

1-16-01

## THE WHITE HOUSE

WASHINGTON

December 18, 2000

## MEMORANDUM FOR THE PRESIDENT

FROM: SIDNEY BLUMENTHAL *SB*

SUBJECT: PRESIDENTIAL COMMISSION ON ELECTORAL REFORM

You should form and announce a Presidential Commission on Electoral Reform. The obvious chairpersons of this effort would be former presidents Gerald Ford and Jimmy Carter. The Commission should be announced in early January, after the holiday season and before inaugural activities begin in earnest.

The clamor for such a Commission is great and growing after the debacle over the presidential vote in Florida. According to just-released Los Angeles Times and ABC News-Washington Post polls, public support for change in the system of voting is overwhelming.

You should create a Commission rather than leave it to your successor to name. You prudently stayed above the fray during the thirty-six days of tension in Florida. As the departing President, unable to run again, you can have no vested interest in the conclusions of a Commission. Your successor, however, will undoubtedly run for reelection and would want to appear to wipe away the infamy of the Florida resolution of which he was the beneficiary. A Presidential Commission should not be subsumed, directly or indirectly, by any partisan agenda. Only you can raise it to the level of untainted national interest.

This Commission should include within its mandate, but not be limited to, the following issues:

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1. A uniform national presidential ballot.
2. A factual report on the disparities of voting technologies in every state, including the disparities by race, ethnicity and geography.
3. The replacement of older voting technologies with less error-prone ones.
4. The establishment of accepted uniform standards of voting by each state before the next election.
5. Insuring that there are no future over-votes and under-votes. (For example, technology should exist to tell a voter when he or she has voted in such a way as to invalidate their ballot—voting for two candidates for the same office—and to instruct the voter to get a new ballot.)
6. Establishment of new “sunshine” laws setting requirements for informing all public officials and the public itself of the existence of voting problems within time deadlines after elections so that these problems can be properly challenged and corrected.
7. Extension and strengthening of laws against voter suppression and intimidation.
8. Establishment of new laws to secure all ballots so that they are preserved safely after an election for review by any group or news organization.

You should name the Commission’s director at the time of its unveiling, perhaps a disinterested figure like the president or former president of a major university who has conducted important projects on public policy in the past (someone of the stature and experience of Derek Bok of Harvard). Furthermore, you should set a firm date for its recommendations to be delivered to the next President.

1/10/01

THE WHITE HOUSE

The Speechwriters  
would like to meet  
with you today.  
if possible, to  
get your input  
on ~~this~~ your  
farewell address.

Otherwise they  
would like to  
see you on Tuesday.

N

THE PRESIDENT HAS SEEN

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THE PRESIDENT HAS SEEN

1-16-01

TIME OF TRANSMISSION:

TIME OF RECEIPT:

**WHITE HOUSE  
SITUATION ROOM**

PRECEDENCE

CLASSIFICATION:

RELEASER:

IMMEDIATE

UNCLASSIFIED

DATE/TIME: 141530Z JAN 01

MESSAGE #: SR074

FROM: SANDY BERGER PHONE: \_\_\_\_\_ ROOM: \_\_\_\_\_  
SUBJECT: EARTHQUAKE IN CENTRAL AMERICA PAGES: 3

PLEASE DELIVER TO:

| <u>LOCATION</u> | <u>DELIVER TO</u>                | <u>ROOM</u> | <u>PHONE</u> |
|-----------------|----------------------------------|-------------|--------------|
| <u>CAMP</u>     | <u>MILAIDE FOR THE PRESIDENT</u> | _____       | _____        |
| _____           | _____                            | _____       | _____        |
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SPECIAL DELIVERY INSTRUCTIONS/REMARKS:

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Please pass to Sandy Berger

Copies to PJ Crowley, Don Kerrick, Mara Rudman, and Maria Echaveste (who you will have to reach at home).

From Eric Schwartz

As you know, a major earthquake shook Central America on Saturday, reportedly killing at least ~~61~~ and leaving an estimated 1,200 people missing in El Salvador. (Those numbers will almost certainly grow, but we do not know by how much.) The quake, which struck at about 11:35 a.m. local time, caused deadly landslides believed to have buried hundreds of houses.

The quake was felt across El Salvador, Guatemala, Nicaragua and Honduras, as well as the southern Mexican state of Chiapas. By far, Salvador was the most severely affected.

Reportedly, most of the deaths in El Salvador occurred along the Pacific coast in the southwest, near the quake's epicenter, as well as near the Guatemalan border. The 1200 missing figure apparently comes from reports of a 1,500-foot landslide, which carried away houses, cars and trees in the middle-class Las Colinas neighborhood west of the Salvadoran capital. At least 300 houses were destroyed.

Again, we expect the numbers to grow as we obtain information from other areas. For example, reports from the mountain range of Comasagua, in La Libertad state, said as many as 200 homes were buried in mud and that rescuers were unable to reach the scene. In addition, President Francisco Flores said another landslide had buried homes in the Berlin area. There are frantic efforts underway to remove rubble and uncover persons still alive.

President Flores declared a national emergency and called his Cabinet into emergency session. He appealed for international aid, especially for "people specialized in finding victims who are buried." Flores said it appeared that the San Salvador suburb of Santa Tecla and the Pacific coast province of La Libertad were among the hardest-hit areas.

News of the damage was slowed by the fact that much of El Salvador's telephone service and electricity was knocked out by the quake for several hours. Unfortunately, a

250+

MAJ GORD

disaster center that we helped to establish was itself hobbled by the earthquake.

### **What we are doing**

We are providing assistance, which I have included in talking points for your convenience.

### POINTS

- Deeply concerned about impact of earthquake in El Salvador.
- President Flores has appealed for international aid, especially for "people specialized in finding victims who are buried."
- And we are responding.
- On Sunday morning, a transport plane commissioned by our Office of Foreign Disaster Assistance will be flying from Homestead Air Force Base in Florida loaded with relief supplies, such as plastic sheeting, potable water jugs and other essential equipment.
- At the same time, our U.S. Southern Command will deploy five military helicopters equipped to conduct search and rescue, transport people and supplies, and conduct assessments.
- They are also expected to arrive on Sunday morning.
- Finally, an assessment team from the Metro-Dade County, Florida Rescue Squad will be flying from Miami to El Salvador on Sunday, and a separate assessment team of U.S. disaster relief specialists will be flying to El Salvador from Costa Rica.
- Our Ambassador will accompany President Flores on an assessment mission on Sunday. As we obtain more information from our Ambassador, and from our teams on the ground, we will be in position to provide additional help in the days to come.

THE PRESIDENT HAS SEEN

1-10-01



*Edward M. Gabriel*

*Ambassador*

*Embassy of the United States of America*

December 6, 2000

The President  
The White House  
1600 Pennsylvania Avenue  
Washington, DC 20500

Dear Mr. President:

On the eve of your departure I want to express my deep respect and admiration for the contribution you have made to our great country and the tremendous opportunities you have created for so many. I know that history will rank you among the most important leaders of the world, during a decisive turning point in global affairs.

I am very proud to have served you and thank you for giving me the opportunity to serve my country. My father, who was an immigrant from Lebanon, died when I was seven. Although both my parents were of little means, they taught their children to be grateful that we were born in America, a land that gave every citizen unimaginable opportunities. You can be sure, Mr. President, a person of my economic background would not have had such an opportunity in any other country, and maybe under any other President.

I want to express my appreciation for the trust and confidence you have placed in me. Throughout my assignment I was continually guided by your wisdom and compassion, and your love for America.

God bless you, Hillary and Chelsea.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ed', with a stylized flourish at the end.

Edward M. Gabriel

THE PRESIDENT HAS SEEN  
1-12-01

12/12/01

Copied  
Sergeant  
NSC W. Wing  
Desk  
Podesta

LARRY C. WALLACE  
Attorney at Law  
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Monday, January 01, 2001  
The Time is 6:11 PM CST  
Local time is GMT -6.0 hours

01 JAN 12 PM 9:45

Honorable William Jefferson Clinton  
The President of The United States  
The White House  
1600 Pennsylvania Avenue  
Washington, D.C. 20500-2000

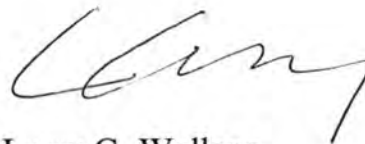
Dear Mr. President,

I have asked our friend Congressman Bill Alexander to visit with you about our mutual friend Benazir Bhutto. She has asked that we convey to you her personal plea for you to intervene on behalf of her husband Senator Zardari.

Senator Zardari was granted medical bail by several courts in 1998. The Nawaz and Musharaf regime blocked the release. Senator Zardari has already completed his sentence. His sentence has been highly criticized by two U.S. Federal Judges stating that the U.S. courts would not recognize the conviction as valid.

As a strong promoter of human rights and as a good friend of Benazir, we urge you to intercede on the Senator's behalf. Thank you very much.

