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AP Worldstream

June 5, 2000; Monday 9:03 AM Eastern Time

SECTION: International news

DISTRIBUTION: Crb;;England

LENGTH: 239 words

HEADLINE: Cuban player who hit key homer against Orioles reportedly defects

BYLINE: TERRY SPENCER

DATELINE: MIAMI

BODY:

A Cuban baseball player who hit a key home run last year against the Baltimore Orioles was aboard a Coast Guard cutter Sunday, one of 31 would-be defectors found on a boat stranded near Key West, a sports agent said.

Agent Gus Dominguez, who represents several Cuban players who have defected, said he was told by Coast Guard officials that Andy Morales was among the Cubans on board.

Coast Guard and Immigration and Naturalization Service officials would not confirm that Sunday. The Coast Guard said the Cubans were aboard a power boat that ran out of fuel Friday.

The Cubans were being interviewed by INS officials on the cutter, agency spokesman Rodney Germain said. Those who might have legitimate claims to political asylum will be brought to the United States for processing, he said, while the others could be returned to Cuba.

In the Cuban national team's 12-6 win over the Orioles last May in Baltimore, Morales delivered the clinching blow, a three-run homer to center field in the ninth inning. Morales, 24, is a third baseman and designated hitter.

Pitcher Orlando "El Duque" Hernandez of the New York Yankees, his half brother, San Francisco Giant pitcher and 1997 World Series MVP Livan Hernandez, and New York Mets shortstop Rey Ordonez are among about 35 Cuban baseball players to defect over the last 10 years.

Calls Sunday to the Cuban Interests Section in Washington went unanswered.

LANGUAGE: ENGLISH

LOAD-DATE: June 5, 2000

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June 5, 2000, Monday 6:45 AM Eastern Time

SECTION: WORLD NEWS; POLITICAL

LENGTH: 374 words

HEADLINE: Iran Condemns Fingerprinting of Iranians at U.S. Airport

DATELINE: TEHRAN, June 5

BODY:

Iranian Foreign Ministry spokesman Hamid Reza Asefi has denounced a U.S. immigration department decision to fingerprint Iranian nationals participating in the "Women 2000" international conference in New York, the Islamic Republic New Agency reported on Monday.

Seven representatives from Iran's non-governmental organizations refused to enter the United States for the conference when they had been required to undergo a fingerprinting procedure at the New York airport, the report said.

Asefi, quoted by the agency, said the U.S. immigration measure is a clear contradiction of its declared goodwill intentions toward Iran, particularly recent overtures of certain U.S. officials aimed at improving cultural and political ties with the Iranian nation.

Since the visas of the Iranian nationals were issued through the United Nations, the measure taken by the U.S. immigration officials is an insult to the U.N., particularly to the U.N.-sponsored "Women 2000" meeting, he said.

He stressed that Iran will file a protest with the U.N. to express its dissatisfaction to the measure and will follow up the issue.

Some 1,250 representatives of non-governmental organizations from countries around the world are taking part in the five-day meeting to be opened in the U.N. headquarters on June 5.

An Iranian official delegation, headed by Zahra Shojaie, presidential advisor and head of the Center for Women's Activities, is attending the meeting.

Iran and the U.S. severed diplomatic relations in 1980 following the 1979 Islamic revolution and the hostage-taking incident at the U.S. Embassy in Tehran.

Since moderate President Mohammad Khatami took office in 1997,

officials of
the two countries have softened their hostile tones toward each other and
expressed their volition to improve unofficial contacts and exchanges.

Earlier this year, the U.S. also declared the lifting of bans on Iranian
exports of carpets, caviar, pistachios, which received positive response
from
the Iranian government.

However, there are forces in both countries who oppose the resumption
of full
relations, which indicate that ties between the two long-time foes can
hardly be
normalized in a short time.

LANGUAGE: ENGLISH

LOAD-DATE: June 5, 2000

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Agence France Presse

June 5, 2000, Monday 6:05 AM, Eastern Time

SECTION: International news

LENGTH: 257 words

HEADLINE: Iran slams US over attempts to fingerprint women delegates to UN
forum

DATELINE: TEHRAN, June 5

BODY:

Iran on Monday denounced attempts by US immigration officials to
fingerprint
a group of Iranian women upon their arrival in New York last week to
attend a UN
conference.

"This is new proof of the contradictory behaviour and statements of US
officials, particularly when they speak about expanding cultural
relations with
Iran," said foreign ministry spokesman Hamid-Reza Asefi.

"This action by the American authorities is an offence towards the
United
Nations ... because these Iranian women were invited by the United
Nations to
travel to New York," he told the official IRNA news agency.

Seven Iranian women, members of non-government organisations, returned home Thursday in protest at attempts by US immigration officials to fingerprint them as they arrived at the airport in New York from Tehran.

The women had arrived Wednesday in New York to attend a UN-sponsored conference on women rights.

The incident triggered a wave of indignation among hardline circles in Iran and demands for an appropriate response from the authorities in Tehran.

In April members of an Iranian fencing team also cut short a visit to the United States when immigration officials at Chicago O'Hare airport asked them for fingerprints.

Diplomatic relations between Iran and the United States have been broken for the past 20 years. In March US Secretary of State Madeleine Albright announced the lifting of a ban on the import of several Iranian products, including rugs and pistachio nuts in an apparent move to improve ties.

kd/hkb

LANGUAGE: ENGLISH

LOAD-DATE: June 5, 2000

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Agence France Presse

June 5, 2000, Monday 6:05 AM, Eastern Time

SECTION: International news

LENGTH: 595 words

HEADLINE: Japan triggers fury over list of mourners to leader's funeral

BYLINE: Shingo Ito

DATELINE: TOKYO, June 5

BODY:

Japan triggered fury Monday by allowing a top Myanmar general to attend this week's memorial service for former prime minister Keizo Obuchi while banning a top Taiwan representative.

Japan granted a visa to Lieutenant General Khin Nyunt, powerful chief of Myanmar's military intelligence, to join the mourners, said a foreign ministry official.

The decision provoked an angry reaction from campaigners fighting for democratic forces to replace the Myanmar military junta, of which the general is first secretary.

Taiwan meanwhile complained Tokyo had refused a visa to President Chen Shui-bian's personal representative, secretary general Chang Chun-hsiung, out of consideration to China.

Japanese Vice Foreign Minister Yutaka Kawashima said it had not been decided who would be accepted from Taiwan and therefore a decision on visas would be premature.

But Taiwan's Foreign Minister Tien Hung-mao said Taipei deeply regretted Tokyo's decision to refuse entry to Chang.

Foreign leaders including US President Bill Clinton are to attend Thursday's service for Obuchi, who died May 14 at the age of 62 after six weeks in a stroke-induced coma.

Myanmar has been a pariah to most Western nations, including the United States and European Union, since its regime bloodily suppressed pro-democracy protests in 1988.

"Unlike the EU and America, we have no reason to refuse a visa for him because the government has no restrictions on granting visas to senior Myanmar government officials," a foreign ministry official told AFP.

Pro-democracy activists disagreed.

The Myanmar general "is a military intelligence chief and he is already notorious for barbarity, he is responsible for cracking down on democracy," said pro-democracy campaigner Ronny Nyein.

The decision to allow him to attend "means Japan recognises the illegitimate

government," said Nyein, member of a joint action committee for Myanmar democracy groups in Japan.

"That is why we want to object," he said.

His joint committee groups the local branch of the National League for Democracy, the Burma Youth Volunteer Association, the Burmese Association in Japan, the Burmese Women's Union and the Students' Organisation for Liberation of Burma.

Pro-democracy leader Aung San Suu Kyi's National League for Democracy won a sweeping election victory in 1990 but the military, surprised at the scale of the party's support, has refused to hand over power.

Japan suspended all but a small amount of humanitarian aid to Myanmar in the late 1980s but agreed in February last year to help finance reconstruction of Yangon airport.

The government had been expected to use Obuchi's funeral for sympathy votes ahead of elections on June 25, but analysts have mostly discounted it as a factor following a series of verbal gaffes by Mori.

At least 80 countries plan to send representatives to the funeral, the foreign ministry said, and police were stepping up security before their arrival.

Takeshi Noda, Superintendent-General of the Metropolitan Police, "ordered all possible measures be taken because VIPs such as President Clinton are to attend," said a police spokesman.

Malaysian Prime Minister Mahathir Mohamad was among the latest to confirm their attendance, said a foreign ministry official.

Others already expected included Australian Prime Minister John Howard, Cambodian Prime Minister Hun Sen, Indonesian President Abdurrahman Wahid, Philippine President Joseph Estrada, South Korean President Kim Dae-Jung and Thai Prime Minister Chuan Leekpai,

si/djw/sls

LANGUAGE: ENGLISH

LOAD-DATE: June 5, 2000

Copyright 2000 Agence France Presse

Agence France Presse

June 5, 2000, Monday 6:05 AM, Eastern Time

SECTION: International news

LENGTH: 566 words

HEADLINE: Japan triggers fury over list of mourners to leader's funeral

BYLINE: Shingo Ito

DATELINE: TOKYO, June 5

BODY:

Japan triggered fury Monday by allowing a Myanmar general to attend this week's memorial service for former prime minister Keizo Obuchi while banning a top Taiwan representative.

Japan granted a visa to Lieutenant General Khin Nyunt, powerful chief of Myanmar's military intelligence, to join the mourners, said a foreign ministry official.

The decision provoked an angry reaction from campaigners fighting for democratic forces to replace the Myanmar military junta, of which the general is first secretary.

Taiwan meanwhile complained that Tokyo had refused a visa to President Chen Shui-bian's personal representative, secretary general Chang Chun-hsiung, out of consideration to China.

Japanese Vice Foreign Minister Yutaka Kawashima said it had not been decided who would be accepted from Taiwan and therefore a decision on visas would be premature.

Japan would accept representation from Taiwan, he told a news conference, but its officials would not be treated as a delegation from a country or a government.

China regards Taiwan as a wayward province and objects to official visits

which imply recognition of the island as a sovereign state. Japan recognises only mainland China, not Taiwan, as a state.

Taiwan Foreign Minister Tien Hung-mao said Taipei deeply regretted Tokyo's decision to refuse entry to Chang.

More than 80 foreign leaders including US President Bill Clinton are to attend Thursday's service for Obuchi, who died May 14 at the age of 62 after six weeks in a stroke-induced coma.

But pro-democracy activists were angered by the decision to grant a visa to Myanmar's general.

The general "is a military intelligence chief and he is already notorious for barbarity, he is responsible for cracking down on democracy," said pro-democracy campaigner Ronny Nyein.

The decision to allow him to attend "means Japan recognises the illegitimate government," said Nyein, member of a joint action committee for Myanmar democracy groups in Japan.

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But "unlike the EU and America, we have no reason to refuse a visa for him because the government has no restrictions on granting visas to senior Myanmar government officials," a Japanese foreign ministry official told AFP.

Pro-democracy leader Aung San Suu Kyi's National League for Democracy won a sweeping election victory in 1990 but the military has refused to hand over power.

Japan suspended all but a small amount of humanitarian aid to Myanmar in the late 1980s but agreed in February last year to help finance reconstruction of Yangon airport.

The Japanese government had been expected to use Obuchi's funeral for sympathy votes ahead of elections on June 25, but analysts have mostly discounted it following a series of verbal gaffes by Prime Minister Yoshiro Mori.

At least 80 countries plan to send representatives to the funeral, the foreign ministry said, and police were stepping up security before their arrival.

si/djw/cl

LANGUAGE: ENGLISH

LOAD-DATE: June 5, 2000

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Copyright 2000 Agence France Presse

Agence France Presse

June 5, 2000, Monday 6:05 AM, Eastern Time

SECTION: Domestic, non-Washington, general news item

LENGTH: 276 words

HEADLINE: Baseball player Morales among illegal Cuban immigrants in US - TV

DATELINE: MIAMI, June 5

BODY:

Cuban baseball player Andy Morales was one of the 31 illegal Cuban immigrants intercepted by the US Coast Guard three days ago, Univision television said Monday.

A US Coast Guard spokeswoman, Petty Officer Danielle De Marino, confirmed that 31 Cubans illegally attempting to reach US shores were picked up off the coast of Florida Friday and remain aboard the cutter "Spencer" Monday, but she refused to identify any of those detained.

The 31 Cubans were expected to undergo US Immigration and Naturalization

Service interviews, she added.

According to US-Cuban agreements, any Cuban illegally attempting to immigrate to the United States and picked up at sea must be repatriated. Miami's Channel 23 station, a Univision affiliate, said that it received several calls from the baseball player's relatives who said he left Cuba days ago and was among the 31 Cubans picked up by US authorities.

With his three home runs, Morales pushed his Cuban team to a 12-6 victory last year against the Baltimore Orioles in a goodwill game.

In an attempt to stem illegal emigration from the Communist island, Havana and Washington signed accords in 1994 and 1995 allowing some 20,000 Cubans to immigrate legally to the United States.

But if a Cuban trying to illegally enter the US is intercepted at sea, they must be returned to Cuba.

Unlike other illegal immigrants, however, Cubans who manage to evade the Coast Guard and reach US shores are allowed to seek legal residency and working papers under a US law passed in 1966.

Cuba has accused the United States of using this policy to encourage illegal immigration from the island.

mdl/sba/mac

LANGUAGE: ENGLISH

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Copyright 2000 Globe Newspaper Company

The Boston Globe

June 5, 2000, Monday ,THIRD EDITION

SECTION: SPORTS; Pg. D2

LENGTH: 276 words

HEADLINE: NFL BENGALS, WARRICK AGREE TO \$42M DEAL

BODY:

First-round draft pick Peter Warrick has agreed to a seven-year contract worth \$42 million with the Cincinnati Bengals. The Bengals' Web site reported that Warrick signed the contract last night. Warrick, a wide receiver from Florida State, was the fourth overall pick in the draft. He will get more than \$10 million in signing and reporting bonuses this year, said his agent, Jim Gould. Warrick won't work out with the Bengals until he completes more of the community service sentence he received in Florida after pleading guilty to a petty theft charge . . . The Washington Redskins have scheduled a series of meetings with Deion Sanders's agent in hopes of signing the Pro Bowl cornerback, who was released by the Dallas Cowboys Friday. Miscellany

Armstrong, Hartford wrap up Calder Cup

Derek Armstrong scored one goal and set up two by Johan Wittehall as the Hartford WolfPack defeated the Rochester Americans, 4-1, to win the Calder Cup as American Hockey League champions before 11,051 at Rochester, N.Y. . . .

Ethiopian Belay Wolasha won the Rock 'n' Roll marathon in San Diego in 2 hours

12 minutes 45 seconds . . . Andy Morales, 24, a third baseman with the Cuban

National team, was reportedly aboard a US Coast Guard cutter, one of 31 would-be

defectors found on a boat stranded near Key West, Fla., according to Los Angeles-based sports agent Gus Dominguez. The Coast Guard and the Immigration

and Naturalization Service would not confirm the report. Dominguez, who represents several Cuban players who have defected, said that he spoke to Morales in Baltimore before last year's exhibition game against the Orioles.

LANGUAGE: ENGLISH

LOAD-DATE: June 5, 2000

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Copyright 2000 International Herald Tribune

International Herald Tribune (Neuilly-sur-Seine, France)

June 5, 2000, Monday

SECTION: Opinion; Pg. 8

LENGTH: 324 words

HEADLINE: Let the Boy Go Home

BYLINE: Washington Post Service

BODY:

A federal appeals court in Atlanta on Thursday essentially had to decide two questions in the matter of Elian Gonzalez. The first was whether, as Miami relatives maintained, a 6-year-old boy could himself assert a claim for asylum, or was the Immigration and Naturalization Service right in saying that only an adult could make such a claim on Elian's behalf? Only someone who doesn't know many 6-year-olds could embrace the idea that a child of that age could know his own mind on such an issue. The judges were apparently familiar with enough kindergarteners to come up with the right answer.

The second question was tougher. Almost everyone would agree that, except in special circumstances, a parent should be the adult to speak for a 6-year-old. But was the INS right to conclude that, as the court put it, living "in a Communist-totalitarian state such as Cuba, in and of itself, does not constitute a special circumstance requiring the selection of a nonparental representative"? Here the court again upheld the INS, but with less enthusiasm. The INS conclusion "worries us some," the court admitted. Overall, the court found that the INS has broad latitude under the law to exercise its judgment, and that its action in Elian's case was "within the outside border of reasonable choices."

Not exactly a ringing endorsement, and for good reason. As long as the father was in Cuba, his statements certainly could not be taken at face value, and more skepticism might have been in order on the part of the INS. Now, though, Juan Miguel Gonzalez has repeated his wishes for Elian to return to Cuba, and done so while in the United States, with his wife and other son. That is as close as we can expect to get in this case to an honest assertion of

parental
wishes, and there is therefore no further reason not to hold parental
wishes
paramount, however painful for the Miami relatives. Let father and child
go
home.

LANGUAGE: ENGLISH

LOAD-DATE: June 5, 2000

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Copyright 2000 Newsday, Inc.

Newsday (New York, NY)

June 5, 2000, Monday ALL EDITIONS

SECTION: PART II; Page B23

LENGTH: 773 words

HEADLINE: HEARING IS BELIEVING / IN 'WELL-FOUNDED FEAR,' PBS LOOKS INSIDE
THE
ASYLUM PROCESS

BYLINE: Diane Werts. E-mail Diane Werts at dverts@newsday.com

BODY:

SCRIPTED DRAMA can't touch reality, something the PBS documentary
showcase
"P.O.V." has understood through 12 previous seasons and again illustrates
tonight with heart-wrenching clarity. "Well-Founded Fear" kicks off the
series'
13th season at 9 p.m. on WNET/13 (repeating Sunday night at 1 a.m.),
recording
for the first time what happens in secret Immigration and Naturalization
Service
asylum hearings when foreign refugees plead their case to remain in the
United
States.

"It's really tough to present, in a nutshell, in a couple of minutes,
what
you went through for half a life," says Cristian, an activist who fled
Romania
under the murderous Ceaucescu regime. An engineer arriving with nothing,

he has
built a business from scratch over the course of a decade and wants to
stay.
He'll get his chance in a few quick minutes with an asylum officer,
who'll ask
whatever questions he or she wants, probing Cristian's physical,
psychological,
emotional and political pasts.

At least Cristian speaks English well. Farida doesn't. She has brought
along
her own translator, who will do her no favors by failing to relay crucial
information supporting her claim that a return to Algeria could mean her
death.

"Well-Founded Fear" hits at the core of the questions the Elian
Gonzalez
case stirred in the hearts of Americans on both sides of his Cuban
equation. For
most of the world, America likely offers more opportunity than wherever
home is.
That, however, is no longer considered a good reason for a warm welcome.
Wanting
a better life is not grounds for asylum. Applicants must prove a
"well-founded
fear" of persecution should they return home.

Their stories can be agonizing. Torture, terror, incarceration, for
having
the wrong heritage, religion, ideology, in Albania, Nigeria, China.
Documents
get filed. Details are voiced. Tears flow. None of it had been heard or
seen
until directors Shari Robertson and Michael Camerini got inside INS
offices in
New York and Lyndhurst, N.J., where both bureaucrats and refugees agreed
to
waive confidentiality to show us how it all works.

Does the film tell too much? Some will wonder. The interview process
isn't
just shown but dissected by asylum officers who share their observation
techniques. Too much detail, or too little. Too much confusion, or too
slick a
tale. Some refugees are coached by human smugglers or "preparers." You say
you're a farmer. How do you plant rice? Government operatives kidnaped
you. How
many were in the car? You're Anglican. Who's the head of your church? And
even
if you know the answer, the officer may not realize you're right. (See it
happen
tonight.)

Plus, there's the luck of the draw. Some officers are more sympathetic

than
others. They each see three, four cases a day. Say the officer likes you.
Her
supervisor might not. Some are out to "get 'em." Has the officer heard
too many
fabrications before from your country? Perhaps your presentation simply
leaves
something to be desired. "How do you decide whether someone is telling
the truth
or not?" wonders officer Martha-Louise (only first names are provided).
The
whole case might be "just plain fuzzy. And we still have to make a
decision,
based on fuzziness."

Robertson and Camerini nicely dodge the bullet that poisoned much of
the
Elia coverage: polarizing the problem with categorical rhetoric. Backed
by
Michael Suozzo's sensitive music, their editing conveys a sincere feel
for all
the people who allowed them to film, not just officers and applicants,
but both
the seekers who seem honest and those apparently deceptive. Even the
latter have
their reasons. "I repress a lot of the pain that I see in people's lives,
" says
case worker Kevin. "What do I do with those feelings?"

And what do we? Let immigrants in. Lock the gates. Only those fleeing
the
Commies-the question is never as simple as the slogans it inspires. "It's
really
a good job if you're interested in mankind and its plight," says featured
INS
officer Gerald Brown. But by the time the compassionate Brown said that at
"P.O.V.'s" TV press tour session, he had already left the service. His
office
was headed by officials who came up through immigration law enforcement
rather
than the asylum area.

"After struggling there for four years," he says, "I ran out of
energy." So
who has the answer now? Whoever hears your case. It's sad, scary,
capricious.
Yet "it's still the best thing that's in this world," says refugee
Cristian,
"because, indeed, everything is possible."

E-mail Diane Werts at dwerts@newsday.com

LANGUAGE: English

LOAD-DATE: June 5, 2000

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Copyright 2000 Sun-Sentinel Company

Sun-Sentinel (Fort Lauderdale, FL)

June 5, 2000, Monday, Broward Metro EDITION

SECTION: LOCAL, Pg. 3B

LENGTH: 131 words

HEADLINE: BASEBALL PLAYER AMONG RAFTERS

BYLINE: Staff Reports

BODY:

Immigration

A Cuban baseball player who hit a key home run last year against the Baltimore Orioles was reportedly aboard a U.S. Coast Guard cutter Sunday, one of 31 would-be defectors found on a boat stranded near Key West.

Agent Gus Dominguez said Sunday that Coast Guard officials have told him that Andy Morales, 24, a third baseman and designated hitter, is one of the Cubans aboard the cutter.

Coast Guard and Immigration and Naturalization Service officials would not confirm that Sunday.

The Cubans are being interviewed by INS officials on the cutter, INS spokesman Rodney Germain said. Those that might have legitimate claims to political asylum will be brought to the United States for processing, he said, while the others could be returned to Cuba.

LOAD-DATE: June 5, 2000

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Copyright 2000 Sun Media Corporation

June 5, 2000, Monday, Final EDITION

SECTION: EDITORIAL/OPINION, Pg. 16

LENGTH: 675 words

HEADLINE: JAMAICAN OUTRAGE OVER BORDER ALERT

BYLINE: JULES ELDER, TORONTO SUN

BODY:

Last month 49 inmates escaped from a prison in Jamaica. That incident sparked officials from Citizenship and Immigration Canada to issue a border alert that has angered many Jamaican nationals living here.

