

Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. memo	Philip Lader to POTUS re: Appointment (1 page)	11/29/1993	b(6)
001b. resume	[Personally Identifiable Information] [partial] (1 page)	11/15/1993	b(6)

COLLECTION:

Clinton Presidential Records
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FOLDER TITLE:

December 5-11, 1993 [1]

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RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]



Marjorie Stoneman Douglas

Donna M. Ballman, P.A.

3054465294

P.01

DONNA M. BALLMAN

A PROFESSIONAL ASSOCIATION

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① make copy for
John Podesta's
office

② ~~start media~~
~~to Freedom File~~

30 NOV 8 P1:05

DONNA M. BALLMAN

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Telefax Memorandum

To: Patty Solis

Date: 11/3/93

Telefax No.: (202) 456-2317

From: Donna M. Ballman

Re: List of names you requested re: Marjorie

Stoneman Douglas visit

Photos
Fed Atty'd
12/13
TW

THE WHITE HOUSE
WASHINGTON

DATE: 12/11

NOTE FOR: *David Kusnet*

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

Information

☒

Action

☐

Thank you.

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

cc: *Bob Rubin*

THE PRESIDENT HAS SEEN

12-10-93

12/10/93, 9am

To: George Stephanopoulos

From: David Kusnet

Re: Very fast thoughts on the Administration's relationship with the labor movement

Here are some very fast thoughts on how the Administration can work with the labor movement, not just on politics but on policy. These are prompted by the story in this morning's **Post** about the President's meeting with Lane Kirkland. If you want, I would be glad to flesh out any of these points after their meeting.

1) The President should say to labor, as he's said to at least one other interest group, "I have a vision for America, and you're part of it." This reassurance is so important because the private sector unions have good reason to worry whether they will survive into the 21st Century, just as their members have reason to worry whether their jobs will survive. This sense of insecurity -- particularly among secondary leaders (local union presidents and others) -- explains the priority the unions placed on NAFTA and are placing on striker replacement. This was and is not generals in Washington agitating the troops; it was and is the troops agitating the generals. Some of the rhetoric surrounding the NAFTA debate hurt the labor folks so much because of their sense of vulnerability; it seemed to suggest they are less than legitimate as an institution. An analogy is the psychology of the leaders and the people of Israel; because their very existence is at issue, they hear an attack on them as a threat to their survival.

2) I shouldn't need to emphasize the importance of the union movement to the Democratic Party. They are our only link to much of working class America, particularly the Reagan Democrats. The poll in yesterday's **Los Angeles Times** told us what we already know: the President does worse than average among white male non-union blue-collar workers, better than average among white male union-member blue-collar workers. Unions are the strongest liberalizing influence on swing voters.

3) An organized voice for workers is essential to the success of many of our policies and priorities -- "making work pay" for low-wage workers; job training -- unions can police a requirement that companies train front-line workers -- unions conduct apprenticeship and training programs (for instance, Ernie Green once ran a union-sponsored apprenticeship program for blacks in the building trades; labor-management cooperation requires an organized voice for workers, as in Saturn.

4) The unions have been "reinventing" themselves. Ten years ago, the AFL-CIO's "Future of Work" report pointed the way to innovations the unions are pursuing -- "associate memberships" outside collective bargaining, labor-management cooperation as at

Saturn, and greater efforts to organize white-collar and professional workers. A sense of security is crucial: as long as they see themselves fighting a rearguard battle for survival, they will have a harder time devoting their time and energy to changing with the times.

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Congress of the United States
House of Representatives
Washington, DC 20515-1807

September 28, 1993

COMMITTEE ON
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NATURAL RESOURCES

Mr. John D. Podesta
Assist. to the President
& Staff Secretary
Executive Office of the President
The White House
1600 Pennsylvania Ave., N.W.
Washington, D.C. 20500

Dear John:

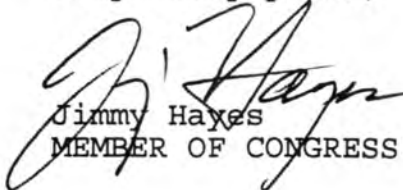
I had the privilege of serving as the Chairman of the Medals Committee of the 1993 Clinton Presidential Inaugural Committee. The Clinton Medals offered to the public continued a tradition begun with the New York Inauguration of George Washington during which special buttons were produced to celebrate the occasion.

A gold medal produced by the United States Mint upon President Washington's vacating office is on display at Mt. Vernon. Beginning in 1897, the role of the Inaugural Committee expanded and the medals became a source of funding other Inaugural activities. This also began the modern tradition of presenting to the President a gold medal struck from the dies for the Inaugural Medal.

I have in my possession the 24K gold Clinton Medal authorized by the Presidential Inaugural Committee and am seeking an appropriate time for a presentation ceremony. The ceremony itself has taken place for every modern President and is not the equivalent of the presentation of a gift or memento from an organization or group but is in fact, in the words of the author of the attached book, "the ritual, repeated every four years, through which this nation refreshes its commitment to free government."

I would appreciate your contacting my office for response to any questions which you might have regarding previous such ceremonies and I would very much appreciate your attention to this scheduling request.

Very truly yours,


Jimmy Hayes
MEMBER OF CONGRESS

JH:llh

*Ricki
we will this
don't John*

*I think
we should*

THE
PRESIDENT'S
MEDAL

1789-

1977

BY NEIL MACNEIL

THE PRESIDENT HAS SEEN

12-10-93

December 7, 1993

MEMORANDUM FOR PRESIDENT WILLIAM S. CLINTON

FROM: WILLIAM M. DALEY *WD*

SUBJECT: Western Hemisphere Summit *a to Tony L.*

I respectfully suggest that Chicago be considered the location for the Western Hemisphere Summit. Obviously, you would expect me to make such a recommendation; however, I truly believe that this can be very beneficial for you in the Midwest. As you know, we received very few Democratic votes for NAFTA from the Midwest. As determined by the polling data, the Midwest had the greatest concern based on economic changes and fear of job losses as a direct result of NAFTA.

If the emphasis of the Summit is on further expansion of American potential into these emerging markets, I believe making this strong statement in the Midwest is most important for you.

If the Summit is handled properly, we could arrange it so that, in addition to the tremendous national and international attention generated by this Summit, there would be very heavy regional emphasis with a heavy regional press operation, along with political emphasis with governors, senators and congresspeople.

I also believe, it would be of tremendous advantage to you if we arranged visits by many of the Heads of State to Midwest locations, thereby expanding the focus throughout the Midwest. Visits could be arranged, such as the President of Mexico visiting Michigan and auto interests; the President of Chile visiting Iowa and agricultural concerns and opportunities; the President of Columbia visiting Minnesota and high tech industries; and the President of Argentina visiting Indiana and steel interests. These are examples; obviously, much thought and preparation would flush out better ideas.

If arranged properly, the tremendous growth opportunities within our hemisphere, which you spoke of in the NAFTA debate, can be brought home to the Midwest in dramatic fashion.

If this Summit is not to be held in Washington, the conventional wisdom will be to go to Texas, California or Florida. I would argue that, first of all, Texas is too tied to Mexico and, therefore, the emphasis would be too directed toward benefits to Texas. Also, Texas is a state that is politically difficult to win with or without the Summit.

In California, with its immigration problems and, at this time, other problems, I believe the political advantage would not rebound from such an event.

Florida's emphasis always leans so much toward the Caribbean. I believe the impact would be minimal outside that state.

I also believe that showcasing economic urban America would not only be interesting to the participants, but would also be advantageous to you. We should also consider the Abraham Lincoln/Illinois connection as a part of this cultural advantage.

I have spoken with Rich about this and, obviously, he is tremendously excited about the possibility and would do whatever was required to ensure a successful outcome. As you may know, the opening ceremonies of the World Cup will be held in Chicago in June 1994. This would be quite a precursor for that event and for 1996!

WMD/kldk

**Stanley K. Sheinbaum**

THE PRESIDENT HAS SEEN

12-10-93

*By
S. K. Sheinbaum
B*MEMO TO: President ~~Bill~~ Clinton

SUBJECT: Omission, December 2nd Memo Re Assad

DATE: December 9, 1993

I failed to include in my December 2nd memo something I had cautioned President Assad about, and I think it is important. If you remember I did write that he sees the Israelis monolithically and cannot distinguish between Likud and Labor or Netanyahu and Rabin/Peres. At a later point I raised the concern with him that a number of people think that he might stall on a Syrian/Israeli agreement in the hopes that the continued violence could seriously impede, even destroy the Palestinian/Israeli agreement which he detests. I impressed on him--and it seemed to register--that were that to happen it could bring down the Rabin government and he, Assad, would be facing a Netanyahu/Likud government that quite clearly would avoid coming to any agreement at all with Syria. He got the point.

cc: Secretary of State Warren Christopher

10 62:53



Stanley K. Sheinbaum

FAX TRANSMITTAL

9 December 1993

DATE: _____

TO: Nancy Hernreich

FIRM: _____

FROM: Stanley Sheinbaum

COMMENTS: For the President

NO. OF PAGES (including cover sheet) 2

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Asia Watch

A DIVISION OF HUMAN RIGHTS WATCH

November 1993

THE PRESIDENT HAS SEEN Vol.5, No.20

12.10.93

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ASIA WATCH

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1. Deaths in Prison or Under Restriction

Catholics and Protestants

Hebei Province

■ Bishop Paul **LIU Shuhe**, the second bishop of Yixian, Hebei Province, died at the age of 74 on May 2, 1993 and was buried on May 10 in his village, Chunmuyu, Xuhui County. Extremely ill with kidney disease, he had been in hiding after escaping from an "old-age home" in April 1992, but was unable to get medical attention without risking arrest or having severe restrictions placed on his movements. An earlier report, said to have originated with the Chinese authorities, claimed that he had been transferred from a "re-education through labor" facility to government care in an "old-age home," thus implying that he was free. At that time, however, neither his friends nor family were able to contact him.

Shaanxi Province

■ In late March 1993, five Protestants, all from Shaanxi, were detained and severely tortured in Shaanxi Province's Taoyuan Village (in Lijia Township, Xunyang County.) One of the five, 22-year-old **LAI Manping**, died as a result of his wounds. According to a first-hand account by one of the victims, a 21-year-old woman from Ankang County named XU Fang, which was made available to Asia Watch by a Protestant church source, the police attacked a group of worshippers at a religious meeting in Taoyuan on March 27. Eight or nine Public Security Bureau officers broke into the gathering and "without a word of explanation began to beat us with rods and put handcuffs on the five who came from Ankang," three men and two women. (The five were reportedly singled out because the authorities suspected them of connections with foreigners.) According to the account,

The officers stripped three brethren naked from the waist and forced the women to stand with them. Not only did they then beat them, moreover they forced each of the 26 other local people to beat each one 100 times with bamboo rods. If they refused [said the police], they would in turn be beaten. The three men were beaten until they were totally covered with blood, and had gaping wounds and injuries all over their bodies. As if such violent beating wasn't enough, the officers then hung them up and began to hit them with the rods on their backs. They did this until the three men were unconscious and barely breathing. We could only hear the sound of the beating and the cursing of the officers.

The two women from Ankang were also violently beaten and eventually passed out. On regaining consciousness, they found, "Two of us sisters had been placed on the stove and a large millstone of over 100 catties [130 pounds] placed on our backs while they continued to beat us with rods. They also...ripped open our pants...using the most cruel methods to beat our private parts."

The following morning, the five victims were taken first to the Taoyuan police station and then to the Public Security Bureau in Lijia. But the officers at Lijia refused to accept them,

■ **WANG Miaogen**, a leader of the Shanghai Workers Autonomous Federation (SWAF) during the 1989 pro-democracy movement, was forcibly committed on April 27, 1993 to a psychiatric hospital run by the police in Shanghai to ensure that he would not disrupt that city's East Asian Games. The 10-day event in May 1993 was to help showcase Beijing's ability to host the 2000 Olympics (*AP*, May 19, 1993). Before his commitment, Wang, 41, reportedly was beaten up by the police, kicked in the head, tied up and gagged with a sock on several occasions (*Agence France Presse*, June 4, 1993). He is not permitted visitors. Another dissident, **Wang Wanxing**, has been forcibly incarcerated in the Beijing PSB Ankang Psychiatric Hospital since June 1992, when he was seized after unfurling a protest banner in Tiananmen Square. (See also **Xing Jiandong**, below.)

Wang Miaogen had had his 1989 sentence remitted or he was "released after re-education through labor," according to the Chinese government's response to inquiries by the International Labor Organization (November 1990). He was one among a group of nine arrested on June 9, 1989 for holding secret meetings, spreading rumors, distributing leaflets, advocating strikes, chanting reactionary slogans, advocating the overthrow of the government, setting up roadblocks, and disrupting traffic (*Beijing Radio* in FBIS, June 12, 1989). Allegedly, "they also vilified the Shanghai Council of Trade Unions as being totally paralyzed."

■ **XING Jiandong**, a 28-year-old man from Shanghai who unsuccessfully sought political asylum while studying in Australia in 1991 and was then deported back to China in August 1992, was arrested on September 7, 1993 outside the Australian Consulate in Shanghai. Xing had been staging a series of peaceful sit-ins outside the consulate in protest at what he claimed to be his violent mistreatment at the hands of the Australian authorities during his detention in that country. Initially served with a seven-day administrative detention order, Xing was forcibly committed on September 13 to Shanghai's Ankang Psychiatric Hospital, a public security bureau-run detention facility for the criminally insane.

According to Amnesty International (ASA 17/WU 16/93), Xing's family were pressured by the Shanghai police to give their consent to his confinement in the psychiatric prison and were told that he would otherwise be sent to a labor camp for one to three years. Following his committal to Ankang Hospital, Xing is alleged to have been tied to a bed continuously for three days and nights. The Australian Embassy in Beijing was later reported as saying that it would approach the Chinese Foreign Ministry for information on Xing's case and that its Shanghai consulate had already sought clarification from the local authorities (*South China Morning Post*, October 21, 1993.)

3. Recent trials and sentences

Students, Intellectuals and Journalists

Beijing

■ **BAI Wei**, 36, was sentenced on May 20, 1993 to ten years in prison for the alleged crime of "illegally providing national secrets to a foreigner." The foreigner in question was Lena Sun, Beijing bureau chief of the *Washington Post*. Bai's appeal was rejected on July 5. Moreover, his wife, **ZHAO Lei** (Lily), received a six-year term for the same offense. Bai was arrested at

a large banner, "We have not forgotten June 4," from the upper story of Student Dormitory No.46.

The arrests in June 1992 were also related to Liao and Wang's role in distributing *Tides of History*, a book of essays by members of the reformist faction of the Communist Party which backed the drive for economic reform but also called for political change. The book, which was legally published in April 1992 by People's University Press, was later criticized by Chinese authorities and withdrawn from circulation. In addition to staging a reading of *Tides of History*, Liao and Wang had earlier organized a student group called the *Study Club (Dushu She)* at People's University. Although the organization, which rapidly became the largest student association in all of Beijing, was founded in accordance with university regulations, it soon came under official scrutiny because of a series of public lectures that it sponsored on controversial topics and because of the reformist political commentary which appeared in the group's journal, *Dajia (Everyone)*. Liao and Wang edited the journal, which was banned after four issues. In September 1992, the *Study Club* was also forced to disband.

Liao, an aesthetics major in the philosophy department, who worked part-time at Beijing's *San Wei Shushi (Three Flavors Study)*, a privately-run bookstore, was called out from his dormitory room by university authorities at 9 P.M. on June 8, 1992 and arrested. Wang, also a philosophy major, was seized at 3 P.M. by the Beijing police while visiting his wife, who worked for the army in Tuan County, Hebei Province. Both men's dormitory rooms were searched and a printing machine and books and papers were reportedly confiscated. On June 9, the Beijing Public Security Bureau officially took Wang and Liao in for "shelter and investigation," an extra-judicial form of detention. On June 12, People's University officials announced to the assembled students and faculty that the two had been involved in distributing "counter-revolutionary leaflets" and would consequently be prosecuted on charges of "counter-revolutionary propaganda and incitement." Liao and Wang were initially held in Banbuqiao Detention Center in Beijing, where Liao contracted hepatitis for which he has reportedly received no treatment. While at Banbuqiao, Wang is said to have suffered severe physical ill-treatment from the common criminals with whom he shared a cell.

Prior to June 4, 1989, Liao was an undergraduate at Beijing Normal University; Wang, a CCP member, worked in a provincial justice department. At the time of their arrests, they had already successfully defended their master's theses and passed their doctoral examinations.

■ **WU Shisen** (Shishen), an editor in the domestic news department of *Xinhua* and a graduate of Fudan University's journalism department, was sentenced to life imprisonment in April 1993 by the Beijing People's Intermediate Court on charges of "leaking state secrets overseas." The charges referred to Wu's provision to a Hongkong reporter, **Leung Wai-man**, of an advance copy of Party leader Jiang Zemin's speech to the 14th Party Congress (*Washington Post*, August 31, 1993). **MA Tao**, an editor at the magazine *China Health Education News*, received a six-year sentence as an accomplice. According to a *Xinhua* report, on October 4, 1992, Wu secretly copied the "most confidential document" and gave it to Ma, who then gave it to the reporter in exchange for \$867. *Xinhua* further reported that Leung had confessed and that Wu and Ma had both pleaded guilty. But the account claimed that Wu "was the engineer of the crime and the principal culprit" and that he "should be punished severely for the vile nature of the crime and for the odious way it was committed and its serious consequences." The text of Jiang Zemin's speech was made public by the Chinese government only days after this

According to Fu's wife, **Li Liping**, it was not until mid-September that Chinese authorities informed her of the labor camp where he was being held - a "re-education" center near the coastal district of Yanchang in Jiangsu Province. She was then allowed to visit him, but only once every three months. On her first visit, Li found that Fu did not have enough to eat, that other prisoners were barred from talking to him and that some had been ordered to spy on him. Fu asked for an administrative review by the Labor Re-education Administrative Committee (LRAC) of Shanghai, but the committee upheld the original sentence. Li Liping then called upon the authorities to permit her husband an open trial. (According to current Chinese law, those sentenced administratively to "labor re-education" can appeal direct to the courts after an unsuccessful administrative review of the sentence by the LRAC.) In addition, Li expressed concern that her husband's Shanghai residency might be canceled and transferred to the administration of the labor camp.

Fu Shenqi had previously been detained between May 24, 1991 and February 26, 1993, at which time he was released after being sentenced to two years' deprivation of political rights. Together with his codefendant, **ZHANG Rujun**, 38, also held since May 1991, Fu had been tried in secret by the Shanghai Intermediate People's Court in late March 1992. (Zhang received a sentence of one year's deprivation of political rights; nothing further is known about him.) During his two years in Shanghai No.1 Detention Center, Fu Shenqi was never let out of his cell. Visits from his wife were prohibited, and letters from family members often "got lost." According to an Asia Watch source, the charges of "counterrevolutionary propaganda and incitement" that were brought against Fu at his trial referred to his publication of four issues of *Fuxing (Renaissance)*, an underground pro-democracy journal. (See also *Ming Bao*, February 27, 1993, in FBIS, March 1; and *South China Morning Post*, June 4, 1991.) The magazine appealed to the people of Shanghai to show concern for the condition of imprisoned dissidents and published the proceedings of the February 1991 trials of Wang Juntao and Chen Ziming together with a copy of Wang's letter to his lawyer. Speaking after his release, Fu argued that he had never committed counterrevolutionary activities or sought to overthrow the government. His magazine, he said, was not publicly circulated and only went out to about 100 intellectuals.

