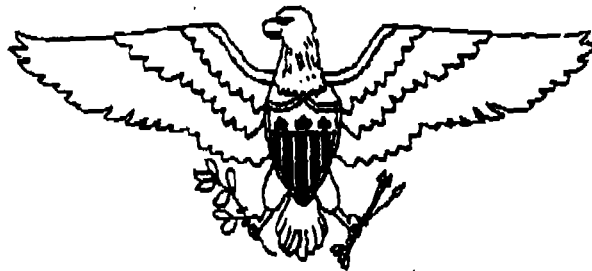


Packwood, Bob

PHOTOCOPY
PRESERVATION



U. S. SENATE
COMMITTEE ON FINANCE
REPUBLICAN STAFF

202-224-5315

FAX

To: Shirley Sagawa - Offc. of Domestic Policy

Fax #: 456-2878

From: Rick Grefmeyer

Note: Small business tax credit on page 9
is a new idea

Number of pages to follow: 10

S.2114, COMPREHENSIVE HEALTH INSURANCE PLAN OF 1991

The Comprehensive Health Insurance Plan of 1991 (CHIP of 1991), was introduced by Senator Packwood on November 26, 1991, and referred to the Finance Committee.

OVERVIEW

The bill would expand access to coverage by:

ACCESS

- Requiring employers to offer full-time employees a basic health plan and a basic coordinated care health plan. The cost of the coverage is shared by both the employer and employees;
- Permitting persons ages 55-65 an early buy-in to the Medicare program;
- Expanding Medicaid to cover low-income people ineligible for either Medicare or employer coverage.

AFFORDABILITY

- Providing refundable tax credits to small employers and low-income working families;
- Reforming the small business insurance market by limiting underwriting and rating practices;
- Encouraging competition among insurers;
- Permitting small employers to aggregate their purchasing power in multiple-employer purchasing groups;

COST CONTROL

- Eliminating administrative waste by requiring a single health care claim form and a universal health care card for all insureds;
- Encouraging the use of coordinated care plans by employees and state Medicaid programs to limit unnecessary and ineffective use of services, and lower provider payments for care;

- Requiring practice guidelines to steer health care providers away from medically unnecessary care; and
- Requiring certain services to be included in all basic health care coverage.

SECTION-BY-SECTION DESCRIPTION OF CHIP OF 1991

TITLE I - EMPLOYER-PROVIDED HEALTH INSURANCE

Sections 2101-2112:

General Requirements for Employer Plans

All employers with one or more employees must offer their full-time workers and families at least:

1. One basic health plan; and
2. One basic coordinated care plan (if the employer is located in the service area of such a plan)

A full-time employee is one working 25 or more hours per week for 20 or more weeks per year. (Due to a printing error, the bill as printed defines full-time as 25 or more hours per week for "16" or more weeks per year.) Employers are permitted to offer enhanced health plans or enhanced coordinated care plans in addition to the basic plans.

States, or the DHHS Secretary in the case of self-insured plans, shall certify that employers have offered employees the basic coverage described in CHIP of 1991.

Section 2112 specifies that a coordinated care plan must:

1. Use "care coordinators" who are responsible to direct patients to appropriate services in a cost-effective setting;
2. Select physicians, hospitals, and other providers, according to specific standards;
3. Arrange for ongoing quality assurance and utilization review of patient care; and

4. Provide financial incentives (generally lower cost sharing) for enrollees to use the plan's providers.

Sections 2121-2126:
Requirements for Employer Plans

Both basic health plans and basic coordinated care plans must offer benefits which are the same as the benefits provided under Parts A and B of Medicare and preventative services such as:

1. Newborn care and well-child care to age 7;
2. Routine immunizations;
3. Cancer screening;
4. Family planning services;
5. Routine dental, vision, and hearing services to age 18; and
6. Outpatient prescription drugs, biologicals, and insulin.

A state may limit the basic benefits to be provided. However, a state can in no event limit basic benefits to a level which is less than the amount, duration, and scope of benefits provided by the state Medicaid program.

Employers must provide uniform insurance cards for purposes of identification of enrollment and for processing of claims. Employer plans shall also be required to submit claims on a uniform claim form. Both the insurance card and claim form would be developed by the Secretary.

Employers with more than 100 employees will be required to maintain current benefit levels which exceed the required basic benefits for two years after the effective date.

Employees must be offered a basic plan immediately upon employment. Except for a change in family, employment, or residence status, health care coverage can only be changed or modified once during any two-year period.

Basic benefits cannot be denied, limited, or conditioned based upon claims experience, health status, or medical history.

Premium cost of coverage is shared by employer and employees with each employee paying no more than 20 percent of the total premium cost for single coverage, and no more than 30 percent for family coverage.

Basic plans must include cost sharing and limits on out-of-pocket costs. Qualified employer plans may not require deductibles for basic health plans that are less than \$200 or more than \$400 for individual coverage, or less than \$400 or more than \$800 for family coverage. For basic coordinated care plans, deductibles can be no higher than \$100 for individual coverage and \$200 for family coverage (or \$400 and \$800, respectively for services provided outside the network). Plans can provide for a separate drug deductible that is no greater than two times the basic benefit deductible. Coinsurance (copayments) can be no less than 20 percent or more than 25 percent for basic health plans. Coordinated care plans need not have any required coinsurance or copayment, but if included such amount can not exceed 20 percent. Out-of-pocket expenses are limited to a range of from \$1,000 to \$5000 for family coverage. Deductibles and out-of-pocket limits would be increased in future years according to changes in a BLS wage index.

Sections 2131-2132:
General Consumer Protection

The Treasury Secretary shall provide standards to coordinate responsibility among various employer plans and State plans when coverage periods overlap. An individual shall not be liable for the failure of an employer plan to make payments with respect to any basic benefits.

A State shall not establish or enforce any law or regulation requiring a basic health plan or a basic coordinated care plan to cover benefits other than those described in CHIP of 1991. Nor may a State modify eligibility for coverage.

Section 2141:
Small Employer Purchasing Groups

Small employer purchasing groups may be

established under rules provided by the States. As a minimum those rules must:

1. Allow all small employers (less than 100 eligible employees) in the same geographic area to join the group;
2. Allow the group to self-insure or purchase health insurance from insurance companies;
3. Require that the group be controlled by the members of the group;
4. Allow the group to be a for-profit or a not-for-profit entity; and
5. Require adequate financial safeguards be established to guarantee payment of employees' health care bills.

The purchasing groups shall submit applications for approval to operate to the state describing the group's goals to reduce the cost of health coverage for the group and how the group will enlist participation by insurers and small employees. Federal grants would be provided to offset the initial costs of forming small employer purchasing groups.

Sections 2151-2153:

Small Employer Health Insurance Reform

The bill reforms the way insurance companies sell basic health plans or basic coordinated care plans to small businesses (less than 100 employees). The bill:

1. Prohibits insurers from excluding certain high risk employees from the employer's group plan;
2. Requires insurers selling to small businesses in the state to make their basic health plans and basic coordinated care plans available to all small businesses in the state (states have flexibility to establish a different availability standard);
3. Prohibits insurers from using total claims in excess of \$10,000, on a per employee basis, to determine a small business' health insurance premium -- effectively limiting experience rating to per employee claims up

to \$10,000. Risks above \$10,000 must be spread among all other small businesses insured by the insurance company in the state;

4. Provides guaranteed renewability of small business insurance except for fraud or nonpayment by employer or failure to meet minimum participation requirements or termination of insurance sales within the state;
5. Requires insurers to publish their average premium rates for both basic health plans and coordinated health plans sold in the state; and
6. Establishes a penalty equal to 25 percent of total premiums charged to small employers in the state for insurers failing to comply with the reform provisions.

Although the States can require insurers to meet stricter standards, the standards listed above are minimum requirements for insurers selling to small businesses.

TITLE II -- MEDICAID AND MEDICARE

Medicaid

The state must provide health care coverage to individuals who have income below 240 percent of the Federal poverty level (\$15,888 in 1991) and who are not otherwise eligible for:

1. An employer plan,
2. Medicare, or
3. Medicaid.

States must amend their Medicaid state plans to provide for coverage of these individuals. Coverage must include at least the following services to the extent that such services are otherwise available under the program:

1. Inpatient hospital,
2. Outpatient hospital,

3. Rural health clinic,
4. Federally-qualified health center,
5. Lab and X-ray,
6. Nursing facility,
7. EPSDT (for individuals under age 21),
8. Family planning,
9. Physician,
10. Medical and surgical dental,
11. Nurse-midwife,
12. Certified pediatric nurse practitioner, and
13. Certified family nurse practitioner.