Why, they ask, target a whole community because of something that happened in another country thousands of miles away?

In an attempt to get some answers, the Jamaican Canadian Association (JCA), as part of its annual general meeting, arranged a community consultation with immigration officials. In the end, the team of government bureaucrats reportedly provided few answers, but left with a pile of notes about concerns they have promised to pass on to Immigration Minister Elinor Caplan.

For many Canadians, the uproar by Jamaicans about the immigration alert may appear to be unimportant. But to people who regularly face undue scrutiny because of their country of origin it is bothersome, especially when they are already the targets of what they consider to be "unreasonable" questioning and searches at Canadian ports of entry.

Herman Stewart, president of the JCA, helped organize the meeting between immigration officials and the community. As far as he knows, this is the first time such an alert has been issued in Canada after a prison breakout in a foreign country.

Stewart has a point. I regularly read about jailbreaks in countries around the world, but never have I seen an alert from Canadian government

officials. That is not to say they haven't been made. However, I find it odd that immigration officials were so quick to issue their warning after the escapes from the Metcalfe Street Remand Centre in Kingston, Jamaica. And they did so without knowing the identities of the prisoners who were on the loose.

That action left the door open for officials at Canadian airports and other border points to expand their target group to include not only Jamaicans, but also people from other Caribbean countries.

Some residents are speaking out because they're at the end of their tether about the practices of some Canada Customs and Immigration officials, who they believe are unduly scrutinizing people of African heritage, regardless of whether they are legally resident in Canada, and are citizens or landed immigrants.

In conversation some weeks ago with Toronto Sun reporter Tom Godfrey about the immigration alert, Stewart said: "We are over-policed and over scrutinized. This is not right because they're singling out an entire community."

That's the sentiment expressed by those attending the meeting with immigration officials. But in the end all they got was a promise to investigate allegations of racial bias in the system.

One of the issues that came up at the community meeting was the increased scrutiny of blacks, especially during the summer when more of us are travelling from the Caribbean, South America, Africa, England and the United States to visit friends and family here.

Participants also made special mention of the unwarranted searches faced by visitors coming for the annual Caribana festival.

This is not new. It's a practice that has concerned many for a long time. But in spite of numerous complaints to the appropriate authorities little seems to have changed.

I doubt the latest meeting between the "high-powered team" from Citizenship and Immigration Canada and the Jamaican community will make much difference in

the way nationals of Caribbean and African countries are dealt with at Canadian ports of entry.

And I have little faith that the promised meeting between Immigration Minister Elinor Caplan and the JCA will be more than a polite listening exercise in which some upset constituents get an opportunity to blow off steam.

But that's no reason for those who feel they have been wronged to remain silent.

The JCA must be thanked for taking leadership in this matter and acting responsibly in bringing the parties together for meaningful discussion.

I believe that as long as we're having a dialogue there is hope for change - for the better.

LANGUAGE: ENGLISH

LOAD-DATE: June 5, 2000

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Copyright 2000 News World Communications, Inc.

The Washington Times

June 05, 2000, Monday, Final Edition

SECTION: PART A; COMMENTARY; Pg. A15

LENGTH: 941 words

HEADLINE: Close case . . . with the wrong call

BYLINE: Bruce Fein

BODY:

The U.S. 11th Circuit Court of Appeals confronted a close legal question in the Elian Gonzalez asylum case. Its decision last Thursday in Gonzalez vs.

Reno to sustain the Immigration and Naturalization Service's refusal to entertain Elian's asylum application over the objection of his father, nevertheless, seems ill-reasoned and wrong. Either Congress or the U.S. Supreme Court should correct the error.

The case pivoted on section 1158 of the Immigration Code. It extends the

opportunity for asylum to "a ny alien," with no age restriction. Both Elian and his great-uncle and provisional custodian, Lazaro Gonzalez, filed asylum applications with the INS alleging the 6-year-old child held a well-founded fear of persecution because of political opinion if returned to the intellectual serfdom that afflicts Fidel Castro's Cuba.

The INS interviewed Elian's father, Juan Miguel Gonzalez, in Cuba to ascertain his wishes about Elian's application. Juan Miguel had joined the Union of Young Communists at 15, enthusiastically played the Soviet Stakhanovite in acclaiming Mr. Castro's grisly ideology ("Socialism or Death"),and became a full member of the Cuban Communist Party at a precocious 24, an achievement he heralded as "the proudest thing that can happen to you," according to Tim Golden's New York Times Magazine article on April 23.) In other words, Juan Miguel was no innocent in the diabolical submissiveness ruthlessly enforced by Mr. Castro, and the unforgiving penalties of dissent or communist waywardness. If he consented to Elian's asylum application, especially after it had become heavy artillery in Mr. Castro's political warfare against the United States, Juan Miguel knew both from experience and intuition that retaliation for his temerity would be both swift and unmerciful. His life and personality demonstrate he is less the martyred Sir Thomas More and more the truckling Stalinist apologist Nicholai Bukharin.

Despite the obvious, the INS insisted that Juan Miguel's professed desire for Elian's return to Cuba and to withdraw the asylum application reflected a free and uncoerced will. The agency further saw no conflict of interest in Juan Miguel's desire to avoid Mr. Castro's chilling wrath and Elian's interest in avoiding persecution for the audacity of thinking for himself. That conclusion is akin to finding harmony between King Agamemnon's desire to sail across the Aegean to defeat the Trojans and his daughter Iphigenia's wish to avoid sacrifice to appease the gods and to make for sailwinds. The INS conclusion that only Elian's father was entitled to authorize an asylum application on behalf of the child thus seemed wobbly at best. A three-member unanimous

panel
of the court of appeals, however, left that obtuse interpretation and
application of section 1158 undisturbed.

An asylum statute that salutes the freedom symbolized by the Statue of
Liberty intends a generous, not a cramped, construction. Ambiguities
should be
resolved against persecution. The panel accepted that Elian, despite his
youth,
was a "person" eligible to seek asylum. It also affirmed the reasonable
INS
policy of requiring an adult to speak for children of tender years in
immigration matters. While voicing skepticism, the appellate judges
further
sustained the INS presumption that the parent is the sole appropriate
representative of the child in asylum cases, even when subject to a
foreign
communist-totalitarian state where offending the government is a crime and
intellectual coercion is as inescapable as breathing air. Reason however,
dictates the opposite, and thus the emergency need of the INS for
education in
the obvious, or at least George Orwell's "1984."

The INS presumption is defeated either by a showing of definite coercion
directed at the parent or by the latter's conflict of interest with the
child's
asylum petition. Attorney General Janet Reno found neither, and the
Appeals
Court swallowed the findings with intermittent choking.

No coercion against Juan Miguel? Mr. Castro made Elian an icon, the
poster
child, of the Cuban Revolution whose sainthood was featured from the
streets of
Havana to the airwaves around the globe. To say that free will governed
his
decision against Elian's application is to drain the concept of all
meaning,
like saying stagecoach riders display free will in giving their jewels to
highwaymen.

The INS further maintained that Elian's asylum claim was facially weak,
and
thus no stark conflict with Juan Miguel's wish that the child return to
Cuba had
emerged. The Appeals Court erred in upholding the reasonableness of that
conclusion. Asylum is warranted by finding a well-founded fear of
persecution
because of political opinion. Certitude is not required. All thinking
in Mr.
Castro's Cuba is political, and the ordinary individual who declines to
echo
Communist Party dogma like Pavlov's dog is invariably punished. Neither
the INS

nor the court identified a single case since Mr. Castro assumed power by the gun more than four decades ago where a dissident was left undisturbed and unpersecuted. Moreover, Elian's deification by Mr. Castro guarantees persecution for even the slightest ideological defection.

In sum, Elian has been erroneously treated as a stepchild, not a favorite, of section 1158. Congress should overturn the injustice by a specific statutory award of citizenship and asylum. Juan Miguel can choose between Communist Cuba or remaining with Elian in the United States. He should not be permitted to chose both.

Bruce Fein is a lawyer and free-lance writer specializing in legal issues.

LANGUAGE: ENGLISH

LOAD-DATE: June 5, 2000

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The Washington Times

June 05, 2000, Monday, Final Edition

SECTION: PART A; Pg. A1

LENGTH: 932 words

HEADLINE: Elian's Miami relatives will appeal asylum ruling

BYLINE: Joyce Howard Price; THE WASHINGTON TIMES

BODY:

The Miami relatives of Elian Gonzalez will appeal a federal court ruling that found the 6-year-old Cuban castaway does not have the right to political asylum in this country, without his father's approval.

Attorneys for the relatives, who announced the appeal plans yesterday on Sunday news talk shows, disclosed they may seek a review of the case by the U.S. Supreme Court to settle the question of whether an alien has a constitutional

right to seek political asylum in the United States.

"That's our focus right now, and we've been spending all weekend studying those issues of the constitutional right to seek asylum and is it a sufficiently important issue that the Supreme Court might have an interest in it," Kendall Coffey, lead attorney for the family of Elian's great-uncle, Lazaro Gonzalez, said yesterday on ABC's "This Week."

Manny Diaz, another lawyer for Elian's Miami relatives, confirmed on CNN's "Late Edition" that his clients definitely will appeal the ruling issued Thursday by a three-judge panel of the U.S. Court of Appeals for the 11th Circuit in Atlanta.

Both Mr. Diaz, a Cuban exile - who, like Elian, arrived in the United States when he was 6 years old - and Mr. Coffey said it is not yet certain whether their clients will be asking the 11th Circuit to reconsider the case or if they will be appealing to the U.S. Supreme Court. Mr. Coffey said a "preliminary decision" will be reached in the next few days.

The panel ruled unanimously Thursday that the Immigration and Naturalization Service was empowered to decide that only a parent can seek asylum for a child as young as Elian.

Said Mr. Diaz on CNN: "We believe there are issues regarding an alien's constitutional right to apply for political asylum and be granted a hearing. There are the independent rights of children, constitutionally protected when those rights may conflict with the interest of a parent. There is the issue."

Mr. Coffey said federal courts "disagree" about whether "there is a constitutional right for aliens to seek asylum."

"The Atlanta court has long held that there is no such right. Other courts disagree," the lawyer said, adding:

"The 5th Circuit, headquartered in New Orleans, the 2nd Circuit in New York find that there is a constitutional right to seek asylum."

Deputy U.S. Attorney General Eric Holder, interviewed on CNN's "Late

Edition," said, "I don't think the federal judicial circuits really are split" on the question of a refugee's right to asylum.

Mr. Holder said the other legal cases Mr. Coffey cited do not deal with a "6-year-old, who's trying to seek a political asylum hearing." As a result, he said, he believes the Elian Gonzalez case "really stands on its own facts."

In its ruling Thursday, the three-judge panel of the Atlanta appeals court dismissed Lazaro Gonzalez's appeal of a lower court ruling. It also gave him 14 days to ask the panel to rehear the case, to ask all 12 judges of the 11th Circuit to consider it or to appeal to the U.S. Supreme Court.

Immediately after the 11th Circuit judges rendered their opinion, lawyers for Lazaro Gonzalez filed an appeal with the Supreme Court, seeking an emergency order barring Elian's removal to Cuba on June 15. That is the date when the 14-day deadline for action by the Miami relatives would expire.

"I'd be very surprised if the 11th Circuit decides to rehear the case sitting in its entirety, and I'd be very, very surprised if the Supreme Court decided to hear it," Mr. Holder said on CNN.

"I think we're at the beginning of the end here, and I would expect that this matter . . . would be over in a matter of weeks and not months," the senior Justice Department official said.

Gregory Craig, the attorney for Elian's father, Juan Miguel Gonzalez, shared that thinking in an interview on NBC's "Meet the Press." He said he hopes the Miami relatives "will recognize that, legally speaking, this case is really over, and that to prolong the legal battle would be a mistake."

More litigation will only "further divide the family," when members should be "reaching out to each other, trying to reconnect and rebuild their relationship."

But family members in Miami question how they can do that when they are unable to meet with Elian and his father. Asked on NBC if they will be allowed

to meet with Elian before he returns to Cuba, Mr. Craig said: "The odds are bad, at this point, particularly if they pursue the appeal."

He charged that the Miami relatives have never "directly approached" Juan Miguel Gonzalez about such a meeting, but Mr. Coffey said that is "not true."

On CNN, Mr. Diaz said efforts to reach Juan Miguel Gonzalez to try to arrange a meeting will continue. "But if none of that works, then we have a group of lawyers that are potentially considering some kind of legal challenge to make that possible," he said.

He declined to be specific about "what the action might look like." But "that is under serious consideration right now," Mr. Diaz said.

Elian Gonzalez - the subject of a continuing legal battle - was shipwrecked late last year as he, his mother and others tried to flee Cuba. The boy has been in this country since Thanksgiving, when he was found floating in an inner tube off the coast of Fort Lauderdale, Fla. Elian's mother and her boyfriend drowned when the boat they were in capsized.

Until April 22, Elian was cared for by his great-uncle at his home in Miami's "Little Havana." But after Lazaro Gonzalez lost temporary custody of the child, the INS seized Elian during an armed pre-dawn raid. GRAPHIC: Photo, Kendall Coffey (right), lawyer for Elian Gonzalez's great-uncle Lazaro Gonzalez (left), says the family will continue the legal fight., By Kenneth Lambert/The Washington Times

LANGUAGE: ENGLISH

LOAD-DATE: June 5, 2000

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Chicago Tribune

June 5, 2000 Monday, CHICAGO SPORTS FINAL EDITION

SECTION: News; Pg. 1; ZONE: N

LENGTH: 925 words

HEADLINE: LABOR OFFERS SUPPORT TO IMMIGRANT AMNESTY

BYLINE: By Teresa Puente and Stephen Franklin, Tribune Staff Writers.

BODY:

Eager to capitalize on a booming economy and tight job market, a coalition of labor, religious and immigrant advocacy groups is pushing for a new amnesty program that could legalize up to 6 million undocumented immigrants in the United States.

Illinois has more than 290,000 undocumented workers, according to government estimates.

Union participation in the movement, while adding considerable political muscle, marks a surprising turnaround for organized labor, which vehemently opposed the amnesty approved by Congress in 1986 out of fear immigrants would steal jobs and drive down wages.

But confronted by sagging membership rolls, union leaders have in recent years come to view immigrants, many of whom are in low-paying jobs, as a huge new reservoir of workers to bring under labor's umbrella.

"This is a workforce that is being exploited, a workforce that is being denied their rights," said Linda Chavez-Thompson, the AFL-CIO's vice president, who presided over a town hall meeting in Chicago this weekend that focused on the problems and abuses immigrant workers face.

The 1986 amnesty, the first and only such program approved by Congress, gave more than 3 million undocumented workers legal status. It also for the first time imposed sanctions on employers who knowingly hired undocumented workers, though immigrant advocates contend the government has done little to crack down on violators.

Supporters of the new amnesty initiative say it is needed because undocumented immigrants play a critical role in the U.S. economy, but without legal status face exploitation in the workplace.

"There is a shortage of labor, and the economy is very strong," said

Maricela
Garcia, executive director for the Illinois Coalition for Immigrant and
Refugee
Rights, making the argument for a new amnesty.

The amnesty idea was endorsed by the U.S. Conference of Catholic
Bishops.

Locally, Cardinal Francis George signed a petition along with 50,000 other
Chicago-area residents who support amnesty and the abolition of employer
sanctions. But opponents say it is not only unneeded, but would send a bad
message.

"It's not an amnesty. It's clemency and reward," said Dan Stein,
executive
director with the Federation for American Immigration Reform in
Washington.

Stein also said it is irresponsible to talk about amnesty without
discussing
increased border control. He also said that the 1986 amnesty was intended
to be
a one-time offer, and it failed because the number of undocumented
immigrants
has almost doubled since then.

"It was a disaster. We shouldn't repeat that mistake," Stein said.

The Clinton administration has indicated support for a modest amnesty
that
could affect as many as 500,000 immigrants not eligible for the 1986
amnesty
even though they were in the U.S. at the time.

There is no specific timetable for the new amnesty proposal, but
political
experts say it would be difficult to muster support for a wide-scale
amnesty in
the Republican-controlled Congress.

"I'm not optimistic it would pass," said former Illinois Democratic
Sen. Paul
Simon, who was instrumental in crafting a political compromise that led to
passage of the landmark 1986 amnesty.

Chavez-Thompson said unions are reaching out to immigrants only in part
because they want them as future members.

"We should be angry about how they are abused and held hostage at their
jobs," she said.

Chavez-Thompson pointed to situations like those faced by Ana, a
Salvadoran
native who slipped across the border four months ago determined to earn
money to

pay for an operation for her mother, who is going blind.

Ana, who fearing deportation declined to give her full name, said she landed a job at a Chicago bakery where undocumented workers were assigned the worst shifts. When she left for a new job, however, Ana claimed the bakery refused to pay her for 10 hours she was owed. The bakery only backed down after a local pastor intervened, she said.

"Many workers are afraid to speak up for their rights because they are afraid they will be deported," Ana said.

Indeed, at the weekend AFL-CIO hearing, a number of workers told about living in constant fear of INS raids, a situation that some said made them easy prey for sexual abuse by their bosses.

"They constantly keep the threat of immigration raids over our heads," said Carmen Najera, a laundry worker in Chicago.

Most immigrants want to join unions but back away, fearful of drawing the attention of the INS, said Sergio Monterrubio, an organizer for Local 881 of the United Food and Commercial Workers in Chicago.

"Amnesty is the way we'll be able to go out and organize these folks," he said.

Maribel, 43, a Mexican immigrant said she worked in a north suburban plastic factory for six years until her employer was notified by the Social Security Administration that she and other workers were using false Social Security numbers. Maribel claimed the employer told her and the others that if they came back with new Social Security numbers and changed their identities, they could keep their jobs--though they would have to forgo any vacation time due.

"Martha became Esperanza. Many of the workers changed their Social Security number," said Maribel, who also declined to give her full name. "The boss knew that they were all illegal."

But Maribel said she left the job and claimed she was never paid \$700

for
vacation time she was owed. "It would be good to have amnesty so we don't
have
to put up with all the abuses," said Maribel, who found a job at another
factory.

GRAPHIC: PHOTOPHOTO (color): Barbara Reyes, of the Logan Square
Neighborhood
Association, stands by a petition calling for amnesty for undocumented
workers.
Tribune photo by Jose More.

LANGUAGE: ENGLISH

LOAD-DATE: June 5, 2000

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The Associated Press State & Local Wire

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June 5, 2000, Monday, BC cycle

9:00 AM Eastern Time

SECTION: International News

LENGTH: 238 words

HEADLINE: Cuban player who hit key homer against Orioles reportedly defects

BYLINE: By TERRY SPENCER, Associated Press Writer

DATELINE: MIAMI

BODY:

A Cuban baseball player who hit a key home run last year against the
Baltimore Orioles was aboard a Coast Guard cutter Sunday, one of 31
would-be
defectors found on a boat stranded near Key West, a sports agent said.

Agent Gus Dominguez, who represents several Cuban players who have
defected,
said he was told by Coast Guard officials that Andy Morales was among the
Cubans
on board.

Coast Guard and Immigration and Naturalization Service officials would not confirm that Sunday. The Coast Guard said the Cubans were aboard a power boat that ran out of fuel Friday.

The Cubans were being interviewed by INS officials on the cutter, agency spokesman Rodney Germain said. Those who might have legitimate claims to political asylum will be brought to the United States for processing, he said, while the others could be returned to Cuba.

In the Cuban national team's 12-6 win over the Orioles last May in Baltimore, Morales delivered the clinching blow, a three-run homer to center field in the ninth inning. Morales, 24, is a third baseman and designated hitter.

Pitcher Orlando "El Duque" Hernandez of the New York Yankees, his half brother, San Francisco Giant pitcher and 1997 World Series MVP Livan Hernandez, and New York Mets shortstop Rey Ordonez are among about 35 Cuban baseball players to defect over the last 10 years.

Calls Sunday to the Cuban Interests Section in Washington went unanswered.

LANGUAGE: ENGLISH

LOAD-DATE: June 5, 2000

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The Associated Press State & Local Wire

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June 5, 2000, Monday, BC cycle

7:25 AM Eastern Time

SECTION: State and Regional

LENGTH: 313 words

HEADLINE: Farm laborers march to demand amnesty for undocumented workers

DATELINE: PASCO, Wash.

BODY:

More than 3,000 farm laborers, chiefly cherry pickers, and their supporters gathered in Memorial Park and marched through town to demand better pay and amnesty for undocumented workers.

Pay for cherry pickers has been unchanged for 15 years while industry earnings have tripled, organizers said Sunday. The harvest is scheduled to begin next week.

Guadalupe Gamboa, regional director of the United Farm Workers of America AFL-CIO in Sunnyside, said cherry workers are paid \$3.50 to \$3.75 per 30-pound box, the same as in 1985. That works out to about \$40 to \$100 per worker per day.

The union is seeking an increase to \$6 a box.

"The low wages paid cherry workers is a type of wage exploitation that has prevailed because of the illegal status of the state's agriculture workforce," Gamboa said. "They have no voice and no negotiating power."

Organizers estimate an amnesty program would cover 52,000 undocumented workers in the state.

Ricardo Reyes said about 80 percent of the workers he hires for an onion packing plant in Royal City are probably illegal aliens.

"I feel sorry for them," Reyes said. "The country needs the people to do the work, and these workers need the work."

"We have no choice but to hire them. There aren't enough legal workers."

Many at the march and rally waived red and white flags emblazoned with the union's symbol. Others carried signs in English and Spanish.

"We need amnesty," said Agustos, an undocumented picker in Mattawa. "It's also important for the growers. They need us."

Gamboa said a similar coalition of workers, community advocates and union organizers will conduct a rally June 23 in Portland, Ore., and testify before AFL-CIO officials about the effects of immigration laws on migrant

workers and their families.

A third event is being planned for Aug. 6 in Mattawa.

LANGUAGE: ENGLISH

LOAD-DATE: June 5, 2000

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The Associated Press State & Local Wire

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June 5, 2000, Monday, BC cycle

6:22 AM Eastern Time

SECTION: State and Regional

LENGTH: 431 words

HEADLINE: Activist to offer bounty for killing border agent; law officers monitoring threat

DATELINE: McALLEN, Texas

BODY:

Angered by U.S. treatment of Mexican immigrants, an activist in Reynosa, Mexico says he will offer \$10,000 to anyone who kills a Border Patrol agent and law officers are taking his threat seriously.

Carlos Ibarra Perez, president of the Citizens Defense Committee, said he will offer the bounty at a news conference Monday in front of Reynosa's City Hall.