Originally a worker in a Shanghai generator factory and a member of the Communist Youth League, Fu Shenqi, who is from Nanchang city in Jiangxi Province, was first arrested in April 1981 in connection with two unofficial journals that he edited during the Democracy Wall movement. *Minzhu Zhisheng (Voice of Democracy)* was founded in 1979; and *Zeren (Responsibility)*, the journal of the *National Association of Unofficial Magazines*, began publication shortly after the organization's founding in October 1980. Fu was charged with "counterrevolutionary offenses," both in connection with the case of Xu Wenli (a Democracy Wall activist who was released in May this year after serving 12 years of a 15-year sentence for "counterrevolution") and for his Democracy Wall-related activities in Shanghai. He was sentenced in 1981 to a seven-year prison term, much of it spent in solitary confinement in a Shanghai prison. After his release (two years before his term expired), Fu continued his pro-democracy activities, taking part in the 1986-87 student protests. Prior to his most recent arrest, he made a modest living running a private bookstall in Shanghai and was a frequent participant in an unofficial "Sunday salon" which met regularly in a Shanghai park.

■ **ZHANG Xianliang**, a 47-year-old veteran pro-democracy campaigner and former clothing store manager, was sentenced without trial in July or August 1993 to three years' "re-education through labor" for allegedly "inciting incidents." Family members, who had been

including one entitled "The Fate of Chinese Intellectuals" in which he "blasphemed against the Chinese Communist Party." Moreover, he had allegedly "failed to reform himself" while serving a previous administrative sentence of three years' "re-education through labor," imposed in April 1981 for publishing so-called "illegal" materials. (This almost certainly means that Zhang was an editor-activist during the Democracy Wall period.)

According to the August 6, 1993 verdict against Zhang, the twelve other members of his "counterrevolutionary clique" arrested at the same time would "be dealt with in separate cases." Their names are **WANG Yangli**, **ZHANG Hanjiang**, **LIU Bangming**, **HU Gang**, **DING Hancong**, **LIU Gui**, **WU Yingling**, **LU Zhonghua**, **LIU Chongyun**, **WANG Yuqing**, **ZENG Dazhao** and **ZHANG Weidong**. The outcome of the court proceedings against these twelve are not known, although according to one report **Liu Gui** received a two-and-a-half-year sentence.

Shanghai

■ **GAO Xiaoliang**, a 22-year-old former member of the banned Shanghai Workers Autonomous Federation (SWAF: formed in May 1989); **YAO Tiansheng** and **HAN Lifa**, both arrested in Shanghai on May 26, 1993; and **YAO Kaiwen**, a 52-year-old high school teacher, missing since May 1, were all charged on June 5, 1993 by the Shanghai People's Procuratorate with forming a "counterrevolutionary organization" known as the *Democratic Front - China Branch*. The arrests were apparently prompted by the men's plan to hold commemorative activities on the fourth anniversary of the 1989 Tiananmen Square crackdown. Han, a motorcycle mechanic and a former SWAF member, and Yao Tiansheng, a factory worker, were released on September 5 for lack of evidence. As of late October 1993, neither of the two had been told he had been cleared of his "crimes," and both demanded that the Chinese authorities publicly declare their innocence.

Gao Xiaoliang and Yao Kaiwen, however, went on trial on September 24, 1993 (one day after the International Olympics Committee awarded the 2000 Summer Olympics to Sydney instead of Beijing), Gao for allegedly demanding the abolition of "rule by the communist spies" and Yao for issuing "counterrevolutionary" slogans calling for the overturning of the official verdict on the 1989 pro-democracy movement, the holding of a plebiscite, greater freedom of speech and a purge of the Communist Party. Yao allegedly also called for people to take over the state-run radio station and to stage demonstrations objecting to Communist rule. As of late October 1993, the outcome of the proceedings against Gao and Yao had not been made public, although dissident sources in Shanghai expected the two men to receive heavy sentences. Both had earlier served one-year "re-education through labor" sentences, Gao Xiaoliang for taking part in the 1989 workers' protests, and Yao Kaiwen after he was repatriated from Hongkong where he had unsuccessfully sought political asylum in June 1989. All four men were initially held at the Shanghai No.1 Detention Center. Gao and Yao's current place of detention is not known.

Tianjin

■ **HUANG Shixu**, a member in May-June 1989 of the *Tianjin Democratic Revival Association* (TDRA), was arrested sometime after meeting with the US-based dissident student Shen Tong in Tianjin in August 1992. In the summer of 1993, he was sentenced without trial to a three-year term of "re-education through labor" for "counterrevolutionary" offenses. First detained

democracy groups that were formed the previous year.¹ In September 1993, Chen - along with 15 other codefendants from the Beijing area - was formally indicted by the Beijing Municipal Procuracy on charges of organizing and belonging to "counterrevolutionary organizations."

Chen Wei's latest detention is his fourth since June 1989, when he was imprisoned for more than 18 months in Qincheng Prison for having led the student movement at his college in May-June of that year. At Qincheng, he shared a cell with Xiong Yan, one of the 21 "most wanted" student leaders of the 1989 movement. (Following his release, Xiong escaped from China in mid-1992, shortly before the government crackdown descended upon an underground network in Beijing which he had recently helped organize.) Chen, who is single, was expelled from college after his release from Qincheng in early 1991 and then sent back to his hometown in Sichuan Province. He soon returned to Beijing, however, and continued living there as an unauthorized resident. Chen was detained for the second time in early June 1991, apparently as a preventive measure in advance of the June 4 anniversary; no specific reason was ever given. His third arrest was in connection with the funeral of student activist Wen Jie in December of that year (see Wang Guoqi, p.17.) The reason for Chen's latest incarceration was probably his close relationship with Xiong Yan, although it is not known if he was active in Xiong's group.

By March 1993, Chen's family had reportedly received no information from the police about his conditions of detention or even where he was being held. Chen is a short, thin young man, extremely bright and said to be an excellent ping-pong player. As of early November 1993, the trials of Chen and his 15 codefendants in the Beijing area, together with those of three others in Beijing (see *An Ning* p.16), were reported to be imminent.²

■ **GUO Shaoyan**, a Beijing University graduate student; **LI Ji** (possibly a pseudonym) and

¹ The government crackdown of mid-1992 succeeded in virtually eliminating a number of underground pro-democracy groups, among them the *China Progressive Alliance* (CPA), the *Free Labor Movement of China* (FLUC) and the *Liberal Democratic Party of China* (LDPC), all of which were based in Beijing, together with the Lanzhou-based *Social Democratic Party of China* (SDPC) and the Hunan-based *All-China People's Autonomous Federation* (ACPAF). The groups had called for greater democracy and human rights and advocated peaceful, non-violent opposition toward the one-party system. By September 1993, some sixteen of at least 20 detainees in the Beijing area had been indicted and were awaiting trial, together with three activists in Henan Province. The charges varied from "organizing and leading counter-revolutionary cliques" to "engaging in counterrevolutionary propaganda and incitement." Other activists were picked up in mid-1992 in Gansu, Hunan and Anhui provinces, and also in Tianjin and Shenzhen. (The Hunan detainees were released in late 1992, while those in Anhui are thought to have been released on medical parole in early September 1993.) State-run law firms were reportedly directed not to defend the Beijing prisoners, most of whom are believed to be held in Banbuqiao Detention Center. The families have thus had to bear the high costs of hiring private attorneys. Some families, moreover, none of whom had been allowed to see their detained relatives prior to trial, were informed that the trials would be held in secret and that they would be barred from attending (*Reuters*, September 17, 1993). In addition, families were made to pay up to 500 yuan (approx. \$60) to cover their detained relatives' daily necessities. Trials of the underground party activists detained in other Chinese provinces in mid-1992, including at least ten in Lanzhou, Gansu Province, were reportedly scheduled to take place in early winter 1993.

² For additional information on 40 of the activists detained during the mid-1992 crackdown on underground pro-democracy groups, see Asia Watch, *Economic Reform, Political Repression*, Vol.5, No.4, March 2, 1993.

revolution" for allegedly leading an underground pro-democracy organization. As of March 1993, Lu was said to be held in Pinggu County jail, but by November 1993 he is believed to have been transferred to Beijing's Banbuqiao Detention Center in readiness for his imminent trial.

- **REN Jun**, a lawyer and former student at Beijing University, has disappeared, according to an Asia Watch source. No additional information is available, but Ren may be one of several students from the Beijing University law department thought to have been detained since early 1991 in connection with the case of Wang Tiancheng.

- **WANG Peizhong**, a Beijing University graduate student arrested in mid-1992 in connection with the authorities' crackdown on alleged underground dissident group members, was formally indicted on charges of involvement in "counterrevolutionary organizations" in September 1993. As of early November, Wang's trial was reportedly imminent.

- **WANG Tiancheng**, 29, a law lecturer at Beijing University and editor of the college journal *Zhong-Wai Faxue (Chinese and Foreign Jurisprudence)*, was secretly arrested on November 2, 1991 in Beijing, just prior to leaving for Germany to take up a visiting scholarship. He was formally indicted in September 1993 on charges of involvement in "counterrevolutionary" underground political groups, and was still awaiting trial as of early November.

Wang is reported to have been the chief secretary of two underground political groups, the *Young Marxism Party* and the *Democratic Freedom Party*. According to an Asia Watch source, the Public Security Bureau was aware of both groups as early as October 1991, but for reasons unknown waited until after the visit to China of the Japanese emperor to make the arrests. There have been several unconfirmed reports that a number of other students at the law faculty, possibly as many as seven, were detained around the same time as Wang, but officials at Beijing University have denied all knowledge of the cases (*South China Morning Post*, November 18, 1992).

Wang Tiancheng's major academic interest is administrative law, and at a 1988 conference on the Chinese constitution (another interest of his) he described the current state of administrative law in China as "feudal" (a comment which reportedly brought down party censure upon Wang's mentor, **Luo Haocai**, a vice-president of Beijing University.) Wang is said to have written an article, "Constitution and Human Rights," for the Beijing University law journal based on the theories of the 18th century philosopher Montesquieu, whom he much admires.

- The names of **ZHANG Chunzu**, **RUI Chaohuai**, **LI Quanli**, **LI Guojun** and **XU ___ling** (the full given name is not known) also appear on the September 1993 joint indictment against underground pro-democracy group members in the Beijing area. No additional information about any of these defendants is available.

- **ZHAO Xin**, a former student at the Beijing University of Science and Engineering who was imprisoned for 15 months following the June 1989 government crackdown, was detained again in early June 1992, together with three others (names unknown) at the Beijing University of Agriculture and Trade. Although he was later released and sent back to his hometown in Yunnan Province, there are unconfirmed reports that Zhao was subsequently detained again in

was An's second arrest. He spent time in prison for his role in the 1989 pro-democracy movement, and after his release the only job he could find was as an office boy in Zhengzhou.

■ **MENG Zhongwei**, formerly a chemistry student at Zhengzhou University and a friend of An Ning (see above), was detained in Guangzhou by the State Security Bureau sometime in September, also reportedly on account of his contacts with Shen Tong. Meng, who was also involved in the 1989 pro-democracy protests, was subsequently transferred by the police to Zhengzhou, Henan Province, for questioning. There has been no further news about him since then.

■ The name of **WANG Jianping** also appears on the joint indictment of those soon too be tried for organizing underground pro-democracy groups. There is no further information on Wang available at present.

Tianjin

■ **CHEN Qinglin**, 25, a government cadre from Tianjin working at the Hangu Salt Farm weather forecasting station and a 1987 graduate of the Beijing Meteorological Institute, was arrested on June 7, 1992 in connection with the government's roundup of alleged underground dissident group members. Initially held at Banbuqiao Detention Center (Dept. No.7 of the Beijing Public Security Bureau), Chen was formally indicted for trial in September 1993 along with 15 activists from Beijing (see **Hu Shenglun et al**, p.13.) During the 1989 pro-democracy movement, Chen served in a minor liaison capacity for the now-banned Beijing Students Autonomous Federation. Born and raised in Inner Mongolia, Chen, who is in his early twenties, is an ethnic Han. According to an Asia Watch source, Chen's father, **CHEN Mingxin**, was arrested along with his son.

Workers

Beijing

■ **GAO Yuxiang** - See p.13

■ **LIU Jingsheng**, 38, a veteran pro-democracy activist and a worker at the Tongxian Machinery Factory, Tongxian County, Beijing, was arrested on or around June 1, 1992 at his home in connection with the government's crackdown on "counterrevolutionary groups." So-called reactionary leaflets found at his home were later confiscated by the police. Together with many other suspected underground pro-democracy group members (see **Hu Shenglun et al**, p.13), Liu was formally indicted in September 1993, and as of early November his trial was reported to be imminent. During the 1978-81 Democracy Wall movement, Liu was co-editor with Wei Jingsheng (just released after serving all but a few months of a 15-year sentence for "counterrevolution") of *Explorations (Tansuo)*, a well-known dissident journal of that period. Arrested along with Wei in March 1979, Liu was called upon to give evidence at Wei's trial that October. After his release later that year, Liu resumed his job as a bus driver and nothing further was heard of him outside China until his arrest in mid-1992. His wife has not been allowed to see him since his latest arrest, but he is thought to be held at Beijing's Banbuqiao Detention Center.

5. Recent Arrests

Students, Intellectuals, Journalists and Officials

Beijing

■ **BAO Liangqing**, the first Chinese procuratorial official known to have been detained in connection with pro-democracy activities, was arrested in April 1992. (The PRC procuracy's duties include conducting state prosecutions and monitoring law-enforcement by the police and courts.) On August 19, 1991, eight months prior to his arrest, Bao had reportedly participated in a celebration of the failure of the Soviet coup to oust Mikhail Gorbachev. No further details of the case are currently available.

■ **GAO Yu**, 49, a former deputy chief editor of *Jingjixue Zhoubao* (*Economics Weekly*, the banned newspaper formerly run by leading dissidents Chen Ziming and Wang Juntao), was arrested by police in Beijing on October 2, 1993, two days before she was due to arrive in Hong Kong on her way to New York to take up a one-year fellowship at the Columbia School of Journalism. Gao was formally charged eleven days later with "illegally providing state secrets to people outside the borders" (*wei jingwai renyuan feifa tigong guojia mimi*). As of November 1993, she was being held incommunicado at the Beijing Municipal State Security Detention Center (*Beijing Anquanju Kanshousuo*). Gao suffers from heart trouble developed during a previous period in detention between June 1989 until August 1990, but she has reportedly been denied proper treatment or medication. Chinese government officials have declined to comment on her case, beyond confirming that she has been detained.

Although Gao was never formally arrested or charged during her first period of imprisonment, her interviews with reformist intellectuals **Wen Yuankai** and Yan Jiaqi, published in Hong Kong's *Mirror* magazine, were characterized by Beijing Mayor Chen Xitong in his June 1989 "report on the turmoil" as having been part of "laying the foundations in public opinion" for the so-called counterrevolutionary rebellion of May-June that year. Prior to her latest arrest, Gao had continued to suffer harassment by being denied a new job assignment (her former newspaper was closed down after June 1989), having her phone tapped and being periodically threatened by the authorities for writing for the Hongkong media. Gao's earnings from her part-time journalism were her only source of income.

Before joining *Jingjixue Zhoubao* in 1988, Gao worked for *Xinhua*, the official Chinese news service. Prior to that, she was a student in the language and literature department at People's University, and during the Cultural Revolution she was sent to Datong, Shanxi Province. Upon her return to Beijing she worked for the Beijing Municipal Department of Culture.

■ **XI Yang**, a reporter for the Hong Kong newspaper *Ming Pao*, was detained by the Beijing Municipal State Security Bureau on September 27, 1993. According to an official report in *Xinhua* (September 27, 1993), Xi had "stolen and spied on financial secrets of the state in violation of the State Security Law." On September 28 (according to Xi's editor at *Ming Pao*), Beijing Public Security Bureau officials searched his hotel room in Beijing and confiscated all his materials and those of his roommate, and took a fax machine used by Xi from the room of another *Ming Pao* reporter. Formal arrest followed on October 7. According to the government,

Business persons

Guangdong Province

■ **LI Guohen, LIANG Weimin and WU Songfa** were arrested on April 6, 1993 at Baiyun Airport in Guangzhou for allegedly planning to distribute handbills calling for the gradual introduction of democracy and political freedom to accompany economic reform (*AP*, May 25, 1993). The three were part of a loosely organized group whose other members, all workers or traders, reportedly fled Shunde, their home county, after the arrests. Li, Liang and Wu had planned to fly from Guangdong where they lived, to Shanghai, and were carrying several hundred copies of a flyer entitled "Letter to the Citizens of Shanghai." After the arrests, Li Guohen's home was searched and a letter, notebook and papers were confiscated. According to family members, the men were being held in a detention center in Shunde, Guangdong Province. Li is reportedly in poor health and has been badly beaten. In a letter to his wife, he wrote, "If I die you must not be sad," and asked for painkillers and medication to treat broken bones (*South China Morning Post*, June 23, 1993, and July 7.) The 31-year-old sales manager and former teacher also reportedly participated in the 1989 democracy movement.

Ethnic Nationals

Tibet

■ Eighteen monks, **SONAM CHOEPHEL**, 12, **JAMPEL DORJE**, 15, **PHURBU TASHI**, 15, **LOBSANG**, 22, **TASHI CHUNGCHUNG**, 17, **TSERING DONDEN**, 26, **CHIME**, 25, **MIGMAR TSERING**, 20, **LHAKPA TSERING**, 20, **MIGMAR**, 17, **DRADUL**, 23, **PASANG**, 24, **PENPA**, 19, **CHOEPHEL**, 20, **DORJE**, 15, **NORZANG**, 15, **THAPHKE**, 17, and **MIGMAR**, 27, from Donphu Choekor Monastery were arrested on or about May 30, 1993. Their offenses are unknown, but the arrests took place at about the same time pro-independence protests erupted in nearby Kyimshi, a group of villages in the Upper Chideshol valley, Gongkar County, Lhokha Prefecture, 45 kilometers south of Lhasa, and at Sungrabling Monastery, also in the upper valley. Donphu Choeker is in the lower reaches of the Chideshol valley. As a result of the unrest, hundreds of Chinese troops took over the villages, dug gun emplacements into the mountains overlooking the site, set up guards at each house, and conducted house-to-house searches. By July 5, 35 people from the three sites had been arrested; some had been tortured.

The initial demonstrations reportedly were started by Sungrabling monks on May 29 at the time of local elections. Their call for a boycott on the grounds that the election was pointless, in that it would only return a Chinese appointee to office, rapidly turned into calls for Tibetan independence. Local police were unable to handle the incident and on June 1, one day after they were denied access to Sungrabling Monastery, 200 police in twelve trucks reportedly showed up to make arrests. Villagers set up a road block and denied the newly-arrived police access to the monastery. On June 2, a "work team" was dispatched to the Sungrabling Monastery to conduct political re-education. Four weeks later, on June 28, 1,700 soldiers in 57 trucks reportedly surrounded the village and began the arrests.

Among those arrested on June 28 in the upper Chideshol valley were **YESHE JINPA** (lay name **PEMA SAMDRUP**), 20; **TSULTRIM TOPGYAL** (lay name **PENPA**), 20; and **NGAWANG**

unconfirmed report the nuns were taken to Gutsa Detention Center. It is not known what happened to four men - unnamed - who were taken away with them.