Required services would exclude long-term care (as defined by the Secretary). States may charge premiums and impose deductibles and other cost sharing. However, these premiums, deductibles and other cost sharing may not exceed:

1. States may enroll new group in private insurance or coordinated care plans;
2. "Nominal" amounts (as determined by the Secretary) for individuals with income below the Federal poverty level (\$6,620 in 1991), or
3. The maximum deductibles and other cost-sharing amounts under employer basic plans. For those above 100 percent of poverty, on a sliding-scale basis.

The Federal government will match state expenditures for these individuals according to the state's Medicaid matching rate. The Federal match will be increased by 5 percent for state expenditures for individuals enrolled in coordinated care plans.

States are otherwise not required to change their Medicaid programs.

Medicare

Persons age 55 to 65 who do not have employer-provided health insurance can purchase Medicare coverage. Their buy-in must be at an actuarial rate equal to 100 percent of the total benefits and administrative costs payable from the Federal Trust Fund. The state Medicaid program is allowed to purchase Medicare coverage for these individuals if they qualify for Medicare coverage.

TITLE III -- HEALTH CARE ACCESS TAX PROVISIONS**Self-employeds**

Self-employeds will be permitted to deduct 100 percent of their health care costs for their families. The deduction is made permanent.

Small Businesses

The high cost of health insurance is the main reason why many small businesses do not offer health insurance to their employees -- especially when insurance costs are measured as a percentage of each employee's wages. CHIP of 1991 includes a small business tax credit designed to make the cost of health insurance an affordable portion of each employee's total compensation. The tax credit is designed so that a small business' health care costs will be similar to a large corporation's cost, thereby eliminating any competitive disadvantage from providing health insurance to employees. The tax credit has the following features:

1. The tax credit equals 50 percent of a small business' health insurance costs which exceed 5 percent of each covered employee's wages. Through the use of the credit, small businesses' health insurance costs, as a percentage of wages, should be no higher than large employers;
2. All small businesses employing more than 1 but less than 100 full-time employees are eligible for the tax credit if at least 50% of eligible employees receive health care coverage;
3. The tax credit is "refundable" -- the credit will be paid even if it exceeds the income tax owed;
4. The credit can be paid to the employer throughout the year ("called advance payment") by reducing the amount of withholding taxes (FICA and income taxes) the employer pays to the government at least every month; and
5. Health insurance costs will continue to be fully deductible.

Low-income Families

CHIP of 1991 provides a tax credit to make health insurance more affordable for low-income families. The tax credit basically doubles the health care component of the earned income tax credit and makes it available to more low-income families. The tax credit:

1. Equals 12 percent of the first \$7,520 of wages (or \$902 in 1992), up to a maximum of the family's health insurance premiums;
2. Is available for insurance covering at least one child under the age of 19;
3. Is "refundable" -- paid even when the tax credit exceeds the tax owed;
4. Can be paid by "advanced payment" -- spread among the worker's paychecks throughout the year; and
5. Is phased out for family income between \$11,840 and \$22,370 (for 1992).

The interactions between the earned income tax credit, the dependent care tax credit and self-employed health insurance deduction are eliminated to simplify the tax credit.

TITLE IV -- ADMINISTRATIVE PROVISIONS

CHIP of 1991 expands efforts to develop treatment guidelines based on research by providing additional federal funding. Also, the Secretary of Health and Human Services shall submit a report to Congress beginning in 1994 providing recommendations to address problems with respect to:

1. The effects on access of patterns of utilization, supply and distributions of services and providers, and demographic changes; and
2. The effects on cost of outcomes research, utilization of services, technology, and state and private efforts to contain costs.

THE WHITE HOUSE
WASHINGTON

He ple

MEMORANDUM

To: Hillary Rodham Clinton

From: Chris Jennings

Date: September 27, 1994

Re: Senator Packwood

Following up on our conversation yesterday, Maureen and I went through some previous notes and some quotes from Senator Packwood in regards to health reform. As you will note, Senator Packwood was extremely positive even as late as the end of January this year, particularly in regard to the issue of employer mandates.

I am still trying to track down any additional notes I may have on any other statements he has made which are germane to your request. If I find anything else, I will forward them on.

cc: Melanne Verveer

EARLY COMMENTS BY SENATOR PACKWOOD (R-OR)
ON HEALTH CARE REFORM

HEARINGS OF THE SENATE FINANCE COMMITTEE, SEPTEMBER 30, 1993

"On the bill itself, as you're well aware, I am somewhat pleased with the approach that you are taking. I like the universal coverage. I like -- I call it an individual mandate, where the people are going to have to buy. The employer will share the cost, which is very similar to the German plan.

"If I have any misgiving, ... it is a misgiving based upon history, and that's the cost estimates of what we hope we can save and what we hope the new entitlements will not cost...

"You very kindly -- the administration very kindly granted Oregon's Medicaid waiver when we could not get it from the previous administration..."

LOCAL RESPONSE TO PRESIDENT'S SEPTEMBER 23, 1993 SPEECH:

"I'm favorably disposed to the concept of what he's trying to do. I don't think we're that far apart."

CONGRESSIONAL RECORD JANUARY 26, 1994:

"I agree with the President. It was a good idea by President Nixon, and it is a good idea today. I would say to the President, he will find Republicans who will work with him if - if there is not imposed an immense Government bureaucracy and if there is not Government monopoly through which you must purchase your insurance.

"But can we agree with him that there should be universal coverage...You bet we can. Can that be phased in overnight? Maybe not..."

(After listing price controls, mandatory health alliances, and any prohibition against states experimenting) "there is room for conciliation and compromise."

WASHINGTON TIMES FEBRUARY 11, 1994

"A fair portion of the President's plan is going to be stripped out, but the basic universal coverage will be there...The President then will declare victory, and it won't matter if it bears no resemblance to his bill as it went in."

4/4/94

THE OGRE'S TALE

In his initial defense, Bob Packwood said that he just didn't get it. Now that he's fighting back, some nervous Senate peers worry that he still doesn't.

BY PETER J. BOYER



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IN Washington, where the nose for decaying political flesh is keen, the scent of Bob Packwood can nearly clear a room. "I am insensitive to it," Packwood says of the murmurs and furtive whispers that have become the accompaniment to his public movement, but he notices. Sometimes the opprobrium seems almost a physical force, as when Packwood arrived at a crowded reception for Republican women candidates one recent evening: people stepped from his path, as if reflexively repelled by his presence. "I ignore it," Packwood says, which means he may or may not have heard the congresswoman across the room expressing her dismay that Packwood had actually shown up at the event. It was a year ago last November that charges of sexual misconduct were first aired, in a front-page story in the *Washington Post*, and Howard Baker, Packwood's former Republican colleague in the Senate and a friend who has remained loyal during Packwood's sixteen months of political purgatory, says, "I'm not sure I would have withstood the pressure he's under." Another friend, a former member of Packwood's staff, who recently visited his old boss, found the prospect of a public foray in Washington so unpleasant that he drove the Senator to a bowling alley in Maryland, where they spent the evening in welcome unrecognition. This death-in-life existence makes a queasy spectacle in a town that expects its actors to take their cues. Packwood's cue, perhaps, was delivered on the Senate floor in the late hours of last November 2nd, at the end of two days of anguished debate, by the Senate thespian Robert C. Byrd, Democrat of Virginia. After quoting Homer and the Earl of Mansfield, the Holy Bible and the United States Constitution, Byrd invited Packwood to recognize that "it is time to have the grace to go." Mo-

ments later, the Senate voted, 94-6, to authorize an Ethics Committee subpoena of Packwood's personal diaries.