The plan by Ibarra Perez, whose group claims to have 5,000 members, follows the killing of an undocumented immigrant by a border patrol agent two weeks ago in Brownsville, discovery of a mentally disabled U.S. resident's body in the Rio Grande after his deportation, threats by vigilantes and other events.

"If there are American citizens saying that they are going to kill

immigrants, then why can't we (kill agents)?" he told The (McAllen) Monitor, adding the United States is responsible for forcing his hand. "The guilty one here is the U.S. government. If we rise up, the fault is the U.S. government. They are provoking this conflict."

American law officers say no response is possible yet because no offer has been made to kill an agent. Officials had not heard about Ibarra Perez's intention to offer the bounty, Border patrol supervisory agent Ramiro De Anda said.

He said narcotics traffickers had made similar threats in the past in the El Paso area, but he had never heard of a community group making a similar offer.

"It's ludicrous," he said.

Mexican officials added they were not aware of the intent to offer money for killing a border patrol agent. Deputy Consul Jose Ramon Lopez de Leon, with the Mexican Consulate in McAllen, said the consulate was monitoring the situation.

"If something comes of it, then we will take action," he said, but declined to be specific.

Ibarra Perez expressed anger at how immigrants were treated by ranchers near Douglas, Ariz., where ranchers have taken it upon themselves to patrol the border because of some immigrants trespassing on and vandalizing their property.

A group of ranchers, according to one report, distributed flyers inviting people "to hunt undocumented Mexicans."

Mexican officials and immigrant rights groups on both sides of the border have contended that Operation Gatekeeper, designed to boost border patrols, has forced immigrants to take greater chances in crossing the border and putting them in danger by taking risks.

Ibarra Perez said his group's members and local business owners will contribute to raise money for the bounty.

"With 5,000 members, that's \$2 per person. Less than a gallon of milk," he said.

LANGUAGE: ENGLISH

LOAD-DATE: June 5, 2000

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The Associated Press State & Local Wire

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June 5, 2000, Monday, BC cycle

6:09 AM Eastern Time

SECTION: State and Regional

LENGTH: 2449 words

HEADLINE: Across generations, Hispanic influx spreads through remote Arkansas county

BYLINE: By MELISSA NELSON, Associated Press Writer

DATELINE: DE QUEEN, Ark.

BODY:

Six pairs of tiny feet dangle from the semicircle of chairs surrounding Sarah Hooper. The teacher and her students are at a stalemate over the sound roosters make.

The rooster in their book says "cock-a-doodle-doo," but the kids insist it should be "qui qui ri qui."

Even the animals speak a different language in De Queen.

"In Spanish it's 'qui qui ri qui,'" Hooper says. "Here in America it's 'cock-a-doodle-doo.'"

The kids twist and squirm as they talk about the rooster dilemma with each other in Spanish while the teacher flips to a page about cows.

These children are the heart of a cultural metamorphosis happening in De Queen, where as many as 4,000 immigrants, most from Mexico, have moved to work in the town's expanding poultry industry.

It's the economic impact of chickens, rather than the sound they make, that's causing the real debate here. The children's parents, lured by job advertisements in Mexico, have come to work for Tyson Foods and Pilgrim's Pride. The two poultry plants process a combined 3 million chickens a week here.

The sign on the outskirts of town lists the population as 4,633, but Father John Kerr thinks the number has doubled since 1990.

This southwest Arkansas town, nestled between rolling hills and dotted with pine trees, is a newly discovered oasis for immigrant workers, he said. It boasts the fastest growing Hispanic population in a state that led the nation in Hispanic population growth in 1999 - 149 percent.

"Our town has become a pueblo de Mexico," said the 32-year-old priest, who grew up in North Little Rock and learned to speak Spanish after he moved to De Queen in 1998. "No one can believe that this church is now one of the largest in the entire (Arkansas) diocese."

Average Mass attendance has mushroomed in the last decade from 80 to more than 1,200. Six of the church's eight Masses each week are in Spanish.

De Queen's business district has seven Hispanic-owned stores, including several restaurants and groceries.

Church marquees and business advertisements throughout the town are in both Spanish and English.

Soccer has supplanted baseball as the most popular sport in the city park.

And the town square becomes a Mexican market on weekends as vendors sell food, clothing and Mexican crafts.

The sound of De Queen is also changing to Spanish. Four years ago, KDQN, the town's only radio station, changed its AM format from country to Spanish music. The FM station still has a country music format, and its announcers speak

English.

This hill country enclave, straddled by the Oklahoma line and the banks of the Cossatot River, was founded in 1897 by a Dutch railroad magnate. De Queen depended on the timber industry for most of its first 100 years.

Poultry was a phenomenon of the 1990s.

Outside of Tyson and Pilgrim, Collin Raye is likely the most famous name here. De Queen is the country singer's home town, a section of U.S. 70 downtown bears his name.

Immigrants like Jose Fernandez use words like pretty, tranquil and peaceful to describe De Queen. Unlike traditional migrants, who move from state to state in search of work, these new arrivals have come to stay.

"In other places like Miami, it was too big, too crazy," said Fernandez, who left his hometown of San Luis Potosi, Mexico, 10 years ago and lived in several large U.S. cities before settling in De Queen in 1996. "Here, I like the work and I like the life."

Fernandez flew past his competitors on a recent afternoon, his long hair dripping sweat as he dribbled toward the soccer goal at the Herman Dierks Memorial Park in downtown.

Work in the poultry plants is difficult - pulling feathers and butchering around the clock - but with average wages of \$7 an hour and the opportunity for year-round employment, it is much better than migrant farm labor, he said.

But the paradise found by Fernandez and others is something else to longtime residents.

Enrollment at De Queen's lone elementary school topped 900 this year, making it one of the largest elementary schools in the state. The district is building a second elementary school.

Half of De Queen's 200 kindergartners entered the 1999-2000 school year speaking only Spanish.

A map of North America adorns the wall of one middle school classroom. Above

the map is a sign that reads, "We all smile in the same language." Push pins cover Mexico, indicating where students were born.

"What I hear from my parents is that they want a better life for their children so that their children don't have to work in the chicken plants," said De Queen Middle School Principal Don Higgins.

Hooper, the elementary school teacher, has seen the Hispanic enrollment spiral each of her seven years as a teacher in De Queen and neighboring Horatio.

She agreed to head the school's "English as Second Language" program two years ago because she was one of only a few teachers trained for the job. At the time, none of the teachers in the 1,784-student district spoke Spanish.

Spending eight hours a day in a classroom of children who speak limited English is a challenge, she said. Arguments like the one about the rooster are frequent.

"The culture is so different here and that is a little scary for the kids.

Culture shock is a huge issue because many of them come from such poor towns in Mexico," she said.

Hooper, a 1980 De Queen graduate, said she likes to help the newcomers and is proud of how De Queen is dealing with change.

"I guess De Queen has always been a go-with-the-flow kind of place," she said. "To be this podunk town in southwest Arkansas, we are really much further ahead than people might think in terms of cultural acceptance."

Superintendent Bill Blackwood agrees.

"Most people here are dealing with it and accepting it, there will always be a few who never will accept it," he said. "But we have really had very, very few problems in the schools and we think things will only improve with time."

But relations between the immigrants and longtime residents aren't perfect.

Just ask De Queen mayor Chad Gallagher, who recently named a task force on community relations to study race relations.

Or Police Chief Richard McKinley, who says the influx of immigrants has

been
"a lot to deal with."

"It's a huge cultural change. I've been here my whole life and when it first started happening, it was kind of scary," McKinley said.

School district leaders blame the failure of a 1996 school millage election on backlash against the immigrants.

"We think it was a message from some people in the community who had feelings about us providing services to non-citizens," said Judi Ponder, who heads the district's migrant education program.

Paulita and Vicente Trujillo, who moved to De Queen from Guerrero, Mexico, seven years ago, say they have been discriminated against because they don't speak English. Mrs. Trujillo said she dreads taking her children for checkups at the local health department because she does not feel welcome.

"It isn't the same as in our country because there are so many laws and things that are different," she said.

But complaints also come from the locals, particularly about the immigrants drinking beer in public and keeping livestock in city limits.

"The biggest challenge we face is ignorance within the Hispanic community of our way of life and, in the same way, we are ignorant of their way of life," Gallagher said. "When you have a 70-year-old woman who has lived in De Queen her whole life living next to a Hispanic family with a goat in their front yard," it causes problems.

The goal of the city's task force is to have serious and open discussions about racism. And Gallagher said task force meetings can become heated.

"We are looking at ways we can make one community out of many people. We all want the same things here as far as good futures for our kids and ourselves," he said.

Response to the 2000 census could mean a lot to De Queen.

Gallagher hopes a strong count will prompt the Immigration and Naturalization service to open an office in De Queen. The school district hopes the census will bolster its standing in applications for federal grants. And Kerr hopes the count will bring an influx of federal dollars to fill a gap in social services.

Signs, in Spanish, are posted outside the city office complex and on the front door of the St. Barbara Catholic Church office to encourage people to fill out their census forms.

"We know that De Queen has one of the fastest growing Hispanic populations in the state. And the census is huge for us," Gallagher said.

Jesus and Maria Mendez moved to De Queen from Reynosa, Mexico, five years ago after their son opened the Reynosa Grocery here. Their store offers fresh tortillas, Mexican candies, dried chilies and candles emblazoned with religious symbols.

"We have everything you would find at a store in Mexico," said Jesus Mendez, who manned the checkout counter on a recent afternoon.

The store is one of the things that gives De Queen the feel of home and makes immigrants want to stay and raise their families, he said.

"A lot of people come for the work and then decide to stay," Mendez said.

Mexican immigrant Robert Martinez was an example to Mendez and other new arrivals. Martinez moved to De Queen 21 years ago and now owns the 500-acre Rancho Esperanza (Ranch of Hope) where he raises more than 650,000 chickens each year.

Martinez said the town has changed dramatically in the two decades he's been here.

The largest wave of immigration has come in the last five years because of growth in the poultry industry, he said.

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He grins with pride while discussing the achievement.

"The main thing is that there is somebody who understands 100 percent what the people are saying. If there is a problem, they know I am there," he said.

But he hasn't been welcomed by everyone in the Hispanic community. Some people view him as a traitor because of his newfound authority, he said.

"They feel bad when a Hispanic officer comes to arrest them."

Most arrests of Hispanics in De Queen are for driving under the influence and for public intoxication, the police chief said.

Saldivar and Camarillo have crossed De Queen's cultural bridge and now have influence in city business and politics. Many more Hispanics will cross the bridge in decades to come when the hundreds of children now in the De Queen School District graduate and join the work force.

Among them are Rogelio Gomez, Carlos Pallares and Jorge Parada -

participants
in the heated classroom debate about the sound roosters make.

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"The horse is IN the barn, not ON the barn," he tells him.

Jorge surveys every person who enters the classroom, asking them if they
speak Spanish. If the answer is no, he is eager to show off in front of
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If the answer is yes, his face glows as he begins a rapid Spanish
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diatribe detailing the daily routine of the class.

Like their parents, these bright-eyed children are learning as they go,
helping each other and doing the best they can to adapt to the new world
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Young Rogelio understands the struggle he and his family face.

"Everyone here is speaking English and I feel strange because I don't
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GRAPHIC: AP Photos

LANGUAGE: ENGLISH

LOAD-DATE: June 5, 2000

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The Associated Press State & Local Wire

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materials may not be republished without the express written consent of
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June 5, 2000, Monday, BC cycle

6:09 AM Eastern Time

SECTION: State and Regional

LENGTH: 2449 words

HEADLINE: Across generations, Hispanic influx spreads through remote Arkansas county

BYLINE: By MELISSA NELSON, Associated Press Writer

DATELINE: DE QUEEN, Ark.

BODY:

Six pairs of tiny feet dangle from the semicircle of chairs surrounding Sarah Hooper. The teacher and her students are at a stalemate over the sound roosters make.

The rooster in their book says "cock-a-doodle-doo," but the kids insist it should be "qui qui ri qui."

Even the animals speak a different language in De Queen.

"In Spanish it's 'qui qui ri qui,'" Hooper says. "Here in America it's 'cock-a-doodle-doo.'"

The kids twist and squirm as they talk about the rooster dilemma with each other in Spanish while the teacher flips to a page about cows.

These children are the heart of a cultural metamorphosis happening in De Queen, where as many as 4,000 immigrants, most from Mexico, have moved to work in the town's expanding poultry industry.

It's the economic impact of chickens, rather than the sound they make, that's causing the real debate here. The children's parents, lured by job advertisements in Mexico, have come to work for Tyson Foods and Pilgrim's Pride. The two poultry plants process a combined 3 million chickens a week here.

The sign on the outskirts of town lists the population as 4,633, but Father John Kerr thinks the number has doubled since 1990.

This southwest Arkansas town, nestled between rolling hills and dotted with

pine trees, is a newly discovered oasis for immigrant workers, he said. It boasts the fastest growing Hispanic population in a state that led the nation in Hispanic population growth in 1999 - 149 percent.

"Our town has become a pueblo de Mexico," said the 32-year-old priest, who grew up in North Little Rock and learned to speak Spanish after he moved to De Queen in 1998. "No one can believe that this church is now one of the largest in the entire (Arkansas) diocese."

Average Mass attendance has mushroomed in the last decade from 80 to more than 1,200. Six of the church's eight Masses each week are in Spanish.

De Queen's business district has seven Hispanic-owned stores, including several restaurants and groceries.

Church marquees and business advertisements throughout the town are in both Spanish and English.

Soccer has supplanted baseball as the most popular sport in the city park.

And the town square becomes a Mexican market on weekends as vendors sell food, clothing and Mexican crafts.

The sound of De Queen is also changing to Spanish. Four years ago, KDQN, the town's only radio station, changed its AM format from country to Spanish music. The FM station still has a country music format, and its announcers speak English.

This hill country enclave, straddled by the Oklahoma line and the banks of the Cossatot River, was founded in 1897 by a Dutch railroad magnate. De Queen depended on the timber industry for most of its first 100 years.

Poultry was a phenomenon of the 1990s.

Outside of Tyson and Pilgrim, Collin Raye is likely the most famous name here. De Queen is the country singer's home town, a section of U.S. 70 downtown bears his name.

Immigrants like Jose Fernandez use words like pretty, tranquil and peaceful to describe De Queen. Unlike traditional migrants, who move from state to state

in search of work, these new arrivals have come to stay.

"In other places like Miami, it was too big, too crazy," said Fernandez, who left his hometown of San Luis Potosi, Mexico, 10 years ago and lived in several large U.S. cities before settling in De Queen in 1996. "Here, I like the work and I like the life."

Fernandez flew past his competitors on a recent afternoon, his long hair dripping sweat as he dribbled toward the soccer goal at the Herman Dierks Memorial Park in downtown.

Work in the poultry plants is difficult - pulling feathers and butchering around the clock - but with average wages of \$7 an hour and the opportunity for year-round employment, it is much better than migrant farm labor, he said.

But the paradise found by Fernandez and others is something else to longtime residents.

Enrollment at De Queen's lone elementary school topped 900 this year, making it one of the largest elementary schools in the state. The district is building a second elementary school.

Half of De Queen's 200 kindergartners entered the 1999-2000 school year speaking only Spanish.

A map of North America adorns the wall of one middle school classroom. Above the map is a sign that reads, "We all smile in the same language." Push pins cover Mexico, indicating where students were born.

"What I hear from my parents is that they want a better life for their children so that their children don't have to work in the chicken plants," said De Queen Middle School Principal Don Higgins.

Hooper, the elementary school teacher, has seen the Hispanic enrollment spiral each of her seven years as a teacher in De Queen and neighboring Horatio.

She agreed to head the school's "English as Second Language" program two years ago because she was one of only a few teachers trained for the job. At the time, none of the teachers in the 1,784-student district spoke Spanish.

Spending eight hours a day in a classroom of children who speak limited

English is a challenge, she said. Arguments like the one about the rooster are frequent.

"The culture is so different here and that is a little scary for the kids. Culture shock is a huge issue because many of them come from such poor towns in Mexico," she said.

Hooper, a 1980 De Queen graduate, said she likes to help the newcomers and is proud of how De Queen is dealing with change.

"I guess De Queen has always been a go-with-the-flow kind of place," she said. "To be this podunk town in southwest Arkansas, we are really much further ahead than people might think in terms of cultural acceptance."

Superintendent Bill Blackwood agrees.

"Most people here are dealing with it and accepting it, there will always be a few who never will accept it," he said. "But we have really had very, very few problems in the schools and we think things will only improve with time."

But relations between the immigrants and longtime residents aren't perfect.

Just ask De Queen mayor Chad Gallagher, who recently named a task force on community relations to study race relations.

Or Police Chief Richard McKinley, who says the influx of immigrants has been "a lot to deal with."

"It's a huge cultural change. I've been here my whole life and when it first started happening, it was kind of scary," McKinley said.

School district leaders blame the failure of a 1996 school millage election on backlash against the immigrants.

"We think it was a message from some people in the community who had feelings about us providing services to non-citizens," said Judi Ponder, who heads the district's migrant education program.

Paulita and Vicente Trujillo, who moved to De Queen from Guerrero, Mexico,

seven years ago, say they have been discriminated against because they don't speak English. Mrs. Trujillo said she dreads taking her children for checkups at the local health department because she does not feel welcome.

"It isn't the same as in our country because there are so many laws and things that are different," she said.

But complaints also come from the locals, particularly about the immigrants drinking beer in public and keeping livestock in city limits.

"The biggest challenge we face is ignorance within the Hispanic community of our way of life and, in the same way, we are ignorant of their way of life," Gallagher said. "When you have a 70-year-old woman who has lived in De Queen her whole life living next to a Hispanic family with a goat in their front yard," it causes problems.

The goal of the city's task force is to have serious and open discussions about racism. And Gallagher said task force meetings can become heated.

"We are looking at ways we can make one community out of many people. We all want the same things here as far as good futures for our kids and ourselves," he said.

Response to the 2000 census could mean a lot to De Queen.

Gallagher hopes a strong count will prompt the Immigration and Naturalization service to open an office in De Queen. The school district hopes the census will bolster its standing in applications for federal grants. And Kerr hopes the count will bring an influx of federal dollars to fill a gap in social services.

Signs, in Spanish, are posted outside the city office complex and on the front door of the St. Barbara Catholic Church office to encourage people to fill out their census forms.

"We know that De Queen has one of the fastest growing Hispanic populations in the state. And the census is huge for us," Gallagher said.

Jesus and Maria Mendez moved to De Queen from Reynosa, Mexico, five

years ago
after their son opened the Reynosa Grocery here. Their store offers fresh tortillas, Mexican candies, dried chilies and candles emblazoned with religious symbols.

"We have everything you would find at a store in Mexico," said Jesus Mendez, who manned the checkout counter on a recent afternoon.

The store is one of the things that gives De Queen the feel of home and makes immigrants what to stay and raise their families, he said.

"A lot of people come for the work and then decide to stay," Mendez said.

Mexican immigrant Robert Martinez was an example to Mendez and other new arrivals. Martinez moved to De Queen 21 years ago and now owns the 500-acre Rancho Esperanza (Ranch of Hope) where he raises more than 650,000 chickens each year.

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GRAPHIC: AP Photos

LANGUAGE: ENGLISH

LOAD-DATE: June 5, 2000

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The Independent (London)

June 4, 2000, Sunday

SECTION: FEATURES; Pg. 16, 17

LENGTH: 807 words

HEADLINE: FOCUS: THE CLASS WAR - PRIVILEGE: THE BRITISH DISEASE THAT JUST WON'T GO AWAY - LACK OF OPPORTUNITY IN UNCOOL BRITANNIA; OUTSIDE THE PROSPEROUS ENCLAVES OF BLAIR'S 'SILICON ALBION' MANY PEOPLE FEEL THAT THEY DON'T BELONG

BYLINE: Stryker McGuire

BODY:

C

lass in Britain is like race in the United States: it is a very difficult read for outsiders. As an Ameri- can, when I try to get a handle on the issue of

class in Britain, I feel a little bit like I'm tuning into weak stations with a bad radio. I get a lot of static and interference.

There is much about Britain that suggests an open society. When I arrived to work in London in the late summer of 1996, I barely recognised the place I remembered from fleeting, previous visits. The City had been transformed. Over the course of a decade, Margaret Thatcher's Big Bang of deregulation fostered an entrepreneurial culture that levelled class divides. Immigration was reshaping the capital. Across London, I was impressed by the diversity of the people on the streets everywhere, the rich mix of accents among people making their mark in the arts, the signals emanating from those early days of the "new economy" that Darwinism and not Debrett's Peerage was determining success and failure in what would soon become known as "new" Britain.

I was impressed, too, that these changes had taken place under Conservative governments. The results were not quite the "classless society" that John Major peddled as prime minister. But the fact that it was being promoted at all by Major - non-elitist son of a garden gnome-maker and a Tory, of all things - was evidence of how much the country had changed. At the time, Major was even preparing for the coming election campaign under the banner of "Opportunity for All", a slogan borrowed from the failed Re- publican presidential candidacy of Jack Kemp, the American football quarterback-turned- Senator.

With Tony Blair came a lot of static. A product of a public school and Oxford, there he was, after the death of Diana, lending his shoulder to protect the monarchy from cruel blandishments. Later, his supposedly post-classist, populist instincts failed him miserably as he attempted to scupper Ken Livingstone's mayoral campaign. And what was I to make of Blair acolytes lusting for peerages that sound a lot like Tube stops, such as Lord so- and-so of Tooting Common? "All the world loves a lord", a cultural interpreter told me, pointing out that a peerage helps with, among other things, restaurant bookings.

And now comes Laura Spence, a girl from a comprehensive school in the North

-east rejected by an Oxford college. At home with Leo, Blair was mercifully spared from having to comment on the whole matter.

With the Laura Spence case in the news, the Labour Government, in the form of Deputy Prime Minister John Prescott, resurrected the Tories' old "opportunity for all" slogan. This is interesting because it subtly raises a very important point. The War of Laura's Rejection is more than a class war. Indeed, the class war in Britain was in many ways won some time ago. What we see now are the remnants of that war: rolls of rusting razor wire that trip up British society every so often, buried old bombs that explode unpredictably, like the Spence case. Britain - where upper class no longer inexorably means ruling class - has moved beyond class.

There is plenty of evidence, in fact, of a kind of anti-class backlash. The number of Britons who would admit to being upper class would barely fill a reception room in Belgravia. Accents are increasingly less reliable as tell-tale signs of a person's background. Blair is almost comically adept at shading his accent to fit the occasion. Among young people, accents can be tools of rebellion. I know two teenagers who live in west London. They come from a well-to-do family and were both educated at one of London's most prestigious public schools. They're siblings, but if you overheard them talking in the street, you wouldn't know it. The boy affects an "estuary English" accent. The girl is posh.