■ Twelve nuns from Garu Nunnery were arrested on June 14, 1993 and taken to Gutsa Detention Center. According to a report in the *South China Morning Post* (July 22, 1993), the nuns may not have been demonstrating at the time, but were seized as part of a crackdown, including a "re-education campaign," at Garu, whose members have been active leaders and participants in the Tibetan pro-independence movement. **PHUNTSOK CHOEKYI** (lay name **DEKYI**), 22, and **NGAWANG CHENDROL** (or **NGAWANG PELDROL**; lay name **PHURBU DROLKAR**), 19, are from Phenpo Lhundrup. **NGAWANG DEDROL** (lay name **RINCHEN CHOEDRON**), 25, and **NGAWANG CHIME** (lay name **PHURDROL**), 19, are from Medro Gongkar. **NGAWANG KELDRON** (lay name **GOEKYI** or **GORKYI**), in her early twenties, and **GYALTSEN PELSANG** (lay name **NYIMA** or **MIGMAR**), 14 or 15 years old, are from Medro Gongkar Gyama. **NGAWANG PEMO** (or **NGAWANG CHOEDRON**; lay name **TSERING**), 22, **NGAWANG CHOEKYI** (lay name **CHELMO** or **CHOENGA**), 22, and **PHUNTSOG CHENGA** (lay name **SONAM ZOMPA** or **CHENGA**), 22, are from Lhundrup Phodo. **GYALTSEN SANGMO** (lay name **ACHOK ZOMPA**), 24, is from Kongpo Gyada Krugla district; **GYALTSEN KUNGA** (lay name **YANGKYI**), 23, is from Nyemo Thonchue, and **GYALTSEN KELSANG** (lay name **KELSANG DROLMA**), 23, is from Ngangdren or Nyara.

■ **NGAWANG SHERAB** and **SHENYAN LOBSANG**, monks from Kyomolung Monastery, were arrested on June 16, 1993. No additional information is available.

■ **TENZIN DEKYONG**, a 17-year-old novice from Michungri Nunnery and a native of Medro Gongkar Gyalayok; **NGAWANG DROLMA**, an 18-year-old from Toelung Dechen Norluk; and **JAMPA DEDROL**, 15, from Medro Gongkar Thompogang, were arrested during a demonstration on the Barkhor in Lhasa on March 13, 1993. Taken to the South Barkhor Police Station, they were severely beaten, then removed to Gutsa Detention Center.

■ Four nuns, **DAKAR**, 20, **JAMPA DROLKAR**, 21, **PEMA OESER**, 16, and **TSAMCHOE**, 19, from Nagar Nunnery in Chegar Township, Phenpo Lhundrup County, 45 kilometers north of Lhasa, were arrested by plainclothesmen on the Barkhor at 6 P.M. on August 17, 1993. Their protest, encircling the Jokhang Temple shouting pro-independence slogans, lasted only a few minutes before they were seized.

■ **LOBSANG GYALTSEN**, a monk and chantmaster (*umze*) from Nyemo Gyaltsé Monastery, was detained in June 1993. No additional information is available.

■ **NGAWANG CHOEDRAK**, a monk and chantmaster at Nyemo Gyaltsé Monastery, from Nyemo County, was arrested sometime between April and June 1993 for alleged involvement in political activities. No other information is available.

■ **NGAWANG KELSANG** and **PEMA YESHE**, two nuns affiliated with the Nyemo Gyaltsé Monastery in Nyemo County, were arrested in early June 1993 following a "very active" demonstration. No further information is available.

■ One unnamed monk from Sangrikor Monastery in Nyemo County, previously a student at the Nechung Buddhist Institute in Lhasa, reportedly was arrested in May 1993 for

men are believed to be in incommunicado detention in Seitru, part of the Sangyip Prison complex on the outskirts of Lhasa. On May 25, the Chinese Foreign Minister denied that the arrests were related to the delegation's visit. He insisted instead that the two had "stolen a large amount of state secrets." In August, the Deputy Party Secretary in Lhasa reiterated the accusation to a visiting American senator, adding that Gendun Rinchen had "coaxed people to overthrow our present system" and "favored the independence of Tibet." The minimum penalty for stealing state secrets is ten years in prison; the maximum is death. Passing state secrets to foreigners is considered an act of espionage.

■ **LHAKPA**, a school teacher at a school established by the villagers in Nemo, Tsondoe Township, Lhundrup County, was arrested on June 21, 1993 for alleged involvement in political activities. Reportedly taken to Lhundrup County Jail, he was so severely beaten that as of a July 31 report (*Tibet Information Network*), he was in critical condition.

On June 26, farmers from the village overturned a police car and freed two monks from Nemo Monastery who were being driven to the Lhundrup County Jail. They had been arrested earlier that day after a police search of the monastery in connection with Lhakpa's arrest turned up pro-independence literature. On June 27, 200 soldiers surrounded the village and arrested four Tibetans including two farmers, **NGAWANG TSEHING** and **TSEWANG** (also listed as **TSEHING**). According to unconfirmed reports, all four were tortured.

■ **LHAKPA**, a 28-year-old builder from Lhasa Sector 1, and **YANGCHEN**, a female from Lhasa Shardo, were detained on June 20, 1993. No further information is available.

■ In Tsolho (Hainan Prefecture) in Qinghai Province, in an effort to prevent incidents during the July visit of President Jiang Zemin to the prefectural capital Gonghe (Chabcha in Tibetan), as many as sixty people suspected of preparing pro-independence leaflets were arrested, some from as far away as the provincial capital Xining. Among the nine whose names are known, are Tibetan intellectuals, students, and officials. **LHATRIGYA (LHATRUGYAL)** (lha-'phrug rgyal), from Tsolho, reportedly was severely tortured and injured after confinement in a Xining prison. **MENLHA KYAB (MENLHA CHA)** (smen-lha-skyaba), a 35-year old native of Gonghe is a comedian and writer widely known for radio broadcasts featuring "cross-talk," the art of comic dialogue and for his articles in the magazine *Qinghai People's Art*. A member of the Tsolho Theater Company, he worked in the Xining Film Company dubbing films into Tibetan. **SHAWO DORJE** (sha-bo rdo-rje) and **HUACHEN KYAB** (dpal-chen skyabs), 27, are officials at the Nationality Languages Committee in Tsolho, a government-sponsored body dedicated to promotion of the use of Tibetan (see also Tenpa Kelsang p.). **SAMDRUP TSEHING** (bsam-grub tshe-ring), a 26-year-old 1988 graduate of the Qinghai Nationalities Institute in Xining and a native of Rongbo village, Tongren County, worked as a translator in his home county until 1991. He then returned to the institute to do post-graduate research. **DUNGKAR TSO** (dung-dkar 'tsho), was studying at the Xining Teachers' Training College at the time of her arrest. She is from Tsolho. **PALJOR TSEHING** (dpa'-'byor tshe-ring), is a minor official in Gonghe. At the time of his arrest he was taking a two-year refresher course at the Qinghai Nationalities Institute in Xining. **LHASHAMHUA (LHACHO LHAWA)** (lha-byams dpal), 43, is a senior member of the Chinese People's Political Consultative Conference in Tsolho. The arrest of **TSEHING THAR** (tshe-ring thar), a student from Tsolho, has not been confirmed.

■ **TSETEN DORJE**, who worked at the Religious Affairs Bureau in Lhasa, was arrested from his home at 2 A.M. on May 9, 1993.

■ On August 18, 1993, two or three Tibetans in lay clothes staged a brief protest at the Norbulingka, former summer palace of the Dalai Lama. At least two of the three were arrested *Tibet Information Network* (September 12, 1993).

Inner Mongolia

■ **DELGER**, 32, and his brother-in-law, **HE Quan**, 30, were formally arrested and charged with "counterrevolutionary propaganda" in January 1993. At the end of April or the beginning of May 1992, Delger, a teacher in the Mongolian literature department at Inner Mongolia University wrote a letter addressed to his department chairman saying that the suppression of Mongolian culture and people was wrong. The letter went on to say, that the department head, because of his position, bore some responsibility for the lack of progress in educating Mongolians about their own culture. Delger further suggested that the chairman was, thus, serving the authorities. Having written the letter in the evening, Delger posted it on the department head's office door, where it was seen by the Party Secretary of the department. He immediately called the chairman; the police were called; and Delger was detained. He Quan, a policeman, was not seized until shortly before his formal arrest.

■ According to an Asia Watch source, three or four men from Inner Mongolia were seized on the border between China and Mongolia at the end of April or beginning of May 1993. It is still not clear if they were seized in Mongolia and forcibly repatriated or if they had not yet crossed the border. The only identifying information available is that one of the men graduated from Northwest Minorities College.

Catholics and Protestants

■ **MA Shuishen**, one of between 120 and 160 Chinese and three foreigners arrested on September 8, 1992 during a raid on a church meeting in Guofa Village, Wuyang District, Henan Province, was reportedly re-arrested at the beginning of January 1993. All those rounded up and accused of taking part in illegal religious activities, were attending a training seminar held at Ma's house. Some escaped, while others, primarily the older participants, were released by the authorities after several weeks. The last eight were released in January 1993. Some who were released, however, were told they would be subject to re-arrest in their home provinces. The meeting place itself was unregistered, technically a breach of the government regulations restricting religious practice.

Some 40 Public Security Bureau officers armed with walkie-talkies conducted the raid. All those present were ordered to "get down on the floor" while the village was searched for some house church members who were not present and while a long harangue was delivered by one of the PSB cadres. According to numerous reports, some participants were handled very roughly. They were tied with rope and electrical wire and hit in the face and head. At the Wuyang PSB office, those detained were ordered to empty their pockets of money. Some were interrogated every day. Others, including one woman whose legs were all black and blue, were beaten severely. Some were removed to other detention centers in Shipo District, Xiping

Sun and Fu to communicate with senior Chinese dissident Wang Ruowang, who had been allowed to leave for the U.S. some months earlier.

On the day of her arrest, Fu Jiqing, formerly Wang Ruowang's translator, went out to mail some letters from him to his friends in China but failed to return home. Later that evening, Public Security Bureau officers searched her house, confiscating newspaper clippings and magazine articles about Wang and taking away copies of his writings. The police initially informed Fu's son that she had been detained on a gambling charge. According to the son, however, his mother didn't ever gamble. Later, the charge was altered to one of "colluding with hostile overseas groups." After more than a month, Fu was finally released, but her work unit, the Shanghai Reform Electrical Machinery Factory, demoted her from cadre to ordinary worker for having allegedly committed "a grave political error." Fu had suffered harassment from the authorities ever since the 1989 pro-democracy movement. Her telephone line was cut several times and her house searched on three occasions. In 1989, her plans to study in Australia were ended when the police confiscated her passport and visa.

Sun Lin was formally arrested at the end of May 1993 but later "exempted from prosecution" by the authorities and released in late July.

■ Four Shanghai dissidents, **YANG Qinheng**, **WANG Yonggang** and **GONG Xingnan**, all active since the 1978-81 Democracy Wall period, and **BAO Ge**, a teacher and researcher at the Shanghai Medical School, went on a hunger strike in June 1993 outside the Petitions Office of the Shanghai Public Security Bureau to call for the unconditional release of Zhang Xianliang (see p.9). They were taken into police custody on June 7 and released some hours later. Gao reported that the police went to his school on June 4 and threatened to send him to a mental institution if he did not cooperate (*South China Morning Post*, June 11, 1993). After the protest, his phone line was cut. On October 19, 1993, Bao Ge was informed by his superiors at the Shanghai Medical School that he was being suspended from duties for a three-month period, ostensibly because of a lack of teaching work at the school.

Yang Qinheng, a private entrepreneur, was co-editor of the unofficial journal *Responsibility* during the Democracy Wall period and was imprisoned from 1983-85. Gong Xingnan, also a private businessman, was jailed for at least four years starting in March 1979. Wang Yonggang, who works at a wool factory, was co-editor of the unofficial journal *Voice of Democracy*.

In an attempt to prevent any activities marking the fourth anniversary of the June 4 crackdown, some 50 Shanghai dissident intellectuals reportedly had to appear at the police station. They were held for 24 hours under the guise of "improving communications with the city's intellectuals" and released. Among those who had to report were **WANG Fuchen**, the 38-year-old secretary-general of the *Zhongguo Renquan Wenti Yanjiuhui* (Study Group on Human Rights in China); ten of the group's members; and most of those who had received a letter from Zhang suggesting the commemorative meeting. Wang, a businessman, was picked up again on June 9 and held for several hours to prevent a protest against the detention of the hunger-strikers.

On the same day, a colleague of Wang Fuchen's, **YANG Zhou**, who also had been held on June 4, was forbidden to leave his apartment. The association has written to the Standing

to cancel it. When he protested that the event had been organized by word of mouth and would therefore be difficult to cancel, he was made to call foreign journalists to tell them he was calling it off. Song, Zhang and Qian were also temporarily detained again at this time.

In August 1993, **Han Dongfang** (see p.32), former leader of the Beijing Workers Autonomous Federation (BWAFF), an independent trade union banned after June 4, 1989, was forcibly ejected from China back to Hong Kong a day after he had returned there from the U.S. A week later, his PRC passport was cancelled by the Chinese government. When Han then brought an administrative lawsuit against the Chinese Ministry of Public Security for violating his rights in this way, Zhou Guoqiang acted as his legal representative. In early November, however, the case was rejected by the Beijing Intermediate Court.

Originally arrested in July 1989 and charged with counterrevolutionary propaganda and instigating workers to go on strike, Zhou had, in fact, led the only successful strike in his factory's history and was instrumental in forming the BWAFF. Released on January 10, 1990 without charge, Zhou was eventually allowed to resume his old job at the Beijing Broadcasting Facilities and Equipment Company, an acoustical equipment factory, although the Public Security Bureau pressured his former employer not to give him any work. Zhou, who as an army recruit, served in Tibet, probably in the late seventies, is also a poet. In 1987, under his pen name, **AQUQLANGBA**, he edited and helped publish a poetry collection, *Sixteen Young Beijing Poets*. The Lijiang Publishing House in Guilin, Guangxi Province, which published the volume, in 1989 also published a collection of Zhou's own work.

Hubei Province

■ On August 11, 1993, **QIN Yongmin**, 44, a Wuhan Democracy Wall participant who spent seven years in prison, protested for the third time against Beijing's bid to host the 2000 Olympics and was then detained by police for the next six weeks. Unfurling a banner, "Oppose the Beijing Olympics," outside the China Olympic Committee meeting on August 11, he said to the crowd of foreign and Chinese journalists following him that the country was too poor to host the games. He also demanded the release of three Shanghai dissidents and protested the treatment he had received for his previous acts of opposition. Surprised committee members quickly arranged a meeting between Qin and the committee's vice-chairman, Wu Zhongyuan, who later accused Qin of "discriminating against the right of developing countries to host the Olympics." Qin was detained upon his return to Wuhan and held in a police detention center until September 24, the day after the International Olympics Committee announced its decision on the host city for the 2000 Olympics.

Qin had been arrested on April 23, 1993 in Beijing for similar activities. Escorted back to Wuhan, Hubei Province, and held for two weeks for "shelter and investigation," he was released after signing a paper accusing him of committing the crime of "incitement" (*South China Morning Post*, May 13, 1993). Earlier, on March 26, after Qin returned from another trip to Beijing, he was held for 40 hours and then released "under supervision." His home was searched and personal papers, including a draft of his autobiography and some of his poems, were confiscated. According to Qin, after his second release, the police came to his home "many times" to intimidate him; his phone was tapped and his mail stopped. Qin, who operates a street stall, was warned not to talk about his opposition to the games with foreign journalists, not to form any anti-Olympic bid organization and not to distribute anti-Olympic bid literature.

7. Barred from Leaving China

Beijing

■ **YU Haocheng**, former chief editor of Masses Publishing House (an organ of the Ministry of Public Security), was barred by the authorities from leaving China in mid-October 1993 - the eighth occasion in two years that he has been denied permission to travel abroad. A leading expert on constitutional law, Yu was imprisoned without trial for more than one year after the June 1989 crackdown on the pro-democracy movement. Since his release in 1990, he has continued to speak out on the need for fundamental legal reforms and to publish dissident-style views in the foreign media. His latest denial of permission to travel was in connection with an invitation to attend a seminar at the Chinese University of Hong Kong entitled "Symposium on the Concept of Human Rights in Asia and Europe." Yu was to have spoken at the conference on the topic "Human Rights and their Guarantee by Law." The Beijing public security authorities, however, failed to provide him with any reason for their refusal to allow him to attend the meeting. Previous such denials to travel have been in connection with other conferences and research fellowships in Europe and the U.S.

Hunan

■ On August 26, 1993, Dr. Philip H. **CHENG Wai-wo**, an American-Chinese businessman, was detained in Changsha, Hunan Province and held for four days by the local public security authorities. For three of those days, Dr. Cheng, a diabetic, was interrogated constantly and not permitted to sleep. He was then conditionally released, but his passport was confiscated and he was forbidden to leave Changsha. In early October he was allowed to travel to the Zhuhai Special Economic Zone in southern China, where he owns a manufacturing company, Zhuhai Golex Ltd., but as of early November he was still barred from leaving the country, pending resolution of a lawsuit currently being waged against him by the Hunan Arts and Crafts Import-Export Company. Dr. Cheng's detention and ill-treatment by the Hunan police followed a claim by Hunan Arts and Crafts that he had reneged on a joint venture contract with their company. In fact, the Hunan company officials had suddenly - following orders issued nationwide by the central government in Beijing in July to recall all unauthorized bank loans and clamp down on further investment projects - demanded that Cheng return to them the sum of US\$165,000 which they had earlier, under contract, invested in his Zhuhai-based manufacturing facility. Dr. Cheng's arrest and detention appear to have been a blatant attempt by local police to extort the money from him in disregard of the terms of his contract with Hunan Arts and Crafts.

Shanghai

■ **XU Keren**, a senior editor at Shanghai's *Xinmin Evening News*, was prevented from leaving China on October 1, 1993. When Xu checked in for his flight to Tokyo to visit his wife and daughter, his passport and other documents were confiscated. According to the *South China Morning Post* (October 3, 1993), Xu had been under scrutiny ever since publishing a story about alleged ties between public security officials and nightclub owners in Shanghai. As of October 5, Xu whereabouts were unknown.

In reply, Han has said he has no desire to embarrass or insult the Chinese government nor to promote chaos. Rather, he wishes to educate workers about their lawful rights and duties so they can benefit from economic growth.

■ **LÜ Jinghua**, a U.S.-based dissident and formerly a small private entrepreneur active in 1989 with the Beijing Workers Autonomous Federation in Tiananmen Square, was prevented from returning to China to visit her mother and small daughter. According to Lü's own account, on June 13, 1993 in the airport in Beijing, 18 Chinese officials including police and border patrol officers, many in plainclothes, handcuffed and interrogated her for over an hour, then forcibly put her on a Hong Kong-bound plane. She was traveling at the time on a U.S. government-issued travel document stamped with a valid Chinese tourist visa. Lü, 32, who now works in New York for the International Ladies' Garment Workers' Union, was placed on a secret "most wanted" list by the Chinese government after June 4, 1989 and escaped from the country shortly thereafter.

* * *

For More Information

In Hong Kong:

Robin Munro 852 574-6275

In Seattle:

Mike Jendrzeczyk (206) 682-8282

In New York:

Sidney Jones (212) 972-2258

Human Rights Watch/Asia Watch is an independent organization created in 1985 to monitor and promote internationally recognized human rights in Asia. The Chair is Jack Greenberg, the Vice Chair is Orville Schell, the Executive Director is Sidney Jones and the Washington Representative is Mike Jendrzeczyk.

Human Rights Watch also includes Human Rights Watch/Africa Watch, Human Rights Watch/Americas Watch, Human Rights Watch/Helsinki Watch and Human Rights Watch/Middle East Watch. The Chair of Human Rights Watch is Robert L. Bernstein and the Vice Chair is Adrian DeWind. Kenneth Roth is Executive Director; Holly Burkhalter, Washington Director; Susan Osnos, Press Director.

