

Wednesday, December 9, 1998

5

REPRODUCTION  
PROHIBITED

*The Coca-Cola Company*

WASHINGTON, D.C.

98 DEC 9 PM 5:08

*4586*  
*42*

800 CONNECTICUT AVENUE, N.W.  
SUITE 711  
WASHINGTON, D.C. 20006  
TEL: (202) 973-2650  
FAX: (202) 296-0047

JANET HOWARD  
VICE PRESIDENT  
INTERNATIONAL DIPLOMATIC RELATIONS

December 8, 1998

Ms. Nancy Hernreich  
Deputy Assistant to the President  
and Director of Oval Office Operations  
The White House  
Washington, D.C. 20500

Dear Nancy:

In advance of the President's trip to the Middle East this weekend, we wanted to make him aware of our Company's activities and investment in the region.

Attached for his information is this summer's press release announcing our Company's new investment in a bottler located in the Palestinian Authority, as well as an up-to-date fact sheet on our investments throughout the Arab world.

With very best wishes for a successful trip,

Sincerely,

*Janet*

12-9-98

Enclosures

*To Burkhardt for reply?*

*Yes* ☒ *No* ☐

*Coordinate with NSC?*

*Yes* ☒ *No* ☐

*B*

CONTACT: Tim Wilkinson  
Coca-Cola Middle East  
and North Africa

011-44-1753-858-446

**THE COCA-COLA COMPANY ANNOUNCES BOTTLING AGREEMENT WITH  
NATIONAL BEVERAGE COMPANY**

**New Ramallah Bottler To Refresh Local Consumers**

**RAMALLAH, July 24, 1998** -- The Coca-Cola Company expanded its operations in the region today through a partnership with National Beverage Company (NBC), expected to become the largest independent bottler and distributor of soft drinks in the West Bank and Gaza.

NBC will use its extensive distribution network and ties with 15,000 retail outlets to make Coca-Cola products available to nearly 3 million consumers across the territories. Through the alliance, The Coca-Cola Company will acquire a 15 percent shareholding in NBC.

Based in Ramallah's industrial zone, NBC covers a land area of 10,000 square meters, including production and warehouse facilities equipped to the highest standards. It currently employs over 100 local employees with that figure set to rise to 250 in 1999, and will provide opportunities for local supplier companies.

- more -

Sandy Allan, president of Coca-Cola Middle East and North Africa said, "Consumers around the world enjoy the high-quality standards and taste of Coca-Cola products. With National Beverage Company's considerable expertise in the local marketplace, the Coca-Cola system is now able to produce products locally to meet consumer demand in this area."

Zahi Khouri, chief executive officer of National Beverage Company said, "We welcome the opportunity to play a part in building the leadership position of The Coca-Cola Company in this region. With this agreement, we will be able to build infrastructure, boost distribution with more trucks and coolers and hire new employees to serve our customers and consumers."

NBC will produce Coca-Cola, Fanta and Sprite in 330ml cans and 2 litre non-refillable plastic PET bottles. Farouk Fannoush, a veteran of the soft drink industry, has been appointed the general manager.

The Coca-Cola Company is a leading supplier of soft drinks to the Middle East and North Africa region as well as the world's largest beverage company. Along with Coca-Cola, recognized as the world's best-known brand, the Company markets four of the world's top five soft drink brands, including diet Coke, Fanta and Sprite. Through the world's largest distribution system, consumers in nearly 200 countries enjoy the Company's products at a rate of more than a billion servings each day.

###

# fact sheet

## **Coca-Cola in the Arab world**

December 1998

The Coca-Cola Company operates in thirteen Arab markets:

|              |         |         |             |
|--------------|---------|---------|-------------|
| Algeria      | Bahrain | Egypt   | Jordan      |
| Kuwait       | Lebanon | Morocco | Oman        |
| Saudi Arabia | Tunisia | Qatar   | UAE & Yemen |

Additionally, in 1998 The Coca-Cola Company formed a partnership with Ramallah-based National Beverage Company to serve the Palestinian Authority Areas and invested in a 15 per cent equity share in that operation.

**Investment:** The region has benefited from a \$400 million investment by the Coca-Cola system over the past five years. To respond to the rapid growth in consumer demand, a further \$200 million infusion has been scheduled for the next three years. This investment will be used to build and upgrade production facilities, extend distribution networks, place sales equipment and pursue aggressive marketing programs. For example, \$20m dollars has been invested in a new bottling facility in Riyadh, Saudi Arabia that is due to open in early 1999.

**Market leadership:** Coca-Cola products now represent 35 per cent of total sales in the region as a whole. This is double the share of sales held just five years ago and makes 'Coca-Cola' the market leader in soft drinks. In Saudi Arabia alone volume for Company products has almost doubled over the last three years.

**Customers:** The number of the Company's customer accounts, such as restaurants, hotels and shops is increasing to reflect the growing consumer preference for 'COCA-COLA'. In the last two years, for example, every new international account in the region including McDonalds and Wendy's have chosen 'COCA-COLA' as their preferred brand whilst many existing company's have converted to 'COCA-COLA', recent examples include Pizza Hut in Morocco and Bahrain.

