November 22, 1995

THE PRESIDENT HAS SEEN
11-22-95

Memorandum

To: **THE PRESIDENT**

From: **Nancy Hernreich**
Jenny Ritter

Re: **Edwin Yoder Column**

In his November 22 column, Edwin Yoder argues that the budget debaters should be primarily concerned with decreasing the national debt and lifting the burden off of future generations. Yoder was critical of you for fighting for Medicare, and he was critical of GOP leaders for advocating a $500-a-child tax credit. "We are adding a new sting to the old saw that revolutions eventually devour their children," he writes.

Copies to:
Baer
McCurry
Sperling

(Please coordinate who should call him.

Phil Caplan)

The Washington Post Writers Group

1150 15th STREET, N. W., WASHINGTON, D. C. 20071-9200
TEL: (202) 334-6375 (800) 879-9794

^bc-yoder-column adv22<
^EDWIN YODER COLUMN<
^(Advance for Wednesday, November 22, 1995, and thereafter)<
^(For Yoder Clients Only)<
^By EDWIN M. YODER, JR.=

WASHINGTON--A recent Washington Post editorial made the key point of the great government shutdown, now at least temporarily suspended:

''A $500-a-child tax credit for the broad middle swath of the population (a feature of the Republicans' $245 billion tax cut plan) is the last thing the government ought to be contemplating right now. The right way to help this generation of children isn't to increase current consumption; it's to get the deficit down.''

The Post is right. Such handouts will augment a national debt that has nearly quadrupled since 1981.

Any children benefiting from this handout will pay it off, at compound interest, as future taxpayers. And since relatively fewer earners will then be supporting more retirees, an already challenging burden will be heavier. The Concord Coalition, the Warren Rudman-Paul Tsongas lobby for budget balance, says it explicitly: ''In the current budget impasse, a vital principle is indeed at stake--namely, our obligation to stop borrowing from our children and to start investing in their future.''

Alas, the odds that this prudent and civilized consideration will interfere with the politics of federal budgeting range from zero to minus 10. The reason is functional. There is a huge and active lobby for borrowing to make transfer payments to the elderly. There is no lobby for the children whose futures are being mortgaged.

At the Little Rock ''economic summit'' that Bill Clinton convened just after his election, he performed like the A-plus student he can be when he wishes. He declared, correctly, that medical entitlements, Medicare especially, are potential budget wreckers. The nation's

(more)

fiscal dilemma can't be fixed, he said, unless the swelling unpaid costs of medical entitlements are brought under control.

But when the Republicans sought to add about $5 more than he to Part-B premiums for hospitalization, Bill Clinton balked and cast himself as the tribune of the gerontocracy, our ruling elderly. Their all but unchallenged voting and lobbying power is transforming the United States into a well-armed rest home. The arrangement is naturally popular. The elderly enjoy most of the medical benefits, and if retired, pay proportionately less of the cost. And this enormous transfer of wealth and benefits is disgustingly palliated by sentimental mush about the ''golden years.'' Gold-plated, would be more accurate.

Do youngsters now in their late teens and 20s understand what is happening? I recently administered a pop news quiz to 35 able sophomores in a journalism class I teach at a fine private liberal arts college in Virginia. It was a simple test, posing 10 basic questions about the then-impending government shutdown, the national debt and so forth.

Two or three had followed the story and knew the answers. Most had not. They had other things on their minds, including an uproar over a dean's controversial definition of ''date rape.''

Meanwhile, Bill Clinton is taking a fearful pounding in the press for ''demagoguing'' the Medicare issue. Demagoguery annoys me too, but if you take a functional view of political behavior, it isn't hard to figure out why Clinton harps on the threatened ''decimation'' of Medicare by the stingy old Republican budgeteers.

Lest we forget, Clinton tried being a budget reformer and statesman in fiscal 1993, over violent and unanimous Republican opposition. The voters rewarded his statesmanship by electing the first Republican Congress in 40 years. If political survival depends on the votes of the elderly, who are neuralgic about Medicare and are one of the last significant voting groups who vote preponderantly Democratic, you can decode Clinton's behavior. It is political survivalism.

(more)

There is no visible counterweight, since as a rule 18- to 30-year-olds neither follow the news nor vote in significant numbers. They are, as we used to say in the 1950s, out to lunch. Funny term, since their lunch is being eaten. Figures of speech change with the times.

Parents may leap at a tax-credit bonanza that adds to the tax burden the next generation will assume 10 or 20 years hence--at compound interest. Meanwhile, we are adding a new sting to the old saw that revolutions eventually devour their children.

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Baer
GS
Herman
Sperling
Tyson
Panetta

THE PRESIDENT HAS SEEN
11-22-95

cc: Cuomo, Daschle, Gephardt

MEMORANDUM

This is good - we should try to have some discussion in the budget debate

TO: The Honorable Erskine Bowles
Deputy Chief of Staff to The President

FROM: Felix G. Rohatyn

DATE: Thursday, October 19, 1995

The Million Man March finished what the O.J. Simpson trial started: namely, it convinced the Country that we have a serious race problem. The resulting calls for a bipartisan commission to study race relations is a natural outcome of these events; we are however, way beyond that. We know we have a race problem and we can simply refer back to the Kerner Commission report to review it. What we need to figure out is what to do about it and any remedies have to involve the white community as well as the black community. There is no positive way to improve race relations in this country that does not begin with a hard look at the problems of urban America. I believe that the cancer of race problems lies with the urban poor and unemployed, their inability to break out of their trap, and the impact on the other communities making up urban life in America. If we wish to focus on these issues, we should look at the problems of the American city from the perspective both of the black and of the white communities.

Unless major changes occur soon, the situation in our major cities in the near future will be summarized by two major trends: white flight and black despair. Unless white taxpayers and their children remain in the cities, together with their businesses, there will be no conceivable way of maintaining a tax base and job opportunities adequate to the needs of the black and Hispanic populations of urban America. The combination of advanced communications technology, which allows more and more people and businesses to be located anywhere, and reduced quality of life, because of issues of safety, education and taxes, is steadily driving those who can afford it, mostly whites, out of the cities. Public officials in states like Colorado, Montana, Wyoming, etc. are looking, with trepidation, at a potentially enormous migration to their region over the next decade. As this happens, opportunities for the minority population of the cities will shrink dramatically.

Even if the totally positive objective of the March are fulfilled, namely self-reliance, absence of violence and drugs, family support, etc., there will still be no

way out for the poor minorities without strong and sustained economic activity in the cities. Economic activity is required to create employment opportunities. Economic activity is required to provide the tax revenues to pay for adequate education, health care and the basic public investments without which it is impossible to acquire the skills for decent employment.

The President should consider instructing a cabinet-level administration task force to look at both sides of this problem, namely maintaining a strong and growing economic base in America's cities while providing greater opportunity for the minority populations.

This would have to include all aspects of urban economic and social life, such as:

1) Review of tax structures and tax borders;
2) How to meet the needs of public infrastructure adequate for the private and public sector;
3) Experimental changes in public education; including new technologies;
4) Changes required in housing conditions, such as decaying public projects;
5) Greater involvement of the private sector, in partnership with the public sector, in areas such as job training, school curriculum, summer jobs and a pathway to work;
6) Public safety, community policing, etc. ;
7) City, state, federal relations;
8) The impact of balancing the budget (welfare, medicaid, etc.).

The task force is likely to find that, if any of this is at all do-able, there will be a price tag attached to it. It would have to credibly make the case that a much higher price will be paid by doing nothing. One does not have to look at doomsday scenarios to understand the possible costs to the entire country of urban America becoming a greater drain on our national resources, as well as a source of greater and greater social tensions, if the outward migration of businesses and people become irreversible. It is also obvious that the best way to tackle this situation and to provide additional resources is with a higher rate of national economic growth.

It may be that, ultimately, a bipartisan commission including governors, mayors, business and labor leaders will have to make that case to the Congress and the Country. It will be a very difficult case to make but it can be done. Thriving cities are more important to our national interests than the Balkans; we have to make an effort to keep this Country together. Talking about race relations will not help; trying to make our cities viable will.

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cc: & Curtis, Podesta, Ickes

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It may be that, ultimately, a bipartisan commission including governors, mayors, business and labor leaders will have to make that case to the Congress and the Country. It will be a very difficult case to make but it can be done. Thriving cities are more important to our national interests than the Balkans; we have to make an effort to keep this Country together. Talking about race relations will not help; trying to make our cities viable will.

Staff Secretary – Photography

Response?

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WOULD STRONGLY!YOU TO ADD MARIO CUOMO TO YOUR LIST OF ADVISERS TO WORK WITH YOU AND LEON PANETTA. YOU ARE IN THE MIDST OF DELICATE NEGOTIATIONS, AND YOU ARE DOING VERY WELL; AT LEAST FOR NOW. THERE ARE THE FOLLOWING ISSUES OUT THERE TO BE DEBATED AND NEGOTIATED THAT ARE OF EXTREME INTEREST TO ALL AMERICANS:

2. <u>VETO THE SALE OF THE ALASKA POWER COMPANY</u>. It would

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John Leonard / Photography

Hotel
Conventions
Travel

Aviation
Industrial
Marine

Architectural
Construction
Interior Design

November 18, 1995

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

ATT: Ms. Betty Curry
Executive Secretary
to the President.

Dear Mr. President:

HERE IS THAT HARRY TRUMAN DEMOCRAT AGAIN!!! You are doing a great job Mr. President!!! We just heard the distressing news about Attorney General Janet Reno having been diagnosed with the dreaded disease of Parkinsons, and our prayers go out to her.

1. I AM VERY CONCERNED ABOUT THE STATEMENT THAT DICK MORRIS SAID THAT HE WAS RUNNING THE GOVERNMENT. I WOULD STRONGLY urge YOU TO ADD MARIO CUOMO TO YOUR LIST OF ADVISERS TO WORK WITH YOU AND LEON PANETTA. YOU ARE IN THE MIDST OF DELICATE NEGOTIATIONS, AND YOU ARE DOING VERY WELL; AT LEAST FOR NOW. THERE ARE THE FOLLOWING ISSUES OUT THERE TO BE DEBATED AND NEGOTIATED THAT ARE OF EXTREME INTEREST TO ALL AMERICANS:

2. <u>VETO THE SALE OF THE ALASKA POWER COMPANY</u>. It would

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only result in higher rates to Alaskan Citizens, and the eventual take over by private enterprise in a non-competitive environment.

2A. REQUIRE THAT ALL OF THE OIL COMING OUT OF THE NORTH SLOPE OF ALASKA AT PRUDHOE BAY BE FIRST SOLD IN THE UNITED STATES AND CANADA, INSTEAD OF THE PRESENT 25% RESTRICTION.

2B. VETO THE NEW REQUEST FOR DRILLING IN THE ANWAR WILDLIFE AREA.

The Oil Companies are now scrambling for leases in the Gulf of Mexico, and they now have the technology to drill in deeper water over 90 feet.

2C. REQUIRE THAT ALL OIL TAKEN FROM THE GULF AREA FIRST BE SOLD IN THE UNITED STATES TO REDUCE OUR DEPENDENCE ON FOREIGN OIL.

Mr. President I am enclosing copies of my last two letters to you that outline recommendations to fight the Gingrich onslaught, as we are now talking about counting Votes in the 96 Election. I hope someday that I will have the honor of meeting you in person.

Sincerely,

John Q. Leonard
President (retired)

A D D E N U M

Mr. President, its time to stay tough, as the Gingrich onslaught now going is just the tip of the iceberg....

1. They want to shut down or sell the Alaskan Power Company, and next they want to close down the Departments of Energy, the Department of Education, and they will call for the sell off of the Tennessee Valley Authority....plus they will shut down the Veterans' Administration or mandate that it be turned over to private enterprise. AND THERE IS MORE ON THE WAY... They want to totally eliminate all the gains that the Democratic Party has made since Roosevelt. I was totally surprised that they want to shut down the Department of Commerce, which every business owner needs at this time; particularly when foreign governments are subsidizing their own industries.
2. DEMAND THAT THE CONGRESS GIVE YOU A LINE ITEM VETO NOW...
3. GO OVER EACH APPROPRIATION BILL SEPERATELY, AND NOT HAVE THREE OR FOUR DEPARTMENTS REPRESENTED IN ONE BILL...TAKE YOUR TIME...ITS TOUGH WORK, AND THATS WHY WE ARE GOING TO RELECT YOU IN 1996. You can start counting the votes. GET MARIO CUOMO AND COLON POWELL ON BOARD YOUR TRIP TO VICTORY IN 1996.

John

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Hotel
Conventions
Travel

Aviation
Industrial
Marine

Architectural
Construction
Interior Design

November 18, 1995

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

Dear Mr. President:

I sent you a copy of the AMERICAN HEALTH PLAN that was originally sent to the White House Health Care Task Force and to Hillary Rodham Clinton. 50 additional copies have been sent to senior members of Congress; the National Chamber of Commerce; Horce B. Deets, AARP; The American Legion; Veterans of Foreign Wars; The Paralyzed Veterans of America; The Business Roundtable; The National Restaurant Association; and to Mr. Herman Cain, President of Godfather's Pizza...a 10,000 employee organization; plus the National Federation of Independent Business.

OUR CONTINUING RESEARCH INDICATES THAT THE INSURANCE COMPANIES AND THE HEALTH MAINTENANCE ORGANIZATIONS ARE SOLELY RESPONSIBLE FOR THE SPIRALING COSTS OF HEALTH CARE. THE AMERICAN HEALTH PLAN

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to the Hospital Emergency Room, and many have died. Senator Kassebaum just completed Hearings on this subject. I have come to the layman's conclusion that the Baby has been living in the Womb in a protective climate for 9 months, only to have it exposed at birth to possible infection which often occurrs. Senator Kassebaum has introduced legislation requiring a 48 Hour stay in the Hospital after birth. This decision should be left up to the Physician. The Physicians and Hospitals are concerned that they will be removed from the HMO List, and this is how these HMOs control their Physicians.

The Veterans Health Care Plan can create a truly competitive environment in the Industry, and reduce Health Care Costs by 45% in the first few years.

I wholeheartedly endorse the AMERICAN LEGION PROPOSAL TO IMPROVE VETERANS HEALTH CARE and STRATEGY 2000 THE VA RESPONSIBILITY IN TOMORROWS NATIONAL HEALTH CARE SYSTEM BY THE PARALYZED VETERANS OF AMERICA.. I am indeed impressed with the Professional Stature of the Members of the STRATEGY 2000 ADVISORY PANEL and their enclosed Executive Summary. THIS IS A FAMILY HEALTH PLAN DESIGNED TO GIVE PROTECTION AND AID DURING TIMES OF ACUTE CRISIS, WHEN A FAMILY MEMBER IS ILL. <u>THE VETERANS HEALTH CARE PLAN IS SELF FINANCING, AND PROVIDES HEALTH CARE FOR 89 MILLION AMERICANS.</u>

CC:
EB
A. Rivlin
L. Tyson
L. Panetta

POTUS' note
Alice should write
them a good answer
on the assumptions,
not only to
Phillips,
but to
Warren,
Pete &
Paul.

THE PRESIDENT HAS SEEN
11-20-95

Erskine
Nice sounding work
Turn a good answer on
the gang of seven—
it only to pledges
but to work with Pete

Bill



THE CONCORD COALITION

CITIZENS FOR AMERICA'S FUTURE

The Right Way to Balance the Budget

To the President of the United States – Bill Clinton, Senate Majority Leader – Bob Dole, Senate Minority Leader – Tom Daschle, House Speaker – Newt Gingrich, House Majority Leader – Dick Armey, House Minority Leader – Dick Gephardt, and to all the Members of Congress:

Abraham Lincoln was correct. When the principle is vital and the conflict well defined, good leaders cannot back down. In the current budget impasse, a vital principle is indeed at stake — namely, our obligation to stop borrowing from our children and to start investing in their future. The conflict, however, is poorly defined. In truth, the positions of both the Democratic Administration and the Republican Congress are distorted by such demagoguery and denial that we have refrained from rallying The Concord Coalition to the moral support of either branch of government.

Our advice to both sides: Dismiss your partisan pollsters and spinmeisters, take a clear look at our national future, clarify your priorities, and speak honestly to the American public. Chances are, you will find large areas of agreement.

reverse — which means that federal entitlement outlays, absent reform, are des tined to soar into the stratosphere. By 2030, the combined cost of Social Security and Medicare is projected to double as a share of taxable worker payroll (to 3 percent). By 2020, the Social Security and Medicare trust funds are projected t run a combined annual cash deficit of $584 billion; by 2030, that annual deficit i projected to reach $1.7 trillion. (All of these numbers come from official projec tions that have, historically, proved to be overly optimistic.)

Let's face it: The immediate task before us this year — that of balancing th budget by the year 2002 — is a low-impact warm-up exercise compared to th grueling iron-man challenge we will face when the age-wave hits. if anything, du ing today's window of demographic and economic opportunity, we should be givin serious consideration to running a sizable budget surplus.

To the President

Mr. President, while you profess to be serious about budget balance, you have undermined your own credibility by rejecting the economic assumptions of the Congressional Budget Office (CBO) and by adopting an incredibly remote ten-year target for achieving budget balance. Both positions, we believe, are unacceptable.

The decisive argument in favor of the CBO scenario is not that none other is plausible, but rather that it is a reasonably prudent scenario which everyone else is prepared to accept as an "objective" yardstick. Two years ago, Mr. President, you yourself played an important role in securing this acceptance — by arguing (rightly) that Republicans in the 1980s had harmed the economy by rejecting the CBO's numbers. Now, inexplicably, your Administration seems bent on replaying the old supply-side hijinks.

You have also announced that a budget deficit currently equal to 2.3 percent of GDP cannot be eliminated in as few as seven years. This is nonsensical. Over the past thirty years, the United States — along with every other major industrial nation — has repeatedly achieved this degree of public-sector deficit reduction in fewer than seven years.

What's more, since the baseline deficit grows rapidly after the year 2000, a longer timetable only makes the long-term effort harder. Balancing the budget, starting now, is like running to catch a train that's leaving the station. To catch it in two minutes, we'll have to run harder than we would to catch it in one minute. If the ten-year target seems easier, it's because your plan proposes to do most of the fast sprinting after the year 1998 — suggesting that perhaps its real purpose is to defer the real sacrifice until after the next two elections.

To Republican Leaders in Congress

Republican leaders, in your plan we don't see this same failure of purpose: You accept the CBO baseline, take the seven-year deadline seriously, and do not "backload" as much of your savings. We do, however, see a serious failure of strategy. For reasons known only to your ideologues and single-question pollsters, you insist on coupling your deficit-reduction plan with a large tax cut and with lopsided cuts in so-called "discretionary" programs that assist the poor and invest in our future.

We endorse a tax cut as a possible final goal — as a reward to be enjoyed after we have achieved current and prospective budget balance. By planning to enact such a cut sooner, you open yourselves to an obvious challenge: How does your most painful dollar in spending cuts compare with your least necessary dollar in tax cuts? We see no public mandate for a front-loaded tax cut, either in November of 1994 or today. Adding large tax cuts moves the debate away from shared sacrifice toward a divisive contest pitting winners against losers.

As for your specific menu of spending cuts, you, the GOP leadership, have confused the goal of budget balance with the goal of welfare reform. Americans want both. But they are not pleased to see the former achieved by means of the latter. Let's scale back poverty benefits. But let's not reduce them twice as much (on a percentage basis) as we reduce entitlements for middle- and upper-income Americans. The Concord Coalition has long advocated an "affluence test" that would reduce, on a sliding scale, all federal entitlements to households with incomes over $40,000. Even the mildest affluence test would generate far more budget savings than the fiercest whacking at such programs as school lunches, public health, and basic research.

To Both Sides

What both sides have failed to bring to the attention of the American people is the grave social challenge we face early in the next century. Not only is America at peace with the world, it is currently passing through a uniquely favorable demographic period in which a large (Baby Boom) generation is swelling the ranks of working taxpayers, and a small (Depression-era) generation is retiring. Just fifteen years from now, all of these demographic forces will be thrown into

Given the magnitude of our approaching national challenge, much of your partisan posturing seems overblown or beside the point. None of the entitlement reform proposals now under consideration — Democrat or Republican — would achieve dramatic or lasting cost control. Nor do they even differ that much in what they would save.

Take for example, the critical issue of raising Medicare Part B premiums. Both sides know that, absent any reform, Medicare's yearly cost will grow over the next ten years by $280 billion — an amount greater than everything we now spend on defense. All the sound and fury is over whether this growth should be restrained to $213 billion (under the Clinton Plan) or to $204 billion (under the GOP Plan).

Both sides have proposed that Medicare Part B premiums be raised. Today the monthly premium is $46.10. By 2002, the Clinton Plan would raise it to $82.80; the GOP Plan would raise it to $87.60. That's a total difference of $4.80 per month — hardly a cause for Democrats to be wrapping themselves in New-Deal sloganeering. Meanwhile, take a look at the taxpayer subsidy per Part B beneficiary, $108.75 per month in FY 1995. By FY 2002, the Clinton Plan would allow it to grow to $222.00; the GOP Plan would allow it to grow to $207.16. Taxpayers will be socked either way.

Furthermore, both sides know that none of these reforms violate any original "deal" with America's seniors. Throughout Medicare's first ten years, premiums covered 50 percent of Part B's cost; today's burning issue is whether, in the future, they should cover 25 percent or 31.5 percent.

We venture to make this hopeful prediction: If all of you dared to sit down and take a hard look at where you want the federal budget and this nation to end up thirty years from now — when your youngest children will be hoping the best for their own children — you will be able to agree on a basic framework for a lasting budget solution. It will not, of course, be a framework which each of you will regard as perfect. But it will lead to a much sounder future than the course on which we are now heading.

The Concord Coalition Offers Six Guidelines

To assist you in establishing this framework, The Concord Coalition suggests the following six guidelines:

- All fiscal projections must follow the CBO fiscal and economic scenario.
- Seven years must be considered the maximum time period in which budget balance is guaranteed.
- Budget balance must be achieved in roughly equal steps throughout the seven years; a credible savings plan cannot be backloaded.
- Tax cuts must be earned; no sizable tax cut should be enacted before the objective of permanent budget balance is achieved.
- Spending cuts must respect the principle of shared sacrifice and ability to pay.
- Given their enormous projected growth, structural reform of entitlements going to middle- and upper-income Americans — including, but not limited to, all retirement and health-benefit programs — must be given top priority.

Lincoln once reminded us that a house divided against itself cannot stand - or prepare for the future, which amounts to the same thing. It is time for you, our national leaders, to demonstrate the courage to rise above partisan politics at a critical moment that future Americans may recall as a turning point. You owe nothing less to our posterity.

With Respect,

Warren B. Rudman
(Co-Chairman)

Peter G. Peterson
(President)

Paul E. Tsongas
(Co-Chairman)

To join our fight for America's future, call or write:

The Concord Coalition
Martha Phillips, Executive Director
1019 19th Street, N.W.
Suite 810
Washington, DC 20036
800-231-6800/202-476-6222/FAX 202-467-6333

THE PRESIDENT HAS SEEN 11-20-95

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but to wordy for Pres
Bob



THE CONCORD COALITION

CITIZENS FOR AMERICA'S FUTURE

The Right Way to Balance the Budget

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What's more, since the baseline deficit grows rapidly after the year 2000, a longer timetable only makes the long-term effort harder. Balancing the budget, starting now, is like running to catch a train that's leaving the station. To catch it in two minutes, we'll have to run harder than we would to catch it in one minute. If the ten-year target seems easier, it's because your plan proposes to do most of the fast sprinting after the year 1998 — suggesting that perhaps its real purpose is to defer the real sacrifice until after the next two elections.

To Republican Leaders in Congress

Republican leaders, in your plan we don't see this same failure of purpose: You accept the CBO baseline, take the seven-year deadline seriously, and do not "backload" as much of your savings. We do, however, see a serious failure of strategy. For reasons known only to your ideologues and single-question pollsters, you insist on coupling your deficit-reduction plan with a large tax cut and with lopsided cuts in so-called "discretionary" programs that assist the poor and invest in our future.

We endorse a tax cut as a possible final goal — as a reward to be enjoyed after we have achieved current and prospective budget balance. By planning to enact such a cut sooner, you open yourselves to an obvious challenge: How does your most painful dollar in spending cuts compare with your least necessary dollar in tax cuts? We see no public mandate for a front-loaded tax cut, either in November of 1994 or today. Adding large tax cuts moves the debate away from shared sacrifice toward a divisive contest pitting winners against losers.

As for your specific menu of spending cuts, you, the GOP leadership, have confused the goal of budget balance with the goal of welfare reform. Americans want both. But they are not pleased to see the former achieved by means of the latter. Let's scale back poverty benefits. But let's not reduce them twice as much (on a percentage basis) as we reduce entitlements for middle- and upper-income Americans. The Concord Coalition has long advocated an "affluence test" that would reduce, on a sliding scale, all federal entitlements to households with incomes over $40,000. Even the mildest affluence test would generate far more budget savings than the fiercest whacking at such programs as school lunches, public health, and basic research.

To Both Sides

What both sides have failed to bring to the attention of the American people is the grave social challenge we face early in the next century. Not only is America at peace with the world, it is currently passing through a uniquely favorable demographic period in which a large (Baby Boom) generation is swelling the ranks of working taxpayers, and a small (Depression-era) generation is retiring. Just fifteen years from now, all of these demographic forces will be thrown into reverse — which means that federal entitlement outlays, absent reform, are destined to soar into the stratosphere. By 2030, the combined cost of Social Security and Medicare is projected to double as a share of taxable worker payroll (to 33 percent). By 2020, the Social Security and Medicare trust funds are projected to run a combined annual cash deficit of $584 billion; by 2030, that annual deficit is projected to reach $1.7 trillion. (All of these numbers come from official projections that have, historically, proved to be overly optimistic.)