The opportunity wars are more about access than privilege. The Laura Spence story resonates because it taps into important insecurities abroad in the land. For all Blair's talk about new Britain and for all the jawing about Cool Britannia, much of Britain remains old and uncool.

The economic stagnation evident in parts of rural Britain and in some of the old industrial cities of the North bears little resemblance to the post-industrial economic landscape - Silicon Albion - that Blair would like Britain to become. Especially outside London and other relatively prosperous enclaves in Britain, many Britons are bogged down in the kind of economic worries that afflict economies in transition, be it the American "Rust Belt" in the

early
1980s or a country like Mexico more recently. Many Britons don't feel
like they
live in "new Britain" yet and, until they do, Laura Spence stories will
come
around with regularity.

Stryker McGuire is 'Newsweek' magazine's London bureau chief.

GRAPHIC: Toffs on top: Ascot provides the perfect setting for social
climbers

LANGUAGE: ENGLISH

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Roanoke Times & World News

June 4, 2000, Sunday, METRO EDITION

SECTION: EXTRA, Pg. 7

LENGTH: 1374 words

HEADLINE: 'THIS COUNTRY IS GOOD FOR PEOPLE TO MAKE A NEW LIFE'

BYLINE: KEVIN KITTREDGE THE ROANOKE TIMES

BODY:

You know the stories. The Vietnamese refugee family arrives in Southwest
Virginia, wide-eyed, unable to speak English, behind them a trail of
near-unbelievable hardship.

Good stories - but a little old now. More than a generation or so after
it
began, the flow of refugees to America in the wake of the Vietnam War has
become
a trickle as the number of refugees from places such as Africa, the
Caribbean
and the former Yugoslavia is on the rise.

The Vietnamese are part of us now, and always will be. They began
coming to
America with the fall of South Vietnam in 1975, and have come ever since,
aided
by a long-standing American policy of aiding refugees from communist
countries.
More than 800,000 Vietnamese came to this country between 1980 and 1997,

according to figures from the U.S. Immigration and Naturalization Service.

Some 2,000 Vietnamese live in the Roanoke Valley now. They work in factories and small businesses. They are a prominent group in the Catholic Church. Religions in Vietnam also include Buddhism, Taoism, Islam, Protestantism , indigenous beliefs, Cao Dai and Hoa Hao, according to the CIA Factbook.

Many of their children have gone to college and landed good jobs.

They are probably Roanoke's largest recent immigrant group. Many of them are fluent in English. Quite a few were born here. Quite a few have never even seen the country we associate them with - Vietnam.

In short, they are no longer newcomers. They are a snapshot of the famed American melting pot, colliding cultures.

They wrestle, especially if they are young, with a Vietnamese heritage that seems out of date and not entirely relevant here - even as they feel its timeless pull.

For Tam Tran, 18, who came here with her mother, sister and grandmother in 1992, reconciling East and West is the toughest part of living here.

"America is very liberal," she explained. "And Vietnam is very Oriental. And they are very different. Like black and white."

"Sometimes I struggle between the two cultures. I just make sure I have my own idea of how I should live."

- -

Kim Nguyen was one of the first to come to Roanoke.

Her family left Vietnam just before Saigon fell 25 years ago, in April 1975.

She was 19, and she had no choice. Several of her family members had worked for American employers in Vietnam. "That's a pretty good ticket to the rice fields," she said. Communal labor in the rice paddies was a common punishment for South Vietnamese after the communists took over.

Nguyen learned English by watching "Sesame Street" on television. It wasn't funny then. "When you're 19 and you are having to learn A-B-C - you felt

somewhat resentful," she recalled.

- -

They are a part of us, and apart from us. Many Vietnamese still struggle with the English language, which has little in common with Vietnamese. Yet, they have become a vital part of the work force at some local manufacturing plants for their eagerness to work, including overtime.

Maid Bess Corp. in Salem, which makes uniforms and basket liners, even briefly considered opening a recruiting office in Vietnam to bring in more workers, said company president Dick Robers. Maid Bess has 25 Vietnamese workers out of a work force of 200. Robers said the idea of a Vietnam recruiting office was abandoned because of the costs involved.

The abundance of work here, however tedious, and the direct relationship between work and money money exerts a powerful pull on appeals to many Vietnamese. Ky Tran works a full shift each day at Maid Bess, then works the night shift at Food Lion. On his cutting machine at Maid Bess is a miniature American flag.

"I feel enthusiastic," he said. "This country is good for people to make a new life."

Despite a good work ethic generally, some Vietnamese struggle in Roanoke, especially at first. Many begin life here in public housing, while other refugee groups, notably the Bosnians, almost never do. Barbara Smith, who heads Roanoke's Refugee & Immigration Services, said the large size of many Vietnamese families and the number of single-parent families the war produced are probably to blame.

"They are a pleasure to work with," said Steve Hayslett, manager of Lansdowne Park Apartments and former manager of Jamestown Apartments. "These people get up at six in the morning and work till seven or eight at night. They can account for every nickel. They're very proud. It's a pleasure to manage them. I would just as soon manage a whole development of Vietnamese."

- -

Roanoke police have sometimes found it difficult to work with a community that prefers to solve its own problems. Last year, Lt. Rick Arrington sent out a questionnaire to Vietnamese families living in Roanoke to measure their attitudes toward police. Asked how often they called police, most marked "Never."

"The Vietnamese population keeps to themselves," Arrington said. "They shun the trouble. I think a lot of it goes unreported."

The police department recently received a \$ 100,000 grant to enhance community relations within the immigrant community. After talking to refugee officials, who told him the Vietnamese community was Roanoke's largest, Arrington elected to put the resources there.

The department has hired a community resource specialist, Trung Nguyen, to help police communicate better with the Vietnamese population here. Trung focuses on community programs, especially involving adolescents.

Children in immigrant communities often learn English faster than their parents. "That puts the child in control," Arrington said. "Whether they're Vietnamese, Bosnian or American, they're going to take advantage of what they can."

Trung was introduced to the Vietnamese community on a rainy Monday night last summer at Jackson Park. Only a handful of people attended. Among them were Tam Tran, her mother, Binh Nguyen, and her sister, Quang Tran, 16.

Tam is an 18-year-old senior at Patrick Henry High School who will attend Roanoke College in the fall. She moved here from Vietnam's Central Highlands with her mother, sister and grandmother in 1993. The mountains reminded them of home.

Tam believes people in America call the police too quickly.

"We tend to solve the problem in the family, in the neighborhood, in the community," she said. "We have a saying that a far relation wouldn't be as close as your neighbors. There's friends to comfort and to help."

Tam has mixed feelings about American values. She believes strongly in freedom of speech. And women's rights.

To a point. "I think Americans are too excessive about it. There are lines you shouldn't cross. Abortion is one. You have no right to kill a baby."

Also, "The women's rights in the military - I don't like that at all. Most women get scared a lot. They don't fight as good."

And another thing:

"A woman shouldn't curse at her husband and call him names."

- -

Kim Nguyen has long since left "Sesame Street" behind for a career as a software designer for the Atlantic Mutual Insurance Co. She lacks six credits for a college degree. Her husband, Phillip, who also is Vietnamese, is an engineer for ITT Industries in Roanoke. Asked if she had American-born friends, she thought for a moment. "I can't say the bonding between an American friend and me - I can't say that it's really tight. There's something about me that's still different. But it's less and less."

Nguyen is active in St. Andrew Catholic Church, where some 200 Vietnamese are members. She often speaks to Vietnamese children there. "The kids say, 'We talk in school. We talk in class. But when we see them on the street, they act like they don't know us. We can be friends in school, but that's it.'"

The Nguyens have one child, Nathaniel, 6. He has never seen Vietnam. Nguyen is 44 and has never been back to her homeland. It would take a special kind of eyes to look inside her heart and label it American or Vietnamese. But sometimes, when she's been traveling with her family, Nguyen feels a twinge of homesickness - for Roanoke.

"We can't wait to go back to Roanoke. For some reason, as soon as you see those mountains, you feel calm. I don't know whether that's old age, or what. It's just like, 'Oh, great! Home again. Sweet home.'"

GRAPHIC: chart-Vietnam, includes map of country

LOAD-DATE: June 5, 2000

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Roanoke Times & World News

June 4, 2000, Sunday, METRO EDITION

SECTION: EXTRA, Pg. 6

LENGTH: 722 words

HEADLINE: ROANOKE OFFICE SEES REFUGEES ON THEIR WAY TO SELF-SUFFICIENCY

BYLINE: KEVIN KITTREDGE THE ROANOKE TIMES

BODY:

Two hundred refugees a year.

That's about what Barbara Smith figures the Roanoke Valley can handle - and that's about what it gets. In 1999, Smith and the Roanoke office of Refugee & Immigration Services, which she directs, resettled 242 refugees, a record for their office.

The high number, Smith said, was due to the unanticipated crisis in Kosovo. The Roanoke office resettled 42 Kosovar refugees last year.

Smith and the refugee office play a major part in the steadily increasing number of immigrants in the Roanoke Valley

The office, which has a full-time staff of 14, has helped settle close to 2,000 refugees here since it opened in 1979. Operated by the Catholic Diocese of Richmond, it is located in a sprawling old house in Southeast Roanoke, and is one of three such offices the Diocese operates in Virginia. The Diocese also has refugee resettlement offices in Norfolk and Richmond.

In sponsoring refugees, the Diocese works hand in hand with the federal government, which contracts with the Catholic church and 10 other churches and charitable organizations to resettle refugees nationwide. Religion is not a factor in determining whom the office resettles here, Smith said. They have helped Buddhists, Orthodox Christians, Muslims and others find new homes

in
Roanoke.

Her refugee office also oversees a free English tutoring program with 50 volunteers and other programs related to the needs of refugees.

The office to date has attracted little attention and even less controversy.

"In 10 years of working here, I can count on one hand the number of phone calls

I've gotten where people called to protest," said Smith, an Ohio native and

former director of a women's crisis center in Pennsylvania. "I disabuse them of

the idea that any of the refugees are going to be on welfare, because they're

not. All the social benefits people talk about refugees getting - it's just not

true. Within a month, they go to work. In two months, they are self-sufficient."

This is what refugees receive when they come to Roanoke: Medicaid benefits

for eight months and a \$ 270 government resettlement grant. The International

Office of Migration, which is part of the United Nations, initially pays their

air fare here, but the refugees must pay it back. Failure to do so, Smith said,

will affect their credit rating.

Aside from that, they have most of the same rights (though they cannot vote)

and qualify for the same social benefits as American citizens, including the

right to welfare benefits and public housing. "They pay taxes," Smith points

out. Approximately 112 immigrants live in Roanoke public housing, where they pay

one-third of their income in rent.

Corrine Gott, superintendent of the Roanoke Department of Social Services,

said hard numbers are not available, but estimated the number of immigrants in

Roanoke receiving public assistance in any given month at 25.

In the beginning, nearly all the refugees resettled here were Southeast Asians - more than 900 of whom came to Roanoke and the surrounding area in the

1980s. Some 2,000 Vietnamese eventually settled here. In the last decade, refugees from other troubled portions of the globe have begun to eclipse the

Vietnamese and other Southeast Asians. The Roanoke Valley now has some 600

refugees from Bosnia and Croatia. Iraqis are probably the third largest refugee group here. The Roanoke refugee office resettled 165 Iraqis and 48 Iraqi Kurds between 1989 and 1999.

In addition, the Roanoke Valley has refugees from South America, Cuba, Sudan, Liberia, Russia, Ethiopia, Poland and Haiti. Smith expects larger numbers of refugees from Africa in the future, and perhaps a larger number from Cuba. "The only thing restricting the flow of Cubans right now is the enormous amount of money they have to pay the government for an exit visa," she said, noting that even a small Cuban family may have to ante up several thousand dollars to the Cuban government for permission to leave.

It's not surprising, then, that among the many things refugees may have to learn about this country is that offering a little under-the-table cash won't help their cause.

"We've been offered bribes for lots of things," Smith said. "They think that's the way things get done."

Kevin Kittredge can be reached at 981-3323 or kevink@roanoke.com

GRAPHIC: Barbara Smith

LOAD-DATE: June 5, 2000

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Sun-Sentinel (Fort Lauderdale, FL)

June 4, 2000, Sunday, South Broward EDITION

SECTION: LOCAL, Pg. 6B

LENGTH: 738 words

HEADLINE: CASA OPENS DOORS FOR COLOMBIANS;
ORGANIZATION GIVES IMMIGRANTS TO U.S. A HELPING HAND

BYLINE: JOSE DANTE PARRA HERRERA ; Miami Bureau

DATELINE: CORAL GABLES --

BODY:

On most days, just to get through on their phone line is a constant battle of the redial button against the busy signal.

But for a lot of people trying to contact the Colombian American Service Association, the wait is worth the effort.

For the past five years, the organization better known as CASA, which means "house" in Spanish, has been helping immigrants with everything from diapers to legal advice in their immigration cases.

After leftist guerrillas killed her husband near Cali, Colombia, and Gloria Stella Castillo decided her life was in danger in her country, she turned to CASA. For weeks she had been bouncing from one immigration lawyer to the next, but whenever she thought she would find the right one, she realized she could not afford it.

"CASA is the reason I have political asylum," Castillo said. "They treated me as if I was their family."

For most of 1998, Edgar Soto, Castillo's husband, had been working as the overseer for the finances of Vijes, a town in Colombia's Valle department under the influence of the Revolutionary Armed Forces of Colombia (FARC). When questions about the town's finances began popping up, FARC began sending Soto death threats.

By late September, Castillo decided to come to the United States with her son Christian Andres Soto, 15, to scout the possibility of moving to South Florida. It was decided that Edgar Soto would settle the family's affairs in Colombia before moving in December of 1998.

But in November, Castillo received a phone call: Four masked men had gunned down her husband in front of his house. When she traveled back to his funeral, some men started asking if it was true she was back in town, and she realized her life and her son's were in peril in Vijes.

Castillo said from the moment she began telling her story to CASA president

Juan Carlos Zapata and the organization's employees, she felt they really understood her plight and that they were honestly working to help her.

"We do everything that is in our power to help people, and sometimes we wish we could do a lot more," said Viviana Aponte, one of the employees at CASA.

Zapata, the president, said cases like Castillo's are not unusual among the thousands of people they help every year. He has helped everyone from kidnapping victims to a mugged tourist who did not have money to get back to Colombia. Zapata said they even helped a family bury a relative who died in New Orleans but did not have a way to bring the body to Miami.

But lately CASA has been working on two legal issues it hopes will help Colombians and other Latin Americans not just individually, but as a whole. For the past year, CASA has been lobbying the U.S. Department of State to grant Colombians Temporary Protective Status, which would allow them to work and live in the United States while their country stabilizes, much like Kosovo refugees.

Zapata argues that in light of the situation in the South American country, where thousands are killed and kidnapped every year, Colombians should be allowed such status. Colombia is locked in a three-way struggle between the army, leftist guerrillas and right-wing paramilitaries, with civilians in the middle. In the last 10 years, 35,000 have died and more than a million refugees have fled the countryside to the cities.

The organization is also lobbying Congress to pass a bill called the Andean Adjustment Act that would grant permanent resident status to Colombians and Peruvians who have been in the United States since Dec. 1 of 1995.

"We as South Americans do not have anybody here to lobby for us," said Zapata, owner of a fish import business and a furniture store. "And that is not just here in Miami, but in Tallahassee and in Washington."

Zapata said just the lobbying effort in Washington costs CASA an

average of \$
2,000 a month in travel, stationery and the occasional hiring of experts.
Money,
he said, is the biggest obstacle in keeping the group from expanding its
efforts. Strangely, he said, 70 percent of the donations do not come from
Colombian business, but from Cuban businesses.

"I think Cubans probably are more mature in their concept of what a
community
is," Zapata said. "Unfortunately, some people do not value what is being
done
here. They don't realize that this is not an expenditure but an
investment."

Jose Dante Parra Herrera can be reached at jparra@sun-sentinel.com or
305-810-5005.

GRAPHIC: PHOTO, Staff photo/A. Enrique Valentin; GOOD SAMARITANS: Viviana
Aponte
and Juan Carlos Zapata, of the Colombian American Service Association
(CASA),
work in their Coral Gables office.

LOAD-DATE: June 5, 2000

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SEATTLE POST-INTELLIGENCER

June 03, 2000, Saturday , FINAL

SECTION: NEWS, Pg. A1

LENGTH: 956 words

HEADLINE: MICROSOFT WOODED BY ANOTHER FOREIGN SUITOR;
DESPITE B.C. OFFER, COMPANY PLANS TO STAY IN U.S., IT SAYS

BYLINE: DAN RICHMAN P-I REPORTER

BODY:

Where does Microsoft want to go today?

Nowhere, it says. It will stay in the United States and face whatever
antitrust remedy the American legal system dishes out.

But the Redmond software company, dogged by the Justice Department for
more
than 10 years and now threatened with corporate dismemberment, does have
other
choices.

Several countries, including China, Norway and Ireland, have tried to lure Microsoft across their borders. Most recently, the province of British Columbia dangled the bait, yesterday promising the beleaguered company "favorable treatment."

Tax preferences, loosened laws and generous subsidies are among the goodies the countries are dangling in front of Microsoft, a bulwark of the Northwest's economy.

Don Zadravec, a spokesman for the British Columbian government, confirmed yesterday that provincial employment and investment minister Gordon Wilson had made an offer of "favorable treatment" when speaking to the BBC Thursday.

But both Zadravec and Microsoft spokesman Jim Cullinan denied there had been any discussions concerning a Microsoft move. A report on the BBC's Web site yesterday, reporting that "the authorities in British Columbia have offered to do a deal with Microsoft," was incorrect, Zadravec said.

"We appreciate the support of our friends north of the border, and we've received similar suggestions from other countries," Cullinan said. "But Microsoft believes in the American legal system and that we'll win in the appeals courts."

The foreign suitors have a lot to offer Microsoft.

British Columbia is considered the most likely prospect, as it is the closest English-speaking alternative location to Redmond. With the border just over 100 miles to the north, the province could offer the company special loans and breaks on power costs, said Zadravec.

That's on top of incentives to high-tech companies that are already in place, such as a 10 percent corporate tax credit on research and development, indefinite personal income tax deferrals on employee stock options and exemptions from overtime requirements for high-tech companies, said Richard Chambers, a spokesman for the province's Information, Science and Technology Agency.

And "for specific companies, these can be negotiated on a unique basis," Chambers said.

Microsoft would be especially welcome in Canada to ease a brain-drain that's pulling highly trained employees into the United States, Zadravec acknowledged.

Canadian technology entrepreneurs have tended to move southward because of Canada's high personal income tax, a lack of venture-capital infrastructure, Canada's lenient immigration laws and a desire to compete in the largest technology market.

China could offer an even sweeter deal for Microsoft.

There, the developing high-tech center of Shanghai would likely engage the country's capital, Beijing, in a bidding war for Microsoft, said David Bachman, chairman of the China Studies Program at the University of Washington. Microsoft already has an arm of its research and development program in the capital.

"I would imagine China would pull out all the stops to make it attractive for Microsoft to go there," Bachman said.

Perhaps the best news of all: China has no antitrust law. The country has a 33 percent corporate income tax rate, but it might waive both corporate and individual income taxes for the company because "to get even a truncated version of Microsoft would be a real coup," Bachman said.

China might sell Microsoft land cheaply, underwrite the building of a campus, ease visa procedures, provide access to political leaders and subsidize power, water and housing, he said.

"Certainly there'd be no environmental impact statements required, and no coalition of local residents would resist any building project," Bachman said.

Drawbacks there would include a slow, underdeveloped Internet backbone, a high degree of political control over the Internet and a government that has been known to seize foreign corporations' assets. Obviously, the language barrier and cultural differences would be difficult to overcome, too.

If Microsoft moved to China, it might be known as Wei Ruan - literally "micro" plus "soft," Bachman said.

Ireland offers generous tax incentives to software companies. Visio, now a division of Microsoft, set up a facility there in 1994, paying a 10 percent corporate tax rate.

And Norway . . . well, to some, its fjords might recall the Ballard Locks.

Microsoft would actually gain little or nothing if it left this country, said Paul Rothstein, a Washington, D.C., law professor who consults for Microsoft but spoke outside of that role yesterday.

If the company left America now, it would still be subject to the 2-year-old federal antitrust suit and to the hundreds of private suits that the big one spawned, he said. Microsoft probably could not escape a final judgment splitting the company, either, because most countries honor one another's valid legal decrees.

Carrying on a lawsuit against a foreign company might be "marginally harder - but I doubt any company would make a decision based on that," Rothstein said.

Rothstein said Microsoft executives, known to carefully anticipate every business contingency, hypothetically might consider moving the company, or part of it, out of the country.

"But I think they have an allegiance to America and Redmond, and those aren't always 100 percent rational," he said.

During those irrational moments, though, it might be comforting for Microsoft executives to imagine the government's lawyer, Joel Klein, not having Wei Ruan to kick around anymore. P-I reporter John Cook contributed to this report. Dan Richman can be reached at 206-448-8032 or danrichman@seattle-pi.com

LANGUAGE: ENGLISH

LOAD-DATE: June 5, 2000

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SEATTLE POST-INTELLIGENCER

June 03, 2000, Saturday , FINAL

SECTION: NEWS, Pg. B1

LENGTH: 556 words

HEADLINE: SMUGGLING OF CHINESE PUTS 2 MEN IN PRISON;
'HORRORS' ON CONTAINER SHIP BRING 2-YEAR TERMS

BYLINE: SAM SKOLNIK P-I REPORTER

BODY:

Two men accused of helping smuggle 37 Chinese nationals into the United States and Canada in cargo containers were sent to prison for two years yesterday, the maximum sentence under federal law.

U.S. District Judge Barbara Rothstein in Seattle told Yu Zheng and Sheng Ding that the "absolute horrors" of their crime warranted the toughest possible punishment.

Zheng, 35 ((age)), and Ding, 29 ((age)), pleaded guilty in March to one count of attempting to smuggle a dozen illegal immigrants from the Port of Seattle to New York City for financial gain.

Under the plea agreement, three other federal charges were dropped, sparing the Chinese men - both living illegally in New York - a much longer prison term.

Zheng and Ding admitted they knew the immigrants had been aboard the OOCL Faith, a cargo ship that departed Hong Kong on Dec. 19, and arrived at Terminal 18 in Seattle on Jan. 2.

Hong Kong officials had tipped off their U.S. Immigration and Naturalization Service counterparts, who were waiting when the ship docked.

So were Zheng and Ding, who arrived in a rented van. After immigration agents arrested the two, they found bills of lading, or shipping receipts, for the container that held the 12 illegal immigrants. Also found was a receipt for the contents of two containers on another freighter, the California Jupiter. When that ship docked Jan. 4 in Vancouver, 25 more Chinese nationals were found

hidden on board.