**Employment:** The Coca-Cola system (bottlers and company) directly employs nearly 20,000 local people in the Arab world.

**Partners:** Throughout the Arab world The Coca-Cola Company works in partnership with local companies who between them own and operate nearly forty bottling plants with a combined total of more than a hundred production lines.

**Community:** The Company prides itself in its community programmes throughout the Arab world which vary from providing computers for schools in Egypt, encouraging environmental awareness in the Gulf to supporting the development of football skills in Kuwait and the sponsorship of national football teams in Saudi Arabia and Morocco.

**UNIVERSAL SERVICES, INC.**  
*World Trade & Technology Transfer Specialists*



www.ChinaPRC.com  
- OR -  
www.AsiaServices.com

December 8, 1998

Dear President Clinton:

'98 DEC 9 PM5:08

We realize that you have many political advisors, experts, and consultants.

But this letter with a "proposed" speech for public address, is from the heartland of America.

We support you totally, but we address...soon. 12-9-98 A final public

*To Burkhardt for reply?*

Hopefully, the attached "message" response. Yes ☒ No ☐

Very truly,

*Craig S. Wilson*  
Craig Wilson

*C.*

P.S.:

Our greatest fear is that you'll never see, nor read, this letter. The 'Presidency' can be such an isolated position . . .so we are sending it by Fed-Ex to Mrs. Betty Currie, despite the expense.

**UNIVERSAL SERVICES, INC.**  
*World Trade & Technology Transfer Specialists*



[www.ChinaPRC.com](http://www.ChinaPRC.com)

- OR -

[www.AsiaServices.com](http://www.AsiaServices.com)

December 8, 1998

Dear President Clinton:

'98 DEC 9 PM5:08

We realize that you have many political advisors, experts, and consultants.

But this letter with a "proposed" speech for public address, is from the heartland of America.

We support you totally, but we also recognize what you must do. A final public address...soon.

Hopefully, the attached "message" will help influence your timely response.

Very truly,

Craig Wilson

P.S.:

Our greatest fear is that you'll never see, nor read, this letter. The 'Presidency' can be such an isolated position . . .so we are sending it by Fed-Ex to Mrs. Betty Currie, despite the expense.

This message is not to Republicans or to Democrats. This message is to the American people.

It is clearly evident that I have embarrassed myself by my own actions. By my own failure to live a perfect life in the instance that has received so much public attention.

Do I apologize to all American citizens, to all elected Democratic and Republican officials. Yes, I certainly do apologize. . Most of all, I apologize to you, the American public. I am guilty of being human, having made an error of judgement.... completely wrong in this instance, and there is no excuse.

I am guilty of not living an absolutely perfect life.

I am guilty of letting you down, as regards upholding the highest and perfect moral standards.

You elected me to be the best that I can be on your behalf, representing you and our country.

I have tried to be the best that I, personally, can be. That's my duty to you and to our country.

Many have said that I need to be more humble. But, as your elected President, to "coin" a Country-Western phrase, *it's hard to be too humble*. My duties, as your President, require a position of strength, a position of certainness, a position of knowing where America is going in the 21<sup>st</sup> century. Every day I deal with allies and adversaries.

Yes, I admit an error in personal judgement. I apologize to all my fellow American citizens for my embarrassment and for their embarrassment.

But, there's a point where it all should come to closure: for you and for me. For highly technical legal reasons, that legal and constitutional scholars will continue to debate, my hands are literally tied.

I'm in a figurative "Catch-22" position. It's what many would call a Lose-Lose predicament. It's a matter of what the experts call 'intensity.' How 'intensity' should I be punished for my error? The law does not take into account the factor of 'intensity.' I will work to remedy that. As President George Bush has said, we need to develop a "...more friendly, a more kindly America..."

This matter concerns the most private behaviors of my "personal" life and my inappropriate personal behavior. Despite the sensationalism, I can only ask you to forgive me, and to help us all, as Americans, bring to a close this costly and unfortunate episode in my personal life.

As your President, I remain committed to doing what is best for our country. I love America...I love my family,,,I love all of you.... I ask for your understanding and forgiveness.

It's most important that we all move forward, keep American strong and prosperous, as we all prepare for the 21<sup>st</sup> Century and the challenges that lay ahead. However, this episode has convinced me that our laws need to recognize this phenomena of "intensity." We need to revisit our voluminous laws with a view towards 'letting the punishment more appropriately fit the offense. That's for the benefit of all Americans for decades to come.

Thank you for both your support and your confidence in my job as your President.



'98 DEC 9 PM5:08

## NATIONAL PRESS CLUB

529 14th Street, NW  
Washington, DC 20045

(202) 662-7500  
FAX (202) 662-7512

Dear Fellow Member:

Welcome to another exciting year at the National Press Club. This year we have changed our renewal format. Instead of a new membership card, you will find the enclosed renewal sticker for 1999. You can continue to use your blue 1998 membership card by affixing only the smaller "1999" section of the sticker insert to the front lower-right side of your current membership card. This sticker shows your renewed membership for 1999 and is your passport to our many professional programs, entertainment and many other services.