Packwood very nearly did go. By last fall, the ordeal had almost wrecked him, and it showed: he had lost twenty pounds, his suits bagged, and his face was so haggard it seemed to be sinking inward. Worried, Packwood visited the Capitol physician, who advised suicide counselling—reasonable advice, given the completeness of Packwood's ignominy. He had been endorsed by Oregon voters five times, most recently in 1992, but now his visits home drew protests that were striking in their rancor ("Burn in Hell, Packwood!" one placard read); his proud reputation as a champion of women's causes vanished as he became the national symbol for sexual harassment, eventually accused by more than two dozen women of making unwanted sexual advances. Although his expertise on international trade had earned him the role of Republican floor leader on NAFTA, his troubles were a clamoring distraction: on the day NAFTA was decided, Packwood was handed a subpoena from the Justice Department and a six-hundred-thousand-dollar bill from his lawyers (and four days later the lawyers quit the case). Packwood's friends and staff, also suspecting that he might kill himself, pressed for Senator Arlen Specter, a supporter, to intervene, and he did, persuading Packwood to see a psychiatrist. Morose and beaten, the man once called the Senator for Life decided to entertain a deal with the Ethics Committee: his resignation for a lifting of the committee subpoena.

Packwood, who is now sixty-one, has been a senator for twenty-five years, and never expected not to be one. What would his life be outside the Senate? In the end, a practical matter probably helped to decide the issue: the Justice Department subpoena signalled

a costly criminal case, and Packwood knew that a sitting senator with his hands on fund-raising machinery is in a considerably better position to pay his legal bills than is a disgraced former pol. He stayed.

And things got worse. In late November, his loyal (but nervous) transcription secretary revealed to Ethics Committee staff lawyers that Packwood had altered some of his diaries; and his efforts to keep the diaries from the committee met with a series of defeats in court.

Over Christmas, Packwood, having reached bottom, resolved to fight. He hired a new lawyer (the criminal-law ace Jake Stein), and after a year of silence he has begun a public counter-offensive, portraying himself as a scapegoat and attacking the news media and the credibility of his accusers. Packwood now decries sexual-harassment accusations in the post-Anita Hill era as the new McCarthyism, saying, "If you're charged with sexual harassment, you're guilty." He has an uphill fight—even his friends concede that the scandal has likely left an indelible taint, and expect a severe punishment from the Senate.

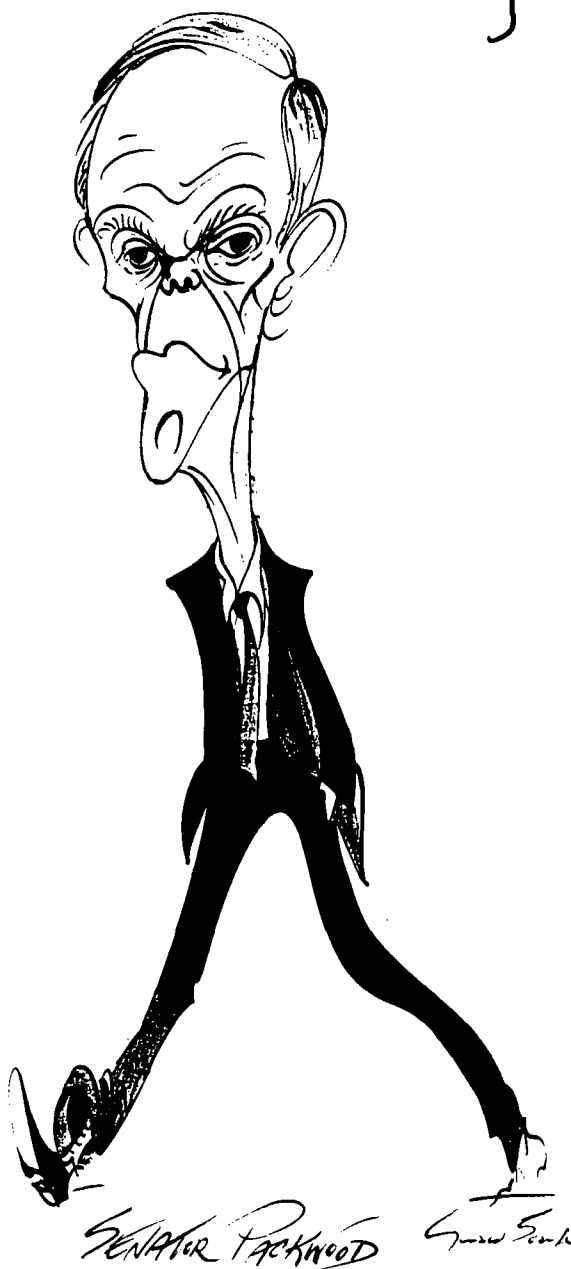
Yet years of earnest policy absorption in the Senate are paying off, for Packwood is a key figure in its most important legislative undertaking of this session—health-care reform. As one of the Senate's recognized authorities on health care, and as the ranking Republican on the Senate Finance Committee—the panel most likely to produce a reform bill that can be enacted—Packwood is in a position to influence the process significantly. The committee chairman, Daniel Patrick Moynihan, is a steadfast friend, and, more important, the two men are in agreement on health care: they want universal coverage and employer mandates to pay for it. That would give President Clinton legislation on which he could claim victory, and give conservatives the satisfaction of ditching most of the other features of the President's plan, such as health alliances. Moynihan is relying on Pack-

wood's help to bring along a key bloc of moderate but reluctant Republicans, as well as some conservative Democrats, which will make the difference between passage and failure for any plan. "You won't be able to legislate something without Bob Packwood's vote," Lawrence O'Donnell, Jr., the chief of staff

cannot think of offending him in the meantime. You cannot think of isolating him in the meantime."

PACKWOOD says he has a limited social life, but he does go out. In recent weeks, he twice ventured to the Warner Theatre, on Pennsylvania Avenue, to see Rob Becker's popular one-man show, "Defending the Cave Man," in which the comedian satirizes the gender dissonance that has so preoccupied the culture lately. "Instead of looking at men as assholes, let's just look at them as different," Becker proposes in his act. "In fact, let's just look at men and women as two different cultures, with different languages, different customs, and different histories." Packwood knows something about the confusion existing between the sexes; after a lifetime in the dark, he has been obliged to become introspective on the subject, pondering the rules governing how men in power should behave toward women who work for them. "I now realize that it is in the eye of the beholder, and the woman is the beholder," Packwood said the other day as he reflected on the lessons he says he has learned in the past year. "Therefore, you must not do anything now that might be conceived by the recipient as offensive, or misconduct, or whatever. You just mustn't." Then, with a hint of puzzlement, he added, "I don't know how you decide ahead of time what is going to be offensive. . . . If you don't try, how do you know?"

Perplexity may be the defining term for Packwood's personal relations with women, as distinct from his political relations with them. Politically, he has been guided from the start by an utter certainty about women—that they were a wasted resource. In his first political campaign, a successful run for the Oregon legislature in 1962, women made up nearly half of his executive committee and were at the heart of his campaign. A reporter for the *Portland Oregonian* wrote an article the time about the dazzling success that "amateur" campaign, in w



Packwood's most recent blunders hurt his cause in the Senate, which does not welcome the prospect of another sexual-harassment case.

on Moynihan's Finance Committee, says. "And Bob Packwood is not just one vote. If Packwood is on the bill, he brings people with him, and the people he brings with him are the people who get you across the finish line. You cannot think of doing it without him. You

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thirty-year-old Packwood plainly set forth his view: "Women should be given a part in all the crucial decisions that are made in a campaign, and I mean substantive as well as administrative decisions." It was a practical position; Packwood's army of volunteer women blanketed his district, distributing lawn signs from their station wagons and holding ceaseless rounds of kaffee-klotsches for the candidate. They built for Packwood a daunting organizational base, which was the key to his up-from-nowhere triumph over Wayne Morse in 1968. In return, Packwood became the consummate women's senator: the women who work for him (making up sixty per cent of his staff) are the highest paid on Capitol Hill, and four women have served as his chief of staff. He introduced the first Senate bill to legalize abortion—in 1970, three years before *Roe v. Wade* (and was unable to get a single co-sponsor in either the House or the Senate)—and, with anti-abortion Presidents from his own party in the White House during the nineteen-eighties, he stood fast against efforts to roll back abortion rights. He opposed the Supreme Court nomination of Clarence Thomas (one of only two Republicans to do so), and has been rewarded by women with donations of money and foot soldiery to his campaigns. But his personal relations with women have never been quite so uncomplicated.

