privacy Act. America Online, which had confirmed for an investigator the connection between McVeigh and the screen name, revised its policies and paid McVeigh an undisclosed settlement; the federal government agreed to pay McVeigh's \$90,000 legal fees and allow him an early retirement with full benefits.

McVeigh would have preferred to complete 25 years in the Navy if he could have returned to something like the work he did before the allegations were raised, serving as Chief of the Boat (top enlisted man) on a fast-attack nuclear submarine. Instead, he was first assigned some menial tasks and then moved into desk jobs, first as a librarian and most recently handling training assignments. However, he says that co-workers continued to treat him well, except for a few senior officers in the submarine squadron. He spoke of his case in mild terms to the Honolulu "Star-Bulletin," saying, "I think the Navy has been fairly pig-headed. I just got set up and this thing just kept getting passed up the line and no one stopped to look at it."

McVeigh has some speaking appearances scheduled for September and October and says he plans to write a book about his experience. Once the discharge is complete, perhaps McVeigh can finally "tell" one way or the other -- throughout the trials and the attendant heavy media coverage, McVeigh has held strictly to the regulation and neither denied nor confirmed being gay.

===== Distributed through the GLBT-NEWS mailing list =====

To unsubscribe, send a message containing only "unsubscribe" in the message body (NOT subject) to the address: glbt-news-request@duh.org

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: sldn (sldn@sldn.org (Julia Adams) [UNKNOWN])

CREATION DATE/TIME:24-JUL-1998 15:00:20.00

SUBJECT: Truman's Executive Order Ending Racial Segregation In The Armed Forces

Sean P. Maloney (CN=Sean P. Maloney/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

Note: Some recipients have been dropped due to syntax errors.Please refer to the "\$AdditionalHeaders" item for the complete headers.

PRESS RELEASE

CONTACT: Julia

Adams

(202) 328-3244

FIFTY YEARS AFTER RACIAL INTEGRATION, THE PENTAGON USES THE SAME RATIONALE
TO EXCLUDE KNOWN LESBIANS, GAYS AND BISEXUALS

Washington, D.C., July 22, 1998 -- Fifty years ago, on July 26, 1948,
President Truman issued an historic Executive Order ending racial
segregation in the armed forces despite strong opposition from the
nation's top military leaders, including Generals Omar Bradley and George
C. Marshall, Army Secretary Kenneth Royall, and Navy Secretary Frank Knox.

Five years ago, on July 19, 1993, after strong opposition by some military
leaders to lifting the ban on gay people in the military, President
Clinton announced a new policy that left intact the same restrictions on

their service as had existed before.

Major General Vance Coleman, one of the first African American General Officers, and national board co-chair of Servicemembers Legal Defense Network, has stated in federal court testimony and elsewhere that the rhetoric and rationale used in the 1940's to justify racial segregation are virtually the same as those used today to justify the exclusion of known lesbians, gays and bisexuals.

In a letter to Secretary of Defense William Cohen, C. Dixon Osburn and Michelle M. Benecke, Co-Executive Directors of Servicemembers Legal Defense Network (SLDN), reflect on the fiftieth anniversary of President Truman's Executive Order and the current situation facing lesbian, gay and bisexual service members.

The letter calls President Truman's Executive Order "courageous, just and in the military's and country's best interest." The letter encourages Secretary Cohen to "consider carefully your role in history," asking Secretary Cohen to take steps to enforce the limits to gay investigations under "Don't Ask, Don't Tell, Don't Pursue," one of the few promises made to better the treatment of lesbian, gay and bisexual service members.