We have an exciting lineup of events and programs in store for you in the coming year. Take advantage of all the Club has to offer - two restaurants, a fitness center and state-of-the-art library, Washington's center for news research and computer-assisted journalism classes. We now have reciprocal privileges with more than 40 clubs around the world. You can keep informed about upcoming events and club news by visiting our web page at <http://npc.press.org>. Our website also offers immediate access to our annual Directory of News Sources and you will soon be able to visit the web pages of many of our reciprocal clubs.

The Club's strength is the involvement of its members. If there is a committee that interests you, call the committee chairperson or the Membership office at (202) 662-7505 to get involved. Please take stock in your club's future by helping our efforts grow. Any opportunity you have to talk up the NPC to potential members will benefit both you and the Club. Watch for periodic promotions that reward members for helping to recruit their colleagues such as the One-On-One campaign in progress through December 31<sup>st</sup>.

On behalf of the Board of Governors and the staff of the National Press Club, thanks for your continued support and participation.

Sincerely,

Tammy Lytle  
Membership Secretary

12-9-98

Who should

1) reply? \_\_\_\_\_

2) pay renewal? \_\_\_\_\_

Don Burkhardt  
Wardley D.  
his each year  
I think  
Paul



## A NATIONAL PRESS CLUB MEMBERSHIP SURVEY

*Please take a few moments to answer these questions.*

The National Press Club considers every member a valuable part of our organization. We work hard to offer our members the services and programs that make the Club an important professional and social gathering place. Your response to this brief survey will help us improve and expand our members' services.

### 1. What particular programs or services motivated you to join the Club?

- |                                                        |                                                      |
|--------------------------------------------------------|------------------------------------------------------|
| <input type="checkbox"/> Network/Prestige              | <input type="checkbox"/> Professional Programs       |
| <input type="checkbox"/> Friedheim Information Center  | <input type="checkbox"/> Special Events              |
| <input type="checkbox"/> Luncheons/News-makers         | <input type="checkbox"/> Restaurants                 |
| <input type="checkbox"/> Job Listings                  | <input type="checkbox"/> Fitness Center              |
| <input type="checkbox"/> Reciprocal Clubs              | <input type="checkbox"/> Discounts on Catered Events |
| <input type="checkbox"/> Book Raps                     |                                                      |
| <input type="checkbox"/> Other (please explain): _____ |                                                      |

### 2. Please indicate your opinion on the following:

- |                        |                                    |                               |                               |                               |
|------------------------|------------------------------------|-------------------------------|-------------------------------|-------------------------------|
| Professional Programs  | <input type="checkbox"/> Excellent | <input type="checkbox"/> Good | <input type="checkbox"/> Fair | <input type="checkbox"/> Poor |
| Entertainment Programs | <input type="checkbox"/> Excellent | <input type="checkbox"/> Good | <input type="checkbox"/> Fair | <input type="checkbox"/> Poor |
| Member Services        | <input type="checkbox"/> Excellent | <input type="checkbox"/> Good | <input type="checkbox"/> Fair | <input type="checkbox"/> Poor |
| Food Services:         |                                    |                               |                               |                               |
| Reliable Source        | <input type="checkbox"/> Excellent | <input type="checkbox"/> Good | <input type="checkbox"/> Fair | <input type="checkbox"/> Poor |
| Fourth Estate          | <input type="checkbox"/> Excellent | <input type="checkbox"/> Good | <input type="checkbox"/> Fair | <input type="checkbox"/> Poor |
| Staff Responsiveness   | <input type="checkbox"/> Excellent | <input type="checkbox"/> Good | <input type="checkbox"/> Fair | <input type="checkbox"/> Poor |
| Record Content         | <input type="checkbox"/> Excellent | <input type="checkbox"/> Good | <input type="checkbox"/> Fair | <input type="checkbox"/> Poor |
| Catering Services      | <input type="checkbox"/> Excellent | <input type="checkbox"/> Good | <input type="checkbox"/> Fair | <input type="checkbox"/> Poor |

### 3. Please assess the value of the following member services:

- |                            |                                    |                               |                               |                               |
|----------------------------|------------------------------------|-------------------------------|-------------------------------|-------------------------------|
| Eric Friedheim Library     | <input type="checkbox"/> Excellent | <input type="checkbox"/> Good | <input type="checkbox"/> Fair | <input type="checkbox"/> Poor |
| Fitness Center             | <input type="checkbox"/> Excellent | <input type="checkbox"/> Good | <input type="checkbox"/> Fair | <input type="checkbox"/> Poor |
| Complimentary Breakfast    | <input type="checkbox"/> Excellent | <input type="checkbox"/> Good | <input type="checkbox"/> Fair | <input type="checkbox"/> Poor |
| Cellular Phone Service     | <input type="checkbox"/> Excellent | <input type="checkbox"/> Good | <input type="checkbox"/> Fair | <input type="checkbox"/> Poor |
| Reciprocal Clubs           | <input type="checkbox"/> Excellent | <input type="checkbox"/> Good | <input type="checkbox"/> Fair | <input type="checkbox"/> Poor |
| Insurance Plan             | <input type="checkbox"/> Excellent | <input type="checkbox"/> Good | <input type="checkbox"/> Fair | <input type="checkbox"/> Poor |
| Legal Services Plan        | <input type="checkbox"/> Excellent | <input type="checkbox"/> Good | <input type="checkbox"/> Fair | <input type="checkbox"/> Poor |
| Front Desk                 | <input type="checkbox"/> Excellent | <input type="checkbox"/> Good | <input type="checkbox"/> Fair | <input type="checkbox"/> Poor |
| Directory of News Sources  | <input type="checkbox"/> Excellent | <input type="checkbox"/> Good | <input type="checkbox"/> Fair | <input type="checkbox"/> Poor |
| Additional Comments: _____ |                                    |                               |                               |                               |

