

06/12/93 11:42

DPM-DC

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DANIEL P. MOYNIHAN
NEW YORK

THE PRESIDENT

United States Senate
WASHINGTON, DC 20510-3201

(202) 224-4451

TELECOPIER TRANSMITTAL SHEET

TO:

David Gergen

FROM:

Senator Moynihan

SUBJECT:

COMMENT:

Please call Jodie at
224-6864 when you get
this

TOTAL PAGES
INCLUDING COVER:

7

DATE:

June 12, 1993

TIME:

12:45 PM

Columbia University
in the City of New York
NEW YORK, N.Y. 10027
PRESIDENT'S ROOM

April 26, 1993

Dear Mr. President:

The press reports a distinguished list of jurists said to be under consideration by you for appointment to the United States Supreme Court. One of those mentioned is Judge Ruth Bader Ginsburg of the United States Court of Appeals for the District of Columbia Circuit. Press rumors are best taken with salt, but Ruth -- my former colleague here at Columbia and my admired friend for a quarter of a century -- would be a superb choice for the Court and, press reports or no, I expect she will be on your short list. I write to urge that you nominate Ruth Ginsburg to be a Justice of the United States Supreme Court.

When I was Dean of the Columbia Law School, Ruth was my first appointment to the tenured faculty. I was very proud of that appointment then and I have been very proud of it ever since. Ruth was also -- it was then 1972 -- the first woman tenured professor in Columbia Law School's long history. She served on our faculty with enormous distinction for eight years, until President Carter appointed her to the D.C. Circuit in June of 1980.

While on the Columbia faculty Ruth was, as she earlier had been on the Rutgers Law School faculty, a great teacher and a scholar of the very first rank, publishing brilliantly in fields as diverse as comparative law, federal procedure, constitutional law, and conflict of laws. At the same time, she founded the ACLU's Women's Rights Project and briefed and argued a great string of cases before the Supreme Court and the lower federal courts to establish, for the first time in the nation's history, that invidious gender discrimination on the government's part is a denial of equal protection repugnant to the Constitution. Erwin Griswold, speaking at a Supreme Court anniversary celebration a few years ago, said that in modern times two appellate advocates altered

2

the nation's course. He named Thurgood Marshall and Ruth Ginsburg, and he was right.

Intellectual force and great qualities of leadership are among Ruth's obvious strengths. Equally strong and no less important is her ability to harmonize differences with and among colleagues, to create consensus and promote civility. I saw and much appreciated that talent when Ruth was on our faculty. It has become all the more apparent, and important, during Ruth's thirteen years on the D.C. Circuit. On the Supreme Court, I have no doubt, Ruth would be a coalescing force attracting, particularly at the Court's center, collegial resolution rather than splintered opinions and polarizing rhetoric. She would, put simply, make the Court as an institution look good.

I would be happy to amplify these thoughts or furnish any other information that might be of aid to you.

With every good wish,

Sincerely,

Michael I. Sovern

The Honorable Bill Clinton
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20000

cc: The Honorable Bernard Nussbaum

JUN 11 '93 09:17AM SUPREME COURT

*Hand-delivered to David M. P. 3
6/11/93*1 IN THE SUPREME COURT OF THE UNITED STATES
2
3
45 SPECIAL SESSION
6
7 CONMEMORATING THE FIFTIETH ANNIVERSARY
8 OF THE OPENING OF THE SUPREME COURT BUILDING
9
10
11
12
13

Washington, D.C.

4:00 p.m.

Monday, October 7, 1985

14 SPEAKERS:

15 ERWIN N. GRISWOLD, former Solicitor

16 General of the United States

17 EDWIN MEESE, Attorney General

18 of the United States

19 WILLIAM W. FALSGRAF, President,

20 American Bar Association
21
22
23
24
25

JULY 11 75 05:17 PM SUPREME COURT

P R O C E E D I N G S

CHIEF JUSTICE BURGER: We are in special session today to take note of the fiftieth anniversary of the opening of this building; and, as is not entirely uncommon, the Court is ahead of some of the lawyers who will be attending the proceedings.

We have the privilege of having three distinguished American lawyers here to take note of these events, and we begin with Mr. Ervin Grisvold, former Solicitor General of the United States and former Dean of Harvard Law School. Mr. Grisvold.

MR. GRISVOLD: Mr. Chief Justice and may it please the Court:

This Court and its bar live in what I believe is called a symbiotic relationship. Each benefits from the presence of the other. At any rate, the bar hopes that is an accurate statement.

The bar has its role, but it is not very cohesive. There is no published list of the membership of this Court's bar and no organization of it. Indeed, no one knows how many members there are. The Clerk's office tells me that no applications were required until 1925.

Since then there have been applications, and these have been numbered seriously -- serially. At the

11 There is one group which has long provided the
12 backbone of the Supreme Court bar. That is the
13 Solicitor General and his staff and his associates in
14 the Department of Justice. This office has long
15 maintained a high standard and a great tradition. It
16 appears in one way or another in nearly half of the
17 cases which are heard on the merits by the Court and in
18 a high percentage of all applications for review.

19 I should also refer to the considerable number
20 of cases which have been presented here by what we now
21 know as special interest groups. I think, for example,
22 of the work done in the early days of the NAACP, which
23 was represented here by one of the country's great
24 lawyers, Charles Hamilton Houston, work which was
25 carried on later with great ability by Thurgood

1 Marshall. And I may mention the work done by lawyers
2 representing groups interested in the rights of women,
3 of whom Ruth Bader Ginsburg was an outstanding example.

GS/Granger
we need to
hit this
would cut
this way

Keep Cutting at the Pentagon ✓

President Clinton's hopes to put the nation on a sound fiscal footing depend heavily on disciplining the defense budget now and for years to come. The Pentagon is now showing more willingness to help. But it will need to do more.

As reported Saturday, the Pentagon is scaling down its unrealistic strategy and no longer planning to fight two big wars at once. And it is considering cancellation of some costly new weapons systems. But it needs to cancel more if it is to avoid putting a jumbo mortgage on future revenues.

That can be safely done because the United States already has the most advanced weapons in the world. No rival could conceivably challenge America's technological edge for at least a decade.

Last week Defense Secretary Les Aspin asked the services to find \$20 billion in additional cuts in budget authority for 1994. Otherwise next year's budget will exceed his target of \$263 billion in actual spending. But that's a pittance compared to the budget crunch he will face in future years unless he quickly cancels costly weapons programs.

Mr. Aspin will have no one to blame but himself if he doesn't make the necessary cuts now. Having served as chairman of the House Armed Services Committee, the Defense Secretary is aware of the gap between the skyrocketing cost of new weapons and the shrinking funds to pay for them. The affordability gap in fighter and attack aircraft is well documented. So is America's technological edge, suggesting that few new aircraft are needed.

The last Bush budget, which the incoming Clinton Administration could only tinker with, includes \$4 billion for development of four new planes — the

F-22, a multi-role fighter, the AX and the F/A-18E/F. To develop and procure all four well into the next century would cost a whopping \$300 billion. That is affordable only if the defense budget resumes rising again in future years. But why spend all that money when the Air Force and Navy already have the world's finest aircraft?

The bottoms-up budget review now nearing completion in the Pentagon will cancel two aircraft programs next year. One is the multi-role fighter. The Pentagon will need a new such plane some time in the next century. But not now.

It also needs to reconsider development of a multi-role joint attack fighter that Robert Hale of the Congressional Budget Office compares to "trying to combine a Mack truck with a Toyota Tercel. In the process you are going to get less of a truck."

The Navy's AX is also slated for cancellation. A case can be made for buying an advanced radar-evading attack plane for the Air Force, the F/A-18E/F. But the Pentagon can't afford a second plane to perform the same mission. Nor can it afford to keep the Navy in the business of performing the medium-attack mission along with the Air Force.

Another obvious candidate for cancellation is the F-22 stealth fighter plane, but the new Pentagon plans call for building fewer of them, not canceling them. Even a "silver bullet" force of as many as 442 F-22's seems excessive, given America's ample air superiority over all potential rivals.

To cut the defense budget down to size, Mr. Aspin must cancel weapons programs that America no longer needs and can no longer afford. Otherwise they will drown Mr. Clinton's deficit reduction plans in red ink.

It Sure Quacks Like a Filibuster ✓

It's now apparent that Senate Republicans have two overriding goals with respect to the campaign-financing reform bill now before their chamber — neither positive. They want to kill it or, failing that, weaken it and thus reduce its threat to the political status quo. They hope to do so without being seen as obstructionist, which could hurt them with gridlock-fatigued constituents back home.

The game won't work. If serious political reform dies in the Senate, the Republican fingerprints will be apparent to everyone. So will the timidity and hypocrisy of five swing G.O.P. Senators: Dave Durenberger of Minnesota, James Jeffords of Vermont, John McCain of Arizona, William Cohen of Maine and John Chafee of Rhode Island.

These five supported similar measures in the past, but now — even after the Democrats have accepted some of their proposed amendments — they seem more interested in pleasing the Republican minority leader, Bob Dole, than in real reform.

The bill offered by President Clinton and Democratic Senate leaders would reduce reliance on favor-seeking money and create a smoother playing field for challengers by establishing a system of spending limits and partial public financing. Candi-

dates who agreed to limit spending would be entitled to vouchers to help pay for media and mail. The vouchers' cost would be covered by eliminating the tax deduction for lobbying expenses.

There was some absurd theater last week. Several of the swing Republicans who had voted against a move to shut off debate — and thus bring the bill to a vote on its merits — rose to complain that some people had called their stalling tactics a "filibuster." To this Senator Dennis DeConcini, Democrat of Arizona, impatiently replied: "It talks like one, quacks like one, and it is one."

The challenge right now is to break that filibuster and pass the bill without gutting the bill's essential public financing component. Tomorrow, George Mitchell, the majority leader, will try again to end the filibuster. Republican Senators complain they still have more amendments to offer and that a cloture vote is premature. But this will mark the bill's third week on the floor.

Mr. Mitchell has said that he will allow votes on the Republican amendments. In exchange, he wants the Republicans to allow an up or down vote on the bill itself. That's more than fair. The Republicans should stop quacking and get on with it.

NATIONAL SECURITY COUNCIL

6/10

John,

Attached FYI are copies of
the following.

- 1) Tentative agenda for meeting
w/ PRD-29 Task Force Sub-Group
Chairmen on 6/17/93 @ 9:00 A.M.
- 2) Schedule for public hearings
held on 6/9-10/93
- 3) Letter to President from
Cong. Conyers & Condit (response is
w/ Tony Lake)
- 4) Letter from ACLU/National
Security Archives.

Mike Roguesack

AGENDA
PRD-29 TASK FORCE CHAIRMEN'S MEETING
THURSDAY, JUNE 17, 1993
9:00 A.M.
ROOM 208, OLD EXECUTIVE OFFICE BUILDING

- DISCUSSION OF MAJOR ISSUES IDENTIFIED BY EACH SUBCOMMITTEE
 - WHAT ARE THE MAJOR ISSUES?
 - WHAT ARE THE INITIAL RESPONSES TO THOSE ISSUES?
- HOW ARE WE INCORPORATING PRIVATE SECTOR AND CONGRESSIONAL INPUT INTO THE REVIEW PROCESS?
 - ASSESSMENT OF THE SUBCOMMITTEE HEARINGS ON 6/9-10/93
 - WHAT CONGRESSIONAL COMMITTEES/STAFFS HAVE BEEN CONTACTED?
 - HOW ARE WE ENSURING THAT DIALOGUE WITH THESE ENTITIES IS A CONTINUING PROCESS THROUGHOUT THE REVIEW?
- DISCUSSION OF RECOMMENDATION TO OBTAIN PRIVATE SECTOR COMMENTS ON DRAFTS

Mike
What happened?
So the

6/14
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Went to
Waguesspack

**HEARING: CHANGES TO THE SECURITY
CLASSIFICATION SYSTEM**

Dates: June 9 and 10, 1993

Location: The Great Hall
The Department of Justice Headquarters Building
Constitution Avenue (between 9th & 10th Streets, NW)

SCHEDULED APPOINTMENT TIMES:

Wednesday, June 9, 1993

CLASSIFICATION STANDARDS

8:45	William Arkin - Greenpeace
9:00	Steven Aftergood - Federation of American Scientists
9:15	Dr. Page Miller - National Coordinating Committee for the Promotion of History
9:30	National Security Archive
9:45	Amb. Samuel Gammon - American Historical Association
10:00	James Bagley
10:15	American Civil Liberties Union
12:00	Mike Levin

EXCESSIVE CLASSIFICATION

10:30	American Civil Liberties Union
10:45	Steven Aftergood - Federation of American Scientists
11:00	National Security Archive
11:15	Eugene Suto/Charles Smith - National Classification Management Society
11:30	James Bagley
11:45	Robert Steele - Open Source Solutions, Inc.

Wednesday, June 9, 1993

OVERSIGHT

1:30	Steven Aftergood - Federation of American Scientists
1:45	Dr. Page Miller - National Coordinating Committee for the Promotion of History
2:00	National Security Archive
2:15	Hal McKenzie - Operation Right-to-Know
2:30	James Bagley
2:45	American Civil Liberties Union

SAFEGUARDS

3:00	American Civil Liberties Union
3:15	Mike Levin
3:30	
3:45	
4:00	
4:15	

Thursday, June 10, 1993

DURATION OF CLASSIFICATION

8:45	Blaine Friedlander - Nat'l Alliance of Families
9:00	Amb. Samuel Gammon - American Historical Association
9:15	Lucy Dalglish - Society of Professional Journals National Freedom of Information Chairperson
9:30	National Security Archive
9:45	Steven Aftergood - Federation of American Scientists
10:00	Dr. Page Miller - National Coordinating Committee for the Promotion of History
10:15	American Civil Liberties Union

DECLASSIFICATION

10:30	American Civil Liberties Union
10:45	Steven Aftergood - Federation of American Scientists
11:00	National Security Archive

DECLASSIFICATION (Continued)

11:15	Dr. Page Miller - National Coordinating Committee for the Promotion of History
11:30	James Bagley
11:45	James David - Air & Space Museum, Department of Space History

ACCESS & DISSEMINATION

1:30	Eugene Suto/Charles Smith - National Classification Management Society
1:45	Hal McKenzie - Operation Right-to-Know
2:00	Blaine Friedlander - Nat'l. Alliance of Families
2:15	Bob Oechsler - Scientific Investigation Analysts
2:30	American Civil Liberties Union
2:45	

JOHN CONYERS JR. MICHIGAN
CHAIRMAN

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LYNN C. WOOLSEY CALIFORNIA

ONE HUNDRED THIRD CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON GOVERNMENT OPERATIONS

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

May 11, 1993

3823 018355
WILLIAM F. CLINGER JR. PENNSYLVANIA
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AL MCCANDLESS CALIFORNIA
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WILLIAM ZELIFF JR. NEW HAMPSHIRE
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STEPHEN HORN CALIFORNIA
DEBORAH PRYCE OHIO
JOHN MICHA FLORIDA

BERNARD SANDERS VERMONT
INDEPENDENT

MAJORITY--(202) 225-5081
MINORITY--(202) 225-5074

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

We congratulate you for your April 26, 1993, Presidential Review Directive on national security information. We agree that it is time to re-evaluate current policies on security classification.

The current Executive Order on Security Classification is now more than ten years old. Executive Order 12356 was highly controversial when it was issued. It reversed a thirty-year trend restricting classification authority and encouraged instead the increased use of classification. The world has changed considerably since 1982, as have the national security interests of the United States Government. The assumption upon which Executive Order 12356 was based -- if they were ever valid -- are no longer sound.

When Executive Order 12356 was adopted, the Committee on Government Operations issued a report (House Report 97-731) that focused on both the content of the order and the process by which it was adopted was adopted. Some of the Committee's findings from 1982 are still instructive. The Committee found that --

- Executive Branch bureaucrats who participated in the drafting of security classification rules have very narrow interests that almost uniformly favor increased secrecy;
- consultation by the Executive Branch with the Congress and the public during the decisionmaking process for security classification rules will help to define and clarify secrecy issues, identify problems with the operations of the classification system, and improve the quality of the final product; and

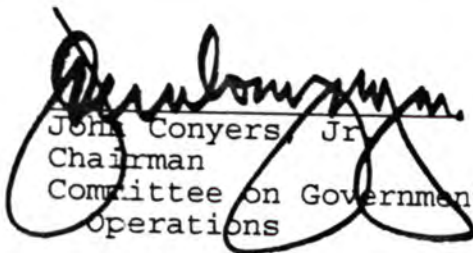
The President
Page Two
May 11, 1993

• failure to fully inform the Congress and the public about proposals to change security classification rules increases mistrust for necessary government secrecy rules.

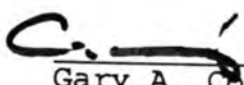
We are very encouraged by your decision to revisit the current Executive Order and by the focus in the directive on declassification. The directive does not, however, clearly define how the public and the Congress will be consulted during the review process. We hope that the task force will be directed to conduct formal and detailed consultations with those outside of the Executive Branch who have an interest in security classification policy. This is essential if the mistakes that plagued Executive Order 12356 are to be avoided.

A copy of the Committee's report on Executive Order 12356 is enclosed. We are anxious to assist you in any way you deem appropriate.

Sincerely,



John Conyers, Jr.
Chairman
Committee on Government
Operations



Gary A. Condit
Chairman
Subcommittee on
Information, Justice,
Transportation and
Agriculture

Enclosure

Step

June 4, 1993

Anthony Lake
Assistant to the President for National Security Affairs
National Security Council
Old Executive Office Building
Washington, D.C. 20506

Dear Mr. Lake:

Enclosed is a copy of a letter to President Clinton, signed by approximately 20 organizations, commending the President on the steps he has taken to establish a review of the current Executive Order on national security information. At the same time, we are concerned about the lack of explicit guidance from the White House concerning the importance of the public's right to know in reviewing the classification system.

We have met already with members of two of the executive order task force's committees and plan to testify at the public hearings scheduled for next week. We are encouraged by the task force's initial steps towards taking into account the views of the public, but are also convinced from these discussions that the task force needs ongoing guidance from the top to ensure that its work incorporate democratic principles of maximum possible disclosure.

We have not yet publicly released this letter to the President, and would greatly appreciate the opportunity to meet with you or the appropriate members of your staff to discuss our concerns about the process by which these and related important decisions are being made.

We strongly support the initiation of these reviews, and look forward to speaking with those at NSC charged with overseeing these matters. If we may provide additional information, please contact either of us at the numbers listed below. Thanks for your consideration of this request; we look forward to hearing from you soon.