Let's face it: The immediate task before us this year — that of balancing the budget by the year 2002 — is a low-impact warm-up exercise compared to the grueling iron-man challenge we will face when the age-wave hits. If anything, during today's window of demographic and economic opportunity, we should be giving serious consideration to running a sizable budget surplus.

Given the magnitude of our approaching national challenge, much of your partisan posturing seems overblown on beside the point. None of the entitlement reform proposals now under consideration — Democrat or Republican — would achieve dramatic or lasting cost control. Nor do they even differ that much in what they would save.

Take for example, the critical issue of raising Medicare Part B premiums. Both sides know that, absent any reform, Medicare's yearly cost will grow over the next ten years by $280 billion — an amount greater than everything we now spend on defense. All the sound and fury is over whether this growth should be restrained to $213 billion (under the Clinton Plan) or to $204 billion (under the GOP Plan).

Both sides have proposed that Medicare Part B premiums be raised. Today the monthly premium is $46.10. By 2002, the Clinton Plan would raise it to $82.80; the GOP Plan would raise it to $87.60. That's a total difference of $4.80 per month — hardly a cause for Democrats to be wrapping themselves in New-Deal sloganeering. Meanwhile, take a look at the taxpayer subsidy per Part B beneficiary, $108.75 per month in FY 1995. By FY 2002, the Clinton Plan would allow it to grow to $222.00; the GOP Plan would allow it to grow to $207.16. Taxpayers will be socked either way.

Furthermore, both sides know that none of these reforms violate any original "deal" with America's seniors. Throughout Medicare's first ten years, premiums covered 50 percent of Part B's cost; today's burning issue is whether, in the future, they should cover 25 percent or 31.5 percent.

We venture to make this hopeful prediction: If all of you dared to sit down and take a hard look at where you want the federal budget and this nation to end up thirty years from now — when your youngest children will be hoping the best for their own children — you will be able to agree on a basic framework for a lasting budget solution. It will not, of course, be a framework which each of you will regard as perfect. But it will lead to a much sounder future than the course on which we are now heading.

The Concord Coalition Offers Six Guidelines

To assist you in establishing this framework, The Concord Coalition suggests the following six guidelines:

- All fiscal projections must follow the CBO fiscal and economic scenario.
- Seven years must be considered the maximum time period in which budge balance is guaranteed.
- Budget balance must be achieved in roughly equal steps throughout thes seven years; a credible savings plan cannot be backloaded.
- Tax cuts must be earned; no sizable tax cut should be enacted before th objective of permanent budget balance is achieved.
- Spending cuts must respect the principle of shared sacrifice and abili to pay.
- Given their enormous projected growth, structural reform of entitlemen going to middle- and upper-income Americans — including, but not limite to, all retirement and health-benefit programs — must be given t priority.

Lincoln once reminded us that a house divided against itself cannot stand - or prepare for the future, which amounts to the same thing. It is time for you, ou national leaders, to demonstrate the courage to rise above partisan politics at critical moment that future Americans may recall as a turning point. You ow nothing less to our posterity.

With Respect,

Warren B. Rudman (Co-Chairman)
Peter G. Peterson (President)
Paul E. Tsongas (Co-Chairman)

To join our fight for America's future, call or write:

The Concord Coalition
Martha Phillips, Executive Director
1019 19th Street, N.W.
Suite 810
Washington, DC 20036
800-231-6800/202-476-6222/FAX 202-467-6333

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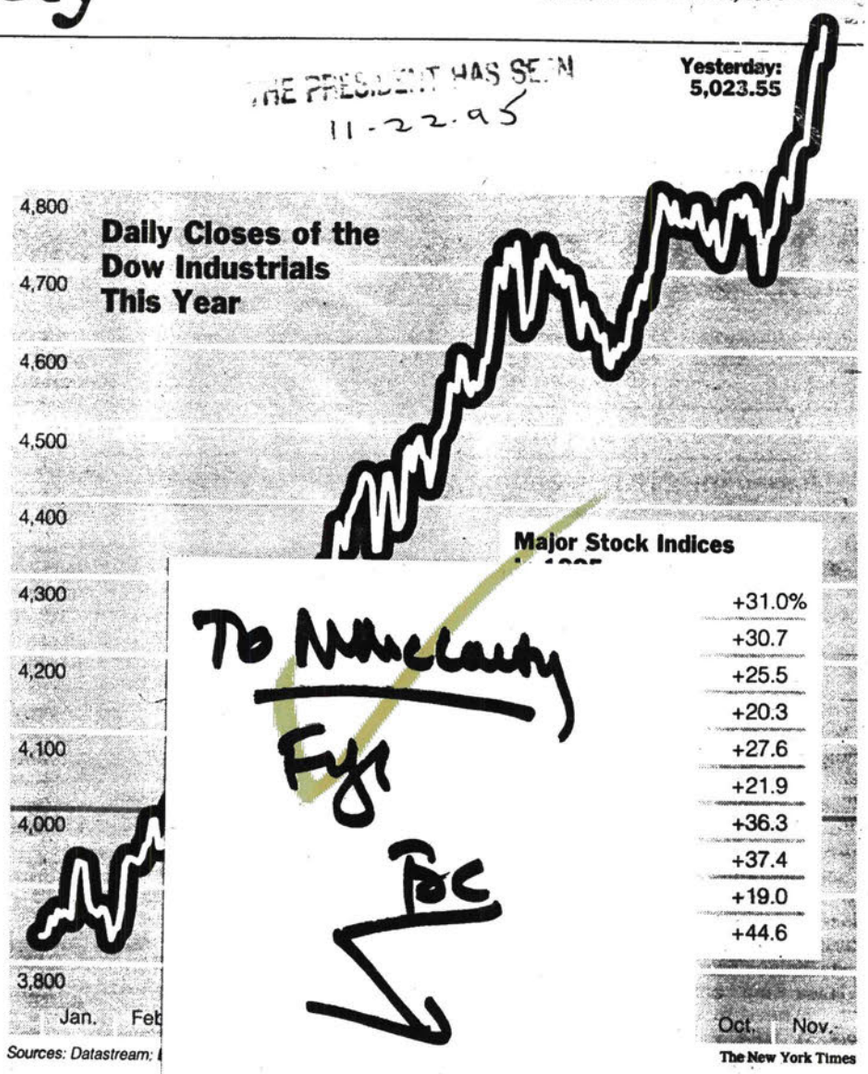
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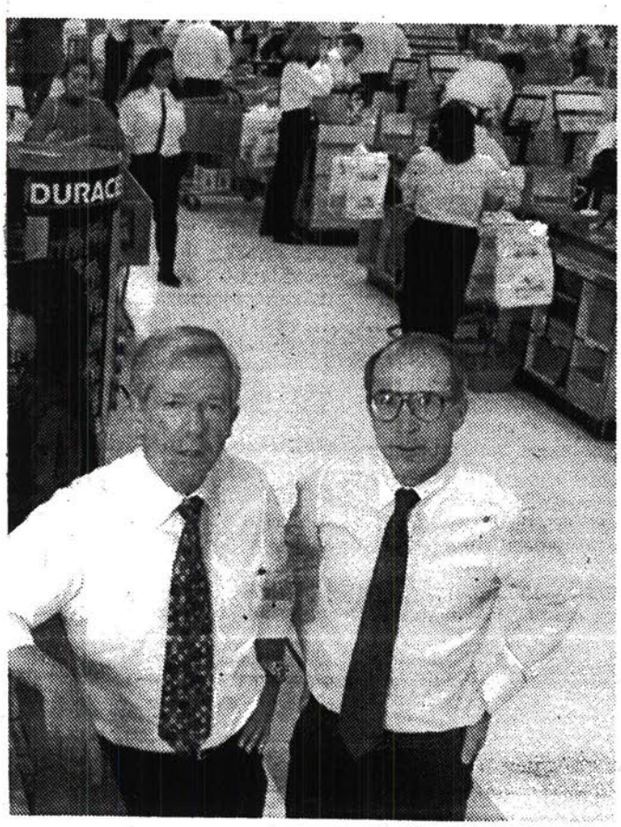
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Marc Geller for The New York Times

g, Wells Fargo has expanded its supermarket outlets. Paul
dent, visited a supermarket branch in Redwood City, Calif.

Gold Rush

ly on Electronic Banking

nues flat, the company has pleased shareholders by buying back 10 percent of its stock, lifting per-share earnings.

Sure, Wells is attempting the biggest hostile takeover in

not expansionist: Wells wants mainly to buy and close most of its Los Angeles rival's 457 California branches, reap perhaps $1 billion a year in cost savings and pick up 4.5

Tentative Pact Allows Enron To Continue Project in India

By ALLEN R. MYERSON

A regional government of India tentatively agreed yesterday to let the Enron Corporation go ahead with a $3 billion power plant project, signaling that India will probably continue to embrace, however hesitantly, the foreign investors it so desperately needs.

The state's nationalist Hindu leaders had scrapped the plant, the nation's largest foreign project, in August, but lately had softened their opposition in the face of legal threats and the country's huge power needs.

The reversal could relieve other investors who, following the case intently, were asking whether the world's second most populous market justified the aggravation and risks.

Manohar Joshi, chief minister of Maharashtra state, told reporters in India that Enron and a panel appointed by his government had agreed to reduce the costs of the project and of the electricity produced. Negotiators were discussing a possible $300 million cut in the plant's total cost to allow an 8 percent reduction in initial electricity charges. Enron and the Maharashtra State Electricity Board had already agreed, at least in principle, for the board to buy at least a 30 percent stake in the project, but neither side said whether the sale would take place.

Enron, which is based in Houston and is the largest natural gas company in the United States, was invited into India by Prime Minister P. V. Narasimha Rao.

Continued on Page D4

KAYE, SCHOLER, FIERMAN, HAYS & HANDLER
425 Park Avenue
New York, New York 10022
(212) 836-8000
Attn: Herbert S. Edelman, Esq.
Attorneys for the Debtors and Debtors in Possession

**This notice can also be seen on the Internet: http://www.hunt.com/legal/legal.html

THE PORT AUTHORITY OF NY & NJ

REQUEST FOR PROPOSALS
NEWARK INTERNATIONAL AIRPORT
TERMINALS A AND B
DEVELOPMENT OF RETAIL OPERATIONS

The Port Authority is seeking the participation of a company to develop, lease and manage retail concessions (including duty free) and food and beverage operations in Terminals A and B at Newark International Airport.

Proposers must have experience in the operation of retail services with (gross) sales of at least $10 million annually. In addition, proposers must demonstrate that they have successfully operated for a minimum of five years in a single site.

A copy of the "Request-for-Proposal" (RFP) is available by writing to **Ann Freedman, Staff Property Representative, The Port Authority of NY & NJ, Newark International Airport, Building 10, Tower Road, Newark, NJ 07114,** or by fax (201) 961-6259. All requests for the RFP must be received by December 4, 1995.

THE PORT AUTHORITY OF NY & NJ

REQUEST FOR BIDS

Send sealed bids to: **Purchasing Manager, The Port Authority of NY & NJ, One World Trade Center, Room 82S, NY, NY 10048** before 11:00 A.M. on the due date at which time & place bids will be opened and read.
Call (212) 435-3924 for bid documents.
#42560.01/72 FLAGS, VARIOUS - 2 YEAR REQUIREMENT CONTRACT
BIDS DUE: 12/5/95
#42542.01/72 LADDERS, FIBERGLASS & STEEL - 1 YEAR CONTRACT
BIDS DUE: 12/6/95
#42487.01/72 ROOFS, EMERGENCY CALL IN REPAIR - 1 YEAR CONTRACT - NEWARK AIRPORT **BIDS DUE:** 12/6/95

NOTICE TO BIDDERS
RIVERBAY CORPORATION AND
THE NEW YORK STATE DIVISION OF
HOUSING & COMMUNITY RENEWAL
REQUEST FOR PROPOSAL
FOR CONTRACT NO. 1666
ADJUSTABLE FREQUENCY DRIVES,
MOTORS & TRANSFORMERS
AT CO-OP CITY, BRONX, NY

The Riverbay Corporation ("Riverbay") will receive sealed proposals for Contract No. 1666, Adjustable Frequency Drives, Motors and Transformers at **2049 Bartow Avenue, Bronx, NY 10475 until 11:00am local time on Thursday, December 21, 1995,** at which time they will be publicly opened and read.
Contract Documents may be obtained from the Purchasing Department by faxing a request on your company letterhead to (718) 320-3200 or (718) 320-3185 marked C/O Purchasing/ Att:LTD.
Once we have your faxed request, Riverbay will call your company to schedule a time and day for your pick up of the bid package.
The cost is $100.00, which is payable in advance by

GET UP AND GO

The Travel Section

Tentative Pact Allows Enron to Continue Its Project in India

Continued From First Business Page

whose national Government guaranteed the project's fulfillment. But newly elected Maharashtra politicians accused Enron of padding the project's costs by more than $700 million and corrupting politicians to win high electricity rates without competitive bidding.

The attacks on Enron cast doubt on India's four-year-old commitment to economic change and openness after decades of socialist self-reliance. India has become one of the few emerging Asian markets where American companies have bounded in ahead of Japanese competitors, with Clinton Administration officials regularly leading groups of executives there.

Yesterday's agreement, by a three-member panel of experts, must still be approved by the Maharashtra Cabinet, which expects to act by Dec. 10. Until then, Enron has agreed to suspend an arbitration case in London in which it hoped to recover at least $300 million in expenses, and as much as $2 billion including lost profits.

The Maharashtra government faced a crucial arbitration meeting in that case this Friday in London. Although legal experts call Enron's arguments strong, they note that foreign companies sometimes take decades to collect from agencies or corporations in India. Enron's costs for mothballing the project with only its foundations in place amounted to $250,000 a day.

The state's leading Shiv Sena Party eventually reconsidered its opposition, and began formal negotiations with Enron less than two weeks ago. However, a dispute with a large minority party in the governing coalition could still block the Cabinet's approval. That party, the Bharatiya Janata, plans to challenge Prime Minister Rao next year.

Despite the political discord, Ronald J. Barone, who follows Enron for Paine Webber, said that the state government was likely to back the project and that Enron would still enjoy attractive returns.

The power plant, on the rocky coast of the Arabian Sea 100 miles south of Bombay, Maharashtra's capital, is meant to supply more than 2,000 megawatts of power to a nation where industries have to generate their own power, operate at night or face chronic brownouts and blackouts.

Among the terms being negotiated was whether the first $990 million phase of the plant, to be completed in 1997, would be fed by fuel oil, probably imported, or by India's own naphtha. The next phase, costing $2 billion under the initial plans, would be fueled by liquefied natural gas that Enron plans to import from Qatar.

Enron, fearful of irritating India's officials, refused to say much more yesterday beyond blandly confirming the agreement. "We are pleased with these developments and believe we have reached a mutually beneficial settlement," said Diane Bazeledes, a company spokeswoman.

Jagdish Bhagwati, a Columbia University trade specialist who was born in Bombay, said the Enron case should alert American investors to avoid deals that seem too friendly. The lack of competitive bidding and boasts by American officials of the benefits they had won for American companies gave Indian nationalists an inviting target, he said. "It was a boil that had to come up and be lanced," as he put it.

Diplomats said that several foreign companies had delayed or reconsidered their investments until the resolution of Enron's problems. Enron's deal brought cheer especially to **CMS Energy**, which threatened to pull out of two Indian power projects worth a total of $800 million if politics killed the Enron plans. "To the extent they've been able to reach an agreement to keep that project going, we view that as a positive," said Kelly M. Farr, speaking for CMS, the parent company of one of Michigan's largest utilities.

Mr. Rao initially made the Enron project the leading example of his nation's new desire to attract foreign capital and to start catching up with rapidly modernizing Asian neigh-

proached, nationalist politicians derided the Enron investment as evidence of Mr. Rao's plans to sell India off to foreign exploiters. Nationalists have also staged protests against the Indian operations of **Coca-Cola, McDonald's** and **Pepsico's** Kentucky Fried Chicken, whose first restaurant in India was briefly closed by local authorities in September.

Enron owns 80 percent of the Indian project, with **Bechtel Enterprises** and GE Capital, the **General Electric** Company's finance arm splitting the rest. Enron, which would continue to own the plant with its partners, has a contract to sell electricity, with rates tied in part to the plant's costs. The company has wanted to reduce its share of the project, but it is unclear whether the Maharashtra state electricity board can raise the money to invest.

INTERNATIONAL BRIEFS

Thorn EMI Posts 44% Gain in Profit

Thorn EMI P.L.C., the British music recording company, posted a 44 percent increase in first-half pretax profit on higher sales in the music and rental divisions. The company, which also owns rental centers in Britain and the United States, said yesterday that pretax profit for the six months through Sept. 30 was £179.7 million ($279.2 million), compared with £124.8 million a year earlier. Sales rose to £2.19 billion, from £1.94 billion last year.

The EMI music unit, which owns the recording labels Capitol and Virgin, increased profits by 23 percent, to £124.6 million on sales of £1.13 billion. (Bloomberg Business News)

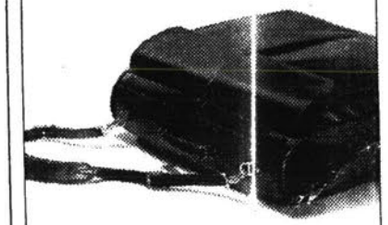
Alitalia to Fly in France

Alitalia will start flying internal

industrial company in Germany, to proceed with a program to eliminate thousands of jobs. Approval of the plan paves the way for 8,800 jobs to be eliminated in the next three years and at least three factories to be sold.

The aerospace unit, which first announced its intention to cut jobs in late October, said the cuts were needed to help it reverse a first-half loss of 1.6 billion marks ($1.1 billion) and overcome the impact of a strong mark and a weak global aircraft market. Labor leaders had fought the cuts, organizing protests throughout Germany and offering alternative cost-cutting plans to management as late as last weekend. (Reuters)

The carry-on bag for people who don't carry their own bags.



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ARTICLE

How Does CPI Mismeasurement Affect Our View of Economic Performance?

Increases in the consumer price index, as presently calculated, overstate increases in the cost of living. An important implication of mismeasurement in the CPI is its effect on the Federal budget, through spending and revenues that are indexed for inflation. According to the Congressional Budget Office, every 0.5 percentage point per year overstatement in the CPI (which is at the low end of most estimates of the bias) adds $140 billion dollars to the deficit over the next 7 years.

In addition to affecting future budget deficits, mismeasurement in the CPI affects our measures of real wages and incomes. To the extent that past increases in the cost of living were lower than we thought, increases in the standard of living measures have been correspondingly higher. Our analysis below shows that accounting for mismeasurement in the CPI has important quantitative, but not qualitative, effects on our view of the past.

A new look at the past. While there is a range of opinions over the precise magnitude of the CPI measurement bias, a reasonable estimate is roughly 1.2 percentage points per year. Relatively easy-to-fix problems of constructing the index account for 0.7 percentage points. It is more difficult to estimate the impact of hard-to-fix problems such as accounting for quality changes in new and existing products, but a reasonable number is roughly 0.5 percentage points. If we assume that the total bias in the index has been constant over time at either the full 1.2 percentage points or a smaller 0.7 percentage points:

Real average hourly earnings actually grow instead of stagnating since 1973 (see chart). Official data indicate an average decline of 0.5 percent per year between 1973 and 1994. But assuming a CPI bias of 1.2 percentage points per year, real average hourly earnings grow by 0.6 percent per year over the same period. Real family incomes are also higher across all income classes.

The Effect of CPI Mismeasurement on Real Average Hourly Earnings



Real GDP and productivity grow a bit faster. Some of the measurement biases in the CPI affect the GDP deflator, which is used to convert nominal GDP into real GDP. If the measured GDP deflator is too high, real measured GDP is too low.

Inequality is not affected by a CPI adjustment. Although adjusting the CPI changes our view of the absolute level of real wages and productivity over the past two decades, it does not change our

view of the relative disparity of wages across occupations, education levels, or industries, since all wages would be adjusted upward by the same percentage in a given year. For example, the recent widening in the gap between wages paid to college graduates and wages paid to non-college graduates would be unaffected by adjustments to the CPI. And income inequality does not change, because all incomes would be adjusted upward by the same proportion. For example, the ratio of the income of the top fifth of the distribution to the bottom fifth is unchanged after adjusting the CPI.

This analysis assumes that the CPI bias has been constant over time. Any change in the CPI bias could explain at most a modest part of the productivity slowdown since 1973 (this slowdown amounts to roughly 1.5 percentage points per year).

What does this mean? The main message of these results is that reasonable adjustments to the CPI would have small but important effects on historical average annual growth rates of output, incomes and wages. Given the power of compounding, small differences in growth rates have increasingly large effects on levels of real output, incomes, and wages over time. While these adjustments affect our perception of the economy's performance, other factors are also important in assessing economic well-being. For example, increased income disparities and extensive down-sizing may contribute more to economic insecurity than any offsetting increases in real income. And the relative ranking of incomes or wages across income groups is completely unaffected by the CPI adjustments, preserving our view of shifts over time in the distribution of incomes.

Republique Federale de Yougoslavie
le Premier Ministre (1992-93)
Milan Panic

THE PRESIDENT HAS SEEN
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cc: S Berger
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November 21, 1995

Dear Mr. President,

You have done the impossible and succeeded where others have failed! Warmest congratulations and thank you for bringing peace to the country of my birth.

Sincerely,

Milan Panic

William Clinton
President of the United States
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

I shall be indebted to you forever

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MP:lmi

TELECOPY

Milan Panic

Chairman of the Board, President and Chief Executive Officer

ICN Pharmaceuticals, Inc.
Costa Mesa, California

Prime Minister 1992- 1993

Federal Republic of Yugoslavia

TO: *President William Clinton* *TELECOPY: (202) 456-6703*

DATE: *November 21, 1995*

PAGES: *2 - including cover page*

THE PRESIDENT HAS SEEN
11-22-95

THE WHITE HOUSE
WASHINGTON

November 22, 1995

MR. PRESIDENT:

Jack Quinn has asked that Walter Dellinger's proposed testimony before the Senate Judiciary Committee on the "partial-birth abortion" bill be forwarded to you for your review. The hearing occurred November 17, and this testimony would be added to the written record.

Although it is highly unusual to send you testimony, Jack indicated that you took a special interest in the Administration's SAP on this bill and he consequently felt that you should have the opportunity to review the testimony if you wanted to. I think you can treat this as optional -- review it if you'd like, otherwise just send it back to me.

In the testimony, Walter opposes the bill largely because of its failure to recognize any exception for the health of the mother. Walter argues that this failing puts the bill at odds with governing Supreme Court law.

Counsel's Office has reviewed and suggested edits to the testimony and Jack thinks it's fine.

Todd Stern

THE WHITE HOUSE
WASHINGTON

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November 21, 1995

MEMORANDUM TO THE PRESIDENT

FROM: JACK QUINN
COUNSEL TO THE PRESIDENT

CC: LEON PANETTA

As you may know, the Senate Judiciary Committee held a hearing last Friday on the so-called "partial birth abortion" bill. This bill, which has already passed the House, must be reported to the Senate floor by next Monday. Although Walter Dellinger was unable to testify at last week's hearing because of the government shutdown, DOJ has been under pressure from Senators Kennedy and Biden as well as from the pro-choice groups to submit written testimony to the Senate Committee before its record closes. The Administration has previously sent to the Hill a one-paragraph SAP opposing the bill (which you approved) and the Department of Justice subsequently sent a slightly longer "bill comment," which identified constitutional objections to the bill but did not discuss them at much length.

Walter Dellinger has now drafted proposed testimony. Counsel's office has reviewed it and proposed edits, most of which have been incorporated. I therefore am satisfied with the version that is attached but, because of the sensitivity of the issue, I believe you should review it to decide whether any further edits are desirable or whether the testimony should be submitted at all. Walter Dellinger has made it clear that he is agnostic on the question whether any testimony should be submitted.

Jack

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Testimony Before
the Committee on the Judiciary
United States Senate

on

H.R. 1833

Walter Dellinger
Assistant Attorney General

Office of Legal Counsel
United States Department of Justice

November 22, 1995

Mr. Chairman, and Members of the Committee:

Thank you for inviting me to testify on H.R. 1833, a bill that would ban what it calls "partial-birth abortions." Due to circumstances arising from the lapse in agency appropriations, I was unable to appear at the hearing and am limited to submitting this abbreviated written testimony.

Let me state at the outset that the President strongly believes that abortion should be safe, legal and rare. He also opposes abortions during the third trimester, except in cases where needed to protect the life or health of the woman. Indeed, while Governor of Arkansas, he signed into law a bill that barred third trimester abortions except where needed for the life or health of the woman or, in certain rare circumstances, for minors. Such restrictions are permitted under Roe v. Wade[1] and its progeny.

H.R. 1833 goes beyond such restrictions. It would criminalize all performance of procedures described as "partial-birth abortion," now used to perform certain second- and

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[1] 410 U.S. 113 (1973).

third-trimester abortions. The criminal prohibition is complete; the bill contains no exceptions. Instead, the bill would provide an affirmative defense for doctors who could bear the burden of proving that they reasonably believed "partial-birth abortion" was the only means of saving a woman's life.