4. Do you use the NPC website? ☐ Yes ☐ No

Please rate the website ☐ Excellent ☐ Good ☐ Fair ☐ Poor

Please make comments on which parts you like and dislike: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Please check your membership category from the following:

|                                    |                                           |                 |                                       |
|------------------------------------|-------------------------------------------|-----------------|---------------------------------------|
| <input type="checkbox"/> Active    | <input type="checkbox"/> Graduate Student | <b>Are you:</b> | <input type="checkbox"/> Under 34     |
| <input type="checkbox"/> Affiliate | <input type="checkbox"/> Other _____      |                 | <input type="checkbox"/> Non Resident |
| <input type="checkbox"/> Associate |                                           |                 | <input type="checkbox"/> Over 65      |

6. Please state your years of membership: \_\_\_\_\_

Please offer any additional comments or suggestions.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Mail your response to Suzannah L. Rubens, National Press Club 529 14<sup>th</sup> St. NW, Washington, DC 20045 or fax 202.662.7512.

DUANE MOODY

White House  
Attention: Ms. Betty Currie  
Washington, D. C. 20500

December 7, 1998

Dear Mr. President

My name is Duane Moody and I am doing a follow up to the music cassette; I sent you earlier this year entitled "**Here We Go Again**". The music cassette honor the return of one, of the NFL's most legendary football teams, the Cleveland Browns to the place where they have been missed the most Cleveland, Ohio. **Monday, August 9, 1999**, in Canton, Ohio home of the NFL Hall of Fame. The **New Cleveland Browns** will be kicking off to the Dallas Cowboys in this Monday night televised Hall of Fame game. During the half time event I will be recreating this music video live, with all of the original performers who participated in the making of this video in front of a sold out stadium.

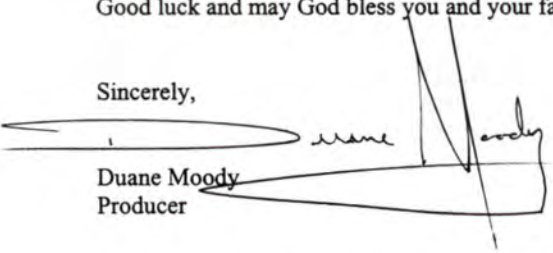
Mr. President, sir we would be honored if you could participate in any of the following areas:

1. **The Coin Toss**
2. **Performing a saxophone solo ( that is in the Cleveland Browns "Here We Go Again" video ).**
3. **Letter of Congratulations (to the City of Cleveland, Ohio for the return of the legendary Cleveland Brown Football Team) which will be read at game time.**

In the event that you are unable to participate at all, please know that I understand and appreciate your time. Please accept the following as a sincere token of my appreciation for your time and consideration. Please find enclosed your very own personalized new Cleveland Brown team jacket, CD, cassette, and a video tape of the new Cleveland Browns theme song "**Here We Go Again**".

Good luck and may God bless you and your family.

Sincerely,

  
Duane Moody  
Producer

P.S. Mr. President, sir what do you think of your saxophone solo stand/end Clarence Clemons ( from Bruce Springsting band)?

1612 W. 113 TH St. \*Los Angeles, CA 90047  
Phone: (310) 358-6407

12-9-98

To Burkhardt for reply?  
Yes ☒ No ☐

cc: Scheduling?  
Yes ☒ No ☐

Dr-  
Is Message Appropriate?  
B.

The Disarmament Committee of the Loretto Community

515 Nerinx Road, Nerinx, Kentucky 40049-9999

President William Clinton  
President, United States of America  
1600 Pennsylvania Avenue  
Washington, D. C.

Dear President Clinton:

It is our privilege and pleasure, to commend you, The Honorable David Trimble, President Gerry Adams, The Honorable John Hume, The Honorable Bertie Ahern, Secretary of State for Northern Ireland Mo Mowlam, The Honorable Tony Blair, and Senator George Mitchell to offer you our thanks for your dedication to the peace process in Northern Ireland.

Your persistence, your openness to new ideas and your willingness to conciliate has set an example to the rest of the world.

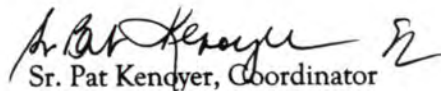
We, the Disarmament committee of the Loretto Community, mirroring the admiring sentiments of the larger community of Sisters and Co-members, are further inspired in our work for Peace, Justice and Human Rights. You give us hope.

It was clear that in naming some of your number, the Nobel Committee truly commends you all, as well as the citizens without whose support the Accord would not have been possible. Would you please extend our deep appreciation to all of the people who worked with you.

