

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: rwockner (rwockner@netcom.com@INET@LNGTWY [UNKNOWN])

CREATION DATE/TIME:12-JAN-1998 13:35:00.00

SUBJECT: NC5788: Wash Post on NAVY/AOL case

TO: Richard Socarides (Richard Socarides@EOP [UNKNOWN])

READ:UNKNOWN

TO: Stuart D. Rosenstein (Stuart D. Rosenstein@eop [UNKNOWN])

READ:UNKNOWN

TEXT:

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WASHINGTON POST, January 12, 1998

1150 15th Street NW, Washington, DC, 20071

(Online Mailer: [http://www.washingtonpost.com/wp-](http://www.washingtonpost.com/wp-srv/edit/letters/letterform.htm)

[srv/edit/letters/letterform.htm](http://www.washingtonpost.com/wp-srv/edit/letters/letterform.htm))

Navy Targets Sailor's Use of 'Gay' on AOL

Case Raises Issue of Online Privacy Protection

By Rajiv Chandrasekaran

Washington Post Staff Writer

When Navy sailor Timothy R. McVeigh created a "user profile" on America Online, he didn't think his use of the word "gay" to describe his marital status would violate the Clinton administration's "don't ask, don't tell" policy on homosexuals in the military. He said he was careful not to

include his full name or his occupation, referring to himself only as "Tim" in "Honolulu, Hawaii."

But last week, in an unusual case that has outraged gay-rights groups and electronic-privacy advocates, the Navy's deputy personnel chief ordered that McVeigh -- who is not related to the convicted bomber of the Oklahoma City federal building -- be dismissed from the service for violating the policy, after a naval investigator testified that he obtained McVeigh's identity with a telephone call to America Online Inc.

The investigator said at a November discharge hearing that a technical-support employee at the Dulles-based online service did not ask for a court order before imparting McVeigh's full name and state of residence, according to a transcript of the proceeding. Privacy advocates contend that AOL, which has 10 million subscribers, flouted its own privacy policy and that both the Navy and AOL may have violated a federal law.

"People are given an assurance that when they use AOL, they are doing it with a pretty strong sense of anonymity," said David L. Sobel, the legal counsel at the Electronic Privacy Information Center, a Washington-based advocacy group. "This case raises serious questions about AOL's protection of subscriber privacy."

An AOL spokeswoman would not comment on the case other than to say that the company "saw nothing in the transcript [of the discharge hearing] to suggest that we gave out private member information." "Our policy regarding the release of personal information is very clear," the spokeswoman, Wendy Goldberg, said. "We don't release this information unless we are presented with a court order, a search warrant or a subpoena. That policy is very clear to our employees."

The case against McVeigh has been seized upon by gay rights activists,

who see it as the latest example of what they say is unfair and discriminatory prosecution of homosexuals by the military. They insist the Navy was unjustified in pursuing McVeigh simply because of an AOL profile that he maintains did not include his last name.

"Under 'don't ask, don't tell,' there are supposed to be limits on investigations," said C. Dixon Osburn, the co-executive director of the Servicemembers Legal Defense Network, a Washington-based group that assists military personnel charged with violating the policy. McVeigh "didn't work hard to get on the radar screen," said Osburn, who is providing legal advice to McVeigh.

A Navy official at the Pentagon, who requested anonymity, defended the investigation into McVeigh. "The Navy views this case as a straightforward application of existing policy." The Navy viewed the AOL profile "as a straightforward indication of McVeigh's statement that he is gay," the official said.

McVeigh, 36, a senior chief petty officer who has been in the Navy for 17 years, said the discharge proceedings began after he sent a civilian Navy employee an electronic mail message in September asking for the ages of children of sailors on his submarine to organize a holiday toy giveaway. McVeigh said he sent the request via the AOL account because he was heading off to sea and did not have time to see the civilian Navy employee in person.

As is true of all AOL messages, McVeigh's "screen name" appeared as the return address. Using that screen name, the employee searched AOL's public directory and discovered a profile screen, created by McVeigh, that included the designation "gay" for marital status. It is unclear from the testimony in the case what prompted the employee to search the profile.

At the November hearing, naval investigator Joseph Kaiser said he called AOL and talked to "a gentleman named Owen at tech services," according to the transcript. Kaiser testified that he "wanted to confirm the profile sheet, who it belonged to. They said it came from Hawaii and that it was 'Timothy R. McVeigh' on the billing."

Kaiser testified that the AOL representative did not provide any other data about McVeigh.

Sobel and other privacy advocates question whether the McVeigh case is an isolated incident of privacy violations by AOL. "How many other similar disclosures have been made like this that we -- or the actual account holder -- don't know about?" he asked.

Others suggest that the Navy's apparent success in obtaining the information from AOL without a court order will encourage investigators to operate in a similar fashion in the future. "It's giving a green light for the government to start cyber-snooping on American citizens," said John Aravosis, an Internet consultant in Washington who has been trying to raise awareness of the case.

The 1986 Electronic Communications Privacy Act bars service providers such as AOL from knowingly giving subscriber information to law enforcement officials without a court order. In the McVeigh case, however, it is not clear from the transcript that the investigator identified himself to AOL.

"There seems to be a legal loophole here that needs to be closed," Sobel said. "There's nothing to prevent investigators from getting this information without disclosing who they are."

McVeigh said the only evidence given at the hearing was the profile, which he does not deny writing. In an interview with The Washington Post,

he would not say whether he is gay.

He disputes the Navy's contention that the word "gay" on his profile means he is homosexual. "You can put in male or female, that you are green or blue or purple," he said. "That doesn't make it true."

The Navy personnel office on Jan. 5 directed that McVeigh be given an honorable discharge within 10 days, entitling him to some benefits but not a pension. McVeigh joined the Navy after high school, rising to become the chief enlisted officer on the USS Chicago, a nuclear-powered submarine.

The Servicemembers Legal Defense Network has submitted an appeal to Navy Secretary John Dalton, asking to delay the discharge pending an examination of whether the service properly followed the "don't ask, don't

tell" policy. ===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)
id <01ISAI124LQO002O1D@PMDF.EOP.GOV>; Mon, 12 Jan 1998 13:40:35 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov)
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01ISAI115I8W009QH4@PMDF.EOP.GOV>; Mon,

12 Jan 1998 13:40:32 -0500 (EST)

Received: from netcom12.netcom.com ([192.100.81.124])

by STORM.EOP.GOV (PMDF V5.1-7 #6879)
with ESMTP id <01ISAI0GGSXU0018KQ@STORM.EOP.GOV>; Mon,
12 Jan 1998 13:40:07 -0500 (EST)

Received: (from rwockner@localhost)
by netcom12.netcom.com (8.8.5-r-beta/8.8.5/(NETCOM v1.02)) id KAA23464; Mon,
12 Jan 1998 10:35:37 -0800 (PST)

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Doug.Case (Doug.Case@sdsu.edu@INET@LNGTWY [UNKNOWN])

CREATION DATE/TIME:13-JAN-1998 20:20:00.00

SUBJECT: Personal for Richard Socarides

TO: Richard Socarides (Richard Socarides@EOP [UNKNOWN])

READ:UNKNOWN

TEXT:

The news about the other Timothy Veigh (the one the Navy discharged because of his AOL profile) is very troubling. If ever there was a clear violation of "Don't Ask, Don't Tell, Don't Pursue" this is it. President Clinton promised us that there would be no such witchhunts. He's the Commander in Chief, damn it. What is he doing about this???

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)
id <01ISC884LMAO015O9T@PMDF.EOP.GOV> for "Richard Socarides"@oa.eop.gov; Tue,

13 Jan 1998 19:21:32 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov)
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01ISC87YXGR400S04D@PMDF.EOP.GOV> for
Richard_Socarides@oa.eop.gov; Tue, 13 Jan 1998 19:21:23 -0500 (EST)

Received: from mail.sdsu.edu ([130.191.25.1])
by STORM.EOP.GOV (PMDF V5.1-7 #6879)
with ESMTP id <01ISC8784EDY001DWQ@STORM.EOP.GOV> for
Richard_Socarides@oa.eop.gov; Tue, 13 Jan 1998 19:20:48 -0500 (EST)

Received: from [130.191.242.121] ([130.191.242.121])
by mail.sdsu.edu (8.8.7/8.8.7) with ESMTP id QAA25792 for
<Richard_Socarides@oa.eop.gov>; Tue, 13 Jan 1998 16:20:42 -0800 (PST)

X-Sender: dcase@mail.sdsu.edu

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: rwockner (rwockner@netcom.com@INET@LNGTWY [UNKNOWN])

CREATION DATE/TIME:13-JAN-1998 02:30:00.00

SUBJECT: NC5796: Just what did McVeigh's AOL profile say?

TO: Richard Socarides (Richard Socarides@EOP [UNKNOWN])

READ:UNKNOWN

TO: Stuart D. Rosenstein (Stuart D. Rosenstein@eop [UNKNOWN])

READ:UNKNOWN

TEXT:

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ASSOCIATED PRESS January 12, 1998

Navy defends dismissal of gay sailor

By John Diamond

Associated Press Writer

WASHINGTON (AP) -- The Navy defended its actions Monday in discharging a 17-year veteran sailor for homosexuality after apparently uncovering his sexual orientation through the Internet.

Critics accused the Navy of invasion of privacy by tracking down the sailor's identity from an Internet profile page in which he called himself simply "Tim."

The Navy's deputy chief of personnel ordered Senior Chief Petty Officer Timothy R. McVeigh to be dismissed from the service for violating the

military's "don't ask, don't tell" policy on homosexuality.

McVeigh is no relation to the convicted bomber of the Oklahoma City federal building.

A Navy official, who spoke on condition of anonymity, said information posted by McVeigh on the Internet represented a "statement" under the military regulations about homosexuality in the military. Although the policy bars the military from making inquiries about sexual preference, it does allow the military to discharge those who declare their homosexuality.

But critics of the Navy say the issue is how the Navy linked information listed on the Internet only under the name "Tim" with McVeigh.

Gay rights advocacy groups cite Navy investigation transcripts showing that a Navy investigator called America Online and obtained the full name of a "Tim" who had posted personal information on a profile page. Among other things, the page listed under marital status "gay." The profile page, which has since been removed from the Internet, listed under hobbies, "driving, boywatching, collecting pictures of other young studs." The Internet account was named "Boysrch," for boy search, according to one lawyer familiar with the investigation.

The case, reported in Monday's Washington Post, appears to represent a conflict between two aspects of the Pentagon's policy on gays in the military.

Under Pentagon policy, "any credible evidence, including a written or spoken statement, which shows that a military member has a propensity or intent to engage in homosexual acts, may warrant initiation of administrative proceedings for discharge."

On the other hand, gay rights advocates cite a statement by President

Clinton in 1993 that the policy would show "a decent regard for the legitimate privacy and associational rights of all service members."

America Online Inc., a Virginia-based Internet access firm, would not acknowledge Monday that an AOL employee provided McVeigh's full name to a Navy investigator.

"We don't disclose private information unless we're presented with search warrant, court order or subpoena," said AOL spokeswoman Wendy Goldberg. "The policy is made very clear to our employees and we're currently looking into the situation."

Investigatory records, copies of which were obtained by The Associated Press, show the Navy investigator acknowledging he made the inquiry.

"I called AOL and talked to a gentleman named Owen at Tech Services," the witness, who was unidentified in the records, said at a November discharge hearing. "I said that I am the third party in receipt of a fax and wanted to confirm the profile sheet, who it belonged to. They said it came from Hawaii and that it was from 'Timothy R. McVeigh' on the billing."

Before the Navy investigator made that statement, however, McVeigh had already acknowledged to superiors that the profile page was his.

McVeigh, 36, was a senior enlisted man on the USS Chicago, a Los Angeles- class attack submarine, when the inquiry began last year.

Neither McVeigh nor his military attorney returned calls Monday seeking comment.

John Aravosis, an attorney and Internet consultant who is assisting McVeigh on the case, said the case amounts to the Navy spying on an American citizen.

"Does this mean now that the FBI can do this?" Aravosis asked.

Kim Mills of the Human Rights Campaign, a gay rights advocacy group, said that although her organization opposes don't-ask, don't-tell, this case represents a violation even of the limited protections the law provides.

"If we have to live with this policy, we would like to see it properly enforced," Mills said.

The Servicemembers Legal Defense Network has asked Navy Secretary John Dalton to delay the discharge decision and examine whether Navy investigators followed procedure.

The Navy official said Dalton has not received the letter requesting a review. ===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)
id <01ISB8YR48Z400NDTX@PMDF.EOP.GOV>; Tue, 13 Jan 1998 02:32:11 -0500 (EST)
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by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01ISB8YPR6YO003SUI@PMDF.EOP.GOV>; Tue,
13 Jan 1998 02:32:09 -0500 (EST)
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by STORM.EOP.GOV (PMDF V5.1-7 #6879)
with ESMTP id <01ISB8YCZG4Y0016LS@STORM.EOP.GOV>; Tue,
13 Jan 1998 02:31:52 -0500 (EST)
Received: (from rwockner@localhost)
by netcom11.netcom.com (8.8.5-r-beta/8.8.5/(NETCOM v1.02)) id XAA18259; Mon,
12 Jan 1998 23:30:32 -0800 (PST)

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: HawaiiGay1 (HawaiiGay1@aol.com@INET@LNGTWY [UNKNOWN])

CREATION DATE/TIME:13-JAN-1998 22:56:00.00

SUBJECT: Alert - - Need for immediate civil rights supporter action - TO

TO: Richard Socarides (Richard Socarides@EOP [UNKNOWN])

READ:UNKNOWN

TEXT:

Aloha Folks,

We were asked to help out this Navy guy (being discharged from Hawaii this Friday unless help comes quickly) who has had blatant disregard of his confidentiality by AOL and misuse of power of Navy to collect information beyond the parameters of the "Don't Ask Don't Tell policy.

This is also a call from us to ask you to review the information and to act if

you can. He needs help today - all the information is included.

Do good,

William E. Woods, MPH

GLEA Foundatiobn

>

>Let me introduce myself. My name is Tim and I have recently been recommended

>for discharge from the United States Navy for merely having the word

"gay" in

>one of my America Online profiles and someone else's interpretation of
that

>profile. Because of the word gay in the profile, I was read my rights and

>questioned, with sodomy and indecent acts being the charges that were
being

>investigated. With no other evidence, I was relieved from my job as the

>senior enlisted man on a nuclear powered submarine and transferred to

>Submarine Squadron Three. A print out of my AOL profile is the only
evidence

>the government presented at the discharge proceedings. They contend that
my

>profile is a statement of homosexuality and intent to engage in homosexual

>acts. I contend that a profile on AOL is not a statement of anything and
that

>the proceedings are based on homo-phobic reaction and were discriminatory
in

>nature.

>

> I am currently fighting this action with the help of my Navy
appointed

>attorney, LCDR Derek Cole, and Mr. Kirk Childress of Servicemembers Legal

>Defense Network. I am also asking for your help and support to get this
word

>to President Clinton and several members of Congress. To do this, first I
ask

>that you provide this information to as many people as you can that are

>concerned with human rights and the military's strict adherence to the

Don't

>Ask, Don't Tell, Don't Pursue policy.