This legislation is inconsistent with the constitutional standards established in Roe v. Wade and recently reaffirmed in Planned Parenthood v. Casey.[2] Most significantly, the bill fails to provide adequately for preservation of a woman's life and health. As both Roe and Casey make clear, even in the post-viability period, when the government's interest in regulating abortion is at its weightiest, that interest must yield not only to preservation of a woman's life but also to preservation of her health.[3]

The constitutionally required protection for women's health has two distinct components, both of which must be accommodated by any exception to the bill under consideration. First, the government may not deny access to abortion, even in the post-viability period, to a woman whose life or health is threatened by pregnancy.[4] Second, and apparently overlooked here, the government may not regulate access to abortion in a manner that effectively "require[s] the mother to bear an increased medical risk" in order to serve a state interest.[5]

In Thornburgh v. American College of Obstetricians and Gynecologists, for instance, the Court invalidated a "choice of method" restriction requiring that doctors use the abortion

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[2] 112 S. Ct. 2791 (1992).

[3] Roe, 410 U.S. at 164-65; Casey, 112 S. Ct. at 2804, 2821.

[4] Casey, 112 S. Ct. at 2804, 2821.

[5] Thornburgh v. American College of Obstetricians and Gynecologists, 476 U.S. 747, 769 (1986).

procedure most protective of fetal life unless it would pose a "significantly greater medical risk" to the woman. With the exception limited to medical risks that qualified as "significant," the Court reasoned, the provision as a whole continued to mandate an impermissible degree of "'trade-off' between a woman's health and fetal survival." In plainest terms, the provision was facially unconstitutional because it "failed to require that maternal health be the physician's paramount consideration."[6]

Casey, with its continued emphasis on the importance of protecting women's health, simply does not call into question this fundamental principle. Were there any doubt on that score, it should be resolved by the very recent Tenth Circuit decision considering a "choice of method" provision in the post-Casey regime. The provision at issue in Jane L. v. Bangerter required doctors performing post-viability abortions to use the procedure most protective of fetal life unless it would cause "grave damage to the woman's medical health." Relying on Thornburgh, the Tenth Circuit invalidated the provision, and expressly held that the relevant principle from Thornburgh was not "discredited" by Casey:

> The importance of maternal health is a unifying thread that runs from Roe to Thornburgh and then to Casey. In fact, defendants [elsewhere] concede that Thornburgh's admonition that a woman's health must be the paramount concern remains vital in the wake of Casey. The Utah choice of method provisions violate this consistent strain of abortion jurisprudence.[7]

The same "consistent strain of abortion jurisprudence" is implicated by the legislation at issue here. Doctors who perform the procedure in question reportedly believe that it poses the fewest medical risks for women in the late stages of pregnancy. It therefore is likely that

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[6] Id. at 768-69.

[7] 61 F.3d 1493, 1502-04 (10th Cir. 1995) (citation omitted).

in a large fraction of the very few cases in which the procedure actually is used, it is the technique most protective of the woman's health. A prohibition on the method, in the absence of an adequate exception covering such cases, would relegate women's health to a secondary concern, subordinate to state regulatory interests, and hence violate the well-established constitutional principle running from Roe to Casey.

What some have termed an "exception" to H.R. 1833 does not begin to meet this concern. First, of course, the provision in question -- what would be section 1531(e) -- covers only cases in which partial-birth abortion is necessary to preserve a woman's life, and does not reach cases in which health is at issue. Second, the provision is not really an exception at all. Instead, the provision creates an affirmative defense, so that a doctor facing criminal charges must carry the burden of proving, by a preponderance of the evidence, both that pregnancy threatened the life of the woman and that the method in question was the only one that could save the woman's life. By exposing doctors to the risk of criminal sanction regardless of the circumstances under which they perform the outlawed procedure, the statute would have a chilling effect on doctors' willingness to perform even those abortions necessary to save women's lives. Providing an affirmative defense, under which doctors rather than the government bears the burden of proof, does not provide adequately for the lives and health of pregnant women.

Finally, the bill, in addition to failing to protect women's health, may otherwise impose an "undue burden" on the ability of women to obtain pre-viability abortions.[8] Under

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[8] Casey, 112 S. Ct. at 2819-21.

the legal analysis applied in Casey, the government may not place "a substantial obstacle in the path of a woman seeking an abortion of a nonviable fetus."[9]

By way of an example, consider the breadth of the bill's definition of the outlawed procedure. The scope of that term and the unfamiliarity of the concept of "partial-birth abortion" are such that doctors who perform second-trimester abortions by any method cannot be certain that their procedures fall outside the scope of the criminal prohibition. As a recent newspaper article reported, one group of doctors considering the legislation was "unable to agree on what the law would cover -- but did agree that it posed a threat to anyone who did second-trimester abortions."[10] Given this uncertainty, and the threat of criminal prosecution, doctors might well decide to forego the performance of second-trimester abortions altogether. In that event, the practical effect of the bill would be to limit severely the availability of all second-trimester abortions, imposing an "undue burden" on women seeking previability abortions.

The procedure -- or procedures -- that would be banned by H.R. 1833 are performed primarily at or after 20 weeks in the gestational period. Late-term abortions that are performed when a woman's health or life is threatened or when a fetus is diagnosed with severe abnormalities such as anencephaly are tragically sad events, occurring under circumstances that cannot possibly benefit from the intervention of government regulators. The proposed imposition of criminal penalties in such cases would violate the Constitution and would pose a real risk to women's lives and health.

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[9] Id. at 2820.

[10] Tamar Lewin, Wider Impact is Foreseen for Bill to Ban Type of Abortion, New York Times, Nov. 6, 1995, at B7.

M E M O R A N D U M

THE PRESIDENT HAS SEEN
11-22-95

TO: THE PRESIDENT

FROM; BETTY

RE: CALL FROM GOV. ROEMER

DATE: NOVEMBER 22, 1995

He has been in conversation with Gov. Tommy Thompson re. a potential face-saving way for the budget by using the CPI index adjustment to get part of the problem solved.

You need someone to go out front for you. He and Gov. Thompson are willing to do this.

He will be talking to Gov. Thompson again this afternoon.

Gov. Roemer
303-866-4575
303-880-8990 (mobile)

E Bowles
Fyi. Lee M Huebner

THE PRESIDENT HAS SEEN
11-22-95

THE WHITE HOUSE

WASHINGTON

95 NOV 19 A9:29

November 15, 1995

MEMORANDUM FOR THE PRESIDENT

FROM JACK QUINN
COUNSEL TO THE PRESIDENT

SUBJECT PFLP DEPORTATION CASE

Last year you asked Lloyd Cutler about a deportation case involving eight members of the PFLP, a Palestinian terrorist organization. Your question was prompted by an article in which Anthony Lewis charged that the government's position was inconsistent with the First Amendment. Lloyd, however, advised you that he agreed with the Justice Department position. (Tab A).

DOJ informed me on Friday that the Court of Appeals ruled against the government in this case. Specifically, it adopted a broader view of the First Amendment rights of aliens than the government argued, and it held that Due Process principles do not allow the secret use of classified information in legalization determinations.

The Justice Department is considering whether to appeal the ruling. The Washington Post editorialized against an appeal today. (Tab B). Nevertheless, as far as DOJ is concerned, an appeal is necessary and a virtual certainty. The Department is also reviewing how the decision affects the constitutionality of the counterterrorism legislation before the Congress, particularly those provisions permitting deportation of alien terrorists on the basis of classified information not shared with the alien in certain situations.

Tab A - Cutler Memo
Tab B - Washington Post Editorial

THE WHITE HOUSE

WASHINGTON

August 25, 1994

MEMORANDUM FOR THE PRESIDENT

FROM: LLOYD N. CUTLER
SPECIAL COUNSEL TO THE PRESIDENT LNC

SUBJECT: TONY LEWIS ARTICLE ON PFLP

CC: LEON PANETTA
CHIEF OF STAFF

In response to your question about the PFLP case, we asked the Department of Justice to prepare the attached brief memorandum summarizing the case and its current status.

Although Joel and I are great admirers of Tony Lewis, we think that in this case Tony is wrong and the Department of Justice is right.

The case involves eight members of the PFLP, one of the most violent Palestinian terrorist organizations. Six of them are charged with routine immigration violations such as overstaying visas, but the other two, who are permanent residents, are charged with violations of the anti-terrorism provisions of the 1990 Immigration Act. They participated in fund raising in Los Angeles allegedly to finance PFLP criminal activities, not "lawful activities."

The Department of Justice position does not argue that aliens have no First Amendment rights; it argues that aliens can be deported if they use their presence in this country to raise money for and provide other support to terrorist organizations.

My understanding is that the PFLP is anti-PLO and anti-Arafat, and that it has continued to engage in terrorist activities even after the signing of the Peace Accord.

As a result of the Lewis article, Janet Reno has asked the Associate Attorney General to review Justice Department activities in the counter-terrorism area to ensure they are consistent with the First Amendment. We will follow the results of that review.

Attachment

THE NEW YORK TIMES
August 19, 1994 - P.A27

Abroad at Home

ANTHONY LEWIS

Free Speech, Except —

Freedom for political speech has broader support in this country than ever before, I believe. Past repression of unpopular speakers seems anomalous today. One thing on which most conservatives and liberals now agree is respect for the First Amendment.

But not the U.S. Department of Justice. Not, at least, if one goes by an astonishing brief the Department has just filed. In the teeth of precedent and logic, it argues that immigrants in this country have only as much freedom of speech as the Government considers reasonable — and can be deported if they cross that vague line.

The brief was filed in the Ninth Circuit Court of Appeals in a seven-year-old deportation case against two Palestinians. It is the latest turn in a proceeding that is a model of how our Government should not behave.

Eight men and women of Palestinian origin, living in California, were arrested in 1987, held in shackles and described as "terrorists." The Immigration and Naturalization Service charged them with advocating "world Communism" — but later dropped that charge.

The real problem of the eight was that they had raised money for the Popular Front for the Liberation of Palestine, a radical group. The P.F.L.P. has carried out terrorism, but it also conducts peaceful political and relief activities. Judge William Webster, then Director of the F.B.I., told Congress in 1987 that the eight had "not been found to have engaged themselves in terroristic activities."

Contributing money for peaceful purposes to a group that also engages in violence is plainly protected by the First Amendment. Many Americans gave money to the Nicaraguan contras, and they could certainly not be prosecuted.

Nevertheless the Immigration Service moved to deport Khader Hamide and Michel Shehadeh, who were lawfully in this country as permanent residents, under a 1990 law allowing deportation of those who support an organization "in conducting a terrorist activity." Many experts in immigration law protested that that language did not cover what these two men had done, but the I.N.S. persisted.

The I.N.S. sought to deport the six others for technical violations. It said, for example, that one who had a student visa failed to take enough credits

U.S. Department of Justice

Office of the Deputy Attorney General

The Deputy Attorney General Washington, D.C. 20530

August 24, 1994

MEMORANDUM FOR: Lloyd N. Cutler
Counsel to the President

Joel I. Klein
Deputy Counsel to the President

FROM: Jamie S. Gorelick DAG/DAS
Deputy Attorney General

SUBJECT: Department of Justice Advisory Report

P.F.L.P. Litigation

Attached is a memorandum providing background information on a case that was the subject of a recent New York Times column by Anthony Lewis.

Attachment

cc: Alan Kreczko

U.S. Department of Justice
Civil Division

Deputy Assistant Attorney General

Washington, D.C. 20530

August 24, 1994

MEMORANDUM FOR THE ASSOCIATE ATTORNEY GENERAL

FROM: Frank S. Holleman FSH
Deputy Assistant Attorney General
Civil Division

SUBJECT: PFLP Litigation

You asked for a two-page memo summarizing the status of this litigation and the issues it presents. This memo is thus brief, and I will provide you with others that present the history of the case in more detail.

1. The PFLP. The PFLP is a violent, terrorist organization. Based in Damascus, it engaged in some of the most notorious terrorist acts of the last three decades, including airline hijacking and the murder of the U.S. ambassador to Lebanon. In recent years, it has killed Israeli and Palestinian civilians in Israel and the Occupied Territories; it withdrew from the PLO in opposition to the Israel-PLO peace negotiations and has pledged to undermine the peace initiative through violence; and it has claimed credit for killing two Israeli civilian hikers after the signing of the peace accords.

2. The Facts. The 8 PFLP members were arrested in 1987. Six are charged with routine immigration violations, such as overstaying visas. Two (Hamide and Shehadeh) are permanent residents and are charged with violations of anti-terrorism provisions of the 1990 Immigration Act. As to Hamide and Shehadeh, the government will not prove that they actually participated in terrorist activities in the U.S.; in other words, the government will not establish that Hamide or Shehadeh killed or bombed in the U.S. or committed some other criminal act.

However, documents taken from PFLP couriers in 1983 and 1984 will show that the PFLP has, since 1983, developed a secret cell structure in the United States to prepare for possible terrorist activity on orders from Damascus. Hamide and Shehadeh were leaders of the PFLP in Los Angeles between 1984 and 1987, and directed the PFLP's fundraising and publications distribution activity there during that time. The fundraising itself was predicated on PFLP military activity, not on alleged "lawful

activities"; it included a 1986 event where the principal speaker read a list of names of prominent West Bank moderates that the PFLP would deal with. Two weeks later, the PFLP assassinated a West Bank mayor whose name had been on the list. The evidence will also show that Hamide was in regular telephone communication with other U.S. and international PFLP leaders.

There is additional significant information concerning their activities, but it is classified and will be provided separately.

3. The Litigation. There are two parts to the litigation. First, an Immigration Judge in Los Angeles is conducting deportation hearings. We are proceeding initially against Hamide and Shehadeh, under the anti-terrorism provisions. Because of the IJ's schedule, the proceedings are scheduled episodically and will probably not reach a conclusion for two more years.

At the same time, the PFLP members have sued in Los Angeles District Court to enjoin the deportation hearings, primarily on First Amendment grounds. Earlier this year the Court entered three orders, two adverse to the government. One preliminarily enjoins deportation proceedings against the 6 charged with routine violations on the basis that they may be able to establish selective enforcement due to discrimination against disfavored terrorist groups. The other preliminarily enjoins INS from using classified information to adjudicate legalization applications of two plaintiffs without providing them the classified information.

The Solicitor General authorized appeal of the two orders adverse to the government; that appeal is the subject of Anthony Lewis' recent article. As to the First Amendment issue, the government's brief makes two principal arguments. First, the government does not argue that aliens have no First Amendment rights in the United States. The brief does argue, however, that in the area of deportation, the United States has the constitutional authority to provide that aliens not use their presence in this country to raise money for terrorist organizations or otherwise provide them material support, and that the First Amendment does not override Congress' broad constitutional authority over immigration in this context. Second, the brief argues that the plaintiffs should not be able to state a selective enforcement claim, because the government may on foreign policy grounds exercise discretion to decide whether to deport supporters of particular terrorist organizations. We are defending the appeal by Hamide and Shehadeh because the district court refused to enjoin their deportation proceedings.

4. Conclusion. We will be providing you with copies of earlier memos to supplement this brief description of these cases. The relevant Ninth Circuit briefs are attached.

cc: Frank W. Hunger

Aliens and Speech

ANY AMERICAN citizen has the right to stand on a street corner and hand out pamphlets urging support of political groups here and abroad. This kind of speech is constitutionally protected even though the organization may be linked to violent acts, as are the Irish Republican Army, the African National Congress or the Popular Front for the Liberation of Palestine. But what about individuals who live here but are not citizens? That's the question federal courts in California have been grappling with for almost nine years. Last week, the U.S. Court of Appeals for the 9th Circuit issued an opinion that should settle the question in favor of the aliens.

The case at issue was begun by the Reagan administration and, to the surprise of many, continued by the Clinton Justice Department. Seven Palestinians and the Kenyan wife of one of these men were arrested in January 1987 because they had engaged in peaceful activities in support of the Popular Front for the Liberation of Palestine. Each had been in this country for many years, and none had ever been charged with or convicted of any crime. The government sought to deport them because, according to former FBI director William Webster, they were "alleged to be members of a worldwide Communist organization."

This sweeping allegation was later dropped and other reasons were offered, including technical violations of the immigration laws—such as working while on a student visa—which ordinarily wouldn't lead to deportation. In addition, two of the men had applied for legalization under the provisions of the 1986 amnesty law but were turned down on the basis of classified information, which was kept secret from them.

This litigation has been long and complicated, and it is not over yet, since some matters have been returned to the trial court for further proceedings. But the bottom line from the appellate court is this: Aliens present in the United States have the same right to political speech and association as citizens. Aliens cannot be singled out for deportation because they exercise those rights. And aliens cannot be deported on the basis of secret evidence.

The Justice Department could continue this case by appealing to the Supreme Court, but it shouldn't. These clear and principled determinations are on firm constitutional ground and ought to be accepted. The government should drop this effort to single out certain aliens for deportation because of their speech.

THE PRESIDENT HAS SEEN
11.22.95
95 NOV 20 P5:25

CLINTON ☆ GORE '96

cc: Doug Sosnik
— get their list of those we showed with Team USA —

To: The President

From: Ann Lewis

Date: 11/18/95

→ we showed slippery slope with Ty. This is good

AC

Another set of responses, this time from a national conference of women state legislators. in San Diego. I thought you would be interested to know that:

Our DNC-sponsored breakfast had an overflow crowd, with a very positive response to our campaign update and our suggestions for values-based messages.

In contrast the Republican event "erupted" (their words) in an angry argument over choice, with most of the women strongly attacking the national party position. (And to make things worse, they told us, they could hear the laughter and applause on our side!)

Good!

There is strong appreciation and support for your leadership on issues that matter particularly to women. They know what is at stake next year; they also know that most of their constituents do not, and that it will be very important to talk to them directly as women, about what is at stake.

Women legislators are eager to participate in the '96 campaign: as surrogate speakers, as leaders in their state/local organizations. There is concern that "it is so important that there be women in visible, real positions in the states" and that this won't happen unless the national campaign insists.

White House invitations would be very welcome. Democratic women told us they have not been invited. "When the Republicans were in, every Republican woman (legislator) was invited to the White House."

cc: Betsy Myers

CLINTON/GORE '96
P.O. BOX 19300 WASHINGTON, D.C. 20036-9300 PHONE 202/331-1996
Paid for by the Clinton/Gore '96 Primary Committee, Inc.
Contributions to Clinton/Gore '96 are not Tax Deductible.

JIM DORSKIND:

Please coordinate
the reply,
if necessary.

THE PRESIDENT HAS SEEN
11-22-95

Dorskind
Need letter
to Moorman and (3)
BC

Indiana

After 30 years in Congress, Rep. Andy Jacobs (D) will not seek re-election.

Kansas

Senator Nancy Kassebaum (R) announced this morning that she will not seek a fourth term next year. The Democrats seriously looking at the race include State Treasurer Sally Thompson, investment banker Jill Docking, Insurance Commissioner Kathleen Sebellius and House Minority Leader Tom Sawyer. Thompson and Docking are looking at the race most seriously. Docking is viewed as the strongest candidate. She is attractive, articulate and moderate and the Docking family has strong roots in Kansas politics. The GOP primary is also a free-for-all with Rep. Pat Roberts' (R) announcement that he will not run. Since it is widely assumed that he will run for Dole's seat in 1998, this race is viewed as many Republicans' last chance to make a Senate bid in the near future. The Republicans looking at the race most seriously include freshman Rep. Sam Brownback, publisher Nestor Weigand and former State Senator Eric Yost. All three are on the far right end of the political spectrum.

Kentucky

Governor-elect Paul Patron confirmed his selection of current Secretary of State Bob Babbage to be the new State Chair of the Democratic Party. Babbage's tenure as the Kentucky Secretary of State ends in early January, although he will take over as State Chair on December 13.

The Kentucky Republican Party is reportedly ready to file an official complaint with the state agency which governs all state elections charging that the Patron campaign worked "in collusion" with the Kentucky AFL-CIO in conducting campaign activities. State law forbids such coordination. The charge will be taken under review by the State Registry Board, which in a worse-case scenario, could rule Patron election null and void if evidence of collusion is found.

Louisiana

State Senator Mike Foster (R) defeated Rep. Cleo Fields (D) to become the second GOP governor of the state since Reconstruction. Foster won by a 63%-37% margin. Exit polls showed that 96% of African Americans voted for Fields while 84% of whites backed Foster. Fields expressed considerable disappointment with the lack of support he received from white elected officials in the state, most notably State Treasurer Mary Landrieu's (D) refusal to endorse him. He specifically noted that it was embarrassing to him and to the Vice President that no white Democratic elected officials attended the VP's campaign stop for him last week. Although Fields is unhappy with many white Democrats in the state, a feeling shared by many African American Democrats, he specifically pointed out that he felt the White House, the DNC and the Louisiana Democratic Party were all very helpful to his effort.

New Orleans Mayor Marc Morial (D) worked to turn out his voters for Fields, a significant move given the two men's frosty relationship. As expected, Rep. Bill Jefferson (D) worked very hard for Fields and was very disappointed by the lopsided margin. He is seriously reconsidering his plans to run for the Senate next year.

Senator Breaux will be meeting over the next couple of days with the statewide elected Democrats and all of the Democratic state legislators to assess where the party goes from here.

The election night news was not all bad for Democrats, however. Public Service Commissioner Kathleen Blanco (D) was easily elected Lt. Governor over State Representative Suzanne Krieger (R) by a 65%-35% margin, winning by a larger margin than Foster. Insurance executive Ken Duncan (D) defeated another Democrat, State Representative Steve Theriot (D), to win the Treasurer's office. The Democrats will also retain a firm grip on both chambers of the legislature, holding a 77-28 edge in the House and a 27-12 edge in the Senate. However, as expected, State Senate President Sammy Nunez (D) was defeated. Nunez has figured prominently in an ongoing FBI probe of allegations of corruption related to the gambling industry.

Maine

The Maine Democratic State Committee met over the weekend and unanimously endorsed your candidacy in the presidential primary. The Maine Democratic Party has never before united behind one person in the primary season. The committee included the sometimes factious DNC Member and 1996 Senate candidate Deidre Nice and other 1992 Jerry Brown supporters. The Maine Democrats also voted to participate in Maine's first ever Democratic presidential primary. Their primary will be on March fifth -- a part of the New England primary. Lyndon LaRouche is the only other Democrat who will appear on Maine's primary ballot; however, he would need to garner 15% of the primary votes to obtain delegates to the convention.

Massachusetts

A Boston Globe poll conducted November 14-15 shows Senator John Kerry beating Governor Bill Weld in a head to head match up, 50% - 36%, with 15% undecided. These numbers have not changed much since the Globe's last poll in August which gave Kerry 52% and Weld 38%. The new poll also showed the following approval ratings:

	Favorable	Unfavorable
Kerry	62%	18%
Weld	64%	25%
Clinton	63%	30%
Gingrich	27%	58%

The poll shows that 69% of MA voters feel Weld should serve out his entire four-year term as Governor and that his popularity is hurt because of his close relationship with Newt Gingrich.

Meanwhile, both Wyden (D) and DeFazio (D) refused to accept their paychecks during last week's budget impasse. Wyden went so far as to say that even after the furlough ends and federal employees receive backpay, he will still refuse to accept any pay which covered the furlough period.

Colorado

Joe Rogers, a former aide to Senator Hank Brown (R), announced he will challenge Congresswoman Pat Schroeder (D) next year. Rogers would become the first African-American to run for Congress in Colorado. He has reportedly raised $75,000 thus far.

Denver City Councilwoman Ramona Martinez formally entered the U.S. Senate race for the seat of retiring GOP Senator Hank Brown last week by holding a campaign kick-off rally in her hometown of Del Norte, Colorado. Martinez then went on a statewide blitz to promote her long-shot candidacy. Martinez, who has thus far raised only $30,000, joins four other declared candidates, including current frontrunner, Tom Strickland, in the race to succeed Brown (R).

Connecticut

Charlotte Koskoff (D) may challenge Rep. Nancy Johnson for Connecticut's Sixth District seat in 1996. Koskoff, who lost to Johnson by a 2-1 margin in 1994, has indicated that she wants a rematch. Koskoff's campaign would center on Johnson's relationship with Gingrich and her front and center role in crafting the Contract with America. Koskoff would also highlight the Ethics Committee's inaction on the Gingrich matter. Last week, State Chair Ed Marcus suggested that Bill Curry make a run for the seat, but Curry has indicated that he is not interested. Johnson narrowly defeated Curry for the seat in 1982.

Delaware

Republican State Senator Margaret Rose Henry switched to the Democratic party last week, increasing the margin to 13D-8R. Henry, the Senate's only black Democrat, left the Democratic party in 1994 to run as a Republican in a special election. Henry made the run as a Republican because she felt shunned by Democratic leaders in the state. Henry said she is coming back to the Democratic party because she is disillusioned with the National Republicans and the Contract with America. Her four-year term expires in 1998 and she should win re-election easily in her predominantly African-American and blue-collar district.

Illinois

A Chicago Tribune poll of 701 registered voters in Illinois' Second Congressional District reports that Jesse Jackson, Jr. leads in the race to succeed Mel Reynolds. Jackson placed first in the Democratic primary match-up with 33%, followed by Senate Minority Leader Emil Jones with 20%, State Senator Alice Palmer with 8% and State Representative Monique Davis with 3%. The district is solidly Democratic.

THE WHITE HOUSE

WASHINGTON

Send copy of this letter to Sosnik to talk with him about it

November 21, 1995

Felicia Gervais
Apartment E802
75 Cambridge Parkway
Cambridge, Massachusetts 02142

Dear Felicia:

Thanks so much for your letter of November 13. I was glad to hear from you and to get an update on your activities though I was sorry to learn about your brother. Hillary and I will keep him and your family in our thoughts and prayers.

Thanks, too, for letting me know about Elma Leake -- I've dropped her a note, as you suggested. Also, please tell Chuck that your letters never bother me. I love hearing from the two of you!

Hillary and I hope to see you both soon.