As you know, Sadako of the Thousand Cranes teaches us the horror of nuclear war. The Loretto Community has been sending a statue of her with an accompanying study program for school children around the United States as one of our projects to sow the seeds of peace. Your work will now add a chapter to our story: "How People of Vision Can Make Peace Happen."

Just as the names of Sadako, Ghandi and Mandella have become synonymous with peace beyond their borders, so your names will become a part of history.

Sincerely,



Sr. Pat Kenoyer, Coordinator  
On behalf of the Disarmament Committee

To Dan B for  
reply

Coord with MKC

Phil 12/9

KAY,

AMB. SODERBERG  
ACCEPTED THIS AWARD  
ON BEHALF OF THE  
PRESIDENT.

FIONA

12/8

12-9-98

Send to Burkhardt for Gitt Reply

Yes ✓

No           

Send cc to Scheduling?

Yes ✓

No

# VIBE®

CC!  
Giz Unit

212-456-7466  
New York, New York, 10023

THE PRESIDENT HAS SEEN

12-9-98

Farai Chideya  
Correspondent



ABC News  
47 West 66th Street  
New York, NY 10023  
(212) 456-3622  
Fax (212) 456-3625  
E-mail chideya@abc.com



Dear Mr. President:

I am writing to send you galley of a book I've written on the future of race, called "The Color of Our Future." I understand that you read and enjoyed my first book, "Don't Believe the Hype: Fighting Cultural Misinformation About African-Americans." I got a call from your speechwriting office shortly before the address you gave on race in the summer of 1996. At the time, I was in a small town called Delphi, Indiana, reporting part of my upcoming book.

In this book, I travel the country speaking to young Americans of all races and backgrounds, in an effort to assess the cultural, political and socioeconomic changes that diversity will bring. In the first chapter, which provides an overview of the issues, I specifically mention the President's Initiative on Race. I appreciate the fact that you put the panel together and tried to explicitly address this massive issue.

In addition, I've been trying for some time to see if I could interview you for Vibe magazine, which has a young-multiracial audience. Your time is understandably precious. But I appreciate the fact that you chose my friend Tavis Smiley's show as the vehicle for your first interview in some time. If your schedule permits, I know our readers would appreciate even a brief interview.

Thank you so much for your time.

Sincerely,

Farai Chideya

12-8-93

Carol -

Send to Scheduling  
for interview request.  
Giz Unit will acknowledge  
8th!

THE PRESIDENT HAS SEEN

12-9-98

THE WHITE HOUSE

WASHINGTON

December 8, 1998

Copied  
Ruff  
Cabe  
Podesta

MEMORANDUM FOR THE PRESIDENT

FROM:

PHILLIP CAPLAN *Phil*

DAVID GOODFRIEND *DG*

SUBJECT: Posthumous Pardon for Lt. Henry O. Flipper

The attached memo from Chuck Ruff and Meredith Cabe recommends that you grant a posthumous pardon to Lt. Flipper (who died in 1940) despite the lack of any legal precedent for such a pardon.

**Background.** Lt. Flipper was born a slave in Georgia in 1856, became the first African American West Point graduate and commissioned U.S. Army officer, but was court-martialed and dismissed. He was charged with embezzlement after he discovered a shortfall in his official budget, wrote a bad personal check to cover the shortfall and then misrepresented to his superior officer that he had transmitted the funds from his account when, in fact, he had not.

Upon his arrest, Lt. Flipper was treated more harshly than were white officers in his circumstances; he was imprisoned in a tiny cell, which violated Army regulations prohibiting the jailing of an officer in the guardhouse, until the Secretary of War insisted that he be handled "as though he were white." Lt. Flipper admitted his actions but asserted he had no knowledge of the missing funds; he later successfully raised money from friends to cover the shortfall. Ultimately, he was acquitted of the embezzlement charge but dismissed nonetheless, even though the Judge Advocate recommended that the sentence be reduced and said that there was no case on record of an officer being treated "with such personal harshness and indignity upon the causes and grounds set forth..." Lt. Flipper went on to great achievement, establishing an engineering practice in Arizona and serving as an official of the Department of Justice, the Department of Interior, and the U.S. Senate Foreign Affairs Committee. In 1976, the Army awarded him an honorary discharge, though it denied him reversal of his conviction. He was disinterred and reburied with full military honors.

**Issue/Action.** The Office of the Pardon Attorney currently rejects all applications for posthumous pardons as a matter of policy, but Chuck believes that a pardon is merited based on the unique facts of the case, and that it would not create sweeping new precedent (*i.e.*, the case is so extraordinary that it will be hard for future petitioners to argue their cases are similar -- justifiably it could be the only posthumous pardon ever granted). The primary legal issue raised by the granting of a posthumous pardon is whether the deceased would have accepted the pardon. Chuck is satisfied that, based on evidence that Flipper sought reinstatement, he would have accepted a pardon. *John Podesta* and *Sandy* support this action as do Justice, the Army, Sen. Cleland, Reps. McKinney, John Lewis, and J.C. Watts.