Sincerely,



Larry C. Wallace

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RESEARCH PROPOSAL

THE ECONOMIC EFFECTS OF THE CUBAN EMBARGO ON SELECTED  
AGRICULTURAL COMMODITIES ON THE UNITED STATES AND  
ARKANSAS ECONOMIES

To Sandy  
See you in the

Submitted by:

John S. Kaminarides, PhD  
Arkansas State University  
College of Business  
P.O. Box 1260  
State University, AR 72467

copied  
Bergan  
Podesta  
W. Wing Desk

January 1999

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# THE ECONOMIC EFFECTS OF THE CUBAN EMBARGO ON SELECTED AGRICULTURAL COMMODITIES ON THE UNITED STATES AND ARKANSAS ECONOMIES

John S. Kaminarides  
Professor of Economics and International Business  
Arkansas State University

## I. A Theoretical Model

Trade discrimination occurs through trade blocs (EU, NAFTA) or trade block. Trade discrimination can be more belligerent through trade block than trade bloc. A nation or group of nations can keep ordinary barriers on its trade with most countries, but in some cases are making trade with a particular country or countries more difficult or impossible. When economic warfare is waged, nations often impose economic **sanctions, embargoes** or **boycotts**. The term sanctions is the most general in nature, referring either to discriminatory restriction or to complete bans on economic exchange. Embargoes and boycotts both refer to complete bans (Lindert, p. 216).

Waging economic warfare with trade embargoes and other economic sanctions dates back to at least to the fifth century BC. The American colonists boycotted English goods in the 1760s to protest against the infamous Stamp Act and Townshend Acts. In this case, the boycott succeeded—Parliament responded by repealing those acts. The practice of economic sanctions have been more frequent since the early 1970s than at any earlier peacetime era. Nobody practices such economic warfare nearly so readily as the United States. The United States was the prime initiator of 54 out of the world's 89 major embargo episodes between 1945 and 1983, and has since continued the practice against Cuba, Nicaragua, Haiti, Iraq, Panama, Serbia, South Africa, etc. (Lindert, p.216)

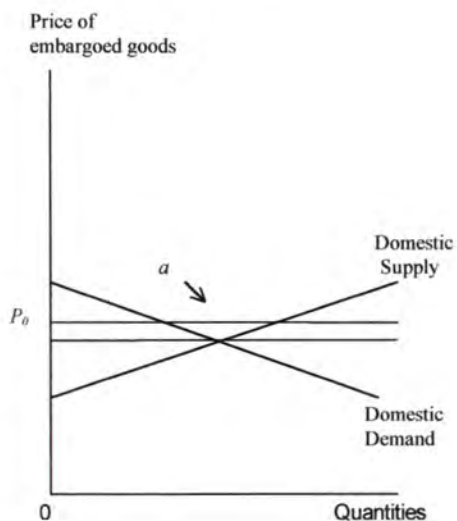
The effects of banning trade are easy to imagine. Both countries, involved in an embargo, (embargoing/embargoer) and the "target" or "embargoed" country hurt economically as a result of the trade embargo. But who gets hurt the most? The target country often is a greater loser.

The following graph explains theoretically the effect of trade embargo on both the embargoing country and the embargoed country. In this example it is assumed that a total embargo is imposed on exports from US to the target country, Cuba.

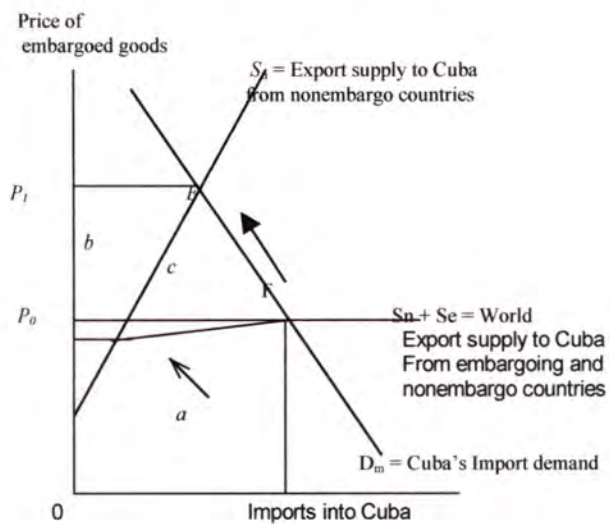
When the U.S. decides to put an embargo on exports to Cuba, that part of Cuba's world export supply,  $S_n + S_e$ , exported by the United States,  $S_e$ , disappears and is replaced by  $S_n$  curve alone. Cuba finds importable goods more scarce and the price of importable goods rising from  $P_0$  to  $P_1$ . A movement from the free trade equilibrium  $F$  to the embargo equilibrium  $E$ . The new scarcity costs Cuba as a nation the area  $b + c$  and to the U.S a loss measured by the area  $a$  in both graphs. The loss area  $a$  on the left graph is the difference between producers losses and consumers gains and on the right as a loss of profit on exports. Countries, however, not participating in the embargo gain  $b$  on extra sales to Cuba at higher prices. The world as a whole loses the area  $a + c$ , a loss due to inefficient world trade.

## The Effect Of The Cuban Embargo On The United States and Cuba

Embargoing Country  
(United States)



Embargoed Country  
(Cuba)



Moving from free trad ( $F$ ) to an embargo ( $E$ ) means:

|                               |         |
|-------------------------------|---------|
| Embargoing countries lose     | $a$     |
| Cuba loses                    | $b + c$ |
| Other countries gain          | $b$     |
| <i>World as a whole loses</i> | $a + c$ |

Within both countries, influenced by the embargo, different groups will be affected differently. In the embargoing country, the embargo lowers the price below  $P_0$ , slightly helping some consumers while hurting producers. Within Cuba there might be a similar division, with some import-competing producers benefiting from removal of foreign competition, while consumers are damaged to a greater extent.

If the embargo brings economic costs to both sides, why do it? Clearly, the United States imposing the embargo has decided to sacrifice area  $a$ , the net gains on trade with Cuba, for some other goals. By their actions the embargoing governments imply that putting the pressure on Cuba is worth more than area  $a$ . The lost area  $a$  is presumably not a measure of economic irrationality but, rather, a willing sacrifice for other goals. The hypothetical export embargo is assumed to cause Cuba more economic damage, measured by area  $b + c$ , than the embargoer's loss represented by area  $a$ .

The above theoretical explanation of the effects of embargo on both the embargoing and the embargoed countries lead us to the main goal and objective of this study. **To determine and measure the loss to the United States due to the embargo of rice and other farm products imposed by the US on Cuba. Thus, measuring  $a$  area.**

Professor John Kaminarides, Arkansas State University, in cooperation with the School of Advanced International Studies (SAIS) at John Hopkins University, undertook, in 1986, a research study to determine and estimate the effects of the US embargo on Cuba. The study estimated the loss of the United States by not trading selected agricultural commodities with Cuba from 1960 to 1986. The author testified before a congressional hearing on the findings of his research in June 1988. The summary of the estimates of this study are stated below. Our proposal further suggests that the **College of Business, Arkansas State University under the coordination of Dr. John S. Kaminarides updates the results of their previous study to determine and estimate the effects of the Cuban embargo on selected agricultural commodities on the US and Arkansas economies.**

## **II. The Summary of the 1986 Findings of Professor Kaminarides' Study on the Effects of Cuban Embargo on Selected Commodities on the US and Arkansas Economies: 1960-1986**

The objectives of this study were to estimate how much the United States and the State of Arkansas have lost by not exporting selected agricultural commodities to Cuba as a result of the US trade embargo on Cuba. It also attempted to determine the effect of trade normalization between the US and Cuba on the US and Arkansas economies.

In October 1960 the United States imposed a partial embargo on trade with Cuba which by 1964 became complete.

In order to determine the value of exports lost by the US and Arkansas as a result of the embargo, and to estimate the impact of the embargo on the income and employment of the State of Arkansas, the following steps were taken:

- a) Data on trade between the US and Cuba were collected from US and Cuban sources.

- b) The pre-1960 average of the US exports to Cuba was multiplied by the annual average rate of growth of Cuban imports to determine how much the US could have exported to Cuba from 1965, 1970, 1975 and 1980-1986.
- c) An economic base analysis study was used to develop the income and employment multipliers for the State of Arkansas, which in turn were applied to estimate the overall impact of the embargo on Arkansas' income and employment.

### **A. The Cuban Economy And Trade**

The Cuban economy has been centrally planned since 1960. The annual rate of economic growth of Cuba from 1981-1985 was estimated to be 7.2 percent. However, from 1985-1986 it increased by only 1.4 percent.

Hurricane Kate, drought, decline in average oil prices and the sharp dollar devaluation affected Cuba's rate of growth negatively.

In 1986, Cuba experienced a balance of trade deficit of 2.3 billion pesos. Cuba's exports and imports amounted to 5.3 billion pesos and 7.6 billion pesos respectively. (About 86.2 percent of Cuba's total trade turnover in 1986 was with socialist countries and 13.8 percent with market economy countries. Cuba's exports in convertible currency were equal to 896.2 million pesos.

Nickel sugar, cigars, lobsters, shrimp, coffee, fresh vegetables, orange juice and tourism can be considered Cuba's major exports.)

### **B. Trade Relations Between The US And Cuba**

The US had a favorable balance of trade with Cuba during the years before the revolution, but a trade deficit in agricultural commodities. During the 1950's the US total exports to Cuba ranged from \$464 million to \$628 million. For the same period, the US agricultural exports to Cuba ranged from \$298.5 million to \$451.5 million.

### **C. Cuban Imports Of Selected Agricultural Commodities**

The agricultural commodities considered in this analysis were: corn, cotton, potatoes, rice, soybean, tobacco, wheat, wheat flour, dry milk, poultry, eggs and fish.