In a report released earlier this year, SLDN documented that "commanders continue to ask, pursue and harass" service members in direct violation of "Don't Ask, Don't Tell, Don't Pursue." In April, the Pentagon released statistics showing that it had discharged 997 gays in 1997, a 67% increase since the implementation of "Don't Ask, Don't Tell, Don't Pursue" and the

highest number of discharges since 1989.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: The Data Lounge News (The Data Lounge News <editorial@datalounge.com> [UNKNOWN])

CREATION DATE/TIME:30-JUL-1998 01:20:30.00

SUBJECT: [GLBT-NEWS:DL] Court Reinstates Navy Man Discharged in 1994

TO: GLBT-NEWS List (GLBT-NEWS List <glbt-news-owner@duh.org> [UNKNOWN])

READ:UNKNOWN

Joseph E. Voeller (CN=Joseph E. Voeller/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

NEWS SOURCE: The Data Lounge - <http://www.datalounge.com/>

BACKGROUND OF NEWS SOURCE:

The Data Lounge is about anything and everything gay. Daily news headlines,

culture information, and gossip--who's out, who's not, and who should be.

Visit their site, and to see the Web version of this article, click

below:

<http://www.datalounge.com/pages/sections/news/98/07/29/004.news>

Wednesday, July 29, 1998

Court Reinstates Navy Man Discharged in 1994

WASHINGTON -- In a ruling that could affect a wide variety of cases, the Navy Times reports a federal judge has decreed service members who

face discharge on suspicion of being gay or lesbian must be given the chance to prove they should be allowed to remain in uniform.

A Navy panel charged with determining Lt. Steven Kindred's fitness for duty wrongly prevented him from trying to prove that gay experiences earlier in his career would not recur, ruled Judge James T. Turner of the U.S. Court of Federal Claims in a forthcoming (July 8) opinion.

Turner ordered the Navy must reinstate Kindred, a 17-year veteran with prior enlisted service, retroactive to July 29, 1994, the date of his discharge. Any reference to the discharge must be expunged from the officer's record as well, the judge ruled.

The impact of the opinion could force future military juries and boards to consider more carefully service members' contention that they will meet standards for service, under regulations that address the criteria for discharging gays, the Navy Times says.

"It will certainly impact every significant case for which members are being processed for homosexuality," said civilian lawyer David P. Shelton, a former Navy staff judge advocate.

"The Navy has to follow the rules," said C. Dixon Osburn of the Servicemembers Legal Defense Network, an advocacy group has represented hundreds of people charged with violating the 1993 "don't ask, don't tell, don't pursue" regulation.

"Under both 'don't ask, don't tell, don't pursue' and the prior policy, the services need to provide pretty sound reasons upon which to base the discharge," Osburn said.

"We've complained for the last five years that 'don't ask, don't tell' discharges are pro forma rubber stamps," Osburn told the Navy Times.

"Our hope out of this case is that each service will take more care" when they evaluate evidence, he said.

The Justice Department has not yet announced if the government will appeal the decision.

===== Distributed through the GLBT-NEWS mailing list =====

To unsubscribe, send a message containing only "unsubscribe" in the message body (NOT subject) to the address: glbt-news-request@duh.org

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: book-bargains-editor (book-bargains-editor@amazon.com [UNKNOWN])

CREATION DATE/TIME:14-AUG-1998 20:58:20.00

SUBJECT: Amazon.com Delivers Book Bargains

TO: Eugenie Bisulco (CN=Eugenie Bisulco/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

Greetings from Amazon.com Delivers Book Bargains

Editor, Nancy Starr

FEATURED IN THIS E-MAIL:

- * Last Chance for Summer Sloth: Great Reads in Deeply
Discounted Fiction
- * Great Writers at Even Greater Prices
- * "Conduct Unbecoming: Gays and Lesbians in the U.S.
Military"--85% Off
- * "The End of Racism"--75% Off
- * "The Dull Knives of Pine Ridge: A Lakota Odyssey"--75% Off
- * Back to Nursery School: Deeply Discounted Children's Books
- * "Schrodinger's Kittens and the Search for Reality"--85%
Off
- * Listen for Less: Audiobook Bargains
- * "Nine Scorpions in a Bottle: Great Judges and Cases of the
Supreme Court"--75% Off
- * Why Are These Books So Cheap?