Grant Pardon: ☒

Deny: ☐

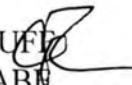
Discuss: ☐

THE WHITE HOUSE  
WASHINGTON

'98 DEC 1 PM 2:59

November 30, 1998

**MEMORANDUM FOR THE PRESIDENT**

FROM: CHARLES F.C. RUFFIN   
MEREDITH E. CABE

SUBJECT: Application for Posthumous Pardon of Henry O. Flipper

**I. Introduction**

Lt. Henry Ossian Flipper, born a slave in Georgia in 1856, was the first African American to graduate from West Point. After graduating from the academy in 1877, Lt. Flipper became the first African American commissioned officer in the regular United States Army. He was court-martialed and found guilty of conduct unbecoming an officer and a gentleman in 1881. He died in 1940. A group of attorneys is seeking a posthumous pardon on Mr. Flipper's behalf.

**II. Offenses**

Lt. Flipper was court-martialed in December, 1881. He was acquitted of the lead charge of embezzlement, but was found guilty of conduct unbecoming an officer and a gentleman. The sole--but mandatory--penalty was dismissal from the U.S. Army. He was dismissed in June, 1882.

**III. Background**

Lt. Flipper was born a slave in Georgia in 1856. In 1873, he received an appointment to West Point. In 1877 he became the academy's first African American graduate. He was commissioned a second lieutenant and assigned to the Tenth Cavalry, also known as the "Buffalo Soldiers," one of only two all-black units in the U.S. Army at the time.

While assigned to Fort Sill, OK, Lt. Flipper was responsible for the design and construction of a system of ditches that drained swamp and marsh land around the Fort. The drainage was necessary to alleviate the malaria that had been a chronic problem for the area. That system, known as Flipper's Ditch, was designated a National Historic Landmark in 1977.

When assigned to Fort Davis, TX, Lt. Flipper became the Assistant Commissary of Subsistence for the Fort. The acts for which he was court-martialed occurred during Flipper's tenure in that position. In July, 1881, Lt. Flipper was directed to forward all funds from the prior fiscal

year (which had ended June 30) to the Chief Commissary. Lt. Flipper discovered that the funds on hand fell short of the amount for which he was responsible. He wrote a check himself for an amount to cover the shortfall, which amounted to nearly half the total amount to be transmitted. His supervisor, Col. Shafter, commented to Lt. Flipper on the size of the check, but Lt. Flipper assured him he had the funds to cover the check. In fact, he did not, and did not have an account at the bank on which the check was to be drawn.

After Col. Shafter reviewed the proposed transmission, Lt. Flipper represented that he had transmitted the funds. He instead withheld the transmission, hoping that some of the commissary's customers would pay their bills and make up for some of the shortfall. When Col. Shafter discovered Lt. Flipper's failure to mail the funds, he had Lt. Flipper's quarters searched and questioned his maid. Even with Lt. Flipper's check, \$938.21 remained unaccounted for. Lt. Flipper was then arrested.

Lt. Flipper was jailed in a cell so small -- 6 ½ x 4 ½ feet -- that a bed had to be cut down to fit in it. His confinement also violated an Army regulation prohibiting the jailing of an officer in the guardhouse. When General Augur learned of the imprisonment, he ordered Col. Shafter to release Flipper. The War Department telegraphed, "[b]oth the Secretary of War and the General of the Army require that this officer must have the same treatment as though he were white."

Lt. Flipper later admitted his deception to Col. Shafter. He asserted he had no knowledge of what happened to the missing money. He suggested he might be able to raise money from his civilian friends to cover the shortfall. Col. Shafter agreed and donated \$100 to the effort. In two days enough money was raised to cover the deficiency.

A general court-martial was convened the following month. Lt. Flipper was charged with embezzlement and with conduct unbecoming an officer and a gentleman. He was acquitted of embezzlement, but convicted of the conduct-unbecoming charge based on his misrepresentations about the funds and their transmission.

The Judge Advocate General recommended that the sentence be "confirmed but mitigated to a less degree of punishment," writing, "It is believed that there is no case on record in which an officer was treated with such personal harshness and indignity upon the causes and grounds set forth as was Lieut. Flipper by Col[.] Shafter and the officers who searched his person and quarters." President Chester A. Arthur, however, confirmed the sentence of dismissal.

Following his dismissal, Lt. Flipper established a business in Arizona as a civil and mining engineer. He surveyed land and engaged in engineering projects in the Southwest and in Mexico, and translated Mexican mining and land laws into English. He was appointed a Special Agent of the Department of Justice in the Court of Private Land Claims, where he investigated and reported on land claims to the court. The U.S. Attorney at the time said Flipper performed with "fidelity, integrity, and magnificent ability." Continuing his civil engineering, mining, and surveying practice, he came to the attention of an executive named Albert B. Fall, who subsequently became a

U.S. Senator and Secretary of the Interior. Flipper advised Fall on Mexican affairs, and later served on the staff of the Senate Committee on Foreign Relations. While Interior Secretary, Fall appointed Flipper to the International Alaskan Engineering Commission.