>

> While addressing the Human Rights Campaign on November 8th, President

>Clinton said "We have to broaden the imagination of America. When we deny

>opportunity because of ancestry or religion, race or gender, disability or

>sexual orientation, we break the compact. It is wrong and it should be

>illegal". I am confident that, with your help, this letter can make it

across

>the U.S. and be overwhelmingly heard in the White House and Halls of the

>Capital Building. If you can forward it to just one person, you will help

>double this mailing. That will get the word out. If you have previously

>received this message, then you can be proud of the efforts of persons

like

>yourself.

>

>NOTE: I am in no way connected or related to Timothy James McVeigh who

was

>convicted in the Oklahoma City bombing!

>

>Then, I ask you to send the following message:

>

>

>*****

*

>*****

>

>Dear Mr. President, Mr. Vice President and Members of Congress,

>

> I am an informed and concerned citizen of the United States and am

>appalled to hear that ETCS(SS) Timothy R. McVeigh, United States Navy, has

>been removed from his job as Chief of the Boat on USS Chicago (SSN-721)

and

is

>being recommended for discharge from the U.S. Navy simply because the word

gay

>appeared in one of his America Online profiles. Not a statement, and no

acts,

>but merely the word gay. Isn't there enough for the military to do

without

>wasting our time, money, and resources on "witch-hunts" for "suspected"

>homosexuals; a practice the military now adamantly denies it engages in

after

>its long and well documented history of carrying out such abuses of

people's

>rights. I am especially appalled that the investigation against ETCS(SS)

>McVeigh appears to violate the rules established by 'don't ask, don't

tell,

>don't pursue.' This entire matter, due to the wholesale weakness of the

>evidence against ETCS(SS) McVeigh, appears to be yet another "witch-hunt"

to

>perpetuate the existence of a "homo-phobic" mind-set in today's military.

>Please stop this travesty and correct this injustice and similar

injustices

>which occur every day in our military. Discrimination of any sort should

be

>eliminated in our country, and especially in our military. Let's find

better

>things to do with our military, other than seeking to discharge some of

our

>best and brightest, all because the military insists on conducting a

>clandestine and "homo-phobic" campaign to discharge those members it

believes

>to be homosexual. The military should not be engaged in McCarthy-like

tactics

>to identify and end the careers of its own members. We, the people, were

>promised that such actions would end - once and for all - by the

>implementation of Don't Ask, Don't Tell.

> If I have provided my name and address below, I request to be

provided

>with a written response, under the Freedom of Information Act, 5 U.S.C.

Sec.

>(1982), explaining why as a taxpayer, my tax dollars are being used to

process

>cases like this. I understand that under the Freedom of Information Act,

I

>must be provided with a response to this message from each of the offices

I

am

>addressing.

> Finally, Mr. Gore, I desire to know, what your stance on this issue

is,

>and what you intend to do about it. With an election coming up, there

will

be

>many thousands of voters throughout the country who will be interested in

your

>response.

>

>

> Sincerely,

>

> Name or withheld:

>

> Address:

>

> Phone number:

>

> (Phone number is only needed if you would consider having your letter

>published in the Navy Times)

>

>*****

*

>*****

>Note: Name and address are only required if you would like a response to

>this letter. You will receive an auto-response acknowledging receipt of
your

>message, but all reply mail is sent via snail mail.

>

>To make it easier to send this message, I have included e-mail hyper text.

>Click below and it will bring up the properly addressed mail. Then copy
and

>paste the above message into the text box. If you haven't done this
before

>there are instructions below.

>

>To bring up the properly addressed compose mail box <A HREF="mailto:

">navysubcmc@geocities.com, mcpon@bupers.navy.mil, navylet@atpco.com,

>subpacpa@hula.net, u00pa2@cpf.navy.mil, bob_graham@graham.senate.gov,

>senator@inouye.senate.gov, President@whitehouse.gov,

>Vicepresident@whitehouse.gov">click here

>

>Please use Navy Violates Don't Ask Don't Tell as the subject line.

>

>Instructions for copying and pasting the above message: After bringing up
the

>compose mailbox with the hyper link above, highlight the above portion by

>holding down the left mouse button and scrolling through the message.

Once

>highlighted, right click on the mouse and choose copy, Then go to the
compose

>mail and right click in the text portion of the e-mail. Choose paste and

the

>text should transfer to the outgoing e-mail.

>

>For more information please visit my web site at

>

>http://www.geocities.com/Pentagon/9241.

>

>Thank you for your time in this matter. I am certain with enough

response, a

>victory for all can be achieved and you will have played a large part. I

will

>update home page in an effort to try to keep you informed of the status of

>this case.

>

> ETCS(SS) Timothy R. McVeigh,===== ATTACHMENT 1

=====

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

TEXT:

RFC-822-headers:

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

id <01ISCE5MR6R4005H2N@PMDF.EOP.GOV> for socarides_r@a1.eop.gov; Tue,
13 Jan 1998 22:11:19 -0500 (EST)

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

by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01ISCE5IXH74008MCU@PMDF.EOP.GOV> for
socarides_r@a1.eop.gov; Tue, 13 Jan 1998 22:11:13 -0500 (EST)

Received: from imo15.mx.aol.com ([198.81.19.170])

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

with ESMTP id <01ISCE4T4XG0001EON@STORM.EOP.GOV> for socarides_r@a1.eop.gov;
Tue, 13 Jan 1998 22:10:38 -0500 (EST)

Organization: AOL (http://www.aol.com)

X-Mailer: Inet_Mail_Out (IMOV11)

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Doug.Case (Doug.Case@sdsu.edu@INET@LNGTWY [UNKNOWN])

CREATION DATE/TIME:14-JAN-1998 15:55:00.00

SUBJECT: The Navy asked. Did America Online tell?

TO: Richard Socarides (Richard Socarides@EOP [UNKNOWN])

READ:UNKNOWN

TO: Stuart D. Rosenstein (Stuart D. Rosenstein@eop [UNKNOWN])

READ:UNKNOWN

TEXT:

WALL STREET JOURNAL

January 14, 1998

Privacy Limits

By John Simons

The Wall Street Journal

The Navy asked. Did America Online tell?

A senior petty officer is about to be discharged from his post after
more

than 17 years in the service, following an unusual dispute with the on-line
company. The charge: Homosexuality.

The officer, 36-year old Timothy R. McVeigh -- no relation to the
Oklahoma

City bomber -- is a senior enlisted man on a nuclear submarine. He admits
using the word "gay" to describe his marital status in an electronic
profile

that he created on AOL, but he says he never thought his name would be

linked

to that on-line identity.

Thursday, barring action from the Secretary of the Navy, the courts, or President Clinton, Mr. McVeigh will receive an honorable discharge for violating the military's "don't-ask, don't-tell" policy on homosexuality.

Aside from causing a stir among gay-rights groups, Mr. McVeigh's case has

become a cause celebre for advocates pushing for tougher legislation to guarantee on-line privacy. Advocates believe the case could become a powerful

lobbying tool because it marks a rare example of an alleged violation of electronic privacy leading to tangible injury.

While out at sea on Sept. 2, Mr. McVeigh used AOL to send an electronic missive to a crewmate's wife, asking her to make preparations for a Christmas party for his shipmates and their families. The woman apparently didn't recognize the screen-name "BOYSRCH." So she looked up the sender's profile, using a simple option for AOL users, and found that the account belonged to someone named "Tim" who had written "gay" under the heading "marital status" and "Hawaii" under "location."

For reasons that still aren't entirely clear, the woman forwarded the information to Navy officials. When Mr. McVeigh returned from exercises on Sept. 12, the Navy told him that he was under investigation for "sodomy and indecent acts." Mr. McVeigh says Navy officials told him that the evidence consisted of two key facts. "They said that I'm not married and never have been, and that the AOL account was mine -- that's all their investigation

revealed," he says.

Mr. McVeigh won't say whether or not he is actually gay. Navy officials equate his using the "BOYSRCH" account to a public declaration of his alleged homosexuality.

"Under the Department of Defense homosexuality conduct policy, the statement made by a member that he is gay provides a rebuttable presumption that the service member has a propensity to engage in homosexual conduct," a

Navy official said. "This presumption may warrant the initiation of administrative discharge proceedings against the member."

What still isn't clear is how Navy officials linked "BOYSRCH" to Mr. McVeigh.

According to sworn testimony in a military review of the case, Naval investigators called America Online's Virginia headquarters and talked to a technical representative named Owen (they didn't get his last name) who identified Timothy R. McVeigh as the owner of the "BOYSRCH" account.

By doing so, AOL may have violated federal law, which says that government officials can obtain such information from a private company only if they have a warrant or a subpoena.

The Navy testimony suggests there was no such document. A Navy investigator, Joseph M. Kaiser, testified, "I simply said that I was the third party in receipt of a fax and I wanted to insure that this was from the individual we thought it was. . . . (Owen) said, 'Not a problem. I can give

you the name and say that that's the billing account, but I can't give you anything more.' They gave me the name, Timothy R. McVeigh."

AOL denies any wrongdoing and says it has launched an internal investigation. "We're still looking into it, but we're pretty certain our policies were followed," says Ann Brackbill, a spokeswoman for the company.

AOL says that in the absence of a warrant or subpoena, its policy is to give out information about accounts only to the actual subscriber, who must provide a correct name and address and be calling from the same telephone number listed with the service. If a subscriber is calling from a different number, he must provide the last four digits of a credit card or bank account number.

America Online allows users to designate several people on a single account. That way, families can maintain separate electronic mailboxes for its various members while still paying a single \$19.95-a-month access charge.

AOL customers can also use the feature to create accounts for alternate personas.

Many users take on cryptic screen names and provide sketchy profile data to mask their true identities on-line. That allows, say, a prominent town council member to join a discussion in the "foot tickling" chat room without fear of being recognized.

Mr. McVeigh says he created the "BOYSRCH" persona to "have fun and talk

to people." "People say they're male or female on-line. That doesn't make it true," he explains. "What's next?" he asks. "Can your boss call and get information about what you're doing on-line?"

Theoretically not, though federal protections for on-line consumer information are fairly narrow. In 1986, Congress updated an existing federal wiretap law requiring government investigators to obtain a warrant or subpoena before prying into a private citizen's electronic messages. But the law, written before the surging popularity of the Web, only covers communication and some subscriber information.

Companies have wider latitude when it comes to other kinds of potentially sensitive information, including which Web sites a consumer visits or what a consumer purchases on-line. According to AOL's terms of service the company explicitly reserves the right to sell that information to other businesses.

Congress is considering four bills that seek to extend on-line consumer privacy. The most wide-reaching, the Consumer Internet Protection Act, would prohibit an on-line service from disclosing to a third party any personally identifiable information without the subscriber's informed, written consent.

So far, none of those measures has gathered much support.

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)
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by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01ISDFE4ABXS00BN43@PMDF.EOP.GOV>; Wed,
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by mail.sdsu.edu (8.8.7/8.8.7) with ESMTP id MAA18857; Wed,
14 Jan 1998 12:55:21 -0800 (PST)
X-Sender: dcase@mail.sdsu.edu

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: rwockner (rwockner@netcom.com@INET@LNGTWY [UNKNOWN])

CREATION DATE/TIME:14-JAN-1998 22:45:00.00

SUBJECT: NC5815: 'Gay' Sailor Questions U.S. Navy Investigation

TO: Richard Socarides (Richard Socarides@EOP [UNKNOWN])

READ:UNKNOWN

TO: Stuart D. Rosenstein (Stuart D. Rosenstein@eop [UNKNOWN])

READ:UNKNOWN

TEXT:

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WASHINGTON (Reuters) - A sailor facing a discharge because he listed ``gay" on his America Online user profile accused the Navy Wednesday of not properly following military rules on gathering evidence for his dismissal.

Senior Petty Officer Timothy McVeigh was given an honorable discharge effective later this week for violating the military's ``don't ask, don't tell" policy on homosexuality, a Navy official announced on Tuesday.

The Navy's investigation of McVeigh -- who is not related to convicted Oklahoma City bomber Timothy McVeigh -- was not properly authorized and contained information that was not credible, McVeigh charged.

``The Navy says they've done everything correctly and my contention is that they have not followed the regulations," he

told ABC's ``Good Morning America."

``The investigation that they have proceeded with was not properly authorized, yet that took all that information into a totally biased board and then recommended my discharge."

The Navy declined to comment on how it obtained McVeigh's profile, saying the information was part of its ongoing investigation.

America Online is the largest online service for consumers, providing access to the Internet, e-mail and various chat and news groups for a monthly fee.

AOL profiles allow users to view biographical information about another user that has been listed voluntarily. The Internet service provider considers any other user information confidential and will only give it out to the account holder, according to an AOL spokeswoman.

AOL members services operators verify they are talking to an account holder by checking facts about the member such as the member's name and address, AOL spokeswoman Ann Brackbill said.

The only other way AOL would give out member information is by a court order that the Navy did not have, she added. McVeigh said he had five AOL user profiles but the Navy was not interested in any of the other four.

``I had five profiles on AOL and that's the only one that had the word gay in it, but the Navy is not interested in any other profile, or any other information whatsoever," McVeigh said.

``The information that the investigating officer said that

she relied on in order to process this discharge was that she looked in my service record, saw that I had never been married, and she called AOL to have them verify the profile."

McVeigh did not say in the television interview whether or not he is a homosexual, but said he called himself gay in the profile because ``the whole purpose of AOL is to have some fun and get to see some information, get to see who you can talk to."

The 17-year Navy veteran said: ``I really was not worried about it." He added he was considering legal action. ===== ATTACHMENT 1
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ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

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

with ESMTP id <01ISDTMY14WG001F78@STORM.EOP.GOV>; Wed,

14 Jan 1998 22:45:57 -0500 (EST)

Received: (from rwockner@localhost)

by netcom11.netcom.com (8.8.5-r-beta/8.8.5/(NETCOM v1.02)) id TAA22997; Wed,

14 Jan 1998 19:45:19 -0800 (PST)

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: news-errors (news-errors@mx.lodo.infobeat.com@INET@LNGTWY [UNKNOWN])

CREATION DATE/TIME:14-JAN-1998 16:56:00.00

SUBJECT: News - East Coast Edition @ 01/14/98

TO: Brian A. Reich (Brian A. Reich@eop [UNKNOWN])

READ:UNKNOWN

TEXT:

East Coast Edition for Wednesday, January 14, 1998

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U.S. Front Page Stories

*** Diplomatic efforts on Iraq growing exhausted - U.S.

The White House said Wednesday the United States was "increasingly

exhausting" diplomatic efforts to resolve the standoff with Iraq over U.N. weapons inspectors. "We are pursuing and increasingly exhausting the diplomatic avenues that are available," White House spokesman Mike McCurry said. Asked if he was seeking to send Iraq a signal, the White House spokesman replied: "No. (I'm) just giving you a realistic report on our efforts." McCurry later repeated the U.S. formula that the United States had not ruled out any possible action, Washington code for evoking the possibility of a military strike. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6947148-6df>

*** Carbon monoxide adds to woes in Maine, N.Y.

Thousands of people in Maine and New York shivered through a sixth day without electricity Wednesday amid a growing number of reports of carbon monoxide poisoning as residents tried to stay warm. In Maine, where many people used kerosene heaters and portable generators to heat their homes, more than 150 cases of carbon monoxide poisonings have been reported and two people have died. "It's really becoming a health care crisis," David Stuchier, director of emergency services at Central Maine Medical Center told the Portland Press Herald. Four deaths from carbon monoxide were also reported in New York. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6946693-1aa>

*** 'Gay' sailor questions Navy investigation

A sailor facing a discharge because he listed "gay" on his America Online user profile accused the Navy Wednesday of not properly

following military rules on gathering evidence for his dismissal.