THE PRESIDENT HAS SEEN 12/9



UNITED STATES DEPARTMENT OF JUSTICE

11-24-93

Mack
Haul
He's right
Sweeney can do better

MR PRESIDENT:

CONGRATULATIONS ON YOUR RECENT
SUCCESS.

HOWEVER, YOU HAVE A PROBLEM THAT
YOU NEED TO ADDRESS SOON. YOU HAVE TO
MANY PEOPLE THAT ARE TALKING OUT
OF SCHOOL. ALMOST EVERYDAY THERE IS
A QUOTE FROM AN "UNNAMED SOURCE" OR
"A HIGH OFFICIAL IN THE CLINTON ADMINISTRATION"
GIVING INFORMATION TO THE PRESS THAT
SHOULD HAVE STAYED IN HOUSE. YOU CAN'T
ALLOW THIS TO CONTINUE WITHOUT GETTING
BURNED. DON'T LET THIS HAPPEN, MAKE
AN EXAMPLE OF SOMEONE AND TIGHTEN THE
FLOW OF INFORMATION. A GOOD PLACE TO
START WOULD BE WITH THE PERSON WHO
GAVE OUT THE SALARY INFORMATION.

THE WHITE HOUSE
WASHINGTON

DATE: 12/11

NOTE FOR:

George

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

Information ☐

Action ☒



Thank you.

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

cc:



12.10.93

WASHINGTON A plan to fix the nation's crumbling roads, bridges and sewers is at the crux of a \$100 billion jobs program congressional and White House officials are formulating, House Majority Whip Dave Bonior said Wednesday.

Budget Director Leon Panetta, Bonior, D-Mich., and Rep. Dave Obey, D-Wis., chairman of Congress' Joint Economic Committee, are assembling the package.

Bonior said legislation, which would create 1 million or more "good, high-paying" construction jobs and lower the unemployment rate, will be introduced formally when Congress returns Jan. 25 from its winter recess.

The jobs program is a variation on a \$16 billion economic stimulus package that President Clinton campaigned on.

But the president's package fizzled in Congress after four attempts to end a Republican filibuster failed in the Senate.

The only remnant to survive was a \$1.1 billion program for emergency unemployment benefits and authorization for additional federal spending on highway and mass transit projects.

This latest incarnation of a jobs bill relies on bonding authority that could leverage between \$60 billion and \$100 billion for the programs, Bonior said.

According to the Commerce Department, each \$1 billion spent on public works projects generates 20,000 new jobs.

Obey was ill and unavailable for comment, according to his office.

Bonior visited Obey in his Wausau, Wis., district Sunday night and they discussed progress on developing the legislation.

Obey has said for the past two years that the nation should take a look at repairing its infrastructure, said Jerry Madison, district manager for Obey. "Clinton said that during the campaign, and Dave agrees. It's a priority."

A number of old sewage lines, roads and bridges are crumbling or have collapsed, Bonior said. He said infrastructure reconstruction programs are needed not only for the jobs they would create but for public safety.

AM-Sister Spirit, 0333
National Organization Asks Feds to Help
Mississippi

OVETT, Miss. (AP) The National Gay
Force asked the government Wednesday to

To President Clinton
Fr. George S.

FYI

W. J. J. J. J.

THE WHITE HOUSE
WASHINGTON

DATE: Dec. 11, 1993

THE VICE PRESIDENT
MACK MCLARTY
DAVID GERGEN
GEORGE STEPHANOPOULOS
TO: MARK GEARAN
ROBERT RUBIN
FROM: **JOHN D. PODESTA**
Assistant to the President and
Staff Secretary

The attached has been forwarded
to the President.



MEMBER

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL OF ECONOMIC ADVISERS
WASHINGTON, D.C. 20500

December 10, 1993

93 DEC 10 P7:47

MEMORANDUM FOR THE PRESIDENT

FROM: ALAN S. BLINDER *AB*
SUBJECT: Foreign Economic Developments

Exchange Rates: The dollar fell in value this week but the yen fell even more. The drop in the yen followed comments by Fed Governor Angell suggesting that the yen is now too high and mentioning ¥120/\$ as a target.

Value of the Dollar in terms of:	Week Ending 12/3/93	Week Ending 12/10/93	Percent change from: Week ago Year ago	
Deutschemark	\$1 = 1.7190 DM	\$1 = 1.6950 DM	-1.4%	+7.2%
Yen	\$1 = 108.30 Yen	\$1 = 109.10 Yen	+0.7%	-11.6%
Multilateral (March 1973 = 100)	96.07	95.09	-1.0%	+5.4%

Japan: ▶ GDP rose 0.5% in the third quarter and is up 0.6% from a year ago. Private analysts had forecasted a 0.8% decline for the quarter. The Economic Planning agency said the data confirm that the economy is not "falling through the floor." Japanese manufacturers are less optimistic about business conditions than they were three months ago, according to a Bank of Japan survey.

Europe: ▶ West German GDP also rose 0.5% in the third quarter. Inflation continued to slow as November consumer prices were 3.6% above a year ago. Bundesbank President Tietmeyer stated that 3.6% inflation is "still too high". The DAX stock index jumped 1.3% today, reaching its second consecutive record high.

▶ **French** third quarter GDP rose 0.2%. Consumer prices barely increased in November and are up 2.1% to 2.2% from a year ago. The current-account surplus rose to \$1.5 billion in August, bringing the total for the first 8 months to \$8.25 billion.

▶ The **UK** House of Commons passed the government's 1994-1995 budget, although a Gallup poll found that 76% of respondents think the budget will make it more difficult for households to get by financially.

Other Countries: ▶ The governments of Mexico, Venezuela, and Colombia finished negotiations for a free-trade accord. **Mexican** third-quarter GDP fell 1.2%. It has now grown only 0.5% in the first three quarters of 1993. This is the slowest rate of growth since 1987.

▶ The **Chinese** government approved draft laws to liberalize its trade regime. The laws will now be submitted to the Chinese congress for deliberation.

046965



MEMBER

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL OF ECONOMIC ADVISERS
WASHINGTON, D.C. 20500

December 10, 1993 **93 DEC 10 P7:47**

MEMORANDUM FOR THE PRESIDENT

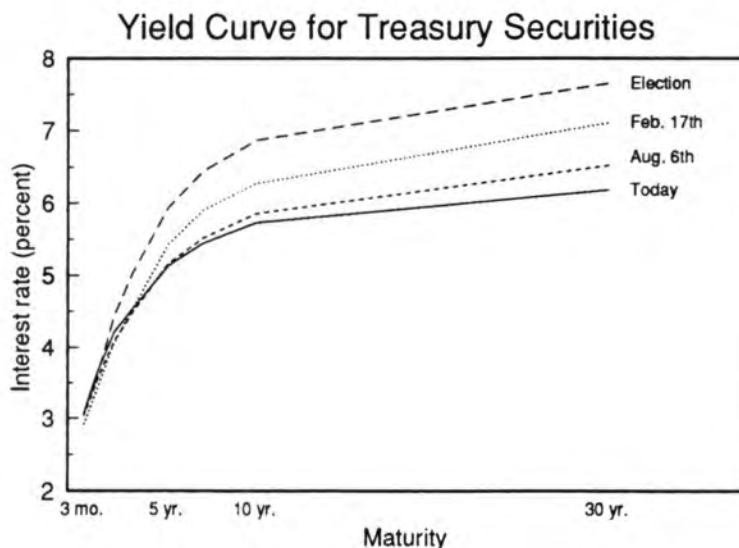
FROM: ALAN S. BLINDER *AB*

SUBJECT: Interest Rates and the Stock Market, Week Ending Friday, December 10, 1993

Interest rates fell modestly this week. Changes in Treasury borrowing rates were as follows:

	Close 12/3/93	Close 12/10/93	Change
3-month bills	3.11	3.05	-0.06
10-year bonds	5.80	5.73	-0.07
30-year bonds	6.25	6.19	-0.06

The stock market closed mixed for the week. The broad-based S&P index closed Friday at 463.93, down 0.2 percent from the preceding Friday's close. The Dow Jones Industrial Average, based on large blue-chip companies, hit new highs three times this week and closed 1.0 percent higher at a new record of 3740.67.



PRESIDENT HAS SEEN

MEMORANDUM

To: The President
From: Nancy Hernreich
Re: Tom Schneider

Tom Schneider sent you a note and some information regarding Cynthia's stepfather, Nicholas Doman. Evidently, Mr. Doman is counsel to a family that has an outstanding dispute over property that was illegally seized under the Nazi government in the former GDR. In attempting to resolve this matter with the German Ministries of Finance and Foreign Affairs he placed his signature on the wrong line on a legal document. As a result of this error he is now facing malpractice and is liable for \$1,000,000 plus. The Schneiders believe this can be remedied within the law but the German Government and US Government have to agree on this. The Schneiders are asking that you intervene and encourage the German Ministry and the US Government to help resolve this dispute.

I think you should send this to the Legal Counsel to handle and you should not personally intervene.

*Bluehaus
J. B. Herin
J. B. Herin
J. B. Herin*

202-775-8213 (W)

THE WHITE HOUSE
WASHINGTON

12/8/93

Bill 301-570-4782 (W)

I hate asking you
This Attached is a
document explaining the
background. In short ~~the~~
Cynthia's Stepfather, age 80
recently committed malpractice
by signing the wrong line on
a legal document. It is
remediable if the German
gov. & U.S. gov. agree. The U.S.
Gov is on board. Remedying it
is within the law. The attached
explains all and what you need
to do. If the error is not
remedied, my step-father in law

THE WHITE HOUSE
WASHINGTON

will be liable for
\$1,000,000 plus, which will
seriously hurt them
financially.

This is ridiculous
to bother you on this,
but personally a lot is at
stake and State & Treasury
say you must intervene.

Thank

Tom Sch

THOMAS J. SCHNEIDER
ATTORNEY AT LAW

O'CONNOR & HANNAN

WASHINGTON, D.C.
MINNEAPOLIS
MADRID

SUITE 800
1919 PENNSYLVANIA AVENUE N.W.
WASHINGTON, D.C. 20006
(202) 887-1400
FAX (202) 466-2198

Mr. Doman - the Attorney is
Cynthia's step-father

MEMORANDUM

December 8, 1993

In 1938, a piece of real property located in the former East Berlin and belonging to Felice Adam, a German Jew and a resident of Berlin, was "aryanized," that is, was transferred to a non-Jew through the mechanism of a forced sale. Subsequently, Felice Adam was deported from Berlin and died in a camp at Chelm, Poland on November 9, 1940.

In 1951, the Adam property was nationalized by the Government of the German Democratic Republic ("GDR").

In 1981, the U.S. Foreign Claims Settlement Commission ("FCSC") adjudicated to Hedwig Cohan, sole heir of Felice Adam, an award of \$30,000 plus interest in compensation for the GDR's taking of the Adam property in 1951. The FCSC awarded the compensation to the heirs of Felice Adam because it deemed the forced sale that dispossessed Adam of her property to have been illegal. With accumulated interest (calculated at 6% per annum simple interest from 1951), the award is presently worth approximately \$90,000. However, the award has not been paid.

Hedwig Cohan died in 1986 leaving six testamentary heirs, three of whom are citizens of the United States, while the others are German and Israeli citizens. In 1991, counsel for the six Cohan heirs filed with the German Government a claim for the restitution of the property pursuant to a 1990 German law. On May 4, 1992, counsel for the Cohan heirs executed a contingent sales contract for the sale of the property for a sale price of approximately US\$ 1,125,000.

On May 13, 1992, the United States and the Federal Republic of Germany signed an agreement for the purpose of settling those outstanding property claims of U.S. citizens against the Federal Republic that arose prior to 1976. Under this agreement, U.S. claimants were required to elect whether to accept the settlement awarded by the FCSC (this election was designated "Election A" on the election form circulated to U.S. claimants by the U.S. Treasury Department) or to waive that right in order to pursue any remedies available under German domestic law (this election was designated "Election B" on the election form). This provision was

intended to shield the German Government from compensating claimants twice, once under U.S. and once under German law.

On December 31, 1992, the deadline for filing this election, Nicholas R. Doman, Esq., counsel for the Estate of Hedwig Cohan, completed and filed an election form with the U.S. Treasury Department. (While the agreement specifies that claimants must make their election by February 28, 1993, the United States accelerated this deadline to December 31, 1992, at the strenuous urging of the German Government, although the U.S. Legal Adviser's Office foresaw that this modification would result in difficulties for U.S. claimants.) In completing the election form, Mr. Doman fully intended to signify his waiver of the U.S. settlement award in favor of the remedies available under German domestic law. That is, he fully intended to secure for his clients the right to reclaim the property under domestic German law in order to sell it for \$1,125,000 and to waive his clients' right to the FCSC's award of \$30,000 plus interest. Consistent with his intention, he deliberately refrained from executing the certification that was required to be filed on behalf of a claimant selecting Election A. (The instructions accompanying the election form state: "If you do not complete the applicable certification, your decision to receive a portion of the settlement amount under Election A . . . will not be valid.") Nor did he subsequently withdraw the claim in Germany, as he would, by law, have been required to do, had he filed an Election A.

However, Mr. Doman inadvertently placed his signature on the line designated for Election A instead of that designated for Election B. As a result, the Cohan claim was initially reported to the German Government as an A claim, to be compensated by the FCSC award, rather than as a B claim, which would permit the Cohan heirs to seek restitution of the Adam property in Germany. The difference between the two is more than \$1,000,000.

The U.S. and German Governments accept without question that Mr. Doman's signing of the Election A signature line was entirely inadvertent. The German Government has, however, taken the position that this inadvertence constitutes inexcusable -- and, hence, uncorrectable -- negligence. To date it has refused to agree to reform the lists so that the Cohan heirs will be entitled to restitution of the property taken in 1938 under the anti-Jewish policies of the Nazi regime.

Immediately upon learning of his error, Mr. Doman contacted the U.S. Treasury and State Departments to rectify the mistake. Beginning in October 1993 and continuing to the present, Mr. Doman, through his counsel, has maintained close contacts with the Office of the Assistant Legal Adviser for International Claims at the State Department. This office has been assiduous in seeking a resolution of the Cohan claim. It has urged the German Government to reform the Cohan claim, has expressed its readiness to take any measures necessary to permit the German Government to effect such a reformation, and has transmitted to the political and legal departments of the German Ministry of Foreign Affairs a series of legal memoranda supporting its position. While certain of these representations are still pending in the German Ministry of Foreign Affairs, that ministry, as well as the Ministries of Justice and Finance, have repeatedly informed the U.S. Government that it is the policy of the German Government not to reform the Cohan claim or any of the other "problem" East German claims which remain unresolved.

Not only would reforming the Cohan claim prevent a grave injustice to the U.S. beneficiaries of the Cohan estate, such a reformation would cause no injustice to any other person. Because there is no competing claimant for the subject property, there is no one who would be adversely affected by such a reformation. Indeed, reformation the Cohan claim would be advantageous for the German Government, since under the Agreement, the funds to pay the Cohan Estate's FCSC award would be returned to Germany.

What is desirable and necessary at this time is a strong indication that the United States government believes that a grave injustice will be done if the Cohan election is not reformed so as to give effect to the intentions of Mr. Doman and his clients. Accordingly, it is hoped that additional representations will be made both through the State Department and especially through Treasury channels to the German Ministries, including particularly the Ministry of Finance, indicating the United States Government's strong belief that this inadvertent error must, in the interests of justice, be corrected before the East German Claims program can be completed. (The agreement provides that a final transfer amount is to be calculated by December 28, 1993. However, the Office of International Claims at the State Department states that this deadline will not be met and that the final transfer amount will not, in all likelihood, be calculated before late January 1994.)

December 8, 1993

MEMORANDUM to Secretary of State
Secretary of Treasury

SUBJECT: Cohan Claim, No. G 1641

My attention has been directed to the above claim which is now pending and which is more fully described in the attached paper, which I have read and agree with. I don't think an inadvertent error should be allowed to stand uncorrected and result in injustice.

Accordingly, I would be grateful if each of your departments would use its best efforts and most effective channels to persuade the German Ministries of Finance and Foreign Affairs to join with the United States in rectifying any inadvertent error which may have occurred so that those Cohan heirs who are United States citizens can pursue restitution of the property which was illegally taken under the Nazi anti-Jewish decrees.

If the Germans prove unwilling to cooperate in rectifying this matter, I am prepared to request that the critical documents be unilaterally reformed in Washington and that the Germans be informed that the Cohan claim is now, in the view of the United States government, a claim for restitution under German law.

Chiron

THE WHITE HOUSE
WASHINGTON

DATE: 12/10/93

TONY LAKE
DAVID GERGEN
MARK GEARAN
GEORGE STEPHANOPOULOS
TO: JACK QUINN
DAVID DREYER
DAVID KUSNET
FROM: **JOHN D. PODESTA**
Assistant to the President and
Staff Secretary

The attached has been forwarded
to the President.

THE WHITE HOUSE
WASHINGTON

December 7, 1993

Arthur Schlesinger, Jr.
Box 540
33 West 42 Street
New York, New York 10036

Dear Arthur:

Thanks for your letter. I appreciate your congratulations on the passage of the North American Free Trade Agreement. It was a great victory for the future of our nation.

I also appreciate your candid appraisal of Richard Reeves' recent book about the Kennedy Administration. Having the benefit of your insight and experience is important to me, and I thank you for sharing it.

Please give my best regards to Alexandra.

Sincerely,

Rm

I was glad to get your letter - you confirmed my own instincts on the points you mentioned - Thanks

10-24
ARTHUR SCHLESINGER, JR.

23 November 1993

The President of the United States
The White House
Washington, D.C. 20500

Dear Mr. President:

Warmest congratulations on the NAFTA victory. Now on to health care!

But I write (belatedly) on another matter. Someone recently sent me a piece by Al Kamen from the Washington Post of 22 October entitled "For Lunch, a Course on JFK." I trust that you and your associates aren't taking Reeves's book too seriously as an account of the Kennedy administration. I know and like Dick Reeves, and I wish I liked his book more. But the Kennedy portrayed in President Kennedy bears exceedingly little resemblance to the Kennedy that Ted Sorensen, Mac Bundy, Douglas Dillon, Ken Galbraith and George Ball (I have discussed the book with all of them) and I knew and worked with thirty years ago.

Reeves calls JFK in a piece ("My Six Years with JFK") in the November American Heritage "casually cruel ... an arrogant artist who painted with other people's lives and feelings, squeezing them like tubes of paint when it pleased him or served his purposes." Those around him, Reeves continues, "considered humiliation an honor, a sign that they were close to the center." They were, he says in the book, "indentured inhabitants serving his needs and desires."

This is ridiculous. I found JFK one of the most unfailingly courteous and considerate men I have ever known; and the others named above would agree. Do you suppose that this collection of independent-minded and proud men would ever have tolerated for a minute being humiliated and used as indentured servants? Kennedy's successor did find a certain relish in humiliating people, but that is another story.

According to Reeves, Kennedy "had little ideology beyond anti-Communism and faith in active, pragmatic government." This is foolish too; and so is his denial that JFK grew during his presidency. How could anyone look at his fight in 1963 for detente and the test-ban treaty and for civil rights and racial

continued/.....

The President of the United States
23 November 1993
Page 2

justice and not say that he had learned a lot and grown a lot since 1961?

In an earlier American Heritage piece (September), Reeves argues that if Kennedy had only kept Eisenhower's elaborate national-security apparatus, the Operations Control Board, etc., the republic would have been spared the Bay of Pigs. This is really a stupid point, since the Bay of Pigs project passed unscathed through the Eisenhower security apparatus and was personally recommended by Eisenhower to Kennedy. Moreover, as Professor Barton Bernstein of Stanford pointed out in his Book World review (you probably have seen it, but I attach a copy), Reeves's book is filled with rewritten and even invented dialogue.