#### **IV. Grounds for Clemency**

The application for pardon stresses the unique situation surrounding Lt. Flipper's service, arrest, and conviction. Flipper was the first African American to graduate from West Point and be commissioned as an officer in the Army. It is clear, over a hundred years later, that someone in his position would face a unique situation if presented with a shortfall of funds for which he was responsible. Indeed, the fears that prompted Flipper's misrepresentations were proven correct by the unduly harsh treatment he was given when arrested and confined. Even his white superiors at the time noted the difference in treatment, specifically ordering that he be released and treated as a white officer would have been. In addition, once discovered, Lt. Flipper admitted his misrepresentations and sought to correct his mistakes. Full restitution was ultimately made for the missing funds.

His accomplishments in the Army, and his many more in his life following his dismissal, show him to have been an exemplary citizen and an outstanding contributor to almost all efforts in which he engaged. He ultimately served the United States in positions of responsibility with the Department of Justice, the Department of Interior, and the Senate. His achievements would be considerable under any circumstances, but, given the time in which he lived and the diversity of his accomplishments, Lt. Flipper appears to have been a truly remarkable human being.

In 1976, 36 years after Lt. Flipper's death, the Army Board for the Correction of Military Records reviewed an application filed by Lt. Flipper's niece and nephew seeking correction of his records and reversal of his conviction. The Board concluded it lacked authority to disturb the conclusions of the court-martial proceedings, and denied the request for reversal of conviction. The Board did act, however, to change Lt. Flipper's records and award him an honorary discharge. Lt. Flipper's body was disinterred and reburied with full military honors. The U.S. Military Academy established an award in his honor, dedicated a portion of its library to him, and installed a bust of him which remains on display. Currently, there are plans underway to name a Post Office in Georgia after him, and to dedicate the Post Office this year, as it is the 50th Anniversary year of President Truman's Executive Order that desegregated the Armed Forces.

#### **V. Recommendation**

The application on behalf of Lt. Flipper is unusual, because he is no longer living. He neither married nor had children, and therefore has no direct descendants. An application for pardon was submitted on his behalf by a group of attorneys from the law firm of Arnold & Porter. There is no precedent for pardoning someone who is deceased. We believe, however, that there is no legal impediment to granting a posthumous pardon. The primary legal issue, it appears, is whether in the case of a posthumous application one can be certain the "applicant" would have accepted the pardon

if he or she could have chosen.<sup>1</sup> It is clear, in this case, that Lt. Flipper wanted the court-martial cleared from his record. He attempted several times to persuade Congress to pass private bills setting aside the proceedings of his court-martial and returning him to army service. Despite support by Albert Fall for Lt. Flipper's later efforts in that regard, none of the bills was ever passed.

The Deputy Attorney General notes strong support for pardon by the Acting Assistant Secretary of the Army (Manpower and Reserve Affairs). The Deputy Attorney General believes a presidential pardon "would be an appropriate acknowledgment of [Lt. Flipper's] role in American history and his contributions to society." He cites Lt. Flipper's exemplary post-conviction contributions to the United States and his outstanding reputation in the community as justifications for the awarding of a pardon. He also stresses Flipper's striking place in our nation's history: He was born a slave in Georgia -- more than one hundred years before passage of the Civil Rights Act of 1964 -- attended one of our country's most prestigious military academies, served with distinction in several positions, and served the U.S. government for more than 22 years. The magnitude of obstacles he must have faced, and the reputation and recognition he achieved despite those obstacles, make his contributions even more remarkable. Deputy Attorney General Holder recommends pardon "for the totality of [Lt. Flipper's] contributions to the United States and the generation in which he made them."

After reviewing the recommendations of the Department of Justice, our office concurs with DOJ's recommendation that the pardon be granted. We note also that several members of the public have voiced support for Flipper's application, as have Sen. Cleland, Rep. Cynthia McKinney, Rep. John Lewis, and Rep. J.C. Watts.

GRANT: \_\_\_\_\_

DENY: \_\_\_\_\_

DISCUSS: \_\_\_\_\_

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<sup>1</sup>The Office of the Pardon Attorney has expressed concern that granting Lt. Flipper a pardon would require them to investigate all applications for posthumous pardons, which they currently reject as a matter of policy. Investigation of those applications would prove difficult, they point out, because of the remoteness of the relevant people and records. Lt. Flipper's could justifiably be the only posthumous pardon ever granted, and therefore the only exception to that policy; Lt. Flipper's case is so extraordinary that it will be hard for future petitioners to argue their cases are similar. As a practical matter, the Office of the Pardon Attorney will at a minimum have to explain this pardon as an anomaly, or change its current practice substantially.

Dear Mr. President,  
 Wishing you, the First  
 Lady, and Chelsea a very  
 Happy Thanksgiving.

Carolyn -  
 for Potus

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 and generosity.

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You are Oxford's cherished son

You are dear to the heart  
 of Oxford University  
 and its Association in the capital  
 of the United States

And you have been a  
 guardian angel to Oxford  
 graduates and counting

So 12-9-98

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 November 16, 1998

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CALIFORNIA

## United States Senate

WASHINGTON, DC 20510-0504

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December 7, 1998

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

Dear Mr. President,

I am writing to urge you to appoint Diane Watson to Micronesia during the current recess. A few members of the Committee successfully stopped her confirmation, but Senator Watson is extremely well qualified for this without delay.