"I was such a shy guy growing up, I was a little afraid of women," Packwood told me. "I had no dates, and on the few occasions when I would try I was usually turned down. So I was hesitant to ask, for fear of being turned down."

In the course of several lengthy conversations, Packwood offers this and other such private revelations in the same calm, dispassionate tones in which he discusses the nuances of the German health-care system; there is no averted glance, no embarrassed smile. It is as if, self-explanation being the cost of answering his public humiliation, he had fetched this pathetic inner narrative to the intellectual plane, where his footing is surest. Central to this narrative is a young man's deflated self-image, ostensibly caused by a case of myopia so severe that it required a pair of eyeglasses with lenses as thick, Packwood recalls, "as Coke bottles." He had trouble tak-

ing part in sports—"I played end in football, but I could not see the pass coming very well, which is somewhat of a limitation."

Packwood's father, Fred, had his own handicap. Lame from polio, he was a lobbyist for the timber industry, and his political insights were considered so valuable that his daily analysis of pending bills was the first thing read each day by state legislators; but his ambition was stunted, and he drank. "He was not very successful," Packwood says of his father. "He was highly regarded and very poorly paid. We didn't own a house until I was ten. We didn't own a car until I was sixteen." Bob Packwood compensated with relentless effort and his own ambition: he spent three hours studying on his own every afternoon, while his mother was giving piano lessons in the front room. He had friends, but he wasn't a social creature. He liked to build radio sets from kits, and to play cards with his aunts and uncles on weekends. The only girl he really dated in high school was his debate partner, of whom he says, "I was very much attracted to her, but I'm not sure it was mutual."

In 1950, Packwood enrolled at tiny Willamette University, a Methodist liberal-arts school in Salem, and one of his political-science professors was Mark Hatfield, who would be elected to the Senate in 1966. Willamette provided a rigidly studious environment, which forbade alcohol and strictly enforced its rules of social intercourse (girls and boys were not allowed to sit on the same blanket at beach parties), and it suited the sober young Packwood well. In his senior year, he became the president of his fraternity, Beta Theta Pi—a brotherhood that included seventeen pre-ministerial majors, and in whose house Packwood spent evenings that he recalls as being filled with "very serious, wonderful philosophical discussions." Jim Bergmann, a fraternity brother who had also gone to high school with Packwood, doesn't recollect that Packwood's social life was much improved in college. "I don't remember him dating in college. He may have, but I can't tell you who he dated, if anybody. He was not one who dated a lot."

Then, in the winter of 1957-58, when Packwood was clerking for a state-supreme-court justice, and was about to join one of Portland's distinguished old

law firms, he got contact lenses, and, according to him, his self-image changed drastically. He speaks even now of the switch from the loathed eyeglasses to contacts as if he were recounting the discovery of some magic charm, and, placebo or not, they certainly transformed his life. "Once I got my contact lenses, I think I had a normal bachelor's dating life," Packwood says. "I would ask a woman out and she would say yes." In fact, he became one of Portland's most eligible bachelors. But his years of reticence had apparently left a kind of learning gap in that subtle realm of communication which anticipates romance. This was a characteristic that immediately struck Georgie Ann Crockatt, a pretty Portland divorcee, who started dating Packwood around the time of his post-spectacles liberation. "He was different from anyone else I'd ever met, because he didn't flirt," Georgie, who married Packwood in 1964, recalls. She says that although he was able to perform before crowds, he found it almost impossible to conduct the business of one-on-one interaction, even outside the context of romance. Georgie remembers a particular display of this reticence in his 1968 Senate campaign, when his schedule put them in the small Oregon river town of St. Helens without a specific event to attend: "There was nothing doing in this town, and we had to kill a couple of hours, so whoever did the schedule filled in 'Just walk up and down Main Street shaking hands,' right? Wrong. Bob was scared to death. I mean, he just froze. He said, 'I can't just walk up to somebody on the street and stick out my hand and say, 'Hi, I'm Bob Packwood, running for the Senate.' And I said, 'O.K., I'll do it.' And I'd just walk up to somebody and say, 'Hi, I'm Georgie Packwood. My husband is running against Wayne Morse.' And then I would take these people and introduce them to Bob. Then he could shake their hands."

Georgie Packwood, whose marriage to Packwood ended in a bitter divorce (they separated in 1990, by which time they had two grown children), believes that the vision problems deeply affected her husband's personality—"This is heavy psychological stuff," she says—but she thinks that they alone do not explain

the man who remained a mystery to her even after twenty-five years of marriage. "There's something else here that none of us know," she says. "I mean, people have asked me, would he have been physically abused? Was there incest, were there these things? I don't know. But there sure as hell was something. And it is scary as hell for him."

Over the years, Packwood aides were sometimes vexed by such Packwood traits as an unwillingness to come out from behind his desk to greet a visitor, noting that a lack of personal charm is not a helpful feature in a politician. He has, as the phrase goes, no suave. Characteristically, Packwood has compensated with hard work. As a young man, he read Dale Carnegie's "How to Win Friends and Influence People," and he still recalls such advice as "If you're buying stamps and the fella's got a nice head of hair, you say, 'You know, you've got a good head of hair.'" As it is not in his nature to dispense the broad-smile, slap-on-the-back conviviality that eases most politicians into public situations, Packwood compensates with strenuous homework. The wall just outside his private office in the Senate Russell Building is lined with a bank of files containing five-by-eight-inch index cards that bear the names of and personal information on almost all the people Packwood has ever met in his political career, systematically organized by name and region. "So if he met someone ten years ago in Medford at the Rotary meeting, and they happen to be there in Washington, he knows they met ten years ago and he knows what they talked about, and he will dazzle them," a former Packwood staffer says. "He has set up a system that makes him as methodical a politician as you can possibly be."

This aspect of Packwood's nature has set him apart in the Senate: he is not one of the fraternity boys but has commanded respect for his laboriously considered positions. Packwood's method through the years has been to own an issue that interests him (defense of Israel, women's rights, health care): to undertake to know its every nuance and its history and every possible argument against it, and then to anticipate and eliminate those arguments in debate. "People recognize his causes, they re-



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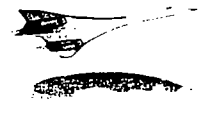
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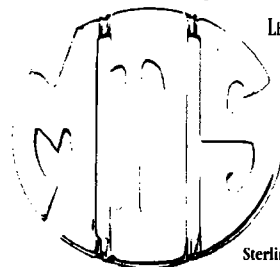
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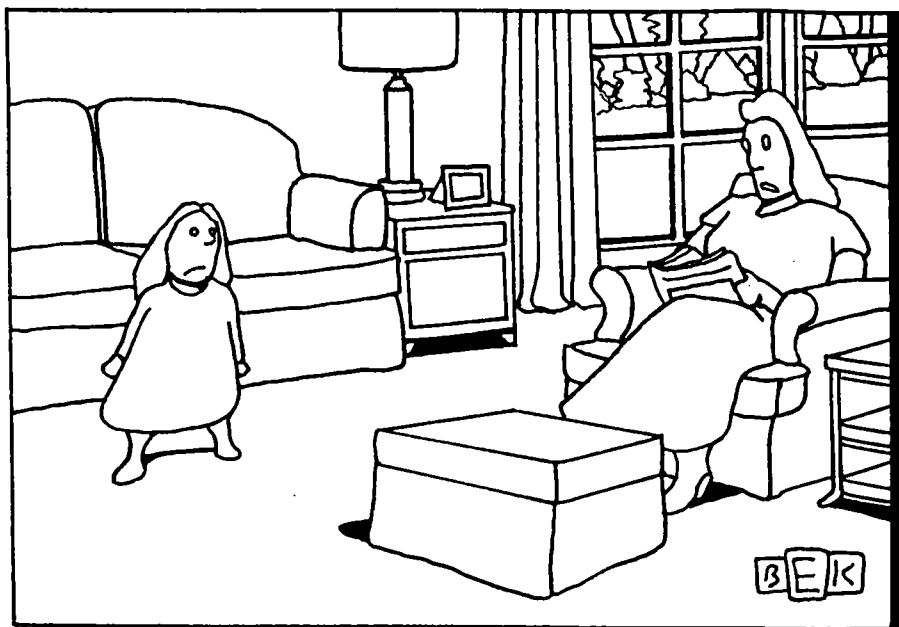
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spect the way he approaches them—they may disagree, but they accept them at face value," Howard Baker says. "And that's his substitute for conviviality, I guess. Bob is not a particularly convivial person."