Sincerely,

Bill

THE WHITE HOUSE

WASHINGTON

November 21, 1995

Elma Leake
4301-B Central Avenue
Charlotte, North Carolina 28205

Dear Elma:

Our good friend Felicia Gervais told me of your support for our efforts here, and I just wanted to thank you.

We're continuing to work very hard, and I'm confident we'll be able to accomplish a great deal in the months ahead.

Again, thanks.

Sincerely,

Bill Clinton

Maureen 11/13/95

Felicia Gervais 2 letters

Dear Bill -

Greetings from Boston! Chuck joins me in sending you + Hillary our warm hellos.

Yikes! Tonight's a big Budget night for you. We know you'll resolve matters as best as possible.

We continue to drift further + further (farther + farther? :-)) from the Political Machine. Did you realize our 1st, + only, foray into the Large Fundraising fold was due to our pure belief + regard for you? Since your election in '92, watching the Agenda of virtually every other political fundraiser we know has put us off a bit. Thank Goodness that hasn't happened to you! But phew, it's not pretty to watch.

We still hope to see you sometime

after this phase is over (1999?) for a drink, lunch, something! ☺

Our lifes are mostly good. Retail sucks but our businesses are flourishing. We hope to move into our new house in December. The only sad note is watching my brother die of AIDS currently. At least he is surrounded by love and (hopefully) peace of mind.

So.. aside from wanting to remind you of our continued heartfelt greetings of friendship I do (sorry) have a favor to ask of you. I realize how crazy it is to even ask - but I promised to try.

I have a 74 ish yr. old friend (she actually was my nurse when I was born!) who I "take care of" +

whom I have visit me 2-3 times pr. yr. She loves you + sings your praises to all her peers in the African American community. She'd give anything for anything with your signature on it. A note, an autograph, anything. If you want to do it, she is:

Ms. Elma Leake
4301-B Central Ave.
Charlotte, North Carolina
28205

There- I did my part + asked. Oy vey- I think there's something very wrong with on one hand whining to ya at fundraiser's Agendas (Agendi?) + then asking you for my own favor. Please forgive.

Felicia Gervais

I'm motivated by simply wanting to help a poor, old lady happy - I promise! ☺

Either way - I was glad for the excuse to write you (though Chuck says I bother you too often ☹) & say "Howdy".

Hope you, Hillary & Chelsea are well & enjoying life.

Warm Wishes,

Felicia

THE WHITE HOUSE

WASHINGTON

95 NOV 21 P1:53

THE PRESIDENT HAS SEEN
11-22-95

November 10, 1995

MEMORANDUM FOR THE PRESIDENT

FROM JACK QUINN
COUNSEL TO THE PRESIDENT

REGARDING SPRINGFIELD TAXI MATTER

This follows up on our notes to each other about the Post report of discrimination against African Americans by taxi drivers in Springfield, Illinois. The enclosed memorandum from John Schmidt reports that the Department has concluded that it does not have jurisdiction because the civil rights law applicable to public accommodations does not extend to taxi service.

Schmidt also suggests that we think about supporting a statutory change in this regard. If you would like me to follow up on that suggestion, please let me know.

Jack
Churchouse

U. S. Department of Justice

Office of the Associate Attorney General

The Associate Attorney General

Washington, D.C. 20530

November 9, 1995

MEMORANDUM

TO: Jack Quinn
Counsel to the President

FROM: John Schmidt JRS

Attached is a memorandum from Deval Patrick on the Springfield, Illinois, taxi discrimination matter. As the memo explains, we do not have jurisdiction because the civil rights law applicable to public accommodations does not extend to taxi service. This is something we would like to change, and it has been talked about in the past. The Americans with Disabilities Act, in contrast, extends its provisions to taxi companies. You might want to think about supporting a statutory change on this matter. It is an issue which affects large numbers of black people, including middle class and professional people. The chance of passage at the moment might be slight, but it may still be worth taking a public stand on the issue.

Attachment

U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General *Washington, D.C. 20530*

November 9, 1995

MEMORANDUM FOR THE ASSOCIATE ATTORNEY GENERAL

FROM: Deval L. Patrick
Associate Attorney General
Civil Rights Division

SUBJECT: Lincoln Yellow Cab Company
Springfield, IL

On November 2, 1995, the Washington Post carried a wire service story which described a notice which had been posted on a bulletin board at Lincoln Yellow Cab Company's headquarters in Springfield, Illinois. The notice instructed drivers not to "pick up any black males unless you feel it is safe." The notice went on to state that "[t]here had been too many robberies lately" and that they had all been by black males.[1] You have asked us whether we have any statutory authority to address this matter. While the notice evidences a policy of racial discrimination, this Department is without statutory authority to address this matter directly. Nonetheless, there may be other options by which we can contribute to a remedy.

The closest statute -- and the one most people believe would apply to a situation like that in Springfield -- is Title II of the Civil Rights Act of 1964, 42 U.S.C. §2000a(a). As we will explain, however, Title II is inapplicable. Indeed, the Springfield situation is but one of many complaints of discrimination that we receive every year that we cannot address because of the limited coverage of Title II of the 1964 Civil Rights Act.[2]

Title II prohibits racial discrimination in "any place of public accommodation" but the definition of "public accommodation"

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[1] "Cabbies in Lincoln's City Told to Rebuff Black Men," Washington Post, p. A16 (Nov. 2, 1995).

[2] Other examples include allegations that a retail store in North Carolina prohibited black adolescent males from entering the store and a complaint against a shoe store in Maryland that it accepted personal checks from white, but not black, customers.

is a limited one.[3] An establishment is a "place of public accommodation" within the meaning of Title II if its operations affect commerce and it falls within one of the categories of establishments which serve the public. Generally, these are motels, hotels, restaurants, theaters, sports arenas, stadiums, or other places of entertainment or exhibition. See 42 U.S.C. §2000a(b). Taxi service does not fall within any of these categories.

The coverage of Title II is more circumscribed than that of the Americans with Disabilities Act, 42 U.S.C. §12,181 et seq., which Congress enacted in 1990. That Act not only expands the definition of "public accommodation" for purposes of prohibiting discrimination against persons with disabilities (see 42 U.S.C. §12,181(7),[4] but also contains a specific prohibition of discrimination in specified public transportation services provided by private entities:

> No individual shall be discriminated against on the basis of disability in the full and equal enjoyment of specified public transportation services provided by a private entity that is primarily engaged in the business of transporting people and whose operations affect commerce.

42 U.S.C. §12,184(a). Because of the disparity between Title II of the 1964 Civil Rights Act and the ADA, we may wish to address through appropriate legislation a broadening of the concept of "public accommodation" under the former Act. See Welsh v. Boy Scouts of America, 993 F.2d 1267, 1270-1271 (7th Cir. 1993)

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[3] The Attorney General may bring a civil action to enforce Title II

> [w]henever [she] has reasonable cause to believe that any person or group of persons is engaged in a patter or practice of resistance to the full enjoyment of any of the secured by [the Act], and that the pattern or practice is of such a nature and is intended to deny the full exercise of the rights [described in the Act].

42 U.S.C. §2000a-5(a).

[4] For instance, the ADA by its terms reaches "a bakery, grocery store, clothing store, hardware store, shopping center, or other sales or rental establishment." 42 U.S.C. §12,181(7)(E). By contrast, this Department has been limited in its ability to pursue claims of racial discrimination at shopping centers or retail stores because of the limited scope of Title II of the 1964 Civil Rights Act.

(rejecting argument that Title II coverage should be more broadly interpreted because of the expanded definition of "public accommodation" under the ADA and suggesting that the "proper forum" for a change in the law is Congress).

In our view, a simple amendment of Title II is warranted. That amendment could extend coverage to "any entity that sells leases or rents goods or services including, but not limited to, any store, office, shop, market, shopping mall, or transportation service." Over the years, the Civil Rights Division has received -- and continues to receive -- numerous complaints from individuals denied service on the basis of race in retail establishments. Recent reports, such as the coverage of this incident, demonstrate that African Americans suffer substantial difficulty on the basis of race in obtaining taxi service. Because of the limitations imposed by Congress in 1964, we have been unable to address directly any of these complaints.

Thus, while current federal law limits our ability to challenge directly the Springfield matter, there are, however, other possible ways for the problem to be addressed. Persons who believe they are victims of racial discrimination by taxi companies should generally file complaints with the local licensing authority, which may be the municipality. If the city fails to address the problem, we may have a claim under Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d, which provides for nondiscrimination in federally-assisted programs. Such a claim would require that the city receive federal funds, and we may also have to overcome a legal hurdle of arguing that the city is responsible for discrimination by licensees. Of course, the federal agency providing the funding would need to review the matter first and would then have to refer the matter to the Attorney General. 42 U.S.C. §2000d-1.[5]

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[5] For instance, the Department of Transportation has issued regulations implementing Title VI applicable to programs or activities receiving Federal financial assistance through it. 49 C.F.R. Part 21. As an example of discrimination prohibited by the regulations, they note programs receiving assistance through the Urban Mass Transportation Administration:

> Any person who is, or seeks to be a patron of any public vehicle which is operated as a part of, or in conjunction with, a project shall be given the same access, seating, and other treatment with regard to the use of such vehicle as other persons without regard to their race, color, or national origin.

49 C.F.R. Part 21, App. C.

Another option, which is probably the best given the current limited Title II coverage, allows us to intervene in private litigation. Racial discrimination by the taxi company would likely violate 42 U.S.C. §1981, which provides that "[a]ll persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts * * * as is enjoyed by white citizens * * *." A private party can sue under that statute, but we cannot. Likewise, a private individual could file suit pursuant to 42 U.S.C. 1983, alleging a violation of the Equal Protection Clause of the Fourteenth Amendment. Title IX of the Civil Rights Act of 1964, 42 U.S.C. §2000h-2, authorizes us to intervene in a private suit that alleges a denial of equal protection on the basis of race or national origin by certifying that the case is of general public importance. Another option would be to participate as an amicus curiae in private litigation. We are unaware of any private litigation involving the Springfield matter at this time.

cc: John Dwyer

November 22, 1995

MR. PRESIDENT:

Herschel Gober has drafted a response to the John Wheeler column that ran in the November 12 Democrat-Gazette. The response would run under Herschel's name.

It has been reviewed by Ginny Terzano and Michael Waldman.

If you approve, Herschel will submit it for publication.

Todd Stern

cc: The First Lady

139867

Editor

Arkansas Democrat Gazette

95 NOV 21 P5 : 37

As a native Arkansan who regularly reads the Democrat-Gazette while in Washington I was looking forward to seeing some Veterans Day sentiments in keeping with the spirit of this treasured national holiday. Instead, you gave space (column Nov. 12) to John Wheeler's shameful attack on the President's and First Lady's alleged slighting of veterans. His charges are absurd and it's time to label them as such.

Mr. Wheeler's torrent of anecdotes is straight out of a tabloid mentality designed to portray President and Mrs. Clinton as innately hostile to present and former members of the military. His vocabulary includes "degrades...disdain... looks down on ... hypocritical." Every turn of phrase by Mr. Wheeler leads to the bald face charge that anti-veteran sentiment is rampant in the Oval Office. It would be hoped that your discerning readers would suspect that perhaps Mr. Wheeler has a personal agenda here. This is not the first time he's managed to find a newspaper willing to publish his attack and it's reasonable to ask just what is his motivation?

Take for example his charge that veterans are not well-represented in the administration. Many senior advisors, including the Vice President, plus five cabinet secretaries and the White House Chief of Staff are military veterans. But even more telling is the entire pattern of veteran employment in federal jobs and a strong commitment to the principles of veterans preference. President Clinton's policies have raised the percentage of newly hired veterans by some 44 percent between 1992 and 1994; we now have a federal workforce with a ration of veterans employed that is double the private sector. And all this

during a downsizing of the federal workforce of some 160,000. There are many veterans who have obtained jobs in this administration. Mr. Wheeler is not one of them. Maybe his disappointment explains his vitriolic behavior.

Mr. Wheeler's alleged "proof" and conclusion that "there is no other explanation" come in the form of imagined slights and irrational suspicion. But let the true record of this administration and its advocacy on behalf of veterans speak for itself: With policies transmitted direct from President Clinton we have implemented an expansion of disease-related benefits for Vietnam veterans exposed to Agent Orange, the push to establish a law allowing disability payments to Persian Gulf veterans with diagnosed illnesses, and efforts to substantially aid homeless veterans.

Veterans have also increased access to the councils of government and gained support for important causes over the last three years. The President and Mrs. Clinton have hosted veterans and military personnel at White House functions and regularly attend ceremonies and commemorative activities. Memorial Day, Veterans Day, World War II observances and even calls from the Oval Office to veterans' bedsides have been the marks of this President's respect. I was proud to lead this team of emissaries he appointed that gained new cooperation from Vietnam for an accounting of our missing-in-action. Instead of giving Mr. Wheeler's near-childish carping a platform, why not to have better observed Veterans Day by applauding President Clinton for his push to properly fund VA health-care services and benefits? No one who heard the President's remarks at Normandy, Hawaii or Arlington National Cemetery can doubt the President's personal commitment to veterans.

Speaking as someone who had first-hand knowledge of President and Mrs. Clinton's profound and sincere respect for those who wear the uniform and who have served this

nation, I am bitterly disappointed that you gave Mr. Wheeler status as in "authority" on this subject. His hostile viewpoints contribute little to what should be the honest and informed discussion of issues that your newspaper typically brings to its readers.

Sincerely,

Hershel W. Gober

(Mr. Gober is the Deputy Secretary of Veterans Affairs, headed the 1992 Clinton campaign's veteran constituency effort, and retired decorated veteran who served two tours of duty in Vietnam.)

White House degrades military

BY JOHN WHEELER
Special to the Arkansas Democrat-Gazette

When Hillary Rodham was Wellesley student body president in 1967-68, I dated her classmates as a new West Point graduate studying at Harvard.

She led in the antiwar movement, and when her regime began the American flag stopped flying over the campus. The mast on Tower Court, overlooking the school, was always bare. It was ironic because leaders of the World War II Women's Army Corps came from Wellesley as did Katharine Lee Bates, who wrote "America the Beautiful."

Times were loony, with flag burning, spitting on soldiers, seizing presidents' offices, and banning ROTC programs. When Harvard closed for antiwar teach-ins I left for Vietnam and forgot about Wellesley and its flag. Years later my sister Janet Marie Wheeler, class of 1985, led the successful fight to fly Wellesley's American flag again, despite student protests.

The antiflag culture of Hillary's era had persisted, and it persists in her control of every top appointment since becoming co-president in 1992. Thanks to her, the Clinton administration is the first to disqualify people from top defense, state department, and other posts because they served in the military.

Like many vets who backed Clinton in 1992 I did not want to believe it.

But the gaps are so big and longstanding, and Hillary's iron hand in appointments is so well known, that there is no other explanation.

In the Senate, 59 percent of the men are vets, in the House 40 percent of the men vets, and 37 percent of all male workers over are 35 are vets. On the Clinton White House staff only 4 percent of the men are vets and there is no woman vet. Of the 885 top cabinet slots only 19 percent of the men are vets, and there is just one woman vet.

This is disaffirmative action. By contrast, under Bush, 36 percent of the men in the White House and 30 percent of the top male appointees were vets. Vets are the only people left out of the administration that Bill Clinton promised would "look like America."



Arkansas Democrat-Gazette/JOHN DEERING

Commentary

The culture also degrades the military and families of personnel killed in action. In 1993 Generals Barry McCaffrey and Colin Powell walked into the White House and McCaffrey said, "Hello there" to a Clinton staffer. She turned up her nose and said, "We don't talk to people in the military around here." If she said, "We don't talk to black people," the story would never have faded.

Like gentlemen, Powell and McCaffrey shrugged it off, but it is proof of the culture that looks down on the military and the values of sacrifice and commitment to country. Other proof is stonewalling the late Lewis Puller, Jr., Marine vet and author of the Pulitzer Prize-winning autobiography "Fortunate Son," when he sought data on vet appointments.

Disdain for military and vets is nonstop: the Clintons' inner circle has sought higher benefits for Americorps workers than vets; claimed that Robert McNamara's memoir proves the best men dodged the draft; and used the soldiers who guard the Tomb of the Unknowns as messenger boys, military officers to serve cocktails and Marine helicopters on golf trips.

They are also breaking the promise of a full report to families of Rangers killed in Somalia. Caroline and James Smith's son Jamie was killed in the Oct. 3, 1993 raid against General Aidid. In a private meeting they heard Clinton claim that he had decided to negotiate but forgot to tell the Army to stop hunting Aidid. He denied all responsibility for their son's death. Stunned, Caroline thought, "The buck stops here?"

Their second son joined the Army on the anniversary of his brother's death, and their third son joined last summer. James was a Ranger wounded in Vietnam.

The Smiths have more family at risk defending America than the entire White House. Caroline now says, "Defeating Bill Clinton is a life and death matter, not only for my family but for all our sons and daughters in the military."

Clinton makes hypocritical speeches on Veterans and Memorial Days, orders soldiers to Bosnia, and puts them in UN uniforms unlawfully, but the biggest insult is thinking he can sew up the vet vote by promising not to close vet hospitals, as if Colin Powell, Bob Dole or Phil Graham would deny any vet needed treatment. The Clintons treat vets as victims, not equals.

Only 5 million vets are in groups like the American Legion and Veterans of Foreign Wars whose lobbyists focus on entitlements, and that number is shrinking. The other 21 million vote on values and character and can control the polls: in 1992 Clinton beat Bush by 1.5 million votes in California, estimated at Clinton .8 million, Bush .7 and Perot .4. Switching Clinton's vets to Bush wipes out Clinton's election. The same applies nationally and in key states like Pennsylvania and Michigan.

In 1972 I entered Yale Law School. Bill, Hillary, Robert Reich and friends were jubilant over America's defeat in Vietnam. Like other vets I kept silent and remembered men killed in battle.

It's time for vets to end our silence and oust the Clintons by vowing to vote for their opponent 1996.

❖

John Wheeler, a Washington lawyer, supported Bill Clinton's 1992 presidential bid. He chaired the group that built the Vietnam Veterans Memorial, and is national director of Veterans Action, an organization that serves military personnel, veterans and their families.

139870

Leon
Harold

THE WHITE HOUSE
WASHINGTON

November 22, 1995

MR. PRESIDENT:

Jack Quinn has asked that Walter Dellinger's proposed testimony before the Senate Judiciary Committee on the "partial-birth abortion" bill be forwarded to you for your review. The hearing occurred November 17, and this testimony would be added to the written record.

Although it is highly unusual to send you testimony, Jack indicated that you took a special interest in the Administration's SAP on this bill and he consequently felt that you should have the opportunity to review the testimony if you wanted to. I think you can treat this as optional -- review it if you'd like, otherwise just send it back to me.

In the testimony, Walter opposes the bill largely because of its failure to recognize any exception for the health of the mother. Walter argues that this failing puts the bill at odds with governing Supreme Court law.

Counsel's Office has reviewed and suggested edits to the testimony and Jack thinks it's fine.

Todd Stern

13 of 870

THE WHITE HOUSE

WASHINGTON

95 NOV 21 P5:53

November 21, 1995

MEMORANDUM TO THE PRESIDENT

FROM: JACK QUINN
COUNSEL TO THE PRESIDENT

CC: LEON PANETTA

As you may know, the Senate Judiciary Committee held a hearing last Friday on the so-called "partial birth abortion" bill. This bill, which has already passed the House, must be reported to the Senate floor by next Monday. Although Walter Dellinger was unable to testify at last week's hearing because of the government shutdown, DOJ has been under pressure from Senators Kennedy and Biden as well as from the pro-choice groups to submit written testimony to the Senate Committee before its record closes. The Administration has previously sent to the Hill a one-paragraph SAP opposing the bill (which you approved) and the Department of Justice subsequently sent a slightly longer "bill comment," which identified constitutional objections to the bill but did not discuss them at much length.

Walter Dellinger has now drafted proposed testimony. Counsel's office has reviewed it and proposed edits, most of which have been incorporated. I therefore am satisfied with the version that is attached but, because of the sensitivity of the issue, I believe you should review it to decide whether any further edits are desirable or whether the testimony should be submitted at all. Walter Dellinger has made it clear that he is agnostic on the question whether any testimony should be submitted.

Jack

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Testimony Before
the Committee on the Judiciary
United States Senate

on

H.R. 1833

Walter Dellinger
Assistant Attorney General

Office of Legal Counsel
United States Department of Justice

November 22, 1995

Mr. Chairman, and Members of the Committee:

Thank you for inviting me to testify on H.R. 1833, a bill that would ban what it calls "partial-birth abortions." Due to circumstances arising from the lapse in agency appropriations, I was unable to appear at the hearing and am limited to submitting this abbreviated written testimony.

Let me state at the outset that the President strongly believes that abortion should be safe, legal and rare. He also opposes abortions during the third trimester, except in cases where needed to protect the life or health of the woman. Indeed, while Governor of Arkansas, he signed into law a bill that barred third trimester abortions except where needed for the life or health of the woman or, in certain rare circumstances, for minors. Such restrictions are permitted under Roe v. Wade[1] and its progeny.

H.R. 1833 goes beyond such restrictions. It would criminalize all performance of procedures described as "partial-birth abortion," now used to perform certain second- and

[1] 410 U.S. 113 (1973).

third-trimester abortions. The criminal prohibition is complete; the bill contains no exceptions. Instead, the bill would provide an affirmative defense for doctors who could bear the burden of proving that they reasonably believed "partial-birth abortion" was the only means of saving a woman's life.

This legislation is inconsistent with the constitutional standards established in Roe v. Wade and recently reaffirmed in Planned Parenthood v. Casey.[2] Most significantly, the bill fails to provide adequately for preservation of a woman's life and health. As both Roe and Casey make clear, even in the post-viability period, when the government's interest in regulating abortion is at its weightiest, that interest must yield not only to preservation of a woman's life but also to preservation of her health.[3]

The constitutionally required protection for women's health has two distinct components, both of which must be accommodated by any exception to the bill under consideration. First, the government may not deny access to abortion, even in the post-viability period, to a woman whose life or health is threatened by pregnancy.[4] Second, and apparently overlooked here, the government may not regulate access to abortion in a manner that effectively "require[s] the mother to bear an increased medical risk" in order to serve a state interest.[5]

In Thornburgh v. American College of Obstetricians and Gynecologists, for instance, the Court invalidated a "choice of method" restriction requiring that doctors use the abortion

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[2] 112 S. Ct. 2791 (1992).

[3] Roe, 410 U.S. at 164-65; Casey, 112 S. Ct. at 2804, 2821.

[4] Casey, 112 S. Ct. at 2804, 2821.

[5] Thornburgh v. American College of Obstetricians and Gynecologists, 476 U.S. 747, 769 (1986).

procedure most protective of fetal life unless it would pose a "significantly greater medical risk" to the woman. With the exception limited to medical risks that qualified as "significant," the Court reasoned, the provision as a whole continued to mandate an impermissible degree of "'trade-off' between a woman's health and fetal survival." In plainest terms, the provision was facially unconstitutional because it "failed to require that maternal health be the physician's paramount consideration."[6]

Casey, with its continued emphasis on the importance of protecting women's health, simply does not call into question this fundamental principle. Were there any doubt on that score, it should be resolved by the very recent Tenth Circuit decision considering a "choice of method" provision in the post-Casey regime. The provision at issue in Jane L. v. Bangerter required doctors performing post-viability abortions to use the procedure most protective of fetal life unless it would cause "grave damage to the woman's medical health." Relying on Thornburgh, the Tenth Circuit invalidated the provision, and expressly held that the relevant principle from Thornburgh was not "discredited" by Casey:

> The importance of maternal health is a unifying thread that runs from Roe to Thornburgh and then to Casey. In fact, defendants [elsewhere] concede that Thornburgh's admonition that a woman's health must be the paramount concern remains vital in the wake of Casey. The Utah choice of method provisions violate this consistent strain of abortion jurisprudence.[7]

The same "consistent strain of abortion jurisprudence" is implicated by the legislation at issue here. Doctors who perform the procedure in question reportedly believe that it poses the fewest medical risks for women in the late stages of pregnancy. It therefore is likely that

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[6] Id. at 768-69.

[7] 61 F.3d 1493, 1502-04 (10th Cir. 1995) (citation omitted).

in a large fraction of the very few cases in which the procedure actually is used, it is the technique most protective of the woman's health. A prohibition on the method, in the absence of an adequate exception covering such cases, would relegate women's health to a secondary concern, subordinate to state regulatory interests, and hence violate the well-established constitutional principle running from Roe to Casey.

What some have termed an "exception" to H.R. 1833 does not begin to meet this concern. First, of course, the provision in question -- what would be section 1531(e) -- covers only cases in which partial-birth abortion is necessary to preserve a woman's life, and does not reach cases in which health is at issue. Second, the provision is not really an exception at all. Instead, the provision creates an affirmative defense, so that a doctor facing criminal charges must carry the burden of proving, by a preponderance of the evidence, both that pregnancy threatened the life of the woman and that the method in question was the only one that could save the woman's life. By exposing doctors to the risk of criminal sanction regardless of the circumstances under which they perform the outlawed procedure, the statute would have a chilling effect on doctors' willingness to perform even those abortions necessary to save women's lives. Providing an affirmative defense, under which doctors rather than the government bears the burden of proof, does not provide adequately for the lives and health of pregnant women.