LAST CHANCE FOR SUMMER SLOTH

The price is more than right on our great reads in fiction this month. Stephen King is at his best in "Rose Madder," as is Anne Rivers Siddons in "Hill Towns." There's still time to take them to the beach at 75% off their original prices. We've also got William Martin, who many consider a worthy contender for the audience of James Michener, with "Annapolis"; Jane Mendelsohn's "I Was Amelia Earhart"; and Garrison Keillor's "The Book of Guys"--all for at least 75% off. At 85% off, you cannot afford to pass up Alice Borchardt's "Devoted," a novel set in the pagan world of 10th-century France. See for yourself how Borchardt's writing compares with that of her sister, Anne Rice.

<http://www.amazon.com/summer-sloth>

GREAT WRITERS AT EVEN GREATER PRICES

Collections from two Nobel Prize winners, a few novellas and the personal journals of two Pulitzer Prize recipients, and intimate biographies of two other great American writers can all be yours for the cost of about 10 minutes of college tuition. "George Bernard Shaw: Selected Plays" offers six of the witty and prescient dramas with which the great Nobelist tackled such issues as women's equality and the stupidity of war. You can also class up your library for 75% off with

"Isaac Bashevis Singer: Three Complete Novels," which includes the unabridged texts of this Nobel's "Shosha," "The Slave," and "Enemies: A Love Story." Pulitzer winners William Styron ("The Confessions of Nat Turner") and John Cheever ("The Stories of John Cheever") are represented this month by Styron's "A Tidewater Morning" and by "The Journals of John Cheever." Both books offer insight into the personal torment that helped forge some of the world's great literature, as do two bargain biographies, "Intimate Lies: F. Scott Fitzgerald and Sheilah Graham" and Harrison Kinney's monumental "James Thurber: His Life and Times."

<http://www.amazon.com/great-writers>

"CONDUCT UNBECOMING"

The late Randy Shilts followed his bestselling "And the Band Played On" with "Conduct Unbecoming," an epic investigation of the situation of lesbians and gays in the military. It includes stories of remarkable courage and persecution, and its publication helped spark a national debate. We have a limited supply of this incredible value at 85% off.

http://www.amazon.com/exec/obidos/ASIN/031209261X/ref=ad_bb1

"THE END OF RACISM"

Dinesh D'Souza stirred controversy with "The End of Racism," a brilliant inquiry into the history, nature, and ultimate meaning of racism. You can examine his provocative theses for 75% off the original price.

http://www.amazon.com/exec/obidos/ASIN/0029081025/ref=ad_bb1

"THE DULL KNIFES OF PINE RIDGE"

"The Dull Knives of Pine Ridge" is a rare family history that tells the story of four generations of a Lakota Sioux family, spanning a century of history from Little Big Horn to Desert Storm. Author Joe Starita spent two and a half years interviewing the members and friends of the Dull Knife family of the Pine Ridge Reservation, which resulted in this unique history of a Native American nation.

http://www.amazon.com/exec/obidos/ASIN/0399140107/ref=ad_bb1

BACK TO NURSERY SCHOOL

Celebrity names abound in this month's collection of deeply discounted children's books. Dolly Parton's "Coat of Many Colors" lovingly brings to life her Tennessee childhood, and James Herriot's "Bonny's Big Day" will please his youngest fans. If the popular rottweiler Carl has been babysitting for you lately, try another doggy favorite--"Carl Pops Up"--

for 65% off the original price. Kids of all ages will love "One Frog Can Make a Difference: Kermit's Guide to Life in the '90s"--especially at an 85% discount. Chapters titled "The Frogal Gourmet" and "I'm OK, You're a Pig" are sure to leave you in stitches. A frog of another color is "One Gaping Wide-Mouthed Hopping Frog," a delightfully illustrated counting book by Leslie Tryon, the talented artist who gave us "Albert's Alphabet." Paul Stickland's "ABC Bouncy Boxes and Board Book" offers a hilarious jack-in-the-box effect along with some alphabet education. "Star Signs" artfully depicts the mysteries of the zodiac for young readers, and, for the newest scholars, "Daydreams" is a whimsical and witty tale of the wandering minds in Miss Williams's first-grade classroom.