Senior Petty Officer Timothy McVeigh was given an honorable discharge

effective later this week for violating the military's "don't ask,

don't tell" policy on homosexuality, a Navy official said Tuesday.

The Navy's investigation of McVeigh - not related to convicted

Oklahoma City bomber Timothy McVeigh - was not properly authorized

and contained information that was not credible, McVeigh charged. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6947825-b2c>

*** White House sees favorable tobacco pact outlook

The White House disputed Wednesday reported comments by Senate

Majority Leader Trent Lott that Congress was unlikely to enact a

tobacco settlement this year, and said the legislation's prospects

were "very favorable." "Our conversations on the (Capitol) Hill have

indicated to us that the prospects for tobacco legislation are very

favorable," White House spokesman Mike McCurry said. "A growing

majority of Congress seems to agree that as a matter of public health

policy we need to stop kids from smoking," McCurry said. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6945972-be6>

*** UPS, pilots resume talks with hope of a settlement

Pilots flying for package delivery giant United Parcel Service

resumed contract talks with the company Wednesday, saying they were

no longer seeking parity with top-paid passenger airline pilots. The

Independent Pilots Association, representing 2,100 UPS pilots, also said it wanted to ensure there was no disruption in UPS service, a departure from last year's talk of strike action. Both parties also agreed to a mediator's request that they observe a blackout on issuing news about the negotiations. Sources familiar with the negotiations said that was a further sign that the two sides may be close to a settlement after two years without a contract. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6947942-0d8>

*** FAA releases TWA 800 air traffic control tape

"We just saw an explosion out here....," was the first reaction from another plane that saw the 1996 destruction of TWA Flight 800, according to an air traffic control tape released Wednesday. The Federal Aviation Administration made the recording public after receiving it back from the National Transportation Safety Board which is still investigating the accident. The Boeing 747 crashed into the Atlantic Ocean off Long Island on July 17, 1996 just minutes out of New York on its way to Paris. All 230 people on board were killed. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6946511-6a2>

Crime and Catastrophe

*** Convicted New York child-killer is denied parole

Notorious child-killer Joel Steinberg lost his bid for freedom Wednesday after a parole board said he has failed to take responsibility for the death of his illegally adopted daughter Lisa. The 6-year-old girl was savagely beaten and left to die Nov. 5, 1987, by Steinberg, who is serving a prison sentence of eight to 25 years for first-degree manslaughter. The case drew national attention to the problem of child abuse. In asking for parole, Steinberg, 56, said he has been a model prisoner. But the three-member panel that met privately Tuesday denied his request. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6945657-659>

*** Fire claims mother, 3 children in Baltimore

Five people, including a 37-year-old woman and her three children, died Wednesday when fire swept through a home that apparently contained no smoke detectors, fire officials said. The blaze erupted shortly before 5:30 a.m. ET and had engulfed the two-story wood frame house by the time firefighters arrived in the lower-middle-class Northwest Baltimore neighborhood. Fire officials said there was no chance to save those trapped in the inferno. Witnesses said the house had been in the woman's family for many years when she moved in on Christmas Day with her 4-year-old daughter and two sons, one aged 3 and the other 22 months. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6947273-967>

*** No sign of Alabama girl killed by 1963 bomb

Three days of excavation yielded no clues Wednesday about what happened to the body of a 14-year-old girl killed in a 1963 church bombing in one of the worst crimes of the U.S. civil rights era.

Grave diggers began searching Monday for the remains of Addie Maye Collins, who was killed along with three other girls in the Ku Klux Klan bombing of the Sixteenth Street Baptist Church in Birmingham, Ala. The girl's family wants to move her remains from the rundown Greenwood Cemetery, but when grave diggers began excavating, they found nothing. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6946957-092>

*** Meningitis scare occurs at Penn. day-care center

About 90 children at a day-care center are being treated for possible exposure to meningitis after one child at the facility contracted the bacterial infection, health officials said Wednesday. A 4-year-old girl at the Magic Years Child Care and Learning Center in Washington County, Penn., contracted bacterial meningitis and is being treated at a hospital, said Richard McGarvey, spokesman for the state health department. McGarvey said the child was recovering. He said about 90 other children were being given precautionary antibiotics for two days. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6946189-577>

*** Insurance company to settle Espy-related case

In the latest development in the investigation into former

Agriculture Secretary Mike Espy, an insurance company has agreed to pay a fine for making illegal campaign contributions to Espy's brother, an independent counsel said Wednesday. American Family Life Assurance Co. has agreed to pay \$80,000 to settle a case regarding \$4,000 donated to Henry Espy's unsuccessful bid for his brother's congressional seat, said Independent Counsel Donald Smaltz. In September 1994, Warren Steele, AFLAC vice president of marketing, asked two company insurance agents and their wives to each contribute \$1,000 to Henry Espy's fund. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6947453-7fa>

*** Florida University head apologizes for racial slur

The president of the University of Florida has apologized to the incoming state university head for making a racial slur against him at a party, the university said Wednesday. UF president John Lombardi, in remarks to guests at a private Christmas party at his home, referred to Adam Herbert as an "Oreo" who was black on the outside and white on the inside. An Oreo is a brand of cookie. Herbert is president of the University of North Florida and is due to become the first black chancellor for the State University System. Lombardi apologized for the comment in a letter to Herbert. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6944686-f5f>

*** U.S. Congress hears opposition to Asia bailouts

The second-ranking Democrat in the House said Wednesday Congress should not support bailouts for troubled Asian economies that hurt workers or undermine democracy in the region. "We cannot close our eyes to the interdependence of the global economy. We need to help," said Minority Whip David Bonior, D-Mich. "But this help should not be a bailout for bankers, speculators or repressive dictators." Bonior's voice of skepticism from President Clinton's own party added to growing Republican opposition in Congress to U.S. support for the bailouts. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6947008-cc8>

*** Republicans face split on 'partial birth' abortion

Republican leaders meet Thursday facing a bitter split over a resolution to deny party funding to any Republican election candidate who does not back outlawing so-called "partial birth" abortions. The 165-member Republican National Committee (RNC) faces the measure two days after conservative anti-abortion forces in the party showed their muscle once again by scoring a big victory in a congressional primary. Abortion opponent Tom Bordonaro finished ahead of fellow Republican Brooks Firestone, a defender of abortion rights, in California's 22nd congressional district. He will face Democrat Lois Capps in a March 10 runoff. Despite their successes in recent elections, abortion keeps coming back to haunt the Republicans. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6944549-808>

***** Conservatives score upset in Calif. vote**

Conservative anti-abortion forces scored a big victory in a congressional primary Tuesday, defeating a pro-abortion rights Republican candidate personally recruited by House Speaker Newt Gingrich. Democrat Lois Capps won the open primary in California's 22nd congressional district with 45% of the vote but fell short of the 50% needed for outright victory. However, the big story was the close fight for second place between conservative Tom Bordonaro and moderate Brooks Firestone. Backed by Christian conservative pressure groups from outside the district, Bordonaro delivered a slap in the face to the party establishment by taking 28% of the vote, three points ahead of Firestone. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6938401-58b>

***** Acting U.S. civil rights chief seeks support**

Acting U.S. civil rights enforcer Bill Lann Lee, seeking support for his nomination, met minority leaders for the first time Wednesday since his appointment. Lee met privately for an hour with about 40 civil rights leaders at Boston's African Meeting House, the oldest black church in the United States. Lee, appointed by President Clinton as acting assistant attorney general for civil rights in December over the objections of some Republicans, said the leaders emphasized hate crimes, housing discrimination and enforcement of

disabilities laws as their primary concerns. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6947291-fbc>

*** Checchi latest millionaire to seek high U.S. office

Remember Ross Perot, Steve Forbes, Michael Huffington? Now meet Al

Checchi, the latest multimillionaire running for high political

office in America. Checchi, 49, a former chairman of Northwest

Airlines, is campaigning for the Democratic nomination for governor

of California, following the example of Perot who twice ran for

president, Forbes who ran unsuccessfully for the Republican

presidential nomination in 1996 and is preparing to run again in

2000, and Huffington who nearly won a U.S. Senate seat in California

in 1994. Each of these three spent tens of millions of dollars on

their unsuccessful campaigns and Checchi, worth an estimated \$600

million, is doing the same. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6944814-b0a>

*** Ga. lawmaker censured for marijuana

The son of civil rights leader Ralph Abernathy was censured Wednesday

by colleagues in the Georgia Senate for trying to smuggle marijuana

into the country in his underwear. The state Senate Ethics Committee

had recommended censure when the Legislature convened Monday, and the

full Senate voted 51-2 for the disciplinary action. Censure amounts

to a slap on the wrist for the Democratic lawmaker. He could still

face impeachment proceedings later in the legislative session, which

under Georgia law lasts for 40 days. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6946811-775>

The Courts

*** Clinton unfazed by likely brush with Paula Jones

President Clinton will not be upset if he meets his accuser face-to-face Saturday, as looks likely, in a potentially explosive sexual harassment case, his lawyer said Wednesday. "She has a right to be present, and we have no objection to her being there. This president stares down world leaders who are threatening the safety of our people. He's not going to be upset sitting in a room with Paula Jones," attorney Robert Bennett said. Jones' claim that Clinton exposed himself to her and asked for oral sex in 1991 when he was governor of Arkansas and she was a state employee is scheduled to go to trial May 27. Clinton has adamantly denied her accusations. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6947685-27fb>

*** U.S. judge adjourns Microsoft hearing

A U.S. federal judge Wednesday adjourned a hearing into whether Microsoft Corp. violated his order regarding its Windows 95 licensing practices, saying he would hear final arguments Jan. 22. U.S. District Judge Thomas Penfield Jackson gave lawyers for both sides

until the close of business Monday to file briefs outlining the facts in the civil contempt case. For part 2, see <http://www.infobeat.com/stories/cgi/story.cgi?id=6947519-54d>

*** Unabomber suspect's 3rd day of psychological tests

Accused Unabomber Theodore Kaczynski and a court-appointed federal psychiatrist met for a third day Wednesday for tests to determine whether he is mentally fit to stand trial. Dr. Sally Johnson, of the federal psychiatric institute at Butner, N.C., is quizzing Kaczynski about his history and his defense against charges that he waged a 17-year-bombing campaign across the United States that killed three men and injured or maimed 29 other people. Sgt. Jim Cooper, spokesman for the Sacramento County Sheriff's Office, said tests "seem to be going well" and Kaczynski was "cooperative." See <http://www.infobeat.com/stories/cgi/story.cgi?id=6947722-5e8>

*** Mrs. Clinton interviewed under oath on FBI files

First lady Hillary Rodham Clinton was interviewed under oath Wednesday by Whitewater prosecutor Kenneth Starr on what she knew about White House acquisition of FBI files on former White House employees. The interview, conducted in the White House residence, lasted about 15 minutes. White House counsel Charles Ruff said Mrs. Clinton had voluntarily agreed to the interview and that it was conducted under oath. The Clinton White House in 1993 and 1994 had requested and received hundreds of secret background files compiled

by the FBI, including those of some prominent Republicans who had worked in the White House of Republican presidents. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6947102-455>

*** Drugs kingpin convicted in Miami, faces life

A jury has convicted Luis "El Gallo" Cano and his right-hand man of running a vast cocaine-trafficking network supplying the New York market, the U.S. Attorney's Office said Wednesday. Cano, 37, faces a mandatory life sentence after he was found guilty Tuesday of 69 counts including criminal conspiracy, drug trafficking and money laundering in one of the biggest money-laundering trials in recent Miami history, Prosecutors said that between 1987 and 1996, Cano organized the smuggling of more than 35,000 pounds of cocaine from Colombia into the U.S. He laundered about \$28 million in cocaine profits, they said. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6946774-05b>

U.S. Business and Financial News

*** Intel 4th quarter not necessarily a blowout - analysts

Semiconductor giant Intel Corp surpassed most of Wall Street's expectations for the fourth quarter, but some analysts were disappointed because earnings were boosted in part by a lower tax

rate. Some analysts added they expect investors to be disappointed by Intel's outlook for the first quarter, which forecast flat revenues compared with the fourth quarter and lower gross profit margins versus the fourth quarter. Intel reported fourth quarter fully diluted earnings of 98 cents a share, surpassing the First Call consensus of 90 cents. "Clearly the number is a good number," said Rob Chaplinsky, a Hambrecht & Quist analyst. But he added about 3 cents per share of its earnings were from a lower tax rate of 33% of revenues, versus 35.5% previously. In the fourth quarter, Intel's revenues were \$6.5 billion, up slightly from \$6.4 billion in the year-ago period, which were in line with expectations, some analysts said.

*** Stocks extend winning streak to 3rd day

Stocks stretched their winning streak to a third straight day Wednesday as investors bet good corporate earnings will lead the charge to higher ground. High-profile companies are set to report their results Thursday, including Digital Equipment Corp. and Sun Microsystems Inc. after Intel Corp. posted better-than-expected earnings late Tuesday. Based on early and unofficial data, the Dow Jones industrial average ended up 52.56 points at 7,784.69, extending its rally this week to nearly 205 points. The Nasdaq composite index was up 6.50 points at 1,548.13. In the broader market, advancing issues beat declines 18 to 10 on active trading of 594 million shares on the New York Stock Exchange.

