

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE                                | DATE       | RESTRICTION |
|--------------------------|----------------------------------------------|------------|-------------|
| 001a. note               | Todd [Stern] to Evelyn (2 pages)             | 05/07/1996 | b(6)        |
| 001b. note               | Bob Bell to Todd [Stern] (1 page)            | 04/29/1996 | b(6)        |
| 001c. note               | Todd [Stern] to Evelyn et al. (1 page)       | 03/14/1996 | b(6)        |
| 001d. letter             | F. Pang to Strom Thurmond [partial] (1 page) | 02/00/1996 | b(6)        |

### COLLECTION:

Clinton Presidential Records  
Staff Secretary  
Todd Stern  
OA/Box Number: 7697

### FOLDER TITLE:

Chron Files May 5-10, 1996: Tuesday, May 7, 1996 [1]

2019-0774-S

rs3314

### RESTRICTION CODES

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

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

C. Closed in accordance with restrictions contained in donor's deed of gift.

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

RR. Document will be reviewed upon request.

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

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

THE WHITE HOUSE  
WASHINGTON

May 7, 1996

96 MAY 17 12:31

MEMORANDUM FOR THE PRESIDENT

FROM:

JACK QUINN *JQ*  
STEVE NEUWIRTH *SN*

SUBJECT:

EIGHTH CIRCUIT DECISION IN TITHINGS CASE

In 1994, you personally ordered the Justice Department to withdraw an *amicus* brief it had filed before the Eighth Circuit Court of Appeals in the case Christians v. Crystal Evangelical Free Church. The case concerned whether, under the Religious Freedom Restoration Act (RFRA), church tithings must be exempted from the general federal bankruptcy rule that a debtor's charitable contributions in the year prior to declaring bankruptcy are recoverable by his or her creditors. The Justice Department brief argued that RFRA does *not* apply under these circumstances. You did not agree that the United States should assert this position.

Yesterday, the Eighth Circuit ruled, in a 2-1 decision, that RFRA *does* require that tithings be exempted from the general bankruptcy rule on recovery of charitable contributions -- thus rejecting the position that had been advanced by the Justice Department in the brief you ordered the Department to withdraw. The Court reasoned that, when applied to tithings, the bankruptcy rule substantially burdens the free exercise of religion and serves no compelling governmental interest.

The religious community has applauded your involvement in this case and, more generally, your commitment to RFRA. In the event the Eighth Circuit's decision is *appealed* to the Supreme Court, we will work with the Justice Department to ensure that your views are reflected in any further action the Department undertakes.

- Log in  
- RES.  
tonight  
cc: Lenn P. ; Mike M.  
George;  
Don B.



## THE PRESIDENT HAS SEEN

5-6-96

(H) **Gov. Whitman comments on partial birth veto.** Via Betsy Myers. Whitman said on "Inside Politics" that you did the right thing in vetoing the bill: "I would have supported that -- not because I think the technique is anything that we want to see -- but because it is only used in cases that are extreme medical emergencies, and I hate to have government determining for a doctor what procedure they can do when there really are good medical reasons to do something. . . . [W]e should be focusing on preventing pregnancies. Period."

**Rasco follow-up on Riley meeting with Sylvan Learning Systems.** Sec. Riley met with Sylvan's Doug Becker and Buddy Johnson. Riley was impressed with Sylvan's work in the public schools, and praised the company's willingness to accommodate concerns of teachers and unions in structuring its programs. As a next step, DoEd. and Sylvan are discussing the possibility of the Department funding an independent 1-2 year study of Sylvan's public school program.

(H) **McCurry memo on regional media for week of April 22.** *Teacher of the Year Awards* -- 78 radio interviews reaching 1,225 stations nationwide, 27 regional TV interviews and appearances on "Good Morning America" and CNN, print interviews and stories in major regional papers. *President's Service Awards* -- First Lady attended, interviews for winners reached 414 radio stations nationwide, 13 regional TV interviews. *Radio Actualities* -- Arkansas disaster relief actuality reached 102 stations, Illinois reached 79 stations, Olympic torch was picked up by 4 major stations in L.A. *Miscellaneous* -- Asked Cabinet to conduct more than 50 editorial board calls to talk about what has been achieved and your commitment to continue fight for balanced budget; coordinated 5 regional TV and print interviews with participants in anti-terrorism signing; conducted satellite media tour with the VP into 6 targeted markets on Earth Day.

(H) **Ickes follow-up on Oklahoma City.** Kitty Higgins has sent you a separate memo on efforts undertaken by GSA and about which you heard great praise when you were in OKC. Jamie Gorelick and Jack Quinn sent you a summary of efforts underway and resources provided to assist victims of the bombing. Kitty is obtaining information on education assistance for adults as well as on the physical, financial, psychological and employment status of all those affected by the bombing.

We also received the following items:

**Ickes note on Jay Rockefeller.** Sen. Rockefeller was concerned that your veto message specify aspects of products liability bill you objected to and not slam reform per se. (I think the veto message accomplished this.) Also, Jay wants to meet with you. He realizes things got a bit testy in connection with the products bill, but he is still a very strong supporter and wants to get five minutes with you within the next few weeks.

**Response to your question on membership of the G-10.** The G-10 consists of the 11 wealthiest members of the IMF and acts as an informal steering committee for credit policy. In addition to the G-7, Belgium, the Netherlands, Sweden, and Switzerland belong.

THE WHITE HOUSE

WASHINGTON

96 MAY 3 P5:16

2 May 1996

MEMORANDUM TO THE PRESIDENT

CC: Leon Panetta  
Evelyn Lieberman

From: Harold Ickes *HI*

Re: Senator Jay Rockefeller

On 1 May 1996, I spoke with Senator Rockefeller who urged that your veto message regarding the products liability bill should say that you are willing to sign products liability reform, but there are merely provisions in this bill that you found completely unacceptable. In short, that you not slam products liability reform per se.

In addition, he very much wants to have a meeting with you. He realizes that things probably got a bit testy between the two of you in connection with this legislation. He stressed that he has been a very strong supporter of yours, will continue to be and that he very much wants to have "five minutes" with you within the next several weeks.



5-6-96

sentenced for child molestation. Gamez Garcia is the first Mexican national ever extradited from Mexico to the United States.

- **Major Marijuana Fugitive Arrested in France:** On April 17, French police and DEA agents in Paris provisionally arrested a major marijuana trafficker, a U.S. citizen who avoided capture for more than two years. Authorities in the Northern District of Florida are seeking his extradition for conspiracy to possess marijuana with intent to distribute, conspiracy to import marijuana, and conspiracy to launder money.
- **Former Auschwitz Death Camp Guard Blocked from Entering United States:** On April 14, Office of Special Investigation and the U.S. Immigration and Naturalization Service (INS) jointly enforced the exclusion of Eugen Gratzner, a German tourist who was attempting to enter the United States at Kennedy Airport. At the request of OSI, Gratzner's name had been placed in the INS-State Department-Customs Service visa denial/border control "watchlist" system on the basis of his service as an SS sergeant at the Auschwitz-Birkenau death camp complex in Nazi-occupied Poland from 1941 to 1945. Gratzner was attempting to enter the United States under the Visa Waiver Pilot Program. He was refused entry and was placed aboard the next flight to Germany.
- **NY Man Charged Under Domestic Violence Statute:** A defendant was charged under a federal domestic violence statute for traveling across state lines with the intent to engage in conduct in violation of a state order of protection. A woman had obtained the order against the defendant, because he began stalking her after the break-up of their two-week relationship. The defendant faces a penalty of five years in prison and a \$250,000 fine.

**Seizure in San Diego:** On April 17, DEA San Diego raided a methamphetamine laboratory at a horse ranch in Bonsall. Agents seized 52 pounds of methamphetamine crystal and 20 pounds of methamphetamine in solution. Four suspects were arrested.

**Violent Drug Trafficking Gang Arrested in San Diego:** On April 16, 27 members of the "Ysidro" drug trafficking gang were arrested. A total of 38 gang members have been indicted in this investigation, which documented the gang's distribution of heroin, methamphetamine, cocaine and crack, and identified their suppliers.

**Supreme Court Upholds NLRB's Categorization of Certain Poultry Workers:** On April 23, the Supreme Court decided Holly Farms v. National Labor Relations Board, upholding the Board's determination that employees of a vertically integrated poultry producer working in "live-haul" crews--who collect for slaughter chickens raised by independent contract growers and transport them to the processing plant--are not "agricultural laborers" excluded from the protections of the National Labor Relations Act.

copies to  
Emerson  
Sossola

Emerson Smith  
Need to  
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area  
are other  
accomplishments  
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area for use  
this summer

5-6-96

- **OTC Nicotine Patches:** On April 19, an FDA advisory panel unanimously recommended switching two nicotine transdermal patches from prescription to over-the-counter use. FDA is moving expeditiously to complete its review of these two smoking cessation products for the relief of nicotine withdrawal symptoms.
  - **Teen Pregnancy Prevention:** On April 30, Dr. Henry Foster will testify before the House Government Reform and Oversight Subcommittee on Human Resources and Intergovernmental Relations hearing on developing local strategies to prevent teen pregnancy.
  - **Secretary's Schedule:** At the request of the DNC, the Secretary will travel to San Juan, Puerto Rico on April 28. On May 3, she will deliver a speech at the Strengthening the Role of Fathers in Families Conference in Bethesda, MD.
- 11/21/96  
S.
- New York Times:* The *New York Times* has requested correspondence between HHS and Senator Robert Dole, including material relating to the Senator's efforts on behalf of companies dealing with the Department. The newspaper has requested any and all correspondence between HHS and the American Red Cross between 1990 and the end of 1995, including any correspondence reflecting concerns by HHS over the safety of blood supplies.

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

- **"State of America's Communities" Address:** On April 25, Secretary Cisneros delivered the first-ever "State of America's Communities" Address at the National Press Club. The speech showcased the Administration's success in supporting the growth of the nation's cities but issued a challenge to Congress, the business community, religious organizations, and local communities to help sustain the current momentum to bring our cities into full recovery. Four Republican members of Congress held a morning press conference to counter the Secretary's noon address, attacking HUD programs and the Administration's empowerment zone program. Secretary Cisneros appeared on several news show to discuss his speech, including: *The Today Show*, *Fox Morning News*, and *CNN's Crossfire*.
- **Federal Conference on Strengthening the Role of Fathers in Families:** On May 3, Secretary Cisneros will participate in the opening plenary session of the Federal Conference on Strengthening the Role of Fathers in Families. He will discuss the ways in which HUD has supported and facilitated fatherhood initiatives at the local level.

copy to  
Stephanopoulos



Concerns included the port selection process, health and safety, and the potential expenses to local governments associated with the transport of the fuel. The Department is currently negotiating an agreement with the State and appropriate local jurisdictions to provide the necessary resources to implement the proposed program.

- **Radioactive Waste:** DOE's Savannah River Site in SC mistakenly sent radioactive waste containing tritium in excess of permitted limits to a low-level waste compactor in TN. Compaction resulted in a release of tritium with a minimal exposure to workers and no radiation threat to the public. The State has temporarily banned further shipments of waste. DOE is investigating the matter and will report their findings in May.

• **Pacific Northwest National Laboratory (PNNL):** On April 18, Secretary O'Leary announced that DOE restructured and extended its contract with Battelle Memorial Institute to operate PNNL in WA. This contract is the first of its kind among all DOE national laboratories, and Battelle initiatives are expected to generate \$60 million in savings by FY 97. As a condition of its new contract extension, the Laboratory is also required to create new jobs under an economic development component. PNNL is the second largest employer in WA. The 5-year extension is worth approximately \$3 billion.

• **Renewing Schools for the Next Century:** DOE's Oak Ridge Operations Office is finalizing plans to donate more than \$6.4 million worth of computers and other math and science-related equipment to local schools. In addition, DOE's Brookhaven office provided ten computers to public schools in New York City.

#### ENVIRONMENTAL PROTECTION AGENCY

• **Project XL:** EPA received the first Project XL federal proposal from Vandenberg Air Force Base in CA. The proposal sets milestones to reduce air emissions and seeks to implement a water recycling process to reduce waste water discharges.

#### DEPARTMENT OF EDUCATION

- **FAFSA Backlog:** The Department has eliminated the backlog in FAFSAs that needed processing. As of April 22, all applications received prior to April 1 had been processed, as well as nearly two-thirds of later applications.

#### OFFICE OF PERSONNEL AND MANAGEMENT

- **Home Addresses for Unions:** On April 23, Representative Mica, chair of the House Civil Service Subcommittee, issued a press release objecting to OPM's decision to provide the home addresses of OPM bargaining unit employees to the labor organizations that represent those employees. After extensive coordination with OMB

CV/EP/EA  
Wanted in  
Govt to  
get them all  
to be on my  
basis - Am  
much to  
allow to  
provide  
good record  
of total



EXECUTIVE OFFICE OF THE PRESIDENT  
COUNCIL ON ENVIRONMENTAL QUALITY  
WASHINGTON, D.C. 20503

THE PRESIDENT HAS SEEN  
5-6-96

April 26, 1996

MEMORANDUM FOR THE PRESIDENT

FROM: KATHLEEN A. McGINTY *K. McGinty*  
CC: LEON PANETTA  
RE: CEQ WEEKLY REPORT

96 APR 28 09:42

*cc: p. 2 [unclear]*

It was a very good week for the environment.

EARTH DAY

The combination of a compelling picture of yourself and the Vice President clearing flood derbis near the C&O Canal the Vice President talking tough about the Republican Congress' record on the environment produced excellent coverage for Earth. Press was uniformly good on the event.

Cabinet and sub-cabinet officials participated in more than 100 events around the country to talk about the Administration's environmental record and honor citizens who were cleaning up the environment in their hometowns. Notably, Secretary Babbitt hosted a well-covered event in northern New Jersey with Congressman Bob Torricelli (D-NJ), announcing the Administration's support for Sterling Forest acquisition. The plans to manage airplane overflights at Rocky Mountain Park played well in Denver and the Point Reyes expansion gained excellent reviews in San Francisco. Vice President Gore, Administrator Browner and Secretary Babbitt also accomplished significant national television, radio and print interviews. The timing of the positive media coverage proved fortunate as budget negotiators woke up Tuesday morning to headlines and morning shows touting the environment as a major concern of Americans. I have attached a few news articles for your review.

OMNIBUS APPROPRIATIONS BILL - RIDERS AND FUNDING

✓ In addition to getting credit in the press, you are receiving praise from leading environmental groups for your success in fighting off the most destructive of the environmental riders in the FY 96 Appropriations bill. Some of those releases are attached. The Natural Resources Defense Council, Defenders of Wildlife, the Sierra Club Legal Defense Fund and the National Parks and Conservation Association have all issued press releases (see attached) applauding you "for holding firm these long months".

✓ In addition, the Administration scored a major victory on restoring funding for the EPA budget, after draconian GOP reductions for such major programs as Clean Water, Safe Drinking Water, enforcement and Superfund.



## THE PRESIDENT HAS SEEN

5-6-96

### CEQ's BUDGET

CEQ was funded at \$2,158,000 under the budget agreement signed today. This is just \$30,000 less than your budget request and we are very grateful to Leon Panetta and Martha Foley, among many others, for their tireless work on our behalf. Earlier in the week, I testified before CEQ's House Appropriations Subcommittee. The hearing was cordial and the Republicans members are definitely on the defense about the environment. Congressman Louis Stokes (D-OH), the ranking member on the subcommittee, was most helpful.

### EXPORT OF ANS OIL

By now you may have decided to allow export of Alaska North Slope (ANS) crude oil. The proposal provides for environmental protection and is expected to be well received by the Alaskan congressional delegation, Governor Tony Knowles (D-AK), Senator Patty Murray (D-WA) and Congressman Norm Dicks (D-WA).

### CALIFORNIA OIL AND GAS PRICES

According to the Department of Energy, California gasoline and diesel prices are high compared to other parts of the country. West Coast (primarily California) diesel prices averaged about \$1.43 a gallon, the highest in the Nation and gasoline prices averaged \$1.48 a gallon. The two major elements driving California product prices are the introduction of a new improved reformulated (RFG) gasoline and refinery problems. The high demand for the new RFG is causing some distribution problems but once the problems are solved the pressure on gasoline prices should ease. In addition, supplies of refined products are being temporarily contrived by bottlenecks since the Shell refinery in the San Francisco-area and the ARCO refinery in the Los Angeles-area are operating under capacity.

### PRESS AND THE ENVIRONMENT

The Boston Globe ran an editorial on Sunday, April 14, 1996 praising the recent speech by Secretary Christopher that demonstrates the "Administration's commendable understanding that our ability to advance our global interests is inextricably linked to how we manage the earth's natural resources." I have attached the editorial for your review.

The Oregonian issued an editorial on Monday, April 22, 1996 stating that actions by the Congress to rollback environmental protections laws will not be tolerated. Attached is the editorial for your review.

### GOLDMAN ENVIRONMENTAL PRIZE

The Goldman Environmental Prize is awarded each year by the Goldman Foundation to six "environmental heroes" from around the world. This year's winners, announced this week, are an impressive and courageous group. The winners are: an Indian attorney, a Ugandan journalist, a marine biologist from New Zealand, a member of the Brazilian Senate, and

5-6-96

activists from Mexico and Bulgaria. At your request, we are preparing letters of congratulations to each of them.

Yesterday, the Vice President met with the winners and with Richard Goldman, the prominent San Francisco philanthropist who founded the Goldman Prize. The winners and Goldman were elated by the meeting. Indeed, Goldman was so pleased he approached CEQ staff at a lunch to ask how he could help organize "Republicans for Clinton/Gore." We are following up with Political Affairs.

A handwritten signature, likely "George", with a curved arrow pointing from the word "organize" in the text above to the signature.



## THE PRESIDENT HAS SEEN

5-6-96

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THE PRESIDENT HAS SEEN

5/6/96

THE WHITE HOUSE

WASHINGTON

May 3, 1996

MEMORANDUM TO THE PRESIDENT

FROM: STEPHANIE STREETT & ANNE WALLEY AW

SUBJECT: SCHEDULING DECISIONS

CC: EVELYN LIEBERMAN

ACCEPT:

Date of Event:

Description of Event:

5/10/96

Presentation of the Commander in Chief's  
Trophy to the United States Air Force  
Academy Football Team

5/13/96

Proclamation Signing For Older American's  
Month

5/14/96

Meeting with DC Community Leaders

5/15/96

Attend the Peace Officer's Memorial,  
Washington, DC

5/16/96

Corporate Responsibility Breakfast at  
the White House and Event at  
Georgetown University

5/20/96

Speech to the Pacific Basin Economic  
Council, Washington, DC

5/20/96

White House Ceremony Honoring the  
NCAA Basketball Champions

5/23/96

Satellite Feed to the President's Committee  
on Employment of People With Disabilities

5/28/96

Meeting of the President's Council on  
Counter Narcotics at the White House

96 MAY 13 11 03



5/6/96

5/29/96

Meeting With Democratic Governors at the White House

PENDING:

Date of Event:

Description of Event:

OK 5/3/96 - 5/15/96

Phone Call to the Sultan of Brunei to Encourage Brunei to Contribute to the Training of Federation Forces in Bosnia

OK 5/6/96 - 5/9/96

Brief Meeting With Hong Kong Governor Chris Patten

OK 5/14/96

Drop By Closing Session of the Federation Forum (20-30 min)

The purpose of this drop by is to meet with the Federation Leadership and speak to the importance of continued Federation progress for peace and stability in Bosnia.

OK 5/21/96

Meeting With the Malaysian Prime Minister Mahathir

OK 5/30/96  
I'm light on the rel. meeting

Address the Delegates of the Church of God in Christ Women's Conference, New Orleans, LA

OK 6/6/96 - 6/7/96

National Homeownership Summit and Town Meeting, Washington, DC

OK 7/1/96 - 7/2/96  
why's deal

ABC Radio Network Town Hall Meeting at the White House

REGRET:

Date of Event:

Description of Event:

5/14/96 - 5/15/96

Photo-Op With the Premier and Finance Minister of Bermuda

why not S-10 team

THE PRESIDENT HAS SEEN

5-6-96

5/24/96

Rose Garden Ceremony For National  
Missing Children's Day

We are currently trying to find a surrogate  
for this event. This is a day off for you.

6/14/96

Join Soldiers of 101st Airborne Division  
on a Division Run, Fort Campbell, KY.

→ what's this  
about - call us  
a govt thing too  
enjoy -  
ky -



THE PRESIDENT HAS SEEN  
5/6/96

THE WHITE HOUSE

WASHINGTON

96 MAY 21 PG: 28

May 2, 1996

**MEMORANDUM FOR THE PRESIDENT**

FROM: Kate Smith Carr  
Special Assistant to the President  
Office of Public Liaison

SUBJECT: Corporate Citizenship event, May 16, 1996

As per your request, attached is a complete list of invitees for the Corporate Citizenship event. Noted on the list (in the last column) are any responses we have received.

~~17~~ 17  
To get more than 1/2 hrs  
some less under 1 hr  
~~17~~ in next few days  
BZ

BUSINESS RESPONSIBILITY LIST

I, I2, I3 = Invitation sent YESB= Will attend breakfast only

YES = Will attend all events NO = Declined invitation

| LAST NAME   | FIRST NAME | TITLE                                  | COMPANY                            | CITY             | ST | ATTEND |
|-------------|------------|----------------------------------------|------------------------------------|------------------|----|--------|
| Ackerman    | Roger      | Chairman & CEO                         | Corning Inc.                       | Corning          | NY | I      |
| Aldinger    | William    | President & CEO                        | Household International, Inc.      | Prospect Heights | IL | I      |
| Allaire     | Paul       | Chairman & CEO                         | Xerox Corporation                  | Stamford         | CT | no     |
| Allen       | Robert E.  | Chairman & CEO                         | AT&T                               | Basking Ridge    | NJ | yes    |
| Allen       | Ronald     | CEO, President & Chairman of the Board | Delta Airlines                     | Atlanta          | GA | I      |
| Allen       | W. Wayne   | Chairman and CEO                       | Phillips Petroleum                 | Bartlesville     | OK | I      |
| Amurman     | John       | Chairman and CEO                       | Mattel                             | El Segundo       | CA | I      |
| Armstrong   | Judy       | President                              | ADA Technologies                   | Englewood        | CO | I      |
| Armstrong   | Michael    | Chairman & CEO                         | Hughes Aircraft                    | Los Angeles      | CA | I      |
| Augustine   | Norman     | President and CEO                      | Lockheed Martin Corporation        | Bethesda         | MD | I      |
| ✓ Bakke     | Dennis     | President                              | AES Corporation                    | Arlington        | VA | I      |
| ✓ Barnette  | Curtis H.  | Chairman and Chief Executive Officer   | Bethlehem Steel Corporation        | Bethlehem        | PA | yes    |
| Baumgardner | Dwane      | Chairman of the Board and CEO          | Donnelly Corporation               | Holland          | MI | I      |
| Beall       | Donald     | Chairman & CEO                         | Rockwell International Corporation | Seal Beach       | CA | I      |
| Binder      | Gordon M.  | CEO and Chairman of the                | AMGEN                              | Thousand Oaks    | CA | I      |

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| LAST NAME  | FIRST NAME     | TITLE                        | COMPANY                               | CITY           | ST | ATTEND |
|------------|----------------|------------------------------|---------------------------------------|----------------|----|--------|
|            |                | Board                        |                                       |                |    |        |
| Bonsignore | Michael        | Chairman and<br>CEO          | Honeywell Inc.                        | Minneapolis    | MN | I      |
| Boreham    | Roland         | Chairman of the<br>Board     | Baldor Electric                       | Ft. Smith      | AR | I      |
| Bossidy    | Lawrence<br>A. | Chairman & CEO               | Allied-Signal, Inc.                   | Morristown     | NJ | I      |
| Bowlin     | Michael        | Chairman & CEO               | ARCO                                  | Los<br>Angeles | CA | I      |
| Breen      | John           | Chairman and<br>CEO          | Sherwin Williams<br>Company           | Cleveland      | OH | no     |
| Bryan, Jr. | John H.        | Chairman                     | Sara Lee Corporation                  | Chicago        | IL | yesb   |
| Bryson     | John           | Chairman & CEO               | Southern California<br>Edison Company | Rosemead       | CA | I      |
| Buntrock   | Dean           | Chairman & CEO               | WMX Technologies<br>Inc.              | Oak Brook      | IL | I      |
| Burd       | Steven A.      | President and<br>CEO         | Safeway Inc.                          | Oakland        | CA | I      |
| Burnham    | Duane          | Chairman & CEO               | Abbott Laboratories                   | Abbott<br>Park | IL | I      |
| Burns      | M. Anthony     | Chairman,<br>President & CEO | Ryder Systems, Inc.                   | Miami          | FL | I      |
| Burt       | Robert N.      | Chairman and<br>CEO          | FMC Corporation                       | Chicago        | IL | yesb   |
| Busch, III | August A.      | Chairman &<br>President      | Anheuser-Busch<br>Companies, Inc.     | St. Louis      | MO | I      |
| Cain       | Linda          | Co-Owner                     | Cain Travel                           | Boulder        | CO | yes    |
| Calloway   | Wayne          | Chairman & CEO               | Pepsico, Inc.                         | Purchase       | NY | I      |



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| LAST NAME | FIRST NAME | TITLE                                   | COMPANY                            | CITY                            | ST | ATTEND |
|-----------|------------|-----------------------------------------|------------------------------------|---------------------------------|----|--------|
| Cash      | R.D.       | Chairman,<br>President, and<br>CEO      | Questar Corporation                | Salt Lake<br>City               | UT | I      |
| Caulter   | David A.   | CEO                                     | Bank of America                    | San<br>Francisco                | CA | I3     |
| Checchi   | Alfred     | Co-Chairman                             | Northwest Airlines                 | St. Paul                        | MN | I      |
| Chouinard | Yvon       | Chairman & CEO                          | Patagonia                          | Ventura                         | CA | I      |
| Clendenin | John       | Chairman & CEO                          | Bell South<br>Corporation          | Atlanta                         | GA | no     |
| Coleman   | Deborah    | CEO and<br>Chairman of the<br>Board     | Merix Corporation                  | Forest<br>Grove                 | OR | I      |
| Coleman   | Elizabeth  | Chairman of the<br>Board                | Maidenform                         | Atlanta                         | GA | I      |
| Conduit   | Phil       | Chairman and<br>President               | Boeing Company                     | Seattle                         | WA | I      |
| Correll   | A.D.       | Chairman & CEO                          | Georgia-Pacific<br>Corporation     | Atlanta                         | GA | I      |
| Correnti  | John Bay   | Vice Chairman,<br>President, and<br>CEO | Nucor Corporation                  | Charlotte                       | NC | I      |
| Crandall  | Robert L.  | Chairman,<br>President & CEO            | AMR Corporation                    | Dallas<br>Fort Worth<br>Airport | TX | I      |
| Darnall   | Robert J.  | Chairman,<br>President, and<br>CEO      | Inland Steel<br>Industries, Inc.   | Chicago                         | IL | I      |
| David     | George     | President & CEO                         | United Technologies<br>Corporation | Hartford                        | CT | I      |
| Davis Sr. | Emmet      | President and                           | Davis and Floyd                    | Greenwood                       | SC | I      |