Sincerely,

Thomas S. Blanton *Sheryl L. Walter*

Thomas S. Blanton, Executive Director
Sheryl L. Walter, General Counsel
National Security Archive
Suite 500
1755 Massachusetts Ave., NW
Washington, D.C. 20036
(202) 797-0882

Kate Martin *18w*

Kate Martin, Director
American Civil Liberties Union
Center for National Security Studies
122 Maryland Ave., NE
Washington, D.C. 20002
(202) 675-2327

Enclosure

June 3, 1993

President Bill Clinton
The White House
Washington, D.C. 20500

Dear Mr. President:

We are a broad coalition of scholars, historians, librarians, journalists, environmentalists, and civil liberties and public interest groups who work to preserve the public's right to know and have long sought fundamental reform of the government's classification system to ensure that right. We applaud your initiation of the long-overdue and much needed review of government secrecy policy through issuance of your April 26 Presidential Review Directive on National Security Information. The Directive is an essential step towards major reform of the national security secrecy system in light of the end of the Cold War.

At the same time, we are concerned that the Directive omits mention of the core premise that must guide any review process that will effect real change: the principle that, because a vital democracy requires an informed electorate, the classification system must be designed to further the public's right to know to the greatest extent possible. In James Madison's words: "A popular government without popular information or the means of acquiring it, is but a prologue to a farce or a tragedy or perhaps both." We urge you to direct the task force to adopt Madison's wisdom as its guiding principle.

While we recognize that national security interests require that some government information be kept secret, the task force should be directed to ensure that the greatest amount of information be disclosed at the earliest possible time. This approach will help restore constitutional principles that were seriously eroded in the past in the name of fighting the Cold War.

Further, we are greatly concerned about the procedures established to perform this review. We are dismayed that there are insufficient provisions for substantive public comment and review on an ongoing basis throughout the review process. We are also skeptical that the task force as presently constituted will perform a critical appraisal of the present system and come up with the necessary innovative solutions to these very serious problems.

Of particular concern to us is that the review process is not staffed by new appointees with fresh perspectives, but rather directed by those who have implemented and supported the present secrecy system for the last 12 years. We are especially worried that the Information Security Oversight Office will simply recycle the draft executive order it had prepared for the Bush Administration. We urge the creation of a formal process for ongoing public comment and review and active involvement by senior agency officials throughout the process.

Thank you for considering our views. We would be happy to meet with your staff members working on this at their earliest convenience.

Sincerely,

American Civil Liberties Union

National Security Archive

Natural Resources Defense Council

Fund for Constitutional Government

American Library Association

Lawyers Committee for Human Rights

Federation of American Scientists

Government Accountability Project

Society of Professional Journalists

National Writer's Union

Electronic Frontier Foundation

OMB Watch

Association of American Publishers

Center for Constitutional Rights

National Coordinating Committee Against Repressive Legislation

Public Citizen

National Coordinating Committee for the Promotion of History

People for the American Way

Computer Professionals for Social Responsibility

Abroad at Home

ANTHONY LEWIS

The Powell Factor

CAMBRIDGE, Mass. At a lunch for the honorary degree recipients on Harvard's commencement day Gen. Colin Powell was asked to say a few words to the guests. When he finished, a woman who has been critical of the military said to a friend: "I'm going to start Pacifists for Powell."

In 24 hours here General Powell all but charmed birds from the trees. When he spoke extemporaneously, he was thoughtful, gracious, direct, easy. Then he delivered a formal speech to thousands, including protesters on the issue of gays in the military, and got a standing ovation.

The Powell visit was a phenomenon: a political phenomenon. Watch-

The general and the gay issue.

ing him turn audiences from skepticism to admiration, one had to think that after his retirement as Chairman of the Joint Chiefs of Staff next September he will sooner or later run for public office.

The visit had another notable aspect. General Powell gave the clearest signal yet that a meaningful compromise on the gay issue is now acceptable to the military leadership — and is likely to happen.

Because he had said long ago that "open homosexuality would have a very negative effect on military morale and discipline," many at Harvard were critical of the decision to award him an honorary degree. He disarmed some when at lunch he praised the dignity of the protesters.

During the commencement ceremony a speaker on behalf of graduate students, Bhaswati Bhattacharya, deplored the fact that gay men and lesbians "have not been freely allowed to serve in the armed forces because they are different." When she finished, General Powell stood up and shook her hand.

He spoke about the cold war and what its end means for this country. He praised President Clinton warmly for pledging help to Russia "in the spirit of Truman and Marshall." He said the emotions of Vietnam had dissipated, and "the armed forces are

again at one with the people." Then, somewhat surprisingly, he directly addressed the gay issue.

"We took on racism," he said of the armed forces. "We took on drugs. We took on Tailhook. We will do the same, my friends, with the very difficult issue of homosexuals in the military."

"The controversy involves two pressing interests: the interest of gay and lesbian Americans who want the privilege of serving, and on the other hand concern for cohesion in the military and the right to privacy."

"The President has given us clear direction to reconcile those interests, and I believe we are near a solution."

What was striking in that statement was not only the prediction that a solution was near. It was the way General Powell defined the issue, with respect for the interest of gays and lesbians who want to serve.

General Powell's words reflected, I believe, a real change in the political outlook on the issue. Despite the angry words of recent months there has been movement away from prejudice and fear.

First, the official ban on gay service has come to look more and more anachronistic. Former Senator Barry Goldwater has just called the policy "un-American discrimination." Israel, whose military we admire, has removed its last limits on homosexuals in the forces.

Second, anyone willing to open his mind even a little must know by now that many gays and lesbians have served well, and are serving, in the U.S. forces. The individual stories that have been broadcast to the country mock the notion that gays are unsuitable for service.

Third, efforts by the services to ferret out gays and lesbians and discharge them have become embarrassing — "senseless" moves to destroy the careers of proven military assets, as Senator Goldwater put it.

At a minimum, then, it seems that there can be agreement on stopping witch hunts in the services. Even Senator Sam Nunn has said: "I do not believe we should have sex squads looking for ways to investigate service members' private, consensual behavior."

A formula for compromise might prohibit only public displays of sexuality — as sexual harassment is prohibited. It would probably not satisfy the gay movement, but it would be a major step. And with the backing of Colin Powell, it would surely get the necessary political support. □

Sheldon Hackney, Full-Force Nominee

As Clinton's NEH Pick Aims for the Hill, He Becomes the Target

By Jacqueline Trescott

Is Sheldon Hackney the next Lani Guinier?

The question of whether the nomination of Hackney to head the National Endowment for the Humanities will be one of President Clinton's "next confirmation headaches," in the words of the Wall Street Journal's hostile editorial page, has moved to the front burner of political speculation in the past few days.

With the nomination expected to be sent to the Senate today, conservatives have begun dissecting the University of Pennsylvania president's words and deeds, looking for evidence of intolerable liberalism. Meanwhile the White House, anxious to avoid a political ambush, started to marshal supporters—and Hackney himself—to "tell the full story of Hackney," as one administration official said.

The main ammunition from the critics centers on two incidents this spring at Penn that received national attention.

In January an Israeli-born student yelled, "Shut up, you water buffalo!" to five African American women who were shouting outside his dorm. The women charged him with racial harassment under the university's speech code; the student denied that his epithet was racial, but merely a translation of a Yiddish term for an annoying person, and the students eventually dropped their charges. Hackney declined to intervene in the campus judicial process established for complaints of harassment, saying, "Not only does the university put the free exchange of ideas at the core of its being, but it also strives to ensure that no member of the community is prevented from full participation in those debates by intimidating and abusive racial slurs

See HACKNEY, D8, Col. 3

WASHINGTON POST

NEH Nominee Sheldon Hackney

HACKNEY, From D1

that are intended to wound, rather than enlighten."

In April a group of black students destroyed 14,000 copies of the campus newspaper, claiming the paper was an example of institutional racism. Hackney's response that "two important university values, diversity and open expression, appear to be in conflict" was widely circulated by conservatives. But his office says they omitted the rest of his quote: that "freedom of expression must take precedence over diversity."

"Clearly he was not overzealous in defending free inquiry and free speech," said Bob Knight of the conservative Family Research Center. "I am concerned that Dr. Hackney might do for campus free speech what Sitting Bull did for General Custer's travel plans."

Conservatives have also brought up Hackney's defense of the National Endowment for the Arts grant to Penn's gallery, which organized the show of photographer Robert Mapplethorpe's work. The photos became a lightning rod in the NEA battles of recent years.

"If [Health and Human Services Secretary] Donna Shalala is the high priestess of political correctness, Sheldon Hackney is the pope," said Ralph Reed Jr., the executive director of the Christian Coalition, declaring his "active opposition." "He could become the John Frohnmayer of the NEH. He has such a propensity for stumbling into controversy and getting into verbal sparring with his opponents."

Frohnmayer headed the National Endowment for the Arts under the Bush administration when that obscure agency became the battleground for a bitter left-right struggle over issues of freedom of expression and restrictions on government-funded art. Like the NEA in purpose, the humanities endowment influences academics in America, largely through selective grants. Under its past chairman, Lynne Cheney, it was embroiled in similar, though less public, philosophical conflicts.

But the White House is less concerned with such broad ideological warfare than the sort of tactical mess it found itself in with the president's unsuccessful attempt to make Guinier, a Penn law professor, head of the Justice Department's civil rights division. In that case, which ended with Clinton painfully withdrawing the nomination earlier this month, conservative critics proved adept at swiftly defining Guinier as an extremist to members of the Senate and the public, while the White House did little to counter that view.

Insisting there is little to compare between the two nominations, one senior official said: "No one ever takes any nomination for granted, and every effort is going on to make sure every senator knows the whole story of Sheldon Hackney." As part of that strategy, Hackney began making courtesy calls to the Senate Thursday—and not a moment too soon.

A spokesman for Sen. Dan Coats (R-Ind.), a member of the Labor and Human Resources Committee which will hold confirmation hearings, said the senator is already "quite concerned about a number of articles he has read and with material that has been brought to his attention," but said he was waiting to hear the White House's case.

"What is apparent is he is a person of enormous decency and character," said one Democratic Senate staffer. "You read these things in the paper, which are easy to caricature, and then he becomes a caricature. Once

those with questions see him and hear him, they will become very confident."

Along with an informal session sponsored by the committee chairman, Sen. Ted Kennedy (D-Mass.), Hackney took time to meet with possible Republican opponents Nancy Kassebaum (Kan.), Strom Thurmond (S.C.) and John Danforth (Mo.).

"The Democrats look fine and most Republicans will come around," predicted another Senate staffer who has been through a variety of confirmation skirmishes.

Though scheduled in advance, the Hill meetings started the day after the editorial page of the Journal, a conservative bulletin board that launched the attack on Guinier, blistered Hackney's record. "Mr. Hackney's correctness campaign is long-running," the Journal wrote. "In 1991 he spoke out in favor of kicking ROTC from Penn unless the military began to admit openly gay men and lesbians. And Mr. Hackney saw only a 'conflict' between 'diversity and open expression' when some Penn students stole 13,000 copies of a student newspaper they found offensive." The editorial called for Hillary Rodham Clinton, a personal friend of Hackney's, to ask her husband "to drop the Hackney nomination."

Hackney's office at Penn, where he remains president until the end of the month, said the editorial contained "at least nine errors." But the editorial, and an article in last week's Time, which raised some of the same questions and also made a comparison to Guinier, already had managed to shape some of the discussions on the Hill, staffers there said.

But in the sort of preemptive strike cherished by the White House, Hackney was able to defuse some of the criticism and, in the words of one official "to show who he is, not who he is defined to be." When in one meeting he was asked about his opposition to ROTC, Hackney "said he believed passionately about ROTC," said one Hackney supporter who was at the meeting. "He said he was a ROTC product, going through ROTC at Vanderbilt and then serving in the Navy. He said he has fought not to ban ROTC on the campus because he values it."

Off the Hill, there also appeared to be some reason for the White House to be hopeful. Former education secretary William Bennett, a former head of NEH who is a critic of Hackney's, agrees the Guinier comparison is false. "For better or worse, this is not the kind of lightning rod that Lani Guinier was. As I cross the country, I find there is a great deal of shoulder shrugging going on in the academy on some of these issues."

Hackney and his office at Penn have also looked at the storms on the horizon and taken preventive measures, in part by making available to the media a list of quotable supporters. Among them are people such as Princeton University president William Bowen and the noted historian C. Vann Woodward, who said of Hackney, "It is unusual that a government appointee has so many qualifications with scholarship, teaching and administration."

Jamil Zainaldin, the president of the Federation of State Humanities Councils, sees the new skirmishes as not about Hackney but merely a continuation of old feuds. "The real person has been lost in the smoke of the cultural war battles," said Zainaldin. "He is a centrist in his scholarship, a good fund-raiser and a quiet and forceful leader. . . . They are trying to say he is out of touch with the American people. . . . In his visits with the Senate, he is stressing his relationship with the West Philadelphia community, building a partnership of community and service."

Zainaldin hopes Hackney will not be "held hostage" for every incident at Penn. "It is not Penn that will be chair of NEH but Sheldon Hackney."

And then there is Hackney himself, who seems far more closely connected with the White House than was Guinier. He is ready, according to friends, to fight any attacks. "He is prepared to do whatever he has to," said a senior White House official.

THE WHITE HOUSE
WASHINGTON

65 March (Howard)

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The Hackney hubbub

PC debate at Penn trails Clinton's pick for NEH

By Carol Innerst
THE WASHINGTON TIMES

Francis Sheldon Hackney, President Clinton's choice to become the next chairman of the National Endowment for the Humanities, revels in the pleasures of bread-baking and a mean game of tennis.

"He's the best tennis player we'll ever have," says Michael Cohen, physics professor at the University of Pennsylvania, where the lanky Mr. Hackney, occupant of the president's office since 1981, has honed his backhand and his baking skills.

"I don't know about bread," Mr. Cohen says.

What Mr. Cohen and others do know about, though, is Sheldon Hackney's equivocal — some say craven — response to recent incidents on the Penn campus that roiled race relations and exposed what many see as hypocrisy in his own rhetoric supporting free speech.

In recent months he allowed the theft of more than 14,000 copies of the campus newspaper to go unpunished and failed to intervene when a freshman was accused of violating Penn's racial-harassment code for yelling "water buffalo" at a group of sorority sisters creating a late-night disturbance under his dormitory window.

The students who censored the news by theft are black and were unhappy over opinions expressed by a white columnist who they perceived to be racist. The columnist ran afoul of the racial-harassment code after opining that Penn's admissions and disciplinary policies were biased in favor of blacks.

In the "water buffalo" case, the accused freshman is Jewish; the sorority sisters who took "water buffalo" to be a racial slur (which the student denies) are black. The young women dropped their charges against the freshman May 24, just hours after the school's judicial board announced its refusal to heed the freshman's request to dismiss the case.

What bearing these disputes may have on the outcome of Mr. Hackney's still unscheduled confirmation hearing remains to be seen.

Critics say the university president failed to act decisively in the cases because it might jeopardize his candidacy to be chairman of the National Endowment for the Humanities (NEH), an independent federal agency that supports education, research, preservation and public programs in the humanities.

"Sen. Coats is familiar with the controversy surrounding him and is quite concerned by comments that have arisen concerning Penn speech codes," says Tim Goeglein, press secretary to Sen. Daniel R. Coats, Indiana Republican and minority member of the Labor and Human Resources Committee, which must approve Mr. Hackney before the nomination moves to the full Senate for confirmation.

"Recent episodes on campus in which the values of free speech have not been appropriately maintained are troubling and give rise to legitimate concern about how Dr. Hackney might perform as chairman of NEH," says Stephen Balch, president of the National Association of Scholars, an organization composed primarily of conservatives who oppose the politicization of academia.

"You have a man... who will continue to have a scholarly responsibility for a broad share of academic life. That could lead to more questions being asked."

Sheldon Hackney does, of course, have his strong defenders.

Stockbroker George A. Weiss, a member of Penn's board of trustees and a major contributor to the university, describes him as "a Southern Methodist, a gentleman, a caring man who has done a spectacular job for Penn."

"Sheldon is a wise, judicious man," Mr. Weiss says. "Whenever you have a student body, you are going to have controversy."

"There is a process, a due process that has to occur, and the president and university always had the stance that they will allow the process, no matter how inane, to run its course."

Putting Mr. Hackney, 59, at the head of NEH will be a "great opportunity for the country," Mr. Weiss says.

THE PRESIDENT HAS SEEN

Other Penn insiders see Mr. Hackney as a liberal, as a fair, even-handed president who is a proponent of free speech. Although described as Lincolnesque in physical stature and features, he is not viewed as a particularly dynamic or strong leader nor one likely to leave a great legacy at Penn. Rather he is seen as a "good steward."

Mr. Hackney is a historian who specializes in studies of the South. He arrived at Penn in 1981 after five years as president of Tulane University.

Frank T. Birtel, former provost and now university professor at Tulane's New Orleans campus, was on the search committee that brought Mr. Hackney to Tulane from Princeton, where he was provost.

"He strikes me as somebody sensitive to 'politically correct' views, but he doesn't strike me as somebody who would actively try to enforce political correctness," Mr. Birtel says. "But this would be a flash point. There's a lot of sensitivity there. I think that sensitivity probably makes him try to negotiate with both sides. He's not a very aggressively definite kind of person with his views."

If I had to categorize him, it would be as liberal, but that wouldn't prevent openness to really conflicting views," Mr. Birtel says. "He likes to have highly qualified people around him. He looks for the best to help him even though the best might have some ideological conflict with him. He believes truth emerges from conflict."

"He is an extremely intuitive kind of individual."

Sheldon Hackney surfaced as the NEH front-runner as soon as he signaled his interest in the job in February. Besides his scholarly credentials as a historian, he has close ties to President Clinton.

His wife, Lucy Judkins Durr Hackney, a lawyer, served on the board of the Children's Defense Fund with Hillary Rodham Clinton. Last fall, Mr. Hackney joined 222 other college administrators in publicly endorsing Mr. Clinton for the presidency. Mrs. Clinton gave this year's commencement address at Penn.

Gregory Pavlik, 21, who is majoring in materials science and engineering, is one of the students Mr. Hackney has disappointed.

"His reputation is that of a stalwart defender of free speech," says Mr. Pavlik, who will be a senior in the fall. "My personal experience is that's untrue."

An occasional columnist for the Daily Pennsylvanian, the campus newspaper, Mr. Pavlik wrote an opinion piece in which he complained that the Ivy League school's admissions requirements and disciplinary practices favored blacks. Mr. Pavlik, who is white, learned he was under investigation for violating the university's racial-harassment code. The investigation was dropped, but the chill lingers.

Black students angered by his opinions later confiscated nearly all 14,000 copies of an edition that contained another of his columns. The paper's editors pressed the administration to bring criminal charges, but no one was disciplined in what appeared to many to be a blatant act of censorship.

"Dr. Hackney established a public reputation based in part on his clear opposition to censorship," the National Association of Scholars' Mr. Balch recalls.