From 1965, 1970, 1975 and 1980-1986 the total values of these agricultural commodities imported by Cuba are.

| Agricultural Commodities |                                                        | Cuba's Total Value<br>of Imports: 1965, 1970<br>1975, 1980-1986<br>(In millions of \$) |
|--------------------------|--------------------------------------------------------|----------------------------------------------------------------------------------------|
|                          | Cuba's 1985 Value<br>of Imports<br>(in millions of \$) |                                                                                        |
| Corn                     | \$49.6                                                 | \$406.7                                                                                |
| Cotton                   | 64.5                                                   | 372.5                                                                                  |
| Potatoes                 | 5.3                                                    | 43.8                                                                                   |
| Rice                     | 85.0                                                   | 556.0                                                                                  |
| Wheat                    | 215.7                                                  | 1,134.7                                                                                |
| Wheat Flour              | 31.7                                                   | 201.4                                                                                  |
| Dry Milk                 | 25.1                                                   | 208.7                                                                                  |
| Poultry                  | 25.4                                                   | 164.6                                                                                  |
| <b>TOTALS</b>            | <b>\$502.3</b>                                         | <b>\$3,288.3</b>                                                                       |

#### D. Estimates Of Cuban Imports Of Selected Agricultural Commodities From The United States

The estimates of Cuban imports from the United States for selected agricultural commodities from 1965, 1970, 1975 and 1980-1986 were determined by multiplying the pre-1960 average US exports to Cuba by the annual average rate of growth of Cuban imports.

It was estimated that from 1965, 1970, 1975 and 1980-19986 the embargo caused the United States to lose \$1.97 billion of exports in selected agricultural commodities and the State of Arkansas to lose about \$235.1 million. The breakdown of losses by commodities from 1965, 1970, 1975 and 19980-1986 are as follows:

| Agricultural Commodities | Arkansas Losses<br>1965, 1970, 1975<br>1980-1986<br>(in millions of \$) | United States Losses<br>1965, 1970, 1975<br>1980-1986<br>(In millions of \$) |
|--------------------------|-------------------------------------------------------------------------|------------------------------------------------------------------------------|
| Corn                     | \$13.0                                                                  | \$ 162.5                                                                     |
| Cotton                   | \$17.9                                                                  | 333.0                                                                        |
| Potatoes                 | -0-                                                                     | 32.8                                                                         |
| Rice                     | 190.4                                                                   | 447.8                                                                        |
| Wheat                    | 8.7                                                                     | 561.9                                                                        |
| Wheat Flour              | -0-                                                                     | 324.3                                                                        |
| Dry Milk                 | -0-                                                                     | 48.0                                                                         |
| Poultry                  | 5.1                                                                     | 31.3                                                                         |
| TOTALS                   | \$235.1                                                                 | \$1,971.6                                                                    |

#### E. Determining The Overall Effects Of The Embargo On Arkansas Employment and Income

The employment and income multipliers for Arkansas were determined by using an economic base analysis. The regional employment multiplier for agriculture was estimated to be 2.1 and the income multiplier to be 1.9.

##### 1. Impact on Employment

It was estimated that the United States lost 4,500 jobs by not trading \$1.9 billion worth of agricultural commodities with Cuba. The share of jobs lost by the State of Arkansas was estimated to be 675 workers, based on the share of \$1.9 billion of exports the state produced.

The direct and indirect employment effect on the state's employment caused by the embargo was calculated:

$$\text{Decrease in employment} = 675 \times 2.1 = 1,418 \text{ workers}$$

Thus, about 1,418 job opportunities failed to materialize in the state from 1965, 1970, 1975 and 1980-1986 due to the decrease in Arkansas' share of agricultural exports to Cuba.

##### 2. Overall Income Effect

The overall income effect due to the decrease in exports on the state

economy was determined by multiplying the basic income, \$235.1 million, by the local income multiplier:

$$\text{Decrease in State Income} = \$235.1 \times 1.9 = \$446.7 \text{ million}$$

Thus, the overall income effect of the decrease in exports in the state was estimated to be \$446,7 million.

In short, the employment and income effect of the US embargo on exports of selected agricultural commodities to Cuba from 1965, 1970, 1975 and 1980-1986 can be summarized as follows:

|            | United States<br>Direct Effect | Arkansas<br>Direct Effect | Overall Effect  |
|------------|--------------------------------|---------------------------|-----------------|
| Employment | 4,500 workers                  | 675 workers               | 1,418 workers   |
| Income     | \$1.9 billion                  | \$235.1 million           | \$446.7 million |

The estimated trade flows between the US and Cuba were tested with a number of Cuban officials. They found our estimates reasonable and manageable trade figures. All Cuban officials we met with were in favor of normalizing trade relations between the US and Cuba. They were very complimentary of the quality of American products, especially of the US farm products such as rice. They also stressed the transportation cost advantage of the US farm products over imports from other countries.

The Cuban officials expressed some concerns on the normalization of trade relations between the US and Cuba. They felt responsible to continue trading with their trade partner nations of the last 30 years; they stressed that a transitional period is needed after the lift of the embargo for resolve its convertible currency problem and fulfill its contractual agreements with other nations. They believed that initial extent of credit by the United States will really expedite and facilitate trade.

The estimates presented in this study may be in error of about +/- 10 to 20 percent. The degree of accuracy of the estimates will depend on the competitiveness of the US farm products in the world market; the transportation cost advantage of US exports to Cuba; the improvement of Cuba's position for convertible currency and the eventual reduction of its trade relations with socialist countries.

THE WHITE HOUSE

12.4.00

Mr. President -

This is the letter <sup>for 12.5.00</sup>  
asked about in our  
meeting today - signed  
by Lloyd Carter & others  
(you may be interested  
in list of signatories).

Neved

This makes pretty  
good case for a monument

Bc

12-5-00

# Citizens for a Moratorium on Federal Executions

*copied  
Podesta  
Cabe  
Molan  
Loy*

P.O. Box 92726  
Washington, DC 20090  
Phone (202) 637-6835  
Facsimile (202) 637-5910  
[www.federalmoratorium.org](http://www.federalmoratorium.org)

November 20, 2000

Dear President Clinton:

As you know, the federal government is preparing to carry out the first federal execution in nearly forty years. The first of twenty-one individuals on death row, Juan Garza, is scheduled for execution on December 12, 2000. Unless you take action, executions will begin at a time when your own Attorney General has expressed concern about racial and other disparities in the federal death penalty process. Such a result would be an intolerable affront to the goals of justice and equality for which you have worked during your Presidency. Consequently, we urge you to put in place a moratorium until the Department of Justice completes its review of the federal death penalty process.

There is a compelling need for you to intervene: a recent Department of Justice survey documents racial, ethnic and geographic disparity in the charging of federal capital cases.

The survey of the death penalty authorization process by the Department of Justice reveals that, among all the federal capital defendants against whom the Attorney General has authorized seeking the death penalty, 69% have been Hispanic and African American (18% and 51% respectively), while only 25% have been white. The Department of Justice has no data concerning the potential pool of persons against whom federal capital cases might be filed and authorized. However, analogous data does exist concerning state prisoners. Only 12 % of all persons entering the state prisons after being convicted of homicide are Hispanic. Using similar data, 40% of all persons entering the state prisons after being convicted of homicide are white. As the Attorney General has recognized, these data indicate that minorities are over-represented in the federal death penalty system.

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\* ( These disparities persist when the Department's data is examined from other perspectives. For example, 47% of all white defendants for whom the Attorney General authorized seeking the death penalty subsequently entered into a plea bargain in exchange for a non-death sentence, as compared to only 27% of Hispanic defendants whose cases were authorized for death. And on death row itself, as of the time of the Department's survey, 17 of the 21 persons on federal death row – 81 % – were racial or ethnic minorities.

The Justice Department survey also reveals inexplicable geographic disparities in the administration of the federal death penalty. In 16 states, prosecutors seek and obtain death penalty authorization in at least 50 % of the federal capital cases that are submitted for review by the Attorney General. On the other hand, there are eight states in which that rate is much lower, ranging from 8 - 30 %. And there are 21 states in which U.S. Attorneys have either never requested or never obtained authorization to seek the death penalty. These disparities in death penalty authorization rates are striking even among the states with the highest number of cases submitted for consideration. Among the eight states where U.S. Attorneys have [submitted 20 or more cases for consideration, the death penalty authorization rate exceeds 50 % in only one state – Texas – and ranges from 15 - 38 % in the rest.

When the survey was made public by the Department of Justice on September 12, 2000, the Attorney General acknowledged that the survey shows "minorities are over-represented in the federal death penalty system." She also noted that the Department could not explain the disparities and because of this, "[a]n even broader analysis must therefore be undertaken to determine if bias does in fact play any role in the federal death penalty system."

The Deputy Attorney General added at the press conference on September 12 that "no one reading this report can help but be disturbed, troubled, by this disparity." He then urged that the problem of race bias in the criminal justice system be confronted openly:

Ours is still a race-conscious society, and yet people are afraid to talk about race. At times, this issue seems to be one of the last remaining ... topics of conversation that is taboo, but it is imperative, moral and legally, that we confront this problem. Promoting an honest dialogue is essential to achieving a criminal justice system where race is never a factor.

When asked whether, in light of the disparities revealed by the survey, the federal death penalty system was fair, the Deputy Attorney General acknowledged some uncertainty:

I am a little surprised. I thought that, seven months ago, when we got to this point we would have substantially greater numbers of answers than we now

have, and one of the things that I've been struck by is the number of questions that these numbers have raised in my mind, and I think that's one of the chief reasons why the attorney general has asked for further studies to be done....