The case, part of a rash of smugglings using cargo containers to hit the West Coast, is the first to result in criminal charges.

Zheng's lawyer, Carol Koller, argued yesterday for leniency. "He knows what he did was wrong. He more than anybody realizes the seriousness of this," she said.

In a sense, Koller said Zheng was merely fulfilling the wishes of his countrymen, who desperately want to trade the poverty and hopelessness of China's Fujian province for the American dream.

"The people who arrived here in containers didn't have this and wanted it very much," Koller said.

Ding's attorney, Ken Kanev, said his client wasn't involved in the crime until the stowaways reached Seattle. Ding's only role was to transport them to other U.S. destinations, he maintained.

Neither Zheng nor Ding addressed the judge. They have not cooperated with prosecutors.

Special Assistant U.S. Attorney Donald Reno Jr. condemned the pair's role in smuggling immigrants in a 40-foot container, with "no ventilation, no light, no sanitation."

Asked afterward if he was pleased with the plea agreement and sentence, Reno said: "Hell, yes. You (don't want to) try a case like this and lose it."

In the past year, there have been at least 15 incidents of Chinese nationals being smuggled into this country in containers aboard freighters. The would-be immigrants pay \$50,000 to \$60,000 each for the dangerous voyage.

In January, three of the 18 Chinese illegal immigrants discovered aboard the NYK Cape May when it arrived in Seattle were discovered dead from malnutrition and dehydration.

Federal prosecutors are still investigating. Reno said he was aware of no link between Zheng and Ding and the Cape May.

After they serve their prison terms, Zheng and Ding will face
deportation
back to China.P-I reporter Sam Skolnik can be reached at 206-467-1039 or
samskolnik@seattle-pi.com

LANGUAGE: ENGLISH

LOAD-DATE: June 5, 2000

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SUBJECT: civil rights

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READ:UNKNOWN

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LEXIS-NEXIS Universe Update Report: June 06, 2000 at 11:21

Results from this Update: 13

Next Update: June 06, 2000 at 16:00

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http://web.lexis-nexis.com/lm.universe/pnews/emailAlert?_pnewsAlert=0x000101a9-0x00004b26%2f0x000101a9%2f20000606%2f11%3a20%3a54

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Copyright 2000 Globe Newspaper Company

The Boston Globe

June 6, 2000, Tuesday ,THIRD EDITION

SECTION: NATIONAL/FOREIGN; Pg. A1

LENGTH: 936 words

HEADLINE: PROPOSED US WATCH ON FOREIGN STUDENTS SPARKS CONTROVERSY

BYLINE: By Anne E. Kornblut, Globe Staff

BODY:

WASHINGTON - If a foreign student enrolls in a US university to pursue a literature degree, then switches to study nuclear physics, should the move be monitored by school and immigration officials?

Some say any such monitoring would risk violating the student's privacy. But

a congressional panel suggested yesterday that the government track foreign students more closely to combat terrorism. That proposal drew immediate criticism even though plans for tracking foreign students more closely have been underway for years. Universities already track significant curriculum changes by foreign students. Yesterday, the panel suggested that the Immigration and Naturalization Service should always be notified about a student's study program.

Some school officials, and one former CIA anti terrorism chief, expressed alarm at a suggestion in the report by the National Commission on Terrorism that a new immigration system might "record a student's change in major from English literature to nuclear physics." Sharon Ladd, director of Harvard University's International Office, said she "sort of shuddered" when she heard about the report on the news. She noted how controversial the monitoring of student visas has been historically.

"A lot of my colleagues are very concerned about [the program] being intrusive," she said. "I think a lot of it is the way it's being portrayed. Is this the INS trying to provide a service for schools, or is it that we're trying to track terrorists?"

Yesterday's recommendation came as part of a 47-page report, titled "Countering the Changing Threat of Terrorism," mandated by Congress after the US embassy bombings in East Africa two years ago. The recommendations included reclassifying Greece and Pakistan as countries "not cooperating fully" with antiterrorism efforts, as well as devoting greater resources to collecting counterintelligence. In general, the commission found that the US government should prepare more fully for a terrorist attack.

One of the more unusual proposals was one to limit the ability of federal law enforcement officials to keep "secret evidence" when prosecuting foreign terrorism suspects. Juliette N. Kayyem, one of the 10 members of the commission and an associate at the Kennedy School of Government at Harvard University, said the recommendation marked a victory for civil rights advocates because it recognized that in hiding evidence from a defendant, the American

government had
"gone too far."

But that proposal was greatly overshadowed by the single line in the report recommending the monitoring of student degree programs, in part because the rules governing an estimated 250,000 foreign students are still in flux.

Ever since the 1993 bombing of the World Trade Center, when immigration officials were unable to locate a suspect who entered the country on a student visa and stayed after it expired, the INS has been under pressure to map a new strategy for monitoring foreign students. Efforts have thus far mostly centered on an obvious first step: putting all student visa information onto a computer network instead of relying on paperwork that takes months to process.

The authors of the report said they were not proposing to expand INS powers. The chairman of the blue ribbon panel, former ambassador L. Paul Bremer III, said there would be "no change in procedure or in the scope of it," saying the chief recommendation was that the INS streamline its paperwork.

In an interview, Bremer outlined a program that went beyond the one INS officials describe as their current practice.

"Presumably, if you had a student from a terrorist state switching majors from humanities into molecular biology or nuclear physics, it should at least send up a red flag at INS to ask questions about the guy," said Bremer, a former ambassador-at-large for counter terrorism.

In developing its new strategy for monitoring foreign students over the last four years, the INS has moved cautiously, beginning with a pilot program known as the Coordinated Interagency Partnership Regulating International Students, or CIPRIS.

Made up of 20 schools in Southern states, CIPRIS is described by immigration officials as a computerized version of the current paper system - and a welcome advance at the often outdated immigration agency, according to officials at several schools.

But despite assurances by the report's authors that the panel was not suggesting any expansion of authority, an INS official last night said the new INS pilot program does not include monitoring which degree a student is pursuing. Eyleen Schmidt, an INS spokeswoman, said it was "not included as part of the original CIPRIS pilot, and at this point, there are not plans to include it."

Schmidt said the panel had, in its recommendation, interpreted immigration law differently from the INS. One of the elements the INS tracks is the "current academic status" of a student, a definition that hinges on whether the student is full time. The panel, Schmidt said, would redefine that term to include which program a student was enrolled in.

But in doing so, said Vince Cannistraro, former head of the CIA counter terrorism unit, the commission was addressing "a problem that may not exist."

"I think it's intrusive," Cannistraro said of the commission's proposal. "I don't think it's necessary. The FBI already has all the authority they need to follow people who are up to no good. If you put on them the additional burden of tracking every foreign student in the United States, you run a significant risk of civil liberties infringements."

GRAPHIC: PHOTO, L. Paul Bremer III, chairman of the National Commission on Terrorism, discussing the panel's findings yesterday on Capitol Hill. / AP PHOTO

LANGUAGE: ENGLISH

LOAD-DATE: June 6, 2000

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Pittsburgh Post-Gazette

June 6, 2000, Tuesday, REGION EDITION

SECTION: MISCELLANEOUS, Pg. A-2

LENGTH: 459 words

HEADLINE: NO HEADLINE

BYLINE: -- COMPILED BY EMILY L. BELL

BODY:

ALMANAC

Today is Tuesday, June 6, 2000

ON THIS DATE

One year ago (Sunday, June 6, 1999)

* NATO Commander Lt. Gen. Michael Jackson said NATO had "no alternative but to continue and intensify the air campaign" against Yugoslavia until the Serbs were ready to abide by the terms of the Kosovo peace plan "fully and without ambiguity." NATO jets fired 30 missiles at targets in western Kosovo.

Five years ago (Tuesday, June 6, 1995)

* Penguins General Manager Craig Patrick said, "I intend to bring [Ed Johnston] back" as coach and Rick Kehoe and Bryan Trottier as assistant coaches because "they all do a good job." The Penguins' 1994-95 season record (shortened by a lockout) was 29-16-3; in 1993-94, it was 44-27-13.

Ten years ago (Wednesday, June 6, 1990)

* In Pittsburgh, former U.S. Surgeon General C. Everett Koop said it was "deplorable" that as many as 37 million uninsured Americans did not have access to medical care, and called for expanded Medicaid coverage as well as tax benefits to employers offering health care benefits. He emphasized that people could improve their personal health by not smoking or overindulging in food and alcohol, by getting more exercise and by avoiding stress.

Twenty-five years ago (Friday, June 6, 1975)

* Julius Shiskin, Commissioner of Labor Statistics, declared that "the recession has reached bottom, and possibly [economic] recovery has started," after reporting that the U.S. unemployment rate stood at 9.2 percent, the highest since 1941.

Fifty years ago (Tuesday, June 6, 1950)

* Sen. Joseph R. McCarthy, R-Wis., told his fellow lawmakers that the "secret" report in his hands showed the FBI had determined that, as of May 15, 1947, there were within the State Department "agents, 20; Communists, 13; sympathizers, 14; and suspects, 77."

One hundred years ago (Wednesday, June 6, 1900)

* L.E. Palmer, superintendent of mails at the Pittsburg Post Office, announced that beginning in July, a parcel post service would be established between the United States and New Zealand. Customers would pay a lower-than-normal postage fee -- in advance -- to mail packages weighing up to 11 pounds between the two far-flung countries. Parcel post service already connected the United States and Germany, most of South America, the West Indies and a number of Pacific islands.

Today's birthdays

Civil rights activist Roy Innis is 66. Singer Levi Stubbs (The Four Tops) is 64. Singer Gary "U.S." Bonds is 61. Actor Harvey Fierstein is 46. Comedian Sandra Bernhard is 45. Tennis player Bjorn Borg is 44. Actress Amanda Pays is 41.

Thought for today

"All the historical books which contain no lies are extremely tedious."

-- Anatole France, French writer (1844-1924)

LOAD-DATE: June 6, 2000

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The Washington Times

June 06, 2000, Tuesday, Final Edition

SECTION: PART A; NATION; Pg. A4

LENGTH: 803 words

HEADLINE: Drug bill sparks concerns over civil rights

BYLINE: Sean Scully; THE WASHINGTON TIMES

BODY:

The House Judiciary Committee is considering a bill that would greatly expand the power of police to search homes and would ban certain kinds of speech on the Internet as part of a crackdown on methamphetamine.

"These provisions, if enacted into law, would have very, very far-reaching consequences," said Rep. Bob Barr, Georgia Republican and part of an unusual coalition opposing the bill. "The effect would be to gut the Fourth Amendment," which protects Americans from unreasonable searches and seizures.

The Methamphetamine Anti-Proliferation Act passed the Senate without dissent last year. Its main provisions, which are largely uncontroversial, increase penalties on methamphetamine producers and boost the resources available to the Drug Enforcement Administration to combat the drug in small and midsize cities.

Lawmakers from both parties say the increasingly popular illegal drug is becoming a major problem, particularly in Western states.

"If you want to design a drug to have the worst possible effect on your community, you make methamphetamine," Sen. John Ashcroft, Missouri Republican and sponsor of the bill, said after the Senate passed the bill. "It's highly addictive, highly destructive, cheap and easy to manufacture."

But buried within the bill are two technical provisions that have alarmed civil libertarians.

One section would broaden the power of police to delay telling an owner that his property had been searched. It also would relieve police of the responsibility to give a property owner an exact inventory of "intangible property," such as computer files, seized under a warrant.

"If you don't know they searched, you can't effectively defend yourself," Mr. Barr said. "If you don't know what they took, you can never defend yourself."

A second provision bans any effort to advertise the sale of illegal

drugs or paraphernalia, and requires Internet service providers to remove any such material transmitted through their facilities within 48 hours of discovering it.

"This legislation would vastly expand the government's power to search private homes and would shut down a vital source of information about topics like medical marijuana and hemp production by threatening Web site and book publishers with jail time," Marvin Johnson, legislative counsel for the American Civil Liberties Union, said in a statement last week denouncing the bill.

But Senate supporters say they see nothing wrong with the bill in its current form.

Judiciary Committee Chairman Orrin G. Hatch, Utah Republican, "believes there are enough protections in the bill" to preserve civil liberties, spokeswoman Jeanne Lopatto said.

Police already can delay telling suspects about search warrants under certain circumstances, she said, and the bill is intended to set standard guidelines for the procedure. Whether or not police tell a suspect right away, they still must get a legal warrant from a court.

"Our bill would not lessen the standard law enforcement must meet to get a search warrant," she said.

Despite Mr. Hatch's reassurances, the provisions have united a diverse group of critics, including Mr. Barr, one of the most conservative members of the House, Rep. Sheila Jackson Lee of Texas and Rep. Tammy Baldwin of Wisconsin, two of the most liberal Democrats, and the ACLU.

The House Judiciary Committee could consider the legislation as early as this week.

Even the House sponsors of the legislation have grown uncomfortable with the language in the Senate version. Rep. Christopher B. Cannon, Utah Republican and an original sponsor of the bill, said last week he would back Mr. Barr's efforts to change the offending provisions, particularly relating to search and

seizure.

He said information spread widely across the Internet has been somewhat exaggerated - wrongly suggesting, for example, that the bill allows warrantless searches - but that it has pointed out real problems with the bill.

Chris MacKay, legislative director for Mr. Cannon, said House sponsors were surprised to find the search and seizure language in the Senate bill and realized its far-reaching potential only "after reading it about 30 times."

Judiciary Committee Chairman Henry J. Hyde, Illinois Republican, supports changes to the search and seizure provision, staff said. He is less inclined to weaken the ban on advertising paraphernalia because it merely extends to methamphetamine existing laws that apply to paraphernalia related to other kinds of drugs.

The Justice Department has said it supports the provisions in the bill, but neither the Justice Department nor DEA returned telephone calls last week.

"We'll just have to be very vigilant and make sure to catch it whenever else they try to slip it in," Mr. Barr said. "And they will try to slip it in."

LANGUAGE: ENGLISH

LOAD-DATE: June 6, 2000

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The Associated Press State & Local Wire

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June 6, 2000, Tuesday, BC cycle

10:26 AM Eastern Time

SECTION: State and Regional

LENGTH: 434 words

HEADLINE: Civil Rights activists protest absence of black superintendents

in
Kentucky

BYLINE: By CHARLES WOLFE, Associated Press Writer

DATELINE: FRANKFORT, Ky.

BODY:

The Kentucky Department of Education lacks the "moral commitment" to prodding school districts into hiring black superintendents and principals, civil rights activists said Tuesday.

The group, including civil rights veteran and one-time comedian Dick Gregory, pressed that point to the Kentucky Board of Education.

Superintendents are hired by local school boards. Principals, in most cases, are hired by individual school councils from a superintendent's nominees.

But the Rev. Louis Coleman, a black minister from Shelbyville, said the absence of a black superintendent in Kentucky is a state issue not a local issue.

"We have 176 school districts, zero African-American superintendents," Coleman told reporters outside the headquarters of the Department of Education.

"The Department of Education should have the moral commitment to making it happen," Coleman said. "This paper-pushing outfit up here is not making it happen."

Gregory, of Plymouth, Mass., joined Coleman and 14 other protesters who carried signs into a meeting of the Kentucky Board of Education. The group unfurled two banners that accused the department of education of "discrimination by design."

Coleman had asked to be allowed to testify to the state board, but board Chairwoman Helen Mountjoy turned down his request in a letter on May 12. She said in the letter that the board had no role under Kentucky law in hiring superintendents.

But Coleman, talking to Mountjoy and interim Education Commissioner Kevin Noland during a break in the meeting, said the state board had moral authority if not legal authority.

Noland told Coleman that his agency was continuously trying to get local districts to include people of ethnic minorities in school administration.

Coleman was not satisfied.

"End results is zero ... We're not interested in efforts without results," Coleman said.

Gregory told reporters before the meeting that minority groups are underrepresented in school administration across the nation, not just in Kentucky.

Protests are necessary to awaken society, Gregory said.

"Until you bring pressure, people assume you don't care," Gregory said. "There's a lot of white folks - as long as they don't see you out there they think you are happy."

During the meeting, Mountjoy relented and invited Gregory to address the board. He did so for about five minutes, but did not actually mention the issue of blacks in school administration. Instead, Gregory extolled the importance of public agitation

"It is these types of demonstrations that have made America work," Gregory said.

LANGUAGE: ENGLISH

LOAD-DATE: June 6, 2000

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Copyright 2000 American Lawyer Newspapers Group, Inc.

New Jersey Law Journal

June 5, 2000

LENGTH: 1118 words

HEADLINE: No Civil Rights Suits Against IRS Agents

BYLINE: SHANNON P. DUFFY

BODY:

*Shannon P. Duffy covers the Third U.S. Circuit Court of Appeals for The Legal

Intelligencer of Philadelphia, an affiliate of the Law Journal.

The Third U.S. Circuit Court of Appeals has ruled that IRS agents cannot be hit with civil rights suits -- so-called Bivens actions -- because Congress has created an extensive scheme for providing remedies to taxpayers who want to lodge complaints about an agent's conduct. "We believe that Congress's efforts to govern the relationship between the taxpayer and the taxman indicate that Congress has provided what it considers to be adequate remedial mechanisms for wrongs that may occur in the course of this relationship," U.S. Circuit Judge Marjorie Rendell wrote in *Shreiber v. Mastrogiovanni*, No. 99-5230, on May 31. In the suit, Gerald Shreiber claimed that IRS agent Robert Mastrogiovanni left an offensive and anti-Semitic message on his answering machine in 1995, during the period that Mastrogiovanni was auditing Schreiber and his wife for the 1991, 1992 and 1993 tax years. Mastrogiovanni allegedly left a voice mail message at Schreiber's office that said "Hey you Jew bastard piece of s--. This is White Trash. I am going to get you." When the audit was completed, the IRS sent a "30-day letter" to the Shreibers proposing large increases in their tax liabilities for the three years. Shreiber filed a protest of the adjustment with the IRS and proceeded to contest it through administrative channels. He reached a tentative settlement with the IRS in June 1999, in which the IRS agreed to reduce the amount of deductions it would deny and agreed to an adjusted amount due. But Shreiber also filed a civil rights suit against Mastrogiovanni and the IRS, alleging that he was denied his constitutional right to a fair hearing " due to the religious discrimination of the IRS agent." The suit sought damages to compensate Schreiber for his attorneys' fees and mental anguish as well as punitive damages. U.S. District Judge Joseph Irenas dismissed the suit on two grounds. First, he determined that Shreiber could not state a claim upon which relief could be granted because he had conceded that 26 U.S.C. Section 7433 was limited to redressing violations of the Internal Revenue Code and, thus, did not provide him with a cause of action. Irenas then considered whether a Bivens remedy should be inferred and concluded it should not because by enacting

Section 7433,

Congress had provided a complex structure permitting the challenge of tax assessments through other means. On appeal, Schreiber's lawyer, David Zeelandelaar of Blank Rome Comisky & McCauley, argued that the court should

infer a cause of action under Bivens precisely because Congress did not provide

one when it enacted Section 7433. Without a federal damages action, he argued,

Schreiber will be without a meaningful remedy in the form of compensatory and

punitive damages and unconstitutional behavior will not be deterred.

Rendell

found that before deciding whether Schreiber was entitled to bring a

Bivens

action -- named for the U.S. Supreme Court's 1971 decision in Bivens v.

Six

Unknown Federal Narcotics Agents -- it was important to understand the applicable tax statutes.

In 1988, as part of the "Taxpayer Bill of Rights," Congress enacted 26 U.S.C.

Section 7433, providing for a federal cause of action against an officer

or

employee of the IRS for actions in violation of the Internal Revenue Code

or

regulations "in connection with any collection of federal tax." Rendell

found

that the law is the "exclusive remedy for recovering damages resulting from such

actions." Legislative history, she said, showed that a proposed draft of the law

contained broader language that would have permitted suits "in connection with

any determination or collection of federal tax" and in violation of "any provisions of federal law." Although the law was narrowed in scope during

the

drafting process, Rendell also found that Congress has provided other methods

for taxpayers to challenge an assessment, including internal appeals with the

IRS, suits for a refund in federal court and appeals of assessments to the Tax

Court. In Bivens, Rendell said, the Supreme Court held that an individual complaining of a Fourth Amendment violation by federal officers acting under

color of their authority may bring a suit for money damages against the officers

in federal court. But she said the justices noted that the case involved "no

special factors counseling hesitation in the absence of affirmative action by

Congress" and found "no explicit congressional declaration that persons injured

by a federal officer's violation of the Fourth Amendment may not recover money damages from the agents, but must instead be remitted to another remedy, equally effective in the view of Congress." Since Bivens, Rendell said the Supreme Court has considered the availability of damage remedies in a number of factual settings and has addressed the meaning of "special factors counseling hesitation."

Applying the same reasoning to Shreiber's case, Rendell said, "We agree with the District Court that a Bivens action should not be inferred to permit suits against IRS agents accused of violating a taxpayer's constitutional rights in the course of making a tax assessment." The legislative history of the Taxpayer's Bill of Rights, she said, " indicates that Congress did not inadvertently fail to codify a cause of action for assessment conduct; rather, Congress deleted 'determinations' -- which would have included assessments -- in passing the statutory provision." Congress also withdrew a remedy for violations of "federal law," Rendell said, and enacted instead a remedy only for violations of the IRS code and regulations. "Congress chose to provide certain remedies, and not others, as part of the complex statutory scheme which regulates the relationship between the IRS and taxpayers," Rendell wrote. "We will not create a remedy where Congress has chosen not to." Rendell, who was joined by U.S. Circuit Judges Richard Nygaard and Max Rosenn, noted that the court's decision fell in line with decisions from the 1st, 6th, 7th, 8th, 9th and 10th circuits. "Although none of these cases explicitly consider the drafting of 26 U.S.C. Section 7433 in their analysis, and some involve collection actions rather than tax determinations, many rely explicitly upon Schweiker to conclude that the Bivens action against IRS employees is foreclosed by the existence of comprehensive statutory remedies," Rendell wrote.

LANGUAGE: ENGLISH

LOAD-DATE: June 6, 2000

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June 5, 2000

LENGTH: 1450 words

HEADLINE: Amatangelo et al v. Borough of Donora et al, No. 99-3862; Third Circuit; opinion by Greenberg, U.S.C.J.; filed May 18, 2000. Before Judges Greenberg, McKee and Garth. On appeal from the Western District of Pennsylvania.

Sat below: Judge Lancaster.

BODY:

Although the Third Circuit Court of Appeals has jurisdiction of plaintiff's appeal despite the irregularity in the District Court's extending the time to appeal beyond the prescribed 30-day limit, and therefore must dismiss defendant's motion to quash the appeal, the District Court's order granting defendant's motion to dismiss for failure to state a claim is affirmed since the appeal is completely without merit.