# BUSINESS RESPONSIBILITY LIST

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| LAST NAME       | FIRST NAME     | TITLE                                 | COMPANY                            | CITY          | ST | ATTEND |
|-----------------|----------------|---------------------------------------|------------------------------------|---------------|----|--------|
|                 |                | CEO                                   | Engineers                          |               |    |        |
| Deavenport, Jr. | Earnest W.     | Chairman & CEO                        | Eastman Chemical Company           | Kingsport     | TN | I      |
| DeCrane, Jr.    | Alfred C.      | Chairman and CEO                      | Texaco Inc.                        | White Plains  | NY | I3     |
| Dempsey         | Jerry E.       | Chairman & CEO                        | PPG Industries Inc.                | Pittsburgh    | PA | I      |
| Denhart         | Gun            | Founder                               | Hanna Anderson Corproation         | Portland      | OR | I      |
| Derr            | Kenneth T.     | Chairman & CEO                        | Chevron                            | San Francisco | CA | I      |
| DeSimone        | Livio          | Chairman and CEO                      | 3M                                 | St Paul       | MN | I      |
| DeVink          | Lodewijk J. R. | Chief Operating Officer               | Warner Lambert Company             | Morris Plains | NJ | I      |
| Dunn            | Bob            |                                       | Business for Social Responsibility | Washington    | DC | I2     |
| Eaton           | Robert J.      | Chairman & CEO                        | Chrysler Corporation               | Auburn Hills  | MI | no     |
| Eisner          | Michael        | Chairman                              | The Walt Disney Company            | Burbank       | CA | I      |
| Elisha          | Walter         | CEO                                   | Springs Industries, Inc.           | Fort Mill     | SC | I      |
| Ericson         | James          | CEO                                   | Northwestern Mutual Life Insurance | Milwaukee     | WI | I      |
| Esrey           | William        | Chairman & CEO                        | Sprint Corporation                 | Kansas City   | MO | I      |
| Feinstein       | Martin         | President and Chief Operating Officer | Farmers Group, Inc.                | Los Angeles   | CA | I3     |

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|-------------|-------------|------------------------------|--------------------------------------------|--------------------|----|--------|
| Fiondella   | Robert W.   | Chairman                     | Phoenix Home Life Mutual Insurance Company | Hartford           | CT | I      |
| Fish        | Lawrence K. | Chairman, President, and CEO | Citizens Financial Group, Inc.             | Providence         | RI | I      |
| Fisher      | George      | Chairman, President and CEO  | Eastman Kodak Company                      | Rochester          | NY | no     |
| Frey        | Robert      | President & CEO              | Cin-Made                                   | Cincinnati         | OH | no     |
| Fuerstein   | Aaron       | CEO                          | Mauldin Mills Industries                   | Lawrence           | MA | I      |
| Fuller      | H. Laurance | Chairman & CEO               | Amoco Corporation                          | Chicago            | IL | no     |
| George, Jr. | William     | CEO                          | SC Johnson Wax                             | Racine             | WI | no     |
| Gerstner    | Louis       | Chairman and CEO             | IBM                                        | Armonk             | NY | no     |
| Gilmartin   | Raymond     | Chairman, President & CEO    | Merck and Co., Inc.                        | Whitehouse Station | NJ | I      |
| Giullani    | David       | President                    | Optiva Coporation                          | Bellevue           | WA | I      |
| Goizueta    | Robert      | Chairman & CEO               | Coca-Cola Company                          | Atlanta            | GA | no     |
| Golden      | Mark        | President                    | Golden Artist Colors                       | New Berlin         | NY | yes    |
| Golub       | Harvey      | Chairman & CEO               | American Express Company                   | New York           | NY | I      |
| Goodridge   | Mike        | President and CEO            | BE&K Construction                          | Birmingham         | AL | I      |
| Goodyear    | Bill        | Chairman and CEO             | Bank of America Illinois                   |                    |    | i      |



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|-----------|------------|---------------------------------------|---------------------------------------|---------------|----|--------|
| Gorman    | Joseph T.  | Chairman & CEO                        | TRW Inc.                              | Cleveland     | OH | I      |
| Gorman    | Leon A.    | President                             | L.L. Bean                             | Freeport      | ME | I      |
| Green     | Steven     | Chairman & CEO                        | Samsonite Corporation                 | Washington    | DC | I      |
| Greenberg | Maurice    | Chairman & CEO                        | American International Group          | New York      | NY | no     |
| Greenwald | Gerald     | Chairman & CEO                        | UAL Corporation                       | Chicago       | IL | I      |
| Grove     | Andrew S.  | President and Chief Executive Officer | Intel Corporation                     | Santa Clara   | CA | no     |
| Haas      | Robert     | Chairman and CEO                      | Levi Strauss and Co.                  | San Francisco | CA | I      |
| Hannan    | Phyliss    | President                             | Laser Light Technologies              | Hermann       | MO | I      |
| Hardymon  | James      | Chairman and CEO                      | Textron, Inc.                         | Providence    | RI | I      |
| Harman    | Sidney     | Chairman and CEO                      | Harman International Industries, Inc. | Washington    | DC | yes    |
| Harper    | Kevin      |                                       | Autumn Harp                           | Bristol       | VT | I3     |
| Hastings  | Donald F.  | Chairman and CEO                      | Lincoln Electric                      | Cleveland     | OH | yes    |
| Haworth   | Richard    | CEO                                   | Haworth Machine                       | Holland       | MI | I      |
| Henderson | James      | Chairman & CEO                        | Cummins Engine Co., Inc.              | Columbus      | IN | I      |
| Hendricks | John       | Chief Executive Officer               | Discovery Communications, Inc.        | Bethesda      | MD | I      |
| Hiner     | Glen       | Chairman and CEO                      | Owens Corning Fiberglass              | Toledo        | OH | I      |

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|--------------|----------------|-------------------------------------|-------------------------------------|---------------------|----|--------|
| Hirschberg   | Gary           | President and<br>CEO                | Stonyfield Farm,<br>Inc.            | Londonderr<br>y     | NH | I      |
| Hohn         | Harry G.       | Chairman of the<br>Board and CEO    | New York Life<br>Insurance          | New York            | NY | I3     |
| Holland, Jr. | Robert         | President and<br>CEO                | Ben and Jerry's<br>Homemade, Inc.   | South<br>Burlington | VT | yes    |
| Hough        | Lawrence<br>A. | President                           | Sallie Mae                          | Washington          | DC | YESB   |
| Hubka        | Rachel         | President                           | Rachel's Bus Company                | Chicago             | IL | yes    |
| Irani        | Ray R.         | Chairman,<br>President & CEO        | Occidental Petroleum<br>Corporation | Los<br>Angeles      | CA | I      |
| Jacobs       | Irwin M.       | CEO and<br>Chairman of the<br>Board | Qualcomm, Inc.                      | San Diego           | CA | I      |
| Jones        | David          | Chairman & CEO                      | Humana Inc.                         | Louisville          | KY | no     |
| Junkins      | Jerry          | Chairman & CEO                      | Texas Instruments                   | Dallas              | TX | I      |
| Kelleher     | Herbert        | CEO, President,<br>and Chairman     | Southwest Airlines                  | Dallas              | TX | I      |
| Kurz         | Herbert        | President and<br>CEO                | Presidential Life                   | Nyack               | NY | I2     |
| Langbo       | Arnold         | Chairman & CEO                      | Kellogg Corporation                 | Battle<br>Creek     | MI | I      |
| Larsen       | Ralph          | Chairman and<br>CEO                 | Johnson & Johnson                   | New<br>Brunswick    | NJ | yes    |
| Laskawy      | Philip         | Chairman & CEO                      | Ernst & Young                       | New York            | NY | I      |
| Lay          | Kenneth        | Chairman & CEO                      | Enron Corporation                   | Houston             | TX | i3     |
| Lear         | Norman         | Chairman of the<br>Board            | Act III<br>Communications           | Los<br>Angeles      | CA | I2     |

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|---------------|------------|--------------------------------------------|-------------------------------------------------|--------------------|----|--------|
| Lee           | Charles    | Chairman and<br>CEO                        | GTE Corporation                                 | Stamford           | CT | I      |
| Lehman        | Kenneth    | Chairman & CEO                             | Felpro                                          | Skokie             | IL | I      |
| Levin         | Gerald M.  | Chairman & CEO                             | Time Warner Inc.                                | New York           | NY | I      |
| Lewis         | Loida      | Chairman & CEO                             | TLC Beatrice<br>International<br>Holdings, Inc. | New York           | NY | I      |
| Lichtenberger | H. William | CEO and<br>Chairman                        | Praxair                                         | Danbury            | CT | yes    |
| Lorch         | George A.  | President,<br>Chairman, and<br>CEO         | Armstrong World<br>Industries Inc.              | Lancaster          | PA | I      |
| Loucks, Jr.   | Vernon     | Chairman and<br>CEO                        | Baxter<br>International, Inc.                   | Deerfield          | IL | I      |
| Lucas         | George     | Chairman                                   | Lucas Foundation                                | San Rafael         | CA | no     |
| Madonna       | Jon C.     | Chairman                                   | KPMG Peat Marwick                               | New York           | NY | I      |
| Malott        | Thomas     | President & CEO                            | Siemens Energy and<br>Automation, Inc.          | Atlanta            | GA | I      |
| Marcus        | Bernard    | Chairman and<br>CEO                        | Home Depot                                      | Atlanta            | GA | I      |
| Martinez      | Arthur     | Chairman and<br>Chief Executive<br>Officer | Sears Roebuck and<br>Company                    | Hoffman<br>Estates | IL | I      |
| Mason         | Linda      | President                                  | Bright Horizons<br>Children's Centers           | Cambridge          | MA | I3     |
| Masters       | William    | President and<br>CEO                       | Perception, Inc.                                | Easley             | SC | yes    |
| Maury         | Samuel     | President                                  | The Business<br>Roundtable                      | Washington         | DC | yesb   |



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|-------------|---------------|-----------------------------|---------------------------------------|---------------|----|--------|
| McColl, Jr. | Hugh L.       | Chairman & CEO              | NationsBank Corporation               | Charlotte     | NC | I      |
| McCormick   | Richard D.    | Chairman, President & CEO   | US West, Inc.                         | Englewood     | CO | I      |
| McCracken   | Edward R.     | Chairman and CEO            | Silicon Graphics                      | Mountain View | CA | no     |
| McCraw      | Leslie        | Chairman and CEO            | Fluor Corporation                     | Irvine        | CA | I      |
| Mead        | Dana G.       | Chairman & CEO              | Tenneco                               | Houston       | TX | I      |
| Mills       | Helen         | Senior Vice President       | Aon Consulting                        | Fairfax       | VA | yes    |
| Montrone    | Paul          | President & CEO             | Fisher Scientific International, Inc. | Hampton       | NH | yes    |
| Nelson      | Kent          | Chairman & CEO              | United Parcel Service                 | Atlanta       | GA | no     |
| Notebaert   | Richard       | Chairman & CEO              | Ameritech                             | Chicago       | IL | I      |
| Noto        | Lucio A.      | Chairman and CEO            | Mobil Corporation                     | Fairfax       | VA | I      |
| O'Neill     | Paul          | Chairman & CEO              | Aluminum Company of America           | Pittsburgh    | PA | I      |
| Ong         | John D.       | Chairman & CEO              | BF Goodrich Company                   | Akron         | OH | I      |
| Orr         | James F.      | Chairman and CEO            | UNUM Corporation                      | Portland      | ME | I      |
| Osborne     | Richard de J. | Chairman, President and CEO | ASARCO Incorporated                   | New York      | NY | I      |
| Penske      | Roger         | Chairman & CEO              | Detroit Diesel                        | Detroit       | MI | I      |
| Pepper      | John          | Chairman and                | Proctor and Gamble                    | Cincinnati    | OH | I      |

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|------------|------------|--------------------------------------|-----------------------------------------|---------------|----|--------|
|            |            | Chief Executive Officer              |                                         |               |    |        |
| Perlman    | Lawrence   | Chairman & CEO                       | Ceridian Corporation                    | Minneapolis   | MN | yes    |
| Picard     | Dennis     | Chairman & CEO                       | Raytheon Company, Inc.                  | Lexington     | MA | I      |
| Pichler    | Joseph     | Chairman and CEO                     | The Kroger Company                      | Cincinnati    | OH | no     |
| Platt      | Lewis      | Chairman, President & CEO            | Hewlett-Packard Company                 | Palo Alto     | CA | I      |
| Plumley    | Michael    | CEO                                  | Plumley Companies                       | Paris         | TN | I2     |
| Quigley    | Phillip J. | Chairman and Chief Executive Officer | Pacific Telesis                         | San Francisco | CA | I      |
| Reed       | John       | Chairman & CEO                       | Citicorp                                | New York      | NY | I      |
| Resch      | Richard J. | CEO and President                    | KI/Krueger International                | Green Bay     | WI | yes    |
| Roberts    | Bert       | Chairman and CEO                     | MCI Communications                      | Washington    | DC | yesb   |
| Rogers     | James E.   | President and CEO                    | Cinergy Corporation                     | Cincinnati    | OH | I      |
| Rohatyn    | Felix      | Senior Partner                       | Lazard, Freres and Company              | New York      | NY | I2     |
| Rosenbluth | Hal        | CEO and President                    | Rosenbluth International                | Philadelphia  | PA | I      |
| Rutledge   | Bill       | Chairman and CEO                     | Teledyne Inc.                           | Los Angeles   | CA | I      |
| Ryan       | Arthur     | Chairman & CEO                       | Prudential Insurance Company of America | Newark        | NJ | I      |

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|--------------|-------------|-----------------------------|------------------------------------------|-------------|----|--------|
| Samarazijaya | Mahasen     | Chairman & CEO              | Interface Data Systems, Inc.             | Phoenix     | AZ | I      |
| Sanger       | Stephen W.  | Chairman and CEO            | General Mills Inc.                       | Minneapolis | MN | I      |
| Schultz      | Howard      | Chairman                    | Starbucks Coffee Company                 | Seattle     | WA | I      |
| Schwartz     | Bernard     | Chairman & CEO              | Loral Corporation                        | New York    | NY | I      |
| Sebastian    | Ed          | President and CEO           | Resource BancShares Mortgage Group, Inc. | Columbia    | SC | I      |
| Seidenberg   | Ivan G.     | Chairman and CEO            | NYNEX Corporation                        | New York    | NY | I      |
| Shapiro      | Robert B.   | Chairman and CEO            | Monsanto Company                         | Saint Louis | MO | I      |
| Smith        | Frederick   | Chairman, President & CEO   | Federal Express Corporation              | Memphis     | TN | yes    |
| Smith        | Raymond W.  | Chairman and CEO            | Bell Atlantic Corporation                | Arlington   | VA | I      |
| Smith, Jr.   | John F.     | Chairman & CEO              | General Motors Corporation               | Detroit     | MI | no     |
| Smith, Jr.   | Sherwood H. | Chairman & CEO              | Carolina Power & Light Company           | Raliegh     | NC | I      |
| Smithburg    | William     | Chairman, CEO and President | Quaker Oats Company                      | Chicago     | IL | I      |
| Snow         | John W.     | Chairman, President & CEO   | CSX Corporation                          | Richmond    | VA | I      |
| Stafford     | John R.     | Chairman, President & CEO   | American Home Products Corp.             | Madison     | NJ | I      |
| Steere, Jr.  | William     | Chairman & CEO              | Pfizer, Inc.                             | New York    | NY | I      |



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|-------------|------------|--------------------------------------|-----------------------------------------|------------------|----|--------|
| Stiritz     | William    | Chairman & CEO                       | Ralston Purina                          | St. Louis        | MO | I      |
| Stonecipher | Harry      | Chief Executive Officer              | McDonnell Douglas                       | St. Louis        | MO | no     |
| Surpin      | Rick       | President                            | Cooperative Home Care Associates, Inc.  | Bronx            | NY | I      |
| Taylor      | Wilson     | President, Chairman and CEO          | Cigna Corporation                       | Philadelph<br>ia | PA | I      |
| Teerlink    | Richard F. | CEO                                  | Harley-Davidson Inc.                    | Milwaukee        | WI | I      |
| Toller      | William    | Chairman                             | Witco Corporation                       | Greenwich        | CT | I      |
| Tooker      | Gary       | Vice Chairman & CEO                  | Motorola, Inc.                          | Schaumburg       | IL | I      |
| Trotman     | Alexander  | Chairman, President & CEO            | Ford Motor Company                      | Dearborn         | MI | I      |
| Usher       | Thomas J.  | Chairman and CEO                     | USX Corporation                         | Pittsburgh       | PA | I      |
| Vittoria    | Joseph     | Chairman and Chief Executive Officer | Avis, Inc.                              | Garden City      | NY | no     |
| Wachner     | Linda J.   | Chairman, President & CEO            | Warnaco                                 | New York         | NY | I      |
| Wang.       | Charles B. | Chairman and Chief Executive Officer | Computer Associates International, Inc. | Islandia         | NY | I      |
| Weill       | Sanford    | Chairman & CEO                       | The Travelers Inc.                      | New York         | NY | I      |
| Welch, Jr.  | John       | Chairman & CEO                       | General Electric                        | Fairfield        | CT | I      |
| Whitwam     | David W.   | Chairman, President, &               | Whirlpool Corporation                   | Benton Harbor    | MI | no     |

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|--------------|------------|--------------------------|-----------------------|------------------|----|--------|
|              |            | CEO                      |                       |                  |    |        |
| Wicks        | Judy       | Founder                  | White Dog Enterprises | Philidelpi<br>a  | PA | I      |
| Wilson       | J Lawrence | Chairman & CEO           | Rohm & Haas Company   | Philadelph<br>ia | PA | I      |
| Woolard, Jr. | Edgar S.   | Chairman of the<br>Board | Du Pont               | Wilmington       | DE | I      |
| Yasinsky     | John B.    | Chairman & CEO           | Gencorp, Inc.         | Fairlawn         | OH | yes    |
| =====        | =====      | =====                    | =====                 | =====            | == | =====  |

Count: 184

THE WHITE HOUSE  
WASHINGTON

M Hase

X Gov

THE PRESIDENT HAS SEEN  
5-7-96

Norm Baugath

had by painting

he's a ~~Gov~~ but a  
friend / good guy -

Pls check out - have  
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sign -

BK

JIM DORSKIND:

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the reply.

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Dorskund



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- (H)

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We also received the following items:

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Betsy Myers

THE PRESIDENT HAS SEEN  
5-6-96

MAY 2, 1996

96 MAY 3 P5:52

MEMORANDUM FOR THE PRESIDENT

FROM: BETSY MYERS

SUBJECT: Additional Support for H.R.1833 Veto

In just the last week the following four developments came to my attention regarding support for the Administration's pro-choice policies.

1st:

Governor Whitman's Comments from her April 27th appearance on *Inside Politics* demonstrate support for the H.R.1833 veto and for Pro-Choice policies within the Republican Party. Her stand was courageous like yours. Her message, not very different from ours, seems to be one that resonates with women on both sides of the aisle. Emphasizing unwanted pregnancies provides an opportunity to amplify this Administration's commitment to reducing teen pregnancy, encouraging family planning and facilitating adoption.

(The interview with Wolf Blitzer and Governor Whitman opened with questions about whether Governor Whitman would join the Dole ticket and then the conversation switched to a discussion about reproductive choice. The following excerpt is selected from the questions concerning that topic.)

**Blitzer:**

Given the social conservatives in the Republican Party, can he(Dole) pick someone (for VP) who supports a women's right to have an abortion?

**Whitman:**

Absolutely. I believe that without question. The majority of the party believes that you can differ on this--that good and honest people differ on that issue--that is not a political litmus test and that even those who are pro-life versus those who are pro-choice can support candidates on either side.

**Blitzer:**

Did President Clinton do the right thing when he vetoed the late term abortion legislation?

**Whitman:**

I would have supported that--not because I think the technique is any thing that we want to see--but because it is only used in cases that are extreme medical emergencies, and I hate to have government determining for a doctor what procedure they can do when there really are good medical reasons to do something. It



is so rarely used that is not the issue. We ought to be focusing on--we should be focusing on preventing pregnancies. Period. The end.

**Blitzer:**

So do you think the President did the right thing by vetoing the legislation?

**Whitman:**

I would have supported the veto.

**2nd:**

My office has received several encouraging calls from previously equivocal pro-choice republican women leaders.

These women want to spread the word that all that stands between them and an anti-choice Congress is you. Each of these callers has sited your veto of H.R.1833 as courageous. These callers felt that your focus on the women actually affected by the legislation underscored your principled leadership and illustrated your Presidency as essential to their pro-choice agenda. I have set up a meeting later this month with Marcy Love, founder of Personal Pac and was a leading organizer of Pro-Choice Republican Women for Clinton/Gore in 1992. We are working on a strategy with her to reach republican Pro-Choice women. You may remember that she is one of the women who participated in the round table with you on December 13, 1995.

**3rd:**

The Los Angeles Times ran a response (see attached) to the April 12, 1996 opposition commentary by Helen Alvare. We worked very closely with Vicki Saporta, Executive Director of the National Abortion Federation, to ensure that the misinformation in Ms. Alvare's piece was answered promptly and directly.

**4th:**

Adele Simmons, President of the MacArthur Foundation, one of the six largest social policy foundations in the world, contacted my staff to let us know how moved she was by your courageous veto as she herself was faced with such a tragic choice. She has passed on a letter in support of your veto for your attention that she submitted to the Editorial page Editor of *The Chicago Tribune*. The MacArthur Foundation holds over three billion dollars in assets, gives away one hundred and forty million dollars yearly, and is the largest funder of mental health programs outside the federal government. They are generously funding a program to bring the voices of the people working on affordable housing, education, community policing, the arts, the environment, violence against women programs, and programs to benefit at-risk children to the media during the Convention in Chicago.



SUNDAY, APRIL 28, 1996

LOS ANGELES TIMES

## LETTERS TO THE TIMES

### Abortion Veto

I take exception to Helen Alvare's commentary (April 12), regarding the president's veto of HR 1833, a bill that would ban a safe surgical method used in some later abortions. I was present when the president met with the women who had had this procedure and listened to their stories. The president was genuinely moved by the losses these families had suffered and by their courage in coming forward. Alvare's assertion that the president "used" these five women is particularly insulting to all those who came forward voluntarily when they heard how this procedure was being misrepresented.

President Clinton vetoed the bill because, as these women's cases demonstrated, the procedure it would have banned can be medically unnecessary to protect a woman's health. He and members of Congress heard from leading physicians in opposition to this legislation.

I wish the proponents of the bill would deal with the facts instead of trying to ignore, demean and trivialize the tragedies faced by the families who spoke out after the veto. They know the truth about the procedure—that it is compassionate, humane and medically necessary.

VICKI SAPORTA  
Executive Director  
National Abortion Federation  
Washington

MILROD  
&  
PHILLIPS

ATTORNEYS AT LAW/LICENCIADAS EN LEYES

4/22/96

Came in Inter office Mail 5-7-96  
Send to Dorskind? Originals  
to Dorskind.  
JRA

Yes                     

no                     

C.

President Bill Clinton  
c/o Cris Cerf, Deputy Counsel  
1600 Pennsylvania Avenue, N.W  
Washington, D.C. 20500  
fax #: 202-456-6279

by facsimile and United States mail

Dear President Clinton:

I write to urge you to veto the "anti-terrorism" legislation that will soon apparently be before you for your signature.

As a laborer in the vineyards of the criminal courts in California, I'm here to tell you that state courts are incompetent to protect our Federal Constitutional rights. You know this already--because you know that federal judges grant relief in approximately 40% of the state convictions taken up on federal habeas. And these federal judges are largely Reagan/Bush appointees--by no means soft-headed liberal renegades.

This horrifying state-court error rate is the result of a state jurisprudence largely derived by holding a moistened judicial finger to the political wind. The Great Writ exists to offset the politically expedient momentumality decisions of state-court judges: eliminating state prisoners' access to its remedies effectively nullifies the Federal Bill of Rights in state court proceedings. DON'T DO IT!!

Please veto this bill.

Very truly yours,

*Patience Milrod*

PATIENCE MILROD

*Hubers*

*letters*

■ 844

North Van Ness

Fresno, California

93728

209/442-3111



1517 Waller St. #5  
San Francisco, CA 94117

96 APR 20 P2:46

April 16, 1996

President Clinton  
c/o Christopher Cerf, Deputy Counsel  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

Dear Mr. President:

I am writing to you to strongly urge you to veto the Anti-Terrorism Bill because of the provisions that will essentially destroy habeas corpus and will surely lead to innocent people being executed.

I am an attorney who represents inmates who have been sentenced to death on appeal before the California Supreme Court. I am fully aware of how lengthy the process is, and understand how this negatively affects all the parties involved in this type of litigation, even defense lawyers. However, the habeas portions of the Anti-Terrorism Bill fail to address this issue, and simply ensure that inmates who have been sentenced to death will no longer have a forum to challenge the constitutionality of their conviction and sentence.

In California, as I suppose in many parts of the country, there is a misperception that the long delays in carrying out executions are due solely because of the tactics of lawyers, such as myself, who represent death-sentenced inmates. This is simply not the case. California has presently over 100 inmates on death row who do not have lawyers to represent them on their direct appeal, as required by the California Constitution. Some of these inmates have been on death row longer than 3 years. In addition, the California Supreme Court moves very slowly in deciding these cases simply because it is not equipped to deal with the large number of these very complex cases.

As I understand it, the habeas provisions will require an inmate to file his habeas corpus petition six months after he has exhausted his state court proceedings. Because many states do not provide adequate compensation to lawyers investigating these cases in state courts on appeal, the federal courts are the first time that an inmate has resources available to do the proper investigation in these types of case. Six months is simply not enough time to provide the type of representation required when someone's life is at stake.

Perhaps the most troubling portion of the habeas provisions, however, is the section that requires federal courts to deny habeas relief if the state court has provided a full and fair hearing, and the state court's decision is not clearly erroneous. Again, because state court judges face enormous political pressure, it is rare that an inmate receives proper judicial review of his claims



until he reaches federal court. In California, for example, the California Supreme Court has not reversed a capital case on direct appeal in over six years, while the federal courts have been granting habeas corpus relief to California cases at a rate of slightly over 40%. The "full and fair" provision will eviscerate the power of federal judges to review state court decisions, inevitably leading, in some instances, to the execution of innocent people.<sup>1</sup> Furthermore, this provision may very well be unconstitutional, as it infringes upon the power of the federal judiciary enumerated in Article III of the United States Constitution.

I agree that there needs to be a strong bill to help prevent the types of terrorist attacks, such as the Oklahoma City bombing, from occurring. The House version of the bill, as I understand, has already weakened the bill by eliminating several key provisions that you had proposed. In its place, it has set up an incredible barrier to inmates who are seeking to challenge their state court convictions, which has virtually nothing to do with efforts to fight terrorism. I therefore strongly urge that you veto this bill, and require Congress to provide for effective legislation to combat terrorism, both here and abroad, without infringing upon the rights of people to challenge the constitutionality of their convictions in state court.

Sincerely,

A handwritten signature in cursive script, appearing to read "Charles J. Press".

Charles J. Press

---

<sup>1</sup> A book called *In Spite of Innocence* by Michael Radelet places a conservative estimate that twenty-three innocent people have been executed in the Twentieth Century.