***** Viacom to sell Simon and Schuster unit**

Viacom Inc chairman, Sumner Redstone, is expected to announce in California that his company will put most of its \$2 billion publishing unit, Simon & Schuster, up for sale, the New York Times reported. Quoting people involved in the sale, the newspaper said Simon & Schuster's educational publishing businesses will most likely be put on the block. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6938820-9cf>

***** Fifth Third to buy CitFed in \$688.2 million deal**

Fifth Third Bancorp said Wednesday it would acquire CitFed Bancorp Inc. of Dayton, Ohio, for \$688.2 million in stock, as consolidation between second-tier banks continues. CitFed shareholders will receive 0.67 share of Fifth Third for each CitFed share in a tax-free exchange. The terms value CitFed at \$53.94 a share, a 43% premium over the bank's closing stock price of \$37.75 Tuesday. The acquisition, which will make Fifth Third's subsidiary, Fifth Third Bank of Western Ohio, the leading bank in Dayton with 85 branches and \$5.3 billion in assets, is the latest in a spate of mergers among regional banks. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6942931-184>

***** Prudential unit near sale?**

Prudential Insurance Co. of America is reportedly close to selling

its huge, yet unprofitable health-care business for as much as \$1.5 billion, CNNfn reported Wednesday. Humana Inc. of Louisville, Ky., and WellPoint Health Networks Inc., based in Woodlands Hills, Calif., have emerged as finalists in an auction for the business, The Wall Street Journal reported Wednesday in its interactive edition. Prudential is currently in talks on various terms, including the price, the report said, quoting "people familiar with the process." A deadline has been set for later this month. (CNNfn)

*** Holiday retail sales strong, but year disappointing

The Commerce Department reported seasonally adjusted U.S. Retail sales for December rose 0.7%, in line with Wall Street estimates. November retail sales were revised to a 0.3% gain. Excluding autos, retail sales gained 0.2% in December, the same increase as November. Wall Street economists had forecast retail sales excluding autos to rise 0.4%. For the full year 1997, unadjusted retail sales rose 4.2%, the smallest since +0.6% in 1991. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6942521-8d8>

World Front Page Stories

*** Iraq again prevents U.N. arms team from working

Iraq prevented an American-led U.N. arms inspection team from doing

its work for the second successive day Wednesday and a U.N. official said the team would probably not try again. Team leader Scott Ritter, accused by Iraq of being a spy, said Iraqi monitors had failed to show up at U.N. headquarters, despite being told Tuesday night that his team would be waiting for them at 9 a.m. (local time) to begin work. Without the Iraqi officials inspectors cannot enter sites to search for weapons. Richard Butler, head of the U.N. Special Commission charged with ridding Iraq of banned weapons of mass destruction, told CNN: "There is the question of whether we take another shot with the team led by Mr. Ritter, my inclination is not to do so." See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6947711-aea>

*** Quebec blackout raises fears of freezing deaths

Thousands of Canadian soldiers, police and firefighters searched door to door Wednesday for people huddled in their homes against bitter cold as fears mounted that many could freeze to death in Quebec's nine-day power blackout. As temperatures of -4 F were pushed even lower by brisk winds, officials expressed concern that residents of the hardest-hit Monteregion south of Montreal were in danger of succumbing to hypothermia - a potentially fatal lowering of core body temperature. Firewood was being trucked into the region and portable electrical generators were being shipped from western and Atlantic Canada and the United States. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6947137-e46>

*** UN asks NATO backing for Bosnia 'open cities'

The United Nations urged Wednesday that 1998 be a "year of return" for thousands of Bosnians displaced by war and asked NATO to help achieve this by protecting a network of "open cities." In a visit to NATO headquarters in Brussels, U.N. High Commissioner for Refugees Sadako Ogata said the NATO-led peacekeeping force in Bosnia could provide crucial security for ethnic minorities seeking to go home. These people were deterred by fear of ethnic groups who outnumber them, by the danger of landmines, by the lack of amnesty in certain areas, and by the presence of indicted war criminals still on the loose. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6941937-155>

*** Srebrenica killer enters lesser guilty plea

A Bosnian Croat convicted of crimes against humanity for his part in the massacre at Srebrenica entered the new and lesser plea of guilty of war crimes at the United Nations tribunal Wednesday. Drazen Erdemovic, 26, was sentenced to 10 years in jail in 1996 after admitting he took part in the murder of hundreds of unarmed Muslims in the U.N. "safe haven" of Srebrenica. In October, appeal judges invited him to enter a fresh plea after ruling his original plea of guilty to crimes against humanity was not fully informed. The prosecution has not contested the new plea and Erdemovic must now wait to hear whether his sentence is to be reduced. A date has not yet been set. See

The World Political Scene

*** Egypt's Mubarak in talks with Assad in Damascus

Egyptian President Hosni Mubarak began talks with his Syrian counterpart Hafez al-Assad on the stalled Middle East peace process Wednesday shortly after arriving in Damascus on a previously unannounced visit, officials said. Presidential spokesman Joubran Kourieh said Mubarak was accompanied by Prime Minister Kamal Ganzouri, Foreign Minister Amr Moussa and Information Minister Safwat el-Sherif. The Egyptian leader's visit comes ahead of next week's meetings that President Clinton is due to hold with Israeli Prime Minister Benjamin Netanyahu and Palestinian President Yasser Arafat. Both Mubarak and Assad accuse Netanyahu of blocking the Middle East peace process. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6946431-acc>

*** WTO seen confirming EU beef hormone ban illegal

A World Trade Organization (WTO) appeals board looks set this week to insist that a European Union ban on imports of hormone-treated beef breaks open trading rules and must be dropped, diplomats said Wednesday. The WTO's Appellate Body, whose decision will be final in

the long-running and politically sensitive dispute brought to the trade body by the U.S. and Canada, is expected to hand down its ruling Friday. The finding will come as the EU struggles with its own internal food safety problems amid efforts to reach a deal with Washington on common standards of veterinary inspection. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6941855-257>

*** U.S. envoy warns Milosevic over Montenegro

U.S. special envoy Robert Gelbard said Wednesday Yugoslav President Slobodan Milosevic would face serious consequences if he tried to block the inauguration of a new president in Montenegro. Gelbard said that Washington wanted to see a peaceful transition of power this week in the tiny Yugoslav republic where Milosevic's rival prevailed last year in presidential elections. Milo Djukanovic narrowly defeated Milosevic's protege, Momir Bulatovic, in an October election in Montenegro, Serbia's smaller partner in Yugoslavia. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6947090-6a5>
West watching new Yugoslav flashpoints anxiously, see <http://www.infobeat.com/stories/cgi/story.cgi?id=6942020-473>

*** Chinese dissident Wei at French National Assembly

Exiled Chinese dissident Wei Jingsheng visited France's National Assembly Wednesday as part of his campaign to convince Western governments not to play down human rights concerns in return for favorable trade ties with China. Wei addressed the assembly's Foreign

Affairs Committee and met speaker Laurent Fabius, a Socialist former prime minister. Wei's visit "is important for us since he has fought and is fighting for human rights and democracy...", Fabius said. Beijing has warned foreign countries not to use Wei against China and protested to Britain after he visited London earlier this week. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6942025-be4>

*** Yeltsin holds more talks at vacation retreat

President Boris Yeltsin looks well and is keeping in touch with Russian and world affairs during his two-week vacation outside Moscow, the Kremlin said Wednesday. Yeltsin was shown on television walking with First Deputy Prime Minister Boris Nemtsov through the wooded grounds of the government residence in Valdai, northwest Russia, where he has been for a week and a half. Yeltsin's press secretary said the 66-year-old president remained on course to end his vacation as planned in the next few days and resume work in the Kremlin Monday. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6945988-839>

Duma rejects call for details on Yeltsin's health, see

<http://www.infobeat.com/stories/cgi/story.cgi?id=6939597-22f>

World Business and Financial News

*** Asian Stock markets make sharp gains

Share prices made huge gains across the Asian-Pacific region

Wednesday. Hong Kong shares rose 5.8%, extending a technical rebound that sparked Tuesday's 7.4% surge. Continued bullish sentiment helped prices rise 2.5% on the Korea Stock Exchange. Stocks rose in Tokyo following news that some banks are considering using public funds to boost their capital adequacy. Philippine shares extended their rally to a third day with a 6% advance. Taiwan's key stock index surged 3.8%, led by gains in the technology sector. Australian shares rose 1.6% after a recovery in commodity prices overnight revived demand for mining stocks. Prices rose 7.5% in brisk trading at the Stock Exchange of Singapore as the bargain-hunting that began Tuesday continued. Indonesian shares added 5.7% on buying in some large-capitalization shares, while prices on the Kuala Lumpur Stock Exchange climbed 6.5%. Thai stocks advanced 5.4% as currencies stabilized around the region. (WSJ)

***** Markets record solid gains as Asian stocks rebound**

European stocks moved higher Wednesday, after Asian stock markets continued their recovery from Monday's decline. Italian stocks outperformed most other major European bourses for the third session in a row, and electronics companies moved up on the back of higher technology stocks in the U.S. Tuesday. Belgian, British, French, Dutch, Spanish, Swedish, Swiss and South African shares were all higher in midsession trading. Japan's Tokyo's Nikkei 225 index rose 2.5% Wednesday while Hong Kong's Hang Seng index jumped 5.8%. (WSJ)

*** Microsoft opens tech center in Shanghai

Microsoft Corp. reportedly has opened a \$10 million technical support center in Shanghai, China's top commercial center. The official Xinhua News Agency quotes vice president Steve Ballmer as saying the center will promote the use of Microsoft software and help develop China's software industry. (USA Today)

*** Orders strong for new Toyota hybrid

First month orders for Toyota Motor's new gas-electric hybrid car were much stronger than expected, the company reports. Some 3,500 orders have been placed for the vehicle since it went on sale last month. Toyota had forecast sales of 1,000 cars a month. Strong sales are a mixed blessing for Toyota because hybrid technology is so expensive the company loses money on every Prius sold. The car sells for 2.15 million yen (\$16,400). (USA Today)

*** Japan's trade surplus surged in November

Japan's surplus in the broadest measure of trade nearly doubled in November from the same month in 1996 on rising exports and falling imports. The current account surplus, unadjusted for seasonal factors, rose to 1.282 trillion yen (\$9.76 billion) in November, an increase of 91.8%, compared to the same month last year and higher than local economists had forecast. The current account measures

trade in merchandise, services, tourism and investment. (USA Today)

*** Ex-Japan bank exec pleads innocent

A former vice president of Japan's Dai-Ichi Kangyo Bank has pleaded innocent to charges of conspiracy involving questionable loans to a corporate racketeer. Ichiro Fujita told the Tokyo District Court that he will enter his plea later on other related charges in the trial involving payments to Ryuichi Koike, an alleged "sokaiya" racketeer. Sokaiya extort money from corporations by threatening to disclose company scandals. (USA Today)

Sports

*** NBA's Barkley pleads not guilty in bar brawl

NBA star Charles Barkley pleaded not guilty and requested a jury trial Wednesday on charges he threw a bar patron through a plate glass window, his attorneys said. The Houston Rockets star submitted a written plea and was not present at his arraignment in the Orange County (Fla.) Courthouse. Barkley, 34, is charged with battery, disorderly conduct, criminal mischief and resisting an officer without violence for the Oct. 26 fight. Barkley admitted grabbing Jorge Lugo, 20, from a policeman's grasp and throwing him through a plate glass window. Barkley said that Lugo threw ice at Barkley's

guests at a downtown Orlando bar and uttered a racial epithet. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6947251-fbf>

*** Colts sign new lease to stay in Indianapolis

The Indianapolis Colts ended any speculation that they might relocate by signing a new lease Wednesday that will keep the team in Indiana for at least 10 more years. The announcement was made Wednesday morning at the RCA Dome during a news conference attended by Indianapolis mayor Stephen Goldsmith and Colts owner Jim Irsay. The changes in the RCA Dome lease, scheduled to expire in 2014, include a buyout provision that takes effect in 2007. Beginning that year, the Colts may opt out of the lease at a cost of \$11 million for each year remaining on the deal. The city will provide the NFL team with \$8.9 million a year in revenue. According to Goldsmith, the revenue will come from funds generated through concession, parking, suite sales and advertising at the RCA Dome. The mayor said the team would lose that income if it leaves Indianapolis.

*** Sampras, Hingis top seeds for Australian Open

There were no surprises by the Australian Open seeding committee Wednesday, as top-ranked defending champions Pete Sampras of the United States and Martina Hingis of Switzerland were named the top seeds for the first Grand Slam tournament of the season. Tournament organizers kept to the world rankings Wednesday in naming the top 16 seeds for the tournament, which begins Monday in Melbourne. Sampras, searching for his third Australian Open crown and 11th career Grand

Slam title, is seeded first, with U.S. Open champion Patrick Rafter of Australia second. Rafter is the highest seeded Australian since Peter McNamara was the second seed for the 1981 Australian Open. Hingis, aiming for her third straight Grand Slam triumph and the fourth in five events, is the top seed for the fourth consecutive Grand Slam. Lindsay Davenport of the United States is seeded second.

*** Hornets place Phills on IL, sign Royal

The Charlotte Hornets, who are in the thick of the Eastern Conference playoff race, suffered a blow Wednesday when they learned that guard Bobby Phills will be out at least five games with a pulled left groin muscle. Phills suffered the injury in Tuesday's 81-68 loss to New Jersey. He will be placed on the injured list Thursday, when the team will sign forward Donald Royal to a 10-day contract. Signed as a free agent in the offseason after defecting from Central Division rival Cleveland, Phills has helped the Hornets to a 22-14 mark, one win better than his old team.

Science and Medicine

*** FDA clears first OTC migraine medication

Bristol-Myers Squibb has won approval for the first migraine headache medication available to U.S. consumers without a prescription, the

company said Wednesday. Bristol-Myers, which sells the Excedrin, Bufferin and Nuprin products, said it had received approval from the U.S. Food and Drug Administration to market Excedrin Migraine. The product will be available early this year for 25 million Americans who suffer from migraine. For part 2, see <http://www.infobeat.com/stories/cgi/story.cgi?id=6947658-f3a>

*** U.S. gov't starts 3 new AIDS vaccine trials

Researchers funded by the U.S. government said Wednesday they were starting trials of three new vaccines against the HIV virus that causes AIDS. The trials, being run in St. Louis, Nashville, Tenn., Seattle, Birmingham, Ala., Baltimore and Rochester, N.Y., are funded by the National Institute of Allergy and infectious Diseases (NIAID) and will involve 167 human volunteers. There are now 45 different vaccine trials going on in the United States, using 24 different approaches. In one trial, a vaccine already being tested as an injection, will be applied to the genital and urinary tracts and the nose and throat. Most HIV infections are transmitted in such places, which are lined with mucous membranes. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6946134-f8f>

*** Protein in bacteria linked to drug resistance - study

Dutch scientists said Wednesday they have identified a common protein which causes multi-drug resistance in cancers and allows bacteria to escape even the most potent antibiotics. The discovery by researchers

in The Netherlands could lead to the development of drugs to block or inhibit the protein which makes some tumours and bacteria so difficult to treat. Resistance to drugs is a major problem in the treatment of both cancer and infectious diseases. Bacteria have a very high growth rate which allows them to evolve rapidly and build up a resistance to drugs. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6941032-beb>

*** American astronaut readies for space walk from Mir

American astronaut David Wolf rested Wednesday ahead of a four-hour space walk from Russia's Mir orbital station, during which he and Russian Anatoly Solovyov will measure wear and tear on its hull. A spokeswoman at Mission Control outside Moscow said the pair would open the airlock and emerge from the station wearing Russian-built spacesuits at 3 p.m. ET. Their job is to provide data that may help protect the planned new international space station, Alpha, from the harsh cosmic environment. Wolf, a 41-year-old medical doctor and engineer from Indianapolis, Ind., will be making his first space walk. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6941755-7b7>

*** Researchers say children burned by nail primers

Increasing numbers of children are being burned by acid primers used in the process of affixing artificial fingernails and toenails, according to a report published Wednesday. Most primers contain

methacrylic acid, a corrosive used to clean, degrease and etch natural nails before the artificial ones are applied. Most of the reported injuries to children have involved burns to the skin, eyes or mouth, the report said. The problem could be lessened by child-resistant packaging and better warning labels, researchers in Boston said. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6945348-54f>