<http://amazon.com/nursery-school>

"SCHRODINGER'S KITTENS AND THE SEARCH FOR REALITY"

You can really take your mind back to school with "Schrodinger's Kittens and the Search for Reality," John Gribbin's sequel to his bestselling "In Search of Schrodinger's Cat." Gribbin's book, an investigation of the strange and mysterious world of quantum physics, offers exciting new theories that may actually solve some of the quantum mysteries.

http://www.amazon.com/exec/obidos/ASIN/0316328383/ref=ad_bb1

LISTEN FOR LESS: AUDIOBOOK BARGAINS

Stuck in traffic or on the treadmill? Ease the pain with the knowledge that you are saving big-time on Douglas Coupland's hilarious novel "Microserfs," which is about a group of Microsoft geeks determined to get a new life. The audiobook is read for you by "Friends" star Matthew Perry and is priced at 75% off. For two-fisted listening entertainment at prices to please the tight-fisted, we have Ken Follett's "A Place Called Freedom" and Jeffrey Archer's "The Fourth Estate." To top off the audio bargains, we snared a limited supply of yet another Pulitzer Prize winner's work: Annie Dillard's "The Living," a two-cassette evocation of 19th-century life in the Pacific Northwest read by Lawrence Luckinbill.

<http://www.amazon.com/listen-for-less>

"NINE SCORPIONS IN A BOTTLE"

No arm of the U.S. government has been more reviled and revered than the Supreme Court. Does the Court really define the Constitution? How safe is American society in the hands of "nine scorpions in a bottle"? Max Lerner, the great historian, journalist, and legal scholar, completed this

collection of essays shortly before his death in 1992. This enlightening volume, composed of essays dealing with the monumental cases of the Court and the judges who have shaped U.S. democracy, affirms Lerner's distinction as the acknowledged dean of Supreme Court observers.

http://www.amazon.com/exec/obidos/ASIN/1559702915/ref=ad_bb1

WHY ARE THESE BOOKS SO CHEAP?

We know Amazon.com customers are used to getting great savings on all the books they buy, but our 65%, 75%, or 85% off the list price is terrific even for us. The tremendous savings are yours because we scour the backrooms, warehouses, and showrooms of publishers and suppliers to pick up the choicest overstocks, closeouts, and special purchases to bring to you. All of our deeply discounted books are in pristine condition and, at prices lower than most of their paperback editions, they are truly spectacular bargains. But even yours truly, Queen of Bargains, can't always get as many as I want, so keep in mind that supply is limited on most of these titles.

That's our bountiful bundle of bargains for now. Next month we'll be featuring some special values in computer books, as well as three exciting true-life adventures.

Until then, Nancy Starr

You'll find more great books, articles, excerpts, and
interviews in Amazon.com's Book Bargains section at
<http://www.amazon.com/book-bargains>

If you have friends who might enjoy this mailing, please
feel free to forward it to them. To become a new Amazon.com
Delivers subscriber, or to sign up for additional
categories, visit <http://www.amazon.com/delivers>

We want to be sure that our Amazon.com Delivers e-mail
message delivers the type and quality of information you
want to receive. To reach us just hit "reply" and send us
your comments.

To unsubscribe from this mailing, send an e-mail message to
unsubscribe-book-bargains@amazon.com with "unsubscribe-book-

bargains" in the text field.

Copyright 1998 Amazon.com, Inc. All rights reserved.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: The Data Lounge News (The Data Lounge News [UNKNOWN])

CREATION DATE/TIME:25-SEP-1998 03:20:25.00

SUBJECT: [GLBT-NEWS:DL] Appeals Court Upholds 'Don't Ask, Don't Tell'

TO: GLBT-NEWS List (GLBT-NEWS List [UNKNOWN])

READ:UNKNOWN

Joseph E. Voeller (CN=Joseph E. Voeller/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

NEWS SOURCE: The Data Lounge - <http://www.datalounge.com/>

BACKGROUND OF NEWS SOURCE:

The Data Lounge is about anything and everything gay. Daily news headlines,

culture information, and gossip--who's out, who's not, and who should be.