**GERALD T. ZERKIN  
& ASSOCIATES**

ATTORNEYS AT LAW

LINDEN TOWER, SUITE 505  
116 EAST FRANKLIN STREET  
RICHMOND, VIRGINIA 23219-2122

TELEPHONE (804) 788-4412  
TELEFAX (804) 649-8547

GERALD T. ZERKIN  
MELANIE A. HOPPER  
BARBARA J. HUGHES

April 15, 1996

Christopher Cerf, Deputy Counsel  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

**RE: The Anti-Terrorism Bill/Habeas Corpus**

Dear Mr. Cerf:

I am a lifelong Democrat. I am a parent. I have devoted my professional life to the representation of persons who have traditionally been ignored or oppressed by the judicial system, in civil rights, constitutional and criminal litigation. I am intimately familiar with the criminal justice system, at least as it is practiced in the backdoor of the Nation's Capital. I argued *Murray v. Giarratano*, 488 U.S. 1, in the Supreme Court, on the right to counsel in capital post-conviction proceedings. I have represented a dozen inmates on Virginia's death row and many non-capital defendants, at trial and in post-conviction proceedings. And while, as a parent in particular, I am entirely supportive of the need to combat terrorism, I simply can not comprehend the fact that President Clinton's legacy to the American is now likely to include, as a centerpiece, the effective destruction of the ancient protection of the Writ of Habeas Corpus.

In Virginia, court appointed lawyers are paid \$265 and \$575 for defending a noncapital felony. How much justice does that buy? Virginia has executed more persons than any other state but Florida and Texas. It has an affirmance rate in capital cases of 93%. More to the point, not a single death row inmate has received habeas corpus relief from the Virginia courts, although its courts have reviewed the habeas corpus petitions of more than 80 condemned men.

Not a single Virginia defense attorney in a capital case has been found to have been ineffective; not a single prosecutor has been found guilty of misconduct. This includes the cases of defendants, such as Ronald Hoke, whose trial, from selection of the jury to a sentence of death, took one day. This includes the cases of the six condemned defendants from the City of Danville, all of whom are black and were condemned by all-white or virtually all-white jurors, although the City is more than one-

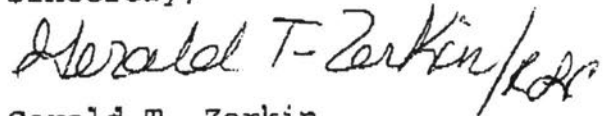
04/15/96 10:34 0804 649 8547 ZERKIN & ASSOCIA 0003/003  
Mr. Christopher Cerf  
April 15, 1996  
Page 2

third black.

The simple fact is that, without federal habeas corpus review, in Virginia -- and no doubt in other states as well -- there will be no review of the outrages that pass as justice in the courts of the home of the Constitution's fathers. I urge the President not to destroy the Bill of Rights, regardless of the benefits he perceives in the anti-terrorism bill. If he does, he will have done more to destroy liberty in this country, than any terrorists ever could.

I urge the President not to betray the Constitution by signing any bill that undermines -- as the anti-terrorism bill does -- the viability of habeas corpus.

Sincerely,

  
Gerald T. Zerkin

GTZ/rlc



APR-14-1996 07:52 FROM ERIC M. FREEDMAN TO 12024586279 P.02

# HOFSTRA UNIVERSITY

HEMPSTEAD, NEW YORK 11550-1090



'96 APR 15 P12:27

## SCHOOL OF LAW

### Faculty

Telephone: 516-463-5167  
Facsimile: 516-560-7676

April 14, 1996

President Bill Clinton  
C/o Christopher Cerf, Esq.  
The White House  
1600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20500

Dear President Clinton:

I write to urge you to veto the terrorism legislation scheduled to be passed this week. I am not concerned about its weaknesses as a tool against terrorism -- which you described eloquently as recently as yesterday, which are unlikely to be meaningfully altered in conference, and which you would doubtless make the centerpiece of any veto message -- but rather with the permanent damage that the bill's habeas corpus provisions would do to fundamental legal rights.

As an academic, my major fields are constitutional law, the death penalty, and legal history. I teach courses on death penalty issues to law students, practitioners, and judges, as well as writing in the field and testifying to legislative bodies.

As a volunteer lawyer, I have been regularly representing Death Row inmates in post-conviction proceedings around the country since 1980. My clients have included Earl Washington, who came within a few days of execution in Virginia but whose claim of innocence was subsequently vindicated by DNA testing, and the five former Death Row inmates whose innocence had been judicially established who submitted an amicus brief in Schlup v. Delo, 115 S.Ct. 851 (1995).

Tooo,  
This came in to me  
Chris Coy

2

Those people simply did not commit the crimes with which they were charged, but, fortunately, are at least alive to tell the tale. Before you sign the pending terrorism bill, I wish you would meet with them or others like them, look them in the eye, and tell them that the world would somehow be better off if they had been executed.

Unless you believe that, I don't see how you can do anything other than veto the bill -- whose habeas provisions are designed precisely to insulate state court capital proceedings from all but the most cosmetic federal review.

In response to the four former Attorneys General of the United States who wrote you to this same effect (joining, as you know, an imposing array of judges, legal scholars, law enforcement authorities, and professional and civic groups who have taken this position), you expressed your concern that the current system of post-conviction review takes too long.

That is not a controversial proposition, and your counsel has in hand draft legislation that would solve the problem. That legislation would impose strict time limits on federal habeas corpus, thereby achieving the legitimate objectives of reform, while leaving intact the substantive review powers of the federal courts.

Historically, those powers have been at the heart of our national commitment to the vindication of the constitutional rights of individuals, and -- as a member of the fraternity of constitutional law professors yourself -- I hope you will exercise the prerogatives of your office in a way that will uphold that proud tradition.

Sincerely yours,



Eric M. Freedman

THE UNIVERSITY OF IOWA

Tai Toon Fern

UNIVERSITY OF IOWA - COLLEGE OF LAW  
FAX TRANSMITTAL COVER SHEET

DATE 4/15/96 TIME 4<sup>45</sup> CDT

PLEASE DELIVER TO:

NAME Christopher Cerf, Dep Counsel  
ORGANIZATION White House  
CITY Wash DC STATE \_\_\_\_\_  
FAX NUMBER 202-456-6279

FROM DAVID BALDUS

TRANSMITTED BY \_\_\_\_\_

TOTAL NUMBER OF PAGES (Including this cover sheet) 2

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(319) 335-\_\_\_\_\_ AND ASK FOR \_\_\_\_\_

TO FAX TO US, PLEASE DIAL - (319) 335-9098

MESSAGE:

Dear Mr Cerf, Pleas add the attached  
letter to the grouping the  
pending habeas legislation  
Thankyou David Baldus



## THE UNIVERSITY OF IOWA



April 15, 1996

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

Re: Pending habeas/terrorism legislation

Dear President Clinton:

I am writing to urge you to veto any legislation that includes the habeas corpus deference measure in the current terrorism bill under consideration in Congress. As a teacher of criminal law with a special interest in the death penalty as it is used in this country, I fear the consequences of the deference provision in the proposed habeas legislation. I fully join the many judges, scholars, and law practitioners who see the current habeas law as a critical means of protection against the arbitrary, discriminatory, and lawless application of the death penalty in this country.

The Democratic party has a long tradition of support for the Great Writ. As a life long member of the Democratic party, I urge you to maintain that tradition.

Very truly yours,

David C. Baldus  
Joseph B. Tye  
Professor of Law

TIMOTHY J. FOLEY

ATTORNEY AT LAW

900 North Point  
Suite 220  
San Francisco, California 94109  
Tel: (415) 922-0882  
Fax: (415) 922-4310

April 15, 1996

The Honorable Bill Clinton  
1600 Pennsylvania Ave. NW  
Washington, DC 20500

Attn: Deputy counsel  
Christopher Cerf

Re: Opposition to Terrorist Bill Habeas Provisions

Sir:

I am writing to encourage you to veto the habeas provisions of the so-called anti-terrorist legislation.

My understanding is the bill will be passed in some form by Congress this week, and then go to the President's desk for signature. If the habeas provisions of the bill are passed into law, a time-honored Constitutional right to petition the government for freedom will be virtually destroyed.

The habeas provisions of this bill are a short-sighted, opportunistic attack on the constitutional rights of all citizens under the guise of an "anti-terrorist" label. For twelve years, I have been involved in federal habeas corpus litigation. I have frequently spoken and written on federal habeas corpus topics, and I am stunned at the provisions of this bill, which would eviscerate one of our most fundamental rights.

Since 1670, when Edward Bushell was released from Newgate prison in London after he had been unjustly imprisoned, the privilege to petition for writ of habeas corpus has been one of the cornerstone rights of the Anglo-American system. The Founders put this "privilege" in the body of the Constitution itself, Article I, Section 9, viewing it as far too important to be left to the Bill of Rights. For two hundred years, many state prisoners have found that federal court is the only real forum to petition for relief from unconstitutional convictions and sentences. Some of these, like Phil Lundano and "Hurricane" Carter, were innocent. Others were the victims of appalling racism and deplorable prosecutorial misconduct. We should not now go back to a time when the federal courts simply stood by and ignored injustice by mindlessly deferring to politicized state courts.

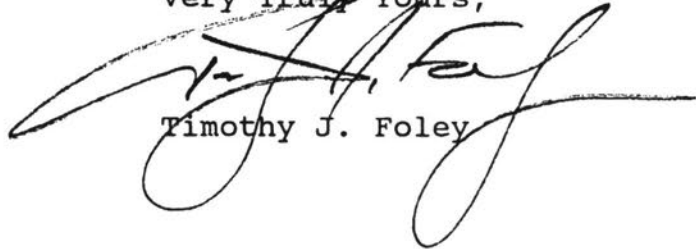
Deputy Counsel Christopher Cerf  
April 15, 1996  
Page Two

In the name of speeding up death penalty cases (which make up only about 1% of habeas petitions) and the obsequious goal of "getting tough on crime", this bill will prevent the federal courts from correcting miscarriages of justice. The habeas privilege will be a hollow shell. Ironically, such provisions are hardly needed: we had 56 executions in American last year, the highest total since the 1950's. Meritless appeals are being denied and frivolous petitions are being dismissed. This bill, however, is targeted not at the guilty and the fairly convicted, but at the innocent and the unjustly convicted. The provisions of the bill are written to prevent those who have legitimate claims of constitutional violations from receiving the relief that is their right.

If I may quote from an article I wrote for the Loyola Law Review a few years ago: "At a time when the courts, both state and federal, are experiencing great pressure to expedite capital cases, there is a great risk that the undeserving and the innocent will be executed in an ill-conceived rush to reduce the perceived 'backlog' in death sentence cases. Now is not the time to tie the Great Writ in a series of procedural bindings, but to restore it to its true and noble position as a instrument of justice."

I appreciate your time and attention. Thank You.

Very Truly Yours,



Timothy J. Foley

CC: Rep. Nancy Pelosi



# FAX COVER SHEET

TO: President Bill Clinton  
c/o Christopher Gorf  
Deputy Counsel

FROM: Marie F. Donnelly

DATE: April 16, 1996

**TIME:** \_\_\_\_\_

RE: Anti-Terrorism Bill

APR 17 AM 1:08

THIS IS PAGE 1 OF 3 PAGES

**SPECIAL INSTRUCTIONS:**

TO: Todd SEAR

April 16, 1996

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

Dear President Clinton:

My understanding is that a so called "Anti-Terrorism Bill" is coming your way and I am writing to urge you to VETO this piece of legislation. This bill promises very little as far as combatting terrorism -- however, it does promise to quite effectively abolish one of the most effective "anti-terrorism" provisions of our Constitution, the privilege of a prisoner to seek and obtain a writ of habeas corpus from a federal court when he or she is being held in violation of the Constitution.

One thing all of those that we call terrorist have in common is the unyielding belief they are right: that the advancement of their particular cause or political agenda is worth the sacrifice of innocent lives and should not be burdened with the ordinary rule of law. Such was the mind set of many state governments for well over a century following the civil war. One means of keeping the such state governments from terrorizing their own citizens was the power of the federal judiciary to stop in and require that state governments honor the rights of its citizens guaranteed by the federal constitution. One means the federal courts may use to accomplish this was the Great Writ.

This bill, if signed by you, will end that. This legislation will effectively prevent federal courts from conducting any sort of meaningful analysis of the merits of a federal constitutional claim presented by a prisoner. This is not "federalism" -- this is an outright abrogation of responsibility.

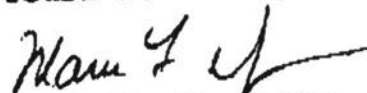
Over the past 20 years the United States Supreme Court has ensured that habeas corpus is not used as a means for state prisoners to circumvent the state courts or as means for the federal judiciary to over burden the states with "new" interpretations of constitutional rights. However they have done so while simultaneously recognizing the need for a means to ensure that constitutional protections are evenhandedly and consistently enforced and that state courts do not ignore their role in that effort. Congress has not displayed the kind of reasoned analysis in drafting this legislation. Rather, as popularly elected legislatures will tend to do, they have come up with a bunch of draconian provisions that they will tell their constituents are designed to "fight crime and terrorism" by "curbing endless appeals" and "giving power back to the state 'laboratories.'" Gutting habeas

Page 2  
President Clinton  
April 16, 1996

does nothing to fight crime or terrorism. It does not give power back to the states -- the states already have the power to enforce federal constitutional rights. It only takes away any means for the federal judiciary to ensure that states live up to that responsibility. It will curb the appeals process, but it will do so by curbing the protections the Bill of Rights extends to its citizens.

Justice Brandeis once warned: "Experience should teach us to be most on our guard to protect liberty when the government's interest are beneficent. . . . The greatest dangers to liberty lurk in the insidious encroachment by men of zeal, well meaning, but without understanding." Protecting citizens against terrorism is a noble goal. It should not have to be attained at the expense of our constitution.

Yours sincerely,



Marie F. Donnelly  
Deputy Public Defender

MFD/slf  
FAXED

cc: Christopher Cerf  
Deputy Counsel





# New York State Defenders Association, Inc.

*Public Defense Backup Center*

11 North Pearl Street, 18th Floor • Albany, NY 12207-2709

Telephone (518) 465-3524

FAX (518) 465-3249

98 APR 19 P 11 48

April 18, 1996

The President  
1600 Pennsylvania Avenue, N.W.  
Washington D.C. 20500

Re: Effective Death Penalty and Public Safety Act

Dear Mr. President:

On behalf of our Board of Directors, our 1400 members statewide, and the 5000 defense lawyers we serve, I write to urge your veto of the so-called "Counter-Terrorism" Act (HR 2703). This Act destroys the Great Writ of habeas corpus, a birthright of every American for over two centuries.

The bill strips federal judges of the authority to interpret the U.S. Constitution in review of the legality of a state inmate's imprisonment or death sentence. By effectively depriving federal judges of the authority to correct erroneous state court interpretations of the Bill of Rights and Fourteenth Amendment, the bill establishes state judges as the final arbiters of the meaning of the United States Constitution.

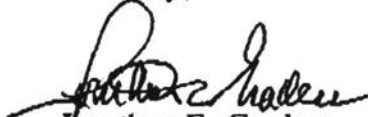
Let there be no mistake about the effect of this radical change. Unconstrained by the prospect of meaningful federal court review of their rulings, popularly elected state court judges will deprive more and more citizens of their constitutional rights. Because errors will occur more often, more innocent men and women will be convicted. Some of them will be sentenced to die for crimes they did not commit. Yet, federal judges will be powerless to remedy all but the most flagrant constitutional violations.

In recent years, forty percent of death-sentenced inmates have prevailed on their claims of constitutional error raised in federal habeas corpus petitions. The Act does nothing to address this alarming rate of error. It seeks instead to bring about an "effective" death penalty by brute force, by allowing states to execute defendants in spite of constitutional errors in their trials or sentencing proceedings.

The Act stands for the cynical proposition that if the government cannot play fair and win, it needs only to sweep the pieces off the board and declare victory. It is not worthy of your signature.

I urge you to veto this legislation.

Sincerely,

  
Jonathan E. Gradess  
Executive Director

BOARD OF DIRECTORS

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DEFENDER

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BETSY WOLKIN  
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SAN FRANCISCO

\*OUTLYING BOARD MEMBERS

96 APR 19 P 11 48

April 17, 1996

President Bill Clinton  
The White House  
1600 Pennsylvania Ave., NW  
Washington, D.C. 20500

Via Facsimile

Re: Anti-Terrorism Legislation

Dear President Clinton:

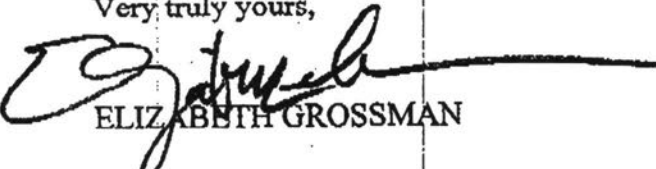
As a member of the Board of Governors of California Attorneys for Criminal Justice (CACJ) and as Chair of Women Defenders, an organization of 250 women criminal defense practitioners, I am writing to urge you to veto the anti-terrorism legislation that will be voted on by the House and Senate this week.

Our members include Democrats and Republicans, liberals and conservatives, and they are unanimous in their opposition to this legislation.

The habeas provisions in this legislation effectively eliminate independent Federal court review - the only protection against wrongful state court convictions. Passage of the bill would provide a victory to those who have advocated for 40 years for a return to the shameful days of states' rights.

Don't destroy the Great Writ. Veto this bill.

Very truly yours,

  
ELIZABETH GROSSMAN



**ROBERT D. BACON**  
**Attorney at Law**  
**1524 First Avenue, Suite 302**  
**Oakland, California 94606-1646**  
**(510) 834-6219 FAX (510) 444-6861**  
**e-mail: bacon2254@aol.com**

April 18, 1996

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

**Re: S. 735 -- Terrorism/Habeas Corpus**

Dear Mr. President:

It is imperative that you veto S. 735, the so-called "terrorism" bill, because of its radical, dangerous, and unnecessary restrictions on federal habeas corpus jurisdiction. Those provisions will not aid in combating terrorism and will do nothing to prevent future outrages such as the Oklahoma City bombing.

The requirement in S. 735 that federal courts defer to the holdings of state courts on questions of federal law unless those holdings can be characterized as "unreasonable" is an unprecedented attack on the rule, as old as the republic, that federal courts have the last word on what the federal Constitution means and how it is to be applied.

I am a former state-court prosecutor, and I also spent a number of years in state court management. I know that state courts and state prosecutors have nothing to fear from independent federal habeas corpus review. To the contrary, they gain from it an added sense of security that any mistakes they may make will not result in unjust imprisonment or execution. The Supreme Court of New Jersey said not long ago, "Any state court judgment later overturned by federal habeas review presumably will have been undeserving of finality. We are not so convinced of our infallibility, or so jealous of our sovereignty, as to deem federal habeas review an undesirable intrusion on our adjudications." State v. Precioso, 609 A.2d 1280, 1293 (N.J. 1992).

It took civil war for the relationship between the states and the federal government to change to the point where independent federal habeas corpus review for state prisoners was possible. This illustrates both the magnitude of the change being proposed by today's "conservatives" in S. 735 and the virtual certainty that if you sign this mistaken provision, meaningful federal habeas review will be gone forever.

The "unreasonableness" rule would give inadequate protection to the federal constitutional interests which justify federal habeas corpus in the first place. The Constitution was written in an era that was even more mistrustful of career public officials than is our own, but it conferred on federal judges unparalleled independence in the form of life tenure. That decision



The Honorable Bill Clinton

Page 2

has served the country well. For instance, elected state judges in the South in the 1950s would never have ordered school integration; federal judges did. Could they have done what they did if they had been allowed to act only when they could label the actions of elected state judges "unreasonable"? Similarly, vindicating the federal constitutional rights of those accused of murder and other serious crimes will always be unpopular, but nevertheless essential. The constitutional independence of federal judges enhances their ability to carry out this important function; the deferential "unreasonableness" standard would take away that very independence.

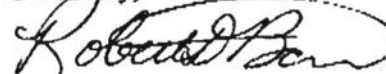
Independent federal habeas corpus review is not about mistaken sympathy for criminals. It is about necessary sympathy for the Constitution. It exists because, in the words of Alexander Hamilton in 1788, state court judges who must face the voters after a limited term might well be "too little independent" of "the local spirit" to be "relied upon for an inflexible execution of the national laws." (Federalist Paper No. 81.)

In recent years the United States Supreme Court has cut back sharply on the scope of federal habeas corpus, largely at the behest of the state attorneys general promoting the current legislation. The alleged excesses of the federal judiciary which are cited to justify bills like the habeas title of S. 735 are for the most part a thing of the past, and new legislation is not needed to curtail them. Having won these battles in the U.S. Supreme Court, the proponents of S. 735 have now turned their sights on an extremely different target: the bedrock principles of federal supremacy and an independent federal judiciary. These principles have their roots not in decisions of 20th-century federal judges but in the Constitutional Convention, the Federalist Papers, and the acts of the Reconstruction Congress which also passed the Fourteenth Amendment. The proponents of S. 735 would like to blur the distinction between fine-tuning habeas corpus procedures and shutting off the habeas corpus remedy to the vast majority of state prisoners. The first might legitimately be called habeas corpus "reform," but the second, epitomized in the "unreasonableness" standard of review of questions of federal law, cannot be allowed to become law disguised as reform.

In state-federal relations, this issue is our generation's equivalent of the conflicts between the Kennedy Administration and whites-only state governments in the deep South in the early 1960s. This is an issue which calls forth Hubert Humphrey's stirring admonition that the time has come for the Democratic Party, and indeed for the country, to come out from the dark shadow of states' rights and walk forthrightly into the bright sunshine of human rights.

When the fear and revulsion created by terrorism causes us to hastily enact radical and short-sighted revisions to fundamental constitutional principles, the terrorists have won a victory and the rest of us have suffered a defeat. That must not be allowed to happen. Please veto S. 735.

Sincerely,



Robert D. Bacon

**NASATIR, HIRSCH & PODBERESKY**

A PROFESSIONAL LAW CORPORATION  
MAIN STREET LAW BUILDING  
2115 MAIN STREET

SANTA MONICA, CALIFORNIA 90405

TELEPHONE (310) 399-3259

FAX (310) 392-9029

MICHAEL D. NASATIR\*  
RICHARD G. HIRSCH\*  
VICKI I. PODBERESKY  
\*CERTIFIED SPECIALIST - CRIMINAL LAW  
THE STATE BAR OF CALIFORNIA  
BOARD OF LEGAL SPECIALIZATION

April 18, 1996

VIA FACSIMILE

(202) 456-6279

President Bill Clinton  
The White House  
1600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20500

RE: Anti-Terrorism Bill

Dear President Clinton:

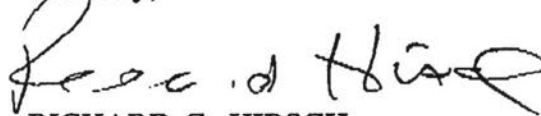
I have been a strong supporter of your administration and was a contributor to your 1992 campaign. I continue to support you because I believe you stand for what is right in our society.

I am writing to urge you to veto the anti-terrorism bill which is expected to reach your desk after its passage by the Congress. Although many of the provisions in this bill are good, the proposed reform of habeas corpus, in my view, poses a serious threat to personal freedoms. I have seen over and over stories about individuals who have been sentenced to death and then found to be innocent. In our rush to execute those convicted of capital crimes we must not forget that often these convictions are the result of false testimony and hidden truths which only come to light in later years. If one innocent person dies because of these proposals, it would hardly be worth the price.

I can imagine the pressure you must be under because of the public's fear of terrorism in this country. I share that view, however, the tacking on of habeas reform has destroyed an otherwise worthwhile piece of legislation.

Please veto this bill.

Sincerely,

  
RICHARD G. HIRSCH

RGH:cjb



## FAX COVERSHEET

TO: Pres. Bill Clinton c/o CRISCERF

DATE:

4/18/96

FAX #: 202 456-6279 Dep Counsel

PAGE #

2

TO:

(Including coversheet)

FAX #

FROM: ANDRÉ M. HERRON, ESQ

TO:

FAX #:

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MESSAGE: Please see attached

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AUNDRÉ M. HERRON, ESQ.  
636 MONTEREY BOULEVARD  
SAN FRANCISCO, CALIFORNIA 94127

April 18, 1996

The Honorable William Jefferson Clinton  
President of the United States of America  
The White House - 1600 Pennsylvania Avenue, NW  
Washington, DC 20500

VIA FACSIMILE

Re: Anti-Terrorism Legislation

Dear Mr. President:

I urge you to veto the anti-terrorism legislation that will be voted on by the House and Senate this week.

Like all Americans, I abhor the violence resulting from terrorist acts. I have equal disdain for legislation that effectively eviscerates the Great Writ.

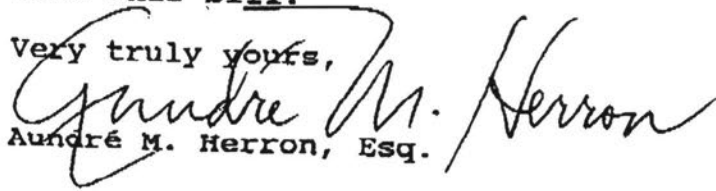
As a former state prosecutor, I share the concerns of all citizens who believe that violent crime in America has reached epidemic proportions and that we must act to eradicate this scourge upon our national landscape and character. Nevertheless, the draconian measures embodied in the current habeas provisions bootstrapped to the anti-terrorism legislation do little to address these concerns.

The current habeas legislation is a misguided attempt to treat the symptoms, rather than the causes, of crime. It is a thinly-veiled attempt to turn back the clock to the shameful days of states' rights, all under the guise of being concerned about crime and the safety of our citizenry. These latter goals are noble ones, to be sure, but the hysteria about crime must not give way to a mentality that disregards the constitutional principles which this country professes to uphold. In the short term, the legislation seems to offer a solution, but in the long term, it will erode the constitutional rights of every American.

Habeas Corpus is the last refuge of the indigent and disenfranchised who are so vulnerable to abuse of power at the state level. As a progressive son of the South, you, more than most, ought to understand the necessity of independent Federal court review to guard against such abuses.

Don't destroy the Great Writ. Veto this bill.

Very truly yours,

  
André M. Herron, Esq.



MASSACHUSETTS WATER RESOURCES AUTHORITY

Charlestown Navy Yard  
100 First Avenue  
Boston, Massachusetts 02129

96 MAY 13 10  
Telephone: (617) 241-6000  
Facsimile: (617) 241-6070

April 26, 1996

The Honorable William J. Clinton  
President  
United States of America  
The White House  
Washington D.C. 20500

5-3  
Tony Lake  
forwards this  
on appropriate  
response deb

Dear President Clinton:

On behalf of the ratepayers of Massachusetts, I want to express our deepest appreciation for your efforts to secure \$50 million for the Boston Harbor Project.

For many years, the Boston Harbor had been the symbol of environmental neglect among our nation's waterways. Under the guidance of the Clean Water Act, we have worked hard to reverse that neglect and return this natural resource back to its original beauty. I am pleased that progress is being made. The fish are no longer riddled with diseases and with increasing frequency, one can even see porpoises swimming between the boats in the harbor! For the first time in decades, families are coming to enjoy the harbor shores on a warm summer day.