Finally, the bill, in addition to failing to protect women's health, may otherwise impose an "undue burden" on the ability of women to obtain pre-viability abortions.[8] Under

[8] Casey, 112 S. Ct. at 2819-21.

the legal analysis applied in Casey, the government may not place "a substantial obstacle in the path of a woman seeking an abortion of a nonviable fetus."[9]

By way of an example, consider the breadth of the bill's definition of the outlawed procedure. The scope of that term and the unfamiliarity of the concept of "partial-birth abortion" are such that doctors who perform second-trimester abortions by any method cannot be certain that their procedures fall outside the scope of the criminal prohibition. As a recent newspaper article reported, one group of doctors considering the legislation was "unable to agree on what the law would cover -- but did agree that it posed a threat to anyone who did second-trimester abortions."[10] Given this uncertainty, and the threat of criminal prosecution, doctors might well decide to forego the performance of second-trimester abortions altogether. In that event, the practical effect of the bill would be to limit severely the availability of all second-trimester abortions, imposing an "undue burden" on women seeking previability abortions.

The procedure -- or procedures -- that would be banned by H.R. 1833 are performed primarily at or after 20 weeks in the gestational period. Late-term abortions that are performed when a woman's health or life is threatened or when a fetus is diagnosed with severe abnormalities such as anencephaly are tragically sad events, occurring under circumstances that cannot possibly benefit from the intervention of government regulators. The proposed imposition of criminal penalties in such cases would violate the Constitution and would pose a real risk to women's lives and health.

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[9] Id. at 2820.

[10] Tamar Lewin, Wider Impact is Foreseen for Bill to Ban Type of Abortion, New York Times, Nov. 6, 1995, at B7.

139880

THE WHITE HOUSE

WASHINGTON

November 21, 1995 95 NOV 21 P8:46

Recommended Telephone Calls

To: Senator Sam Nunn
Senator Daniel P. Moynihan
Senator John H. Warner
Senator Nancy L. Kassebaum
Senator John McCain
Senator Richard Lugar
Senator William S. Cohen
Senator Joseph I. Lieberman
Senator Christopher Dodd
Representative Robert Livingston
Representative Henry Hyde
Representative John P. Murtha
Representative David Bonior
Representative Christopher Cox
Representative Sonny Callahan

OVAL

CC: Harold
George

Date: Thanksgiving Holiday Weekend

Recommended By: Anthony Lake
Patrick Griffin

Purpose: To inform Members in some detail of the agreement being signed in Dayton and to get them to eventually support an expression of Congressional approval of the agreement.

Talking Points:

[redacted]

Today is a great day for the people of Bosnia and for the world: Presidents of Bosnia, Croatia and Serbia have reached a peace agreement to end four years of war in Bosnia.

- The agreement is the result of the determination exhibit by our negotiating team, backed up by the resolve displayed by NATO this past summer.

- The Dayton agreement provides a solid foundation for establishing durable peace and justice as well as put an end to the worst fighting and atrocities Europe has seen since WWII.

- The agreement enables Bosnia-Herzegovina to continue as a single state, with full respect for its sovereignty by its neighbors.

- Provides for an effective central government -- Presidency Legislature, Constitutional Courts and a Central Bank.

- Provides for free elections next year, gives refugees right to return home and includes safeguards on human rights.

- Settles territorial issues over which war was fought, with Bosnian-Croat Federation administering 51%.

- Reunifies city of Sarajevo under Federation control and provides Federation with solid territorial link to Gorazde.

- Commits parties to cooperate fully with investigation and prosecution of war crimes.

- Settlement will provide all Bosnia's peoples a real opportunity to rebuild their country and to co-exist as part of a democratic state.

- Parties have made clear they seek strong military implementation force to keep peace, create conditions in which parties will have confidence needed to implement agreement's terms.

- Our strong view that only NATO can perform this mission. As leader of NATO, U.S. needs to participate.

- This is issue of huge consequence -- for Bosnia, for NATO, and for U.S. leadership.

- While world watching not only what parties have achieved at Dayton, but how we, U.S. government, will deal with biggest security challenge in Europe since WWII. Without American leadership, peace agreement is sure to fail.

- Critically important that Members of Congress keep an open mind over next few weeks as we brief you on terms of settlement and requirements for implementing it.

- Our interests are very much at stake: Instability and conflict in Europe have drawn us in twice in this century. Our engagement essential to prevent spread of conflict, achieve lasting peace.

- Negotiators in Dayton have made sure terms of agreement are enforceable. Parties themselves have accepted mission and robust ROE that IFOR must have.

- I can assure you that IFOR will operate under the unitary command and control of NATO.

- Our troops will take their orders only from the American general who commands NATO and they will have the authority to meet any threat to their safety or any violation of the peace agreement with immediate, decisive force.

- Bosnians are counting on U.S. role to make settlement work, avoid more human suffering, and prevent a break-up of country that would ratify ethnic cleansing.

- Want to work with you so we can have bipartisan consensus if and when peace is reached.

- As I've said, I will request expression of Congressional support for U.S. participation in implementation of a settlement as soon as I have reviewed final NATO plan.

- There will be a timely opportunity, before final signature, for thorough consultations before IFOR would be deployed.

- This is an historic moment. We have a simple choice before us: to secure this peace, or go back to the human agony in Bosnia -- as in Srebrenica or in the massacre in the market in Sarajevo -- that the American people have seen so vividly over the past four years. We can't let that happen.

Contact Person and
Telephone Numbers:

Senator Sam Nunn	404-874-0658
Senator Daniel P. Moynihan	202-628-1115
Senator John H. Warner	202-342-0321
Senator Nancy L. Kassebaum	913-272-2460
Senator John McCain	602-331-0101
Senator Richard Lugar	202-544-7356 (Jeff Hilliker/scheduler)
Senator William S. Cohen	207-942-2163
Senator Joseph I. Lieberman	203-397-9170
Senator Christopher Dodd	203-873-8402
Representative Robert Livingston	504-765-0681
Representative Henry Hyde	708-766-6536
Representative John P. Murtha	814-536-4611
Representative David Bonior	810-465-5842
Representative Christopher Cox	813-394-0114 until Sat./703-329-0094
Representative Sonny Callahan	334-661-5342

Date of Submission: November 21, 1995

Action:

11/21

~~TO Doris kindly reply~~

(1) – OVAL

(2) – cc Leon/~~Alice~~ Laura

(3) JD ~~to coordinate~~ reply UNEC for BZ Sig.

139882

MEMO THE ENTERPRISE FOUNDATION

TO: **Mr. William Jefferson Clinton**
President of the United States

CC: **Mr. Leon Panetta**
White House Chief of Staff

FROM: **Mr. James W. Rouse** JWR
Founder-Chairman

DATE: November 20, 1995

SUBJECT: Request for Assistance in Saving the Low Income Housing Tax Credit.

95 NOV 21 P1:44

A few weeks ago when we were together and you so graciously presented me with the Presidential Medal of Freedom, you said that I should call on you for assistance if there was ever a need. There is now a need with which you can help. I wish I could call and discuss this with you; however, I am currently undergoing chemotherapy for lymphoma. With the assistance of my staff, I have been able to send you this memo instead.

As part of the budget reconciliation bill, the Congress has decided to terminate the Low Income Housing Tax Credit as of December 31, 1997. This was decided by the Republican Leadership, despite bi-partisan support from 75 Senators and 116 Representatives. If this program is ended, it will be a fatal blow for community stabilization and neighborhood revitalization. It will hurt the work of the Enterprise Foundation and nonprofits across the country.

Since its inception, the Tax Credit has helped produce approximately 800,000 units of housing for 2.4 million low income people nationwide. Moreover, the program has generated $12 billion in private investment in affordable housing and has helped create nearly 90,000 jobs annually, resulting in $2.8 billion in wages and $1.3 billion in tax revenue. This program is the perfect example of a tool that helps to fulfill your promise of rebuilding our cities and our country.

Bart Harvey, CEO of the Enterprise Foundation, has talked with Secretary Cisneros, Secretary Rubin, and the Office of Management and Budget regarding the status of the Tax Credit. They are very supportive. However, Bart feels it must be conveyed by you that the termination of the Low Income Housing Tax Credit is one of the reasons you are vetoing the budget reconciliation bill, if we are going to get the Republican Leadership to change its mind.

I ask that you do whatever you can to remove the provisions that sunset the Low Income Housing Tax Credit from Congress's bill. Our work for America's poorest citizens and our communities need our support. You make all of us proud in your stand for those who have the least.

139872

THE WHITE HOUSE

WASHINGTON

11/21

1:53 pm

November 10, 1995

TO Ovel

cc: George
Leon
Herb

MEMORANDUM FOR THE PRESIDENT

FROM JACK QUINN
COUNSEL TO THE PRESIDENT

REGARDING SPRINGFIELD TAXI MATTER

This follows up on our notes to each other about the Post report of discrimination against African Americans by taxi drivers in Springfield, Illinois. The enclosed memorandum from John Schmidt reports that the Department has concluded that it does not have jurisdiction because the civil rights law applicable to public accommodations does not extend to taxi service.

Schmidt also suggests that we think about supporting a statutory change in this regard. If you would like me to follow up on that suggestion, please let me know.

Jack

U. S. Department of Justice

Office of the Associate Attorney General

The Associate Attorney General

Washington, D.C. 20530

November 9, 1995

MEMORANDUM

TO: Jack Quinn
Counsel to the President

FROM: John Schmidt JRS

Attached is a memorandum from Deval Patrick on the Springfield, Illinois, taxi discrimination matter. As the memo explains, we do not have jurisdiction because the civil rights law applicable to public accommodations does not extend to taxi service. This is something we would like to change, and it has been talked about in the past. The Americans with Disabilities Act, in contrast, extends its provisions to taxi companies. You might want to think about supporting a statutory change on this matter. It is an issue which affects large numbers of black people, including middle class and professional people. The chance of passage at the moment might be slight, but it may still be worth taking a public stand on the issue.

Attachment

U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General *Washington, D.C. 20530*

November 9, 1995

MEMORANDUM FOR THE ASSOCIATE ATTORNEY GENERAL

FROM: Deval L. Patrick
Associate Attorney General
Civil Rights Division

SUBJECT: Lincoln Yellow Cab Company
Springfield, IL

On November 2, 1995, the Washington Post carried a wire service story which described a notice which had been posted on a bulletin board at Lincoln Yellow Cab Company's headquarters in Springfield, Illinois. The notice instructed drivers not to "pick up any black males unless you feel it is safe." The notice went on to state that "[t]here had been too many robberies lately" and that they had all been by black males.[1] You have asked us whether we have any statutory authority to address this matter. While the notice evidences a policy of racial discrimination, this Department is without statutory authority to address this matter directly. Nonetheless, there may be other options by which we can contribute to a remedy.

The closest statute -- and the one most people believe would apply to a situation like that in Springfield -- is Title II of the Civil Rights Act of 1964, 42 U.S.C. §2000a(a). As we will explain, however, Title II is inapplicable. Indeed, the Springfield situation is but one of many complaints of discrimination that we receive every year that we cannot address because of the limited coverage of Title II of the 1964 Civil Rights Act.[2]

Title II prohibits racial discrimination in "any place of public accommodation" but the definition of "public accommodation"

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[1] "Cabbies in Lincoln's City Told to Rebuff Black Men," Washington Post, p. A16 (Nov. 2, 1995).

[2] Other examples include allegations that a retail store in North Carolina prohibited black adolescent males from entering the store and a complaint against a shoe store in Maryland that it accepted personal checks from white, but not black, customers.

is a limited one.[3] An establishment is a "place of public accommodation" within the meaning of Title II if its operations affect commerce and it falls within one of the categories of establishments which serve the public. Generally, these are motels, hotels, restaurants, theaters, sports arenas, stadiums, or other places of entertainment or exhibition. See 42 U.S.C. §2000a(b). Taxi service does not fall within any of these categories.

The coverage of Title II is more circumscribed than that of the Americans with Disabilities Act, 42 U.S.C. §12,181 et seq., which Congress enacted in 1990. That Act not only expands the definition of "public accommodation" for purposes of prohibiting discrimination against persons with disabilities (see 42 U.S.C. §12,181(7),[4] but also contains a specific prohibition of discrimination in specified public transportation services provided by private entities:

> No individual shall be discriminated against on the basis of disability in the full and equal enjoyment of specified public transportation services provided by a private entity that is primarily engaged in the business of transporting people and whose operations affect commerce.

42 U.S.C. §12,184(a). Because of the disparity between Title II of the 1964 Civil Rights Act and the ADA, we may wish to address through appropriate legislation a broadening of the concept of "public accommodation" under the former Act. See Welsh v. Boy Scouts of America, 993 F.2d 1267, 1270-1271 (7th Cir. 1993)

---

[3] The Attorney General may bring a civil action to enforce Title II

> [w]henever [she] has reasonable cause to believe that any person or group of persons is engaged in a patter or practice of resistance to the full enjoyment of any of the secured by [the Act], and that the pattern or practice is of such a nature and is intended to deny the full exercise of the rights [described in the Act].

42 U.S.C. §2000a-5(a).

[4] For instance, the ADA by its terms reaches "a bakery, grocery store, clothing store, hardware store, shopping center, or other sales or rental establishment." 42 U.S.C. §12,181(7)(E). By contrast, this Department has been limited in its ability to pursue claims of racial discrimination at shopping centers or retail stores because of the limited scope of Title II of the 1964 Civil Rights Act.

(rejecting argument that Title II coverage should be more broadly interpreted because of the expanded definition of "public accommodation" under the ADA and suggesting that the "proper forum" for a change in the law is Congress).

In our view, a simple amendment of Title II is warranted. That amendment could extend coverage to "any entity that sells leases or rents goods or services including, but not limited to, any store, office, shop, market, shopping mall, or transportation service." Over the years, the Civil Rights Division has received -- and continues to receive -- numerous complaints from individuals denied service on the basis of race in retail establishments. Recent reports, such as the coverage of this incident, demonstrate that African Americans suffer substantial difficulty on the basis of race in obtaining taxi service. Because of the limitations imposed by Congress in 1964, we have been unable to address directly any of these complaints.

Thus, while current federal law limits our ability to challenge directly the Springfield matter, there are, however, other possible ways for the problem to be addressed. Persons who believe they are victims of racial discrimination by taxi companies should generally file complaints with the local licensing authority, which may be the municipality. If the city fails to address the problem, we may have a claim under Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d, which provides for nondiscrimination in federally-assisted programs. Such a claim would require that the city receive federal funds, and we may also have to overcome a legal hurdle of arguing that the city is responsible for discrimination by licensees. Of course, the federal agency providing the funding would need to review the matter first and would then have to refer the matter to the Attorney General. 42 U.S.C. §2000d-1.[5]

---

[5] For instance, the Department of Transportation has issued regulations implementing Title VI applicable to programs or activities receiving Federal financial assistance through it. 49 C.F.R. Part 21. As an example of discrimination prohibited by the regulations, they note programs receiving assistance through the Urban Mass Transportation Administration:

> Any person who is, or seeks to be a patron of any public vehicle which is operated as a part of, or in conjunction with, a project shall be given the same access, seating, and other treatment with regard to the use of such vehicle as other persons without regard to their race, color, or national origin.

49 C.F.R. Part 21, App. C.

Another option, which is probably the best given the current limited Title II coverage, allows us to intervene in private litigation. Racial discrimination by the taxi company would likely violate 42 U.S.C. §1981, which provides that "[a]ll persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts * * * as is enjoyed by white citizens * * *." A private party can sue under that statute, but we cannot. Likewise, a private individual could file suit pursuant to 42 U.S.C. 1983, alleging a violation of the Equal Protection Clause of the Fourteenth Amendment. Title IX of the Civil Rights Act of 1964, 42 U.S.C. §2000h-2, authorizes us to intervene in a private suit that alleges a denial of equal protection on the basis of race or national origin by certifying that the case is of general public importance. Another option would be to participate as an amicus curiae in private litigation. We are unaware of any private litigation involving the Springfield matter at this time.

cc: John Dwyer

139988

to Jim for D. Draft

Frank Shrontz
Chairman
Chief Executive Officer

The Boeing Company
P.O. Box 3707
Seattle, WA 98124-2207

November 15, 1995

95 NOV 22 A10:41

BOEING

Dear Mr. President:

I would like to express my deep appreciation for your personal efforts and tenacity on behalf of an "all-American airplane sale" to Saudia Airlines. Bringing this sale to closure was extremely important to The Boeing Company and to our suppliers all across the country.

You have been a consistent supporter, for our industry and for United States exports. We are most grateful.

Sincerely,

Frank Shrontz

The Honorable William J. Clinton
President of the United States
The White House
Washington, DC 20500

THE WHITE HOUSE
WASHINGTON, D.C. 20500

DATE: 11-22-95

attached
~~to~~ NSC Pkg for PC Mtg
139858

TO: World

FROM: **Staff Secretary**

FYI — This lays out a different timetable for Congressional vote than McCurry & Breyer described at 9:15 meeting.

THE WHITE HOUSE
WASHINGTON, D.C. 20500

DATE: 11-22-95

TO: Marlin

FROM: **Staff Secretary**

How do you want to handle?

cc: Alice Rivlin

95 NOV 21 P5:16

THE WHITE HOUSE
WASHINGTON

November 21, 1995

The Honorable Fife Symington
Governor of Arizona
Executive Office
1700 West Washington
Phoenix, AZ 85007

Dear Fife:

Your letter of November 20th to the President is noted. The President has reviewed your letter and concerns and, as you know, is giving careful consideration to your request.

Personally,

Mack

Mack McLarty

STATE OF ARIZONA
EXECUTIVE OFFICE

FIFE SYMINGTON
Governor

FAX TRANSMITTAL

TO: Mr. Mack McLarty

FAX NO: 202/456-2215

FROM: Governor Fife Symington

DATE: Monday, November 20, 1995

RE: Attached letter to President Clinton. Any assistance you can lend to see that the President is aware of this letter would be appreciated. Mack, thank you for all your help.

TOTAL PAGES INCLUDING THIS ONE: 3

If you have a problem with receiving, please call Carol Henderson, Assistant to the Governor, at (602) 542-1374.

Facsimile Number: (602) 542-7601

STATE OF ARIZONA
EXECUTIVE OFFICE

FIFE SYMINGTON
Governor

November 20, 1995

The Honorable William Clinton
President of the United States
White House
Washington, D. C. 20002

Dear President Clinton:

I am pleased the short term agreement on the federal government budget will allow Grand Canyon Park to reopen. I know you join me in hoping that we can avert a repeat of last week's painful and unnecessary closure in the event a long term budget is not finalized prior to the December 15 expiration of the temporary accord.

The Office of the Solicitor of the Department of the Interior last Friday rejected my offer to provide the resources needed to keep the park open. His letter cited concerns over financial and legal aspects of my proposal, in particular the liability costs involved. I propose that we work together to remove these obstacles in the event budget negotiations once again reach an impasse. Members of my staff already have contacted their federal counterparts in a bid to begin finding a solution. I respectfully urge you to direct the Office of the Solicitor and other key personnel to address this problem with us.

The events of last week were particularly unfortunate because Arizona and the federal government generally have had a very good working relationship at the Park. For example, this past spring when a broken water pipeline threatened operations at the park, the state's Youth Conservation Corp was able to provide labor under federal supervision. This cooperation staved off damage to park facilities and allowed the public to enjoy the park.

1700 WEST WASHINGTON, PHOENIX, ARIZONA 85007 • (602) 542-4331

As you know, the leadership of Arizona is committed to keeping Grand Canyon National Park open. We believe that at the very least the park should always be open to the Mather Point overlook. This should be a simple intergovernmental operation that we can come to closure on in short order.

Please bear in mind that I view Grand Canyon National Park as a treasure belonging to the American people. The state of Arizona and the Federal Government need to work together to prevent any future closures of the Park. I again eagerly await your reply.

Sincerely,

Fife Symington
GOVERNOR

FS:cp

cc: The Honorable John McCain
U. S. Senator

The Honorable Jon Kyl
U. S. Senator

The Honorable Matt Salmon
U. S. Representative

The Honorable Bob Stump
U. S. Representative

The Honorable John Shadegg
U. S. Representative

The Honorable Jim Kolbe
U. S. Representative

The Honorable J. D. Hayworth
U. S. Representative

THE WHITE HOUSE
WASHINGTON, D.C. 20500

DATE: 11-21

TO: Leon Rahm

FROM: **Staff Secretary**

FYI.

139274

THE WHITE HOUSE

WASHINGTON

95 NOV 19 A9:29

November 15, 1995

MEMORANDUM FOR THE PRESIDENT

FROM JACK QUINN
COUNSEL TO THE PRESIDENT

SUBJECT PFLP DEPORTATION CASE

Last year you asked Lloyd Cutler about a deportation case involving eight members of the PFLP, a Palestinian terrorist organization. Your question was prompted by an article in which Anthony Lewis charged that the government's position was inconsistent with the First Amendment. Lloyd, however, advised you that he agreed with the Justice Department position. (Tab A).

DOJ informed me on Friday that the Court of Appeals ruled against the government in this case. Specifically, it adopted a broader view of the First Amendment rights of aliens than the government argued, and it held that Due Process principles do not allow the secret use of classified information in legalization determinations.

The Justice Department is considering whether to appeal the ruling. The Washington Post editorialized against an appeal today. (Tab B). Nevertheless, as far as DOJ is concerned, an appeal is necessary and a virtual certainty. The Department is also reviewing how the decision affects the constitutionality of the counterterrorism legislation before the Congress, particularly those provisions permitting deportation of alien terrorists on the basis of classified information not shared with the alien in certain situations.

Tab A - Cutler Memo
Tab B - Washington Post Editorial

THE WHITE HOUSE

WASHINGTON

August 25, 1994

MEMORANDUM FOR THE PRESIDENT

FROM: LLOYD N. CUTLER
SPECIAL COUNSEL TO THE PRESIDENT LNC

SUBJECT: TONY LEWIS ARTICLE ON PFLP

CC: LEON PANETTA
CHIEF OF STAFF

In response to your question about the PFLP case, we asked the Department of Justice to prepare the attached brief memorandum summarizing the case and its current status.

Although Joel and I are great admirers of Tony Lewis, we think that in this case Tony is wrong and the Department of Justice is right.

The case involves eight members of the PFLP, one of the most violent Palestinian terrorist organizations. Six of them are charged with routine immigration violations such as overstaying visas, but the other two, who are permanent residents, are charged with violations of the anti-terrorism provisions of the 1990 Immigration Act. They participated in fund raising in Los Angeles allegedly to finance PFLP criminal activities, not "lawful activities."

The Department of Justice position does not argue that aliens have no First Amendment rights; it argues that aliens can be deported if they use their presence in this country to raise money for and provide other support to terrorist organizations.

My understanding is that the PFLP is anti-PLO and anti-Arafat, and that it has continued to engage in terrorist activities even after the signing of the Peace Accord.

As a result of the Lewis article, Janet Reno has asked the Associate Attorney General to review Justice Department activities in the counter-terrorism area to ensure they are consistent with the First Amendment. We will follow the results of that review.

Attachment

THE NEW YORK TIMES
August 19, 1994 - P.A27

Abroad at Home

ANTHONY LEWIS

Free Speech, Except —

Freedom for political speech has broader support in this country than ever before, I believe. Past repression of unpopular speakers seems anomalous today. One thing on which most conservatives and liberals now agree is respect for the First Amendment.

But not the U.S. Department of Justice. Not, at least, if one goes by an astonishing brief the Department has just filed. In the teeth of precedent and logic, it argues that immigrants in this country have only as much freedom of speech as the Government considers reasonable — and can be deported if they cross that vague line.

The brief was filed in the Ninth Circuit Court of Appeals in a seven-year-old deportation case against two Palestinians. It is the latest turn in a proceeding that is a model of how our Government should not behave.

Eight men and women of Palestinian origin, living in California, were arrested in 1987, held in shackles and described as "terrorists." The Immigration and Naturalization Service charged them with advocating "world Communism" — but later dropped that charge.

The real problem of the eight was that they had raised money for the Popular Front for the Liberation of Palestine, a radical group. The P.F.L.P. has carried out terrorism, but it also conducts peaceful political and relief activities. Judge William Webster, then Director of the F.B.I., told Congress in 1987 that the eight had "not been found to have engaged themselves in terroristic activities."

Contributing money for peaceful purposes to a group that also engages in violence is plainly protected by the First Amendment. Many Americans gave money to the Nicaraguan contras, and they could certainly not be prosecuted.

Nevertheless the Immigration Service moved to deport Khader Hamide and Michel Shehadeh, who were lawfully in this country as permanent residents, under a 1990 law allowing deportation of those who support an organization "in conducting a terrorist activity." Many experts in immigration law protested that that language did not cover what these two men had done, but the I.N.S. persisted.

The I.N.S. sought to deport the six others for technical violations. It said, for example, that one who had a student visa failed to take enough credits

U.S. Department of Justice

Office of the Deputy Attorney General

The Deputy Attorney General

Washington, D.C. 20530

August 24, 1994

MEMORANDUM FOR: Lloyd N. Cutler
Counsel to the President

Joel I. Klein
Deputy Counsel to the President

FROM: Jamie S. Gorelick DAG/DAS
Deputy Attorney General

SUBJECT: Department of Justice Advisory Report

P.F.L.P. Litigation

Attached is a memorandum providing background information on a case that was the subject of a recent New York Times column by Anthony Lewis.

Attachment

cc: Alan Kreczko

U.S. Department of Justice
Civil Division

Deputy Assistant Attorney General Washington, D.C. 20530

August 24, 1994

MEMORANDUM FOR THE ASSOCIATE ATTORNEY GENERAL

FROM: Frank S. Holleman FSH
Deputy Assistant Attorney General
Civil Division

SUBJECT: PFLP Litigation

You asked for a two-page memo summarizing the status of this litigation and the issues it presents. This memo is thus brief, and I will provide you with others that present the history of the case in more detail.