I hesitate to take up your time with historical matters, but I do think you should know that Reeves's book is absolutely not a reliable guide to the hits, runs and errors of the Kennedy administration.

Now back to the present!

All the best,



Arthur Schlesinger, jr.

BOOK WORLD

John F. Kennedy, in Blurred Profile

PRESIDENT KENNEDY

Profile of Power

By Richard Reeves

Simon & Schuster, 798 pp. \$30

Reviewed by Barton J. Bernstein

Years ago, veteran political reporter Richard Reeves declared of politicians in general, "I don't feel any great obligation to recount their many and varied personal and professional virtues." He went on to add, "There is nothing good about... any of the Kennedys that the American people have not been told." Skeptical and experienced, the author of books on Presidents Reagan and Ford as well as "American Journey: Traveling With Tocqueville in Search of Democracy in America," Reeves would seem the perfect person to write a probing new study of President Kennedy and his use of presidential power.

"President Kennedy: Profile of Power" takes John Kennedy from the day before his inauguration to the day of his death. It has been nearly 30 years since Kennedy was struck down in midlife, after only 1,037 days in office. He quickly became a near-legend in death. Rushing to buttress enthusiastic assessments, two JFK stalwarts, Theodore Sorensen and Arthur Schlesinger Jr., published what were essentially hagiographies.

Their euphoric portrayals fell under heavy assault by the mid-1970s, after the searing defeat in Vietnam, as ugly charges and disclosures about JFK tumbled out: clandestine affairs with White House secretaries; reckless involvement with a Mafia mistress; and lies about his health. Americans learned of his administration's efforts to assassinate enemy leaders, his approval of the FBI's bugging of Martin Luther King and his many deceptions about the war in Vietnam. In the judgment of some analysts, JFK had anticipated the technique of Watergate, preparing the way for Richard Nixon.

Since the mid-1970s, besides at least a half-dozen best-sellers, more than 1,000 books and articles have appeared about the dead president, his family and his policies. Some trade on the family glamor; many raise important questions. What was the relationship between JFK's character and his policies? What kind of liberalism, if any, did he represent? How committed was he to civil rights, and how well did he understand the African-American freedom struggle? Why did he commit nearly 18,000 "advisers" to Vietnam, and would he have pulled out or escalated the war if he had lived? Could he have been flexible enough in his anti-communism to understand the limits of U.S. power abroad? Did his handling of the Cuban missile crisis constitute his finest hour, or needlessly endanger many lives?

In this new entry in the Kennedy field, Reeves predictably provides some now-familiar evidence on JFK: his earthy language, his brief trysts and longer affairs, his ill health, including unspecified venereal disease and Addison's disease, and his dependence on various drugs, including amphetamines, which can induce anxiety, produce paranoia and warp judgment. Such emphases are useful in describing Kennedy's life, and Reeves has added a few juicy but minor details—mostly from an unpublished memoir by Dr. Max Jacobson, the so-called "Dr. Feelgood," and ready supplier of JFK's "speed."

Reeves's lively narrative is not systematically linked with any general interpretation of the president's actions or attitudes. Unfortunately, rather than writing a sustained analysis of Kennedy, Reeves hit on the strategy of summarizing in brief chronologically organized chapters, many of the days and weeks of JFK's presidency, as they presumably seemed to Kennedy. The technique is designed to let the facts tell the story. The result is more than 640 pages of narrative packed with dialogue in a "you are there" sort of history. At times, the pace is brisk and the chapters jammed full of events and crises; at times, the segments are lumbering and loosely constructed. The result is history with little, or no, interpretation.

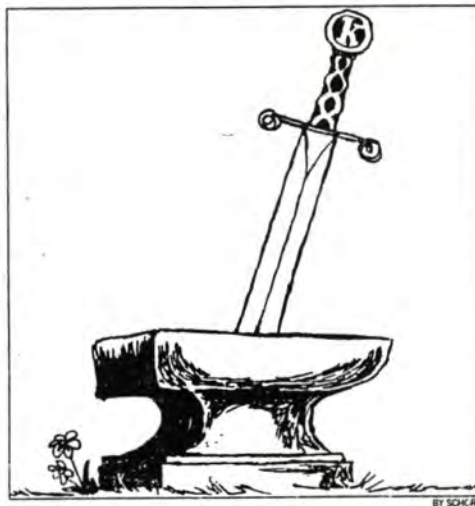
Only in his eight-page introduction does Reeves offer any overall analysis. Rejecting claims such as Sorensen's and Schlesinger's that Kennedy grew more wise and mature during his presidency, Reeves sharply asserts, "The Kennedy I found certainly did not know what he was doing at the beginning, and in some ways never changed." According to Reeves, Kennedy had "little ideology beyond anti-communism and faith in active, pragmatic government." Furthermore, "he was often willing to suspend" his few convictions to avoid conflict with Congress or

charges of being soft. According to Reeves, the president was "decisive, though he never made a decision until he had to, and then invariably he chose the most moderate of available options." Such judgments, owing much to earlier revisionist scholarship, only slightly influence the rest of the book.

ALONG THE WAY, DRAWING ON SCHOLARLY WORKS, Reeves brings general readers some information they may not have known already. One of the most important points is that in mid-1961, shortly before the Berlin Wall went up, Kennedy indirectly signaled that such action would be an acceptable way for the Communists to block the flight of skilled East German workers to the West. In July 1963, Kennedy suggested the possibility of Soviet and American efforts, perhaps even including a preemptive attack, to eliminate China's developing nuclear capacity.

Surprisingly, in view of the importance of nuclear policy and prowess to Kennedy, Reeves does not discuss the shocking plan put together by White House advisers during the 1961 Berlin crisis for a preemptive nuclear strike on the Soviet Union. It was a plan seriously considered at the middle levels and rejected at the highest levels.

Reeves's lengthy treatment of the 1962 Cuban missile crisis is disappointing. He overlooks crucial statements, places at least one conversation at the wrong meeting and seems not to understand (or not to convey to readers) how the crisis was ended.



Consider, for example, from the long-available verbatim minutes of the first day's Executive Committee meeting, on Oct. 16, these two statements that Reeves ignores:

President Kennedy: "Last month I should have said... that we don't care [about Soviet missiles in Cuba]."

Secretary of Defense Robert McNamara: "I'll be quite frank. I don't think there is a military problem here [with these missiles in Cuba]. This is a domestic, political problem [for us]."

Such arresting words, had Reeves both reported and pondered them, could have suggested important implications for understanding Khrushchev's and Kennedy's actions. Since Khrushchev had decided well before Kennedy's late-summer warnings to deploy missiles in Cuba, perhaps he was not so wrong to fail to anticipate JFK's bristling reaction in mid-October. And McNamara's statement powerfully suggests purely political motives in explaining JFK's forceful response to the Soviet missiles.

Moving on to the last day of the feverish crisis, Saturday, Oct. 27, Reeves runs into other problems. He seems not to understand, and perhaps not to know, of the recent evidence that Kennedy made a secret, explicit offer that night to trade U.S. missiles in Turkey for the Soviet missiles in Cuba. Theodore Sorensen revealed that deal 27 years later, at the 1989 missile crisis conference in Moscow. That secret deal, known to about a half-dozen advisers, was concealed from other Executive Committee members, including Vice President Lyndon B. Johnson and CIA Director John McCone. As a result, much of

the late Saturday evening committee meeting, from which Reeves naively quotes segments of the minutes, was virtually a charade for nearly half the group.

In handling the Vietnam issue, Reeves is more successful. He shrewdly suggests, in opposition to Oliver Stone, among others, that Kennedy was not likely to withdraw from Vietnam. In detailing the president's close attention to Vietnam policy in late 1963, Reeves, following many others, stresses Kennedy's responsibility for the U.S.-backed coup and for the early November assassination of that country's president, Ngo Dinh Diem.

Unfortunately, Reeves's narrative history, which relies so heavily on quotations, is unreliable because of his cavalier treatment of such evidence. He often uses recollected statements, sometimes remembered as much as a quarter-century after the event, as the verbatim words uttered in the Kennedy years. And, because he usually confuses brief summary records of meetings with much longer verbatim transcripts, Reeves often quotes from these summaries, stuffing in a speaker's mouth sentences, and even paragraphs, he probably never spoke.

Worse yet, Reeves sometimes rewrites, and even seems to invent, verbatim dialogue—for the 1961 Vienna summit, for Kennedy friend Paul ("Red") Fay's conversation with the president, for Cuban missile crisis sessions, for meetings on Vietnam, and elsewhere. Of quotations on 40 pages, drawn from various parts of Reeves's book and checked against the sources he cites, there are problems in more than 18 cases.

Take, for example, Reeves's rendition of a playful exchange in which JFK asked Red Fay as they were strolling down 16th Street, if he would protect JFK if a nearby man pulled a gun. According to Fay's book, "The Pleasure of his Company," Fay puckishly told the president, "See that freshly turned plot over there? I would dive so hard into its protective soil that there would be room for our beloved president to lie on top of me." Reeves has transformed Fay's 31-word response into a three-word direct quotation, "Dive for cover," and ascribed the truncated phrase to Fay. Perhaps this could be called compression for pungency; but the phrase is an invention and flattens out Fay's actual language. When such tactics are multiplied in handling both minor and major issues, as occurs in this book, the result is a troubling distortion of the past.

REEVES SOMETIMES REACHES BEYOND THE SOURCES he cites—as in portraying the deliberations during the Cuban missile crisis—to insert statements at meetings where such words were apparently never spoken. At the crucial Saturday morning Executive Committee meeting, on Oct. 27, for example, Reeves writes about an event that seems not to have occurred: "McNamara followed [the CIA briefing] with a report from the Defense Intelligence Agency, a bureau he had created to compete with the CIA: 'There is considerable speculation that a power struggle is in progress in the Kremlin between Khrushchev and a more militant and aggressive group.' Those alarming words were not uttered by McNamara or by anyone else at that meeting, according to the verbatim minutes, the most reliable source for this meeting, and the main source that Reeves cites.

Sometimes Reeves shuffles the chronology of people's words, even occasionally placing the discussion at the wrong meeting. At various points Reeves embroiders scenes—to have people nodding, staring or even kissing one another on the cheek—when there is no apparent source for such colorful descriptions. When Reeves has someone nodding or staring, it is just as likely—and equally without evidence—that the person was blinking, wincing, scratching his head or simply looking tired and distracted. By combining fiction and facts in multiple scenes, Reeves has adopted the techniques and standards of docudramas.

"President Kennedy: Profile of Power" depends on scenes and dialogue for its interest: the author does not analyze the events he brings to life. Though an experienced, shrewd reporter, he has unfortunately been unable to resist the temptation to warp historical evidence to make his book a better read. Foreseeing the invasion of such techniques in American culture, one perceptive critic wrote more than a decade ago, "When [television is] through with us, we [will] not know what was real and what was true." That war was issued by Richard Reeves.

Barton J. Bernstein, professor of history and co-director of Stanford University's International Relations Program, specializes in recent U.S. history. He has published, among other books, "The Atomic Bomb" and "Politics and Policies of the Truman Administration."

12-10-93

Tom —

I talked to
Tom Steyaert who
told me that your
admin officer (her
boss) had some options
which didn't require
a \$77,000 pass through
and asked me to
call him for further
details. Frankly,
I don't have time
~~for~~ to pursue your

THE WHITE HOUSE
WASHINGTON



most cost-effective
solution. Could
you ask your staff
to work this up
& send it to me.

John



OFFICE OF THE UNITED STATES
TRADE REPRESENTATIVE
EXECUTIVE OFFICE OF THE PRESIDENT
WASHINGTON
20506

93 DEC 10 AM: 59

MEMORANDUM TO: John Podesta
Assistant to the President and Staff
Secretary

FROM: Thomas R. Nides 
Chief of Staff

DATE: December 9, 1993

SUBJECT: E-Mail

It is pathetic that I have to write this memo...please see the attached regarding the breakdown for E-Mail. Please note that \$77,552 represents three USTR staffers, and their hungry families, who will be thrown out of work if we have to pay for this.

Let your conscience be your guide.

cc: John Hopkins

OFFICE OF THE UNITED STATES
TRADE REPRESENTATIVE
EXECUTIVE OFFICE OF THE PRESIDENT
WASHINGTON
20506

October 26, 1993

Mr. Marvin Krislov
Special Counsel to the President
Room 128
OEOB
Washington D.C. 20506

Dear Mr. Krislov:

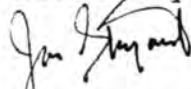
In response to your request, the Computer Office at USTR has determined that it will cost approximately \$77,552 for immediate installation of an electronic record keeping system to retrieve WordPerfect Office e-mail. The costs are as follows:

\$ 4,000	installation of profiling software (Desktop Data)
\$15,000	for 5 licenses for electronic retrieval of federal records e-mail (NewsEdge software)
\$ 5,000	for hardware (network server)
\$48,552	for federal records technician (contractor)
\$ 5,000	for reprogramming user interface (WordPerfect)

\$77,552	

If you have any questions with regard to these estimates please contact me on 395-5140.

Sincerely,



Dr. Joan Steyaert
Director Computer Operations

cc: John Hopkins
Jason Baron
Laurie Sherman
Sam Besachio

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. memo	Philip Lader to POTUS re: Appointment (1 page)	11/29/1993	b(6)

COLLECTION:

Clinton Presidential Records
Staff Secretary
John Podesta (Chron Files)
OA/Box Number:

FOLDER TITLE:

December 5-11, 1993 [1]

2018-0662-S
rs3079

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
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- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]



OFFICE OF THE COUNTY ATTORNEY

Ramsey County

SUITE 400

350 ST. PETER STREET

ST. PAUL, MINNESOTA 55102

TOM FOLEY
COUNTY ATTORNEY

TELEPHONE
(612) 298-4421

November 24, 1993

Mr. Phil Lader
Director of Presidential Personnel
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Phil:

Thanks for your call last weekend concerning my interest in the position of Director of the Drug Enforcement Administration. It was one of the few personal touches I've had from the Administration. I appreciate your thoughtfulness and wish you well in your new position.

I'll be in Washington December 2-4, and I would be interested in meeting you if your schedule permits. Thanks again.

Very truly yours,

A handwritten signature in dark ink, appearing to be "Tom", written over a horizontal line.

Tom Foley
Ramsey County Attorney
(612) 266-3030

TF:mh



OFFICE OF THE COUNTY ATTORNEY

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COUNTY ATTORNEY

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THOMAS J. FOLEY

BUSINESS ADDRESS:

350 St. Peter Street, Suite 400

St. Paul, Minnesota 55102

(612) 298-4449

266-3030

RESIDENCE ADDRESS:

172 Bridlewood

St. Paul, Minnesota 55119

(612) 735-2125

EDUCATION:

LAW SCHOOL:

University of Minnesota

J.D., June 1972

COLLEGE:

University of Minnesota

B.A., June 1969

Major: History

Minor: Political Science

PROFESSIONAL BACKGROUND:

January 1, 1979 to Present: Ramsey County Attorney, Ramsey County, State of Minnesota. Elected official; responsible for the criminal prosecution of all felonies and gross misdemeanors within Ramsey County. Further, responsible for all civil legal affairs for the County Board and administrative agencies in this capitol jurisdiction.

Patrick O'Connor
(v) Riley

March 1, 1976 to May 1978: Deputy Commissioner, Administrative and Management Division, Minnesota Department of Corrections. Responsible for directing and supervising the support services of the Department, which has a biennial budget of approximately \$100,000,000 and total complement of approximately 1,600 staff. Responsible for the Department's liaison with the criminal justice activities in Washington, D.C.

November 1974 to March 1976: Special Assistant Attorney General, State of Minnesota. In this capacity I was assigned to provide legal services to the Department of Corrections and the Minnesota Parole Board. I was also responsible for liaison with the Washington County Attorney's Office for all criminal (felony) matters that occurred at the Minnesota State Prison. Further, I was responsible for implementing the due process hearings as mandated by *Morrissey v. Brewer*, 408 U.S. 471 (1972) and *Wolff v. McDonald*, 418 U.S. 539 (1974). During this time I prosecuted five murder or attempted murder cases in Washington County District Court.

1973 to 1974: Special Assistant Attorney General for the State of Minnesota.

Anti-Trust: During this time I was primarily assigned to the Anti-Trust Division with my principal responsibility being the development of an investigation of the petroleum industry for possible anti-trust violations within the State of Minnesota.

Criminal: Named head of the Attorney General Criminal Section and was directly responsible for all criminal appeals and prosecutions by the Attorney General's Office.

American Bar Association**Council Member, Section of Criminal Justice 1987-1990****Prosecution Function Committee 1980-Present****Chair, Prosecution Function Committee 1990-1991****Litigation Section****Environmental Law Committee****Minnesota Urban County Attorneys Board****Vice Chair 1980-Present****Minnesota County Attorneys Association****Board of Directors 1980- Present****Treasurer****Secretary****President****Mixed Blood Theatre****Board of Directors 1987-Present****Salvation Army****Board of Directors 1980-1983****Metropolitan Council****Chairman's Advisory Committee 1981-1984****Minnesota Justice Information Systems Advisory Council****1976-1978****Thomas J. Foley****Page 4**

SENT BY: Xerox Telexcopier 122 12-22 12-22 12-22

POLITICAL

Minnesota Campaign for Bill Clinton
State Co-Chair September 1991 - Election 1992

Clinton/Gore '92
State Co-Chair July 1992 - Election 1992

National District Attorneys for Clinton/Gore
National Coordinator - 1992

Minnesota Democratic Leadership Council
Chairman 1991-1992
President 1989-1991

Minnesota Campaign for Al Gore
State Co-Chair 1987-1988

District Attorneys for Mondale/Ferraro
National Chair 1984

District Attorneys for Carter/Mondale
National Co-Chair 1980

DFL State Central Committee
1989-Present

**Delivered Crime and Criminal Justice plank to 1980 Democratic
Party National Platform Committee representing 70 district
attorneys**

NOV-16-1993 17:19

**TOM FOLEY
RAMSEY COUNTY ATTORNEY
ST PAUL, MINNESOTA**

DRUG ENFORCEMENT ACTIVITIES AS PROSECUTOR:

- * BOARD OF DIRECTORS, NATIONAL DISTRICT ATTORNEYS ASSOCIATION
1989 - PRESENT
DRUG POLICY COMMITTEE
- * MEMBER, GOVERNOR RUDY PERPICH'S SELECT COMMITTEE ON DRUGS
1989 - 1990
- * CREATED URBAN COUNTY DRUG TASK FORCE
1986 - PRESENT
- * MEMBER, NARCOTICS ENFORCEMENT COORDINATING COUNCIL
- * ORGANIZED EAST-METRO DRUG TASK FORCE (TEAM ENFORCEMENT WITH
MULTI-COUNTY JURISDICTION)
- * CREATED SELECT DRUG PROSECUTION UNIT IN COUNTY ATTORNEY'S
OFFICE TO CONCENTRATE ON MAJOR MONEY-LAUNDERING AND
DISTRIBUTION CASES
- * CREATED OFFICE POLICY TO INVESTIGATE AND PREPARE DRUG CASES
AND, WHEN FEASIBLE, SHIFT THE CASES TO THE UNITED STATES
ATTORNEY BECAUSE OF THE CONSTRUCTIONS OF MINNESOTA'S
SENTENCING GUIDELINES
- * DEVELOPED DARE PROGRAMS IN RAMSEY COUNTY IN COOPERATION
WITH RAMSEY COUNTY SHERIFF

MAJOR INVESTIGATIONS AND PROSECUTIONS

PLUKEY DUKE COCAINE DISTRIBUTION:
MAJOR COCAINE IMPORTER TO MIDWEST. CASE EVENTUALLY
TRANSFERRED TO U.S. ATTORNEY. CONVICTION OBTAINED.