All of this would not have been possible without your leadership. The continued federal support is a critical ingredient in the success of the \$3.5 billion Boston Harbor Project. We are grateful that you stood firm during the negotiations on the Continuing Resolution and for the continued support of \$100 million in your FY 1997 Budget.

5-7-96  
To Doriskind for  
Reply

With warm regards,

Douglas B. MacDonald  
Executive Director

yes

no



# MASSACHUSETTS WATER RESOURCES AUTHORITY

Charlestown Navy Yard  
100 First Avenue  
Boston, Massachusetts 02129

Telephone: (617) 242-6000  
Facsimile: (617) 241-6070

April 26, 1996

*send to  
Leon?  
yes  
no*

The Honorable Leon Panetta  
Chief of Staff  
The White House  
Washington D.C. 20500

Dear Mr. Panetta:

I want to express my appreciation for your extraordinary efforts in securing \$50 million for the Boston Harbor Project. These funds will enable us to take another step towards completion of the Project and assist in controlling the rates for the residents of Massachusetts.

We would be delighted to have you come to Boston so you could see firsthand why we are working so diligently to complete this important Project. In fact, major progress has already been made. The harbor water is clearer, the fish are healthier and even porpoises can once again be seen swimming between the sailboats!

With all of the priorities confronting you during the negotiations on the Continuing Resolution, we were honored that you successfully advocated on our behalf. No words can describe the depth of our gratitude.

Sincerely,

Douglas B. MacDonald  
Executive Director





5/7/96

Send to USC for action?

Yes ☒

No ☐

cc: Scheduling?

C



THE  
*Greenbrier*

WHITE SULPHUR SPRINGS • WEST VIRGINIA 24986

May 7, 1996

96MAY 7 P1:27

The President of  
The United States of America  
The White House  
Washington, D. C. 20050

Dear President Clinton:

For the last two days, Keidanren and The Business Roundtable met at The Greenbrier Resort in West Virginia for our third annual gathering. We had hoped to meet with you, along with Dr. John Snow, Chairman of the Business Roundtable, after our meeting to directly report the result of our discussions. Unfortunately, your busy schedule did not permit a meeting, so we decided to convey our thoughts to you by this letter instead.

As always, the Japanese economic community regards the US-Japan relationship as the most important one for both nations. In that respect, the last Summit between you and Mr. Hashimoto was a great success and a most welcome development. It gave a tremendous boost to improving US-Japan economic relations.

Already there is a great deal of positive business activity between our two countries. We at Keidanren, together with our friends at The Business Roundtable, want to encourage even more bilateral business beginning by deepening the mutual trust between our organizations in meetings like the one just concluded at The Greenbrier. I am very pleased to report that we had a frank and constructive exchange of views there on topics ranging from education to deregulation.

As your schedule permits, we hope to be able to see you in the near future to report on our mutual progress. Meanwhile, we appreciate your efforts to improve US-Japan economic understanding and hope you are just as successful in future efforts to draw our two nations closer together.

Sincerely yours,

Shoichiro Toyoda  
Chairman, Keidanren

THE PRESIDENT OF  
THE UNITED STATES OF AMERICA  
THE WHITE HOUSE  
WASHINGTON, D. C. 20050

THE  
*Greenbrier*  
WHITE SULPHUR SPRINGS, WEST VIRGINIA  
24986

Shoichiro Toyoda  
Keidanren  
1-9-4 Otemachi  
Chiyoda-KU, Tokyo 100  
Japan



# Withdrawal/Redaction Marker

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE                    | DATE       | RESTRICTION |
|--------------------------|----------------------------------|------------|-------------|
| 001a. note               | Todd [Stern] to Evelyn (2 pages) | 05/07/1996 | b(6)        |

### **COLLECTION:**

Clinton Presidential Records  
Staff Secretary  
Todd Stern  
OA/Box Number: 7697

### **FOLDER TITLE:**

Chron Files May 5-10, 1996: Tuesday, May 7, 1996 [1]

2019-0774-S

rs3314

### **RESTRICTION CODES**

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

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

C. Closed in accordance with restrictions contained in donor's deed of gift.

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

RR. Document will be reviewed upon request.

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

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
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|            |                                   |            |      |
|------------|-----------------------------------|------------|------|
| 001b. note | Bob Bell to Todd [Stern] (1 page) | 04/29/1996 | b(6) |
|------------|-----------------------------------|------------|------|

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Staff Secretary  
Todd Stern  
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Chron Files May 5-10, 1996: Tuesday, May 7, 1996 [1]

2019-0774-S

rs3314

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|--------------------------|----------------------------------------|------------|-------------|
| 001c. note               | Todd [Stern] to Evelyn et al. (1 page) | 03/14/1996 | b(6)        |

### COLLECTION:

Clinton Presidential Records  
Staff Secretary  
Todd Stern  
OA/Box Number: 7697

### FOLDER TITLE:

Chron Files May 5-10, 1996: Tuesday, May 7, 1996 [1]

2019-0774-S

rs3314

### RESTRICTION CODES

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THE WHITE HOUSE

WASHINGTON  
March 7, 1996

96 MAR 18 P1: 47  
96 MAR 17 P2: 51

MEMORANDUM FOR THE PRESIDENT

THROUGH: THE EXECUTIVE CLERK *S*  
FROM: ALAN P. SULLIVAN *Alan P. Sullivan*  
DEPUTY ASSISTANT TO THE PRESIDENT AND  
DIRECTOR, WHITE HOUSE MILITARY OFFICE  
SUBJECT: General Officer Nomination

Forwarded for your approval and signature is a nomination containing the name of one Air National Guard officer for promotion to the grade of brigadier general in the Reserve of the Air Force.

This nomination is submitted by the Deputy Secretary of Defense after considering adverse information pertaining to the officer which has been provided by the Assistant Secretary of Defense (Force Management Policy) (Tab A). If you approve this nomination, the adverse information will be provided to the Senate Armed Services Committee.

This nomination is based on the results of a Federal Recognition Board staffed by the Secretary of the Air Force and was approved by the Deputy Secretary of Defense.

Recommendation

That you approve and sign the attached.

Attachment



DEPUTY SECRETARY OF DEFENSE

1010 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1010



29 FEB 1996

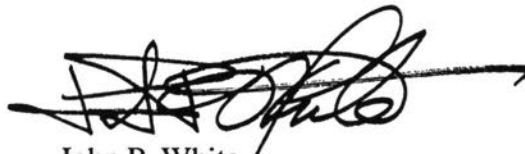
MEMORANDUM FOR THE PRESIDENT

SUBJECT: General Officer Nomination

On behalf of the Secretary of Defense, I recommend you nominate Colonel Christopher J. Luna, Air National Guard of the United States, for appointment to the grade of brigadier general in the Reserve of the Air Force. This nomination is based on the results of a Federal Recognition Board.

I have personally reviewed adverse information concerning Colonel Luna and will provide the information to the White House Military Office separately. Should you approve this nomination recommendation, I will provide the same information to the Senate Armed Services Committee.

This action will not cause the Air Force to exceed the number of officers authorized to be serving in the grade of brigadier general in the Reserve of the Air Force.



John P. White

# Withdrawal/Redaction Marker

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE                                | DATE       | RESTRICTION |
|--------------------------|----------------------------------------------|------------|-------------|
| 001d. letter             | F. Pang to Strom Thurmond [partial] (1 page) | 02/00/1996 | b(6)        |

### COLLECTION:

Clinton Presidential Records  
Staff Secretary  
Todd Stern  
OA/Box Number: 7697

### FOLDER TITLE:

Chron Files May 5-10, 1996: Tuesday, May 7, 1996 [1]

2019-0774-S  
rs3314

### RESTRICTION CODES

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

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





ASSISTANT SECRETARY OF DEFENSE  
4000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-4000



FORCE MANAGEMENT  
POLICY

Honorable Strom Thurmond  
Chairman  
Committee on Armed Services  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

I am writing in reference to the nomination of Colonel Christopher J. Luna, Air National Guard of the United States, for appointment to the grade of brigadier general in the Reserve of the Air Force. The Deputy Secretary of Defense considered adverse information regarding Colonel Luna.

(b)(6)

We have carefully considered this information; it should not preclude favorable consideration of this nomination. This disclosure represents an isolated period in Colonel Luna's career. When considered in light of his past performance and future potential, proceeding with the nomination is clearly in the best interest of the Department of the Air Force and the Department of Defense.

The Department appreciates your assistance in facilitating the confirmation of pending nominations.

Sincerely,

  
F. Pang



*Bill Clinton*

THE PRESIDENT HAS SEEN

5-7-96

VO

Sen Bill Cohen held  
a hearing last week  
on Aviation Safety  
GAO said it had made  
4 recommendations that  
hadn't been implemented  
Ms look into →

BZ

*President of the United States*

*Bill Clinton*

THE PRESIDENT HAS SEEN

5-7-96

Al's

Suzanna I was v. good  
w/ Cuban families  
of them who down  
by Castro — They  
asked for a witness  
w/son — I think  
Suzanna's taken care  
of — we also need  
to keep Paul Cigas  
in the Coop. House

BC

*President of the United States*



# Brainstorming ways to improve children's TV

By Jefferson Graham  
USA TODAY

PALO ALTO, Calif. — Most children's TV is toy-related programming that teaches kids only to buy things.

That was one of the prevailing views espoused at a three-day conference of program producers, network executives, advertisers and academics sponsored last week by the Children Now advocacy group.

More challenging was resolving this question: How can children's TV be improved?

"For too long, we've been blaming advertisers for the problem," said Bill Allen, the co-chair of the National Council for Families and Television, at the conference. "For the first time, we have advertisers involved" to create solutions.

Representatives of McDonald's, Levi Strauss, Pizza Hut and Unilever said they support well-meaning, pro-social programs but acknowledged their main goal is to reach their target audiences through top-rated shows.

## Disney's dream: An educational kids channel

Disney/ABC hopes to form another cable channel for kids, a Nickelodeon competitor that will focus on education, said Geraldine Laybourne, who oversees Disney/ABC's cable operations.

"My dream is to create a new educational mantra for Disney and ABC that you as parents will encourage your kids to participate in. This is the hugest, most impossible task I will ever take on," she told 150 people meeting in Palo Alto, Calif., last week to discuss children's television.

Laybourne, who headed Nickelodeon from 1984 through last year, gave no timetable for the channel's launch.

Kids today are searching for a way to do more things with their parents, she said. "The big opportunity at the Disney Channel is for us to reclaim the focus on the family."

Nickelodeon, cable's top-rated channel, has overshadowed the Disney Channel in the children's market.

The TV industry needs to take a cue from computer software makers, who reap huge profits demonstrating that learning can be fun, she said.

She pointed out that the average kid now watches 21 hours of TV a week, down from 25 a few years ago, and she attributed the drop-off to computer use among youngsters.

Anne McDonald from Pizza Hut said that instead of supporting a low-rated education show, she would invest in literacy campaigns and other programs that go directly to kids.

David Britt, president of Children's Television Workshop, which produces *Sesame Street*, said that was good but not as effective as television. "The media are more powerful

with kids than anything except school and parents."

Many panelists spoke about the problems of merchandising. Without a potential toy spinoff, some programs will never get off the ground.

"Without merchandising, *Sesame Street* wouldn't be on the air," said Britt, adding that 75% of its revenues come from merchandising. "Because we

made the hero of *Ghostwriter* invisible, we are off the air."

Attendees came up with five resolutions for improving children's television:

► **Revise ratings.** Nielsen ratings don't accurately count children viewers, panelists said. How many day-care centers have been known to fill out Nielsen diaries? So some educational programming may not

be rated as highly as it should be. Suggestions for alternatives to Nielsen tallies will go to the Association of National Advertisers and Advertising Research Foundation.

► **Improve information and communication.** Delegates agreed to make more studies about the effects of TV on children available to advertisers.

► **Explore financial incentives.** The Federal Communications Commission currently limits the number of commercials that can be placed in children's programming. It was suggested that stations be allowed to sell an extra minute of commercial time in high-quality educational shows.

► **Encourage advertisers to develop guidelines.** Delegates want advertisers to take a stand against violent children's programming.

► **Put your money where your mouth is.** Attendees seconded a proposal by Disney/ABC executive Geraldine Laybourne asking advertisers to set aside 10% of their ad budgets for educational shows.

USA TODAY  
MONDAY, MAY 6, 1996

THE PRESIDENT HAS SEEN  
5.7.96

Boon side - down kids to 65

NOV: Fgk - Be



## A New Look at FDR:

DID HIS POLIO DISABLE HIM  
OR ENABLE HIM TO  
INSPIRE THE WORLD?



**Alan A. Reich**

President

NATIONAL ORGANIZATION ON DISABILITY

**Commonwealth Club**

San Francisco, California

April 6, 1995

Leon - (given we have no  
say but I agree  
w/ those who say  
1 of the 3 FDR  
Statute should  
be in our  
wheelchair  
should I say so  
to Steve Levin?  
5-7-96 Bo



## ALAN ANDERSON REICH

Alan A. Reich is president of the National Organization on Disability which he founded in 1982, after heading the U.S. Council for the International Year of Disabled Persons (1981).

Mr. Reich served as U.S. Deputy Assistant Secretary of State for Educational and Cultural Affairs from 1970-1975, and as Deputy Assistant Secretary of Commerce for East-West Trade. Prior to his government service, Mr. Reich was an executive with Polaroid Corporation.

Mr. Reich holds a B.A. from Dartmouth College, an M.A. from Middlebury College Russian School, a diploma in Slavic languages and Eastern European Studies from Oxford University and an M.B.A. from Harvard University. He speaks five languages and holds honorary Doctorate of Laws degrees from Dartmouth College and Gallaudet University.

Mr. Reich served as an officer in the U.S. Army and is a member of the U.S. Army Infantry OCS Hall of Fame. Mr. Reich uses a wheelchair as a result of an accident in 1962. He is chairman of the World Committee on Disability and has advocated on behalf of the world's half billion people with disabilities in the U.N. General Assembly. ♦

## Introduction

### **A New Look at FDR: DID HIS POLIO DISABLE HIM OR ENABLE HIM TO INSPIRE THE WORLD?**

**A**PRIL 1995 marks the 50th anniversary of the death of Franklin D. Roosevelt and the founding in San Francisco of the United Nations, which FDR regarded as his crowning achievement.

FDR was paralyzed by polio in 1921 at age 39. He never took another step without help. His struggle and triumph over adversity inspired the American people to struggle and triumph over their own adversity during the Depression and World War II.

The 50th anniversary provides the occasion to take a closer look at how FDR's disability was central to his leadership. His legacy of hope and optimism can, through the U.N., continue to inspire individuals and nations to improve the human condition worldwide.

*Cover photo of President Franklin D. Roosevelt in wheelchair with dog, Fala and an unidentified admirer, courtesy of Franklin and Eleanor Roosevelt Institute, New York.*



---

## **A New Look at FDR: DID HIS POLIO DISABLE HIM OR ENABLE HIM TO INSPIRE THE WORLD?**

I am extremely pleased to join you here in San Francisco, since this beautiful city is the actual scene of the high drama — with its famous but absent hero — I want to sketch out for you today. It is the story of a great American — Franklin Delano Roosevelt — and the world institution he helped create half a century ago — the United Nations. For if any institution (as Emerson wrote) is the lengthening shadow of one man, surely the UN is FDR's. And I shall describe how the United Nations can grow to still greater influence around the world out of this Rooseveltian legacy. A legacy of right-thinking optimism that shines like a nimbus around FDR's vivid profile — projected, even now, across the world: the old fedora, that lance of a cigarette holder, the jutting jaw, the jaunty lines of that famous smile.

### **UNITED NATIONS: HE SET THE STAGE**

---

But may I first pay you a tribute: you have always made your fine city — as we in the disability community like to say — accessible. You have been so willing to open up your Golden Gate to all comers. It was fifty years ago, this very month of April, that you welcomed the world's mighty to meet together and take up the burden of a lasting peace. That first UN conference heralded a new spirit of unity across the world, after the bloody sacrifices of World War Two. And that spirit has lasted. Since 1945, the United Nations has spoken out, and often acted, for the survival and betterment of all the planet's people. And you set the stage for that global mission. Literally "set the stage," since the conference took place downtown in the Civic Center, at your magnificent San Francisco Opera.

You soon will be celebrating this golden anniversary of the UN at the Opera. But that anniversary will still be absent its real hero — who himself missed the original occasion by the few weeks that fate would not spare him.

FDR was resting at The Little White House — his cottage in Warm Springs, Georgia — already preparing

to welcome the world's delegates here, when he was tragically struck down on April 12, 1945. He had been caught up in every detail of the conference, agendas littering his bedside table. Talk about "setting the stage!" FDR worked out the seating plan at the Opera for every member nation, worried that Molotov wouldn't show, planned his own travel to the coast by the Baltimore and Ohio Railroad in his private Pullman, The Magellan. ("Don't go through the Royal Gorge," he ordered, "already seen it twice.") He would get off at the Oakland army base on April 25, speak to the delegates that afternoon, then back on the train by six to slowly — repeat, slowly — entrain across the country to Hyde Park. "Mrs. Roosevelt will be going with me to San Francisco."

Such careful planning, and imagine if he had made it, after all, to the Opera. It would have been his crowning appearance — his great chance to succeed where the one president he'd served, Woodrow Wilson, had failed with the League of Nations. It was even wildly rumored he was going to resign the presidency to become the first Secretary General of the U.N. San Francisco, and the world's delegates, would have seen him walk the short distance to the podium, with some intimate at each side. He would have tightly gripped the sides of the podium, then delivered, no doubt, hopeful, visionary words, designed to tell the world even the fear of fear was over. He would have been seen standing tall — the first American leader to speak for the free world.

Only much of that too would have been, we now know, "setting the stage." Magnificently, with great courage, but still . . . all part of an act.

## POLIO STRUCK HIM IN 1921

Because FDR, after his polio attack in 1921, never walked, or stood unassisted, again. The Magellan had special hand rails, an elevator for easy lowering, lifting. And if he had truly appeared as he lived from day to day, he would have appeared as I come before you — in a wheelchair.

"You and I," he once told Orson Welles, "are two of the finest actors in America." And he proved it over a quarter of a century, carrying on what Roosevelt biographer, Hugh Gallagher has called the "splendid deception." The deception lay in rarely allowing the public to see that he had a disability, and in that, the national

press cooperated. Over 140,000 photos exist of FDR. Only two — taken privately, among family — show him in his wheelchair. But if there was deception, there was also splendor.

Because FDR never allowed himself to be daunted by his disability. He loved being president, deeply identified with the office, and therefore would never let the presidency be daunted either. In fact, he used his disability during the trying times both he and the Nation faced, I would argue, to help him succeed as president. And he was splendid at it.

## "DOCTOR ROOSEVELT"

Let me explain, briefly, by telling you how he became "Doctor Roosevelt" before he ever became President Roosevelt.

"Doctor Roosevelt" is what the other patients at Warm Springs, Georgia came to call him. After the onset of polio in 1921, at age 39, he was determined — being a Roosevelt, still with hopes of a political future, like his Cousin Teddy — to regain mobility in his lifeless legs. By 1924, that lonely struggle had brought him to try the waters at Warm Springs. He was greatly buoyed up by the experience — with water wings, no less — even more, by the help he got from other "polios." They became his new friends around the ramshackle inn, and he invested \$200,000, two thirds of his fortune, to make Warm Springs a modern therapeutic center. He organized most of the fun, invented a new crutch, better braces, and started helping other polios exercise their atrophied limbs. That's how he became — to all of them — "Doctor Roosevelt."

By now, he knew there could be no cure, only rehabilitation, which was the realistic treatment at Warm Springs. But he chose to return to politics, using crutches to appear before the 1924 Democratic convention to nominate Al Smith for president. He would have to do it without crutches, because he "was scaring people half to death." His upper-body musculature had grown massive with tireless exercise, and on the strength of his own two shoulders, "Doctor Roosevelt" prescribed for himself a new way of walking.

"With my hand on a man's arm, and one cane, I'm sure. . . . Let's try it." Propping himself rigid on a cane with his left hand and clinging to his son Elliot's

arm with his right, he learned to hitch himself forward from one braced leg to the other braced leg, like a man swinging along on hidden stilts.

## **"YOU'RE COMING TO HOUSTON WITHOUT CRUTCHES"**

The 1928 convention was in Houston. "I'm telling everybody you're coming to Houston without crutches," Eleanor wrote him, "so mind you stick to it." He did, and "walked" to the podium on Elliot's arm to renominate Smith, and "walked" again, breaking all precedent, to appear before the delegates to accept their 1932 nomination in person. It was always a dangerous balancing act, but he "walked" again at his first inaugural. This time hanging onto his son Jimmy, whose arm screamed with pain from his father's vice-like grip — as they took those thirty-seven steps, all the time smiling, to the rostrum, where FDR told the Nation. "The only thing we have to fear is fear itself."

Physician — "Doctor Roosevelt" must have said — heal thyself. That is how you can help succor others. And the role of doctor stuck. He was soon calling himself "Doctor New Deal," this time on emergency call to help the Nation recover from the ravages of the Depression. "Doctor New Deal" kept up the people's spirits, just as "Doctor Roosevelt" had the polios' morale. There was only one slip. At the 1936 convention, he reached around from the rostrum to shake hands with the poet Edwin Markham, famous for "The Man with a Hoe," a popular salute to the common man. One brace buckled, and FDR crumpled to the floor. But the convention never saw him fall. The Secret Service instantly surrounded him, and quick drill, had him upright and smiling again. After his speech, he drove around the entire stadium in the well-known touring car, waving to his cheering people, as if no mishap had occurred.

Next he was more grimly calling himself "Doctor Win the War." Again, as Commander-in-Chief, he rose to the tremendous challenge of fighting in two hemispheres, and set unheard-of production goals: 75,000 tanks, 125,000 planes in 1943. Not possible, he was told. "Oh, the production people can do it if they try." If he could stand on his own two feet, so could the rest

of America. Gus Gennerich, his Secret Service agent, lifted him, carried him, even piggy-backed him, but the public never knew. Nor did his many guests at the White House. Upstairs, seated at a drinks tray, he would mix the cocktails. Then Eleanor would lead their guests downstairs to dinner, pausing to point out this portrait on the wall, that heirloom. By the time they reached the dining room, FDR — using an elevator — was already there to greet them, seated at the head of the table.

Only as the war deepened into tragedy along with victory did he appear at last in his wheelchair. On a visit to a veterans hospital, he rolled slowly through the amputees' ward, so that they could see how well he understood their loss. He paused at many bedsides that day, including that of a man who had amputated his own legs to save his life. "I understand you are something of a surgeon," FDR said. Then ever the doctor, he added, "I'm not a bad orthopedist myself."

He could not be beaten, except by death, and when death came, the nation went into shock as much as mourning. He had been our whole support, this man whom we were never told needed any kind of support even to stand.

His great companion-at-arms Winston Churchill knew only too well. "Not one man in ten million, stricken and crippled as he was, would have attempted to plunge into a life of physical and mental exertion and of hard, ceaseless political controversy," Churchill told the House of Commons. "Not one in ten million would have tried, not one in a generation would have succeeded, not only in entering this sphere, not only in acting vehemently in it, but in becoming indisputable master of the scene."

## **WE ALL KNEW**

Churchill knew, having watched FDR hoisted aboard HMS Prince of Wales, having seen him carried up six flights of steps to the top of a tower in Marrakesh, to admire a view of the Atlas mountains Churchill recommended. But I also strongly suspect — deep within us, over those terrible but finally triumphant years — we, all Americans, also knew.

We knew, even if we did not have these sometimes painful details. And we did not need to have all these



details — in order to understand and admire how he was dealing with his disability. We witnessed from afar what Churchill saw up close, an “extraordinary effort of spirit over the flesh, of will power over physical infirmity.” And we accepted his acting the part — yes, his splendid deception — because we realized that FDR had found or developed within himself two extraordinary strengths.

First, as a person with a disability — ever mindful that others might shy from him as a cripple — he had learned how to cajole, seduce, inspire, compel, even shame others to do his bidding. He was indeed indisputably master of every scene, whether calling for timely legislation within the One Hundred Days or setting the European strategy for a Second Front. As one germane example, think what FDR accomplished for his fellow polios.

### “CALL IT THE ... ‘MARCH OF DIMES’”

He wanted to win the fight against paralysis by replicating Warm Springs all across the country. But that couldn't be done by limited private charity, an endless series of presidential balls. A larger response had to come, and come voluntarily, from the entire country. He set up the National Foundation for Infantile Paralysis, and Eddie Cantor, a radio comedian, suggested he, Cantor, try asking people over radio to send money to FDR at the White House. “Call it the March of Dimes,” said Cantor. FDR promptly agreed, putting his popularity on the line. Cantor broadcast an appeal, so did the Lone Ranger, then most of Hollywood. At first, the March stumbled badly. Only \$1,700.05 came in. Some officials wanted quickly to deflect contributions — and the blame — to local chapters, but FDR hung tight. And then millions of dimes and dollars came pouring in, an avalanche of mail, such as the White House had never seen, and couldn't handle. From then on, it was only a matter of time before the Salk vaccine. He didn't live to see it happen, but “Doctor Roosevelt” actually rid the world of the dread disease that had struck him down in his prime.

Second, FDR overcame his disability not by diminishing his life to what was readily manageable, but by enlarging his life to embrace all the risks the greater world had to offer. As a young man, he had been pampered, favored, cosseted — even in politics, an

energetic lightweight — until he was hit by polio. Then, over seven harsh years, he learned to use his paralysis, literally, to get himself moving again. And all of us right along with him. As a people, we never would have come to accept the visionary goals that FDR set the nation, if we hadn't somehow known, in our hearts, what he himself was up against. If he can ask this much of himself, with all that wit and charm and optimism, surely — we inwardly had to admit — he has the right to ask something of us.

At the last, what he asked of us was the same commitment he was prepared to make himself, before cut down by his stroke, to the United Nations. He never became Secretary General (if that was truly what he wished), but in a sense, his wife took his place at the UN. Eleanor Roosevelt's crucial support for the United Nations Declaration of Human Rights was, in so many ways, the continuation of FDR's quest for international peace, the spread of democracy, and the rise of human equality, attended by great hopes for social development among the newly emerging nations of the world. Over fifty years, the United Nations has steadily increased its moral suasion, if not its carriage of force, and mounted and stimulated many programs dedicated to these worthy, credible, and someday attainable goals . . . including, I hasten to add, the UN World Programme of Action Concerning Disabled Persons.

I happen to know something about that UN effort to improve the lives of people with disabilities worldwide because I served as United States representative advocating before the United Nations General Assembly on behalf of the UN Decade of Disabled Persons. It was an honor, and yes, often a frustration, since so much still needs to be done in creating a wider awareness of disability over this earth. Most importantly, in this country we passed the Americans with Disabilities Act during that decade, in July of 1990, so that the law now mandates public access, protection against discrimination, and other civil rights for almost fifty million Americans with disabilities. And, I am proud to note that my organization, the National Organization on Disability, is a direct outgrowth of the United Nations' disability initiative in the early 1980s.

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## HALF A BILLION PEOPLE WITH DISABILITIES

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But the world figure is 500 million, half a billion people with disabilities. Fully 85% of them live in the developing world and struggle to bear up under a double burden—not only their disabilities, but the terrible weight that always falls too heavily upon the poor of this earth. When we count in their family members, we can fairly say that more than a billion human souls are both mired in poverty and affected by disability.