1. The PFLP. The PFLP is a violent, terrorist organization. Based in Damascus, it engaged in some of the most notorious terrorist acts of the last three decades, including airline hijacking and the murder of the U.S. ambassador to Lebanon. In recent years, it has killed Israeli and Palestinian civilians in Israel and the Occupied Territories; it withdrew from the PLO in opposition to the Israel-PLO peace negotiations and has pledged to undermine the peace initiative through violence; and it has claimed credit for killing two Israeli civilian hikers after the signing of the peace accords.

2. The Facts. The 8 PFLP members were arrested in 1987. Six are charged with routine immigration violations, such as overstaying visas. Two (Hamide and Shehadeh) are permanent residents and are charged with violations of anti-terrorism provisions of the 1990 Immigration Act. As to Hamide and Shehadeh, the government will not prove that they actually participated in terrorist activities in the U.S.; in other words, the government will not establish that Hamide or Shehadeh killed or bombed in the U.S. or committed some other criminal act.

However, documents taken from PFLP couriers in 1983 and 1984 will show that the PFLP has, since 1983, developed a secret cell structure in the United States to prepare for possible terrorist activity on orders from Damascus. Hamide and Shehadeh were leaders of the PFLP in Los Angeles between 1984 and 1987, and directed the PFLP's fundraising and publications distribution activity there during that time. The fundraising itself was predicated on PFLP military activity, not on alleged "lawful

activities"; it included a 1986 event where the principal speaker read a list of names of prominent West Bank moderates that the PFLP would deal with. Two weeks later, the PFLP assassinated a West Bank mayor whose name had been on the list. The evidence will also show that Hamide was in regular telephone communication with other U.S. and international PFLP leaders.

There is additional significant information concerning their activities, but it is classified and will be provided separately.]

3. The Litigation. There are two parts to the litigation. First, an Immigration Judge in Los Angeles is conducting deportation hearings. We are proceeding initially against Hamide and Shehadeh, under the anti-terrorism provisions. Because of the IJ's schedule, the proceedings are scheduled episodically and will probably not reach a conclusion for two more years.

At the same time, the PFLP members have sued in Los Angeles District Court to enjoin the deportation hearings, primarily on First Amendment grounds. Earlier this year the Court entered three orders, two adverse to the government. One preliminarily enjoins deportation proceedings against the 6 charged with routine violations on the basis that they may be able to establish selective enforcement due to discrimination against disfavored terrorist groups. The other preliminarily enjoins INS from using classified information to adjudicate legalization applications of two plaintiffs without providing them the classified information.

The Solicitor General authorized appeal of the two orders adverse to the government; that appeal is the subject of Anthony Lewis' recent article. As to the First Amendment issue, the government's brief makes two principal arguments. First, the government does not argue that aliens have no First Amendment rights in the United States. The brief does argue, however, that in the area of deportation, the United States has the constitutional authority to provide that aliens not use their presence in this country to raise money for terrorist organizations or otherwise provide them material support, and that the First Amendment does not override Congress' broad constitutional authority over immigration in this context. Second, the brief argues that the plaintiffs should not be able to state a selective enforcement claim, because the government may on foreign policy grounds exercise discretion to decide whether to deport supporters of particular terrorist organizations. We are defending the appeal by Hamide and Shehadeh because the district court refused to enjoin their deportation proceedings.

4. Conclusion. We will be providing you with copies of earlier memos to supplement this brief description of these cases. The relevant Ninth Circuit briefs are attached.

cc: Frank W. Hunger

Aliens and Speech

ANY AMERICAN citizen has the right to stand on a street corner and hand out pamphlets urging support of political groups here and abroad. This kind of speech is constitutionally protected even though the organization may be linked to violent acts, as are the Irish Republican Army, the African National Congress or the Popular Front for the Liberation of Palestine. But what about individuals who live here but are not citizens? That's the question federal courts in California have been grappling with for almost nine years. Last week, the U.S. Court of Appeals for the 9th Circuit issued an opinion that should settle the question in favor of the aliens.

The case at issue was begun by the Reagan administration and, to the surprise of many, continued by the Clinton Justice Department. Seven Palestinians and the Kenyan wife of one of these men were arrested in January 1987 because they had engaged in peaceful activities in support of the Popular Front for the Liberation of Palestine. Each had been in this country for many years, and none had ever been charged with or convicted of any crime. The government sought to deport them because, according to former FBI director William Webster, they were "alleged to be members of a worldwide Communist organization."

This sweeping allegation was later dropped and other reasons were offered, including technical violations of the immigration laws—such as working while on a student visa—which ordinarily wouldn't lead to deportation. In addition, two of the men had applied for legalization under the provisions of the 1986 amnesty law but were turned down on the basis of classified information, which was kept secret from them.

This litigation has been long and complicated, and it is not over yet, since some matters have been returned to the trial court for further proceedings. But the bottom line from the appellate court is this: Aliens present in the United States have the same right to political speech and association as citizens. Aliens cannot be singled out for deportation because they exercise those rights. And aliens cannot be deported on the basis of secret evidence.

The Justice Department could continue this case by appealing to the Supreme Court, but it shouldn't. These clear and principled determinations are on firm constitutional ground and ought to be accepted. The government should drop this effort to single out certain aliens for deportation because of their speech.

THE WHITE HOUSE
WASHINGTON, D.C. 20500

DATE: 11-21

TO: George
Laura
Alex

FROM: **Staff Secretary**

FYI. Went to POTUS this afternoon.

139560

LAZARD FRÈRES & CO. LLC
One Rockefeller Plaza
New York, NY 10020
Telephone (212) 632-6000

CABLE ADDRESS: LAZARD, NEW YORK
TELEX NUMBERS: RCA 222301/239782
TELECOPY #: 212 332-5973

95 NOV 20 P3:38

FOR TELECOPY DEPT. USE
SENT VIA TELECOPY
BY:
DATE:

FACSIMILE TRANSMISSION COVER SHEET

Date: October 19, 1995

To: **Company:** The White House

Individual(s): The Honorable Erskine Bowles

Telecopy Number Called: 202-456-6703

From: **Name:** Felix G. Rohatyn

Dept/Deal #: _____ **Floor:** 62 **Phone:** 212 632-6122

NUMBER OF PAGES (Including Cover Sheet): 3

Message:

Erskine,

This reflects in greater detail what I told you yesterday. Let me know if it makes any sense to you, and also if you think it would be useful for me to try to get the Washington Post or the New York Times to run some variation of this as an Op-Ed piece.

Best regards.

Felix

Confidentiality Note

The Information contained in this facsimile message is privileged and confidential information intended only for the use of the individual or entity named below. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distributing or copying of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the above address via the United States Postal Service. Thank you.

MEMORANDUM

TO: The Honorable Erskine Bowles
Deputy Chief of Staff to The President

FROM: Felix G. Rohatyn

DATE: Thursday, October 19, 1995

The Million Man March finished what the O.J. Simpson trial started: namely, it convinced the Country that we have a serious race problem. The resulting calls for a bipartisan commission to study race relations is a natural outcome of these events; we are however, way beyond that. We know we have a race problem and we can simply refer back to the Kerner Commission report to review it. What we need to figure out is what to do about it and any remedies have to involve the white community as well as the black community. There is no positive way to improve race relations in this country that does not begin with a hard look at the problems of urban America. I believe that the cancer of race problems lies with the urban poor and unemployed, their inability to break out of their trap, and the impact on the other communities making up urban life in America. If we wish to focus on these issues, we should look at the problems of the American city from the perspective both of the black and of the white communities.

Unless major changes occur soon, the situation in our major cities in the near future will be summarized by two major trends: white flight and black despair. Unless white taxpayers and their children remain in the cities, together with their businesses, there will be no conceivable way of maintaining a tax base and job opportunities adequate to the needs of the black and Hispanic populations of urban America. The combination of advanced communications technology, which allows more and more people and businesses to be located anywhere, and reduced quality of life, because of issues of safety, education and taxes, is steadily driving those who can afford it, mostly whites, out of the cities. Public officials in states like Colorado, Montana, Wyoming, etc. are looking, with trepidation, at a potentially enormous migration to their region over the next decade. As this happens, opportunities for the minority population of the cities will shrink dramatically.

Even if the totally positive objective of the March are fulfilled, namely self-reliance, absence of violence and drugs, family support, etc., there will still be no

way out for the poor minorities without strong and sustained economic activity in the cities. Economic activity is required to create employment opportunities. Economic activity is required to provide the tax revenues to pay for adequate education, health care and the basic public investments without which it is impossible to acquire the skills for decent employment.

The President should consider instructing a cabinet-level administration task force to look at both sides of this problem, namely maintaining a strong and growing economic base in America's cities while providing greater opportunity for the minority populations.

This would have to include all aspects of urban economic and social life, such as:

1) Review of tax structures and tax borders;
2) How to meet the needs of public infrastructure adequate for the private and public sector;
3) Experimental changes in public education; including new technologies;
4) Changes required in housing conditions, such as decaying public projects;
5) Greater involvement of the private sector, in partnership with the public sector, in areas such as job training, school curriculum, summer jobs and a pathway to work;
6) Public safety, community policing, etc. ;
7) City, state, federal relations;
8) The impact of balancing the budget (welfare, medicaid, etc.).

The task force is likely to find that, if any of this is at all do-able, there will be a price tag attached to it. It would have to credibly make the case that a much higher price will be paid by doing nothing. One does not have to look at doomsday scenarios to understand the possible costs to the entire country of urban America becoming a greater drain on our national resources, as well as a source of greater and greater social tensions, if the outward migration of businesses and people become irreversible. It is also obvious that the best way to tackle this situation and to provide additional resources is with a higher rate of national economic growth.

It may be that, ultimately, a bipartisan commission including governors, mayors, business and labor leaders will have to make that case to the Congress and the Country. It will be a very difficult case to make but it can be done. Thriving cities are more important to our national interests than the Balkans; we have to make an effort to keep this Country together. Talking about race relations will not help; trying to make our cities viable will.

11-21-95

Todd -

Send to NSC for appropriate action - it come in on our fax.

NSC ✓

Send to _____

Carol

THE WHITE HOUSE
WASHINGTON, D.C. 20500

DATE: 11/21/95

TO: NSC

FROM: **Staff Secretary**

For your appropriate handling.
Thanks.

PRESIDÊNCIA DA REPÚBLICA

95 NOV 21 P3:53

DE/FROM:

Fernando Henrique Cardoso
President of the Federative Republic of Brazil

FAX : (5561) 321-5157

PARA/TO:

President Bill Clinton
President of the United States of America
C/O Mr. Thomas F. McLarty III
Counselor to the President

FAX: 001202 - 4562215

DATE: 11.21.95 PAGES: 1 DOCUMENTO: 187

MESSAGE

If you have any difficulties concerning this fax, please contact:
(5561) 211-1217 or 223-5684 / 225-6256

Brasília, November 21, 1995

His Excellency
Mr. William Clinton
President of the United States of America

Dear Mr. President,

The good news has reached me that an agreement on Bosnia was concluded today. I know that you played a decisive role in bringing all parties involved to a mutually-acceptable settlement of a conflict which claimed many lives in recent years. I therefore convey to you and to all the members of your Government who participated in the negotiations the warmest congratulations of the Brazilian people.

We are confident that today's agreement will put an end to the war in former Yugoslavia. The international community will certainly recognize this major contribution of the United States of America to world peace.

Yours sincerely,

FERNANDO HENRIQUE CARDOSO
Presidente da República Federativa do Brasil

THE WHITE HOUSE

WASHINGTON

November 20, 1995

Thomas J. Schneider
Restructuring Associates, Inc.
Suite 350
1050 Seventeenth Street, N.W.
Washington, D.C. 20036

Dear Tom:

Thanks for your letter of November 13 and for your recommendation of Larry Baskir for appointment to the United States Court of Appeals for the Federal Circuit. I'm glad you added your voice of support, and I've shared your letter with Jack Quinn, Counsel to the President.

Thanks, too, for your encouragement about the budget fight -- we're hanging tough and won't compromise the best interests of the American people.

I love the Nobel Prize-Department of Energy correlation, and I'll be sure to let more people know about it!

Sincerely,

Bill

RESTRUCTURING ASSOCIATES INC.

SUITE 350

1050 SEVENTEENTH STREET, N. W.

WASHINGTON, D. C. 20036

(202) 775-8213

FAX: (202) 223-0346

Maureen
& Vicki
Lord

November 13, 1995

President Bill Clinton
The White House
Washington, D.C. 20500-2000

Dear President Clinton:

At a recent Renaissance North event, I asked Larry Baskir what was new in his life. He said that he was being considered for an appointment on the Court of Appeals for the Federal Circuit. He also indicated that as a fallback he was being considered for the position of Chief Judge of the Court of Federal Claims.

I asked whether he or Marna had contacted either you or Hillary. He said no, and said that they would not do so because they do not want to abuse their friendship.

So I will abuse my friendship on behalf of someone that I think would enhance your record of appointments of top flight lawyers to the bench. It is a record for which you get little credit, but which is testimony to your integrity and leadership for the Country.

Be as tough as forged steel on the budget and debt fights. People do not understand the rider process; it smells of politics. Make the Republicans establish their record clearly rather than hiding major changes within other pieces of legislation.

*[More Science & Technology trivia for your speeches: 64 U.S. Nobel Prize winners have either worked for the Department of Energy or have been directly funded by the DOE. With Republican cutbacks, how many fewer will there be in the future?

My thoughts, heart and prayers are with you both.

Yours faithfully,

Thomas J. Schneider

THE PRESIDENT HAS SEEN
11-21-95

95 NOV 20 P5:34

November 20, 1995

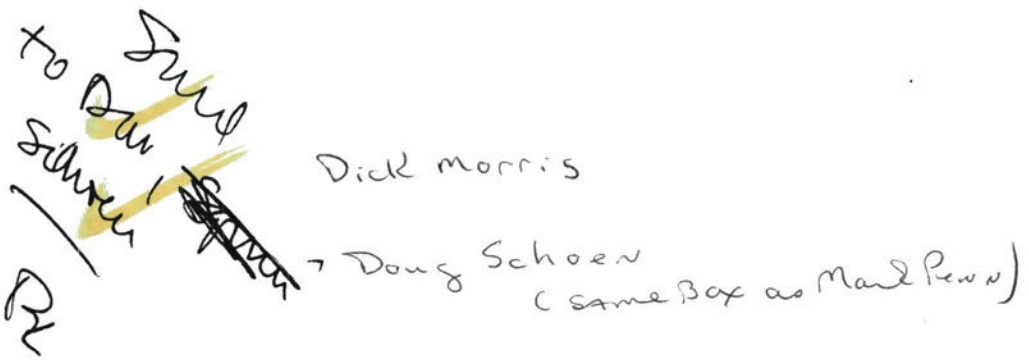
MEMORANDUM FOR THE PRESIDENT

CC: LEON PANETTA

FROM: Harold Ickes

SUBJECT: Hart-Teeter poll 27-31 October 1995

Attached is a copy of the results of the recent Hart-Teeter poll for NBC News/ Wall Street Journal.



HART-TEETER
1724 Connecticut Avenue, NW
Washington, DC 20009
(202) 234-5570

Interviews: 1465 respondents
341 black respondents
Dates: October 27-31, 1995

48 Male
52 Female
[5]

FINAL

Study #4063
NBC News/WSJ
October 1995

AREA		TYPE	SAMPLE POINT			FORM		DATE	
							October		1995
[6]	[7]	[8]	[9]	[10]	[11]	[12]		[13]	[14]

1. Are you currently registered to vote in the precinct or election district in which you now live, or haven't you had a chance to register yet?

Registered	79	[15]
Not registered	20	
Not sure	1	

2. All in all, do you think things in the nation are generally headed in the right direction, or do you feel that things are off on the wrong track?[1]

	10/95	9/95	7/95	6/95	4/21-25/95	4/3-4/95	3/95	1/95	12/94	11/9/94+	
Right direction	26	27	27	27	33	32	32	40	34	37	[16]
Wrong track	54	50	51	51	45	50	47	42	47	42	
Mixed (VOL)	15	17	16	15	15	12	13	12	13	12	
Not sure	5	6	6	7	7	6	8	6	6	9	

10/94	9/94	6/94	12/93	6/93	1/93	5/92	9/91
27	28	32	35	27	47	15	34
55	57	50	42	56	27	71	48
14	11	12	16	10	14	9	13
4	4	6	7	7	12	5	5

[1] Only selected months of comparable data are shown.
+ Asked only of registered voters.

3a In general, do you approve or disapprove of the job Bill Clinton is doing as president?[1] [17]

	10/95	9/95	7/95	6/95	4/21-25/95	4/3-4/95	3/95	1/95	12/94	11/9/94+	11/4-5/94+	10/94
Approve	46	46	47	46	50	46	44	45	48	43	44	48
Disapprove	43	43	44	42	39	44	45	43	44	48	44	43
Not sure	11	11	9	12	11	10	11	12	8	9	12	9

9/94	7/94	6/94	5/94	12/93	9/93	7/93	6/93	4/93	3/93	1/93
44	49	52	57	56	50	45	41	52	57	51
48	44	39	37	33	39	45	50	34	26	16
8	7	9	6	11	11	10	9	14	17	33

[1] Only selected months of comparable data are shown.
+ Asked only of registered voters.

3b. Do you generally approve or disapprove of the job Bill Clinton is doing in handling the economy?[1]

	10/95 *	9/95	7/95	6/95	4/21-25/95	3/95	1/95	12/94	10/94	9/94	7/94	
Approve	42	42	46	43	52	43	50	48	44	40	45	[18]
Disapprove	46	47	42	46	39	46	36	46	47	51	46	
Not sure	12	11	10	9	9	11	12	6	9	9	9	

1/94	9/93	6/93	3/93
50	42	33	52
39	48	56	28
11	10	11	20

[1] Only selected months of comparable data are shown.
* Asked of one-half the respondents.

3c. In general, do you approve or disapprove of the job Bill Clinton is doing in handling our foreign policy?[1]

	10/95 *	9/95	7/95	6/95	4/21-25/95	3/95	1/95	12/94	10/94	9/94	7/94	1/94	
Approve	42	42	37	39	46	37	50	44	45	32	34	53	[19]
Disapprove	45	45	48	46	41	47	38	45	46	60	54	31	
Not sure	13	13	15	15	13	16	12	11	9	8	12	16	

10/93	7/93	6/93	3/93
33	50	38	47
56	36	43	22
9	14	19	31

[1] Only selected months of comparable data are shown.
* Asked of one-half the respondents.

4a. And in general, do you approve or disapprove of the job Congress is doing?[1]

	10/95 *	9/95	7/95	6/95	4/21-25/95	4/3-4/95	3/95	1/95	10/94	9/94	7/94	
Approve	31	30	36	43	47	42	41	31	27	23	28	[20]
Disapprove	59	58	53	43	40	44	46	48	63	67	64	
Not sure	10	12	11	14	13	14	13	21	10	10	8	

6/94	1/94	10/93	9/93	7/93	1/93	4/92+	10/91+	7/91+	10/90+
34	33	29	24	27	27	15	26	28	22
52	54	60	65	60	56	78	62	63	69
14	13	11	11	13	17	7	12	9	9

[1] Only selected months of comparative data are shown.
* Asked of one-half the respondents.
+ Asked only of registered voters.

4b. Do you approve or disapprove of the job Newt Gingrich is doing as speaker of the House of Representatives?

	10/95 *	6/95	4/21-25/95	4/3-4/95	3/95	1/95	
Approve	35	39	46	40	37	32	[21]
Disapprove	46	35	36	41	43	26	
Not sure	19	26	19	19	20	42	

* Asked of one-half the respondents.

5. I'm going to read you the names of several public figures and institutions, and I'd like you to rate your feelings toward each one as either very positive, somewhat positive, neutral, somewhat negative, or very negative. If you don't know the name, please just say so. **(READ EACH ITEM AND REPEAT CHOICES. START FROM THE BOTTOM AND WORK YOUR WAY UP ON EVERY OTHER INTERVIEW.)**

	Very Positive	Somewhat Positive	Neutral	Somewhat Negative	Very Negative	Don't Know Name/ Not Sure	
Bill Clinton[1]							[22]
October 1995	16	31	19	18	16	.	
September 1995	15	32	15	20	17	1	
July 1995	16	34	17	17	17	.	
June 1995	13	33	19	19	16	.	
April 21-25, 1995	19	30	19	17	15	.	
April 3-4, 1995	15	30	18	19	18	.	
March 1995	14	31	18	19	17	1	
January 1995	15	29	16	20	17	1	
December 1994	15	26	19	18	21	1	
October 1994	16	26	16	16	25	1	
September 1994	13	28	18	18	23	.	
June 1994	17	29	17	16	20	1	
December 1993	22	33	15	15	14	1	
June 1993	16	28	16	17	23	1	
January 1993	33	31	15	9	7	5	
May 1992	8	24	24	23	14	7	
Newt Gingrich							[23]
October 1995	9	19	21	17	26	8	
September 1995	8	19	19	16	27	11	
July 1995	11	18	19	17	25	10	
June 1995	10	17	18	17	21	17	
April 21-25, 1995	11	20	18	13	23	15	
April 3-4, 1995	9	18	20	14	25	14	
March 1995	10	17	17	17	24	15	
January 1995	9	19	20	13	18	21	
December 1994	6	13	17	13	19	32	
October 1994	3	8	14	7	9	59	
October 1990+	1	8	10	6	8	69	

[1] Only selected months of comparable data are shown.
+ Asked only of registered voters.

Q.5 (cont'd)	Very Positive	Somewhat Positive	Neutral	Somewhat Negative	Very Negative	Don't Know Name/ Not Sure	
Jesse Jackson							[24]
October 1995	6	18	29	20	24	3	
Whites	3	15	30	22	27	3	
Blacks	28	32	27	6	5	2	
June 1995	7	22	31	19	17	4	
March 1995	7	20	25	20	23	5	
September 1994	8	18	28	21	20	5	
July 1994	9	18	26	20	22	5	
July 1992	5	17	25	21	29	3	
May 1992	7	22	25	18	24	4	
February 1992	8	21	23	20	24	4	
October 1991	9	22	22	21	22	4	
October 1990	12	26	24	17	18	4	
March 1990	15	28	24	14	15	4	
November 1989	15	30	23	16	13	3	
Democratic Party							[25]
October 1995	13	24	27	21	12	3	
April 3-4 1995	9	26	29	21	13	2	
January 1995	11	27	27	19	13	3	
December 1994	10	23	25	24	16	2	
October 1994	13	23	25	20	17	2	
June 1994	12	29	25	19	12	3	
January 1994	11	29	29	17	11	3	
October 1993	11	25	26	20	15	3	
October 1992+	19	29	22	15	12	3	
October 1991+	12	25	24	21	13	5	
October 1990+	12	27	30	19	8	4	
Colin Powell							[26]
October 1995	21	33	26	6	2	10	
Whites	20	34	26	6	2	10	
Blacks	28	27	25	5	3	12	
September 1995	22	30	26	6	3	13	
July 1995	23	31	22	5	3	16	
June 1995	25	32	21	4	1	17	
April 21-25, 1995	26	30	20	4	2	18	
March 1995	26	30	22	4	1	15	
September 1994	33	25	19	4	2	17	
October 1993	35	30	15	4	1	15	
September 1993	32	27	17	4	3	17	
June 1993	37	27	13	4	2	17	
May 1991+	37	30	14	3	2	14	
March 1991+	43	28	8	2	1	18	
February 1991+	46	22	8	2	1	21	

+ Asked only of registered voters

Q.5 (cont'd)

	Very Positive	Somewhat Positive	Neutral	Somewhat Negative	Very Negative	Don't Know Name/ Not Sure	
Republican Party							[27]
October 1995	12	28	24	17	17	2	
April 1995	15	29	25	15	14	2	
January 1995	17	33	25	13	9	3	
December 1994	17	31	22	14	13	3	
October 1994	14	27	26	16	14	3	
June 1994	10	27	27	18	14	4	
January 1994	12	30	29	16	9	4	
October 1993	16	28	27	15	11	3	
October 1992+	10	21	19	23	24	3	
October 1991+	12	32	21	17	14	4	
October 1990+	11	27	24	20	14	4	
Louis Farrakhan							[28]
October 1995	2	6	13	11	48	20	
Whites	-	3	10	11	53	23	
Blacks	14	24	26	16	13	9	
September 1994	2	5	10	9	26	48	
Ross Perot[1]							[29]
October 1995	8	19	29	21	20	3	
September 1995	9	17	28	21	22	3	
July 1995	5	16	26	26	24	3	
December 1994	8	22	24	18	25	3	
October 1994	8	17	25	16	30	2	
September 1994	5	14	29	23	24	5	
July 1994	8	18	26	21	24	3	
December 1993	7	16	19	24	30	4	
November 1993	11	17	21	20	27	4	
September 1993	12	24	26	19	16	3	
July 1993	13	24	25	17	17	4	
January 1993	16	26	24	16	14	4	
December 1992	13	22	27	18	15	5	
O.J. Simpson							[30]
October 1995	5	6	22	11	51	5	
Whites	3	4	19	12	57	5	
Blacks	15	18	38	10	12	7	

[1] Only selected months of comparable data are shown.
+ Asked only of registered voters.

Q.5 (cont'd)

	Very Positive	Somewhat Positive	Neutral	Somewhat Negative	Very Negative	Don't Know Name/ Not Sure	
Bob Dole[1]							[31]
October 1995	9	27	30	16	12	6	
September 1995	11	31	24	16	12	6	
July 1995	13	33	25	14	10	5	
June 1995	12	27	26	14	7	12	
April 21-25, 1995	14	30	25	13	10	8	
April 3-4, 1995	11	30	24	16	9	10	
March 1995	17	34	21	11	9	8	
January 1995	13	29	23	15	9	11	
December 1994	16	31	21	14	10	8	
October 1994	11	25	23	14	16	11	
September 1994	14	24	24	13	12	13	
July 1994	12	25	22	15	14	12	
June 1994	11	26	26	12	12	13	
January 1994	13	29	21	14	9	14	
June 1993	15	25	24	12	10	14	

[1] Only selected months of comparable data are shown.