That reputation was enhanced in 1989 when he defended the decision of Penn's Institute of Contemporary Art to exhibit the controversial photographs of the late Robert Mapplethorpe. Mapplethorpe, who died that year of AIDS complications, is known for his explicit black-and-white photos of men in homoerotic poses.

"He's proven himself more of a politician than anything else," Mr. Pavlik says. "He places himself in whatever position is most politically expedient, and it's not now expedient to defend conservative opinion. Is this someone I would want to help focus or direct education through NEH grants? I would say not."

■ ■ ■

Two recent heads of NEH under Republican presidents, William J. Bennett and Lynne V. Cheney, often spoke out against the PC movement and restrictive speech codes that have swept the nation's college campuses. Their stance made the appointment of the man behind Penn's speech codes particularly disagreeable to conservatives.

"Hackney doesn't come off well when he simply says we have diversity on one hand and free speech on the other and we have to live with the consequences," says Herman Belz, history professor at University of Maryland. "He's going to have to fish or cut bait. The situation demands that Hackney get off the fence."

Academics attuned to the Bennett and Cheney policies and support of traditional scholarship in the humanities worry privately that Mr. Hackney will funnel funds to the left-leaning Modern Language Association and the American Council of Learned Societies, scholarly societies composed of English, foreign language, humanities and social sciences teachers in higher education.

But some conservative academics are biting their tongues when it comes to Penn's president.

"You're not going to find an acamedician anywhere who will say bad things about a person who's going to give away \$156 million a year in grants," observes John Agresto, president of St. John's College in Santa Fe, N.M., and former deputy director and then acting director of NEH in the Reagan administration.

"He's a distinguished historian, and he has, to my knowledge, voiced strong support for university involvement in national standards," says Charlotte Crabtree, professor in the Graduate School of Education at the University of California, Los Angeles, and director of the National Center for History in the Schools.

The center's National History Standards Project has a \$778,683 NEH grant (and an equal amount from the Department of Education) to develop a national consensus on what students need to know in history.

■ ■ ■

Until the "water buffalo" incident, even Mr. Balch, erstwhile scourge of the politically correct, had cautious praise for Mr. Clinton's choice to head NEH on the basis of Mr. Hackney's stature in academe and reputation as a "moderate."

"I would hate to see a distinguished and honorable record distorted by the discussion of one instance which may or may not have been properly reported," says Catharine R. Stimpson, professor and former dean of the graduate school at Rutgers University who

sees the Hackney nomination as "a very strong choice."

Others are less sanguine.

Mr. Cohen, at Penn 35 years, remembers early signs of PC in Mr. Hackney's administration.

The first was when the university refused to pay security costs to bring the consul general of South Africa to speak on campus after minorities said they would do whatever was necessary to interrupt his speech. The speech was canceled.

But then a coalition led by the Black Student League invited Louis Farrakhan, spiritual leader of the Nation of Islam who has called Judaism a "dirty religion" and Hitler a great man, to speak at Penn, over objections. The university paid for security and for most of his speaker's fees.

Mr. Hackney started workshops in racism awareness, required for university employees, and then put in place a couple of policies on racial and sexual harassment, one of which proved to be unconstitutional.

■ ■ ■

When the angry black students

seized and destroyed those 14,000 campus newspapers, Mr. Cohen says, Mr. Hackney "put out a remarkable statement about university commitment to open expression of ideas and its commitment to diversity being in conflict."

"The only sense I can make of that is that the commitment to diversity — having minority groups on campus — seems in his mind to carry with it a commitment to maintain an atmosphere on campus in which minorities are shielded from exposure to views which they find offensive," he says.

"I was a graduate student during the McCarthy era, and I regard the climate at this university now to be more threatening to personal and intellectual freedom than that which existed in the McCarthy era," Mr. Cohen says. "The threat is from within the institution, whereas in the early '50s, the threat was from outside."

"The level of racial hostility on campus is higher at the end of the Hackney administration than it was at the beginning."

■ Although described as Lincolnesque in physical stature and features, Mr. Hackney is not viewed as a particularly dynamic or strong leader.

THE NEH AT A GLANCE

What the National Endowment for the Humanities does

Created: By Congress in 1965.

Mission: Provides grants in support of research and educational opportunities in history; philosophy; languages; linguistics; literature; archaeology; jurisprudence; the history, criticism and theory of the arts; ethics; comparative religion; and those aspects of the social sciences that employ historical or philosophical approaches.

Administration: Chairman appointed by the president and approved by the Senate for a term of four years. Advising the chairman is a National Council of 26 distinguished private citizens, also presidentially appointed, who serve staggered six-year terms.

Competition and review process: Grant applications are assessed by some 1,200 scholars and other experts who serve on 250 review panels throughout the year.

Fiscal 1994 budget request: \$177.4 million.

Chairman's salary: \$123,100.

The Washington Times

THE PRESIDENT HAS SEEN

DeLoach

Jim Hoagland

Fumbling for a Foreign Policy ✓

American leadership in world affairs is taking a pounding from U.S. allies abroad and from the Clinton administration. American pre-eminence will as usual survive allied disquiet and dismay; the self-inflicted wounds are far more dangerous.

Clinton's foreign policy team has failed thus far to show a central integrating intelligence in handling the multiple nasty little cases and big new challenges the end of the Cold War left behind. The dots of success (Russia is a big one, Guatemala a small one) and of failure (managing Bosnia) stand out clearly. Lacking are visible connecting lines to make a shield against the persistent questioning at home and abroad of Clinton's competence in foreign affairs.

What we see in the way of foreign policy leadership may not be the whole story. Don't write off the possibility that there may be an integrating intellectual force at work that has not yet manifested itself to the public eye, in part because the president is determined at this stage to give public priority to domestic matters.

This administration is after all staffed with bright and experienced foreign policy thinkers. Moreover, a series of policy reviews and new proposals on international peacekeeping, a regional security dialogue in Asia and other subjects will surface soon. They could give the foreign policy players a new sense of activism and confidence.

They need it. By its actions and its words, the administration has created substantial doubts about its own definition of American leadership in world affairs. It is not clear today what this government means by leadership, how it proposes to exercise that definition abroad when it is reached or how other governments are expected to respond.

My concern here is not with the mini-flap produced by the poorly phrased comments a few

weeks ago by Undersecretary of State Peter Tarnoff about America not being willing to bear as much of the burden of global leadership as it has in the past. Tarnoff ineptly shorthanded Clinton's "domestic priorities first" message—a message most Americans agree with today.

Nor is the sniping from London and to a lesser extent from Paris and Bonn about Clinton's

"The administration gives no sign of mastering the difficult transition it has set as its essential task."

leadership an insurmountable problem. The United States remains the world's only superpower and can, when it must, swiftly reassert control. Serious Europeans understand that.

But the administration gives no sign of mastering the difficult transition it has set as its essential task. That is the transition from an era in which America paid for and exercised dominant power to a new era in which America pays less and protects U.S. global interests through influence and diplomatic skill instead of raw power. The name that Secretary of State Warren Christopher and other administration spokesmen give to this process is "multilateralism." Friendly powers, former adversaries in the Soviet bloc and the United Nations are supposed to take on more of the burdens for regional security issues while America concentrates on economic renewal.

That presents a dichotomy to Allies who see America's supply of protection being reduced as its demands for economic concessions rise. Clin-

ton's America gives the impression of pursuing multilateralism in security and political matters while increasingly pursuing unilateralism in economic and trade matters. How we persuade Japan and our other trading partners that these two things are simultaneously in their interests is a major task.

The administration seems to have given more thought to the downloading part of multilateralism than it has to making sure power-sharing will advance American strategic interests.

Clinton's hesitations and reversals on Bosnia—admittedly a tough case—bear out the point. Christopher decided not to risk a rupture of the alliance once the Europeans made clear their opposition to Clinton's proposal to arm the Bosnians and bomb the Serbs. Bosnia had to be dealt with "multilaterally," since it engaged America's humanitarian interests but not its strategic interests, Christopher has said.

But his redefinition of the Bosnian crisis as a humanitarian one has an after-the-fact quality. And the modest steps adopted in the name of multilateralism have failed thus far to deter the Serbs and protect even humanitarian interests. Whatever its merits, Washington's Bosnia policy adds to the spreading impression that multilateralism could serve as a cloak, or an excuse, for an American retreat from the expenses and headaches of exercising world leadership.

Americans understandably want others to do more. But the strategic objective has to be to get others to do more in ways that do not harm American interests. As Ronald Reagan might say, Bill Clinton's task is to keep America standing tall while it lays down selected burdens. That calls for better conceptualization, and management, of foreign policy by the White House than we have seen thus far.

How
do we need a strategy
to respond to this?

MONDAY, JUNE 14, 1993 THE WASHINGTON POST

THE PRESIDENT HAS SEEN

Chavez

Clinton Caught in Cross-Fire of Infighting by Democrats

■ **Politics:** Few in party seem willing to abandon their own agendas. Some say President should take charge.

By RONALD BROWNSTEIN
TIMES POLITICAL WRITER

WASHINGTON—Like Jimmy Carter and even Lyndon B. Johnson before him, President Clinton is discovering to his discomfort that many in the Democratic Party view him less as their leader than as their servant—a servant they do not hesitate to chastise in public.

From Capitol Hill to the downtown offices of the party's powerful liberal constituency groups, Democrats almost universally agree that they cannot reverse the Ronald Reagan-George Bush policy agenda or run well in next year's midterm elections unless Clinton is strong.

But on issue after issue in the

opening months of Clinton's presidency, few in the party have shown much willingness to subliminate their own agendas to the larger goal of bolstering the President's sagging popularity. If anything, some Democratic analysts

NEWS ANALYSIS

say, the signs of weakness in the White House may be emboldening the party's disparate parts to press their claims more aggressively.

This powerful centrifugal impulse may now pose as great a threat to Clinton as the unstinting criticism from Ross Perot and the GOP leadership in Congress.

By some reckonings, Clinton is
Please see D. DEMOCRATS, 6

cus attacked him bitterly.

And Democratic divisions also loom over Clinton's proposals for health care reform.

Clinton's own missteps have damaged his standing with the great mass of centrist voters, further encouraging some Democrats to pursue immediate interests at his expense.

While Republican presidents cannot count on complete loyalty from their supporters, they do preside over a more homogenous coalition and rarely face the open rebellion from both ends of the ideological spectrum that is now besieging Clinton.

"The Democratic Party needs to figure out that it is a governing party," said Stanley B. Greenberg, Clinton's pollster. "It needs to see that we are all in it together and we will all be held accountable. It is a new experience for Democrats."

Many in Washington—including some in his own camp—blame the President for allowing his party to fracture so quickly. In the campaign, Clinton promised a "new Democrat" agenda that would build a coalition around ideas such as blending opportunity and personal responsibility and linking an expansion of government activity with fundamental reforms in its operation.

During the transition last fall, this appeal to overarching ideas quickly vanished beneath a fierce scramble by party interest groups for appointments.

Since his inauguration, many party centrists maintain, the President has failed to press his "new Democrat" ideas and instead tilted his agenda toward the traditional priorities of the interest groups and liberal leadership on Capitol Hill.

Tactical mistakes have exacerbated these tensions, and his willingness to reverse course on issues from the middle-class tax cut to the line-item veto have left all Democratic factions uncertain of his true allegiance.

But deeper forces within the party are compounding Clinton's problems, many Democratic analysts agree.

Like Carter, Clinton is finding that his position as titular head of the Democrats gives him only limited sway over the array of liberal constituency groups—such as civil rights and women's organizations, environmentalists, organized labor and advocates for gay rights.

As Clinton sought the political center in the presidential campaign, these groups generally muted their demands. But since the election, they have recharted an independent course—with most quickly criticizing Clinton when he disappoints them on appointments or threatens to depart from liberal priorities on issues such as including abortion in a national health care plan.

"Our interest groups are so passionate in their advocacy . . . that it is very difficult for them to take the long view that by weakening the President, they are weakening themselves . . . because their success is inextricably tied to his," said Stuart E. Eizenstat, who watched the bullets fly from both sides as Carter's domestic policy adviser.

Vic Kamber, a Democratic consultant close to organized labor, says he accepts much of Eizenstat's argument. But he insists that it is Clinton's responsibility, not that of the interest groups, to establish party discipline.

"I don't think the obligation is on the

interest groups to back off. It's up to him to come up with a solution," he said.

Those differing perspectives shape assessments of the confrontation over Guinier. Guinier's Democratic critics say her supporters were disloyal to the President in demanding that he mount a fight with slim prospects of success. Guinier's supporters say the White House was disloyal in abandoning a nominee so important to its allies without even stepping onto the battlefield.

"The disagreement didn't center around us disregarding the political capital of the President, but over an honest disagreement about whether her writings could ultimately be vindicated," said Judith Lichtman, president of the Women's Legal Defense Fund.

White House aides and leaders of civil rights and women's groups are trying to heal the wounds. But in the weeks ahead, Clinton is likely to face more challenges from Democratic constituency groups as he seeks compromises on such issues as gays in the military and the North American Free Trade Agreement.

So far, members of Congress have proved more willing than the interest groups to tie their fate to Clinton—but not much.

The margin of victory for Clinton's economic plan in the House may have come from Democrats who swallowed their objections in the name of party loyalty, but the vote came only after Democratic moderates spent weeks reinforcing the GOP critique that the package was too heavily weighted toward tax increases.

"A lot of people aren't used to taking orders and having somebody set the agen-

Continued from A1

already drifting into the withering cross-fire that tormented Carter and Johnson by the end of their presidencies. Each decision provokes howls either from his party's left or right, and thus inexorably erodes his political base.

"The Democrats—especially some of those holding elected positions—have been extremely shortsighted in understanding how important presidential success and popularity is to the party and to them," Democratic pollster Peter D. Hart said.

The phenomenon was clearly visible in last week's infighting over the President's budget package. Democratic moderates and oil state legislators on Capitol Hill battered his plan as too heavily weighted toward taxes just as liberals warned that too many spending cuts might threaten their support.

Similarly, environmentalists and the National Organization for Women publicly lobbied last week against the choice of Interior Secretary Bruce Babbitt to fill the upcoming vacancy on the Supreme Court—the former because they think he is too good to lose in his current job, the latter because they do not think the court vacancy should be filled by a man.

All this comes on the heels of intramural warfare over C. Lani Guinier's nomination to head the civil rights division of the Justice Department.

Liberal groups publicly demanded that the White House stick with the nomination while moderate senators were privately insisting that the White House pull the plug. When Clinton did withdraw the nomination, civil rights and women's groups and the Congressional Black Cau-

da," said one senior Democratic aide in the House. "We are going through governing pains here."

Legislators may believe that they are protecting themselves with this independent posture, but to the extent that their public criticism weakens the President, it may be self-defeating, argued Hart.

"What often happens with the members of Congress . . . is when they see storm clouds gathering on the presidential front, they feel that if they get into their own dinghy, they can row away from the storm," he said. "But I can tell you, none of them can row fast enough or far enough."

Exhibit A in Hart's case might be the landslide defeat this month of interim Sen. Robert Krueger (D-Tex.), who was swept away in an anti-Clinton tide despite voting against the President's economic plan himself.

Yet the trend on Capitol Hill is toward ever more fractionation.

After the Guinier controversy, Rep. Kweisi Mfumi (D-Md.), chairman of the Congressional Black Caucus, said the group was re-evaluating its relationship with the White House and hinted that it might withhold support for Clinton initiatives in retaliation.

All this has tattered Clinton's reputation for political dexterity. But some say his real mistake was in believing that he would not have to choose among the party's contending forces.

"Clinton's promise in the campaign was that in his person, he would resolve the longstanding contradictions in the party," said Fred Siegel, a historian at the Manhattan Institute who has written extensively about the Democratic coalition. "In the end, they're not resolvable."

THE PRESIDENT HAS SEEN

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~~Orange~~
This is not a question
The subject is of the country

THE WHITE HOUSE

WASHINGTON

June 14, 1993

MR. PRESIDENT:

Attached are three memos from Jack Gibbons concerning the superconducting supercollider and the space station. The first is a short briefing paper for your meeting with Governor Richards. The other two are decision memos which will be discussed at your meeting at 6:00 p.m. with the Vice President, Gibbons and senior staff. The decision memos have been circulated to those attending the 6:00 meeting who will be prepared to offer their views at that time.



John Podesta

THE WHITE HOUSE

WASHINGTON

June 14, 1993

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: John H. Gibbons 
Assistant to the President for Science and Technology Policy

SUBJECT: Science and Technology Issues for Texas

I. SUMMARY

For your meeting with Gov. Richards, there are two major science and technology projects with a major impact on Texas that are in question in the FY94 budget -- the Superconducting Supercollider (SSC) and the Space Station. In addition, a Texan is likely to be nominated as the new Director of the National Science Foundation (NSF).

II. DISCUSSION

SUPERCONDUCTING SUPERCOLLIDER (SSC): The Administration's budget request supported funding the SSC project at a level of \$640 B in FY94. The SSC currently faces significant opposition in Congress, and House approval of this budget request is currently unlikely. The House Committee on Appropriations has requested a letter stating the Administration's position on continued funding for the SSC prior to a Committee vote on funding currently scheduled for June 18. You are scheduled to meet with staff at 6 PM today to review this issue.

SPACE STATION: In March, the White House asked NASA to redesign the Space Station Freedom program to "reduce costs while achieving many of the current goals for long duration scientific research." To accomplish this, a space station redesign process was developed which include a NASA redesign team, as well as an external panel of experts chaired by Dr. Charles Vest, the President of MIT (Paul Chu, Director of the Texas Center for Superconductivity Research at Univ. of Houston, was one of the Vest Panel members).

The Vest Panel reported their findings to the White House on June 10. NASA was asked to produce options that cost \$5 B, \$7 B, or \$9 B. The redesign effort produced three options that are all beyond these budget targets. However, all options represent a substantial savings over what the current Space Station Freedom would have cost.

By previous agreement with the Congress, your decision whether to cancel or pursue the space station is due on June 15. You are meeting with staff at 6 PM this evening to review this issue.

NSF DIRECTOR: You have approved the selection of Neal Lane, Provost of Rice University, as the new Director of the National Science Foundation. This nomination is currently awaiting final clearances, and is therefore not appropriate for public announcement. It would be appropriate, however, to share this information with Gov. Richards.

THE WHITE HOUSE
WASHINGTON

13 JUN 14 AM 11:18

June 11, 1993

MEMORANDUM FOR THE PRESIDENT

FROM JOHN H. GIBBONS 

**SUBJECT: Decision Memorandum on Reaffirming Support for the
Superconducting Super Collider (SSC)**

Action Forcing Event

The Administration has promised to send the House Committee on Appropriations a letter stating its position on the SSC in response to a Committee request. The letter must be received before the Committee acts on the SSC on June 18.