The explanation for these extremely troubling disparities is unclear, but, as the Attorney General and the Deputy Attorney General recognized, the possibility of discrimination and bias cannot be ruled out. The Department of Justice is taking the responsible course and studying the matter further to see if the causes of disparity can be identified and, if appropriate, remedied. But, in the face of these unexplained findings, the Attorney General and the Deputy Attorney General have also suggested that the proper response, in relation to persons already sentenced to death, is to take this information into account in the clemency process. We fail to see how you as President can make an informed and just decision to deny clemency in a particular case without understanding the reasons for these extremely troubling disparities. When the Attorney General and the Deputy Attorney General cannot say with confidence that race and ethnic bias have **not** played a role in the application of the death penalty, and that they **must have further studies to answer this question**, there can be no question: **No federal death sentence can be carried out until the studies and the "honest dialogue" that must follow from them have been completed.**

Mr. Garza's case reflects precisely the concerns over racial, ethnic and geographic disparities in capital cases that the Justice Department itself has raised. Mr. Garza is Hispanic and from Texas – two factors that appear to increase substantially the chances that the government will seek the death penalty in a potential capital case. What if, after further study, the Department itself determines that race or the arbitrary factor of geography does in fact influence who is prosecuted for death and who is not? We cannot bring Mr. Garza or others back if we decide that they were the victims of a death penalty system distorted by bias and arbitrariness.

We have heard voices from various quarters of society taking comfort from the lack of evidence that death row inmates are actually innocent. We recognize the moral difference between executing an innocent person and executing someone who is guilty of a horrible offense but is sentenced to death because of his racial or ethnic background or the happenstance of where he is tried. But we believe it would be wrong and unconscionable for society to make actual innocence the final test for who should live or die. This view would sanction the executions of defendants who, but for their race or ethnicity, might never have been sentenced to death, and it demeans human life by implying that, for defendants who cannot prove their innocence, there is no legal or moral distinction between executing them or imprisoning them. We reject that view.

Our plea to you comes at an historic moment. At no time since the death penalty was reinstated by the Supreme Court in 1976 have Americans voiced such

grave doubts about the fairness and reliability of capital punishment. At the state level, those doubts are reflected in the unprecedented moratorium on executions put into place by Governor Ryan of Illinois, in death penalty moratorium bills introduced and enacted in state legislatures, and in studies commissioned by Governors in other states. At the national level, several bills have been introduced in the United States Congress calling for a moratorium for state and federal executions, or for greater protections for those prosecuted for capital crimes; diverse community and civil rights organizations from the National Urban League, to the NAACP, to the American Bar Association, have called on the Executive Branch to suspend federal executions; and religious organizations have intensified their long-standing calls for a death penalty moratorium. The international community echoes these concerns, as does public opinion, with recent polls suggesting that a majority of the American public supports a moratorium on executions until issues of fairness in capital punishment can be resolved.

The problems that we have highlighted here are problems that resonate profoundly with our nation's historic struggle to secure equal justice under law for all our citizens. These problems are like the ones that have rumbled beneath the surface of state death penalty systems for years, which have finally erupted into the public consciousness and conscience and fueled the growing call for a moratorium.

Some of those who have signed this letter agree with you that capital punishment is appropriate in principle, provided that it is administered in a fair case-by-case manner. However, all of us agree that a moratorium should be adopted while these fairness issues are being resolved.

We believe that the step we ask you to take is squarely consistent with the power to grant reprieves that is given to you by Article II of the Constitution. We are aware of your support for the death penalty under some circumstances and we are not asking that you change your long-held position. We are asking only that you prevent an unconscionable event in American history — executing individuals while the government is still determining whether gross unfairness has led to their death sentences. Granting this delay would not only avoid the specter of fundamental injustice in individual cases, it would address the legitimate reservations about capital punishment that burden the hearts and minds of so many citizens.

Respectfully,

Dr. Mary Frances Berry  
*Chair, U.S. Commission on Civil Rights*

Cardinal Roger Mahony  
*Archbishop of the Roman Catholic Archdiocese of Los Angeles*

Julian Bond  
*Chairman of the Board, National Association for the Advancement of Colored People (NAACP)*

Irvin Nathan  
*Former Principal Associate Deputy Attorney General in the U.S. Department of Justice (DOJ)*

Senator Alan Cranston

*U.S. Senate 1969-1993; President, Global Security Institute*

Angela E. Oh

*Member, Advisory Board One America: The President's Initiative on Race*

Kerry Kennedy Cuomo

*Human Rights Activist; Founder and Former Executive Director of the RFK Center for Human Rights*

Mario G. Obledo

*President, National Coalition of Hispanic Organizations*

Lloyd Cutler

*Former Counsel to President Clinton and to President Carter*

Professor Robert Reich

*Former U.S. Secretary of Labor*

Tom Eagleton

*U.S. Senate, 1968-1987*

Arturo Rodriguez

*President, United Farm Workers of America, AFL-CIO*

Most Reverend Joseph A. Fiorenza

*Bishop of Galveston-Houston; President, National Conference of Catholic Bishops*

Michael Rosier

*President-elect, National Bar Association*

Dr. John Hope Franklin

*Chair, Advisory Board One America: The President's Initiative on Race*

Rabbi David Saperstein

*Director, Religious Action Center of Reform Judaism*

Bishop Thomas Gumbleton

*Auxiliary Bishop, Archdiocese of Detroit*

The Honorable H. Lee Sarokin

*Retired Judge, U.S. Court of Appeals for the Third Circuit*

Wade Henderson

*Executive Director, Leadership Council on Civil Rights (LCCR)*

Stanley Sheinbaum

*Economist; Founding Publisher, New Perspectives Quarterly*

Antonia Hernandez

*President and General Counsel, Mexican-American Legal Defense and Education Fund (MALDEF)*

Sidney Sheinberg

*Former President and Chief Operating Officer of MCA, Inc./Universal Pictures*

Rev. Theodore M. Hesburgh, C.S.C.

*President Emeritus, University of Notre Dame*

Senator Paul Simon

*U. S. Senate, 1984-1997, U.S. House of Representatives, 1974-1984*

Reverend Jesse Jackson

*Civic and Political Leader; President and Founder, Rainbow Coalition / PUSH*

George Soros

*Philanthropist; President and Chairman of Soros Fund Management LLC.*

Fred Korematsu

*Japanese American Civil Rights Leader*

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*President, The Streisand Foundation*

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John Van de Kamp  
*California Attorney General, 1983-1991*

Reverend James Lawson, Jr.  
*Pastor Emeritus, Holman United Methodist Church, Los Angeles*

Arturo Vargas  
*National Latino Leader*

Norman Lear  
*Director and Founding Member of People for the American Way; Chairman, ACT III Communications*

Reverend C.T. Vivian  
*Founder and Board Chair, Center for Democratic Renewal (formerly the National Anti-Klan Network); President, Black Action Strategies and Information Center (B.A.S.I.C.)*

Jack Lemmon  
*Actor; President, Jalem Productions, Inc.*

Reverend Jim Wallis  
*Editor-in-Chief/Executive Director, Sojourners magazine*

Robert Litt  
*Former Principal Associate Deputy Attorney General in the United States Department of Justice (DOJ)*

Bud Welch  
*Board Member, Murder Victims Family for Reconciliation*

Reverend Dr. Joseph E. Lowery  
*Co-Founder and President Emeritus, Southern Christian Leadership Conference (SCLC)*

Professor Elie Wiesel  
*Nobel Peace Laureate; Founder, The Elie Wiesel Foundation for Humanity*

Dr. Robert J. Shillman  
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Vision for Industry

January 7<sup>th</sup>, 2001

Robert J. Shillman  
President and CEO

The Honorable William Jefferson Clinton  
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The White House  
1600 Pennsylvania Avenue  
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Dear Mr. President:

Mr. Alan Solomont, a long-time friend and neighbor, suggested that I write to you regarding my concern for Johnathan Pollard, a man who is serving a life sentence in prison for passing on highly classified information to Israel fifteen years ago.

Although I am not an expert on analyzing *Intelligence* data, I am considered to be an expert on analyzing data intelligently (Ph.D., M.I.T. 1974). Based on the analysis that I have performed, and which I will summarize below, I believe that Johnathan Pollard should be granted Executive Clemency.

- Pollard was a spy for Israel, but he was not a traitor to the U.S. Pollard was never charged with treason, but only with one count of passing classified information to an ally (as defined in Article III, Section 3 of the U.S. Constitution: "Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort."). As I understand it, the information Pollard transferred to Israel was necessary for Israel's defense and dealt only with those countries who were hostile to Israel (e.g. information of Iraqi chemical plants, satellite photos of Syria, Libya, etc). Most, if not all, of the information that he provided should have been given to Israel freely under the 1983 Convention of Reciprocity between the U.S. and Israel. Most importantly, the classified information that he provided to Israel, a close ally, never fell into the hands of any enemy of the U.S., and, to my knowledge, never caused harm to the U.S.
- Pollard never had a trial. Pollard was urged by our government to enter into a plea agreement for which he was promised leniency. Pollard entered into that agreement and fulfilled his commitments; nevertheless, because of the personal intervention of the then-Secretary of Defense, Caspar Weinberger...an individual with significant business ties to the Arab world, and a person known to harbor anti-Israeli sentiments...he was given a life sentence without parole.
- Weinberger did not have the facts. In a very recent article (December 8, 2000, MA'ARIV), former head of the KGB, Vladimir Karyoshkov, categorically refutes the statements of former Secretary of Defense Caspar Weinberger about Jonathan Pollard. "His (Weinberger's) statements are lies that have been used for the past 15 years to keep Pollard in prison. The KGB never received any information whatsoever from Israel or from the Israeli Mossad, whose source was Jonathan Pollard, or from any other source. It never happened."