*** Fla. hospital rebuilds Salvadoran girl's face

A 2-year-old girl from El Salvador was recovering Wednesday from a delicate 14-hour operation to remove a large tumor from her forehead and rebuild her face. All Children's Hospital in St. Petersburg, Fla., said Maria Cortez was in guarded but stable condition in the intensive care unit after the operation, which ended just before midnight Tuesday. Maria was born without most of the bones in the middle of her head. A large tumor formed, covering most of her face. A scratch on the tumor could cause fatal infection, doctors said. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6945927-3d1>

Technology

*** Asian outlook clouded for U.S. tech companies

With the possible exception of the financial services industry, no sector's fortune is linked as closely to Asia's economic health as technology's. A prolonged slump in that region poses many risks for U.S.-based tech companies, including subdued demand for U.S. exports and pricing pressures that arise as Asian currencies weaken and allow companies based there to cut prices. Because of the tech sector's close links to Asia, investors at times have appeared almost indiscriminate in dumping shares during the economic crisis, in an effort to protect the vast gains they have accrued over the past three years. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6932288-84c>

*** Netscape to layoff workers

Netscape Communications is expected to lay off about 400 permanent and contract workers as part of a previously announced restructuring, the Wall Street Journal reported Wednesday. The potential reductions, disclosed in internal estimates prepared by Netscape officials, represent 12.5% of the browser software maker's total work force, the newspaper said. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6941379-36b>

*** Lucent, Chartered Semiconductor in US\$1B deal

Lucent Technologies' Microelectronics group and Singapore's Chartered Semiconductor Manufacturing Ltd said Wednesday they were forming a US\$1 billion joint venture to make integrated circuits. The companies

said in a statement the new company, called Silicon Manufacturing Partners Pvt Ltd, would make a variety of integrated chips (ICs) using process technology developed by Lucent Bell Laboratories and technologies developed by Chartered. Lucent would own 51% of the joint venture company with Chartered taking the rest, the statement said. Production is slated to begin in the fourth quarter of this year, it said. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6935728-170>

Human Interest

*** UNESCO to start fund drive to save Bolshoi Theatre

UNESCO, the main United Nations agency for arts and culture, said on Wednesday it would launch an international fund-raising drive to raise \$350 million to renovate Moscow's famous Bolshoi Theatre. UNESCO said two Bolshoi directors would meet UNESCO officials this week to discuss the work needed on the 142-year-old building. The full cost of repairs could reach \$350 million, according to a UNESCO statement. The Russian government has managed to find private sponsors to keep the theater, a magnet for tourists, open for daily performances of opera and ballet, but they still lack funds for renovations. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6941303-6ed>

*** Argentine dies trying to jump on wife

An Argentine man pushed his wife out of an eighth-floor window and then accidentally killed himself in an apparent attempt to finish her off by jumping on top of her, police said Wednesday. The 25-year-old man pushed his 20-year-old wife out of the window of an apartment building in the working class Boedo neighborhood after an argument, police spokesmen told the state-run Telam news agency. But the woman's fall was arrested when her legs became entangled in some power cables. Seeing her dangling beneath him, the man apparently tried to throw himself on top of her but missed and fell to his death, the police said. The woman managed to swing over to a nearby balcony and was saved.

*** German files for charges in Diana crash - paper

A German criminologist has asked state prosecutors in Paris to file charges against French emergency services for not doing enough to save the life of Princess Diana, a German newspaper reported Wednesday. Bild newspaper said Wolf Ullrich alleged there were serious delays as French emergency doctors sought first to establish the identity and "social status" of the victim of last August's car crash in Paris. Had Princess Diana not been so famous, she would have been brought to hospital more quickly, the paper quoted Ullrich as arguing. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6939555-c4b>

*** Getty wins full knighthood on becoming British

Britain said Wednesday that reclusive millionaire John Paul Getty, an American by birth, is to have his honorary knighthood converted to a full honor following his adoption of British citizenship. Prime Minister Tony Blair's office said Getty, an avid art collector, would be invited to Buckingham Palace to receive the accolade. Getty was appointed an honorary knight in 1986 for his charitable services. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6943928-b19>

*** Vietnamese search for 'spiritual,' not sexual

Sex may come high on the agenda for Vietnam's youth, but surveys published Wednesday showed traditional conservatism is still tightly embraced. A survey of 500 single under-25-year-olds conducted by a state newspaper found that while sexual attraction played a role in the selection of partners, 60% thought "spiritual factors" more important. A separate survey of newlyweds listed home appliances as one of the three most important keys to family happiness. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6943957-f18>

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People For the American Way Foundation's

Right Wing Watch Online, #2.1

January 5, 1998

Following is a special issue of Right Wing Watch Online
focusing on recent right-wing attacks on gay men, lesbians
and bisexuals. Subscription and unsubscription information
for Right Wing Watch Online is at the end of the document;
subscriptions are free. You're welcome to forward this
electronic newsletter in its entirety or in excerpted form,
but please be sure to credit the PFAW Foundation.

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Religious Right direct mail, action alerts, press releases and Internet tirades continue to fuel the "hostile climate" for lesbians, gay men and their supporters. The Right's anti-gay attacks generally follow one of several now-familiar lines of rhetoric. First, the Right charges gay men and lesbians with promoting a mysterious "homosexual agenda." Meanwhile, the Right attacks on grounds that lesbians and gay men are working to "recruit" children to homosexuality, that gay rights groups are trying to render impotent the American military, and that a new flood of movies and television shows are "obscene" or pornographic because they include gay characters. In short, right-wing forces describe diversity education, the arts, television, our allies in the White House, Congress, statehouses and churches as part of some grand "homosexual agenda" --

demeaning the fight for freedom, fairness and justice as if it were some secret conspiracy. Some recent examples:

1) National Embattlement over the Arts ... Pleased with the success that national Religious Right groups have had attacking the National Endowment for the Arts, a number of local affiliates are taking aim at local arts funding. Not surprisingly, art by or about gay men and lesbians has been targeted. In 1997, at least three such incidents came to light:

In Anchorage, Alaska, the state Christian Coalition campaigned against Out North Theater, host to many programs dealing with gay issues. The Christian Coalition of Alaska <<http://www.alaska.net/~cca/CCAindex.html>> had raised prior warnings over funding to Out North's education programs, noting concerned parents were "uncomfortable with members of a gay, alternative theater group approaching and building relationships with children who are vulnerable." Finally in mid-November, the Anchorage Assembly voted 6-5 to curtail city funding for Out North. Said assembly member Ted Carlson, "We don't want to use tax money to pay for something that the whole family can't go to." Openly gay Theater managers Jay Brause and Gene Dugan are also involved in asking the Alaska court to declare unconstitutional the state's 1996 law banning same-sex marriage; they feel the city's actions against Out North are punishment for their

activism.

In North Carolina, a Mecklenberg County ban on funding arts that show "perverted forms of sexuality" was recently reaffirmed by county officials. The Focus on the Family magazine, Citizen, championed a vote of the County Commission in Mecklenberg Co. that "ceased taxpayer-funded sleaze in the face of media opposition and homosexual protests." The "sleaze" in question: the Pulitzer Prize and Tony Award-winning "Angels in America" -- "a profanity-laced, homosexual-themed play" according to Citizen -- and "Six Degrees of Separation" by Tony Award-winner John Guare. The Commission's vote barred funding for arts programs that "promote, advocate or endorse behaviors, lifestyles and values that seek to undermine and deviate from the value and societal role of the traditional American family."

This past September, the San Antonio, TX, City Council zeroed out funding for the Esperanza Peace and Justice Center, which among its diverse cultural programming sponsors the city's annual lesbian and gay film festival. The conservative Christian Pro-Life Foundation mailed 1,200 fliers encouraging its membership to contact the council concerning the funding of the multicultural Esperanza Center which it characterized as an organization solely of the "gay

and lesbian community." The issue was also discussed at a Bexar County Christian Coalition meeting. Esperanza was the sole arts organization to have its entire budget allocation cut; other organizations, including a gay chorale, were handed funding cuts up to 15 percent.

Public hearings tarred-and-feathered the lesbian and gay "Out at the Movies" festival sponsored by Esperanza. Brochure photographs -- depicting lesbian couples and portraits of gay men -- and festival film summaries were critiqued as "abnormal," "disturbing," "filth" and "borderline pornography" during the hearings. Denying claims of right-wing influence and homophobia, Mayor Howard Peak and council members asserted that arts funding was reduced overall to accommodate other city services and road repairs. But Mayor Peak told the New York Times, "[Esperanza] seem to go way beyond what people want their money spent on. That group flaunts what it does -- it is an in-your-face organization. They are doing this to themselves."

2) "It's Elementary" ... An award-winning documentary about gay and lesbian issues in public schools has incurred the wrath of Religious Right groups who denounce it as an effort to infiltrate schools for the purpose of "cynically recruiting a new generation to become homosexuals." In truth, the groundbreaking documentary features predominantly

heterosexual teachers, principals and parents supporting an inclusive, multicultural education. In an August 1997 fundraising letter, Concerned Women for America (CWA) ripped "It's Elementary: Teaching About Gay Issues in School" for "methodically break[ing] down children's natural resistance to accepting homosexuality as normal" and promoting "ungodly and immoral behavior that leads to death." Focus on the Family's Current Issues of Concern castigated the National Endowment for the Arts' involvement in funding the "so-called educational film that is a brazen attempt to promote homosexuality to America's schoolchildren."

Robert Knight, Cultural Studies Director of the Family Research Council (FRC), stated, "We think [the pro-gay message of the video is] a colossal lie and basically it's a way to teach teachers how to brainwash kids." Rev. Lou Sheldon of the Traditional Values Coalition (TVC) alerted its members to "stop the RECRUITMENT of our children" being "indoctrinated" into a "behavior that can kill them decades before their time." Dr. Howard Hurwitz, head of the Family Defense Council, was astounded that in his many years in education he had never seen "so scandalous a plan for indoctrinating children." Phyllis Schlafly's Eagle Forum charged that "[t]he video shows how psychological manipulation in the classroom can be used to change children's home-taught attitudes and beliefs about homosexuality." "It's Elementary" is being offered

free-of-charge to school boards nationwide.

3) "[B]izarre, anti-God lifestyle" ... After a particularly noxious 700 Club News Focus titled "Education or Indoctrination," dealing with homosexuality in the public schools, Christian Coalition founder Pat Robertson, went off: "The Bible condemns homosexuality. The Bible says that those who practice such things as homosexuality and bestiality are gonna cause the land to vomit them out. And ladies and gentlemen, with all the sincerity in my heart, I cannot understand how a group that claims only 1% of the population -- that's the homosexual, the sodomite, excuse me, that's the lesbians. And 2% are the so-called homosexuals, the sodomites. How they can get control of the federal government and use billions of taxpayer dollars to educate our children in this bizarre, anti-God lifestyle. And I want to say very sincerely, right now, that if the United States of America officially embraces sodomy, we will have done to us the exact same thing that was done to Sodom and Gomorrah. It's just a question of when. All the pretty lifestyle we have, all the money, and all the riches and all the nice homes will be taken away from us. Everything we have and enjoy will be stripped away from us if we as a nation embraces this. Now if that's what you want. If you want to lose everything you have and your family has well just keep on doing it. But if you don't, then I suggest you turn back to what God says and please him rather than offend

him. We've already offended him with the Supreme Court. We've already offended him with 35 million unborn babies aborted. And now we're offending him with this thing he calls an abomination. Now if that's what we want -- if we want to destroy America, our freedoms, and all of our money and the wealth we have in this country we'll keep right on at it. No problem. We'll hasten the coming of the Lord, and that's the way it is." (700 Club, December 16, 1997)

4) "Ellen" ... The American Family Association (AFA) and Christian Family Network (CFN) -- tipped off by an intercepted pro-gay listserv e-mail -- called on its online members to respond en masse to a recent ABC News online poll asking, "Would you allow your child to watch a lesbian kiss on television?" The poll was a response to Ellen DeGeneres' same-sex kiss on the October 8, 1997 episode of "Ellen." The CFN alert chastised ABC on grounds "that entertainment's function is not to re-program our children with the homosexual agenda of normalization." The group requested that "family members nationwide give their input. After all, we are the ones who have the children!" Buoyed by four separate right-wing 'action alerts,' the final straw poll narrowly favored saying "no" to allowing children to watch a lesbian kiss on television.

CFN and AFA have since moved on to try to stack an MSNBC.com online poll on acceptance of gay and lesbian teachers. AFA

is also protesting the planned appearance by DeGeneres on the Public Broadcasting System's Sesame Street and Storytime programs for children, warning that the "Hollywood-New York-Washington, D.C. axis has strategically chosen the next generation as their safest bet for normalizing" homosexuality and urging members to complain to Congress on their "tax money being used to convince our children and grandchildren that there is nothing wrong with being gay."

In response to recent pro-"Ellen" statements by Vice President Al Gore, Christian Coalition Executive Director Randy Tate slammed Gore as "so far to the left he's left America" by "giving legitimacy to a lifestyle that centers around actions that the majority of American view as morally wrong." Tate complained on the organization's website (<http://www.cc.org>) that VP Gore's remarks gave "alternative lifestyle choices such as homosexuality a veneer of legitimacy." Further statements from former VP Dan Quayle, commentator Alan Keyes, Rep. J.C. Watts, Jr. (R-OK) and the Family Research Council (FRC) challenged Gore's praise of the comedy's openly lesbian character. Robert Knight (FRC) declared "Vice President Al Gore's remarks concerning 'Ellen' have tipped the hand of the administration's pro-homosexual agenda

5) "[M]oral meltdown" ... Protesting a November 20, 1997 White House visit by openly gay Reverend Troy Perry

(Metropolitan Community Church), right-wing voices including Americans for Truth about Homosexuality (AFTH) and the Family Research Council (FRC) dismissed the church's gay-affirming congregational message and asserted the visit "further degrades the Office of the Presidency." Peter LaBarbera (AFTH) castigated Reverend Perry as a practitioner of a "subspecies of homosexuality which celebrates violent and degrading 'sexual' practices" who "champions the most vile perversions known to man." LaBarbera rejected the Reverend Perry's Biblical reading on homosexuality as "testament to man's infinite capacity for self-delusion." Mere days after issuing a press release asking to put aside 'hate speech' in public discourse on homosexuality ("FRC Criticizes 'Hate' Rhetoric by Both Sides in Homosexuality Debate," November 10, 1997), FRC Director of Cultural Studies Robert Knight chimed in, "We are witnessing the Administration's moral meltdown. What's next? A memorial to Church of Satan founder Anton Levay?"

6) "A milestone on the road to Hell" ... Responding to the implementation of an anti-bias curriculum in Provincetown, MA, Rev. Fred Phelps took his Westboro Baptist Church on the road. Phelps and his congregation are infamous for picketing funerals of AIDS sufferers and for the notorious godhatesfags.com website. The Topeka, KS preacher charged that the curriculum teaches that "God is a liar, and that it's OK to be gay," and he lashed out at homosexuality as a

"filthy 'dumb brute beast' lifestyle" and an "abomination."