Background/Analysis

With an estimated total cost of up to \$10 billion over the next decade the SSC represents a significant fraction of US spending in basic science. There is a reasonable probability that the House will eliminate funding for the SSC even if the Administration continues to support funding.

The program has been controversial because of the large price-tag and the fact that cost estimates have grown sharply since the \$3 billion estimate (made in 1986) which was the basis of the 1991 decision to proceed. Cost estimates and management of the program continue to be criticized. Construction is 20% complete with \$1.55 billion of federal money and \$400 million from Texas will have been spent by the end of FY93. The Administration's FY94 budget includes \$640 million for the SSC -- a rate of spending that stretches the original construction proposal by several years (the delay probably increases total project costs from 8.3 to \$10 billion). The project is now scheduled for completion by the end of 2002. If a decision is made not to complete the SSC, contract cancellation and other costs would be about \$400 million.

International partners, including Russia, are contributing to the project but participation has been small because US attempts to gain support from the international community at an early stage in the project's design were inadequate. Uncertainties about the project's future have made it difficult to increase foreign support.

Some opponents of the SSC have suggested that if the project is canceled, the administration should not abandon the project altogether but instead put the project on

indefinite hold and use half of the resources freed to reduce the federal deficit and the other half to support other projects in basic science (smaller, investigator-initiated science and support for US work at CERN, the European collider).

Recommendations

Write the House Committee on Appropriations to reaffirm the present Administration position. This position supports a stretched-out SSC construction program and a commitment to actively encourage greater international participation.

Rationale

There is no doubt that the SSC would result in important new science and therefore would be consistent with the Administration's strong support to maintain world leadership in science. Retreating from the project would undermine our credibility with foreign collaborators making it more difficult to gain international support for future big science projects in other areas. It would also indicate an unwillingness to hold your ground on the FY94 budget package.

Decision

Approve	[]	Approve as Amended	[]
Reject	[]	No Action	[]
		Prepare Additional Options	

THE WHITE HOUSE
WASHINGTON

73 JUN 14 AM 11:18

June 14, 1993

MEMORANDUM FOR THE PRESIDENT

From:  John H. Gibbons, Assistant to the President for Science and Technology
 William C. Miller, Deputy Assistant to the President for Economic Policy
Greg Simon, Domestic Policy Advisor to the Vice President

cc: The Vice President

Subject: Space Station Decision Memorandum

Action Forcing Event

In accordance with White House instructions, the Advisory Committee on the Redesign of the Space Station delivered its report on June 10. By previous agreement with the Congress, your decision whether to cancel or pursue a redesign of the space station is due on June 15.

Background/Analysis

The Space Station Freedom program was initiated by President Reagan in 1984 and endorsed by President Bush in 1989. Pursuant to a multi-national agreement signed in 1988, this is an international project involving a significant commitment and investment by the European Space Agency, and the Governments of Japan, Canada, and Italy.

Over the past several years, NASA budget planning has far exceeded enacted levels (see Tab 1, Figure 1). As a result, in March the White House asked NASA to redesign the Space Station Freedom program to "significantly reduce development, operations, and utilization costs while achieving many of the current goals for long duration scientific research."

To accomplish this, a space station redesign process was developed which included a NASA redesign team to examine possible technical options and an external panel of experts, chaired by Dr. Charles Vest, the President of MIT, to validate the NASA options. The Vest Panel reported their findings to the White House on June 10 (see Tab 2).

NASA was asked to produce station options that cost \$5 B, \$7B, and \$9 B. The redesign effort produced three options (see Tab 1, Figure 2) that are all beyond the

budget guidance (see Tab 1, Figure 3). However, all options represent a substantial savings over what the current Space Station Freedom would have cost.

Two of the options (Options A and B) are derivatives of the current Space Station Freedom design and the third option (Option C) is a new approach that draws from both space shuttle and Space Station Freedom designs. Options A and B are somewhat more expensive but are more likely to be acceptable to the Congress and our international partners. More specifically, the partners do not believe Option C is a viable basis for cooperation.

Considering all factors, there seem to be two possible decisions that you could make: 1) either terminate the program and focus on a combination of deficit reduction and new technology investments; or 2) fund one of the space station options at a fixed annual rate (about \$1.8 B) (for a discussion of these alternatives, see Tab 3).

Recommendations

- o **Commit to building a simplified, Freedom-derived, international space station based on the Option A approach** -- a reduced-cost space station, at a fixed annual rate (about \$1.8 billion) , while:
 - **Seeking significant Russian participation** -- Task NASA to develop a plan, working with the State Department and the other space station partners, for including the Russians in the space station program; and,
 - **Dramatically restructuring space station management** -- Task NASA to develop a plan in line with the Vest Committee recommendations for dramatically restructuring the management and acquisition of the space station program.

Rationale

This decision would continue an important program while maintaining most of the aerospace jobs in states already hard-hit by reductions in defense spending and would maintain our commitments to our international partners. Inclusion of the Russians allows this Administration to articulate a new post-Cold War vision of international cooperation in science and technology. Finally, "reinventing government" is a key component of producing a new, cost-conscious and cost-effective space station program and modernizing NASA for a post-Cold War era.

Decision:

Approve	[]	Approve as Amended	[]
Reject	[]	No Action	[]

TAB 1 -- BUDGET FIGURES AND OPTIONS

Figure 1. NASA Five-Year Budget Planning

94pres1.wk3 6/9/93

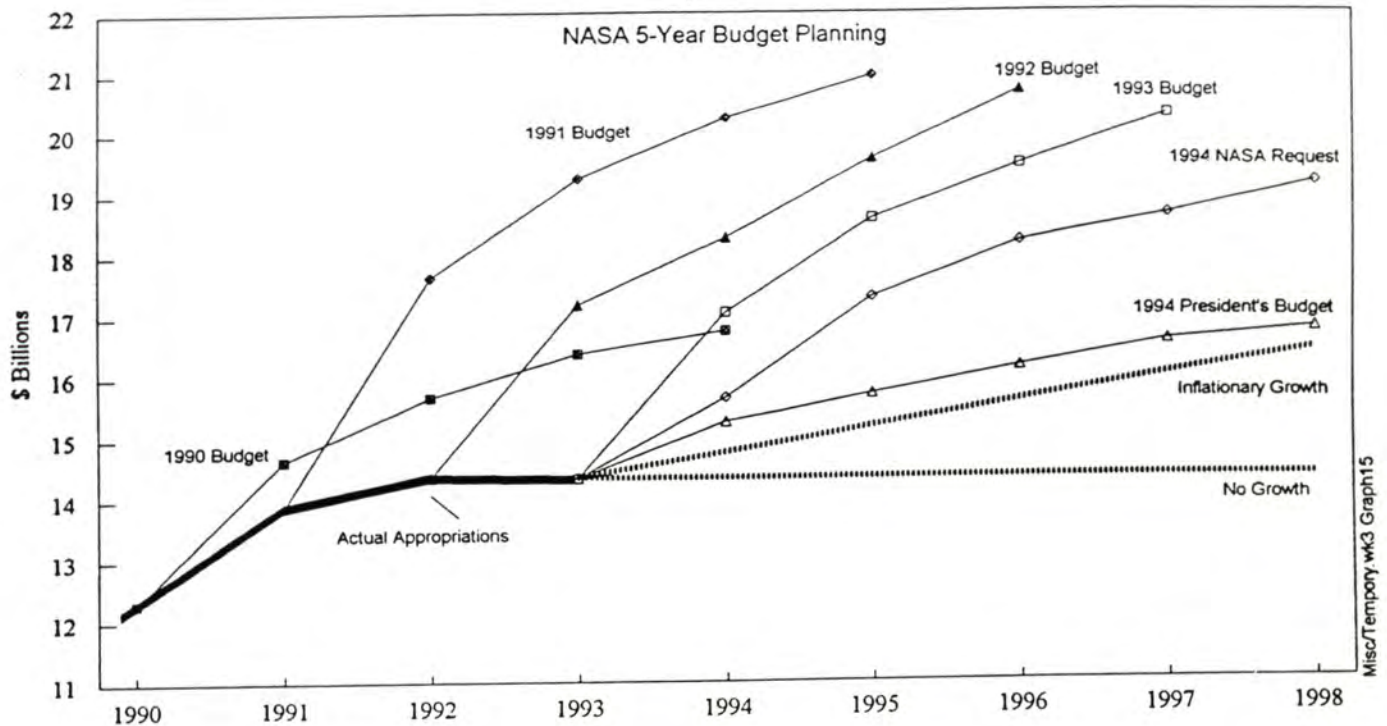
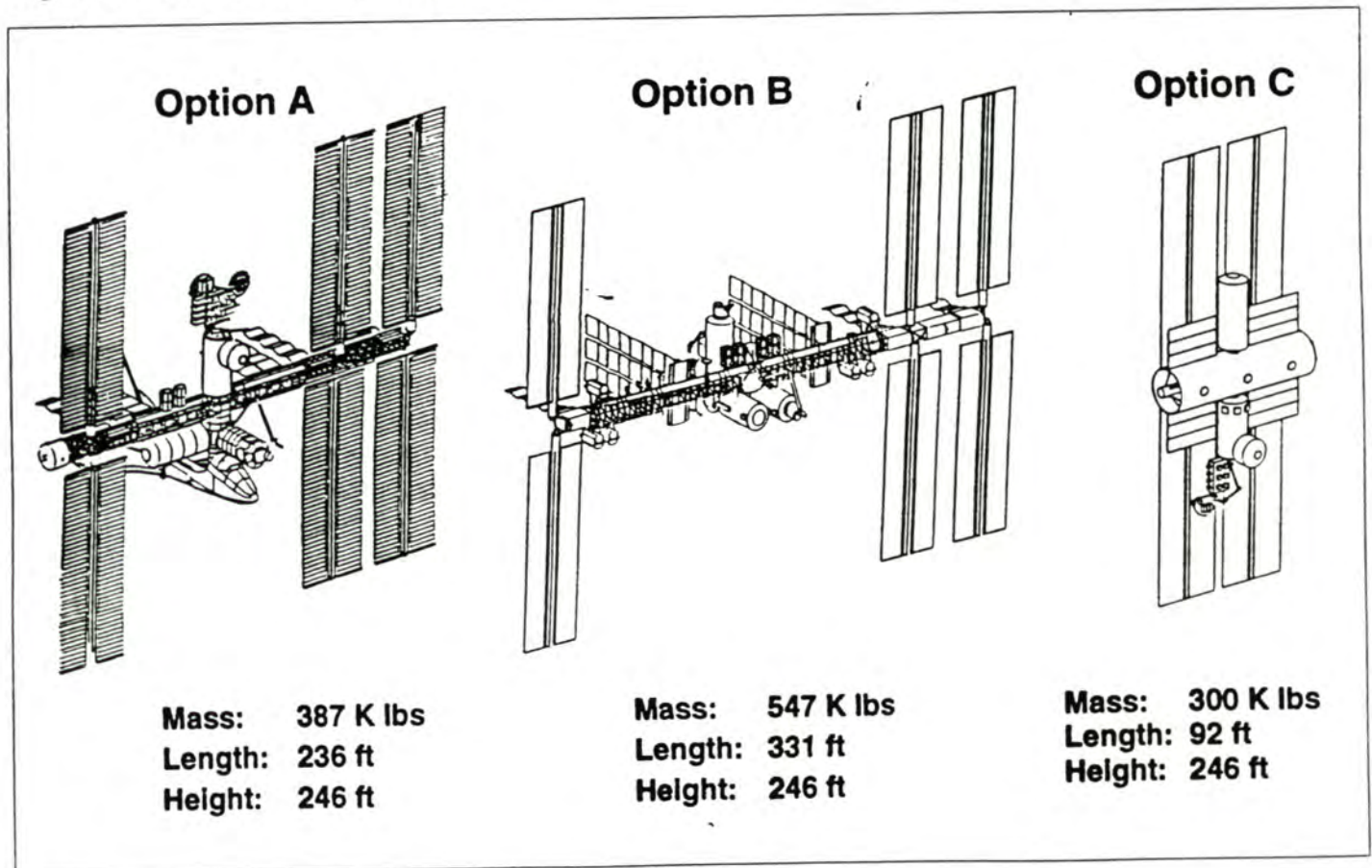


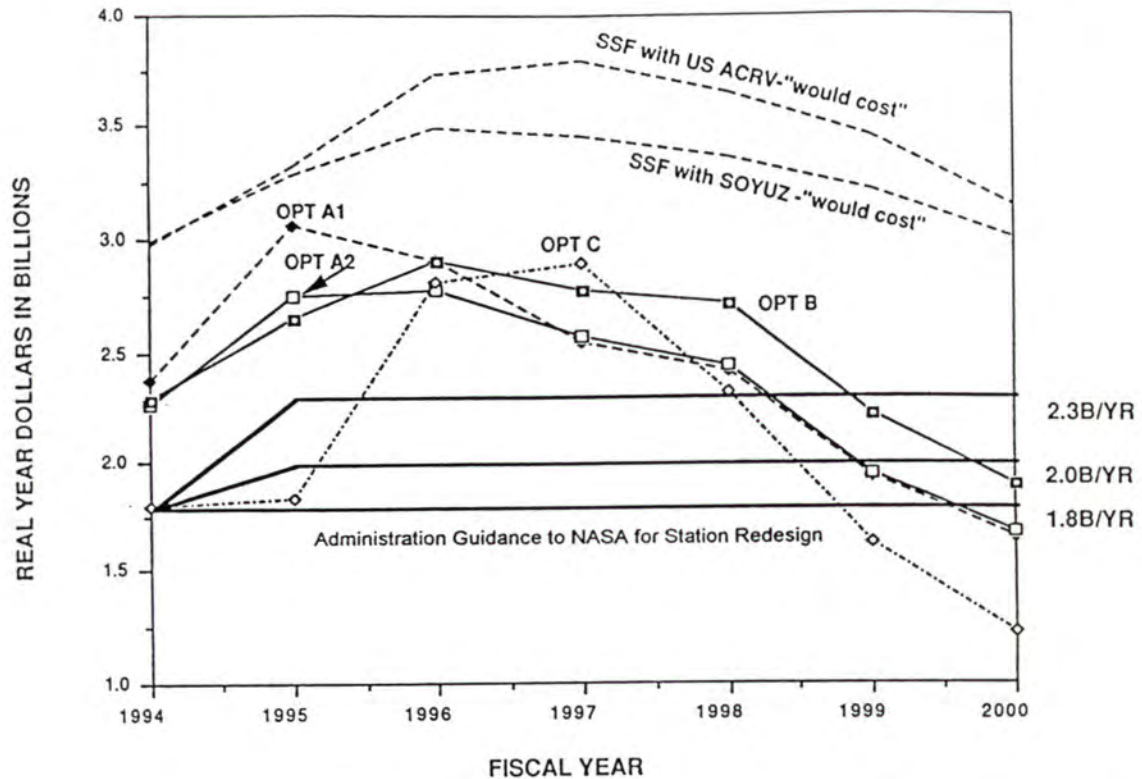
Figure 2. Three Redesign Options



SPACE STATION REDESIGN

TOTAL PROGRAM COST PERMANENT HUMAN CAPABILITY

Figure 3.



	SPACE STATION FREEDOM		ADMINISTRATION GUIDANCE	REDESIGN OPTIONS (1)		
	Previous (2)	Update (3)		A	B	C
Budget (\$ billions)						
- Total for 1994-98	14.3	17.6	5, 7, or 9	12.8	13.3	11.9
- Maximum Annual for 1994-98	3.0	3.8	less than 1.8	2.8	2.9	2.9
- Development Complete	20.0	25.1	5, 7, or 9	16.5	19.3	15.1
- Total Through End of Program (4)	52	57	none	36	38	29
- New Technology Package for 1994-98	-	-	4	0	0	0
Space Station Job Loss	-	-	none	3,700	2,400	8,100
International Partners	-	-	Retain opportunities for participation.	"Acceptable"	"Acceptable"	"Unattractive"

- Notes:
- (1) Option A and B are largely derivatives of Space Station Freedom, and Option C is a new design based on a large "can".
 - (2) Based on data NASA submitted to OMB on Sep 1992. This was the basis for deciding that Space Station was unaffordable.
 - (3) Based on a new independent cost estimate just conducted by NASA.
 - (4) Assumes program complete about 2010. Includes marginal Shuttle cost and civil service cost.

Figure 4. Candidate Projects If Station Terminated

	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>Total</u>
Industry Technology Program	40	70	100	--	--	210
Small Satellite Technology	50	90	90	--	--	230
Science Data Purchase	40	100	100	--	--	240
Expendable Launch Vehicle Upgrades	30	30	30	--	--	90
Robotic Planetary Exploration	230	250	250	--	--	730
Advanced Launch Vehicle Technology	60	70	90	--	--	220
New Aeronautics Wind Tunnels	--	100	200	200	200	700
Enhanced Spacelab Research	300	300	300	300	300	1,500
Enhanced Russian Cooperation	100	100	100	100	100	500
Future New Programs	--	1,190	1,040	1,700	1,500	5,430
TOTAL	850	2,300	2,300	2,300	2,100	9,850

Tab 2 -- Findings of the Vest Committee Report

Technical Findings:

- o "Options A and C are the designs most deserving of further consideration."
- o "Development limited to the power station capability is not a worthwhile option for the nation to pursue. Human-tended capability is a marginal level of development ... greatly reducing the justification for a space station."
- o "All options ... are dependent upon the space shuttle as the sole launch vehicle. This is undesirable from the perspective of programmatic risk ... This should be ameliorated by using an alternative expendable launch vehicle such as the Russian Proton, European Ariane V, or U.S. Titan IV for lifting the heaviest elements."
- o "An assured crew return capability must be provided, but was not accounted for in previous cost estimates for Space Station Freedom."

Cost/Management Reform Findings:

- o "None ... of these station design options meets the cost targets provided by the Administration. ... [However, they] could be executed at a significant cost savings relative to Space Station Freedom."
- o "The ultimate cost of a space station and its operations will be minimized only if Congress and the Administration make a firm commitment to the program and provide stable funding."
- o "The cost savings arise primarily from management restructuring ... The level of cost reductions will be determined primarily by the extent of implementation of major structural changes in the management and organization of the program within both NASA and the civilian contractors."
- o "A reduction of 30 percent in total civil service and contractor employees assigned to the Space Station Program should be implemented following principles of lean management to gain efficiency and effectiveness."

International/Russian Cooperation:

- o "The Advisory Committee is concerned about the growing perception of the United States as an unreliable partner in scientific pursuits, as well as the potential loss of capability provided by international investment and technology."
- o "The Committee feels that the Russians have ... important capabilities [other than the Soyuz assured crew return vehicle and their launch vehicles] that could be advantageous to a redesigned space station."