1-8-01

- Pollard's sentence is disproportionate to his crime. Pollard's sentence...life imprisonment without parole...is dramatically more severe than that of any other person sentenced for spying for an ally. I have studied the sentences of the fourteen most recent cases of individuals convicted of spying for our allies; the median sentence for this offence is 2-4 years, and they range from a minimum of 0 years imprisonment (Michael Schwartz-Saudi Arabia) to a maximum of 14 years (Steven Lallas-Greece). Pollard's time already served is greater than the maximum sentence on record.
- Pollard's sentence doesn't make sense. Not only was Pollard's sentence greater than that of any other person who spied for an ally, but his sentence is the most severe ever passed out in the past fifty years to anyone...including those who spied for our enemies.
- Pollard has suffered enough for his crime. Pollard has spent 15 years in prison, seven of which were in solitary confinement in FCI Marion, the harshest prison in the Federal system. Without question, his punishment has been more severe than that meted out to Aldrich Ames, a traitor who spied for the Soviets against the U.S. and whose nine years of spying resulted in "severe, wide-ranging and continuing damage to our national security interests...including the deaths of at least nine U.S. agents." (Director of Central Intelligence, December 7, 1995).

Mr. President, the timing for clemency couldn't be better. It's the right season and the start of a New Year. And just weeks ago, at your urging, President Putin of Russia freed Edmond Pope who was tried and convicted of spying for the U.S. and sentenced to 20 years imprisonment. If you are able to ask for clemency, shouldn't you also be willing to grant it?

Respectfully yours,

  
Robert J. Shillman

Copies: Alan Solomont  
RJS/dp

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**Proposal to Establish an International Protectorate  
Over the Holy Basin in Jerusalem**

(S. Daniel Abraham/January 7, 2001)

An International Protectorate would be established to protect and administer the Holy Basin in Jerusalem. The area to be covered will include the entire walled city and holy sites nearby, among them the Mount of Olives, City of David, and churches and walkways with special religious significance based on a map to be agreed upon between Israel and the Palestinian Authority.

The governing body of the international protectorate would be composed of representatives of 21 nations. Member nations would be chosen by Israel, the Palestinian Authority and the United States, and any of the three could veto any nation's participation. Any vacancy would be filled in the same manner.

The function of the governing body of the Jerusalem International Protectorate would be to administer the protected area so that Christians, Jews and Moslems all have unfettered access to their holy places, and that essential community services, including police, utility and garbage collection are provided. The governing body would have the exclusive authority to collect taxes and an international police force would provide security.

The protected area would be declared a world historic area, and the governing body would provide planning and zoning services, to assure that there would be no excavation, destruction, building, or renovations which would alter the area's historic character or impact upon the religious concerns of any of the three religions.

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### **Coping with Islam: the Carrot or the Stick?**

As America's first lady of foreign policy embarks on her first overseas adventure, the time has come to alter our failed policy of containment for dealing with the myriad of problems America faces in the Islamic world. Whether in war-torn Bosnia, terror-ridden Algeria, nuclear-capable Pakistan or oil-rich Iran, our inability to effectively engage all facets of Islam – the world's fastest growing geopolitical force today – presents one of the most serious vacuums ever in the history of American foreign policy.

The West, led by America, will have to re-engage Iran (as has been artfully stated in these pages recently), use its economic and political weight to resolve the Kashmir dispute in a region that is home to 1.1 billion people armed with nuclear capabilities (and rich economic potential), push for a resolution of the Nogorno-Karabakh problem in Azerbaijan in order that Kuwait-sized oil reserves flow smoothly from the Caspian, and build bridges to Islam's radical fringes residing in places like the Sudan, Turkey and Algeria so we can better understand the genuine threats to our national security.

In re-shaping America's Islamic policy, we should use our considerable economic powers to raise up the disaffected people of the Islamic world so they are not as desperate to tear us down. We, a nation born of religiously persecuted immigrants, often forget that terrorism is born of trampled egos, trampled by our own failed policies.

The failure of America to cope with Islamic rage stems from our inability to understand that the rage is as much directed at Islam's internal failures (tyranny and corruption, to name two) as it is against foreign oppression and western contempt for Islam's traditions and ways of life. Furthermore, we fail to see that Islam's extremists are no different than America's extremists. Both seek to correct what they rightly or wrongly see as society's deviation from their vision of the pure message. Islam's fundamentalist movements, in fact, are capable of producing widely differing results, from the medieval experiment in Afghanistan to the modern, competitive state in Malaysia.

Islamists have even tried their hand at democracy. Take Algeria, for example. In 1992, Islamists legitimately attained power in fairly held elections only to see their victory overturned by the secular military regime after it received a wink from Washington. Had the Islamists been allowed to assume power, one of two outcomes would have occurred: their skepticism of democracy as a legitimate mechanism to express ideas would have been silenced and America's argument that only democracy can provide the necessary framework for economic and social prosperity would have been strengthened; or they might have failed, much as the Iranian revolution has, to deliver much but empty rhetoric. Failure would have demonstrated that democracy as an organizing principle was not at fault. The fault lay in the quality of their ideas.

In a secular western world where separation of church and state are the norm, it is logical to understand our mistrust of a religion that wants to deeply influence matters of state. More logical, however, would be for us to maintain a principled neutrality in all cases where Islamists are trying to use democracy, no matter how poorly, as a mechanism to express their ideas, not just those in which our mortgage interest rates are at stake and where democracy doesn't exist anyway. Failure to implement this policy change is to not see that the aberrant behavior of an Islamist spurned is as dangerous to our national security as the threat of \$50/ bbl oil.

The second component of our Islamic strategy should be to use the considerable global economic influence of our private sector to create economic inter-dependencies in situations that pit Islamic countries against neighbors with differing philosophical views. Three examples come to mind immediately: an overland Oman-India natural gas pipeline that would inextricably link the economic and political fortunes of Iran, Pakistan and India; an overland oil pipeline that would carry Caspian oil from Azerbaijan through Armenia into Turkey, inextricably linking Baku and Erevan together economically; and development of the 200 million acres of arable farmland in the Nile region of the Sudan, possibly even with Israeli agricultural technologies, inextricably linking Khartoum to Cairo, Addis Ababa, Tel Aviv and other neighboring countries as a producer of food.

The Oman-India gas pipeline was originally conceived as a deep-water Indian Ocean project at an astronomical cost of \$11 billion due to the political realities in all three countries which would form its overland route, Iran, Pakistan and India. An overland pipeline would cost less than \$5 billion and provide natural gas to three countries rather than one. Today, we have new governments in both India and Pakistan willing to have another look at their inimical relationship, while Iran's revolutionary fervor, which has produced precious few economic gains for its followers, shows signs of cracking.

The Omani government is willing to finance 30% of the pipeline's cost, while India is willing to bring another 30-35% from private-sector investment to the table. If Pakistan can sort out its mess with the World Bank and IMF, Mr. Sharif's government might also contribute. In any event, there is no shortage of private-sector capital ready to fund Liquefied Natural Gas (LNG) projects if the political will exists to protect such investments.

The collateral benefits for President Clinton if he were willing to put America's political clout behind such an effort would be enormous. Pakistan and India could begin a series of confidence building measures based on economic inter-dependence, much as the Palestinians and Israelis did, to achieve long-term peace, thereby providing American manufacturers with a large new marketplace to peddle their goods. The senseless South Asian nuclear arms race might be put on hold as a pre-condition to realize the massive economic benefits arising from the pipeline's construction and operation, and revenues flowing from it might offer needed capital to re-build war-ravaged Kashmir – in effect, providing South Asia a mini version of the Marshall Plan.

In the moderate Islamic state of Azerbaijan, President Aliiev, once the third most powerful man in the Soviet Union, has made a valiant effort to sell a peace proposal to Armenia over the disputed Nogorno-Karabakh region using his vast oil reserves as an incentive. Caspian oil has three logical export routes: through Russia to the Black Sea on existing pipelines; through Georgia in pipelines needing major repairs; and through a small sliver of southern Armenia into Turkey (our NATO ally), where the oil would be loaded directly at Turkish Black Sea terminals. The optimal alternative for the West would be the Armenian route because it would be the cheapest to construct, would pass through countries already allied with the United States, and would provide needed revenues to our partners for whom we can ill afford massive foreign aid grants at present.

But, to achieve this larger economic gain, America must expend political capital in persuading Armenia to accept the ground reality that Nogorno-Karabakh cannot simply be annexed from within the territorial integrity of Azerbaijan. President Aliiev has already guaranteed full autonomy to Armenians living in the region, as well as a share of the pipeline's revenues if they make peace. For landlocked Armenia, a country with precious few natural resources, the economic upside could dwarf the downside of a prolonged political struggle. The private sector is willing. Canadian and U.S. oil firms with whom I have spoken are prepared to construct such a pipeline if America is willing to put aside the influence of Armenian lobbying (and political donations) for the sake of the greater economic good.

Discovery of oil (up to 3.5 billion barrels of it) in the Sudan also calls for creative American diplomacy. Accused of masterminding the world's Islamic terrorists from Khartoum in the north while enslaving Sudanese children in the south, the fundamentalist government of President Omer El Bashir and Dr. Hassan Al Turabi has thus far survived every effort of the United States and our allies in the region to contain and control it. Reading the House *Republican* Research Committee's Task Force on Terrorism and Unconventional Warfare reports, one can see why we believe so forcefully in Khartoum's guilt – until one goes to the region and sees firsthand what is happening.