Appellants, residents and property owners in Donora, Pa., brought this action against certain public officials and entities and private parties in the aftermath of the installation of public sewerage lines in Donora to which appellants were required to join their properties at considerable expense. While most of the appellants did not object to the installation of the sewerage lines, they contend that they unconstitutionally were treated differently from certain other property owners and users of the sewerage system with respect to the need to join the system and the allocation of its costs. Inasmuch as appellants brought their action under the civil rights laws, 42 U.S.C. " 1983 and 1985, and Racketeer Influenced and Corrupt Organizations Act (RICO), 18 U.S.C. ' 1961, the District Court had jurisdiction under 28 U.S.C. " 1331 and 1343(a)(3). The District Court granted appellees' motions to dismiss pursuant to Fed. R. Civ. P. 12(b)(6). The District Court's order of dismissal was entered on August 24, 1999. Therefore, appellants had 30 days from that time to file their notice of appeal, see Fed. R. App. P. 4(a)(1), and thus the appeal, to be timely, should

have been filed on or before September 23, 1999. Nevertheless, appellants did not appeal within that time. Instead, on October 14, 1999, their attorney mailed to appellees' attorneys a copy of a request to the District Court for an extension of time within which to file a notice of appeal.

Appellants' attorney apparently submitted the request to the District Court at about the same time that he mailed it to the appellees' attorneys because the court, on October 15, 1999, signed an order granting appellants until November 1, 1999, to appeal. In fact, appellants appealed on October 21, 1999. Subsequently, on December 17, December 27 and December 29, 1999, appellees moved in the Third Circuit to quash the appeals. Under Fed. R. App. P. 4(a)(5)(A), if a party shows "excusable neglect or good cause," the District Court may extend the time for filing a notice of appeal if a motion seeking the extension is filed no later than 30 days after the expiration of the time prescribed for the appeal under Rule 4(a). Under Rule 4(a)(5)(B), such a motion may be ex parte if filed before the expiration of the prescribed time unless the court requires otherwise. But a motion seeking an extension filed, as was the case here, after the expiration of the prescribed time must be on notice to the parties. As a practical matter, the District Court granted the order for the extension of time to appeal on an ex parte basis. Appellees did not have an opportunity to oppose the application for the extension of time because the court granted it on October 15, 1999, the same day they received the motion seeking the extension. Moreover, the order granting the extension was not consistent with the provisions of Rule 4(a)(5). That rule permits an extension that is not to exceed 30 days past the prescribed time for the appeal or ten days from the date of entry of the order allowing the extension, whichever occurs later. In this case, a 30-day extension past the prescribed time for appeal would have established an appeal period ending on October 23, 1999, which by reason of Fed. R. App. P. 26(a) would have been extended to October 25, 1999, as October 23, 1999, was a Saturday. Notwithstanding the October 25, 1999, limitation, the court extended

the time until November 1, 1999. Appellants nevertheless filed their notice of appeal on October 21, 1999, within a period that the court could have authorized under Rule 4(a)(5).

According to the request for the extension of time to appeal submitted to the District Court, appellants' attorney, who indicates that his "civil practice invariably includes the United States as a party, informed (the appellants) that they had sixty (60) days to file a notice of appeal." Moreover, believing that appellants had 60 days to appeal, "counsel began a rather lengthy motion for (the district court) to reconsider its ruling." The attorney indicates, however, that "(o)n 13 August 1999, the daughter of one of the plaintiffs whom I represent in this matter called to my attention that the time for filing an appeal which her mother wanted to do had passed and that I had misinformed them as to the filing date." It seems obvious that the attorney wrote "August" when he meant "October." He then indicated that he researched the matter and concluded that the appellant's daughter was correct. Finally, he asserts that his neglect was excusable and that his clients should not suffer from his miscalculations. This request for an extension did not establish "excusable neglect or good cause" for the court to grant the extension. While issues arising under the Federal Rules of Civil and Appellate Procedure are in some instances complex, Rule 4(a)(1), which establishes the time to appeal, is neither obscure nor difficult to understand. In fact, Rule 4(a)(1) specifies the time for appeal in cases in which the United States or an officer or agency thereof is or is not a party. In the circumstances, the court cannot understand how appellants' attorney could have been familiar with the 60-day provision when the United States or its officer or agency is a party but not the 30-day provision applicable in other cases. Moreover, surely it is not too much to ask that an attorney know the time for an appeal. Furthermore, appellants' attorney, in reliance on his belief that he had 60 days to appeal, "began a rather lengthy motion for (the district court) to reconsider its ruling." However, motions for reconsideration must be filed within ten days of the entry of the judgment. See Fed. R. Civ. P. 59(e). Thus, the time for appeal simply is not germane to

the question of when a motion for reconsideration may be filed. Only a timely motion for reconsideration extends the time for an appeal. See Fed. R. App. P. 4(a)(4). Indeed, an untimely motion for reconsideration is " void and of no effect." In fact, appellants' attorney filed a motion for reconsideration in the District Court on October 20, 1999, and, as it was untimely, it did not extend the time for appeal. The District Court denied the motion on October 22, 1999.

Because appellees did not appeal from the order granting the extension of time to appeal, the appeal will not be dismissed. Moreover, their motions to quash cannot be treated as notices of appeal, as they filed the motions beyond the time to appeal from the order for the extension of the time to appeal. Furthermore, the irregularities in the District Court proceedings did not preclude the court from entering the order for the extension of time to appeal.

Thus, this case differs from a situation in which the District Court erroneously directs the entry of a final judgment under Fed. R. Civ. P. 54(b) on fewer than all claims or parties in the case in an attempt to allow an appeal to be taken from an order even though it simply is not final. In that case, the Third Circuit will not have jurisdiction. Moreover, appellants did appeal within a time that could have been allowed under Rule 4(a)(5), so the court will not dismiss the appeal on the theory that the appeal could not have been timely as it was taken beyond any permissible extension period. Thus, the court is constrained to deny appellees' motions to quash the appeal as it has jurisdiction. Nevertheless, District Courts, in considering applications for an extension of time to appeal that are filed after the expiration of the prescribed time to appeal, should not grant the request in the absence of an indication that appellees do not object to the request without determining that appellees have had an effective opportunity to object to the extension. Of course, even if appellees do not object, the District Court should not grant the extension absent a showing of excusable neglect or good cause as provided in Rule 4(a)(5). In this case, appellants made no such showing. Held: The court has jurisdiction and thus denies the motions to quash the appeal. But since the

appeal is completely without merit, the order of the District Court is affirmed.

-- Digested by Steven P. Bann (The slip opinion is 10 pages long.)

LANGUAGE: ENGLISH

LOAD-DATE: June 6, 2000

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The Scotsman

June 5, 2000, Monday

SECTION: Pg. 15

LENGTH: 765 words

HEADLINE: VOICES OF MIDDLE ENGLAND CAPTURED IN A SUBTLE COLLAGE READ OF THE WEEK

BYLINE: David Robinson

BODY:

Secrets & Lives: Middle England Revealed Mary Loudon Macmillan 16.99 pounds
OF ALL the books I would, in a perfect world, get round to writing, there is one called Influences. The idea is simple enough: you talk to someone about which person still living has influenced them the most, then you ask the same questions of the person you have been told about, and so it would go on, like an inspirational La Ronde, and the fact that you wouldn't have a clue where it would end up would be the whole point about both writing and reading it.

Mary Loudon's collection of interviews set in her native Wantage doesn't quite vitiate the idea, but there are times in it when my putative book and her actual one run on the same track. And although I may be biased, I cannot help but feel that those moments are when her book comes most vividly to life.

At first, I was predisposed not to like it. I neither know nor care much about Wantage, have only a nodding acquaintance with Middle England and am happy

to keep it that way. However, the genre in which she works - unadorned interviews with ordinary people - fascinates me. Its masters - Studs Terkel in America, Tony Parker in Britain - are mine too.

By comparison with their collection of interviews with murderers, civil rights activists and Russian gangsters, Loudon's book seemed desperately anaemic, her refusal to describe her subjects hopelessly prissy. And after reading about the self-justification of an estate agent, a lover of fox hunting and - Lord help us - a Morris dancer, one fears the worst.

Which is where Terina Cox came in. Although Loudon doesn't describe her, Cox lets us know that she is an extensively tattooed ("it's better than sex"), overweight, 31-year-old mother of two, a cleaner on a council estate. She grew up hard, was expelled from school for hitting the teacher ("I just pulled her hair away from the blackboard and punched the living daylights out of her").

We get just 20 pages of Terina Cox's life, but it's a book. A book of influences. There's her best friend, Jenny, a quiet girl from the children's home, with whom she was going to go to America that summer when they were both 18, maybe work as a nanny, maybe travel the world together. Would have done too, only then Nathan came along and she didn't even realise she was 19 weeks' pregnant with him until the doctor said. So they went to the hostel for single mums and Jenny set off for a new life in Swindon, and she didn't hear from her again until someone from the children's home told her that Jenny had been killed by that cult she'd joined in America. At first they thought she'd just been hit by a car. Then they discovered her heart had been cut out.

More influences. The doctor who realised that her second baby, the one who nearly died three times because he stopped breathing, was at risk of cot death (his colleague had asked if it was sexual abuse) and told her she needed a special kind of monitor. The woman, a complete stranger, who had provided it for her. She met Terina months later in the street and she asked how her baby was and it turned out that her own baby had died of cot death too and they just hugged each other and cried and cried.

There was one teacher, just one, who cared about Terina. Miss Pope. She was the headmistress. That time when Terina was ten and Andrew Mankin had put Plasticine in her hair and the teacher had tried to cut it off, and she'd lashed out at both of them and run away from school, Miss Pope had taken her to one side, talked to her for a whole hour and given her a big hug. "When I was treated like a person, I was a person. When I was treated like a trouble-maker, I was a trouble-maker."

And Miss Pope, she tells Loudon about how there used to be time to get to know a child and how you could influence them once you'd got them to trust you, but there's none of that now, not with all the paperwork. Different days. Like the florist in the main square remembers, you used to get people ordering up to 70 wreaths for a funeral; now you're lucky if you get six. Where's your sense of community now?

Read Loudon's subtle and insightful collage of interviews, and you realise that it still lives on. Wantage is too prosaic to be anything like Thornton Wilder's Our Town - the drugs and house prices have gone too far for that. But in her introduction, Loudon wrote of her anger as a teenager at hearing Margaret Thatcher say that there's no such thing as society. It's a sweet, neat form of revenge to show, as she does here, that there is.

LANGUAGE: ENGLISH

LOAD-DATE: June 6, 2000

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Sun-Sentinel (Fort Lauderdale, FL)

June 3, 2000, Saturday, Broward Metro EDITION

SECTION: FOREIGN, Pg. 26A

LENGTH: 477 words

HEADLINE: DRAINAGE CANAL FLOODS COMMUNITY

BYLINE: Sun-Sentinel wire services

BODY:

MEXICO

VALLE DE CHALCO SOLIDARIDAD -- Soldiers on Friday hurled sandbags at an enormous breach in a canal that a day before gushed sewage and water into the city and flooded a main expressway leading out of Mexico City, the nation's capital.

The tops of stranded buses still rose above waters covering the four-lane highway Friday. Small rowboats ferrying goods from flooded houses sometimes bumped into the roofs of the dozens of submerged cars.

State civil defense director Miguel Angel Cruz Guerrero said about 4,000 people had been driven from their houses and the Mexico City-Puebla toll road was not expected to open until today.

CUBA

Americans invited to check rights record

HAVANA -- A senior Cuban official told visiting black members of the U.S. Congress on Friday that Americans with questions about Cuba's human rights record should demand that their government let them visit the island to see for themselves.

"We are not hiding anything," Government Minister Ricardo Cabrisas said.

"People should come to see if they have questions," Cabrisas said. "Why don't you demand your right to freely travel to Cuba as guaranteed under the U.S. Constitution?"

Cabrisas spoke after Rep. Gregory Meeks, D-N.Y., said he was anticipating critical questions that other House members would ask next week when they take up a key vote to partially lift the 38-year-old U.S. embargo against the communist country.

BAHAMAS

Balanced budget the first in years

NASSAU -- Bahamian officials have announced a \$ 1.07 billion budget for the new fiscal year that begins in July, up more than \$ 50 million from the current year.

There are no new or increased taxes in this year's budget, which officials say is the nation's first balanced budget in years. The Nassau Tribune in its Thursday edition said the last time the Bahamas had a balanced budget was in 1986, but officials were not immediately able to provide an exact year.

The new fiscal year begins on July 1.

CANADA

Courts to close over anti-OAS protests

WINDSOR, Ontario -- Officials in Windsor and the neighboring U.S. city of Detroit are shuttering windows, closing courts and beefing up police presence in anticipation of protests against a meeting by the Organization of American States.

The OAS, which represents more than 30 Western Hemisphere nations, is meeting Sunday through Tuesday in Windsor, a middle-class city of 262,000 across the Detroit River from the Motor City.

Some critics of the OAS say it fails to link trade with workers' rights, environmental protection and human rights. Others say it threatens North American jobs.

A group called the Coalition to Shut Down the OAS held a workshop on Friday at the University of Windsor, discussing issues such as protesters' legal rights and dealing with pepper spray.

LOAD-DATE: June 6, 2000

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The Scotsman

June 1, 2000, Thursday

SECTION: Pg. 2

LENGTH: 446 words

HEADLINE: EU CHARTER WOULD GIVE WORKERS RIGHT TO A 'DECENT LIFE'

BYLINE: Andrew Denholm

BODY:

WORKERS in Britain could have the right to demand shorter hours and more time off with their families if proposals for a European charter of rights are approved.

The plans are included in a draft Charter of Fundamental Rights which outlines 50 basic rights relating to employment, family life, discrimination, liberty and health.

Employment proposals refer to workers having the right to demand a limit on their working hours, and to enjoy the right to "reconcile their family and professional lives".

The draft also says member states must provide enough social assistance to guarantee their citizens a "decent existence".

The European parliament commission, and some EU members, support moves to enshrine the document in EU law, over-riding existing national legislation.

However, while the British government believes the document should merely pull together rights already enjoyed by European citizens under existing legislation, concerns have been raised that it could go further and damage the UK economy.

The Conservative Party last night described the proposed charter, to be presented to European heads of government before the Nice summit in December, as "deeply damaging for Britain".

Francis Maude, shadow foreign secretary, said: "This threatens to impose significant costs on business and the real agenda here is not to protect people's rights, which we would strongly support, but to create a European

constitution leading to a European superstate."

However, Andrew Duff, a Liberal Democrat MEP involved in the drafting process, said there was nothing to fear from the document. The proposals should be welcomed as a genuine attempt to strengthen citizens' rights and protect them from abuses of power.

According to a report in The Times, the charter was commissioned last June to make the importance and relevance of citizens' rights "more visible".

The list of rights was drawn up by a convention of 62 MEPs, national parliamentarians and representatives of the 15 heads of government.

The draft charter describes a "reformed European social model" rather than a "statist" model and was written on the presumption that it would be "mandatory" and a "building block" for a European constitution.

The draft proposes a ban on cloning human beings, genetic engineering involving humans and the sale of human body parts. It proposes banning discrimination based on gender, race, religion, political opinion, disability, age or sexual orientation. It also includes a ban on capital punishment and on the extradition of criminals to countries, including America, where they could be executed or tortured.

LANGUAGE: ENGLISH

LOAD-DATE: June 6, 2000

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The American Prospect

May 8, 2000

SECTION: No. 12, Vol. 11; Pg. 54 ; ISSN: 1049-7285

IAC-ACC-NO: 62051696

LENGTH: 675 words

HEADLINE: Lies Across America: What Our Historic Sites Get Wrong; Review;
book
review

BYLINE: COHN, EDWARD

BODY:

Lies Across America: What Our Historic Sites Get Wrong, by James W. Loewen.
The New Press, 480 pages, \$ 26.95.

In Lies Across America, James Loewen offers 100 short essays, each one discussing an individual monument or historic site and the inaccuracies in its portrayal of the past. He criticizes the way the birthplace of Helen Keller, for example, celebrates her life story as a blandly optimistic account of triumph over adversity and ignores entirely her career as a leading proponent of socialism, feminism, and civil rights.

A former University of Vermont professor, Loewen made a stir in 1995 with Lies My Teacher Told Me, an account of distortions and biases in history textbooks. In Lies Across America, his approach is sometimes whimsical and sometimes deadly serious. He notes that the only white woman commemorated by an Indiana state historical marker was a "pioneer heroine of abdominal surgery," memorialized because her ovary had been removed. He also discusses a memorial erected in 1891 in New Orleans by boosters of the racist White League. The obelisk, which Loewen calls "the most overtly racist icon to white supremacy in the United States," was taken down in 1989 and then put up at a new site in 1993, triggering an outcry from opponents and a show of support by former Klansman David Duke.

Loewen has a keen eye for detail, and many of his accounts are illuminating. He describes the role of the United Daughters of the Confederacy and other neo-Confederate groups in establishing Civil War memorials and crafting the popular image of the war as a noble "lost cause." Reconstruction is all but ignored on the public landscape--except, of course, when notorious racists are memorialized. But Loewen's style is sometimes cavalier. Comparing America's wars in the Philippines and Southeast Asia, he writes that "the United States claimed

to be 'defending' the 'nation' of South Vietnam against 'outside aggression,' while in reality American forces were the outside aggressors." Later on, Loewen writes that the Pilgrims "came here to escape poverty and avoid being assimilated into Dutch society," not for religious liberty. But are those claims really contradictory, or did the Pilgrims come to America to practice their religion in an English cultural context? Loewen's nitpicking obscures the valid point that we should avoid romanticizing the Pilgrims as champions of religious freedom.

Lies Across America is a qualified success as a work of "pop history" along the lines of Kenneth Davis's Don't Know Much about History or Richard Shenkman's Legends, Lies & Cherished Myths of American History. Loewen, however, had a larger goal in mind: to show the ways in which America's historic sites and monuments have "subtly distorted our knowledge of the past and warped our view of the world." Lies Across America is less successful here. Loewen's criticisms can be interesting, but it's not always clear that the monuments he dislikes have had a real impact on popular perceptions. And Loewen has the habit of making sweeping statements without backing them up. He writes that "Father Junipero Serra, who helped found the mission system in California, probably had more lasting influence on our institutions than William Bradford, Miles Standish, John Alden, Priscilla Mullens, and the rest of the doughty Plymouth band combined."

Of course, many of Loewen's readers are presumably looking for a good read, not a nuanced historical narrative. But the book's desire to debunk myths and "lies" can overpower the search for a deeper understanding of history. When Loewen tries to build a more sophisticated argument, the goals of popular and academic history collide. The result is a series of sometimes illuminating, sometimes hyperbolic vignettes. With more historical context and a more thoughtful, less rambunctious approach, Lies Across America could have been more effective. As it is, parts of the book will stand the test of time as poorly as the historical monuments they're meant to critique.

LANGUAGE: ENGLISH

IAC-CREATE-DATE: June 5, 2000

LOAD-DATE: June 06, 2000

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Journal of Teacher Education

May 1, 2000

SECTION: No. 3, Vol. 51; Pg. 206 ; ISSN: 0022-4871

IAC-ACC-NO: 62083148

LENGTH: 5738 words

HEADLINE: FIGHTING FOR OUR LIVES.

BYLINE: Ladson-Billings, Gloria

AUTHOR-ABSTRACT:

The quest for quality education is a part of the ongoing struggle faced by African Americans. Few, if any, teacher education programs design programs that expressly meet the needs of African American students. Although some teacher preparation programs are designed for 'urban' education, the significance of African American culture rarely is a feature of such programs. This article addresses the uniqueness of the African American cultural experience and details a variety of pedagogical and programmatic strategies that have been employed to assist teachers in better meeting the needs of African American students.

BODY:

PREPARING TEACHERS TO TEACH AFRICAN AMERICAN STUDENTS

During the 1970s, school desegregation in U.S. northern cities became a national focal point. In Boston, a contested court order had parents, teachers, administrators, students, school committee members, and community members struggling with school busing to achieve desegregation. One African

American parent, caught on the documentary film footage of the award winning civil rights series, "Eyes on the Prize" (Hampton, 1986), exclaimed, "When we fight about education, we're fighting for our lives." This urgent perspective of "fighting for our lives" informs the discussion about preparing teachers to teach African American students effectively. This article addresses the dearth of literature about preparing teachers to teach African American students, the attempts by scholars to fill this void, and the need for ongoing research in this area.

THE SILENCE OF THE LITERATURE

With very few exceptions, the literature does not expressly address the preparation of teachers to teach African American learners effectively (Ladson-Billings, 1994b). Instead, references to the educational needs of African American students are folded into a discourse of deprivation. Searches of the literature base indicate that when one uses the descriptor, "Black education," one is directed to see, "culturally deprived" and "culturally disadvantaged." Thus, the educational research literature, when it considers African American learners at all, has constructed all African American children, regardless of economic or social circumstance, within the deficit paradigm (Bettleheim, 1965; Bloom, Davis, & Hess, 1965; Ornstein & Viaro, 1968).

The literature is reflective of a generalized perception that African American culture is not a useful rubric for addressing the needs of African American learners, and thus, that African American culture is delegitimized in the classroom. Rather than seeing African Americans as possessing a distinctive culture, African American learners often are treated as if they are corruptions of White culture, participating in an oppositional, counter-productive culture (Ogbu, 1987). Schools and teachers treat the language, prior knowledge, and values of African Americans as aberrant and often presume that the teacher's job is to rid African American students of any vestiges of their own culture.

I would argue that the educational literature is silent on the issue of teaching African American students because much of the educational research has relied on generic models of pedagogy (Shulman, 1987) that position themselves as

"culture neutral" when they actually support the learning of mainstream students. The emphasis on a "one best system" (Tyack, 1974) emerges from the 19th-century Americanization model that was designed to merge all students, regardless of ethnic and cultural origins, into one ideal "American" model (Olneck, 1995). Of course, this Americanization process considered only those immigrant and cultural groups from Europe. Indigenous peoples and people of African descent were not thought educable and therefore not a part of the mainstream educational discourse.

For many years, the education of African American learners was left solely to the African American community via state-supported segregated schools (Anderson, 1988). And, although not consistent with professed national ideals of equity and justice, there is some evidence to suggest that some segregated schools did meet the educational needs of African American students (Anderson, 1988; Siddle Walker, 1996). Community access and involvement, trust between teachers and parents, and concern and caring for students were all hallmarks of these schools where the needs of African American students were paramount. Foster (1990) indicates that African American teachers in segregated schools felt more comfortable introducing and discussing issues of race and racism in their all-Black settings than in the integrated schools in which they subsequently taught. Furthermore, Foster suggests that effective teaching of African American students almost always involves some recognition and attention to the ways that race and racism construct and constrict peoples' lives.