Visit their site, and to see the Web version of this article, go to:

<http://www.datalounge.com/cgi-bin/dbm/news/record?record=2695>

Appeals Court Upholds 'Don't Ask, Don't Tell'

September 24, 1998

NEW YORK -- The Reuters News agency reports a U.S. appeals court on

Wednesday upheld the government's "don't ask, don't tell, don't

pursue" policy governing gay and lesbian service in the military,

overturning a lower-court decision that held the policy to be

unconstitutional.

The case 'Able v. USA' was being watched closely by human rights advocates and the Pentagon.

The Second Circuit Court of Appeals joins three other appellate courts in the Fourth, Eighth and Ninth Circuits that have upheld the military's policy on gays in the military. There are currently no other cases challenging Clinton's 1993 compromise law before district or appellate courts.

C. Dixon Osburn of the Servicemembers Legal Defense Network said in response to the decision, "Americans should be concerned when the courts hold the military above the law. Contrary to the court's opinion today, the Constitution does not permit our government to fire people from their jobs for being gay. Obviously, we are very disappointed in the court's opinion and will have to redouble our efforts to convince the American people that military readiness is not served by witch hunts, death threats, and firing decorated soldiers from their jobs."

The appeals decision threw out a ruling by Judge Eugene Nickerson who ruled in July of 1997 that the 'don't ask' creates "special rules" which treat gay service members differently than heterosexual service members for saying and doing precisely the same things. Nickerson said regulations that do so are in violation of the constitutional guarantee of equal protection.

In explaining the reversal, the appellate judges wrote that the "courts are ill-suited to second-guess military judgments that bear upon military capability or readiness." The judges repeated the government's argument that the military's ban on homosexuality "promotes unit cohesion, enhances privacy and reduces sexual tension," but did not engage in new discussion.

In his 1997 ruling, Nickerson criticized the military for its history of intolerance toward gay men and women, at one point calling the term "unit cohesion" a "euphemism for catering to the prejudices of heterosexuals."

Defense Department spokesman, Lt. Col. Tom Begines, told Reuters the Pentagon had no immediate comment. The Justice Department also issued no comment other than to say the ruling was consistent with federal appeals courts in California, Virginia and Missouri.

Beatrice Dohrn of the Lambda Legal Defense and Education Fund told Reuters the appeals court decision closes the door on virtually any review of discrimination by military courts. "They're saying that where the military is concerned they can discriminate," she said, "that's implicit in the decision."

No decision has been made regarding a possible appeal to the U.S. Supreme Court.

--Data Lounge Staff

===== From the GLBT-NEWS mailing list =====

Moderators: glbt-news-owner@duh.org

Also available on FidoNet in GAYNEWS

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: wayne.besen (wayne.besen@mail.hrcusa.org [UNKNOWN])

CREATION DATE/TIME:24-SEP-1998 02:36:52.00

SUBJECT: MILITARY WITCH HUNT UPHELD IN SECOND CIRCUIT

TO: Joseph E. Voeller (CN=Joseph E. Voeller/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

919 18th Street NW

Washington, DC 20006

website <http://www.hrc.org>

phone 202 628 4160

fax 202 347 5323

News Release

FOR IMMEDIATE RELEASE

Wednesday, September 23, 1998

DON'T ASK, DON'T TELL ANTI-GAY MILITARY WITCH HUNT

POLICY UPHELD IN SECOND CIRCUIT

Military Argues They Are Exempt From Laws And Standards Governing Fairness

And Nondiscrimination In Employment, Asserts HRC

WASHINGTON, D.C. - The Administration's "Don't Ask, Don't Tell, Don't

Pursue" policy was upheld today by the Second Circuit Court of Appeals in

Able v. USA case. In upholding the constitutionality of the patently discriminatory policy, the Court effectively gives the Department of Defense carte blanche authority to strip lesbian and gay service members of basic constitutional rights, according to the Human Rights Campaign.