The complexities of Sudan's guilt or innocence are too lengthy for discussion here, but whatever their mistakes of the past (and there are many), Dr. Turabi and his young circle of recently appointed western-educated ministers are attempting to create the first modern Islamic state – one that provides an American-style constitution with civil liberty guarantees for Christian, Animist and Muslim men and women alike. Yet rather than let Turabi succeed or fail on the merit of his ideas, we order up \$20 million taxpayer dollars to support guerrilla warfare along Sudan's borders with Eritrea, Ethiopia and Uganda, hoping that Turabi will give up. The more likely result, if the rebels were to succeed with our aid, would be the break-up of Sudan into smaller tribal states (a la Afghanistan), each vying for control of the Nile waters and sending shock waves through Hosni Mubarak's short-wave radio. We have enough problems in the Middle East without Cairo becoming distracted with internal issues like water.

Meanwhile, the economic potential of the Sudan would remain undeveloped. Sudan uses only one-third of its Nile water allocation at present. If America were willing to engage rather than contain Khartoum, Turabi might be persuaded to trade his country's status as a terrorist's safe haven for Israeli and American agricultural technologies. Sudan could become the breadbasket for the whole of northern Africa and the Middle East. Oil revenues from the southern fields, which Turabi would be bound by his new constitution to share, could help finance development of the agricultural sector. Our key Middle East peace ally, Egypt, could purchase oil and food at significantly lower cost and maybe even reduce the level of U.S. taxpayer subsidies.

The era where harsh U.S. rhetoric achieved results in foreign policy has passed. Secretary Albright, a pretty tough talker in her own right, would serve our nation best if she were to use our economic power to engage, rather than contain, the diverse elements of the Islamic world. She might just find willing partners, who behind their outward scorn for America's weaknesses, desperately seek to assimilate American capabilities. In doing so, she will have honored the principles upon which America's greatness was built, reduced the yawning gap between rich countries and poor countries and demonstrated her president's resolve to treat Islam with the respect it deserves.

*Mr. Ijaz is chairman of Crescent Investment Management, L.P., a New York-based investment advisory firm.*

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January 9, 2001

Dear Mr. President,

First, let me thank you for supporting my daughter, Smita N. Shah, in her pursuit of becoming a member of the South Pacific Commission. I assure you she will work very hard.

I understand that the process is almost complete. **However, a "Decision Memo" that has been prepared by Presidential Personnel needs to be signed by you to formally approve her appointment.** After this, Smita may be able to go through an expedited clearance process by White House Counsel with your approval. She actually may have completed this process once before, when she worked in the Chief of Staff's office under Leon Panetta.

Mr. President, I understand that there are a number of issues you are finalizing during the next week. Anything you can do to help in this matter would be greatly appreciated.

Again, thank you for everything. If you need any further information, do not hesitate to contact me at 312/922-5168.

Sincerely,

*Niranjani S. Shah*

Niranjani S. Shah

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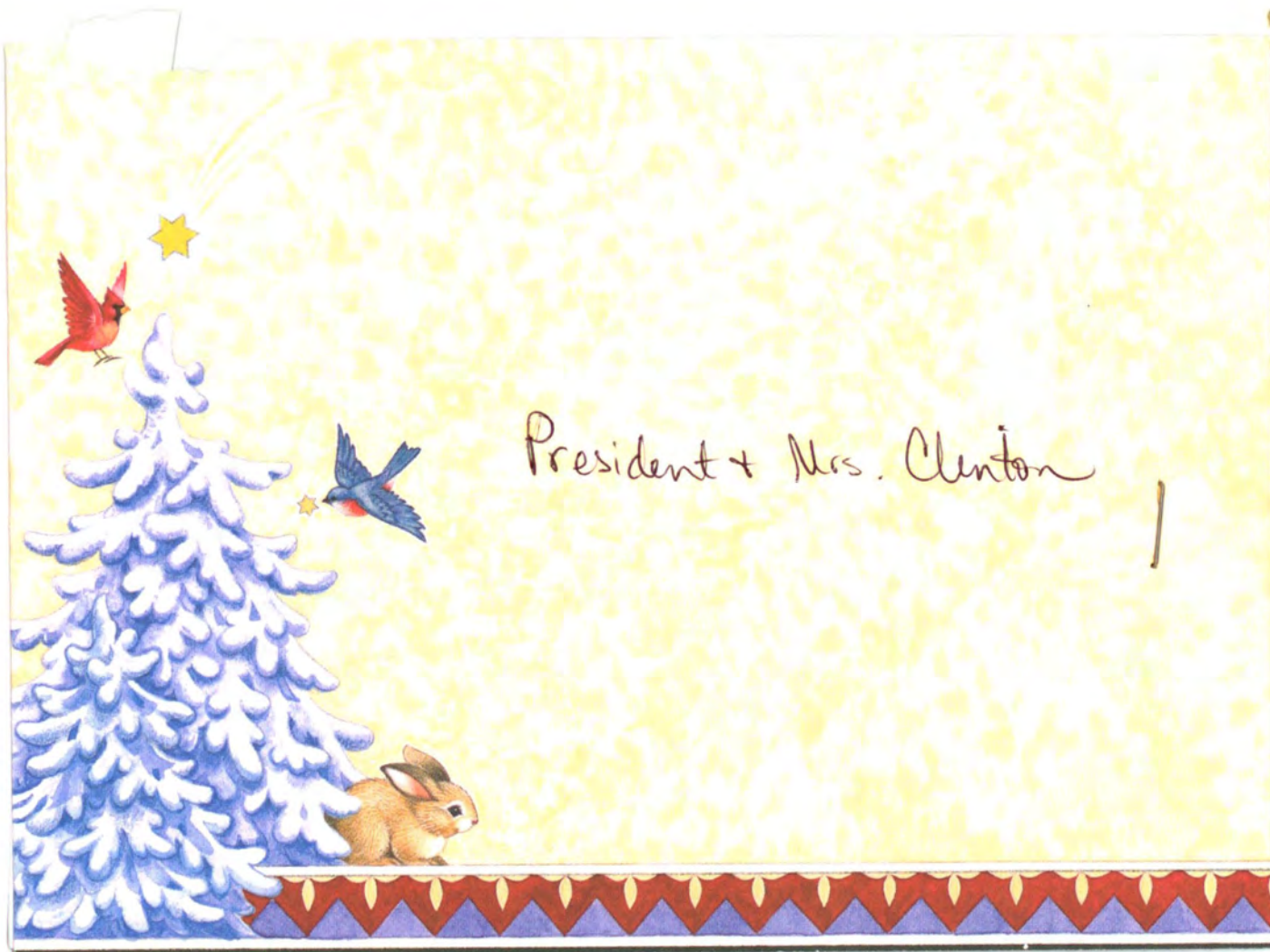
Dec. 18, 2000

Thank you again for sharing  
your holidays with us. We will  
cherish the memories of our visits  
to the White House. It was  
always a wonderful way to reunite  
with all our relatives.

Merry Christmas! Love,  
Muffin

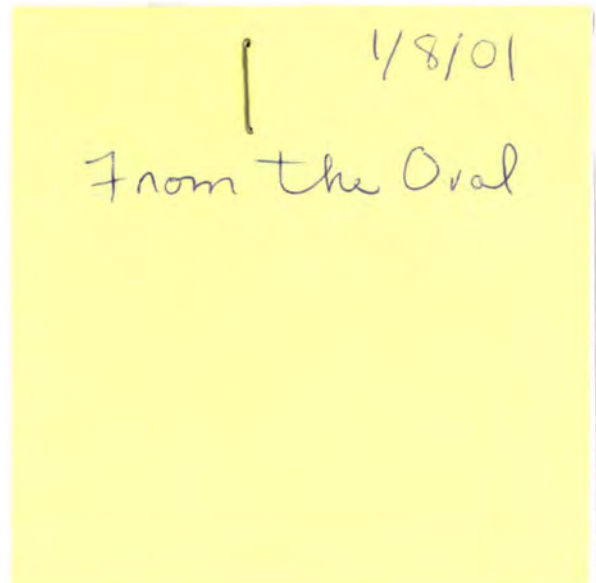
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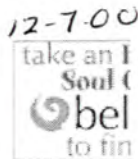
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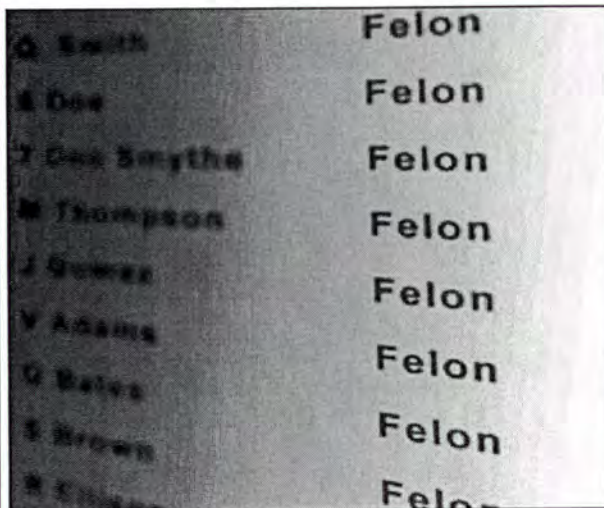
  
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## Florida's flawed "voter-cleansing" program

Secretary of State Katherine Harris hired a firm to vet the rolls for felons, but that may have wrongly kept thousands, particularly blacks, from casting ballots.