JEFF KOHNER MAJOR COCAINE DISTRIBUTION CASE:
INVESTIGATED AND PROSECUTED IN COOPERATION WITH
EAST-METRO DRUG TASK FORCE. CONVICTION OBTAINED AND
MAJOR FORFEITURE ACTION.

CURRENT INVESTIGATIONS

MAJOR DISTRIBUTION OF HEROIN IN TWIN CITIES AREA BY HISPANIC AND ASIAN
GANGS.

EAST-METRO TASK FORCE INVESTIGATION INTO POSSIBLE CONNECTIONS OF
EAST COAST ORGANIZED CRIME IN COCAINE AND CRACK DISTRIBUTION AND
MONEY LAUNDERING IN TWIN CITY AREA.

SPECIALIZED PROGRAMS:

Argued *R.A.V. v. St. Paul, Minnesota* in United States Supreme Court (Hates Crimes Ordinance -- Constitutional Issues) December, 1991

Led human rights mission to Albania to review criminal justice and human rights issues. Oct., 1991

Governor's Select Committee on the Impact of Drugs on Crime, Education and Social Welfare October, 1989

Attorney General's Task Force on Prevention of Violence Against Women 1988-1989

Private fact-finding mission to USSR to study Soviet criminal justice system -- 1981

Created the first family violence specialized prosecution unit in the State of Minnesota 1979

National District Attorney fact-finding mission to Israel -- 1979

National Institute for Trial Advocacy -- 1979

Strategic Management in Corrections, Wharton School, University of Pennsylvania 1976; selected top corrections officials from around the country; participated in month-long management program by the Wharton School.

Academy for Contemporary Problems 1975; selected corrections officials from around the country; participated to discuss current correctional problems.

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001b. resume	[Personally Identifiable Information] [partial] (1 page)	11/15/1993	b(6)

COLLECTION:

Clinton Presidential Records
Staff Secretary
John Podesta (Chron Files)
OA/Box Number:

FOLDER TITLE:

December 5-11, 1993 [1]

2018-0662-S
rs3079

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- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
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RESUME

STUART O. SIMMS
STATE'S ATTORNEY FOR BALTIMORE CITY
206 MITCHELL COURTHOUSE
BALTIMORE, MD 21202

(410) 396-4986
(410) 539-5215 (FAX)

STUART O. SIMMS
3511 CEDARDALE ROAD
BALTIMORE, MD 21215

(410) 466-3658

BORN:

(b)(6)

MARRIED TO CANDACE SCOTT SIMMS; TWO CHILDREN - MARCUS (16) AND PAUL (10)

EDUCATION:

- BALTIMORE CITY PUBLIC SCHOOLS 1955 - 1965
- THE GILMAN SCHOOL 1965 - 1968
BALTIMORE, MARYLAND
EDDIE FENIMORE AWARD - LEADERSHIP AND INTEGRITY;
JUDICIARY COMMITTEE; VARSITY FOOTBALL, 1965-1968 (CAPTAIN, 1968);
Varsity BASKETBALL 1965-1968; HOPKINS PROJECT, UPWARD BOUND TUTOR
- DARTMOUTH COLLEGE 1968 - 1972
HANOVER, NEW HAMPSHIRE
B.A., GOVERNMENT - 1972, CUM LAUDE
TUCKER INTERN; AFRO AMERICAN SOCIETY;
Varsity FOOTBALL, 1969-1971 (CAPTAIN, 1971);
SENIOR FELLOW - 1972
- HARVARD LAW SCHOOL 1972 - 1975
CAMBRIDGE, MASSACHUSETTS
J.D. 1975
MEMBER PRISON LEGAL ASSISTANCE PROJECT
HARVARD LEGAL AID PROJECT
- UNIVERSITY OF BALTIMORE 1991
SCHOOL OF LAW
BALTIMORE, MARYLAND
DOCTOR OF LAWS (HONORARY)

STUART O. SIMMS

2

EMPLOYMENT:

- SEMMES, ROWEN & SEMMES 1975 - 1977
ASSOCIATE
BALTIMORE, MARYLAND
GENERAL LITIGATION, ANTI-TRUST,
BANKING, AND INSURANCE
- CHARLES CENTER - INNER HARBOR 1977
MANAGEMENT
BALTIMORE, MARYLAND
STAFF COUNSEL
- U. S. SENATE 1977 - 1978
WASHINGTON, D. C.
STAFF COUNSEL TO U. S. SENATOR PAUL SARBANES
WITH CONCENTRATION ON BANKING, HOUSING, AND
JUSTICE LEGISLATION
- U. S. JUSTICE DEPARTMENT 1978 - 1982
BALTIMORE, MARYLAND
ASSISTANT U. S. ATTORNEY FOR THE
DISTRICT OF MARYLAND
- OFFICE OF STATE'S ATTORNEY 1983 - 1987
FOR BALTIMORE CITY
DEPUTY STATE'S ATTORNEY,
SUPERVISOR OF ADMINISTRATION AND
INVESTIGATIONS OF ATTORNEY AND
SUPPORT STAFF
- OFFICE OF STATE'S ATTORNEY 1987 - PRESENT
FOR BALTIMORE CITY
STATE'S ATTORNEY
CHIEF PROSECUTOR
SWORN, NOVEMBER 3, 1987
RE-ELECTED, NOVEMBER, 1990

PROFESSIONAL ASSOCIATIONS:

- BAR ASSOCIATION FOR BALTIMORE CITY 1977 - PRESENT
- MONUMENTAL CITY BAR ASSOCIATION 1977 - PRESENT
PRESIDENT, 1986 - 1987

STUART O. SIMMS

3

PROFESSIONAL ASSOCIATIONS (CONTINUED)

- MARYLAND STATE BAR ASSOCIATION
SERVED ON JUDICIAL SELECTION,
EDUCATION, AND CITIZENSHIP COMMITTEES 1977 - PRESENT
- AMERICAN BAR ASSOCIATION 1990 - PRESENT
- NATIONAL BAR ASSOCIATION 1986 - PRESENT
- MARYLAND BAR FOUNDATION 1989 - PRESENT
- BALTIMORE CITY BAR FOUNDATION 1988 - PRESENT
- DARTMOUTH LAWYER'S ASSOCIATION 1988 - PRESENT
- NATIONAL DISTRICT ATTORNEY'S ASSOCIATION 1987 - PRESENT
- MARYLAND STATE'S ATTORNEY'S ASSOCIATION
PRESIDENT, 1991 - PRESENT 1991 - PRESENT
- MEMBER, ABA TASK FORCE, "CRIMINAL JUSTICE
STANDARDS - JURY TRIAL AND DISCOVERY" 1991 - PRESENT
- MEMBER, ABA TASK FORCE, "MINORITIES AND
THE CRIMINAL JUSTICE SYSTEM" 1991 - PRESENT
- CO-CHAIR, "MINORITIES AND THE LEGAL
PROFESSION," JOINT MARYLAND STATE BAR
AND MINORITY BAR PROGRAM 1986
- CO-CHAIR, BALTIMORE CITY BAR MINORITY
CLERICSHIP PROGRAM 1992 - PRESENT
- BAR ADMISSIONS:
MARYLAND 1977
 - UNITED STATES DISTRICT COURTS - MARYLAND
AND DISTRICT OF COLUMBIA 1977
 - UNITED STATES COURT OF APPEALS 1979
 - UNITED STATES SUPREME COURT 1992

FACULTY EXPERIENCE

- NATIONAL COLLEGE OF DISTRICT ATTORNEYS
HOUSTON, TEXAS
LECTURER ON OFFICE MANAGEMENT 1989 - 1992
LECTURER ON OFFICE POLICY 1992

FACULTY EXPERIENCE: (CONTINUED)

- VIRGINIA COMMONWEALTH ATTORNEYS ASSN. 1992
LECTURER ON OFFICE POLICY
- HARVARD LAW SCHOOL TRIAL ADVOCACY CAMBRIDGE, MASSACHUSETTS
WORKSHOP 1989
TEACHING ASSISTANT
- HARVARD EXECUTIVE SESSION FOR CAMBRIDGE, MASSACHUSETTS
PROSECUTORS 1990
JOHN F. KENNEDY SCHOOL OF GOVERNMENT
- MARYLAND TRIAL ADVOCACY TRAINING BALTIMORE, MARYLAND
TEACHING ASSISTANT 1989 - 1992

ARTICLES:

- "INTEGRATION OF THE BAR AND BENCH AND CIVIL RIGHTS LEGISLATION,"
MARYLAND LAW REVIEW, VOL. 50, No. 1, 1993.
- "CONFRONTING THE CHALLENGE OF JUVENILE OFFENDERS IN THE 1990s,"
THE BARRISTER, FALL, 1991.
- "CHECKS AND BALANCES, STOPPING WHITE COLLAR CRIME AND BUSINESS
FRAUD," BUSINESS CREDIT, OCTOBER, 1988.

CIVIC ACTIVITIES:

- GOVERNOR'S COMMISSION ON THE ARTS IN MARYLAND 1992
- GOVERNOR'S COMMISSION ON ALTERNATIVE SENTENCING 1991 - 1992
- GOVERNOR'S COMMISSION ON CHILD ABUSE AND NEGLECT 1992 - 1993
- GOVERNOR'S ADVISORY COUNCIL ON LEGAL SERVICES 1990
AND LEGAL FEES
- ADVISORY BOARD, UNIVERSITY OF MARYLAND 1989 - PRESENT
SCHOOL OF LAW
- BOARD MEMBERSHIPS
 - CITIZENS PLANNING AND HOUSING ASSOCIATION 1975 - 1977
 - ST. JAMES EPISCOPAL CHURCH 1986 - 1990

STUART O. SIMMS

5

CIVIC ACTIVITIES

* BOARD MEMBERSHIPS (CONTINUED)

BALTIMORE ZOO	1984 - PRESENT
VICE PRESIDENT 1990 - PRESENT	
SINAI HOSPITAL	1987 - PRESENT
SECRETARY 1993 - PRESENT	
BALTIMORE SYMPHONY ORCHESTRA	1988 - PRESENT
BALTIMORE EDUCATIONAL SCHOLARSHIP TRUST	1990 - PRESENT
BALTIMORE MUSEUM OF ART	1988 - PRESENT

REFERENCES:

AVAILABLE UPON REQUEST

BIOGRAPHY

Since November of 1989, Benito Romano has been a member of the firm of Willkie Farr & Gallagher. Prior to his return to private practice, Mr. Romano served as United States Attorney for the Southern District of New York.

Appointed United States Attorney by Attorney General Richard Thornburgh, Mr. Romano took the oath of office in February 1989. As United States Attorney, he represented the United States in all criminal and civil court proceedings in the Southern District of New York, which includes the counties of New York, Bronx, Dutchess, Orange, Putnam, Rockland, Sullivan and Westchester. In addition, he supervised approximately 160 Assistant United States Attorneys in the Criminal and Civil Divisions of his office.

Chair, Puerto Rican Legal Defense & Education
Fund
1992 to present

- 2 -

A 1972 graduate of New York University and a 1976 graduate of Columbia University's School of Law, Mr. Romano accepted the position of Assistant United States Attorney in 1980, working in the Narcotics, Securities and Commodities Frauds, and Appellate Units of the United States Attorney's Office. After serving as Deputy Chief Appellate Attorney, Mr. Romano was then appointed Chief Appellate Attorney for the Criminal Division in December of 1984. In April 1985, he became the Executive Assistant United States Attorney and Chief of the Public Corruption Unit. Two years later, he became the Associate United States Attorney, rising to the third ranking position in the United States Attorney's office. His most recent appointment, as United States Attorney, followed a short period in private practice as a member of the firm of Dewey Ballantine Bushby Palmer & Wood.

8TH STORY of Level 1 printed in FULL format.

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Manhattan Lawyer

January 17, 1989 - January 23, 1989

SECTION: Pg. 1

LENGTH: 1101 words

HEADLINE: Giuliani Bypassed D'Amato

BYLINE: BY EDWARD FROST and RIFKA ROSENWEIN

HIGHLIGHT:

Senator Had No Say in Romano's Appointment

BODY:

U.S. Attorney Rudolph Giuliani ignored Republican Sen. Alfonse D'Amato, the party's leading elected official in New York state, when Giuliani recommended a former colleague as his interim successor.

D'Amato learned of Benito Romano's selection after it was made, according to sources close to the committee that screens judicial candidates for the senator.

"The senator was not consulted. He found out about it after the fact," one source said last week. A spokeswoman for D'Amato, Zenia Mucha, said last week that the Justice Department told the senator of Romano's appointment well in advance of the public announcement. She said D'Amato had no objection to the selection.

A source close to Giuliani confirmed that the prosecutor had not called D'Amato beforehand to talk about Romano's appointment.

D'Amato is expected to recommend a permanent successor, to be appointed by President George Bush, from among candidates interviewed by his committee.

Romano, who is registered as an independent, was the third-ranking executive on Giuliani's staff when he left about 18 months ago. Now a partner at Dewey, Ballantine, Bushby, Palmer & Wood, Romano said Giuliani called him in late November or early December to ask if he'd be interested in the post.

Romano contacted U.S. Attorney General Dick Thornburgh soon afterward and accepted the appointment after an interview, never talking to D'Amato in the interim, he said. "I have no expectations of talking to him . . . one way or the other," Romano said last week.

Robert Ross Jr., Thornburgh's executive assistant, said the attorney general consulted with Giuliani and Deputy U.S. Attorney Dennison Young Jr. and that "a great deal of deference" was given to Giuliani's advice.

Though Romano has said he will not seek the \$ 80,700-a-year job permanently, some lawyers speculated that Giuliani was trying to engineer the appointment of Romano as his successor. But the way Giuliani has gone about it will do little to ease tensions between the prosecutor and the senator, who feuded over just

*Freeh was
Romano's Deputy during
this period.*

Manhattan Lawyer, January 17, 1989

this issue last year.

Young, who is resigning with Giuliani, said last week that Giuliani did not want to discuss the details of his successor's appointment.

Giuliani, a Republican, said at a news conference that he has "not shut the door on the possibility" of running for the New York mayoralty on the Republican ticket. D'Amato's backing may be crucial for such a race.

"Someone who's perceived as the major Republican figure in the state, his support would be very critical," said state Sen. Serphin Maltese, a former head of the state Conservative Party and a close associate of D'Amato.

Giuliani played hard to get last year when he considered a challenge to Democratic Sen. Daniel Patrick Moynihan. He stayed in the Southern District, however, and annoyed a few GOP leaders.

"There was a considerable amount of disappointment the last time around," said Maltese. Giuliani's decision "was made much later than it should have been. . . . This time around it's already late," he added. Giuliani's hesitation now "does not earn him the friendship of his potential supporters."

Romano, 39, recalled that he was working late at the office last fall when the phone rang. Giuliani was on the other end. After thinking about the offer, he arranged an interview with Thornburgh and the two met shortly before Christmas.

"I didn't take this job because I disliked private practice," he said last week. "I took this job because it is a privilege to take it and it'd be a job worth having for a single day."

Romano said he will resign as a partner of Dewey, Ballantine this week.

Joseph Califano Jr., co-chairman of Dewey, Ballantine's management committee, recruited Romano and said he would be welcomed back to the firm at any time.

At the Jan. 10 press conference when Giuliani announced his resignation, Romano said he would not put his name forward for a permanent appointment. In an interview later, he refused to say whether he'd decline the job if it is offered.

"I am not going to deal with . . . those hypothetical events," Romano said.

The appointment of an outsider as interim U.S. Attorney is unusual in the Southern District. Several lawyers attributed it to a void in experienced top administrators at the office.

Young, who might have taken the job, is leaving with Giuliani; Howard Wilson, who had been chief of the Criminal Division, left in October to become a partner at Rosenman & Colin; and Executive Assistant U.S. Attorney Federico Virella and Criminal Division Chief David Denton are new in their positions.

"There's a void of people to do the job," said John Martin Jr., who preceded Giuliani as U.S. Attorney and is now a partner at Schulte Roth & Zabel. "The office is stripped down. Denton is the only executive available" and he is

Manhattan Lawyer, January 17, 1989

busy with the criminal division, he added.

Serving as Romano's deputy will be Assistant U.S. Attorney Louis Freeh, now the chief of the Organized Crime Unit, who was chosen for the job by Giuliani and Romano. Freeh prosecuted the "Pizza Connection" trial. ★

The search for a permanent successor is already under way. D'Amato's screening committee was scheduled to meet Jan. 13 to begin discussions. Paul Curran, a member of the committee and a partner at Kaye, Scholer, Fierman, Hays & Handler, said he assumes he and his colleagues would be relying on the list of candidates developed a year ago, when Giuliani first considered resigning.

The list is headed by Otto Obermaier of Obermaier, Morvillo & Abramowitz. Giuliani said last year he would oppose Obermaier because his firm represents too many people who are targets of investigations by the U.S. Attorney's office. Obermaier would have to rescue himself from those investigations.

However, Giuliani said last week he has taken himself out of the appointment process.

"I have adopted a rule that I am not going to have a candidate for the permanent position," he said at the Jan. 10 news conference.

He added that he is confident D'Amato will recommend a qualified attorney for the post. "If he doesn't, I certainly will speak out about it," he said.

Others mentioned as possible candidates are Barbara Jones, top deputy to Manhattan District Attorney Robert Morgenthau; John Wing, a partner at Weil, Gotshal & Manges; John Kenney, of Simpson Thacher & Bartlett; Gerald Walpin of Rosenman & Colin; and Denton.

Paul Windels Jr., chairman of D'Amato's screening committee and name partner at Windels, Marx, Davies & Ives, said Romano would also be considered.

GRAPHIC: Picture, Rudolph Giuliani, announcing his resignation as U.S. Attorney last week. With him were civil division chief Steven Obus, Deputy U.S. Attorney Dennison Young, who also resigned, and Benito Romano, who was named interim U.S. Attorney.

LANGUAGE: ENGLISH

916-440-6218

STEPHEN W. WHITE
1146 39th Street
Sacramento, California 95816

District Attorney of Sacramento County (population 1.1 million) since April, 1989. (Chief Law Enforcement Officer and Prosecutor for Sacramento County. Staff of approximately 550.) Elected office.

Chief Assistant Attorney General, (Criminal Division)
Office the California Attorney General
1983-1989

Chief of Attorney General's Criminal Division (John K. Van de Kamp, Attorney General). Administered a statewide legal and investigating office (trial and appellate litigation sections, organized crime investigations and prosecutions).

During the Van de Kamp administration the Criminal Division established statewide Major Fraud Investigations and Prosecutions Unit; created Patient Abuse Investigations and Prosecutions Unit; established Correctional Law Section to represent State in civil lawsuits against its correctional agencies, etc.

Executive Director
California District Attorneys Association
1979-1983

Statewide organization representing all California prosecuting attorneys. Chief Administrator and legislative representative. Staff of 20. Responsible for drafting and passage of legislation, promulgation of ethical standards for prosecutors, prosecutor training (extensive statewide programs for all levels of experience and expertise), publication of books and manuals; provided support and services to district attorneys.

Legislative Affairs Director
California District Attorneys Association
1979

Legislative preparation for the then 2,300 prosecuting attorneys in California.

Deputy District Attorney
1974-1979

Felony Trials - 1975

Career Criminal Section - 1976

(Assigned to California Office of Criminal Justice Planning to implement the State Career Criminal Program for a part of 1976.)