Phelps was alerted to the program by an equally nasty Washington Times story, "Provincetown preschoolers to learn ABC's of being gay" (August 21, 1997). In its story, the Times felt the need to describe the PTA president as a lesbian with a bi-racial child, "the result of [the mother] receiving sperm from a black man when she was artificially inseminated." Phelps' flier described the program as "a milestone on the road to Hell."

James Dobson's Family News in Focus radio show (<http://www.fotf.org>) labeled the program "another consequence of a statewide program to promote 'gay rights.'" Townspeople planned a peaceful response to Phelps' visit, wearing yellow ribbons and postering Provincetown with the Human Rights Campaign's pro-gay 'equal sign' stickers and placards. The Cape Cod Times (November 2, 1997) reported the 90-minute protest in Provincetown by Phelps, his grandchildren and five other church members, was uneventful, with the vast majority of residents staying home and police/park ranger protection out-numbering the protesters 3-to-1.

7) Renewed Attacks ... Planet Out-NewsPlanet

(<http://www.planetout.com/pno/newsplanet/>) has announced that Bill Horn, the man largely responsible for the vitriolic "The Gay Agenda" video, has now set his sights on

the National Education Association with a new tirade on tape, "NEA: Abuse of Power," set to expose the "[NEA]'s liberal and pro-homosexual agenda." Horn has launched Renew America to promote the new video and to educate America's parents on the education organization's "startlingly aggressive liberal agenda."

8) Gays in the Military ... A recent fundraising letter from Concerned Women for America (CWA) went after Rep. Barney Frank (D-MA), calling Representative Frank "[o]ne of America's most notorious homosexuals," "who clearly has no moral standards," for introducing the "Anti-Hypocrisy Act of 1997" (H.R. 1915). Under the terms of the bill, consensual sexual activity between adults would not be a violation of the Uniform Code of Military Justice. CWA alleged that "this truly frightening piece of legislation" would decriminalize "adultery and sodomy" in the military. CWA Chairman Beverly LaHaye's fundraising alert rallied her troops to take a stand against the potential of "a sexual free-for-all, including aggressive predatory homosexuality and the spread of disease" which would hamper the military's readiness and further destroy morale. Donors and defenders of the armed forces were invited to request CWA's new report, "Surrender to Sodomy: Homosexuals and the Drive to Conquer America's Military."

9) The Capitol Resource Institute (CRI), California's Focus

on the Family affiliate, applauded Governor Pete Wilson for "protecting the Boy Scouts and public school children from the homosexual agenda," by returning Assembly Bill #257 without signature earlier in October. The bill would have added "sexual orientation" to the list of categories protected under the state's Fair Employment and Housing Acts (FEHA). CRI had branded the anti-discrimination legislation at turns as "the crown jewel for the homosexual lobby" and a "virtual Pandora's Box" in press releases and on their website (<http://www.webpub.com/~capitol/home.htm>). Michael Bowman, executive director of Capitol Resource Institute, further wrote, "Because of Wilson's veto, private citizens won't be forced to open their homes, schools, businesses, and community organizations to gay activists who want to push their lifestyle on the rest of us."

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LIST INFO =====

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pfaw@pfaw.org===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

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RFC-822-headers:

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id <01ISCOE5J0PC008VOT@PMDF.EOP.GOV>; Wed, 14 Jan 1998 03:04:30 -0500 (EST)

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by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01ISCOE456Q8004TX7@PMDF.EOP.GOV>; Wed,

14 Jan 1998 03:04:28 -0500 (EST)

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

with ESMTP id <01ISCOD7P686000LNS@STORM.EOP.GOV>; Wed,

14 Jan 1998 03:03:46 -0500 (EST)

Received: (from rwockner@localhost)

by netcom7.netcom.com (8.8.5-r-beta/8.8.5/(NETCOM v1.02)) id XAA23339; Tue,

13 Jan 1998 23:47:52 -0800 (PST)

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RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: rwockner (rwockner@netcom.com@INET@LNGTWY [UNKNOWN])

CREATION DATE/TIME:14-JAN-1998 22:25:00.00

SUBJECT: NC5813: Pentagon Cover-up Feared

TO: Richard Socarides (Richard Socarides@EOP [UNKNOWN])

READ:UNKNOWN

TO: Stuart D. Rosenstein (Stuart D. Rosenstein@eop [UNKNOWN])

READ:UNKNOWN

TEXT:

Date: Wed, 14 Jan 1998 16:15:14 -0500

From: John Aravosis <john@wiredstrategies.com>

Subject: Pentagon Cover-up Feared

FOR IMMEDIATE RELEASE

Wednesday, January 13, 1998, 4:00PM

Contacts: John Aravosis, 202-328-0013, Barbara Bode, 202-588-9598

Washington Brass Steps Up Action Against Sailor

Pentagon Cover-up Feared

Navy documents obtained by Timothy McVeigh's representatives show the Navy quietly moved yesterday to change McVeigh's discharge date from this coming Friday to Thursday. This action comes on the heels of worldwide press coverage condemning the military's and America Online's action in the McVeigh privacy case, and AOL's insinuation that someone broke the law in obtaining McVeigh's confidential account information.

Senior Chief Timothy McVeigh was present on Monday, January 12 when the

separations clerk in Honolulu typed out the order notifying him of his discharge at midnight Friday, January 16. On Tuesday, January 13 at 10:45 a.m. (Hawaii time, 5 hours earlier than EST), McVeigh was again present when the same clerk received a phone call from Washington, DC alerting him that something had changed, and the Navy would now be discharging McVeigh one day earlier, on Thursday, January 15.

The clerk reported that the order came from the Office of the Judge Advocate General in Alexandria, Virginia via Commander McKenzie, who is the senior attorney for Rear Admiral Ellis, the Commander of the Navy's entire submarine force in the Pacific.

There has been growing international attention focused on the McVeigh case -- in the last week, McVeigh's story was reported in the New York Times, Washington Post, Wall Street Journal, San Francisco Chronicle, USNews & World Report, ABC News, CNet, Wired, MSNBC, Yahoo!, National Public Radio, Good Morning America, Associated Press, Reuters, PcWorld, and the BBC, among others, and stories are currently in production in USA Today, CNN, and Time magazine. Advocates are concerned as to the motivations behind the military's actions to expedite the discharge of Senior Chief McVeigh.

"When the press first reported on Tim's story, America Online canceled his email account. And now, the same day that AOL admits someone broke the law, the Washington brass try to get rid of the key witness. This sailor is getting torpedoed," said John Aravosis, and Internet consultant working with McVeigh.

Military lawyers, speaking on the condition of anonymity, report that this type of abrupt change in orders is highly unusual. Even stranger, they noted, was the fact that Tuesday's new discharge notice was identical to Monday's, but for the change of the actual date of discharge. It seemed, to more than one observer, that the military may have simply used "white out" on the original discharge to more quickly eliminate McVeigh.

"You can't just use 'white out' to erase a man's 17 year career. This whole affair has been about lies, cover-ups and official denials. And now a decorated veteran has to pay for the Defense Department's arrogance," said Aravosis.

"We have requested that the Secretary of the Navy delay Senior Chief McVeigh's discharge until his office can fully review the issue that we and others have raised, including potential violations of 'Don't ask, Don't Tell, Don't Pursue' and the Electronic Communications Privacy Act by Navy personnel. We believe the result of such a review will justify McVeigh's retention in the Navy. To date we have received no response. We are obviously concerned by the Navy's action in moving up the date of McVeigh's discharge. We continue to hope for a thorough and honest investigation by Secretary Dalton's staff," said Kirk Childress, staff attorney for Servicemembers Legal Defense Network, a non-profit organization that assists servicemember hurt by the military's anti-gay policy. ===== ATTACHMENT 1 =====
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by PMDF.EOP.GOV (PMDf V5.0-4 #6879) id <01ISDSYIFT68013YIS@PMDf.EOP.GOV>; Wed,

14 Jan 1998 22:26:14 -0500 (EST)

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

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14 Jan 1998 22:25:49 -0500 (EST)

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by netcom11.netcom.com (8.8.5-r-beta/8.8.5/(NETCOM v1.02)) id TAA20907; Wed,

14 Jan 1998 19:25:13 -0800 (PST)

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RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Doug.Case (Doug.Case@sdsu.edu@INET@LNGTWY [UNKNOWN])

CREATION DATE/TIME:14-JAN-1998 20:54:00.00

SUBJECT: Personal to Richard Socarides

TO: Richard Socarides (Richard.Socarides@EOP [UNKNOWN])

READ:UNKNOWN

TEXT:

The silence from the White House on the outrageous abuse by the Navy of
confidential AOL information is deafening. No reasonable person can argue
that this is a valid application of "Don't Ask, Don't Tell, Don't Pursue."

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

TEXT:

RFC-822-headers:

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id <01ISDNNRAE40008RKZ@PMDF.EOP.GOV> for "Richard Socarides"@oa.eop.gov; Wed,

14 Jan 1998 19:54:49 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov)
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01ISDNNJMYZK002ECY@PMDF.EOP.GOV> for
Richard_Socarides@oa.eop.gov; Wed, 14 Jan 1998 19:54:43 -0500 (EST)

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by STORM.EOP.GOV (PMDF V5.1-7 #6879)
with ESMTP id <01ISDNN1IRZ0001FB7@STORM.EOP.GOV> for
Richard_Socarides@oa.eop.gov; Wed, 14 Jan 1998 19:54:13 -0500 (EST)
Received: from [130.191.242.121] ([130.191.242.121])
by mail.sdsu.edu (8.8.7/8.8.7) with ESMTP id QAA02641 for
<Richard_Socarides@oa.eop.gov>; Wed, 14 Jan 1998 16:54:10 -0800 (PST)
X-Sender: dcase@mail.sdsu.edu

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RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: news-errors (news-errors@mx.lodo.infobeat.com@INET@LNGTWY [UNKNOWN])

CREATION DATE/TIME:14-JAN-1998 06:42:00.00

SUBJECT: News - Morning Edition @ 01/14/98

TO: Brian A. Reich (Brian A. Reich@eop [UNKNOWN])

READ:UNKNOWN

TEXT:

Morning Edition for Wednesday, January 14, 1998

Make 1998 the year you resolve to NEVER lose crucial data again.

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systems don't work when you need them the most @Backup will

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Download it Now. Install it Today. Sleep better tonight.

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U.S. Front Page Stories

*** Iraq again prevents UN Ritter team from working

*** Navy plans to fire gay sailor due to AOL profile

*** Senate leader says tobacco pact doomed - Post

*** El Nino's effects finally hit northern Calif.

*** Clinton says Jones case likely to go to trial

*** Texas tobacco lawsuit postponed as talks drag on

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- *** Clinton, Democrats to push health 'bill of rights'
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- *** Dole registers as advocate for Taiwan government

The Courts

- *** Trial of ad exec accused of murder begins in N.Y.
- *** Welder convicted in Georgia serial rape case
- *** Flight attendant sues Northwest over smoking
- *** Ex-N.Y. Gov. Cuomo need not testify on Brawley

*** Former cop indicted on civil rights charge

*** Tampa police chief cleared of sex harassment charge

U.S. Business and Financial News

*** Stocks extend recovery to 2nd day; Dow leaps 84 points

*** U.S. expected to reverse 7-year drop in oil output

World Front Page Stories

*** Weather hampers Quebec's recovery from blackout

The World Political Scene

*** Britain's Blair to visit Washington Feb. 4-7

*** Snowmobiling Yeltsin wants economic speed-up

Sports

*** NFL completes TV deals with eight-year ABC, ESPN pacts

*** Mets sign Japanese pitcher Yoshii; Isringhausen has surgery

*** Okey quits Wisconsin men's basketball team

Science and Medicine

*** Growth in U.S. health spending hits new low - study

*** Enzyme provides 'fountain of youth' for cells

*** U.S. astronaut gets okay for Mir spacewalk

Human Interest

*** Angry Cairo woman bites off husband's finger

U.S. Front Page Stories

*** Iraq again prevents UN Ritter team from working

Scott Ritter, the American head of a UN arms team who Iraq has accused of spying, said Wednesday Iraqi officials had prevented his group from carrying out its inspections for a second successive day. He said Iraqi monitors had failed to show up at UN headquarters, despite being told Tuesday his team would be waiting for them at 9 a.m. to begin work. Without the Iraqi officials, it cannot enter the sites it wants to inspect. UN officials in Baghdad have said the Iraqi stance on the

Ritter team had not affected other arms inspectors, who were continuing their work. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6938562-19d>

UN team said to check reports Iraq tested on humans, See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6933781-50c>

Iraq disputes numbers on inspectors in Baghdad, See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6933538-ad0>

Iraq wants to use oil-for-food money for pilgrims, See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6932210-490>

*** Navy plans to fire gay sailor due to AOL profile

The Navy plans to dismiss one of its sailors after finding out he was gay from his America Online Internet user profile, a Navy official said Tuesday. Senior Chief Petty Officer Timothy McVeigh was given an honorable discharge from the Navy Jan. 15 for violating the military's "don't ask, don't tell" policy on homosexuality, the official said. The investigation of McVeigh began after the Navy obtained a copy of his AOL Internet user profile, which indicated he was gay. In an interview with The Washington Post, McVeigh did not deny writing the profile but would not confirm whether he was gay.