Tab 3 -- Discussion of Space Station Options

Choosing Between the Three Space Station Options

- o The Vest Committee concluded that Options A and C were the "designs most deserving of further consideration."
- o Past Congressional supporters of the space station and our international partners tend to support Option B because it is most like the prior Space Station Freedom Program. However, Option B is the most expensive option and, according to the Vest Committee, involves the highest degree of risk.
- o Starting with an innovative amalgam of shuttle and station hardware, Option C would be an interesting option. However, this Option has the largest termination cost, development risk, and contractor job disruption.
- o As between Options A and C, key members of Congress and our current international partners have signalled a strong preference for Option A.
- o Option A is more technically mature and draws heavily from the work already done and the contractor force already in place for Space Station Freedom.

Choosing Between Option A and Termination

- o *Funding Option A at a fixed annual rate (about \$1.8 billion).* Study possible savings from Russian participation and dramatic management savings over the Summer and report final results just prior to Appropriations Conference.

PROS

- Preserves program (including many of the current contractors and jobs) while reducing costs.
- Showcases international cooperation, including Russian cooperation, as a new vision for the space program.
- Permits us to examine Russian cooperation for additional savings.

CONS

- Funding option A at \$1.8 billion flat assures the station will not reach human tended capability until after the turn of the century and permanent human capability until 2004-2005.
- Draws out development time and cost and creates significant schedule slip

for international partners.

- Becomes Clinton Administration's Space Station (i.e., there is still risk of overruns and other problems trying to conduct program under a fixed budget).
- Russian savings and reaction of international partners not yet known.

o Terminate station and replace with additional new technology investments and deficit reduction.

PROS

- Would create opportunity to redirect more of NASA activities to those that are industry defined and have more chance of contributing to the economy than a space station (see Tab 1, Figure 4).
- Would allow NASA to create a new vision for space exploration based on intelligent robotics and for aeronautics that would be much more attractive than the space station to scientists and domestic manufacturers.
- Puts NASA on a realistic and achievable budget path.
- Could make a significant contribution to deficit reduction.

CONS

- Fails to take advantage of US 10 year/\$9 B investment in the space station program. Program cancellation would negate both this financial investment and the investment in human resources that has been built over the years.
- Canceling the space station program would result in the loss of nearly 17,000 direct high-paying aerospace jobs in areas (e.g., Texas, California) already hard-hit by defense cut-backs.
- The European Space Agency and the Governments of Japan, Canada, and Italy have organized their space programs and invested billions of dollars in this project. Termination could have a significant negative effect on future cooperation in science and technology and could have broader negative impacts on our agendas with these countries.
- The specifics of the "New Vision" for NASA and the new technology investments that could replace the space station are not well defined and may be difficult to sell.

Tab 4 -- Effect on Jobs

Effect of the various options on the current Space Station Freedom workforce.*

Program Cancellation: 16,700 Direct Jobs Lost

Option A: 3,700 (approx.) Direct Jobs Lost

Option B: 2,400 (approx.) Direct Jobs Lost

Option C: 8,100 (approx.) Direct Jobs Lost

*New spending in other parts of the NASA budget -- for example, the New Technology Package -- could offset many of these lost jobs.

THE WHITE HOUSE
WASHINGTON

03 JUN 14 11:15

Mark Gearan

Should be able
to make some use
of this —



THE WHITE HOUSE
WASHINGTON

Dear Paul:

Thank you for forwarding a copy of your June 6 column entitled "Haircuts and History." I enjoyed reading your comments and appreciate all your support. You are a true friend, and I look forward to seeing you soon.

With best wishes,

Sincerely,

Trin

Thank so much.

The Honorable Paul Simon
United States Senate
Washington, D.C. 20510

THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

INCOMING

DATE RECEIVED: JUNE 03, 1993

NAME OF CORRESPONDENT: THE HONORABLE PAUL SIMON

SUBJECT: ENCLOSURES HIS COLUMN ENTITLED HAIRCUTS AND
HISTORY

ROUTE TO: OFFICE/AGENCY	(STAFF NAME)	ACTION		DISPOSITION		
		ACT CODE	DATE YY/MM/DD	TYPE RESP	C D	COMPLETED YY/MM/DD
HOWARD PASTER		ORG	93/06/03			
	REFERRAL NOTE:					
	REFERRAL NOTE:					
	REFERRAL NOTE:					
	REFERRAL NOTE:					
	REFERRAL NOTE:					

COMMENTS:

ADDITIONAL CORRESPONDENTS: MEDIA:L INDIVIDUAL CODES: 1210 _____
 _____ MAIL USER CODES: (A) D IL (B) _____ (C) _____

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*****
*ACTION CODES:      *DISPOSITION      *OUTGOING      *
*                  *                  *CORRESPONDENCE: *
*A-A-APPROPRIATE ACTION *A-ANSWERED      *TYPE RESP=INITIALS *
*C-COMMENT/RECOM      *B-NON-SPEC-REFERRAL *      OF SIGNER      *
*D-DRAFT RESPONSE      *C-COMPLETED      *      CODE = A      *
*I-INFO COPY/NO ACT NEC *S-SUSPENDED      *COMPLETED = DATE OF *
*R-DIRECT REPLY W/COPY *                  *      OUTGOING      *
*S-FOR-SIGNATURE      *                  *                  *
*X-INTERIM REPLY      *                  *                  *
*****

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REFER QUESTIONS AND ROUTING UPDATES TO CENTRAL REFERENCE
 (ROOM 75, OEOB) EXT-2590
 KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING
 LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS
 MANAGEMENT.

PAUL SIMON
UNITED STATES SENATE

Mr. President -

My column goes to the
Illinois media. I
thought it might interest
you -

5-27-93

Paul



P.S. WASHINGTON

*a weekly column by
U.S. Senator Paul Simon of Illinois*

Haircuts and History

The first question in one of my recent town meetings was how much I pay for my haircuts, and what did I think of President Bill Clinton's "haircut episode." I replied that I pay \$10 for my haircuts and that the President had made a mistake.

There is a tendency to focus on the small and easily understood mistakes that a President makes, and not look at the big picture.

Of the major items on which history is likely to judge him, this President has done well. Outside of foreign affairs, where the President has yet to make a clear stamp, on the domestic side there are three significant positive areas:

First, he has shown courage in tackling the deficit. For too many years both political parties have ducked on this issue that is so vital to the future of our nation. History's high marks or low marks ultimately are likely to rest on the deficit question more than anything else.

Second, the nation's serious need for a rational health care system is being addressed. Hillary Rodham Clinton is heading this effort for the President, and Democrats and Republicans alike in the Senate have been impressed by her seriousness and her grasp of the matter. After much struggling during the latter half of this year, either later this year or early next year the nation probably will emerge with a better health care plan for all our citizens.

Third, the President has shown a real commitment to move

forward on education, which is key to the future of the nation. Education has received plenty of lip service but too little solid attention. On the student loan program, for example, the President has mastered the issues involved and has shown a courageous willingness to take on the powerful financial forces that receive subsidies under the present program. He is trying to improve student assistance in ways that benefit taxpayers and students and their families. It will be interesting to see if the lobbyists for the banks and secondary markets win this one, or if the students and taxpayers win. The President has been solidly on the right side.

Those three major issues — along with matters like the environment — will determine the future of the nation, and on these history will make its judgment.

I am old enough to remember when Harry Truman got into regular trouble with the media over some small matters he mishandled, and there is no question he mishandled some. But today Harry Truman stands high in history and the smaller things are all but forgotten.

Obviously, President Clinton should try to avoid these small but symbolic mistakes.

But history will judge him for his doggedness in pursuing the causes that can change our future for the better. And my instinct is that the first few months indicate that he will receive favorable marks on these.

For Release: June 6-12, 1993

(May Be Used Upon Receipt)

Column Topics: Clinton Presidency; Deficit; Education; Health Care Reform.

Chen

THE WHITE HOUSE
WASHINGTON

DATE: 6/13

TO: Ed Knight

FROM: JOHN D. PODESTA
Assistant to the President and
Staff Secretary

Can you have someone
take a look at this
& follow up as appropriate.

Tom

MEMORANDUM

TO:

John Podesta

FROM:

NANCY HERNREICH

RE:

PRESIDENTIAL MAIL

DATE:

6-9-93

The President has reviewed the attached and has forwarded it to you for:

____ ACTION

Please draft reply for the President's signature.

____ ACTION

Please follow up (an initial letter has been sent indicating that it was sent to you for follow up.

☒ FOLLOW UP

As indicated.

____ FYI

Information copy.

Greg Schroeder doing initial response

5-13-93 ROBERT S. MOORE

✓
The National Conference of State Liquor Administrators have resolved to become more effective in dealing with problems associated with underage drinkers and driving while intoxicated. Request support from administration on proposed Special Occupational Tax Funding proposal. Request you have Secy Bentsen advocate their proposal to the House Ways and Means Committee.

*See Jol
a pto
pura*

At the Desk of . . .

5/13/97

ROBERT S. MOORE, JR., Director
Arkansas ABC Division

Dear Nancy-

Hope you are are having
great fun in DC! We all
remain very proud -

Will greatly appreciate
you directing this to the
appropriate person who can
help us on this project -

Please give my very
best to Mr. President -
many thanks
[Signature]

STATE OF COLORADO

LIQUOR ENFORCEMENT DIVISION Department of Revenue

1375 Sherman Street, Room 600
Denver, Colorado 80261
Phone (303) 866-3741
FAX (303) 866-4541



Roy Romer
Governor

John J. Tipton
Executive Director

David C. Reitz
Division Director

May 6, 1993

Robert S. Moore, Jr.
N.C.S.L.A. President
State of Arkansas
Alcoholic Beverage Control Division
Suite 503
100 Main St.
Little Rock, AR 72201

Re: S.O.T. Funding Proposal

As we discussed yesterday it is my understanding that the liquor industry will introduce a proposal, through Representative Mike Kopeski, D-Oregon, to eliminate the S.O.T. altogether for liquor retailers. As an alternative to their proposal I would like to strongly advocate that a portion of the S.O.T. monies be utilized for enforcement and educational purposes as outlined in our S.O.T. proposal (attached). I feel that it would be politically effective if the Clinton Administration, through Treasury Secretary Benson, would advocate our proposal to the House Ways and Means Committee. Our proposal would be an effective tool for the Clinton Administration, in that it would help address the problems of underage alcohol abuse, forge an alliance between state regulators and B.A.T.F. and provide an alternative positive focus on B.A.T.F. in light of the Waco, TX incident.

I also feel that a compromise position with the liquor industry could be worked out on this matter and I would be willingly to offer my services as needed in this regard.

Sincerely,

A handwritten signature in dark ink, appearing to read "David C. Reitz", is written over the typed name and title.

David C. Reitz
Director

1993 MAY 11 PM 1:29

PROPOSAL FOR FEDERAL ALCOHOL BEVERAGE TAX STAMP FUNDING IN SUPPORT OF STATE ALCOHOL ENFORCEMENT EFFORTS.

Background

During the 1980's alcohol related traffic accidents and deaths became a major issue of public concern. Statistics showed that a disproportionate number of these accidents and deaths were attributed to the consumption of alcohol by persons under twenty-one year of age. In response to these tragic numbers the federal government funded increased enforcement of driving under influence "DUI" laws to state and local police agencies. Increased DUI enforcement efforts verified the abuse of alcohol by young persons. In a second effort to address the national concern about youth alcohol abuse the federal government told the states through a 1984 amendment to the Surface Transportation Act of 1982 that those states who did not have a minimum drinking age of twenty-one years would be subject to loss of federal highway funds.

Many of the States resented this mandated change which they considered an intrusion of their rights granted under the 21st Amendment of the United States Constitution. The U.S. Supreme Court (South Dakota V. Dole) however, upheld the federal governments right to intrude into this area of public concern. In many States the lowering of the legal drinking age required additional resources to enforce these new age laws, but as in most cases the additional burden of enforcement was passed on to the states by the federal government without any additional funding. State governments who were now beginning to feel the pinch of shrinking tax revenues also failed to fund state level enforcement programs to address this new population of illegal under-age drinkers.

In January 1988 the federal government raised the cost of a alcoholic beverage retailers federal tax stamp from \$54 a year to \$250 a year. This increased annual fee had no relationship to any increased services or costs to the federal government in regulating the retail alcohol beverage industry. This increased fee and the transfer of fee collection duties from IRS to BATF was the cause of great turmoil in the retail alcohol beverage industry. The new level of this fee made collection a government priority and BATF began an aggressive effort to collect current and past due tax stamp fees from alcohol beverage retailers. In many cases retailers were shocked at the amount of their past due liability for this tax stamp.

State alcohol beverage administrators were asked by BATF to assist them in advising alcohol beverage licensees of their requirements to pay this annual tax stamp and in many cases the states assisted BATF, at no cost, in their efforts to collect this tax. The alcohol beverage retailers indicated they resented this tax because they felt they were being taxed for something without any commensurate return in service by BATF. Because of these problems retailers later made this tax a political issue at both the state and federal government levels. State legislatures made it known to many state alcohol beverage enforcement agencies that their assistance to BATF in the collection of this federal tax was a politically unpopular idea. At the federal level efforts to repeal this tax have recently become, and still are, matters of federal legislative concern.

At the same time as the controversy over this tax is pursued at the federal level; public concern over alcohol abuse by young people increases, while conversely state level funding for alcohol beverage enforcement and education decreases. California and New Jersey are recent examples about how state-level alcohol beverage enforcement efforts are often the first major casualties during state fiscal crisis.

The retail alcohol beverage industry supports state level enforcement and education efforts but is reluctant to support any additional state taxes to support these efforts for what they perceive is an already overtaxed industry.

THE ISSUES

A synopsis of this dichotomy of problems, that are all related to alcohol beverage consumption, is as follows:

1. The public has increased concerns about alcohol abuse by young persons and expects enforcement and education programs to combat this problem.
2. The federal government has imposed an unpopular tax stamp on alcohol beverage retailers and has provided BATF with the unpopular mission of collecting this tax.
3. Alcohol beverage retailers resent this tax stamp because it provides no returned service to their industry.
4. State governments are experiencing prolonged fiscal crisis and alcohol beverage enforcement efforts are often the first victims of state budget cuts.
5. The federal government has considered through legislation, of doing away with this federal tax stamp because it has no real effect on the federal budget and its continued collection has been politically unpopular.
6. The federal government still strongly supports the concept of preventing young persons from drinking illegally and expects the states to enforce minimum (21) drinking age laws.
7. Alcohol beverage retailers philosophically support state level enforcement efforts, but are reluctant to agree with any additional increase in state taxes or fees to improve or save state enforcement programs.

RECOMMENDATION

It is recommended that rather than doing away with the federal tax stamp for retailers, or continuing it without any services back to the retail industry, that half of the annual fee collected from each retailer (\$125) be returned to state level alcohol beverage enforcement agencies for increased and improved alcohol education and enforcement efforts. These monies will show the states that the federal government is willing to put its money where its mandates (and concerns) are in preventing underage alcohol consumption.

DETAILS OF PROPOSAL

The details of this proposal that are listed below incorporate the concerns expressed by the liquor industry, BATF, NCSLA (Open States Administrators), NABCA (Control States Administrators), and NLLEA (Liquor Law Enforcement Administrator).

1. The level of funding for each state will be equal to one-half the annual special occupational tax ("S.O.T.") actually collected from each liquor licensee physically located within each state.
2. The monies provided to each state under this proposal shall be used for enforcement and education purposes and shall be a supplement and not a replacement for current state funding of alcohol beverage enforcement units. The level of funding a state will receive cannot exceed the state's own funding of its own alcohol enforcement, education and licensing programs. Monies may be used for personnel costs, operating expenses and capital equipment expenditures.
3. Each state will contribute 5 percent of its allocated monies to BATF for the development of a dedicated nationwide information system on alcohol beverage licensees and approved beverage products and on the development of alcohol beverage enforcement training programs. Both of these programs will be administered by BATF and will be made available to all contributing state agencies. The programs will be governed by a board representing BATF and both control and open states that are participating in this program.

4. The collection of the special occupational tax monies will be modified from its current fiscal year basis, to a license year basis that conforms with each individual state's licensing system. Upon initiation of this program the states will be able to waive all past due tax liabilities owed by a retailer, except for the current license year and two previous license years. The states will receive their share of monies based upon the S.O.I. collections received during the prior calendar year. Amounts will be determined and reported to each participating state by BATF on or about March 31st of the year following the close of the year of collection. Monies will be provided to the states on July 1st of the year following the year of collection.
5. To initially participate in the program a state must have retailer compliance levels within 10% of the national average compliance level. To continue participation in the program a state must increase compliance levels with the S.O.I. by 5% each year until a 95% compliance level has been achieved. Thereafter, a state must maintain a 95% compliance level to remain in the program.
6. The providing of these monies to the states shall not be tied to, or dependent on, any federal increase in alcoholic beverage excise taxes.
7. The participating states in this program will report annually to BATF the results of their increased efforts (verifiable) in alcohol enforcement and education programs. Enforcement and education programs will be primarily aimed at addressing illegal alcohol use by underage persons, use of false identification by minors, and sales of alcohol to minors and intoxicated persons by both licensed and unlicensed persons.

THE WHITE HOUSE

WASHINGTON

93 JUN 8 P5:31

June 8, 1993

MEMORANDUM FOR JOHN PODESTA

From: John Dwyer
Deputy Director of Correspondence and
Presidential Messages

Subject: Student Mail Day

Copy: Marsha Scott

This memo is response to your request this morning for a report on the event scheduled for this Saturday. Our plan is to have 400 to 800 junior and senior high students spend the day at the OEOB helping answer the President's mail. Most of these students have already volunteered during the year. The Saturday event is both a thank you and an opportunity for them to spend a few more hours working on the mail.

The event is scheduled to run from 10:00 am to 4:00 pm. The President and the First Lady are both expected to make an appearance although we are still working with scheduling to determine the timing. The woman who has coordinated the student program all year (she is not a White House employee) is planning to provide lunch to the students.

We expect each school will have a few teachers and perhaps the district superintendent in attendance. In addition, volunteers from the US Soldiers' and Airmen's Home, all of our interns, and nearly all Correspondence Department employees will be here.

THE WHITE HOUSE
WASHINGTON

DATE: 6/13

NOTE FOR:

Susan Brophy

The President has reviewed the attached, and it is forwarded to you for your:

Information

☒

Action

☐

for your files

John

Thank you.