If I may say so, a truly Rooseveltian challenge! One that FDR would recognize from his own bodily knowledge, in numbers he would insist we could handle if we tried. And I want to put it to you exactly that way. With some trepidation, but without hesitation. I believe there is a great opportunity here to pull together several strands out of this high drama about FDR and the UN, and tie them into a new and significant undertaking for the world's disability community. What's more, I believe this is the ideal moment to do so, precisely because of rising sensitivity and public response to those with disabilities — a new forthrightness as clear as the simple fact that, nowadays, I come before you as I am, in a wheelchair.

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### FDR MEMORIAL: NO SIGN OF HIS DISABILITY

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Consider, first, that those of us with disabilities do not now — as FDR worried he would then — scare people half to death. Public life, street life, daily life have changed for us, and the media — scrupulously portraying us for real. For those of us with disabilities, FDR's deception, however splendid in his day, is no longer right for our day. We strive to be open and undisguised about the truth of our lives, and only ask that others acknowledge that truth about us as well. That is why some of us have expressed deep concern that statuary planned for the FDR Memorial in Washington will reveal no sign of his disability. The famous Admiral's Navy cape is to be sculpted over his shoulder, but will then reach down to cover up any possible metallic glint of a leg brace or other support.

Perhaps that is how FDR would have wanted it, great thespian that he was. But such an evasion does not speak up for his personal triumph over disability, nor in any way depict how he overcame — and even used it — to become the greatest statesman with a disability of all time.

Surely more than one way exists to memorialize the FDR I have tried to portray here. During our lifetime attitudes have evolved so radically, contrasting the conditions that FDR daily lived with and those facing people with disabilities today. Why not create a living memorial as an annual award, that both acknowledges his disability and inspires progressive action to alleviate and ameliorate disability around the world?

Just as FDR has become a symbol of personal courage in challenging adversity, so would such an award memorializing his triumph be a symbol of the enduring world struggle to expand the participation of people with disabilities. Much has changed in 50 years, but what remains — and I hope will never change — is the lasting commitment FDR bequeathed to overcoming barriers of mind and body to maximum self-fulfillment. That is his legacy. People with disabilities — special heirs of FDR — see it as a living force, driving the global fight against discrimination as much in the 21st Century as it has since those fateful days in April 1945 when FDR died and the UN was born.

And how better to do that than through the world institution that he worked so hard to found? The United Nations was his last cherished dream, epitomizing his great hopes, shared by so many, for One World. But the UN also embodied his human sympathy, his abiding attendance upon those who suffer misfortune — his fellow polios or that one third of a Nation “unhoused, unclothed, unfed” or those rising peoples round the world. He did not live to see the UN brought to reality, even that first small step taken here at San Francisco in April of 1945. So why not remember FDR — for his triumph over his disability — through the United Nations? The vehicle already exists in the U.N. World Programme of Action Concerning Disabled Persons. Each year—from among its 185 member nations, the U.N. Secretary General, in FDR's name, would honor that member state in which significant national progress has been achieved toward enlarging participation of its citizens with disabilities.

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## THE FDR UNITED NATIONS AWARD

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I have proposed such an Award to the United Nations and to the Franklin and Eleanor Roosevelt Institute which oversees the Roosevelt Memorial at Hyde Park. Happily, both the UN and the Institute have welcomed the idea, and I am pleased to announce here today — at the birthplace of the United Nations on its golden anniversary — the first contribution, in the amount of \$50,000, to the FDR United Nations Disability Award Program.

We believe this to be a fitting memorial to the living FDR because it honors him for what he inspired and achieved around the world, even as he lived under his own physical burdens. He tried to keep them from us, but we saw through him. We saw through to the real, coping human being. FDR's disability was not only part of his grand persona, but became central to his leadership. It made him believable to people the world over, when they desperately needed to believe. His struggle and triumph over adversity inspired many millions to struggle and triumph over their adversity in the Great Depression and World War II.

What better way than this award to pay FDR tribute than to ensure that his memory will inspire other nations and peoples to triumph over disability? And even though he tried to deceive us, always the charmer, what more splendid way, fifty years later, to catch him out and recognize his true greatness? ♦

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## National Organization on Disability

The National Organization on Disability (N.O.D.) promotes the acceptance and full participation of America's 49 million men, women and children with disabilities in all aspects of life.

Founded in 1982, N.O.D. is the only nationwide network organization concerned with all disabilities, all age groups and all disability issues... and is supported entirely by private contributions from individuals, companies and foundations.

N.O.D.'s "Calling on America" Campaign, spearheaded by Jim Brady, Vice Chairman, improves public attitudes and inspires citizens to become involved in local disability initiatives.

N.O.D. works through a Community Partnership Program, a network of over 4,100 cities, towns and counties nationwide. It assists them in promoting, through voluntary action, opportunities for people with disabilities.

N.O.D. promotes expanded employment of people with disabilities through its Disability 2000-CEO Council, which involves over 250 business leaders and their companies.

N.O.D.'s Religion and Disability program assists congregations of all faiths to become more accessible and welcoming to people with disabilities.

Through its national survey program, N.O.D. provides timely disability data on attitudes and stereotypes so that public acceptance and full participation can be more readily achieved.





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**National Organization on Disability**

910 Sixteenth Street, N.W.

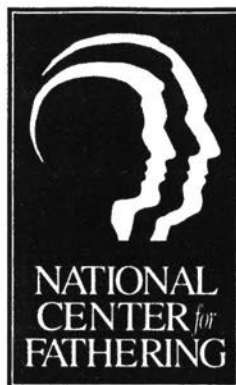
Washington, D.C. 20006-2988

(202) 293-5960 *Voice*

(202) 293-7999 *Fax*

(202) 293-5968 *TDD*

THE PRESIDENT HAS SEEN  
5-7-96  
Dear Mel  
Fyt - Bx  
should answer to him (Carmel)



## Reconciliation is Presidential

1/24/96

[ANNCR:] Whatever your politics, we can all learn a lesson about reconciliation from Bill Clinton. Here's Dr. Ken Canfield, best-selling author and president of the National Center for Fathering on *Today's Father*.

[KEN:] I don't know how much you know of Bill Clinton's past, but the part that fascinates me is his turbulent and yet reconciled relationship with his stepfather.

President Clinton's father died in an auto accident three months before Bill was born. The child, named William Jefferson Blythe, never knew the man who gave him life. He started life as a fatherless child.

When Bill was four, his mother married Roger Clinton, a car dealer. Later, Bill legally changed his last name to Clinton because, he said, "I wanted to bring solidarity to a troubled family." You see, Roger Clinton abused alcohol and abused his family, and his family suffered for it.

Things started to come apart when Clinton was fourteen. His stepfather -- drunk and angry -- was fighting with Bill's mother and younger brother. As the story relates, Clinton stepped between them. "You will never hit either of them again," he told his stepfather. "If you want them, you'll have to go through me."

The change began in 1967, when Bill Clinton, then a law student at Georgetown University, learned his stepfather was dying of cancer. For six weeks, Clinton drove the 250 miles from DC to Durham, North Carolina, every weekend to visit his stepdad.

Clinton later commented, "I think Roger knew that I was coming down there just because I loved him. There was nothing else to fight over; nothing else to run from. It was a wonderful time in my life, and I think in his."

From Clinton's mother, we hear more about what Bill did for his stepdad in the end. Roger got so that he was unable to care for himself. When he had to go to the bathroom, he just soiled his pants, which was most embarrassing for this well-dressed, dignified man. That's when Bill would bodily pick him up, take him to the bathroom, and save this man's dignity.

Charles Allen, Clinton's biographer, notes this: "Bill Clinton realized that it was up to him to bring a final reconciliation to their turbulent relationship."

Reconciling yourself to an alienated father is presidential.

This is Ken Canfield for *Today's Father*.

*Bill Clinton*

THE PRESIDENT HAS SEEN  
5-7-96

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Bob Johnson

Rep Mickey Kantor  
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w/ black business

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w/ Bob & Mickey

BC

*President of the United States*



*Bill Clinton*

THE PRESIDENT HAS SEEN

5/7/96

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BC

*President of the United States*



THE PRESIDENT HAS SEEN

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THE PRESIDENT HAS SEEN

*Happy Holidays and Best Wishes*

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THE PRESIDENT HAS SEEN  
5-7-96

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AM-New White House Walls, Adv27,1002

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Advance for Sat AMs of April 27 and Thereafter

Craftsmen Use Tools of History to Restore White House Walls

With Photos WX109-111

By LAWRENCE L. KNUTSON= Associated Press Writer=

WASHINGTON (AP) Outside the second floor sunburst-shaped window that tumbles light into Bill and Hillary Rodham Clinton's White House living room, electric saws and pneumatic drills cut crumbling sandstone from 200-year-old walls.

The chatter and buzz of stone cutting has been background noise for three presidents now, a constant daytime racket halted only by the visits of kings and prime ministers and the very worst weather.

So far, this historic restoration has taken more than twice the time it took craftsmen in the 1790s to build the White House in the first place.

These are the walls George Washington saw rising as he rode horseback through the new federal city. President John Adams and his wife, Abigail, were the first presidential couple to live behind them, moving into the still unfinished house in November 1799.

Some time this summer, the last new stone should be in place and the work finished after 16 years. This fall the west wall will be painted and the White House will be entirely white once more.

But for now, while President Clinton is master of the house inside the walls, the walls themselves are in the hands of a gray-bearded, perpetually white-capped Englishman of Irish descent named Patrick Plunkett.

At 62, Plunkett is a master stone carver who worked on the old stone of English abbeys and country houses and the cathedrals at Salisbury and Chichester.

Plunkett came to the White House in 1989 after years cutting and placing the stones and carving the gargoyles that completed Washington's National Cathedral.

The White House is not all that different.

"It's very similar to the work we were doing on the English cathedrals, even though that stone is 700 years old," Plunkett said, sitting at a table with his crew of four American stone carvers and cutters looking on.

"We're basically looking for badly eroded stone with no integrity anymore, stone so badly cracked you can knock lumps off with your hand," he said.

"You have to cut back to sound stone, take measurements and prepare templates, reproduce that stone exactly as it was, drill holes for stainless steel pins and set the stone back in place and secure it with liquid mortar."

Some of the replacement stones are tiny, a few square inches. Some are 40 inches long and 18 inches deep.

"When it's finished, you can't tell what is original and what's not," Plunkett said.

And if there has been years of work, and tons of cracked and broken stones to remove and replace, Plunkett says none of the fault can be placed on the original master builders.

Plunkett and his team follow in direct line from the band of Scottish stone masons, recruited in Edinburgh in the early 1790s, who cut and shaped this stone and used it to build the White House, block by sandstone block, all of it from a defunct quarry in Aquia Creek, Va.

"The professionals marvel at the stonework and the setting of the stone," says Gary Walters, the manager who runs the White House from behind the scenes, a job that carries with it the 19th century title of chief usher.

"The stone is so well set, so tight, it really is a miracle," Walters said.

So it wasn't their work at fault. Rather it's the soft and porous character of the sandstone they carved and the effects of two centuries of ice, heat, bruising storms and patchwork repairs that did more harm than

good.

The warning signs appeared in 1976 when paint applied to the White House for the bicentennial celebration peeled away in sheets. There were so many layers of paint underneath that a new coat would no longer adhere.

"We found up to 39 identifiable layers of paint," said Walters. "The Bureau of Standards said we had the entire history of American paint on the walls of the White House, from the original lime-based whitewash to lead-based to latex."

The paint was stripped, wall by wall, uncovering both the evidence of history and serious structural problems.

The history showed in the black scorch and smoke marks around many doors and windows, testimony in stone of the devastating fire set by British soldiers in August 1814 which gutted the interior of the White House.

"It's odd to be working on a place that one of my ancestors may have helped burn," stone carver Plunkett says.

The stone was repaired in stages after 1980, first on the east wall, then on the north and south with their familiar porticoes.

Congress has appropriated \$4.7 million for the job over the years along with a unique resource that has given the restoration an unexpected authenticity.

Plunkett and his crew were given free access to the piles of old stone removed from the U.S. Capitol building when the East Front was extended in the 1950s. It's from the same quarry as the White House stone, was cut the same time and was worked by many of the same Scottish masons as the White House stone it is replacing.

Those original White House masons left their mark on the stones they cut and carved and their successors are following suit.

But it would take an earthquake, or a future repair job, to expose to light their personal link to history.

William Seale, author of "The President's House", a two-volume history of the White House, explains the tradition: "If the mason was being paid by the job, he identified his work by cutting his mark with a chisel into the back or end of the last stone he set. Stonemason's trademarks or 'banker marks' appear in great number in the stone walls of the White House."

"I like to keep the old traditions of the trade, and this is one way to do it," Plunkett says.

End Advance Saturday AMs April 27

\*\*\*\* filed by:APE(-- ) on 04/23/96 at 13:05EST \*\*\*\*  
\*\*\*\* printed by:WHPR(JEL) on 04/24/96 at 08:20EST \*\*\*\*



Betsy Myers

THE PRESIDENT HAS SEEN

5-6-96

MAY 2, 1996

96 MAY 3 P5:52

MEMORANDUM FOR THE PRESIDENT

FROM: BETSY MYERS

SUBJECT: Additional Support for H.R.1833 Veto

In just the last week the following four developments came to my attention regarding support for the Administration's pro-choice policies.

1st:

Governor Whitman's Comments from her April 27th appearance on *Inside Politics* demonstrate support for the H.R.1833 veto and for Pro-Choice policies within the Republican Party. Her stand was courageous like yours. Her message, not very different from ours, seems to be one that resonates with women on both sides of the aisle. Emphasizing unwanted pregnancies provides an opportunity to amplify this Administration's commitment to reducing teen pregnancy, encouraging family planning and facilitating adoption.

(The interview with Wolf Blitzer and Governor Whitman opened with questions about whether Governor Whitman would join the Dole ticket and then the conversation switched to a discussion about reproductive choice. The following excerpt is selected from the questions concerning that topic.)

**Blitzer:**

Given the social conservatives in the Republican Party, can he(Dole) pick someone (for VP) who supports a women's right to have an abortion?

**Whitman:**

Absolutely. I believe that without question. The majority of the party believes that you can differ on this--that good and honest people differ on that issue--that is not a political litmus test and that even those who are pro-life versus those who are pro-choice can support candidates on either side.

**Blitzer:**

Did President Clinton do the right thing when he vetoed the late term abortion legislation?

**Whitman:**

I would have supported that--not because I think the technique is any thing that we want to see--but because it is only used in cases that are extreme medical emergencies, and I hate to have government determining for a doctor what procedure they can do when there really are good medical reasons to do something. It



is so rarely used that is not the issue. We ought to be focusing on--we should be focusing on preventing pregnancies. Period. The end.

**Blitzer:**

So do you think the President did the right thing by vetoing the legislation?

**Whitman:**

I would have supported the veto.

2nd:

My office has received several encouraging calls from previously equivocal pro-choice republican women leaders.

  
These women want to spread the word that all that stands between them and an anti-choice Congress is you. Each of these callers has sited your veto of H.R.1833 as courageous. These callers felt that your focus on the women actually affected by the legislation underscored your principled leadership and illustrated your Presidency as essential to their pro-choice agenda. I have set up a meeting later this month with Marcy Love, founder of Personal Pac and was a leading organizer of Pro-Choice Republican Women for Clinton/Gore in 1992. We are working on a strategy with her to reach republican Pro-Choice women. You may remember that she is one of the women who participated in the round table with you on December 13, 1995.

3rd:

*Maule*  
The Los Angeles Times ran a response (see attached) to the April 12, 1996 opposition commentary by Helen Alvare. We worked very closely with Vicki Saporta, Executive Director of the National Abortion Federation, to ensure that the misinformation in Ms. Alvare's piece was answered promptly and directly.

4th:

*Sharing with her  
back  
\* Comm Sec  
her letter*  
Adele Simmons, President of the MacArthur Foundation, one of the six largest social policy foundations in the world, contacted my staff to let us know how moved she was by your courageous veto as she herself was faced with such a tragic choice. She has passed on a letter in support of your veto for your attention that she submitted to the Editorial page Editor of The Chicago Tribune. The MacArthur Foundation holds over three billion dollars in assets, gives away one hundred and forty million dollars yearly, and is the largest funder of mental health programs outside the federal government. They are generously funding a program to bring the voices of the people working on affordable housing, education, community policing, the arts, the environment, violence against women programs, and programs to benefit at-risk children to the media during the Convention in Chicago.

SUNDAY, APRIL 28, 1996

LOS ANGELES TIMES

## LETTERS TO THE TIMES

### Abortion Veto

I take exception to Helen Alvare's commentary (April 12), regarding the president's veto of HR 1833, a bill that would ban a safe surgical method used in some later abortions. I was present when the president met with the women who had had this procedure and listened to their stories. The president was genuinely moved by the losses these families had suffered and by their courage in coming forward. Alvare's assertion that the president "used" these five women is particularly insulting to all those who came forward voluntarily when they heard how this procedure was being misrepresented.

President Clinton vetoed the bill because, as these women's cases demonstrated, the procedure it would have banned can be medically necessary to protect a woman's health. He and members of Congress heard from leading physicians in opposition to this legislation.

I wish the proponents of the bill would deal with the facts, instead of trying to ignore, demean and trivialize the tragedies faced by the families who spoke out after the veto. They know the truth about the procedure that it is compassionate, humane and medically necessary.

VICKI SAPORTA  
Executive Director  
National Abortion Federation  
Washington



# EDUCATION

To: The President  
From: Ann Lewis

*Emerson* 4/15/96

The Calif party wants you  
to know they used our message /  
theme throughout - See back  
cover, page 10 and other  
education features.

THE PRESIDENT HAS SEEN  
5-6-96

ok to send  
original brochure to  
Emerson  
5-7-96  
yes no



## INVESTING IN OUR FUTURE

CALIFORNIA  
DEMOCRATIC STATE CONVENTION  
APRIL 12-14 1996 LOS ANGELES



8 MAY 8 P3:51



*Staff Sec.*

DIVISION OF BLUE RIBBON LAUNDRY, INC.  
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MIAMI, FLORIDA 33142

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

April 30, 1996

Dear Mr. President,

As a new member of the Democratic Business Council I was honored to meet you at the private reception at the Biltmore last night although I must tell you I was very disappointed in your speech.

I joined the council because of the Democratic party's, and especially your commitment to the fight against AIDS and equal rights for all Americans regardless of sexual orientation.

I can appreciate the main focus of your visit to Miami was the war on drugs (which, by the way, directly impacts the war against AIDS), the environment, and the economy.

I believe in my heart that you do have a strong dedication to fight AIDS as well as a non-discrimination policy for all Americans. We suffered twelve years of a Republican presidency where these issues were almost never mentioned. I hope in this election year you will not retreat from these still "unpopular" issues as you continue to address the other problems affecting this great country.

I hope my commitment to your re-election as well as returning Congress to the principles endorsed by the Democratic Party will be based on your pro-active stance as opposed to having to choose between the lesser of two evils.

I look forward to attending the convention in Chicago celebrating your nomination. With your leadership and guidance on these important issues we can continue to make America a better place for all Americans.

Sincerely,

*Mark S. Steinberg*  
Mark S. Steinberg  
President

cc: Democratic National Committee

*From the Oval*

*Send to Stacey Forster (Political)*  
*For reply?*

*Yes* ☒  
*No* ☐

*5-7-96*  
*Original to*  
*Forster. 5/6/96*

THE WHITE HOUSE  
WASHINGTON, D.C. 20500

DATE: 5-7-96

TO: Elena Kagan 

FROM: Staff Secretary

Per your request.

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

May 2, 1996

REMARKS BY THE PRESIDENT  
IN VETO OF PRODUCT LIABILITY BILL

The Oval Office

2:43 P.M. EDT

THE PRESIDENT: Good afternoon. Before I make the announcement I invited you here for today, I want to congratulate the Department of Justice on the success of the Zorro 2 antinarcotics operation that Attorney General Reno announced a couple of hours ago today.

Zorro 2 targeted a Mexican-run cocaine smuggling and distribution network in the United States and the Colombian cartel with which it worked. It dismantled both the organization that owned the cocaine and the organization that ran the transportation system, locking up more than 100 individuals across the country, seizing almost 6,000 kilograms of cocaine and a thousand pounds of marijuana.

Critical to the success of this multistate operation which is a part of our southwest border initiative was the cooperation of over 40 state and local police agencies, the DEA, the FBI and several other federal agencies all across the country. They combined their resources and their expertise to take down this extensive drug organization.

Today's arrests are another big victory in the fight against illegal drugs, the fight to keep them off our streets and out of the hands of our children. On behalf of the American people I want to thank our law enforcement officers for a job well done.

Today I am returning to Congress without my signature the product liability legislation sent to me this week. I take this step because I believe this bill tilts against American families and would deprive them of the ability to recover fully when they are injured by a defective product.

I am eager to sign legislation to make our legal system work better at less cost in a fair way. But this bill would hurt families without truly improving our legal system. It would mean more unsafe products in our homes. It would let wrongdoers off the hook. I cannot allow it to become law.

One of my duties as President is to protect the health and safety of our people. Parents should know the toys their children play with are safe. Families should know the cars they drive will not explode upon impact. Our grandparents have a right to know the drugs and the medical devices they use will not injure them. It is a hallmark of our system of justice that when a product produces injury or death a family has the right to try and recover its losses. And if someone endangers the health of the public, the or she should be held responsible. I believe we can protect these rights even as we curb frivolous lawsuits.

Let me be clear: We do need legal reform. America's legal system is too expensive, too time-consuming, and does -- does -- contain too many frivolous lawsuits.

MORE



As Governor of Arkansas, I signed several tort reform bills into law. In 1994, I signed legislation in this room to limit the liability of aircraft manufacturers in what I thought was a reasonable and prudent way. We've worked hard to lift the burden of regulation and red tape from business. We cut 16,000 pages of federal rules, giving a break to small businesses and working for results. I believe we can help the business community in this country without hurting ordinary Americans. But any legal reform must be carefully crafted so that the interest of consumers and businesses are fairly balanced.

For a year I tried to work with Congress to write such a balanced bill. I made it very clear what I would accept in such legislation and what I could not support. When the United States Senate passed product liability legislation, it was clearly an improvement over a much more extreme House bill. I still had a couple of objections to it, which I made very clear. And I expressed the hope that in the conference we could resolve those objections so that a bill would be sent to me that I could sign.

Instead, in the conference, the bill moved back toward the House bill in a couple of respects, and perhaps even worse, included some things which were not included in either the Senate or the House bill, but, as too often happens in Washington, were put into the final conference version.

This bill is opposed by the American Cancer Society, the Heart Association, the Lung Association, Mothers Against Drunk Driving, and our friend, Sarah Brady -- where is she, behind me -- and the Handgun Control people. It is opposed by every major consumer and senior citizen group. It is opposed by state legislators and state judges. I'm proud to be joined today by the Attorney General of Mississippi, Mike Moore, who opposes it. These are mainstream, Main Street groups, and I believe they are right.

The legislation would make it impossible to recover fully for noneconomic damages. This is especially unfair to senior citizens, women, children who have few economic damages and poor people who may suffer grievously, but because their incomes are low have few economic damages. It would arbitrarily cap punitive damages which are paid by a corporation that has engaged in egregious conduct, such as knowingly making or selling the public a dangerous product. A cap on punitive damages can reward wrongdoers and diminish the deterrent impact of punitive damages.

And if a jury, for example -- and many juries are being asked to consider this today -- should ever issue a finding that tobacco companies have been not truthful with their customers, this legislation would limit the ability of juries to impose punitive damages on those companies.

And in a provision added in the conference, the legislation would bar the courthouse door to some consumers altogether if they are unlucky enough to be hurt by a product that is 15 years old, even if it's supposed to last more than 15 years. That is the case with two of the people who are in this room today. In the worst provision added to the conference, it would bail out a gun dealer, for example, who knowingly sells a felon a gun, or a bar owner who knowingly sells a drunk another beer before he or she hits the road. And I might say, that is why Sarah Brady is here today.

This was supposed to be a product liability bill. This provision has nothing -- I reiterate -- nothing to do with the manufacture of products that subsequently prove defective and injure people. It shouldn't even be in this bill, and that is probably why it was put in at the 11th hour in the conference without any hearing in the Senate or the House.

I should also point out that there has been a lot of talk in this Congress about the importance of giving responsibilities back to the states. That apparently does not apply to laws relating to the civil justice system. This bill overrides the laws of all 50 states, in spite of the fact that 40 of the 50 states in the last 10 years have acted on their own to reform the tort laws, and more than 30 of them have acted in the area of product liability.

So it seems that the Congress is willing to override state laws if they conflict with this bill -- but only, I might add, if the state laws are more favorable to the consumers. Now, if the state laws are less favorable to the consumers than this bill they can stand.

This legislation is arcane, complex; it has a lot of legalisms and loopholes in it. But the real fact is it could have a devastating impact on innocent Americans who can presently look to our system of justice for recovery. Several of them are with me today.

Janey Fair lost a daughter when her school bus burst into flames because the manufacturer wouldn't install an inexpensive safety measure. The bus was hit by a drunk driver with no money. Because she could rely on joint and several liability she could bring a lawsuit. This is the sort of thing that would be changed as it relates to noneconomic damages in this law.

The problem is that children have hardly any economic damages. They're not out there earning money. Poor people may have just as much life expectancy left as you or I, but their economic damages would not be as great, no matter how great their human loss.

Carla Miller was left with her children after her husband was killed when his tractor rolled over. Jeanne Yanta lost the ability to have children after she used a contraceptive that the manufacturer knew was dangerous. Every one of these people is a hard-working American citizen who is law-abiding, tried to do the right thing by their families. Every one would have been prevented from fully recovering for their losses, or in some cases, those who committed civil wrongs would escape full punishment if this bill were to become law.

I continue to believe that if we were to work together in a bipartisan and open fashion we can craft the right kind of legal reform. I am still willing to do it. Congress knows well my specific positions. If it will send me a balanced bill that cuts back on frivolous lawsuits while being fair to families, that gives manufacturers more predictability but doesn't bail out real wrongdoers, I would sign such a bill without hesitation.

But this bill does not do that. And because of the changes that were made in the Senate bill moving away from rather than toward the specifics that I asked for, and because of things that were put into the conference that were not even a part of the House bill, much less the Senate bill, I have no choice but to veto it. And that is what I have done today.

Q Mr. President, I'm sure you've heard that the Republicans are heaping criticism upon you, saying this veto is a payback to the Trial Lawyers Association whose members have contributed heavily to your reelection. Your response?

THE PRESIDENT: Well, I know they've said that. I think you should go back to them and ask them how they could justify depriving Americans who are just like these people of the right to recover for their injuries. And ask them if they really believe that our economy is so fragile that we have to strip from these people the

right to be made whole in order to continue to make our economy go forward.

Just today, we learned that in the last quarter our economy grew at 2.8 percent. We have the lowest unemployment of any advanced economy in the world except for Japan. And many people believe as a practical matter it's even lower than that nation's. I do not believe that we have to have a legal system which shuts the door on the legitimate problems of ordinary people in order to get rid of frivolous lawsuits and excess legal expenses. And I think that we ought to ask those folks that.