Sometimes Packwood poured conviviality from a bottle. Georgie says that she frequently confronted Packwood about his drinking: "I would say to him, 'Tell me why it is that you drink.' And he'd say, 'Because I feel so socially insecure.'" Packwood could put away an enormous amount of alcohol and show little effect, while those trying to keep up were clutching the table for balance. Witnesses to his binges are awed by the memory of them—Packwood ordering two drinks at a time at a bar, or going through several pitchers of beer as if it were water. "I drink immense quantities of liquid, it doesn't matter what it is," Packwood says. "I will, on occasion, drink a gallon of milk at dinner, or two or three pitchers of water. And when I drank alcohol I would go through beer and wine the same way." He was seldom a sloppy drunk, his companions remember, and he almost never paid the price of a hangover. "It's not my fault," he says. "Chemistry."

Although Georgie Packwood thought she and Bob had a good marriage, it was through the drinking that she first discerned that her husband was not happy. Recently, she was looking at one of her

old calendars, on which she used to note down such events as birthdays and her children's big moments. On the date marking the eve of the couple's first wedding anniversary, she found this note in her handwriting: "Bob got drunk and wants a divorce. Well, we almost made it through one whole year." Georgie says that she came to expect three or four particularly unpleasant binges every year, when her husband would get drunk, pick a fight with her (sometimes at a party), and deliver what came to be his standard cry: "I want a divorce! We should never have married! I want to be a bachelor!" She says that they never discussed those incidents the next day, because Packwood would be up and out of the house early, as usual, and would return home with his customary greeting, as if nothing had happened.

Georgie says that she sometimes puzzled over Packwood's drinking, because the couple almost never drank at home: "It was never a way of life in our home. Now I understand why it wasn't—it was a way of life at the office." And at the end of the day Packwood liked to invite some of his staff in for a drink and a round of charades or liar's poker. Sometimes there were excursions over to the Irish Times, Packwood's favorite bar. "The drinking was not a respite from the Senate," he

says. "The drinking was camaraderie. The drinking was social."

Packwood's natural social unease, combined with the alcohol and his apparent philandering urge, may account for a peculiarity of his reputation as a Senate womanizer. He is known above all for the unexpectedness of his alleged advances—sudden smooches in parking lots or stolen kisses in hidden doorways. When Packwood is asked about this now, he shrugs and says, "I was so shy with women—or girls, we called them then—it was just not my nature to forcibly approach people."

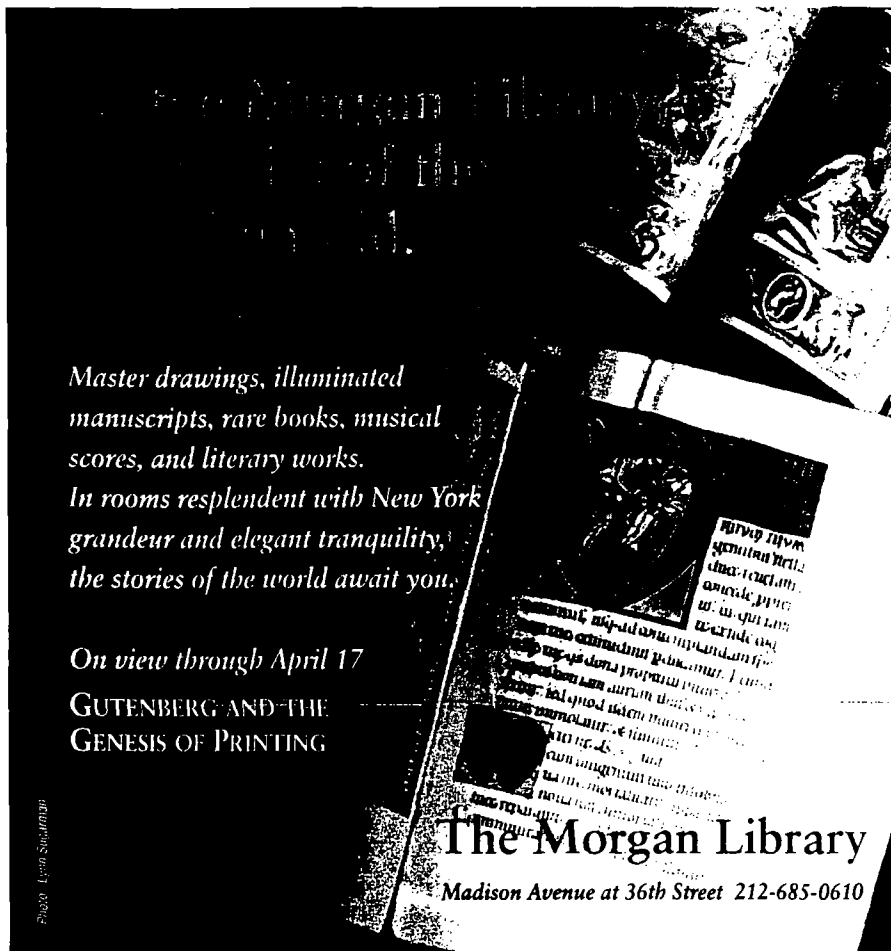
PACKWOOD was by no means the only man in the Senate with a reputation as a womanizer. Tales of womanizing, boozing, gambling, and other personal vices attach to certain senators like nicknames, and become part of the unwritten lore of the Senate; after the Anita Hill–Clarence Thomas spectacle, it was inevitable that sexual harassment on Capitol Hill would be made a news story. Or that is the way Florence Graves perceived it. In the spring of 1992, Graves, a journalist who spent seven years in Washington as the founding editor of *Common Cause* magazine, was surprised to note that several months had passed since the Anita Hill controversy and the big story about sexual harassment on Capitol Hill had not yet been written. She decided to write it herself.

Graves began to investigate stories she'd heard about several senators, narrowing the field to fit her criteria—unwanted advances in a work-related context. (Womanizing, for example, was not the same as harassment.) Soon Packwood stood out. The stories about his advances were numerous, and Graves was eventually able to persuade some of the women involved to agree to go on the record with them. Also, the fact of Packwood's long recognition as a champion of women's issues made the story more interesting—the Packwood Paradox. ("What synapse misfires in a character who makes advances for women and then also makes 'unwanted sexual advances' on women?" Ellen Goodman asked in her column after the scandal broke.) Graves began the hard chore of verifying the stories she heard about Packwood and getting them on the record.

But there were still questions about choosing Packwood as the subject. For one thing, his reputation had been known to many national feminist leaders who overlooked it, because of Packwood's record on women's issues. Also, what would Packwood be accused of, precisely? Ultimately, the list of accusations against him ran from grabbing a woman's ponytail while he kissed her and tried to remove her girdle to telling bawdy jokes (which, characteristically, he pulled out of a notebook of jokes) in front of a female interne, who did not voice objection at the time. None of the accusations seemed exactly to fit the legal standards of sexual harassment (sex for job consideration, for instance, or assertions of an ongoing "hostile working environment"), and, once rebuffed, Packwood's advances apparently stopped.

The accusations were framed in a new, post-Anita Hill construct—"uninvited sexual advances"—which interpreted as sexual misconduct any gesture of a sexual nature that was unwelcome, ranging from dancing too close to Packwood's alleged ambush smooches. It is a tricky standard, not least because its test is in the doing—as is suggested by Packwood's question "If you don't try, how do you know?" Also, the "uninvited advances" standard seems implicitly to excuse the behavior of "womanizers" (of whom the Senate has a few), whose advances are, presumably, welcomed. Packwood says, "One of my male friends put it in a nutshell when I was searching for words. He said, 'You know, if you score a touchdown, you're a hero. If you fumble, you're in trouble.'"