JOHN D. PODESTA
Assistant to the President
and Staff Secretary
(x2702)

cc:

CONGRESSIONAL CALLS

✓ POSHARD - IL - was to submit BOLD - cut some position - give something to Spatt, Dec, Posner

✓ SANGMEISTER - IL

✓ GENE GREEN - TX - Support chapter on / credit → document

✓ PETE PETERSON - FL - not w. die. war, BTU, want to stop Enit grow
- Spatt is a good, do on the other side - do KSR

✓ FRANK TEJEDA - TX

✓ DE FAZIO - OR - with J. B. Gable, BTU, working, then see, Conf (H)
- Hydro BTU too much (BTU 36% of revenue); already getting 20% to Nat. Inc. - Titanium, Nickel, Paper, etc. - Eng. Upst
- Energy tax - Fisheries: in Silicon Valley, Don Brown, etc.

✓ SWETT - NH

✓ CHAPMAN - TX

anti BTU tax - Steel, step in st. Sinter; can go back to see
protected MC - deal w. next y. energy of old world in energy, go
in next energy -
next in energy, etc.

✓ STEVE NEAL - NC - tobacco tax.

✓ TAUZIN - LA

✓ KAPTUR - OH

✓ GLENN ENGLISH - OK

✓ LANE EVANS - IL

RICK LEHMAN - CA

LIPINSKI - IL

✓ ROEMER - IN

McLough
Chitron - etc



Working here is like an amusement park!
There's excitement!
There's challenge...

Susan Brough
calls 5/26 for John

...and it will often make you sick.

Tassage

168 — Yes

27 28 25 24 23

20 — Leaning Yes

29 — Undecided

17 — Leaning No

22 — No

0 — No Response

27 Barcia (MI)	58171	Applegate	56265	Cantwell (WA)	56311	23 Andrews (NJ)	56501
28 Barlow (KY)	53115	Bilbray	55965	Carr	54872	Baesler (KY)	54706
24 Clement	54311	Browder	53261	Dooley	53341	Chapman	53035
Cramer	54801	Byrne (VA)	51492	Edwards (TX)	56105	Condit	56131
Durbin	55271	Cooper	56831	Green (TX)	51688	Danner (MO)	57041
Fields (LA)	58490	Coppersmith	52635	Inslee (WA)	55816	DeFazio	56416
Glickman	56216	Deal (GA)	55211	Kaptur	54146	English (OK)	55565
Holden (PA)	55546	Deutsch (FL)	57931	Laughlin	52831	Geren	55071
Hughes	56572	Fingerhut (OH)	55731	Mann (OH)	52216	Hall (TX)	56673
Johnson (SD)	52801	Hutto	54136	McCurdy	56165	Hayes	52031
Klink (PA)	52565	Klein (NJ)	55751	McHale (PA)	56411	Lehman	54540
Lambert (AR)	54076	Lloyd	53271	? Peterson (MN)	52165	Lipinski	55701
Lancaster	53415	Maloney (NY)	57944	Roemer	53915	Long	54436
McCloskey	54636	Mollohan	54172	Skelton	52876	Margolies (PA)	56111
Menendez (NJ)	57919	Montgomery	55031	- Swett	55206	Minge (MN)	52331
Murphy	54665	Ortiz	57742	- Tejeda (TX)	51640	Orton	57751
Pickett	54215	Penny	52472	Wilson	52401	Pallone	54671
Sangmeister	53635	Peterson (FL)	55235			Parker	55865
Sisisky	56365	Poshard	55201			Sarpalius	53706
Whitten	54306	Rowland	56531			Tauzin	54031
Montgomery		Schenk (CA)	52040			Taylor	55772
Cooper		Slattery	56601			Traficant	55261
Fingerhut		Stenholm	56605			Rowland	
Schenk		Tanner	54714				
		Thurman (FL)	51002				
		Valentine	54531				
		Volkmer	52956				
		Wheat	54535				

? Saunders

THE WHITE HOUSE

WASHINGTON

MEMORANDUM FOR THE PRESIDENT

FROM: HOWARD PASTER

DATE: MAY 26, 1993

SUBJECT: PRESIDENTIAL CALL LIST

✓ Rep. Glen Poshard (IL)

✓ Rep. George Sangmeister (IL)

✓ Rep. Gene Green (TX)

✓ Rep. Pete Peterson (FL)

✓ Rep. Frank Tejeda (TX)

✓ Rep. Peter DeFazio (OR)

✓ Rep. Dick Swett (NH)

THE WHITE HOUSE
WASHINGTON

DATE: 6/13

TO: *Christine Varney/Barbara Chow*

FROM: JOHN D. PODESTA
Assistant to the President and
Staff Secretary

*How about a fix on
this one?*

John

Official said the administration is seeking changes to enhance consumer protection. The article says the administration is not ready yet with a plan for revising laws limiting pesticide residues in food.

(Reuter-6/8) -- An EPA official said it will take EPA until the year 2004 to complete re-registration of pesticides (seven years beyond the deadline set by Congress). The article reviews the number of cases EPA is handling. The official said the cases expected to be completed by 1997 would cover most of the high-volume food-use chemicals.

(NY Times) -- A columnist questions assumptions about the science behind claims linking pesticides to cancer in humans. He presents findings of natural pesticides in foods and says there is no scientific rationale for banning synthetic pesticides in foods while leaving the natural ones alone. He says the Delaney clause needs updating.

ENVIRONMENTALISTS' UNEASE (LA Times-6/8) -- A columnist examines some of the concerns brought about by the administration's movement toward the center, and points to actions on the new timber policy which have some groups worried.

(Reuter-6/7, USA) -- The articles review concerns of some that nomination of Sec. Babbitt to the Supreme Court may slow environmental reforms. The articles note that Babbitt has supported reforms of mining, grazing and timber-sale regulations.

GRAZING REPORT (USA) -- BLM scientists released a report confirming mismanagement of Western public rangelands has threatened the land and wildlife.

BARLEY TRADE CONCERNS (JOC) -- US barley producers are concerned that Canada's move to free up barley exports will result in a surge of US imports that will lower prices to US growers. One producer rep asked, "For every bushel of imported Canadian barley, are we going to EEP a bushel of our barley?"

EC RATIFIES OILSEEDS AGREEMENT (Dailies, Wires-6/8) -- EC foreign ministers endorsed the pact with the US on oilseeds after France agreed that its demands had been met and approved the pact. Despite denunciations by farm groups and the Socialists, France's foreign minister said France did not give in, "it is accepting a favorable agreement." Other EC diplomats see the oilseeds agreement as an important first step toward an agreement on farm trade and an overall GATT agreement.

(Reuter-6/8) -- Although most French farm unions reacted with cautious resignation to the oilseeds pact, the Young farmers' union CNJA and radical movement Coordination Rurale called for nationwide protest action. The president of the oilseed producers assn. called the agreement "too vague."

BRAZIL'S FARM POLICIES (KRF-6/7) -- Brazil's new farm minister said Brazil's farmers cannot compete with imports from subsidizing nations, and he said one way to make them competitive will be to create or raise import duties. He also said he would work for changing rural credit policies and developing a fund to cover a minimum price for commodities.

ANALYSTS BEARISH ON WHEAT (FWN-6/8) -- Analysts outlined several reasons for their very bearish outlook on wheat trade. They expect USDA to boost its production estimates for June (over May), something that has happened only once in the past 10 years. They foresee poor export demand in the summer quarter and see China as a major unknown market. They ask if USDA will get aggressive and ink a wheat EEP for China.

FIX FOR SOYOIL CLASSIFICATION (KRF-6/7) -- Sen. Richard Lugar (R-Ind.) said he has drafted legislation to reverse a Dept. of Transportation regulation that classified soybean oil as a hazardous material. An aide said the bill is intended to pressure DOT to reverse the regulation.



THE PRESIDENT HAS SEEN

6/2
C.C. MALLIA HALL
MARK GEARIN
George S.

THE WHITE HOUSE
WASHINGTON
93 MAY 28 All : 39

MAY, 28, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: KAREN HANCOX, LEGISLATIVE AFFAIRS

SUBJECT: DISNEY WORLD AND AMERICAN PRESIDENT'S EXHIBIT

I. ACTION-FORCING EVENT: Disney World has an exhibit at the Magic Kingdom called "The Hall of Presidents" and they want to add your likeness to the exhibit.

II. BACKGROUND: The 1962 World Fair included a moving, talking robot of Abraham Lincoln. In 1966 Disney moved this exhibit to their theme park, Disney Land, in California. In 1971, Disney World opened in Florida and included "The Hall of Presidents." This exhibit opens with a film that sets up the Presidency and includes all 42 Presidents. After the film, the screen rises and robots of all the Presidents are arrayed on the stage. For the past 22 years, the focus of the exhibit has always been on Abraham Lincoln, never the current president.

For the first time in Disney's history, they want to have the current President -- i.e. your likeness, or robot, if you will, take a more prominent role. Specifically, after the film, there would be a roll call of the 42 Presidents, then your robot would make a few opening remarks (suggested script is attached), then it would turn the exhibit over to Abraham Lincoln's robot, who would say a few words and then George Washington would have the final say before the exhibit ended.

Disney would like to have your robot added to the exhibit by November 1993. They would like you to dedicate the exhibit in person. They already have a likeness of your head sculpted, but to meet the November deadline would mean a tremendous amount of effort on their part.

To help facilitate them meeting this deadline, they would need you to record the script, which you are welcome to change, as soon as possible. In addition, because they want these robots to be as life-like as possible, they will need your suit measurement, foot size, and preference for accessories. For example, they need to know what type of watch, tie, ring, and cufflinks the robot should wear. As well as your preference for suit and shoes type and color. They want to know your preferences down to whether or not there is a handkerchief in the suit breast pocket.

13 c

TIMEEX
1000
NOV
Polling
wedding band
Pres. Seal
Rarely wear
NO

44
370321

Page 2
Disney

Also, before visitors get into "The Hall of Presidents" there is a waiting area with an exhibit of political memorabilia. Disney would like to include major pieces of memorabilia from your Presidential campaign.

OK
III. RECOMMENDATION: Disney is very excited about your Presidency and this exhibit presents a great opportunity to reach millions of people a year. Even if you can not open the exhibit, it would be beneficial to have you record the script and supply your measurements and clothing preferences so they can build the robot and add it to the exhibit.

IV. DECISION:

☒ Approve ☐ Approve as amended ☐ Reject ☐ No Action

(attachment)

*Hancock
copied
FW*



The **WALT DISNEY** Company®

My fellow citizens.....

The millennium draws to a close, the twenty-first century dawns....

Let us pause to consider that over the past two thousand years as civilization moved west, America has existed a bare one-tenth of that time. Yet today our nation stands as a symbol of freedom and an inspiration to people around the world.

Our independence and our liberties are uniquely enshrined in our constitution and engraved in our hearts. The tide of that 2,000 years of history moves in our direction --- indeed, we are that tide....

Today, as heirs to the great American Revolution, we celebrate the very idea of America. We believe our nation's happiness still evolves from liberty, from opportunity, and from the vision of equality set forth by our country's Declaration of Independence.

America mirrors the world's diversity, yet it remains united in its struggle to uphold fundamental freedoms. There is nothing wrong with America that cannot be cured by what is right with America. There is nothing wrong with the world that cannot be cured by the ideals that created America. Those principles have no borders. While other nations tear themselves apart, we realize our lands only real borders lie around our heart.

We must extend beyond our borders, not by geography but by the quest for democracy. Our long journey continues...our globe, with it's precious cargo, now adventures the universe!

ROUTING SLIP

93 JUN 9 All: 08

DATE: 6, 8, 93

FROM: Marcia Hale
Director of Scheduling & Advance

TO:

Rahm Emanuel

Howard Paster

✓

Mark Gearan

✓

John Podesta

✓

Alexis Herman

✓

Carol Rasco

Nancy Hernreich

Bob Rubin

Anthony Lake

Eli Segal

Bruce Lindsey

✓

George Stephanopolous

✓

Mack McLarty

✓

Ann Stock

Regina Montoya

Christine Varney

Roy Neel

✓

David Watkins

Bernie Nussbaum

Maggie Williams

✓

FOR YOUR:

Information _____

Advice ✓

Action _____

COMMENTS:

Do we really want to
do this?

Marcia

THE WHITE HOUSE
WASHINGTON
33 MAY 28 AM 11:39

C.C. Mallica Hake
MARK Gowan
George S.

MAY, 28, 1993

MEMORANDUM FOR THE PRESIDENT

FROM: KAREN HANCOX, LEGISLATIVE AFFAIRS

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IV. DECISION:

☐ Approve ☐ Approve as amended ☐ Reject ☐ No Action

(attachment)



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We must extend beyond our borders, not by geography but by the quest for democracy. Our long journey continues...our globe, with it's precious cargo, now adventures the universe!

THE WHITE HOUSE
WASHINGTON

DATE: 6/13

TO: *Tom Dwyer*

FROM: **JOHN D. PODESTA**
Assistant to the President and
Staff Secretary

*Please review &
confirm these
FTE numbers with
Jennifer O'Connor. I'd
also like to see the
12.25 list. Thanks
John*

THE WHITE HOUSE

WASHINGTON

93 JUN 8 P5:31

June 8, 1993

From: John Dwyer 
Deputy Director of Correspondence and
Presidential Messages

Subject: Payroll

Copy: Marsha Scott

This memo is in response to your request earlier this week to be brought up to date on the status of the Correspondence Department's payroll. We currently have 96.75 FTEs in the department. (We also have several employees on leave without pay to allow them priority as they search for new employment with the federal government. It is my understanding that they do not count as FTEs.)

We have already informed 12.25 FTEs that they are being let go on or before September 1, 1993. Therefore, there are 84.5 FTEs currently on our payroll who we expect to be with us after October 1, 1993. We still have 3.5 FTE slots to hire under the 1994 budget.

Of the 3.5 FTEs to be hired, one half of an FTE has been earmarked for your office to cover the weekend secretarial spot.

In light of the fact that we are currently below the 102 FTEs budgeted for the department through September 30, we intend to hire the additional 3 FTEs as soon as we find qualified personnel. Those hires will not put us over the FTE budget for either the fiscal year ending September 30, 1993 or the subsequent fiscal year. If you do not want us to proceed accordingly, please let me know ASAP.

Thanks.

THE WHITE HOUSE
WASHINGTON

DATE: 6/13

NOTE FOR: *Nancy Soderberg*

The President has reviewed the attached, and it is forwarded to you
for your:

Information ☐

Action ☒

see envelope wite.

JOHN

Thank you.

JOHN D. PODESTA
Assistant to the President
and Staff Secretary
(x2702)

cc:



St. Louis Parish
3310 South Sherman Street
Englewood, Colorado 80110

To have
included
As copy from
the or so on
a copy of

Mr President Bill CLINTON
The white House
Washington, DC 20500



St. Louis Parish
3310 South Sherman Street
Englewood, Colorado 80110
(303) 761-3940

May 11, 1993

M. President Bill CLINTON
The White House
Washington, DC 20500

Dear President Clinton,

I think of this letter as a personal way of getting in touch with you .It is a real honor and I thank you for the time that you will take out of your heavy schedule to read this letter .

I need to introduce myself before submitting to you my request.I am a roman catholic priest from Zaire. I am sure that you know the situation of Zaire .I am an eye witness to the crisis that is killing thousands of people. President Mobutu of Zaire has brought the country to its lowest point : poverty, famine , lack of freedom and human dignity, corruption, violence, injustices .It was bad ; progressively it was getting worse ; and now there is no word to express the crisis and the misery of the people of Zaire .

With this letter I am appealing to you for your attention to the situation of Zaire .I am expressing here the voice of the voiceless who need your help and your assistance. You may be the hand of God to deliver and bring freedom to Zaire. Please consider any solution that will help the process of democratization in Zaire ,and the stepping down of President Mobutu of Zaire .

Before ending my letter, I would like to appeal to you for my Diocese in the Est of Zaire. The Diocese of Mbujimayi has received thousands of refugees expelled from the South. These people are human being and they need assistance. In regard to this situation and some others, I would like to ask you if you may have one day a few minutes to listen to me .I don't need an official appointment, but I want to see you and talk to you .

With my deep gratitude and sincere prayers for God's strength and guidance in your work .

Very Respectfully,

Fr Gaston N MUYOMBO

THE WHITE HOUSE
WASHINGTON

DATE: 6/13

TO: *Mark Gerson*

FROM: **JOHN D. PODESTA**
Assistant to the President and
Staff Secretary

*I did not forward
to the President.*

*It probably deserves
a follow up by your
shop*

John

THE WHITE HOUSE

WASHINGTON

93 JUN 2 09:15

MEMORANDUM TO THE PRESIDENT

FROM MARSHA SCOTT *MS*

DATE JUNE 1, 1993

SUBJECT JOHN VASCONCELLOS RECOMMENDATION

John called and asked if I would help push the nomination of his friend and former staffer, Ken Patterson, as a media advisor. Ken is a US Navy Lt. Commander with extensive press credentials. Evidently he was having a difficult time meeting with anyone so I met with him. He had to return to duty in Hawaii but I told him that someone would be in touch.

He wants to be detailed to our Media Affairs Office. The Bush administration evidently had a liaison from the military in their press office. The idea has merit and he may be the right person. However, I think more interviews are in order.

Do you want this sent to David Gergen for his attention?

Approve _____ Disapprove _____

REPLY TO:

☐ DISTRICT OFFICE
100 PASEO DE SAN ANTONIO
SAN JOSE, CALIFORNIA 95113
(408) 288-7515

☐ CAPITOL OFFICE
STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0001
TEL: AREA CODE 916
445-4253

**Assembly
California Legislature**

JOHN VASCONCELLOS
ASSEMBLYMAN
CHAIRMAN
COMMITTEE ON WAYS AND MEANS

COMMITTEES:
EDUCATION
HIGHER EDUCATION

BILL:

Hello, my friend. How are you?
How are you doing? How are you feeling?

As you complete your first 100 days as our President,
I continue both pleased and proud
that I was the first elected official in California
to endorse your candidacy!

I am pleased now to become Chair of the Silicon Valley
Chapter of the Democratic Leadership Council - whose
slogan I propose to be *"Reinventing politics -
and everything else, including ourselves!"*

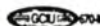
With all that, I want and ask nothing of you -
except you realize your promise to become the outstanding
president all of us so desperately want and need.

Toward that end I have a recommendation (and a request):
Arrange to bring onto your communications staff
US Navy Lt. Commander Ken Patterson -
- my dear friend of 20 years, former staff member, whose
specialty is military communications, especially Far East
(see attached, + Dee Dee Myers has his qualifying resume).

Ken is just completing a 3-year assignment with the
Pacific Fleet, and otherwise heading to become #2 at Stars
& Stripes in Tokyo.

He agrees with you on every (including the most sensitive)
issue, and brings you the authority of his uniform,
broad deep experience in military public relations circles,
(especially in Far East matters, including MIA/POW issues),
and a smart, strategic, utterly trustworthy, winning way.

Comm. Patterson is in D. C thru May 28. Interview him now.
He will well serve you, as you better serve our nation!