You know, before I got into being an elected official, I taught law. I studied the Constitution. I have sat in courtrooms and seen the faces of people who come in there full of fear, full of uncertainty and full of their own hurts. And so it just seems to me that before they notch this one up as a special interest vote, I would just say two things: One is I made it clear that I would sign legislation that the Trial Lawyers Association did not agree with. I made that abundantly clear. I made my position clear. Two, what is their answer? Can they really look at these people in the face and say, boy, our economy needs it so badly that I don't want anybody who's like you in the future to be able to recover and be made whole the way you were.

And if they -- I'll be glad to have the special interest discussion with them if they first say, it is fine with me if these people, people just like these people in the future, cannot be made whole. They need to answer on the merits before they get to the accusations.

Q Your critics say that you're resisting cutting the gas tax. Is that accurate?

THE PRESIDENT: Well, first of all, I believe that the better tax cut for Americans is to give people a deduction for the cost of education after high school and to give them a deduction for the cost of raising their children. It's a lot more money. And it's for a more compelling reason.

The gas tax did not drive up the cost of gasoline. After the gas tax was put in and all dedicated to deficit reduction in 1993, gas continued to go down for a year. And we have taken steps to bring the price of gasoline down. We are moving aggressively on that, and it's beginning to work.

Now, if the Congress wants to repeal the gas tax, then it ought to be done -- I'll say again -- in the context of deficit reduction. They ought to come in here and we ought to figure out what our balanced budget plan is; we ought to put our common savings together; we ought to have a tax program -- a tax relief program -- that we can afford, and we ought to do it. I would be happy to talk with them about this.

But I think just to sort of out of the blue say we're going to add \$30 billion to the deficit instead of talking about what the best kind of tax relief for America's families is and how we're going to do it in the context of balancing the budget is not a responsible thing to do. But I'm happy to talk to them about it. But we have to do it, aware of its consequences and of the choices which it will impose upon us. And I think we ought to come in and start these budget discussions, and if they want that to be a part of it, it's fine with me. I'll be glad to talk to them. I'm not shutting the door on that.

Q Mr. President, in that vein, you've been keeping up pressure on Senator Dole now for at least a good week to come in here



and talk with you about the balanced budget. Why isn't that working would you say? How long are you going to keep --

THE PRESIDENT: Well, I don't know. You'd have to ask him that, because, if you remember, the first day I asked for them all to participate again, he suggested that the two of us ought to do it, and then through Mr. Panetta, I accepted. So I'm willing to meet with them under any circumstances and try to get -- I'll meet with him alone, I'll meet with the leadership, I'll meet with a bipartisan, broader group. I just think that we need to understand that whenever we have worked together, good things have happened.

You look at the -- we've got the telecommunications bill. We've got the terrorism bill. We got this year's budget. I would have signed a budget I signed last week on the first day of the budget year, six, seven months ago. We've got the bill on lobbying reform. Whenever we work together, we can still make good things happen, and we don't need a work stoppage here before the election. And we don't need bills just to be -- we don't bill, veto bill, veto bill, veto. We need to work together and pass legislation that I can sign and keep moving the country forward. Then we'll have conventions this summer and there will be lots of times for the campaign.

I'll take one more.

Q Mr. President, you just suggested you would not sign this bill in part because it would overrule the 50 state laws, but wouldn't any product liability reform overrule the --

THE PRESIDENT: Yes, it would. But I want to point out, it's different from like the securities law issue where, essentially, I approved the bill except for the changes that were made in the conference that nobody ever debated. And I made that clear. And that's an area of federal law.

There is a general feeling among people around the country that there are too many frivolous lawsuits. The only point I'm making is that the states have moved to try to address this. As a result of that, there have been 40 states that have acted in the area of tort reform. And I believe this is right, there may be more, but there have been at least 30 states that have specifically taken action in the area of product liability.

I just pointed out that it is ironic that the Congress which said that what it wanted to do was to give power away from the states, in this area wants to take the power away from the states. At least they want to take it away one way.

Yes, if you have any federal standards, they will, to some extent, erode state law. I'm prepared to do that to a limited extent to get rid of frivolous lawsuits. But I think we ought to be aware of the fact that this country has functioned pretty well for 200 years by being very reluctant to do that and letting the states handle that area of our law.

Now, in areas of national commerce, like the securities laws, the federal government has been very active. In other areas, the federal government hasn't been so active. So it just is another argument for being careful in this area.

It's not like the states have been asleep for the last decade. It's not like they never debated this, not like they never made any decisions. They've been quite active in this area. We can go further. I am prepared to do it. But I think -- I am just bringing it out as a reason for further caution.

Thank you very much.

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

May 2, 1996

TO THE HOUSE OF REPRESENTATIVES:

I am returning herewith without my approval H.R. 956, the "Common Sense Product Liability Legal Reform Act of 1996."

I support real commonsense product liability reform. To deserve that label, however, legislation must adequately protect the interests of consumers, in addition to the interests of manufacturers and sellers. Further, the legislation must respect the important role of the States in our Federal system. The Congress could have passed such legislation, appropriately limited in scope and balanced in application, meeting these tests. Had the Congress done so, I would have signed the bill gladly. The Congress, however, chose not to do so, deciding instead to retain provisions in the bill that I made clear I could not accept.

This bill inappropriately intrudes on State authority, and does so in a way that tilts the legal playing field against consumers. While some Federal action in this area is proper because no one State can alleviate nationwide problems in the tort system, the States should have, as they always have had, primary responsibility for tort law. The States traditionally have handled this job well, serving as laboratories for new ideas and making needed reforms. This bill unduly interferes with that process in products cases; moreover, it does so in a way that peculiarly disadvantages consumers. As a rule, this bill displaces State law only when that law is more favorable to consumers; it defers to State law when that law is more helpful to manufacturers and sellers. I cannot accept, absent compelling reasons, such a one-way street of federalism.

Apart from this general problem of displacing State authority in an unbalanced manner, specific provisions of H.R. 956 unfairly disadvantage consumers and their families. Consumers should be able to count on the safety of the products they purchase. And if these products are defective and cause harm, consumers should be able to get adequate compensation for their losses. Certain provisions in this bill work against these goals, preventing some injured persons from recovering the full measure of their damages and increasing the possibility that defective goods will come onto the market as a result of intentional misconduct.

In particular, I object to the following provisions of the bill, which subject consumers to too great a risk of harm.

First, as I previously have stated, I oppose wholly eliminating joint liability for noneconomic damages such as pain and suffering because such a change would prevent many persons from receiving full compensation for injury. When one wrongdoer cannot pay its portion of the judgment, the other wrongdoers, and not the innocent victim, should have to shoulder that part of the award. Traditional law accomplishes this result. In contrast, this bill would leave the victim to bear these damages on his or her own. Given how often companies that manufacture defective products go bankrupt, this provision has potentially large consequences.

more

(OVER)



This provision is all the more troubling because it unfairly discriminates against the most vulnerable members of our society -- the elderly, the poor, children, and nonworking women -- whose injuries often involve mostly noneconomic losses. There is no reason for this kind of discrimination. Noneconomic damages are as real and as important to victims as economic damages. We should not create a tort system in which people with the greatest need of protection stand the least chance of receiving it.

Second, as I also have stated, I oppose arbitrary ceilings on punitive damages, because they endanger the safety of the public. Capping punitive damages undermines their very purpose, which is to punish and thereby deter egregious misconduct. The provision of the bill allowing judges to exceed the cap if certain factors are present helps to mitigate, but does not cure this problem, given the clear intent of the Congress, as expressed in the Statement of Managers, that judges should use this authority only in the most unusual cases.

In addition, I am concerned that the Conference Report fails to fix an oversight in title II of the bill, which limits actions against suppliers of materials used in devices implanted in the body. In general, title II is a laudable attempt to ensure the supply of materials needed to make life-saving medical devices, such as artificial heart valves. But as I believe even many supporters of the bill agree, a supplier of materials who knew or should have known that the materials, as implanted, would cause injury should not receive any protection from suit. Title II's protections must be clearly limited to nonnegligent suppliers.

My opposition to these Senate-passed provisions were known prior to the Conference on the bill. But instead of addressing these issues, the Conference Committee took several steps backward in the direction of the bill approved by the House.

First, the Conference Report seems to expand the scope of the bill, inappropriately applying the limits on punitive and noneconomic damages to lawsuits, where, for example, a gun dealer has knowingly sold a gun to a convicted felon or a bar owner has knowingly served a drink to an obviously inebriated customer. I believe that such suits should go forward unhindered. Some in the Congress have argued that the change made in Conference is technical in nature, so that the bill still exempts these actions. But I do not read the change in this way -- and in any event, I do not believe that a victim of a drunk driver should have to argue in court about this matter. The Congress should not have made this last-minute change, creating this unfortunate ambiguity, in the scope of the bill.

In addition, the Conference Report makes certain changes that, though sounding technical, may cut off a victim's ability to sue a negligent manufacturer. The Report deletes a provision that would have stopped the statute of limitations from running when a bankruptcy court issues the automatic stay that prevents suits from being filed during bankruptcy proceedings. The effect of this seemingly legalistic change will be that some persons harmed by companies that have entered bankruptcy proceedings (as makers of defective products often do) will lose any meaningful opportunity to bring valid claims.

Similarly, the Conference Report reduces the statute of repose to 15 years (and less if States so provide) and applies the statute to a wider range of goods, including handguns. This change, which bars a suit against a maker of an older product even if that product has just caused injury, also will preclude some valid suits.

more



In recent weeks, I have heard from many victims of defective products whose efforts to recover compensation have been frustrated by this bill. I have heard from a woman who would not have received full compensatory damages under this bill for the death of a child because one wrongdoer could not pay his portion of the judgment. I have heard from women who have filed suits against makers of defective contraceptive devices and who are concerned that the punitive damages awarded in those suits -- forced to remove defective products off the market, in a way that this bill's cap on punitive damages would make much harder. I have heard from people who have been injured by products more than 15 years old, who under this bill could not bring suit at all.

Injured people cannot be left to suffer in this fashion. Furthermore, the few companies that cause these injuries must not be left, through lack of a deterrent, to engage in misconduct. I therefore must return the bill that has been presented to the President. This bill would undermine the ability of courts to provide relief to victims of harmful products and thereby endanger the health and safety of the entire American public. There is nothing but common sense about such reforms to product liability law.

WILLIAM J. CLINTON

THE WHITE HOUSE,  
May 2, 1996.

# # #



EXECUTIVE OFFICE OF THE PRESIDENT  
COUNCIL ON ENVIRONMENTAL QUALITY  
WASHINGTON, D.C. 20503

THE PRESIDENT HAS SEEN

5/6/96

May 3, 1996

96 MAY 3 P8:50

MEMORANDUM FOR THE PRESIDENT

FROM: KATHLEEN A. MCGINTY *Kathleen McGinty*

CC: LEON PANETTA

RE: CEQ WEEKLY REPORT

D'AMATO'S ATTACK ON GINGRICH

In press statements and on a radio show interview this morning, Senator Alfonse D'Amato (R-NY) attacked Speaker Newt Gingrich for an environmental agenda that has "already hurt Republicans." Senator D'Amato said the House Republican agenda "sent the wrong message"; that voters "want lower taxes and less spending, but not dirty drinking water." I have attached an article for your review.

*agrees with sum  
you discuss  
this w/  
Ann Lewis*  
[We need to make clear that it is not just the Gingrich environmental agenda that is hurting Dole; it is the Dole environmental agenda that is hurting Dole.]

TAKINGS

*Learn:*  
[We will send to the Hill today strong letters of opposition from the agencies to Senator Dole's radical takings legislation. Senator Dole has floor time scheduled for the bill next week, but it is unclear that he will actually move it. In the event that it does move, we have a Statement of Administration Policy prepared that reiterates your intention to veto it.]

*Someone  
should have  
told me this  
before I talked  
to them - I  
now know what  
meant*  
Dole has received strong pressure from both Republicans and Democrats not to move this bill. They acknowledge that it is an extreme measure and Republicans, in particular, do not want to suffer another bruising on the floor.

Anticipating the bill, many papers have already editorialized against it. But, Dole seems driven by commitments to the National Realtors Association. They have been the fourth largest contributors to his campaign, and he promised them in a speech on Monday that he would bring it to the floor. Attached is an article for your review.

SHRIMP EMBARGO

Wednesday, pursuant to federal court order, the U.S. government embargoed imports of some types of shrimp from more than 30 countries. The embargo implements the provisions of a 1989

## THE PRESIDENT HAS SEEN

5-6-94

statute that prohibits the import of shrimp harvested with technologies that harm endangered sea turtles.

The economic impacts of this embargo may be considerable. Although estimates vary, the agencies believe that imports worth about \$500 million annually will be affected. Domestic shrimpers (who have long been required to use turtle-safe technologies, known as "TEDs") will be able to make up some of the supply. However, industry sources estimate price increases for some types of shrimp in the range of 25-50%. Regional impacts will vary, with Gulf shrimpers gaining business and processing plants in some areas suffering.

The environmental impact of the embargo will depend on how quickly the TEDs technology can be disseminated. TEDs are relatively cheap and simple to use, and several major shrimp-importing countries have indicated a willingness to require their use in the past several weeks. Several agencies are planning to provide technical assistance and training. Sea turtles are endangered in many regions around the world.

To date, media and Hill interest in this issue has been light, but we expect it to grow in the weeks ahead. Senator Wendell Ford (D-KY) and a major Kentucky-based restaurant chain are reportedly exploring legislation that would extend the date for compliance with the statute. Senator John Breaux (D-LA), the initial sponsor of this legislation, is reportedly opposed to any change in the statute.

### FERC OPEN ACCESS RULE

The Federal Energy Regulatory Commission (FERC) final rule providing open access to wholesale electricity transmission continues to attract controversy. Opponents of the rule in the Northeast, such as Governor Whitman, argue that the Environmental Impact Statement (EIS) is inadequate because it does not require FERC to mitigate emissions from the Midwest. They are increasingly asking EPA to refer the rule to CEQ under a formal NEPA process, and EPA is seriously considering this by a May 13 deadline. Their hope is the referral would present a sufficient legal threat to the rule that Midwestern utilities would agree to voluntary emission reductions.

CEQ believes a referral presents many potential problems. First, the referral would threaten a rule that offers billions of dollars a year in reduced electricity bills to consumers and is strongly supported in states like Ohio. Second, the NEPA process would not yield a clean air agreement before the end of the year with the result that the Administration could still be open to attack. An alternative that CEQ is pursuing through an interagency process is to announce a package of actions strongly supported by EPA and DOE, that uses existing authorities such as the Clean Air Act.

### NEW WORLD MINE

The owners of the New World Mine, Noranda Inc., held its annual stockholders meeting in Toronto last week news stories in The Toronto Star, The Financial Post, and The Globe and Mail that highlighted amid the growing opposition to the New World Mine. The Toronto Star



specifically noted your concerns about it and your commitment that the mine would have to meet a very high environmental standard.

The New World Mine overshadowed the company's report to their shareholders and the Noranda Chairman is quoted as saying, "It's a bit of a public relations problem, we'd acknowledge that."

Two American environmental groups, American Rivers and Beartooth Alliance, were given proxies and attended the annual meeting. They urged the company to abandon the project and their statements got the most press. While the company told the press that they remain committed to the mine, our negotiations with the company are continuing. In fact, the company is agreeable to stepping up the pace in order to wrap up an agreement by June.

*Must do*  
As you know we are working hard to keep our plan quiet. The next two to three weeks will be an intense negotiating period. Our negotiators know our commitment to have an agreement by June, but there remain several issues that must be resolved. One of the most complex issues that remains is the extent of existing contamination on the site. We need to ensure that the U.S. does not get stuck with a clean-up bill that belongs to the company. I continue to believe we can reach an agreement. I have attached articles from the Canadian newspapers for your review.

#### FOREST ISSUES

Senator Larry Craig (R-ID) is trying to push through a "forest health" bill which would raise many of the same problems as the timber rider we are trying to repeal! Democratic Senators are considering a strategy to address this issue. We are urging those members to support the Murray bill. As you will recall, the Murray amendment was defeated as an amendment to the appropriations bill. However, I have talked to Senator Murray, and she believes - as do I - that it would make sense to counter Senator Craig's bill with a bill that has already gotten the support of 42 Senators and 17 environmental organizations.

#### SUPERFUND NEGOTIATIONS

*any chance getting NRPA or other SWB groups to support Superfund*  
We are continuing very positive negotiations in the Senate, and less productive negotiations in the House, on comprehensive Superfund reform legislation. Both House and Senate discussions may now be approaching an impasse over issues of liability. (The Republicans continue to favor repeal of Superfund's "polluter pays" principle for pre-1987 or pre-1980 waste -- proposals that would cost billions more annually). In the House, we have just received the Republican "response" to our counterproposal on liability, which would eliminate liability for more than 40,000 small businesses, municipalities, and small contributors at Superfund sites at a fairly considerable cost to the Superfund. Their response consists primarily of reiterating unaffordable and unacceptable proposals that the relevant committee chairmen have had on the table since May.

#### SAFE DRINKING WATER

Our differences with the Republicans are narrowing in negotiations on the House Safe Drinking Water Act bill (the Administration-supported Senate bill passed 99-0 in November). The House

5-6-96

Republicans have now accepted our standard-setting language, which has been one of the most bitterly partisan issues. EPA also has succeeded in getting the House to agree to a number of provisions that are improvements over the Senate bill, so we expect an acceptable bill to result from any conference.

Even so, we are working with House Democrats on floor amendments that will highlight the areas where we support greater public health protections than the House Republicans. Speaker Gingrich is feeling under enormous pressure to pass an acceptable bill, especially in light of Senator D'Amato's recent comments on Gingrich's agenda.

#### ALTERNATIVE DISPUTE RESOLUTION

- ✓ CEQ kicked off a project to stimulate the use of alternative dispute resolution (ADR) in the context of environmental disputes, particularly in regards to the National Environmental Policy Act. Representatives from the Department of the Interior, the Federal Aviation Administration, the Federal Highway Administration, the Forest Service, the Bureau of Reclamation, the Corps of Engineers, and other agencies attended the briefing on ADR and were interested in pursuing the use of ADR to reduce conflict within their own programs.

*Summed  
up this*

THE PRESIDENT HAS SEEN

5-6-96

*Send Mr. White  
Article to HRC/CDP*

# WEEKLY ECONOMIC BRIEFING OF THE PRESIDENT OF THE UNITED STATES

Prepared by the Council of Economic Advisers  
with the assistance of the Office of the Vice President

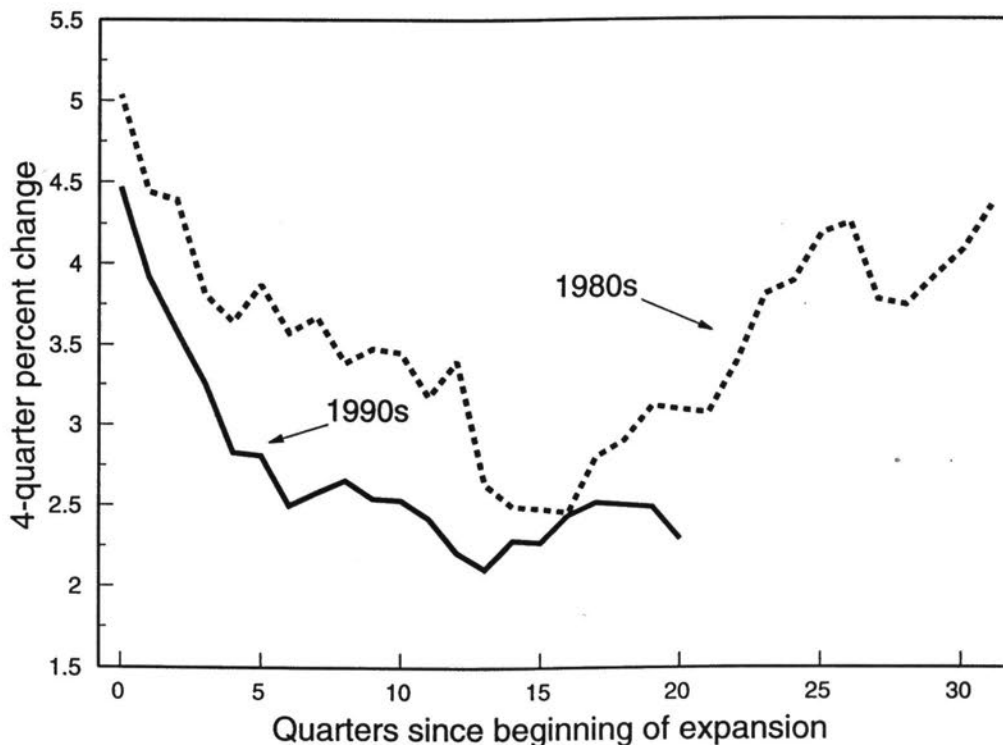
May 3, 1996

*front page + TOC  
+ Health Article  
to HRC + Rasco  
Entire report to  
Stiglitz*

96 MAY 3 P7:25

## CHART OF THE WEEK

Inflation During Economic Expansions



Inflation, as measured by the GDP price index, has been lower throughout the current economic expansion than during the expansion of the 1980s. Despite recent increases in commodity prices, the expansion showed little evidence of price pressure as it passed the 5-year mark last month, in contrast to rising inflation at this juncture during previous expansions. Remarkably stable inflation has been a hallmark of the ongoing expansion. A Special Analysis in this issue of the Weekly Economic Briefing compares economic growth during the current expansion with growth during the 1980s.



whole office  
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## ARTICLE

### **Reforming Health Insurance Markets: States' Recent Progress**

The Kassebaum-Kennedy bill would expand access to and improve the portability of health insurance for millions of American workers, particularly those living in states that have instituted few or no health insurance reforms. In the past few years, however, many states have instituted much more comprehensive reforms, concentrating on those markets that generally do not work well without regulation: the small-group and individual health insurance markets.

**Reforming the small-group health insurance market.** Almost all states have passed legislation reforming the small group commercial insurance market, most within the past 5 years. States vary in their definition of a small group, but generally have an upper limit of 50 members. These reforms have typically included the following elements (see map on page 6).

Guaranteed issue. Thirty-seven states have some provision requiring insurers to offer coverage to any small group regardless of health status. In many of these states, insurers are only required to offer 1 or 2 policies to all applicants (typically a standard plan and/or a "bare bones" policy).

Pre-existing condition limitations and portability. Forty-five states limit the maximum period of time that an insurer can exclude a new policyholder in a small group from coverage for pre-existing conditions. These states also allow workers who switch jobs or insurers to have continuous coverage without fulfilling new waiting periods for pre-existing conditions.

Rating restrictions. Most states that regulate the small group market impose some restrictions on premiums:

- Twenty-nine states impose relatively loose standards on premiums. The majority of these states require only that the premium charged to the sickest group can be no more than two times that charged the healthiest group. Some of these states simply limit the total amount of premium variation. (For example, in North Dakota, the highest premium for a particular group policy can be no more than four times the lowest premium for that same policy.)
- Seventeen states allow no or very limited premium variation based on health status, experience, or duration. Most of these states also limit the extent to which premiums can be based on other factors like age or gender. (Barring age as a factor in setting premiums may lead younger workers to not purchase health insurance.)

## THE PRESIDENT HAS SEEN

5-6-96

**Reforming the individual health insurance market.** Many states also have instituted significant reforms in the individual health insurance market (see map on next page). These reforms typically include 3 elements.

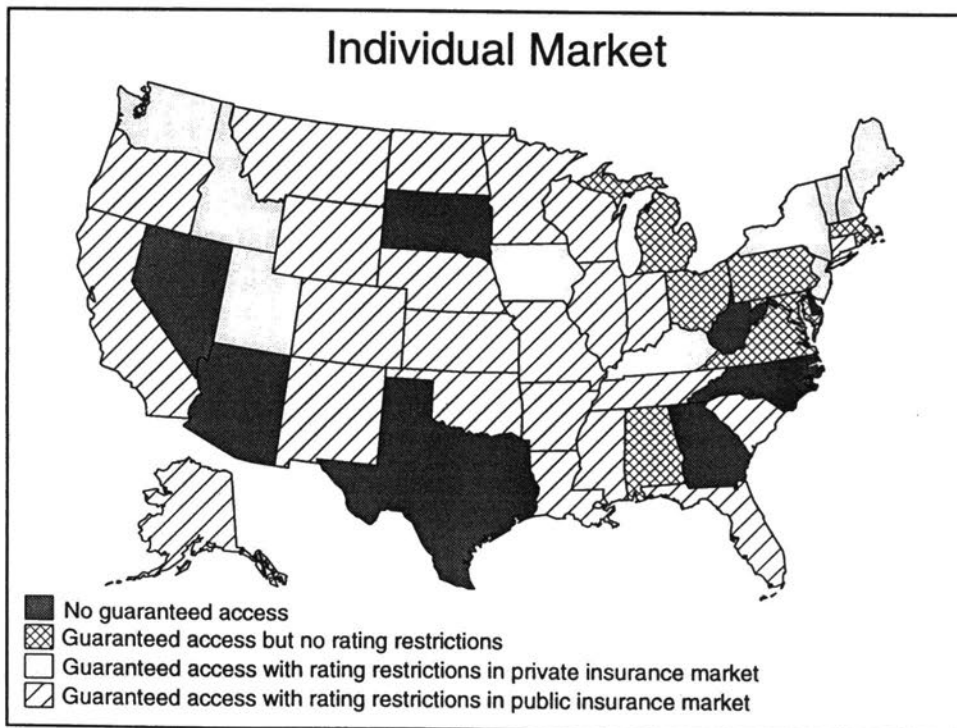
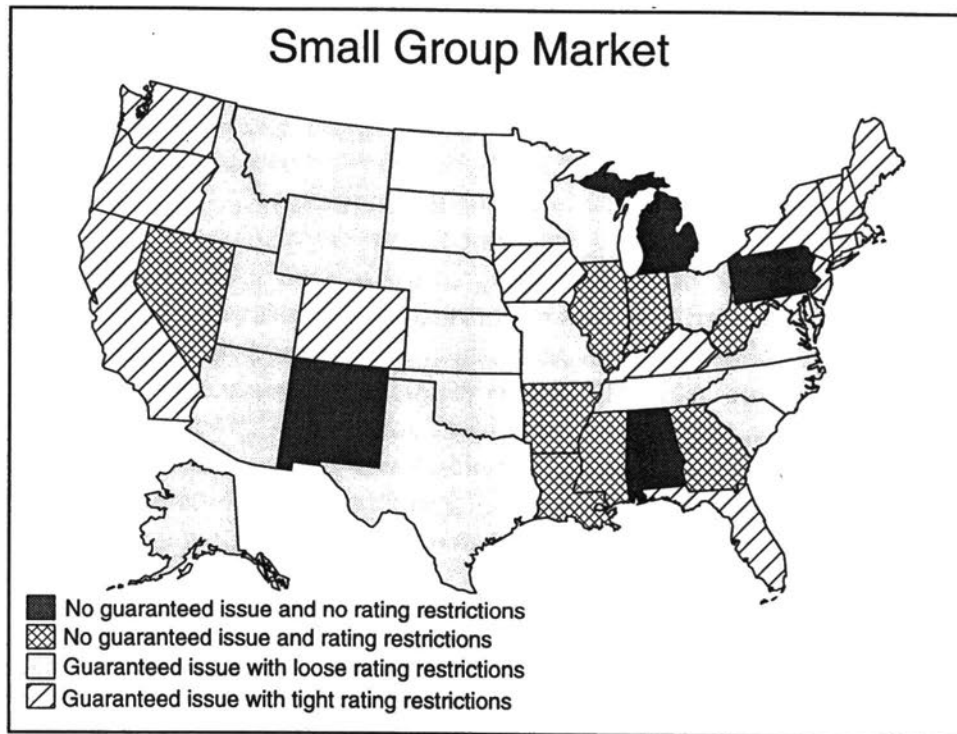
Improved access. States provide access to individuals in three ways: by requiring all commercial insurers to offer coverage to all individuals (11 states), by having Blue-Cross/Blue-Shield act as "an insurer of last resort" (11 states), and by setting up high-risk pools (23 states).