6a. If the next election for president were held today, (ROTATE ORDER OF NAMES ON EVERY OTHER INTERVIEW) and Bill Clinton were running as the Democratic candidate and Bob Dole were the Republican candidate, for whom would you vote?

	10/95	9/95	7/95	6/95	4/21-25/95	3/95	1/95	
Bill Clinton	46	46	45	43	45	41	41	[32]
Bob Dole	39	40	43	42	43	46	43	
Depends (VOL)	2	1	1	2	1	1	2	
Neither/other (VOL)	8	9	6	7	6	6	8	
Not sure	5	4	5	6	5	4	6	

11/9/94+	10/94	9/94	7/94	3/94	10/93
39	46	41	46	48	45
45	43	43	43	39	45
3	1	2	NA	NA	NA
5	6	9	4	7	NA
8	5	5	7	6	10

+ Asked only of registered voters.

6b. If the next election for president were held today, (ROTATE ORDER OF NAMES ON EVERY OTHER INTERVIEW) and Bill Clinton were running as the Democratic candidate and Colin Powell were the Republican candidate, for whom would you vote?

	10/95	9/95	
Bill Clinton	34	33	[33]
Colin Powell	49	48	
Depends (VOL)	3	3	
Neither/other (VOL)	4	5	
Not sure	10	11	

6c. If the next election for president were held today, and Bill Clinton were running as the Democratic candidate, Bob Dole were the Republican candidate, and Colin Powell were an independent candidate, for whom would you vote?

	10/95	9/95	7/95	6/95	4/21-25/95	3/95	10/94	7/94	
Bill Clinton	30	30	31	33	35	34	34	36	[34]
Bob Dole	26	26	28	27	26	32	24	29	
Colin Powell	31	30	26	25	23	23	29	21	
Depends (VOL)	2	3	5	3	2	2	2	NA	
None/other (VOL)	3	3	2	3	3	1	2	2	
Not sure	8	8	9	9	9	8	9	12	

6d. If the next election for president were held today, and Bill Clinton were running as the Democratic candidate, Colin Powell were the Republican candidate, and Pat Buchanan were an independent candidate, for whom would you vote? *

Bill Clinton	36	[35]
Colin Powell	38	
Pat Buchanan	10	
Depends (VOL)	2	
None/other (VOL)	5	
Not sure	9	

* Asked of one-half the respondents.

6e. If the next election for president were held today, and Bill Clinton were running as the Democratic candidate, Bob Dole were the Republican candidate, and Ross Perot were an independent candidate, for whom would you vote?

	10/95 *	7/95	4/95	
Bill Clinton	39	38	40	[36]
Bob Dole	33	34	35	
→ Ross Perot	18	19	17	
Depends (VOL)	1	2	1	
None/other (VOL)	4	3	3	
Not sure	5	4	4	

* Asked of one-half the respondents.

7a. Generally speaking, do you think of yourself as a Democrat, a Republican, an independent, or something else?

(IF "DEMOCRAT" OR "REPUBLICAN," ASK:) Would you call yourself a strong (Democrat/Republican) or not a very strong (Democrat/Republican)? (IF "NOT SURE," CODE AS "NOT VERY STRONG DEMOCRAT/REPUBLICAN.")

(IF "INDEPENDENT," ASK:) Do you think of yourself as closer to the Republican Party, closer to the Democratic Party, or do you think of yourself as strictly independent? (IF "NOT SURE," CODE AS "STRICTLY INDEPENDENT,")

Strong Democrat	17		{202}
Not very strong Democrat	13	SKIP TO Q.8a.	
Independent/lean Democrat	10		
Strictly independent	15		
Independent/lean Republican	11	CONTINUE	
Not very strong Republican	11		
Strong Republican	14		
Other	8		
Refused	-	SKIP TO Q.8a.	
Don't know/nothing	1		

7b. Let me read you a list of people who might seek the 1996 Republican nomination for president. If you were voting today in the 1996 Republican primary for president, which one of the following candidates would you vote for? **(READ LIST. START WITH NAME MARKED WITH "X," READ DOWN, THEN RETURN TO TOP NAME. BE SURE TO READ ALL NAMES.)**

(IF "NOT SURE," ASK:) Well, which way do you lean? **(ACCEPT ONLY ONE ANSWER.)**

	All Republicans				
	10/95	9/95	4/21-25/96	3/95	
Lamar Alexander	2	2	1	3	[37]
Pat Buchanan	7	5	5	3	
Bob Dole	38	34	44	37	
Steve Forbes	5	NA	NA	NA	
Phil Gramm	6	9	11	7	
Richard Lugar	2	2	3	3	
Colin Powell	34	31	20	27	
Arlen Specter	1	2	1	2	
Someone else/none (VOL)	1	1	1	2	
Not sure	4	9	10	10	

7c. And among those same candidates, who is your second choice? **(READ LIST AGAIN IF NECESSARY.)**

	All Republicans	Dole Voters	Powell Voters	
Lamar Alexander	4	6	1	[38]
Pat Buchanan	7	11	6	
Bob Dole	29	NA	56	
Steve Forbes	4	3	6	
Phil Gramm	12	16	7	
Richard Lugar	3	3	2	
Colin Powell	20	41	NA	
Arlen Specter	3	2	3	
Someone else/none (VOL)	4	4	7	
Not sure	9	14	13	
Someone Else/None/Not Sure (Q.7b)	5	NA	NA	

7d. Let me read you another list of people who are seeking the 1996 Republican nomination for president. If you were voting today in the 1996 Republican primary for president, which one of the following candidates would you vote for? (READ LIST. START WITH NAME MARKED WITH 'X.' READ DOWN, THEN RETURN TO TOP NAME. BE SURE TO READ ALL NAMES.)

(IF 'NOT SURE,' ASK:) Well, which way do you lean? (ACCEPT ONLY ONE ANSWER.)

	All Republicans						
	10/95	9/95	7/95	6/95	4/21-25/95	3/95	
Lamar Alexander	2	2	3	3	2	5	[39]
Pat Buchanan	9	6	6	3	6	5	
Bob Dole	56	53	52	58	58	60	
Steve Forbes	7	NA	NA	NA	NA	NA	
Phil Gramm	8	11	13	12	14	13	
Richard Lugar	3	2	3	2	3	4	
Arlen Specter	4	4	3	3	1	2	
Someone else/none (VOL)	2	5	3	4	1	3	
Not sure	9	9	8	10	9	8	

7e. In your opinion, is it very important that the Republican presidential and vice presidential nominees have a pro-life position on abortion, very important that they have a pro-choice position on abortion, or is their position on abortion not as important to you as other issues?

	All Republicans		
	10/95	4/95	
Very important for nominees to be pro-life	28	30	[40]
Very important for nominees to be pro-choice	27	23	
Not as important as other issues	42	41	
Not sure	3	6	

(ASK EVERYONE.)

8a. How confident are you that Bill Clinton has the right set of personal characteristics to be president of the United States--extremely confident, quite confident, only somewhat confident, or not at all confident?

	10/95	10/94	6/94	5/94	1/94	1/93	12/92	11/1/92+	10/92+	9/92+	
Extremely confident	9	11	11	12	11	16	13	11	14	9	[41]
Quite confident	19	17	19	22	24	31	25	21	27	23	
Only somewhat confident	40	38	37	39	38	37	41	34	30	37	
Not at all confident	30	34	31	25	25	13	19	31	26	28	
Not sure	2	2	2	2	2	3	2	3	3	3	

+ Asked only of registered voters.

8b. Now, I would like to read you a list of qualities by which a president might be judged. For each item, I would like you to tell me how you would rate Bill Clinton on that quality using a scale from one to five, on which a "5" means you would give him a very good rating, a "1" means you would give him a very poor rating, and a "3" means you would give him a mixed rating. You can use any number between one and five, depending on how strongly you feel.

(FOR EACH ITEM, ASK:) When it comes to (READ ITEM), how would you rate Bill Clinton, using a five-point scale, on which a "5" means a very good rating, a "1" means a very poor rating, and a "3" means a mixed rating? (START FROM THE BOTTOM ON EVERY OTHER INTERVIEW.) *

	Very Good		Mixed		Very Poor	Not	
	5	4	3	2	1	Sure	
His ethical and moral values		40			38		[42]
October 1995	16	24	31	13	15	1	
July 1995	12	20	32	14	21	1	
April 21-25, 1995	18	18	31	16	16	1	
January 1995	11	21	30	15	22	1	
October 1994	10	16	37	15	21	1	
May 1994	13	19	29	16	21	3	
January 1994	13	20	35	13	17	2	
October 1993	19	24	30	11	15	1	
January 1993	23	27	29	12	8	1	
Staying in touch with the American people		54			17		[43]
October 1995	24	30	25	12	8	1	
October 1994	22	29	26	12	10	1	
June 1994	30	27	23	10	9	1	
May 1994	29	29	23	11	7	1	
January 1994	34	33	19	8	6	1	
October 1993	28	29	25	11	7	-	
June 1993	25	25	29	10	10	1	
January 1993	46	27	20	4	2	1	
Serving as commander-in-chief		40			29		[44]
October 1995	17	23	29	12	17	2	
July 1995	11	23	26	16	21	1	
April 21-25, 1995	15	22	31	16	15	1	
January 1995	12	22	34	14	17	1	
October 1994	15	22	26	16	20	1	
June 1994	12	19	34	14	20	1	
May 1994	13	19	37	13	17	1	
January 1994	17	23	29	13	16	2	
October 1993	14	18	32	16	19	1	
January 1993	20	23	39	8	8	2	

* Asked of one-half the respondents.

END

Q.8b (cont'd) *

	Very Good 5	4	Mixed 3	2	Very Poor 1	Not Sure	
Working with Congress							[45]
October 1995	14	17	38	15	14	2	
April 21-25, 1995	11	23	39	18	7	2	
January 1995	9	23	45	16	5	2	
October 1994	10	18	41	17	12	2	
May 1994	14	27	39	11	5	4	
January 1994	12	32	41	7	5	3	
December 1993	4	12	44	29	9	2	
October 1993	12	29	41	12	4	2	
June 1993	5	18	45	16	12	4	
January 1993	24	32	31	5	2	6	
Standing up to pressure	44				16		[46]
October 1995	21	23	25	15	14	2	
January 1995	16	21	35	17	11	*	
October 1994	16	23	31	14	15	1	
June 1994	19	25	25	15	15	1	
January 1994	25	28	19	16	11	1	
October 1993	23	25	26	14	11	1	
January 1993	29	29	27	6	5	4	
Telling the truth	32			34			[47]
October 1995	13	19	31	13	21	3	
July 1995	9	18	30	16	25	2	
April 21-25, 1995	14	16	29	19	20	2	
January 1995	10	15	32	20	21	2	
June 1994	9	17	28	16	27	3	
May 1994	11	17	28	18	24	4	
Having the right policies for the country	38			30			[48]
October 1995	15	23	30	16	14	2	
July 1995	9	19	32	19	20	1	
January 1995	10	20	37	17	15	1	
October 1994	13	20	26	18	22	1	
June 1994	13	23	26	17	17	2	
May 1994	13	21	31	18	15	2	
October 1993	7	18	37	17	19	2	

* Asked of one-half the respondents.

9 Now I am going to read you some statements about Colin Powell. For each one, please tell me if this makes you more likely to vote for him as a presidential candidate, less likely to vote for him, or if it does not affect your likelihood of voting for Colin Powell. *

	More Likely	Less Likely	Does Not Affect Vote	Not Sure	
He helped lead the U.S. to victory in the Gulf War	45	5	47	3	[49]
He has no experience in public office	16	38	44	2	[50]
He says he is pro-choice on the issue of abortion	41	21	34	4	[51]
He would be the nation's first black president	23	7	68	2	[52]
He has not previously run for political office	17	22	59	2	[53]

* Asked of one-half the respondents.

Now turning to some other topics...

10. Several European nations – including Germany, France, and Belgium – plan to establish a single, all-European currency to replace their national currencies. Do you think this new European currency will strengthen or weaken the value of the U.S. dollar, or not affect the U.S. dollar either way? *

Strengthen dollar	10	[54]
Weaken dollar	34	
Not affect dollar	29	
Not sure	27	

* Asked of one-half the respondents.

11a. How would you rate the honesty and ethical standards of people in the following occupations–very high, high, average, low, or very low? *

	Very High	High	Average	Low	Very Low	Not Sure	
Lawyers							[55]
October 1995	3	11	42	24	18	2	
Whites	3	10	39	26	19	3	
Blacks	4	18	49	18	12	1	
October 1-2, 1995	2	14	49	23	9	3	
Whites	1	13	48	26	9	3	
Blacks	3	21	52	16	5	3	
September 1994	3	14	36	31	15	1	
Whites	2	13	35	33	16	1	
Blacks	9	15	49	20	5	2	
Police							[56]
October 1995	7	30	45	11	5	2	
Whites	7	32	47	8	4	2	
Blacks	7	12	42	23	15	1	
October 1-2, 1995	5	33	46	10	4	2	
Whites	6	36	48	8	2	2	
Blacks	2	15	40	27	13	3	
September 1994	9	37	41	9	3	1	
Whites	10	39	41	7	2	1	
Blacks	4	17	43	25	11	.	
Clergy							[57]
October 1995	18	40	33	5	2	2	
Whites	19	41	32	4	2	2	
Blacks	14	30	43	8	4	1	
September 1994	14	40	34	9	1	2	
Whites	15	42	31	9	1	2	
Blacks	11	22	53	11	.	3	

* Asked of one-half the respondents.

Q.11a (cont'd) *	Very High	High	Average	Low	Very Low	Not Sure	
Journalists							[58]
October 1995	4	16	48	20	9	3	
Whites	4	16	48	20	9	3	
Blacks	4	14	42	26	11	3	
October 1-2, 1995	3	20	52	16	4	5	
Whites	4	18	53	16	5	5	
Blacks	3	26	48	14	4	5	
September 1994	3	17	50	24	5	1	
Whites	3	17	49	26	5	-	
Blacks	3	14	61	11	8	3	
Judges							[59]
October 1995	12	36	40	7	4	1	
Whites	11	39	38	6	4	2	
Blacks	11	24	48	9	7	1	
October 1-2, 1995	12	36	39	8	2	3	
Whites	13	38	38	7	2	2	
Blacks	6	28	45	13	4	4	

* Asked of one-half the respondents.

11b. How much confidence do you have in police officers in your community in terms of (READ ITEM) -- a great deal, a fair amount, just some, or very little confidence? *

	A Great Deal	A Fair Amount	Just Some	Very Little	None (VOL)	Not Sure	
Doing a good job of enforcing the law							[60]
All adults	36	37	12	12	2	1	
Whites	40	38	11	9	1	1	
Blacks	15	34	16	26	6	3	
Treating blacks and whites equally							[61]
All adults	25	33	12	17	2	11	
Whites	29	33	12	13	1	12	
Blacks	10	22	15	43	6	4	
Handling evidence properly							[62]
All adults	22	32	14	16	2	14	
Whites	25	33	14	13	1	14	
Blacks	11	23	16	33	6	11	
Not using excessive force on suspects							[63]
All adults	28	31	15	16	2	8	
Whites	31	32	14	13	1	9	
Blacks	11	23	18	37	6	5	
Being honest and trustworthy							[64]
All adults	29	38	14	15	2	2	
Whites	32	41	13	11	1	2	
Blacks	10	28	18	35	6	3	

* Asked of one-half the respondents.

11c. In your opinion, does the criminal justice system generally treat blacks and whites the same, or does it treat them differently? (IF YES, ASK:) Would you say that blacks get treated more harshly than whites, or that whites get treated more harshly than blacks?

	All Adults			Whites		Blacks		
	10/95 *	9/94	7/94	10/95	9/94	10/95	9/94	
Treats Blacks And Whites The Same	25	33	34	26	36	13	15	[65]
Treats Blacks And Whites Differently								
Blacks get treated more harshly than whites	51	51	46	46	46	79	73	
Whites get treated more harshly than blacks	4	4	7	5	5	-	2	
Not sure who gets treated more harshly	10	4	7	11	4	5	4	
Not Sure How System Treats Blacks And Whites	10	8	6	12	9	3	6	

* Asked of one-half the respondents.

12. Please tell me which one or two of the following issues will be most important to you personally in your voting for Congress and president next year. (READ LIST SLOWLY. START FROM BOTTOM AND WORK YOUR WAY UP ON EVERY OTHER INTERVIEW. ACCEPT NO MORE THAN TWO ANSWERS.)

Education	40	[66]
The budget deficit	30	>
Race relations	10	
Taxes	23	
Medicare	27	
Crime	28	
All equally important (VOL)	7	
Not sure	1	

13 From what you know, do you agree or disagree with most of what the Republicans in Congress are proposing to do?

	10/95	9/95	7/95	4/95	3/95	1/95	12/94	
Agree	35	32	41	46	45	49	41	[67]
Disagree	45	45	39	39	35	22	28	
Both/mixed (VOL)	9	13	10	8	10	9	6	
Not sure	11	10	10	7	10	20	25	

14a. Since the Republicans gained a majority in Congress, would you say that the power of special interests to influence government has decreased, has stayed the same, or has increased?

	10/95 *	7/95	
Decreased	15	14	[68]
Stayed the same	40	45	
Increased	38	34	
Not sure	7	7	

* Asked of one-half the respondents.

14b. Which concerns you more--(ROTATE ORDER ON EVERY OTHER INTERVIEW) that the Republicans in Congress will be prevented from making the kinds of changes they are proposing, or that the Republicans in Congress will go too far and make changes that are bad for the country?

	10/95	4/3-4/94	
Will be prevented from making change	26	33	[69]
Will go too far	64	60	
Neither (VOL)	3	2	
Not sure	7	5	

* Asked of one-half the respondents.

15. For each of the following issues, please tell me if you think that President Clinton or the Republicans in Congress generally have the better approach to this issue, or if there is not much difference. Who do you think has a better approach to (READ ITEM. ROTATE ORDER EVERY OTHER INTERVIEW.)--President Clinton or the Republicans in Congress, or do you think there isn't much difference on this issue?

	President Clinton	Republicans in Congress	No Difference	Not Sure	
Helping the middle class					[70]
October 1995	40	23	32	5	
July 1995	39	25	28	8	
January 1995	40	31	22	7	
The budget deficit					[71]
October 1995 *	25	40	27	8	
September 1995	30	35	25	10	
July 1995	27	39	24	10	
January 1995	25	37	29	9	
November 9, 1994 +	23	46	27	4	
Foreign policy					[72]
October 1995 *	30	36	25	9	
September 1995	26	38	23	13	
July 1995	27	34	26	13	
November 9, 1994 ' +	36	37	22	5	
Affirmative action for minorities and women					[73]
October 1995	47	20	23	10	
September 1995	41	25	22	12	
July 1995	36	31	20	13	
Medicare					[74]
October 1995	49	24	18	9	
Taxes					[75]
October 1995 *	34	36	23	7	
July 1995	24	35	30	11	
January 1995	24	37	30	9	
November 9, 1994 +	17	55	23	5	
Welfare reform					[76]
October 1995 *	35	36	20	9	
September 1995	35	36	20	9	
July 1995	29	37	24	10	
January 1995	31	40	21	8	
November 9, 1994 +	26	48	21	5	

* Asked of one-half the respondents.
' The item read 'foreign affairs.'
+ Asked only of registered voters.

Now I have a few questions about the federal budget....

18a. Which of these budgets would you prefer--a budget that reduces taxes more, even if that means deeper cuts in programs; or a budget that makes smaller cuts in programs, even if that means taxes are not reduced as much?

	10/95 *	7/95	
Reduces taxes more	24	29	[77]
Makes smaller cuts	71	65	
Not sure	5	6	

* Asked of one-half the respondents.

16b. Let me read you two different plans for balancing the budget. Plan A balances the budget in seven years, and includes larger cuts in spending on Medicare and education. Plan B takes ten years or more to balance the budget, and cuts less from Medicare and education. Which plan do you prefer?

	10/95 *	6/95	
Plan A/balances in seven years, larger cuts in Medicare and education	22	18	[78]
Plan B/balances in ten years, cuts less from Medicare and education	73	78	
Not sure	5	4	

* Asked of one-half the respondents.

17a. From what you know, do you agree more with (ROTATE ORDER) Bill Clinton and the Democrats OR more with the Republicans in Congress on the issue of the federal budget?

	10/95	9/95	7/95	6/95	
Clinton and Democrats	44	38	38	38	[79]
Republicans in Congress	39	41	44	41	
Both equal (VOL)	4	5	4	4	
Not sure	13	16	14	17	

17b. As you may know, Republicans in Congress are in the process of passing a federal budget that they say will balance the budget in seven years and reduce taxes for most families. President Clinton says he will veto the budget because he believes it cuts too much from certain domestic programs and gives tax breaks mostly to the wealthy. In your view, should the President sign or veto this budget?

Sign budget	32	[80]
Veto budget	61	
Not sure	7	

18a. Which one of the following do you think is the best way to reach a budget agreement? (READ ITEMS. ROTATE ORDER ON EVERY OTHER INTERVIEW.) *

Republicans in Congress should compromise more and move toward President Clinton's position	18	[81]
Republicans in Congress and President Clinton should compromise equally	60	
President Clinton should compromise more and move toward the position of Republicans in Congress	18	
Not sure	4	

* Asked of one-half the respondents.

18b Do you think the budget disagreement between President Clinton and Congress will lead to a major shutdown of the federal government, or do you think they will reach an agreement in time to avoid a shutdown?

	10/95 *	9/95	
Disagreement will lead to a shutdown	13	15	[82]
Will reach agreement in time to avoid shutdown	79	77	
Not sure	8	8	

* Asked of one-half the respondents.

18c. If President Clinton and the Republican Congress do not reach a budget agreement in time to avoid a major shutdown of the federal government, who do you think will be more to blame -- President Clinton or the Republican Congress?

President Clinton	32	[83]
Republican Congress	43	
Both equal (VOL)	18	
Not sure	7	

19a. Here are some things that Republicans say are the most valuable provisions in their budget. Please tell me which one, if any, you think is the most important for Republicans to preserve in their final budget? (READ ITEMS, ROTATING ON EVERY OTHER INTERVIEW.)

	First Mention	Combined First and Second Mentions	
It balances the federal budget by the year 2002	19	32	[84-85]
It provides a five hundred dollar tax credit to families with children	12	26	
It preserves Medicare's financing by slowing the growth of spending and giving more choice of health plans	28	47	
It reduces federal spending on welfare programs and transfers them to the states	19	40	
It reduces taxes on capital gains from investments	8	19	
None	4	NA	
All equal (VOL)	4	NA	
Not sure	6	NA	

(ASK ONLY OF RESPONDENTS WHO CHOOSE A PROVISION AS MOST IMPORTANT IN Q.19a.)

19b. I'll read that list again, and please tell me which one, if any, you think is the second most important provision for the Republicans to preserve in their budget. (READ LIST AGAIN, AND RECORD UNDER Q.19b. ABOVE.)

(ASK EVERYONE.)

19c. Here are some things that Democrats criticize in the Republican budget and say would justify a veto by President Clinton. Please tell me which one, if any, would most justify a presidential veto of the Republican budget? (READ ITEMS, ROTATING ON EVERY OTHER INTERVIEW.)

	First Mention	Combined First and Second Mentions	
The tax cuts go too much to business and the wealthy	24	38	[86-87]
It cuts student loans and other education programs	15	32	
It cuts Medicare more than necessary and raises premiums for seniors	25	44	
It cuts too much from programs for poor women and children	11	26	
It weakens environmental regulations	5	14	
None	6	NA	
All equal (VOL)	11	NA	
Not sure	3	NA	

(ASK ONLY OF RESPONDENTS WHO CHOOSE A REASON AS THE BEST JUSTIFICATION IN Q.19c.)

19d. I'll read that list again, and please tell me which one, if any, you think is the second best justification for a presidential veto of the Republican budget. (READ LIST AGAIN, AND RECORD UNDER Q.19d, ABOVE.)

Now I have a few questions about Medicare....

20a. Which of these would you prefer -- reducing spending on Medicare by two hundred and seventy billion dollars over the next seven years, with all the savings going to deficit reduction, OR maintaining Medicare spending at its current level, even if that means the budget deficit is not reduced?

	10/95[1] *	9/95	4/21-25/95	
Reducing spending on Medicare	37	32	29	[88]
Maintaining Medicare at its current level	52	58	62	
Not sure	11	10	9	

[1] Prior to October 1995, the question read "reducing spending on Medicare by two hundred billion".

* Asked of one-half the respondents.

20b. From what you know, what is the financial status of the Medicare system--it is in good shape and needs no real changes, it faces some problems and needs minor changes, or it faces serious problems and needs major reforms?

	10/95 *	9/95	7/95	
In good shape, needs no real changes	2	3	4	[89]
Faces some problems, needs minor changes	34	32	31	
Faces serious problems, needs major reforms	58	61	61	
Not sure	6	4	4	

* Asked of one-half the respondents.

20c From what you know, do you generally favor or oppose the Medicare plan recently passed by Congress?

Favor	26	[90]
Oppose	40	
Not sure	34	

20d. In your view, does the congressional Medicare plan reduce spending on Medicare by too much, by about the right amount, or by too little? *

Reduce spending too much	45	[91]
Reduce spending about right amount	24	
Reduce spending too little	12	
Not sure	19	

* Asked of one-half the respondents.