-----  
**By Gregory Palast**

Dec. 4, 2000 | If Vice President Al Gore is wondering where his Florida votes went, rather than sift through a pile of chad, he might want to look at a "scrub list" of 173,000 names knocked off the Florida voter registry by a division of the office of Florida Secretary of State Katherine Harris. A close examination suggests thousands of voters may have lost their right to vote based on a flaw-ridden list of purported "felons" provided by a private firm with tight Republican ties.

Early in the year, the company, ChoicePoint, gave Florida officials a list with the names of 8,000 ex-felons to "scrub" from their list of voters. But it turns out none on the list were guilty of felonies, only misdemeanors. The company acknowledged the error, and blamed it on the original source of the list -- the state of Texas.

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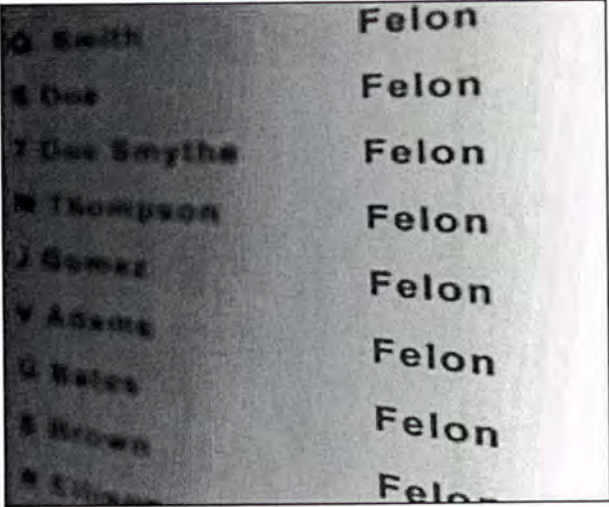
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**POLITICS 2000**



**Florida's flawed "voter-cleansing" program**

Secretary of State Katherine Harris hired a firm to vet the rolls for felons, but that may have wrongly kept thousands, particularly blacks, from casting ballots.

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**By Gregory Palast**

Dec. 4, 2000 | If Vice President Al Gore is wondering where his Florida votes went, rather than sift through a pile of chad, he might want to look at a "scrub list" of 173,000 names knocked off the Florida voter registry by a division of the office of Florida Secretary of State Katherine Harris. A close examination suggests thousands of voters may have lost their right to vote based on a flaw-ridden list of purported "felons" provided by a private firm with tight Republican ties.

Early in the year, the company, ChoicePoint, gave Florida officials a list with the names of 8,000 ex-felons to "scrub" from their list of voters. But it turns out none on the list were guilty of felonies, only misdemeanors. The company acknowledged the error, and blamed it on the original source of the list -- the state of Texas.

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Florida officials moved to put those falsely accused by Texas back on voter rolls before the election. Nevertheless, the large number of errors uncovered in individual counties suggests that thousands of eligible voters may have been turned away at the polls.



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Florida is the only state that pays a private company that promises to "cleanse" voter rolls. Secretary of State Harris approved in 1998 the \$4 million contract with DBT Online, since merged into ChoicePoint, of Atlanta. The creation of the scrub list, called the central voter file, was mandated by a 1998 state voter fraud law, which followed a tumultuous year that saw Miami's mayor removed after voter fraud in the election, with dead people discovered to have cast ballots. The voter fraud law required all 67 counties to purge voter registries of duplicate registrations, deceased voters and felons, many of whom, but not all, are barred from voting in Florida.

In the process, however, the list invariably targets a minority population in Florida, where 31 percent of all black men cannot vote because of a ban on felons. In compiling a list by looking at felons from other states, Florida could, in the process, single out citizens who committed felons in other states but, after serving their time or successfully petitioning the courts, had their voting rights returned to them. According to Florida law, felons can vote once their voting rights have been reinstated.

And if this unfairly singled out minorities, it unfairly handicapped Gore: In Florida, 93 percent of African Americans voted for the vice president.

In the 10 counties contacted by Salon, use of the central voter file seemed to vary wildly. Some found the list too unreliable and didn't use it at all. But most counties appear to have used the file as a resource to purge names from their voter rolls, with some counties making little -- or no -- effort at all to alert the "purged" voters. Counties that did their best to vet the file discovered a high level of errors, with as many as 15 percent of names incorrectly identified as felons.

News coverage has focused on some maverick Florida counties that decided not to use the central voter file, essentially breaking the law and possibly letting some ineligible felons vote. On Friday, the Miami Herald reported that after researching voter records in 12 Florida counties -- but primarily in Palm Beach and Duval counties, which didn't use the file -- it found that more than 445 felons had apparently cast ballots in the presidential election.

But Palm Beach and Duval weren't the only counties to dump the list after questioning its accuracy. Madison County's elections supervisor, Linda Howell, had a peculiarly personal reason for distrusting the central voter file: She had received

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reason for distrusting the central voter file: She had received a letter saying that since she had committed a felony, she would not be allowed to vote.

Howell, who said she has never committed a felony, said the letter she received in March shook her faith in the process. "It really is a mess," she said.

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| <b>ARTICLE FINDER</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                       | <b>POLITICS 2000</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                         |                      |                        |                          |                     |                                                                                                                                                                                                                                              |
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| <b>Directory</b><br><b>Hot Topics</b><br><a href="#">Florida</a><br><a href="#">Supreme Court</a><br><a href="#">Ralph Nader</a><br><a href="#">George W. Bush</a><br><a href="#">Al Gore</a><br><a href="#">Pat Buchanan</a><br><a href="#">Environment</a><br><a href="#">Death Penalty</a><br><a href="#">Abortion</a><br><a href="#">Hillary Rodham Clinton</a><br>Articles by date<br><a href="#">All of Salon.com</a><br><a href="#">By department</a>                                                                                                                                          |                       | <p>"I was very upset," Howell said. "I know I'm not a felon." Though the mistake did get corrected and law enforcement officials were quite apologetic, Howell decided not to use the state list anymore because its "information is so flawed." She's unsure of the number of warning letters that were sent out to county residents when she first received the list in 1999, but she recalls that there were many problems. "One day we would send a letter to have someone taken off the rolls, and the next day, we would send one to put them back on again," Howell said. "It makes you look like you must be a dummy."</p> <p>Dixie and Washington counties also refused to use the scrub lists. Starlet Cannon, Dixie's deputy assistant supervisor of elections, said, "I'm scared to work with it because of lot of the information they have on there is not accurate." Carol Griffin, supervisor of elections for Washington, said, "It hasn't been accurate in the past, so we had no reason to suspect it was accurate this year."</p> <p>But if some counties refused to use the list altogether, others seemed to embrace it all too enthusiastically. Etta Rosado, spokeswoman for the Volusia County Department of Elections, said the county essentially accepted the file at face value, did nothing to confirm the accuracy of it and doesn't inform citizens ahead of time that they have been dropped from the voter rolls.</p> <p>"When we get the con felon list, we automatically start going through our rolls on the computer. If there's a name that says John Smith was convicted of a felony, then we enter a notation on our computer that says convicted felon -- we mark an "f" for felon -- and the date that we received it," Rosado said. "They're still on our computer, but they're on purge status," meaning they have been marked ineligible to vote.</p> <p>"I don't think that it's up to us to tell them they're a convicted</p> |                         |                      |                        |                          |                     | <a href="#">Print story</a><br><a href="#">E-mail story</a><br><a href="#">View Salon privately with SafeWeb</a>                                                                                                                             |
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"I don't think that it's up to us to tell them they're a convicted felon," Rosado said. "If he's on our rolls, we make a notation on there. If they show up at a polling place, we'll say, 'Wait a minute, you're a convicted felon, you can't vote. Nine out of 10 times when we repeat that to the person, they say 'Thank you' and walk away. They don't put up arguments." Rosado doesn't know how many people in Volusia were dropped from the list as a result of being identified as felons.

Hillsborough County's elections supervisor, Pam Iorio, tried to make sure that the bugs in the system didn't keep anyone from voting. All 3,258 county residents who were identified as possible felons on the central voter file sent by the state in June were sent a certified letter informing them that their voting rights were in jeopardy. Of that number, 551 appealed their status, and 245 of those appeals were successful. Some had been convicted of a misdemeanor and not a felony, others were felons who had had their rights restored and others were simply cases of mistaken identity.

An additional 279 were not close matches with names on the county's own voter rolls and were not notified. Of the 3,258 names on the original list, therefore, the county concluded that more than 15 percent were in error. If that ratio held statewide, no fewer than 7,000 voters were incorrectly targeted for removal from voting rosters.

Iorio says local officials did not get adequate preparation for purging felons from their rolls. "We're not used to dealing with issues of criminal justice or ascertaining who has a felony conviction," she said. Though the central voter file was supposed to facilitate the process, it was often more troublesome than the monthly circuit court lists that she had previously used to clear her rolls of duplicate registrations, the deceased and convicted felons. "The database from the state level is not always accurate," Iorio said. As a consequence, her county did its best to notify citizens who were on the list about their felony status. "We sent those individuals a certified letter, we put an ad in a local newspaper and we held a public hearing. For those who didn't respond to that, we sent out another letter by regular mail," Iorio said. "That process lasted several months."