Pre-existing condition limitations and portability. Twenty-two states limit the amount of time that a commercial insurer can exclude pre-existing conditions; these states also require insurers to waive these exclusions for those with continuous insurance coverage. Fourteen states restrict pre-existing condition limitations only in the high-risk pool.

Rating restrictions. Fifteen states impose rating restrictions on commercial insurers. Seven of these states do not permit any premium variation based on health status or expected claims, while the others restrict the amount premiums can vary based on health factors. Policies from state-funded high-risk pools generally cost roughly 50 percent more than the average policy with comparable coverage, even though claims from this high-risk population tend to be much higher.

**Conclusion.** In the past few years, states have made tremendous progress in reforming their health insurance markets. These reforms are unlikely to solve the problem of the uninsured since, even with stringent premium restrictions, health insurance will remain unaffordable for many. However, these reforms should help the roughly 20 percent of workers currently insured through small firms keep their insurance, and should improve access to insurance for people whose medical histories might otherwise make them "uninsurable."

# State Variation in Health Insurance Reform



Note: Hawaii is not included in the maps because it has a unique system that provides almost universal coverage.



## THE PRESIDENT HAS SEEN

5-6-96

(H)

**Gov. Whitman comments on partial birth veto.** Via Betsy Myers. Whitman said on "Inside Politics" that you did the right thing in vetoing the bill: "I would have supported that -- not because I think the technique is anything that we want to see -- but because it is only used in cases that are extreme medical emergencies, and I hate to have government determining for a doctor what procedure they can do when there really are good medical reasons to do something. . . . [W]e should be focusing on preventing pregnancies. Period."

**Rasco follow-up on Riley meeting with Sylvan Learning Systems.** Sec. Riley met with Sylvan's Doug Becker and Buddy Johnson. Riley was impressed with Sylvan's work in the public schools, and praised the company's willingness to accommodate concerns of teachers and unions in structuring its programs. As a next step, DoEd. and Sylvan are discussing the possibility of the Department funding an independent 1-2 year study of Sylvan's public school program.

**McCurry memo on regional media for week of April 22.** *Teacher of the Year Awards* -- 78 radio interviews reaching 1,225 stations nationwide, 27 regional TV interviews and appearances on "Good Morning America" and CNN, print interviews and stories in major regional papers. *President's Service Awards* -- First Lady attended, interviews for winners reached 414 radio stations nationwide, 13 regional TV interviews. *Radio Actualities* -- Arkansas disaster relief actuality reached 102 stations, Illinois reached 79 stations, Olympic torch was picked up by 4 major stations in L.A. *Miscellaneous* -- Asked Cabinet to conduct more than 50 editorial board calls to talk about what has been achieved and your commitment to continue fight for balanced budget; coordinated 5 regional TV and print interviews with participants in anti-terrorism signing; conducted satellite media tour with the VP into 6 targeted markets on Earth Day.

**Ickes follow-up on Oklahoma City.** Kitty Higgins has sent you a separate memo on efforts undertaken by GSA and about which you heard great praise when you were in OKC. Jamie Gorelick and Jack Quinn sent you a summary of efforts underway and resources provided to assist victims of the bombing. Kitty is obtaining information on education assistance for adults as well as on the physical, financial, psychological and employment status of all those affected by the bombing.

We also received the following items:

**Ickes note on Jay Rockefeller.** Sen. Rockefeller was concerned that your veto message specify aspects of products liability bill you objected to and not slam reform per se. (I think the veto message accomplished this.) Also, Jay wants to meet with you. He realizes things got a bit testy in connection with the products bill, but he is still a very strong supporter and wants to get five minutes with you within the next few weeks.

**Response to your question on membership of the G-10.** The G-10 consists of the 11 wealthiest members of the IMF and acts as an informal steering committee for credit policy. In addition to the G-7, Belgium, the Netherlands, Sweden, and Switzerland belong.

5-6-96

MAY 2, 1996

96 MAY 3 P5:52

MEMORANDUM FOR THE PRESIDENT

FROM: BETSY MYERS

SUBJECT: Additional Support for H.R.1833 Veto

In just the last week the following four developments came to my attention regarding support for the Administration's pro-choice policies.

1st: Governor Whitman's Comments from her April 27th appearance on *Inside Politics* demonstrate support for the H.R.1833 veto and for Pro-Choice policies within the Republican Party. Her stand was courageous like yours. Her message, not very different from ours, seems to be one that resonates with women on both sides of the aisle. Emphasizing unwanted pregnancies provides an opportunity to amplify this Administration's commitment to reducing teen pregnancy, encouraging family planning and facilitating adoption.

(The interview with Wolf Blitzer and Governor Whitman opened with questions about whether Governor Whitman would join the Dole ticket and then the conversation switched to a discussion about reproductive choice. The following excerpt is selected from the questions concerning that topic.)

**Blitzer:**

Given the social conservatives in the Republican Party, can he(Dole) pick someone (for VP) who supports a women's right to have an abortion?

**Whitman:**

Absolutely. I believe that without question. The majority of the party believes that you can differ on this--that good and honest people differ on that issue--that is not a political litmus test and that even those who are pro-life versus those who are pro-choice can support candidates on either side.

**Blitzer:**

Did President Clinton do the right thing when he vetoed the late term abortion legislation?

**Whitman:**

I would have supported that--not because I think the technique is any thing that we want to see--but because it is only used in cases that are extreme medical emergencies, and I hate to have government determining for a doctor what procedure they can do when there really are good medical reasons to do something. It

is so rarely used that is not the issue. We ought to be focusing on--we should be focusing on preventing pregnancies. Period. The end.

**Blitzer:**

So do you think the President did the right thing by vetoing the legislation?

**Whitman:**

I would have supported the veto.

**2nd:**

**My office has received several encouraging calls from previously equivocal pro-choice republican women leaders.**

  
These women want to spread the word that all that stands between them and an anti-choice Congress is you. Each of these callers has sited your veto of H.R.1833 as courageous. These callers felt that your focus on the women actually affected by the legislation underscored your principled leadership and illustrated your Presidency as essential to their pro-choice agenda. I have set up a meeting later this month with Marcy Love, founder of Personal Pac and was a leading organizer of Pro-Choice Republican Women for Clinton/Gore in 1992. We are working on a strategy with her to reach republican Pro-Choice women. You may remember that she is one of the women who participated in the round table with you on December 13, 1995.

**3rd:**

*Maule*  
**The Los Angeles Times ran a response (see attached) to the April 12, 1996 opposition commentary by Helen Alvare. We worked very closely with Vicki Saporta, Executive Director of the National Abortion Federation, to ensure that the misinformation in Ms. Alvare's piece was answered promptly and directly.**

**4th:**

*Adm Simmons  
wrote her  
letter  
to the  
Chicago  
Tribune*  
**Adele Simmons, President of the MacArthur Foundation, one of the six largest social policy foundations in the world, contacted my staff to let us know how moved she was by your courageous veto as she herself was faced with such a tragic choice. She has passed on a letter in support of your veto for your attention that she submitted to the Editorial page Editor of *The Chicago Tribune*. The MacArthur Foundation holds over three billion dollars in assets, gives away one hundred and forty million dollars yearly, and is the largest funder of mental health programs outside the federal government. They are generously funding a program to bring the voices of the people working on affordable housing, education, community policing, the arts, the environment, violence against women programs, and programs to benefit at-risk children to the media during the Convention in Chicago.**



## LETTERS TO THE TIMES

## Abortion Veto

I take exception to Helen Alvare's commentary (April 12), regarding the president's veto of HR 1833, a bill that would ban a safe surgical method used in some later abortions. I was present when the president met with the women who had had this procedure and listened to their stories. The president was genuinely moved by the losses these families had suffered and by their courage in coming forward. Alvare's assertion that the president "used" these five women is particularly insulting to all those who came forward voluntarily when they heard how this procedure was being misrepresented.

President Clinton vetoed the bill because, as these women's cases demonstrated, the procedure it would have banned can be medically necessary to protect a woman's health. He and members of Congress heard from leading physicians in opposition to this legislation.

I wish the proponents of the bill would deal with the facts instead of trying to ignore, demean and trivialize the tragedies faced by the families who spoke out after the veto. They know the truth about the procedure—that it is compassionate, humane and medically necessary.

VICKI SAPORTA  
Executive Director  
National Abortion Federation  
Washington

THE WHITE HOUSE  
WASHINGTON  
May 4, 1996

MEMORANDUM FOR THE PRESIDENT

FROM: TODD STERN  
HELEN HOWELL

SUBJECT: Recent Information Items

We are forwarding the following recent information items:

(A) **Tyson/Sperling follow-up on Heritage Foundation study on "Clinton Crunch."** The Heritage Foundation finally made public the "study" on which Sen. Dole has been basing his claims that tax increases in 1993 cost the economy 1.2 million private-sector jobs, 40,600 new business starts, more than \$200 billion in economic output, \$110 billion in wages, and 1.3 million new cars and light truck sales. The study is meaningless because it is flawed. It erroneously assumes marginal tax rates were raised on all taxpayers rather than on only a very small percentage. Laurence H. Meyer & Associates has said the study's use of Meyer's model was "injudicious," "against our advice, and over our objections." Laura and Gene have faxed the Meyer letter to all interested parties, and Gene has talked with reporters at the NYT, WSJ, Washington Post, USA Today, CNN, ABC News, NBC News, AP, and UPI.

(B) **Browner memo on victory in community right-to-know court challenge.** On Wednesday, the U.S. District Court for DC dismissed a chemical industry lawsuit challenging a 1994 EPA rule that nearly doubled the number of chemicals (615 as opposed to 329) for which industry is required to report releases to communities. The challenge sought to block more than 150 of the chemicals EPA added. Limiting community right-to-know was part of the GOP effort to roll back public health and environmental protections during the budget debate.

(C) **Treasury response to proposal to restructure Social Security contributions.** Via Sec. Rubin. Prof. Robert McElvaine proposes to eliminate the ceiling on wages subject to OASDI taxes (\$62,700 in 1996) and to lower the OASDI tax rate in a revenue-neutral way. McElvaine asserts that eliminating the ceiling would permit the total OASDI and HI tax rate of 15.3% (12.4% OASDI and 2.9% HI) to be reduced to 10% or less and would provide tax benefits for small business, increase consumer demand, and promote job creation. *Les Samuels and Josh Gotbaum disagree.* They assert that the proposal would raise marginal tax rates on workers above the cap to very high levels (an increase of 13.8% points) prompting a very sharp political response, but not reduce them very much for workers below the cap (a decrease of 2.12% points). They also note that, by focusing solely on payroll taxes and not on the related benefits, McElvaine wrongly concludes that the OASDI program is highly regressive. It isn't. McElvaine's approach would make it even more progressive, but Les and Josh think the costs heavily outweigh the benefits.

we need to  
get this out  
this early  
group

THE WHITE HOUSE  
WASHINGTON

May 2, 1996

96 MAY 2 11:01

MEMORANDUM TO THE PRESIDENT

FROM: LAURA TYSON  
GENE SPERLING

SUBJECT: Response to Heritage Foundation Study on "Clinton Crunch"

As you noted in Doug Sosnik's Daily Report on April 11, Majority Leader Dole has been arguing that the tax increases in the 1993 Economic Plan cost the economy 1.2 million private-sector jobs, 40,600 new business starts, more than \$200 billion in economic output, over \$110 in wages and salaries, and 1.3 million new cars and light trucks.

We knew that these estimates came from a "study" by the Heritage Foundation using an economic model designed by Laurence H. Meyer & Associates (LHM&A). But, for the last several weeks -- while Dole '96 has had access to the study -- Heritage has refused to release it to the public (despite Heritage's official status as a nonpartisan entity).

Yesterday, Heritage finally made this "study" public. The study was immediately disavowed by LHM&A. In a pointed letter to all their clients, LHM&A responded by writing: "[We] state unequivocally that we believe this work to be seriously flawed, having been produced through injudicious use of our model, against our advice and over our objections."

You should know that the major flaw in the Heritage study is that it assumes marginal tax rates were raised on all tax payers. As LHM&A point out, this incorrect assumption is the crux of their whole study. Since it is flawed, the entire Heritage study is meaningless.

As soon as we received the LHM&A letter, we immediately faxed it -- along with a pre-prepared response -- to all interested parties, and Gene spoke with reporters at the *New York Times*, *Wall Street Journal*, *Washington Post*, *USA Today*, CNN, ABC News, NBC News, AP, and UPI. We have also sent this information to the DNC and Re-elect so that they too can rebut any false claims made using this flawed analysis.

We have attached the LHM&A letter, our pre-prepared response, a *Wall Street Journal* editorial and *Washington Times* article on the study, and a copy of Majority Leader Dole's most recent mention of the study.





LAURENCE H. MEYER & ASSOCIATES, Ltd.

May 1, 1996

Dear

As a client of Laurence H. Meyer & Associates, the Heritage Foundation can use our model to simulate the effects of macroeconomic policies. Yesterday, Heritage published a study entitled "Is There A Clinton Crunch"? in which it concludes, based on simulations with our model, that the Omnibus Budget Reconciliation Act of 1993 (OBRA 93) caused a large, permanent decline in the labor force that, at full employment, spells a large decline in employment and potential output.

At our request, the study carries a disclaimer that the methodologies, assumptions and conclusions of the report are those of the Heritage Foundation. Nonetheless, we are concerned the study leaves an impression that LHM&A agrees with the conclusions. To dispel any such notion, we are writing this letter to all of our clients to state unequivocally that we believe this work to be seriously flawed, having been produced through injudicious use of our model, against our advice and over our objections.

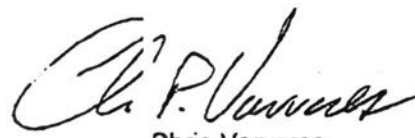
In 1990, LHM&A authored a retrospective analysis of the Tax Reform Act of 1986 (TRA 86) for the Carnegie-Rochester Conference on Public Policy. To estimate the effects on employment of TRA 86, we first constructed an estimate of the economy-wide marginal tax rate on wages as an income-weighted average across workers in different tax brackets. This was then fed through the model's labor supply equation to gauge the resulting effects on the labor force. What made the procedure acceptable was that TRA 86 reduced *everyone's* marginal tax rates more or less proportionately.

When we re-did our calculations after OBRA 93 it was obvious that, this time, the computed change in our income-weighted tax rate should not be fed through the model to gauge the effects on labor supply. The reason: OBRA 93 did not raise everyone's taxes proportionately. Instead, it raised the tax rates of a small number of high-income workers who, given the distribution of income, received a disproportionately large weight in our updated calculations. In this case, an employment-weighted measure of the marginal tax rate would have been more appropriate, and would not have shown much rise. At the time, we recognized that if we rotely passed the income-weighted marginal tax rate through our model we would under-predict the labor force by a wide margin after 1993. This is even clearer today because the decline in labor supply that the model predicts using the income-weighted tax rate has in fact, never materialized. Indeed, when the rise in the marginal tax rate is excluded from the model, it continues to track the labor force closely.

Our model -- any economic model -- is a tool. If used wisely, it can help generate useful insights about the economy's inner workings. If used injudiciously or unquestioningly, it can give the wrong result. This time, we think Heritage got it wrong.

Sincerely,

  
Joel L. Prakken  
Vice President

  
Chris Varvaro  
Vice President

- April 30, 1996

**THIS IS A COMPLETELY POLITICAL, METHODOLOGICALLY FLAWED "STUDY". IT WAS PROVIDED TO SENATOR DOLE TWO WEEKS AGO TO BE USED AS NOTHING MORE THAN A PARTISAN POLITICAL DOCUMENT.**

- The Heritage "study" -- provided to the Dole campaign two weeks ago -- builds fictional information about the 1993 Economic Plan into their analysis in order to get the political result they wanted to produce. It assumes that marginal tax rates were raised on all tax payers when the clear fact is -- confirmed by H&R Block -- only the top 1.2 percent of tax payers saw their tax rates increased. This incorrect assumption is the crux of their whole study. Since it is flawed, their whole study is meaningless. ["H&R Block Analysis of the Income Tax Consequences of the Revenue Reconciliation Bill of 1993," August 1993.]

**IT'S NOT SURPRISING THAT THE VERY PEOPLE WHO COULDN'T RECOGNIZE A RECESSION IN THE EARLY 1990s CAN'T RECOGNIZE A STRONG ECONOMIC RECOVERY TODAY. THE FACTS -- NOT SUBJECT TO ANY "STUDY" BY HERITAGE -- ARE CLEAR:**

- The unemployment rate was over 7 percent every month in 1992. It's now 5.6 percent. [Source: BLS.]
- The deficit was \$290 billion in 1992. It will be half that at the end of this year. [Source: CBO.]
- The economy was barely even creating jobs in 1992. Now, the economy has added 8.5 million new jobs -- that's a faster annual rate than any Republican Administration since the 1920s. [Source: BLS.]

**THE FACTS AND THE EXPERTS AGREE THAT THE PRESIDENT'S 1993 ECONOMIC PLAN HELPED TURN THE ECONOMY AROUND AND FUEL A STRONG RECOVERY.** The President inherited a fragile, stop-and-start economy with historically weak job creation, high unemployment, and high deficits. Experts such as Paul Volcker, *Fortune* Magazine, Alan Greenspan, and Lehman Brothers recognize that President Clinton's deficit reduction plan helped lower interest rates, fueling a solid economic recovery.

- *Fortune*, 10/3/94: "[President Clinton's] economic plan helped bring interest rates down, spurring the recovery."
- *Paul Volcker, Federal Reserve Board Chairman (1979-1987), in Audacity*, Fall 1994: "The deficit has come down, and I give the Clinton Administration and President Clinton himself a lot of credit for that. [He] did something about it, fast. And I think we are seeing some benefits."
- *Alan Greenspan*, 2/20/96: The deficit reduction in President Clinton's 1993 Economic Plan was "an unquestioned factor in contributing to the improvement in economic activity that occurred thereafter."
- *Lehman Brothers*, 1/10/94: "Lower deficits, lower long-term rates and higher real growth was the overall promise. With the data now rolling in for December 1993, it seems clear that President Clinton delivered on all three counts..."
- *Senate Majority Leader Bob Dole, Barron's, and DRI/McGraw-Hill all agree that the economy is the healthiest it's been in 30 years.* For example, Barron's (3/18/96) wrote, "Clinton also rightfully boasted that, 'our economy is the healthiest that it has been in thirty years,'" and Senate Majority Leader Robert Dole (2/20/96) said, "It is also true, as some have said, that our economy is the strongest it's been in 30 years."

**GOP BUDGET ONLY BALANCES BY ADOPTING PRESIDENT'S 1993 DEFICIT REDUCTION PLAN.**

Without President Clinton's 1993 deficit reduction plan -- which every Republican voted against -- the GOP budget would not even come close to reaching balance in 2002. That is why -- for all the talk -- the Republicans have chosen to adopt it.



# Who Should We Trust?

## A Flawed Heritage Foundation "Study" or The Facts

|                                      | Heritage "Study"                                                                | The Facts                                                                                                                                                                                                                                                                                                                                             |
|--------------------------------------|---------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Private-Sector Job Growth</b>     | 1993 Economic Plan cost the economy 1.2 million additional private-sector jobs. | <b>Stronger Private-Sector Job Growth Than Any Republican Administration Since the 1920s.</b> The economy has added 7.9 million new private-sector jobs during the Clinton Administration -- that's a faster annual rate of job growth than any Republican Administration since the 1920s. [Source: Bureau of Labor Statistics.]                      |
| <b>Business Starts</b>               | 1993 Economic Plan cost the economy 40,600 new business starts.                 | <b>Record Numbers of New Businesses In Each of The Last Three Years.</b> New business incorporations have increased by 731,000 per year since President Clinton took office, with all-time records of new businesses in each of the last three years. [Source: Dun & Bradstreet.]                                                                     |
| <b>Economic Output</b>               | 1993 Economic Plan cost the economy \$208 billion in economic output.           | <b>Stronger Private-Sector Growth Than Either Reagan or Bush.</b> The private-sector of the economy has grown 3.2 percent annually since President Clinton took office -- that's stronger than either the Reagan or Bush Administrations. [Source: Department of Commerce, Bureau of Economic Analysis.]                                              |
| <b>Wages And Salaries</b>            | 1993 Economic Plan cost the economy \$112 billion in wages and salaries.        | <b>Turning The Corner On Wages.</b> After declining by 79 cents during the Reagan and Bush Administrations, real average hourly wages have increased slightly since President Clinton took office. As <i>Business Week</i> (3/11/96) wrote: "Real hourly wages are rising, for the first time in 10 years." [Source: Bureau of Labor Statistics.]     |
| <b>Disposable Income</b>             | 1993 Economic Plan cost the economy \$264 billion in disposable income.         | <b>Biggest Increase In Incomes In Nearly A Decade.</b> <i>Washington Post</i> (4/26/96): "Americans' average incomes grew 2.6 percent faster than inflation last year, the biggest rise in nearly a decade..."                                                                                                                                        |
| <b>New Car And Light Truck Sales</b> | 1993 Economic Plan cost the economy 1.3 million new cars and light truck sales. | <b>World's #1 Auto Producer.</b> After trailing Japan during <u>every</u> year of the Reagan and Bush Administrations, the United States surpassed Japan as the world leader in automobile production in 1994. And in 1995, America retained its status as the world's largest car producer. [Source: American Automobile Manufacturers Association.] |



## The Lost Economy

Last year, President Clinton told a group of business leaders that he thought he had raised their taxes too much in his 1993 budget plan. Mr. Clinton retreated from that statement, but evidence is now in that his 1993 tax increases did slow the economy below its potential. The source for this conclusion is the same economic forecasting model used by President Clinton's Office of Management and Budget and Council of Economic Advisers.

The Washington University Macro Model (WUMM) is widely used by both government and Fortune 500 companies to make economic projections. In 1993 and 1995 it won the Blue Chip Consensus Forecasting Award. It was developed by Lawrence Meyer, an economist who was recently appointed to the Federal Reserve Board by President Clinton.

William Beach and Scott Hodge, two Heritage Foundation economists, decided to use the WUMM model to calculate how the economy would have performed if taxes hadn't been raised as the nation came out of the 1991 recession: The tax increases and spending changes of the 1993 budget deal were "backed out" of the model, but all other economic variables were left unchanged. Using the most conservative economic assumptions, the simulated economy produced by the WUMM model offers a snapshot of a more robust economy than now exists.

In terms of job growth, the 1993 budget and tax deal reduced the number of private-sector jobs by 1.2 million between 1993 and 1996. Overall, the economy lost \$208 billion in lost output during the same period, the equivalent of \$2,100 for every household in Amer-

ica. Without the 1993 budget deal, some 40,000 more businesses would have been created. The White House will argue that the Heritage Foundation's analysis is ideologically biased, but Heritage consulted with WUMM analysts to make certain they were using the model methodology properly.

The Clinton tax increases also delivered less in deficit reduction than promised. In 1993, the Congressional Budget Office predicted the tax increases would reduce the deficit by \$121 billion by 1996. But the WUMM model found the deficit fell by only \$68 billion after the economic dislocations brought about by the tax hikes are factored in. That means the deficit fell by only 56 cents for every additional dollar of new taxes.

Heritage's analysis of the Clinton budget deal tracks closely with a recent study by Harvard economists Martin Feldstein and Daniel Feenberg. They concluded that the higher taxes imposed in 1993 led upper-income taxpayers to change their economic behavior and report lower incomes. They found that the 1993 tax hikes raised just 45% of the "revenue that would have been collected if taxpayers had not changed their behavior."

Econometric models are tricky things and shouldn't be relied upon too greatly. Still, it is instructive that an econometric model used by both the White House and the departments of Labor and Treasury identifies the 1993 tax increases with lost economic output. Perhaps the Republicans should think of going beyond eliminating the 1993 gasoline tax increase to knock out the rest of the Clinton tax increase.

# Diversity goal sets veterans preference aside in federal jobs

House probes evasion of hiring policy

By Ruth Larson  
THE WASHINGTON TIMES

Long-standing programs giving preferences to veterans in federal hiring and promotions may be endangered by a bureaucratic culture more interested in promoting diversity than protecting veterans, witnesses told a House panel.

"Some claim the pursuit of diversity is more important than veterans preference," said Rep. Steve Buyer, Indiana Republican. "That is wrong."

Mr. Buyer, who chairs a subcommittee on veterans preference, said, "There are problems with veterans preference, and I lay them at the feet of the professional bureaucracy, which in some agencies seems dedicated to rooting out veterans through an avoidance of proper hiring and downsizing procedures."

For example, a General Accounting Office study found that when veterans topped the list of qualified job applicants compiled by the Office of Personnel Management (OPM), agencies returned the lists unused 71 percent of the time, compared with 51 percent of the time when veterans were not at the top.

Mr. Buyer pointed out that veterans represent just 4 percent of men in the Clinton White House and 19 percent of the administration's top 900 political appointees. In the Bush administration, by contrast, 36 percent of White House officials and 30 percent of top appointees were veterans.

"Many who have served our nation believe veterans preference has become a hollow promise," said Rep. John L. Mica, Florida Republican. "Unfortunately, veterans preference is often ignored or too easily evaded, and redress for veterans who are wronged is often inadequate."

Mr. Mica, who chairs the House Government Reform and Oversight subcommittee on civil service, said veterans made up 28 percent of the federal work force in

1994 — down from 38 percent in 1984 — and roughly comparable to their 23 percent share of the overall civilian labor force.

What's more, the number of veterans in the work force dropped 42 percent between 1992 and 1994, nearly seven times the overall downsizing rate.

While the exodus may be due in part to routine retirements of veterans, who tend to be older than the average federal worker, Mr. Mica quipped: "If snail darters or any other species were disappearing at that rate, Congress would be jumping up and down demanding to know why. We owe our veterans no less."

Rep. James P. Moran, Virginia Democrat, defended the administration's enforcement of veterans preferences and produced OPM figures to bolster his case. For example, he said veterans made up 17 percent of the federal work force in 1990; they now represent 33 percent.

"Veterans preference is working," he said, and suggested that any disproportionate exodus of veterans may be due to demographics, not a negative administration attitude toward veterans.

In a statement, OPM Director James B. King said: "As we move to more flexible hiring systems for the government, the preference that is now extended to veterans will not be diminished one bit. Veterans preference is an earned right and will not be compromised."

Mr. King said that his agency, responsible for enforcing veterans preference issues, had aggressively pursued reported violations.