Printed on Recycled Paper

LCDR Ken Patterson
808-833-1118
808-421-1364

DEE DEE MYERS
PRESS SECRETARY
WHITE HOUSE PRESS OFFICE
ROOM #173
OLD EXECUTIVE OFFICE BUILDING
WHITE HOUSE
WASHINGTON DC 20500

26 APRIL 1993

DEAR MS. MYERS;

THIS LETTER IS A FOLLOW-UP TO COMMUNICATIONS I'VE FORWARDED TO YOU IN THE RECENT PAST. I'M STILL SEEKING A WHITE HOUSE DIRECTIVE TO THE DEPARTMENT OF DEFENSE DETAILING ME TO YOUR PRESS OFFICE. A BRIEF VERSION OF MY RESUME IS ALREADY IN YOUR PERSONNEL SYSTEM. PLEASE LET ME OUTLINE A FEW OF THE AREAS IN WHICH I WOULD BE ABLE TO SUPPORT YOU, YOUR STAFF AND THE CLINTON ADMINISTRATION.

- 1) WHEN THE BAN ON MILITARY SERVICE FOR GAY AND LESBIAN PEOPLE IS LIFTED, YOU WILL NEED A UNIFORMED MILITARY OFFICER WHO IS DEEPLY AND SINCERELY COMMITTED TO IMPLEMENTING AND EXPLAINING THE ADMINISTRATION'S POSITION. I WOULD LIKE TO ASSIST YOU IN THAT AREA.
- 2) TERRORISM AND ITS ATTENDANT PUBLICITY DRAINS AND DISTRACTS THE PUBLIC AND YOUR STAFF, MAKING IT DIFFICULT TO FOCUS ON STATED PRIORITIES. I'VE BEEN THE PUBLIC AFFAIRS OFFICER FOR THE PACIFIC COMMAND COUNTER-TERRORIST TASK FORCE FOR THE PAST THREE YEARS AND WOULD BE VALUABLE TO YOU IN PLANNING, MEDIA RELATIONS AND CRISIS ACTION DURING TERRORIST INCIDENTS.
- 3) ASIA IN GENERAL AND SOUTHEAST ASIA IN PARTICULAR ARE AREAS WITH I CAN ASSIST YOU. MY EXPERIENCE IS WITH THE POLITICAL, DIPLOMATIC AND MILITARY ASPECTS OF THE POW-MIA ISSUE, THE ECONOMIC EMBARGO OF VIETNAM AND THE EVOLUTION OF GOVERNMENT IN CAMBODIA. I SPENT MUCH OF THE PAST TWO YEARS IN SOUTHEAST ASIA AND TOOK SOME OF THE FIRST WESTERN MEDIA INTO CAMBODIA AND VIETNAM WITH THE POW-MIA TASK FORCE AND SENATOR SMITH'S COMMITTEE ON POW-MIA AFFAIRS.

more....

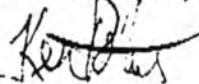
4) I ORCHESTRATED THE FIRST JOINT STATE DEPARTMENT/DEFENSE DEPARTMENT NEWS CONFERENCE IN CAMBODIA WHEN THEN-ASSISTANT SECRETARY OF STATE RICHARD SOLOMON AND DEPUTY ASSISTANT SECRETARY OF DEFENSE APPEARED AT THE NEWLY-OPENED AMERICAN COMPOUND IN PHNOM PENH. I DRAFTED, COORDINATED AND ISSUED THE FIRST-EVER TRILATERAL U.S./CAMBODIAN/VIETNAMESE COMMUNIQUE AFTER TECHNICAL TALKS IN PHNOM PENH.

MY WARFARE SPECIALTY IS IN SURFACE SHIPS. I AM NOT IN ANY WAY INVOLVED IN NAVAL AVIATION OR WITH THE TAILHOOK ASSOCIATION, NOR AM I AN INDUSTRIAL SPY FOR THE DEPARTMENT OF DEFENSE. THIS REQUEST IS ENTIRELY MY IDEA. THERE IS NOTHING THAT WOULD MAKE ME AN EMBARRASSMENT TO THE ADMINISTRATION.

I AM A LIFELONG DEMOCRAT WITH ROOTS IN CALIFORNIA. YOUR FORMER PROFESSOR, BRIAN MURPHY OF SAN FRANCISCO, AMONG OTHERS, WROTE TO YOU RECOMMENDING MY SERVICES.

INCREASING
MS. MYERS, I KNOW YOU ARE EXTREMELY BUSY AND HAVE SCORES OF PROJECTS ON YOUR DESK. HAVING THE DEPARTMENT OF DEFENSE DETAIL ME TO YOUR STAFF WOULD DIRECTLY REDUCE YOUR WORKLOAD WITHOUT ~~REDUCING~~ YOUR PERSONNEL BUDGET AT ALL. PLEASE RECONSIDER MY OFFER TO WORK FOR YOU.

SINCERELY,



KEN PATTERSON

THE WHITE HOUSE
WASHINGTON

RM

DATE: 5/21

TO: MAGGIE WILLIAMS

FROM: JOHN D. PODESTA
Assistant to the President and
Staff Secretary

MAGGIE -

Carol told me that
the President already
checked this with Hilary
and she concurs in his
judgments, but on one issue
he left open his decision pending
her advice. Can you follow up with Hilary
Carol.

THE WHITE HOUSE
WASHINGTON

DATE: 5/21/93

NOTE FOR:

THE VICE PRESIDENT
MACK McLARTY
HILLARY RODHAM CLINTON

The President has reviewed the attached, and it is forwarded to you for your:

Information ☐

Action ☐

The President wants your views on his tentative decisions and wants to know whether a meeting is warranted.

Thank you.

JOHN D. PODESTA
Assistant to the President
and Staff Secretary
(x2702)

cc: Carol Rasco

THE PRESIDENT HAS SEEN 5/21

THE WHITE HOUSE
WASHINGTON

May 20, 1993

MR. PRESIDENT:

The attached is a decision memo on abortion related issues written by Bill Galston on behalf of a Domestic Policy Council working group that includes representatives from the First Lady's Office, the Vice President's Office, Domestic Policy, Communications, Legislative, Political, Counsel's Office, Public Liaison, Cabinet Affairs, HHS and OMB.

The memo discusses various federal funding issues that are coming up -- including the Hyde Amendment and other appropriations issues -- as well as the Freedom of Choice Act.

Because the working group already includes representatives from the relevant departments and because this memo is highly sensitive, I have, for the time being, limited its circulation to Mack and the Vice President.

Carol Rasco wanted you to see this memo tonight so that she could discuss it with you tomorrow morning.

TDS
Todd Stern

cc: Vice President
Mack McLarty

Handwritten note:
I've shown
up to have
g. try to
do it. - (the group)

THE WHITE HOUSE

WASHINGTON

May 20, 1993

83 MAY 20 P8:52

MEMORANDUM FOR THE PRESIDENT

FROM: BILL GALSTON

SUBJ: ABORTION-RELATED ISSUES

Action-forcing Events

During the next few months, you will face a long list of decisions concerning abortion and abortion-related issues. Many of these decisions relate to federal funding, an issue that arises in at least half a dozen appropriations bills (see Tab A). Chairman Natcher has requested guidance from the White House concerning these bills by early next week. Other key decisions involve the Freedom of Choice Act, the content of the health care basic benefits package, and the Supreme Court nomination.

Many of the appropriations issues are likely to be narrowed, or eliminated altogether, when health care reform is enacted. Nonetheless, they must be addressed as freestanding issues this year in the context of the annual appropriations process.

In recent weeks, pressures to clarify our substantive positions and strategic intentions concerning abortion-related questions have been steadily intensifying. In response, the Domestic Policy Council has brought together an informal working group representing numerous departments within the White House as well as HHS and OMB. The members of this group include Ricki Seidman (Communications), Melanne Verveer (Office of the First Lady), Charlotte Hayes (Office of the Vice President), Doris Matsui (Public Liaison), Christine Varney (Cabinet Affairs), Susan Brophy (Legislative Affairs), Joan Baggett (Political Affairs), Carol Rasco (Domestic Policy Council), Steve Neuwirth (Counsel's Office), Jerry Klepner (HHS), Harriet Rabb (HHS), and Nancy-Ann Min (OMB). This memorandum--the first of a series--contains background information on key issues as well as recommendations and options for your consideration.

Political Context

Within your administration, there is a broad consensus that while we should deal with choice issues in a principled and consistent manner, we must make every reasonable effort to lower their public profile for the remainder of this year. There are two principal justifications for this view.

First, it is essential, so far as possible, to keep focused on the economic plan until it has made it through the Congress. The last thing we need is an ongoing heated controversy that divides our energies and diverts the public's attention while reinforcing their view that we're not spending enough time on the economy.

Second, it is essential to regain our balance on cultural matters. During your campaign, you reassured the American people that you identified with mainstream/heartland values, but the first four months of the administration have sown some doubts on that score. There may be worse to come. We face the possibility of a summer in which the political dialogue is largely framed by issues such as gays in the military, political correctness on campus, quotas, and reproductive services contained within a health care proposal. For this reason, while the administration should remain true to its principles, we should not go out of our way to emphasize issues that reinforce the impression that we are somehow outside the cultural mainstream.

In this connection, it is worth noting that the people now distinguish fairly sharply between choice, which they support within broad limits, and public funding, which they are much less likely to support. Even when our position on public funding is carefully framed, we are sure to encounter substantial difficulties in forging sustainable majorities in the Congress and in the court of public opinion.

An Easy Case: Federal Employee Health Benefit (FEHB) Plans

Under current law, FEHB plans (affecting federal employees and dependents) may not cover abortions unless the life of the mother is in danger. The DPC working group recommends that this restriction be eliminated. The result would be that FEHB plans would be allowed but not required to cover a wider range of abortion services. In most circumstances, federal employees would be able to choose among several plans with varying levels of coverage.



Decision on FEHB Recommendation

Accept

Reject

Discuss

A Harder Case: The Hyde Amendment

A. Substantive Issues

Your campaign made a determined effort to subsume federal funding issues under the rubric of national health care reform. You recognized, however, that they would persist as free-standing issues until the enactment of that reform. You now face the question of how to deal with the Hyde amendment.

During the campaign you opposed laws that prohibit federal funding for abortion. At the same time, you favored substantial leeway for the states to chart their own course. That is why your proposed budget simultaneously deletes the Hyde amendment and declares that "the Administration will work with the Congress to facilitate an approach that is compatible with both Federal and State law."

The difficulty is that these two bodies of law are frequently incompatible. For example, Medicaid requires states to provide all "medically necessary" services to eligible beneficiaries. Simply removing the Hyde amendment from federal legislation would almost certainly compel many states to fund abortions that they now exclude through either statutory or (as in the case of Arkansas) constitutional provisions. There is no way of fully harmonizing federal and state law as now written. The question, rather, is how they can be adjusted to reach mutual consistency.

Your DPC working group recommends that all states be required to fund Medicaid abortions in cases of rape, incest, and when the mother's life is endangered. Beyond these cases, each state should be left free to make its own determination.

The rationale is as follows: Even the Hyde amendment permitted abortions to relieve threats to mothers' lives, while rape and incest represent conditions for publicly funded abortion that enjoy substantial public support. A move to restore the original Hyde amendment would probably succeed in Congress if the alternative is simple deletion; substitute language that includes rape and incest would offer a better chance of defeating Hyde. Our proposal would establish that language as a federal baseline while not tying the hands of the states (now numbering 15) that want to go farther.

Decision on Hyde Language

✓
Accept

Reject

Discuss

B. Strategic Issues

There are two options for reaching this language as a legislative result. The first is to take the lead--to announce our legislative objective promptly and forthrightly, starting with Chairman Natcher, and to deploy our resources on the Hill to reach that objective during the next two months. The second is simply to restate our commitment to deleting Hyde and to working with the Congress to craft more satisfactory language. Under the second option, we would in effect be asking the Congress to make the opening bid, and we would be prepared to intervene later with our language as an alternative to reinstating Hyde.

HRC see 1

The advantage of the first option is that it allows you to demonstrate leadership by acting clearly and decisively in a hotly contested arena. The disadvantage is that it could offend nearly everyone, at least initially. In particular, it would dismay many of your pro-choice supporters by putting you in the position of sponsoring abortion coverage that is arguably narrower than the criterion of "medical necessity" built into the Medicaid statute.

OK with this

An advantage of the second option is that it preserves your freedom of action to forge consensus over time. Another advantage is when you offer your substantive recommendation during the course of the Hyde debate, it might well be seen, not as selling out our pro-choice supporters, but rather as rescuing them from a straightforward reinstatement of the Hyde amendment. A disadvantage of this option is that it could be seen, and represented, as evasive and lacking in principled leadership.

The DPC working group recommends option two, with two conditions. First, we cannot say that we are working with the Congress unless we are actually doing so. To implement option two, we would have to enter substantive discussions on this matter with key congressional leaders--promptly.

Second, you would need a public articulation of your position that takes account of the undeniable difficulties and that you could sustain until the actual legislative resolution. We recommend the following as a response to questions:

"As I made clear in my budget proposal, I don't think the Hyde amendment should be reinstated. I've also stated that my administration is committed to working with the Congress to find an approach that respects both federal and state law. I'm well aware of the fact that these bodies of law aren't fully consistent, but I'm confident that we can work out a solution that both protects the principle of choice and respects the deep and legitimate differences that exist among the states as well as among individual citizens. Discussions to achieve this result are now underway."

Decision on ~~Hyde~~ Strategy

What Ben Harkin
Thinks - option 2

Option 1

Option 2

Discuss

Other Appropriations Issues

The remaining appropriation bills differ from Medicaid in that they do not raise federal-state issues. (Some, such as DC appropriations, now restrict the use of local as well as federal funds.) Otherwise, the substantive and strategic issues are very similar.

align
Our recommendation concerning these bills is that we declare our willingness to work with the Congress and that we adopt as our practical objective (1) the relaxation of restrictions on federal funding to include rape and incest as well as the life of the mother, and (2) where appropriate, local choice in determining the use of local funds.

Should be in the same position
Two forthcoming bills raise special issues. We have just been informed that the Department of Defense is prepared to include a repeal of the Hyde amendment in its Authorization Bill. We will work with them to ensure, so far as possible, that the language respects the particular circumstances and sensibilities of the military.

U.S.
Funding for abortion in foreign aid programs also raises a distinctive issue. As you know, the People's Republic of China has come under persistent criticism for alleged use of involuntary sterilization and forced abortion as part of a population control strategy. Your budget proposal deletes language that forbids U.S. funding for overseas programs that provide abortions as an element of voluntary family planning. But the remaining language is unequivocal in its rejection of coercive measures. Public testimony by AID officials and others should be crystal-clear on this point. And if, as some have suggested, the U.N Population Fund is sufficiently disturbed by Chinese practices to consider withdrawing from that country altogether, we should be supportive of their decision to do so.

Freedom of Choice Act

As you know, the Freedom of Choice Act represents a major effort to codify the holding of Roe as interpreted prior to the Webster and Casey decisions. The Senate version of the bill has already been marked up by the full Labor and Human Resources Committee. It allows states to require parental involvement with minors' decisions and to decline to pay for the performance of abortions. It also includes a so-called "conscience clause" preventing states from imposing an obligation to perform abortions on individual doctors and institutions (such as Catholic hospitals) with principled objections to this practice. The House version of the bill, which was marked up and passed out this Wednesday, incorporates the conscience and parental involvement clauses but not the provision allowing states to decline to pay for the performance of abortions.

While these points are opposed by some advocacy groups, they are consistent with Roe and are supported by mainstream advocacy groups such as NARAL. (For additional details, see Tab B.)

During the campaign, you pledged to sign a Freedom of Choice Act along the lines of the bills reported out of the Senate and House committees. While there is a significant difference between the two versions, at this point the principal issue before us is one of timing and legislative strategy, not substance. Advocacy

groups who are longstanding supporters take the position that they refrained from bringing the bill to the floor last fall in deference to the campaign's request for delay. Now, they say, we owe it to them to intervene with the House and Senate leadership to move the bill quickly; the leadership is looking for a signal from the White House and is unlikely to move forward without one.

The counterargument runs as follows:

(1) We are already being criticized for an overly crowded agenda, and we don't need another big, controversial item that further diverts attention from the economic plan.

(2) You have already acted aggressively to further the pro-choice agenda, and you face a large number of abortion-related appropriations votes in the next few months. If you encourage a postponable abortion debate to surface during this period, it will rivet public attention on this issue and reinforce your emerging cultural disconnect with ethnic and other swing voters.

*COULD ALSO
DO THIS
A. DON'T* (3) We should focus our attention this summer on the unavoidable battle over the inclusion of reproductive services in the basic health benefits package.

(4) The principal reason why FOCA didn't come to the floor last year was that its backers didn't have the votes, and it's still not clear that they do. Speaker Foley has said that he will not bring the bill to the floor unless he is confident that it can pass without killer amendments. The number of close votes in the Judiciary Committee this Wednesday suggests that this is not yet the case and that more work needs to be done.

On balance, we believe that the arguments for delay are stronger than the arguments for moving forward at this time, and we so recommend. You should be aware, however, that many of your pro-choice supporters are likely to regard a decision not to proceed at this time as a deep disappointment--if not an outright betrayal. Should you choose to delay the bill significantly, they may go public with very vocal objections.

Decision on FOCA Strategy

✓

Delay

Go Forward

Discuss

ABORTION-RELATED GENERAL PROVISIONS

<u>Appropriation Bill</u>	<u>Current Status</u>	<u>Affected Population</u>
Labor-HHS General Provisions Sec. 103	Federal funding allowed only when the life of the mother is endangered if the fetus is carried to term.	Medicaid, Indian Health Service, and PHS grantee clients
D.C. Appropriation Bill	Funding allowed only when the life of the mother is endangered if the fetus is carried to term. (Includes local tax funds).	D.C. residents who would otherwise receive non-Medicaid funding for abortions
State-Commerce-Justice General Provisions Sec. 103, 104, 105	Federal funding allowed only when the life of the mother is endangered if the fetus is carried to term. Also provides that "no funds shall be used to require any person to perform or facilitate an abortion;" but permits funds for escorting to abortion services outside the Bureau of Prisons.	INS detainees, sentenced and pre-sentenced prisoners, transitionally housed asylees, special witnesses and families protected by DOJ, and inmates
Treasury-Post Office appropriation bill, Sec. 513, 514 of Title 5	FEHB plans may not cover abortions unless the mother is endangered if the fetus is carried to term.	Federal employees and dependents
DOD-United States Code, Sec. 1093 of Title 10,	Federal funding allowed only when the life of the mother is endangered if the fetus is carried to term.	Military personnel and dependents
Foreign Aid--H.R. 5368 Foreign Operations, PL 102-391, Sec 524 and 534 (Kemp-Kasten Amendment)	No funds shall be used for : 1) abortions, 2) to lobby for abortion, or 3) involuntary sterilization as a method of family planning or as incentive to undergo sterilization.	Peace Corps workers and countries receiving U.S. foreign assistance

WASHINGTON UPDATE

Policy and Politics in Brief

THOSE WINDS OF CHANGE ARE TRICKY

BY ELIZA NEWLIN CARNEY

Just as abortion-rights groups should be relishing the fact that there is at last a President who supports their agenda, they're threatened with the loss of one of their most prized goals: a law ensuring women's right to abortion.