With the increasing diversity of the school population, more literature has emerged that addresses the needs of non-White students from the standpoint of language and culture (Banks, 1997). However, some of this literature has compressed the experiences of all non-White groups into a singular category of "other" without recognizing the particularity of African American experience and culture. It is important for teachers (current and prospective) to understand the specific and unique qualities of the African American cultural experience.

THE UNIQUENESS OF THE AFRICAN AMERICAN CULTURAL EXPERIENCE

Two concepts I attempt to have my own teacher education students

grapple with are the notions of "equivalent" and "analogous," because discussions of racism, discrimination, inequality, and injustice sometimes degenerate into a "hierarchy of oppression;" that is, discussants want to talk in terms of who has suffered most. However, when we understand the ways in which oppression has worked against many groups of people based on their race, culture, class, gender, disability, and sexual orientation, we must recognize that there may be analogous experiences that are not necessarily equivalent ones. Thus, the displacement and forced removal of indigenous groups throughout the Americas and the internment of Japanese Americans during World War II are both examples of oppression. However, they are not equivalent experiences. Our understanding of the commonalities of oppression cannot wash out the particularities and specifics of each experience.

The African American social and cultural experience, like those of each cultural group, is unique. African Americans are the only group forcibly brought to the Americas for the expressed purpose of labor exploitation through racial slavery (Franklin & Moss, 1988). As one of the earliest nonindigenous groups to appear in the Americas, African Americans have a history in this country that predates most European Americans.(1)

The creation of a racial hierarchy with White and Black as polar opposites has positioned all people in American society (King, 1994) and reified "whiteness" in ways that suggest that the closer one is able to align oneself to whiteness, the more socially and culturally acceptable one is perceived to be. Thus, when European Americans of various ethnic groups assert, "My people faced discrimination, and they made it. Why can't Blacks pull themselves up like we did?" they are ignoring the very different historical trajectories from which these cultural groups were launched and the very different symbol system that has been created to reinscribe blackness and whiteness as fundamentally opposite (Morrison, 1991).

The ideology of White supremacy (Allen, 1994) argued that African

Americans

were genetically inferior and not fully human. Thus, the expectation for educating them was (and continues to be) low. Early efforts at state-supported education for African Americans was directed at training for manual labor and domestic service (Anderson, 1988). Scholarly arguments to the contrary (DuBois, 1903/1953; Woodson, 1933) failed to make their way into the mainstream literature. Thus, separate and unequal education continued for many decades past the Civil War.

As a group, African Americans have been told systematically and consistently that they are inferior, that they are incapable of high academic achievement.

Their performance in school has replicated this low expectation for success. In addition to being told that they cannot perform at high levels, African American students often are taught by teachers who would rather not teach them (Grant, 1989; Haberman, 1989).

By the time the landmark Brown v. Board of Education (1954) decision was rendered, many African Americans were arguing from a position of sameness (Tate, Ladson-Billings, & Grant, 1993). That is, they were asserting that African American and White children were alike and deserved the same educational opportunities. This rhetoric of "equality means sameness" tended to ignore the distinctive qualities of African American culture and suggested that if schools were to make schooling experiences identical for African Americans, we somehow could achieve identical results.

However, because African American learners do not begin at the same place as middle-class White students either economically or socially, and because what may be valued in African American culture (Boykin & Tom, 1985) differs from what may be valued in schools, applying the same "remedy" may actually increase the educational disparities. For example, in the case of gender differences, we know that female students do not perform as well as male students in mathematics. A variety of reasons have been posited to explain this differential. Some reasons are related to females' abilities in spatial relations. Others (Gilligan, 1993; Houston, 1994) examine the ways that male students dominate classroom

discussion
and teacher time. Still, others (Campbell, 1995; Willis, 1992) argue
about the
way mathematics is organized and presented. The way to improve female
performance, however, is not merely to continue to give female students
more of
the same, but rather to reorganize mathematics education in some
fundamental
ways. For example, all-female mathematics classes, integration across
math areas
(algebra, geometry, trigonometry), and more obvious and specific
connections of
math to everyday lives, are being employed to improve the performance of
female
students (and students of color) in school mathematics. Uncovering optimal
learning environments for female students may mean deciding on very
different
strategies for male versus female mathematics learners. The same thing
may be
true in developing effective strategies for African American learners. As
we
begin to learn more about successful teaching for African American
learners
(Hollins & Spencer, 1990; Ladson-Billings, 1994a), we are better able to
address
their needs through curricular and pedagogical strategies.

STRATEGIES FOR IMPROVING THE EDUCATION OF TEACHERS

Teacher preparation is culpable in the failure of teachers to teach
African
American students effectively. Most teachers report that their preservice
preparation did little or nothing to prepare them for today's diverse
classrooms
(Ladson-Billings, 1994b). Reviews of the literature on multicultural
teacher
education (Grant & Secada, 1990; Ladson-Billings, 1995a, 1996; Zeichner,
1992)
indicate that most preservice approaches rely on individual courses and
diverse
field experiences to satisfy legislative and professional association
calls for
meeting the needs of diverse students.

However, no single course or set of field experiences is capable of
preparing preservice students to meet the needs of diverse learners.
Rather, a
more systemic, comprehensive approach is needed. Work that uses
autobiography,
restructured field experiences, situated pedagogies, and returning to the
classrooms of experts can each provide new opportunities for improving
teaching.

Autobiography

Jackson (1992) argues that autobiography provides an opportunity for the "critical examination and experience of difference" (p. 4). She further asserts that autobiography allows individuals to speak as subjects with their own voices, "representing themselves and their stories from their own perspectives" (p. 3). This use of one's own story is also employed by Gomez and Tabachnick (1992) as a way to get preservice teachers to reflect on their practicum experiences in diverse classrooms. Hollins (1990) refers to "resocializing pre-service teachers in ways that help them view themselves within a culturally diverse society" (p. 202) through the construction of personal/cultural autobiographies. Similar to this, King and Ladson-Billings (1990) link critical education theory and multicultural teacher education to help prospective teachers "consciously re-experience their own subjectivity when they recognize similar or different outlooks and experiences" (p. 26), both in courses and field experiences.

Restructured Field Experiences

The practical aspects of learning to teach are overwhelmingly valued by teachers as the most important part of their preparation. Unfortunately, many of these field experiences occur in White middle-income communities that offer a different set of challenges and opportunities from those that teachers can expect to encounter in the urban classrooms populated by African American students. Thus, when new teachers enter urban settings, they experience a mismatch between what they expect based on their preservice preparation and what they find in urban schools.

Some teacher education programs require that part of the field experience occur in a "diverse" setting (Zeichner, 1993). However, sometimes these "diversity requirements" are seen by students as hurdles in the way of their "real" student teaching (i.e., in middle income, suburban schools). Spending limited time in urban classrooms often serves to reinforce students' stereotypes and racist attitudes toward African American students because they are not accompanied with requisite understanding about African American culture and cultural practices.

Other programs stress "immersion" experiences in diverse communities (Mahan,

1982; Noordhoff & Kleinfeld, 1991), placing students in community (as opposed to school) settings to help them understand the daily lives of the children in context. Moving away from the predictability of the classroom with its rules, routines, and rituals, prospective teachers may recognize that limited access to goods and services, poor health care facilities, uneven police and fire protection, and unsafe and dilapidated playgrounds, all work against students' willingness to participate in school tasks.

At the same time, community experiences also can help students to see the strengths that reside in a culture. Self-governing bodies such as churches, lodges, social clubs, and neighborhood associations serve as purveyors of culture. Students may learn that families use a variety of child-rearing practices that may or may not map neatly onto schooling practices. They may learn of the role of "other mothers" (Collins, 1991) who, although not blood relatives of particular children, serve in a maternal capacity. Learning to see students with strengths as opposed to seeing them solely as having needs may inform the pedagogical practices of novice teachers in positive ways.

Situated Pedagogies

The literature of educational anthropologists has addressed culturally specific pedagogies (e.g., see Au & Jordan, 1981; Cazden & Leggett, 1981; Mohatt & Erickson, 1981; Vogt, Jordan & Tharp, 1987). This work has described teachers' attempts to make the school and home experiences of diverse learners more congruent. The majority of this literature has dealt with smallscale, encapsulated communities where cultural practices are easily recognizable and not as intertwined with other cultures.

Critical scholars have posited theoretical, conceptual, and research possibilities for situated pedagogies that consider race, class, and gender (e.g., see Ellsworth, 1989; hooks, 1989; McLaren, 1989). By addressing the specifics of particular diverse communities, this literature avoids the platitudes and unsubstantiated generalities of generic pedagogical perspectives.

This work asks teacher educators to think more carefully about the relationship of teacher preparation to the communities in which they are located and the school populations that their graduates are likely to serve.

Returning to the Classrooms of "Experts"

In my work on successful teachers for African American students (Ladson-Billings, 1995b), I began looking for common beliefs and practices among such teachers. What I discovered were three propositional notions about how they conceived of their practice that form the basis of what I term culturally relevant pedagogy (Ladson-Billings, 1994a, 1995b). These propositions involve academic achievement, cultural competence, and sociopolitical critique.

Academic achievement. In the classrooms I observed, teaching and learning were exciting, symbiotic events. Although teachers established routines and rituals, the classrooms were never dull. Students were regularly reminded that they were expected to learn and that learning would be rigorous and challenging. Some of the teachers taught from what might be considered a constructivist (Fennema, Carpenter, Franke, & Carey, 1992) position (i.e., students' own knowledge forms the basis of inquiry either as part of the official curriculum or as it interacts with the official curriculum). Standards were high in these classrooms. Students were expected to work hard, and they welcomed this responsibility.

Cultural competence. In addition to promoting learning and academic achievement, culturally relevant teachers foster and support the development of cultural competence. Cultural competence refers to the ability to function effectively in one's culture of origin (Ladson-Billings, 1995b). For African American students, this means understanding those aspects of their culture that facilitate their ability to communicate and relate to other members of their cultural group (Gay & Baber, 1987). Because of the pervasive negative representations of Black culture (Merelman, 1995), students may unwittingly ally themselves with schooling that works to promote their disaffiliation and alienation from African American culture.

Cultural competence can be supported in the classroom by acknowledging the legitimacy of students' home language and using it as a bridge to American Edited English.(2) It also is supported through the use of curriculum content selections that reflect the full range of humanity extant in students' cultures.

Sociopolitical critique. Perhaps if teachers could get students to achieve academically and manifest cultural competence, they might be more than satisfied with their pedagogical efforts. However, culturally relevant teachers recognize that education and schooling do not occur in a vacuum. The individual traits of achievement and cultural competence must be supported by sociopolitical critique that helps students understand the ways that social structures and practices help reproduce inequities. This aspect of culturally relevant teaching links it closely with a critical pedagogy that argues for students and teachers alike to participate in a collective struggle (Boggs, 1974). Thus, students must be challenged to ask questions about the ways that whole groups of people are systematically excluded from social benefits.

ANTIRACIST TEACHER EDUCATION: A PROMISING PRACTICE

Autobiography, restructured field experiences, situated pedagogies, and examining the classrooms of experts all provide glimpses of possibility for facilitating the pedagogy of teachers who teach African American students. However, each has the potential to fail to confront the major stumbling block in preparing teachers for success with African American students: racism.

Although many teacher education programs include some form of multicultural education (Grant & Secada, 1990; Ladson-Billings, 1995a), confronting issues of racism in a deliberately antiracist framework is less common (Cochran-Smith, 1995; Kailin, 1994). Discussions of race and racism are absent from educational discourse even when our conceptions of race are more embedded and fixed than ever before. Teacher educators who have attempted to bring issues of race and racism to the forefront of their preparation programs have been subjected to resistance and harsh criticism from students (Ahlquist, 1991; Tatum, 1994).

Lee (1985) states that the "aim of [anti-racist education] is the eradication of racism in all its various forms. Anti-racist education emerges from an understanding that racism exists in society and, therefore, the school, as an institution of society, is influenced by racism" (p. 8). Thus, teacher

education that embraces an antiracist perspective recognizes that prospective teachers' and "teachers' sensibilities are shaped by the same forces that mold us in the society at large" (Kailin, 1994, p. 173). However, antiracist educators understand racism as learned behavior and, as such, it can be unlearned.

Kailin's (1994) approach to antiracist staff development for teachers addresses two perspectives on racism: individual and institutional. The individual aspect of her work requires teachers to know and understand themselves, a process also used by King and Ladson-Billings (1990). Kailin employed strategies for developing collective autobiography, understanding teachers' social backgrounds, participating in multicultural and race awareness exercises, examining teacher expectations of student competency, and exploring the manifestation of individual racism in teacher-student interactions and in school culture. At the institutional level, Kailin's approach prompts teachers to examine the historical roots of institutional racism in the United States as well as the ways that texts and curricula and schools as institutions support racism.

To prepare teachers to be successful with African American students, teacher educators must help prospective teachers recognize the ways that race and racism structure the everyday experiences of all Americans. More specifically, teachers must understand how race and racism negatively impact African American students and their ability to successfully negotiate schools and classrooms. Some of the recommendations for change in teacher education that may lead us to more positive outcomes include:

Reassessing admissions procedures. A good deal of our struggle in teacher education resides at the admission door. Haberman (1989) argues that we will not get better teachers until we admit better people into the profession. Current admission procedures continue to screen out potentially excellent teacher candidates who desire to teach in African American communities, while at the same time including many candidates who have no intention or desire to serve those communities.

Reexamining course work. Dissatisfaction with teacher education course

work

has been widely expressed by both those within and outside of the profession.

One of the places where course work is particularly weak is in its lack of attention to the perspectives and concerns of African Americans. Many of the

foundations and methods courses fail to mention African Americans except as

"problems." Course work that addresses the legitimacy of African American culture and problematizes Whiteness can begin to make preservice course work

more meaningful for those who teach African American students.

Restructuring field experiences. As previously mentioned, field experiences

tend to leave a lasting impression on teachers. Restructuring these field experiences may help students to understand the complexities of communities and

cultures. Rather than having prospective teachers dread going into African American communities, field experiences may play a role in addressing the stereotypes and racist attitudes that they may hold.

Recruiting and retaining African American scholars. For too many prospective

teachers, their only encounter with African Americans is as subordinates.

Increasing the numbers of African American faculty can help to disrupt some of

the preconceived notions that they may have about the competencies and abilities

of African Americans. Certainly, African American faculty can serve as a resource and counterbalance to prevailing notions of African American communities, for both adults and children.

Ultimately, the work of education in a democracy is to provide opportunities

for all citizens to participate fully in the formation of the nation and its

ideals. These ideals can never be fully realized if significant portions of our

society are excluded from high-quality education and the opportunity to play

public roles in the society. African American students are suffering in our

schools at an alarming rate. They continue to experience high drop-out, suspension, and expulsion rates. Although possessing a high school diploma is no

guarantee of success in U.S. society, not having one spells certain economic and

social failure. Thus, when we fight about education, we indeed are fighting for

our lives.

NOTES

(1.) The European American slave trade was legally ended in 1848. The bulk of European immigration occurred in the 1890s. Thus, most African Americans have historical roots in this country that predate those of most European Americans.

(2.) Rather than the term Standard English I use American Edited English to refer to the particular formal language used in the United States.

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HEADLINE: Religious Freedoms Act is 'good law, good sense'

BYLINE: Robert L. Aldridge

BODY:

I have practiced law for 30 years in Idaho, with much of that time in the area of First Amendment freedoms and law as it applies to churches and other non-profit organizations.

For nearly 30 years, until the Smith case in 1990, the U.S. Supreme Court used a two-part test whenever the government and our fundamental freedoms were in conflict.

The first test was that there must be a "compelling government interest."

That means that the government must have some substantial reason for the legislation, such as eradicating racism, sexism, age bias, voting

restrictions,
bias in housing, child abuse, spouse abuse, or in upholding prisoner
restrictions.

The second test is that the government must use the "least restrictive
means"
to restrict the fundamental freedom. Often, an alternative method was
available
that accomplished the governmental interest, but did not restrict a
fundamental
freedom.

These tests were rational and balanced. During that 30 years, our courts
(from lowest to highest) upheld all of the civil rights acts passed by
Congress.
None were overturned. The courts found a compelling state interest in the
statute involved and the method used was the least restrictive method
available.

During that 30 years, and also in states which have recently enacted
religious freedom acts, there have been absolutely no problems. The Idaho
Statesman, and the opponents of the act, have been prolific with
unsupported
general statements, but neither can cite one case of any actual harm
under the
two-part test. Can churches "violate safety ordinances in the
construction of
facilities?" Housing discrimination is almost entirely national law, not
state,
and is therefore not affected. The Idaho act only applies to Idaho, not
U.S.
law. On the other hand, interference by government with religious
freedoms has
happened time and time again, including current cases, right here in
Idaho.

The 1990 Smith case was an aberration in constitutional law. Simply
put, it
lowered the protection of religious freedoms, and only religious
freedoms, to a
lesser standard compared to all other fundamental rights.

Treating religious freedoms as less valid than other fundamental
freedoms has
no precedent in law and is logically unsupportable. This was proven by the
overwhelming support for the national Religious Freedoms Restoration Act
(RFRA),
enacted in 1993, which had the same exact two-part test as in the Idaho
act.

Remember that the 1997 holding by the Supreme Court that the national
RFRA
was "unconstitutional" was only regarding the attempt by Congress to
legislate

inside state boundaries - one of the few times the Supreme Court has suddenly gotten religion about state's rights.

The Supreme Court said that states could, and should, pass their own RFRAs.

Contrary to some statements in the media and at hearings, the support for state, as opposed to national, RFRAs is high. Letters from such organizations as the National Council of Churches, and a number of specific denominations, alleged to be against state RFRAs, actually supported such legislation. Local ministers from a very wide range of denominations supported Idaho's RFRA.

Idaho's Religious Freedoms Act restores the balance that was in place in this nation for 30 years by reinstating a standard that is fair and rational. All of the participants at the meeting with the governor agreed that the Smith case was an aberration and that the "compelling state interest" and "least restrictive means" tests were the correct tests for religious freedoms in Idaho. None of the opponents were able to come up with any actual cases in which those standards allowed improper actions by religious persons or entities. Indeed, a list of child abuse cases presented at the meeting showed that, in fact, all such offenders were convicted, even when they alleged religious defenses.

Thirty years of history, including recent history in states with local RFRAs enacted, dispels any risk of bad cases. Changing the act would remove the certainty. The Religious Freedoms Act is a good act that will protect both religious freedoms and all other freedoms in a fair and balanced way. It is good law and good sense.

Robert L. Aldridge is a Boise attorney.

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13 of 13 DOCUMENTS

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April 11, 2000, Tuesday

SECTION: Editorial ; Pg. 9b Tony Snow

LENGTH: 767 words

HEADLINE: Jim Crow methods have returned

BYLINE: By Tony Snow

BODY:

Love, it turns out, truly is blind - unless you work for the Clinton White House.

Let me explain: In recent years, Americans have become increasingly multicultural in matters of the heart. Nearly one-tenth of new marriages with a black partner involve a white mate; as many as a fifth include a non-black mate.

The mixed-marriage figure rises to more than 25 percent among Filipino-Americans and 50 percent among native Americans.

Furthermore, the rate of such unions is skyrocketing. Douglas Besharov and Timothy Sullivan four years ago reported a strong, unambiguous trend toward integration within American families - at a time when so many public figures are bemoaning a deterioration of race relations and a further separation of the races. Moreover, a sharp increase of earlier marriages between the races has already led to a rising number of children who call themselves "mixed."

In recognition of these changes, this year's census gives each of us the option of describing ourselves as a mixture of racial and ethnic groups.

So here's the good news: In contemporary America, as in the tale Romeo and Juliet, love is depriving bigotry of its sting. When lovers gaze into each other's eyes, they see many things - but color evidently is not one of them.

Unfortunately, the administration wants the federal government to ignore these heartening trends. Budget Director Jacob Lew spread this word in a recent bulletin to all executive departments and establishments. Lew noted that while the census provides 63 categories of data on the population by race, the administration will try to simplify things.

He decreed that responses that combine one minority race and white are allocated to the minority race. For people who check two or more minority races, the government will allocate (that person) to the race that the complaint

alleges the discrimination was based on. It will make similar adjustments in assessing disparate impact cases. In other words, the government will juggle racial descriptions to make it easier for people to sue each other.

For the purposes of civil-rights law, people who check any of the minority categories - principally, African American, Hispanic and Native American - may be counted as a member of such a group, even if the minority relation were 10 generations removed.

Harvard scholar Stephan Thernstrom contends that the change in counting procedures produces downright weird results. From the administration's point of view, a white woman can have a black child, but not the other way around.

The Lew memo also will swell the number of people who belong to officially designated minority groups. The number of Native Americans will more than quadruple, from 2.1 million in 1990 to somewhere in the vicinity of 9 million. This no doubt will produce a corresponding boom in casinos, aid to Indian reservations - and, of course, lawsuits.

Thernstrom notes dolefully that the law drags us back to the days of Jim Crow and one drop of blood statutes. Those laws held that anyone with any mixed-race ancestry was nonwhite and, hence, subject to legal discrimination and the odium of segregation laws. The only difference between the Old South and the New America is the choice of weapons. The feds will subdue their prey with subpoenas rather than fire hoses.

Henceforth, mixed ancestry will serve as a ticket to federal spoils, beginning with hiring preferences. Some New Segregationists want the government to prevent white folks from lying about ancestry in order to join the bidding. One can imagine a solution out of apartheid-era South Africa: mandatory proof-of-race cards.

Nothing better illustrates the central role color plays in the liberal enterprise. The Lew memo will re-ignite tensions in a time of growing racial harmony. It also will make life miserable for anybody who runs a business: If payrolls don't reflect the makeup of the local census tract, employers will be assumed guilty of discrimination and subject to federal action

The revised counting method is tailor-made for tort lawyers,
rabble-rousers
and professional protesters - all of whom will thrive in a nation that
suddenly
features tens of millions of new potential victims.

But here's the capper. The memo also means that Bill Clinton will leave
office as the first president in more a century to resist a social
movement
toward unity and brotherhood - so federal departments and agencies
instead could
honor the logic and methods Jim Crow.

Write Tony Snow, Creators Syndicate, 5777 West Century Blvd., Suite
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PBS NewsHour
June 14, 2000

COMING TOGETHER

In what's being called the biggest step toward
peace since the
Korean War ceasefire, leaders from North and
South Korea
pledged to work toward reconciliation and
eventual reunification.
Three experts analyze the summit and its results.

RAY SUAREZ: The Korea story. Our coverage begins
with this report by Ian Williams of independent television
news. Like all western journalists, he reported from the
South Korean capital of Seoul, based on pool reports sent
from the North Korean capital of Pyongyang by South
Korean reporters.