Organized Crime and Major Narcotics Section - 1977

Supervising Deputy, Felony Prosecutions - 1978

EDUCATION

- J.D. 1974 University of California (Davis)
- B.A. 1971 California State University, Sacramento
(History, with Highest Honors;
Phi Kappa Phi Honor Society;
CSUS Rhodes Scholar Nominee.)

BAR ADMISSIONS

- Admitted to practice: California State Bar, 1974
- Admitted to practice: U. S. District Court for the Eastern District of California, 1974
- Admitted to practice: U. S. Supreme Court, 1986

Member, formerly, or presently:

- California Commission on the Prevention of Hate Violence (Chair,
California Lt. Governor Leo McCarthy)
- Co-founder and Advisory Board Member, Volunteers in Victims Assistance (VIVA)
- Co-founder and officer of Mothers Against Drunk Driving (MADD)
- Board Member, "Safe Streets"
- Chair, State Bar Criminal Law and Procedure Committee
- State Chair, California Interdepartmental Advisory Council on Alcohol,
Drugs and Traffic Safety (Appointed by Governor)
- Governor's Task Force on Alcohol, Drugs and Traffic Safety (Appointed by Governor)
- California Career Criminal Prosecution Program - Policy and Legislative Committee
- Board of Directors/National Association of Prosecutor Coordinators, 1980-82
- California Youth Authority Justice Systems Subvention Program Review Task Force
- Bail Reform Evaluation Committee
- Judicial Criminal Justice Planning Committee
- Board of Advisors, Community Action Against Drug Abuse
- Centralized Delivery System Advisory Council (Department of Social Services)
- Organized Crime Task Force, Sacramento (Heroin Impact Program)
- State of California First Offender Program Task Force
- Instructor (Arrest, Search and Seizure, Law of Investigation, Criminal Law,
Criminal Procedure), 1975-1980 (Sacramento Sheriff's Academy, Highway Patrol
Academy, Los Rios Community College District); Lecturer, University of
California, Davis
- Sacramento County Bar Association
- Criminal Law Section, California State Bar
- American Bar Association
- National District Attorneys Association
- National Attorneys General Association
- East Sacramento Improvement Association

WALTER M. PHILLIPS, JR.EDUCATION:

Princeton University,
Princeton, New Jersey
(A.B. 1961)

University of California
Hastings College of the Law
San Francisco, California
(J.D. 1966)

PROFESSIONAL:

Senior partner, Phillips and Phelan, an eight person firm in Philadelphia founded in 1981 specializing in general litigation.

Deputy Attorney General
Commonwealth of Pennsylvania
(Special Prosecutor for Police and Official Corruption in Philadelphia)
(1974 - 1976)

Assistant United States Attorney
Southern District of New York
(1968 - 1974)

Prosecuted organized crime, major narcotics, fraud and corruption cases, including United States v. Bonanno (major organized crime figure); United States v. Tramunti (organized crime/narcotics conspiracy); United States v. Ricord (international narcotics trafficker).

Chief, Narcotics Unit (1972 - 1974)

Responsible for coordinating federal/state investigation and indictment of 86 wholesale narcotics traffickers in New York City area, then the largest prosecution of major narcotics dealers at one time; tried and convicted André Ricord, a French Nazi collaborator who had been extradited from Paraguay, which at that time was considered the most significant narcotics prosecution in the U.S.

Assistant District Attorney
Philadelphia District Attorney's Office
(1966-1968)

OTHER:

Member, Clinton Pennsylvania Finance Committee (March 1992 -).

Chairman, Board of Ethics, City of Philadelphia (1980 - 1983).

Counsel to Philadelphia Charter Commission (1992 -).

Co-Chair, Rendell Transition Task Force on Civil Service (1991).

Member, Police Commissioner Search Committee (1992).

Member, President's Advisory Board, Natural Resources Defense Council (1980 -).

Instructor of Trial Advocacy, Rutgers University School of Law, Camden, New Jersey (1977-1981).

Trustee, Delaware Valley Citizens Crime Commission (1985 -).

Candidate for Attorney General of Pennsylvania (1980 and 1984) and Democratic nominee for District Attorney of Philadelphia (1989).

PERSONAL:

Married, two children (ages 18 and 16).

Home address:

452 W. Chestnut Hill Ave.
Philadelphia, PA 19118
Telephone: (215) 242-9463

Business address:

Phillips and Phelan
Suite 1600
121 South Broad St.
Philadelphia, PA 19107
Telephone: (215) 546-0500

THE PRESIDENT HAS SEEN
United States Senate
WASHINGTON, DC 20510-0605

93 NOV 9 P5:21

November 8, 1993

Mon
Mark Tully
Wendy Tully
B?

The Honorable William Clinton
President of the United States
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear President Clinton:

As we discussed this afternoon, the Senate will vote Tuesday, for the fourth time, on whether to end debate on the Interior Appropriations bill, H.R. 2520. As I expressed to you, I am confident that I and my colleagues who oppose the passage of this bill, because it contains authorization language that will harm western communities, will successfully defeat the cloture motion.

I am writing today to tell you this situation was avoidable.

It was avoidable because the five western Democratic senators and many of the Republican senators who oppose this bill are in favor of grazing reforms and merely wanted to be part of the process of passing them and implementing them. As a Democrat, I am concerned about helping working men and women, and about the environment. If changes need to be made, I'm in favor of making them -- that's why I have voted in favor of your policies time and time again this year. But, I am not in favor of change if it needlessly hurts the very people I was elected to represent in order to satisfy a vocal, yet unaffected constituency like the national environmental groups.

You, too, have demonstrated a willingness to pursue gradual reform if it helps working people and if the environment doesn't suffer needlessly. That's why I support your work to resolve the controversy in the Pacific Northwest even though I voted to take a much tougher pro-environment position last year as a member of the House Interior and Insular Affairs Committee. But, my impression now is that you are willing to set a double standard in an analogous situation. You're willing to defend timber jobs in the Northwest, but you're not willing to defend ranching jobs in Colorado and other western states -- even though you were the first Democrat to carry my state since 1964.

President Clinton
Page 2

Perhaps, having been an elected official in Washington for almost seven years, I should have expected to be ignored by the very people I voted to confirm as a member of the Senate Energy Committee.

I, like you, have always represented a rural constituency. Just because I was elected to the U.S. Senate does not mean that because two-thirds of Colorado's voting population resides in metro-Denver, I must simply ignore the rest of my state. I was elected to represent all the people of Colorado regardless of where they live or what their position is on an issue -- there's always another side, and as a Senator I am duty bound to consider it.

Your responsibility is even more awesome. Yet, I am afraid you are conceding your authority to make policy on this issue to a few people who have suggested a quick fix to a decades old controversy. I am afraid that as a result of this incident, your environmental proposals, and those of your department heads, will not be given the benefit of the doubt. The deck, so to speak, will be stacked against you because of this one seemingly minor issue.

It is equally troubling that for three weeks I and my colleagues tried unsuccessfully to meet with Secretary Babbitt to express our concerns about the bill. To get any attention we had to make our case on the floor of the Senate and had to defeat a cloture motion three times. Finally, we have gotten an admission that the language is not only not sacrosanct, but that amendments are indeed necessary.

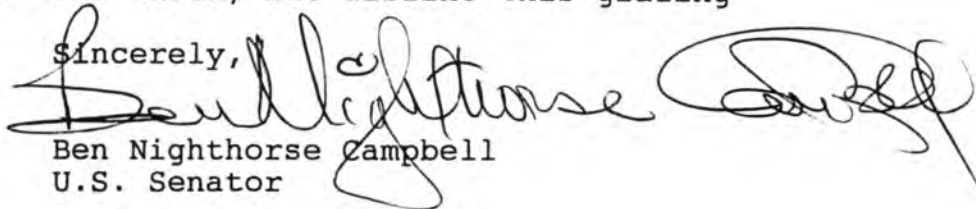
The issue now, the day before what I believe will be the final vote, is one of solidarity. I feel that we Western Democrats have been trodden upon, ignored and then made to feel like obstructionists -- even though there is now an admission that amendments to the language are needed because the bill will have unintended affects. There is no way to resolve this issue, short of stripping this language completely from the bill. Therefore, I hope, I plead, that you direct your Secretary of the Interior to lend his support to such an effort.

Only in this way can we really focus on the issues that have been raised in both the proposed grazing reform rules and in the Reid-Babbitt amendment. Attention needs to be turned to the merits of these proposals in a rational, normal legislative process. Attention needs to be turned away from the opposition of the western Democratic senators and governors to the manner in which these reforms have been proposed and the manner in which they have been forced upon us. If opponents of changes through such normal processes are defeated, so be it. They at least have had their day and their chance to be heard.

President Clinton
Page 3

Finally, I have enclosed copies of recent editorials from the Pueblo Chieftain. Pueblo is notable as being the most Democratic stronghold in Colorado. You'll notice, as I have, that the Chieftain's editors like NAFTA, but dislike this grazing bill.

Sincerely,

A handwritten signature in cursive script, reading "Ben Nighthorse Campbell". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Ben Nighthorse Campbell
U.S. Senator

Page 2F The Chieftain, Pueblo, Colo., Sunday, November 7, 1993

The Sunday Chieftain & Star-Journal

FRANK S. HOAG, General Manager, Publisher, President—1904-1963

FRANK S. HOAG, JR., Chairman, Publisher, President—1931-1989

ROBERT H. RAWLINGS, Publisher and Editor

Courageous stand

PRESIDENT CLINTON has shown great courage in pressing for passage of the North American Free Trade Agreement.

He's been buffeted by powerful members of his own party, including Democratic leaders in the House of Representatives. Big Labor, which has been a strong supporter of his, has railed against NAFTA as if it were the Devil incarnate. The president has even shown he's not afraid to speak out against Ross Perot, but then maybe the Texan billionaire's popularity is a mile wide and an inch deep.

The argument used most often against NAFTA's approval has been about jobs. Approve NAFTA, its opponents say, and jobs will go south of the border. Notice that no one is claiming jobs would go north of the border.

No, they would go to Mexico. Mexican peons would work for slave wages at jobs now held by Americans.

But the giant sucking sound is not from jobs going south; it's from the vacuous statements by the NAFTA-hating Perot. For a gentleman who's been so successful in business, you'd think he'd know better.

Then again, he is probably worried about losing his business edge with his duty-free airport in Texas. His U.S. competitors would be on the same level playing field.

The passage of NAFTA would have nothing to do with jobs going south. Companies wishing to relocate to Mexico — or Southwest Asia, for that matter — can do that with or without NAFTA. Only a small proportion of U.S. companies has moved portions of their operations out of the country.

The only thing that might drive jobs south would be the passage of the Clinton health-insurance scheme with its mandated coverages. But health-insurance legislation is a way off yet.

President Clinton has it right with NAFTA, though. The lesson of the Articles of Confederation are instructive, and he has learned the lesson.

When the United States broke from England, the Articles treated each state as almost a fully sovereign nation. States erected trade barriers among themselves. Commerce ground to a halt.

The Constitutional Convention was in large part a result of the ensuing economic disaster. The Constitution guaranteed free flow of trade among the states, and the fledgling nation prospered.

Then there is the lesson of the Great Depression. Despite the Democrat myth that it was caused by Herbert Hoover, the Depression was the result of a series of retaliatory trade restrictions. Congress' reaction was to pass the Smoot-Hawley Act, which virtually closed America's doors to foreign trade, and the economy collapsed.

Indeed, this nation, despite isolationist swings from time to time, never has been able to succeed without robust foreign trade. NAFTA would open up the world's largest trading bloc, stretching from the Arctic Circle to Central America, allowing unprecedented job opportunities for Americans.

The president should be admired for his courage on this one. Let us hope he can gain the support of enough House Democrats to win approval of NAFTA.

The Pueblo Chieftain

FRANK S. HOAG, General Manager, Publisher, President — 1904-1963

FRANK S. HOAG, JR., Chairman, Publisher, President — 1931-1969

ROBERT H. RAWLINGS, Publisher and Editor

Water war

THE LIBERAL wing of the Democratic party is pressing its assault on the long-held multiple-use doctrine of public lands through subterfuge. In particular, it is an attack on Colorado and its water, an attack that could have debilitating consequences for this state's cities.

The Democrats have included in the Interior Appropriations Bill a "compromise" between the administration's insistence on increased grazing fees and those who would have no or moderate increases, such as the bill sponsored by Sen. Ben Nighthorse Campbell of Colorado.

The subterfuge is that drastic new environmental rules and regulations have been added to the appropriations bill. The liberals are trying to force them through with the threat that the bill's failure would shut down a giant federal agency. Grazing fees are but a smokescreen.

The bill contains 19 new pages of provisions asserting federal dominance over states' water laws. Sen. Hank Brown of Colorado complained last week that none of this new language has had proper hearing.

Gov. Roy Romer is alarmed that the bill would tear asunder Colorado's historic doctrine of allocating water for beneficial private and public use. In that vein, Rep. Scott McInnis notes that the bill could sharply curtail Colorado cities from using water which somewhere along a streamflow crosses public lands.

What is interesting is who is behind this, Interior Secretary Bruce Babbitt and Sen. Harry Reid, D-Nev., the sponsor of the "compromise." Both have transparent, parochial interests.

Babbitt is a former governor of Arizona. Limiting Colorado's access to its own water as determined by the Colorado River Compact would benefit Arizona, which already takes huge volumes from the river through the Central Arizona Project.

Likewise, Nevada would benefit from extra Colorado water as it builds huge casinos and golf courses on a thirsty desert floor. California politicians are on board, too, eyeing more water for the overbuilt Los Angeles Basin.

These politicians know they probably could not ride roughshod over the Colorado River's Upper Basin states without more ammunition. So the grazing fees and other environmental provisions, popular with the anti-growth environmentalist industry, are in the bill. The combination of California and Nevada growth interests and the environmentalist lobby, while a marriage of strange political bedfellows, makes perverse sense.

Would the Reid "compromise" do damage to the Colorado River Compact? On the surface, logic would say it could.

Some bureaucrat down the line could rule that the water shipped under the Continental Divide from the Colorado River Drainage Basin into the Arkansas River — including water owned by the city of Pueblo — should remain on the West Slope so as to maintain predetermined environmental standards there. And, by coincidence, flow on to Nevada, Arizona and California.

But then again, as Sen. Brown pointed out, the issue has not been forced to go through the legislative forge of full hearings.

During a demonstration by ranchers against the bill in Canon City last week, one commented that "I am one of the biggest endangered species in Colorado right now." The residents of Colorado's cities are part of that species, too.

We urge Sens. Brown and Campbell to fight this attempted grab of Colorado water and water rights with all of the political coinage at their command.

This is war.

THE WHITE HOUSE
WASHINGTON

DATE: 12/11/93

TO: Rahm Emanuel, David Gergen

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

The attached has been forwarded
to the President.

046958

THE WHITE HOUSE

WASHINGTON

93 DEC 10 P6:18

December 10, 1993

MEMORANDUM TO THE PRESIDENT

FROM: Mark Gearan *mg*
Ann Walker

RE: Example of Corporate Responsibility in Broadcasting

Last week, Pierre Sutton, chairman of Inner City Broadcasting Corporation, announced that the company's five radio stations, including New York's WBLS, will no longer play songs that advocate violence or are disrespectful toward women or gays.

In last Tuesday's announcement, Sutton explained: "We are taking this initiative because of the effects of violent material disseminated by the media on our nation's youth. We are simply not interested in broadcasting material that advocates violence against women, homosexuals and other groups." In my conversation with him today he added, "We are exercising our responsibility as a broadcaster in the community. This is not against rap music but it is against misogyny, homophobia and violence."

A committee of five people (including two women) will screen all music before it is played on-air. If anyone one on the committee vetoes a song, it will not be played. This will also hold true for Inner City's syndicated TV shows, "It's Showtime at the Apollo" and "The Apollo Comedy Hour." In addition, records that are produced in two versions to circumvent the ban, one "clean" radio version and another record store version, will not be played at all.

Other stations that have also adopted the "no play" policy are Los Angeles stations KACE, owned by former Green Bay Packer Willie Davis, and KGLH, Stevie Wonder's station.

Billboard, a music industry publication, reported last week that a group called Stop the Violence / Increase the Peace Foundation is organizing a boycott of Ford Motor Co. and other sponsors advertising on Los Angeles station KPWR-FM, saying that the station airs songs with sexually explicit, violent or racially derogative lyrics.

Pierre "Peppy" Sutton can be reached today at 212-878-1500 and tomorrow morning at 201-831-7772 or 212-281-1754.

(Pierre's father, Percy Sutton, is the former Manhattan Borough President and Inner City's founder).

THE WHITE HOUSE
WASHINGTON

DATE: 12/10/93

\ **NOTE FOR:** SECRETARY LES ASPIN

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

Information ☒ X

Action ☐

Thank you.

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

cc:

THE WHITE HOUSE
WASHINGTON

December 9, 1993

Michael T. Flynn
Southwestern Bell Telephone
1111 West Capitol Avenue
Little Rock, Arkansas 72203

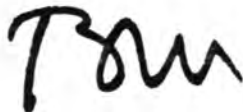
Dear Mike:

Thanks for your letter and for sharing with me the information about the proposal made by the Arkansas Industrial Development Commission to the Department of Defense to locate a Finance Accounting Service Center at Camp Robinson.

It is my understanding that the Department of Defense, in conjunction with the Finance Accounting Service, is currently reviewing all the proposals for the location of the new centers. While the review process is not yet complete, I am sure that Camp Robinson will receive full and fair consideration.

I have forwarded your letter Secretary Aspin, and I thank you again for writing.

Sincerely,

A handwritten signature in black ink, appearing to be "Bill Clinton", written in a cursive style.

Southwestern Bell

November 30, 1993

The President
The White House
1600 Pennsylvania Ave., N.W.
Washington, D. C.

Michael T. Flynn
President
Arkansas Division

Dear Mr. President:

Our paths crossed only briefly as I came to Arkansas and you went to Washington. Both of us have been busy! Congratulations on a very good start to a very tough job.

Among the many other things I have found so easy and rewarding to be involved in here in Arkansas, I am the vice president-economic development for the Greater Little Rock Chamber of Commerce. As you can imagine, we are riding a wave of new interest in Arkansas thanks solely to you. Specifically, I am writing to bring your attention to a proposal made by the AIDC to the Department of Defense for consideration as the site of a DOD Finance Accounting Service Center.

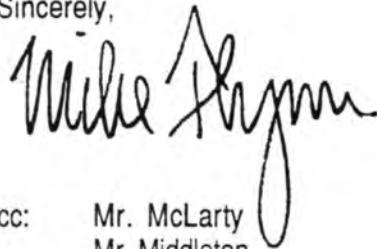
This facility could mean as many as 4000 new jobs for Arkansas. We have prepared for this opportunity and you are well aware of the "extra" benefits we offer. AIDC's comprehensive proposal includes provisions for building the center at Camp Robinson on a site that is available at no cost to the federal government. An aggressive incentive package targeted at those employees who move to Arkansas has also been offered.

Obviously, your influence in this decision is measured but I'm sure you know how important it is to us here. I ask that you make every effort to see that the Arkansas proposal is given fair consideration.

You probably don't even give it a thought but Southwestern Bell is proud to serve the President's communications needs when you are traveling in our five states, particularly back home in Arkansas.

While quite an extra effort is involved, our employees are honored and challenged every time. Of course, if there is ever a problem, you know who to call.