"This ruling says that the military is exempt from the rules the rest of society has to follow. We should all be troubled when Americans who are honorably serving their country are persecuted by the very government they are trying to protect," said HRC political director Winnie Stachelberg. The Second Circuit Court of Appeals joins three other appellate courts in the Fourth, Eighth and Ninth Circuits that have upheld the current policy on gays in the military. There are no other cases challenging "Don't Ask, Don't Tell, Don't Pursue" pending before district or appellate courts.

The decision today overturns a lower court ruling by Judge Eugene Nickerson who ruled on July 2, 1997 that the military's policy creates "special rules" that treat gay service members differently than heterosexual service members for saying and doing the same things in violation of the constitutional guarantee of equal protection under the laws.

The Court refused to apply the *Romer v. Evans* decision to the armed services, arguing that the armed services' "special functions" justify discriminatory treatment against lesbian and gay service members. In *Romer*, the Supreme Court stated unequivocally that gay and lesbian people could not be singled out for unequal treatment. The *Romer* case overturned Colorado's Amendment 2, a Colorado ballot measure that would have denied localities the ability to enact ordinances that barred anti-gay discrimination.

"The Court's decision is in error and fundamentally flawed because there is no military exception to the US Constitution and our Bill of Rights," said HRC chief counsel Tony Varona. The six service members who brought the challenge to "Don't Ask, Don't Tell, Don't Pursue" may ask the entire Second Circuit to hear an appeal of the case or they may petition the United States Supreme Court to review today's decision. The case was brought on behalf of the service members by Lambda Legal Defense & Education Fund and the ACLU Lesbian and Gay Rights Project, both in New York.

In a report released earlier this year, Servicemembers Legal Defense Network documented that "commanders continue to ask, pursue and harass" service members in direct violation of "Don't Ask, Don't Tell, Don't Pursue." In April, the Pentagon released statistics showing that it had discharged 997 gays in 1997, a 67% increase since the implementation of "Don't Ask, Don't Tell, Don't Pursue" and the highest number of discharges since 1989. SLDN reports that the cost of firing gays in the military last year exceeded \$29 million.

Today's decision comes on the heels of a new survey released on September 4, 1998 indicating a significant drop in "strong opposition" to gay men and lesbians in the military by soldiers. The survey, conducted by Professor Charles Moskos of Northwestern University, the author of "Don't Ask, Don't Tell, Don't Pursue," and Laura Miller of UCLA, found that the number of Army men strongly opposed to the presence of gay men and lesbians in the military has dropped from 67% in 1992 to 36% in 1998. Army women's opposition has also dropped significantly from 31% in 1992 to 16% in 1998, according to the recent study.

The Human Rights Campaign is the largest national lesbian and gay

political organization, with members throughout the country. It effectively lobbies Congress, provides campaign support, and educates the public to ensure that lesbian and gay Americans can be open, honest, and safe at home, at work, and in the community.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: PlanetOut NewsPlanet (PlanetOut NewsPlanet [UNKNOWN])

CREATION DATE/TIME:24-SEP-1998 01:20:12.00

SUBJECT: [GLBT-NEWS:PNO] Appeals Court OKs "Don't Ask"

TO: GLBT-NEWS List (GLBT-NEWS List [UNKNOWN])

READ:UNKNOWN

Joseph E. Voeller (CN=Joseph E. Voeller/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

NEWS SOURCE: PlanetOut NewsPlanet - <http://www.planetout.com/>

BACKGROUND OF NEWS SOURCE:

PlanetOut is a web site with oodles of news, information, and just plain Web-fun for the gay community. Visit their site and support their news staff that bring you these articles. This particular article may have even more links--for the Web version of this article, go to:

<http://www.planetout.com/newsplanet/article.html?1998/09/23/2>

Appeals Court OKs "Don't Ask"

NewsPlanet Staff

Wednesday, September 23, 1998 / 05:35 PM

SUMMARY: A 3-judge panel struck a big blow against the last pending court challenge to the military's policy, but the servicemember complainants and their supporters won't take "don't ask" for an

answer.