Such comments suggest the degree to which Packwood has been caught in a wind shear of the Zeitgeist—he is a not terribly sympathetic figure whose loutishness was once accepted, if not acceptable, but now confronts him like an indictment. In his private life, he plainly was not the friend of women that his public life suggested him to be; but neither is he a sexual criminal. He is a token, serving to illuminate a shift in the evolution of sexual conduct which is now moving at a hyperspeed pace; at the moment, there is a distinction between womanizing and Don Juanism, which are not commonly viewed as victimizing behaviors, and "uninvited sexual advances," which sometimes are. "It is a



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murky area; it's very confusing," says Judith Armatta, staff attorney for the Oregon Coalition Against Domestic and Sexual Violence, which has been among Packwood's stoutest foes. Armatta allows that what most distinguishes Packwood from others of his generation and inclination is that "Packwood just happened to get caught."

The ultimate value of the Packwood case, Armatta says, is not in the ending of his career but in serving notice that a new moment has arrived. "I don't think we have good guys and bad guys here," she says. "Throughout our culture, we see that a lot of women are getting victimized and have been for centuries, that they've suffered a lot through that, and it certainly isn't Senator Packwood who is the only one who did it. So he's played out that particular role, and he has personal responsibility for it. But that does not make him an evil man. To say that he is really excuses us as a culture from changing some basic things and taking our responsibility for how we permitted that kind of thing to happen." She says that there are moments when she even feels a certain sympathy for Packwood, but adds, "It's sort of like, somebody had to be first."

Graves worked on her story through the summer of 1992, and in the fall she took it to the *Washington Post*, which teamed her with another reporter, Charles E. Shepard, to finish the story. Together, they confronted Packwood with the allegations in a meeting on October 29th—five days before voters would decide on his reelection bid against Oregon's Representative Les AuCoin. Packwood and his aides had known that the *Post* was working on a story, but he says he had heard that the subject was sexual harassment, which, by its legal definition, was a charge he felt he could answer satisfactorily. He says he was stunned when he heard the *Post*'s list of accusations and the context—"uninvited sexual advances." The meeting took place in Portland, in the home of a Packwood supporter, and was attended by Elaine Franklin, Packwood's chief of staff, and Jack Faust, a lawyer and longtime Packwood friend. They say they instantly interpreted the *Post* allegations as a partisan attack, not least because the most serious of the alleged incidents—the forced kiss while grab-

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bing the woman's ponytail—came from Julie Williamson, who was a consultant and a financial contributor to Representative AuCoin. Packwood denied the charges, and telephoned the *Post* executive editor, Len Downie, requesting time to respond. Over the next two days, Packwood sent Downie several documents, among them statements from co-workers of some of the accusers which were meant to cast doubt on the accusers' stories; the material also included several friendly notes to Packwood from one of the accusers, and statements suggesting that Packwood's advances might not have been unwanted after all. The effort won Packwood a temporary reprieve; Downie told Graves and Shepard they had more reporting to do. In the following days, Packwood sent the *Post* additional material about some of his accusers, including data on the sexual history of some of the women.

On November 3rd, Packwood was elected to his fifth term in the Senate. On Sunday, November 22nd, the *Post* published its story on the front page. The headline captured the Packwood Paradox angle—"PACKWOOD ACCUSED OF SEXUAL ADVANCES; ALLEGED BEHAVIOR PATTERN COUNTERS IMAGE"—and the article outlined the stories of seven women who had worked with Packwood and said that over the years Packwood had made "uninvited sexual advances" toward them. Besides Williamson's incident, which she said had occurred in 1969, there was an account by a woman who said that she approached Packwood in the mid-seventies about working in his office, and that she twice met him in his motel room to discuss a speech she was writing for him; on the second visit, she said, Packwood chased her around the room and kissed her. A former mail clerk in Packwood's office said that after inviting her to play bridge Packwood called her into his inner office, locked the door, and kissed her. Another woman described a 1982 incident in which, she said, Packwood invited her into his office at the end of the day and offered her wine, then came around his desk and pulled her from her chair. "He put his arm around me and tried to kiss me," she said. "He stuck his tongue in my mouth." A former activist named Mary Heffernan related a similar story

from the same period, and said she had not reported the incident then, because of Packwood's position and because "for me, abortion rights was on the line." Maura C. Roche was the interne who heard Packwood's jokes. She said that one evening in 1989 Packwood walked through his office and offered the staff gathered there glasses of wine, then pulled out the notebook containing jokes and began reading them. "I just sat there and took it," Roche reported, adding that it was not until the Anita Hill-Clarence Thomas hearings that she was awakened to the possibility that the joke-telling had been "very degrading to women." The last woman quoted in the *Post* story was a former aide who said she had repeatedly rebuffed Packwood's advances and had finally left his office, because he did not change his behavior.

Gena Hutton was one of the women who came forward after the *Post* article with her own story about an unwelcome experience with Packwood, an incident that occurred during the Senator's 1980 campaign. Hutton, then thirty-five and a divorced mother of two, was an eager volunteer for the Senator, whose merit as a women's champion had been extolled in a fund-raising letter signed by Gloria Steinem. Her turf was the Eugene area, and she remembers how her enthusiasm was met by Packwood's unexpected advance one evening as he walked her to her car in a motel parking lot. At the door, she says, Packwood suddenly seized her and planted a full kiss on her mouth, inserting his tongue, before she backed away. She declined his invitation to join him in his room, and the two parted company amiably enough. She says she felt shamed by the incident, but it was not until others had come forward that she felt she could speak out. "It didn't ruin my life, but it spoke very strongly about power—I'm the one on top, and you're the one that's not," she says. "It's like a ceiling. It's just a way that people who have that happen to them are kept down, are demeaned."

When the *Post* story appeared, Packwood and his advisers discovered that their efforts to cast doubt on the women's stories had not only failed to dissuade the *Post* from publishing them but also become another allegation against him. The *Post* did not publish

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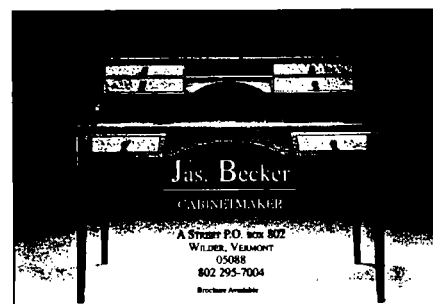
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the material that Packwood's office had sent, but described it, leading to charges from Packwood critics that the Senator was trying to intimidate his accusers. In any case, it was plain that the story was damaging, and that it required a response. Packwood's team of advisers, friends, and lawyers assembled to plan a strategy, but Packwood himself was of little use: he insisted that he didn't remember any of the alleged incidents. "He looks us right in the eye and says, 'I do not remember it. I do not remember a single one of these,'" one of the advisers recalls. "And he says, 'That just doesn't sound like me, I just don't think I'd do that.'" Packwood's lawyers told him that his response was unbelievable, even if it was true. His closest advisers, Dave Barrows, a college classmate, and Jack Faust, thought that the Senator was "in denial" and had no choice but to acknowledge his behavior and apologize for it. "His first stage was denial, then recognition," Faust told the *Post*. Another adviser was quoted as saying that Packwood "understands the importance and implications" of his behavior, and added, "I think at this point in time, he is saddened by it all. I think his ownership of the problem is real."

The whole undertaking had the tone of the addiction-treatment culture, and, indeed, in December Packwood went off to the Hazelden clinic, in Minnesota, for alcoholism counselling. When he returned, he held a press conference, which came to be known in his circle as the I-just-didn't-get-it speech. In it he announced, "I'm here today to take full responsibility for my conduct. . . . My past actions were not just inappropriate. What I did was not just stupid, or boorish. My actions were just plain wrong and there is no other better word for it." Packwood pledged to change, and repeated the mantra from the aftermath of the Thomas-Hill hearings: "I just didn't get it. I do now." Actually, if he thought for a moment that his speech would quiet the furor, Packwood still hadn't got it. His critics and the press wanted to know why he hadn't addressed any of the specific incidents (privately, he was still insisting that he didn't remember them as they were being described), why he had tried to discredit the accusers, and why he did

not simply resign. Packwood's lawyers had instructed him to address the issue of intimidation, but he now says that the information provided by his staff to the *Post* was meant to be confidential (the *Post* disputes this statement) and was sent in the hope of casting doubt on the accusers' credibility. "There's no way we could have intimidated these witnesses into not talking to the *Post*," Packwood says. "They had already talked to the *Post*, and the *Post* already had their stories. So our only purpose was for the *Post* to say, 'Do you think these stories are credible? Here's some information about some of these people.'" Packwood also believes that the framework of his sexual-misconduct charges contains a trap: By what means can the accused try to refute allegations of "uninvited advances" except by suggesting that the advances might have been welcomed? "We've almost come to the place where any defense is not acceptable," he says.