IAN WILLIAMS: The two
Kims emerged tonight, following
several hours of negotiations,
both men hailing an historic
breakthrough on the road
towards unification. The South's
Kim Dae Jung seems to have
won commitments on reuniting
divided families in exchange for investment and aid.
Northern officials say there will be a return visit to
Seoul.
Both sides say it will reduce tension on the peninsula.

ten

They'd started their meeting mid-afternoon. There was a warm handshake and a smile for the South Korean leader when they met again today. Not only has the North's Kim Jong Il rarely been seen in public before this summit, but prior to a recent visit to China, he'd only ever uttered

recorded words. By those standards he was positively verbose.

KIM JONG IL: (speaking through interpreter) Some Europeans say that I'm reclusive, that this the first time I've appeared in public. In fact, I've been to China and Indonesia. I've made many secret visits abroad. How can people claim I'm reclusive?

IAN WILLIAMS: As the Northern Kim confirms, unlike his fellow countrymen, he's able to watch television broadcasts from the South.

KIM JONG IL: (speaking through interpreter) I was watching South Korean television until last night. I saw how excited the South Koreans were, especially those with family in the North, the North Korean defectors. Some were even crying.

A panel discussion

RAY SUAREZ: And Margaret Warner takes the story from there.

MARGARET WARNER: The two leaders issued a joint declaration after their talks today. And according to an unofficial translation by the South Korean government, they agreed to do the following: Promote reunification of the two Koreas, while noting that the North and South have proposed different frameworks for doing so; promptly allow separated families to visit and address the plight of Communists imprisoned in the South and promote balanced economic development and cooperation between the two countries. They said lower level officials would negotiate ways to implement the agreement expeditiously. They also said the North Korean leader, Chairman Kim, would visit Seoul at an appropriate time. For perspective on all these developments, we turn to: James Lilley, U.S. Ambassador to South Korea during the Reagan administration, and Assistant Secretary of Defense in the Bush administration; Joel Wit, former coordinator of

the U.S.-North Korean agreement to curb the North's nuclear program -- he's now a guest scholar at the Brookings Institution; and David Kang, Assistant Professor of Government at Dartmouth College.

Welcome, gentlemen.

David Kang, starting with you, how do you look upon this summit? Is this a big deal? Is this a significant event or

just

atmospherics?

DAVID KANG: Well, I think it's significant in a symbolic sense, not necessarily substantive. If they work out these deals about the families, that's fine. But I think the real meaning of it is that they actually got together for the first time, and that's really

significant.

MARGARET WARNER: What did you make of the atmospherics? Particularly... we didn't show this tonight, but last night we showed the video of the two men greeting one another at the airport, seemed very emotional, unusually warm, considering how reclusive the North has seemed in general and this North Korean leader. What did you make of that?

DAVID KANG: Well, I think it's further evidence that North Korea really wants to try and open up. They're not about to sort of claim that capitalism is the only way,

but I

think that Kim Jung Il is generally interested in better regional relations, and I think this is the evidence of it. Again, I thought it was wonderful.

MARGARET WARNER:
What did you make of this,
James Lilley, this whole summit?

JAMES LILLEY: Well, I think the North Koreans were determined to have a success and ordered success and that's what happened. A crowd, they were out there, 600,000 of them -- the focus was on Kim Jung Il. His own people didn't see much of it, you know.

MARGARET WARNER: Yes.

JAMES LILLEY: But they broadcast it selective to the South. It was focused very much on him. He wanted the success very badly because he's in very bad economic shape. He has to open up new channels of support. He

has to open up North Korea to the world because his previous policy wasn't working. And I think he found in President Jim Dae Jung a very enlightened, smart man... who had proposed this for a long time. And this was the time to move because President Kim Dae Jung said very clearly "I don't want to absorb you but I will not tolerate military provocations." It was a good message.

Kim Jong Il's public diplomacy

MARGARET WARNER: What did you make of this?

JOEL WIT: Well, I agree with everything that's been said so far, but one of the really interesting things about this meeting has been the conduct of public diplomacy by Kim Jung Il. His visit to Beijing and now

his meeting with Kim Dae Jung has kind of transformed his public image, and you saw that in the report prior to our discussion. He's becoming someone who everyone is viewing as someone they can work with, rather than, you know, the shadowy figure who may have inspired terrorist actions in the past. So it's a very interesting aspect of what's going on here.

MARGARET WARNER: Do you see in this agreement concrete things that really will go a way towards opening up relations between these two countries?

JOEL WIT: Well, I think, you know, these are small steps, they're not insignificant. The family reunion issue has been one that's been on the table for a long time, and it has a lot of humanitarian symbolism in the South. Some of the other steps are small but also important. But I think we have to put this in perspective and avoid getting too carried away with the results of this first summit.

MARGARET WARNER: David Kang, you said the real test of course will be implementing this. What will it take to make these agreements work because the language-- and we just ran it-- the language is fairly vague?

DAVID KANG: Well, I think I agree with Joel in that the importance here isn't necessarily whether they get this... the family reunions going in the next six months or something because, you know, trying to get North Korea to open up is going to inevitably be a very long process and there's going to be a lot of fits and starts. And so I think it's wonderful that they had this and this summit meeting. But to sort of expect that things are going to be

rosy from now on I think is expecting too much. It's going to be a very long process.

MARGARET WARNER: But then when you say it's important in a symbolic sense, what does that really mean?

DAVID KANG: I think it means... first of all, it means to people like... as we've all said that, you know, look, there's Kim Jung Il, he's not as reclusive and as bizarre as we might think. It's a very good public relations ploy, so to speak, and sort of showing

that
you can work with him. Because you know, it's very easy to sort of not understand where North Korea's coming from. So I think that's very important that they're
actually
meeting and talking and being in front of reporters.

MARGARET WARNER: All right. But take that one step further. In the past, North Korea has appeared not to care about public relations. Why does it care?

DAVID KANG: I think they have to right now. You know, they're in deep trouble.

MARGARET WARNER: So Jim Lilley, the question is -- do you think North Korea, under this fairly new leader-- I mean he's been in six years-- wants to actually change its system a little bit so that economically it moves away from a sort of command economy, or is it just... and therefore, gets western investment, or do you think it simply just wants aid, a bailout, whether it's agricultural or other things?

JAMES LILLEY: Well, that's your \$64,000 question. Obviously, they have to change because they are starving to death, their industries are closed down and they can't supply energy. And they've had to look for other sources of support. And the one thing that he did was to go right straight to China on May 31 and look at legend and perhaps get a briefing on decollectivization of agriculture and investment in agriculture. The Chinese did this in '78 very successfully. They got a message for him, and I think he's mentioned -- for the first time, praised their system. He's been very critical of it before because of selling out socialism. This has changed.

I think this is something you want to watch very carefully.

The second thing I think that's rather important to see is the background of this, is that he had to line up China and Russia behind him before he really went into the summit. He went to China, and he's got Putin coming in July -- because Kim Dae Jung went in with a very powerful hand, U.S., Japan, South Korea all in alignment after the Perry mission and I think this was a very formidable thing he was faced with. But it's also interesting to note in the North Korean propaganda, they have turned up the blast on the United States, and it's the United States forces in South Korea. They've dragged up Kwong Ju, the massacre in Kwong Ju in 1980 - they've said America started the Korean War in 1950. And they've gone back to No Gun Ri, where the massacre took place in '50, and they said this is American perfidy in South Korea.

So as David and others have said, we're in for a long haul on this one. There's good signs out there. A lot of good things have happened in this romantic, emotional-- there's so much emotion involved in this thing, and it taps into this emotion, and I think that's very important. The symbols are crucial

right

now because the North Koreans and South Koreans don't take an army of lawyers with them. They reach an agreement by looking in the other man's eye and judging his nunchi, the measurement of his eyes, his intentions. And I think this is what happened.

North Korea: Ready for change?

MARGARET WARNER: So do you how, Joel Wit, see what's going on in North Korea? Just pick up on what Jim Lilley said in terms of whether they want to... whether they're ready to, for instance, abandon the completely controlled state economy or whether they still want to have it both ways.

JOEL WIT: Well, you know, I think it really is too soon to tell whether there is going to be real domestic change in North Korea. And I think that they probably do want to have it both ways. And so far, they've

managed to at least bottom out in terms of their economic decline, or at least according to the latest figures. So

they

may think that if they can increase the amount of international assistance to their country, that may help them avoid making real change. And in a sense, it--

MARGARET WARNER: You're talking about aid now, just essentially aid, but they can use it their own way and just prop up their system?

JOEL WIT: Right. I mean it's kind of perverse because there probably are people in North Korea in the political system, in the leadership, who are interested in some gradual change. But if the economy bottoms out because of economic assistance from abroad, it takes the pressure off for a change.

MARGARET WARNER: And how do you see this question, David Kang, in terms of how much desire there is for really changing the system, versus propping up the system?

DAVID KANG: Again, I would go with what the other two speakers have said, which is it's really too early to tell. But the types of changes

that

they have made have been sort of consequential and they've come from the top leadership all the way down. There's... not only are they looking for humanitarian aid, but they've changed their constitution, and they're trying

to

get the laws in place to allow foreign aid and repatriation of profits. You know, we don't know yet because no one's willing to invest in North Korea whether they're sincere or not. The South Koreans - there's over 700 South Koreans living North Korea right now who are working with various companies. So, yeah, this hasn't been a dramatic shift and it's not going to be like tomorrow we're going to wake up it's going to be a capitalist economy. But in terms of sort of getting into a transition phase, they've certainly begun to take some of the steps.

MARGARET WARNER: So you mean internally, they have made some changes?

DAVID KANG: Oh, yeah. And some are sort of interesting. Like English is now the required foreign language in high school, not Russian anymore.

JOEL WIT: I just wanted to place a little historical perspective here. There have been signs, I think, since at least the 1980s that there has

been

interest in change in North Korea, inside North Korea, interest in economic change. And we've seen periods

where there have been one step forward in terms of change, but then nothing much more happens, or else there's a step backward. So I think, you know, there are conflicts within the North Korean leadership about whether they can change or not.

South Korea: Joining forces?
MARGARET WARNER: And what about the South Korean leadership, Jim Lilley? What's going on there?

JAMES LILLEY: Well, I had a chance to spend a lot of time with the leadership in the last three weeks. I was there in South Korea and met everybody from the top all the way through. I would say...

MARGARET WARNER: Including the president?

JAMES LILLEY: Including the president. And what I see emerging in the South is a very interesting phenomenon, is the rise of Korea -- that Korea is aiming to become a country of 70 million people at some point, going through this transitional phase of confederation, commonwealth, European Union-type arrangement, living side by side, comparative advantage in economies, where the North has cheap labor, land, the South has capital, management, technology. They put it together -- in some ways, like Taiwan-China. You put it together, you get a package and it starts to work for you, but you keep the two sides separated politically. The South Korean businessmen-- David's right, some of them have gone in there, but Samsung and some of the other companies are really fairly cautious about this. The profit just isn't there. The infrastructure's too far behind. The laws are not being implemented. There is a real ignorance of finance... international financial... they've tried, but they're not

there

yet.

MARGARET WARNER: Let me just mention something that President Kim said last night in the banquet... or I

get

the nights confused here because of the date line. But anyway, he said, "if both sides joined forces, Korea could become a first-class nation."

JAMES LILLEY: That is laced through this whole thing, and that is the first thing they say in the new five-point. It comes out of Parchunhi in 1972, "we will do it as Koreans." And that is

the first statement. And you're going to get a lot more I think of the Koreans doing it themselves. The Americans did it between '93 and 2000. We took the lead on it. Now the Koreans have taken the lead back and I think that's a very healthy sign in many ways.

MARGARET WARNER: You're nodding, Joel Wit.

JOEL WIT: No. I agree with everything he said. It's very clear that over the past six or seven years, as Ambassador Lilley said, the whole Korean problem had become internationalized because of the nuclear crisis, and the U.S. took the lead. So now you'll see a lot of statements about now Korea will solve its own problems and the other powers should look on and maybe contribute to that. But the two Koreas will be at the center of the process.

MARGARET WARNER: All right.

JAMES LILLEY: I just want to add something on the economy, Margaret. You know, they went through, in 20, 30 years ago, the whole business of turnkey plants from Europe and defaulted on all their debts. They tried to do

once. In '93, they admitted economic failure. So you see an evolution coming to them, looking for new solutions. Whether they come to the right solution, we simply don't know yet.

MARGARET WARNER: All right. Well, thank you all three very much.

FACING THE MUSIC

The battle continues between the music industry and its fans over

Internet sites that allow users to download CD-quality music for free. Spencer Michels reports.

(VIOLIN MUSIC)

SPENCER MICHELS:

Violinist Jay Rosen -- a performing and recording musician who has played with groups as diverse as the Hollywood Bowl Orchestra and the Rolling Stones -- says his

livelihood and that of thousands of artists is threatened

by a new Internet technology that is changing the music

business. A substantial portion of Rosen's income comes from royalties on records and CDs he has made. Now --many of those recordings are available for free on the Internet

JAY ROSEN: I have a skill set that deserves to be properly compensated for and, what's happening here is the dissemination of a copyrighted product -- and the dissemination of that product for free ultimately could prevent me from earning a living entirely as a working musician.

(VIOLIN MUSIC)

A new technology

SPENCER MICHELS: The new and controversial technology that is threatening Rosen's livelihood is much

evidence in college dorms -- like this one at San Francisco State University -- where students are downloading music from the Internet, for free.

STUDENT: Music is like an art form. Why should I have to pay money to, like, view art?

SPENCER MICHELS: Using computer programs with names like Napster and Audio Galaxy, students Justin Cram and Greg Kunit have access to millions of songs.

(MUSIC IN BACKGROUND)

SPENCER MICHELS: Music fans have converted those songs from CDs into computer files called MP3s which can be sent over the Internet and then played, either on a computer or on a portable player similar to a Walkman. Napster -- the most famous of the sites -- allows one computer user to pluck music files from another computer, with no loss in quality. It has proved so popular that some colleges --including San Francisco State -- have banned it because it was clogging the Internet lines.

GREG KUNIT, Student: What Napster did was make things so easy that literally all we'd have to do is just

in the name of a song, and up would come a list of where we could download it from. Just double click, and it would start downloading; it was that simple. And they banned Napster here, so we can't do that, so it's a lot more difficult for us to go out and find music.

SPENCER MICHELS: The way I understand it, you've

figured that there are a lot of
ways to get music, not just
Napster?

GREG KUNIT: There are ways
- it's still not perfect - but there
are ways you can sort of scoot around the edges.

Who owns music?

SPENCER MICHELS: At this point, Napster gives away
its technology for free -- hoping to become so popular it
can eventually make money from deals with other web
sites and advertisers. It appeals to people like Cram and
Kunit, who say they can't afford the 10 to 25 bucks that
most CDs cost; they say they want to sample on the
Internet before they visit the record store. But sampling

is

only a part of what Napster and the other sites are all
about. Some of them portend even greater disruption for
the recording industry. In a small San Francisco
apartment, two computer programmers --Gene Kan and
Spencer Kimball -- are working on improving Gnutella --
a Web site like Napster, but much more extensive.
Gnutella can facilitate the free exchange of not just music
files -- but movies, slides and documents. But unlike
Napster, it is not a company, it's just a technology that
exists on the 'net; there is no way to shut it all down.
Gnutella is one of perhaps 15 sites that have shocked the
recording industry, and are threatening to change music
distribution forever.

GENE KAN: The fact that this technology is out there
means that they either adapt or they die.

SPENCER KIMBALL: It really is the wave of the future.
You know, you want a song; it just instantly happens. You
don't have to go to the store anymore; you don't have to
shell out as much money where you buy a whole album
that has tracks you don't like in it.

GENE KAN: Everybody is going to be using MP3s. CDs
are on their way out.

SPENCER MICHELS: Early
on, Gnutella was owned by
America Online -- which shut it
down it shortly after AOL
announced it was merging with
Time Warner. But the program
lives on in cyberspace, with no
owner. Kimball and Kan volunteer their work, because
they believe in the technology. They envision a future
where rock stars would do the same.

SPENCER KIMBALL: Your rock stars don't make millions of dollars anymore. You know essentially they put the music out because they love to put it out, and they make a decent amount of money, but they don't make millions.

GENE KAN: I'll tell you - it wouldn't be a crying shame if music became entirely free. That's how music was until earlier this century.

SPENCER MICHELS: That's utter nonsense, says violinist Jay Rosen.

JAY ROSEN: There's a sense amongst a lot of the young people that do this that it's their God-given right to take this software that they've created and put it up on the Internet and let anybody, any kid in school, take whatever they want for free and for whatever reason they have. And that's interesting because I think that sense of us against the system has always been there. Well, the system now is me and working musicians who I work for...

Artists fight back

SPENCER MICHELS: Many big name recording artists like Bonnie Raitt at first hoped the Internet would benefit them in their continual battle with recording companies. Raitt is among a stable of stars managed by Ron Stone, who has organized a group called Artists Against Piracy.

RON STONE: We're kind of stuck in this plantation system with the record companies. And they're the only games in town. And we looked at the Internet as an opportunity to extricate ourselves from this situation and deal directly with our audience. And now it's not an option because the option now is we can have the relatively bad contractual arrangement with one of the majors, or we could have our property taken for free. These are very bad choices.

SPENCER MICHELS: The question of free Internet music became a national issue when the popular heavy-metal band Metallica filed suit -- as did the recording industry -- charging California-based Napster with copyright infringement and racketeering, for facilitating the stealing of its music. The band demanded that more than 300,000 Napster users, that it had identified as downloading Metallica's songs, be blocked from the system, which Napster did. But a lot of less well-known artists disagree with Metallica. This is "Souls of Mischief", part of Hieroglyphics -- a hip hop group from Oakland, California. The group resents attempts to curb music distribution online, where it hopes fans "will" listen to its music. Through its Web site, Hieroglyphics is promoting its concerts, plus selling tapes, CDs, singles,

and an array of clothing. Tajai Massey is a lead singer and organizer of the group, which once had a major record contract --but no more.

TAJAI MASSEY: It didn't translate into us making money because just the way everything was structured, the label usually takes anywhere from 85 to 95% of the profits, so that leaves the artist really messed up.

SPENCER MICHELS: So you go to the Internet?

TAJAI MASSEY: To me, it just basically is access and access to markets that we'd never be able to touch. And now we have offers to do shows in South Africa.

SPENCER MICHELS: Unlike some other artists, Tajai Massey does not consider every download of his work "stealing."

TAJAI MASSEY: Bootleggers are going to bootleg your CD regardless. Dishonest people are going to be dishonest. But on the same token, you got to look at it

like

some kid in Brazil who may not know who you are may stumble across your music, like it, and go purchase it. And to me that's a lot, a larger benefit than that same kid maybe stealing, you know, one song off the Internet or even your albums.

SPENCER MICHELS: That's not what the recording companies say. So far, their primary response -- like Metallica's --has been to sue Napster and MP3.Com. The Recording Industry Association of America and its president, Hillary Rosen, have successfully lobbied Congress for years to strengthen copyright laws. And they are using those laws against Napster.

HILLARY ROSEN, President & CEO, Recording Industry Assoc. of America: This is a company that is building a business. You know, they've got venture capital money. They're out on Wall Street looking for financing. This isn't, you know, just a sweet young guy that's looking for some fun in his college dorm room. They are building a business by facilitating the stealing of artists' music.

SPENCER MICHELS: Napster -- in the midst of several lawsuits -- declined an interview, but has stated it is providing an Internet service that is legal and that it steals

nothing. Its legal battles have become hot news, just as the technology and its creator -- Shawn Fanning -- have. A 19-year-old college dropout, Fanning created the program and the company based in San Mateo, California less than a year ago, with the help of venture capital money. Because it is a company -- unlike Gnutella -- Napster can be sued. But lawsuits are not the long-term answer, according to Stanford University Law School professor Margaret Jane Radin, who specializes in technology issues.

MARGARET JANE RADIN: If you're a business, you co-opt the new technology and you run with it and use it to make money for yourself, rather than trying to put your finger in the dike. So ultimately, I think that the

lawsuits

are a temporizing measure, and they win something in the short run, but in the long run, they have to adapt and develop new business models, which work in the new technology.

SPENCER MICHELS: Artists' manager Ron Stone also foresees a technological answer.

RON STONE: We have to come up with a technological solution that overlays on the Internet and recovers the two million plus titles that are already on the Internet as MP3 files. And I would challenge the tech community to come up with a

solution that becomes a turnstile or a tollbooth on the Internet that allows the artists to get compensation for

their

creations.

Lawmakers weigh in

SPENCER MICHELS: The thorny issue of who controls distribution of music and other media on the Internet has attracted the attention of Congress.

SPOKESMAN: Thank you for joining the committee today for our hearing to discuss the future of on-line

music

distribution models (

SPENCER MICHELS: The House Committee on Small Business heard from rapper Chuck D -- who defends the new technology, and says no one can stop it, once it's on the Internet.

CHUCK D: All of a sudden the audience or the consumer has gotten to the technology first, before the industry.

Now the industry is begging government to help them out. It's like the guy who walks to the corner and he has this gigantic bag of M & M's, and he divvies them out - one by one - and -

SPOKESPERSON: Mr. Chairman -

CHUCK D: Well, the bag breaks all of a sudden and there's M & M's all over the corner. It's hard to tell them don't pick that M & M up; don't pick this M & M up; it's like, it's all over the street. (laughter)

SPENCER MICHELS: The RIAA's Rosen doesn't buy it. She says critics like Chuck D who accuse the recording industry of squashing the technology are wrong.

HILARY ROSEN: This is not about trying to stop the technology, or trying to imagine we can shut down the Internet or shut down unauthorized music. This is really about how is legitimate music going to develop online.

RAPPER: Napster, it makes me the master of my desktop. My files are the best crop, downloaded with no rest stop.

SPENCER MICHELS: But
who controls that technology is
in big dispute. A number of new
bands, like Kooken and
Hooman, have answered that
question in rap, in a contest
sponsored by Chuck D -- to
celebrate the promise of free
music on line.

RAPPER: So sue me, you can do me. It goes right through me. You simply don't realize what the music does to me.

SPENCER MICHELS: So far -- record stores report only minimal sales losses, and only in areas near college campuses. But all the players acknowledge that this battle has just begun.

RAPPER: Get your friends and family and everyone say with me: I wouldn't pay for a summer day and I wouldn't pay for an MP3.

RAY SUAREZ: One Internet music lawsuit has just been settled. MP3.Com will pay more than \$20 million to two major record companies -- Warner and BMG -- to store recorded music on its service. In the Napster lawsuit, the Recording Industry Association has asked a judge to block all major-label music from that site even before the

case goes to trial.

END