See <http://www.infobeat.com/stories/cgi/story.cgi?id=6932169-0d9>

*** Senate leader says tobacco pact doomed - Post

Senate Majority Leader Trent Lott predicted Tuesday Congress was

unlikely to enact a tobacco settlement this year, the Washington Post said Wednesday. The Mississippi Republican blamed President Clinton, saying he was undermining the prospects for passage. Odds on the fate of the legislation were now around 70 to 30 against passage and "right now I don't see it happening," Lott said. "The president has shown no leadership on it ... he's complicated it with cigarette taxes," Lott said. State attorneys general and the tobacco industry negotiated a proposal in June that would settle a host of lawsuits. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6936695-5c6>

*** El Nino's effects finally hit northern Calif.

El Nino finally hit northern Calif. with drenching rains and coastal floods over the weekend and meteorologists said Tuesday the region was set to receive more rough weather this week. After months of listening to doom-and-gloom predictions about the likely effects of El Nino, residents in the San Francisco Bay area were treated to heavy rains which snarled traffic and raised fears of mudslides in hilly areas. Forecasters said the rains along the Calif. coast were influenced by El Nino, a warm-water mass off the coast of South America that has powered climatological shifts across the globe. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6935047-88b>

*** Clinton says Jones case likely to go to trial

President Clinton said Tuesday he believes Paula Jones' sexual

harassment lawsuit against him will probably go to trial. Jones' claim that Clinton exposed himself to her and asked for oral sex when he was governor of Ark. is scheduled to go on trial May 27. Clinton has denied all accusations in the case. Asked by U.S. News and World Report if he was resigned to the case going to trial, Clinton replied, "Probably." The president and his accuser were expected to meet face-to-face Saturday because Clinton must give sworn testimony in the lawsuit and Jones has vowed to be there when he does. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6932446-d2a>

*** Texas tobacco lawsuit postponed as talks drag on

Texas' huge Medicaid lawsuit against the tobacco industry was postponed again Tuesday as the 2 sides struggled to agree on the fine details of a \$15 billion settlement. U.S. District Judge David Folsom pushed back the start of jury selection from Wednesday until Friday to give negotiators more time to resolve their differences on the language of their settlement accord. Sources said tobacco executives have agreed to pay about \$15 billion in compensation to the state for the cost of treating sick smokers under the Medicaid program. But the 2 sides were still bickering over the language in other key clauses. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6933228-be6>

Crime and Catastrophe

***** Tourist spray-paints two White House sculptures**

A tourist sprayed two priceless 19th century marble busts in the White House with splotches of rusty brown paint before Secret Service officers took her into custody, the White House said Tuesday. White House spokesman Mike McCurry said the woman in her 30s caused more than \$1,000 in damage to the wall behind the busts in the first floor Blue Room and uncertain damage to the sculptures, which will be examined by an art expert. McCurry declined to further identify the woman, who was taking a public tour of the residence when she used a spray can to deface the sculptures of explorers Amerigo Vespucci and Christopher Columbus at around noon. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6931030-503>

***** Gunman shoots 4, kills 2 at Miami condo**

A sniper killed 2 people and wounded 2 others in a Miami suburb Tuesday in a spree in which he set fire to a condominium complex that evicted him, then began shooting from its balcony before being apprehended, police said. Paul David Ahern, 42, was arrested and charged with 13 crimes, including 2 counts of 1st-degree murder, 1 count of attempted murder of a police officer and 1 count of attempted murder. A high-powered hunting rifle was found in the middle-class area of Kendall, Fla. Police also said Ahern was holding 3 handguns, 1 in each hand and another on his person, when he was apprehended. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6932539-e4b>

***** Robbers steal \$1.6 million at N.Y.'s World Trade Center**

Masked bandits robbed 2 guards at N.Y.'s World Trade Center Tuesday, making off with \$1.6 million in cash, police said. The 2 guards were delivering 6 bags of money to an office on the 11th floor and met the bandits as the doors of their freight elevator opened. The 3 bandits, 1 with a gun and all wearing ski masks, took 3 money bags and tied up all 7 people in the elevator. The robbers sent the freight elevator up to the 22nd floor while they fled in a passenger elevator. Police were optimistic the robbers would be caught because they shed their ski masks as they escaped and their faces were captured by cameras. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6933841-46a>

***** Foul weather slows ice-storm recovery**

Foul weather returned to Maine and northern N.Y. Tuesday, making it even harder for utility crews to restore electricity to the thousands left powerless by last week's ice storm. President Clinton declared all but far northern Maine to be a federal disaster area. Maine officials estimate there is \$36 million in damage from the storm that raised havoc in 4 states and 3 Canadian provinces. In Maine about 300,000 residents prepared for another night without electricity. For some that means no heat or water since Thursday, when ice-covered trees began falling across power lines. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6932278-c86>

Clinton orders disaster relief for Tennessee, See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6932234-5f5>

Dairy farmers hit hard by Northeast storms, See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6932866-bca>

*** 2 Americans arrested in Mexico after kidnap scare

2 U.S. citizens initially thought to have been kidnapped in Ciudad Juarez, were in a Mexico City jail Tuesday facing charges of drugs and weapons smuggling. Police said the 2 brothers, Hugo and Rene Ambriz, were arrested Sunday for their alleged part in an international drug and weapons ring. An official said U.S. officials assisted in the operation. Relatives of the 2 men denied they were involved in smuggling and said they model citizens. Police initially thought the Ambrizes were kidnapped after witnesses reported the 2 were driving

Sunday when a group of gunmen dragged them from their car. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6934364-c90>

*** Police in N.J. town accused of corruption

Members of a N.J. police department were accused Tuesday of demanding payoffs from prostitutes, illegal gambling operators and after-hours liquor salesmen in exchange for police protection. Among the 22 people charged in a 69-count indictment were detectives, officers and

a former chief of police in West New York, a blue-collar town across the Hudson River from N.Y. City. The police would demand cash from prostitutes and from operators of illegal video gambling machines in local taverns and grocery stores, prosecutors said. The police were accused of collecting \$600,000 in illegal payoffs from 1989 until last Aug. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6932573-7ab>

The U.S. Political Scene

***** Budget shouldn't include retiree fund, groups say**

The federal budget cannot be considered balanced as long as Social Security surplus funds, earmarked for future retirees, are used to offset the deficit, advocacy groups said Tuesday. To reach balance, congressional budget analysts take into account funds accumulating in the Social Security trust fund. But these funds are a planned surplus, designed to allay strains on the system as the baby boomers retire. According to the Concord Coalition, forecasts are for a federal budget surplus of \$138 billion in the year 2008. But if Social Security funds are excluded, the budget will actually have a \$60 billion deficit that year. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6933139-296>

***** U.S. Rep. Gephardt to issue new tax plan next week**

Lawmakers are rushing to unveil tax cut plans of all shapes and sizes before Congress returns to Capitol Hill later this month. House Democratic Leader Richard Gephardt will outline a tax proposal next week that will build on his plan for a modified flat tax, a spokeswoman said Tuesday. Gephardt's updated proposal will be among a flurry of tax plans that lawmakers are presenting in light of a federal budget deficit that is expected to just about disappear this year. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6931445-b7a>

*** Clinton lifts Medicare home health ban

President Clinton ended Tuesday a moratorium imposed last year on new firms providing home health care services to the elderly under the Medicare health program. Clinton said new anti-fraud regulations and other measures would help prevent abuse of the system and made it possible to lift the ban imposed in September. The ban followed government studies finding rampant fraud in the Medicare-financed home health care industry, which involves providing medical and social services to home-bound elderly people. Home health services represent more than \$15 billion of the annual \$200 billion Medicare program. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6931261-f1e>

*** Clinton, Democrats to push health 'bill of rights'

President Clinton and the 2 top Democrats in Congress will meet Wednesday to give a push to his proposal for a patient "bill of rights" to improve the quality of health care, a Democratic source said. Senate Minority Leader Tom Daschle and House Minority Leader Richard Gephardt would join Clinton and Vice President Al Gore at a White House ceremony scheduled for 2:40 p.m. EST. The gathering will endorse legislation Clinton proposed last year to improve the quality of health care delivered in the U.S., notably by imposing requirements on how health maintenance organizations treat their customers. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6936503-f0f>

*** Republicans sweep Virginia special elections

Republicans swept special elections held Tuesday to fill 3 vacant seats in the Virginia House of Delegates as local officials raced to certify the elections on the eve of this year's legislative session.

The special elections gave Republicans 49 seats in the 100- member House and forced Democrats to concede that some coveted seats on committees will go to Republicans. When joined by conservative Independent Lacey Putney of Bedford, who usually votes with them, the Republicans will effectively end Democratic voting control in the Virginia House for the first time since 1884. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6936385-1b6>

Democrat leads in California congressional election, See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6936597-9d2>

*** Dole registers as advocate for Taiwan government

Bob Dole has registered to work as an advocate for the government of Taiwan but will not engage in any lobbying, Dole spokeswoman Joyce Campbell said Tuesday. The former Senate Republican leader joined the Washington law firm of Verner, Liipfert, Bernhard, McPherson and Hand in May after losing the 1996 presidential election to President Clinton. Campbell said Dole's new position will not affect a \$150,000 loan made to House Speaker Newt Gingrich last spring to help him pay off a \$300,000 ethics fine. But Democratic Campaign Committee Chairman Martin Frost called on Gingrich to drop the arrangement immediately. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6933422-d20>

The Courts

*** Trial of ad exec accused of murder begins in N.Y.

The trial of a N.Y. City advertising executive charged with murdering his wife began Tuesday with prosecutors arguing the accused man was obsessed with O.J. Simpson and the killing of his ex-wife Nicole Brown Simpson. Sheldon Wasserman was accused of killing his wife Carole by bashing her head with a golf club and stabbing her 8 times. He allegedly dumped her nude body in a shallow grave behind his office in Pompton Plains, N.J. Wasserman is charged with 2nd-degree

murder and, if convicted, faces life in prison. Defense attorney Robert Polstein said his client killed his wife in a fit of emotional disturbance. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6934393-3c7>

*** Welder convicted in Georgia serial rape case

A welder was convicted Tuesday of raping 5 students at the University of Georgia and sentenced to life in prison without the possibility of parole. The jury deliberated just 2 hours before finding John Scieszka guilty on 17 counts of sexual assault in the attacks between March 1995 and March 1996. Judge Lawton Stephens sentenced Scieszka to 8 life sentences, plus an additional 160 years in prison. The life sentences are without possibility of parole, the judge said, because the crimes were committed while Scieszka was out of prison on parole in Florida where he had been convicted of 2 other sexual assaults.

See <http://www.infobeat.com/stories/cgi/story.cgi?id=6932899-78a>

*** Flight attendant sues Northwest over smoking

A flight attendant for Northwest Airlines Corp. has filed a class action suit against the company to halt smoking on international flights. Julie Duncan, an employee of the airline for 25 years, alleged the carrier is neglecting the health of its employees on overseas flights. Northwest was the first airline to ban smoking on domestic flights in 1988, and it banned smoking at all U.S. ground facilities in 1995. But it continues to operate smoking flights to

international destinations. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6932377-b43>

***** Ex-N.Y. Gov. Cuomo need not testify on Brawley**

A judge ruled Tuesday that former New York Gov. Mario Cuomo will not have to testify in a defamation trial against activist Rev. Al

Sharpton and others involved in the controversial Tawana Brawley case. Lawyers for Sharpton and for Brawley's attorneys had subpoenaed Cuomo and former N.Y. Attorney General Robert Abrams, who were in office in 1987 when the teenager said she was raped by 6 white men.

Brawley's claim, which sparked a racially charged controversy, was found later by a grand jury to be a hoax. 1 of the 6 is now suing Sharpton and Brawley's lawyers for defamation for \$395 million in damages. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6934390-ca9>

***** Former cop indicted on civil rights charge**

A former N.Y. City police officer, cleared of state homicide charges in the 1994 choking death of a security guard, was indicted Tuesday on federal civil rights charges in the man's death. Francis Livoti was charged in a 1-count indictment for allegedly violating the civil rights of Anthony Baez by assaulting him. The indictment charges Livoti used unreasonable force trying to arrest Baez. If convicted, Livoti faces up to 10 years in prison and a \$250,000 fine. Baez, a

29-year-old security guard, had been playing a football game with his brothers in Dec. 1994 when Livoti's patrol car was struck by the ball. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6932822-9fb>

*** Tampa police chief cleared of sex harassment charge

A jury cleared Tampa Police Chief Bennie Holder Tuesday of sexual harassment charges made by a former female office. Lee Pope accused Holder of groping her and making sexual advances during the 18 months she was his assistant. Holder denied the allegations. He said Pope made up the charges because she was passed over for promotion. The jury in the federal civil trial ruled in favor of Holder. He had previously been found not guilty of any criminal charges in the case. Tampa Mayor Dick Greco had supported Holder during the trial, but said he would have removed the chief if Pope had won her suit. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6933757-0b4>

U.S. Business and Financial News

*** Stocks extend recovery to 2nd day; Dow leaps 84 points

Stocks extended their recovery from last week's battering to a second straight day Tuesday as investors sensed that most of the bad news about Asia and U.S. corporate earnings was out of the way. The Dow

Jones industrial average ended up 85 points, or 1.1%, at 7732. Since Monday, the blue-chip index has jumped more than 150 points after last week's nosedive of 385 points. Technology stocks led the market higher as investors sat on the edge of their seats awaiting quarterly results from Intel Corp. The Nasdaq was up 34 points, or 2.2%, at 1541. The S&P 500 gained 13 to 952. The long bond was down about 1/2 point to yield 5.73%. The dollar slid to 1.8198 marks and 131.63 yen.

See <http://www.infobeat.com/stories/cgi/story.cgi?id=6930802-570>

*** U.S. expected to reverse 7-year drop in oil output

U.S. crude oil production is expected to increase slightly this year, the first jump in annual oil output since 1991, according to the latest estimates from the Department of Energy (DOE). Average domestic oil production in 1998 is projected to increase from last year's level by 16,000 barrels per day to 6.42 million barrels per day, the DOE's Energy Information Administration said this week in its new quarterly Short-Term Energy Outlook. However, U.S. crude output is expected to resume its downward trend in 1999 as production falls to 6.39 million barrels per day. This is the DOE's first short-term projection for oil output during 1999. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6930727-467>

World Front Page Stories

*** Weather hampers Quebec's recovery from blackout

Emergency power crews made progress Tuesday restoring electricity to about 1.5 million people in eastern Canada as a devastating blackout entered its eighth day, but poor weather hampered the recovery effort. In the French-speaking province of Quebec, which has a population of 7.3 million, more than 500,000 households and businesses remained without electricity in frigid winter temperatures. The number of households without power was down from a peak of 1.4 million Friday when the worst of a five-day ice storm swept through eastern Ontario and southern Quebec, collapsing power lines, breaking trees and plunging hundreds of communities into the dark and cold. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6931997-e0c>

The World Political Scene

*** Britain's Blair to visit Washington Feb. 4-7

British Prime Minister Tony Blair will visit Washington Feb. 4-7 for talks with President Clinton and other senior U.S. officials, the offices of both leaders said Tuesday. White House spokesman Mike McCurry said the two were expected to discuss bilateral and global issues, hold a joint news conference and attend an official dinner hosted by Clinton and first lady Hillary Rodham Clinton Feb. 5. This

will be Blair's first visit to Washington since his Labour party swept to power in last May's election. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6931862-47b>

*** Snowmobiling Yeltsin wants economic speed-up

President Boris Yeltsin sped through woods on a snowmobile Tuesday in an effort to dispel speculation about his health, and told his government to cut taxes and interest rates to speed up economic growth. TV news broadcasts showed film of Yeltsin on vacation, in an orchestrated Kremlin attempt to quash talk that his retreat to the Valdai Lake region was a cover for renewed illness. The footage was brought back by aides who accompanied First Deputy Prime Minister Boris Nemtsov on a visit to discuss the government's economic policy. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6928582-909> Yeltsin foes all smiles before Duma session, see <http://www.infobeat.com/stories/cgi/story.cgi?id=6926132-49f>

Sports

*** NFL completes TV deals with eight-year ABC, ESPN pacts

The National Football League completed a whirlwind negotiation of all of its television packages Tuesday night by agreeing to eight-year contracts that will keep Monday Night Football on ABC and give ESPN

exclusive rights to Sunday night cablecasts. The deals with ABC and ESPN, both of which are owned by the Walt Disney Co., are worth \$9.2 billion and came one day after CBS got back into the business of televising NFL football by wresting the AFC package away from rival NBC with a \$4 billion deal. Including the \$4.5 billion contract for NFC games reached Monday with the Fox Network, the total package is worth a staggering \$17.7 billion. By retaining Monday Night Football, an institution it launched 27 years ago, ABC locked out NBC, which is left without football for the first time since 1965. CBS executives said the network will pay approximately \$500 million per season -- 130 percent more than NBC paid this season -- over eight years.