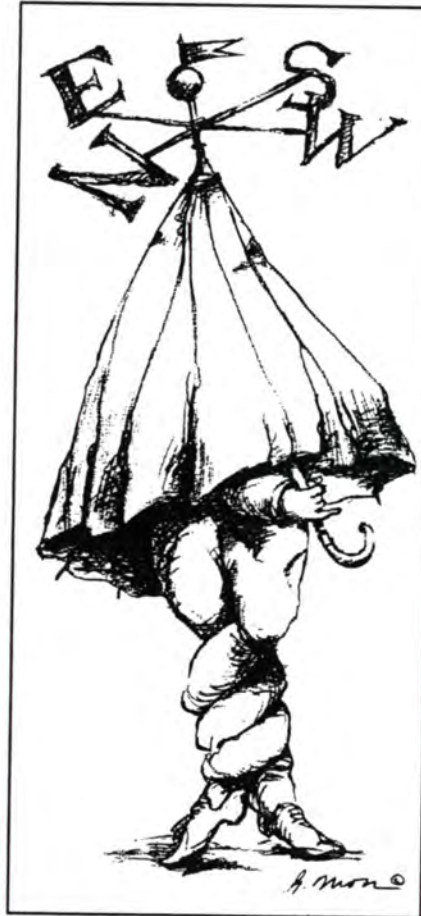
The so-called Freedom of Choice Act, which essentially would codify the Supreme Court's 1973 *Roe v. Wade* ruling that legalized abortion, may never reach the floor this year, House Speaker Thomas S. Foley, D-Wash., said at an April 22 press conference. Foley cited lack of support for a rule that would limit amendments likely to weaken the bill.

The uncertain fate of the bill—which is scheduled to be taken up by the House Judiciary Committee later this month—points up deep divisions in Congress over how far the government should go in restricting abortion rights. It also signals a bitter struggle ahead over pending questions such as whether Congress should allow federal spending on abortions and whether abortion services should be included in a national health care plan.

"This is a very difficult issue still," said Rep. Don Edwards, D-Calif., chairman of the Judiciary Subcommittee on Civil and Constitutional Rights and the Freedom of Choice Act's primary sponsor in the House. "The general public is in favor of choice for women, but to some extent they are ambivalent about certain limitations that the states want to put on it."

In theory, the 103rd Congress is a golden opportunity for abortion-rights advocates who've been frustrated for 12 years by an anti-abortion White House. On his second day in office, President Clinton signed five executive orders rolling back a slew of federal abortion restrictions, including the "gag rule" banning abortion counseling in government-financed clinics.

Clinton's also promised to work with Congress to repeal a law that bars medi-



cated-financed abortions for poor women; appoint a *Roe v. Wade* supporter to the Supreme Court; and include abortion financing in his national health care program. Congress and the Administration have also proposed measures to improve clinic access and safety, spurred in part by the March murder of David Gunn, a physician who performed abortions at a Pensacola (Fla.) clinic.

But instead of gaining momentum, abortion-rights advocates find themselves suddenly on the defensive, losing money, membership and support on Capitol Hill. In part, their struggle reflects the pitfalls of being on the winning side. "With the victor goes the spoils," Kathryn Colbert, vice president of the Center for Reproductive Law and Policy in New York City, said wryly.

In part, groups like the National Abortion Rights Action League (NARAL) and the Planned Parenthood Federation of America Inc. are hurt by public sentiment that the abortion battle is over.

"The greatest threat to choice is complacency," said Kate Michelman, president of NARAL, where donations from direct-mail fund raising are down a third from this time last year.

The abortion debate has also shifted ground from simple questions of legality to such thorny areas as whether taxpayers should foot the bill for abortions or whether parents must be notified before their underage daughters can obtain an abortion. Polls show that many voters who support abortion rights in general also favor some restrictions. A July CBS News-*New York Times* poll found that 56 per cent of respondents supported state laws limiting abortion's availability, and 52 per cent opposed using tax dollars to finance poor women's abortions.

On the Freedom of Choice Act, abortion-rights groups have been undermined by internal bickering. NARAL and Planned Parenthood lead a coalition that strongly backs both the House and Senate versions of the bill; the National Organization for Women (NOW), allied with several other women's and public-interest groups, opposes Senate provisions that would allow states to pass laws that require parental involvement and bar the use of state funds for abortions.

"Our position has always been that we wanted a bill that would not encourage the states to treat young women and poor women differently," said Ginny Montes, national secretary of NOW, which is joined by the American Civil Liberties Union and the Fund for the Feminist Majority in opposing the Senate bill.

But the legislation's supporters say it won't pass if language that allow states to restrict abortions is ruled out entirely. Edwards said he plans to introduce a measure clarifying that states may continue to require parental involvement, when the House Judiciary Committee marks up the bill. "All of our polls and whip checks indicate that the *Roe* provision on parental involvement must be in the bill, or we lose literally scores of votes," Edwards said.

And while abortion-rights advocates are fighting among themselves, the anti-abortion lobby is more organized than ever, presenting a unified front and flooding both chambers with mail. A well-organized postcard campaign by the Committee for a Human Life Amendment, a Washington lobby group backed by

U P D A T E

Catholic dioceses nationwide, contributed to a serious Capitol Hill mail backlog, House post office director Michael Shinay said. The campaign generated about 1.5 million postcards on the Freedom of Choice Act, he estimated.

"All the pro-life forces are united on at least three priorities: defeating the Freedom of Choice Act, preserving the Hyde Amendment [a proviso named for its sponsor, Rep. Henry J. Hyde, R-Ill., that bans medicaid financing for poor women's abortions] and preventing Clinton from imposing abortion coverage through the national health plan," said Douglas Johnson, legislative director of the National Right to Life Committee. "We're guardedly optimistic that the President may fail on all three of those fronts."

Freedom of Choice Act backers counter that Clinton's support, along with that of a new generation of women in Congress, bodes well for the measure. Many of the freshman women made abortion rights a central campaign theme, Rep. Nita M. Lowey, D-N.Y., said.

"The increase in women Members automatically brings a new perspective and urgency to the issue," said Lowey, who heads the Pro-Choice Task Force of the Congressional Women's Caucus.

But some Members of Congress admitted that sharp disagreements over strategy persist. Some bill backers want a closed rule that would allow no amendments once the bill reaches the floor. (The purpose would be to prevent anti-abortion lawmakers from weakening the bill beyond recognition.) Others say that lim-

ited amendments should be allowed. With no agreement, the legislation may die quietly.

Abortion-rights advocates admit that the bill faces an uphill fight and are pushing for quick action by House and Senate leaders. Some fear that debate over the legislation and over the Hyde amendment will be heated, possibly weakening the Administration's resolve to include controversial abortion provisions in its health care package.

"In my view, we have a challenge ahead of us," said the Center for Reproductive Law and Policy's Colbert. "We need to convince legislators that these restrictions are very pernicious and that they ought not to be enacted at the state level. The problem is that, that's not a 30-second soundbite." ■

THE WHITE HOUSE
WASHINGTON

DATE: 6/13

NOTE FOR: *Tim Murre*

The President has reviewed the attached, and it is forwarded to you for your:

Information ☐

Action ☒

*Can you call me
about the attached.
Thanks*

John

Thank you.

JOHN D. PODESTA
Assistant to the President
and Staff Secretary
(x2702)

cc:

THE PRESIDENT HAS SEEN 4/27

Make Congress Obey Itself

Congress is quick to impose new laws on hapless states, cities, corporations and just plain citizens. But it is woefully derelict in applying those laws to itself and its members.

Laws that protect racial minorities and women against discrimination do not apply equally on Capitol Hill. The same inequity exists in legislation on workplace safety, family leave and freedom of information.

House and Senate Republicans are spearheading efforts to correct this. For some, it's a tactic to weaken civil rights legislation, by forcing members to impose it on themselves. But the larger point remains: Congress should not live in a world apart.

The House and Senate do have rules that follow the general principles of the laws from which they exempt themselves, but the rules are encumbered by hurdles that reduce their impact. An employee who feels mistreated must first go through the House or Senate "fair employment practices" office, under the jurisdiction of the notoriously flabby Congressional ethics committees. Senate employees who are still dissatisfied do have the right of appeal to Federal court — a potentially strong weapon not available to House employees.

In general, the House does worse by its employees than the Senate, but neither chamber subjects itself to the same regimen as the laws that apply to private businesses. Imposing the laws on Congress

Above the Law

Congress has exempted itself from the following:

Americans With Disabilities Act
Age Discrimination Act
Civil Rights Act of 1964
Ethics in Government Act of 1978
Family and Medical Leave Act
Freedom of Information Act
Independent Counsel Act
National Labor Relations Act
National Labor Standards Act
Privacy Act
Occupational Safety and Health Act
Rehabilitation Act
Social Security Act
Title IX of the Higher Education Act

would give members real understanding of how their legislation actually bites.

Opponents argue that this would violate the constitutional separation of powers, by putting members of Congress under the thumb of the executive agencies that administer such laws. Proponents respond that members' behavior should be subject to executive branch scrutiny, just as Congress oversees the executive. To resolve this issue, one bill proposes that Congress rewrite and administer its own rules to conform with the laws in question.

The broadest of several bills to end the offending exemptions is offered by Representatives Christopher Shays of Connecticut and Dick Swett of New Hampshire, respectively a Republican and a Democrat, with 166 predominantly Republican co-sponsors.

In the Senate, Republican Charles Grassley of Iowa has pressed the same point for several years, with some success in making laws apply to the Senate. A fellow Republican, Don Nickles of Oklahoma, is chief sponsor of a broad bill similar to the Shays-Swett bill.

The two Senators are also members of a small Senate task force named by the Democratic and Republican leadership last fall to study the whole question. But in the six months of its existence the task force has yet to meet. That's a pretty clear sign of leadership indifference — and yet another sad sign of Congress coddling itself.

1

Mark / Rahm

I think we should support this and we should do a review of where the executive branch is different from private

Back on Track in Aiding Nicaragua

Nicaragua's failure to please Senator Jesse Helms, the hard-right North Carolina Republican, will no longer cost it American support. The State Department says that \$50 million in blocked U.S. aid will now be released because Nicaragua is making progress on human rights and other matters in dispute.

Senator Helms's oft-repeated complaint is that President Violeta Chamorro yielded up too much power to the Sandinistas she defeated in 1990. Granted, Mrs. Chamorro opted for conciliation by retaining Humberto Ortega, brother of former Sandinista President Daniel Ortega, as head of the armed forces.

Yet it never troubled Mr. Helms that in Chile, an elected democratic Government agreed pragmatically to permit the former rightist dictator, Gen. Augusto Pinochet, to continue as military commander. Nor has he clamored for a purge of the Salvadoran armed forces and punishment of all its

human rights crimes. The Senator's indignation is selective: his tolerance for hard-right thuggery is exceeded only by his enthusiasm for tobacco subsidies.

Nicaragua can be faulted for its failure to punish recent killings of former contras, and to move expeditiously on compensating owners of property lawlessly seized by the Sandinistas. Thus the Bush Administration last summer put \$104 million in aid on hold. It then released \$54 million of that aid in December, letting a new Administration decide about the balance. By any fair measure, that deferred more than enough to Mr. Helms.

Mrs. Chamorro merits praise for drastically reducing the size of the army and curbing runaway inflation. Her battered country is still recovering from a civil war that was fueled by the Reagan Administration's covert support for contra rebels. Having contributed to this mess, Washington has reason to assist in the cleanup.

eg Rt + Bureau

Mrs Jimmy Nixon
1489 McHugh Road
Baker, Louisiana 70714

*To
Bernie
Wussbawn*

May 7, 1993

Mr John Podesta
Assistant To The President
United States White House
1600 Pennsylvania Avenue N.W.
Washington, D.C. 20243

Re: Jimmy Nixon, Reg. #12863-116.

Dear Mr Podesta:

I am the wife of Jimmy Nixon and I've voted for the president because like my family, we want a change. However, I wrote to the president several times with not even one reply or any acknowledgment of my letters. I would like to know why our letters were not answered? This is for my family in South Carolina, California, New York, Florida, North Carolina, Maryland, Washington, Nevada and other states across the nation. My family feels as if we were let down by Mr Clinton and our letters ignored. Even our minister's letter was ignored and unanswered. We voted for a man who became president and just plain won't even answer our letters. We are very upset about the way Mr Clinton treated our correspondents.

What I've been writing about was the way my husband Jimmy Nixon has been treated in prison. My husband was set up by the FBI Agent and a policeman and an investigation is needed in order to prove his innocence. All that was needed was for the witnesses and the victims and Jimmy Nixon all to submit to a polygraph test which would prove that these people and the agents lied on him. My husband did not rob or steal any money from anyone on December 24, 1974 at Los Angeles International Airport. My husband beg the Judge, FBI, United States Attorney and his attorney to allow him to submit to a polygraph test and that request was denied. The crime was not even a federal crime. But, he was illegally convicted and sentence to prison and since became the target of the federal government harassment. He's been in federal prison since March 5, 1974 on federal crimes he did not commit. I am requesting that he be given a polygraph test to prove his innocence. He did not commit these crimes as he is charged.

Now he is charged with a probation violation which he was not even on probation when arrested. I would like to hear from you please. God bless.

Respectfully submitted

Mrs Jimmy Nixon
Mrs Jimmy Nixon

cc: Los Angeles Times
New York Times
J. Bennett Johnston/USS

CHRON

**THE FREEDOM FORUM
FIRST AMENDMENT CENTER**
at Vanderbilt University

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93 JUN 10 A10:48

June 9, 1993

John Podesta
Assistant to the President and Staff Secretary
Office of the Chief of Staff
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear John,

Enclosed are letters I have sent to the White House attempting to interest the president in speaking at the Society of Professional Journalists convention in Miami this October.

I know he gets bombarded with such requests and that chances that he can accept the invitation are slim, but because it is an ideal forum for him in many ways and because I think he has a lot to say to this particular audience, I thought I'd give it a try.

Because I know you're swamped, too, I won't ask you to intercede on our behalf -- unless you just feel compelled to. But if someone should ask you about SPJ or me, I hope you can say nice things about us.

Thanks so much.

Sincerely,

Paul K. McMasters

Paul K. McMasters

*sent original to room
MAK (Genial)
partial file*

*There are
the working
reporters.
The most
hard line
anti-sect
1st Amend
opel gov
crowd.*

*Let me
know if
there is
any interest
John*

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Vanderbilt University

JOHN SEIGENTHALER
Chairman

PAUL K. MCMASTERS
Executive Director

June 9, 1993

President Bill Clinton
The White House
Washington, D.C. 20500

Dear Mr. President,

You have been most generous in agreeing to address two major press groups early in your administration. I would like to invite you to address the largest and most broadly based of the U.S. press organizations after your administration has had a little more time in office.

That organization is the Society of Professional Journalists, which includes in its 14,000 members both print and broadcast journalists -- from entry level reporter to editor, publisher and station manager -- as well as journalism teachers and students. The venue would be the Society's annual convention in Miami, Fla., this coming October. More than 1,000 of the Society's members from across the nation are expected to attend.

We do not extend this invitation lightly, for we know that you have an extremely demanding schedule. We do believe this occasion provides you an opportunity to define and explain plans and policies that are your priority at the time. Obviously, whatever topic you wished to address would be fine.

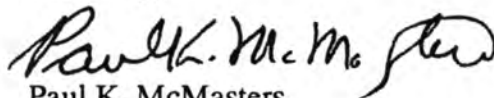
You might be interested to know that the theme of this year's convention is Diversity; one of the Society's primary missions is to help the nation's newsrooms and news reports deal with the challenges of a multicultural society. The convention will feature a certificate program on diversity and a number of the professional development programs will be conducted in Spanish as well as English.

I should mention, also, that we are inviting President Salinas of Mexico to speak on the North American Free Trade Agreement during our convention.

The Miami convention will begin on Oct. 14, and go through Oct. 16. The ideal times for you to speak would be a lunch or dinner on Thursday, Friday or Saturday, but we would rearrange the program to suit your schedule.

On behalf of the nation's grassroots journalists, I hope that you can accept this invitation. Please do not hesitate to have your staff contact me for further information.

Sincerely,



Paul K. McMasters
President-elect
The Society of Professional Journalists

**THE FREEDOM FORUM
FIRST AMENDMENT CENTER**
at Vanderbilt University

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Executive Director

TEL: 615-321-9588
FAX: 615-321-9599

June 9, 1993

Mark Gearan
The White House
Washington, D.C. 20500

Dear Mr. Gearan,

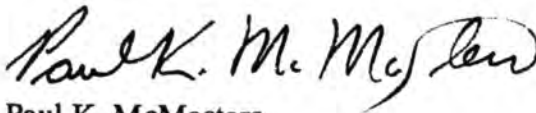
Please find attached a formal invitation to President Clinton to speak before the Society of Professional Journalists at its Miami convention in October.

We know that the president has many requests for such appearances and that he has heavy demands on his time, but we thought that this would be a particularly appropriate forum for the president at a time when the White House will undoubtedly have any number of issues to discuss -- outside the Beltway and before an audience that represents a broad spectrum of grassroots journalists.

Please feel free to have any of your staff contact me about the Society and the convention at any time. I can be reached at 703-284-3511, or at my home number, 703-878-2692.

Thank you for any consideration you can give to this request.

Sincerely,



Paul K. McMasters
President-elect
The Society of Professional Journalists

cc: Marcia Hale, Assistant to the President, Director of Scheduling and Advance

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TEL: 615-321-9588
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June 9, 1993

Marcia Hale
Assistant to the President
Director of Scheduling and Advance
The White House
Washington, D.C. 20500

Dear Ms. Hale,

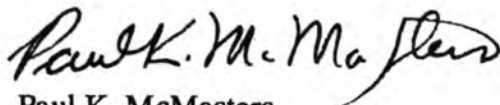
Enclosed is a letter of invitation to President Clinton to speak before the Society of Professional Journalists in Miami in October.

If there is other information that you might need to process this request or to make a recommendation to the president, please let me know and I'll be more than happy to comply.

I can be reached at 703-284-3511 (my office in Arlington), or 703-878-2692 (my home number).

Thank you so much for your consideration.

Sincerely,



Paul K. McMasters
President-elect
The Society of Professional Journalists

cc: Mark Gearan, Communications Director