I have known Senator Watson for years. She has served for the past 20 years as the State Senator representing California's 26th senatorial district, which includes Los Angeles, Culver City, Ladera Heights, Baldwin Hills, Palms, Miracle Mile, Mar Vista, Cheviot Hills, and Koreatown. Her record of accomplishments as a State Senator has prepared her well to be our top representative in Micronesia.

Prior to her election to the State Senate in 1978, Senator Watson served as an assistant superintendent of child welfare, a school psychologist, and as a member of the faculty at both California State University Los Angeles and Long Beach. In 1975, she was elected to serve on the Los Angeles Unified School District Board of Education.

As a member of the State Senate and as an educator, Diane Watson has always brought honor to the organizations she has represented. Your Administration would be well served by Senator Watson's appointment as Ambassador to Micronesia.

Please call me if there is anything I can do to help you make this appointment possible.

With warmest personal regards.

Sincerely yours,

Send to Ash?

Yes ☒No ☐

12-9-98

FAX from

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***Senator Dianne Feinstein***  
of California

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525 Market Street  
Suite 3670  
San Francisco, CA 94105  
415-536-6868  
415-536-6841 (fax)

DATE: December 8, 1998

**TO: President William J. Clinton**

**FROM: Senator Dianne Feinstein**

**COMMENTS:**

Attn: John

**TOTAL PAGES** 2

NOTE: The information contained in this facsimile is confidential. If you receive this transmission in error, please notify the sender immediately.

**The J. William Fulbright  
Foreign Scholarship Board**

UNITED STATES INFORMATION AGENCY  
301 4TH STREET SW  
WASHINGTON DC 20547-0001

Official Business  
Penalty for Private Use, \$300

THE PRESIDENT HAS SEEN

12-9-98

Speedy  
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by Trevis  
BZ

The President  
The White House  
Washington, DC

Mr. President,  
This is the  
letter I spoke  
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# THE J. WILLIAM FULBRIGHT FOREIGN SCHOLARSHIP BOARD

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*Promoting Global Understanding for the Past Half Century • 1946 - 1996*



THE PRESIDENT HAS SEEN

12 - 9 - 98

December 4, 1998

Dear Mr. President:

The attached letter from Hoyt Purvis to Secretary Albright expresses the J. W. Fulbright Foreign Scholarship Board's opposition to the proposed merger of the Education and Information Bureaus of USIA. This issue is paramount to the integrity, and therefore longterm success, of the Fulbright Program in the transfer of USIA programs to the Department of State. It applies, as well, to other educational and cultural exchange programs in USIA. We understand that Patrick Kennedy is prepared to make this recommendation to Secretary Albright and that she will in turn include the proposal in a final plan for USIA-State merger. We hope you will support our position be either intervening with the Secretary before a decision is made at State or by correcting the error when the plan reaches your desk.

Sincerely,



Bev Lindsey  
Staff Director

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THE J. WILLIAM FULBRIGHT FOREIGN SCHOLARSHIP BOARD

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*Promoting Global Understanding for the Past Half Century • 1946 - 1996*



December 4, 1998

Honorable Madeleine K. Albright  
Secretary of State  
Department of State  
2201 C Street, NW  
Washington, DC 20520

Dear Secretary Albright:

As you know from correspondence and discussion, the J. William Fulbright Foreign Scholarship Board is highly interested in the reorganization of foreign affairs agencies, especially as it relates to the Fulbright Program.

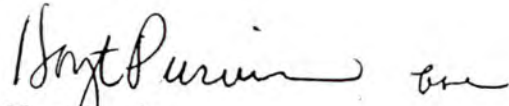
It has come to our attention that you and your colleagues are moving toward a decision on the incorporation of programs of the U. S. Information Agency into the Department of State. We are particularly concerned about a plan which, as we understand it, would administratively combine the current Bureau of Information ("I" Bureau) with the Bureau of Educational and Cultural Affairs ("E" Bureau).

We believe it is essential to maintain a distinction between information activities and those related to educational exchange. Our fundamental interest is to protect and guarantee the integrity and independence of the Fulbright Program and it is our conviction that it should retain its base in a bureau separate and apart from the information programs. As emphasized in a policy statement by the Board last year, we believe the Fulbright Program should function in an administrative setting which maintains, to the fullest possible extent, its autonomy and independence. This unanimous position of the Board is consistent with the recommendations of the independent study on the future of the Fulbright Program, initiated by the National Humanities Center and chaired by William C. Friday. It should also be emphasized that the enormous respect and prestige the Fulbright Program enjoys around the world is based on the standards of excellence which have been its hallmark for 52 years and on its well-deserved reputation for independence and integrity.

We would respectfully urge you to weigh very seriously any decision to establish an administrative structure that would give even the appearance of changing this long-standing and important distinction between information and educational and cultural exchange programs

We greatly appreciate your continuing support for the Fulbright Program and we are confident that you will act to assure that the independence and integrity of this program will be maintained. We look forward to working with you in this regard.

Sincerely,

A handwritten signature in cursive script, appearing to read "Hoyt Durvis", followed by a small flourish or mark.

Hoyt Durvis  
Chairman