Unsatisfied by his explanations, Packwood's critics pressed their opposition. "He should have said, 'I did it, I was wrong, and I can no longer represent the women of Oregon,'" Tess Wiseheart, of the Portland Women's Crisis Line, says. The Oregon Coalition Against Domestic and Sexual Violence installed a hot line for women who wanted to call in complaints of their own against Packwood. When the Senate Ethics Committee took up its investigation, it sent questionnaires to all the women who had worked for Packwood and included a toll-free number for their replies. Inevitably, the list of complaints grew, ultimately to twenty-nine

women. (Twenty-two have signed complaints before the committee.)

Packwood and his supporters, unsurprisingly, argue that he is being unfairly targeted. "The scapegoaters are applying today's standards of behavior—deservedly much higher than tolerated a generation ago—to accusations of yesteryear's crude office gropings," William Safire, a longtime Packwood friend, wrote in the *Times*. Packwood's defenders note that most of the alleged incidents occurred more than a decade ago, and five of them a quarter-century ago. Some are quite pointed in their suggestion that any of a number of other



senators might have been taken to task for similar misdoings. Packwood himself is more general in his defense, but agrees with Safire that he has been unfairly made a scapegoat. "I'm the one the investigation turned up," he says. "You ask yourself, If they were to take anybody in the journalism profession, or maybe any member of Congress, put out a 1-800 hot line, and say, 'Anybody who knows anything in the last twenty-five years about Congressman Jones or Senator Smith, call in,' what would happen? And that is what happened to me."

"OH, he's a hoochy-coochy guy!" the mariachi singer says loudly, gesturing toward Bob Packwood, who is standing in the center of a Mexican restaurant in Grants Pass, Oregon, with a three-foot-wide sombrero on his head and a ukulele in his hand. He has just led his section of the restaurant in a boisterous round of "La Bamba," and his face is red. The spontaneous performance, forcefully urged by the mariachi singer, is the only moment of the day that has not been planned to the second by Elaine Franklin, Packwood's chief of staff. "Well, that was fun," Packwood says as he leaves, and Franklin does not begrudge him his fun. The Senator, as she calls him, must take his moments of fun where he finds them these days.

Franklin, a trim, handsome woman, has served on Packwood's staff for fourteen years, but "chief of staff" only begins to describe her function. She is part drill sergeant, part mother hen, and part political adviser; she laughs at the Senator's jokes, makes sure he has cab money for the airport, and digs into her purse for her compact when his forehead is shiny and a camera is near. Seeing her in action, as on that recent constituency trip which culminated in the Mexican-restaurant performance, makes it easy to understand how Franklin rose from the ranks of volunteers to her current position, and difficult to imagine Packwood functioning without her. The daughter of a Royal Air Force warrant officer who grew up outside Blackpool, in Lancashire, she knows how to drink beer, organize an offensive, and get the foot soldiers to follow orders. On the road, Franklin takes care of Packwood, making sure, for example, that he has his precious downtime (spent on this occasion at a shopping-mall movie theatre,

watching "Ace Ventura: Pet Detective"). She is his scold ("Senator, leave!" she exclaims when Packwood pokes his nose into some detail at the office which she considers her province and a waste of his time), and she is comic relief. When, after a brief visit with his daughter, the Senator is seen at a distance wandering around a shopping mall like a lost boy, Franklin shouts out, "Hey, Senator!" Once he is safely in tow, he remarks of Franklin's bellow, "No sense trying to be incognito here," to which she responds, "Well, I could have shouted, 'Hey, asshole!'"

Lately, she has also been his conduct monitor. When, at the end of a long day, Packwood is yearning to tell a joke, which begins, "There were this man and woman in bed," she interrupts, and finishes the joke herself. When, on a visit to a television station, the Senator introduces himself to the young woman at the reception desk and remarks (his Dale Carnegie coming through), "You have *great* hair," Franklin seizes him by the elbow and takes him aside to reprove him about well-meant gestures that might be misperceived. At least some of this exaggerated policing is meant to lampoon political correctness, the excesses of which she blames for much of her boss's current troubles.

Franklin has influenced Packwood's style, and she has influenced his political posture. In handicapping Packwood's chances the year before his last campaign, she determined that he would probably lose metropolitan Portland, so it was imperative that he strongly carry the more rural and southern parts of the state. To that end, she persuaded the Senator to alienate the environmentalists and come out for jobs on the spotted-owl issue, and the gamble paid off. Determining that a twenty-four-year incumbent is not likely to win many new voters with "warm and fuzzy" advertising, Franklin advised that Packwood attack AuCoin, which he did in an expensive negative-advertising campaign. Packwood won by five percentage points, but he also made many enemies.

Georgie Packwood blames Franklin for the breakup of her marriage, and describes her in the most immoderate terms ("She is pure evil"). Toward the end of their marriage, Georgie explains, when she was trying to lure her husband

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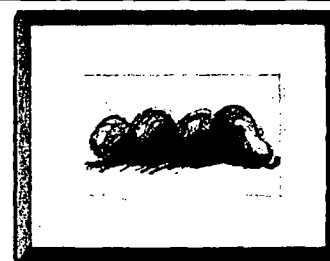


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into retirement, telling him, "You've got to realize that, from here on in, everybody who runs against you is going to be younger than you," Elaine Franklin was helping him test the water for a Presidential bid. "She was a better enabler than I was," Georgie says.

Franklin is innately combative, and seethed during her boss's yearlong silence. She was against the strategy that had Packwood going to Hazelden and returning with his just-didn't-get-it speech, urging instead that he fight back from the start. "I thought we should treat it like a campaign," she says, and now she is getting her wish. In January, Packwood began his counter-offensive, attacking the credibility of one of his accusers and then attacking the way those comments were reported. Franklin, who is divorced and has two grown sons, had planned to leave after Packwood's campaign for reelection, but could not refuse his plea that she see him through the investigation. "Elaine has been a rock," Packwood says, crediting her with helping him to quit drinking by joining him in drinking nonalcoholic beer when they are together. She says that part of her job has been to convince Packwood that he doesn't need the drink. "I've encouraged him to think of himself as a very affable, clever, humorous, jolly fellow without the alcohol," she says. "And he is." She is, above all, Packwood's most loyal defender: "The trouble with this whole story, I think, is that it has taken on a life of its own, and has gained momentum in a kangaroo court, which is the press. I don't condone any of the allegations, if they're true. But it needs to be put into perspective, and it needs to be put into the context of the total life of the man. At worst, he may be guilty of making passes."

But the sexual-misconduct charges against Packwood have been seriously compounded of late, mostly by Packwood's own hand. It was he who (on the advice of his first lawyers, Arnold & Porter, of Washington) introduced his diaries into the controversy, by citing them to bolster his version of one episode that figured in the accusations. Packwood says that when the Ethics Committee asked him if he had corroboration for his story, his

attorneys advised him that he had no choice but to mention the diaries, which consisted of more than eight thousand pages' worth of taped rumination since 1969. Unfortunately for Packwood, some of those ruminations suggested that he might have used his influence with a lobbyist to explore the possibility of a job for Georgie at the time of their divorce. Once the diaries were in the committee's hands, its staff was free to peruse the material for matters like the possible favor trading, which has become another point of inquiry (and which Packwood insists is "absolutely untrue"). Having allowed the committee staff access to the diaries on a limited basis proved a fatal mistake to Packwood's later efforts to hold on to them in court. In fighting to keep the remainder of the diaries from the committee, Packwood and his lawyer declared that its pages contained passages about, as Packwood put it on the Senate floor, "an extended affair that one senator had with a member of his staff" and "an affair that a staffer had with a member of the current congressional Democratic leadership." That tactic infuriated Packwood's colleagues—particularly Byrd—and contributed to the landslide vote on the subpoena.