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According to Leon election supervisor Ion Sancho, "there have been some problems" with the file. Using the information received in January, Sancho sent 200 letters to county voters, by regular mail, telling them they had been identified by the state as having committed a felony and would not be allowed to vote. They were given 30 days to respond if there was an error. "They had the burden of proof," he says. He says 20 people proved that they did not belong on the list, and a handful of angry phone calls followed on Election Day. "Some people threatened to sue us," he said, "but we haven't had any lawyers calling yet."

In Orange County, officials also sent letters to those identified as felons by the state, but they appear to have taken little care in their handling of the list. "I have no idea," said June Condron, Orange's deputy supervisor of elections, when asked how many letters were sent out to voters. After a bit more thought, Condron responded that "several hundred" of the letters were sent, but said she doesn't know how many people complained. Those who did call, she said, were given the phone number of the Florida Department of Law Enforcement so that they could appeal directly to it.

Many Orange County voters never got the chance to appeal in any form. Condron noted that about one-third of the letters, which the county sent out by regular mail, were returned to the office marked undeliverable. She attributed the high rate of incorrect addresses to the age of the information sent by DBT, some of which was close to 20 years old, she said.

Miami-Dade County officials may have had similar trouble. Milton Collins, assistant supervisor of elections, said he isn't comfortable estimating how many accused felons were identified by the central voter file in his county. He said he knows that about 6,000 were notified, by regular mail, about an early list in 1999. Exactly how many were purged from the list? "I honestly couldn't tell you," he said. According to Collins, the most recent list he received from the state was one sent in January 2000, and the county applied a "two-pass system": If the information on the state list seemed accurate enough when comparing names with those on county voter lists, people were classified as felons and were then sent warning letters. Those who seemed to have only a partial match with the state data were granted "temporary inactive status." Both groups of people were given 90 days to respond or have their names struck from the rolls.

But Collins said the county has no figures for how many voters were able to successfully appeal their designation as felons.

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## Florida's flawed "voter-cleansing" program | 1, 2, 3, 4

ChoicePoint spokesman Martin Fagan concedes his company's error in passing on the bogus list from Texas. ("I guess that's a little bit embarrassing in light of the election," he says.) He defends the company's overall performance, however, dismissing the errors in 8,000 names as "a minor glitch -- less than one-tenth of 1 percent of the electorate" (though the total equals 15 times Gov. George W. Bush's claimed lead over Gore). But he added that ChoicePoint is responsible only for turning over its raw list, which is then up to Florida officials to test and correct.

Last year, DBT Online, with which ChoicePoint would soon merge, obtained an unprecedented agreement from the state of Florida to "cleanse" registration lists of ineligible voters -- using information gathering and matching criteria it has refused to disclose, even to local election officials in Florida.

Atlanta's ChoicePoint, a highflying dot-com specializing in sales of personal information gleaned from its database of 4 billion public and not-so-public records, has come under fire for misuse of private data from government computers. In January, the state of Pennsylvania terminated a contract with ChoicePoint after discovering the firm had sold citizens' personal profiles to unauthorized individuals.

Fagan says many errors could have been eliminated by matching the Social Security numbers of ex-felons on DBT lists to the Social Security numbers on voter registries. However, Florida's counties have Social Security numbers on only a fraction of their voter records. So with those two problems -- Social Security numbers missing in both the DBT's records and the counties' records -- that fail-safe check simply did not exist.

In its defense, the company proudly points to an award it received from Voter Integrity Inc. on April 1 for "innovative excellence [in] cleansing" Florida voter rolls. The

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excellence [in] cleansing" Florida voter rolls. The conservative, nonprofit advocacy organization has campaigned in parallel with the Republican Party against the 1993 motor voter law that resulted in a nationwide increase in voter registration of 7 million, much of it among minority voters. DBT Online partnered with Voter Integrity Inc. three days later, setting up a program to let small counties "scrub" their voting lists, too.

Florida is the only state in the nation to contract the first stage of removal of voting rights to a private company. And ChoicePoint has big plans. "Given the outcome of our work in Florida," says Fagan, "and with a new president in place, we think our services will expand across the country."

Especially if that president is named "Bush." ChoicePoint's board and executive roster are packed with Republican stars, including billionaire Ken Langone, a company director who was chairman of the fund-raising committee for New York Mayor Rudy Giuliani's aborted run against Hillary Rodham Clinton. Langone is joined at ChoicePoint by another Giuliani associate, former New York Police Commissioner Howard Safir. And Republican power lobbyist and former congressman Vin Weber lobbies for ChoicePoint in Washington. Just before his death in 1998, ChoicePoint founder Rick Rozar donated \$100,000 to the Republican Party.

(Alicia Montgomery, Daryl Lindsey and Anthony York contributed to this story.)

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**About the writer**

Gregory Palast writes the column "Inside Corporate America" for the Observer of London and is the author of a forthcoming book, "Democratic Regulation."

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By Salon sta  
[ 12/04/00

Back to the  
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[ 12/04/00

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By Jake Tap  
[ 12/04/00

PHOTOCOPY  
WJC HANDWRITING

## Paul Horovitz

**From:** Ned Cabot [avelinda@yahoo.com]  
**Sent:** Wednesday, November 29, 2000 1:13 PM  
**To:** Ann Bajart; Bar NI Ranch; Bradley, Jane; Nick Burling; Gingi Cabot; Mable Cabot; David Weaver; Charlie Welch; Joan Whelton; Tony Schemmer; Kip Sluder; Lionel Spiro; Vivian Spiro; Jim Sprague; Koster, Ken; Elizabeth Lui; Dianne Mariani; Marshall Moriarty; Arnold Edmund Kier Nash; Jody Parker; Lee Winnie Parker; Rafe Parker; Tom Pollock; Bob Quinlan; Joe Hammer; Michael Fitzgerald; Tom-the-Tall Cabot; Cabot, Louis; Laura Chris Carrigan; Nick Danforth; Mary Hall Deissler  
**Cc:** Sandy Weld; Andres Rodriguez; Rodriguez, Antonio; Carol Stein; JohnLee Stickney; Charles Styron; Connie vonWentzel; Renny Maier; Walter B. Mitchell; Dick Hawkins; Paul Horovitz; Terry Hunt; David Kirk; Lane Koster; Bill Drayton; Jim Field; Fuller, Henry -CBBY; Paul Goodof; Geoff Gratwick  
**Subject:** Fwd: random flotsam / jetsam

-- Martin Dalglish <dalglishj72@alum.darden.edu> wrote:  
> Subject: Fwd: random flotsam / jetsam  
> Date: Fri, 24 Nov 2000 09:41:26 -0400  
> From: Martin Dalglish <dalglishj72@alum.darden.edu>  
>  
> This really made me think about what was going on.  
> ----- Begin Forwarded Message -----  
>  
> This is truly excerpted from a Zimbabwean newspaper...fw  
>  
> A view from the developing world. From an article in which a Zimbabwe  
>  
> politician was quoted as saying that  
> children should study this event closely for it shows that election  
> fraud  
> is not only a third world phenomenon...  
>  
> 1. Imagine that we read of an election occurring anywhere in the  
> third  
> world in which the self-declared winner was the son of the former  
> prime  
> minister and that former prime minister was himself the former head  
> of  
> that nation's secret police (cia).  
>  
> 2. Imagine that the self-declared winner lost the popular vote but  
> won  
> based on some old colonial holdover (electoral college) from the  
> nation's  
> pre-democracy past.  
>  
> 3. Imagine that the self-declared winner's 'victory' turned on  
> disputed  
> votes cast in a province governed by his brother!  
>  
> 4. Imagine that the poorly drafted ballots of one district, a  
> district  
> heavily favoring the self-declared winner's opponent, led thousands  
> of  
> voters to vote for the wrong candidate.  
>  
> 5. Imagine that that members of that nation's most despised caste,  
> fearing for their lives/livelihoods, turned out in record numbers to  
> vote

cc Carville  
Begala

12-7-00

Copied  
Carville  
Begala  
Podesta

PHOTOCOPY  
WJC HANDWRITING

> in near-universal opposition to the self-declared winner's candidacy.  
>  
> 6. Imagine that hundreds of members of that most-despised caste were  
> intercepted on their way to the polls by state police operating under  
> the  
> authority of the self-declared winner's brother.  
>  
> 7. Imagine that six million people voted in the disputed province and  
>  
> that the self-declared winner's 'lead' was only 327 votes. Fewer,  
> certainly, than the vote counting machines' margin of error.  
>  
> 8. Imagine that the self-declared winner and his political party  
> opposed  
> a more careful by-hand inspection and re-counting of the ballots in  
> the  
> disputed province or in its most hotly disputed district.  
>  
> 9. Imagine that the self-declared winner, himself a governor of a  
> major  
> province, had the worst human rights record of any province in his  
> nation  
> and actually led the nation in executions.  
>  
> 10. Imagine that a major campaign promise of the self-declared winner  
> was  
> to appoint like-minded human rights violators to lifetime positions  
> on  
> the high court of that nation.  
>  
> None of us would deem such an election to be representative of  
> anything  
> other than the self-declared winner's will-to-power. All of us, I  
> imagine, would wearily turn the page thinking that it was another sad  
>  
> tale of pitiful pre- or anti-democracy peoples in some strange  
> elsewhere.



> ----- End Forwarded Message -----  
>

> Martin  
>  
>

> P. O. Box 484, Charlestown, Nevis  
> Phone 869-469-2764  
> Fax: 869-469-2763  
>

> This message sent from dalgleish@caribsurf.com - please reply to:  
>

> DalgleishJ72@alum.darden.edu  
>

=====

Ned Cabot = <avelinda@yahoo.com> - at least for now!

---

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