*** Mets sign Japanese pitcher Yoshii; Isringhausen has surgery

On the same day that Jason Isringhausen underwent reconstructive elbow surgery, the New York Mets tried to fill his place in the rotation by signing Japanese right-hander Masato Yoshii to a one-year contract. Isringhausen had reconstructive surgery on his right elbow that will force him to miss the entire 1998 season. His spot in the rotation could go to the 32-year-old Yoshii, who has compiled a 73-51 record with 61 saves and a 3.43 ERA with the Kintetsu Buffaloes and Yakult Swallows of the Japanese Professional League. The 6-foot-2, 210-pound Yoshii was a teammate of Los Angeles Dodgers pitcher Hideo Nomo from 1990 to 1994 with Kintetsu.

*** Okey quits Wisconsin men's basketball team

Forward Sam Okey, one of the most sought-after recruits in the history of Wisconsin basketball, announced Tuesday he has quit the Badgers team. Wisconsin sports information assistant Justin Doherty confirmed the announcement. Okey, a 6-foot-7 junior, struggled this season, averaging only 9.8 points and 4.9 rebounds in nine games. Okey, who has not announced any plans to transfer, missed the first two games for disciplinary reasons and sat out four others with back problems. The final straw apparently came last Wednesday at Michigan State, where he did not start and finished with six points in 23 minutes. In 1996, he was named Big Ten Freshman of the Year. Okey helped the Badgers to an NCAA Tournament bid last season. He was Mr. Basketball in Wisconsin in 1995 and the fourth-highest scorer in state high school history with 2,539 points.

Science and Medicine

*** Growth in U.S. health spending hits new low - study

U.S. spending on health care topped \$1 trillion for the first time in 1996 but grew at the slowest pace in nearly 40 years, a study published on Tuesday found. The study, conducted for the journal Health Affairs, found spending on health care grew 4.4% in 1996, the smallest increase in the 37 years since records have been kept. "The combination of decelerating health spending and a growing economy has kept national health spending as a share of the nation's growth

domestic product unchanged for the fourth consecutive year," the researchers wrote. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6928865-be0>

*** Enzyme provides 'fountain of youth' for cells

U.S. scientists said Tuesday they had been able to make human cells live longer by tinkering with their genetic material, providing a "fountain of youth" for aging cells. News of the technology sent shares in California-based biotechnology group Geron Corp. up and raised hopes of new ways to treat diseases such as cancer. "This research raises the possibility that we could take a patient's own cells, rejuvenate them, then modify the cells as needed and give them back to the patient to treat a variety of genetic and other diseases," said Dr. Woodruff Wright of the University of Texas. See <http://www.infobeat.com/stories/cgi/story.cgi?id=6930283-e7b>

*** U.S. astronaut gets okay for Mir spacewalk

NASA managers gave U.S. astronaut David Wolf the go-ahead for a spacewalk from Russia's Mir space station, officials said Tuesday. Wolf and Mir commander Anatoly Solovyev will venture outside the Russian space outpost at 3:45 p.m. ET on Wednesday, NASA's shuttle-Mir program manager Frank Culbertson said. Wolf will be the third American astronaut to make a spacewalk from Mir. U.S. space agency officials met for several hours Tuesday with their Russian counterparts and determined that the station's leaking spacewalk

hatch would not endanger the spacewalkers. See

<http://www.infobeat.com/stories/cgi/story.cgi?id=6931430-96b>

Human Interest

*** Angry Cairo woman bites off husband's finger

Cairo police have arrested a woman who bit off part of her husband's finger because she was angry at him and hungry from her daylong fast for the Muslim holy month of Ramadan, security sources said Tuesday. They said the unnamed woman got into a fight with her painter husband Monday while he was shouting at their daughter a few minutes before dusk, when the fast ends. The sources said the woman told police her hunger and rage spurred her to bite a finger on her husband's right hand. The husband was taken to a hospital for treatment.

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===== ATTACHMENT 1
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id <01ISCW1C3CI8003C8H@PMDF.EOP.GOV> for reich_b@a1.eop.gov; Wed,
14 Jan 1998 06:43:19 -0500 (EST)

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

by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01ISCW183QR400O2TG@PMDF.EOP.GOV> for
reich_b@a1.eop.gov; Wed, 14 Jan 1998 06:43:12 -0500 (EST)

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

with ESMTP id <01ISCW0U8TTM001HD2@STORM.EOP.GOV> for reich_b@a1.eop.gov; Wed,

14 Jan 1998 06:42:52 -0500 (EST)

Received: from sender1.lodo.in.merc.com (news-errors@mx.lodo.infobeat.com)

by sender1.lodo.in.merc.com

(version 3.32, queueup copyright InfoBeat, Inc. 1997)

with stdio id EOPA1AAADO24011; Wed, 14 Jan 1998 04:42:10 -0700 (MST)

Errors-to: news-errors@mx.lodo.infobeat.com

X-TestFile: merc-news3-text-reich_b@a1.eop.gov

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RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: nglfcampus-request (nglfcampus-request@nenet.org@INET@LNGTWY [UNKNOWN])

CREATION DATE/TIME:14-JAN-1998 13:52:00.00

SUBJECT: [Fwd: Alert: Is your local recruiter asking?]

TO: Christian M. Grantham (Christian M. Grantham@EOP [UNKNOWN])

READ:UNKNOWN

TEXT:

Forwarded by Request:

Please Post Widely:

From: SLDN1 <SLDN1@aol.com>

Date: Wed, 14 Jan 1998 11:46:51 EST

Subject: Alert: Is your local recruiter asking?

Organization: AOL (<http://www.aol.com>)

Servicemembers Legal Defense Network has learned that, in violation of

"Don't

Ask, Don't Tell, Don't Pursue," some military recruiting stations continue

to use an old version of recruiting form DD1966, which asks whether the

applicant is a "homosexual". SLDN is trying to survey various recruiting

stations to determine which form they are using. SLDN is seeking

individuals who could go to recruiting stations and request a copy of form

DD1966 to help us gather this information.

Here's how you can help:

(1) E-mail Chris Damiano at sldn@sldn.org to ensure that you are not duplicating someone else's effort.

(2) Go to or call the local recruiting station (Air Force, Army, Navy, Marine Corps, Coast Guard). Ask for a blank copy of form DD1966. There is no need to provide an explanation for why you are requesting the document.

If the recruiter refuses to provide a copy, remind him or her that it is not a confidential document and can be released to the public.

(3) Mail or fax the document to Chris Damiano at 202/797-1635.

Please indicate the city and branch that the form was received from.

Thank you for your help.

===== ATTACHMENT 1 =====
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id <01ISD965ZT2O008CBJ@PMDF.EOP.GOV> for "Christian M. Grantham"@oa.eop.gov;
Wed, 14 Jan 1998 12:59:45 -0500 (EST)

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by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01ISD94BODXS0091IL@PMDF.EOP.GOV> for
Christian_M._Grantham@oa.eop.gov; Wed, 14 Jan 1998 12:59:38 -0500 (EST)

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by STORM.EOP.GOV (PMDF V5.1-7 #6879)
with ESMTP id <01ISD92A8JKO001H3I@STORM.EOP.GOV> for
Christian_M._Grantham@oa.eop.gov; Wed, 14 Jan 1998 12:56:37 -0500 (EST)

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id NAA09041 for Christian_M._Grantham@oa.eop.gov; Wed,
14 Jan 1998 13:16:03 -0500 (EST)

Resent-date: Wed, 14 Jan 1998 13:16:03 -0500 (EST)

Resent-from: ngltfcampus@nenet.org
Resent-sender: ngltfcampus-request@nenet.org
X-Sender: glbserv@juliet.ucs.indiana.edu
Resent-message-id: <WzxyFD.A.NLC.bDQv0@public4.jri.org>
Content-id: <Pine.HPP.3.96.980114124806.8285C@juliet.ucs.indiana.edu>
Precedence: list
X-Mailing-List: <ngltfcampus@nenet.org> archive/latest/1580
X-Loop: ngltfcampus@nenet.org
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RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: rwockner (rwockner@netcom.com@INET@LNGTWY [UNKNOWN])

CREATION DATE/TIME:15-JAN-1998 15:30:00.00

SUBJECT: NC5817: McVeigh sues; Navy backs down

TO: Richard Socarides (Richard Socarides@EOP [UNKNOWN])

READ:UNKNOWN

TO: Stuart D. Rosenstein (Stuart D. Rosenstein@eop [UNKNOWN])

READ:UNKNOWN

TEXT:

Date: Thu, 15 Jan 1998 15:08:03 -0500

From: John Aravosis <john@wiredstrategies.com>

Subject: Navy Retreats

FOR IMMEDIATE RELEASE Contacts: John Aravosis, 202/328-5707 Thursday,

January 15, 1998 Barbara Bode, 202/588-9598

Navy Retreats on McVeigh Discharge

Advocates Vow Fight Only Beginning

In a last minute surprise, the Navy agreed to delay Senior Chief Timothy McVeigh's discharge today after McVeigh sued the Secretary of Defense Cohen and the Secretary of the Navy Dalton this afternoon, in an attempt to stop his imminent discharge from the Navy, set for midnight tonight. McVeigh's discharge is based on evidence that privacy experts say the Navy illegally obtained from America Online (AOL), the nation's largest Internet provider.

Online advocates vow that the fight against the Navy and AOL has only just

begun.

Lawyers for McVeigh made a motion for a Temporary Restraining Order (TRO) against the Defense Department and the Navy early this afternoon in the US District Court for the District of Columbia. The TRO would prohibit the Navy from discharging McVeigh pending a full investigation of the Navy's and AOL's feared violations of the federal Electronic Communications Privacy Act (ECPA), and the Navy's repeated and consistent violations of the President's anti-gay "Don't Ask, Don't Tell" policy. As government lawyers immediately offered to hold off on the McVeigh discharge until next Wednesday, the court did not rule on the McVeigh TRO.

"This is an important test case that will determine whether the government can violate our privacy on the Internet with impunity," said David Sobel, general counsel of the Electronic Privacy Information Center (EPIC).

"What did the Navy know and when did they know it? And why won't the Administration investigate this obvious violation of federal law by a government agency?" asked John Aravosis, an Internet consultant assisting McVeigh's online Public Relations strategy. "This case screams cover-up."

McVeigh motion is based on the contention that the Navy solicited and obtained personal information from America Online without a warrant, court order, or McVeigh's consent (one of which is required under federal law and AOL's own Terms of Service).

Online advocates warn of a much larger battle looming, with potentially

serious consequences for the Administration, the Navy, and America Online.

"This lawsuit is the opening salvo of a multi-front war on the US Navy)

the Administration had better get ready for more suits, congressional

investigations, and online campaigns," said Aravosis. "AOL had also

better watch out. If the Navy gets away with a cover up, AOL may be the

only one left to blame."

John Aravosis voice: 202-328-5707

Wired Strategies fax: 202-328-5708

1884 Columbia Rd., NW - Suite 1006 email: john@wiredstrategies.com

Washington, DC 20009 web:

<http://www.wiredstrategies.com>

**** Online community-building, advocacy, research, training. ****

CLIENTS INCLUDE:

US Department of HHS Georgetown University Law Center

AIDS Action National Education Association

Widmeyer-Baker Group Institute for Women's Policy Research

MicroStrategy National Perinatal Association

America's Promise National Environmental Trust

HandsNet US Senator Robert Torricelli

American Civil Liberties Union

Recording Industry Association of America

Never doubt that a small group of thoughtful, committed citizens

can change the world; indeed, it's the only thing that ever has."

- Margaret Mead -

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RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Doug.Case (Doug.Case@sdsu.edu@INET@LNGTWY [UNKNOWN])

CREATION DATE/TIME:15-JAN-1998 15:35:00.00

SUBJECT: NAVY AGREES TO DELAY DISCHARGE

TO: Richard Socarides (Richard Socarides@EOP [UNKNOWN])

READ:UNKNOWN

TO: Stuart D. Rosenstein (Stuart D. Rosenstein@eop [UNKNOWN])

READ:UNKNOWN

TEXT:

Forwarded from/Reply to: john@wiredstrategies.com (John Aravosis)

FOR IMMEDIATE RELEASE

Thursday, January 15, 1998

Contacts: John Aravosis, 202/328-5707

Barbara Bode, 202/588-9598

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by mail.sdsu.edu (8.8.7/8.8.7) with ESMTP id MAA18207; Thu,
15 Jan 1998 12:35:04 -0800 (PST)

X-Sender: dcase@mail.sdsu.edu

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: HawaiiGay1 (HawaiiGay1@aol.com@INET@LNGTWY [UNKNOWN])

CREATION DATE/TIME:15-JAN-1998 17:28:00.00

SUBJECT: News releases shows military being forced to put discrimination

TO: Richard Socarides (Richard Socarides@EOP [UNKNOWN])

READ:UNKNOWN

TEXT:

Aloha Folks,

A national alert action is helping to identify the abuse of the military against McVeigh (previous alerts sent to promote letters to DOD). TV channels here in Hawaii are seemingly going full blast on the issue finally and they are presented in a way that demonstrates McVeigh has been abused and military legal system is in no way fair or following their own rules.

Thanks for the many of you who responded with your actions. Thanks for redistributing, too. If this is helpful, please re-distribute as necessary.

do good

William E. Woods, MPH

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Navy Retreats on McVeigh Discharge

Advocates Vow Fight Only Beginning

In a last minute surprise, the Navy agreed to delay Senior Chief Timothy McVeigh's discharge today after McVeigh sued the Secretary of Defense Cohen and the Secretary of the Navy Dalton this afternoon, in an attempt to stop his imminent discharge from the Navy, set for midnight tonight. McVeigh's discharge is based on evidence that privacy experts say the Navy illegally obtained from America Online (AOL), the nation's largest Internet provider. Online advocates vow that the fight against the Navy and AOL has only just begun.

Lawyers for McVeigh made a motion for a Temporary Restraining Order (TRO) against the Defense Department and the Navy early this afternoon in the US District Court for the District of Columbia. The TRO would prohibit the Navy from discharging McVeigh pending a full investigation of the Navy's and AOL's feared violations of the federal Electronic Communications Privacy Act (ECPA), and the Navy's repeated and consistent violations of the President's anti-gay "Don't Ask, Don't Tell" policy. As government lawyers immediately offered to hold off on the McVeigh discharge until next Wednesday, the court did not rule on the McVeigh TRO.

"This is an important test case that will determine whether the government can violate our privacy on the Internet with impunity," said David Sobel, general counsel of the Electronic Privacy Information Center (EPIC).

"What did the Navy know and when did they know it? And why won't the Administration investigate this obvious violation of federal law by a government agency?" asked John Aravosis, an Internet consultant assisting

McVeigh's online Public Relations strategy. "This case screams cover-up."

McVeigh motion is based on the contention that the Navy solicited and obtained personal information from America Online without a warrant, court order, or McVeigh's consent) one of which is required under federal law and AOL's own Terms of Service.

Online advocates warn of a much larger battle looming, with potentially serious consequences for the Administration, the Navy, and America Online.

"This lawsuit is the opening salvo of a multi-front war on the US Navy) the Administration had better get ready for more suits, congressional investigations, and online campaigns," said Aravosis. "AOL had also better watch out. If the Navy gets away with a cover up, AOL may be the

only one left to blame."===== ATTACHMENT 1 =====
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