And then it was revealed that Packwood had made alterations in his diaries—a fact that was disclosed by his transcription secretary, Cathy Wagner Cormack, in sworn testimony. Cormack had been with Packwood for almost thirty years, since he was in private law practice in Portland. It had never been her habit to question her boss's actions, but when she noticed that parts of some of the tapes she was transcribing differed in sound quality she asked Packwood if he had altered them. He acknowledged that he had, and Cormack felt obliged to report as much to the committee staff, even though she was not directly asked about the possibility of alterations. That revelation, which Packwood says his lawyer will not allow him to discuss, added another charge to the inquiry—obstructing the investigation—and prompted Senator Nancy Kassebaum, a fellow-Republican, to call for Packwood's resignation.

These actions badly hurt Pack-

wood's cause in the Senate, which does not particularly welcome the prospect of having to deal with another sexual-harassment case anyway. In opting to stay and fight, Packwood lit the fuse to a bomb that will detonate when, or if, the gavel opens the Ethics Committee hearing on his conduct—a moment brought nearer by Chief Justice William H. Rehnquist's decision, a month ago, that the Senator must release his personal diaries in toto to the committee. That, too, is a prospect that neither Packwood nor his Senate colleagues have any reason to welcome. The Anita Hill-Clarence Thomas spectacle, which not only foreshadowed but was a causative link to the Packwood case, embarrassed the Senate, inflamed national passions, and intensified the war being waged at the gender divide. The Packwood hearings, especially if they are public, could become a he-said, she-said marathon, with a parade of accusers potentially twenty-nine women long.

Senator Alan Simpson, of Wyoming, a close Packwood ally and a member of the Senate Judiciary Committee that oversaw the Hill-Thomas imbroglio, has predicted that the Packwood hearings will not be pretty, and he should know. "At some point in time, it's going to be book, page, and hymn number for the accusers,"

Simpson said. He went on to imply that Packwood's accusers would have to be examined "in detail as to their lives, their propensities, what they did. That's what you do in a case like this. At some point in time, you watch: There'll be some evidence, some testimony that will make America just kind of suck up short." In other words, Packwood's accusers should prepare themselves to receive treatment of the sort accorded Anita Hill.

At the least, Packwood represents to some of his colleagues the ghosts of their own pasts, whose exorcism may be an uncomfortable process. The famous diaries, now en route to the Ethics Committee, almost certainly hold information about Packwood colleagues, past and present, that will embarrass and titillate—that much was made clear by Packwood himself on the Senate floor. But what may prove ultimately more awkward for Packwood's colleagues is the potential boomerang effect of their 94-6 vote authorizing the subpoena of Packwood's private musings. Packwood's protest was essentially based on the fact that the committee wanted to peruse the diaries for matters not directly related to the original charges of sexual misconduct; that is how the committee staff stumbled across the allegation that Packwood had used his influence with



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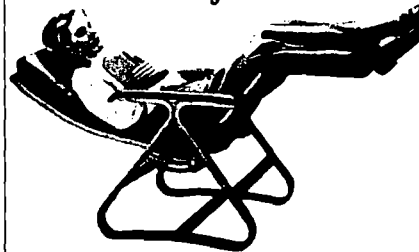
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a lobbyist to explore job possibilities for his former wife. The committee argued that it not only was free to investigate information thus obtained but was required to by its Rule 3, governing "receipt of allegations other than a sworn complaint." This rule obliges any committee member or staffer to report "any credible information available to him or her" indicating misdeeds by any member of the Senate. If Packwood's diaries were deemed sufficiently credible to warrant investigation of his own alleged wrongdoing, any information they contain suggesting wrongdoing on the part of other senators would also, according to the rule, require an Ethics Committee inquiry. Such information could range, presumably, from gossip about a colleague's sexual dalliances to potential criminal activity—matters that could keep the committee, once derided as a toothless self-enforcement organ, humming with unexpected business.

PACKWOOD still consumes an enormous amount of liquid, including large quantities of beer and wine, but now the stuff he drinks is alcohol-free. There is always a bottle cooling in the little refrigerator outside his office, and he regularly takes a bottle of the wine with him when he dines out. He says he's still not certain whether he was just "a problem drinker" or an alcoholic—he shrinks from that characterization—but his friends say he attends A.A. meetings twice a week. He keeps two of the organization's books on his desk in his Senate office, and he carries the A.A. coin, with its message about accepting things that can't be changed and changing things that can, and knowing the difference.

The intensely inward man whose personal identity has for so long been cloaked by the dignified aura of the Senate now finds himself talking publicly about long-ago embarrassments, and current ones as well. He is seeing a therapist in Portland about "the sexual-charges aspect," he says, and recounts that the doctor offered him help after watching news accounts of his difficulties on television. "He listens and he analyzes and he tells me what he thinks my— How I came to where I am, and is just kind of explaining me to me," Packwood says. "He has just made me understand my relationship and background to my family

and growing up, and maybe why I am what I am."

Throughout the controversy, Packwood has been dating Isabelle Claxton, a senior lobbyist for a major drug company. She has known him for years, and says that she suggested therapy to him because she was concerned about his mood over the Christmas holiday. "He seemed really down and discouraged, which is not like him," Claxton says. "He is basically a lot of energy and a lot of optimism and very prospective-looking, very future-oriented. And he lost some of that."

Claxton once worked in the Senate for a Republican colleague of Packwood's, and long before she and Packwood started seeing each other she had heard about, and even been witness to, Packwood's problem in his personal relations with women. "I'd seen that part of him, and part of me thought it was sort of touching," she says. "It's this naïveté. Here's this really powerful man, and he's got some problems relating to women. But I never thought, How awful, or Get away from me, I'm embarrassed by you—because I admired him and he's my friend. I grew up in Washington, so I sort of grew up in politics, and he's one of the most politically astute people that I've ever met. And I think part of that has to suggest some psychological insightfulness. And yet he is almost painfully naïve in other ways, which have to do with basic relationships. It's not an ugliness, it's not a need to conquer, or any of the other things that people think of or that have been attributed to some of his activities. Just, I think, a basic naïveté, and a lack of understanding. Not a lack of sensitivity, just a lack of understanding. I don't think that he's particularly insightful. I think that this experience has been very painful for him, because he's had to look at things and deal with things that he would probably like to have put aside in his teens, which are women and his whole sense of rejection, and all this other stuff." Her hope, she says, is that when the investigation is resolved "it will then be put behind him, and he will go on as a United States senator for at least the rest of this term, serving his state, his party, and his country, and sort of get on with it."

It may not be so easy. Although the most drastic of the Senate's options in

dealing with Packwood—expulsion—is almost certainly not going to be exercised, even Packwood's closest friends believe that some punishment, probably Senate censure, is likely. In any case, it is doubtful that he could be reelected in 1999. And, for the first time, he is imagining life outside the United States Senate. "In four years—assuming this ends this year, as I hope it does—I think I would not be a bad teacher, actually," he says. "Would there be a university that would have me?"

GENA HUTTON, the former Packwood volunteer who has filed a statement with the Ethics Committee about her long-ago encounter with Senator Packwood in an Oregon motel parking lot, has watched his recent counter-offensive with a kind of awed fascination. It is her incident that Packwood has cited specifically in his public defense, claiming that Hutton stayed on as a volunteer in Eugene for seven years after his car-door kiss. "She could have left any time," he says. "Seven years . . ."

Hutton says she watched Packwood making his case in an interview with a local television reporter, and then watched a tape of the interview a second time. "He's trying to save his career, and he thinks people are out to get him," she says. "But does he really know what he did? I looked in his eyes, as best you can on a video, and I felt so sad, in a way. It was like he was not home. And I want him to be. I want him to hear what has happened. And I want him to understand. And he's not there to hear."

Given the fact that Hutton herself perceived the incident in a different light at the time it happened, fourteen years ago, I asked her if she thought that Packwood's being singled out was in some way unfair to him.

Her answer was emphatic. "No, I don't," she said. "Because it happened. He did it. And it wasn't O.K. Maybe lightning struck and exposed it, but that doesn't mean it was O.K. It isn't O.K. that anybody does that." If anything is unfair, she said, it is that others, including some of Packwood's colleagues on Capitol Hill, have not been cast into the spotlight. "And if there are people shaking in their boots out there, then that's O.K." ♦

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