"We will not substitute our judgment for that of Congress," wrote a three-judge panel of the Second U.S. Circuit Court of Appeals, and struck down the last remaining legal challenge to the so-called "Don't Ask, Don't Tell" policy on military service in a ruling released September 23. The Second Circuit followed the Fourth, Eighth and Ninth Circuits in supporting "Don't Ask, Don't Tell," as it overturned one of the decisions most remarkably favorable to gays and lesbians in the history of the military controversy, that of U.S. District Court Judge Eugene Nickerson. The case is "Able v. USA," an action brought by a half-dozen gay and lesbian servicemembers with the Lambda Legal Defense and Education Fund and the American Civil Liberties Union's Lesbian and Gay Rights Project, which was intentionally designed to test every aspect of the military's discrimination based on sexual orientation. The next step could be either a request for an en banc hearing by the full Second Circuit bench or an appeal to the U.S. Supreme Court.

Lambda's Beatrice Dohrn noted that the ruling means the servicemembers who filed the suit could now be discharged for having declared their sexual orientation. "The court abdicated its constitutional responsibility by refusing to even examine 'don't ask, don't tell,'" Dohrn said. "Lesbian and gay service members are prepared to defend the Constitution with their lives, but the court today says they are not entitled to basic protections simply because Congress and the military say they aren't." ACLU Lesbian and Gay Rights Project

director Matthew Coles dramatized the impact, saying, "Tomorrow or the next day, just like yesterday and the day before, the government will discharge five or seven or ten loyal, brave Americans who it will admit have served their country well. The day after that, they'll do it again. And so it will go for the foreseeable future. The shame and disgrace in this belongs not to these good people, but to those in government who passed this law and those who allow it to govern the military."

"Able" was first filed in 1994 shortly after the Clinton administration's policy went into effect. In 1995, Nickerson struck down the policy as an unconstitutional violation of servicemembers' free speech rights. When the government appealed, the Second Circuit in July 1996 sent the case back down to Nickerson to consider issues of homosexual "conduct" as well as free speech. In July 1997, Nickerson rejected the military's restrictions on conduct just as vehemently as he had the speech restrictions, declaring them to be special rules which violated gay and lesbian servicemembers' right to equal treatment under the law without justification. Rejecting the standard military argument that repression of gays and lesbians is necessary to "unit cohesion," Nickerson wrote that "'unit cohesion' is a euphemism for catering to the prejudices of heterosexuals." He continued, "The fact that the prejudice arises in the military context does not legitimate the discrimination. The Constitution does not grant the military special license to act on prejudices or cater to them," and added that, "A service called on to fight for the principles of equality and free speech embodied in the United States

Constitution should embrace those principles in its own ranks." The Second Circuit heard oral arguments in the second appeal in April 1998.

C. Dixon Osburn, co-executive director of the Servicemembers Legal Defense Network (SLDN), which filed a friend-of-the-court brief on behalf of the servicemembers, said of the latest Second Circuit ruling that, "Americans should be concerned when the courts hold the military above the law. Contrary to the court's opinion today, the Constitution does not permit our government to fire people from their jobs for being gay. Obviously, we are very disappointed in the court's opinion and will have to redouble our efforts to convince the American people that military readiness is not served by witch hunts, death threats, and firing decorated soldiers from their jobs."

SLDN noted in a press release that the "Don't Ask" policy, supposedly intended to allow closeted celibate gays and lesbians to serve, has actually resulted in a 67% increase in discharges for homosexuality since its institution, with the 997 discharges in 1997 representing the highest annual total since 1989 and a cost of more than \$29-million. SLDN also noted a newly released survey by Professor Charles Moskos, generally recognized as the architect of the "Don't Ask" policy, which found a substantial drop from 1992 to 1998 in Army personnel's opposition to serving with gays and lesbians: from 67% to 36% among men and from 31% to 16% among women.

===== From the GLBT-NEWS mailing list =====

Moderators: glbt-news-owner@duh.org

Also available on FidoNet in GAYNEWS