But veterans who testified said managers were able to discriminate against veterans with impunity. They asked that violations of veterans preference be treated as prohibited personnel practices, and that managers who engage in them be disciplined, as they would for racial or sexual discrimination.

"I'm 100 percent skeptical that the absence of Clinton's taxes would make that much of a difference. The economy was not hurt by the Clinton budget plan. If anything, it was helped," said the former chairman of the President's Council of Economic Advisors in the Carter administration.

Nonetheless, the Heritage study is sure to provide further ammunition for Sen. Bob Dole's presidential campaign, which has argued that economic growth has been anemic in the last year.

But a government report yesterday said that workers' wages were rising at the fastest rate in four years.

## Clinton tax boost hurt economy, study says

Presidential nominee helped design model used by Heritage Foundation

the study, that Mr. Clinton's tax increases blunted economic growth and stunted personal incomes, were rejected by Charles Schulze, director of economic studies at the Brookings Institution.

"It's not true. The magnitude of the tax increases that Clinton passed was peanuts. And in terms of the cyclical performance of the economy, we could not be better off," Mr. Schulze said.

"What the study shows is that when you measure these numbers against the economy's full potential, it is falling far short of what it should be," said Scott Hodge, one of six economic analysts who conducted the study.

The study used the Washington University Macro Model, one of the most respected economic models in the business of statistical forecasting.

But the premise and findings of

economic package, the gross domestic product would have grown \$66 billion more than it actually did absent the change, the study said.

The 1993 Clinton tax increases "did indeed produce what some critics have referred to as a 'Clinton Crunch' — a larger tax bite for families combined with a stagnation in incomes and an economy performing well below its potential," an analysis of the study's findings concluded.

The study said the lower rate of income growth during the past three years was "equal to over \$2,600 less disposable income for every household in America."

A report to be made public today maintains that the higher tax rates on upper-income Americans, businesses and other economic sectors cut \$112 billion out of potential employee wages and salaries and reduced savings by \$138 billion.

"Last year, without the 1993 eco-

By Donald Lambro  
THE WASHINGTON TIMES

The U.S. economy would have produced 1.2 million more jobs and much higher levels of growth and incomes if President Clinton's 1993 tax increases had not been enacted, according to a new economic study.

Applying an economic model that has been used by the federal government and Fortune 500 companies, the study, by the Heritage Foundation, concluded that Mr. Clinton's tax increases resulted in a \$208 billion reduction in economic output, 40,600 fewer new businesses and \$264 billion less in real personal disposable income.



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The Federal Document Clearing House

TRANSCRIPT  
April 29, 1996  
NEWS EVENT

SENATOR ROBERT DOLE (R-KS)  
REPUBLICAN PRESIDENTIAL CANDIDATE  
WASHINGTON, D.C.

WEBWIRE-ADDRESSES THE NATIONAL ASSOCIATION OF REALTORS  
CONVENTION

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U.S. SENATOR BOB DOLE ADDRESSES A CONVENTION OF THE U.S. BOARD OF  
REALTORS.

APRIL 29, 1996

SPEAKERS LIST: U.S. SENATOR BOB DOLE (R-KS),  
REPUBLICAN PRESIDENTIAL CANDIDATE

(+)

DOLE: Thank you very much. Got a wide-awake group.

Thank you very much. Thank you. I accept the nomination, and  
whatever else you got.

(LAUGHTER)

My good friend Esther Wigant (ph) from Wichita is my bodyguard  
here.

(LAUGHTER)

Well, I've had the opportunity and the privilege to speak to this  
group I don't know how many times. I've lost track, maybe you wish you had,  
but...

(LAUGHTER)

But I've never stood before this group as the presumptive  
Republican nominee for President of the United States, and I'm obviously  
pleased to be here in that capacity.

(APPLAUSE)

And I can honestly come to this group and make a statement, and  
you'll know it's not politics because I've delivered on most of the things  
I've talked to this group about in the past. And  
I hope that you understand that our commitment has been long-time, it's been  
consistent, and we've never wavered.

When we were taking all the heat, as I indicated earlier, on the  
flat tax, millions and millions of dollars of TV advertising directed right  
at Bob Dole, I stood my ground and said I don't care what happens. We're  
going to keep the mortgage interest deduction and charitable deductions, and  
we will.

(APPLAUSE)



years.

(LAUGHTER)

And it's hard to correct all the mistakes made in 40 years in one year. So give us at least two or three or four years to correct all the mistakes.

(APPLAUSE)

And I read, lately, that all these radical ideas that we had were the reason we may be in difficulty. First of all, I don't think we're in difficulty. But, secondly, they're not radical ideas. You do it every year. We talk about balancing the federal budget. Is that a radical idea? It hasn't been done for a long, long, time, but we thought it was a pretty good idea, and it wasn't radical. It wasn't some crackpot idea that Newt Gingrich and Bob Dole thought of at midnight one night and said, oh, let's do this. And we did it.

And for the first time in a generation we sent the president of the United States a balanced budget and he vetoed it. For the first time in a long, long time, we sent the president a real welfare reform, not once but twice, and he vetoed it. For the first time in a long time we sent the president of the United States tax cuts for families with children. We sort of have the belief that maybe we ought to send more money back to you. If you have three children, a \$500 credit, that's \$1500. That might be a down payment on a home somewhere.

Our view is that you're better able to spend your money than we are. And we did all this and still had a balanced budget. And we didn't devastate any programs. We went through all these federal programs and what if we don't need this program.

DOLE: We don't need all of this program. What we need to do is to try to work it out so we can balance the budget, which would drop interest rates by two percent, which would certainly stimulate homeownership and a lot of other activity, and that's what this radical Congress set out to do.

We haven't given up. In the bill the president signed a couple of days ago, the big, big appropriation bill -- because of Republican input and only because we had a Republican Congress, we're going to save \$23 billion last year in spending -- \$23 billion is a lot of money.

(APPLAUSE)

Twenty-three billion is a lot of money. The late Senator Dirksen used to say a billion here and billion there soon add up to real money.

(LAUGHTER)

Well, this is \$23 billion. In fact, it's \$30 billion less than the president suggest that we spend. So I want you to know regardless of your party -- and I'm not here to offend anybody be it Democrat or independent or anybody else, there's always two or three that just come to the wrong meeting and they're probably here too.

(LAUGHTER)

So, it happens every convention. People come and they say I don't know what I'm doing here, it's not -- but they stay.

(LAUGHTER)

Later this week the Heritage Foundation is going to release a study about the impact of the \$265 billion tax increase. And they're going to conclude that it cost about \$1.2 million additional jobs, about \$208 billion in economic output, about 40,000 new business starts, about \$112 billion in wages and salaries, about \$264 billion in nondisposable income, about 1.3 million new cars and truck sales that aren't being made and the list goes on and on and probably a lot of homes that weren't being bought either because of the higher tax, because of fear, because of job insecurity,



whatever.

So it just seems to me that we have our work cut out for us. So as I'd suggest, we're going to try to get it done. It's already been mentioned about self-employed -- there are a lot of self-employed people in this room. I imagine most of you are self-employed. And

we've always thought if you're self-employed you ought to be able to deduct the cost of your health insurance. We finally got it up to 25 percent, up to 30 percent. But we don't believe that's high enough. So the bill we passed last week by a vote of 100 to 0, the final passage vote. They adopted my amendment, an amendment I offered to Senator Bill Roth, the chairman of the Finance Committee in the Senate, and that vote was overwhelming and it says it's going to take you up to 80 percent between now and over the next ten years -- 80 percent deduction is a big, big difference.

(APPLAUSE)

As I said, I was disappointed when the president vetoed the balanced budget and I know that -- has the president spoken here yet?

(LAUGHTER)

I didn't want to get ahead of anyone. I knew he was scheduled, but sometimes he's a little late so I didn't know...

(LAUGHTER)

Probably wasn't late the day he was supposed to be here. But in any event, the president does a good job. We're friends, believe it or not. We had a nice visit just last week.

DOLE: And we'll probably have several more in the coming weeks.

(LAUGHTER)

There's a lot of civility in this business that may not show, because we know there's certain things we ought to get done, regardless of our politics. I think people in this audience, regardless of your politics or your interests in any legislation, you think certain things ought to get done. And I think that's the way it is in America.

(APPLAUSE)

But I know when the president speaks, if he speaks for 10 minutes, he mentions children at least 17 times.

(LAUGHTER)

And I think it's very important to mention children. But I also believe it's very important to mention what happens if we don't balance the budget -- what happens to children, and what happens to grandchildren...

(APPLAUSE)

... and if we don't lower interest rates, what happens to children and what happens to grandchildren.

(APPLAUSE)

And if we don't balance the budget, Mr. President, what happens?

And it has to be real. It's not adding up a group of numbers. If we can all add up numbers, say yeah, I've got a balanced budget. We have to change policy. Unless you change policy, adding up figures really doesn't make much difference.

If you take a close look at the president's budget, most of the savings would not come -- let's just assume he were re-elected, which I don't think will happen. Assume he is. The savings would not come until after he's gone back to Little Rock in the year 2001. We can't wait that long, Mr.



THE PRESIDENT HAS SEEN  
5-6-96

96 MAY 2 AM 1:01

THE WHITE HOUSE  
WASHINGTON

May 2, 1996

MEMORANDUM TO THE PRESIDENT

FROM: LAURA TYSON  
GENE SPERLING

SUBJECT: Response to Heritage Foundation Study on "Clinton Crunch"

As you noted in Doug Sosnik's Daily Report on April 11, Majority Leader Dole has been arguing that the tax increases in the 1993 Economic Plan cost the economy 1.2 million private-sector jobs, 40,600 new business starts, more than \$200 billion in economic output, over \$110 in wages and salaries, and 1.3 million new cars and light trucks.

We knew that these estimates came from a "study" by the Heritage Foundation using an economic model designed by Laurence H. Meyer & Associates (LHM&A). But, for the last several weeks -- while Dole '96 has had access to the study -- Heritage has refused to release it to the public (despite Heritage's official status as a nonpartisan entity).

Yesterday, Heritage finally made this "study" public. The study was immediately disavowed by LHM&A. In a pointed letter to all their clients, LHM&A responded by writing: "[We] state unequivocally that we believe this work to be seriously flawed, having been produced through injudicious use of our model, against our advice and over our objections."

You should know that the major flaw in the Heritage study is that it assumes marginal tax rates were raised on all tax payers. As LHM&A point out, this incorrect assumption is the crux of their whole study. Since it is flawed, the entire Heritage study is meaningless.

As soon as we received the LHM&A letter, we immediately faxed it -- along with a pre-prepared response -- to all interested parties, and Gene spoke with reporters at the *New York Times*, *Wall Street Journal*, *Washington Post*, *USA Today*, CNN, ABC News, NBC News, AP, and UPI. We have also sent this information to the DNC and Re-elect so that they too can rebut any false claims made using this flawed analysis.

We have attached the LHM&A letter, our pre-prepared response, a *Wall Street Journal* editorial and *Washington Times* article on the study, and a copy of Majority Leader Dole's most recent mention of the study.



3-6-96

**Lake memo on State Department release of Guatemala documents.** On Friday, State was scheduled to release nearly 5,000 documents (about 1100 redacted) relating to alleged human rights abuses of American citizens between 1984 and 1995, including Sister Dianna Ortiz, Michael Devine, as well as documents on Guatemalan guerrilla Efraim Bamaca, husband of Jennifer Harbury. (State withheld 500 documents, but will provide them to Congress.) The released documents include information critical of Sister Ortiz -- e.g., U.S. Government officials speculating she may have fabricated her story. State will provide Sister Ortiz key documents collected by IOB, but Tony notes she will not be satisfied until we can identify the North American "Alejandro" allegedly involved in her ordeal; none of the documents shed light on that issue. Her supporters have been arrested every day this week for protests in conjunction with her Lafayette Park vigil. All other relevant documents (2,600) are under review for release in June in conjunction with the release of the IOB report. There is also pressure to release all Guatemala documents from 1954 to present, but declassification of these documents would be a huge job; we are currently working on declassifying 1954 coup documents.

**Morningstar follow-up on assistance to Russia.** In Russia you heard concerns about whether U.S. assistance programs were providing enough real benefits to the Russian people. This memo reviews how our assistance benefits Russia in reducing the nuclear threat; promoting democracy; building civil society; establishing a market economy; and supporting bilateral trade/investment. Memo provides large and small examples of ways in which U.S. programs have helped. Some key points: Funding -- budget for Russian assistance has dropped from \$1.6 billion in FY 94 to \$147 million in FY 96. Given money in pipeline, major impact won't be felt until 1997 and beyond; Visibility of our assistance to Russian citizens -- our support for reform and market democracy is not visible to most Russians in the way smaller, short-term projects would be. We are right to focus on the big issues, though some greater emphasis on low-cost, high-visibility efforts is in order; Vladivostok -- there is a subcommittee of the Gore-Chernomyrdin Commission focused on fostering business relationships between the U.S. Northwest and the Russian Far East. We also have a number of important health care, education, environmental and media projects there.

**Tony Lake memo on need to increase Selected Reservists called to active duty to support IFOR operations.** Sec. Perry notified you in December that the number of Selected Reservists on active duty would approximately double during the period of May through October. Sec. Perry and the Joint Chiefs have now determined that there will be 8,180 Reservists on active duty during this time period.

**Cisneros memo on pension funds investment in affordable housing.** Henry says that, after years of speculation, we have found a way to tap a small percentage of the nation's huge pension fund assets for providing affordable homes and stimulating neighborhoods and cities, while assuring appropriate returns on pension investments. At your urging, Congress appropriated \$100 million in FY 1994 and \$98 million in FY 1995 to the Section 8 Pension Fund Program. This program is combining pension fund investments and long-term federal rental assistance to create 3500 units of affordable rental housing for the elderly, low-income households and working families. Henry also includes a list of approved projects.

THE PRESIDENT HAS SEEN

5-6-96

## THE WHITE HOUSE

WASHINGTON

May 2, 1996

96 MAY 2 9:35

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM:

ANTHONY LAKE

SUBJECT:

State Department Release of Guatemala Documents

Late last year, in response to congressional and public inquiries the State Department decided to review for declassification documents relating to cases of human rights abuses which occurred in Guatemala from 1984 to 1995. On Friday May 3, 1996, State will release in full 4,727 relevant documents; another 1,120 documents will be released with some redaction. State withheld an additional 500 documents from public release but will provide them to Congress.

The released documents include State Department telegrams, internal memoranda and public correspondence relating to 16 specific cases of alleged abuse against American citizens, including Sister Dianna Ortiz and Michael DeVine. The release also includes documents relating to Guatemalan guerrilla Efraim Bamaca, husband of Jennifer Harbury. The documents contain some information critical of Sister Ortiz -- primarily U.S. Government officials speculating she may have fabricated her story. You should also know that we intend to provide to her on a private basis the key documents collected by the IOB. While the documents relating to other cases are still under review, we thought it best to provide the key information to her all at once.

You should be aware, however, that she will not be satisfied until we can identify the North American "Alejandro" allegedly involved in her ordeal. None of these documents shed light on that issue. The Justice Department is still investigating the case.

In addition to the State Department Documents released Friday, we are conducting a review of all other relevant documents (2600 total) for release in June, ideally timed to the release of the IOB report.

Lastly there is public, media and congressional pressure for release of all Guatemala documents from 1954 to the present. Such an effort would take enormous resources. We believe our current efforts will produce the key documents relating to the key issues. We are working on a declassification of the 1954

cc: Vice President  
Chief of Staff  
The First Lady

coup and are reviewing what, if any, other human rights cases we should include in the document release.

Supporters of Sister Diana Ortiz have been arrested every day this week during illegal protests in conjunction with her Lafayette Park vigil designed to increase pressure for release of documents.



5-6-96

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THE PRESIDENT HAS SEEN

5-6-96

Washington, D.C. 20520

April 30, 1996

BRIEFING MEMORANDUM FOR THE PRESIDENT

THROUGH: Strobe Talbott *ST*  
Sandy Berger *SB*

FROM: Dick Morningstar *DM*  
Special Advisor to the President and Secretary of  
State on Assistance to the NIS

SUBJECT: Assistance to Russia

*Handwritten notes:*  
Tony/Sandy  
Good memo  
Some small projects  
that can be done  
for Russia  
and NIS  
in country  
is

During your recent trip to Moscow and St. Petersburg, you heard several concerns about whether the U.S. assistance programs provide enough real benefits to the Russian people. In fact, there have been many positive results. The following provides the context for our program and responds to the questions raised in Moscow.

Record to date

In 1993, the Administration developed a strategy for assistance to Russia that emphasized support for the following objectives: cooperative threat reduction; promoting democratic governance and civil society; establishing competitive market economies; and supporting bilateral trade and investment.

Overall, our programs have been effective. The Cooperative Threat Reduction (Nunn-Lugar) program has succeeded after a slow start in 1992-93 in reducing the threats from weapons of mass destruction; the task ahead, however, remains large. Recent agreements with Russia will expand further DOE cooperation on accounting, control, and physical protection of nuclear materials.

We have also succeeded in supporting major breakthroughs in economic restructuring and market development in areas such as privatization, capital markets and legal reform. For example, the Russian Duma recently enacted a new civil code that was made possible largely through our support. And even with its faults, the Russian privatization program succeeded with our support in transferring more property to more people in a shorter time than any such venture in history.



With respect to building a civil society, over 20,000 Russians have participated in our exchange and training programs. We have channelled approximately \$50 million in small grants and training to the nascent NGO sector. We can also be very proud of our impact on independent media--due in large part to our training and material assistance, there is now an active and viable network of approximately 600 television stations. Sixteen Russian hospitals have active partnership programs with ten American hospitals.

In trade and investment, the United States has provided guarantees and political risk insurance to support \$3.7 billion in commercial transactions. Our enterprise funds, small business support, business information, and small lending programs are also having a significant impact on new and emerging businesses. As Boris Nemtsov told you in Moscow last week, many new enterprises and jobs have been created in his district. Although not obvious to the average Russian, this could not have happened without our assistance.

The bulk of our \$1.8 billion in humanitarian assistance (primarily food and medicines) to Russia was delivered prior to 1994. With major cuts in the 150 account, most humanitarian aid is now focused on the poorest NIS countries.

#### **Concerns raised in Moscow**

##### **A. Pipeline issues**

The budget for Russian assistance has dropped precipitously, from \$1.6 billion in FY94 (not including Nunn-Lugar and USDA programs) to less than one-tenth of that number in FY96. The unspent funding pipeline created from FY94 and FY95 program obligations will actually enable us to spend over \$400 million in 1996, in spite of having only \$147 million in new FY96 funds. The budgetary impact of the reduced appropriations on actual spending will occur in 1997 and beyond.

##### **B. Visibility of our program to Russian citizens**

When we look at the results of our assistance to Russia, many thousands of Russians have been touched in significant ways; however, given our limited resources, in a country of 150 million people, our efforts remain invisible to most Russians. We have focused most of our efforts and resources on support for reform and reformers in an effort to establish a market democracy; this support, however, is usually not visible to most Russians. Hence the trade-off: visible assistance projects with short-term benefits versus sustainable but less visible support for reform with its long-term national security benefits for the United States. In general, we have chosen the latter.



Having said this, I believe that we should provide greater balance to the program. We will reprogram some funds to create low-cost, high-visibility projects that build on our existing in-country resources. We have already taken this approach in some of the NIS countries. Last week while I was in Kiev, I learned about one such example where USAID added \$200,000 to a financial management training program for municipal administrators to renovate mass transit trolley buses, a service on which every citizen of that city depends. We need more of these creative approaches.

### C. Vladivostok

With regard to your question about Vladivostok, we are reviewing several options. There is a special subcommittee of the Gore-Chernomyrdin Commission focused on fostering business relationships between the U.S. Northwest and the Russian Far East. We have also been engaged in a number of important projects there, including small business support; a \$5 million DoD hospital trauma package (medical equipment and consumables); the upgrade of a children's TB hospital; an active hospital partnership between two hospitals in Vladivostok and the Medical College at the Virginia Commonwealth University; 14 Eurasia Foundation grants to NGOs and media; Peace Corps volunteers teaching English, providing environmental training and business advice; and the provision of an automated finance system to the Vladivostok municipality. We are considering additional projects including customs support and another humanitarian delivery of insulin and antibiotics donated by Eli Lilly.

### The need to stay engaged

Congressional action to reduce assistance to Russia has been ill-advised. We must continue to emphasize that we provide assistance to Russia because it is in our national interest. All of our assistance, including programs that relate to civil society, economic reform and people-to-people linkages, helps to create the stability and the relationships that enhance our security. This is not the time to pull out.

We have tried to cope with reduced bilateral aid by leveraging increased sums from the international financial institutions; their funding for Russia has increased, and we have been instrumental in guiding the design of many of their programs.

We also have to keep in mind that our assistance program will have many impacts, great and small, but we will not be the ultimate determinant as to whether Russia succeeds as a democracy and a market economy. This is up to the Russians themselves. It is a generational process. Our commitment and support can help Russian citizens develop the confidence that this transition will succeed.



5-6-96

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**Cisneros memo on pension funds investment in affordable housing.** Henry says that, after years of speculation, we have found a way to tap a small percentage of the nation's huge pension fund assets for providing affordable homes and stimulating neighborhoods and cities, while assuring appropriate returns on pension investments. At your urging, Congress appropriated \$100 million in FY 1994 and \$98 million in FY 1995 to the Section 8 Pension Fund Program. This program is combining pension fund investments and long-term federal rental assistance to create 3500 units of affordable rental housing for the elderly, low-income households and working families. Henry also includes a list of approved projects.





THE PRESIDENT HAS SEEN

5-6-96

96 MAY 2 All: 29

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20410-0001

MEMORANDUM

FOR: Honorable William Clinton  
Vice President Al Gore

FROM: Henry G. Cisneros *[Signature]*

DATE: April 22, 1996

SUBJ: Pension Funds Invest in Housing and Stimulate Economy

*C*  
*1/2 P*  
*Good legs*  
*Henry*  
*Henry Mulder*  
*Sen. Javon about*  
*two. He's married*  
*their first year*

After years of speculation by countless experts, your Administration has found a way to guide investment of pension funds to socially beneficial projects. Pension funds represent approximately \$4 trillion in assets, 30 percent of all financial assets in this country, but as you know, the funds have been concentrated in stock and bond holdings in traditional markets and increasingly in foreign markets. We have found a way to tap a small percentage of those pension investments -- over \$100 million -- for the important national priority of providing affordable homes for the nation's families while stimulating neighborhoods and cities and assuring financial returns and fiduciary security for the pension funds and their members.

At the urging of your Administration, Congress appropriated \$100 million in FY 1994 and \$98 million in FY 1995 to the Section 8 Community Investment Demonstration Program (Pension Fund Program). The Pension Fund Program is combining pension fund investments and long-term federal rental assistance to create approximately 3,500 units of affordable rental housing for the elderly, low-income households, and working families.

The Pension Fund Program is a special public-private partnership that involves the following six pensions:

- AFL-CIO Housing Investment Trust,
- Equitable Real Estate Investment Management, Inc.,
- Office of the Comptroller, City of New York Pension Fund,
- Philadelphia Board of Pension and Retirement,
- California Public Employees Retirement System (CALPERS), and
- Fund for Affordable Housing.

These six partners will help finance the rehabilitation or construction of approximately 2,000 apartment units, half of which will be reserved for low-income households receiving Section 8 rental assistance. In addition to principal financing from these pension funds, Community Development Block Grants, HOME funds, and low income housing tax credits contribute to the development of these homes.



I encourage you to visit some of these pension fund sites to demonstrate the visible accomplishments of your Administration. Attached is a list of pension fund projects that are currently under construction or soon to be underway.

Attachment

cc: Bob Rubin  
Kitty Higgins

**SECTION 8 COMMUNITY INVESTMENT DEMONSTRATION**  
**Status of Participating Pension Funds' Activities**

**FY 1994 Round**

**Projects Approved:**

*Sonoma Creekside, Santa Rosa, CA -- Equitable Real Estate Investment Management*  
43-unit townhouse development, approved and under construction

*Putnam-Tompkins, San Francisco, CA -- AFL-CIO*  
46-unit family apartments, approved and under construction

*Hilltop Garden, District Heights, MD -- AFL-CIO*  
914-unit garden type apartments that will reduced to 503-units and provide 121 units of low income housing, approved and under rehabilitation

*Main Street Housing, South Central Los Angeles, CA -- AFL-CIO*  
30-unit new construction to house homeless, approved and under construction

*Androscoggin Village, Auburn, ME -- AFL-CIO*  
70-unit HUD-held to be rehabilitated, approved and under construction

*NJ AIDS Scattered Site Project, New Jersey -- AFL-CIO*  
34-unit project consisting of single family dwellings located in Camden, Newark, Trenton, and Paterson to house people with AIDS and their families, approved and under construction

*Lowell Square, Boston, MA -- AFL-CIO*  
183-unit new construction project, approved and under construction

*Rio Vista, Los Angeles, CA -- AFL-CIO*  
75-unit new construction to house large, low-income families, approved and under construction

*Imperial Hotel, Atlanta, GA -- AFL-CIO*  
120-unit rehabilitation project, that will provide housing for homeless persons, approved and under construction

*130-136 West 142nd Street, New York, NY -- NYC Comptroller Office/CPC*  
61-unit non-HUD rehabilitation project, approved and under construction

*Kirkwood Apartments, Atlanta, GA -- Fund for Affordable*  
40-units new construction project, to provide 20 units for mentally disabled persons, approved and under construction

## **Projects Under Review:**

*Vallas Del Caribe, Philadelphia, PA* -- Philadelphia Municipal Fund  
81-unit new construction project, sponsored by the Hispanic Association of Contractors and Enterprises, Inc.

*Bay Point Family Housing, Bay Point, CA* -- CALPERS/Bridge Housing Corp.  
46-unit new construction project, located near the Concord/Berkeley area

*Red Hazel, Boston, MA* -- Fund for Affordable Housing  
98-unit rehabilitation project, located in the Dorchester section of Boston

*Charity Apartments, Savannah, GA* -- Fund for Affordable Housing  
45-unit rehabilitation project

## **FY 1995 Round**

Approximately \$98 million has been reserved to support 12 projects:

### **Equitable Real Estate Investment Management, Inc.**

*Englewood Gardens, Chicago, IL* -- 167-unit HUD-held rehabilitation, approved and construction expected to begin within 30-60 days

*712 West Diversey, Chicago, IL* -- 88-unit HUD-held rehabilitation

*Huff Avenue Apartments, Chicago, IL* -- 72-unit new construction, approved and construction expected to begin within 60-90 days

*Hayes Valley Apartments, San Francisco, CA* -- 85-unit rehabilitation, approved and under construction

### **AFL-CIO Housing Investment Trust**

*El Azteca Apartments, Laredo, TX* -- 50-unit new construction, approved with construction expected to begin within 30-60 days

*Corona Del Valle Apartments, El Paso, TX* -- 100-unit family, new construction

*Sunrise Apartments, Edinburg, TX* -- 70-unit single family development

*Concord Street Apartments, Boston, MA* -- 42-unit homeless, rehabilitation and new construction

*Daly Avenue Apartments, New York, NY* -- 84-unit rehabilitation

*Jefferson Street Apartments, Marrero, LA* -- 150-unit HUD-held rehabilitation

*Carl Mackley Apartments, Philadelphia, PA* -- 260-unit HUD-held rehabilitation



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