20e. From what you know, which of the following is the main reason that Republicans in Congress are proposing to reduce planned spending on Medicare? **(READ ITEMS. ROTATE ORDER ON EVERY OTHER INTERVIEW. ACCEPT ONLY ONE RESPONSE.)**

	10/95 *	9/95	7/95	
To keep the Medicare trust fund from going bankrupt	28	22	21	[92]
To help reduce the federal budget deficit	32	29	31	
To help pay for tax cuts	28	31	29	
All (VOL)	4	5	4	
Not sure	8	13	15	

* Asked of one-half the respondents.

21a. The following are some of the specific provisions in the congressional Medicare plans. For each one, please tell me if you strongly favor, somewhat favor, somewhat oppose, or strongly oppose this provision. **(READ EACH ITEM. ROTATE ORDER ON EVERY OTHER INTERVIEW, EXCEPT ALWAYS ASK THE LAST ITEM LAST.)**

	Strongly Favor	Somewhat Favor	Somewhat Oppose	Strongly Oppose	Not Sure	
Having individuals on Medicare with incomes of more than seventy-five thousand dollars a year pay more for their coverage	50	26	12	10	2	[93]
Increasing the options and incentives for people on Medicare to join HMOs and other managed care health plans	31	37	13	13	6	[94]
Raising the annual deductible that people on Medicare pay for doctor care by fifty dollars next year, with additional ten dollar increase in each of the following five years	11	26	23	35	5	[95]
Increasing the monthly premiums paid by those on Medicare in steps over the next seven years, for a total increase of forty-one dollars per month *	12	25	27	31	5	[97]

* Asked of one-half the respondents.

21b. If your member of Congress voted to cut spending on Medicare as part of an effort to reduce the federal budget deficit, would that make you more likely to vote for your representative in the next election, less likely to vote for your representative, or make no difference in your voting in the next election?

	10/95	4/21-25/95	
More likely	19	15	[98]
Less likely	41	42	
Makes no difference	36	39	
Not sure	5	4	

Now I have some questions on other topics...

22a. Overall, do you approve or disapprove of current U.S. policy toward the situation in Bosnia?

	10/95 *	9/95	7/95	
Approve	30	43	28	[99]
Disapprove	49	42	50	
Not sure	21	15	22	

* Asked of one-half the respondents.

22b. President Clinton has said the U.S. would be willing to send some ground troops to Bosnia as part of a peacekeeping force if a peace agreement is reached between the warring factions. Do you favor or oppose using American ground troops in such an operation?

	10/95 *	3/93	
Favor	30	41	[100]
Oppose	65	51	
Not sure	5	8	

* Asked of one-half the respondents.

23. All in all, do you favor or oppose affirmative action programs for blacks and other minority groups? [101]

	All Adults					*Whites*					*Blacks*				
	10/95	9/95	7/95	3/95	5/91+	10/95	9/95	7/95	3/95	5/91+	10/95	9/95	7/95	3/95	5/91+
Favor	42	48	44	48	57	36	41	38	40	52	76	82	78	81	86
Oppose	45	37	49	41	33	50	43	55	46	37	16	8	18	13	10
Not sure	13	15	7	13	10	14	16	7	14	11	8	10	4	6	4

+ In May 1991, question was asked only of registered voters and read, "All in all, do you favor or oppose affirmative action programs in business for blacks and other minority groups?"

24a. In general, do you think race relations in the United States are very good, fairly good, fairly bad, or very bad?

	All Adults		*Whites*		*Blacks*		
	10/95	9/94	10/95	9/94	10/95	9/94	
Very good	2	4	1	4	3	5	[102]
Fairly good	32	45	33	45	28	39	
Fairly bad	41	31	42	32	35	26	
Very bad	20	15	18	13	30	26	
Mixed (VOL)	4	4	5	5	3	3	
Not sure	1	1	1	1	1	1	

END

24b. Over the course of the past five years, do you feel that race relations between blacks and whites have gotten better, worse, or stayed about the same?

	All Adults		Whites	Blacks	
	10/95 *	7/90	10/95	10/95	
Better	13	37	12	17	[103]
Worse	48	22	50	37	
Stayed about the same	38	39	37	44	
Not sure	1	2	1	2	

* Asked of one-half the respondents.

25. In your view, has racial integration been good or bad for society?

	All Adults		Whites		Blacks		
	10/95 *	9/94	10/95	9/94	10/95	9/94	
Good for society	62	69	63	70	56	65	[104]
Bad for society	22	17	21	17	25	23	
Some of both (VOL)	10	8	10	7	13	8	
Not sure	6	6	6	6	6	4	

* Asked of one-half the respondents.

26a. Overall, do you feel the problems facing blacks today are mainly the result of attitudes and policies of the larger society, or mainly the result of problems within the black community?

	All Adults		Whites		Blacks		
	10/95 *	9/94	10/95	9/94	10/95	9/94	
Result of attitudes and policies of the larger society	28	35	26	31	40	49	[105]
Result of problems within the black community	48	47	52	50	29	32	
Some of both (VOL)	18	13	17	13	24	16	
Not sure	6	5	5	6	7	3	

* Asked of one-half the respondents.

26b. Which approach do you think is better for improving the situation for blacks in America -- more emphasis on building strong institutions within the black community, or more emphasis on integration and opportunity within the larger society? *

	All Adults	Whites	Blacks	
More emphasis on building strong institutions within the black community	31	30	38	[106]
More emphasis on integration and opportunity	56	57	46	
Some of both (VOL)	5	5	10	
Not sure	8	8	6	

* Asked of one-half the respondents.

26c. Which of the following do you think is more important for improving race relations today? **(READ ITEMS AND ROTATE ORDER.)** *

	All Adults	Whites	Blacks	
Black Americans doing more to accept responsibility for the problems facing their communities and families	57	60	36	[107]
White Americans doing more to recognize and reduce racism by whites against blacks	15	14	25	
Both equal (VOL)	23	22	31	
Not sure	5	4	8	

* Asked of one-half the respondents.

27a. Who is the living black American, besides your friends or members of your family, that you most admire today? **(DO NOT READ CHOICES.)**

	All Adults		*Whites*		*Blacks*			
	10/95 *	9/94	10/95	9/94	10/95	6/95	9/94	
Maya Angelou	3	1	3	*	7	3	3	[108]
Johnnie Cochran	1	-	1	*	1	-	-	
Bill Cosby	2	3	2	3	4	7	5	
Louis Farrakhan	1	1	*	*	7	2	4	
Jesse Jackson	9	12	7	10	23	12	19	
Michael Jordan	1	2	1	2	1	1	3	
Coretta Scott King	1	1	*	*	1	-	2	[109]
Colin Powell	38	29	43	31	14	13	15	
O.J. Simpson	2	-	2	-	2	-	-	
Clarence Thomas	4	3	4	3	1	1	1	
Oprah Winfrey	2	2	2	2	2	2	6	
Other	12	18	10	17	21	25	23	
None (VOL)	8	10	8	10	7	8	10	
Not sure	16	15	17	17	10	16	8	

* Asked of one-half the respondents.

27b. Who do you think is the most important black political leader today--Jesse Jackson, Colin Powell, or Louis Farrakhan? *

	All Adults	Whites	Blacks	
Jesse Jackson	21	18	38	[110]
Colin Powell	64	70	30	
Louis Farrakhan	8	6	20	
Other (VOL)	1	1	4	
Not sure	6	5	8	

* Asked of one-half the respondents.

28a. What is your view of the Million Man March in Washington earlier this month -- very positive, fairly positive, neutral, fairly negative, or very negative?

	All Adults	Whites	Blacks	
Very positive	18	11	64	[111]
Fairly positive	23	25	13	
Neutral	28	29	14	
Fairly negative	12	14	3	
Very negative	16	18	4	
Not sure	3	3	2	

28b. Some people have said that Louis Farrakhan is antisemitic and bigoted against whites. Do you think that is true of Louis Farrakhan, or do you think that is an unfair charge? *

	All Adults	Whites	Blacks	
True of Farrakhan	69	73	43	[112]
Unfair charge against Farrakhan	14	10	42	
Not sure	17	17	15	

* Asked of one-half the respondents.

29a. In your opinion, is O.J. Simpson guilty or not guilty of the murders he was charged with committing?

	All Adults									
	10/95	10/1-2/95	9/95	7/95	6/95	4/21-25/95	12/94	9/94	7/94	
O.J. Simpson is guilty	59	58	55	52	54	50	49	42	33	[113]
O.J. Simpson is not guilty	23	20	20	19	17	18	16	22	23	
Not sure	18	24	25	29	29	32	35	36	44	

Whites		Blacks	
10/95	10/1-2/95	10/95	10/1-2/95
65	63	18	13
19	14	57	57
16	23	25	31

29b. In your opinion, was the O.J. Simpson trial a fair trial or not a fair trial? [1]

	All Adults					
	10/95 *	10/3/95	10/1-2/95	9/95	6/95	4/21-25/95
O.J. Simpson trial was fair	49	64	53	38	45	38
O.J. Simpson trial was not fair	41	32	37	46	39	46
Not sure	10	4	10	16	16	16

Whites			Blacks		
10/95	10/3/95	10/1-2/95	10/95	10/3/95	10/1-2/95
46	63	54	85	66	41
43	33	36	27	28	49
11	4	11	8	6	11

[1] Previous to October 1995, the question was phrased "is fair" and "is not fair."
* Asked of one-half the respondents.

FACTUALS: Now I am going to ask you a few questions for statistical purposes only.

F1a. Did you happen to vote in the 1992 presidential election?

(IF "YES," ASK:) For whom did you vote--George Bush, the Republican, Bill Clinton, the Democrat, or Ross Perot, the Independent?

Yes, Voted		
George Bush	29	{200}
Bill Clinton	35	
Ross Perot	12	
None (VOL)/not sure/refused	3	
No, Did Not Vote	18	
Not Sure if Voted/Refused	3	

F1b. Thinking about the last few state and national elections in which you have voted, which best describes the candidates for whom you voted? (READ LIST CAREFULLY. ROTATE ORDER ON EVERY OTHER INTERVIEW.)

Almost all Republicans	12	{201}
Mostly Republicans; but a few Democrats	20	
A few more Republicans than Democrats	6	
The same number of Republicans and Democrats	14	
A few more Democrats than Republicans	7	
Mostly Democrats, but a few Republicans	14	
Almost all Democrats	18	
Not sure	12	

F2. In politics today, do you generally consider yourself to be very liberal, somewhat liberal, moderate, somewhat conservative, very conservative, or do you think your views cannot really be described in those terms?

Very liberal	6	{201}
Somewhat liberal	17	
Moderate	27	
Somewhat conservative	22	
Very conservative	9	
Views cannot be described in those terms	15	
Not sure	4	

F3. What is the last grade you completed in school? (DO NOT READ CHOICES.)

Grade school	1	{203}
Some high school	6	
High school graduate	31	
Some college, no degree	20	
Vocational training, 2-year college	10	
4-year college/bachelor's degree	19	
Some postgraduate work, no degree	2	
2-3 years' postgraduate work, master's degree	8	
Doctoral degree/law degree	2	
Not sure	1	

F4. How old are you? (IF REFUSED, ASK:) Well, can you tell me which age group you belong to? Are you in the age group 18 to 24, 25 to 29, 30 to 34, 35 to 39, 40 to 44, 45 to 49, 50 to 54, 55 to 59, 60 to 64, or 65 and over?

18-24	12	{204}
25-29	10	
30-34	11	
35-39	10	
40-44	11	
45-49	10	
50-54	6	
55-59	6	
60-64	6	
65 and over	17	
Refused	1	

F5. What type of work do you do?

Professional/manager	24	{205}
White collar worker	21	
Blue collar worker	20	
Farmer	1	
Student	4	
Homemaker	6	
Retired	21	
Unemployed	2	
Never worked/not sure	1	

F6. What is your marital status--are you single and never married, married, separated, divorced, or widowed?

Single	24	{220}
Married	56	
Separated	2	
Divorced	9	
Widowed	8	
Not sure/refused	1	

F7a. In what religion were you brought up?

Protestant	55	CONTINUE	{207}
Catholic	30		
Jewish	3		
Other	6	SKIP TO Q.F8	
None	4		
Not sure/refused	2		

(ASK ONLY OF PROTESTANTS IN Q.F7a)

F7b. Regardless of how you were brought up, do you consider yourself to be a born-again Christian--that is, have you personally had a conversion experience related to Jesus Christ?

Born-again	26	{209}
Not born-again	27	
Not sure	2	
Non-Protestants (Q.F7a)	45	

(ASK EVERYONE.)

F8. How would you describe the area in which you live--a large city, a medium to small city, a suburb near a city, a small town that is not near a city, or a rural or country area?

Large city	22	{212}
Medium to small city	26	
Suburb near a city	21	
Small town that is not near a city	15	
Rural or country area	15	
Not sure	1	

F9. Do you regularly listen to political call-in shows on the radio?

Yes, regularly listen to call-in radio shows	28	{250}
No, do not regularly listen to call-in radio shows	69	
Not sure	3	

F10. Are you, or is any member of your household, a member of a labor union?

Labor union member	14	{213}
Labor union household	7	
Nonunion household	78	
Not sure	1	

F11a. Are you white, black, Hispanic, Asian, or something else?

White	61	CONTINUE	{214}
Black	11		
Hispanic	5	SKIP TO	
Asian	1	Q.F12	
Other	1		
Not sure/refused	1		

(ASK ONLY OF WHITES IN Q.F11a.)

F11b. How many of your personal acquaintances and friends are black or African American -- most of them, many of them, some, just a few, or none?

Most	2	{253}
Many	11	
Some	31	
Just a few	41	
None	15	
Not sure/refused	-	

(ASK EVERYONE)

F12. If you added together the yearly income of all the members of your family who were living at home last year, would the total be less than $10,000, between $10,000 and $20,000, between $20,000 and $30,000, between $30,000 and $40,000, between $40,000 and $50,000, between $50,000 and $75,000, or would the total be more than that?

Less than $10,000	6	(216)
Between $10,000 and $20,000	13	
Between $20,000 and $30,000	17	
Between $30,000 and $40,000	17	
Between $40,000 and $50,000	12	
Between $50,000 and $75,000	14	
More than $75,000	13	
Not sure/refused	8	

F13. This survey is being conducted as part of continuing coverage of national issues by NBC News and *The Wall Street Journal*. A few reporters assigned to this story will be calling back a selected number of participants to get additional insights. Would you have any objection to being contacted?

Do not object	83	(217)
Object--do not call	17	

END

SPECIAL SCHEDULING REQUESTS
HONORARY CHAIR, HONORARY PATRON, HONORARY MEMBERSHIP

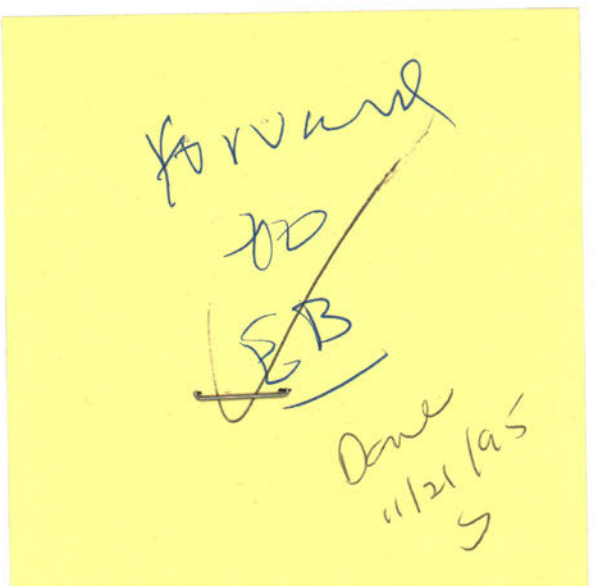
Today's Date: November 21, 1995 95 NOV 21 P4:21

Date of Request:	10/26/95
Request for:	POTUS
Type of Request:	Honorary Chair
Requestor Name:	Ms. Joyce Iwasaki
Title:	Campaign Coordinator
Organization:	Elect Norm Mineta for Congress Committee 1245 South Winchester Boulevard Suite 314 San Jose, California 95128
Contact Tel. #:	408/984-6676
Event Date:	12/01/95
Event Description:	Tribute Dinner
Notes:	Leon Panetta will be attending this event. The Vice President has agreed to serve as an Honorary Chair.

Recommendations:

TS DK 11-21-95 EB _____

Please return to Room 457



THE WHITE HOUSE
WASHINGTON

Jim -
This group has asked if the VP and POTUS would be ~~would~~ willing to be listed as Honorary Chairs of the dinner. They would appear on the program only. The invite has already gone out. (Dave is also attending the dinner). Please let me know. K. Whalen is also reviewing. Jennifer P.

Norm

OCT 30 1995

October 26, 1995

Honorable Leon Panetta
Office of the Chief of Staff
The White House
Washington, DC 20500

Dear Honorable Leon Panetta:

The greater San Jose Community is honoring Norm Mineta at a Tribute Dinner on Friday, December 1, 1995 at the San Jose McEnery Convention Center, 408 Almaden Avenue, San Jose, California 95110, from 6:30 PM. Norm would be so honored to have you as the guest speaker for this event.

I shall look forward to your response. Please contact me for further details. Thank you.

Sincerely,

Joyce

Joyce Iwasaki
Campaign Coordinator

You are cordially invited
to attend

THE NORMAN Y. MINETA TRIBUTE DINNER

on
Friday, December 1, 1995

at the
San Jose McEnery Convention Center
408 Almaden Avenue
San Jose, California 95110

6:30 PM Reception 7:30 PM Dinner

$45 Per Person

Sponsorship Levels

Emerald	$25,000
Diamond	$10,000
Jade	$ 5,000
Pearl	$ 2,500
Coral	$ 1,000

Sponsorship contributions in excess of the cost of the meals are tax deductible.
Donations to this fund go toward a community gift in the name of Honorable Norman Y. Mineta.
All levels of sponsorship include ten tickets.

RSVP by November 22, 1995

1245 South Winchester Boulevard, Suite 314 San Jose, California 95128 Telephone 408 984 6676 Fax 408 984 1599

Paid for by the Norman Y. Mineta Tribute Dinner Committee

1. cc: TONY LAKE
ANNE W/STEPHA
ERSKINE
2. PRESIDENT

THE PRESIDENT HAS SEEN
11-21-95

EDGAR M. BRONFMAN
WORLD JEWISH CONGRESS
375 PARK AVENUE
NEW YORK, NY 10152

OFFICE OF THE PRESIDENT

November 20, 1995

Tony / Sandy
Will do you say?
Bx

Dear Mr. President,

I know how much you are devoted to the peace process in the Middle East. You made that, amongst other important things, abundantly clear in your eulogy at Yitzhak Rabin's funeral.

There is still ambivalence in the American Jewish community about giving up land for peace and about security considerations. I would very much like to stage a huge rally at Madison Square Garden in Yitzhak's memory, in support of the government of Israel and the peace for which so many yearn.

Such a rally needs the presence of the President of the United States to be successful, both in terms of the numbers of people who would attend and the message that should be delivered to that community. Frankly, sir, without you, it would prove impossible to have a great event.

The timing is critical - sooner is better than later, but of course, your scheduling has the first priority. I plan on having Shimon Peres there as well as Leah Rabin. I would also have Jewish leaders from all over the world, so that everyone in America, everyone throughout the world and especially everyone in Israel could hear of your support and your commitment to Israel.

I believe that this rally is critical to maintaining the momentum of good will towards the government of Shimon Peres and the peace he too dreamed of and together with Yitzhak Rabin went so far to establish.

I have the chutzpah to badly want to chair the evening. I loved Yitzhak, and I would love to be able to have such a rally for him. Please say "Yes."

Thank you, Mr. President

Edgar

cc: Sara Ehrman

THE PRESIDENT HAS SEEN
11-21-95

Leon
FYI -

To: Albert Gore/OVP
cc: David R. Thomas at gore-dc @ ccmail @ OVP, Kim J. Hopkins @ ccmail @ OVP, Leon S. Fuerth/OVP, Thurgood Marshall Jr./OVP
From: Michael B. Feldman/OVP
Date: 11/21/95 11:37:04 AM
Subject: Dellums - Bosnia

As per your request, the following is Rep. Dellums' closing remarks before the vote on the Hefley Amendment on Friday:

Mr. Speaker, we are down to the last two speakers, the tail end of this debate. I would like to conclude this debate where my distinguished colleague, the gentleman from Colorado [Mr. HEFLEY] began this debate.

My friend and my colleague started this debate saying today is about American lives. With all due and profound respect to my colleague, I would dissent from that. Tonight is not about American lives. It is not about American lives because we all know that the predicate for deployment of American troops is a peace plan. There is no peace plan. Therefore, there is no request for the deployment of American troops. Therefore, this is not about American lives. The appropriate moment and the appropriate forum for that to take place is when the predicate becomes a reality.

So what is tonight about? Tonight is about the lives of people who are living in Bosnia-Herzegovina at this moment. It is not about American lives. It is about the lives of people over there, the lives that many of us came into this Chamber just a few months ago, with wringing hands about the murder, the slaughter, the rape and the pain of people.

I saw many of my colleagues on both sides of the aisle march into the well with anger and with pain and with raw emotion about how women were plundered and raped, children killed, 16,000 of them, thousands of people dying in the insanity of ethnic cleansing. And as a black man, I understand that.

I would like to have believed that I would have had the courage and the dignity, in the context of Nazi Germany, to stand up and rise above the notion of narrowly construed vital national interests to assume the moral responsibility to say that we have the responsibility to save human lives.

So tonight is not about American troops. That issue is somewhere else. It is about those lives you cared about.

Mr. Speaker, Members of Congress voted to unilaterally lift the arms embargo because they were angry and frustrated at the killing, the dying and the slaughter and the rape and the plunder. And you argued that point on moral grounds.

I came here 25 years to raise my voice as an advocate of peace and the moral argument. It

defied logic for me because I could not understand what was moral about placing more weapons in the hands of people so they could continue to slaughter, maim and kill each other.

I believe, Mr. Speaker, that the human being has the capacity to rise beyond that level of cannibalism, beyond that level of caveman mentality. I believe that we can rise to a higher order of how we deal with each other. Tonight is not about American lives. It is about those lives we cared about. If we could raise the moral argument that the only thing left to do was

People now who were slaughtering and killing each other are sitting down around a negotiating table. That has been my greatest dream. My argument has been that peace is a superior idea and the table of diplomacy is the best battlefield, not out there in the hinterlands killing, slaughtering and maiming human beings.

If you believe that so strongly, if you care about those human lives, then why is this about American lives when that is not the issue? Care about those people you cared about when you wanted to lift the arms embargo. Assume the moral imperative to embrace the notion that peace is a superior idea.

I have given my life to that notion. Suddenly, I would say to my colleague from California, the world is turned around. It has turned around because we find ourselves in the context of the post-cold war era where war itself is the enemy, where the challenge is peace. Remember what Rabin said, he said, you do not have to make peace with your friends. You make it with your enemies. And that is tough going. But we should do nothing in these Chambers that would shake that fragile process called peace, where people are engaging in the Herculean task of moving from the field of blood to the negotiating table where they have a possibility for peace.

As I said earlier today, there are moments, folks, when we need to rise far beyond pedestrianism, rise above our partisanship, rise above all of these things to achieve a lofty place, that notion that what we do makes sense.

We will have the chance, whether you are for or against deployment of the troops, that is a proper question. You have the right to step up to it. I stand second to no one in these Chambers about Congress's prerogatives. I took the President to the court of the United States to guarantee constitutional prerogatives when many of my colleagues did not have the heart to do it. I did it, if I had to stand alone.

So I believe in the right and the responsibility. I believe the President of the United States, as a practical matter, needs to come here to the people's representatives any time you put people in harm's way.

I conclude, tonight is not about American lives. It is about the lives of the people in Bosnia, and I think we have a moral obligation to stand on the threshold of peace.

THE WHITE HOUSE
WASHINGTON

November 21, 1995

TO: Leon Panetta
Pat Griffin

FROM: Todd Stern

I assume no reply at this point.

THE PRESIDENT HAS SEEN
11-20-95

Congress of the United States

Washington, DC 20515

Leon
I think we should write them a very strong letter on our record. Then back Congress 230/203 & offer ours. Do you agree?

November 17, 1995

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

Dear Mr. President:

Some are holding us Freshmen Members of the Republican House Caucus responsible for the actions of the last several days. Permit us to share our perspective on this important issue.

It is unfortunate that 800,000 non-essential federal employees were furloughed. But we believe very strongly that it would be a tragedy of historic proportions if we were to back down now on our commitment to balance the federal budget in seven years. Twelve months ago, the voters of this nation sent a powerful message that we needed to change the way Washington does business. They wanted to put the federal government on a diet, and they wanted us to balance THEIR budget.

There is a misguided belief that the current debate surrounding the balanced budget issue is about politics. Balancing the federal budget, Mr. President, is about principle. This is not about the re-election of the Freshmen Class, it's about preserving the future of our country. In fact, we believe it goes deeper than that. What is at stake here is preserving the basic concept of self-government. If we cannot balance our budget when we are the sole surviving super-power, when we're at peace in the world, when we have a relatively strong economy with low unemployment, then when will we?

We want to resolve this. The American people want us to work together. We have been granted an historic opportunity. Our children would not hold us harmless if we squandered it. This is a moment of truth. This is when "We The People" show whether we have the courage and moral character to stop stealing from our children and grandchildren. Future generations are counting on us to show some leadership and courage. Let us agree on the destination. We can then have a healthy debate about the road map.

Respectfully,

Roger Wicker
Jon Kyl
Sue Myrick
Mark Foley
Andrea Seastrand