Sincerely,



cc: Mr. McLarty
Mr. Middleton
Mr. Lindsey
Mr. Latture

1111 West Capitol
Little Rock, AR 72203

Phone 501 373-3383

THE WHITE HOUSE

WASHINGTON

December 10, 1993

MEMORANDUM TO THE VICE PRESIDENT

FROM: JOHN PODESTA *JP*
SUBJECT: Escrow Encryption Standard

Ray Kammer of NIST sent me the attached memo concerning promulgation of a NIST procurement standard for the clipper chip. Last April, the President directed NIST to issue such a standard. Following the requisite notice and comment rulemaking proceeding, the Department of Commerce and NIST are concerned that the issuance of the standard will not survive a court challenge and have, therefore, raised the possibility of delaying the issuance of a standard. They propose, instead, procuring clipper devices under an existing waiver authority.

Relying on this waiver authority may be a more prudent legal strategy, but could also signal the Administration's reluctance to move forward with clipper.

The Justice Department, NSC, and NSA all recommend issuance of the standard despite the risk of loss in litigation.

I think that view will prevail unless you prefer the second option or wish to have further discussion before a final decision is made.

cc: Leon Fuerth
Mike Nelson
George Tenant

faxed to Leon
6042
distributed the
rest
—

**NIST**

UNITED STATES DEPARTMENT OF COMMERCE
National Institute of Standards and Technology
Gaithersburg, Maryland 20899
OFFICE OF THE DIRECTOR

93 DEC 9 All : 03

DEC 9 1993

MEMORANDUM FOR John D. Podesta
Assistant to the President and Staff Secretary

From: Raymond G. Kammer
Deputy Director

Subject: Escrow Encryption Standard

Last spring the President decided that the government would adopt key escrow encryption technology as a method of providing communications security while preserving the legitimate needs of law enforcement to access and understand communications under the authority of a court order. The President also commissioned an NSC-led study to review cryptography issues related to privacy, economic competitiveness, law enforcement and national security.

In implementing the President's instructions, the Secretary of Commerce published a draft Escrow Encryption Standard (EES) for public comment. The EES would, in effect, be a procurement specification for the Federal government. Of the 310 comments received, 306 were in opposition to the standard. While there are substantive and appropriate responses to the objections raised (many were similar in content) it seems prudent to assume that we will receive a challenge in court if we proceed to final issuance of EES.

The Departments of Justice and Commerce have analyzed our vulnerabilities and identified several options, two of which are proposed for your consideration:

Option 1 Issuance of the EES. The DOJ believes that we have colorable arguments to defend our position and would likely prevail in court. DOJ points out that if we later discovered that we were unexpectedly vulnerable, we could always issue a modified EES to repair any defects.

Pros:

- Responds to the letter and intent of the President's instructions.

- Displays firm commitment to the EES technology, improving the chances of the EES being adopted by the private sector.

Cons:

- The likely court challenge will extend the public debate over EES, which discourages wide adoption of the technology.
- A finding in favor of the U.S. Government is not guaranteed. A loss in court could very well seriously damage chances of public adoption of EES.

Option 2 Delay issuance of the EES and, instead, use existing mechanisms to permit procurement of EES equipment. Under existing authorities already available to agency heads, use waivers of the existing Federal standard to encryption technology. This would allow Federal agencies to purchase escrow encryption products, notwithstanding the requirements of the existing standard. Final issuance of the EES could follow later when we were more confident of our legal position.

Pros:

- Can be implemented immediately.
- Reduces the probability of litigation.

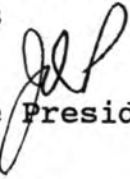
Cons:

- Will likely be perceived as a lessening of the Government's commitment to the escrow encryption concept.
- May lead to patchwork implementation of EES by Federal agencies, thereby lessening the likelihood of success in meeting the objective of establishing EES as the encryption method used by the private sector.
- A legal challenge could arise from a blanket delegation to the individual agencies of authority to establish EES.

THE WHITE HOUSE
WASHINGTON

December 9, 1993

MEMORANDUM FOR ANTHONY LAKE
Assistant to the President for National
Security Affairs

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

SUBJECT: Receipt of Senate Resolutions

Attached for your information and appropriate action are copies of two Senate resolutions (S.Res. 162, S.Res. 165) received at the White House on December 8, 1993. I have also forwarded a copy of S. Res. 162 to Secretary Christopher.

S. Res. 162

In the Senate of the United States,

November 20 (legislative day, November 2), 1993.

Whereas Hugo Princz and his family were United States citizens residing in Europe at the outbreak of World War II;

Whereas as civilians, Mr. Princz and his family were arrested as enemy aliens of the German Government (not prisoners of war) in early 1942;

Whereas the Government of Germany, over the protests of Mr. Princz's father, refused to honor the validity of the Princz family's United States passports on the grounds that the Princz family were Jewish Americans and failed to return the Princz family to the United States as part of an International Red Cross civilian prisoner exchange;

Whereas the Princz family was instead sent to Maidanek concentration camp in Poland, after which Mr. Princz's father, mother and sister were shipped to Treblinka death camp and exterminated;

Whereas Mr. Princz and his two younger brothers were transported by cattle car to Auschwitz to serve as slave laborers, where Mr. Princz was forced to watch as his two siblings were intentionally starved to death while they lay injured in a camp hospital;

Whereas Mr. Princz was subsequently transferred to a camp in Warsaw and, then, by death march, to the Dachau slave labor facility;

Whereas in the closing days of the war, Mr. Princz and other slave laborers were selected for extermination by German authorities in an effort to destroy incriminating evidence of war crimes;

Whereas hours before his scheduled execution, Mr. Princz's death train was intercepted and liberated by United States Armed Forces, and Mr. Princz was sent to an American military hospital for treatment;

Whereas although the actions of the United States Army saved Mr. Princz's life, he was sent to an American facility and was never processed through a "Center for Displaced Persons", a development which would later affect his eligibility to receive reparations for his suffering;

Whereas following his hospitalization, Mr. Princz was permitted to enter then-Communist-occupied Czechoslovakia to search for family members, and, after determining that he was the sole survivor, Mr. Princz traveled to America where he was taken in by relatives;

Whereas in the early 1950s, the Federal Republic of Germany (FRG) established a reparations program for "survivors", to which Mr. Princz made timely application in 1955;

Whereas Mr. Princz's application was rejected, and Mr. Princz has argued that his rejection was based on the grounds that he was a United States national at the time of his capture and later rescued and not a "stateless" person or "refugee";

Whereas Mr. Princz has not received relief from the Federal Republic of Germany in the intervening 40 years;

Whereas Mr. Princz's diplomatic remedies were exhausted by late 1990, forcing him to sue the Federal Republic of Germany in the Federal District Court for the District of Columbia in 1992;

Whereas the Court denied Germany's dismissal motion and determined Mr. Princz's situation to be *sui generis*, given Germany's concurrence with the material facts in the case and its simultaneous failure to accept financial responsibility with respect to Mr. Princz, when it has distributed billions of dollars in compensation to other Nazi death camp survivors, simply because of his American citizenship at the time of Mr. Princz's capture and later rescue;

Whereas the trial is now stayed pending Germany's appeal to the District of Columbia Circuit to require the case to be dismissed on grounds of sovereign immunity; and

Whereas Germany's refusal to redress Mr. Princz's unique and tragic grievances and to provide him a survivor's pension undercuts its oft-voiced claims to have put its terrible past behind it: Now, therefore, be it

Resolved, That it is the sense of the Senate that the President and Secretary of State should—

(1) raise the matter of Hugo Princz with the Federal Republic of Germany, including the Chancellor and Foreign Minister, and take all appropriate steps necessary to ensure that this matter will be expeditiously re-

solved and that fair reparations will be provided Mr. Princz; and

(2) state publicly and unequivocally that the United States will not countenance the continued discriminatory treatment of Hugo Princz in light of the terrible torment he suffered at the hands of the Nazis.

Attest:

Walter J. Stewart

Secretary.



S. Res. 165

In the Senate of the United States,

November 20 (legislative day, November 2), 1993.

Whereas Pan American Airways Flight 103 was destroyed by a terrorist bomb over Lockerbie, Scotland, on December 21, 1988;

Whereas the bombing killed 270 people, and 189 of those killed were citizens of the United States, including the following citizens from 21 States, the District of Columbia, and United States citizens living abroad:

(1) ARKANSAS.—Frederick Sanford Phillips.

(2) CALIFORNIA.—Jerry Don Avritt, Surinder Mohan Bhatia, Stacie Denise Franklin, Matthew Kevin Gannon, Paul Isaac Garrett, Barry Joseph Valentino, Jonathan White.

(3) COLORADO.—Steven Lee Butler.

(4) CONNECTICUT.—Scott Marsh Cory, Patricia Mary Coyle, Shannon Davis, Turhan Ergin, Thomas Britton Schultz, Amy Elizabeth Shapiro.

(5) DISTRICT OF COLUMBIA.—Nicholas Andreas Vrenios.

(6) FLORIDA.—John Binning Cummock.

(7) ILLINOIS.—Janina Jozefa Waido.

(8) KANSAS.—Lloyd David Ludlow.

(9) MARYLAND.—Michael Stuart Bernstein, Jay Joseph Kingham, Karen Elizabeth Noonan, Anne Lindsey Otenasek, Anita Lynn Reeves, Louise Ann Rogers, George Watterson Williams, Miriam Luby Wolfe.

(10) MASSACHUSETTS.—Julian MacBain Benello, Nicole Elise Boulanger, Nicholas Bright, Gary Leonard Colasanti, Joseph Patrick Curry, Mary Lincoln Johnson, Julianne Frances Kelly, Wendy Anne Lincoln, Daniel Emmett O'Connor, Sarah Susannah Buchanan Philipps, James Andrew Campbell Pitt, Cynthia Joan Smith, Thomas Edwin Walker.

(11) MICHIGAN.—Lawrence Ray Bennett, Diane Boatman-Fuller, James Ralph Fuller, Kenneth James Gibson, Pamela Elaine Herbert, Khalid Nazir Jaafar, Gregory Kosmowski, Louis Anthony Marengo, Anmol Rattan, Garima Rattan, Suruchi Rattan, Mary Edna Smith, Arva Anthony Thomas, Jonathan Ryan Thomas, Lawanda Thomas.

(12) MINNESOTA.—Philip Vernon Bergstrom.

(13) NEW HAMPSHIRE.—Stephen John Boland, James Bruce MacQuarrie.

(14) NEW JERSEY.—Thomas Joseph Ammerman, Michael Warren Buser, Warren Max Buser, Frank

Ciulla, Eric Michael Coker, Jason Michael Coker, William Allan Daniels, Gretchen Joyce Dater, Michael Joseph Doyle, John Patrick Flynn, Kenneth Raymond Garczynski, William David Giebler, Roger Elwood Hurst, Robert Van Houten Jeck, Timothy Baron Johnson, Patricia Ann Klein, Robert Milton Leckburg, Alexander Lowenstein, Richard Paul Monetti, Martha Owens, Sarah Rebecca Owens, Laura Abigail Owens, Robert Plack Owens, William Pugh, Diane Marie Rencevich, Saul Mark Rosen, Irving Stanley Sigal, Elia Stratis, Alexia Kathryn Tsairis, Raymond Ronald Wagner, Dederica Lynn Woods, Chelsea Marie Woods, Joe Nathan Woods, Joe Nathan Woods, Jr.

(15) NEW YORK.—John Michael Gerard Ahern, Rachel Maria Asrelesky, Harry Michael Bainbridge, Kenneth John Bissett, Paula Marie Bouckley, Colleen Renee Brunner, Gregory Capasso, Richard Anthony Cawley, Theodora Eugenia Cohen, Joyce Christine Dimauro, Edgar Howard Eggleston III, Arthur Fondiler, Robert Gerard Fortune, Amy Beth Gallagher, Andre Nikolai Guevorgian, Lorraine Buser Halsch, Lynne Carol Hartunian, Katherine Augusta Hollister, Melina Kristina Hudson, Karen Lee Hunt, Kathleen Mary Jermyn, Christopher Andrew Jones, William Chase Leyrer, William Edward Mack, Elizabeth Lillian Marek,

Daniel Emmet McCarthy, Suzanne Marie Miazga, Joseph Kenneth Miller, Jewell Courtney Mitchell, Eva Ingeborg Morson, John Mulroy, Mary Denice O'Neill, Robert Italo Pagnucco, Christos Michael Papadopoulos, David Platt, Walter Leonard Porter, Pamela Lynn Posen, Mark Alan Rein, Andrea Victoria Rosenthal, Daniel Peter Rosenthal, Joan Sheanshang, Martin Bernard Carruthers Simpson, James Alvin Smith, James Ralph Stow, Mark Lawrence Tobin, David William Trimmer-Smith, Asaad Eidi Vejdany, Kesha Weedon, Jerome Lee Weston, Bonnie Leigh Williams, Brittany Leigh Williams, Eric Jon Williams, Stephanie Leigh Williams, Mark James Zwynenburg.

(16) NORTH DAKOTA.—Steven Russell Berrell.

(17) OHIO.—John David Akerstrom, Shanti Dixit, Douglas Eugene Malicote, Wendy Gay Malicote, Peter Raymond Peirce, Michael Pescatore, Peter Vulcu.

(18) PENNSYLVANIA.—Martin Lewis Apfelbaum, Timothy Michael Cardwell, David Scott Dornstein, Anne Madelene Gorgacz, Linda Susan Gordon-Gorgacz, Loretta Anne Gorgacz, David J. Gould, Rodney Peter Hilbert, Beth Ann Johnson, Robert Eugene McCollum, Elyse Jeanne Saraceni, Scott Christopher Saunders.

(19) RHODE ISLAND.—Bernard Joseph McLaughlin, Robert Thomas Schlageter.

(20) TEXAS.—Willis Larry Coursey, Michael Gary Stinnett, Charlotte Ann Stinnett, Stacey Leanne Stinnett.

(21) VIRGINIA.—Ronald Albert Lariviere, Charles Dennis McKee.

(22) WEST VIRGINIA.—Valerie Canady.

(23) UNITED STATES CITIZENS LIVING ABROAD.—Sarah Margaret Aicher, Judith Bernstein Atkinson, William Garretson Atkinson III, Noelle Lydie Berti, Charles Thomas Fisher IV, Lilibeth Tobila Macalolooy, Diane Marie Maslowski, Jane Susan Melber, Jane Ann Morgan, Sean Kevin Mulroy, Jocelyn Reina, Myra Josephine Royal, Irja Syhnove Skabo, Milutin Velimirovich.

Whereas on November 14, 1991, the United States Government and the Government of the United Kingdom indicted two intelligence agents of the Government of Libya, Abdel Basset Ali Al-Megrahi and Lamen Khalifa Fhimah, in the bombing of Pan American Airways Flight 103;

Whereas on November 27, 1991, the Government of the United Kingdom and the United States Government jointly declared that the Government of Libya must—

(1) surrender for trial all persons in Libya charged with criminal acts relating to the bombing, and accept responsibility for any such acts of officials of such government;

(2) disclose all information in the possession of such government with respect to the bombing, including the names of the persons responsible, and allow full access to any witnesses, documents, and other material evidence (including any bomb detonation timers similar to those used in the bombing) under the jurisdiction of such government; and

(3) pay appropriate compensation to the victims of the bombing;

Whereas on January 21, 1992, the United Nations Security Council adopted Resolution 731 which called on the Government of Libya to comply with the demands referred to in paragraph (4);

Whereas on March 31, 1992, in response to the noncompliance of the Government of Libya with Resolution 731, the United Nations Security Council adopted Resolution 748 which imposed limited economic sanctions on Libya;

Whereas on November 11, 1993, in response to the continued noncompliance of the Government of Libya with Resolution 731, the United Nations Security Council adopted Resolution 883 which imposed further economic sanctions on Libya; and

Whereas the Government of Libya continues to refuse to comply with United Nations Security Council Resolutions: Now, therefore, be it

Resolved, That it is the sense of the Senate that the President should take all appropriate actions necessary to secure the compliance of the Government of Libya with United

Nations Security Council Resolution 731, including, if necessary, the imposition of an embargo on oil produced in Libya.

Attest:

Walter J. Stewart

Secretary.



THE WHITE HOUSE
WASHINGTON

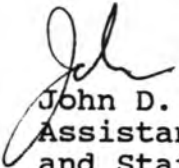
December 9, 1993

The Honorable Warren Christopher
Secretary of State
Washington, D.C. 20520

Dear Mr. Secretary:

Please find enclosed for appropriate action a copy of S.Res. 162
received at the White House on December 8, 1993.

Sincerely,


John D. Podesta
Assistant to the President
and Staff Secretary

S. Res. 162

In the Senate of the United States,

November 20 (legislative day, November 2), 1993.

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Whereas as civilians, Mr. Princz and his family were arrested as enemy aliens of the German Government (not prisoners of war) in early 1942;

Whereas the Government of Germany, over the protests of Mr. Princz's father, refused to honor the validity of the Princz family's United States passports on the grounds that the Princz family were Jewish Americans and failed to return the Princz family to the United States as part of an International Red Cross civilian prisoner exchange;

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Whereas Mr. Princz and his two younger brothers were transported by cattle car to Auschwitz to serve as slave laborers, where Mr. Princz was forced to watch as his two siblings were intentionally starved to death while they lay injured in a camp hospital;

Whereas Mr. Princz was subsequently transferred to a camp in Warsaw and, then, by death march, to the Dachau slave labor facility;

Whereas in the closing days of the war, Mr. Princz and other slave laborers were selected for extermination by German authorities in an effort to destroy incriminating evidence of war crimes;

Whereas hours before his scheduled execution, Mr. Princz's death train was intercepted and liberated by United States Armed Forces, and Mr. Princz was sent to an American military hospital for treatment;

Whereas although the actions of the United States Army saved Mr. Princz's life, he was sent to an American facility and was never processed through a "Center for Displaced Persons", a development which would later affect his eligibility to receive reparations for his suffering;

Whereas following his hospitalization, Mr. Princz was permitted to enter then-Communist-occupied Czechoslovakia to search for family members, and, after determining that he was the sole survivor, Mr. Princz traveled to America where he was taken in by relatives;

Whereas in the early 1950s, the Federal Republic of Germany (FRG) established a reparations program for "survivors", to which Mr. Princz made timely application in 1955;

Whereas Mr. Princz's application was rejected, and Mr. Princz has argued that his rejection was based on the grounds that he was a United States national at the time of his capture and later rescued and not a "stateless" person or "refugee";

Whereas Mr. Princz has not received relief from the Federal Republic of Germany in the intervening 40 years;

Whereas Mr. Princz's diplomatic remedies were exhausted by late 1990, forcing him to sue the Federal Republic of Germany in the Federal District Court for the District of Columbia in 1992;

Whereas the Court denied Germany's dismissal motion and determined Mr. Princz's situation to be *sui generis*, given Germany's concurrence with the material facts in the case and its simultaneous failure to accept financial responsibility with respect to Mr. Princz, when it has distributed billions of dollars in compensation to other Nazi death camp survivors, simply because of his American citizenship at the time of Mr. Princz's capture and later rescue;

Whereas the trial is now stayed pending Germany's appeal to the District of Columbia Circuit to require the case to be dismissed on grounds of sovereign immunity; and

Whereas Germany's refusal to redress Mr. Princz's unique and tragic grievances and to provide him a survivor's pension undercuts its oft-voiced claims to have put its terrible past behind it: Now, therefore, be it

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(1) raise the matter of Hugo Princz with the Federal Republic of Germany, including the Chancellor and Foreign Minister, and take all appropriate steps necessary to ensure that this matter will be expeditiously re-

solved and that fair reparations will be provided Mr. Princz; and

(2) state publicly and unequivocally that the United States will not countenance the continued discriminatory treatment of Hugo Princz in light of the terrible torment he suffered at the hands of the Nazis.

Attest:

Walter J. Stewart

Secretary.

